



Ordinary Meeting of Council

Minutes

19 November 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 20 November 2013.



Stan Scott
CHIEF EXECUTIVE OFFICER

20 November 2013.

Confirmed Minutes

These minutes were confirmed at a meeting held on 10 December 2013.

Signed: *David K. Dow*

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

10 December 2013.

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Shire of Toodyay

ORDINARY MEETING – 19 NOVEMBER 2013

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 4.08 pm.

2. RECORDS OF ATTENDANCE

Members

Cr D Dow	Shire President
Cr B Lloyd	Deputy Shire President
Cr P Greenway	
Cr A McCann	
Cr T Chitty	
Cr B Rayner	
Cr C Firns	
Cr S Craddock	
Cr R Madacsi	

Staff

Mr S Scott	Chief Executive Officer
Ms A Bell	Manager Community Development
Ms C Delmage	Manager Corporate Services
Mr G Bissett	Manager Planning & Development
Mr L Vidovich	Manager Works and Services
Mr D Hills	Planning Officer
Mrs M Rebane	Executive Assistant

Visitors

G Warburton
L Bennett
W Lewer

2.1 APOLOGIES

Nil.

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 Chitty had submitted two disclosures of interest in the form of a written notice prior to the commencement of the meeting.

Cr Chitty declared a financial interest in Agenda Item 9.4.3 Sandakan Scholarship Tour as her son is a potential candidate for the scholarship. She declared that she would abstain from voting.

Cr Chitty declared an impartiality interest in Agenda Item 9.5.9 Request for Councils Support to Close Part of Duke Street as she has an association being brothers who own the property. She declared that she would judge this matter on its merits and vote accordingly.

4. PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 15 October 2013 there were no questions taken on notice.

4.2 PUBLIC QUESTION TIME

G Warburton

Summary of Question One

What is Council's position on Bauxite exploration and mining activity within the Shire of Toodyay? and does Council consider that a Public Information Session on the Bauxite issue should be conducted?

The Shire President responded as follows:

The Shire of Toodyay has not taken a position in relation to Bauxite Mining. While mining has been defined as Industry – Mining in the Local Planning Scheme, the use is not listed in the Zoning table so it is not a prohibited use. In any event Section 120 of the Mining Act overrides the Planning and Development Act to the extent that the provisions of a Local Planning Scheme "shall not operate to prohibit or affect the granting of a mining tenement or the carrying out of any mining operations".

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Given that Council does not have the power to prohibit mining, it will ensure that it is an active participant in the statutory processes to ensure that views of the community and the Council are considered. It is premature for Council to take a position until there is a proposal to be considered.

We cannot really have a public forum until the issue has progressed a little further.

5. CONFIRMATION OF MINUTES

5.1 Ordinary Meeting of Council held on 15 October 2013

COUNCIL RESOLUTION NO 340/11/13

MOVED Cr Lloyd

That the Unconfirmed Minutes of the Ordinary Meeting of Council held on 15 October 2013 be confirmed.

MOTION CARRIED 9/0

5.2 Special Meeting of Council held on 21 October 2013

COUNCIL RESOLUTION NO 341/11/13

MOVED Cr Madacsi

That the Unconfirmed Minutes of the Special Meeting of Council held on 21 October 2013 be confirmed.

MOTION CARRIED 9/0

5.3 Council Forum held on 5 November 2013

COUNCIL RESOLUTION NO 342/11/13

MOVED Cr Chitty

That the notes of the Council Forum held on 5 November 2013 be received.

MOTION CARRIED 9/0

5.4 Special Meeting of Council held on 7 November 2013

COUNCIL RESOLUTION NO 343/11/13

MOVED Cr McCann

That the Unconfirmed Minutes of the Special Meeting of Council held on 7 November 2013 be confirmed.

MOTION CARRIED 9/0

5.5 Confidential Minuted Items

5.5.1 Council Forum 5 November 2013

COUNCIL RESOLUTION NO 344/11/13

MOVED Cr Lloyd

That the Unconfirmed Confidential Minuted Program Item of the Council Forum held on 5 November 2013 be received.

MOTION CARRIED 9/0

5.5.2 Special Meeting of Council held on 7 November 2013

COUNCIL RESOLUTION NO 345/11/13

MOVED Cr McCann

That the Unconfirmed Confidential Minuted Item of the Special Meeting of Council held on 7 November 2013 be confirmed.

MOTION CARRIED 9/0

6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil.

6.2 DEPUTATIONS

Nil.

6.3 PRESENTATIONS

Nil.

6.4 SUBMISSIONS

Nil.

7. BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER

8.1 PRESIDENT'S REPORT

On 22 October the Local Emergency Management Committee conducted a school evacuation exercise in association with the Toodyay District High School. This was a very worthwhile exercise that identified a range of potential issues should there ever be a live incident. This included such issues as compatibility issues with some equipment and poor access by emergency services to some areas of the campus. It also highlighted the importance of looking after children's welfare in hot and stuffy conditions, particularly when the power goes out. I attended the briefing session at the start of the exercise and was surprised by the amount of volunteers in attendance and was particularly heartened to see that the group comprised men and women of all ages and professions including a couple of younger members who appeared to be almost the age of the students at the school they were about to defend. Thank you for your efforts. I also thank the local police for their involvement.

On a positive note the evacuation went well, the school SMS system was very effective, hydrant pressure was excellent, school drills and procedures were very good and school staff performed very well. In all it was a very worthwhile cooperative effort.

Still on emergency management, the maintenance of the Shire's strategic firebreaks has been completed for the fire season.

A storm on Saturday saw 6 fires started by lightning in the eastern half of the Shire. Several brigades attended including Bolgart. Again a very good effort by all involved. Unfortunately one firefighter was seriously injured whilst attending these fires, again highlighting the danger all of our emergency people face when attending incidents on our behalf. I speak for all Councillors when I wish her a speedy and successful recovery.

On 19 October the organisers of the Quit Targa West Rally in association with the Toodyay Lions Club hosted a charity ride in the new River Hills Estate – that is Foggarthorpe. Community members were given the opportunity to ride in a rally car in exchange for a donation, each of the participating cars also paid to be involved and there was sponsorship from local businesses. The day raised

\$9,000 to be distributed by the Toodyay Lions Club to local charities. I would like to congratulate all those involved for a very successful day.

One of the pleasures of the job of Shire President is the opportunity to conduct citizenship ceremonies confirming migrants as Australians. Seeing new people committing to citizenship really helps you appreciate what most of us take for granted. I have conducted two citizenship ceremonies this month with one more to come. I am sure these new citizens will find that becoming a citizen of this country will be a positive step forward in their journey through life.

Finally, it gives me great pleasure to announce that the settlement for the Toodyay Recreation Precinct has been completed, and we are now the proud owners of 14 hectares of land adjacent to the Toodyay District High School. Settlement was a little slower than may have been anticipated as a new title had to be issued first. This is the first step in the long process of ensuring that the Toodyay community has a suite of contemporary recreation facilities to meet the communities' needs for coming decades.

9. REPORTS OF COMMITTEES AND EMPLOYEE REPORTS

The Shire President ruled that in accordance with Standing Order 4.6 that Council could consider business for adoption by exception. The Shire President advised that the CEO had collated the Council Meeting Running Sheets and the items to be considered were as follows:

- 9.1.1 Bush Fire Advisory Committee Recommendations**
- 9.3.1 List of Payments – October 2013**
- 9.4.1 Christmas Office Closure**

Cr Craddock moved a motion as follows:

That Council adopt the Officer's Recommendation contained in the following reports:

- 9.1.1 Bush Fire Advisory Committee Recommendations**
- 9.3.1 List of Payments – October 2013**
- 9.4.1 Christmas Office Closure**

in accordance with Standing Order 4.6.

In accordance with Standing Order 4.6 the Shire President sought clarification as to whether any member wished to make a statement or move a motion other than the Officer's recommendation.

In accordance with Standing Order 4.6 the Shire President declared the motion carried without debate and without taking a vote.

The Shire President ruled that the motion was carried in accordance with Standing Order 4.6 the Officer's Recommendation be recorded as the Council's resolution in the minutes as a unanimous decision of the Council ".

COUNCIL RESOLUTION NO 346/11/13

MOVED Cr Dow

That Council adopt the Officer's Recommendation contained in the following reports:

- 9.1.1 Bush Fire Advisory Committee Recommendations
- 9.3.1 List of Payments – October 2013
- 9.4.1 Christmas Office Closure

in accordance with Standing Order 4.6.

MOTION CARRIED 9/0

9.1 COMMITTEE REPORTS

9.1.1 Bush Fire Advisory Committee Recommendations

Date of Report:	12 November 2013
Proponent:	Shire of Toodyay
File Ref:	COC3
Author:	Maria Rebane – Executive Assistant
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Bush Fire Advisory Committee Minutes.
Voting Requirements:	Simple Majority

INTRODUCTION

The purpose of this report is to have Council endorse the nominations made by the Bush Fire Advisory Committee in relation to Officers.

BACKGROUND

At a Bush Fire Advisory Committee Meeting held on 11 November 2013 the Bush Fire Advisory Committee made Officer Nominations as follows:

Chief Bush Fire Control Officer (CBFCO)	Mr M McBride
Deputy Chief Bush Fire Control Officer No 1	Mr M Rogers
Deputy Chief Bush Fire Control Officer No 2	Mr M Briggs
Deputy Chief Bush Fire Control Officer No 3	Mr C Stewart
Fire Control Officer Representative	Mr C Wroth
Training Officer/Coordinator	Ms H Wearmouth
Fire Weather Officer	CBFCO
Training Officer/Coordinator	Ms H Wearmouth

A motion was also made as follows:

1. The Chief Bush Fire Control Officer be appointed to the position of Fire Weather Officer; and
2. The position of Deputy Chief Bush Fire Control Officer No 3 be included in the membership of the Bush Fire Advisory Committee.

CONSULTATION

There was no consultation made in relation to this report.

STATUTORY ENVIRONMENT

Section 38 of the *Bush Fires Act 1954* states as follows:

38. Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A (2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
[(b) deleted]
- (2C) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the FES Commissioner may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (2D) Where a local government that has been served with a notice pursuant to subsection (2C) fails or neglects to comply with the requirements of that notice, the FES Commissioner may appoint a person who is not employed in the Department to the vacant office.
- (2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —
 - (a) carrying out normal brigade activities;
 - [(b), (c) deleted]
 - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
 - (e) procuring the due observance by all persons of the provisions of Part III.
- (5A) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to

the provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.

- (5B) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions issued under subsection (5A) carry out the directions but subject to the provisions of this Act.
- (5C) The provisions of subsections (5A) and (5B) are not in derogation of those of subsection (4).
- (6) In this section —
approved local government means a local government approved under subsection (7) by the FES Commissioner.
- (7) If it appears to the FES Commissioner that the standard of efficiency of a local government in fire prevention and control justifies the FES Commissioner doing so, the FES Commissioner, by notice published in the Government Gazette —
- (a) may approve the local government as one to which subsections (6) to (18) apply; and
 - (b) may from time to time cancel or vary any previous approval given under this subsection.
- (8) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.
- (9) Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the exclusive right to exercise the power conferred by subsection (17).
- (10) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.
- (11) Where the office of a fire weather officer is vacant or whilst the occupant is absent or unable to act in the discharge of the duties of the office, any deputy appointed in respect of that office under subsection (10) is, subject to subsection (12), entitled to act in the discharge of the duties of that office.
- (12) A deputy who is one of 2 or more deputies of a fire weather officer is not entitled to act in the discharge of the duties of the office of that fire weather officer if a deputy who has precedence over him in the order of seniority determined under subsection (10) is available and able to discharge those duties.
- (13) The local government shall give notice of an appointment made under subsection (8) or (10) to the FES Commissioner and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the FES Commissioner shall cause notice of the appointment to be published once in the Government Gazette.
- (14) An approved local government may appoint a committee for the purpose of advising and assisting a fire weather officer or any

deputy of a fire weather officer acting in the place of that officer under this subsections (6) to (18).

- (15) Where a committee is appointed, a fire weather officer, or, as the case may be, a deputy of a fire weather officer while acting in the place of that officer, may exercise the authority conferred on him by subsection (17), notwithstanding the advice and assistance tendered to him by the committee.
- (16) The provisions of subsections (6) to (18) are not in derogation of those of any other subsection of this section.
- (17) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is "catastrophic", "extreme", "severe" or "very high", and upon the authority being given the person, if he has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.
- (18) Subsections (6) to (18) do not authorise the burning of bush —
 - (i) during the prohibited burning times; or
 - (ii) during the period in which, and in the area of the State in respect of which, a total fire ban is declared under section 22A to have effect.

[Section 38 amended by No. 35 of 1957 s. 7; No. 20 of 1958 s. 2; No. 11 of 1963 s. 18; No. 67 of 1970 s. 4; No. 65 of 1977 s. 36; No. 51 of 1979 s. 4; No. 60 of 1992 s. 21; No. 14 of 1996 s. 4; No. 10 of 1998 s. 20(2); No. 42 of 1998 s. 16; No. 38 of 2002 s. 29; No. 25 of 2009 s. 12; No. 19 of 2010 s. 52(4); No. 22 of 2012 s. 60 and 69.]

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 Shire of Toodyay received concerns in relation to the validity of the appointments made by the Bush Fire Advisory Committee at its meeting held on 24 September 2013. Therefore, the Bush Fire Advisory Committee met again on 11 November 2013 to reconsider appointments of Officers.

At an Ordinary Meeting of Council held on 21 October 2013 Council resolved the following:

That, as amended:

1. *The purpose of the Bush Fire Advisory Committee is stated as follows:*

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

2. *Council appoint the following members to the Bush Fire Advisory Committee:*

*Councillor Lloyd
Councillor Rayner
Chief Bushfire Control Officer;
Deputy Chief Bushfire Control Officer 1;
Deputy Chief Bushfire Control Officer 2;
Bejoording Brigade representative;
Morangup Brigade representative;
Coondle-Nunile Brigade representative;
Julimar Brigade representative;
Toodyay Central Brigade representative;
Toodyay Volunteer Fire & Rescue representative;
Fire Control Officer representative;
Bush Fire Volunteer Training Officer representative;
Chief Executive Officer Shire of Toodyay;
Community Emergency Services Manager.
Department of Parks & Wildlife representative; and
Department of Fire and Emergency Services (DFES)
representative.*

3. *Council appoint Deputy Members in order of seniority as follows:*

*Councillor Craddock
Councillor McCann*

4. *The Bush Fire Advisory Committee meet at 6.00 pm on the fourth Tuesday of each of the months of March, May, July and September unless otherwise determined by the Committee.*

**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION
RESOLUTION 346/11/13**

MOVED Cr Craddock

That:

1. Mr Murray McBride be appointed to the position of Chief Bush Fire Control Officer
2. Mr M Rogers be appointed to the position of Deputy Chief Bush Fire Control Officer No. 1
3. Mr M Briggs be appointed to the position of Deputy Chief Bush Fire Control Officer No 2.
4. Mr C Stewart be appointed to the position of Deputy Chief Bush Fire Control Officer No 3;
5. Mr C Wroth be appointed to the position of Fire Control Officer Representative;
6. Ms H Wearmouth be appointed to the position of Training Officer/Coordinator;
7. The Chief Bush Fire Control Officer nominated above be appointed to the position of Fire Weather Officer; and
8. The position of Deputy Chief Bush Fire Control Officer No 3 be included in the membership of the Bush Fire Advisory Committee.

MOTION CARRIED 9/0

9.2 COMMUNITY DEVELOPMENT

9.2.1 Toodyay Recreation Strategy 2013

Date of Report:	28 October 2013
Proponent:	Shire of Toodyay
File Ref:	EOI5/PRO2
Author:	Joanna Buegge – Be-Active Co-ordinator
Responsible Officer:	Audrey Bell – Manager Community Development
Officer's Disclosure of Interest:	Nil
Attachments:	1. SGL Consulting Memo; 2. Toodyay Draft Recreation Strategy; and 3. Submissions under confidential cover.
Voting Requirements:	Simple Majority

INTRODUCTION

The purpose of this report is to present to Council the Toodyay Recreation Strategy 2013 including the feedback received from public submissions.

BACKGROUND

At an Ordinary Meeting of Council held on 20 August 2013, Council resolved (Council Resolution No 243/08/13) as follows:

1. The Draft Recreation Strategy document be amended as follows:
 - (a) the words "show society" wherever it appears be replaced with the words "Toodyay Agricultural Society"; and
 - (b) a typographical error on page 88 be amended so that the word "Spot" is amended to read "Sport".
2. Council releases the amended Draft Recreation Strategy for public comment for 21 days commencing 21 August 2013.

CONSULTATION

The Toodyay Recreation Strategy was made open for public comment from Wednesday 21 August to Thursday 19 September 2013 for members of the public to make submissions with feedback and suggestions in regards to the plan and its recommendations.

Council received seven (7) submissions in total.

STATUTORY ENVIRONMENT

This proposal does not contain any notable environmental implications.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

2013-2023 Toodyay 2023 Strategic Community Plan adopted 21 May 2013 – **Community Services – Recreation Plan** – Development of a Recreation Plan and Investing in Recreation Solution – Establish a new recreation precinct to accommodate long term needs of the community; Provision of a multi-purpose recreation facility (including aquatic) – ten million over ten years (partially grant and loan funded) to meet identified needs.

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

After the closure of the public comment submission time frame, seven (7) responses were received including one received outside of the submission time from the Swimming Pool Action Committee.

All submissions were sent to Phil Gray from SGL Consulting for his response and actions to be noted in the strategy. Phil has prepared a Memo with all the submissions along with his suggestions, actions and responses.

If Council approves of the suggested actions, Phil Gray will make the required changes and any further changes Council suggest, then finalise the report for council's adoption.

OFFICER'S RECOMMENDATION

It is recommended that:

1. Council read through the Memo supplied from SGL Consulting and approve / decline any suggested changes recommended;

- | |
|---|
| <ol style="list-style-type: none">2. Council to note and resolve where stated in the Memo; and3. Council to approve the Toodyay Recreation Strategy 2013 with the noted changes to be finalised and presented to Council at its next meeting date to adopt the strategy. |
|---|

Cr Craddock moved a motion as follows:

That:

1. **the Memo from the Consultants will be rewritten without inclusion of the SPAC submission; and**
2. **Discussion of this item be deferred until after this new memo has been received.**

Clarification was sought.

Cr Firms objected to the motion.

The motion was lost for want of a seconder.

Cr Lloyd moved a motion as follows:

1. **Council read through the Memo supplied from SGL Consulting and approve any suggested changes recommended;**
2. **Council to note and resolve where stated in the Memo; and**
3. **Council to approve the Toodyay Recreation Strategy 2013 with the noted changes to be finalised and presented to Council at its next meeting date to adopt the strategy.**

Clarification was sought.

Cr Firms foreshadowed a motion as follows:

That this matter be returned to Council Forum for further discussion if this motion is not passed.

Cr Firms objected to the motion.

The motion was lost for want of a seconder.

Cr Firms moved a motion as follows:

That this matter be returned to Council Forum for further discussion prior to adoption.

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The motion was put.

COUNCIL RESOLUTION NO 347/11/13

MOVED Cr Firms

That this matter be returned to Council Forum for further discussion prior to adoption.

MOTION CARRIED 9/0

9.2.2 Australian Sports Foundation

Date of Report:	11 November 2013
Proponent:	Shire of Toodyay
File Ref:	REC2/MAN2
Officer:	Joanna Buegge – Be-Active Coordinator
Senior Officer:	Audrey Bell – Manager Community Development
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

INTRODUCTION

The following is a report on the Australian Sports Foundation, its purpose, and how the Shire of Toodyay can utilise them for fundraising for the new Toodyay Sport and Recreation Precinct.

BACKGROUND

The Australian Sports Foundation (ASF) is a company established by the Australian Government to support the development of sport in Australia. The ASF can offer an avenue of tax deductibility to incorporate, non-profit organisations that are keen to register and undertake a fundraising campaign to develop a sport related project.

The ASF can offer donors the benefit of tax deductibility of donations of \$2 or over to which donors may nominate a specific project as their preferred beneficiary of their donation, however they cannot insist on a project as by the taxation law. Donations received by the ASF form a pool of funding which is granted out to registered projects.

The Shire of Toodyay is eligible to register the Toodyay Sport and Recreation Precinct and offer the benefits of the ASF to the community.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Nil.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

Registering of the Toodyay Sport and Recreation Precinct can assist in the Shires ability to raise funds to help cover the cost of the total project. Donations can be made to the ASF by members of the public and businesses to which they then can receive a tax deduction. The Shire of Toodyay can then submit a grant application to the ASF for funds donated towards the project, as well as extra funds that the ASF may have received in other ways.

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

Registering the Toodyay Sport and Recreation Precinct with the Australian Sports Foundation can benefit the Shire and its effort to raise some much needed funds to go towards the project.

Promoting the fact that donors can receive a tax deduction on their donations can only encourage more of the Toodyay community and local businesses to make donations and aid the fundraising efforts required. When the Shire of Toodyay comes to submitting grant applications to help cover the cost of the precinct, an application can be submitted to the ASF to which monies donated from the Toodyay community and other donations made to the ASF can be allocated to our project.

OFFICER'S RECOMMENDATION

It is recommended that:

1. Council approve the registering of the Toodyay Sport and Recreation Precinct with the Australian Sports Foundation;
2. Council register the Toodyay Sport and Recreation Precinct in three (3) separate projects:
 - Toodyay Playing Fields
 - Toodyay Swimming Pool
 - Toodyay Multi-Purpose Community Recreation Centre

Cr Lloyd moved the Officer's Recommendation.

Clarification was sought.

Cr Firms objected to the motion.

Cr Chitty seconded the motion.

Debate ensued.

The motion was put.

COUNCIL RESOLUTION NO 348/11/13

MOVED Cr Lloyd

SECONDED Cr Chitty

That:

1. Council approve the registering of the Toodyay Sport and Recreation Precinct with the Australian Sports Foundation;
2. Council register the Toodyay Sport and Recreation Precinct in three (3) separate projects:
 - Toodyay Playing Fields
 - Toodyay Swimming Pool
 - Toodyay Multi-Purpose Community Recreation Centre

MOTION CARRIED 8/1

9.2.3 Community Depot Project

Date of Report:	11 November 2013
Proponent:	Shire of Toodyay
File Ref:	COM24/COC10
Author:	Audrey Bell – Manager Community Development
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Concept Plan; and 2. Discussion Paper from November 2013 Council Forum.
Voting Requirements:	Absolute Majority

INTRODUCTION

Work at the Community Depot has become urgent or we could potentially lose the Toodyay Community Radio as a foundation tenant.

BACKGROUND

Under Round 5 of the Regional Development Australia Fund each Local Government was notified of a notional allocation for which they had to submit eligible project proposals. Toodyay identified the Community Depot Project and the reroofing of the Memorial Hall as suitable projects, each part funded from the \$90,000 allocation.

The Liberal Party policy in relation to regional development funding is that it will only honour projects for which a funding agreement had been signed. There is no completed funding agreement for these projects. The commonly held view within Local Government is that this funding will not be forthcoming.

The CEO has sought confirmation of the actual position, but has yet to get final word from the Department. The lack of certainty in relation to this funding has delayed work on the community depot.

CONSULTATION

The CEO and Senior Management Staff have met with Toodyay Community Radio and the CEO has been in contact with RDA Wheatbelt.

STATUTORY ENVIRONMENT

The proposed solution will require changes to Council's budget which requires an absolute majority.

POLICY IMPLICATIONS

There are no notable policy implications.

FINANCIAL IMPLICATIONS

The proposed solution will require the deferral of the reroofing of the Memorial Hall to future years if the RDA funding does not come through. Council's combined allocation from its own sources for the two projects would be applied to the community depot project.

STRATEGIC IMPLICATIONS

Achieving Council's vision for the community depot as a vibrant community space and developing grant proposals for other tenants requires the installation of core infrastructure.

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

Council allocated \$69,000 of its own funds together with an anticipated \$90,000 grant towards the two projects. If Council's allocation was applied to the community depot project we could achieve the changes necessary to get the first tenant on board. The proposed budget for the project would be as follows:

Item Description	Allocation
Supply and installation of a biolytic treatment unit	\$15,000
Electrical connection and fit out including telephone line, smoke alarms and RCDs	\$12,000
Glazing	\$10,000
Ramp and accessibility features	\$ 4,000
Refurbishment of kitchen, common area and toilet	\$ 9,000
Installation of a prefabricated unisex accessible freestanding toilet	\$10,000
Earthworks and site works	\$ 9,000
Total project budget	\$69,000

This would secure the building and provide the basic services required for groups to begin work to relocate or establish facilities on the site. There is no

net impact on the budget bottom line as the reduced income is offset by the reduced expenditure. In the unlikely event that the funding does become available the CEO will return to Council with further adjustments to the budget.

Toodyay Community Radio signed a lease with the Shire almost 2 years ago. Under that lease the Shire was to make the old railway station habitable. To date this has not occurred. Toodyay Community Radio needs to move to suitable premises as a matter of urgency to satisfy its ACMA license conditions, to fulfil its charter and to have any reasonable prospect of accessing other funding.

OFFICER'S RECOMMENDATION

It is recommended that:

- 1 Council make the following changes to its annual budget:
 - GL 111334 - the anticipated grant from the Regional Development Australia Fund \$90,207 – be removed from the annual budget;
 - GL 111351 – Buildings Public halls and Civic Centres be reduced by \$90,207 and the project to reroof the memorial hall be deferred to a future year; and
 - GL 133332 – Community Depot – Capital Works proceed forthwith using Council funds.
- 2 If there is any undue delay in the completion of these works that the transportable offices at the Old Depot in Harper Street are made available to Toodyay Community Radio as temporary accommodation until the Community Depot is available.

The Shire President pointed out that consideration of this agenda item requires an absolute majority.

Cr Lloyd moved the Officer's Recommendation.

Clarification was sought.

The Shire President adjourned the meeting at 5.08 pm.

The Shire President resumed the meeting at 5.28 pm.

The motion was put.

COUNCIL RESOLUTION NO 349/11/13

MOVED Cr Lloyd

That:

- 1 Council make the following changes to its annual budget:
 - GL 111334 - the anticipated grant from the Regional Development Australia Fund \$90,207 – be removed from the annual budget;
 - GL 111351 – Buildings Public halls and Civic Centres be reduced by \$90,207 and the project to reroof the memorial hall be deferred to a future year; and
 - GL 133332 – Community Depot – Capital Works proceed forthwith using Council funds.
- 2 If there is any undue delay in the completion of these works that the transportable offices at the Old Depot in Harper Street are made available to Toodyay Community Radio as temporary accommodation until the Community Depot is available.

MOTION CARRIED BY ABSOLUTE MAJORITY 9/0

9.3 CORPORATE SERVICES

9.3.1 List of Payments – October 2013

Date of Report:	11 November 2013
Proponent:	Shire of Toodyay
File Ref:	FIN6
Author:	Kerry Wandless – Accounts Officer
Responsible Officer:	Cherie Delmage – Manager Corporate Services
Officer's Disclosure of Interest:	Nil
Attachments:	1. List of Payments – October 2013.
Voting Requirements:	Simple majority

INTRODUCTION

The purpose of this report is to present all payments made during the month of October 2013.

BACKGROUND

All creditor invoices are processed as they are received and payments are made on the 15th and final day of every month.

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 October 2013 was \$0.00.

**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION
RESOLUTION 346/11/13**

MOVED Cr Craddock

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

- a) Trust fund payments numbered 1291 to 1294 amounting to \$7,762.82
- b) Electronic Fund Transfers (EFT) payments numbered EFT14736 to EFT14920 and Municipal fund cheques numbered 11774 to 11795 amounting to \$783,599.77; and
- c) Direct Debits numbered IPV471 to IPV472 and BPV1461 to BPV1518 Amounting to \$306,811.62.

be noted as being paid.

MOTION CARRIED 9/0

9.3.2 Financial Statements – October 2013

Date of Report:	4 October 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:	1. Monthly Financial Statements including Outstanding Rates Debtors and Outstanding Sundry Debtors for the month ending 31 October 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:

- 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 report for the periods ending 31 October 2013.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 350/11/13

MOVED Cr Lloyd

That Council accepts the Monthly Financial Statements, Outstanding Rates and Outstanding Sundry Debtors information for the periods ending 31 October 2013.

MOTION CARRIED 9/0

9.3.3 - Draft Council Policy – SP.1 Asset Management

Date of Report:	4 November 2013
Proponent:	Shire of Toodyay
File Ref:	FIN2
Author:	Cherie Delmage – Manager Corporate Services
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none">1. Council Policy – SP.1 Asset Management;2. Asset Management Improvement Strategy; and3. Asset Management Plan.
Voting Requirements:	Simple majority

INTRODUCTION

The purpose of this report is to provide Council with a new Council Policy namely; SP.1 Asset Management.

BACKGROUND

The State Government's Local Government Reform Program requires local governments in Western Australia to introduce an Integrated Planning and Reporting Framework (IPRF). The idea behind the framework is to ensure that the Council's decisions take the community's aspirations into account and deliver the best results possible with the available resources.

The Strategic Community Plan (adopted 26 March 2013) sets the scene for the whole framework. It expresses the community's vision and priorities for the future and shows how the Council and community intend to make progress over a ten year period.

Detailed implementation for the next four years is covered in the Corporate Business Plan (adopted 17 September 2013). What is known as 'Informing Strategies', will show how the Plan is to be managed and resourced.

One of these Plans is the Asset Management Plan.

All local governments in Western Australia are required to implement this framework by 1 July 2013.

CONSULTATION

Consultation has occurred with the CEO, Senior Staff, Morrison Low, Core Business and the DLG.

STATUTORY ENVIRONMENT

The Shire of Toodyay is required to implement the IPRF pursuant to s5.56 (2) of the *Local Government Act 1995* and in accordance with *Local Government (Administration) Regulations 1996* Division 3 Planning for the Future.

Council is to consider a Strategic Community Plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications in accordance with *Local Government (Administration) Regulations 1996* s.19(C)(7).

POLICY IMPLICATIONS

The adoption of this Policy will ensure that Council uses best practice in the area of Asset Management.

This Policy also assists the Shire in complying with the provisions of the State Government's Integrated Planning & Reporting Framework.

FINANCIAL IMPLICATIONS

The Shire of Toodyay engaged Core Business Australia to prepare an Asset Management Plan and an Asset Management Improvement Strategy. Version 1 was completed on 13 February 2013 at a cost of \$33,500.

These Plans were prepared using data provided by Shire Officers.

As the ROMAN data (Road Network Data) had not been updated for several years, we then engaged Talis Consultants Road Network Data Capture & Asset Management Services at a cost of \$25,154.

This data is still to be added to Version 1 of the Plan.

Senior Staff also attended a full day training of WAAMI – Western Australian Asset Management

Whilst these documents provided some information, there is still a lot of work in the area of Asset Management to be undertaken. Due to the cost involved, the remaining work is being done predominantly in house or with the assistance of short term project co-ordinators.

STRATEGIC IMPLICATIONS

Asset Management forms a large part of the strategic direction of the Shire of Toodyay and it is extremely important that this area is given the appropriate level of attention to detail.

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

Local Government across Australia is facing the challenge of building, operating and maintaining billions of dollars' worth of vital infrastructure necessary for the well-being of their communities.

The preliminary findings of the Systemic Sustainability Study into Local Government in WA identified the following in relation to the financial sustainability and current financial position of WA Councils:

- WA Local Governments employ approximately \$13bn in capital and there is evidence they are underutilising debt.
- WA Local Governments registered operating deficits in 2004/2005 of 4.5% of their own-source revenue. While 49 Local Governments had positive operating surpluses, 93 had operating deficits with the average deficit being 17.4% of their own-source revenue.
- There was an infrastructure renewal gap of approximately \$110m in 2004/2005 which means that approximately only 75% of the amount required to maintain their non-financial assets in their current condition.
- The industry faces an infrastructure backlog is in the vicinity of \$1.75bn or 14% of the total value of non-financial assets in WA.
- A significant number of Local Governments do not fully maximise the rating system.
- In WA, to an extent not evident in either NSW or SA, financial unsustainability is a problem particularly prevalent amongst smaller and/or declining population regional Councils, evidence of a structural problem. However, 31% of the largest Councils and 45% of the above-average growth Councils are also assessed as financially unsustainable.
- 50% of Local Governments are financially unsustainable in WA and these Local Governments need to increase their rates by 10% or more to eliminate their operating deficits.
- Local Governments would benefit from a policy setting review and improved financial governance arrangements.

Significant parts of Australia's infrastructure are ageing and nearing the end of its economically useful life.

- Current funding commitments are either inadequate or yet to be identified to support the substantial costs of renewal and replacement.
- Current planning and political processes do not provide the necessary long-term focus.
- Only limited infrastructure information is available in some key areas.

OFFICER'S RECOMMENDATION

That it be a recommendation that:

1. Council Policy SP.1 – Asset Management be adopted by the Council; and
2. The practices outlined within the Policy be enacted by administration effective immediately.

Cr Lloyd moved the Officer's Recommendation as follows:

That:

1. **Council Policy SP.1 – Asset Management be adopted by the Council; and**
2. **The practices outlined within the Policy be enacted by administration effective immediately.**

Clarification was sought.

Cr Firms moved an amendment to the motion as follows:

That at Point 1 the words "subject to the definition of "Level of Service" being amended to read as follows:

"Level of Service" The defined service quality for a particular activity (e.g. roads) or service area (e.g. Street lighting) against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability and cost.

be inserted following the words "be adopted by the Council"."

Cr Lloyd accepted the amendment.

The motion was put.

COUNCIL RESOLUTION NO 351/11/13

MOVED Cr Lloyd

That:

1. **Council Policy SP.1 – Asset Management be adopted by the Council**

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subject to the definition of "Level of Service" being amended to read as follows:

"Level of Service" The defined service quality for a particular activity (e.g. roads) or service area (e.g. Street lighting) against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability and cost;

and

2. The practices outlined within the Policy be enacted by administration effective immediately.

MOTION CARRIED 9/0

9.4 EXECUTIVE SERVICES

9.4.1 Christmas Office Closure

Date of Report:	8 November 2013
Proponent:	Shire of Toodyay
File Ref:	MTG5
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1 Policy A10 - Christmas Holiday Office Closure.
Voting Requirements:	Simple Majority

INTRODUCTION

The purpose of this report is to recommend that the upcoming Christmas Holiday Closure be amended to that in Council Policy A.10 Christmas Holiday Office Closure.

BACKGROUND

Until 2007 Council would approve Holiday Closure arrangements annually.

In 2007 Council adopted Policy A.10 which allowed the closure to be determined administratively. This Policy allows for the office to be closed for up to eight consecutive working days including the three public holidays.

This Policy is very effective when Christmas Day and New Year's Day fall on any day of the week except Wednesday. The Policy states as follows:

'Chief Executive Officer will have discretion to vary the times of closure so that the period may include up to one day prior to Christmas Day and up to two days after New Year's Day, but not exceeding a total of eight consecutive working days, excluding weekends although inclusive of public holidays.'

Under these arrangements there are two possibilities:

- Staff work on Monday 23 December, and return to work on Friday 3 January 2014. That is staff work one day in each of two consecutive weeks; or
- Staff work until 24 December 2013 and return to work on Monday 6 January 2014. This means staff do not have time off immediately prior to Christmas day.

An alternative proposal is that the administration office and library be closed from Monday 23 December to Friday 3 January 2014 inclusive being two full weeks.

CONSULTATION

Consultation has occurred with staff.

STATUTORY ENVIRONMENT

This proposal does not contain any notable statutory implications.

POLICY IMPLICATIONS

This proposal is one off variation to Council Policy A.10 Christmas Holiday Office Closure and is only recommended due to the dates.

FINANCIAL IMPLICATIONS

Staff will be required to use accrued leave during the office closure assisting in the reduction of outstanding leave obligations.

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 will require Council's Administrative Office and Library being closed for two full weeks. This is slightly longer than the usual break but there is still sufficient time to advertise and notify the community.

OFFICER'S COMMENT

The proposed closure will allow staff to have a full two week break after what has been a difficult and challenging year.

This period is generally very quiet in relation to council business, and represents two days more than the standard closure period.

The Visitor Centre will close on Christmas Day, Boxing Day and New Year's Day only, in accordance with Policy A10.

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**OFFICER'S RECOMMENDATION/ADOPTION BY EXCEPTION
RESOLUTION 346/11/13**

MOVED Cr Craddock

That Council's Administration Office and the Toodyay Public Library be closed from Monday 23 December to Friday 3 January 2014 inclusive.

MOTION CARRIED 9/0

9.4.2 Rating Strategy

Date of Report:	29 October 2013
Proponent:	Shire of Toodyay
File Ref:	RAT12
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Shire of Toodyay Rating Strategy.
Voting Requirements:	Simple Majority

INTRODUCTION

Council has been working for some times on correcting anomalies in the basis on which different categories of property are rated.

BACKGROUND

Council has been considering a review of its rating strategy since 2001. This has included consideration of:

- Changes to the basis of rates for a number of types of properties;
- The implementation of differential rates for different types of properties with business use treated differently from residential use; and
- The implementation (and removal of) concessional treatment for classes of ratepayers.

The Local Government Act 1995 Section 6.28 provides that the Minister is to determine the method of valuation of land to be used by a local government as the basis for rates. The Department has published a Guideline to assist local Governments to prepare submissions for changes to be considered.

In October 2010 Council resolved as follows:

That Council, having regard for the Consensus Outcome arising from its Special Forum held on 23 September 2010:

1. *Adopt a position which relies the provisions of the Shire of Toodyay Local Planning Scheme No. 4 as the basis of determining whether specific zones are predominantly "rural" or "non-rural" in nature;*
2. *Confirm that the only zone under the provisions of Local Planning Scheme No. 4 which is considered to be predominantly "rural" in nature is, in fact, the "Rural" zone.*

3. *Adopt a position which rates all land zoned other than "Rural" on the basis of Gross Rental Value and land which is zoned "Rural" on the basis of Unimproved Value;*
4. *Adopt a position which relies on land which is predominantly identified as "rural" in nature but on which there are specific "non-rural" developments to be the subject of split valuations based on a combination of Gross Rental Value for the non-rural element and Unimproved Value for the rural element; and*
5. *Apply to the Minister for Local Government no later than April in any year to allow for revised valuations to be provided, such valuations to become effective from 1 July.*

On the 11 January 2011, correspondence was received from the Department of Local Government advising that, in order to support the Shire of Toodyay's application, the "*Operational Guidelines, Changing Methods of Valuation of Land*" would be required to be adhered to.

On the 5 May 2011 the Department of Local Government further advised that an application would require supporting documentation such as:

- Full details of properties involved including maps
- Details of improvements to the land
- Information regarding consultation
- Information regarding the impact on the properties

The Shire of Toodyay has not followed up this advice, except to the extent that a further proposal was put to Council expanding the use of other methods such as split rating, spot rating and differential rating, but did not advance the fundamental questions of changing the basis of rating including following the process set out in the relevant departmental guideline.

CONSULTATION

The Shire has consulted with the Department on the process required to be followed.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* Section 6.28 provides that the Minister is to determine the method of valuation of land to be used by a local government as the basis for rates. The Minister is to have regard to the general principle that the basis for a rate on any land is to be –

- a) Where the land is used predominantly for rural purposes, the unimproved value of the land; and

- b) Where the land is used predominantly for non-rural purposes, the gross rental value of the land.

Section 6.33 of the Act provides as follows:

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics —
 - a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or
 - b) A purpose for which the land is held or used as determined by the local government; or
 - c) whether or not the land is vacant land; or
 - d) any other characteristic or combination of characteristics prescribed.

POLICY IMPLICATIONS

The strategy suggests that Council should first ensure that the correct basis of rating is applied before applying a differential rate.

FINANCIAL IMPLICATIONS

Council has set aside \$50,000 in its budget to meet the cost of the revaluation of affected properties from UV to GRV. There has been no provision made for external consultants other than for the purpose of valuation.

STRATEGIC IMPLICATIONS

Council cannot make strategic decisions on differential rating until the correct basis of rates is established.

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

Council's resolution of October 2010 was fundamentally sound, except that Rural Living would need to be assessed at the individual property level to determine the appropriate basis for rates. All that is required is that the additional information requested by the Department be provided.

The approach for gathering the information is proposed as follows below.

Policy Position

The guidelines provide the following advice on determining the predominant use:

Predominant use – factors to be considered

Assessing the predominant use of land is fundamental to determining the method of valuation to be used for rating purposes. The Act does not define the term “predominant”. Consequently, an assessment has to be made on a case by case basis as a question of “fact and degree” as to whether or not the use of a particular property should be categorised as predominantly rural or non-rural.

Local governments should take all relevant factors into consideration including the following.

(a) Activity conducted on the land

Many activities may be associated with the use of a property. The nature, scale and extent of each activity should be taken into account in any assessment of predominant use.

(b) Development on the land

The nature, scale and extent of the development of a property can give an indication of the nature, scale and intensity of associated uses. They can also affect the capacity for a property to be used for other purposes.

(c) Income

Where a property is used for two or more different purposes, the income generated from each use can be a guide to assessing the predominant use of the land.

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Local Planning Scheme

Taking account of the Departmental Guideline and the planning table an assessment of the predominant use based on the activities permitted under the Local Planning Scheme produces the following outcome.

Zone	Planning Objectives	Default Basis of Rates	Rationale
Light Industry	(i) provide for rural, service, light and general industrial activities; (ii) provide appropriate buffers between industrial and adjacent land uses to avoid land use conflicts; and (iii) avoid conflicting uses from establishing in the industrial area.	GRV	Not rural.
Residential	(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.	GRV	Residential is clearly not rural, and this zoning generally provides for small lot sizes that would not allow for rural pursuit.
Residential Development	(i) designate land for future urban development; (ii) provide for orderly planning and development of larger areas of land for residential and associated purposes through the preparation of a development plan; and (iii) ensure the adequate provision of physical and community infrastructure.	GRV	This would generally be vacant land that has been earmarked for future development. There may be opportunities for GRV rating of individual properties or spot rating of particular non-residential developments.

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Zone	Planning Objectives	Default Basis of Rates	Rationale
Special Residential	<ul style="list-style-type: none"> (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. 	GRV	While this involves larger lot sizes the objectives relate to lifestyle and proximity to the townsite. LPS 4 does not contemplate any rural pursuits.
Mixed Business	<ul style="list-style-type: none"> (i) provide for commercial, light and service industrial, wholesaling, showrooms and professional services which, by reason of their scale, character and operational land requirements, are not generally appropriate to, or cannot conveniently or economically be accommodated within the Town Centre zone or Industrial zone; (ii) provide for development and land uses which will not result in a detrimental impact on the Town Centre zone; (iii) promote buildings of a high standard of architectural design complemented by landscaped surrounds. 	GRV	This is intended as a non-rural business zoning.
Town Centre	<ul style="list-style-type: none"> (i) establish a strong town focus; (ii) develop the town centre as the principal place for retail shopping, office and commercial development in the district; (iii) provide for expansion of commercial activity to meet future demands; (iv) provide for a variety of housing types and tourism related accommodation; (v) provide for social, recreational and community facilities; (vi) provide for the efficient and safe movement of vehicles and pedestrians; and (vii) provide for the preservation of the historical character of Toodyay. 	GRV	Even undeveloped land would be earmarked for residential or commercial development

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Zone	Planning Objectives	Default Basis of Rates	Rationale
Rural	<ul style="list-style-type: none"> (i) protect broad-scale agriculture from un-planned breakdown of rural land; (ii) subject to (i) above: <ul style="list-style-type: none"> (a) provide for tourist related activities, including farm stay, bed and breakfast and holiday accommodation; and (b) provide for a range of rural related uses such as intensive agriculture, aquaculture, and rural pursuits. 	UV	While predominantly UV there may be occasions where spot or split rating are justified.
Rural Residential	<ul style="list-style-type: none"> (i) provide for closer settlement for residential use in a rural environment; (ii) maintain and enhance the rural character and amenity of the locality; (iii) enhance the district's social and economic structure without detrimentally affecting the landscape, environment and existing agricultural activity; (iv) ensure the protection and conservation of native vegetation; (v) ensure that lot sizes and shapes are rationally related to the topography and state of land development; and (vi) have regard for the visual aspect of the site in considering development applications. 	GRV	This is primarily for residential purposes, and while in a rural environment there would be few occasions where a rural enterprise on anything approaching a commercial scale could be accommodated. Some potential for UV rating where it can be demonstrated that the predominant use is not residential. LPS 4 contemplates a very limited range of rural uses.
Rural Living	<ul style="list-style-type: none"> (i) identify areas with convenient access to the Toodyay townsite to take advantage of services provided in the area; (ii) to provide for a range of lot sizes between 5 ha to 40 ha, with an average of 15 ha to 20 ha depending on topography and landscape; (iii) allow for range of lifestyle opportunities including small rural holdings, rural pursuits; cottage industry and intensive agriculture; (v) provide for tourism related accommodation; and (vi) ensure the protection and conservation of native vegetation. 	GRV / UV Case by case	Predominantly rural in nature and the lot sizes are such that a rural purpose could be sustained. There may be opportunities for spot rating where the activity or use is clearly not the rural in nature. LPS 4 contemplates a limited range of rural uses.

An extract from the Shire of Toodyay Local Planning Scheme No 4 rating table is reproduced below. As can be seen from the table land used for predominantly rural purposes will most likely be found in the Rural Zone, to a limited extent in the Rural Living Zone and rarely in the Rural Residential Zone.

	Residential	Residential Development	Special Residential	Town Centre	Mixed Business	Light Industry	Rural	Rural Residential	Rural Living
Abattoir	X	X	X	X	X	X	A	X	X
Agriculture - Extensive	X	X	X	X	X	X	P	X	D
Agriculture - Intensive	X	X	X	X	X	X	D	A	D
Agroforestry	X	X	X	X	X	X	P	X	A
Animal Establishment	X	X	X	X	X	A	D	X	A
Animal Husbandry - Intensive	X	X	X	X	X	X	D	X	X
Dam	X	X	A	X	X	X	P	A	D
Equestrian Centre	X	X	X	X	X	X	A	X	A
Farm Stay/Host Farm	X	X	X	X	X	X	D	X	A
Industry – Rural	X	X	X	X	D	D	A	X	A
Roadside Stall	X	X	X	X	X	X	D	X	D
Rural Pursuits	X	X	X	X	X	X	P	A	A
Stables – Commercial	X	X	X	X	X	X	D	X	X
Stables – Private	X	X	X	X	X	X	P	D	A
Stockyard	X	X	X	X	X	X	P	D	D
Winery	X	X	X	X	X	X	D	A	A

The proposed process for the conduct of the review is set out below.

Step one – Desk Top Survey:

- Request GRV valuations for all potentially affected properties.
- Review mapping to gauge extent of development;
- Review planning and or building applications for the property;
- For vacant land consider the context of neighbouring properties; and
- If there is no evidence from the desk top survey that the default basis of rating will not apply use that basis.

Step Two – Council Endorsement

- Council endorsement of the desktop survey

Step Three - Consultation

- Write to each affected landowner advising of the review and the draft outcomes;
- Invite landowners to make a submission if they have evidence that their property is predominantly rural; and
- If necessary conduct a physical inspection of the affected property.

Step Four – Council Decision

- The officer's report to the council should include the following information:
- Details of the property(s) involved, including size and current uses;
- Details of improvements on the land;
- Current system of valuation used and the proposed change;
- Indication of the likely impact that the change would have on the rate assessment of the affected property(s);
- Details of consultation undertaken with affected ratepayers and their views;
- A statement indicating whether similar properties in the district are valued on the same system;
- Whether consideration should be given to phasing in the effects of the valuation change; and
- The date when the proposed change should take effect.
- Council to determine based on evidence which objections (if any) to sustain.

Step 5– Comprehensive Report to the Department for final decision.

- The final decision has been delegated by the minister to the Department.

It is important to note that there can be a significant delay in having valuations undertaken by the Valuer General so the valuations need to be arranged at the earliest possible opportunity. This allows us to provide quality advice to landowners about the potential impact of the change. Valuations are expected to be completed in March 2014.

Differential Rates

If Council were to contemplate imposing differential rates it must advertise its intention to do so in the two months preceding the new financial year, and allow 21 days for comments. This means that Council must have its rate in the dollar for the different categories decided well ahead of final budget deliberations. If

Council strikes a rate that is different from the advertised rates it must repeat the advertising process and disclose that change and the reason for the change in the budget papers.

It is too late to consider for 2013/14, but Council may wish to consider this option in the lead up to the 2014/15 financial year. In particular Council may wish to consider its rating strategy in relation to industrial activity on farmland such as quarries and landfills. Council may also wish to consider a differential rate for mining.

OFFICER'S RECOMMENDATION

1. The Shire of Toodyay pursue changes to the basis of rating in line with the following with a view to implementing in 2014/15:

Zone	Default Basis of Rates
Light Industry	GRV
Residential	GRV
Residential Development	GRV
Special Residential	GRV
Mixed Business	GRV
Town Centre	GRV
Rural	UV
Rural Residential	GRV
Rural Living	GRV / UV Case by case

2. Following the implementation of the review of the basis of rates that Council consider the implementation of differential rates based on the results of the above changes to ensure equitable distribution of rates burden. In particular is recommended that Council examine the opportunity to spot rate extractive industries and private waste treatment facilities on farm land.
3. That Rating Concessions be used on a very limited basis to address short term issues for small numbers of rate payers. In particular it is recommended that Concessions not be used in circumstances that could be addressed through the application of a differential rate.

Cr Madacsi moved the Officer's Recommendation as follows:

That:

1. **The Shire of Toodyay pursue changes to the basis of rating in line with the following with a view to implementing in 2014/15:**

Zone	Default Basis of Rates
Light Industry	GRV
Residential	GRV
Residential Development	GRV
Special Residential	GRV
Mixed Business	GRV
Town Centre	GRV

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Zone	Default Basis of Rates
Rural	UV
Rural Residential	GRV
Rural Living	GRV / UV Case by case

2. **Following the implementation of the review of the basis of rates that Council consider the implementation of differential rates based on the results of the above changes to ensure equitable distribution of rates burden. In particular is recommended that Council examine the opportunity to spot rate extractive industries and private waste treatment facilities on farm land.**
3. **That Rating Concessions be used on a very limited basis to address short term issues for small numbers of rate payers. In particular it is recommended that Concessions not be used in circumstances that could be addressed through the application of a differential rate.**

Clarification was sought.

The Planning Officer departed Council Chambers at 5.54 pm.

Cr Madacsi moved an amendment to the motion as follows:

That at Point 2 the words “other industries including” be inserted following the words “extractive industries and”.

Cr Firms objected to the motion.

Cr Craddock moved an amendment to the motion as follows:

That at Point 2 the words “to ensure equitable distribution of rates burden” be removed.

Cr Madacsi accepted the amendment.

Cr Madacsi moved an amendment to the motion as follows:

That at Point 2 the words “non-rural industries on rural land” be inserted following the words “examine the opportunity to spot rate” and the words “extractive industries and other industries including private waste treatment facilities on farm land” be deleted.

Cr Craddock seconded the amendment.

Cr McCann moved a typographical amendment be made to the motion as follows:

That at Point 2 the word “it” be inserted following the words “In particular”

Cr Madacsi accepted the typographical amendment.

Cr Craddock seconded the typographical amendment.

The Planning Officer returned to Council Chambers at 6.05 pm.

The Planning Officer tabled details of the omnibus scheme amendment in response to a Council question at 6.05 pm.

Discussion ensued.

Cr Madacsi moved an amendment to the motion as follows

That at Point 2 the second sentence that reads “In particular it is recommended that Council examine the opportunity to spot rate non-rural industries on rural land.” be removed.

Cr Craddock seconded the amendment.

Cr Firms moved an amendment to the motion as follows:

That at Point 2 the words “and spot rating” be inserted following the words “the implementation of differential rates”

Cr Madacsi accepted the amendment.

Cr Craddock seconded the amendment.

Cr Firms moved an amendment to the motion as follows:

That in the table at Point 1 the default basis of rates be changed from “GRV” to “UV” in relation to the “Rural Residential Zone”.

The Shire President ruled that the amendment could not be made as it would negate the intent of the motion, contrary to Standing Order 9.11.

Debate ensued.

The motion was put.

COUNCIL RESOLUTION NO 352/11/13

MOVED Cr Madacsi

SECONDED Cr Craddock

That:

1. The Shire of Toodyay pursue changes to the basis of rating in line with the following with a view to implementing in 2014/15:

Zone	Default Basis of Rates
Light Industry	GRV
Residential	GRV
Residential Development	GRV
Special Residential	GRV
Mixed Business	GRV
Town Centre	GRV
Rural	UV
Rural Residential	GRV
Rural Living	GRV / UV Case by case

2. Following the implementation of the review of the basis of rates that Council consider the implementation of differential rates and spot rating based on the results of the above changes; and
3. That Rating Concessions be used on a very limited basis to address short term issues for small numbers of rate payers. In particular it is recommended that Concessions not be used in circumstances that could be addressed through the application of a differential rate.

MOTION CARRIED 8/1

The Manager Corporate Services departed Council Chambers at 6.38 pm.

The Manager Community Development departed Council Chambers at 6.38 pm.

The Shire President adjourned the meeting at 6.39 pm.

The Shire President resumed the meeting at 7.14 pm.

Cr Chitty declared a financial interest in Agenda Item 9.4.3 Sandakan Scholarship Tour as her son is a potential candidate for the scholarship. She declared that she would abstain from voting.

Cr Chitty departed Council Chambers at 7.15 pm.

9.4.3 Sandakan Scholarship Tour

Date of Report:	11 November 2013
Proponent:	Toodyay RSL Sub Branch
File Ref:	COM7/ICR24345
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Correspondence from RSL.
Voting Requirements:	Simple Majority

INTRODUCTION

The Shire for several years has supported a scholarship for a Toodyay District High School student to visit Borneo to learn about the Sandakan death marches. The RSL has requested an increased level of financial support to allow for an additional scholarship.

BACKGROUND

Wikipedia summarises the Sandakan Death Marches as follows:

The Sandakan Death Marches were a series of forced marches in Borneo from Sandakan to Ranau which resulted in the deaths of 2345 Allied prisoners of war held captive by the Empire of Japan during the Pacific campaign of World War II in the Sandakan POW Camp. By the end of the war, of all the prisoners who had been incarcerated at Sandakan and Ranau, only six Australians survived, all of whom had escaped. It is widely considered to be the single worst atrocity suffered by Australian servicemen during the Second World War.

Toodyay has a very specific connection to these events, as this extract from the material developed for the Borneo Exhibition at the Newcastle Gaol Museum in 2008 shows:

From Toodyay's small population four men perished in Borneo. The Dorizzi family lost three sons, Herbert, Gordon and Tom, and the Ferguson family lost their son, Reginald. All four men died as a result of the first marches in early 1945. Herbert and Gordon died together on February 11 amidst the swampy marshlands and dense jungle of Mount Kinabalu. Tom and Reg Ferguson endured to reach Ranau, but both men died in the

camp; Tom one month after his brothers and Reg on 23 March. By the end of June that year only six of the 470 prisoners who had left on the first march from Sandakan were still alive at Ranau.

In 2011, Year 9 and 10 Drama Students at Toodyay District High School, , re-dramatised an updated version of the original 1947 ABC Radio play 'Six From Borneo' with help from the Toodyay community, including Toodyay Community Radio, the Shire of Toodyay and Toodyay RSL. A copy of the rerecording has been submitted to the National Film and Sound Archive of Australia and to the ABC library in Perth, Western Australia.

CONSULTATION

Toodyay RSL.

STATUTORY ENVIRONMENT

This proposal does not contain any notable statutory implications.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

Council allocated \$1500 to support the Sandakan Scholarship Tour for one student. Council also allocated \$10,000 to Discretionary funds under the same account code: GL 104201.

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 project has a positive impact on the young people who compete for the scholarship and those attending the study tour.

OFFICER'S COMMENT

The RSL has indicated that to achieve the objective of sending two students it is considering reducing the level of support for the accompanying parent or guardian. This means that it may be possible to assist a second scholarship without doubling our contribution. This would mean that there would still be a heavier burden on fundraising by the sub branch.

It is proposed that Council double its contribution conditional on second study tour being offered. If the RSL is unable to raise sufficient additional funds to increase the offering, Council's contribution would remain at \$1500.

OFFICER'S RECOMMENDATION

That Council commit \$1500 per Sandakan Study Tour Scholarship for up to two scholarships for this year.

Cr Craddock moved a motion as follows:

That Council:

- 1. Notes that is has allocated \$1,500 in its annual budget to support a study tour scholarship to Sandakan in Borneo in association with the Toodyay RSL sub-Branch; and**
- 2. Commits an additional \$1,500 to support a second Sandakan Study Tour Scholarship for this year subject to the RSL being able to raise the balance of the funds required to support the project.**

Clarification was sought.

The motion was put.

COUNCIL RESOLUTION NO 353/11/13

MOVED Cr Craddock

That Council:

1. Notes that is has allocated \$1,500 in its annual budget to support a study tour scholarship to Sandakan in Borneo in association with the Toodyay RSL sub-Branch; and
2. Commits an additional \$1,500 to support a second Sandakan Study Tour Scholarship for this year subject to the RSL being able to raise the balance of the funds required to support the project.

MOTION CARRIED 8/0

Cr Chitty returned to Council Chambers at 7.21 pm.

The Chief Executive Officer read aloud Resolution No 353/11/13 for the benefit of Cr Chitty.

9.5 PLANNING AND DEVELOPMENT

The Shire President ruled that Agenda Item 9.5.3 Lot 150 Henry Street, Toodyay and Lot 151 Arthur Street Toodyay - Proposed Outbuilding, Verandah and Carport Additions and Proposed Outbuilding Demolition be discussed as the next item of business.

9.5.3 Lot 150 Henry Street, Toodyay and Lot 151 Arthur Street, Toodyay - Proposed Outbuilding, Verandah and Carport Additions and Proposed Outbuilding Demolition

Date of Report:	11 November 2013
Applicant:	Mr L Bennett
File Ref:	150HEN/A4088, 151ART/A4087
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. Existing Site Plan; 2. Proposed Site Plan; 3. Elevation Details - Outbuilding at Lot 150 Henry Street; 4. Elevation Details - Carport at Lot 150 Henry Street; 5. Elevation Details - Verandah at Lot 150 Henry Street; 6. Elevation Details - Outbuilding at Lot 151 Arthur Street; and 7. Justification Table.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider an application from Mr Bennett, the landowner of Lot 150 Henry Street on behalf of the landowners of Lot 150 Henry Street and Lot 151 Arthur Street, Toodyay for outbuildings, carports and verandahs on these properties. Council is also requested to consider a demolition application for an outbuilding that currently exists at Lot 151 Arthur Street, Toodyay.

The application does not meet with the requirements of State Planning Policy No 3.1 - Residential Design Codes (R Codes), Local Planning Policy No 13 - Outbuildings in Residential Areas and Local Planning Policy No 20 - Central Toodyay Heritage Area and is therefore being referred to Council for determination.

BACKGROUND

Lot 150 Henry Street and Lot 151 Arthur Street are located in the Toodyay townsite, near the Avon River. Both properties are zoned 'Residential R10/50' in the Local Planning Scheme and because both properties are connected to the reticulated sewerage system, the lots are considered under the Residential R50 designation. Lot 150 Henry Street is 678m² in area and currently has a dwelling and outbuilding on the property. A path used for vehicles also exists to the north of the property. Lot 151 Arthur Street is 928m² in area and currently has an outbuilding on the property.

The applicant is proposing to add a verandah, a carport and an outbuilding to his property. This is in order to house three vehicles and one trailer, as well as have additional working space. In order to fit all the buildings on his property, he is proposing to purchase a portion of Lot 151 Arthur Street. The applicant is proposing to relocate his existing outbuilding on to neighbouring Lot 151 Arthur Street, where the existing outbuilding will be demolished.

The applicant was made aware that the proposal would not comply with the certain aspects of State Planning Policy No 3.1 - Residential Design Codes, Local Planning Policy No 13 - Outbuildings in Residential Areas and Local Planning Policy No 20 - Central Toodyay Heritage Area. Subsequently, the applicant applied for planning approval for the structures. If planning approval is granted, the applicant will proceed with the subdivision application separately.

State Planning Policy No 3.1 - Residential Design Codes

The Residential Design Codes provides the following definitions:

Carport: *A roofed structure designed to accommodate one or more motor vehicles unenclosed except to the extent that it abuts a dwelling or a property boundary on one side, and being without a door unless that door is visually permeable.*

Garage: *Any roofed structure, other than a carport, designed to accommodate one or more motor vehicles and attached to the dwelling.*

Outbuilding: *An enclosed non-habitable structure that is detached from any dwelling, but not a garage.*

CONSULTATION

The application for the proposed verandah, carport and outbuilding as well as the demolition for the existing outbuilding at Lot 151 Arthur Street 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:

Further to your referral, I make the following comment:

- *No specific site inspection has taken place.*
- *The proposal clearly shows the specifications of the proposed outbuildings*
- *The proposed wall and roof cladding are corrugated coloured steel sheeting.*

The outbuildings will be obscured from the street view, being located on the rear of the site behind the existing residences.

LPP Central Toodyay Area Policy 3.4.17:

The proposed outbuildings are generally compliant with regard to materials and form.

The proposed location, detail and materials of the outbuilding are supported conditional on the proposed material colours being consistent with the existing residence.

Please note that the proposed material colours match the existing residence.

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 applies to this application. The proposal complies with all requirements except for clauses 5.1.3, 5.2 and 5.4.3 regarding the setbacks of the carport and outbuilding, which is 0.9m in lieu of the required 1.5m setback. There is a variation to clause 5.4.3 because of the over height and oversized proposed outbuilding. A variation to clause 5.3.5 also exists, as the proposed driveway is not proposed to be paved.

Council's LPP. No 13 – Outbuildings in Residential Areas applies to this application. The proposal complies with all policy requirements except for clause 5. This is because the proposed outbuilding has a wall height of 3.0m in lieu of the required 2.7m, the outbuilding has a ridge height of 4.632m in lieu of 2.7m and the proposed outbuilding has an area of 93.8m² in lieu of 60m². This is also a variation to clause 5.4.3 of the R Codes.

Council's LPP. No 20 - Central Toodyay Heritage Area applies to this application. The proposal complies with all policy requirements except for clause 3.4.5 A variation exists to clause 3.4.7 for Lot 151 Arthur Street, as the relocated

outbuilding has a 20 degree roof pitch in lieu of the required 25 degree roof pitch.

A variation to Council's Engineering Policy E3 – Crossovers exists, as the applicant is not proposing to seal the crossover.

The applicant has provided justifications for each variation, as can be seen in Attachment 7. Please be aware that Variation No 7 for Lot 150 Henry Street, R Codes, which relates to open space variation, no longer applies as this assessment was erroneously done under the R10 code, not the R50 code, where only 40% open space is required.

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.

Outbuilding size at Lot 150 Henry Street

The proposed outbuilding is 93.8m² in area in lieu of the required 60m². The applicant states that he needs to utilise as much of the possibly purchased area in order to locate an outbuilding to provide enough space for a trailer, workshop and storage, which a smaller outbuilding will be unable to do. In addition, the proposed outbuilding is proposed to have a wall height of 3.0m and a ridge height of 4.632m. The applicant states that a high roof size is required in order to enable large vehicles to fit under the roller door.

As the proposed outbuilding proposes a variation to both the R Codes and LPP. No 13 - Outbuildings in Residential Areas, the outbuilding needs to be considered against the intent of the R Codes and the Local Planning policy. These are as follows:

R Code Design Principles:

Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

Local Planning Policy No 13 Policy Objectives:

- *To provide some flexibility in the requirements for outbuildings in residential areas.*
- *To ensure that the provisions of the Residential Design Codes are appropriately addressed.*
- *To improve customer service standards through the timely processing of planning and building applications for outbuildings.*

While a normal assessment of the outbuilding application would be done using Residential R50 values (since the property is a zone designated as 'Residential R10/50' and is connected to sewerage). This is because the applicant's property and surrounding properties are of a size more consistent with the R10 coding. The R10 code requires an average lot size of 1000m² and an absolute minimum lot size of 875m². The R50 code requires an average lot size of 180m² and an absolute minimum lot size of 160m². Lot 150 Henry Street is proposed to be 814m² in area.

A comparison of each variable is shown below.

	Proposed	Acceptable size under R Codes	Acceptable size under LPP. No 13 R10 Coding	Acceptable size under LPP. No 13 R50 Coding
Outbuilding Area	93.8m ²	60m ² or 10% of site, whichever is lesser	81m ²	30m ² , or 10% of the site area up to 60m ² , whichever is greater.
Wall height	3m	2.4m	3.0m	2.7m
Ridge height	4.632m	4.2m	4.5m	4.2m

Even if the R10 coding is used, the proposed outbuilding is still considered to be oversized and inappropriate for the site. This is because not only does the proposed outbuilding have a footprint area of 93.8m² (as compared to 81m² as stated in LPP. No 13), the proposed outbuilding is also located closer to the side boundary than its wall height and length allows, being setback 0.9m in lieu of the required 1.5m.

The ridge height of the proposed outbuilding is 4.632m with a roof pitch of 25 degrees. It is recommended that the roof pitch requirement is overturned in this instance to allow for a roof angle of less than 25 degrees to enable a ridge height of 4.5m. In regards to the proposed wall height, if the R10 density requirements are used, the wall height of 3.0m is acceptable.

Given the above comments, it is recommended that the application be returned to the applicant, requesting that amended plans be provided showing a floor area that is less than 81m² in area and a reduced roof angle so the ridge height is 4.5m.

It should also be noted that an 81m² floor area is less than 10% of the total area for the site. In addition, the proposed carport, verandah and outbuilding addition still allows for sufficient open space for the site according to the R Codes.

Setback of outbuilding at Lot 150 Henry Street

In order to reduce the impact of the proposed outbuilding, it is recommended that the proposed outbuilding is setback 1.5m from the south west side boundary and southern rear boundary in accordance with the setback requirements under the R Codes.

It is considered that a 0.9m setback to the north east boundary (to Lot 151 Arthur Street) can be retained. This is because the proposed outbuilding would be partially obscured by the relocated outbuilding. In addition, if the proposed outbuilding on Lot 150 Henry Street was shifted, the garage door would be partially obscured by the proposed carport.

Setback of carport at Lot 150 Henry Street

The proposed carport is located 0.9m from the side boundary, in lieu of the required 1.5m. The reason that the proposed carport is required to be located 1.5m from the boundary is because there are several structures close to the south east side boundary, which have a cumulative length that must be setback a greater distance from the boundary than if there was only one structure near the boundary. It is considered that the setback of the proposed carport is acceptable because the proposed carport is an open structure, so will not have a significant impact in terms of building bulk on the neighbouring property. In addition, the proposed carport adjoins the neighbouring property's backyard, so there is less impact on the neighbour in terms of sunlight restriction and noise.

It should also be noted that if the proposed carport was shifted further to the east, there will be problems for cars accessing the proposed outbuilding.

Verandah roof pitches

The applicant is proposing a near flat roof pitch for both the covered walkway at Lot 150 Henry Street and for the proposed relocated outbuilding at Lot 151 Arthur Street. It is considered that the variations are acceptable, because they will not be easily visible from either the street or the neighbouring properties.

Roof pitch of relocated outbuilding at Lot 151 Arthur Street

The proposed outbuilding at Lot 151 Arthur Street has a 20 degree roof pitch in lieu of the required 25 degree roof pitch as specified in LPP No 20 - Central

Toodyay Heritage Area. It is considered that this variation is acceptable because it is a relocated outbuilding and already exists in the area.

Crossover and driveway design

The applicant is proposing the following access requirements regarding access to the rear carport and outbuilding:

- Retain the existing sealed gravel crossover. The Works Supervisor has confirmed that this crossover is built to an acceptable standard for the proposed level of activity.
- Continue the 3m wide gravel driveway to the north west edge of the existing lawn.
- Run two 400mm tyre tracks across the lawn with a compacted gravel base or paving stones.
- Continue the gravel standard driveway from the north eastern edge of the lawn to the entrance of the outbuildings.

In light of the acceptability of the existing crossover, it is considered that the proposed driveway arrangements are acceptable, even though the R Codes require “an adequately paved and drained” car accessway within the property. It is considered that the proposed gravel surface would be in keeping with the existing crossover and if compacted, will minimise the amount of gravel being dragged onto the street. In addition, the lawn will help provide drainage for the driveway. It is considered that the other proposed option for the tyre tracks, being paving stones, is an acceptable paved form of driveway. It is considered unreasonable to requested a paved crossover and driveway in this instance due to the presence of a Water Corporation sewerage easement, as any driveway constructed may be required to be ripped up by the Water Corporation in the future.

Gutters

The specifications for the gutters have not been specified. Under LPP No 20 - Central Toodyay Heritage Area, the gutters are required to be quad or half round for new places. It is recommended that this requirement be conditioned into any future planning approval.

Demolition of existing outbuilding

The existing outbuilding on the site does not have any aesthetic qualities. It is therefore considered that it is acceptable to demolish the existing outbuilding.

Closing comments

No objections have been received from the neighbouring properties.

Given the above considerations, it is recommended that the following changes be made for the proposed outbuilding at Lot 150 Henry Street:

- Outbuilding area size be reduced to below 81m²;
- Outbuilding roof ridge angle be reduced so that the ridge height is reduced to 4.5m;
- South west side setback to Lot 34 Henry Street be increased to 1.5m;
- Rear setback to Lot 30 Arthur Street to be increased to 1.5m.

In order to expedite the approval process, it is recommended that once modified plans have been provided showing the above changes, that Council delegate to the CEO authority to approve the proposed additions at Lot 150 Henry Street and Lot 151 Arthur Street. It should be stipulated that the approval for the new works at Lot 150 Henry Street are subject to the successful subdivision of the site and that the approval is not an indication of the Shire of Toodyay's support for any future subdivision application. Please note that as the proposed outbuilding and the proposed demolition at Lot 151 Arthur Street do not require modified plans, the recommendation has been worded so that the proposed actions can be undertaken without any further modifications from the applicant.

OFFICER'S RECOMMENDATION

It is recommended that Council

1. Request the applicant to provide amended plans showing the following changes to the proposed outbuilding at Lot 150 Henry Street, Toodyay:
 - (a) Outbuilding area size to be reduced to below 81m²;
 - (b) Outbuilding roof ridge angle be reduced so that the ridge height is reduced to 4.5m;
 - (c) South west side setback to Lot 34 Henry Street be increased to 1.5m;
 - (d) Rear setback to Lot 30 Arthur Street is increased to 1.5m.
2. Upon the Shire's receipt of the amended plans Lot 150 Henry Street showing outbuilding area size reduced to below 81m², outbuilding roof ridge angle reduced so that the ridge height is reduced to 4.5m, outbuilding south west side setback to Lot 34 Henry Street increased to 1.5m and outbuilding rear setback to Lot 30 Arthur Street increased to 1.5m, Council delegate authority to the Chief Executive Officer to issue planning approval for the proposed additions at Lot 150 Henry Street, Toodyay, 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) Any gutters on the property are to be quad or half round in profile.
 - (e) All water draining from roofs, driveways, and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development.
 - (f) This planning approval is subject to a successful subdivision of Lot 150 Henry Street, Toodyay and Lot 151 Arthur Street, Toodyay.
3. Grant planning approval for the proposed outbuilding at Lot 151 Arthur Street, Toodyay, 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 water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development.
4. Grant planning approval for the proposed demolition of the outbuilding at Lot 151 Arthur Street, Toodyay, subject to the following conditions:
- (a) Demolition 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 demolition licence being obtained prior to the demolition of any building works.
5. Council advise the applicant the following:
- “The planning approval is not for the subdivision indicated on the plans. The applicant is still required to make a subdivision application to the Western Australian Planning Commission. In any future referral from the Western Australian Planning Commission, the Shire of Toodyay reserves the right to add any conditions or recommend refusal.”

COUNCIL RESOLUTION NO 354/11/13

MOVED Cr Dow

That Council

1. Request the applicant to provide amended plans showing the following changes to the proposed outbuilding at Lot 150 Henry Street, Toodyay:
 - (a) Outbuilding area size to be reduced to below 81m²;
 - (b) Outbuilding roof ridge angle be reduced so that the ridge height is reduced to 4.5m;
 - (c) South west side setback to Lot 34 Henry Street be increased to 1.5m;
 - (d) Rear setback to Lot 30 Arthur Street is increased to 1.5m.
2. Upon the Shire's receipt of the amended plans Lot 150 Henry Street showing outbuilding area size reduced to below 81m², outbuilding roof ridge angle reduced so that the ridge height is reduced to 4.5m, outbuilding south west side setback to Lot 34 Henry Street increased to 1.5m and outbuilding rear setback to Lot 30 Arthur Street increased to 1.5m, Council delegate authority to the Chief Executive Officer to issue planning approval for the proposed additions at Lot 150 Henry Street, Toodyay, 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 water draining from roofs, driveways, and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development. Any overflow from these areas may only be directed to roadside kerbing via a drainage system approved by the Manager Planning and Development.
 - (e) This planning approval is subject to a successful subdivision of Lot 150 Henry Street, Toodyay and Lot 151 Arthur Street, Toodyay.
3. Grant planning approval for the proposed outbuilding at Lot 151 Arthur

Street, Toodyay, 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 water draining from roofs, driveways, communal streets and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the development. Any overflow from these areas may only be directed to roadside kerbing via a drainage system approved by the Manager Planning and Development.
4. Grant planning approval for the proposed demolition of the outbuilding at Lot 151 Arthur Street, Toodyay, subject to the following conditions:
- (a) Demolition 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 demolition licence being obtained prior to the demolition of any building works.
5. Council advise the applicant the following:
- “The planning approval is not for the subdivision indicated on the plans. The applicant is still required to make a subdivision application to the Western Australian Planning Commission. In any future referral from the Western Australian Planning Commission, the Shire of Toodyay reserves the right to add any conditions or recommend refusal.”

MOTION CARRIED 9/0

9.5.1 Lot 73 Sandspring Road, Julimar - Proposed Outbuilding

Date of Report:	4 November 2013
Applicant:	Mr M Whittaker
File Ref:	73SANS/A1985
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. Aerial Plan;2. Site Plan;3. Elevation Plans; and4. Elevation Plan with Outbuilding.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider a planning application for an outbuilding at Lot 73 Sandspring Road, Julimar.

The application has been referred to Council for determination as there is no delegated authority to approve a setback variation where it is sought for reasons other than topography or lot configuration.

BACKGROUND

Lot 73 Sandspring Road, Julimar is a 3.1ha property zoned "Rural Residential" under the provisions of Local Planning Scheme No 4. The property is mostly forested, except for an area of pasture to the north and where the outbuildings and dwelling is located in the western part of the property. No approval for the existing outbuilding could be found, presumably because no building permit was required for the outbuilding when it was built.

The applicant is seeking planning approval for an outbuilding 22.3m from the western boundary that is next to an existing outbuilding. The details of the proposed outbuilding are as follows:

Ridge height: 4.5m
Wall height: 3.5m
Width: 8.0m
Length: 11.5m

The proposed outbuilding will have white colorbond walls and a zincalume roof to match the existing outbuilding.

The applicant is proposing to have the outbuilding in its proposed location to keep the outbuilding land uses close together for ease of use and security and to avoid having to clear vegetation elsewhere.

The applicant has stated that he is proposing to have the outbuilding in order for storage and for personal car mechanical work.

Local Planning Scheme No 4

Clause 5.15 – ‘Setback Distances’ contains the provision to consider a reduction in the required building setbacks. Clause 5.15.4 states:

In the Rural, Rural Residential and Rural-Living zones:

- (a) No building shall be located closer to a boundary than 30 metres except in the Rural zone, where the setback distance shall be a minimum of 50 metres unless the proposed building is within full view of a main or district road as designated in the Scheme, in which case the setback shall be a minimum of 100 metres.*
- (b) No person shall use the land between the building setback line and the road for any purpose other than a means of access, landscaping or a rural activity permitted in the zone;*
- (c) Notwithstanding anything contained in the sub-clauses above, the local government may permit a building to be located within the setback area when:
 - (i) In the opinion of the local government, a physical obstruction precludes compliance with this clause;*
 - (ii) The location of the building within the setback area will not adversely affect the amenity of an adjoining owner or the area generally;*
 - (iii) For the reason of topography or lot configuration, the prescribed setback cannot be adhered to or would be unnecessarily disadvantageous.**
- (d) Where it is necessary to locate a rain water tank within the setback area when seeking the highest point on the property, the local government will require that the side of the tank is made to blend with the environment by painting within 6 months of erection in an acceptable colour or by the use of a suitable material during construction.*

As the property is zoned ‘Rural Residential’, structures should be setback 30m from the boundaries. The applicant is seeking a variation to clause 5.15.4 which can be approved at Council’s discretion. This is because the proposed outbuilding can be located in other positions on the property.

CONSULTATION

In accordance with Council's Policy M2 - Public Consultation Formal Matters, consultation has been undertaken in accordance with Level 'C'.

At the end of the 14 day consultation period, no letter of objection was received from the adjoining landowner.

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*.

While the application does not achieve the prescribed setback distances specified within the Scheme, Council can exercise its discretion to issue planning approval.

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

It is considered that in this instance the side setback variation for the proposed outbuilding for several reasons.

Firstly, the proposed outbuilding is located next to an existing outbuilding, which is closer to the side boundary. It is therefore considered that the proposed

outbuilding does not have a significant impact on the neighbouring property. Having the outbuilding in its proposed location also allows for easy access to the existing outbuilding, the existing dwelling and the existing driveway. Secondly, the proposed outbuilding is located in an area which will not result in the extensive clearing of vegetation. If the proposed outbuilding was to be located in the northern paddock, the outbuilding would be isolated from the rest of the property and in a highly visible area as seen from the street, increasing the risk of theft. The cleared area to the east of the existing dwelling is considered to not be a beneficial site because the existing low level overhead pipes leading to this area blocks larger vehicles from accessing the area. If a new driveway was to be created, it would result in the clearing of a strip of vegetation more than 40m long. In addition, the applicant has stated that he would like to retain this cleared area for children to play in.

Rotating the proposed outbuilding so that the shorter width of the outbuilding would face the side boundary was considered as an option to reduce the impact of the proposed outbuilding on the neighbouring property. However, it was considered that this option would not deliver a significant benefit, as there is only a 3.5m difference between the width and the length of the proposed outbuilding. In addition, the proposed outbuilding would then encroach on the existing driveway and additional clearing would be required to the north of the site for the vehicle access point.

It is recommended that the proposed outbuilding is shifted slightly to the east so that the rear of the proposed outbuilding is in line with the rear of the existing outbuilding. This ensures that the proposed outbuilding is setback 22.3m from the side boundary and so that the proposed outbuilding is not located closer to the side boundary than the existing outbuilding at any point. The applicant has verbally stated that he accepts this proposed change.

No objection was received from the neighbouring landowner in the advertising period.

Given the above considerations, it is recommended that the application is approved.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION NO 355/11/13

MOVED Cr Lloyd

That Council grant planning approval for the proposed outbuilding at Lot 73 Sandspring Road, Julimar, subject to the following conditions:

1. Development 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.

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3. A building permit being obtained prior to commencement of any building works for the proposed additions.
4. The outbuilding shall be used for domestic and/or rural purposes only associated with the property, and not for human habitation.
5. The rear of the proposed outbuilding is shifted so it is in line with the rear of the existing outbuilding, as shown on the approved plans.

MOTION CARRIED 9/0

9.5.2 Lot 681 Caladenia Drive, Coondle – Proposed Ancillary Accommodation and Verandah Extension

Date of Report:	4 November 2013
Applicant:	Mr R McAuley and Mrs M McAuley
File Ref:	681CAL/A3194
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;3. Elevation Plan; and4. Dwelling verandah extension.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider an application for an ancillary accommodation unit and a verandah extension at Lot 681 Caladenia Drive, Coondle.

The application is being referred to Council for consideration as the applicant is requesting a variation to Council's Local Planning Policy No.2 – Ancillary Accommodation.

BACKGROUND

Lot 342 Sandplain Road, Toodyay is a 2ha property zoned 'Rural Residential' under the provisions of Local Planning Scheme No 4. The property has a significant slope to the north and is mostly covered with trees.

The applicant is proposing to build a brownish red cedar external clad ancillary accommodation unit with a zincalume custom orb roof. The ancillary accommodation has one bedroom and one bathroom and has 74.55m² of internal floor area. The applicant has clarified that the original location of the proposed ancillary accommodation is 30m from the western side boundary, though it is proposed to shift the ancillary accommodation a further 2m to the east. The applicant is also proposing to have a 3.6m wide verandah addition to the dwelling. If built, the proposed verandah would result in the proposed ancillary accommodation being 22m from the existing dwelling.

The application is brought before Council because the applicant is proposing a variation to LPP. No 2 – Ancillary Accommodation as the proposed ancillary accommodation has more than 70m² of internal floor area and is more than 20m from the existing dwelling. The 3.6m wide verandah addition does not require approval from the Shire of Toodyay as it complies with all setback requirements.

Local Planning Scheme No 4

Clause 5.15 – ‘Setback Distances’ contains the provision to consider a reduction in the required building setbacks. Clause 5.15.4 states:

In the Rural, Rural Residential and Rural-Living zones:

- (a) *No building shall be located closer to a boundary than 30 metres except in the Rural zone, where the setback distance shall be a minimum of 50 metres unless the proposed building is within full view of a main or district road as designated in the Scheme, in which case the setback shall be a minimum of 100 metres.*
- (b) *No person shall use the land between the building setback line and the road for any purpose other than a means of access, landscaping or a rural activity permitted in the zone;*
- (c) *Notwithstanding anything contained in the sub-clauses above, the local government may permit a building to be located within the setback area when:*
 - (i) *In the opinion of the local government, a physical obstruction precludes compliance with this clause;*
 - (ii) *The location of the building within the setback area will not adversely affect the amenity of an adjoining owner or the area generally;*
 - (iii) *For the reason of topography or lot configuration, the prescribed setback cannot be adhered to or would be unnecessarily disadvantageous.*
- (d) *Where it is necessary to locate a rain water tank within the setback area when seeking the highest point on the property, the local government will require that the side of the tank is made to blend with the environment by painting within 6 months of erection in an acceptable colour or by the use of a suitable material during construction.*

As the property is zoned ‘Rural Residential’, structures should be setback 30m from the boundaries. The proposal complies with this requirement.

CONSULTATION

In accordance with Council’s Policy M2 - Public Consultation Formal Matters, consultation has been undertaken in accordance with Level ‘C’.

At the end of the 14 day consultation period, no letter of objection was received from adjoining landowners.

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*.

POLICY IMPLICATIONS

Council's Policy LPP.2 – Ancillary Accommodation is applicable to the assessment of this application.

The application complies with the requirements of the policy, with the exception of clause 1.a which requires the maximum internal floor area to be 70m² and clause 1.c, which requires the ancillary accommodation to be within 20m of the main dwelling.

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 the variation to the Local Planning Policy is acceptable in this instance due to the following reasons:

- The applicant states that they do not want the proposed ancillary accommodation to the rear of the site, because this will then block the views from the existing dwelling, as well as restrict views as seen from the ancillary accommodation.
- If the proposed ancillary accommodation was located to the east, it would be then located be within the eastern boundary setback area.
- The proposed ancillary accommodation is not proposed to be located to the south, because the leach drains are located in this area, the proposed ancillary accommodation would be in front of the existing dwelling which is contrary to LPP. No 2 - Ancillary Accommodation and because the proposed ancillary accommodation would be on a different level to the existing dwelling.

- The proposed ancillary accommodation cannot be located any closer to the existing dwelling because there is a driveway, outbuilding and water tank in these areas.

In regards to the internal floor area, it is considered that 74.55m² is a minor size variation from 70m² and is therefore acceptable. It should also be noted that there is only one bedroom and one bathroom, which is considered to reinforce the ancillary nature of the structure to the main dwelling.

The applicant has stated that the proposed ancillary accommodation will match the appearance of the existing dwelling in terms of colour finishing. As this is not explicitly stated on the plans, it is recommended that this is placed as a condition of approval.

In regards to the proposed verandah addition, planning approval is not required as the proposal complies with all setback requirements under Local Planning Scheme No 4.

No objections from neighbouring properties were received during the consultation period.

Given the above considerations, it is recommended that the application is approved.

OFFICER'S RECOMMENDATION

It is recommended that Council grant planning approval for the proposed ancillary accommodation and verandah addition to the dwelling at Lot 681 Caladenia Drive, Coondle, subject to the following conditions:

1. Development 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. The ancillary accommodation must be accessed from the same crossover and driveway as the main dwelling.
4. A building permit being obtained prior to commencement of any building works.
5. The ancillary accommodation unit must be provided with an additional 22,500 litre potable water supply in addition to the 92,000 litre potable water supply of the existing residence.
6. 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 ancillary accommodation is only to be occupied by a member or members of the same family as the occupiers of the main dwelling. The existence of ancillary accommodation on the property should not be construed to mean that the property is suitable for subdivision."

All costs associated with the lodgement of the Notification on the Certificate of Title will be borne by the applicant.

7. The ancillary accommodation is only to be occupied by a member or members of the same family that occupy the main dwelling.
8. The proposed ancillary accommodation is to be shifted two (2) metres towards the existing dwelling.
9. The wall cladding of the ancillary accommodation is to match the existing dwelling as practically as possible.
10. The roof of the ancillary accommodation is to match the existing dwelling as practically as possible.

Cr Madacsi moved the Officer's Recommendation as follows:

That Council grant planning approval for the proposed ancillary accommodation and verandah addition to the dwelling at Lot 681 Caladenia Drive, Coondle, subject to the following conditions:

1. **Development 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. **The ancillary accommodation must be accessed from the same crossover and driveway as the main dwelling.**
4. **A building permit being obtained prior to commencement of any building works.**
5. **The ancillary accommodation unit must be provided with an additional 22,500 litre potable water supply in addition to the 92,000 litre potable water supply of the existing residence.**
6. **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 ancillary accommodation is only to be occupied by a member or members of the same family as the occupiers of the main dwelling. The existence of ancillary accommodation on the property should not be construed to mean that the property is suitable for subdivision."

All costs associated with the lodgement of the Notification on the Certificate of Title will be borne by the applicant.

- 7. The ancillary accommodation is only to be occupied by a member or members of the same family that occupy the main dwelling.**
- 8. The proposed ancillary accommodation is to be shifted two (2) metres towards the existing dwelling.**
- 9. The wall cladding of the ancillary accommodation is to match the existing dwelling as practically as possible.**

The roof of the ancillary accommodation is to match the existing dwelling as practically as possible.

Clarification was sought.

Cr Firms moved amendments to the motion as follows:

That Point 6 be reworded to read as follows:

- 6 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 ancillary accommodation is only to be occupied in accordance with the provisions of the Shire of Toodyay Local Planning Scheme and Local Planning Policies. The existence of ancillary accommodation on the property should not be construed to mean that the property is suitable for subdivision."

All costs associated with the lodgement of the Notification on the Certificate of Title will be borne by the applicant.

That Point 7 be reworded to read as follows:

- 7 The ancillary accommodation is only to be occupied in accordance with the provisions of the Shire of Toodyay Local Planning Scheme and Local Planning Policies**

Cr Madacsi accepted the amendments to the motion.

There were no objections to the motion.

The motion was put.

COUNCIL RESOLUTION NO 356/11/13

MOVED Cr Madacsi

That Council grant planning approval for the proposed ancillary accommodation and verandah addition to the dwelling at Lot 681 Caladenia Drive, Coondle, subject to the following conditions:

1. Development 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. The ancillary accommodation must be accessed from the same crossover and driveway as the main dwelling.
4. A building permit being obtained prior to commencement of any building works.
5. The ancillary accommodation unit must be provided with an additional 22,500 litre potable water supply in addition to the 92,000 litre potable water supply of the existing residence.
6. 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 ancillary accommodation is only to be occupied in accordance with the provisions of the Shire of Toodyay Local Planning Scheme and Local Planning Policies. The existence of ancillary accommodation on the property should not be construed to mean that the property is suitable for subdivision."

All costs associated with the lodgement of the Notification on the Certificate of Title will be borne by the applicant.
7. The ancillary accommodation is only to be occupied in accordance with the provisions of the Shire of Toodyay Local Planning Scheme and Local Planning Policies
8. The proposed ancillary accommodation is to be shifted two (2) metres towards the existing dwelling.
9. The wall cladding of the ancillary accommodation is to match the existing

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dwelling as practically as possible.

10. The roof of the ancillary accommodation is to match the existing dwelling as practically as possible.

MOTION CARRIED 9/0

9.5.4 Amendment of Local Planning Policy – LPP. 5 – Foggarthorpe Design Guidelines

Date of Report:	11 November 2013
Proponent:	Shire of Toodyay
File Ref:	PCY1
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. Local Planning Policy LPP No - 5 Foggarthorpe Design Guidelines with recommended changes; and 2. Schedule of Submissions
Voting Requirements:	Simple Majority

INTRODUCTION

In accordance with Council's resolution made at the September 2013 Ordinary Council Meeting, Council is requested to consider the outcomes of the public consultation period relative to the proposed amendments to the following Local Planning Policy No 5 - Foggarthorpe Design Guidelines. The amended Local Planning Policy is presented to Council for consideration of adoption.

BACKGROUND

At the July 2013 Ordinary Council Meeting, Council resolved to create the Foggarthorpe Estate Design Advisory Committee to review the provisions of LPP. No. 5 - Foggarthorpe Design Guidelines in relation to the building guidelines for the Foggarthorpe Estate (formerly Lot 6 Goomalling Toodyay Road). At the September 2013 Ordinary Council Meeting, the findings were presented to Council. At this meeting, Council resolved the following:

COUNCIL RESOLUTION NO 284/09/13

That:

1. the Manager of Planning and Development follow up with the Western Australian Planning Commission and obtain legal advice if needed on the obligations of the Department of Main Roads in relation to the construction of the highest standard of noise mitigation construction under the State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning;
2. the Guidelines (LPP.5) be modified as per the attached document showing the proposed changes as tracked changes but with further amendments as follows:

- (a) the re-insertion of point 2.0 as follows:
- "2.0 Roof Pitch
- 2.1 The minimum roof pitch for the main roof shall be 15 degrees."
- (b) and the consequential renumbering of remaining points.
3. The amended Local Planning Policy LPP. 5 Foggarthorpe Design Guidelines be re-adopted by Council after following the process required by clause 2.4 of the Shires Local Planning Scheme No.4 as per the attached document as amended.

In accordance with the Shire of Toodyay's Local Planning Scheme No 4, the Local Planning Policy was advertised for public comment. This period has now ended and the Local Planning Policy is now presented to Council for re-adoption.

CONSULTATION

In accordance with Council's Policy M.2 – Public Consultation Formal Matters and the provisions of the Shire of Toodyay Local Planning Scheme No 4, consultation on the proposed development was undertaken in accordance with Level E.

An advertisement was placed in the Avon Valley Gazette on 5 October 2013 and in the October 2013 edition of the Toodyay Herald. A notice and a copy of the Local Planning Policies with the proposed amendments were placed on Council's website.

Advertising was undertaken for the required period and concluded on 4 November 2013. One submission was received from Ironbridge Holdings, the primary developer for the site, which also included information from TR Homes and Lloyd George Acoustics.

The following proposed changes were raised:

- Modification to clause 1.2 so that the minimum floor area requirement of 150m² is required to be attached to the main dwelling rather than under a main roof.
- Removal of the minimum roof pitch requirement.
- Removal of Appendix No 2 – Quiet House Design Principles and replace it with a reference to State Planning Policy No 5.4- Road and Rail Transport Noise and Freight Considerations in Land Use Planning.

Responses to these comments can be found in the Officer Comment section below and the Schedule of Submissions.

STATUTORY ENVIRONMENT

Part 2 of the Shire of Toodyay's Local Planning Scheme No 4 details the framework for the adoption of Local Planning Policies.

Clause 2.4 outlines the procedure for making or amending a Local Planning Policy. It outlines that the local government is to publish a notice of the proposed policy or amendments once a week for two consecutive weeks in a newspaper circulating in the Scheme area, giving details of where the draft policy or proposed amendments to an existing policy can be inspected, the subject nature of the draft policy or amendments and in what form and during which period (being not less than 21 days from the date the notice is published) submissions may be made.

Following the expiry of the period in which submissions may be made, the local government is to review the proposed policy / amendments in light of the submissions made and resolve to adopt the policy or amendments with or without modification.

If the local government resolves to adopt the policy or amendments to the policy, the local government is to publish a notice of the policy once in a newspaper circulating in the Scheme area.

The public consultation measures undertaken to date are consistent with the requirements of Local Planning Scheme No 4. In accordance with the provisions of the Scheme, Council is now requested to review the amendments to the policies and resolve to adopt the amended policies with or without modification.

POLICY IMPLICATIONS

If adopted, this policy will set out the future development standards in the Foggarthorpe Estate. This has implications not only on the standard of development, but also has implications on the potential diversity of development and costs of development.

Council Policy M.1 – Policy Manual applies to the proposal and outlines the procedure to be followed in the adoption and modification of a Council policy. The process undertaken to date is consistent with the provisions of this policy.

Council Policy M.2 – Public Consultation Formal Matters applies to the proposal and requires consultation in accordance with Level E – Locality. The consultation procedure that has been undertaken is consistent with this policy.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

The proposed policies are consistent with “Outcome 1: Governance” of the Shire of Toodyay Plan for the Future 2007-08 to 2017-18, and “Objective 1.3: Maintain a high standard of governance and accountability.”

The amendment of the policies would assist in the maintenance of a high standard of governance and accountability, thus achieving this outcome.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

If changes were implemented to LPP. No. 5 - Foggarthorpe Design Guidelines, development of this subdivision may occur at a faster pace, bringing a new community to this area faster. This could result in positive social change.

OFFICER’S COMMENT

At the end of the consultation period, the only comment received was from Ironbridge Property. It should be noted that information from TR Homes and Lloyd George Acoustics, were contained in the submission. Each detail will be discussed below:

Minimum dwelling size

While the submitter had no objection to the minimum floor area of 120m², the submitter wanted to reword clause 1.2, which states:

“Each dwelling will comprise a minimum area of 150m² under the main roof inclusive of lockup garages, verandahs and carports.”

TR Homes suggested the following wording:

“Each dwelling will comprise a minimum of 150m² attached to main dwelling inclusive of locking garages, verandahs and carports.”

The proposed rewording allows for multiple roof spaces to exist in the one dwelling complex and can allow for structures such as flat carport and verandah roofs, which may otherwise could possibly been considered as separate roofs. It is considered that the proposed rewording of this clause meets the intention of the clause, being to provide for an absolute minimum floor area size to prevent undersized dwellings, while still allowing flexibility in design. It is therefore recommended that clause 1.2 is amended accordingly.

Minimum roof pitch

Ironbridge Property has objected to the proposed minimum roof pitch stipulation, stating that it would create practical and cost issues. TB Homes has stated that it would cause problems for their designs for transport reasons and height issues and have suggested a minimum roof pitch of 12 degrees for gabled roofs and a minimum 5 degrees for skillion roofs.

It is considered that stipulating roof pitch unnecessarily restricts forms of development that can occur in this site, because it is considered that it is possible to have high quality dwelling design without a 15 degree roof pitch. It should be noted that the Foggarthorpe Estate Design Advisory Committee did not recommend roof pitch being stipulated. In addition, the areas of town to the north of the Avon River do not have any roof pitch designation and it is considered that there is still high quality development in this area.

Noise requirements

While there was no proposed changes to noise requirements in the initial policy review by the Foggarthorpe Estate Design Advisory Committee, Ironbridge Property has requested that Appendix 2 – Quiet House Design Principles be removed and reference be made instead to State Planning Policy No 5.4- Road and Rail Transport Noise and Freight Considerations in Land Use Planning. Ironbridge Property has requested this for the following reasons:

- The requirements are considered to be excessive (e.g. no outdoor entertaining area in backyards, specific brand products, window frames to accommodate double glazing as well as other requirements which have reportedly resulted in builders walking away due to the difficulty in design and cost imposition);
- Lloyd George Acoustics, who produced the initial *Noise Impact Assessment, Foggarthorpe Estate, Adjacent the Future Toodyay Bypass* (2007), have reviewed their recommendations in light of the introduction of SPP No 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning.
- SPP No 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning is stated to be used as standard practice in WA, such as Austin Waters adjacent to the Forrest Highway.

A change to Appendix 2 – Quiet House Design Principles was not proposed in the policy review. This means that if the Shire of Toodyay is to proceed with removing this requirement from the policy, the consultation process will need to be repeated. It is recommended that in view of the new SPP No 5.4 – Road and Rail Transport Noise and Freight Considerations in Land Use Planning, Council delegate authority to the Chief Executive Officer to negotiate with Ironbridge Holdings and Main Roads WA to review or remove Appendix 2 – Quiet House Design Principles. Main Roads is required to be involved because depending on the treatment of the road that they will commit to, this will affect what noise design measures will be required.

In light of the above information, it is recommended that Council adopt the amended Local Planning Policy No - 5 Foggarthorpe Design Guidelines.

OFFICER'S RECOMMENDATION

It is recommended that Council:

1. Adopt policy Local Planning Policy LPP No - 5 Foggarthorpe Design Guidelines as amended and attached; and
2. Delegate authority to the Chief Executive Officer to negotiate with Ironbridge Holdings and Main Roads WA to review or remove Appendix 2 – Quiet House Design Principles.

Cr Craddock moved a motion as follows:

That Council adopts the LLP5 as on pages 127-131 of the Nov 19 Agenda. with changes from the content of these pages limited to the following:

1. **All references to Quiet House Design Principles be replaced by reference to compliance with State Planning Policy 5.4, and costs to be borne as indicated by SPP 5.4;**
2. **Section 2 “Roof Pitches and Eaves” to be included in full with no deletions;**
3. **Section 3 to be altered to include mention of Solar Panels e.g. in section 3.2; and**
4. **Sections to be renumbered appropriately”.**

Clarification was sought.

The Planning Officer departed Council Chambers at 8.09 pm.

Cr Lloyd foreshadowed a motion as follows:

That the matter be deferred.

The Planning Officer returned to Council Chambers at 8.18 pm.

Cr Dow objected to the motion.

The motion was lost for want of a seconder.

Cr Dow moved the Officer's Recommendation as follows:

That Council:

- 1. Adopt policy Local Planning Policy LPP No - 5 Foggarthorpe Design Guidelines as amended and attached; and**
- 2. Delegate authority to the Chief Executive Officer to negotiate with Ironbridge Holdings and Main Roads WA to review or remove Appendix 2 – Quiet House Design Principles.**

Cr Firms moved an amendment to the motion as follows:

That at Point 2 the words "subject to approval by Council" be inserted following the words "Appendix 2 – Quiet House Design Principles".

Cr Dow accepted that amendment.

Cr Craddock objected to the motion.

Cr Chitty seconded the motion.

Debate ensued.

Cr Lloyd raised a Point of Order in relation to Shire of Toodyay's Standing Order Local Law 4.7 "Closure – time limits for meetings".

COUNCIL RESOLUTION NO 357/11/13

MOVED Cr Lloyd

That the Council Meeting be allowed to continue for up to a further one (1) hour in accordance with the Standing Order 4.7.

MOTION CARRIED 8/1

Cr Craddock foreshadowed a motion as follows:

That the matter be deferred to the next Council Meeting.

The substantive motion was put.

COUNCIL RESOLUTION NO 358/11/13

MOVED Cr Dow

SECONDED Cr Chitty

That Council:

1. Adopt the policy Local Planning Policy LPP No - 5 Foggarthorpe Design Guidelines as amended and attached; and
2. Delegate authority to the Chief Executive Officer to negotiate with Ironbridge Holdings and Main Roads WA to review or remove Appendix 2 – Quiet House Design Principles subject to approval by Council.

MOTION CARRIED 9/0

9.5.5 Lot 1 Morangup Road, Morangup – Proposed Extractive Industry Licence

Date of Report:	8 November 2013
Applicant:	Land Insights
File Ref:	1MORG/A1331
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. Rehabilitation Plan; 3. Schedule of Submissions; 4. Information on three most previous extractive industry applications; and 5. Information Paper – Recovering Roads Costs from Extractive Industries.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider an application for planning approval and an extractive industry licence for the extension of a clay pit located at Lot 1 Morangup Road, Morangup, submitted by Land Insights on behalf of Bristile Holdings Ltd (trading as Austral Bricks). The applicant is applying for Stage 1 and 2. The applicant has clarified that Stage 1 is 8.8ha in area and not 9.3ha as stated in the original application. The applicant has stated that they would like to pay for the Stage 1 bond at the start of the approval and the Stage 2 bond when the Stage 1 section is exhausted, though if this is not possible, would prefer for the approval and licence to be for Stage 1 only.

This application was originally considered by Council at the October Ordinary Council Meeting, where Council resolved the following:

COUNCIL RESOLUTION NO 311/10/13

That this item be deferred to forum to enable further discussion and to receive Officers Reports in relation to the current condition of Morangup Road and remedial action that may be required in the short-term along with a report on the various options available in relation to financial contributions by the proponents and clarify any concerns presented by Council; and

That the relevant forum discussion paper is also to include review by the Environmental Officer.

That Council requests to be included with written material copies of at least three most recent extractive industry license approvals, issued by the Shire of

Toodyay, and their conditions to be included in the information presented to the forum.

This item be deferred to forum pending further advice from DER [Department of Environment Regulation] and include the advice from the DER to more fully consider potential traffic impacts on Morangup Road.

At the Council Forum, Council requested further additional information, including:

- Possibility of Traffic Impact Assessment for Toodyay Road and Morangup Road;
- Financing options for Morangup Road;
- Dieback;
- Flora and Fauna survey results;
- Examination of whether rehabilitation can be put against the cost of the land;
- Examination whether an independent review of compliance can be done;
- Clarification of DER comments;
- Possibility of using requirements under other Acts as conditions of planning approval.

This information has been received. Council is now requested to reconsider the proposal.

BACKGROUND

Lot 1 Morangup Road has a site area of 685ha and is a forested property. The only section of the property that is not vegetated is where there is an existing clay pit that is 30ha in area, which is stated to have been operational for 50 years. The latest approval for the site was granted by the Shire of Toodyay in August 2002 for 12ha of excavation over a period of 21 years.

The applicant has submitted a Management Plan that seeks to ultimately extend the clay pit by an additional 40ha to the south of the existing pit. It should be noted however that this is split into four stages of approximately 10ha each. The applicant is applying for Stage 1 and 2. The applicant has clarified that Stage 1 is 8.8ha in area and not 9.3ha as stated in the original application. The applicant has stated that they would like to pay for the Stage 1 bond at the start of the approval and the Stage 2 bond when the Stage 1 section is exhausted, though if this is not possible, would prefer for the approval and licence to be for Stage 1 only.

Key points of the proposal include:

- Expected average of 180,000 tonnes of clay to be removed from the site each year. This is the same average as the existing extraction rate.

- The existing depth of excavation is 13m-14m (3-4m of overburden and 10m of resources), with proposed stages to be excavated at a similar level, though this may vary slightly depending on the slope and extent of overburden and resource.
- Excavation itself will take place over two eight week periods through the year.
- Hours of operation proposed to be 6:00am to 5:00pm from Monday to Saturday, excluding public holidays.
- No clay processing will be undertaken on site.
- Expected 8,500 truck movements in and out of the site each year. This is the same level as the existing truck movements from the site.
- Access to the site is from Morangup Road southwards to Toodyay Road.
- Trucks used are 8 wheel truck and dog combinations with gross weight of 64 tonnes and payload of 42 tonnes.
- Majority of clay cartage from the clay stockpiles will be in the summer months but may extend from September to March.

Land Insights have stated the following regarding the excavation procedure:

“Excavation of clay takes place in a sequence of steps which can be broadly broken down into the removal of topsoil and overburden, excavation of clay, stockpiling of clay either outside of the pit or within the pit and loaded into trucks for transport to the factories (as required). Once an area has been exhausted rehabilitation of the site will start to take place”.

In regards to rehabilitation, the old pits will remain as slight depressions in the landscape and these will be recontoured into wetland habitats, with the remainder of the site recontoured with overburden and rehabilitated with native species.

Shire of Toodyay Local Planning Scheme No 4

The subject site is zoned 'Rural' under the Local Planning Scheme No 4. Under the provisions of the Local Planning Scheme No 4 'Industry - Extractive' is a "D" use within the Rural zone, which means that the use is not permitted unless the local government has exercised discretion by granting planning approval.

It is considered that the proposal complies with the provisions of Local Planning Scheme No 4.

CONSULTATION

In accordance with Council's Policy M.2 – Public Consultation Formal Matters, consultation on the proposed development was undertaken in accordance with Level E.

An advertisement was placed in the Avon Valley Gazette on 10 August 2013 and in the September edition of the Toodyay Herald. A sign was located on site and the proposal placed on the Shire of Toodyay's website. All landowners along Morangup Road south of the site and along Toodyay Road west of the

Toodyay Road - Morangup Road intersection were advised of the proposal in writing and provided with an opportunity to make comment.

The application was also referred directly to the Department of Environmental Regulation (DER), Department of Water and Main Roads WA (MRWA). It should be noted that vegetation clearing considerations are considered in a clearing permit application by the DER.

The advertising period concluded on 24 September 2013. Comments were received from the Department of Water, DER, MRWA, a Regional Road Safety Officer for the Western Australian Local Government Association RoadWise Program as well as four landowners, three objecting to the proposal and one supporting the proposal.

Comments from the submitters can be viewed in the Schedule of Submissions.

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 provides the mechanism for protecting and enhancing the environment of the district, controlling land and building and development, setting aside land for future reserves and other matters authorised by the *Planning and Development Act 2005*.

The application is considered to comply with the provisions of Local Planning Scheme No 4.

The Shire of Toodyay Extractive Industry Local Law applies to this application and establishes guidelines to assess applications for extractive industry and to issue extractive industry licences. The application is considered to comply with the provisions of the Local Law.

POLICY IMPLICATIONS

Council's Policy M.2 – Public Consultation Formal Matters applies to the proposal and requires consultation in accordance with Level E – Locality. The consultation procedures undertaken are consistent with this policy.

Local Planning Policy No .7 – Extractive Industries, Road Maintenance Contribution is applicable to extractive industry applications. The Shire of Toodyay's Schedule of Fees and Charges specifies that any extractive industry that extracts more than 2,000 tonnes per annum will need to make a road maintenance contribution. As the applicant is proposing to extract an average of 180,000 tonnes per annum road maintenance fees based on the fee schedule would be paid at \$0.50 per tonne, equating to a total contribution of \$90,000 per annum, depending upon ultimate tonnage. In this instance, it is considered that an alternative method that considers actual damage to the road by the applicant other than a flat rate should be used to obtain maintenance contributions.

FINANCIAL IMPLICATIONS

The proposed development does have financial implications for Council in terms of any bonds or road maintenance contributions that may be sought. All bonds will be held in trust and will be refunded to the applicant as appropriate.

Under the Shire of Toodyay's Schedule of Fees and Charges, clay extractive industries which are deeper than 3m are required to have a secured sum of \$12,000 per hectare. The proposed area of excavation is 8.8ha, which equates to a bond of \$105,600.

Road maintenance contributions are also required under Local Planning Policy No. 7 – Extractive Industries, Road Maintenance Contribution and the Shire of Toodyay's Schedule of Fees and Charges. In this instance, it is considered that an alternative method that considers actual damage to the road by the applicant other than a flat rate should be used to obtain maintenance contributions.

STRATEGIC IMPLICATIONS

Western Australian Planning Commission's Statement of Planning Policy 2.4 - Basic Raw Materials supports the principle that basic raw materials should be taken before they become sterilised by development, especially for locations close to the Perth Metropolitan Region. The proposed extractive industry will be in keeping with this policy.

ENVIRONMENTAL IMPLICATIONS

The proposed extractive industry can potentially have an impact upon the environment. Environmental concerns are addressed in the report at Section 3: Environmental Management Plan. This section of the report addresses the issues of:

- Dust
- Noise
- Vibration
- Drainage
- Visual amenity
- Site rehabilitation
- Weed Management

The applicants are also required to apply for a separate clearing permit from the Department of Environmental Regulation. This process deals with issues related to clearing such as biodiversity, land degradation and water quality.

The Shire of Toodyay's Environmental Officer has been contacted, who has stated the following:

- *Flora and Fauna Survey's have been received by applicant. These documents are for our information only and we do not have authority to comment on them, but it does give us the opportunity to gather more information about the site.*

- *Management plan for relocation of fauna species is addressed by the Department of Environmental Regulation and federal Department of Environment as part of their assessment process for the proposed clearing.*
- *Request proponent to address Dieback in the Clay Extraction Management Plan.*

In regards to Dieback and dust management, please see the Officer Comment section below. In addition to this, it is considered the implementation of the measures in the Section 3: Environmental Management Plan will address potential negative impacts the proposal could have upon the environment.

SOCIAL IMPLICATIONS

The proposal may have a social impact, particularly on nearby landowners, in terms of noise, dust and visual impact. The *EPA Guidance Statement No 3. - Separation Distances between Industrial and Sensitive Land Uses* provides recommends a 500m to 1,000m separation distance of extractive areas from clay extractive areas. In addition, there are no existing dwellings within 1,000m of the site.

It is considered that there will not be a significant impact on nearby landowners from the site itself, due to the 400m forest buffer to the nearest boundary and because the majority of the works will be below ground level.

In terms of the impact of the site from traffic movements, it is considered that there will be no change in the existing impact on users of the road network, because there is no proposed increase in the number of vehicles accessing the site.

OFFICER COMMENT

The application is considered to comply with the provisions of Local Planning Scheme No 4 and the requirements within the Shire of Toodyay's Extractive Industry Local Law. There are a number of issues raised as a result of the proposal, which will now be discussed below:

Hours of operation

Recent extractive industry approvals (such as Lot 11 Chitty Road and Lot 123 Clackline Toodyay Road) have had their operating hours restricted to 7:00am to 5:00pm Mondays and Fridays excluding public holidays, in order to ensure no trucks are on the road on Saturday, when tourists from Perth are most likely to visit Toodyay and to ensure that trucks are not on the local roads at very early times of the day. In line with the previous two approvals, it is recommended that the operating hours for this planning approval and extractive industry licence are restricted to 7:00am to 5:00pm Mondays and Fridays excluding public holidays.

Traffic impact

Concerns were raised from a Regional Road Safety Officer for the Western Australian Local Government Association RoadWise Program and the community regarding the impact that trucks from the site would have on Morangup Road and Toodyay Road, both in terms of impact on road and road safety. Advice from Main Roads has been received stating that as the applicant is not proposing to increase the number of vehicles using Toodyay Road, they have no objection to the proposal. It is therefore considered that a Traffic Impact Assessment will not be required.

Condition of Morangup Road

Previously Council has charged a flat rate per tonne as a Road Maintenance contribution, and this has been challenged successfully in SAT to the extent that a different rate per tonne was determined by the SAT.

Instead of a flat rate for road maintenance, conditions which arose out of the State Administrative Tribunal proceedings for *Opal Vale Pty Ltd and Shire of Toodyay* [2013] WASAT 88 and *Keysbrook Leucoxene Pty Ltd and Shire of Serpentine-Jarrahdale* [2012] WASAT 212 are an alternative model. This approach is considered to more accurately reflect the actual maintenance affects arising out of the proposed extractive industry licence, but are less certain and more administratively complex for both for the Local Government and the licensee. This will require a Road Maintenance Plan which audits the condition of the relevant roads prior to the operation of the facility, identifies what the appropriate maintenance standards are, identifies the estimated average annual cost of maintenance and a provides determination of the amount of contribution to be made by the applicant.

At its November Forum Council considered another model that has been used successfully in other Local Governments and relies on assessing the impact of heavy transport based on methodologies developed by the National Transport Commission. There has not been sufficient time for this model to be adapted for use in Toodyay, but it might be used for future license applications.

The Shire is entitled to recover the actual cost of damage (Repairs and Maintenance) that is attributable to the licensee. The determination to be made is how the quantum of that contribution may be enumerated ahead of the actual work.

The Officer's Recommendation includes the approach which has been developed in the SAT. An alternative based on the previous flat rate approach is set out below, but if adopted is more likely to be challenged in the SAT.

(k) 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 an annual road maintenance contribution equivalent to an amount of \$0.25 per tonne, for expenses incurred by the Shire of Toodyay for the repair and maintenance

of Council's roads. The road maintenance contribution shall comply with the following:

- i. The Road Maintenance Contribution shall be made annually for the lifetime of the facility, the conclusion of which will be marked by the completion of all rehabilitation works;*
- ii. Payment shall be made in advance, with the first payment due upon the commencement of operations;*
- iii. Payment may be made on a quarterly basis;*
- iv. Payment shall be based on the estimated tonnage;*
- v. The applicant is to provide a report detailing all activities to and from the site, by 30 June each year; and*
- vi. The advance payments made through the year shall be reconciled against the actual activities and additional payments shall be sought or credited as appropriate.*

Attachment 5 provides discussion on the basis for cost recovery.

Electronic speed monitoring equipment

A response has been received from the community regarding the introducing a requirement for trucks to have electronic speed monitoring equipment. It should be noted that compliance with speed limits is not a planning consideration. The Shire of Toodyay can consider placing road counters that measure speed along Morangup Road and can refer the matter to police if there is evidence of constant speeding.

A response has been received from the community regarding the limiting of trucks during the operation of school speed restrictions. It is considered that as there are no schools along the truck route in the Shire of Toodyay, it is not reasonable to limit truck operations during these times. Please note that Main Roads WA still has the ability to restrict heavy vehicle operating times on their network, which includes Toodyay Road.

Rehabilitation

Clause 5.1 of the Shire of Toodyay's Extractive Industry Local Law allows for the local government to seek security for restoration and reinstatement of the extraction area, known as a performance bond, in the event that the proponent defaults on their requirements. It is recommended that Council impose a rehabilitation bond as a condition of extractive industry licence. Under the Shire of Toodyay's Schedule of Fees and Charges, clay extractive industries which are deeper than 3m are required to have a secured sum of \$12,000 per hectare. The proposed area of excavation is 8.8ha, which equates to a bond of \$105,600.

The applicant has requested that the Shire of Toodyay consider the Extractive Industry approval to be for the first two stages, with the Stage 2 bond being paid

in the event that Stage 1 is exhausted before the end of the extractive industry period.

It is recommended by Shire officers that only Stage 1 is given clearance instead, so the rehabilitation bond is smaller. It is not recommended that approval be given to two stages, with a staggered rehabilitation payment. This is because the purpose of a rehabilitation bond is for the Shire to undertake rehabilitation of an extractive industry site in the event that the extractive industry company does not do the works that they are required to do under their planning approval and extractive industry licence. This may be for reasons such as neglect or the event of the business no longer existing. In order to protect the Council from any (unlikely) monetary shortfall, it is considered safer for the Shire to request the bond money at the start of the approval process rather than in the middle, where it is much harder to monitor the crossing point between one stage and the next. All bond money received up front ensures that future Shire officers are not required to chase up future bonds and that the Shire is not approving an area to be extracted that is greater than the rehabilitation bond received by the Shire of Toodyay at the time can cover.

Suggestions were raised at Council Forum in regards to placing the cost of rehabilitation against the land. As this would involve the creation of a Deed of Agreement it is considered that a rehabilitation bond should still be used to ensure that the rehabilitation works are done, because this provides for the same outcome and is less time and monetary intensive than a Deed of Agreement.

Department of Environment Regulation comments:

The DER was contacted to clarify the comments that they submitted. They have confirmed that they will require it to be a condition of planning approval that the applicant is to abide by "*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*", prepared by the Department of Environment and Conservation 2011.

Dieback and Disease Management

The applicant has not provided any details regarding dieback and disease management. As the property is in an area where dieback and other diseases may be prevalent, it is recommended that a Dieback and Disease Management Plan be prepared and implemented at the applicant's cost as a condition of approval.

Noise

A letter was received from a nearby landowner stating that they do not have an objection to the proposal provided that noise from the site does not significantly increase. As the proposed extractive industry does not propose an increase in the intensity of operations, it is considered that noise levels from the site will not

significantly increase. In addition, there is a 400m forest buffer to the boundary of the property.

Mortigup Brook

The Department of Water notes that the mine site is in close proximity to Mortigup Brook, a major tributary for the Avon River. However, Department of Water has no information on water management from the existing mine and assumes that the Shire is dealing with water management of the site.

It is considered that the proposal will not affect Mortigup Brook or other water tributaries as the application states that all water will be retained on site. It is considered that as the proposed expansion will be away from Mortigup Brook, it will not have an impact on the brook. The Clay Extractive Industry Licence & Clay Extraction Management Plan states that all water will be retained on site.

Contour lines

The proposed plans have provided 5 metre interval contour lines. Under the Local Law, these are required to be 1 metre. It is considered that in this instance, the contour markings are acceptable because if 1 metre intervals were used, the plans would not be legible, due to size of the area to be mapped and the steepness of the walls.

Conditioning other Acts into the planning approval

In some of the previous planning approvals, conditions have been placed requiring compliance with other Acts regulated by other government agencies. This has been excluded in the proposed conditions, because according to the State Administrative Tribunal Review (*Keysbrook Leucoxene Pty Ltd and Shire of Serpentine-Jarrahdale* [2012] WASAT 212) where the Shire of Serpentine-Jarrahdale tried to impose a condition already required by another government body, the State Administrative Tribunal (SAT) stated the following:

Issue 5: Mandating compliance with management plans under Ministerial Statement 810

35 This issue deals with an issue related to Issue 4. Issue 4 dealt with whether management plans ought to be imposed under both environmental and planning regimes. Issue 5 deals with whether compliance with an environmental condition should be mandated under a planning approval. To the extent that it is suggested that there remains a dual obligation, this does not arise, because of our decision in respect of Issue 4.

36 In any case, planning principle would otherwise indicate that such secondary compliance conditions of this nature are to be avoided. Therefore, we [State Administrative Tribunal] decline to impose such a condition as arises under this heading.

Independent reviews

At the November 2013 Council Forum, it was suggested that issues relating to an independent review be investigated. A similar issue existed in the according to the State Administrative Tribunal Review (*Keysbrook Leucoxene Pty Ltd and Shire of Serpentine-Jarrahdale* [2012] WASAT 212), where the Shire of Serpentine-Jarrahdale suggested placing a condition requiring an independent review of the environmental monitoring findings for an extractive industry. The SAT stated the following

46 In the Tribunal's view, an independent review would be a step too far, given the extent of the regulatory framework otherwise applying to the project.

Closing Comments:

In view of the abovementioned comments, it is recommended that Council issue planning approval and an extractive industry licence for the clay pit located at Lot 1 Morangup Road, Morangup.

OFFICER RECOMMENDATION

It is recommended that:

1. Council grant Planning Approval for the Extractive Industry at Lot 1 Morangup Road, Morangup, subject to the following conditions;
 - (a) Development is to be in accordance with the approved Extractive Industry Licence and Clay Extraction Management Plan (Lot 1 Morangup Road) dated July 2013, including any amendments placed thereon by Council and except as may be modified by the following conditions.
 - (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) Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Permit.
 - (d) The location and total area of the excavation is to be limited to 8.8ha as depicted on the application, being Stage 1, and no additional clearing or excavation is to be carried out without the written permission from the Shire of Toodyay.
 - (e) The approval lapses on 19 November 2023 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.

- (f) The applicant is required to provide the local government a surveyors certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.
- (g) The applicant must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation and transport operations.
- (h) Working hours within the extraction area and transportation of materials shall be restricted to the hours between 7:00am and 5:00pm Monday to Friday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.
- (i) Heavy haulage vehicles associated with the development travelling to and from Perth in the Shire of Toodyay are to use Toodyay Road and Morangup Road south of the site only.
- (j) All truck loads leaving the site with materials are to be covered.
- (k) The applicant shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the Shire which are used by heavy haulage traffic associated with the clay extractive industry operations at Lot 1 Morangup Road, to the extent that such traffic contributes to the need for such maintenance and repair. Prior to the commencement of operation of the Facility, a Road Maintenance Plan based on this principle and including;
 - (i) an audit of the condition of relevant roads prior to the commencement of the operation of the Facility;
 - (ii) appropriate maintenance standards and associated requirements and responsibilities;
 - (iii) the estimated average annual cost of road maintenance and repairs for the duration of operation of the Facility; and
 - (iv) the amount of the contribution to such cost to be paid by the applicant,shall be lodged with the Shire for approval and the Road Maintenance Plan shall be implemented throughout the duration of operation of the Facility.
- (l) The proponent is to pay to the local government a bond or equivalent acceptable to the local government sufficient to secure

the road maintenance and repair obligations contained in the approved Road Maintenance Plan, prior to the commencement of the excavation. The cash bond or approved equivalent is to be reviewed annually.

- (m) All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.
 - (n) The excavation site is to be rehabilitated in accordance with the approved Extractive Industry Licence and Clay Extraction Management Plan (Lot 1 Morangup Road) dated July 2013 for Lot 1 Morangup Road, Morangup Road and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.
 - (o) A Dieback and Disease Management Plan is prepared and implemented.
 - (p) The proposal is to comply with the Department of Environment and Conservation (2011) publication "*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*".
2. Council grant an Extractive Industry Licence for Lot 1 Morangup Road, Morangup subject to the following conditions:
- (a) Development is to be in accordance with the approved Extractive Industry Licence and Clay Extraction Management Plan (Lot 1 Morangup Road) dated July 2013, including any amendments placed thereon by Council and except as may be modified by the following conditions.
 - (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) The location and total area of the excavation is to be limited to 8.8ha as depicted on the application, being Stage 1, and no additional clearing or excavation is to be carried out without the written permission from the Shire of Toodyay.
 - (d) The approval lapses on 19 November 2023 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.

- (e) The applicant is required to provide the local government a surveyors certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.
- (f) The licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any claim relating to any of the excavation and transport operations.
- (g) Working hours within the extraction area and transportation of materials shall be restricted to the hours between 7:00am and 5:00pm Monday to Friday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.
- (h) All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.
- (i) All truck loads leaving the site with materials are to be covered.
- (j) The excavation site is to be rehabilitated in accordance with the approved Extractive Industry Licence and Clay Extraction Management Plan (Lot 1 Morangup Road) dated July 2013 for Lot 1 Morangup Road, Morangup Road and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.
- (k) Prior to the commencement of operations, the applicant shall provide a cash bond of \$105,600 to the Shire of Toodyay as a performance guarantee against the satisfactory completion of the rehabilitation of the site. The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. The bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, for any costs to the Shire in completing and/or rectifying the outstanding works.
- (l) No blasting on the site is to occur without the written permission of the Shire of Toodyay.
- (m) The excavation site is to be maintained in a safe manner and a

secure gate is to be installed and kept locked when the site is unmanned to prevent access to the general public.

Cr Madacsi moved a motion as follows:

That the matter be deferred.

Cr Lloyd objected to the motion.

Cr Firms seconded the motion.

Debate ensued.

Cr Firms moved an amendment to the motion as follows:

That the words "to a further Special Council Forum and if necessary a Special Council Meeting to consider the outcomes of that Council Forum meeting at the earliest opportunity" be added following the words the "be deferred".

Cr Madacsi accepted the amendment.

The Manager Planning and Development tabled an excerpt of an Extractive Industry Application and Clay Extraction Management Plan for Lot 1 Morangup Road, Morangup at 9.05 pm.

The motion was put.

COUNCIL RESOLUTION NO 359/11/13

MOVED Cr Madacsi

SECONDED Cr Firms

That the matter be deferred to a further Special Council Forum and if necessary a Special Council Meeting to consider the outcomes of that Council Forum meeting at the earliest opportunity.

MOTION CARRIED 8/1

9.5.6 Anzac Avenue - Proposed Road Coach Set Down Area

Date of Report:	12 November 2013
Proponent:	Public Transport Authority
File Ref:	00ANZ
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Schematic of Proposed Road Coach Set Down Area; 2. Aerial Map of Area Surrounding Proposed Road Coach Set Down Area.
Voting Requirements:	Simple Majority

INTRODUCTION

On the 21st of August 2013, the Public Transport Authority announced that it would cancel the Avon Link Rail Service and replace it with a TransWA Road Coach. The Public Transport Authority has submitted an application for a set down area for the TransWA road coach service next to the existing train station along Anzac Avenue, which is planning to commence service by the 31st of December.

Due to the planning significance of the proposed road coach set down area, Council is requested to consider this application.

BACKGROUND

On the 21st of August 2013, the Public Transport Authority announced that it would cancel the Avon Link Rail Service and replace it with a TransWA Road Coach. The Public Transport Authority has submitted an application for a set down area for the TransWA road coach service.

The location of the proposed road coach set down area is just to the south of the existing train station, on Anzac Avenue. Anzac Avenue is currently part of the Toodyay Heavy Haulage Route Bypass. The proposed set down area is proposing to have a ramp leading up to the road coach pick up area and is also proposing to have four car bays. The parking areas and set down area is proposed to be bitumised. The existing train station has a shelter and there is an existing car park to the north of the existing railway line. An unsealed car parking area is currently located where the set down area will be.

There are no dwellings immediately adjacent to the proposed set down area. The nearest dwelling is located 60m away.

It should be noted that if approved, there are no areas on the northern section of Anzac Avenue in the vicinity of the road coach set down area that allow for verge parking. There are currently no stated restrictions for road side parking on the southern side of Anzac Avenue, particularly near the tennis court.

The Manager of Planning and Development and Manager of Works and Services have met with a representative from the Public Transport Authority to discuss the proposed location of the TransWA Road Coach service.

Correspondence has been received from the Public Transport Authority stating that it is happy to enter into discussions regarding maintenance of the surrounding area and they have acknowledged Council's plans for a road widening and bike path construction in the near future.

CONSULTATION

The proposal was referred to the Manager of Works and Services, who provided the following comments:

I have no issue with the design however having only four parking bays will cause parking issues at the site when set down or pickup occurs. Vehicles will be parking ad-hock and creating traffic congestion at these times.

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

The proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

The central location of a public transport service is important for Toodyay because it allows for easy accessibility for residents throughout Toodyay and the wider Shire in particular. It is considered that locating the proposed road coach set down area next to the existing train service is a logical decision, as locating the set down area elsewhere in the Shire may serve to confuse residents.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

Public transport services to Perth are currently utilised by a number of people. As currently exists for the Avon Link service, there will be increased pedestrian and vehicular movement (both for those parking and for those dropping off people) in the vicinity just prior to the arrival and departure of the road coach.

OFFICER'S COMMENT

An assessment of the proposal was undertaken using the principles identified in the Shire of Toodyay's Local Planning Scheme No 4, clause 10.2 Matters to be considered by Local Government. The following significant points should be noted:

Traffic and parking issues

There is the possibility that the location of road coach services from Anzac Avenue may lead to parking and traffic problems along Anzac Avenue, as road coach users may opt to park along Anzac Avenue (closer to the new public transport services) rather than at the existing car parking area to the north of the train station. As this is a heavy haulage route, ad hoc parking could create safety issues. Vehicle activity will be concentrated around passenger drop off and pick up times.

While there is parking available on the North side of the railway station, the current gravel parking area is able to accommodate in excess of 15 vehicles compared to the PTA proposal for 4 bays (or 3 if one is disabled). The new service has been promoted by the State Government as superior to the existing train service, and if this is the case it should be supported by adequate park and ride parking facilities. Further, parking is at a premium for festivals and events and the bus set down bay will remain unavailable on these occasions.

The proposed off-road sealed area is to be 6 metres deep from the edge of the road seal. This means that after parking patrons will be walking behind their cars in the traffic way to get to the bus set down area. The parking area should be increased to a minimum of 7.5 metres off the roadway to allow patrons to walk in front of their cars.

Universal accessibility

Universal accessibility requires all people, regardless of any physical impairment be able to access facilities in the Shire of Toodyay. The proposed access ramp will provide for universal access from the existing train station to the road coach set down area. However, the proposed site does not have an ACROD car bay. A representative from the Public Transport Authority has stated as there is currently no ACROD bay for the train station, there is no requirement for a new

bay to be provided, though they are happy to convert two of the car bays to an ACROD bay.

The absence of accessible parking is acceptable for old facilities, but whenever an upgrade or substantial renewal takes place as far as possible universal access should be provided. Therefore at least one ACROD bay is essential.

Closing comments:

While Council is actively lobbying for the retention of the Avon Link rail service, we must still ensure that adequate arrangements are in place for the replacement service for the benefit of those residents who will continue to commute.

That said, an inadequate facility which caters for too few people is not acceptable. The Avon Link is to be cancelled because of lack of patronage, largely due difficulty accessing the service. The replacement bus service will also be underutilised if we make it too difficult to access. Adequate parking is critical.

Given the above information, it is recommended that the proposed location for the TransWA road coach set down area on Anzac Avenue be approved subject to the increasing the depth of the area and the number of parking bays.

OFFICER'S RECOMMENDATION

That Council grant Planning Approval for the proposed road coach set down area on Anzac Terrace, subject to the applicant lodging new plans reflecting the following requirements:

1. Parking to be increased to 10 ordinary bays and one accessible bay;
2. The width of the parking area from the edge of the roadway be increased from 6 to 7.5 metres to allow passengers to walk in front of the parked cars
3. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
4. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.

Cr Greenway moved a motion as follows:

That this item be deferred to the next Council Meeting.

Cr Dow objected to the motion.

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 19 NOVEMBER 2013

Cr Madacsi seconded the motion.

Debate ensued.

Cr Firms moved a motion as follows:

That Standing Order 7.9 be suspended to the extent that it will allow free and open discussion on this matter and for Members to address the Council more than once.

Cr Craddock objected to the motion.

Cr McCann seconded the motion.

Debate ensued.

The motion was put.

MOTION

MOVED Cr Firms

SECONDED Cr McCann

That Standing Order 7.9 be suspended to the extent that it will allow free and open discussion on this matter and for Members to address the Council more than once.

MOTION LOST 2/7

Cr Greenway moved an amendment to the motion as follows:

That the words "pending further liaison with the proponent and consideration of alternate sites" be inserted following the words "the next Council Meeting".

Cr Madacsi seconded the amendment.

The motion was put.

COUNCIL RESOLUTION NO 360/11/13

MOVED Cr Greenway

SECONDED Cr Madacsi

That this item be deferred to the next Council Meeting pending further liaison with the proponent and consideration of alternate sites.

MOTION CARRIED 9/0

The Shire President ruled that Agenda Item 9.5.9 Request for Councils Support to Close Part of Duke Street be discussed as the next item of business.

Cr Chitty declared an impartiality interest in Agenda Item 9.5.9 Request for Councils Support to Close Part of Duke Street as she has an association being brothers who own the property. She declared that she would judge this matter on its merits and vote accordingly.

9.5.9 Request for Councils Support to Close Part of Duke St
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Date of Report:	13 November 2013
Applicant:	Mr Reeve
File Ref:	28DUKE/A54
Author:	Graeme Bissett - Manager Planning & Development
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	1. Maps x 3.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider a request from the applicant to support the closing of part of the footway on Duke Street adjoining his land so a request can be made to the Crown for the purchase of some of the road reserve to enable the lot size to be increased.

BACKGROUND

In September 2013, the owner contacted the Shire with a request that support be given to the width of the footway in front of his lot to enable a larger lot configuration which would provide more flexibility to his proposed house orientation. The CEO, Manager Works & Services and Manager Planning and Development conducted a site inspection and met with Mr Reeve, who owns the land.

It appears from the applicant's correspondence that approximately thirty years ago, the western side of Duke Street Road Reserve was widened by 7m by the resumption of land from private land owners from Fiennes Street to Henry Street (As per attached plan).

The main reason for this appears to be to allow for tourist coaches to access a more direct route to Pelham reserve in anticipation for an anticipated need which does not seem to have occurred. While the land has been ceded to the Crown for the Shire's use the actual physical work in shifting fences and services has never been carried out.

A narrow footway, identified on our Bikeway Plan as a path not suitable for shared use is in place on the opposite side of Henry Street. The new Bikeway Plan, whilst identifying the existing footway as narrow, does not identify the opposite side of the road as a location for a future new dual use path.

It should be noted that Council owns the adjoining property being the old former Police Station which is currently occupied by Arts Toodyay on a short term revolving agreement (due to be discussed shortly as part of Council's Asset Management Rationalisation Plan).

Based on members input on this matter at its November Forum (5/11/13) it was clear that because the original reason for the road widening appears to be no longer valid consultation with all the affected street landholders should be considered with a view to further investigation based on any outcome from such an outcome.

CONSULTATION

No consultation has been undertaken at this point in time. As Council would be proposing to gauge the interest of adjoining landowners in buying the land, it is recommended that each affected land owner is contacted by mail for a period of 28 days. This does not preclude Mr Reeve from contacting the land owners personally and requesting a written response to the Shire of Toodyay.

If Council resolves to initiate the road closure, consultation will take place with the public, adjoining landowners and servicing authorities. Consultation will consist of a sign on site, letter to landowners within 100m of the proposed road closure, letters to servicing authorities and a notice on Council's website. This is in accordance with Members Policy M.2 - Public Consultation - Formal Matters, at the required Level E.

Section 58 of the *Land Administration Act 1997* requires a 35 day advertising period from the publication in a newspaper.

Following the advertising period, the proposed road closure would be submitted to Council for further consideration, irrespective of whether any submissions are received or not.

STATUTORY ENVIRONMENT

Road closures are regulated by Section 58 of the *Land Administration Act 1997*. In accordance with the *Land Administration Act* and Regulations, there are four main steps involved in closing a road:

1. The Local Government needs to decide whether it is willing to initiate the road closure request.
2. The Local Government must then advertise the proposed road closure to adjoining landowners and servicing authorities in accordance with

Section 58 of the Land Administration and Regulation 9 of the Land Administration Regulations 1998.

3. The Local Government then considers submissions received during the advertising period and must resolve to close the road and request the Department of Regional Development and Lands to proceed with the road closure.
4. The Minister is then to choose whether to grant a request and if granted the land can be purchased by private parties or can become Unallocated Crown Land.

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

This is not a simple matter. This proposal has the potential to affect all properties on one side of the street which means any change may need to involve all land owners. Council's role in this matter is one of support as, due to the Road Reserve being Crown Land, the approval to transfer land, whilst a state matter, will not be acted upon unless the Shire supports it because it is in land controlled by us and involves a partial road closure.

The applicant is seeking our support as he would like to develop this block as quickly as possible.

The main reason for this application is to be able to site a dwelling in a more optimal position for solar access without the need for retaining works. It must be stressed that this lot is of a more than adequate size to put a dwelling on at 1,332m². If Council chooses not to support this proposal it will not make this lot unviable to build on.

This land appears to have been resumed with the intention of creating a wider road which has not eventuated. With no evidence of need in this regard for the last 30 years the continuing need for the retention of all or part of this land is open to question.

Council can consider in their deliberations if all or part of this Road Reserve is needed. The owners preferred option would be to have all the land returned to him but would accept a lesser amount providing it was significant.

One option would be to retain 3.5m which would be sufficient for a future 2m dual path thereby supporting the loss of 3.5m. Conversely Council could decide to not support this proposal or agree to a lesser or greater width depending on its rationale. What is clear is that any change should apply to at least Ellery Place to maintain consistency. This would mean all affected landowners must be contacted and their support obtained. If this was to go through, each landowner would be responsible for covering any associated costs.

When considering this proposal, Council should also look at the future of this side of the street and determine if:

- a) The Shire of Toodyay Bikeway Plan needs to be amended to upgrade the footway in this street; and/or
- b) Whether Council should proceed with the finalisation of the initial land changes to formalise the original land resumption.

CONCLUSION

From Council's Forum discussions it appears that Members are willing to consider this matter further but not until at the surrounding landowners have been consulted and their views heard.

OFFICER'S RECOMMENDATION

It is recommended that:

1. Duke Street landowners be notified of this application and their comments be sought on their support of this proposal and their willingness to be involved in buying back a portion of Duke Street to return the street to the width it originally was.
2. This matter be brought back to Council for further consideration once the notification period has finished. .

COUNCIL RESOLUTION NO 361/11/13

MOVED Cr Dow

That:

1. Duke Street landowners be notified of this application and their comments be sought on their support of this proposal and their willingness to be involved in buying back a portion of Duke Street to return the street to the width it originally was or a lesser width to incorporate a footpath or cycleway if Council identifies a need for this;
2. This matter be brought back to Council for further consideration once the notification period has finished. .

MOTION CARRIED 9/0

The Shire President ruled that following agenda Items

- ***Agenda Item 9.5.7 Offer to Gift Part Lot 104 Cobblers Pool Road***
- ***Agenda Item 9.5.8 Glencoe Estate Design Guidelines LPP review***
- ***Agenda Item 10.1 Councillor Madacsi – Notice of Motion 1 Rural Street Addressing in the Bejoording Townsite; and***
- ***Agenda Item 10.2 Councillor Madacsi – Notice of Motion 2 Rates Incentive***

would be adjourned to the next meeting of Council.

9.5.7 Offer to Gift Part Lot 104 Cobblers Pool Road

Date of Report:	13 November 2013
Applicant:	Boral
File Ref:	104COB/A2891
Author:	Graeme Bissett - Manager Planning & Development
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	2. Site plans; and 3. Aerial Photo.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider an approach from Boral who are the current owners of Lot 104 Cobblers Pool Road, Toodyay who have proposed to give a portion of the Lot to the Shire consisting of the area currently used as the overnight stop for the Avon Descent (See attached map/aerial photo).

BACKGROUND

Lot 104 Cobblers Pool Road, Toodyay is a 508ha property zoned Rural in the Local Planning Scheme No 4 of which part is being used as a hard rock quarry, part is vegetated, part in used for grazing and part is used once a year as a camping/staging area for the Avon Descent. It is bisected from East to west by both a road and a rail line.

Initial contact in relation to this matter was made via email to Council in September 2013. Subsequently, a meeting was held with a Boral representative, Cr Kevin Hogg -the Shire President, Mr Stan Scott - CEO and Mr Graeme Bissett - Manager of Planning & Development on Friday 11 October 2013 at the administrative offices to discuss the proposal further.

It was outlined that Boral wanted to excise off two parcels of land from Lot 104 to rationalise their land holdings on this site. One involves a significantly larger portion which is a mixture of vegetated and cleared land to the South West of Cobblers Pool Road that would be suitable for farm build-up or similar and the other portion to the Northeast of the same road being the smaller part of the Lot that forms the current Avon Descent overnight stop and camping area.

The representative advised that they wanted to treat the larger portion as a land sale and the Cobblers Pool portion as a gift to the Shire on the basis of the land being used for "social" purposes. The representative was advised that this matter would be taken to Council for their direction which could then be relayed back to the owners.

Council considered this matter at its November 2013 Forum held on the 5th. The consensus from this Forum was that members were interested in considering a formal offer from the land owner to gift this land if it were presented.

CONSULTATION

No formal consultation has occurred in relation to this matter. This may be a matter that Council may like to consider depending how they proceed

STATUTORY ENVIRONMENT

Taking ownership of this land would be subject to all the normal processes under the Land Act in regards to the land transfer and any other legal process to satisfy any subdivision requirements and use limitations. It may be necessary to rezone this land to "Recreation" under the provisions of the shire's Town Planning Scheme to satisfy any "use" issues that may be a condition of subdivision.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

While this proposal does not contain any short term notable financial impact it may result in some long term financial implications in terms of maintenance and improvements to the subject land. The potential long term benefits of acquiring this land would however offset this.

Ongoing Avon Decent sponsorships from both Boral and Brookfield would help with this.

STRATEGIC IMPLICATIONS

Securing this land permanently has strategic implications in that it provides certainty to the organisers of Avon Descent in terms of the operation of future events and the provision of a permanent staging area and overnight stop.

ENVIRONMENTAL IMPLICATIONS

This proposal does not appear to contain any notable environmental implications. If Council decides to consider this offer this matter will however be referred to the Shire's Environmental Officer for comment.

SOCIAL IMPLICATIONS

This proposal may have positive social implications for Shire residents if it resulted in the provision of more recreation open space.

OFFICER'S COMMENT

Boral is willing to gift the portion of Lot 104 adjacent to Cobblers Pool up to Cobblers Pool Road (as shown on the attached map) on the basis of its use being for a social purpose including continuing its use for the overnight camp and staging post for the Avon Descent.

As already stated Potential positives to be considered are:

- Securing of the site for the Avon Descent under the Shire management;
- Opportunity for the site to be opened for recreational purposes all year round if appropriately managed;
- Important access point to the Avon River; and
- Potential to put permanent infrastructure in for the Avon Descent which would be available for other events/users.

The use stipulation should not be a barrier because the kinds of uses Council would see as feasible would be in harmony with the "social use" restriction.

Based on the reaction of Council in forum it is recommended that this matter be investigated further once a formal offer is received.

OFFICER'S RECOMMENDATION

It is recommended that Council authorise the CEO to contact the landowners of Lot 104 Cobblers Pool Road and advise them that Council is willing to consider accepting the ownership of Lot 104 Cobblers Pool Road in principle based on a firm offer in writing and the appropriate due diligence being carried out.

9.5.8 Glencoe Estate Design Guidelines LPP Review

Date of Report:	11 November 2013
Applicant:	Glencoe Estate Guidelines Working Group
File Ref:	PCY1
Author:	Graeme Bissett - Manager Planning & Development
Responsible Officer:	Graeme Bissett - Manager Planning & Development
Officer's Disclosure of Interest:	Nil
Attachments:	1.. Council Policy LPP18 as adopted; 2. Proposed changes to LPP18.
Voting Requirements:	Simple Majority

INTRODUCTION

Council is requested to consider the proposed changes to LPP 18 (Glencoe Estate Design Guidelines) made by the Glencoe Estate Guidelines Working Group and determine if any further changes are required with a view to advertising,

BACKGROUND

This matter was first formally considered by Council at its December 12, 2012 Ordinary Meeting in conjunction with a report requesting consideration for a number of variations to this policy in regards to a noncompliant dwelling . At this meeting staffs were directed to bring this LPP to a Forum for further consideration.

This matter was taken to both a forum and meeting which resulted in a number of unresolved issues which could not be resolved in the meeting. Council decided to form a working group comprising of the Acting Manager of Planning and development and a number of Councillors to work through the issues and report back.

This has now been completed and a draft of the proposed changes has been circulated to members for consideration. All members of this working group have indicated that a consensus was reached in relation to the proposed changes.

CONSULTATION

Members have been emailed a copy with the draft changes included and some feedback has been received which will be discussed in the comments section.

Should Council accept the changes with or without additional changes a further public consultation process in accordance with the provisions set out in the Shire's Local Planning Scheme provisions for the review of Local Planning Policies will occur and this matter will be then brought back to a meeting to

consider any submissions and further alterations if needed after the conclusion of the advertising period. Council can then decide to finalise the reviewed Local Planning policy or any alternative it decides.

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*. The scheme sets out how to create specific policies for specific development areas in documents called Local Planning Policies.

POLICY IMPLICATIONS

The changes, if adopted, in relation to LPP18 will significantly alter the policy direction in relation to the design of dwellings and outbuildings in the Glencoe Estate. The changes proposed will simplify the design required to build in this estate.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications for Council but could significantly reduce the costs of building in the Glencoe estate because more normalised buildings will be permitted.

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

As a result of the most recent consultations with members the following feedback has been received in regards to the changes:

"I have been reading the suggested changes to the Glen Coe estate and have found them very good. The only problem with taking out the part in brackets (min one veranda on three sides) about strong veranda elements means that it's

too subjective and people will interpret in different ways.

Maybe as a suggestion replace it with min veranda on one wall and 900 mm eaves to the rest of the house”.

This suggestion has not been inserted. Council needs to consider this.

There were however also two comments on reducing the roof pitch to 20 degrees. Setting the roof slope at 20 degrees is seen as a reasonable compromise to keep the rural feel of the subdivision. This change has been incorporated into the draft.

The next step is seen as seeking stakeholder engagement from the land owners and general public.

OFFICER’S RECOMMENDATION

It is recommended that Council:

1. Accept the changes to LPP 18 Glencoe Design Guidelines proposed by the Glencoe working group with any further changes nominated.
2. Direct Manager of Planning and Development advertise the revised documentation be in accordance with the provisions of its Local Planning Scheme (No 4.);and
3. Reconsider this matter after the period of notification has been completed.

9.6 WORKS AND TECHNICAL SERVICES

Nil.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1. Councillor Madacsi – Notice of Motion 1 – Rural Street Addressing in the Bejoording Townsite

Date of Report:	11 November 2013
Proponent:	Cr Madacsi
File Ref:	TEC22
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

INTRODUCTION

This report is provided to Council following a notice of motion provided by Councillor Madacsi relating to issues surrounding rural street addressing in the Bejoording townsite.

BACKGROUND

Cr Madacsi provided the following Notice of Motion

Emergency services accessing Bejoording townsite have been experiencing difficulty in finding the appropriate property due to issues with the directional signage along easements and confusion with the green emergency numbers

Concern was first raised to Council in early April 2013 and expressed to councillors at the Bejoording BFB AGM on April 19. The item was raised for the May forum, deferred to the June forum but not dealt with. Despite belief completion of the green emergency numbering system had solved the problem; the item has continued to be raised by the Bejoording Community Group and in September by the local emergency services. The problem is compounded by poor to no mobile reception, where the emergency personal are limited or unable to receive additional instructions to locate the property.

Due to the time critical nature of emergency situations and the potentially serious consequences the problem needs to be resolved quickly.

This memorandum is notice, in accordance with the Section 4.4 (2) (b) of the Shire of Toodyay Standing Orders, of a motion I wish Council to consider at the next Ordinary Meeting of Council as follows:

1. *Council authorise the CEO to undertake the following:*
 - (a) *determine a system of identifying different portions of a road divided by properties or Bindi-Bindi road;*
 - (b) *determine a simple system of identification of easements;*
 - (c) *determine the costs involved and advise on apportionment; and*
 - (d) *replicate the emergency numbers at the entrance to easements.*

2. *The CEO to bring the final solution to Council for approval.*

CONSULTATION

There has been discussion around this issue at the LEMC, and improved maps were circulated as a result.

STATUTORY ENVIRONMENT

In 1994, Landgate took over the management of the State of Western Australia's Street Address dataset. The aim was to provide one complete and authoritative source of all Property Street Addresses in the State.

Local Governments are responsible for delivering and installing the signs. After the initial distribution of the signs all new signs are on a fee-for-service basis to landowners.

POLICY IMPLICATIONS

There are no policy implications relative to this item.

FINANCIAL IMPLICATIONS

Council's fee for a new Rural Street addressing sign is \$35.00. This includes the supply and installation of a green sign and star picket.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this item.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications relative to this item.

SOCIAL IMPLICATIONS

Better street addressing could improve the safety of Bejoording residents.

OFFICER'S COMMENT

The Landgate history of Country Town names records the following in relation to Bejoording:

Bejoording is an Aboriginal place name recorded during explorations by George Fletcher Moore in 1836. It is shown as an area set aside for a future townsite on Arrowsmith's map of the colony dated 1 October 1839. The first town lots were sold in 1856-57, and the Townsite gazetted in 1899. The Bejoording

For many years most of the Bejoording townsite was farmed as a single contiguous parcel of land. While the road reserves were closed the various lots were not amalgamated. In recent times individual blocks have been sold, and the former road reserves set aside as access easements, using the previous street names as identifiers.

If these lots had been created through a subdivision in the last 10 years the development would have been accompanied with a requirement to develop access roads to a minimum standard. The cost of developing the roads would have contributed the cost that would have been recovered from purchasers of these lots. In the case of Bejoording this did not occur, and many blocks have no direct access to a public road.

There is always a risk with this kind of settlement that landowners will take advantage of the lower prices that arise from purchasing unserviced blocks and then expect Local Government to retrospectively install infrastructure at a cost to the wider community. When considering proposed interventions to improve safety a modest investment from the Shire, perhaps with a co-investment from landowners may be appropriate.

Presently internal easements and rights of way are maintained by landowners at their own expense. The state of repair and trafficability of these access ways may also impact in an emergency, but are clearly not the responsibility of the Shire.

Councillor Madacsi's Notice of Motion

Cr Madacsi to move that:

1. Council authorise the CEO to undertake the following:
 - (a) determine a system of identifying different portions of a road divided by properties or Bindi-Bindi road;
 - (b) determine a simple system of identification of easements;
 - (c) determine the costs involved and advise on apportionment; and
 - (d) replicate the emergency numbers at the entrance to easements.
2. The CEO to bring the final solution to Council for approval.

10.2 Councillor Madacsi – Notice of Motion 2 – Rates Incentive

Date of Report:	11 November 2013
Proponent:	Cr Madacsi
File Ref:	RAT1
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

INTRODUCTION

This report is provided to Council following a notice of motion provided by Councillor Madacsi relating to the rate incentive prize.

BACKGROUND

Cr Madacsi provided the following Notice of Motion

This memorandum is notice, in accordance with the Section 4.4 (2) (b) of the Shire of Toodyay Standing Orders, of a motion I wish Council to consider at the next Ordinary Meeting of Council as follows:

1. The Shire Rates Payment Incentive Scheme to be expanded to include those rates payable by instalment where the total amount due exceeds \$5000 and the first instalment is paid by the first instalment date.

CONSULTATION

The CEO consulted with rates staff to try to gauge the impact of the incentive on rates payments.

STATUTORY ENVIRONMENT

The requirements for rate notices and instalment options are set out in s6.39 to s6.50 of the *Local Government Act 1995*.

Local Government (Financial Management Regulations) 1996 (r56 to r71) provides further guidance. The provision of incentives for paying on time is not contemplated in the Act.

POLICY IMPLICATIONS

There are no policy implications relative to this item.

FINANCIAL IMPLICATIONS

The incentive is provided to encourage ratepayers to pay in full, and providing incentives for the instalment option could have negative impacts on cash-flow.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this item.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications relative to this item.

SOCIAL IMPLICATIONS

Better street addressing could improve the safety of Bejoording residents.

OFFICER'S COMMENT

In the current financial year the shire of Toodyay issued 2971 rates notices. Of these only 86 were for amounts over \$5,000. The following table analyses rates payments for the current year:

	All Ratepayers		Over \$5,000	
Total Ratepayers	2971	100.00%	86	100.00%
Paid in full	1570	52.84%	56	65.12%
Paid first instalment	975	32.82%	23	26.74%
Total up to date	2545	85.66%	79	91.86%
Overdue	426	14.34%	7	8.14%

This table would appear to indicate that more ratepayers with accounts of greater than \$5,000 pay their rates in full by the due date than for all ratepayers. Making the incentive available may have the perverse effect of encouraging more people to use instalments than is presently the case.

If the proposed change had the effect of discouraging larger ratepayers from paying in full, and that group of ratepayers had the same payment distribution as other ratepayers, more than \$40,000 of payments could be delayed.

The CEO does not support the proposed change to the incentive scheme as there is little upside and considerable potential downside.

MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 19 NOVEMBER 2013

Cr Madacsi to move that:

The Shire Rates Payment Incentive Scheme to be expanded to include those rates payable by instalment where the total amount due exceeds \$5000 and the first instalment is paid by the first instalment date.

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

Cr Craddock proposed Notices of Motion for consideration at the next meeting as follows:

- 1. That a policy be developed concerning consideration of submissions received after the published closing date and time for submissions unless this is covered by other legislation;**
- 2. Agendas to be received by email at least six clear working days before the meeting in accordance with Standing Order 6.1.1.; and**
- 3. That a cost benefit analysis be prepared concerning the installation of solar panels or other energy producing devices on Council Property and that:-**
 - i. That this be included in the budget6 considerations for the 2014/2015 budget;**
 - ii. the input of the Heritage Adviser is sought where solar panels are considered being put on Heritage Buildings.**

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

Nil.

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

13.1 MEMBERS

Nil.

13.2 EMPLOYEES

Nil.

14. CONFIDENTIAL BUSINESS

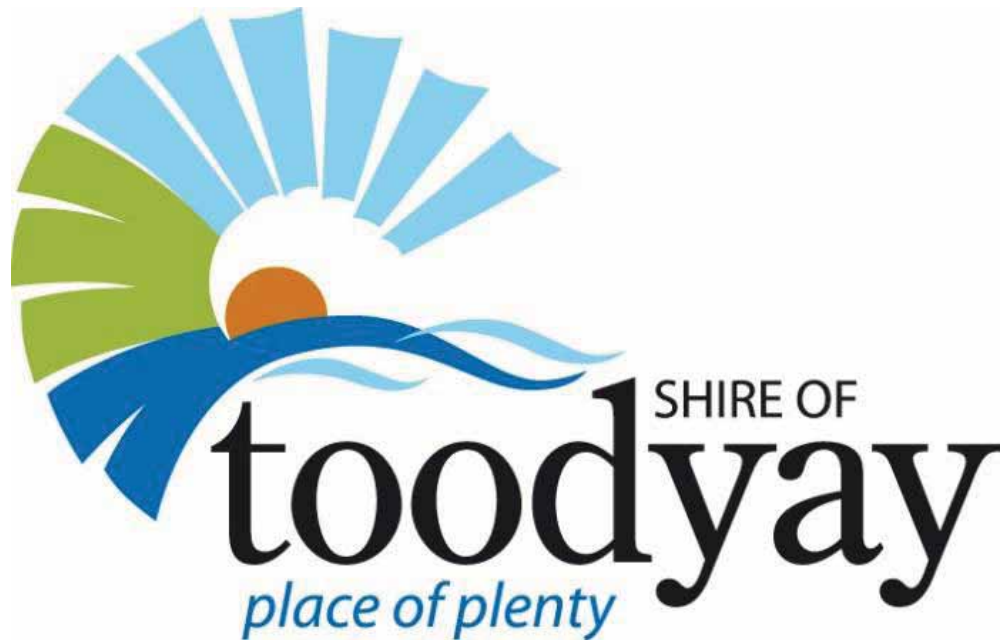
Nil.

15. NEXT MEETINGS

Community Depot Management Committee Meeting	20 November 2013
Museum Advisory Committee Meeting	21 November 2013
Council Information Session (Memorial Hall)	23 November 2013
Council Forum	3 December 2013
Council Meeting	10 December 2013

16. CLOSURE OF MEETING

The Shire President declared the meeting closed at 9.40 pm.



ADDENDUM

Attachments to Minutes of the

ORDINARY MEETING OF COUNCIL

19 November 2013

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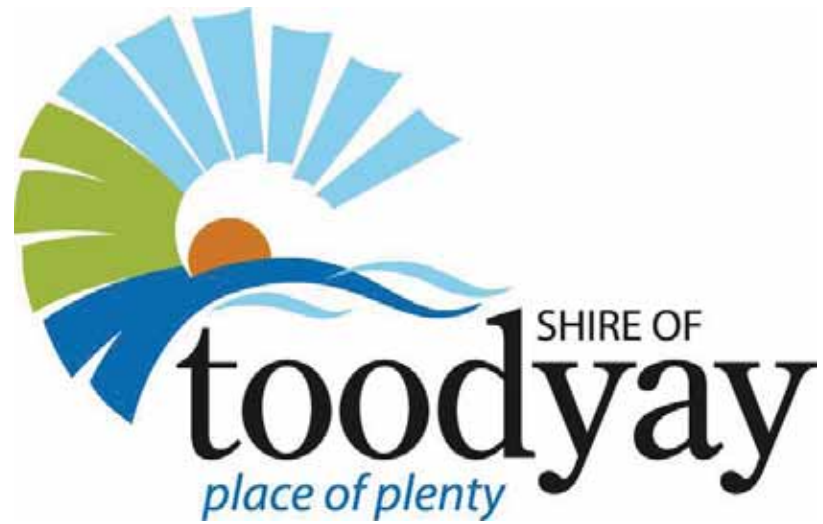
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	The Manager Planning and Development tabled an excerpt of an Extractive Industry Application and Clay Extraction Management Plan for Lot 1 Morangup Road, Morangup at 9.05 pm.	360
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Bush Fire Advisory Committee Meeting

Minutes

11 November 2013

Preface

When the Chief Executive Officer approves these Minutes for distribution they are in essence "Unconfirmed" until the following Bush Fire Advisory Committee Meeting, 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 Meeting are put together as an addendum to these Minutes.

Unconfirmed Minutes

These minutes were approved for distribution on 12 November 2013.



Stan Scott
CHIEF EXECUTIVE OFFICER

12 November 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 8*

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Shire of Toodyay

BUSH FIRE ADVISORY COMMITTEE MEETING – 11 NOVEMBER 2013

MINUTES

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Chairperson declared the meeting open at 6.03 pm.

2. ELECTION OF PRESIDING MEMBER

2.1 Election of Presiding Member

Date of Report:	5 November 2013
Proponent:	Shire of Toodyay
File Ref:	FIR3
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil.
Voting Requirements:	Absolute Majority

INTRODUCTION

The purpose of this report is to elect the positions of Presiding Member and if the committee so chooses, a Deputy Presiding Member.

BACKGROUND

Nil.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Schedule 2.3 of the *Local Government Act 1995* sets out the procedures for the election of presidents and Deputy Presidents by Council.

Section 5.12 (1) of the *Local Government Act 1995* sets out the requirement to elect a Presiding Member and Section 5.12 (2) makes it clear that the election of a Deputy Presiding member is at the discretion of the committee. If the committee does not choose to elect a Deputy Presiding Member it will, on any

occasion when the presiding member is absent, be required to appoint someone from within its ranks to act as presiding member for that meeting.

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 CEO will preside over the meeting until the election of the presiding member has been completed.

OFFICER'S RECOMMENDATION

That the committee elect on of its number as presiding member.

The Chief Executive Officer called for nominations for the position of Chairperson of the Bush Fire Advisory Committee.

M McBride nominated C Wroth for the position of Chairperson of the Bush Fire Advisory Committee. C Wroth accepted the nomination.

As there were no further nominations C Wroth was duly elected Chairperson of the Bush Fire Advisory Committee.

3. RECORDS OF ATTENDANCE / APOLOGIES

3.1 RECORD OF ATTENDANCE

Members

Mr C Munson	Community Emergency Services Manager (CESM)
Cr B Lloyd	Council Representative
Cr B Rayner	Council Representative
Mr M McBride	Chief Bush Fire Control Officer (CBFCO)
Mr M Rogers	Deputy Bush Fire Control Officer (DBFCO) 1
Mr D Bartels	Deputy 2 CBFCO 2
Mr L Hayward	Bejoording Brigade Representative
Mr S Gamble	Morangup Brigade Representative
Mr M Middleton	Coondle-Nunile Brigade Representative
Mr G Scobie	Julimar Brigade representative
Mr M McKeown	Toodyay Central Bush Fire Brigade representative
Mr C Wroth	Fire Control Officer (FCO) representative
Ms H Wearmouth	Bush Fire Volunteer Training Officer representative
Mr S Scott	Chief Executive Officer
Cr A McCann	Deputy Council Representative

Staff

Mrs M Rebane	Executive Assistant
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Visitors

B Wearmouth	C Blanchett
K Maddrell	B Wood
J Briggs	M Briggs

3.2 APOLOGIES

Mr I McGregor	Volunteer Fire and Rescue (Toodyay) representative
Cr S Craddock	Deputy Council Representative
Mr M Pasotti	Department of Parks and Wildlife representative
Mr M Bowen	Department of Fire and Emergency Services (DFES)

4. DISCLOSURE OF INTERESTS

The Chairperson did not call for any disclosures of interest.

5. PUBLIC QUESTIONS

5.1 PUBLIC QUESTION TIME

The Chairperson did not call for any public questions.

6. DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

6.1 Petitions

Nil.

6.2 Deputations

Nil.

6.3 Presentations

Nil.

6.4 Submissions

Nil.

7. PURPOSE OF MEETING

7.2 Confirmation of Revised Minutes of Meeting held on 24 September 2013.

Date of Report:	5 November 2013
Proponent:	Shire of Toodyay
File Ref:	FIR3
Author:	Stan Scott – Chief Executive Officer
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Nil.
Voting Requirements:	Simple majority

INTRODUCTION

The purpose of this report is to confirm the revised minutes of the Bush Fire Advisory Committee meeting held on 24 September 2013.

BACKGROUND

There was a typographical error within the minutes of the Bush Fire Advisory Committee meeting held on 24 September 2013 wherein:

1. the appointment of M Briggs as DCBFCO No 2 was not listed in the Committee's recommendation, despite being recorded within the body of the minutes; and
2. the appointment of D Bartels was incorrectly stated as DCBFCO No 2 instead of DCBFCO No 3.

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

This proposal does not contain any notable statutory implications.

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

Once the revised minutes are confirmed the recommendation made to Council will read as follows:

That:

1. M McBride be appointed to the position of Chief Bush Fire Control Officer;
2. M Rogers be appointed to the position of Deputy Chief Bush Fire Control Officer No. 1;
3. M Briggs be appointed to the position of Deputy Chief Bush Fire Control Officer No 2;
4. D Bartels be appointed to the position of Deputy Chief Bush Fire Control Officer No 3; and
5. The Chief Bush Fire Control Officer nominated above be appointed to the position of Fire Weather Officer.

MINUTES OF BUSH FIRE ADVISORY COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS ON 11 NOVEMBER 2013

OFFICER'S RECOMMENDATION

That the revised Minutes of the Bush Fire Advisory Committee Meeting held on 24 September 2013 be confirmed:

MOTION

MOVED M McBride

SECONDED M Rogers

That the Minutes of the Bush Fire Advisory Committee Meeting held on 24 September 2013 be confirmed.

The motion passed differs from the Officer's Recommendation due to the Officer's Report being incorrect and the revised minutes containing incorrect information. Therefore, the original minutes of the Bush Fire Advisory Committee were considered confirmed.

6.3 Appointment of Bush Fire Control Officers

Date of Report:	6 September 2013
Proponent:	Bush Fire Advisory Committee
File Ref:	COC3
Author:	Maria Rebane – Executive Assistant
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil.
Voting Requirements:	Simple Majority

INTRODUCTION

The purpose of this report is for the Bush Fire Advisory Committee to endorse the nominations made relating to Officers holding the positions of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer, and make a recommendation to Council in relation to those nominations.

BACKGROUND

At a Bush Fire Advisory Committee meeting held on 24 September 2013 the committee recommended to Council the following:

That:

1. M McBride be appointed to the position of Chief Bush Fire Control Officer;
2. M Rogers be appointed to the position of Deputy Chief Bush Fire Control Officer No. 1;
3. M Briggs be appointed to the position of Deputy Chief Bush Fire Control Officer No 2;
4. D Bartels be appointed to the position of Deputy Chief Bush Fire Control Officer No 3; and
5. The Chief Bush Fire Control Officer nominated above be appointed to the position of Fire Weather Officer.

CONSULTATION

Consultation has occurred with the CEO in relation to the writing of this report.

STATUTORY ENVIRONMENT

Section 38 of the *Bush Fires Act 1954* states as follows:

38. Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A (2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
[(b) deleted]
- (2C) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the FES Commissioner may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.
- (2D) Where a local government that has been served with a notice pursuant to subsection (2C) fails or neglects to comply with the requirements of that notice, the FES Commissioner may appoint a person who is not employed in the Department to the vacant office.
- (2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —
 - (a) carrying out normal brigade activities;
 - [(b), (c) deleted]
 - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
 - (e) procuring the due observance by all persons of the provisions of Part III.
- (5A) A local government may issue directions to a bush fire control officer appointed by the local government, or to an officer of a bush fire brigade registered by the local government to burn, subject to the

MINUTES OF BUSH FIRE ADVISORY COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS ON 11 NOVEMBER 2013

provisions of this Act, bush on, or at the margins of, streets, roads, and ways, under the care, control and management of the local government.

- (5B) The bush fire control officer, or officer of the bush fire brigade, may by authority of any directions issued under subsection (5A) carry out the directions but subject to the provisions of this Act.
- (5C) The provisions of subsections (5A) and (5B) are not in derogation of those of subsection (4).
- (6) In this section —
approved local government means a local government approved under subsection (7) by the FES Commissioner.
- (7) If it appears to the FES Commissioner that the standard of efficiency of a local government in fire prevention and control justifies the FES Commissioner doing so, the FES Commissioner, by notice published in the Government Gazette —
- (a) may approve the local government as one to which subsections (6) to (18) apply; and
 - (b) may from time to time cancel or vary any previous approval given under this subsection.
- (8) An approved local government may appoint to the office of fire weather officer such number of senior bush fire control officers as it thinks necessary.
- (9) Where more than one fire weather officer is appointed by a local government the local government shall define a part of its district in which each fire weather officer shall have the exclusive right to exercise the power conferred by subsection (17).
- (10) An approved local government may appoint one or more persons, as it thinks necessary, to be the deputy or deputies, as the case may be, of a fire weather officer appointed by the local government and where 2 or more deputies are so appointed they shall have seniority in the order determined by the local government.
- (11) Where the office of a fire weather officer is vacant or whilst the occupant is absent or unable to act in the discharge of the duties of the office, any deputy appointed in respect of that office under subsection (10) is, subject to subsection (12), entitled to act in the discharge of the duties of that office.
- (12) A deputy who is one of 2 or more deputies of a fire weather officer is not entitled to act in the discharge of the duties of the office of that fire weather officer if a deputy who has precedence over him in the order of seniority determined under subsection (10) is available and able to discharge those duties.
- (13) The local government shall give notice of an appointment made under subsection (8) or (10) to the FES Commissioner and cause notice of the appointment to be published at least once in a newspaper circulating in its district and the FES Commissioner shall cause notice of the appointment to be published once in the Government Gazette.
- (14) An approved local government may appoint a committee for the purpose of advising and assisting a fire weather officer or any deputy

of a fire weather officer acting in the place of that officer under this subsections (6) to (18).

- (15) Where a committee is appointed, a fire weather officer, or, as the case may be, a deputy of a fire weather officer while acting in the place of that officer, may exercise the authority conferred on him by subsection (17), notwithstanding the advice and assistance tendered to him by the committee.
- (16) The provisions of subsections (6) to (18) are not in derogation of those of any other subsection of this section.
- (17) A fire weather officer of an approved local government, or a deputy of that fire weather officer while acting in the place of that officer, may authorise a person who has received a permit under section 18(6)(a), to burn the bush in the district of the local government notwithstanding that for any day, or any period of a day, specified in the notice the fire danger forecast issued by the Bureau of Meteorology in Perth, in respect to the locality where the bush proposed to be burnt is situated, is "catastrophic", "extreme", "severe" or "very high", and upon the authority being given the person, if he has otherwise complied with the conditions prescribed for the purposes of section 18, may burn the bush.
- (18) Subsections (6) to (18) do not authorise the burning of bush —
 - (i) during the prohibited burning times; or
 - (ii) during the period in which, and in the area of the State in respect of which, a total fire ban is declared under section 22A to have effect.

[Section 38 amended by No. 35 of 1957 s. 7; No. 20 of 1958 s. 2; No. 11 of 1963 s. 18; No. 67 of 1970 s. 4; No. 65 of 1977 s. 36; No. 51 of 1979 s. 4; No. 60 of 1992 s. 21; No. 14 of 1996 s. 4; No. 10 of 1998 s. 20(2); No. 42 of 1998 s. 16; No. 38 of 2002 s. 29; No. 25 of 2009 s. 12; No. 19 of 2010 s. 52(4); No. 22 of 2012 s. 60 and 69.]

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 Shire of Toodyay received concerns in relation to the validity of the appointments made by the Bush Fire Advisory Committee at its meeting held on 24 September 2013. The concerns were to do with voting members of the committee.

At an Ordinary Meeting of Council held on 21 October 2013 Council resolved the following:

That, as amended:

1. *The purpose of the Bush Fire Advisory Committee is stated as follows:*

To provide advice to the local government on matters pertaining to obligations contained within the Bush Fires Act, organising, managing, resourcing and training volunteer bush fire brigades.

2. *Council appoint the following members to the Bush Fire Advisory Committee:*

*Councillor Lloyd
Councillor Rayner
Chief Bushfire Control Officer;
Deputy Chief Bushfire Control Officer 1;
Deputy Chief Bushfire Control Officer 2;
Bejoording Brigade representative;
Morangup Brigade representative;
Coondle-Nunile Brigade representative;
Julimar Brigade representative;
Toodyay Central Brigade representative;
Toodyay Volunteer Fire & Rescue representative;
Fire Control Officer representative;
Bush Fire Volunteer Training Officer representative;
Chief Executive Officer Shire of Toodyay;
Community Emergency Services Manager.
Department of Parks & Wildlife representative; and
Department of Fire and Emergency Services (DFES) representative.*

3. *Council appoint Deputy Members in order of seniority as follows:*

*Councillor Craddock
Councillor McCann*

MINUTES OF BUSH FIRE ADVISORY COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS ON 11 NOVEMBER 2013

4. *The Bush Fire Advisory Committee meet at 6.00 pm on the fourth Tuesday of each of the months of March, May, July and September unless otherwise determined by the Committee.*

Since the above Council resolution made in October it is pertinent to have the Bush Fire Advisory Committee re-affirm its Officers and recommend to Council that the Deputy Chief Bush Fire Control Officer No. 3 be included in the membership of the Bush Fire Advisory Committee.

OFFICER'S RECOMMENDATION

The Bush Fire Advisory Committee recommends to Council the following:

That:

1. Mr Murray McBride be appointed to the position of Chief Bush Fire Control Officer
2. Mr M Rogers be appointed to the position of Deputy Chief Bush Fire Control Officer No. 1
3. Mr M Briggs be appointed to the position of Deputy Chief Bush Fire Control Officer No 2.
4. Mr D Bartels be appointed to the position of Deputy Chief Bush Fire Control Officer No 3;
5. The Chief Bush Fire Control Officer nominated above be appointed to the position of Fire Weather Officer; and
6. The position of Deputy Chief Bush Fire Control Officer No 3 be included in the membership of the Bush Fire Advisory Committee.

The Chairperson called for nominations for the position of Chief Bush Fire Control Officer as follows:

Chief Bush Fire Control Officer.

M Rogers nominated M McBride for the position of Chief Bush Fire Control Officer. L Hayward seconded the nomination of M McBride for the position of Chief Bush Fire Control Officer. M McBride accepted the nomination.

As there were no further nominations M McBride was declared the nominee for the position of Chief Bush Fire Control Officer.

MOTION

MOVED Cr Lloyd

SECONDED S Scott

That all Standing Orders, with the exception of Standing Order 16.2, be suspended.

MOTION CARRIED 8/0

Standing Orders were suspended at 6.25 pm.

The Chairperson called for nominations for the position of Deputy Chief Bush Fire Control Officer No 1 as follows:

Deputy Chief Bush Fire Control Officer No 1.

Clarification was sought by members in relation to Section 38 of the Bush Fires Act 1954 regarding the appointment of Bush Fire Control Officers.

L Hayward nominated M Rogers for the position of Deputy Chief Bush Fire Control Officer No 1. H Wearmouth seconded the nomination of M Rogers for the position of Deputy Chief Bush Fire Control Officer No 1. M Rogers accepted the nomination.

As there were no further nominations M Rogers was declared the nominee for the position of Deputy Chief Bush Fire Control Officer No 1.

The Chairperson called for nominations for the position of Deputy Chief Bush Fire Control Officer No 2 as follows:

Deputy Chief Bush Fire Control Officer No 2

M Rogers nominated M Briggs for the position of Deputy Chief Bush Fire Control Officer No 2. G Scobie seconded the nomination of M Briggs for the position of Deputy Chief Bush Fire Control Officer No 2. M Briggs accepted the nomination.

As there were no further nominations M Briggs was declared the nominee for the position of Deputy Chief Bush Fire Control Officer No 2.

Deputy Chief Bush Fire Control Officer No 3

M McBride nominated D Bartels for the position of Deputy Chief Bush Fire Control Officer No 3. M Rogers seconded the nomination of D Bartels for the position of Deputy Chief Bush Fire Control Officer No 3. D Bartels accepted the nomination.

G Scobie nominated C Stewart for the position of Deputy Chief Bush Fire Control Officer No 3. Cr Rayner seconded the nomination of C Stewart for the

MINUTES OF BUSH FIRE ADVISORY COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS ON 11 NOVEMBER 2013

position of Deputy Chief Bush Fire Control Officer No 3. C Stewart accepted the nomination.

A secret ballot was conducted.

The Chief Executive Officer advised that of the 14 members present. The result of the election was 8 votes for C Stewart and 6 votes for D Bartels.

The Chairperson declared that C Stewart was the nominee for the position of Deputy Chief Bush Fire Control Officer No 3

Fire Control Officer Representative

G Scobie nominated C Wroth for the position of Fire Control Officer Representative. L Hayward seconded the nomination of C Wroth for the position of Fire Control Officer Representative. C Wroth accepted the nomination.

As there were no further nominations C Wroth was declared the nominee for the position of Fire Control Officer Representative.

Training Officer/Coordinator

M McBride nominated H Wearmouth for the position of Training Officer/Coordinator. Cr Rayner seconded the nomination of H Wearmouth for the position of Training Officer/Coordinator. H Wearmouth accepted the nomination.

As there were no further nominations H Wearmouth was declared the nominee for the position of Training Officer/Coordinator.

Fire Weather Officer.

MOTION

MOVED S Scott

SECONDED Cr Rayner

1. The Chief Bush Fire Control Officer be appointed to the position of Fire Weather Officer; and
2. The position of Deputy Chief Bush Fire Control Officer No 3 be included in the membership of the Bush Fire Advisory Committee.

MOTION CARRIED

8.2 Administration Manual

Date of Report:	5 November 2013
Proponent:	Bush Fire Advisory Committee
File Ref:	COC3
Author:	Corry Munson – A/CESM
Responsible Officer:	Stan Scott – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	1. Toodyay Volunteer Bush Fire Brigade Administration Procedure.
Voting Requirements:	Simple Majority

INTRODUCTION

The purpose of this report is to receive comments and feedback in relation to the development of the Toodyay Volunteer Bush Fire Brigade Operating (Administration) Procedure.

BACKGROUND

At a Bush Fire Advisory Committee meeting held on 24 September 2013 a recommendation was made as follows:

That consideration of the Toodyay Volunteer Bush Fire Brigade Administration Procedure be deferred to the next meeting of the Bush Fire Advisory Committee.

CONSULTATION

This Administration Procedure has been developed by the CBFCO, the CEO and the previous CESM. Examples were sought from other Shires during the production of this document.

STATUTORY ENVIRONMENT

Part V of the *Bush Fires Act 1954*, Clause 62 states as follows:

62. Local government may make local laws

- (1) A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 for and in relation to —
 - (a) the appointment, employment, payment, dismissal and duties of bush fire control officers;
 - (b) the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire

- brigades to be established and maintained by the local government; and
- (c) any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.

In Part 3 Organisation and Maintenance of bush fire brigades, Clause 3.2 states as follows:

3.2 Officers to be supplied with Act

The local government is to supply each brigade officer with a copy of the Act, the Regulations, the Bush Fire Operating Procedures, this local law and any other written laws which may be relevant to the performance of the brigade officers' functions, and any amendments which are made from time to time.

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications

FINANCIAL IMPLICATIONS

There are no known financial implications for this document.

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

This Administration Procedure goes into further detail and reflects the Local Law that is currently open for public comment, this Administration Procedure has been on the drawing board for several years and I believe it should be adopted prior to the fire season. This Procedure will help the everyday running of all the Brigades in Toodyay.

With the many issues that have developed in the past regarding the administration of brigades, this procedure will help to create a unified approach that all Brigade Officers can refer for the day to day running of the Bush Fire Brigades and the Membership.

OFFICER'S RECOMMENDATION

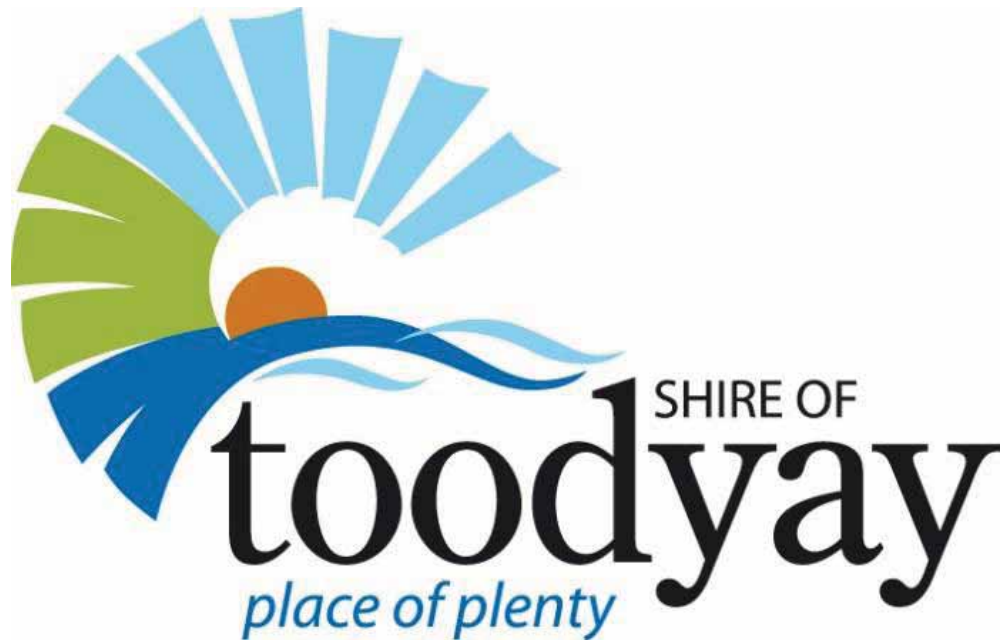
The Bush Fire Advisory Committee recommends to Council the following:

Clarification was sought in relation to this matter.

The Chairperson requested, through the CEO, that all BFAC Members be provided with a copy of the Bush Fire Operating Procedures in hardcopy and electronically for the purposes of reviewing the document as a working group before it returns to the Bush Fire Advisory Committee.

8. CLOSURE OF MEETING

The Chairperson declared the meeting closed at 7.30 pm.



ADDENDUM

Attachments to Minutes of the

BUSH FIRE ADVISORY COMMITTEE MEETING

11 November 2013

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ADDENDUM
ATTACHMENTS TO MINUTES OF THE BUSH FIRE ADVISORY COMMITTEE MEETING
HELD IN COUNCIL CHAMBERS ON 11 NOVEMBER 2013

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PURPOSE OF MEETING

Appointment of Bush Fire Control Officers	
Correspondence Received	1
Calendar of Meetings and current Membership	2

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PO Box 916
TOODYAY WA 6566

9 November 2013

Mr Stan Scott
CEO
Shire of Toodyay
PO Box 96
TOODYAY WA 6566

Dear Mr Scott

At a recent meeting, the Julimar Volunteer Bush Fire Brigade expressed concerns as to the lack of information provided to Brigades regarding the persons to be nominated for the positions of Chief Bush Fire Control Officer (CBFCO) and Deputy Chief Bush Fire Control Officer (DCBFCO) at the Bush Fires Advisory Committee (BFAC).

Voting is conducted as per the *Local Government Act 1995* and *Shire of Toodyay Standing Orders Local Law 2008*. However, there seems to be no need for committee members to hold any discussion or receive any background information on the nominees for the above positions. Following nomination, the names are entered into a motion next to their nominated position and that motion is then put. Generally, it is expected that Council will appoint said nominees.

On occasion, many Brigades have no knowledge of the experience, background, fire control abilities, people skills or management skills of those nominated by BFAC and subsequently appointed by Council. It is expected that such persons have such basic necessities as map reading skills, etc. but there is no presentation of these facts.

These people hold Firefighters' and the general community's lives under their control. In many instances, firefighters take instructions from the people in these positions with unquestioning faith in their judgement. It is dangerous, however, to assume that one must also be required to rubber stamp an appointment knowing that there may be more experienced, more capable FCOs out there who could do the job better and command the respect of the Brigades.

Julimar Brigade members resolved that our concerns be made known to Council and the following be put forward for Council's consideration:

- That all willing, appropriate persons' CVs be presented to Brigades for perusal so that an informed decision be made as to whom the Brigade representative at BFAC should nominate and / or vote for;
- That there be a 'Pathway' for someone to work their way into the position: eg. 3 yrs FF, 3 yrs Lt, 3 yrs Capt, 3 yrs FCO (not concurrent with being Capt), 3 yrs DCBFCO. If not a member of a brigade, then a proven record of ability as an FCO for at least 3 yrs should be displayed.

We hope that these points be given some consideration.

Sincerely



Grant Scobie
Captain
Julimar Volunteer Bush Fire Brigade

BUSHFIRE ADVISORY COMMITTEE MEETINGS

MONTH	LAST DAY FOR REPORTS (for Ag Settlement)	AG SETTLEMENT Make changes - provide to EA by C.O.B. AGENDA CUT-OFF	DELIVERY DATE OF AGENDA (6 days prior)	DATE OF MEETING
JANUARY				
FEBRUARY				
MARCH	13/03/2014	18/03/2014	19/03/2014	25/03/2014
APRIL				
MAY	15/05/2014	20/05/2014	21/05/2014	27/05/2014
JUNE				
JULY	10/07/2014	15/07/2014	16/07/2014	22/07/2014
AUGUST				
SEPTEMBER	11/09/2014	16/09/2014	17/09/2014	23/09/2014
OCTOBER				
NOVEMBER				
DECEMBER				

BUSHFIRE ADVISORY COMMITTEE MEETINGS

Title	Surname	Name
Community Emergency Services Manager	Munson	Corey
Council Member	Lloyd	Bethan
Council Member	Rayner	Brian
Chief Bush Fire Control Officer (CBFCO)	McBride	Murray
Deputy 1 CBFCO	Rogers	Mick
Deputy 2 CBFCO	Bartels	Dieter
Bejoording Brigade	Lawrence	Haywood
Morangup Brigade	Venn	Jeff
Coondle-Nunile Brigade	Middleton	Mark
Julimar Brigade	Scobie	Grant
Toodyay Central Bush Fire Brigade	McKeown	Michael
Volunteer Fire & Rescue (Toodyay)	McGregor	Ian
Fire Control Officer (FCO) representative	Wroth	Charlie
Bush Fire Volunteer Training Officer representative	Wearmouth	Heather
Chief Executive Officer	Scott	Stan
Council Deputy Member	McCann	Andrew
Council Deputy Member	Craddock	Sally
Department of Parks and Wildlife representative	Pasotti	Michael
Department of Fire and Emergency Services (DFES)	Bowen	Mark

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Memo

To: Jo Buegge
From: Phil Gray
Subject: Toodyay Recreation Strategy
Date: 11 October 2013

Seven submissions were received in response to the draft Toodyay Recreation Strategy. Each submission is summarised and its implications for the Recreation Strategy assessed.

Submission	Response and Actions
Toodyay Swimming Pool Action Committee	
1 Council have retained SGL consulting Group to formulate the Recreation Strategy Plan for Toodyay. Will this be put forward for council to adopt, in full the recommendations. Example a 25 metre 6 lane pool, and will submissions be included for council's consideration.	Council to respond
2 The current plan doesn't give priorities and timelines for each facilities commencement nor completion. Does Council intend to make this information available to all stakeholders and the community?	The swimming pool is Priority #2 in the Toodyay Recreation and Sport Precinct. Timelines is likely to be determined by funding availability.
3 In the Draft Report the Aquatic Centre will have a pool with solar heating. Has consideration been given to possible future upgrades such as enclosure of the pool?	Given the population of Toodyay, it is unlikely that the community has the capacity to raise the funds to enclose a 25m pool, nor the funds to operate an enclosed facility. The main issue will be funding the cost of heating the water and pool hall, operating plant and equipment over a 12 month period and staffing costs.
4 Is the Council going to consider designs of facilities from towns with similar demographics? Toodyay Swimming Pool Action Committee feels it would be worth considering facilities from Gingin Bruce Rock Perenjori & Denmark.	This is an excellent idea, and should be pursued by Council.
5 If Council were to decide to view plans of the above mentioned pools TSPAC would appreciate the opportunity to see these plans and comment on them.	Council to note.
6 At our AGM the committee resolved to ask the shire that the planning for the swimming pool in the strategic plan be brought forward at least one year even if the construction cannot be brought forward. This will allow us to maintain interest from the community and restart	Council to note and resolve.

Memo

Submission	Response and Actions
fundraising activities	
<p>7 Members of the committee expressed concern about other factors which may affect progress of the development of recreation facilities. These are council amalgamations, change in support on council and changes to royalties for regions. We wonder when we will have got to point where particularly amalgamations will have no effect on the plans.</p>	<p>Council to note and consider.</p>
Bridgett Leggett	
<p>1 Supports joint use of community and Toodyay District High School facilities</p>	<p>No action required</p>
<p>2 Supports development of a swimming pool</p>	<p>No action required</p>
Monica Leggett	
<p>Fully supports the draft Recreation Strategy</p>	<p>No action required</p>
Toodyay Historical Society	
<p>1 The Draft Recreation Strategy does not give due weight to the existing heritage status of the Showgrounds area and buildings, as defined in the Shire's own Municipal Inventory and Heritage List. In addition, the Draft Strategy does not clearly identify the buildings and aspects of the site which have heritage significance.</p> <p>The Society suggests that the Draft Strategy should include the whole of the Showgrounds site in a 'specific heritage precinct' and include appropriate recommendations for its protection, maintenance and future use.</p>	<p>Agree that buildings and areas of historical significance should be retained. This is reflected in the recommendation to "Retain the historical buildings in a specific historic precinct"</p> <p>The scope of the study did not include addressing the historical significance of the buildings or site. This should be considered by appropriately qualified personnel. This will determine the historical significance of each building and the Showgrounds site.</p> <p>The Draft Report to be amended to include the information provided by the Historical Society and the recommendation amended to include an assessment of its historical significance</p>
<p>2 The Draft Recreation Strategy addresses particularly the needs of the sporting community with too little emphasis on the full spectrum of passive and cultural recreational activities available to Toodyay residents and visitors. The Showgrounds could play a significant ongoing role in the development of the</p>	<p>The focus of the report is on addressing the needs of the sporting clubs using the Showgrounds and the potential to establish an integrated recreation and n sport precinct at the District High School.</p> <p>The scope of the study did not include cultural activities. The report does consider</p>

Memo

Submission

important passive recreation facilities identified in 2.6, Recreation Futures in Toodyay.

The Society suggests that a more equitable emphasis be given to passive recreational activities in the Draft Strategy.

Response and Actions

passive recreation activities. It recommends implementation of a trail along the River as detailed in the Bike Plan and "investigate alternative uses of the Showgrounds, including sale and/or development as a passive recreation area".

Beth Frayne

1 I support the identified Strategies listed in the Implementation Program (p.25), but disagree with some of the Recommendations.

No action required

2 I support the development of a Toodyay Recreation and Sport Precinct in the area surrounding the Toodyay District High School, and the need to make plans for the inclusion of sporting groups that may voluntarily decide to transfer to that site, at some point in the future .

No action required

3 As regards the future use of the current Showgrounds, the historical buildings should be retained in a discrete heritage precinct, which contains the Aboriginal burial grounds. However it should be made clear in the document that the precinct contains the whole of the Showgrounds site, as this site has been identified as a significant (Category 2) heritage place in the Shire's Municipal Inventory and Heritage List (Entry Place No. 101). As such , the Shire needs to make clear its intentions as regards this site's protection, maintenance and future use.

Agree that buildings and areas of historical significance should be retained. This is reflected in the recommendation to "Retain the historical buildings in a specific historic precinct"

The scope of the study did not include addressing the historical significance of the buildings or site. This should be considered by appropriately qualified personnel. This will determine the historical significance of each building and the Showgrounds site.

The Draft Report to be amended to include the information provided and the recommendation amended to include an assessment of its historical significance

4 I would like to see the Toodyay Show to continue to be held on the current Showgrounds , as it would complement a whole range of existing and new passive recreation uses suitable for the area. The Showgrounds should continue being used as local open space for the residents of north Toodyay, and could form the base for a wide range of historic story trails, of interest to residents and tourists.

The Draft Recreation Strategy recommends "Toodyay Agricultural Society continue to determine the most suitable location for the Toodyay Show" and "investigate alternative uses of the Showgrounds, including sale and/or development as a passive recreation area".

Memo

Submission

Response and Actions

Toodyay Agricultural Society

1 Whilst the Toodyay Agricultural Society (TAS) are deeply disappointed with aspects of the recently presented proposed Recreation Strategy, including but not limited to being referred to as the "Toodyay Show Society" and the suggestion that TAS assume responsibility for the maintenance of the Showgrounds in the future, Committee members understand the requirement to look to the future.

The Draft Recreation Strategy was amended to include the correct name of the Toodyay Agricultural Society.

The recommendation that TAS assume responsibility for the maintenance of the Showgrounds will only apply if they remain based at the Showgrounds, rather than relocate to the TRSP.

2 With this in mind and referring to SGL Consulting Group's Draft Report the incumbent TAS Committee would like the Shire of Toodyay, as part of the planning process for the facilities to be established at the proposed Toodyay Recreation and Sport Precinct, to consider the probable future requirements of TAS and the Toodyay Annual Agricultural Show;

The Draft Recreation Strategy to be amended to include the facilities identified by TAS.

- Cattle Pens
- Cattle Show Ring (for the parading of stock for judging purposes)
- Equestrian Arena
- Exhibition Hall
- Function Room (with kitchen facilities)
- Goat/Alpaca Show Ring (for the parading of stock for judging purposes)
- Meeting Room (with access to toilet facilities)
- Office and storage area
- Outdoor Exhibition Area
- Parking area access
- Poultry Shed
- Sheep Pens

The dimension of each area should be to a minimum area equal to that currently available at the existing Toodyay Showgrounds

Milton. A. Baxter

1 My submission is that everything in this proposal is achievable, however, my prime concern is the underestimation of the value of the swimming pool

Council to note.

2 The first consideration should be bringing forward the actual planning stage by a minimum of at least one year

Council to note – will be dependent upon financial resources of Council and availability of grants.

3 We need a covered pool, we need it to be heated so the majority of persons who would not normally use a pool will be

Ideally, an indoor heated pool will be constructed. An indoor pool will have greater use than an outdoor, unheated pool.



Memo

Submission

Response and Actions

encouraged to participate

The Draft Recreation Strategy to be amended to include a comment on the implications of covering and heating a pool compared with an outdoor, unheated pool.

4 I am sure that a voluntary roster scheme could be implemented to cover the reception area of cost, to eliminate that outgoing expense.

Use of volunteers will significantly reduce operating costs. This strategy should be pursued, although it should not be assumed when preparing a business case.

5 If the cost of covering the pool is a maximum of one hundred thousand dollars the outlay will be well worth while, that outlay would be recouped by the voluntary reception management over the first five years alone.

The cost of covering and heating the pool is likely to be much higher than \$100,000. Plus substantially higher operating costs will be incurred for extra staffing and the cost of heating water and the pool hall. Additional costs will also be incurred to chlorinate the water for a 12 month period.

The Draft Recreation Strategy to be amended to include a comment on the implications of covering and heating a pool compared with an outdoor, unheated pool.

6 The installation of geothermal and or solar heating should be pursued, the cost for the installation of that facility could be depreciated by sponsors.

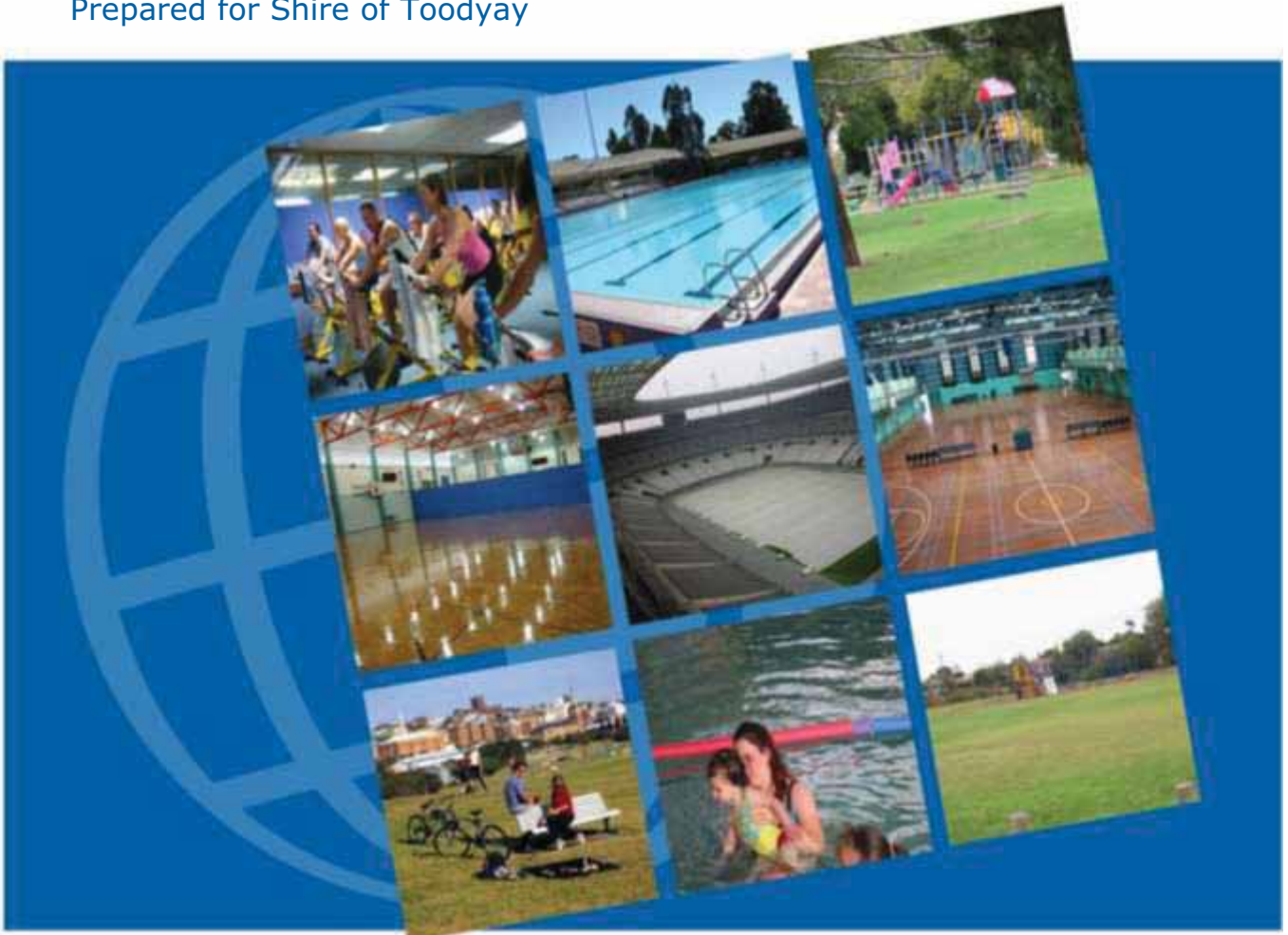
The Draft Recreation Strategy to be amended to include a comment on investigating these options when final designs are prepared.

Recreation Strategy

November 2013

Draft Report

Prepared for Shire of Toodyay



Submitted by: SGL Consulting Group



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1 INTRODUCTION

This chapter provides an introduction to the Shire of Toodyay Recreation Strategy, by outlining the background to the study, its aims and objectives, the approach used to prepare the Strategy and the structure of the reports.

1.1 BACKGROUND

The following information has been extracted from the study brief provided by the Shire of Toodyay.

The Shire of Toodyay borders the north-eastern edge of the Perth Metropolitan Region, adjoining the City of Swan and Shire of Mundaring to the south. It is surrounded by the country Shires of Northam, Goomalling, Victoria Plains and Chittering and covers an area of 1,683 square kilometres.

The Toodyay township, is the primary service area of the Shire. The majority of settlement is consolidated within and around the Toodyay township, though there are also seven Special Rural nodes throughout the Shire. With the exception of Morangup, located in the south western corner of the Shire, all of the Special Rural developments are serviced by the Toodyay township. While some Morangup residents may use Toodyay as their primary service centre, it is likely that a majority of people use the closer settlement of Gidgegannup or Midland.

The Shire has a current population of approximately 4,800 persons. It is experiencing growth and development pressures associated with expansion of the Perth metropolitan region. The Shire has grown from a small country town serving a primarily agricultural community to a vibrant service centre providing for an increasing range of lifestyle choices. Managing the population growth and the changes being experienced within the Shire is one of the greatest challenges currently confronting the Toodyay Shire Council. Ensuring the provision of appropriate public open space areas and recreational facilities is an important part of managing this growth.

The Shire has a number of public open space areas in various states of development. While some of these areas provide for community needs or facilitate the protection of environmental features, there are some parcels of public open space that are not serving any purpose and are a drain on the Council's resources.

In terms of recreation need, existing facilities within Toodyay are scattered throughout the township and there are opportunities to improve co-location and unity between various sporting groups. The adequacy of the existing facilities to cater for the future population within Toodyay requires further consideration.

1.2 AIMS AND SCOPE

1.2.1 Project Requirements

The Recreation Strategy aims to:

- 1 Review the land parcels currently designated for public open space and determine their best future use and development;
- 2 Consider the rationalisation of existing land parcels where they are not fulfilling a recreational need;

- 3 Review the existing sporting facilities available in Toodyay, including supporting services such as change rooms, clubrooms etc and the identification of any duplication of facilities. The trends away from traditional sports such as football and cricket and towards different sports (i.e. soccer) or individual activities, such as walking, will be considered;
- 4 Review of existing sport and recreational programs and services in the Shire;
- 5 Consider the options available for the multi-use of sports grounds and facilities. This will also include the possibility of creating multi-function facilities that may cater for community, education, aged care and civic functions;
- 6 Review of current and future recreational needs within Toodyay, taking into consideration National and Regional trends and the recreational developments within the Shire;
- 7 Identify funding opportunities and financial commitments required to fulfil identified needs. This will include timing and budgetary considerations; and
- 8 Identify appropriate land for the future development of recreational facilities.

1.2.2 Scope of Services

Review of Public Open Space

- 1 Undertake an audit of all public open space areas within the Shire, including: location; distribution; size; land tenure; purpose; relationship to community; facilities provision & condition.
- 2 Consider 10% allocation of public open space relative to surrounding area.
- 3 Identify whether the public open space is serving a community or environmental purpose.
- 4 Consider land tenure and possible options for disposal of land not required.
- 5 Consider options for the preferred use of public open space within the Shire, including playground areas, picnic areas, walking trails, horse riding trails etc. Examine options to improve public open space as an attractive destination.

Review of Recreational Facilities and Services

- 1 Undertake an audit of the existing facilities within the Shire of Toodyay. The audit shall include: relationship of sporting groups; distribution; viability; usage; capacity; condition; opportunities and constraints; and future developments / plans.
- 2 Undertake an audit of existing sport and recreational programs and services within the Shire of Toodyay.
- 3 Ascertain strengths, weaknesses, opportunities and obstacles related to current recreation facilities and services.
- 4 Examine the impact of current and future demographic, social and economic characteristics of the Shire (as per the Local Government Sustainability – Implication for the Shire of Toodyay predictions) on sport and recreation provision.
- 5 Examine key factors likely to influence participation in recreation and sport, including current recreation trends.
- 6 Consider the provision of other community and civic functions within the Shire, identifying future needs and opportunities for co-location. This will include youth and aged care services, education etc.

- 7 Identify future needs based on the outcomes of the demographic analysis.
- 8 Identify funding programs, subsidies, joint ventures etc that may assist with the future provision of recreational facilities and programs.

Recreation Strategy

Prepare a Recreation Strategy for the Shire of Toodyay, which identifies:

- 1 Public Open Space areas to be retained and future actions;
- 2 Public Open Space areas recommended for disposal, how this can be achieved, if monies are to be directed to other open space areas or recreation functions etc;
- 3 Recommendations concerning the future use and operation of existing recreation facilities;
- 4 Proposed new facilities, including site location, components to be included, staging, timelines, indicative costing, funding options etc;
- 5 Opportunities for the co-location of complementary facilities, including aged care, youth, community, education etc;
- 6 Grant funding opportunities;
- 7 Implementation strategies and timeframes

1.3 METHODOLOGY

Preparation of the Recreation Strategy was undertaken in four phases involving the following tasks:

Phase 1: Project Clarification

- 1 Project clarification meeting
- 2 Review documents

Phase 2: Situation Analysis

- 1 Recreation Audit
- 2 Key Informant Interview
- 3 Organisation Survey
- 4 Community Survey
- 5 Demographic Analysis
- 6 Participation Trends
- 7 Industry Trends
- 8 Gap Analysis Report
- 9 Presentation of Report

Phase 3: Idea Generation

- 1 Ideas Workshop
- 2 Analysis of Ideas and Actions
- 3 Summary of Ideas and Actions

Phase 4: Reporting

- 1 Preliminary Draft Recreation Strategy
- 2 Project Manager Briefing
- 3 Stakeholder Consultation
- 4 Final Report and Presentation

1.4 STRUCTURE OF THE REPORT

This Recreation Strategy should be read in conjunction with the Gap Analysis Report which



presents the findings of research conducted during Phases 1 and 2.

2 GAP ANALYSIS REPORT

This chapter summarises the research and findings detailed in the Gap Analysis Report.

2.1 LITERATURE REVIEW

The Shire of Toodyay's Plan for the Future 2007/08 to 2017/18 sets out a Vision for the Shire:

- A sustainable, cohesive and vibrant community accommodating the needs of a diverse range of residents whilst maintaining and enhancing the heritage, historical, rural and environmental characteristics of the Shire.
- A community and Local Government working towards obtaining the best possible social, economic and environmental outcomes for the Shire of Toodyay.

The Shire of Toodyay Local Planning Strategy maintains and promotes the Toodyay townsite as the District Service Centre of the Shire. It and the draft Recreation and Sport Strategy, which was not adopted by Council, identifies the Showgrounds as the main sporting facility, which should continue to be developed and upgraded.

A draft master plan was prepared for the Showgrounds, however part of the hockey pitch is on an aboriginal burial ground. Council has been advised that it can no longer use this area for recreation activities.

The Toodyay Bike Plan has mainly focussed on "off-road" (ie. path) improvements. The two main projects recommended, which have direct relevance to a Recreation Strategy are:

- 1 Development of a several new shared paths throughout Toodyay.
- 2 Detailed design and construction of the proposed foreshore path, between Newcastle Bridge and Newcastle Park.

Three reports; Draft Community Safety and Crime Prevention Plan (2010-15), Disability Access and Inclusion Plan 2007 – 2010 and Be Active Scheme Health Policy, provide policy guidance to the development of recreation and sport facilities.

2.2 POPULATION ANALYSIS

Based on the Census data and population projections, implications for the provision of recreation and sport are:

- 1 Demand for active sporting facilities has remained static over the last 10 years, whereas demand for active and passive recreation activities has substantially increased.
- 2 The number of residents who are from demographic groups which tend to have low participation rates do not exist in sufficiently large number to require specific programs or services. Rather their participation can be enhanced by modifying existing programs to meet their personal needs and circumstances.
- 3 Given the age profile of the Shire, the main group which may require specific facilities, programs and services are older adults.
- 4 Demand for sporting facilities to cater for younger age groups is not likely to increase. However, demand for passive and active recreation activities suitable for older adults will continue to increase.
- 5 Facilities which cater for multiple age groups, and multiple uses and users are likely to have the highest use.



2.3 ASSESSMENT OF FACILITIES

2.3.1 Sporting Facilities

Toodyay has many of the traditional sporting facilities associated with small, rural communities. The main deficiencies are the quality of some facilities, compounded by the hockey field being located on an proclaimed Aboriginal Reserve - native cemetery.

The oval at the Showgrounds is not of sufficient standard to host finals matches, and the hockey pitch cannot be used. In addition, it is possible that a netball competition will commence in association with the football and hockey competitions. If this occurs, ideally netball courts will be situated on the same sporting precinct as the oval and hockey pitch.

To meet the needs of football, hockey and netball will require a significant revamp of the Showgrounds, which may not be possible given the location of heritage buildings and shape and size of the site. Alternatively, these facilities will be relocated to another site.

The surface of the tennis courts are deteriorating, and may need resurfacing in the short to medium term. The main options are to remain at the current location or move to another site, possibly co-located with another complementary activity.

Facilities at the Toodyay District High School are in reasonable condition, although the oval is not full size for senior football. Whilst the school has indicated that it favours community use of its facilities, anecdotal evidence from community sporting groups indicate that terms and conditions of use are very restrictive.

While the bowling and tennis facilities have flood lights, other sports do not have floodlights.

Two significant gaps in existing provision is a swimming pool and indoor sports hall. Most communities with a population the size of Toodyay has one or both these facilities.

2.3.2 Recreation Facilities

The quality and number of recreation facilities is generally adequate for a community the size of Toodyay. The main deficiency, as noted in the Bike Plan is the lack of an integrated network of trails or paths.

A tremendous opportunity exists to establish a multipurpose path along the Avon River linking the Showgrounds, Duidgee Park, Newcastle Park and the area south of Newcastle Park.

2.4 STAKEHOLDER CONSULTATION

The Showgrounds is the main sporting venue in Toodyay, and is used for football, cricket, hockey and soccer. Clubrooms and change rooms at the Showgrounds need upgrading, and funding has been obtained to construct a new facility.

Toodyay School is used for netball and basketball. Whilst it has an oval it is not used by a community sporting club. The main deficiency of school facilities is lack of access to toilets and change rooms.

Lawn bowls has a recently installed synthetic green, which is in good condition.



Toodyay Tennis Club has a four synthetic court complex with small clubrooms. The courts need repairing and possibly replacing. Potential exists to relocate to a new multi functional venue.

Toodyay provides many opportunities to participate in recreation and sport during winter, but has limited activities in summer.

ARF and women's hockey play concurrently, in the same competition zone. Potentially netball will also be played in the same competition zone. Therefore netball courts will be required close to the oval and hockey pitch.

2.5 PARTICIPATION TRENDS

Key points to note from national and state participation trends are:

- The participation rate in non-organised activities is almost twice that of organised activities and participation declines with age.
- Five most popular physical activities (walking, aerobics/fitness, swimming, cycling and running) are usually undertaken in a casual or informal setting. The most popular team sports (basketball, netball, football (outdoors) and Australian Rules football) have substantially lower participation rates.
- Males/boys showed higher participation rates in organised sport than females/girls.
- A significant proportion of the Western Australians (adults and children) do not undertake adequate physical activity and are overweight or obese.
- The overall participation rate in sport and physical recreation for those with a disability or long term health condition (LTC), is at lower levels when compared to those without a disability or LTC. Walking for exercise ranked as the number one activity for both genders. Activities with high male participation were golf, cycling and fishing. Females were more likely to participate in swimming, aerobics/fitness and tennis
- English language proficiency is a factor that affects participation by adults and children. Adults with poor proficiency in English as well as children whose parents were born in a non-English speaking country show low levels of participation. This is particularly noticeable for women and girls
- People who reported their birthplace to be "Other than Main English speaking" had lower participation rates in sport and physical activities than those born in English speaking countries. The lowest participation rates in sport and physical activity were most evident in people reporting their place of birth as North Africa and the Middle East
- The overall participation rate of the Aboriginal population was less than half, compared with almost two thirds of the non-Aboriginal population. For both populations, participation drops with age, however, there is a much greater difference between the participation levels of Aboriginal and non-Aboriginal peoples in the older age groups

2.6 RECREATION FUTURES IN TOODYAY

- 1 Linear trails cater primarily for walking and cycling, two of the most popular physical activities in Australia. They are facilities with high levels of use and cater for a range of demographic groups. A key feature is that they are "free" to use. Potential exists to expand existing trails and create linkages between trails and to open spaces or community facilities. Linear trails when well designed and appropriately interpreted offer significant benefits to both residents and visitors.

- 2 Toodyay is a destination in its own right. Consequently, recreation and sport facilities which cater for residents can also be an added attraction for visitors. Well designed, located and managed facilities can substantially enhance visitor experiences. Two types of trails may be highly beneficial to the economy of Toodyay – short trails in areas of scenic or historical interest (probably within Toodyay township) and longer distance trails linking areas of interest (suitable for walking, cycling and horse riding).
- 3 Open space areas are highly valued by residents, including passive recreation parks and sporting reserves. Potential exists to enhance larger parcels of open space by developing them as multi-functional areas. In particular the development of quality play spaces in major open space nodes will increase the effective use of Council resources by consolidating facilities. The outcome will be open spaces which are attractive to a wider range of demographics, especially young families. When located in high profile sites, they will benefit both residents and visitors.
- 4 Given the population distribution of the Shire, it is logical to concentrate all facilities in Toodyay township. The exception may be local neighbourhood facilities, which can be located in very small communities.
- 5 Most sporting facilities in Toodyay do not meet contemporary standards. This is compounded by the difficulties created by the hockey pitch at the Showgrounds being sited on an indigenous reserve. The opportunity exists to create a major recreation and sport precinct and relocate as many sporting facilities as possible to the new precinct. Ideally the new precinct will be located close to the residential areas in Toodyay and the school.
- 6 The age profile of Toodyay indicates that the demand for sporting facilities is unlikely to increase in the foreseeable future. It is projected that demand for sport will remain static. Conversely, demand for recreation activities to cater for a wide range of age groups and disability levels will continue to increase. This suggests that priority should be given to whole of life facilities, which can accommodate both active and gentle exercise participation.
- 7 Anecdotal evidence indicates that Toodyay offers limited activities for people, particularly young people during summer months. This does not appear to be the case with winter activities which seem to be relatively well catered for.



3 TOODYAY RECREATION AND SPORT PRECINCT

This chapter reviews the options for developing a major, multi purpose recreation and sport precinct in Toodyay.

3.1 ISSUES TO CONSIDER

Toodyay Showgrounds is currently the major multi purpose recreation and sport precinct in Toodyay. Whilst a master plan was commissioned by Council, it cannot be implemented due to site constraints regarding the aborigine burial ground. It is highly likely that recreation activities on the burial ground will be permanently prohibited. The result will be that the hockey pitch cannot be used, and given the size of the Showgrounds, combined with its topography and historical buildings, it cannot accommodate a football oval, hockey pitch and netball courts.

In developing a long term solution a series of factors must be considered:

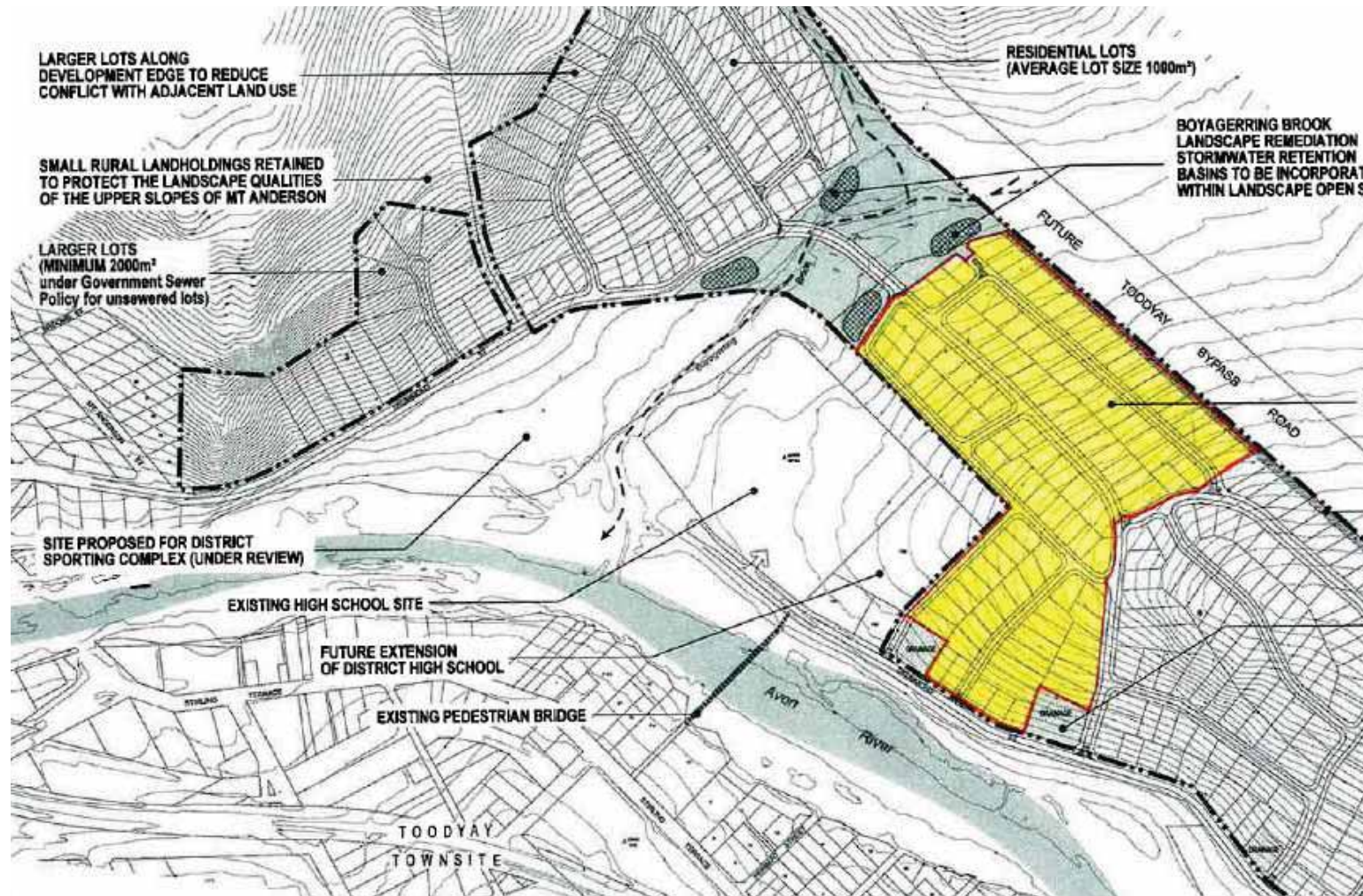
- 1 It must be endorsed by Council, its recreation and sporting stakeholders and the general community. Previous experience indicates that where the Toodyay community is divided, the status quo is maintained. The community meeting to discuss this issue highlighted the expectation that Council take a leadership role in developing and implementing a solution.
- 2 The long term future of the Showgrounds has to be addressed. The Toodyay Agricultural Society has indicated it wishes the Show to remain at the Showgrounds. If it is maintained at its current standard, it will result in a significant increase in Council expenditures, if a new facility is built.
- 3 The Showgrounds is centrally based in Toodyay. It will be difficult and costly to identify a site of sufficient size in central Toodyay. However, a site outside the township boundaries will pose access problems for children. The closer the site is to the centre of Toodyay, the higher the capital cost to purchase the land.
- 4 A site in the order of 10 Ha will be required to accommodate football/cricket, hockey, netball and an leisure centre including swimming pool. Given the topography of Toodyay, a flat site is unlikely to be available, hence the site will require terracing.
- 5 Toodyay District High School has an oval of sufficient size and hence suitable for junior Australian rules football (ARF), cricket, hockey and football (soccer). It also has hard courts which are suitable for netball. The major deficiencies are lack of lights for training on the oval and courts, and lack of toilets and change rooms.
- 6 In the short term, use of the Showgrounds has been scheduled to accommodate both football and hockey. This is a short term option, as it is likely to result in overuse of the turf area, and hence rapid deterioration of the oval surface.

In June 2013, the Shire of Toodyay resolved to purchase land adjacent to the Toodyay District High School. Map 3.1 shows the land to be purchased (shaded yellow). In total the land is approximately 13ha. In addition the Shire of Toodyay currently owns the strip of land to the north of the school and south of the land to be purchased, which is approximately 1ha.

Council already owns land to the west of the school towards Drummond Street. The newly acquired land creates a continuous loop from Drummond Street and the Avon River foreshore in the west around the school to Drummond Street East and the Avon River.



Map 3.1: Land Purchased by Shire of Toodyay





A series of major factors have to be considered prior to developing the best strategic solution for developing the new Toodyay recreation and sport precinct (TRSP):

- 1 Facilities to be developed on the new TRSP
- 2 Long term role of the Showgrounds
- 3 Relationship of the new precinct to the District High School
- 4 Staging of development
- 5 Long term location of tennis and lawn bowls

3.2 FACILITIES TO BE ESTABLISHED

The TRSP is a large parcel of land. It comprises two large areas, the rectangular section to the north is approximately 375m x 250m and the southern section is approximately 210m x 165m. These dimensions provide the opportunity to establish all Toodyay's sporting needs on site.

Playing fields required include:

Sport	Maximum Dimensions ⁽¹⁾
Australian Rules Football oval	190m x 160m
Cricket oval	172m x 150m
Hockey pitch	102m x 63m
Soccer pitch ⁽²⁾	111m x 74m

- (1) including safety zone around playing area
 (2) International size pitch

Ideally all playing arenas will be oriented on a north/south axis.

A multifunction building is required to service sporting facilities including [Note: dimensions are derived from an AFL guide to developing facilities]:

- ✓ 2 x male change rooms (75m² - 90m²) plus toilets/showers/ice bath (2 x 35m²)
- ✓ 2 x female change rooms (60m²) plus toilets/showers (15m²)
- ✓ 2 x umpires rooms, including toilet and showers (30m² - 40m²)
- ✓ 2 x massage/strapping room (2 x 20m²), with direct access to the male change rooms
- ✓ Timekeepers box (15m²)
- ✓ Kiosk/servery overlooking main oval (size will be dependent upon proximity to bar, kitchen and food storage areas)
- ✓ Function room (allow 2m² per person in a seated configuration), which may be divided into two sections to increase flexibility [Note: during the consultation it was suggested that a function facility for 500 people was required – ie 1,000m²]
- ✓ Bar, which serves directly on to both the two sections of the main hall, with cool room (12m²)
- ✓ Commercial kitchen (1.39m²/customer) with refrigerated food storage areas (20m²)
- ✓ 2 x public toilets to service main hall and allow for public access from outside (2 x 20m²)

Other outdoor recreation and sporting facilities which may be established include:

- ✓ Cricket practice nets (at least 2)
- ✓ Netball courts (at least 2)
- ✓ Tennis courts (at least 6)
- ✓ Lawn bowling green (at least 1)

A multipurpose leisure centre can also be developed incorporating:

- ✓ Outdoor swimming pool
- ✓ Indoor sports hall
- ✓ Health and fitness studio
- ✓ Change rooms and toilets
- ✓ Reception area

3.3 ROLE OF THE SHOWGROUNDS

TRSP is expected to be developed to accommodate all winter sports, particularly ARF, hockey, netball and football. This will result in the Showgrounds not having a major sporting user group.

Representative of the Toodyay Agricultural Society attending the public forum conducted as part of this study, indicated very strongly that the Show should remain at the Showgrounds. The sustainability and financial viability of the Show remaining at the Showgrounds is dependent upon the financial input of Council.

Currently, Council maintain the Showgrounds, including the main oval. Obviously, maintaining both the Showgrounds and the playing fields at TRSP will be substantially higher than Council's current expenditure. Until a turf wicket is established at the TRSP, it is likely that cricket will continue to be played at the Showgrounds, requiring Council to maintain the Showgrounds oval in a playable condition.

When all sports relocate to the TRSP, it will be difficult to justify maintenance of the Showgrounds Oval to its current standard. In all likelihood, it will be "browned" off, as a cost saving measure.

The existing main building is in need of significant renovation and refurbishment. A grant has been obtained to upgrade this building, however it is likely these funds will be used to develop facilities at the TRSP.

The existing historical buildings are significant, and should be retained. The opportunity exists to present these buildings as a discrete "historical precinct".

Actions

- 1 *Council continue to maintain the Showgrounds to its current standard until all sports are relocated to the TRSP*
- 2 *Funds used to maintain the Showgrounds Oval be redirected to the TRSP*
- 3 *The main oval at the Showgrounds be maintained at a basic standard suitable for Show events*
- 4 *Toodyay Agricultural Society continue to determine the most suitable location for the Toodyay Show*
- 5 *Toodyay Agricultural Society assume responsibility for maintenance of the Showgrounds when all sports relocate to the TRSP*
- 6 *Council continue to support the ongoing maintenance of the historical buildings at the Showgrounds*

3.4 ROLE OF THE HIGH SCHOOL

TRSP and Toodyay District High School have a symbiotic and synergetic connection. In other words development of the TRSP will have positive benefits for the High School and sporting facilities at the High School can have positive benefits for the Toodyay community and the TRSP.

The key issue is to ensure that Council and the school negotiate a mutually beneficial agreement which provides community access to the school facilities and the school access to facilities at TRSP.

It makes sound financial sense to ensure that facilities established at TRSP do not duplicate the school's facilities, rather they complement them. Toodyay District High School has:

- An oval suitable for hockey, football, cricket and junior ARF.
- Hard courts suitable for netball
- Cricket practice nets

They are not currently used to their optimum due to lack of training lights and lack of toilets and change rooms.

TRSP will have adequate toilets and change rooms to service its users and those of the school sporting facilities. It will also have an aquatic centre, indoor sports hall and health and fitness studio, which can be used for school activities.

Actions

- 1 *Negotiate a community use agreement with Toodyay District High School which provides for:*
 - a *Community access to the oval, cricket practice nets and hard courts outside of school hours;*
 - b *School access to TRSP during school hours;*
 - c *Upgraded playing surface of the school oval;*
 - d *Mutually acceptable cost sharing arrangement.*
- 2 *Subject to a community agreement being negotiated and signed, consider sporting facilities at Toodyay District High School in the planning of the TRSP*

3.5 TRSP PRIORITIES

A short term arrangement has been implemented to enable ARF and hockey to continue playing in the regional competition. Consequently, the priority must be to establish facilities to allow ARF and hockey to play home games concurrently in Toodyay. It has been proposed that netball will also be played at the same time as ARF and hockey.

Given that funds may not be available for the development, in a single stage, of all sporting facilities which have been mooted for the TRSP, a strategic approach may be necessary. A cost effective approach is to optimise the use of facilities at the school by:

- Constructing a football oval, with turf cricket wicket and training lights and associated club room with function room, bar, change rooms and toilets.
- Subject to negotiating a community use agreement, upgrading the school oval to a standard sufficient for hockey and floodlighting the school netball/basketball courts.



The next highest priority is the development of an outdoor aquatic centre.

All other potential recreation and sporting developments have a lower priority, and construction will be dependent on factors such as funding, evidence of demand, and condition or availability of existing facilities.

Actions

- 1 *Construct a football/cricket oval with turf wicket and training lights*
- 2 *Construct an amenities building including change rooms, toilets, function room and bar to service the TRSP oval, the school oval and school netball/basketball courts*
- 3 *Upgrade playing surface of the school oval to a standard suitable for hockey*

3.6 TENNIS AND BOWLS

Toodyay Bowling Club has a relatively new synthetic green, which is likely to have a life of 10 – 15 years. It has been funded from the resources of the Toodyay Club which is a self sufficient club. Unless circumstances change substantially, it is difficult to envisage a situation whereby the bowling club relocates to the TRSP – particularly in the short to medium term. Provision can be made in the TRSP master plan for a bowling green, as a notional long term development.

Tennis courts in Toodyay may need replacing or renovating in the short to medium term. The club has been based at the existing site for over 90 years. It is likely that substantial debate within the club will occur before any relocation occurs. Whilst the Fiennes Street site provides exclusive use, it is unlikely that the club will have the resources to develop substantial club rooms. There is some merit in relocating the tennis courts to the TRSP, and operating from shared club rooms. However, the decision to relocate will have to come from the tennis club, and the management structure of the TRSP sufficiently flexible to accommodate the tennis club.

Actions

- 1 *Include provision for bowling greens and tennis courts in the master plan for TRSP*
- 2 *Include provision for the tennis and bowling clubs to be part of the management group at TRSP*

3.7 MANAGEMENT

Management of the Showgrounds is relatively straight forward. Council are responsible for maintenance of the playing fields and buildings, and manage all bookings, including receiving fees for use of the main pavilion. Sporting clubs pay a nominal rental (\$100 pa) to use the facilities, and have the right to operate the bar when they use the facilities.

This arrangement is extremely beneficial to, and supportive of sporting groups. It enables them to be financially sustainable. It is expected that this approach will be implemented at the TRSP.

It should be noted that the trend in management of multipurpose sports facilities is for local government to delegate greater responsibility for finance, management and maintenance to user groups. However, there appears to be no pressure from the Shire of Toodyay or sporting groups to change the management approach. Consequently, alternative approaches are not canvassed.

4 TOODYAY AQUATIC CENTRE

This chapter provides an indication of the likely financial viability of establishing an aquatic facility with a health and fitness studio.

4.1 FACILITY COMPONENTS

A detailed design brief has not been prepared, however, basic facilities which should be considered in the Toodyay Aquatic Centre are:

- 25m x 6 lane, depth 0.6m to 1.8m swimming pool, with solar heating
- Amenities building including reception, office, kiosk, male and female change rooms and toilets
- Plant room
- Health and fitness studio with a weights area (100m²), group fitness room (100m²) and office/testing area (16m²)

4.2 SWIMMING DEMAND

An assessment of the magnitude of key markets and the compatibility with the proposed aquatic centre has been made based on census data and population projections for Toodyay.

- 1 The primary catchment has been estimated to be the Shire of Toodyay.
- 2 The total number of residents, by age as at the 2011 Census and the low estimate for 2026 were:

Combined Age Groups	2011 Census	2026 Estimate
0-14 years	782	830
15-24 years	398	390
25-44 years	802	1,160
45-64 years	1,557	1,890
65+ years	716	1,420
Total	4,256	5,690

- 3 Participation rates for swimming as an activity for each age category were determined from the Australian Sports Commission's 2010 Exercise, Recreation and Sport Survey (ERASS), total participation in specific activities by age. On average, 13% of the population participated in swimming during 2010.
- 4 Participation rates for swimming for children aged between 5-14 were determined from the Australian Bureau of Statistics 2009 Survey of Children's Participation in Cultural and Leisure Activities. That survey found on average, 18.5% of children participated in swimming as an organised activity during 2009.

Age	Participation rate
5-14 years	18.5%
15-24 years	11.5%
25-34 years	15.0%
35-44 years	16.4%
45-54 years	15.6%
55-64 years	11.9%

Age	Participation rate
65+ years	7.0%

- 5 To determine the potential market for participation in swimming within the primary catchment, the 2011 estimated population was matched against the age group of best fit for participation in swimming. Estimates of the market for swimmers were also derived for the 2026 population estimates for the primary catchment area.

Participation in swimming	2011 population	2026 estimate
0-14 years	145	154
15-24 years	46	45
25-44 years	126	182
45-64 years	214	260
65+ years	50	99
Total swimming participants	581	740

- 6 This means that within the primary catchment it is projected that 581 people who may have participated in swimming as a sport and recreation activity during 2010. This participation market is estimated to increase to more than 740 in 20216.
- 7 The total estimated number of swims per year for residents within the primary catchment has been estimated by multiplying the participation rate in swimming from the 2010 ERASS across the catchment population.

Frequency of swimming	Swims per year	% of Population	Estimated Swimmers	Total Annual swims
1 to 6 times per year	3.0	1.40%	60	179
7-12 time per year	9.0	1.90%	81	728
13-36 time per year	19.5	2.30%	98	1,909
27-52 times per year	39.5	3.20%	136	5,380
53-104 times per year	78.5	2.40%	102	8,018
More than 104 times	104.0	1.80%	77	7,967
Total annual swims				24,180

- 8 Given the nature of existing aquatic facilities close to the Shire of Toodyay, and the distance to other aquatic centres, leakage to competition is not expected to be great. However, it must be noted the market of swimmers also includes recreational swimming at other locations including domestic/home pools. It is considered that an achievable market share for the proposed aquatic facility would be 50% of swimmers within the primary catchment area.
- 9 A figure of 50% is nominated because the proposed aquatic centre is assumed to be a solar heated, warm water pool, with virtually no direct competition. The total annual swims has been further reduced by 50% as it is only available for five months of the year.
- 10 This equates to an estimate of 6,045 attendances for the proposed facility for swimming and aquatic recreation based on the estimated 2011 population. With forecast population growth, this will increase to 8,082 by 2026.

Swimming/aquatic recreation	2011 Estimate	2026 Estimate
Number of swimming attendances	6,045	8,082

4.2.1 Learn to Swim

- 1 Estimates for the learn to swim market can primarily be derived from the 0-14 year age group.
- 2 Total number of swimmers in this age group is estimated to be 145. It is likely that demand for learn to swim classes to complement the school swimming program will be relatively high. Conservatively, 20% - 25% of children in this age group are likely to participate in learn to swim classes – ie 29 - 36.

4.2.2 Aquatic therapy use

- 1 No accurate data exists to determine the demand for aquatic therapy and aquatic therapy facilities.
- 2 Evidence suggests that therapeutic aquatic activities are increasingly being prescribed by medical specialists and other health therapists to assist in management of ailments associated with the elderly, obesity, pain management and injury rehabilitation. Therapeutic aquatic activities can be used to treat ailments such as asthma, cardiovascular disease, arthritis and osteoarthritis, musculoskeletal injuries and mental health.
- 3 There are a range of different aquatic therapies. The most popular include:
 - Rehabilitation – therapy that utilises the properties of water for therapeutic rehabilitation. It can involve partial or complete immersion in combination with the effects of movement. This form of therapy evokes short-term and long-term adaptational mechanisms to create beneficial biological and therapeutic effects.
 - Hydrotherapy – involves water-based therapy conducted by a number of professional specialties, including immersion in warm water, spa therapy and movement-based therapy in water. Hydrotherapy can be used to treat ailments of the musculoskeletal system and arthritis, as well as assisting in exercise and pain management during pregnancy.
 - Aquatic exercise – involves exercise in water which can include the following either in isolation or in combination:
 - Balance training
 - Strengthening and stabilising
 - Cardiovascular conditioning
 - Adapted swimming
 - Flexibility or exercises for range of movement.
- 4 In addition, the aquatic environment is ideal for cardiovascular training not only for sporting populations or basic musculoskeletal rehabilitation but also in chronic conditions as it is an exercise medium safe from falls or injury.
- 5 The Australian Bureau of Statistics National Health Survey 2007-08 was designed to obtain national benchmarks on a wide range of health issues, and enable changes in health to be monitored over time. The results found a high proportion of Australians suffer from asthma, cardiovascular disease, arthritis, and mental illness, all ailments that are increasingly being managed with the aid of aquatic therapy.

Health Condition	Age 0-64 years	Age 65 years and over
Three or more health conditions	7%	36%
Asthma	18%	13%
Cancer	2%	7%
Cardiovascular disease	21%	60%
Diabetes	5%	16%
Arthritis	24%	60%
Osteoporosis	3%	19%
Long-term injury condition	5%	19%
Bodily pain	16%	20%
Mental/behavioural problems	24%	21%

- 6 If these statistics are applied to the 2011 population estimate for the Shire of Toodyay, there are an estimated in the order of 700 – 1,200 people with a health condition such as asthma, cardiovascular disease and arthritis. As these are all conditions that could be managed with the aid of aquatic therapy this is considered as a conservative estimate of the potential market for aquatic therapy.

Health Condition	Age 0-64 years	Age 65 years and over
Asthma	637	93
Cardiovascular disease	743	430
Arthritis	849	430

- 7 If 5% of this market were to utilise aquatic therapy facilities at the proposed pool, once per fortnight, this would equate to an estimate of between 475 and 830 attendances for aquatic therapy per annum.
- 8 A key point to note is that this market requires warm water, which will require mechanical heating.

4.3 HEALTH AND FITNESS

- 1 Participation rates for aerobics/fitness and weight training activities for each age category were determined from the Australian Sports Commission's 2010 Exercise, Recreation and Sport Survey (ERASS), total participation in specific activities by age.

Age	Participation Rate	
	Aerobics/fitness	Weight Training
15-24 years	24.9%	3.5%
25-34 years	29.3%	4.6%
35-44 years	26.7%	3.2%
45-54 years	23.2%	2.5%
55-64 years	18.9%	2.3%
65+ years	16.6%	1.3%

- 2 Using population data from the 2011 Census and participation rates from the ERASS, the projected number of participants in aerobics/fitness and weight training is 770 and 100, respectively.

	Participants	
	Aerobics/fitness	Weight Training
15-24 years	99	14
25-44 years	225	31

	Participants	
	Aerobics/fitness	Weight Training
45-64 years	328	45
65+ years	119	9
Total	770	100

- 3 According to the ERASS studies, the proportion of people who participate more than 52 times per year in aerobics/fitness is 67.7%, which represents the potential market of health and fitness club members. Using the analysis above, this equates to 521 members.
- 4 One health and fitness studio exists in Toodyay. The demand analysis above indicates that only one health and fitness studio can be justified in Toodyay. The potential market for a health and fitness studio is in the order of 500.
- 5 The level of membership will be heavily dependent upon the quality of management and the marketing program and customer service. It is reasonable to expect a membership of at least 100.

4.4 SUMMARY OF DEMAND ESTIMATES

The analysis in this chapter has identified potential demand for aquatic and health and fitness programs:

- Total attendances in the aquatic centre are projected to be about 6,000, growing to a projected attendances of approximately 8,000 in 2026.
- Learn to swim classes for about 30 children.
- Potentially 800 attendances in aquatic therapy programs.
- Health and fitness membership of at least 100.

4.5 FINANCIAL PROJECTIONS

A series of assumptions have been adopted in preparing the preliminary financial analysis. No allowance has been made for increases in income or expenditure based on inflation. In other words all costs are based on June 2013 prices.

A basic assumption is that the aquatic centre is managed either directly by Council or contracted to an external contractor. It is also assumed that it is staffed in accordance with the Royal Life Saving Society, Guidelines for Safe Pool Operation.

4.5.1 Income Assumptions

- 1 All entry prices include GST which has been deducted in the profit and loss analysis.
- 2 The demand assessment assumed swimming attendances will be 6,000 in 2014.
- 3 The target attendance will be achieved in the first full year of operation
- 4 Entry prices will be similar to existing market prices charged by the Shire of Northam:

Adults	\$4.00
Adult concession	\$2.00
Children	\$3.00
School swim	\$2.50

- 5 The in-house swim school will achieve a target of 600 lessons per annum. Lessons will be conducted in 2 x 10 week blocks, and lessons will be priced at \$12.00.
- 6 The school swim program will achieve a target of 200 students participating in 6 lessons each year. Entry prices are slightly lower than normal child attendance.
- 7 The number of casual swims was calculated by deducting the number of swim school and school swim attendances from the target market share. The ratio of children to adults (45:55) is based on industry experiences at many indoor swimming pools and the ratio of adults to adult concession entry (50:50) is based on industry experience.

Adult	27.5%
Adult concession	27.5%
Child	45%

- 8 Kiosk sales is based on 12% of casual swim attendance revenue. The percentage is based on industry experience. A profit margin of 40% is the minimum which should be achieved.
- 9 It is assumed that a health and fitness membership of 100 is readily achievable, and a significant number of people (50+) are likely to use the health and fitness facilities on a casual basis.
- 10 Achieving the target 100 memberships is assumed to occur in Year 4, with 75%, 85% and 95% of target achieved in Years 1, 2 and 3, respectively.
- 11 The target number of casual users is assumed to be 25% of the total number of potential casual users. It is also assumed they will attend, on average, once a fortnight (ie 13 times per annum). [Note: Health and fitness centres are reliant on memberships, rather than casual usage as revenues from casual users is highly unreliable. It is likely that regular casual users will be converted to members. No estimates of this conversion has been made.]
- 12 Prices for the health and fitness centre are based on existing prices at Full Circle Gym and Fitness:

Weekly membership fee	\$13
Casual fee	\$12

- 13 The health and fitness studio is assumed to be leased to a commercial operator, and a rent charged based on 10% of projected revenue (ie 10% of \$50,045 = \$5,005).

4.5.2 Expenditure Assumptions

- 1 All costs are GST exclusive.
- 2 Staffing hours, based on Wundowie Swimming Pool in Northam Shire, will be:

Position	Weekdays	Weekends/Public Holidays	Staffing
Reception	12.00pm – 7.00pm	12.00pm – 7.00pm	One staff at all times
Lifeguard	12.00pm – 7.00pm	12.00pm – 7.00pm	One staff at all times

- 3 Rates of pay (casual rate) are based on industry standards:

Reception	\$23.00
Lifeguard	\$25.00

- | | | |
|--|--------------|---------|
| | Swim teacher | \$25.00 |
|--|--------------|---------|
- 4 Staffing on costs are:
- | | | |
|--|------------------|----|
| | Workcover | 3% |
| | Payroll tax | 6% |
| | Superannuation | 9% |
| | Leave provisions | 5% |
- 5 Swim school average class size of 5 children.
- 6 15 group fitness classes per week.
- 7 Operating costs are estimates based on industry knowledge, including:
- | | |
|---------------------------|------------------------|
| Maintenance | Cleaning |
| Pool chemicals | Security |
| Utilities | Tele communications |
| Insurance | Advertising |
| Legal and accounting | General administration |
| Bank charges | Payroll and accounts |
| Management ⁽¹⁾ | Staff Uniforms |
| Miscellaneous | |
- (1) Management includes supervision and profit margin
- 8 No allowance has been made for depreciation in the operating budget.
- 9 Fitness equipment will be provided by the lessee of the health and fitness studio.

4.6 PROFIT AND LOSS PROJECTIONS

Based on the assumptions detailed above, financial projections have been prepared and summarised in Table 4.1.

This analysis indicates that the aquatic centre will operate at a loss of \$105,490.

These projections are preliminary. More detailed market research is required to more accurately project income and expenditures.

Table 4.1: Aquatic Centre Financial Projections

	Year 1
Income	
Casual swimmers	
Adult	\$4,200
Adult concession	\$2,100
Child	\$5,155
Sub Total	\$11,455
Swim School	\$7,200
School Swim	\$2,727
Total Aquatics Income	\$21,382
Rent	\$5,005
Total Health and Fitness Income	\$5,005
Kiosk	\$1,375
COGS	\$825
Kiosk gross profit	\$550
TOTAL INCOME	\$26,936
Expenditure	
Staffing	
Reception	\$24,794
LTS Instructors	\$2,250
Lifeguards	\$29,400
Staffing sub total	\$56,444
Staffing on costs	\$12,982
Total staffing costs	\$69,426
General	
Maintenance	\$10,000
Cleaning	\$2,500
Pool chemicals	\$7,500
Security	\$500
Utilities	\$10,000
Tele communications	\$500
Insurance	\$7,500
Advertising	\$500
Legal and accounting	\$1,000
General administration	\$2,000
Bank charges	\$500
Payroll and accounts	\$3,000
Management Supervision	\$15,000
Staff Uniforms	\$1,000
Miscellaneous	\$1,500
Total general costs	\$63,000
TOTAL EXPENDITURE	\$132,426
PROFIT/LOSS	-\$105,490

5 IMPLEMENTATION PROGRAM

This chapter provides an implementation program for the development of the Toodyay Recreation and Sport Precinct and to enhance recreation and sport provision in the Shire.

Strategy	Recommendation	Comment
Determine the mix of facilities to be developed at TRSP	<p>The mix of facilities to include:</p> <ul style="list-style-type: none"> ▪ Main ARF/cricket oval with turf wicket and floodlights suitable for training ▪ Multipurpose playing field suitable for cricket, hockey, football, junior ARF with floodlights suitable for training ▪ Hub building with male and female change rooms, function room with bar and kitchen, kiosk, umpires rooms, timekeepers box ▪ Aquatic centre with health and fitness studio ▪ Indoor sports hall ▪ Tennis court complex with floodlights ▪ Passive recreation facilities including internal trails linking to the proposed trails along the Avon River foreshore ▪ Lawn bowls 	<p>Consultation with all potential user groups will be needed.</p> <p>It should be a visionary mix of facilities, which includes facilities which may locate in the long term.</p> <p>The priority is to cater for outdoor playing field sports, particularly ARF, hockey and netball</p>
Prepare a master plan for TRSP	<p>Outcomes to be delivered by the master plan are:</p> <ul style="list-style-type: none"> ▪ Concept plan showing relationship between TRSP and the school ▪ Relationship between the Hub building and all recreation and sport facilities ▪ Staging program ▪ Capital cost estimates ▪ Operating and maintenance costs 	<p>The master plan should:</p> <ul style="list-style-type: none"> ▪ Consider how to integrate the TRSP and the school site to maximise the benefits to all stakeholders. ▪ Ensure TRSP is part of a larger integrated area including the school, Council land on Drummond Street and the Avon River foreshore.
Negotiate a community use agreement with Toodyay District High School	<p>The community use agreement to include terms and conditions for:</p> <ul style="list-style-type: none"> ▪ Community use of the school's oval, practice cricket nets and basketball/netball courts ▪ School use of all facilities on the TRSP <p>It will address issues such as:</p> <ul style="list-style-type: none"> ▪ Maintenance ▪ Rights to use ▪ Financial responsibility ▪ Insurance ▪ Risk management ▪ Rights and responsibilities of both parties 	<p>A long term agreement is in the best interest of the wider community as it ensures all public assets are used to their optimum.</p>

Strategy	Recommendation	Comment
Determine TRSP funding and staging priorities	<p>Priority 1: Relocate ARF, hockey, netball, cricket and soccer to the TRSP by developing a new main oval and negotiating community use of the school oval, netball courts and practice cricket nets.</p> <p>Priority 2: Develop an outdoor 25m swimming pool, subject to reviewing and updating the preliminary financial analysis in this Report and finalising a feasibility study for the development of an aquatic centre, with health and fitness and indoor court sport facilities</p> <p>Priority 3: Establish a multipurpose linear trail along the Avon River foreshore, and linking with the TRSP and District High School</p>	<p>An active program of attracting grants for the master planning exercise, and to develop the priority 1 facilities, is required.</p> <p>Once this has been obtained, a similar funding program can be conducted for the aquatic centre.</p>
Determine the long term location of Toodyay Show	<p>Toodyay Agricultural Society continue to determine the most suitable location for the Toodyay Show</p> <p>Toodyay Agricultural Show relocate to the TRSP when appropriate facilities have been established.</p>	<p>Discussions will be required with the Toodyay Agricultural Society. The decision regarding the long term location of the Show should be made by the Toodyay Agricultural Society.</p> <p>Once the main oval is developed at the TRSP, it will be cost effective to relocate the Show to the TRSP.</p> <p>Relocation of the Show to the TRSP will require additional facilities to be included in the master plan for the site.</p>
Determine the future use of the Showgrounds	<p>Retain the historical buildings in a specific historic precinct</p> <p>Investigate alternative uses of the Showgrounds, including sale and/or development as a passive recreation area.</p>	<p>Much of the Showgrounds is owned freehold by Council, hence the potential exists to develop the land for residential purposes.</p> <p>The site includes buildings of historical significance. It may be possible to retain these buildings in a discrete precinct, and continue to be used by their current occupants.</p>

Strategy	Recommendation	Comment
Implement the Shire of Toodyay Bike Plan	<p>Develop new shared paths through Toodyay as recommended in the Bike Plan</p> <p>Prepare a detailed design and construct a foreshore path between Newcastle Bridge and Newcastle Park and link with proposed trails on the north side of the Avon River in the precinct including TRSP, District High School and the Drummond Street land.</p>	Implementation of the Bike Plan will improve opportunities for walking and cycling for all age groups.

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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.

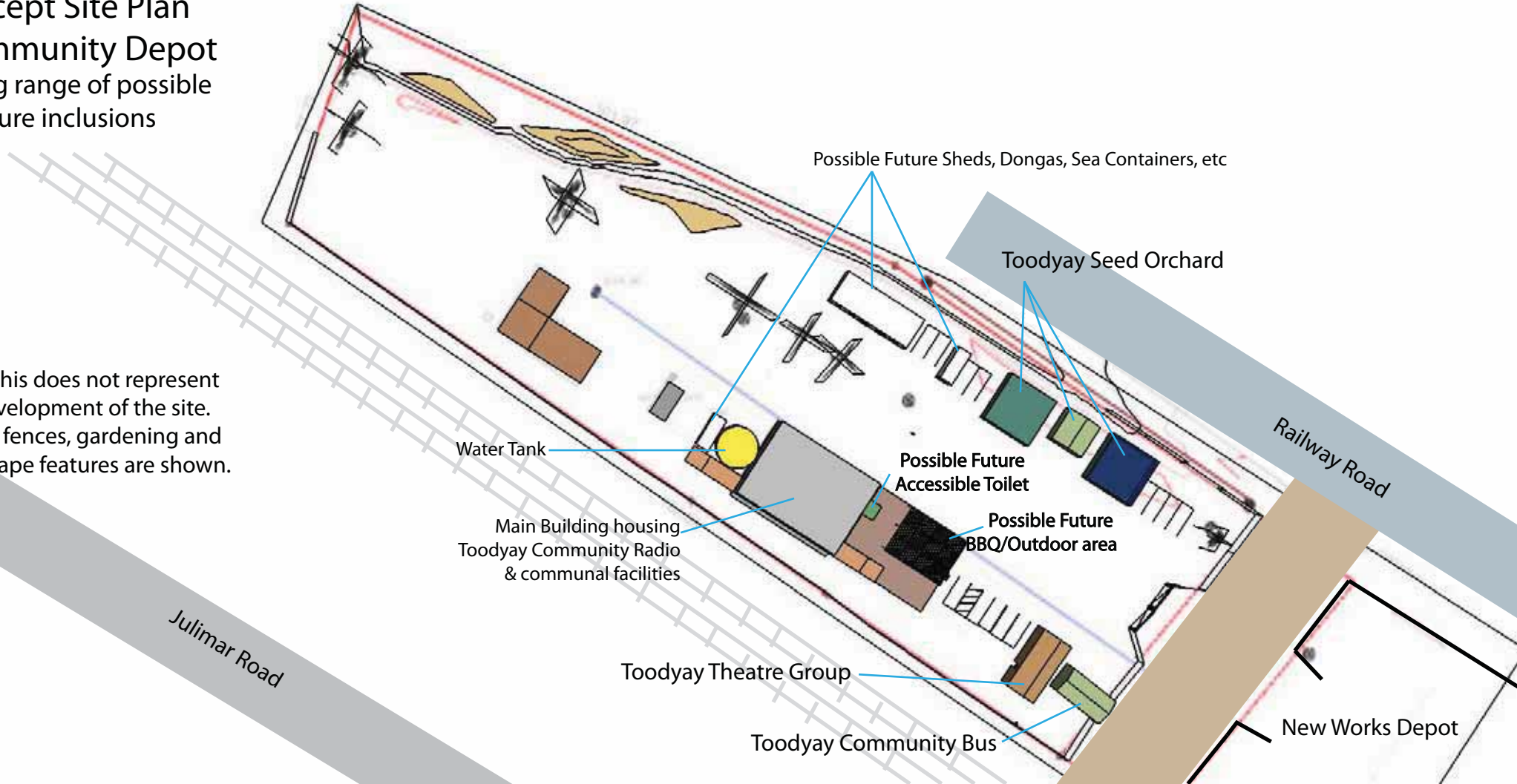


Concept Site Plan
of Community Depot
showing keystone tenants



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



FORUM DISCUSSION PAPER

Date of Report	16 October 2013
File/Record No.	COM19
Author:	Audrey Bell – Manager Community Development
Responsible Officer	Audrey Bell – Manager Community Development
Attachments	Attachments specified throughout the report will be provided in a separate attachment.

7.4 TOODYAY COMMUNITY RADIO TEMPORARY HOUSING AT OLD DEPOT SITE-HARPER ROAD

PURPOSE

The purpose of this discussion paper is to provide further information to Council to assist with gaining a better understanding of the discussions/reports which have taken place prior to the current lease which was been signed by both the Shire of Toodyay and Toodyay Community Radio Inc. on 31 January 2012, with a letter (20 February 2012) from the Government of Western Australia – Department of Regional Development and Lands, advising Ministerial Consent has been endorsed as per request.

BACKGROUND

Following discussion between Councillors McCann, Greenway and President Councillor Hogg at a Council Forum held on 1 October 2013, Councillor Hogg shared details of the current lease agreement, which at the time of the last Community Advisory Committee was unknown to new Councillors and Staff. The report and attachments should assist in updating all parties regarding the current lease agreement.

Attached for your information is:

1. A copy of Confirmed Minutes and Attachments of the Council Meeting held on 17 January 2012.
2. A copy of the Letter (dated 20 February 2012) from the Government of Western Australia – Department of Regional Development and Lands, the Lease Agreement with Ministerial Consent and stamp pursuant to section 18 of the *Land Administration Act 1997* (LAA), as well as a copy of the signed and stamped lease agreement.
3. A copy of the letter sent to Mr Steve Bannister – Toodyay Community Radio – dated 24 February 2012.

For the purpose of this report - please see the Schedule of the Lease Agreement – Item 9 – Additional Terms and Conditions – 1 (a), (b) and 2. I believe this information is what President Cr Hogg was discussing with Councillors at Forum Meeting held on 1 October 2013, as to the works which the Toodyay Community Radio was to undertake.

In relation to the Certificate of Classification – Details were sought from the Manager Planning and Development Services. Mr Graeme Bissett advised that since the signing of the lease, this type of Certificate no longer exists. What is required is that a building be of a standard to occupy. No occupation of the building can take place until the works are completed.

It is necessary to note that there are no utilities currently connected to the site (water, power, sewerage/septic, or land phone line).

At a Community Depot Management Advisory Committee Meeting held on 19 September, 2013 the following recommendation was made:

The Community Depot Management Advisory Committee recommends that Council consider the provision of temporary housing for Toodyay Community Radio at the Old Works Depot until such time as the building designated to Toodyay Community Radio at the Community Depot is available.

Since the abovementioned Community Depot Management Advisory Committee meeting, a further informal discussion has taken place between the Shire's Community Development Officer – Ms Kim Angus and Mr Len Anderson – Toodyay Community Radio. Toodyay Radio is keen to get a venue due to their Radio Licence requirements, as well as increasing their opportunities to involve the community. Another temporary venue being the house on Telegraph Road, Toodyay (Shire owned and currently vacant), was discussed, if the Old Depot Office is not available.

FUNDING HISTORY

Funding was being researched by the Toodyay Community Radio back in 2010 through Lotterywest and the Wheatbelt Development Commission. In those discussions Lotterywest was requiring that it was not one group, but a collection of community groups looking to take up placement at a Community Depot.

In 2012 RDA funding was applied for by the Shire of Toodyay to commence the development of the site, but was not successful.

The Shire is currently waiting on a response from RDA with our new 2013 grant application, but will not know the outcome till sometime in November 2013. Delays have occurred due to the recent Federal Election.

Funding which the Shire was and is endeavouring to obtain is to commence works to get the "Utility Services" re-connected to the site; these being – Power, Water, Toilets-Septic/Bio Max system, and phone (at a later date). These

services were there previously, however when works commenced on the new depot a few years ago, for reasons unknown, these services were disconnected, or dug up in the case of the septic.

Without these basic utility services the Toodyay Community Radio is not able to operate from the site.

CONCLUSION (and/or Recommendations)

That Council discuss the Recommendation put forward by the Community Depot Advisory Committee at the meeting held on 19 September 2013 with regard to providing temporary housing for Toodyay Community Radio at the Old Works Depot and give guidance to Shire Officers for future progress on this matter.

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9.4 CORPORATE SERVICES

9.4.1 Toodyay Community Radio – Lease of Portion of Reserve 49441, Lot 301

Date of Report:	9 January 2012
Proponent:	Toodyay Community Radio Inc.
File Ref:	COM19
Officer:	Sam Mastrolembo – Deputy Chief Executive Officer
Senior Officer:	Lindsay Delahaunty – Acting Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Correspondence from Toodyay Community Radio Inc. received 8 November 2010 2. Site Plan of New Depot Facility 3. Correspondence from Department of Regional Development and Lands dated 17 December 2010 4. Correspondence from the Shire of Toodyay dated 23 August 2011 5. Proposed Lease Agreement 6. Correspondence from the Department of Regional Development and Lands dated 10 January 2012
Voting Requirements:	Simple Majority

INTRODUCTION

Mr S Bannister, on behalf of Toodyay Community Radio Inc. submitted correspondence on 8 November 2010 (please see Attachment 1) requesting Council approval to enter into a lease agreement for use of the 'Railway's Building', located at the Shire's new Depot Facility on Reserve 49941, Lot 301 Railway Road.

This report seeks Council approval to authorise the Chief Executive Officer to enter into such agreement with Toodyay Community Radio Inc.

BACKGROUND

At the Ordinary Council meeting held on 18 November 2010, Council resolved the following:

Attachment One
Council Forum 5 Nov 2013
7.4 Toodyay Community Radio

OFFICERS RECOMMENDATION / COUNCIL RESOLUTION NO 874/11/10

That Council, subject to the submission of a Development Plan outlining intended works together with a detailed Capital and Maintenance Budget, authorize the Acting Chief Executive Officer (subject to the approval of the State Land Services Branch of the Department of Regional Development and Lands) to enter into negotiations with the Toodyay Community Radio Inc. for a 10 year lease with a 10 year option for use of the 'Railway's Building'; located on Lot 301 Railway Road, West Toodyay, as attached, on a "peppercorn" rental arrangement.

MOTION CARRIED UNANIMOUSLY 9/0

Please note, the referenced site plan within this resolution forms Attachment 2 to this report. Further to this, the Department of Regional Development and Lands have altered the purpose of Reserve 49941, Lot 301 Railway Road, from 'Works Depot' to 'Works Depot and Community Use', which permits use of the site for Community Radio Purposes. (Please see Attachment 3)

Over the past 12 months, Toodyay Community Radio has been liaising with the Shire of Toodyay's former Chief Executive Officer, Mr Fraser, former Acting Chief Executive Officer, Mr Trevor Harken and the Deputy Chief Executive Officer to progress the aforementioned lease agreement. McLeod's Barristers and Solicitors were engaged to prepare the documentation. After numerous meetings, Mr Harken forwarded correspondence dated 23 August 2011 (see Attachment 4) to Mr Bannister (Toodyay Community Radio), advising of an enclosed revised draft lease for his comment. Since Mr Harken's departure, Mr Bannister returned a signed revised draft lease to the Shire Offices.

Although the document had been signed by Toodyay Community Radio it was noted by the Deputy Chief Executive Officer that there were some errors in the document. Upon contact with Mr Harken, it was clarified and confirmed that the document forwarded to Toodyay Community Radio was a draft, only seeking their comment at this stage and with their approval, was then intended for subsequent finalisation. The document has since been amended and following further discussions between all parties is now presented to Council for endorsement (Please see attachment 5).

It is noted that a schedule of proposed capital and maintenance works has not been provided by Toodyay Community Radio in accordance with the Council resolution of 18 November 2010. The Toodyay Community Radio has indicated a desire to enter into a lease arrangement for the building as it is, as soon as possible to permit receipt of pending approved grant funding. The building is not currently connected to a power supply or effluent disposal system. To this end, the lease was drafted to obligate the lessee to ensure the building met health and building requirements prior to occupation. It is intended for the Shire of Toodyay to seek LotteryWest funding for the required head works, fit-out of a communal area within the building, in addition to relocation of other community groups to the site (e.g. Toodyay Theatre Group, Seed Orchard Group and Toodyay Community Bus). There is no obligation on the Shire of Toodyay to

CONFIRMED MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 17 JANUARY 2012

fund any works on this building regardless of the success of the grant application.

It is pertinent to note that discussions to date have indicated a willingness to not have an attached schedule of works to the lease arrangement. Rather, the attached document provides a 12 month timeframe for the Toodyay Community Radio to comply with health and building standards. If this does not occur, the lease shall have no further effect.

A copy of the draft lease has been forwarded to the Department of Regional Development and Lands seeking the Minister's approval to enter into the lease agreement. Correspondence received from the Department of Regional Development and Lands on 10 January 2012 provides in principal approval to enter into a lease agreement with the Toodyay Community Radio Inc. (Please see Attachment 6). This approval provides the Shire a six month period to forward final lease documents for final approval by the Minister.

CONSULTATION

Consultation has occurred directly between the Shire Administration, Shire President and Mr Bannister, acting on behalf of Toodyay Community Radio Inc. Advice has also been sought from the McLeod; Barristers and Solicitors and the Department of Regional Development and Lands.

STATUTORY ENVIRONMENT

Section 3.58 of the *Local Government Act 1995* requires a Local Government proposing to dispose of land to advertise locally in a prescribed manner with a minimum public submission period of fourteen days prior to an agreement being reached.

Further to this, the *Local Government (Functions and General) Regulations 1996* exempt the requirement to carry out the abovementioned process where a Local Government is disposing of land to a charitable body.

This proposal is consistent with these requirements.

Delegation D.27 - Use of Common Seal, 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.

Further to this, Section 9.49A of the *Local Government Act 1995* refers to the Execution of documents as follows:

Division 3 — Documents

9.49A. Execution of documents

- (1) *A document is duly executed by a local government if —*
 - (a) *the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or*

CONFIRMED MINUTES OF ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS ON 17 JANUARY 2012

- (b) *it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.*
- (2) *The common seal of a local government is not to be affixed to any document except as authorised by the local government.*
- (3) *The common seal of the local government is to be affixed to a document in the presence of —*
- (a) *the mayor or president; and*
 - (b) *the chief executive officer or a senior employee authorised by the chief executive officer,*
- each of whom is to sign the document to attest that the common seal was so affixed.*
- (4) *A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.*
- (5) *A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorisation.*
- (6) *A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.*
- (7) *When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.*

POLICY IMPLICATIONS

This proposal does not contain any notable policy implications.

FINANCIAL IMPLICATIONS

This proposal does not contain any notable financial implications.

STRATEGIC IMPLICATIONS

Objective 3.2 of the Shire of Toodyay's Plan for the Future 2007-2018 states:

"Support services for senior residents, young people and people with disabilities."

This proposal is consistent with this objective.

ENVIRONMENTAL IMPLICATIONS

This proposal does not contain any notable environmental implications.

SOCIAL IMPLICATIONS

The progressed establishment of Toodyay Community Radio will be of social benefit to locals and tourists in the area, creating an opportunity to relay community information through a new medium. The proposed recording studio will also provide an opportunity for musicians to develop locally.

OFFICER'S COMMENT

Further to Council's resolution of 18 November 2010 and consequent negotiation and progress of this lease arrangement, it is recommended Council authorise the Acting Chief Executive Officer to enter into the attached agreement.

McLeod's Barristers and Solicitors confirm that all amendments that have been agreed by both parties and have now been undertaken are legal. They have recommended that a condition relative to obligations relative to damage to the common area of the building be reinserted and this has hence occurred.

OFFICER'S RECOMMENDATION

It is recommended that Council authorize the Acting Chief Executive Officer to enter into the attached lease arrangement with the Toodyay Community Radio Inc. for use of the 'Railway's Building'; located on Reserve 49941, Lot 301 Railway Road, West Toodyay.

Cr Nouwland moved the Officer's Recommendation.

Cr Firns proposed an amendment as follows:

After the words "West Toodyay" insert the words "subject to verbal clarification being received by the Shire President from the Shire of Toodyay's Legal Advisers of the necessity to retain clause 7.2(2)."

Cr Nouwland accepted that amendment to the motion.

The motion was put.

COUNCIL RESOLUTION NO 17/01/12

MOVED Cr Nouwland

That Council authorize the Acting Chief Executive Officer to enter into the attached lease arrangement with the Toodyay Community Radio Inc. for use of the 'Railway's Building'; located on Reserve 49941, Lot 301 Railway Road, West Toodyay, subject to verbal clarification being received by the Shire President from the Shire of Toodyay's Legal Advisers of the necessity to retain clause 7.2(2).

MOTION CARRIED UNANIMOUSLY 9/0



Toodyay Community Radio
 PO Box 1096
 Toodyay
 WA 6566
 (08) 9574 4554
 toodyayradio@live.com.au

Sam Mastrolembo
 Deputy Chief Executive Officer
 Shire of Toodyay
 PO Box 96,
 Toodyay, WA, 6566

5 November 2010

Dear Sam,

Thank you for giving us the opportunity to view the old railway building as a potential home for Toodyay Community Radio. As I have already conveyed to you, this building would be ideal for us on many levels;

- The security of a solid brick building with bars over the windows,
- Perfect line of site to the TV Translator Mast on Water Tank Hill,
- The layout of the building, ideal for studios and offices,
- The opportunity to house and help other local groups.

The building is laid out perfectly for us, and I don't think that it could be better suited. It would give us the two studios, control room, storage and office space that we need. The area at the back, with the roller doors, is perfect for the planned recording studio. It is our intention to build a recording studio to give opportunities to local bands and talent that they would otherwise have to travel to Perth for, and pay 'top-dollar' for studio time. As a radio station, we would offer local talent the chance to rehearse and record demo discs, as well as offer them airplay for that very important 'foot in the door'. After speaking to Wendy Camenzuli at Toodyay District High School, the same opportunities would be extended to the school band, as well as to the Toodyay Music Group and others.

Following discussions with Lotterywest and the Wheatbelt Development Commission (WDC), we are eligible for Grants and Funding for the refurbishment and construction of buildings. Refurbishments that the Shire would ultimately benefit from resulting in the betterment of the Shire's building. The WDC, in particular, have told us that they would gladly fund any joint venture involving us and other community groups, especially The Men's Shed as they are a unique organisation in Australia. Men's Sheds provide a unique and practical way of addressing men's health issues and are a way of capturing existing skills in a community; a way of supporting projects that might be marginal, or outside the normal scope of other community groups, or businesses, or that lack practical skills.

We also feel that the location and size of the building under consideration, and the land, could also be used to house other community groups, providing a 'community hub'. As you enter the old railway building, there is space on the left for a communal conference table, which other community groups could use for meetings in a professional manner. The kitchen and toilet areas could also be of a communal nature for other local interest groups, leaving the rest of the building for the radio station. As there are already sand pads laid at the property, The WDC would gladly fund construction of a building for the use of other groups.

As a community radio station, we are not only there to inform and entertain the community, but we are a not for profit organisation that aims to bring much money, tourism and advertising to Toodyay, as well as redistribute that money to the community, helping groups and others. The grants and funding that we are already in discussions over, with Lotterywest and the WDC, amount to some \$250,000.00. This includes the renovation and the betterment of the building that the Shire will benefit from. With this in mind, we would ask that you consider offering this property to us at a 'peppercorn' rent, if any rent at all. To put this in perspective, some other community radio stations in WA pay \$1 a year, if that. We would also like a lease for 15 years, with a 15 year option. This long term commitment from the Shire would secure all of our funding from Lotterywest and the WDC, and would be part of their conditions.

Again, thank you for all of your help so far, and we look forward to hearing from you.

Yours sincerely,

Steve Bannister
 Toodyay Community Radio

Toodyay Community Radio Inc. Registered Number A1014946N, ABN 39 583 727 758



Government of Western Australia
Department of Regional Development and Lands
Lands Division

SHIRE OF TOODYAY
Record Number: ICR 1011567
21 DEC 2010
Officer / Dept: MRP
File Number: R49941

Your ref:
Our ref: 50971-2007-01RO. Job 103872
Enquiries: Greg Martiensen
Ph: (08) 9347 5053 Fax: (08) 9347 5002
Email greg.martiensen@rdl.wa.gov.au

17 December, 2010

Chief Executive Officer
Shire of Toodyay
PO Box 96
TOODYAY WA 6566

Dear Sir

Lot 301 on Deposited Plan 48381 – Reserve 49941,

In accordance with the Shire's request, a 'power to lease' has been granted to the Shire over the above reserve.

Please find enclosed the new Duplicate Management Order.

Yours sincerely

Greg Martiensen
Assistant State Land Officer
State Lands Wheatbelt
Lands Division

3872gm02

Postal Address: PO Box 1575, Midland, Western Australia 6936
Tel: (08) 9347 5000 www.rdl.wa.gov.au ABN 28 807 22 1246

DUPLICATE

Attachment 3

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)

49941

EXTENT

Whole

VOLUME

3156

FOLIO

149

MANAGEMENT BODY (NOTE 2)

Shire of Toodyay of PO Box 96 Toodyay

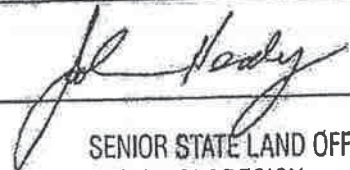
CONDITIONS (NOTE 3)

- (i) To be utilised for the designated purpose of 'Works Depot and Community Purposes'.
- (ii) 20 metres clearance from the actual railway track is to be maintained in the placement of any permanent or semi-permanent structures.
- (iii) 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 (21) 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, pursuant also to the provisions of section 19 of the Land Administration Act 1997.

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 *8th* day of *December* in the year *2010*

ATTESTATION (NOTE 4)



SENIOR STATE LAND OFFICER
WHEATBELT REGION
STATE LAND SERVICES

DUPLICATE

INSTRUCTIONS

1. If insufficient space in any section, Additional Sheet Form B1 should be used with appropriate headings. The boxed sections should only contain the words "See Annexure".

2. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by parties.

3. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialed by the person signing this document and their witnesses.

NOTES

1. RESERVE DESCRIPTION
Reserve number and details to be stated. The Volume and Folio numbers to be stated.

2. MANAGEMENT BODY
State the full name and address of management body.

3. CONDITIONS
Detail the conditions specified by the Minister to be observed by the management body in its care control and management of the Reserve.

4. ATTESTATION
This document is to be executed by the Minister for Lands or a person to whom the power to grant a management order under section 46 of the Land Administration Act 1997 has been duly delegated under section 9(1) of the Act (if applicable).

EXAMINED

Form 1 Use Only

DUPLICATE



L501685 XE
09 Dec 2010 08:58:11 Midland

MANAGEMENT ORDER (XE)

LODGED BY State Land Services

ADDRESS RDL - Wheatbelt - Box 98C

PHONE No.
FAX No.

REFERENCE No. Greg Martensen 50971-2007-01RO Ph 9347 5054 Fax 9347 5002

ISSUING BOX No.

PREPARED BY State Land Services

ADDRESS RDL - Wheatbelt - Box 98C

PHONE No.
FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

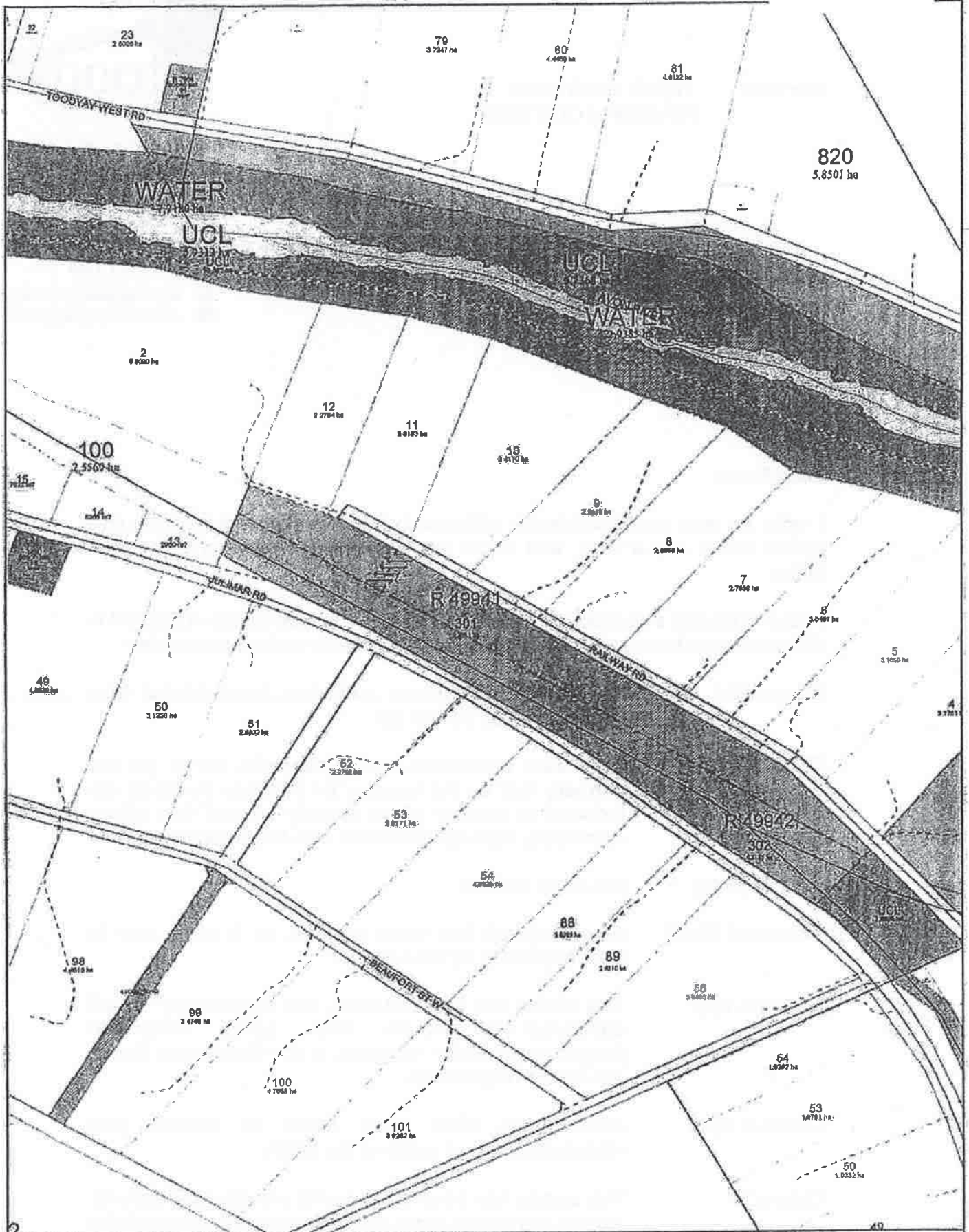
TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1. _____ Received Items
2. _____ Nos.
3. _____
4. _____ Receiving Clerk
5. _____
6. _____



Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.





Scale : 1:5000 (Geographical)
 MGA : SW=446450.8E,6510600.2N Zone 50 / NE=447449.7E,6512139.7N Zone 50
 Lat/Long : 116°26'09.191", -31°32'17.889" / 116°26'47.367", -31°31'28.055" H 263mm by W 201mm

Printed : 10:58 Fri 17/Dec/2010
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Our Ref: TH:MR / ICR13802
RV.49941 / OCR10354

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

Mr S Bannister
Toodyay Community Radio
PO Box 1096
TOODYAY WA 6566

Dear Steve

I refer to your correspondence addressed to the Deputy Chief Executive Officer dated July 8 2011, and to our recent discussion relating to the draft lease.

I have enclosed a revised draft lease, based on your comments contained in that correspondence, and have addressed the specific matters hereunder:-

- | | |
|---------------------|--|
| Clause 3(b) | The reference to meter rents has been deleted from paragraphs (c), (f) and (g); |
| Clause 3(a)(i) | The costs associated with paragraphs (a) to (c) are normally met by the Lessee, for instance the costs are included in another lease recently entered into with a community organisation which also has exclusive use. |
| Paragraph (d) | has been deleted, |
| Clause (a) (ii) (d) | this paragraph has been retained, as it refers only to work requested by the Lessee. |
| Clause 9.1(a) | This clause has been retained, and if necessary we will endeavour to identify those goods considered dangerous or make reference to the Dangerous Goods Act and or Regulations. |
| Clause 9.1(c) | Amendments have been made to remove your responsibility for all users of the toilets. |
| Clause 10 | This clause has been amended to provide for electronic entry to the leased area and to remove any responsibility |

for you to replace locks and therefore provide keys for the replaced locks.

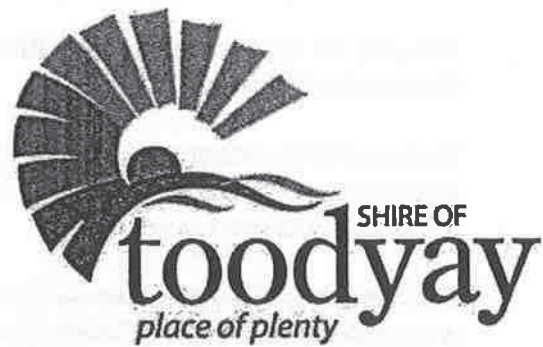
- Clause 11.2 Deleted in its entirety, the leased premises will be shown attached and will be the extremities of that part of the Building occupied by you only.
- Clause 11.5 It is assumed the premises will be painted, either prior to your occupation by the Council or by you after the lease is finalised. In any event, the repaint clause will still be required.
- Clause 11.7 The reference to the structural state has been removed from paragraph (a) and paragraph(b) has been retained to ensure the Council is not obliged to carry out structural repairs should it wish not to do so.
- Clause 11.8 The Leased premises will be defined by the attached sketch, and will not include surrounds.
- Clause 11.9 has been deleted.
- Clause 20.1(a) Has been amended to provide for 72 hours notice to the Lessee.
- Clause 22 has been deleted.

I would appreciate your comments at your earliest convenience.

Yours sincerely

Trevor Harken
ACTING CHIEF EXECUTIVE OFFICER

23 August 2011



LEASE AGREEMENT

**PORTION OF RESERVE 49941
LOT 301 RAILWAY ROAD
WEST TOODYAY 6566**

Between the

Shire of Toodyay

15 Fiennes Street, Toodyay WA 6566

and

Toodyay Community Radio Inc

(Business No A1014946N)

23 Timber Creek Crescent, Toodyay WA 6566

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Details

Parties

Shire of Toodyay

of 15 Fiennes Street, Toodyay, Western Australia, 6566
(Lessor)

Toodyay Community Radio Inc

Of 23 Timber Creek Crescent, Toodyay, Western Australia, 6566
(Lessee)

Background

- A. The Lessor is the management body of the land described in **Item 1** of the Schedule under the Management Order (**Land**).
- B. Under the Management Order the Lessor has the power to lease the Land for any term not exceeding 21 years, subject to the approval of the Minister for Lands first being obtained.
- C. The Lessee has requested that the Lessor grant it a lease of that portion of the Land described in **Item 1** of the Schedule (**Premises**), and the Lessor has agreed subject to the Parties entering into this agreement.

Agreed terms

1. Grant of Lease

The Lessor leases to the Lessee the Premises for the Term subject to:

- (a) any consent required in accordance with clause 26;
- (b) all Encumbrances;
- (c) the payment of the Amounts Payable; and
- (d) the performance of the Lessee's Obligations.

Lessee's rights and obligations

2. Quiet Enjoyment

Except as provided in the Lease, subject to the performance of the Lessee's Obligations the Lessee may quietly hold and enjoy the Premises during the Term without any interruption or disturbance from the Lessor or persons lawfully claiming through or under the Lessor.

3. Rent and Other Payments

The Lessee AGREES with the Lessor:

(a) **Rent**

To pay to the Lessor the Rent in the manner set out at **Item 5** of the Schedule from the Commencement Date clear of any deductions whatsoever.

(b) **Outgoings**

(i) To pay to the Lessor or to such person as the Lessor may from time to time direct upon demand and punctually all the following outgoings or charges (if applicable), assessed or incurred in respect of the Premises:

- (A) Rubbish collection charges;
- (B) Fire Emergency Services Authority Levy;
- (C) Water charges;
- (D) Telephone charges
- (E) Wiring, internet and telephone connections
- (F) Electricity and power consumption charges;

- (G) Gas consumption charges;
 - (H) Meter installation;
 - (I) Maintenance costs;
 - (J) Land taxes; and
 - (K) Any other consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Lessee's use and occupation of the Premises.
- (ii) If the Premises are not separately charged or assessed the Lessee will pay to the Lessor a proportionate part of any charges or assessments referred to in **clause 3(b)(i)** being the proportion that the Premises bears to the total area of the land or premises included in the charge or assessment.
- (c) **Interest**
- Without affecting the rights, power and remedies of the Lessor under this Lease, to pay to the Lessor interest on demand on any Amounts Payable which are unpaid for 35 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.
- (d) **Costs**
- (i) To pay to the Lessor on demand:
 - (A) all statutory duties or taxes payable on or in connection with this Lease;
 - (B) all registration fees in connection with this Lease; and
 - (C) all legal costs of and incidental to the instructions for the preparation, execution and stamping of this Lease and all copies
 - (ii) To pay to the Lessor all costs, legal fees, disbursements and payments incurred by or for which the Lessor is liable in connection with or incidental to:
 - (A) any breach of an obligation or agreement by the Lessee or an Authorised Person;
 - (B) the preparation and service of a notice under Section 81 of the Property Law Act 1969 requiring the Lessee to remedy a breach even though forfeiture for the breach may be avoided in a manner other than by relief granted by a Court;
 - (C) any work done at the Lessee's request; and
 - (D) any action or proceedings arising out of or incidental to any matters referred to in this **clause 3(d)** or any matter arising out of this Lease.

4. Accrual of Amounts Payable

Amounts Payable accrue on a daily basis.

5. Payment of Money

Any Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in the Lease or as otherwise directed by the Lessor by Notice from time to time.

6. Insurance

6.1 Insurance required

The Lessee must effect and maintain with insurers approved by the Lessor (noting the Lessor's and the Lessee's respective rights and interest in the Premises) for the time being:

- (a) adequate public liability insurance for a sum not less than the sum set out at **Item 7** of the Schedule in respect of any one claim or such greater amount as the Lessor may from time to time reasonably require; and
- (b) where the Lessor so requires, insurance to cover the Lessee's fixtures, fittings, equipment and stock against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which a lessee can and does ordinarily insure in their full replacement value, and loss from theft or burglary

6.2 Details and Receipts

In respect of the insurances required by **clause 6.1** the Lessee must:

- (a) on demand supply to the Lessor details of the insurances and give to the Lessor copies of the certificates of currency in relation to those insurances;
- (b) promptly pay all premiums and any excess that may become payable and produce to the Lessor each policy or certificate of currency and each receipt for premiums or certificate of currency issued by the insurers;
- (c) notify the Lessor immediately:
 - (i) when an event occurs which gives rise or might give rise to a claim under or which could prejudice a policy of insurance; or
 - (ii) when a policy of insurance is cancelled.
- (d) apply the proceeds of any claim made under any of the insurance policies to the purpose for which the insurance was effected and to restore, replace, repair or reinstate the loss the subject of the claim.

6.3 Not to Invalidate

The Lessee must not do or omit to do any act or thing or bring or keep anything on the Premises which might;

- (a) render any insurance effected under **clause 6.1** on the Premises, or any adjoining premises, void or voidable;
- (b) cause the rate of a premium to be increased for the Premises or any adjoining premises (except insofar as an approved development may lead to an increased premium).

6.4 Reports

Each party must report to the other promptly in writing and in an emergency verbally:

- (a) any damage to the Premises of which they are or might be aware; and
- (b) any circumstances of which they are aware and which are likely to be a danger or cause any damage or danger to the Premises or to any person who is lawfully using or may lawfully use the Premises.

6.5 Lessee May be Required to Pay Excess on Insurances

The Lessee AGREES with the Lessor that it shall be responsible to pay any excess payable in connection with the insurances referred to in **clause 6.1**.

6.6 Lessee's equipment and possessions

The Lessee ACKNOWLEDGES it is responsible to obtain all relevant insurances to cover any damage and/or theft to its property. The Lessor does not take any responsibility for the loss or damage of the Lessee's property.

7. Indemnity

7.1 Indemnity

The Lessee indemnifies the Lessor and the Minister for Lands against any liability or loss arising from and any costs, charges and expenses caused by the Lessee or its servants, agents, contractors or invitees incurred in connection with:

- (a) any damage to the Premises, or any loss of or damage to anything on it; and
- (b) any injury to any person on the Premises,

and for which the Lessor or the Minister for Lands becomes liable except to the extent such damage, loss or injury is caused or contributed to by any negligent act of the Lessor or its servants, agents, contractors or invitees.

7.2 Indemnity Unaffected by Insurance

- (1) The Lessee's obligation to indemnify the Lessor under this Lease or at law is not affected by any insurance maintained by the Lessor in respect of the Premises and the indemnity under clause 7.1 is paramount; and

- (2) if insurance money is received by the Lessor for any of the obligations set out in this clause then the Lessee's obligations under clause 7.1 will be reduced by the extent of such payment.

8. Use

8.1 Restrictions on Use

(a) Generally

The Lessee must not and must not suffer or permit a person to:

- (i) use the Premises or any part of it for any purpose other than for the purposes for which the Premises are held by the Lessee, as set out at **Item 6** of the Schedule; or
- (ii) use the Premises for any purpose which is not permitted under any local planning scheme, local laws, acts, statutes or any law relating to health.

(b) No offensive or illegal acts

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any harmful, offensive or illegal act, matter or thing.

(c) No nuisance

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any thing which causes a nuisance, damage or disturbance to the Lessor or to owners or occupiers of adjoining properties.

(d) No dangerous substances

The Lessee must not and must not suffer or permit a person to store any dangerous compound or substance on or in the Premises, otherwise than in accordance with the following provisions:

- (i) any such storage must comply with all relevant statutory provisions;
- (ii) all applications for the approval or renewal of any licence necessary for such storage must be first referred to the Lessor;
- (iii) the Lessor may within its absolute discretion refuse to allow the storage of any particular dangerous compound or substance on the Premises; and
- (iv) upon the request of the Lessor, the Lessee will provide a list of all dangerous compounds or substances stored on the Premises.

(e) No harm or stress

The Lessee must not and must not suffer or permit a person to do any act or thing which might result in excessive stress or harm to any part of the Premises.

(f) **No unauthorised signs**

The Lessee must not and must not suffer or permit a person to display from or affix any signs, notices or advertisements on the Premises without the prior written consent of the Lessor.

(g) **No smoking**

The Lessee must not suffer or permit a person to smoke in any building on the Premises.

(h) **Sale of Alcohol**

The Lessee will not sell or supply liquor from the Premises or allow liquor to be sold or supplied from the Premises without the prior written consent of the Lessor and then only in accordance with the provisions of the Liquor Control Act 1988, Health (Food Hygiene) Regulations 1993, Liquor Licensing Regulations 1989 and any other relevant written laws that may be in force from time to time.

(i) **Removal of rubbish**

The Lessee must keep the Premises free from dirt and rubbish and to store and keep all trade waste and garbage in proper receptacles.

(j) **No breach of copyright**

The Lessee shall not do any act, nor authorise or permit any person to do any act, that constitutes a breach or infringement of copyright under the *Copyright Act 1968* (Cth).

(k) **No pollution**

The Lessee must do all things necessary to prevent pollution or contamination of the Premises by garbage, refuse, waste matter, oil and other pollutants.

(l) **Toilets**

The Lessee must not use toilets or other sanitary appliances on the Premises for any purpose other than that for which they were constructed and must not obstruct or otherwise affect or damage the same.

8.2 No Warranty

The Lessor gives no warranty:

- (a) as to the suitability of the Premises for the purpose set out in Item 6; or
- (b) that the Lessor will issue any consents, approvals, authorities, permits or licences required by the Lessee under any statute for its use of the Premises.

8.3 Premises Subject to Restriction

The Lessee accepts the Premises for the Term subject to any existing prohibition or restriction on the use of the Premises.

8.4 Indemnity for Costs

The Lessee indemnifies the Lessor against any claims or demands for all costs, on a solicitor client basis, incurred by the Lessor by reason of any claim in relation to any matters set out in this clause.

9. Keys and Access

9.1 No additional copies without approval

Unless otherwise approved by the Lessor in writing, the Lessee, where it has been provided with keys to the Premises by the Lessor, must not have additional sets of keys copied or cut.

9.2 Notify the Lessor of lost keys

- (a) The Lessee must notify the Lessor of any loss of keys immediately; and
- (b) To ensure all keys conform with the Lessor's master keys, the Lessor will arrange for replacement keys to be issued to the Lessee at the Lessee's cost.

9.3 No change of locks without approval

- (a) The Lessee must not change any locks on the Premises.

9.4 Cost of re-entry

If the Lessor requires access to the Premises pursuant to its powers under this Lease, and is unable to access the Premises due to an unauthorised change in locks, the Lessor may take all such measures to enter the Premises and to re-secure the Premises, and the Lessee will bear all costs associated with such measures.

9.5 Electronic Entry

The Lessor may approve electronic access to the leased area.

10. Maintenance, Repair and Cleaning

10.1 Generally

- (1) The Lessee AGREES during the Term and for so long as the Lessee remains in possession or occupation of the Premises to:
 - (a) maintain, replace, repair and keep the Premises (which for the avoidance of doubt includes the Lessor's fixtures and fittings if any) clean and in Good Repair having regard to the age and condition of the Premises at the Commencement Date PROVIDED THAT this subclause shall not impose on the Lessee any obligation:
 - (i) to carry out repairs or replacement that are necessary as a result of fair and reasonable wear and tear, EXCEPT when such repair or replacement is necessary because of any action or

omission of or on the part of the Lessee (or its servants, agents, contractors or invitees), or the Lessor's insurances are invalidated by any act, neglect or default by the Lessee (or its servants, agents, contractors or invitees); and

- (ii) in respect of any structural maintenance, replacement or repair EXCEPT when such maintenance, repair or replacement is necessary because of any action or omission of or on the part of the Lessee (or its servants, agents, contractors or invitees), or by the Lessee's particular use or occupancy of the Premises;
- (2) In discharging the obligations imposed on the Lessee under this subclause, the Lessee shall where maintaining, replacing or repairing:
- (a) any electrical fittings and fixtures;
 - (b) any plumbing;
 - (c) any air-conditioning fittings and fixtures; and
 - (d) any gas fittings and fixtures, in or on the Premises

use only licensed trades persons, or such trades persons as may be approved by the Lessor and notified to the Lessee, which approval shall not be unreasonably withheld.

10.2 Pest Control

The Lessee must keep the Premises free of any vermin or any other recognised pests and the cost of extermination will be borne by the Lessee.

10.3 Responsibility for securing Premises

The Lessee must ensure the Premises, including the Lessor's and Lessee's fixtures and fittings, are appropriately secured at all times.

10.4 Repaint Premises

The Lessee must every seven years during the Term and as general maintenance otherwise requires paint, paper or otherwise treat all such parts of the Premises as have been previously painted, or otherwise treated in a good and workmanlike manner and with good quality and suitable materials in colours first approved of by the Lessor.

10.5 Comply with all reasonable conditions

The Lessee must comply with all reasonable conditions, including but not limited to a requirement to repaint the Premises or part thereof, that may be imposed by the Lessor from time to time in relation to the Lessee's maintenance of the Premises.

10.6 Acknowledgement of State of Repair of Premises

The Lessee acknowledges that:

- (a) it has inspected the structure of the Premises internally and externally prior to the execution of this Lease and enters into the Lease with full knowledge of the state of repair of the Premises; and
- (b) the Lessor is not under any obligation to undertake repairs, including those of a structural or capital nature, to the Premises during the Term of the Lease.

10.7 Cleaning

The Lessee must keep the Premises and its entrances clean and tidy and not allow any rubbish to accumulate on or about the Premises.

11. Alterations

11.1 Restriction

The Lessee must not without prior written consent from the Lessor or any other person from whom consent is required under this Lease or required under statute in force from time to time, including but not limited to the planning approval of the Lessor under a local planning scheme of the Lessor:

- (a) make or allow to be made any alteration, addition or improvements to or demolish any part of the Premises; or
- (b) subject to the performance of the Lessee's obligations in **clause 10**, remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises.

11.2 Consent

- (1) If the Lessor and any other person whose consent is required under this Lease or at law consents to any matter referred to in **clause 11.1** the Lessor may:
 - (a) give such consent subject to conditions; and
 - (b) require that the works be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
 - (c) require that any works be carried out to the satisfaction of the Lessor under the supervision of an engineer or other consultant; and
- (2) If the Lessor consents to any matter referred to in **clause 11.1**:
 - (a) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities, permits or policies under any statute for such matters; and
 - (b) the Lessee must apply for and obtain all such consent approvals, authorities, permits or policies as are required at law before undertaking any alterations, additions, improvements or demolitions.

11.3 Cost of Works

All works undertaken under this clause 11 will be carried out at the Lessee's expense.

11.4 Conditions

If any of the consents given by the Lessor or other persons whose consent is required under this Lease or at law require other works to be done by the Lessee as a condition of giving consent, then the Lessee must at the option of the Lessor either:

- (a) carry out those other works at the Lessee's expense; or
- (b) permit the Lessor to carry out those other works at the Lessee's expense, in accordance with the Lessor's requirements.

11.5 Damage to Common Areas

The Lessee must make good any breakage defect or damage to the Common Areas or to any other part of the Centre or any appurtenance or equipment therein caused by want of care misuse or abuse on the part of the Lessee or the Lessee's servants agents contractors or sub-contractors sub-tenants or other persons claiming through or under the Lessee or by any breach of this Lease by the Lessee.

12. Report to Lessor

The Lessee must immediately report to the Lessor:

(a) Vandalism

Any act of vandalism or any incident which occurs on or near the Premises which involves or is likely to involve a breach of the peace or become the subject of a report or complaint to the police and results in damage to the Premises;

(b) Pollution

Any occurrence or circumstances in or near the Premises of which it becomes aware, which might reasonably be expected to cause, in or on the Premises, pollution of the environment;

(c) Notices, etc

All notices, orders and summonses received by the Lessee and which affect the Premises and immediately deliver them to the Lessor;

(d) Defects

Any accident to or defect or want of repair in any services or fixtures, fittings, plant or equipment in the Premises and of any circumstances known to the Lessee that may be or may cause a risk or hazard to the Premises or to any person on the Premises.

13. Provision of Information

The Lessee AGREES to provide to the Lessor, upon the Lessor's request, where applicable:

- (a) a copy of the Lessee's audited annual statement of accounts for each year;
- (b) advice of any changes in its office holders or its rules of association during the Term; and
- (c) any information on the Lessee's membership and other information on the Lessee reasonably required by the Lessor.

14. No Assignment, Subletting and Charging

14.1 No Assignment or Subletting without consent

The rights in this Lease are personal to the Lessee, and Lessee may not transfer, assign, sublet, assign or otherwise part with possession or any way dispose of any of its rights or obligations under this Lease without the written consent of the Lessor, which consent may be withheld for any reason whatsoever in the Lessor's absolute discretion.

14.2 Property Law Act 1969

Sections 80 and 82 of the Property Law Act 1969 are excluded.

14.3 No Mortgage or Charge

The Lessee must not mortgage nor charge the leasehold interest in the Premises.

15. No Caveat or Other Interest

15.1 No Caveat or other interest

The Lessee, or any person on behalf of the Lessee, must not lodge any absolute caveat, subject to claim or any other interest including any lease, sublease, mortgage, charge over the Land or Premises or part thereof, without the prior written consent of the Lessor.

15.2 Removal of interest

If any caveat or other interest is lodged without the consent of the Lessor, the Lessee shall do all such things as are necessary to enable the caveat or other interest to be withdrawn, including but not limited to signing and lodging at Landgate:

- (a) a withdrawal of any absolute caveat lodged by or behalf of the Lessee;
- (b) a withdrawal of any caveat lodged by on or behalf of the Lessee and not withdrawn on Termination; and
- (c) a surrender of the estate granted by this Lease where the Lease has been lawfully terminated.

15.3 Costs of Removal, Indemnity and Ratification

The Lessee shall be liable for all costs and expenses incurred in connection with the withdrawal or removal of any caveat or interest pursuant to **clause 15.2**.

16. Statutory Obligations and Notices

16.1 Comply with Statutes

The Lessee must:

- (a) comply promptly with all statutes and local laws from time to time in force relating to the Premises;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any statute for the use of the Premises specified at **Item 6** of the Schedule;
- (c) ensure that all obligations in regard to payment for copyright or licensing fees are paid to the appropriate person for all performances, exhibitions or displays held on the Premises; and
- (d) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Premises or to the business the Lessee carries on at the Premises.

16.2 Indemnity if Fails to Comply

The Lessee indemnifies the Lessor against:

- (a) failing to perform, discharge or execute any of the items referred to in **clause 16.1**; and
- (b) any claims, demands, costs or other payments of or incidental to any of the items referred to in **clause 16.1**.

17. Obligations on Expiry or Termination of Lease

17.1 Restore Premises

Prior to Termination, the Lessee at the Lessee's expense must restore the Premises to a condition consistent with the performance by the Lessee of the Lessee's Obligations under this Lease fair wear and tear excepted.

17.2 Remove Lessee's Property prior to Termination

Prior to Termination, the Lessee must remove from the Premises all property of the Lessee including the Lessee's signs, fixtures, fittings, plant, equipment and other articles upon the Premises in the nature of trade or tenant's fixtures brought upon the Premises by the Lessee (other than air-conditioning plant and fire equipment, security alarms and security systems and other fixtures and fittings which in the opinion of the Lessor form an integral part of the Premises) and promptly make good, to the satisfaction of the Lessor, any damage caused by the removal.

17.3 Lessor can Remove Lessee's Property on Re-Entry

If the Lessee fails to remove any such fixtures or fittings and any other chattels, stock or goods belonging to the Lessee in accordance with **clause 17.2** within fourteen (14) days from the determination of the Term, the Lessor may at its option:

- (a) cause any such fixtures or fittings to be removed and stored at the cost of the Lessee and any such damage to be made good and any such alterations to be so re-altered and may recover the costs thereof from the Lessee as a liquidated debt payable on demand; or
- (b) elect to treat any such fixtures or fittings and any other chattels, stock or goods of the Lessee to be deemed abandoned by the Lessee and such property shall then be and become the property of the Lessor absolutely.

17.4 Peacefully Surrender

On Termination the Lessee must:

- (a) peacefully surrender and return to the Lessor the Premises in a condition consistent with the performance of the Lessee's Obligations under this Lease; and
- (b) surrender to the Lessor all keys and security access devices and combination for locks providing an access to or within the Premises held by the Lessee whether or not provided by the Lessor;

17.5 Obligations to continue

The Lessee's obligations under this clause will continue, notwithstanding the end or Termination of this Lease.

Lessor's Rights & Obligations

18. Provide keys

If required to gain access to the Premises, the Lessor will provide the Lessee with one (1) set of keys for access to the Premises and all rooms therein upon the signing of the Lease.

19. Lessor's Right of Entry**19.1 Entry on Reasonable Notice**

The Lessee must permit entry by the Lessor or any Authorised Person onto the Premises without notice in the case of an emergency, and otherwise upon receipt of a minimum of 72 hours notice:

- (a) at all reasonable times;
- (b) with or without workmen and others;

- (c) with or without plant, equipment, machinery and materials; and
- (d) for each of the following purposes:
 - (i) to undertake property inspections to inspect the state of repair of the Premises and to ensure compliance with the terms of this Lease;
 - (ii) to carry out any survey or works which the Lessor considers necessary, however the Lessor will not be liable to the Lessee for any compensation for such survey or works provided they are carried out in a manner which causes as little inconvenience as is reasonably possible to the Lessee;
 - (iii) to comply with the Lessor's Obligations or to comply with any notice or order of any authority in respect of the Premises for which the Lessor is liable; and
 - (iv) to do all matters or things to rectify any breach by the Lessee of any term of this Lease but the Lessor is under no obligation to rectify any breach and any rectification under this clause is without prejudice to the Lessor's other rights, remedies or powers under this Lease.

19.2 Costs of Rectifying Breach

All costs and expenses incurred by the Lessor as a result of any breach referred to at clause 19.1(d)(iv) together with any interest payable on such sums will be a debt due to the Lessor and payable to the Lessor by the Lessee on demand.

20. Limit of Lessor's Liability

20.1 No Liability for Loss on Premises

The Lessor will not be liable for loss, damage or injury to any person or property in or about the Premises, however occurring, unless the Lessor, or its servants, agents, contractors or invitees have through any negligent act or omission caused or contributed to the loss, damage or injury.

20.2 Limit on Liability for Breach of Lessor's Obligations

- (1) The Lessor is only liable for breaches of the Lessor's Obligations set out in this Lease which occur while the Lessor remains the management body of the Land under the *Land Administration Act 1997*; and
- (2) The Lessor will not be liable for any failure to perform and observe any of the Lessor's Obligations due to any cause beyond the Lessor's control.

Mutual Agreements

21. Damage or Destruction of Premises

21.1 Abatement of Rent

If the Premises are at any time during the Term, without neglect or default of the Lessee, destroyed or damaged by fire or other risk covered by insurance so as to render the same unfit for the occupation and use of the Lessee, then the Rent or a proportionate part thereof (according to the nature and extent of the damage) shall abate until the Premises have been rebuilt or made fit for the occupation and use of the Lessee.

21.2 Dispute as to Abatement of Rent

Any dispute arising in relation to the abatement of rent pursuant to clause 21.1 shall be referred to arbitration under the provisions of the *Commercial Arbitration Act 1985* and the full Rent must be paid without any deduction or abatement until the date of the arbitrator's award whereupon the Lessor will refund to the Lessee any Rent which according to the award appears to have been overpaid.

21.3 Termination

In the event that fifty per cent (50%) or more of the gross lettable area (not including Common Areas) of the Centre or of the building in which the Premises are situated are damaged or destroyed by fire or any like casualty the Lessor will have the option to be exercised by notice in writing delivered to the Lessee within sixty (60) days of such occurrence, to elect to cancel and terminate this Lease. The Term will terminate upon such notice being given and the Lessee must vacate the Premises and surrender the same to the Lessor but such termination will be without prejudice to the Lessor's rights in respect of any antecedent breach of this Lease.

22. Option to Renew

22.1 Exercise of Option

If the Lessee at least one month, but not earlier than 6 months, prior to the date for commencement of the Further Term gives the Lessor a Notice to grant the Further Term as specified in Item 3 of the Schedule and:

- (a) all consents and approvals required by the terms of this Lease or at law have been obtained;
- (b) there is no subsisting default by the Lessee at the date of service of the Notice in:
 - (i) the payment of Amounts Payable; or
 - (ii) the performance or observance of the Lessee's Obligations; and
- (c) the Lessor does not intend to redevelop or otherwise use the Premises in the proposed Further Term period;

the Lessor shall grant to the Lessee a lease for the Further Term as specified in **Item 3** of the Schedule at the Rent and on terms and conditions similar to this Lease other than this **clause 22** in respect of any Further Term previously taken or the subject of the present exercise and on such other terms and conditions as the Lessor may consider appropriate and, in respect of **subclause 22.1(c)**, the Lessor is not required to give any evidence or notice of its intention to use the Land provided that, in the event that the Lessee gives a Notice to grant the Further Term, such an intention is expressed to the Lessee at least one month prior to the date for commencement of the Further Term AND the Lessee indemnifies the Lessor against any claims for any loss or damage suffered by the Lessee as a result of the Lessor's refusal of a Further Term on the basis of **subclause 22.1(c)** however so arising.

23. Holding Over

If the Lessee remains in possession of the Premises after the expiry of the Term with the consent of the Lessor, the Lessee will be a monthly tenant of the Lessor at a rent equivalent to one twelfth of the Rent for the period immediately preceding expiry of the Term and otherwise on the same terms and conditions of this Lease provided that all consents required under this Lease or at law have been obtained to the Lessee being in possession of the Premises as a monthly tenant.

24. Default

24.1 Events of Default

A default occurs if:

- (a) any Amounts Payable remain unpaid for 14 days after becoming due whether or not a demand or Notice has been given to the Lessee
- (b) the Lessee is in breach of any of the Lessee's Obligations for 28 days after a Notice has been given to the Lessee to rectify the breach or to pay compensation in money,
- (c) where the Lessee is an association which is incorporated under the *Associations Incorporations Act 1987*, the association is wound up whether voluntarily or otherwise;
- (d) where the Lessee is an association which is incorporated under the *Associations Incorporations Act 1987*, the Lessee passes a special resolution under the *Associations Incorporation Act 1997* altering its rules of association in a way that makes its objects or purposes inconsistent with the use permitted by this Lease;
- (e) a mortgagee takes possession of the property of the Lessee under this Lease;
- (f) any execution or similar process is made against the Premises on the Lessee's property;
- (g) the Premises are vacated; or

- (h) a person other than the Lessee or a permitted sublessee or assignee is in occupation or possession of the Premises or in receipt of a rent and profits.

24.2 Forfeiture

On the occurrence of any of the events of default specified in **clause 24.1** the Lessor may:

- (a) without notice or demand at any time enter the Premises and on re-entry the Term will immediately determine;
- (b) by notice to the Lessee determine this Lease and from the date of giving such notice this Lease will be absolutely determined; and
- (c) by notice to the Lessee elect to convert the unexpired portion of the Term into a tenancy from month to month when this Lease will be determined as from the giving of the notice and until the tenancy is determined the Lessee will hold the Premises from the Lessor as a tenant from month to month under **clause 23**,

but without affecting the right of action or other remedy which the Lessor has in respect of any other breach by the Lessee of the Lessee's Obligations or releasing the Lessee from liability in respect of the Lessee's Obligations.

24.3 Lessor May Remedy Lessee's default

If the Lessee:

- (a) fails or neglects to pay the Amounts Payable by the Lessee under this Lease, or
- (b) does or fails to do anything which constitutes a breach of the Lessee's Obligations,

then, after the Lessor has given to the Lessee notice of the breach and the Lessee has failed to rectify the breach within a reasonable time, the Lessor may without affecting any right, remedy or power arising from that default pay the money due or do or cease the doing of the breach as if it were the Lessee and the Lessee must pay to the Lessor on demand the Lessor's cost and expenses of remedying each breach or default.

24.4 Acceptance of Amount Payable By Lessor

Demand for or acceptance of the Amounts Payable by the Lessor after an event of default has occurred will not affect the exercise by the Lessor of the rights and powers of the Lessor by the terms of the Lease or at law and will not operate as an election by the Lessor to exercise or not to exercise any right or power.

24.5 Essential Terms

Each of the Lessee's Obligations in **clauses 3** (Rent and Other Payments), **6** (Insurance), **7** (Indemnity), **8** (Use), **10** (Maintenance, Repair and Cleaning), **14** (No Assignment, Subletting and Charging) and **27** (Goods and Services Tax) is an

essential term of this Lease but this **clause 24** does not mean or imply that there are no other essential terms in this Lease.

24.6 Breach of Essential Terms

If the Lessee breaches an essential term of this Lease then, in addition to any other remedy or entitlement of the Lessor:

- (a) the Lessee must compensate the Lessor for the loss or damage suffered by reason of the breach of that essential term;
- (b) the Lessor will be entitled to recover damages against the Lessee in respect of the breach of an essential term; and
- (c) the Lessee AGREES with the Lessor that if the Term is determined:
 - (i) for breach of an essential term or the acceptance by the Lessor of a repudiation of this Lease by the Lessee; or
 - (ii) following the failure by the Lessee to comply with any notice given to the Lessee to remedy any default.

the Lessee must pay to the Lessor on demand the total of the Amounts Payable under this Lease which would have been payable by the Lessee for the unexpired balance of the Term as if the Term had expired by lapse of time together with the losses incurred or reasonably expected to be incurred by the Lessor as a result of the early determination including but not limited to the costs of re-letting or attempting to re-let the Premises;

- (d) the Lessee agrees that the obligation set out in this **clause 24.6(c)** will survive termination or any deemed surrender at law of the estate granted by this Lease;
- (e) the Lessor must take reasonable steps to mitigate its losses and endeavour to re-let the Premises at a reasonable rent and on reasonable terms but the Lessor is not required to offer or accept rent or terms which are the same or similar to the rent or terms contained or implied in this Lease.

25. Disputes

25.1 Appointment of Arbitrator

Except as otherwise provided any dispute arising out of this Lease is to be determined by a single arbitrator under the provisions of the Commercial Arbitration Act 1985 and the Lessor and the Lessee may each be represented by a legal practitioner.

25.2 Payment of Amounts Payable to Date of Award

The Lessee must pay the Amounts Payable without deduction to the date of the award of the Arbitrator or the date of an agreement between the Parties whichever event is the earlier, and if any money paid by the Lessee is not required to be paid within the terms of the award of the Arbitrator or by agreement between the Lessor and the Lessee then the Lessor will refund to the Lessee the monies paid.

26. Consents

26.1 Western Australian Planning Commission's Consent

If for any reason whatsoever this Lease requires the consent of the Western Australian Planning Commission or other consent under the *Planning and Development Act 2005*, then this Lease is made expressly subject to and conditional on the granting of that consent in accordance with the provisions of the *Planning and Development Act 2005*.

26.2 Minister for Land's Consent

In the event that the Land is subject to the provisions of the *Land Administration Act 1997* the grant of this Lease is made expressly subject to and is conditional on the consent of the Minister for Lands to this Lease.

27. Goods and Services Tax

(1) Lessee must Pay

If GST is payable on the Basic Consideration or any part thereof or if the Lessor is liable to pay GST in connection with the lease of the Premises or any goods, services or other Taxable Supply supplied under this Lease then, unless the Lessor is liable for the payment of a given Taxable Supply, as from the date of any such introduction or application:

- (i) the Lessor may increase the Basic Consideration or the relevant part thereof by an amount which is equal to the GST Rate; and
- (ii) the Lessee shall pay the increased Basic Consideration on the due date for payment by the Lessee of the Basic Consideration.

(2) Increase in GST

If, at any time, the GST Rate is increased, the Lessor may, in addition to the GST Rate, increase the Basic Consideration by the GST Adjustment Rate and such amount shall be payable in accordance with **sub-clause (1)**.

(3) GST invoice

Where the Basic Consideration is to be increased to account for GST pursuant to **sub-clause (2)**, the Lessor shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the Lessee to submit a claim for a credit or refund of GST.

28. Additional Terms and Conditions

Each of the terms and conditions (if any) specified in **Item 9** of the Schedule are part of this Lease and are binding on the Lessor and the Lessee as if incorporated into the body of this Lease.

General Provisions

29. Notice

29.1 Form of Delivery

A Notice to a person must be in writing and may be given or made:

- (a) by a delivery to the person personally; or
- (b) by addressing it to the person and leaving it at or posting it by registered post to the address of the Party appearing in this Lease or any other address nominated by a Party by notice to the other.

29.2 Service of Notice

A Notice to a person is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in **clause 29.1**, at the time of leaving the Notice provided the Notice is left during normal business hours; and
- (c) if by post to an address specified in **clause 29.1**, on the second business day following the date of posting of the Notice.

29.3 Signing of Notice

A Notice to a person may be signed:

- (a) if given by an individual by the person giving the Notice;
- (b) if given by a corporation by a director, secretary or manager of that corporation; or
- (c) if given by a local government, by the CEO or a person authorised to sign on behalf of the local government; or
- (d) by a solicitor or other agent of the person, corporation or local government giving the Notice.

30. Amendments to Lease

Subject to such consents as are required by this Lease or at law, this Lease may be varied by the agreement of the parties in writing.

31. Waiver

31.1 No General Waiver

Failure to exercise or delay in exercising any right, power or privilege in this Lease by a Party does not operate as a waiver of that right, power or privilege.

31.2 Partial Exercise of Right Power or Privilege

A single or partial exercise of any right, power or privilege does not preclude any other or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

32. Acts by Agents

All acts and things which the Lessor is required to do under this Lease may be done by the Lessor, the CEO, an officer or the agent, solicitor, contractor or employee of the Lessor.

33. Statutory Powers

The powers conferred on the Lessor by or under any statutes for the time being in force are, except to the extent that they are inconsistent with the terms and provisions expressed in this Lease, in addition to the powers conferred on the Lessor in this Lease.

34. Further Assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Lease.

35. Severance

If any part of this Lease is or becomes void or unenforceable, that part is or will be severed from this Lease to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

36. Moratorium

The provisions of a statute which would but for this clause extend or postpone the date of payment of money, reduce the rate of interest or abrogate, nullify, postpone or otherwise affect the terms of this Lease do not, to the fullest extent permitted by law, apply to limit the terms of this Lease.

37. Governing Law

This Lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

Definitions & Interpretations

38. Definitions

In this Lease, unless otherwise required by the context or subject matter:

Amounts Payable means the Rent and any other money payable by the Lessee under this Lease;

Authorised Person means:

- (a) an agent, employee, licensee or invitee of the Lessor; and
- (b) any person visiting the Premises with the consent or implied consent of any person mentioned in paragraph (a);

Basic Consideration means all consideration (whether in money or otherwise) to be paid or provided by the Lessee for any supply or use of the Premises and any goods, services or other things provided by the Lessor under this Lease (other than tax payable pursuant to this clause);

Centre means the Railway Building situated on the Land in its entirety.

CEO means the Chief Executive Officer for the time being of the Lessor or any person appointed by the Chief Executive Officer to perform any of her or his functions under this Lease;

Commencement Date means the date of commencement of the Term specified in **Item 4** of the Schedule;

Common Areas means all those parts of the Centre not leased to any lessee and intended for shared use by the lessees of the Centre and their respective customers in common with each other including the toilet, lunchroom, meeting room, all parking areas, roads, walkways, corridors, passageways and washrooms in on or about the Centre plan;

Encumbrance means a mortgage, charge, lien, pledge, easement, restrictive covenant, writ, warrant or caveat and the claim stated in the caveat;

Further Term means each further term specified in **Item 3** of the Schedule;

Good Repair means good and substantial tenantable repair and in clean, good working order and condition;

GST has the meaning that it bears in the GST Act;

GST Act means *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and any legislation substituted for, replacing or amending that Act;

GST Adjustment Rate means the amount of any increase in the rate of tax imposed by the GST Law;

GST Law has the meaning that it bears in section 195-1 of the GST Act;

GST Rate means 10%, or such other figure equal to the rate of tax imposed by the GST Law;

Input Tax Credit has the meaning that it bears in section 195-1 of the GST Act.

Interest Rate means the rate at the time the payment falls due being 2% greater than the Lessor's general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00, which rate cannot exceed the rate prescribed by, and imposed in accordance with, section 6.13 of the *Local Government Act 1995*;

Land means the land described at **Item 1** of the Schedule;

Lease means this deed as supplemented, amended or varied from time to time;

Lessee's Obligations means the agreements and obligations set out or implied in this Lease or imposed by law to be performed by any person other than the Lessor;

Lessor's Obligations means the agreements and obligations set out or implied in this Lease, or imposed by law to be performed by the Lessor;

Management Order means a management order made under section 46 of the Land Administration Act 1997, under which the Land was vested in the Lessor to be held for the designated purpose of "Works Depot and Community Purposes";

Notice means each notice, demand, consent or authority given or made to any person under this Lease;

Party means the Lessor or the Lessee according to the context;

Premises means the premises described at **Item 1** of the Schedule;

Rent means the rent specified in **Item 5** of the Schedule;

Rent Review Date means a date identified in **Item 8** of the Schedule;

Schedule means the Schedule to this Lease;

Tax Invoice has the meaning which it bears in section 195-1 of the GST Act;

Taxable Supply has the meaning which it bears in section 195-1 of the GST Act.

Term means the term of years specified in **Item 2** of the Schedule and any Further Term; and

Termination means expiry by lapse of time or sooner determination of the Term or any period of holding over.

39. Interpretation

In this Lease, unless expressed to the contrary:

- (a) Words using:

- (i) the singular include the plural;
 - (ii) the plural include the singular; and
 - (iii) any gender includes each gender;
- (b) A reference to:
- (i) a natural person includes a body corporate or local government; and
 - (ii) a body corporate or local government includes a natural person;
- (c) A reference to a professional body includes a successor to or substitute for that body;
- (d) A reference to a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
- (e) A reference to a statute, ordinance, code, regulation, award, town planning scheme or other law includes a regulation, local law, by-law, requisition, order or other statutory instruments under it and any amendments to re-enactments of or replacements of any of them from time to time in force;
- (f) A reference to a right includes a benefit, remedy, discretion, authority or power;
- (g) A reference to an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
- (h) A reference to this Lease or provisions or terms of this Lease or any other deed, agreement, instrument or contract include a reference to:
- (i) both express and implied provisions and terms; and
 - (ii) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
- (i) A reference to writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
- (j) Any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
- (k) If a Party comprises two or more persons the obligations and agreements on their part bind and must be observed and performed by them jointly and each of them severally and may be enforced against any one or more of them;
- (l) The agreements and obligations on the part of the Lessee not to do or omit to do any act or thing include:

- (i) an agreement not to permit that act or thing to be done or omitted to be done by an Authorised Person; and
 - (ii) an agreement to do everything necessary to ensure that that act or thing is not done or omitted to be done;
- (m) Except in the Schedule headings do not affect the interpretation of this Lease.

DRAFT

Schedule

Item 1: Land and Premises

(a) Land

Reserve 49941 being Lot 301 on Deposited Plan 48381 and being the whole of the land comprised in Crown Land Certificate of Title Volume LR3156 Folio 149.

(b) Premises

That portion of the Land depicted on the sketch annexed hereto together with all buildings and improvements situated thereon.

Item 2: Term

Ten (10) years commencing on 1 January 2012 and expiring on 31 December 2021.

Item 3: Further Term

Ten (10) years commencing on 1 January 2022 and expiring on 31 December 2031.

Item 4: Commencement Date

1 January 2012.

Item 5: Rent

One dollar payable on demand

Item 6: Use

Community Radio Station

Item 7: Public Liability Insurance

\$10,000,000 (Ten Million Dollars) any one claim.

Item 8: Rent Review

Not applicable

Item 9: Additional Terms and Conditions

1. Lessee to obtain Certificate of Classification

- (a) The Lessee shall not occupy and commence use of the Premises prior to obtaining a Certificate of Classification from the Building Surveyor of the Shire of Toodyay in respect of the Premises.
- (b) The Lessee shall obtain a Certificate of Classification in respect of the Premises by no later than 31 December 2013.

2. Failure to comply with Item 9.1

The failure of the Lessee to comply with either sub-clause (a) or (b) of Item 9.1 shall constitute a default for the purposes of cl. 24.1.

3. Use of Common Areas

The Lessee is entitled to non-exclusive, shared use of the Common Areas together with other tenants in the Centre, provided the Lessee ensures the Common Areas are left in a clean and tidy state following such use.

4. No fetter

Notwithstanding any other provision of this Deed, the parties acknowledge that the Shire is a local government established by the *Local Government Act 1995*, and in that capacity, the Shire may be obliged to determine applications for consents, approvals, authorities, licences and permits having regard to any written law governing such applications including matters required to be taken into consideration and formal processes to be undertaken, and the Shire shall not be taken to be in default under this Deed by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Deed fetter the Shire in performing its statutory obligations or exercising any discretion.

Signing page

EXECUTED on the _____ day of _____ 2012

THE COMMON SEAL of the SHIRE of)
TOODYAY was hereunto affixed in the)
presence of)

PRESIDENT

(Print Full Name)

CHIEF EXECUTIVE OFFICER

(Print Full Name)

THE COMMON SEAL of TOODYAY COMMUNITY)
RADIO INC ("the Association") was hereunto affixed)
pursuant to the constitution of the Association in the)
presence of each of the undersigned each of whom)
hereby declares by the execution of this document that)
he or she holds the office in the Association indicated)
under his or her name:)

OFFICE HOLDER SIGN

OFFICE HOLDER SIGN

Office Held: CHAIRPERSON
Full Name: Steve Bannister
Address: 23 Timber Creek Crescent
(PO Box 1096)
TOODYAY WA 6566

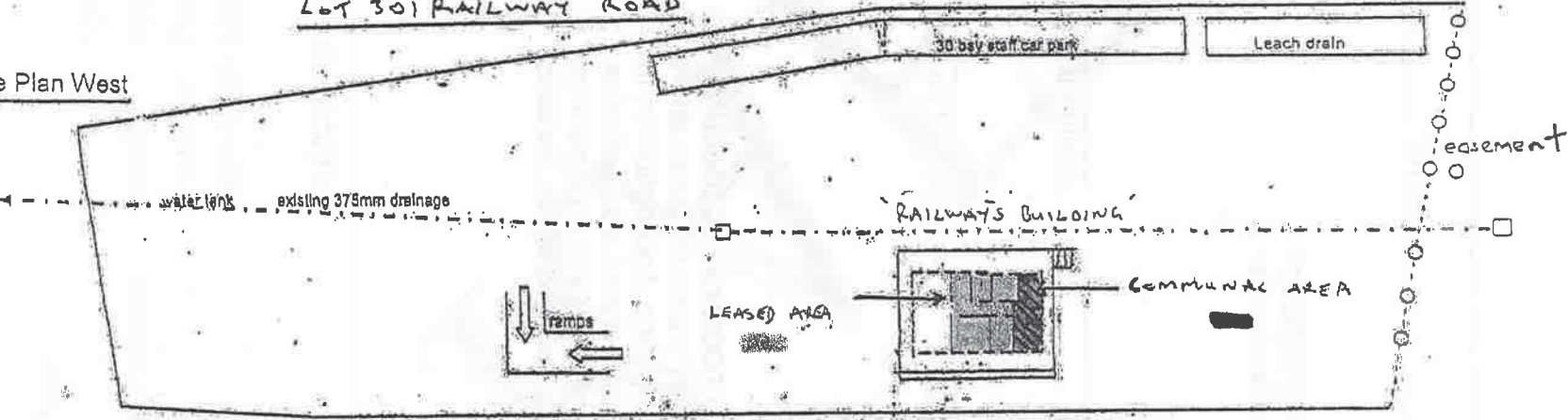
Office Held: VICE CHAIRPERSON
Full Name: Len Anderson
Address: 390 Toodyay West Road
TOODYAY WA 6566

CONSENT OF THE MINISTER FOR LANDS:

ANNEXURE 1

PART Site Plan West

LOT 301 RAILWAY ROAD



123

194



Government of **Western Australia**
Department of **Regional Development and Lands**
State Lands Services

Your ref:
Our ref: 50971-2007
Job No. 120060
Enquiries: George Poppas
Tel: (08) 6552 4571
Fax: (08) 6552 4417
Email: george.poppas@rdl.wa.gov.au

10 January 2012

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

Attention: Mr Sam Mastrolembo

SECTION 18 APPROVAL - RESERVE 49941

Thank you for your letter of 10 January 2012 in which you sought approval to lease Reserve No 49941.

Under Section 18(2) of the *Land Administration Act 1997 (LAA)* the prior approval of the Hon Minister for Lands as delegated is required for transactions involving interests in Crown Land.

It is understood that you propose to grant a lease on Reserve No 49941 to Toodyay Community Radio Inc for the purpose of Community Radio Station for a term of ten (10) years.

Reserve No. 49941 is set aside for the purpose of Works Depot and Community Purposes under the management of the Shire of Toodyay, the Management Order providing for power to lease for any term up to 21 years subject to the prior approval of the Minister for Lands.

Based on the information provided, RDL has no objection in principle to you arranging a lease as proposed above.

Please proceed to arrange the preparation of a lease document (in duplicate).

In the preparation of the document, the attached checklist needs to be considered for registration issues under the *Transfer of Land Act 1893 (TLA)*.

Level 2, 140 William Street, Perth, Western Australia 6000
Postal Address: PO Box 1143, West Perth, Western Australia 6872
Telephone: (08) 6552 4400 Facsimile: (08) 6552 4417 Free call: 1800 735 784 (country only)
<http://www.rdl.wa.gov.au> ABN 28 807 22 1246

On lodgement of your document (in duplicate), it will still be subject to the registration requirements of the TLA and if necessary you may receive requisition notices from the Registrar of Titles. This may result in a stopped document or a request to withdraw the document from registration.

This in principle approval to deal in Crown land is valid for six (6) months from the date of this letter. Within this time your document, following execution of the documents, must receive final approval by producing the final document to the relevant Regional Manager.

Upon the expiration of this approved period, if the transaction has not been lodged for registration, you will need to make another submission to RDL.

Should you have any enquires, please do not hesitate to contact me.

Yours faithfully



George Poppas
for MANAGER
STATE LANDS – WHEATBELT
LANDS DIVISION

REGISTRATION ISSUES CHECKLIST

This checklist is intended as a guide to assist you with the document preparation and subsequent registration requirements under the TLA

- *states the full land description (Lot/Location, Plan Diagram number and Crown Land Title No.).*
- *provides a sketch where only part of a lot over reserve or leased land showing the area affected by the dealing, including dimensions. Area should be "stippled" or "hatched", not "shaded" or "coloured".*
- *clearly state the nature of the interest being granted which must be compatible with the reserve purpose.*
- *if a lease, state the starting date and length of term and rental.*
- *includes lodging details and issuing instructions if duplicate documents are to be returned to someone other than the lodging party.*
- *clearly identifies the parties involved.*
- *where a sublease, specifies the term and rental.*
- *Assignments of lease are no longer acceptable and must be in the form of a registrable transfer of lease.*
- *The parties in a document are correct in maintaining the chain of title of prior approved dealings over an interest. For example, if approval is sought for a mortgage of a leasehold interest, make sure the current approved lessee is the mortgagor on a mortgage document. If not, the mortgage cannot be registered without the prior transfer of that leasehold interest.*
- *Ensure that any dealing is not over an expired lease.*
- *Ensure that the land is not subject to a notice of intention to resume. If so, approval under section 172 of the LAA must also be given.*
- *Determining that basic registration requirements are considered in the content of the interest. For example a variation, extension or transfer of lease cannot include additional land into the lease.*
- *Lease term plus any other is to extend the term must not exceed the authorised period of lease.*
- *Leases and other registrable dealings over Crown land must be registered to achieve a registrable interest.*

Level 2, 140 William Street, Perth, Western Australia 6000
 Postal Address: PO Box 1143, West Perth, Western Australia 6872
 Telephone: (08) 6552 4400 Facsimile: (08) 6552 4417 Free call: 1800 735 784 (country only)
<http://www.rdl.wa.gov.au> ABN 28 807 22 1246

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Government of Western Australia
 Department of Regional Development and
 State Lands Services

Attachment Two
 Council Forum 5 Nov 2013
 7.4 Toodyay Community Radio

Your ref: SM:MR ICR1011567
 LEG014/OLM11993
 Our ref: 50971-2007
 Job No. 120060
 Enquiries: George Poppas
 Tel: (08) 6552 4571
 Email: george.poppas@rdl.wa.gov.au

20 February 2012

Mr Sam Mastrolembo
 Deputy Chief Executive Officer
 Shire of Toodyay
 PO Box 96
 TOODYAY WA 6566

SHIRE OF TOODYAY	
Record Number:	ICM 16110
23 FEB 2012	
Officer / Dept:	D/CEO
File Number:	LEG014

Dear Mr Mastrolembo

LEASE AGREEMENT – LOT 301 RAILWAY ROAD, RESERVE 49941

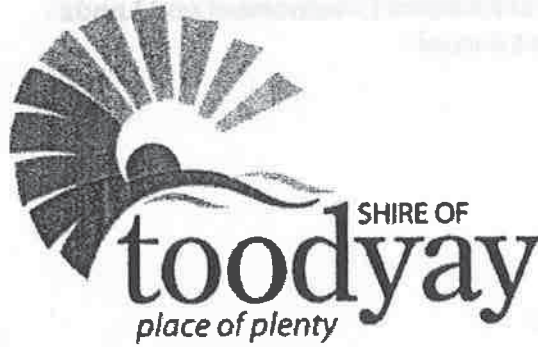
I refer to your letter dated 15 February 2012 and enclose the Lease Agreement document (in triplicate) which has been endorsed with Ministerial Consent as requested.

The Ministerial Consent stamp pursuant to section 18 of the *Land Administration Act 1997* (LAA) is all that is required from an LAA perspective to allow registration at Landgate.

Should you have any enquires, please do not hesitate to contact me.

Yours faithfully

George Poppas
 A/Team Leader, Wheatbelt



LEASE AGREEMENT

**PORTION OF RESERVE 49941
LOT 301 RAILWAY ROAD
WEST TOODYAY 6566**

Between the

**Shire of Toodyay
15 Fiennes Street, Toodyay WA 6566**

and

**Toodyay Community Radio Inc
(Business No A1014946N)
23 Timber Creek Crescent, Toodyay WA 6566**

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Details

Parties

Shire of Toodyay

of 15 Fiennes Street, Toodyay, Western Australia, 6566
(Lessor)

Toodyay Community Radio Inc

Of 23 Timber Creek Crescent, Toodyay, Western Australia, 6566
(Lessee)

Background

- A. The Lessor is the management body of the land described in **Item 1** of the Schedule under the Management Order (**Land**).
- B. Under the Management Order the Lessor has the power to lease the Land for any term not exceeding 21 years, subject to the approval of the Minister for Lands first being obtained.
- C. The Lessee has requested that the Lessor grant it a lease of that portion of the Land described in **Item 1** of the Schedule (**Premises**), and the Lessor has agreed subject to the Parties entering into this agreement.

Agreed terms

1. Grant of Lease

The Lessor leases to the Lessee the Premises for the Term subject to:

- (a) any consent required in accordance with clause 26;
- (b) all Encumbrances;
- (c) the payment of the Amounts Payable; and
- (d) the performance of the Lessee's Obligations.

Lessee's rights and obligations

2. Quiet Enjoyment

Except as provided in the Lease, subject to the performance of the Lessee's Obligations the Lessee may quietly hold and enjoy the Premises during the Term without any interruption or disturbance from the Lessor or persons lawfully claiming through or under the Lessor.

3. Rent and Other Payments

The Lessee AGREES with the Lessor:

(a) Rent

To pay to the Lessor the Rent in the manner set out at Item 5 of the Schedule from the Commencement Date clear of any deductions whatsoever.

(b) Outgoings

(i) To pay to the Lessor or to such person as the Lessor may from time to time direct upon demand and punctually all the following outgoings or charges (if applicable), assessed or incurred in respect of the Premises:

- (A) Rubbish collection charges;
- (B) Fire Emergency Services Authority Levy;
- (C) Water charges;
- (D) Telephone charges
- (E) Wiring, internet and telephone connections
- (F) Electricity and power consumption charges;

- (G) Gas consumption charges;
- (H) Meter installation;
- (I) Maintenance costs;
- (J) Land taxes; and
- (K) Any other consumption charge or cost, statutory impost or other obligation incurred or payable by reason of the Lessee's use and occupation of the Premises.

(ii) If the Premises are not separately charged or assessed the Lessee will pay to the Lessor a proportionate part of any charges or assessments referred to in clause 3(b)(i) being the proportion that the Premises bears to the total area of the land or premises included in the charge or assessment.

(c) Interest

Without affecting the rights, power and remedies of the Lessor under this Lease, to pay to the Lessor interest on demand on any Amounts Payable which are unpaid for 35 days computed from the due date for payment until payment is made and any interest payable under this paragraph will be charged at the Interest Rate.

(d) Costs

(i) To pay to the Lessor on demand:

- (A) all statutory duties or taxes payable on or in connection with this Lease;
- (B) all registration fees in connection with this Lease; and
- (C) all legal costs of and incidental to the instructions for the preparation, execution and stamping of this Lease and all copies

(ii) To pay to the Lessor all costs, legal fees, disbursements and payments incurred by or for which the Lessor is liable in connection with or incidental to:

- (A) any breach of an obligation or agreement by the Lessee or an Authorised Person;
- (B) the preparation and service of a notice under Section 81 of the Property Law Act 1969 requiring the Lessee to remedy a breach even though forfeiture for the breach may be avoided in a manner other than by relief granted by a Court;
- (C) any work done at the Lessee's request; and
- (D) any action or proceedings arising out of or incidental to any matters referred to in this clause 3(d) or any matter arising out of this Lease.

4. Accrual of Amounts Payable

Amounts Payable accrue on a daily basis.

5. Payment of Money

Any Amounts Payable to the Lessor under this Lease must be paid to the Lessor at the address of the Lessor referred to in the Lease or as otherwise directed by the Lessor by Notice from time to time.

6. Insurance

6.1 Insurance required

The Lessee must effect and maintain with insurers approved by the Lessor (noting the Lessor's and the Lessee's respective rights and interest in the Premises) for the time being:

- (a) adequate public liability insurance for a sum not less than the sum set out at Item 7 of the Schedule in respect of any one claim or such greater amount as the Lessor may from time to time reasonably require; and
- (b) where the Lessor so requires, insurance to cover the Lessee's fixtures, fittings, equipment and stock against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which a lessee can and does ordinarily insure in their full replacement value, and loss from theft or burglary.

6.2 Details and Receipts

In respect of the insurances required by clause 6.1 the Lessee must:

- (a) on demand supply to the Lessor details of the insurances and give to the Lessor copies of the certificates of currency in relation to those insurances;
- (b) promptly pay all premiums and any excess that may become payable and produce to the Lessor each policy or certificate of currency and each receipt for premiums or certificate of currency issued by the insurers;
- (c) notify the Lessor immediately:
 - (i) when an event occurs which gives rise or might give rise to a claim under or which could prejudice a policy of insurance; or
 - (ii) when a policy of insurance is cancelled.
- (d) apply the proceeds of any claim made under any of the insurance policies to the purpose for which the insurance was effected and to restore, replace, repair or reinstate the loss the subject of the claim.

6.3 Not to Invalidate

The Lessee must not do or omit to do any act or thing or bring or keep anything on the Premises which might;

- (a) render any insurance effected under clause 6.1 on the Premises, or any adjoining premises, void or voidable;
- (b) cause the rate of a premium to be increased for the Premises or any adjoining premises (except insofar as an approved development may lead to an increased premium).

6.4 Reports

Each party must report to the other promptly in writing and in an emergency verbally:

- (a) any damage to the Premises of which they are or might be aware; and
- (b) any circumstances of which they are aware and which are likely to be a danger or cause any damage or danger to the Premises or to any person who is lawfully using or may lawfully use the Premises.

6.5 Lessee May be Required to Pay Excess on Insurances

The Lessee AGREES with the Lessor that it shall be responsible to pay any excess payable in connection with the insurances referred to in clause 6.1.

6.6 Lessee's equipment and possessions

The Lessee ACKNOWLEDGES it is responsible to obtain all relevant insurances to cover any damage and/or theft to its property. The Lessor does not take any responsibility for the loss or damage of the Lessee's property.

7. Indemnity

7.1 Indemnity

The Lessee indemnifies the Lessor and the Minister for Lands against any liability or loss arising from and any costs, charges and expenses caused by the Lessee or its servants, agents, contractors or invitees incurred in connection with:

- (a) any damage to the Premises, or any loss of or damage to anything on it; and
- (b) any injury to any person on the Premises,

and for which the Lessor or the Minister for Lands becomes liable except to the extent such damage, loss or injury is caused or contributed to by any negligent act of the Lessor or its servants, agents, contractors or invitees.

7.2 Indemnity Unaffected by Insurance

- (1) The Lessee's obligation to indemnify the Lessor under this Lease or at law is not affected by any insurance maintained by the Lessor in respect of the Premises and the indemnity under clause 7.1 is paramount.

8. Use

8.1 Restrictions on Use

(a) Generally

The Lessee must not and must not suffer or permit a person to:

- (i) use the Premises or any part of it for any purpose other than for the purposes for which the Premises are held by the Lessee, as set out at **Item 6** of the Schedule; or
- (ii) use the Premises for any purpose which is not permitted under any local planning scheme, local laws, acts, statutes or any law relating to health.

(b) No offensive or illegal acts

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any harmful, offensive or illegal act, matter or thing.

(c) No nuisance

The Lessee must not and must not suffer or permit a person to do or carry out on the Premises any thing which causes a nuisance, damage or disturbance to the Lessor or to owners or occupiers of adjoining properties.

(d) No dangerous substances

The Lessee must not and must not suffer or permit a person to store any dangerous compound or substance on or in the Premises, otherwise than in accordance with the following provisions:

- (i) any such storage must comply with all relevant statutory provisions;
- (ii) all applications for the approval or renewal of any licence necessary for such storage must be first referred to the Lessor;
- (iii) the Lessor may within its absolute discretion refuse to allow the storage of any particular dangerous compound or substance on the Premises; and
- (iv) upon the request of the Lessor, the Lessee will provide a list of all dangerous compounds or substances stored on the Premises.

(e) No harm or stress

The Lessee must not and must not suffer or permit a person to do any act or thing which might result in excessive stress or harm to any part of the Premises.

(f) **No unauthorised signs**

The Lessee must not and must not suffer or permit a person to display from or affix any signs, notices or advertisements on the Premises without the prior written consent of the Lessor.

(g) **No smoking**

The Lessee must not suffer or permit a person to smoke in any building on the Premises.

(h) **Sale of Alcohol**

The Lessee will not sell or supply liquor from the Premises or allow liquor to be sold or supplied from the Premises without the prior written consent of the Lessor and then only in accordance with the provisions of the Liquor Control Act 1988, Health (Food Hygiene) Regulations 1993, Liquor Licensing Regulations 1989 and any other relevant written laws that may be in force from time to time.

(i) **Removal of rubbish**

The Lessee must keep the Premises free from dirt and rubbish and to store and keep all trade waste and garbage in proper receptacles.

(j) **No breach of copyright**

The Lessee shall not do any act, nor authorise or permit any person to do any act, that constitutes a breach or infringement of copyright under the *Copyright Act 1968* (Cth).

(k) **No pollution**

The Lessee must do all things necessary to prevent pollution or contamination of the Premises by garbage, refuse, waste matter, oil and other pollutants.

(l) **Toilets**

The Lessee must not use toilets or other sanitary appliances on the Premises for any purpose other than that for which they were constructed and must not obstruct or otherwise affect or damage the same.

8.2 No Warranty

The Lessor gives no warranty:

- (a) as to the suitability of the Premises for the purpose set out in Item 6; or
- (b) that the Lessor will issue any consents, approvals, authorities, permits or licences required by the Lessee under any statute for its use of the Premises.

8.3 Premises Subject to Restriction

The Lessee accepts the Premises for the Term subject to any existing prohibition or restriction on the use of the Premises.

8.4 Indemnity for Costs

The Lessee indemnifies the Lessor against any claims or demands for all costs, on a solicitor client basis, incurred by the Lessor by reason of any claim in relation to any matters set out in this clause.

9. Keys and Access

9.1 No additional copies without approval

Unless otherwise approved by the Lessor in writing, the Lessee, where it has been provided with keys to the Premises by the Lessor, must not have additional sets of keys copied or cut.

9.2 Notify the Lessor of lost keys

- (a) The Lessee must notify the Lessor of any loss of keys immediately; and
- (b) To ensure all keys conform with the Lessor's master keys, the Lessor will arrange for replacement keys to be issued to the Lessee at the Lessee's cost.

9.3 No change of locks without approval

- (a) The Lessee must not change any locks on the Premises.

9.4 Cost of re-entry

If the Lessor requires access to the Premises pursuant to its powers under this Lease, and is unable to access the Premises due to an unauthorised change in locks, the Lessor may take all such measures to enter the Premises and to re-secure the Premises, and the Lessee will bear all costs associated with such measures.

9.5 Electronic Entry

The Lessor may approve electronic access to the leased area.

10. Maintenance, Repair and Cleaning

10.1 Generally

- (1) The Lessee AGREES during the Term and for so long as the Lessee remains in possession or occupation of the Premises to:
 - (a) maintain, replace, repair and keep the Premises (which for the avoidance of doubt includes the Lessor's fixtures and fittings if any) clean and in Good Repair having regard to the age and condition of the Premises at the Commencement Date PROVIDED THAT this subclause shall not impose on the Lessee any obligation:
 - (i) to carry out repairs or replacement that are necessary as a result of fair and reasonable wear and tear, EXCEPT when such repair or replacement is necessary because of any action or

omission of or on the part of the Lessee (or its servants, agents, contractors or invitees), or the Lessor's insurances are invalidated by any act, neglect or default by the Lessee (or its servants, agents, contractors or invitees); and

- (ii) in respect of any structural maintenance, replacement or repair EXCEPT when such maintenance, repair or replacement is necessary because of any action or omission of or on the part of the Lessee (or its servants, agents, contractors or invitees), or by the Lessee's particular use or occupancy of the Premises;
- (2) In discharging the obligations imposed on the Lessee under this subclause, the Lessee shall where maintaining, replacing or repairing:
- (a) any electrical fittings and fixtures;
 - (b) any plumbing;
 - (c) any air-conditioning fittings and fixtures; and
 - (d) any gas fittings and fixtures, in or on the Premises

use only licensed trades persons, or such trades persons as may be approved by the Lessor and notified to the Lessee, which approval shall not be unreasonably withheld.

10.2 Pest Control

The Lessee must keep the Premises free of any vermin or any other recognised pests and the cost of extermination will be borne by the Lessee.

10.3 Responsibility for securing Premises

The Lessee must ensure the Premises, including the Lessor's and Lessee's fixtures and fittings, are appropriately secured at all times.

10.4 Repaint Premises

The Lessee must every seven years during the Term and as general maintenance otherwise requires paint, paper or otherwise treat all such parts of the Premises as have been previously painted, or otherwise treated in a good and workmanlike manner and with good quality and suitable materials in colours first approved of by the Lessor.

10.5 Comply with all reasonable conditions

The Lessee must comply with all reasonable conditions, including but not limited to a requirement to repaint the Premises or part thereof, that may be imposed by the Lessor from time to time in relation to the Lessee's maintenance of the Premises.

10.6 Acknowledgement of State of Repair of Premises

The Lessee acknowledges that:

- (a) it has inspected the structure of the Premises internally and externally prior to the execution of this Lease and enters into the Lease with full knowledge of the state of repair of the Premises; and
- (b) the Lessor is not under any obligation to undertake repairs, including those of a structural or capital nature, to the Premises during the Term of the Lease.

10.7 Cleaning

The Lessee must keep the Premises and its entrances clean and tidy and not allow any rubbish to accumulate on or about the Premises.

11. Alterations

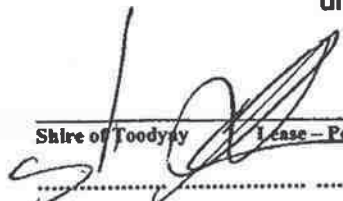
11.1 Restriction

The Lessee must not without prior written consent from the Lessor or any other person from whom consent is required under this Lease or required under statute in force from time to time, including but not limited to the planning approval of the Lessor under a local planning scheme of the Lessor:

- (a) make or allow to be made any alteration, addition or improvements to or demolish any part of the Premises; or
- (b) subject to the performance of the Lessee's obligations in **clause 10**, remove any flora or fauna, alter or cut down any flora, or sell, remove or otherwise dispose of any flora, sand, gravel, timber or other materials from the Premises.

11.2 Consent

- (1) If the Lessor and any other person whose consent is required under this Lease or at law consents to any matter referred to in **clause 11.1** the Lessor may:
 - (a) give such consent subject to conditions; and
 - (b) require that the works be carried out in accordance with plans and specifications approved by the Lessor or any other person giving consent; and
 - (c) require that any works be carried out to the satisfaction of the Lessor under the supervision of an engineer or other consultant; and
- (2) If the Lessor consents to any matter referred to in **clause 11.1**:
 - (a) the Lessor gives no warranty that the Lessor will issue any consents, approvals, authorities, permits or policies under any statute for such matters; and
 - (b) the Lessee must apply for and obtain all such consent approvals, authorities, permits or policies as are required at law before undertaking any alterations, additions, improvements or demolitions.



 Shire of Toodyay Lease - Portion of Reserve 49941, Lot 301 Railway Road, West Toodyay



11.3 Cost of Works

All works undertaken under this clause 11 will be carried out at the Lessee's expense.

11.4 Conditions

If any of the consents given by the Lessor or other persons whose consent is required under this Lease or at law require other works to be done by the Lessee as a condition of giving consent, then the Lessee must at the option of the Lessor either:

- (a) carry out those other works at the Lessee's expense; or
- (b) permit the Lessor to carry out those other works at the Lessee's expense, in accordance with the Lessor's requirements.

11.5 Damage to Common Areas

The Lessee must make good any breakage defect or damage to the Common Areas or to any other part of the Centre or any appurtenance or equipment therein caused by want of care misuse or abuse on the part of the Lessee or the Lessee's servants agents contractors or sub-contractors sub-tenants or other persons claiming through or under the Lessee or by any breach of this Lease by the Lessee.

12. Report to Lessor

The Lessee must immediately report to the Lessor:

(a) Vandalism

Any act of vandalism or any incident which occurs on or near the Premises which involves or is likely to involve a breach of the peace or become the subject of a report or complaint to the police and results in damage to the Premises;

(b) Pollution

Any occurrence or circumstances in or near the Premises of which it becomes aware, which might reasonably be expected to cause, in or on the Premises, pollution of the environment;

(c) Notices, etc

All notices, orders and summonses received by the Lessee and which affect the Premises and immediately deliver them to the Lessor;

(d) Defects

Any accident to or defect or want of repair in any services or fixtures, fittings, plant or equipment in the Premises and of any circumstances known to the Lessee that may be or may cause a risk or hazard to the Premises or to any person on the Premises.

13. Provision of Information

The Lessee AGREES to provide to the Lessor, upon the Lessor's request, where applicable:

- (a) a copy of the Lessee's audited annual statement of accounts for each year;
- (b) advice of any changes in its office holders or its rules of association during the Term; and
- (c) any information on the Lessee's membership and other information on the Lessee reasonably required by the Lessor.

14. No Assignment, Subletting and Charging

14.1 No Assignment or Subletting without consent

The rights in this Lease are personal to the Lessee, and Lessee may not transfer, assign, sublet, assign or otherwise part with possession or any way dispose of any of its rights or obligations under this Lease without the written consent of the Lessor, which consent may be withheld for any reason whatsoever in the Lessor's absolute discretion.

14.2 Property Law Act 1969

Sections 80 and 82 of the Property Law Act 1969 are excluded.

14.3 No Mortgage or Charge

The Lessee must not mortgage nor charge the leasehold interest in the Premises.

15. No Caveat or Other Interest

15.1 No Caveat or other interest

The Lessee, or any person on behalf of the Lessee, must not lodge any absolute caveat, subject to claim or any other interest including any lease, sublease, mortgage, charge over the Land or Premises or part thereof, without the prior written consent of the Lessor.

15.2 Removal of interest

If any caveat or other interest is lodged without the consent of the Lessor, the Lessee shall do all such things as are necessary to enable the caveat or other interest to be withdrawn, including but not limited to signing and lodging at Landgate:

- (a) a withdrawal of any absolute caveat lodged by or behalf of the Lessee;
- (b) a withdrawal of any caveat lodged by on or behalf of the Lessee and not withdrawn on Termination; and
- (c) a surrender of the estate granted by this Lease where the Lease has been lawfully terminated.

15.3 Costs of Removal, Indemnity and Ratification

The Lessee shall be liable for all costs and expenses incurred in connection with the withdrawal or removal of any caveat or interest pursuant to clause 15.2.

16. Statutory Obligations and Notices

16.1 Comply with Statutes

The Lessee must:

- (a) comply promptly with all statutes and local laws from time to time in force relating to the Premises;
- (b) apply for, obtain and maintain in force all consents, approvals, authorities, licences and permits required under any statute for the use of the Premises specified at Item 6 of the Schedule;
- (c) ensure that all obligations in regard to payment for copyright or licensing fees are paid to the appropriate person for all performances, exhibitions or displays held on the Premises; and
- (d) comply promptly with all orders, notices, requisitions or directions of any competent authority relating to the Premises or to the business the Lessee carries on at the Premises.

16.2 Indemnity if Fails to Comply

The Lessee indemnifies the Lessor against:

- (a) failing to perform, discharge or execute any of the items referred to in clause 16.1; and
- (b) any claims, demands, costs or other payments of or incidental to any of the items referred to in clause 16.1.

17. Obligations on Expiry or Termination of Lease

17.1 Restore Premises

Prior to Termination, the Lessee at the Lessee's expense must restore the Premises to a condition consistent with the performance by the Lessee of the Lessee's Obligations under this Lease fair wear and tear excepted.

17.2 Remove Lessee's Property prior to Termination

Prior to Termination, the Lessee must remove from the Premises all property of the Lessee including the Lessee's signs, fixtures, fittings, plant, equipment and other articles upon the Premises in the nature of trade or tenant's fixtures brought upon the Premises by the Lessee (other than air-conditioning plant and fire equipment, security alarms and security systems and other fixtures and fittings which in the opinion of the Lessor form an integral part of the Premises) and promptly make good, to the satisfaction of the Lessor, any damage caused by the removal.

17.3 Lessor can Remove Lessee's Property on Re-Entry

If the Lessee fails to remove any such fixtures or fittings and any other chattels, stock or goods belonging to the Lessee in accordance with clause 17.2 within fourteen (14) days from the determination of the Term, the Lessor may at its option:

- (a) cause any such fixtures or fittings to be removed and stored at the cost of the Lessee and any such damage to be made good and any such alterations to be so re-altered and may recover the costs thereof from the Lessee as a liquidated debt payable on demand; or
- (b) elect to treat any such fixtures or fittings and any other chattels, stock or goods of the Lessee to be deemed abandoned by the Lessee and such property shall then be and become the property of the Lessor absolutely.

17.4 Peacefully Surrender

On Termination the Lessee must:

- (a) peacefully surrender and return to the Lessor the Premises in a condition consistent with the performance of the Lessee's Obligations under this Lease; and
- (b) surrender to the Lessor all keys and security access devices and combination for locks providing an access to or within the Premises held by the Lessee whether or not provided by the Lessor;

17.5 Obligations to continue

The Lessee's obligations under this clause will continue, notwithstanding the end or Termination of this Lease.

Lessor's Rights & Obligations

18. Provide keys

If required to gain access to the Premises, the Lessor will provide the Lessee with one (1) set of keys for access to the Premises and all rooms therein upon the signing of the Lease.

19. Lessor's Right of Entry

19.1 Entry on Reasonable Notice

The Lessee must permit entry by the Lessor or any Authorised Person onto the Premises without notice in the case of an emergency, and otherwise upon receipt of a minimum of 72 hours notice:

- (a) at all reasonable times;
- (b) with or without workmen and others;

- (c) with or without plant, equipment, machinery and materials; and
- (d) for each of the following purposes:
 - (i) to undertake property inspections to inspect the state of repair of the Premises and to ensure compliance with the terms of this Lease;
 - (ii) to carry out any survey or works which the Lessor considers necessary, however the Lessor will not be liable to the Lessee for any compensation for such survey or works provided they are carried out in a manner which causes as little inconvenience as is reasonably possible to the Lessee;
 - (iii) to comply with the Lessor's Obligations or to comply with any notice or order of any authority in respect of the Premises for which the Lessor is liable; and
 - (iv) to do all matters or things to rectify any breach by the Lessee of any term of this Lease but the Lessor is under no obligation to rectify any breach and any rectification under this clause is without prejudice to the Lessor's other rights, remedies or powers under this Lease.

19.2 Costs of Rectifying Breach

All costs and expenses incurred by the Lessor as a result of any breach referred to at clause 19.1(d)(iv) together with any interest payable on such sums will be a debt due to the Lessor and payable to the Lessor by the Lessee on demand.

20. Limit of Lessor's Liability

20.1 No Liability for Loss on Premises

The Lessor will not be liable for loss, damage or injury to any person or property in or about the Premises, however occurring, unless the Lessor, or its servants, agents, contractors or invitees have through any negligent act or omission caused or contributed to the loss, damage or injury.

20.2 Limit on Liability for Breach of Lessor's Obligations

- (1) The Lessor is only liable for breaches of the Lessor's Obligations set out in this Lease which occur while the Lessor remains the management body of the Land under the *Land Administration Act 1997*; and
- (2) The Lessor will not be liable for any failure to perform and observe any of the Lessor's Obligations due to any cause beyond the Lessor's control.

Mutual Agreements

21. Damage or Destruction of Premises

21.1 Abatement of Rent

If the Premises are at any time during the Term, without neglect or default of the Lessee, destroyed or damaged by fire or other risk covered by insurance so as to render the same unfit for the occupation and use of the Lessee, then the Rent or a proportionate part thereof (according to the nature and extent of the damage) shall abate until the Premises have been rebuilt or made fit for the occupation and use of the Lessee.

21.2 Dispute as to Abatement of Rent

Any dispute arising in relation to the abatement of rent pursuant to clause 21.1 shall be referred to arbitration under the provisions of the *Commercial Arbitration Act 1985* and the full Rent must be paid without any deduction or abatement until the date of the arbitrator's award whereupon the Lessor will refund to the Lessee any Rent which according to the award appears to have been overpaid.

21.3 Termination

In the event that fifty per cent (50%) or more of the gross lettable area (not including Common Areas) of the Centre or of the building in which the Premises are situated are damaged or destroyed by fire or any like casualty the Lessor will have the option to be exercised by notice in writing delivered to the Lessee within sixty (60) days of such occurrence, to elect to cancel and terminate this Lease. The Term will terminate upon such notice being given and the Lessee must vacate the Premises and surrender the same to the Lessor but such termination will be without prejudice to the Lessor's rights in respect of any antecedent breach of this Lease.

22. Option to Renew

22.1 Exercise of Option

If the Lessee at least one month, but not earlier than 6 months, prior to the date for commencement of the Further Term gives the Lessor a Notice to grant the Further Term as specified in Item 3 of the Schedule and:

- (a) all consents and approvals required by the terms of this Lease or at law have been obtained;
- (b) there is no subsisting default by the Lessee at the date of service of the Notice in:
 - (i) the payment of Amounts Payable; or
 - (ii) the performance or observance of the Lessee's Obligations; and
- (c) the Lessor does not intend to redevelop or otherwise use the Premises in the proposed Further Term period;

the Lessor shall grant to the Lessee a lease for the Further Term as specified in Item 3 of the Schedule at the Rent and on terms and conditions similar to this Lease other than this clause 22 in respect of any Further Term previously taken or the subject of the present exercise and on such other terms and conditions as the Lessor may consider appropriate and, in respect of subclause 22.1(c), the Lessor is not required to give any evidence or notice of its intention to use the Land provided that, in the event that the Lessee gives a Notice to grant the Further Term, such an intention is expressed to the Lessee at least one month prior to the date for commencement of the Further Term AND the Lessee indemnifies the Lessor against any claims for any loss or damage suffered by the Lessee as a result of the Lessor's refusal of a Further Term on the basis of subclause 22.1(c) however so arising.

23. Holding Over

If the Lessee remains in possession of the Premises after the expiry of the Term with the consent of the Lessor, the Lessee will be a monthly tenant of the Lessor at a rent equivalent to one twelfth of the Rent for the period immediately preceding expiry of the Term and otherwise on the same terms and conditions of this Lease provided that all consents required under this Lease or at law have been obtained to the Lessee being in possession of the Premises as a monthly tenant.

24. Default

24.1 Events of Default

A default occurs if:

- (a) any Amounts Payable remain unpaid for 14 days after becoming due whether or not a demand or Notice has been given to the Lessee
- (b) the Lessee is in breach of any of the Lessee's Obligations for 28 days after a Notice has been given to the Lessee to rectify the breach or to pay compensation in money;
- (c) where the Lessee is an association which is incorporated under the *Associations Incorporations Act 1987*, the association is wound up whether voluntarily or otherwise;
- (d) where the Lessee is an association which is incorporated under the *Associations Incorporations Act 1987*, the Lessee passes a special resolution under the *Associations Incorporation Act 1997* altering its rules of association in a way that makes its objects or purposes inconsistent with the use permitted by this Lease;
- (e) a mortgagee takes possession of the property of the Lessee under this Lease;
- (f) any execution or similar process is made against the Premises on the Lessee's property;
- (g) the Premises are vacated; or

- (h) a person other than the Lessee or a permitted sublessee or assignee is in occupation or possession of the Premises or in receipt of a rent and profits.

24.2 Forfeiture

On the occurrence of any of the events of default specified in **clause 24.1** the Lessor may:

- (a) without notice or demand at any time enter the Premises and on re-entry the Term will immediately determine;
- (b) by notice to the Lessee determine this Lease and from the date of giving such notice this Lease will be absolutely determined; and
- (c) by notice to the Lessee elect to convert the unexpired portion of the Term into a tenancy from month to month when this Lease will be determined as from the giving of the notice and until the tenancy is determined the Lessee will hold the Premises from the Lessor as a tenant from month to month under **clause 23**,

but without affecting the right of action or other remedy which the Lessor has in respect of any other breach by the Lessee of the Lessee's Obligations or releasing the Lessee from liability in respect of the Lessee's Obligations.

24.3 Lessor May Remedy Lessee's default

If the Lessee:

- (a) fails or neglects to pay the Amounts Payable by the Lessee under this Lease; or
- (b) does or fails to do anything which constitutes a breach of the Lessee's Obligations,

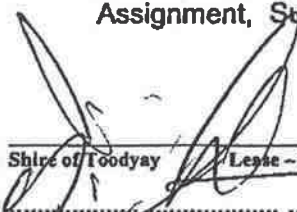
then, after the Lessor has given to the Lessee notice of the breach and the Lessee has failed to rectify the breach within a reasonable time, the Lessor may without affecting any right, remedy or power arising from that default pay the money due or do or cease the doing of the breach as if it were the Lessee and the Lessee must pay to the Lessor on demand the Lessor's cost and expenses of remedying each breach or default.

24.4 Acceptance of Amount Payable By Lessor

Demand for or acceptance of the Amounts Payable by the Lessor after an event of default has occurred will not affect the exercise by the Lessor of the rights and powers of the Lessor by the terms of the Lease or at law and will not operate as an election by the Lessor to exercise or not to exercise any right or power.

24.5 Essential Terms

Each of the Lessee's Obligations in **clauses 3** (Rent and Other Payments), **6** (Insurance), **7** (Indemnity), **8** (Use), **10** (Maintenance, Repair and Cleaning), **14** (No Assignment, Subletting and Charging) and **27** (Goods and Services Tax) is an


Shire of Toodyay Lease - Portion of Reserve 49941, Lot 301 Railway Road, West Toodyay



essential term of this Lease but this clause 24 does not mean or imply that there are no other essential terms in this Lease.

24.6 Breach of Essential Terms

If the Lessee breaches an essential term of this Lease then, in addition to any other remedy or entitlement of the Lessor:

- (a) the Lessee must compensate the Lessor for the loss or damage suffered by reason of the breach of that essential term;
- (b) the Lessor will be entitled to recover damages against the Lessee in respect of the breach of an essential term; and
- (c) the Lessee AGREES with the Lessor that if the Term is determined:
 - (i) for breach of an essential term or the acceptance by the Lessor of a repudiation of this Lease by the Lessee; or
 - (ii) following the failure by the Lessee to comply with any notice given to the Lessee to remedy any default,

the Lessee must pay to the Lessor on demand the total of the Amounts Payable under this Lease which would have been payable by the Lessee for the unexpired balance of the Term as if the Term had expired by lapse of time together with the losses incurred or reasonably expected to be incurred by the Lessor as a result of the early determination including but not limited to the costs of re-letting or attempting to re-let the Premises;

- (d) the Lessee agrees that the obligation set out in this clause 24.6(c) will survive termination or any deemed surrender at law of the estate granted by this Lease;
- (e) the Lessor must take reasonable steps to mitigate its losses and endeavour to re-let the Premises at a reasonable rent and on reasonable terms but the Lessor is not required to offer or accept rent or terms which are the same or similar to the rent or terms contained or implied in this Lease.

25. Disputes

25.1 Appointment of Arbitrator

Except as otherwise provided any dispute arising out of this Lease is to be determined by a single arbitrator under the provisions of the Commercial Arbitration Act 1985 and the Lessor and the Lessee may each be represented by a legal practitioner.

25.2 Payment of Amounts Payable to Date of Award

The Lessee must pay the Amounts Payable without deduction to the date of the award of the Arbitrator or the date of an agreement between the Parties whichever event is the earlier, and if any money paid by the Lessee is not required to be paid within the terms of the award of the Arbitrator or by agreement between the Lessor and the Lessee then the Lessor will refund to the Lessee the monies paid.

26. Consents

26.1 Western Australian Planning Commission's Consent

If for any reason whatsoever this Lease requires the consent of the Western Australian Planning Commission or other consent under the *Planning and Development Act 2005*, then this Lease is made expressly subject to and conditional on the granting of that consent in accordance with the provisions of the *Planning and Development Act 2005*.

26.2 Minister for Land's Consent

In the event that the Land is subject to the provisions of the *Land Administration Act 1997* the grant of this Lease is made expressly subject to and is conditional on the consent of the Minister for Lands to this Lease.

27. Goods and Services Tax

(1) Lessee must Pay

If GST is payable on the Basic Consideration or any part thereof or if the Lessor is liable to pay GST in connection with the lease of the Premises or any goods, services or other Taxable Supply supplied under this Lease then, unless the Lessor is liable for the payment of a given Taxable Supply, as from the date of any such introduction or application:

- (i) the Lessor may increase the Basic Consideration or the relevant part thereof by an amount which is equal to the GST Rate; and
- (ii) the Lessee shall pay the increased Basic Consideration on the due date for payment by the Lessee of the Basic Consideration.

(2) Increase in GST

If, at any time, the GST Rate is increased, the Lessor may, in addition to the GST Rate, increase the Basic Consideration by the GST Adjustment Rate and such amount shall be payable in accordance with **sub-clause (1)**.

(3) GST invoice

Where the Basic Consideration is to be increased to account for GST pursuant to **sub-clause (2)**, the Lessor shall in the month in which the Basic Consideration is to be paid, issue a Tax Invoice which enables the Lessee to submit a claim for a credit or refund of GST.

28. Additional Terms and Conditions

Each of the terms and conditions (if any) specified in **Item 9** of the Schedule are part of this Lease and are binding on the Lessor and the Lessee as if incorporated into the body of this Lease.

General Provisions

29. Notice

29.1 Form of Delivery

A Notice to a person must be in writing and may be given or made:

- (a) by a delivery to the person personally; or
- (b) by addressing it to the person and leaving it at or posting it by registered post to the address of the Party appearing in this Lease or any other address nominated by a Party by notice to the other.

29.2 Service of Notice

A Notice to a person is deemed to be given or made:

- (a) if by personal delivery, when delivered;
- (b) if by leaving the Notice at an address specified in **clause 29.1**, at the time of leaving the Notice provided the Notice is left during normal business hours; and
- (c) if by post to an address specified in **clause 29.1**, on the second business day following the date of posting of the Notice.

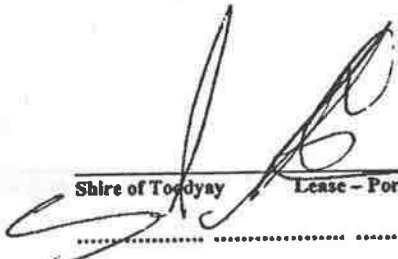
29.3 Signing of Notice

A Notice to a person may be signed:

- (a) if given by an individual by the person giving the Notice;
- (b) if given by a corporation by a director, secretary or manager of that corporation; or
- (c) if given by a local government, by the CEO or a person authorised to sign on behalf of the local government; or
- (d) by a solicitor or other agent of the person, corporation or local government giving the Notice.

30. Amendments to Lease

Subject to such consents as are required by this Lease or at law, this Lease may be varied by the agreement of the parties in writing.


Shire of Toodyay Lease - Portion of Reserve 49941, Lot 301 Railway Road, West Toodyay



31. Waiver

31.1 No General Waiver

Failure to exercise or delay in exercising any right, power or privilege in this Lease by a Party does not operate as a waiver of that right, power or privilege.

31.2 Partial Exercise of Right Power or Privilege

A single or partial exercise of any right, power or privilege does not preclude any other or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

32. Acts by Agents

All acts and things which the Lessor is required to do under this Lease may be done by the Lessor, the CEO, an officer or the agent, solicitor, contractor or employee of the Lessor.

33. Statutory Powers

The powers conferred on the Lessor by or under any statutes for the time being in force are, except to the extent that they are inconsistent with the terms and provisions expressed in this Lease, in addition to the powers conferred on the Lessor in this Lease.

34. Further Assurance

The Parties must execute and do all acts and things necessary or desirable to implement and give full effect to the terms of this Lease.

35. Severance

If any part of this Lease is or becomes void or unenforceable, that part is or will be severed from this Lease to the intent that all parts that are not or do not become void or unenforceable remain in full force and effect and are unaffected by that severance.

36. Moratorium

The provisions of a statute which would but for this clause extend or postpone the date of payment of money, reduce the rate of interest or abrogate, nullify, postpone or otherwise affect the terms of this Lease do not, to the fullest extent permitted by law, apply to limit the terms of this Lease.

37. Governing Law

This Lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia.

Definitions & Interpretations

38. Definitions

In this Lease, unless otherwise required by the context or subject matter:

Amounts Payable means the Rent and any other money payable by the Lessee under this Lease;

Authorised Person means:

- (a) an agent, employee, licensee or invitee of the Lessor; and
- (b) any person visiting the Premises with the consent or implied consent of any person mentioned in paragraph (a);

Basic Consideration means all consideration (whether in money or otherwise) to be paid or provided by the Lessee for any supply or use of the Premises and any goods, services or other things provided by the Lessor under this Lease (other than tax payable pursuant to this clause);

Centre means the Railway Building situated on the Land in its entirety.

CEO means the Chief Executive Officer for the time being of the Lessor or any person appointed by the Chief Executive Officer to perform any of her or his functions under this Lease;

Commencement Date means the date of commencement of the Term specified in Item 4 of the Schedule;

Common Areas means all those parts of the Centre not leased to any lessee and intended for shared use by the lessees of the Centre and their respective customers in common with each other including the toilet, lunchroom, meeting room, all parking areas, roads, walkways, corridors, passageways and washrooms in on or about the Centre plan;

Encumbrance means a mortgage, charge, lien, pledge, easement, restrictive covenant, writ, warrant or caveat and the claim stated in the caveat;

Further Term means each further term specified in Item 3 of the Schedule;

Good Repair means good and substantial tenantable repair and in clean, good working order and condition;

GST has the meaning that it bears in the GST Act;

GST Act means *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and any legislation substituted for, replacing or amending that Act;

GST Adjustment Rate means the amount of any increase in the rate of tax imposed by the GST Law;

GST Law has the meaning that it bears in section 195-1 of the GST Act;

GST Rate means 10%, or such other figure equal to the rate of tax imposed by the GST Law;

Input Tax Credit has the meaning that it bears in section 195-1 of the GST Act.

Interest Rate means the rate at the time the payment falls due being 2% greater than the Lessor's general overdraft rate on borrowings from its bankers on amounts not exceeding \$100,000.00, which rate cannot exceed the rate prescribed by, and imposed in accordance with, section 6.13 of the *Local Government Act 1995*;

Land means the land described at Item 1 of the Schedule;

Lease means this deed as supplemented, amended or varied from time to time;

Lessee's Obligations means the agreements and obligations set out or implied in this Lease or imposed by law to be performed by any person other than the Lessor;

Lessor's Obligations means the agreements and obligations set out or implied in this Lease, or imposed by law to be performed by the Lessor;

Management Order means a management order made under section 46 of the Land Administration Act 1997, under which the Land was vested in the Lessor to be held for the designated purpose of "Works Depot and Community Purposes";

Notice means each notice, demand, consent or authority given or made to any person under this Lease;

Party means the Lessor or the Lessee according to the context;

Premises means the premises described at Item 1 of the Schedule;

Rent means the rent specified in Item 5 of the Schedule;

Rent Review Date means a date identified in Item 8 of the Schedule;

Schedule means the Schedule to this Lease;

Tax Invoice has the meaning which it bears in section 195-1 of the GST Act;

Taxable Supply has the meaning which it bears in section 195-1 of the GST Act.

Term means the term of years specified in Item 2 of the Schedule and any Further Term; and

Termination means expiry by lapse of time or sooner determination of the Term or any period of holding over.

39. Interpretation

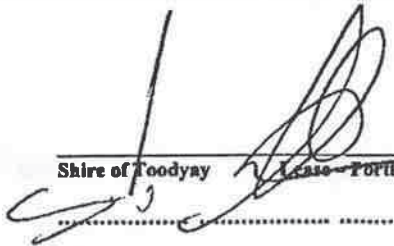
In this Lease, unless expressed to the contrary:

(a) Words using:

- (i) the singular include the plural;
 - (ii) the plural include the singular; and
 - (iii) any gender includes each gender;
- (b) A reference to:
- (i) a natural person includes a body corporate or local government; and
 - (ii) a body corporate or local government includes a natural person;
- (c) A reference to a professional body includes a successor to or substitute for that body;
- (d) A reference to a Party includes its legal personal representatives, successors and assigns and if a Party comprises two or more persons, the legal personal representatives, successors and assigns of each of those persons;
- (e) A reference to a statute, ordinance, code, regulation, award, town planning scheme or other law includes a regulation, local law, by-law, requisition, order or other statutory instruments under it and any amendments to re-enactments of or replacements of any of them from time to time in force;
- (f) A reference to a right includes a benefit, remedy, discretion, authority or power;
- (g) A reference to an obligation includes a warranty or representation and a reference to a failure to observe or perform an obligation includes a breach of warranty or representation;
- (h) A reference to this Lease or provisions or terms of this Lease or any other deed, agreement, instrument or contract include a reference to:
- (i) both express and implied provisions and terms; and
 - (ii) that other deed, agreement, instrument or contract as varied, supplemented, replaced or amended;
- (i) A reference to writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions;
- (j) Any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
- (k) If a Party comprises two or more persons the obligations and agreements on their part bind and must be observed and performed by them jointly and each of them severally and may be enforced against any one or more of them;
- (l) The agreements and obligations on the part of the Lessee not to do or omit to do any act or thing include:

- (i) an agreement not to permit that act or thing to be done or omitted to be done by an **Authorised Person**; and
- (ii) an agreement to do everything necessary to ensure that that act or thing is not done or omitted to be done;

(m) Except in the Schedule headings do not affect the interpretation of this Lease.



Schedule

Item 1: Land and Premises

(a) Land

Reserve 49941 being Lot 301 on Deposited Plan 48381 and being the whole of the land comprised in Crown Land Certificate of Title Volume LR3156 Folio 149.

(b) Premises

That portion of the Land depicted on the sketch annexed hereto together with all buildings and improvements situated thereon.

Item 2: Term

Ten (10) years commencing on 1 January 2012 and expiring on 31 December 2021.

Item 3: Further Term

Ten (10) years commencing on 1 January 2022 and expiring on 31 December 2031.

Item 4: Commencement Date

1 January 2012.

Item 5: Rent

One dollar payable on demand

Item 6: Use

Community Radio Station

Item 7: Public Liability Insurance

\$10,000,000 (Ten Million Dollars) any one claim.

Item 8: Rent Review

Not applicable

Item 9: Additional Terms and Conditions

1. Lessee to obtain Certificate of Classification

- (a) The Lessee shall not occupy and commence use of the Premises prior to obtaining a Certificate of Classification from the Building Surveyor of the Shire of Toodyay in respect of the Premises.
- (b) The Lessee shall obtain a Certificate of Classification in respect of the Premises by no later than 31 December 2013.

2. Failure to comply with Item 9.1

The failure of the Lessee to comply with either sub-clause (a) or (b) of Item 9.1 shall constitute a default for the purposes of cl. 24.1.

3. Use of Common Areas

The Lessee is entitled to non-exclusive, shared use of the Common Areas together with other tenants in the Centre, provided the Lessee ensures the Common Areas are left in a clean and tidy state following such use.

4. No fetter

Notwithstanding any other provision of this Deed, the parties acknowledge that the Shire is a local government established by the *Local Government Act 1995*, and in that capacity, the Shire may be obliged to determine applications for consents, approvals, authorities, licences and permits having regard to any written law governing such applications including matters required to be taken into consideration and formal processes to be undertaken, and the Shire shall not be taken to be in default under this Deed by performing its statutory obligations or exercising its statutory discretions, nor shall any provision of this Deed fetter the Shire in performing its statutory obligations or exercising any discretion.

Signing page

EXECUTED on the 31ST day of JANUARY 2012

THE COMMON SEAL of the SHIRE of)
TOODYAY was hereunto affixed in the)
presence of)




PRESIDENT

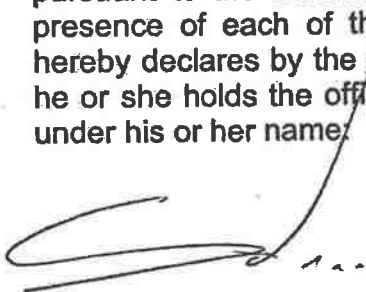
KEVIN DANIEL HOAG
(Print Full Name)


CHIEF EXECUTIVE OFFICER

LINDSAY OWEN DELAHUNTY
(Print Full Name)

THE COMMON SEAL of TOODYAY COMMUNITY)
RADIO INC ("the Association") was hereunto affixed)
pursuant to the constitution of the Association in the)
presence of each of the undersigned each of whom)
hereby declares by the execution of this document that)
he or she holds the office in the Association indicated)
under his or her name.)





OFFICE HOLDER SIGN

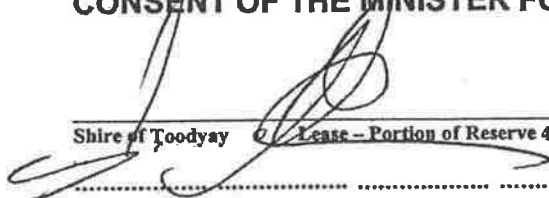


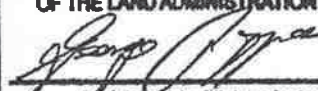
OFFICE HOLDER SIGN

Office Held: CHAIRPERSON
Full Name: Steve Bannister
Address: 23 Timber Creek Crescent
(PO Box 1096)
TOODYAY WA 6566

Office Held: VICE CHAIRPERSON
Full Name: Len Anderson
Address: 390 Toodyay West Road
TOODYAY WA 6566

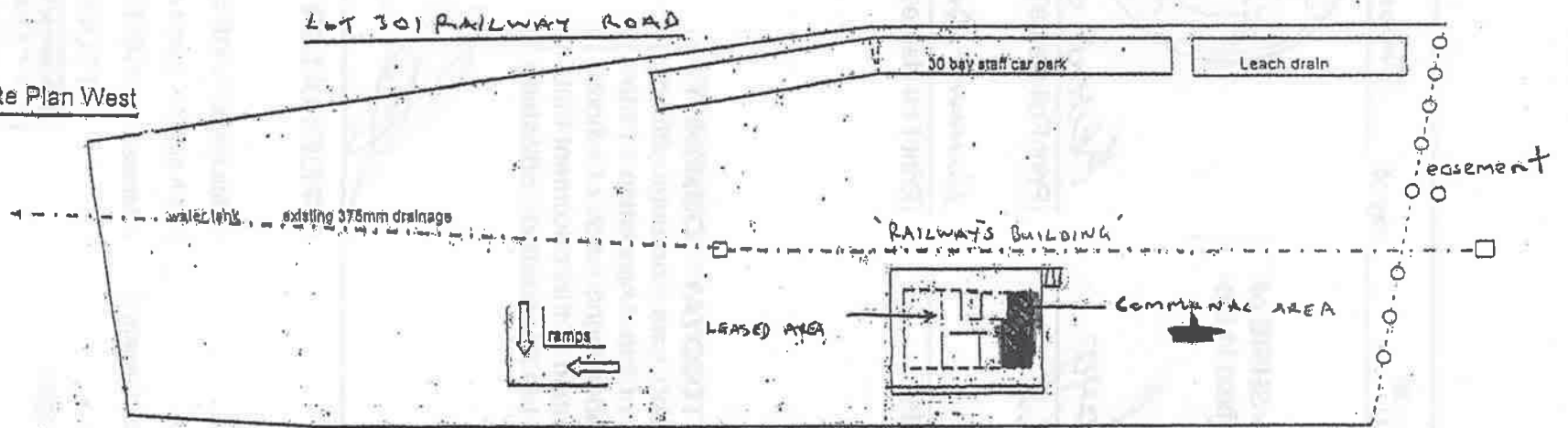
CONSENT OF THE MINISTER FOR LANDS:



APPROVED FOR THE PURPOSES OF SECTION 18
OF THE LAND ADMINISTRATION ACT 1997

by Order of the Minister for Lands
This document is subject to the registration
requirements of the Transfer of Land Act 1893

ANNEXURE 1

PART Site Plan West



Attachment Three
Council Forum 5 Nov 2013
7.4 Toodyay Community Radio

Our Ref: SM:MR OLM11993
LEG014 / OCR12076

toodyay
place of plenty

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

Mr Steve Bannister
Toodyay Community Radio
PO Box 1096
TOODYAY WA 6566

Dear Steve

Lease Agreement – Lot 301 Railway Road, Reserve 49941

Please find enclosed one bound copy and one electronic copy of the abovementioned lease agreement for your records.

This lease has been duly signed by all parties, including the Minister for Lands.

Should you have any queries in relation to the above, please contact the undersigned on 9574 2258.

Yours sincerely



Sam Mastrolemba
DEPUTY CHIEF EXECUTIVE OFFICER

24 February 2012

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

Pay/Type	Date	Name	Description	Amount
IPV471	9/10/2013	Bendigo Bank	Payroll PPE 08.10.13	86,357.88
IPV472	23/10/2013	Bendigo Bank	Payroll PPE 22.10.13	88,787.80
1291	31/10/2013	Construction Training Fund	Construction Levies - September 2013	1,037.73
1292	31/10/2013	Building Commission	Building Levies - September 2013	975.09
1293	31/10/2013	Ironbridge Holdings	Refund of Tree Planting Deposit	5,500.00
1294	31/10/2013	Beverley May	Refund of Water Standpipe Bond	250.00
BPV1461	1/10/2013	Bendigo Bank	Monthly Service Fee	10.00
BPV1462	1/10/2013	Bendigo Bank	Transaction Fees - September 2013	178.65
BPV1463	1/10/2013	Bendigo Bank	Bank Fees	9.13
BPV1464	1/10/2013	Commonwealth Bank	Merchant Fees	703.95
BPV1465	1/10/2013	Commonwealth Bank	Merchant Fee	871.56
BPV1466	1/10/2013	Commonwealth Bank	Merchant Fee	200.81
BPV1467	1/10/2013	Department of Transport	Licencing Debits - 26.09.13	4,048.95
BPV1468	2/10/2013	Bendigo Bank	Eftpos Fees - September 2013	129.28
BPV1469	31/08/2013	Posted in August 2013	Monthly Service Fee	0.00
BPV1470		Number not used		0.00
BPV1471	2/10/2013	Bendigo Bank	Merchant Fees - September 2013	129.28
BPV1472	2/10/2013	Department of Transport	Licencing Debits -27.09.13	21,213.70
BPV1473	31/08/2013	Posted in August 2013	Payroll Adjustment	0.00
BPV1474	1/10/2013	Bendigo Bank	Bpay Monthly Biller Fee - 01.10.13	212.96
BPV1475	3/10/2013	Bendigo Bank	Fts De Fees - Direct Debit - Fts Settlement A	0.11
BPV1476	3/10/2013	Bendigo Bank	Dishonour Fee - Dishonoured Cheque	10.00
BPV1477	3/10/2013	Commonwealth Bank	CBA Eftpos Fees	8.64
BPV1478	3/10/2013	Commonwealth Bank	CBA Eftpos Fees	23.30
BPV1479	3/10/2013	Department of Transport	Licensing Debits - 03.10.13	8,303.30
BPV1480	3/10/2013	Commonwealth Bank	CBA Eftpos Fees	40.30
BPV1481	4/10/2013	Department of Transport	Licensing Debits - 04.10.13	10,922.75
BPV1482	4/10/2013	Westnet	Telephone & Internet Charges - September 2013	419.79
BPV1483	7/10/2013	Department of Transport	Licensing Debits - 07.10.13	2,990.85
BPV1484	8/10/2013	Department of Transport	Licensing Debits - 08.10.13	1,327.05
BPV1485	9/10/2013	Bendigo Bank	Fts De Fees - Direct Debit - Fts Settlement A	6.71

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

Pay/Type	Date	Name	Description	Amount	
BPV1486	9/10/2013	Bendigo Bank	Fts De Fees - Direct Debit - Fts Settlement A		0.22
BPV1487	9/10/2013	Department of Transport	Licensing Debits - 09.10.13		5,835.50
BPV1488	10/10/2013	Department of Transport	Licensing Debits - 10.10.13		5,518.05
BPV1489	11/10/2013	Department of Transport	Licensing Debits - 11.10.13		8,847.10
BPV1490	14/10/2013	Bendigo Bank	C Delmage - Corporate Credit Card		1,761.95
			Instapage - Museum Interaction	10.05	
			Telstra Prepaid USB - Reimbursable	278.00	
			City of Perth - Parking	29.90	
			JB HiFi - Radios Julimar Fire Brigade - funded by donation	1,440.00	
			Card Fee	4.00	
BPV1491	14/10/2013	Bendigo Bank	G Bissett - Corporate Credit Card		925.01
			Fuel T6177	113.74	
			Parking - SAT	11.00	
			Accommodation - Waste Conference	796.27	
			Card Fee	4.00	
BPV1492	14/10/2013	Bendigo Bank	S Scott - Corporate Credit Card		4,627.95
			Freemasons - Meeting Balladong	28.00	
			LGMA Annual Conference	1,505.00	
			Fuel P403	232.80	
			Conference Accommodation - Cr Madasci	731.00	
			Mobile Phone Repair	225.00	
			WA Hino - Truck Service	1,902.15	
			Card Fee	4.00	
BPV1493	14/10/2013	Bendigo Bank	L Vidovich - Corporate Credit Card		233.04
			Gentronics - Welding Equipment	97.04	
			Cross Hydraulics - Sweeper Parts	132.00	
			Card Fee	4.00	
BPV1494	14/10/2013	Bendigo Bank	S Slater - Corporate Credit Card		4.00
			Card Fee	4.00	
BPV1495	14/10/2013	Bendigo Bank	A Bell - Corporate Credit Card		1,134.00
			Office Works - Stationary	174.73	

Shire of Toodyay					
List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013					
Pay/Type	Date	Name	Description	Amount	
			Try Booking - Events - Legal Rights	250.30	
			Try Booking - Trails & Outdoor Conference	50.00	
			T00 - Fuel	654.97	
			Card Fee	4.00	
BPV1496	14/10/2013	Department of Transport	Licensing Debits - 14.10.13		2,326.90
BPV1497	14/10/2013	Country Copiers	Photocopier Lease - Country Copiers Northam		572.00
BPV1498	15/10/2013	Commonwealth Bank	Transaction Fees - Bpoint - Direct Debit		60.88
BPV1499A	15/10/2013	Department of Transport	Licensing Debits - 15.10.13		6,713.70
BVP1499B	18/10/2013	Canon Finance	Lease Canon Photocopier		1,630.00
BPV1500	18/10/2013	Department of Transport	Licensing Debits 16.10.13		3,344.45
BPV1501	18/10/2013	Bendigo Bank	Dishonoured Cheque Fee		10.00
BPV1502	17/10/2013	Department of Transport	Licensing Debits 15.10.13		3,721.55
BPV1503	17/10/2013	Bendigo Bank	Bank Fees		9.46
BPV1504	16/10/2013	Department of Transport	Licensing Debits 14.10.13		5,186.25
BPV1505	21/10/2013	Department of Transport	Licensing Debits 17.10.13		1,729.10
BPV1506	23/10/2013	Department of Transport	Licensing Debits 21.10.13		1,419.20
BPV1507	23/10/2013	Bendigo Bank	Bank Fees		6.49
BPV1508	31/08/2013	Posted in August 2013	August Adjustments		0.00
BPV1509	31/08/2013	Posted in August 2013	August Adjustments		0.00
BPV1510	24/10/2013	Bendigo Bank	Bank Fees - October 2013		0.22
BPV1511	24/10/2013	Department of Transport	Licensing Debits 22.10.13		3,192.60
BPV1512	25/10/2013	Department of Transport	Licensing Debits 23.10.13		5,604.10
BPV1513	28/10/2013	Department of Transport	Licensing Debits 24.10.13		5,143.90
BPV1514	29/10/2013	Department of Transport	Licensing Debits 25.10.13		3,541.70
BPV1515	30/10/2013	Department of Transport	Licensing Debits 28.10.13		5,322.65
BPV1516	31/10/2013	Bendigo Bank	Bank Fees - October 2013		4.26
BPV1517	31/10/2013	Bendigo Bank	Bank Fees - October 2013		10.34
BPV1518	31/10/2013	Department of Transport	Licensing Debits 29.10.13		1,468.30
11774	16/10/2013	Vodafone Hutchinson	Pager Charges - October 2013		1,124.54
11775	16/10/2013	Spencer Davidson	Rates Refund For A890 131 Coondle Drive Coondle 6566		284.94
11776	16/10/2013	Toodyay Bakery	Refreshments - Wiki Training		64.40

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

Pay/Type	Date	Name	Description	Amount	
11777	16/10/2013	Telstra Corporation Limited	Telephone Charges		4,913.99
11778	16/10/2013	West End Deli - Northam	Catering - Avon Valley Writers Festival		200.00
11779	16/10/2013	Synergy	Electricity		16,473.65
11780	17/10/2013	Old Gaol Museum	Old Gaol Volunteer Reimbursements - November 2013		250.00
11781	31/10/2013	Australian Securities Commission	Business Renewal -IFF		76.00
11782	31/10/2013	AMP Financial	Superannuation Contributions		421.80
11783	31/10/2013	Therese Chitty	Monthly Attendance Allowance - October 2013		333.30
11784	31/10/2013	Department of Transport	Registration - T6364		312.05
11785	31/10/2013	Fines Enforcement Registry	FEA Payment - Chris Firns		200.00
11786	31/10/2013	Hostplus Super	Superannuation Contributions		442.33
11787	31/10/2013	Kinetic Superannuation	Superannuation Contributions		273.45
11788	31/10/2013	NSF Super	Superannuation Contributions		105.45
11789	31/10/2013	Brian Rayner	Monthly Attendance Allowance - October 2013		333.30
11790	31/10/2013	Shire of Toodyay - Petty Cash	Coffee Machine - Admin	78.00	535.20
			Parking - Waste Meeting	33.00	
			Parking - Tourism Meeting	24.40	
			Fuel - T0000	50.00	
			Computer Cables - Admin	44.85	
			Display Cabinet Lights	28.50	
			Parking - Building Conference	71.60	
			Parking - Waste Meeting	81.60	
			YAC Youth Vision Monthly Winner iTunes	20.00	
			Ballot Box Sealing Tags	7.95	
			Postage - Elections	30.00	
			Cleaning Products	12.70	
			Stationery	12.60	
			Brake Line Fittings - Trailers	10.00	
			Toodyay Show Entry Fees - Wiki Takes	30.00	
11791	31/10/2013	Shire of Toodyay	Rates Payment - C Firns		200.00
11792	31/10/2013	Telstra Super	Superannuation Contributions		407.00
11793	31/10/2013	Betty Toms	2013 Toodyay Agricultral Show Art Requisition		290.00

Shire of Toodyay					
List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013					
Pay/Type	Date	Name	Description	Amount	
11794	31/10/2013	Telstra Corporation Limited	Telephone Charges		2,214.77
11795	31/10/2013	Water Corporation	Water Rates/ Usage		3,709.65
EFT14736	2/10/2013	Telstra Damage Cost Recovery	Damaged Telstra Cables - Near 110 Picnic Hill Road		1,294.15
EFT14737	9/10/2013	Shire of Toodyay Salaries & Wages	Payroll Deductions		1,205.00
EFT14738	9/10/2013	WA Super	Superannuation Contributions		14,016.33
EFT14739	16/10/2013	Australia Post	Postage - September 2013		3,769.25
EFT14740	16/10/2013	Avon Valley Environmental Society Inc	Visitor Centre Consignment Stock		28.00
EFT14741	16/10/2013	Avon Skip Bins	WTS Management & Transfer		10,968.10
EFT14742	16/10/2013	Autopro Northam	Vehicle & Machinery Parts - Oil		751.51
EFT14743	16/10/2013	Allington Agri	Contract Verge Spraying		22,000.00
EFT14744	16/10/2013	Arm Security	Alarm Monitoring - Admin		167.20
EFT14745	16/10/2013	Ag Implements Merredin P/L	Repairs - Skid Loader		92.51
EFT14746	16/10/2013	Australian Taxation Office	BAS Return - September 2013		62,748.00
EFT14747	16/10/2013	Avon Waste	Waste Collection		11,398.19
EFT14748	16/10/2013	Avalon Homestead	Accommodation to 12.10.13		534.00
EFT14749	16/10/2013	Avonbrook Wines	Accommodation to 12.10.13		159.31
EFT14750	16/10/2013	Amber Springs Gardens	Accommodation to 12.10.13		1,085.80
EFT14751	16/10/2013	Boya Equipment P/L	Kubota Front Mower Parts		788.76
EFT14752	16/10/2013	BHW Consulting	Local Laws - Drafts & Meeting Attendance		8,745.00
EFT14753	16/10/2013	Biomax Pty Ltd	Biomax System Service - New Depot		114.30
EFT14754	16/10/2013	Baileys Fertilisers	Fertiliser		10,263.88
EFT14755	16/10/2013	B Vec Electrical Services	Install & Supply Lights - Gardeners Shed - New Depot		1,498.34
EFT14756	16/10/2013	Black Wattle Catering	Catering - Avon Valley Writers Festival Dinner		735.00
EFT14757	16/10/2013	Covs Parts	Vehicle & Machinery Parts		896.06
EFT14758	16/10/2013	Courier Australia	Freight		70.87
EFT14759	16/10/2013	CDA Air Conditioning & Refrig.	Bush Fire Brigade Coolroom Maintenance		86.25
EFT14760	16/10/2013	Denise M Cull	Interactive Workshop Presentation		150.00
EFT14761	16/10/2013	The Cola Cafe	Refreshments - Council Meetings		253.00
EFT14762	16/10/2013	Colour Me Art	Poster Pack, Australia, Wildlife, Bird Cards		281.60
EFT14763	16/10/2013	Toodyay Central Bush Fire Brigade	Catering - Training Courses		768.00
EFT14764	16/10/2013	Staples	Stationery		632.44

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

Pay/Type	Date	Name	Description	Amount
EFT14765	16/10/2013	Landgate	Title Searches	120.00
EFT14766	16/10/2013	Andrew Dixon	Visitor Centre Consignment Stock	27.00
EFT14767	16/10/2013	Dunnings Caltex Toodyay Junction	Water Bottles	100.00
EFT14768	16/10/2013	Electritech Industries	Installation of Powerpoint, Light Repairs & Powerpoint	1,358.40
EFT14769	16/10/2013	Egoline Reflections Country Retreat	Accom - Authors Attending Festival	390.00
EFT14770	16/10/2013	Freemasons Hotel	Accommodation to 12.10.13	471.70
EFT14771	16/10/2013	PE & SM Ferguson	Dozer Hire - Mount Rd	7,348.00
EFT14772	16/10/2013	Foxburrow Holiday Accommodation	Accommodation to 12.10.13	712.00
EFT14773	16/10/2013	Fire & Safety WA	Clothing & Accessories - Helmets/Badges	615.10
EFT14774	16/10/2013	Future Logic	Monthly Billing - September 2013	6,976.75
EFT14775	16/10/2013	Galaxy Embroidery & Printing	Visitor Centre Floor Stock	195.09
EFT14776	16/10/2013	Grove Wesley Design Art	Programs - Avon Valley Writers Festival	524.70
EFT14777	16/10/2013	Gentronics	Welding Equipment	1,285.04
EFT14778	16/10/2013	Harcourt Street B & B	Accommodation to 12.10.13	391.60
EFT14779	16/10/2013	Hesperian Press Pty Ltd	Visitor Centre Floor Stock	465.30
EFT14780	16/10/2013	Toodyay Hardware & Farm	Hardware	3,815.69
EFT14781	16/10/2013	G Horsfield	Window Cleaning	450.00
EFT14782	16/10/2013	Hufcor	Service Door - Community Centre	682.00
EFT14783	16/10/2013	Adam Harris	Visitor Centre Consignment Stock	10.00
EFT14784	16/10/2013	Image Postcards	Visitor Centre Floor Stock	90.00
EFT14785	16/10/2013	Ipswich View Homestead B&B	Accommodation to 12.10.13	1,085.80
EFT14786	16/10/2013	Fran Irwin	Visitor Centre Floor Stock	222.00
EFT14787	16/10/2013	James Foley	Talk/Workshop - Writers Workshop	350.00
EFT14788	16/10/2013	Jacaranda Homestead	Accommodation to 12/10/2013	445.00
EFT14789	16/10/2013	Katrina Kell	Workshop - Writers Festival	330.00
EFT14790	16/10/2013	Air Liquide WA Pty Ltd	Gas Cylinder Rental	87.02
EFT14791	16/10/2013	Lifrite Hire & Sales	Spare Parts - Loader	1,252.99
EFT14792	16/10/2013	Leyland Engineering Services	Vehicle & Machinery Service & Repairs	2,454.36
EFT14793	16/10/2013	Graham Mills	Visitor Centre Consignment Stock	15.00
EFT14794	16/10/2013	Miss Natural	Visitor Centre Consignment Stock	671.20
EFT14795	16/10/2013	Toodyay Festivals Inc	Moodyne Festival Sponsorship	12,000.00

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

Pay/Type	Date	Name	Description	Amount
EFT14796	16/10/2013	LGIS Insurance Broking	Motor Vehicle Invoice Short Paid	98.27
EFT14797	16/10/2013	Midalia Steel P/L	Steel	401.89
EFT14798	16/10/2013	Mitre 10 Northam	Halogen Globe	23.80
EFT14799	16/10/2013	Mercury Fire Safety Pty Ltd	Boots	429.00
EFT14800	16/10/2013	Oliomio Olive & Lavender Farm	Visitor Centre Consignment Stock	17.50
EFT14801	16/10/2013	Officeworks	Water Cooler & Cups	138.88
EFT14802	16/10/2013	PT & JJ Contractors	Contract Cleaning	7,928.50
EFT14803	16/10/2013	PT & JA Perkins	Visitor Centre Floor Stock	180.00
EFT14804	16/10/2013	Anittel Communications P/L	Network & Data Charges	866.80
EFT14805	16/10/2013	Quality Publishing Australia	Visitor Centre Floor Stock	204.73
EFT14806	16/10/2013	Book Easy Australia	Online Booking Commission - September 2013	198.00
EFT14807	16/10/2013	Dep. of Regional Development	Return of Unspent FCWP CLGF (RFR) Funds 2009/2010	20,762.50
EFT14808	16/10/2013	Reflections Glass & Glazing	Glass Replacements & Security Grills	1,009.39
EFT14809	16/10/2013	Rural Waste Management	Waste Collection	132.00
EFT14810	16/10/2013	Reliance Petroleum	Diesel & ULP	32,869.87
EFT14811	16/10/2013	Sacred Valley Retreat	Accommodation to 12.10.13	231.40
EFT14812	16/10/2013	Specialised Tree Service	Tree Pruning - Morangup, Green & Grandis Roads	1,890.00
EFT14813	16/10/2013	Safety Equip - Perth East	Safety Equipment	364.25
EFT14814	16/10/2013	Simon Nevill Publications	Visitor Centre Floor Stock	156.55
EFT14815	16/10/2013	Site Ware Direct	1,000 X Guide Posts	8,910.00
EFT14816	16/10/2013	Toodyay Traders	Hardware	410.57
EFT14817	16/10/2013	Toodyay Herald	Advertising - Monthly Article	1,694.50
EFT14818	16/10/2013	Total Eden - Midland	Retic Maintenance	156.82
EFT14819	16/10/2013	Road Signs Australia	Assorted Signage	1,534.50
EFT14820	16/10/2013	Toodyay Tyre Service	Replace & Repair Tyres	748.10
EFT14821	16/10/2013	Victoria Hotel	Accommodation to 12.10.13	1,046.00
EFT14822	16/10/2013	WA Local Government Association	Advertising	2,550.00
EFT14823	16/10/2013	Western Australian Treasury Corporation	Loan No. 64 Payment - Visitor Centre	10,471.53
EFT14824	16/10/2013	Wheatbelt Safetywear	Safety Boots	538.00
EFT14825	23/10/2013	Shire of Toodyay Salaries & Wages	Payroll Deductions	1,318.37
EFT14826	23/10/2013	WA Super	Superannuation Contributions	15,214.58

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

Pay/Type	Date	Name	Description	Amount
EFT14827	31/10/2013	Ag Implements Merredin P/L	Tubes	32.66
EFT14828	31/10/2013	Avon Professional Painting & Decorating	Painting - Library	5,325.00
EFT14829	31/10/2013	Alltoilets WA	Purchase of Mobile Toilet Trailer	6,292.47
EFT14830	31/10/2013	Kimberley Arnold	Travel Expenses - reimbursed by Max Employment	397.50
EFT14831	31/10/2013	Avon Waste	Waste Collection	23,251.13
EFT14832	31/10/2013	Advanced Autologic	Kero, Grease & Auto Rags	898.00
EFT14833	31/10/2013	Algeri Planning & Appeals	Legal Costs	1,138.50
EFT14834	31/10/2013	Kim Lesley Angus	Travel Reimbursement	163.05
EFT14835	31/10/2013	Allmark & Associates	Honour Board Slats	192.50
EFT14836	31/10/2013	Amber Springs Gardens	Accommodation to 12/10/2013	863.30
EFT14837	31/10/2013	Australian Super	Superannuation Contributions	1,484.27
EFT14838	31/10/2013	Australian Ethical	Superannuation Contributions	411.16
EFT14839	31/10/2013	Black Wattle Retreat	Accommodation to 26/10/13	364.90
EFT14840	31/10/2013	Bendigo Superannuation Plan	Superannuation Contributions	214.06
EFT14841	31/10/2013	Covs Parts	Plant & Equipment Parts for Repairs	1,436.50
EFT14842	31/10/2013	Courier Australia	Freight	226.25
EFT14843	31/10/2013	Country Copiers Northam	Service Photocopier - Depot	120.28
EFT14844	31/10/2013	Coates Hire	Ag Show - Plant Hire	1,067.23
EFT14845	31/10/2013	Sally Craddock	Monthly Attendance Allowance - October 2013	1,033.33
EFT14846	31/10/2013	Community Arts Network WA	Repayment of Grant Funds not Expended	2,247.37
EFT14847	31/10/2013	The Cola Cafe	Refreshments - Ground Breaking Ceremony & Meet.	661.00
EFT14848	31/10/2013	Staples	Stationery	572.76
EFT14849	31/10/2013	Coca Cola Amatil (Aust) P/L	Visitor Centre Floor Stock	198.99
EFT14850	31/10/2013	Landgate	Valuations	121.70
EFT14851	31/10/2013	David Dow	Monthly Attendance Allowance - October 2013	1,445.23
EFT14852	31/10/2013	Freemasons Hotel	Accommodation to 12.10.13	213.60
EFT14853	31/10/2013	Flick Washroom Services	Sanitary Bins - 2013/2014	4,446.84
EFT14854	31/10/2013	Foxburrow Holiday Accommodation	Accommodation to 12.10.13	356.00
EFT14855	31/10/2013	SF Fitzgerald Plumbing & Gas	Plumbing	214.50
EFT14856	31/10/2013	Chris Firns	Monthly Attendance Allowance - October 2013	633.33
EFT14857	31/10/2013	Fire & Safety WA	Coondle Helmet Badges	64.02

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

Pay/Type	Date	Name	Description	Amount
EFT14858	31/10/2013	Paula Greenway	Monthly Attendance Allowance - October 2013	1,033.33
EFT14859	31/10/2013	Galaxy Enterprises	Visitor Centre Floor Stock	498.08
EFT14860	31/10/2013	Health Insurance Fund	Payroll Deductions	255.60
EFT14861	31/10/2013	Harcourt Street B & B	Accommodation to 26.10.13	124.60
EFT14862	31/10/2013	JR & A Hersey	Consumables - Tools - Fasteners & Fittings	3,726.02
EFT14863	31/10/2013	Kevin Hogg	Monthly Attendance Allowance - October 2013	1,564.93
EFT14864	31/10/2013	Toodyay Hardware & Farm	Generator - (funds from Sale of Tanker) & Hardware	1,855.63
EFT14865	31/10/2013	Hoddywell Cottage	Accommodation to 26/10/13	632.88
EFT14866	31/10/2013	G Horsfield	Window Cleaning	500.00
EFT14867	31/10/2013	Instant Products Hire	12 Chemical Toilet Hire - IFF	1,402.83
EFT14868	31/10/2013	Ipswich View Homestead B&B	Accommodation to 12/10/2013	569.60
EFT14869	31/10/2013	Fran Irwin	Visitor Centre Floor Stock	133.00
EFT14870	31/10/2013	Ing Masterfund	Superannuation Contributions	362.60
EFT14871	31/10/2013	Joondalup Resort	Accommodation - BS Conference - D Andrijich	610.00
EFT14872	31/10/2013	Jacaranda Homestead	Accommodation to 12.10.13	890.00
EFT14873	31/10/2013	Kevrek (Australia) Pty Ltd	Repairs - Canter Truck	2,198.29
EFT14874	31/10/2013	Limitless Promotions	1500 Cat Straps	510.00
EFT14875	31/10/2013	Bethan Lloyd	Monthly Attendance Allowance - October 2013	1,136.23
EFT14876	31/10/2013	Leyland Engineering Services	Vehicle & Machinery Service & Repairs	3,464.98
EFT14877	31/10/2013	Lewis Motors	Purchase of New Holden Caprice	49,568.17
EFT14878	31/10/2013	State Library of WA	Recoveries of Lost & Damaged Books	24.20
EFT14879	31/10/2013	Rosemary Madacsi	Monthly Attendance Allowance - October 2013	1,033.33
EFT14880	31/10/2013	MM Electrical Merchandising	Electrical Supplies	349.11
EFT14881	31/10/2013	Andrew McCann	Monthly Attendance Allowance - October 2013	1,033.33
EFT14882	31/10/2013	Vahri McKenzie	Authors Workshop	931.78
EFT14883	31/10/2013	LGISWA	13/14 Workcare & Property Insurance - Final Payment	168,393.59
EFT14884	31/10/2013	Midalia Steel P/L	Steel	2,089.14
EFT14885	31/10/2013	Metal Artwork Creations	Desk Name Plates & Plaques	89.10
EFT14886	31/10/2013	Mitre 10 Northam	Door Frames & Building Materials	233.21
EFT14887	31/10/2013	Northam Bearing Sales	O Ring	7.04
EFT14888	31/10/2013	Gary Nelmes	Council Crossover Contribution	1,400.00

Shire of Toodyay

List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013

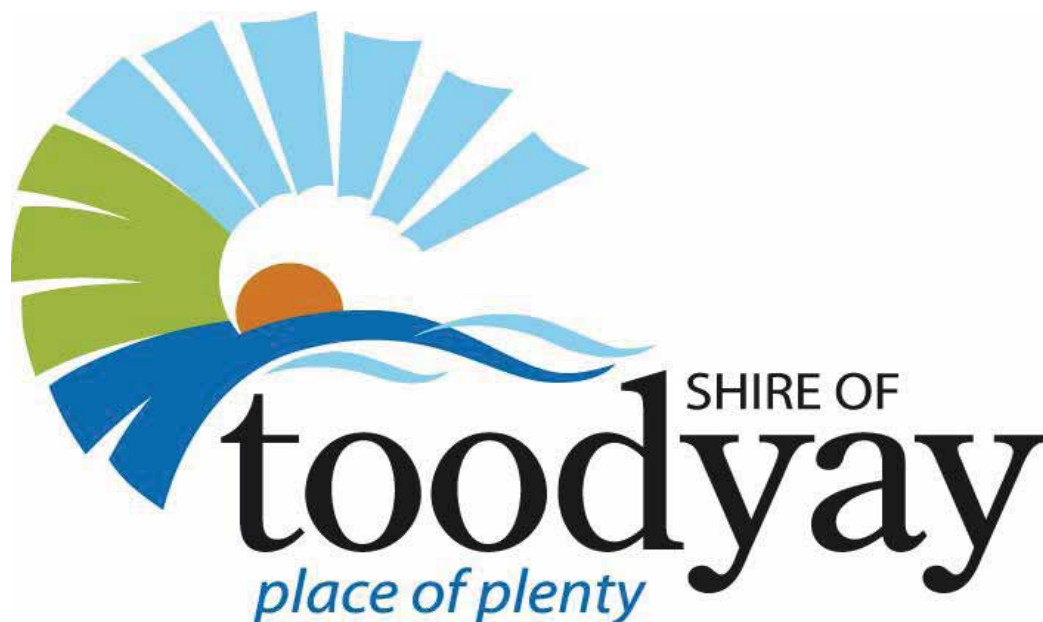
Pay/Type	Date	Name	Description	Amount
EFT14889	31/10/2013	Officeworks	iPAD Accessories & Stationery	217.40
EFT14890	31/10/2013	John Prater	Monthly Attendance Allowance - October 2013	916.02
EFT14891	31/10/2013	PT & JJ Contractors	Contract Cleaning	4,236.50
EFT14892	31/10/2013	B A Phelps	Firebreaks Slashing	3,150.00
EFT14893	31/10/2013	Professional Lockservice	Locks	224.95
EFT14894	31/10/2013	Public Transport Authority	Transwa Ticket Sales - September 2013	300.99
EFT14895	31/10/2013	Quickfit Blinds & Curtains	Curtains - Old Gaol	113.95
EFT14896	31/10/2013	Reflections Glass & Glazing	Glass Repairs	392.18
EFT14897	31/10/2013	E & MJ Rosher P/L	Purchase Tow Behind Sweeper	43,175.00
EFT14898	31/10/2013	State Law Publisher	Advertising - Firebreak Notice	253.60
EFT14899	31/10/2013	Shire of Bruce Rock	Contract EHO	4,455.00
EFT14900	31/10/2013	Janette Smith	Authors Workshop	150.00
EFT14901	31/10/2013	Toodyay Express	Freight	385.00
EFT14902	31/10/2013	Shire of Northam	Disposal of Waste - September 2013	7,895.35
EFT14903	31/10/2013	Thea Commins Wholesalers	Visitor Centre Floor Stock	223.30
EFT14904	31/10/2013	Toodyay Auto Centre	Steering Arm & New Portable Toilets Inspection	533.30
EFT14905	31/10/2013	Toodyay IGA	Staff Amenities & Gatorade & Water for Fire Brigades	2,812.17
EFT14906	31/10/2013	Jtagz Pty Ltd	500 x 2016 Dog Tags	258.50
EFT14907	31/10/2013	Toodyay Newsagency	Newspapers & Misc Items - October 2013	93.20
EFT14908	31/10/2013	The Art of Jeremy Boot	Visitor Centre Floor Stock	264.40
EFT14909	31/10/2013	Timberworks Carpentry Solutions	Toilet Repairs - Paint, Posts & Beams - Duidgee Park	3,300.00
EFT14910	31/10/2013	Toodyay Auto Parts & Pumps	WTS Pump Service	165.00
EFT14911	31/10/2013	Toodyay Friends of the River Inc	Donation	400.00
EFT14912	31/10/2013	Toodyay Brook Jams & Preserves	Visitor Centre Floor Stock	101.20
EFT14913	31/10/2013	Vernice P/L	Dry Hire of Excavator	428.66
EFT14914	31/10/2013	Victoria Hotel	Accomodation to 12/10/2013	1,249.92
EFT14915	31/10/2013	IT Vision Aust Ltd	Rate Notice Change - Bpay	214.50
EFT14916	31/10/2013	WA Local Government Association	Advertising	844.47
EFT14917	31/10/2013	Western Australian Treasury Corporation	Loan Repayments - Library Upgrade & Rec Facility	56,750.79
EFT14918	31/10/2013	Wheatbelt Safetywear	Two Pairs Safety Boots	310.00
EFT14919	31/10/2013	West Scheme	Superannuation Contributions	855.82

Shire of Toodyay				
List of Payments Presented to Council for Period 1 October 2013 to 31 October 2013				
Pay/Type	Date	Name	Description	Amount
EFT14920	31/10/2013	Wellburn Superannuation Fund	Superannuation Contributions	115.86
			Total Payments	1,098,174.21

IPV	175,145.68
BPV	131,665.94
Trust	7,762.82
EFT	750,433.95
Muni Chqs	33,165.82
TOTAL	<u>1,098,174.21</u>

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Monthly Financial Statements



FOR THE PERIOD ENDING

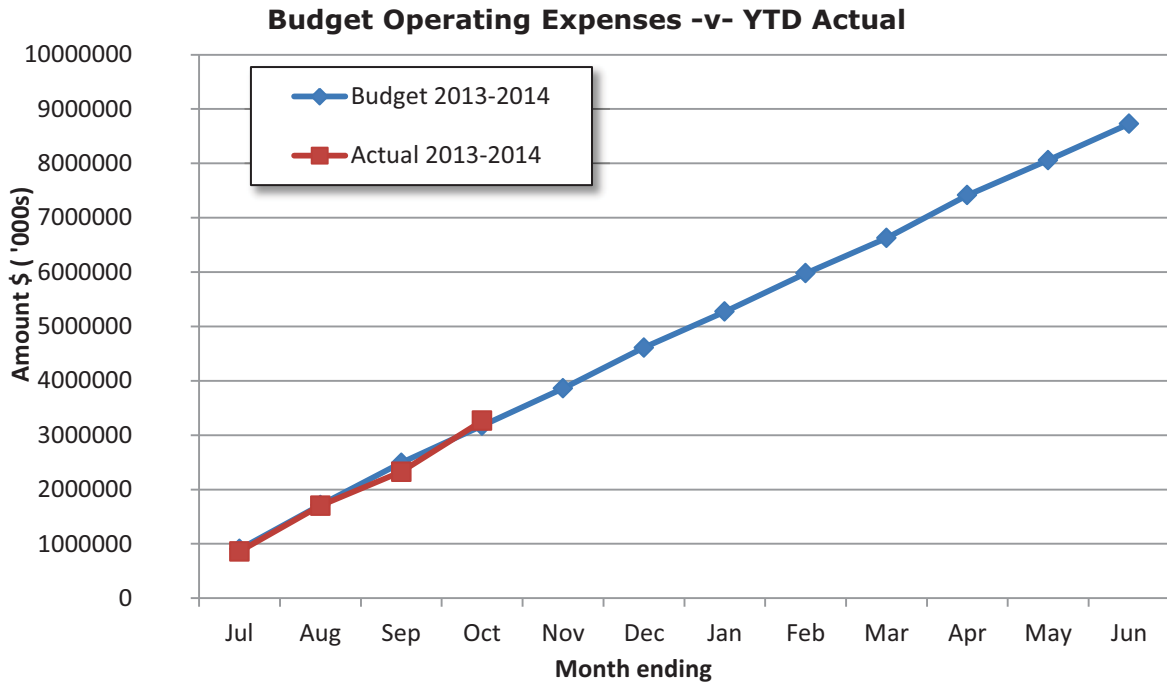
31 October 2013

Shire of Toodyay
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ending 31 October 2013

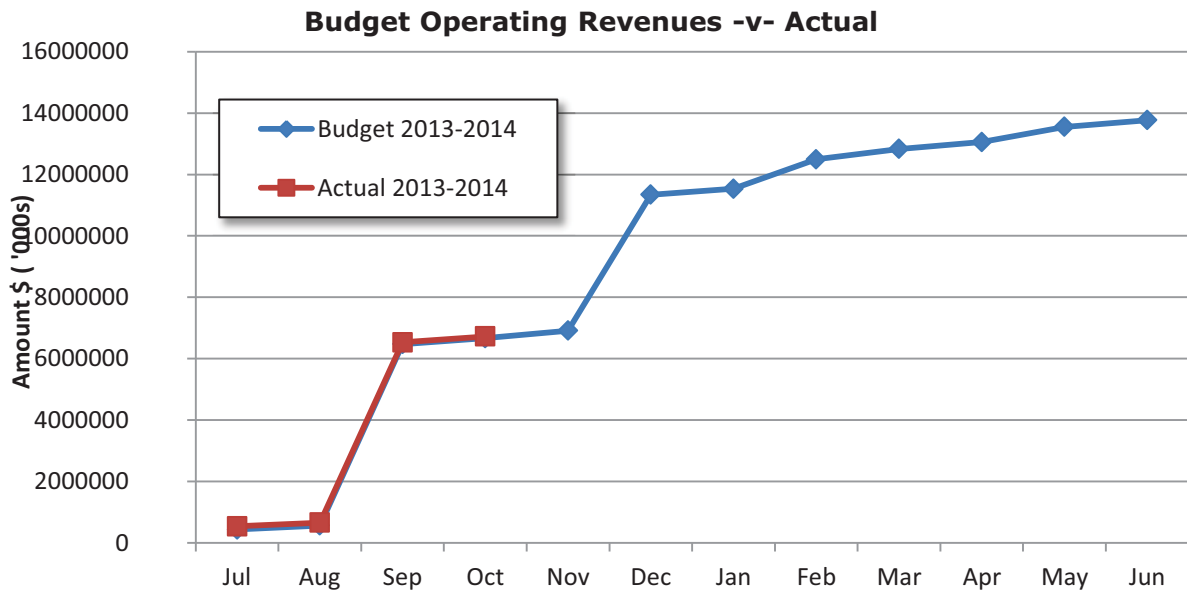
	Original Adopted Budget	Revised Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(b)	Var.
Note	4	4			3	3	
Operating Revenues		\$	\$	\$	\$	%	
Governance	13,500	13,500	4,488	18,880	14,392	76.23%	▲
General Purpose Funding	1,476,905	1,476,905	245,164	264,827	19,663	7.42%	
Law, Order and Public Safety	332,150	332,150	61,127	107,064	45,937	42.91%	▲
Health	61,000	61,000	20,332	45,368	25,036	55.18%	▲
Education and Welfare	0	0	0	0	0		
Housing	4,023,500	4,023,500	10,164	9,029	(1,135)	(12.57%)	
Community Amenities	656,710	656,710	618,796	620,504	1,708	0.28%	
Recreation and Culture	296,107	296,107	38,940	40,021	1,081	2.70%	
Transport	1,433,830	1,433,830	523,584	481,262	(42,322)	(8.79%)	
Economic Services	264,531	264,531	64,820	72,827	8,007	10.99%	▲
Other Property and Services	188,666	188,666	55,810	48,392	(7,418)	(15.33%)	▼
Total (Excluding Rates)	8,746,899	8,746,899	1,643,225	1,708,175	64,950		
Operating Expense							
Governance	(777,873)	(777,873)	(303,153)	(210,809)	92,344	(43.80%)	▼
General Purpose Funding	(357,465)	(357,465)	(83,744)	(92,432)	(8,688)	9.40%	
Law, Order and Public Safety	(1,179,682)	(1,179,682)	(303,012)	(341,876)	(38,864)	11.37%	▲
Health	(239,708)	(239,708)	(101,044)	(101,042)	2	(0.00%)	
Education and Welfare	0	0	0	0	0		
Housing	(94,385)	(94,385)	(31,396)	(35,134)	(3,738)	10.64%	
Community Amenities	(1,273,533)	(1,273,533)	(423,248)	(361,511)	61,737	(17.08%)	▼
Recreation and Culture	(1,326,476)	(1,326,476)	(462,532)	(545,473)	(82,941)	15.21%	▲
Transport	(2,493,589)	(2,493,589)	(1,072,795)	(987,920)	84,875	(8.59%)	
Economic Services	(917,744)	(917,744)	(284,250)	(303,034)	(18,784)	6.20%	
Other Property and Services	(67,391)	(67,391)	(108,601)	(286,062)	(177,461)	62.04%	▲
Total	(8,727,846)	(8,727,846)	(3,173,775)	(3,265,292)	(91,517)		
Funding Balance Adjustment							
Add back Depreciation	2,037,127	2,037,127	679,008	688,134	9,126	1.33%	
Adjust (Profit)/Loss on Asset Disposal	(24,004)	(24,004)	0	0	0		
Adjust Provisions and Accruals					0		
Net Operating (Ex. Rates)	2,032,176	2,032,176	(851,542)	(868,984)	(17,442)		
Capital Revenues							
Proceeds from Disposal of Assets	371,000	371,000	0	8,864	8,864	100.00%	▲
Proceeds from New Debentures	0	0	0	0	0		
Proceeds from Sale of Investments	0	0	0	0	0		
Proceeds from Advances	0	0	0	0	0		
Self-Supporting Loan Principal	0	0	0	0	0		
Transfer from Reserves	1,918,194	1,918,194	0	0	0		
Total	2,289,194	2,289,194	0	8,864	8,864		
Capital Expenses							
Land and Buildings	(7,245,583)	(7,245,583)	0	(53,469)	(53,469)	100.00%	▲
Plant and Equipment	(524,000)	(524,000)	0	(101,331)	(101,331)	100.00%	▲
Furniture and Equipment	(60,750)	(60,750)	0	15,655	15,655	100.00%	
Infrastructure Assets - Roads	(2,810,257)	(2,810,257)	0	(97,922)	(97,922)	100.00%	▲
Infrastructure Assets - Other	0	0	0	0	0		
Repayment of Debentures	(195,091)	(195,091)	0	(63,491)	(63,491)	100.00%	▲
Advances to Community Groups	0	0	0	0	0		
Transfer to Reserves	(1,051,297)	(1,051,297)	0	0	0		
Total	(11,886,978)	(11,886,978)	0	(300,559)	(300,559)		
Net Capital	(9,597,784)	(9,597,784)	0	(291,695)	(291,695)		
Total Net Operating + Capital	(7,565,608)	(7,565,608)	(851,542)	(1,160,679)	(309,137)		
Rate Revenue	5,024,195	5,024,195	5,024,195	5,015,895	(8,300)	(0.17%)	
Opening Funding Surplus(Deficit)	2,672,694	2,672,694	2,672,694	2,600,916	(71,778)	(2.76%)	
Closing Funding Surplus(Deficit)	3	131,280	131,280	6,845,347	6,456,132	(389,215)	

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 31 October 2013

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

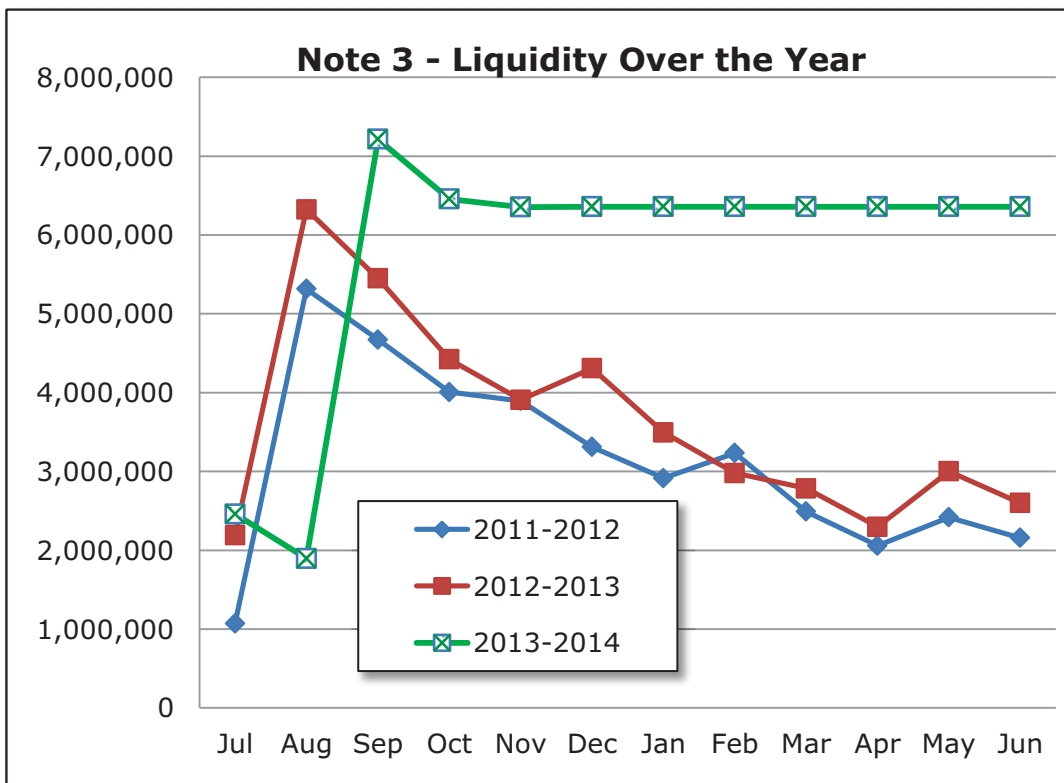


Comments/Notes - Operating Revenues

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 3: NET CURRENT FUNDING POSITION

		Positive=Surplus (Negative=Deficit)		
		2013-2014		
Note	This Period	Last Period	Same Period Last Year	1 July BFWD
	\$	\$	\$	
Current Assets				
Cash Unrestricted	4,372,716	2,645,916	2,767,975	2,777,839
Cash Restricted	2,954,070	2,954,070	2,621,369	2,954,070
Investments	0	0	0	0
Receivables - Rates and Rubbish	2,177,801	4,725,227	1,723,458	393,435
Receivables -Other	53,291	23,709	75,074	69,451
Inventories	104,994	92,520	67,182	112,560
	9,662,871	10,441,441	7,255,058	6,307,355
Less: Current Liabilities				
Payables	(216,100)	(266,208)	(168,478)	(776,081)
Provisions	(426,855)	(430,509)	(392,109)	(430,066)
	(642,955)	(696,717)	(560,588)	(1,206,146)
Less: Cash Restricted Reserves	(2,954,070)	(2,954,070)	(2,621,369)	(2,954,070)
Adjustment for Current Borrowings	131,600	165,503	83,633	195,091
Adjustment for Cash Backed Liabilities	258,686	258,686	258,686	258,686
Net Current Funding Position	6,456,132	7,214,844	4,415,421	2,600,916



Comments - Net Current Funding Position

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 4: CASH AND INVESTMENTS

Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
	1,169,795	1,156,856			1,169,795	Bendigo Bank	At Call
					1,156,856	Bendigo Bank	At Call
			876,100		0	Bendigo Bank	At Call
					876,100	Bendigo Bank	At Call
3.55%	550,000				550,000	Bendigo Bank	14.04.14
3.50%	550,000				550,000	Bendigo Bank	13.01.14
3.60%		443,869			443,869	Bendigo Bank	16.12.13
3.60%		1,826,319			1,826,319	Bendigo Bank	05.12.13
3.80%			117,419		117,419	Bendigo Bank	19.02.14
3.80%			183,174		183,174	Bendigo Bank	19.02.14
3.70%			91,578		91,578	Bendigo Bank	27.11.13
4.10%			118,563		118,563	Bendigo Bank	27.12.13
					0		
	2,269,795	3,427,045	1,386,835	0	7,083,674		

(a) **Cash Deposits**

Municipal Reserve
Toodyay Bush Fire Relief Fund Trust

(b) **Term Deposits**

Municipal NCD: 1072725
Municipal NCD: 1072721
Depot Loan Funds NO. 71 Reserve
Trust - T83
Trust - T84
Trust - T794
Trust - T100

(c) **Investments**

Not Applicable

Total

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 unpresented 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 31 October 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	Sub Totals	Amended Budget Running Balance
	Budget Adoption	228/07/12	Opening Surplus(Deficit)	\$	\$	\$		\$ 131,280
	Closing Funding Surplus (Deficit)			0	0	0	0	0

Classifications Pick List
Operating Revenue
Operating Expenses
Capital Revenue
Capital Expenses
Opening Surplus(Deficit)
Non Cash Item

Shire of Toodyay
Notes To The Statement Of Financial Activity
For the Period Ending 31 October 2013

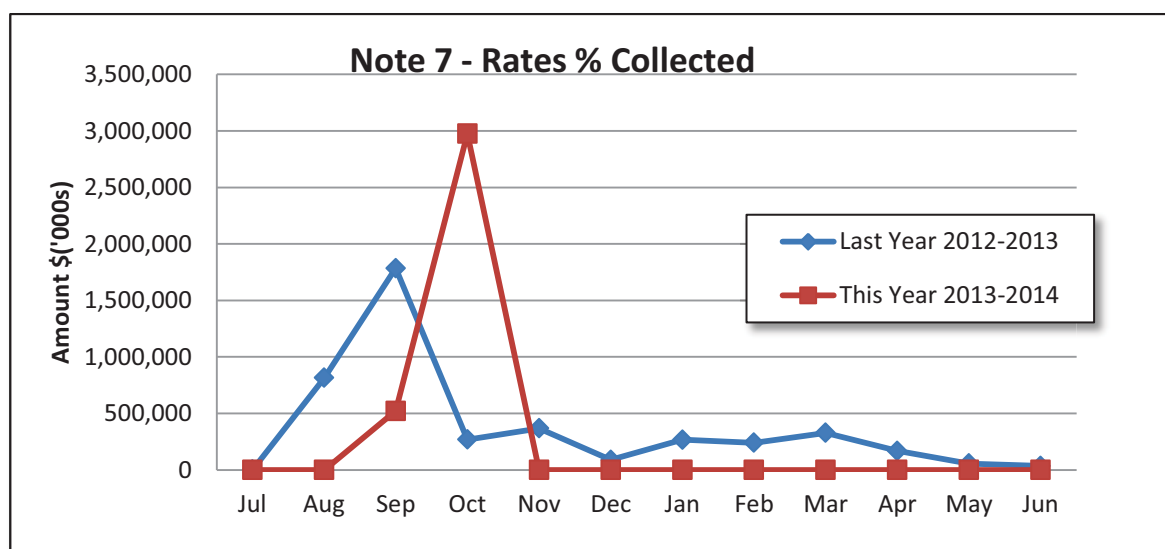
Note 7: RECEIVABLES

Receivables - Rates and Rubbish

Opening Arrears Previous Years
 Rates Levied this year
Less Collections to date
Plus - Rates Payments Made In Advance
 Equals Current Outstanding

	Current 2013-2014	Previous 2012-2013	Total
	\$	\$	\$
		302,460	302,460
	5,023,495		5,023,495
	(2,933,843)	(41,568)	(2,975,411)
	19,262	11,579	30,841
	2,108,914	272,472	2,381,386
			2,381,386
			55.87%

Net Rates Collectable
 % Collected



Comments/Notes - Receivables Rates and Rubbish

Current

Credit Balances	(11,579)
Employee Direct Debit	12,016
Interim Rates	0
Legal Action	43,000
No Action Required	3,797,367
Overdue	0
Payment Arrangement	0
Pensioner	857,290
Properties in Receivership	36,875
Sale of Land LG Act S6.64	34,354
Intent To Summons	0
Skip Trace	0

Total Current **4,769,323**

Non- Current

Deferred Pensioners (not collectable till Pensioner property is sold)	128,737
Net Rates Collectable	4,898,059

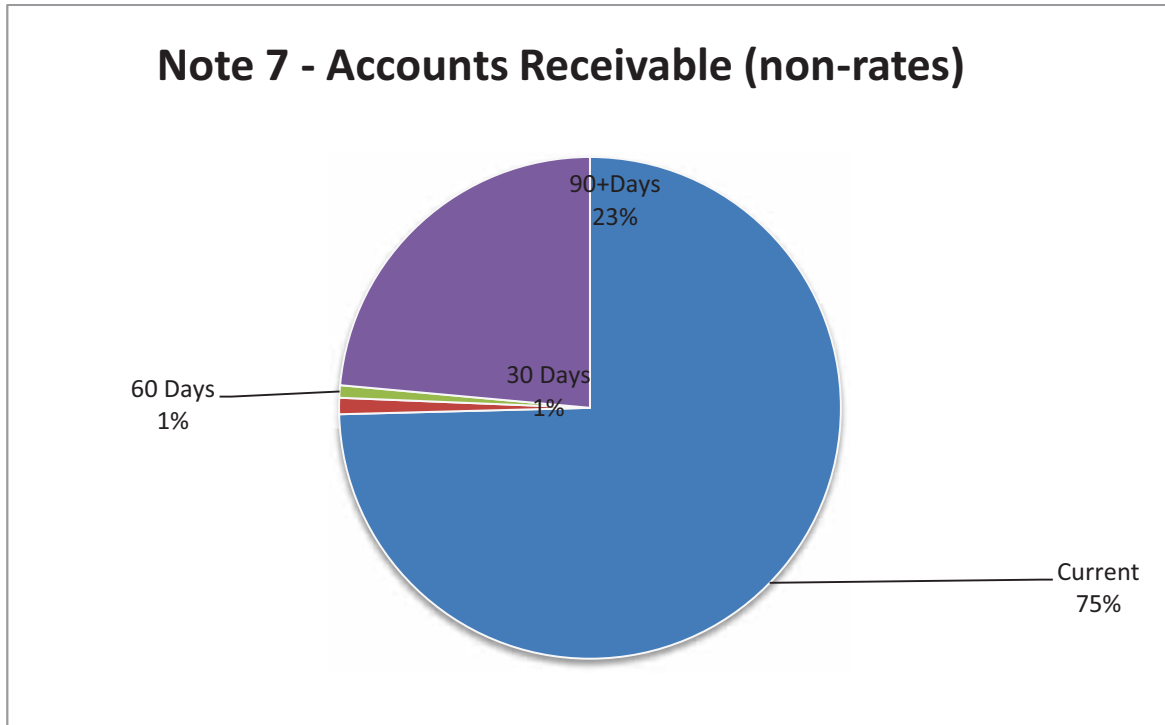
Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 7: RECEIVABLES

Receivables - General

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
Total Outstanding	27,824	392	298	8,789
				37,301

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables General

This note reflects Sundry Debtors only. It does not include other debtors such as GST due from the ATO & Pensioner Rebates due from the State.

Final Letters	8,738.44
Seven Day Letters	0.00
Debt Collection	0.00
No Action Required	27,980.02
Payment Arrangement	0.00
Payroll Deductions	75.00
To be Written Off	507.65
Total Outstanding	37,301.11

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 8: GRANTS AND CONTRIBUTIONS

Program/Details GL	Provider	Approval	2013-2014 Budget	Variations Additions (Deletions)	Revised Grant	Recoup Status	
						Received	Not Received
		(Yes/No)	\$	\$	\$	\$	\$
GENERAL PURPOSE FUNDING							
Financial Assistance Grant - General - Untied	Federal Government	Yes	472,000		472,000	117,988	354,012
Financial Assistance Grant - Roads - Untied	Federal Government	Yes	244,000		244,000	61,035	182,966
Royalties For Regions 2012/2013 Individual	Dept Local Government	Yes	558,405		558,405	0	558,405
GOVERNANCE							
		Yes	0		0	0	0
LAW, ORDER, PUBLIC SAFETY							
Bush Fire Mitigation - SEMC	DFES	No	50,000		50,000	0	50,000
ESL Levy Recoup	DFES	Yes	128,000		128,000	64,000	64,000
FESA Firefighting Recoup	DFES	Yes	15,000		15,000	0	15,000
ESL Capital Grant - Morangup BFB Extentions	DFES	Yes	31,550		31,550	0	31,550
CESM Recoups	DFES & Shire of Goomalling	Yes	80,750		80,750	22,982	57,768
HOUSING							
CLFF/RFR 2012/2013 Regional Component	Dept Local Government	Yes	2,742,412		2,742,412	0	2,742,412
AROC Aged Care Contribution	Butterley Cottages	Yes	857,588		857,588	0	857,588
AROC Aged Care Contribution	Shire of Goomalling	Yes	200,000		200,000	0	200,000
AROC Aged Care Contribution	Shire of Victoria Plains	Yes	200,000		200,000	0	200,000
COMMUNITY AMENITIES							
		No				0	0
RECREATION AND CULTURE							
RDAF Round 5 Grant Funding	RDAF	No	90,207		90,207	0	90,207
Duidgee Skate Park - Stage 2 - Plans	Dept Sport & Rec	Yes	3,000		3,000	0	3,000
Duidgee Skate Park - Stage 2 - Plans	Lotterywest	Yes	3,000		3,000	0	3,000
Duidgee Skate Park - Stage 2 - Construction	Dept Sport & Rec	Yes	66,000		66,000	0	66,000
Writing WA		Yes	3,000		3,000	3,000	0
Read Out Loud		Yes	1,000		1,000	0	1,000

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 8: GRANTS AND CONTRIBUTIONS

Program/Details GL	Provider	Approval	2013-2014 Budget	Variations Additions (Deletions)	Revised Grant	Recoup Status	
						Received	Not Received
		(Yes/No)	\$	\$	\$	\$	\$
EMRC - AVON/IFF Festival	East Metropolitan Reg Council	Yes	37,000		37,000	0	37,000
Thank A Volunteer Day Grant		Yes	1,000		1,000	0	1,000
TRANSPORT							
Dual Use Pathways & Bike Paths	Department of Transport	Yes	49,750		49,750	0	49,750
Regional Roads Group	MRWA	Yes	693,314		693,314	277,326	415,988
Roads To Recovery	Federal Government	Yes	373,011		373,011	82,324	290,687
Untied Operating Road Grant	MRWA	Yes	98,755		98,755	98,755	0
Road Construction (Private) Contributions	Private	Yes	100,000		100,000	0	100,000
Road Maintenance Contributions	Private	Yes	100,000		100,000	0	100,000
ECONOMIC SERVICES							
Community Depot - Stormwater Reuse	Wheatbelt NRM	Yes	10,181		10,181	0	10,181
OTHER PROPERTY & SERVICES							
		Yes			0		0
TOTALS			7,208,923	0	7,208,923	727,409	6,481,514

Comments - Grants and Contributions

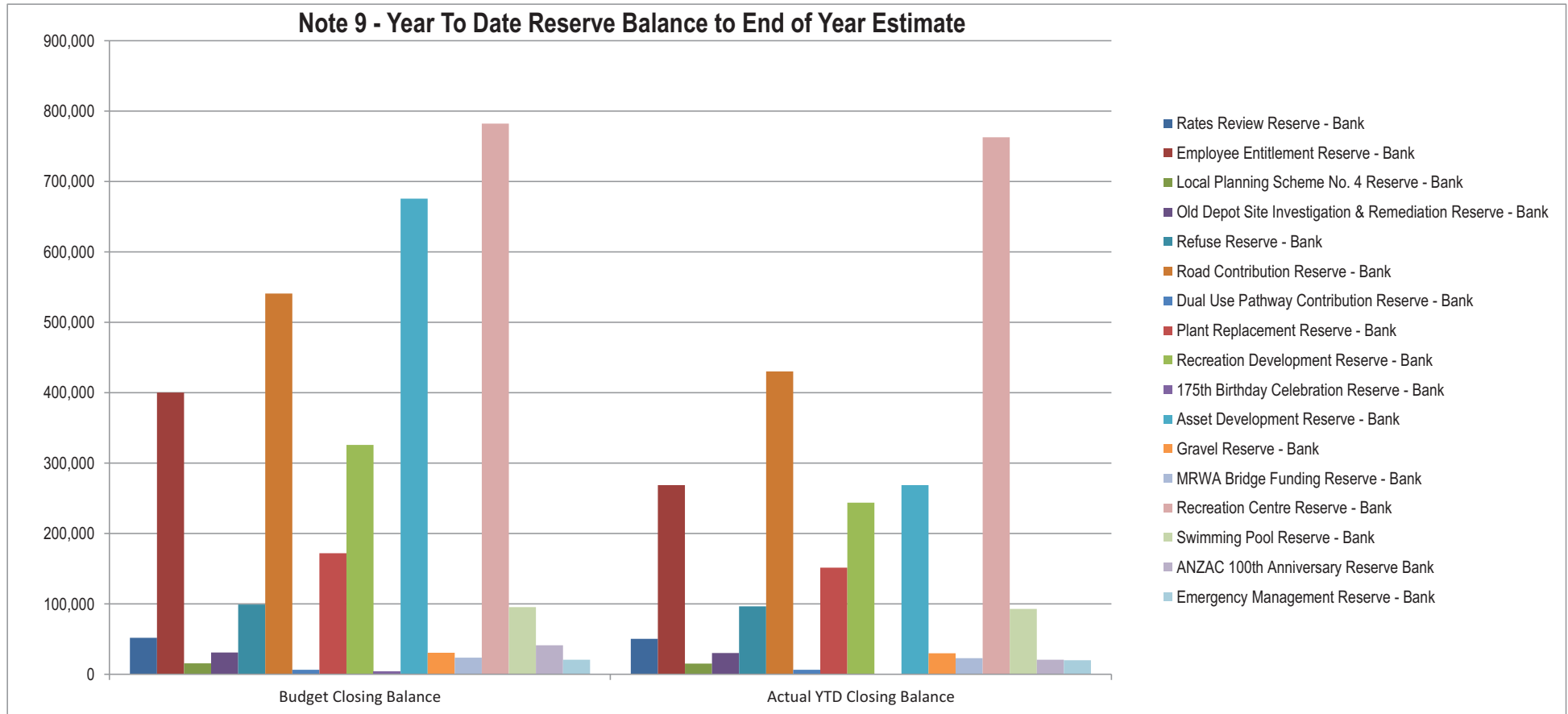
Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

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
	\$	\$	\$	\$	\$	\$	\$		\$
Anzac 100th Anniversary Reserve	41,421	615	0	20,000		0		62,036	41,421
Asset Development Reserve	273,005	4,959	0	0		(125,000)		152,964	273,005
Dual Use Pathways Reserve	6,552	0	0	0		(6,552)		0	6,552
Emergency Management & Recovery Reserve	20,538	305	0	10,000				30,843	20,538
Employee Entitlement Reserve	258,686	6,400		30,000		(30,000)		265,086	258,686
Gravel Reserve	30,351	0	0	0		(30,351)		0	30,351
Local Planning Scheme No 4 Reserve	15,403	0	0	0		(15,403)		0	15,403
MRWA Bridge Reserve	23,439	0	0	0		(23,439)		(0)	23,439
Old Depot Site Reserve	30,807	0	0	0		(30,807)		(0)	30,807
Plant Replacement Reserve	170,766	2,537	0	150,000		(200,000)		123,303	170,766
Rates Review Reserve	51,345	0	0	0		(51,345)		(0)	51,345
Recreation Centre Reserve	774,787	11,510	0	0		(786,297)		(0)	774,787
Recreation Development Reserve	247,497	3,677	0	786,297		(100,000)		937,471	247,497
Refuse Disposal Reserve	98,284	1,460	0	0		(30,000)		69,744	98,284
Road Contribution Reserve	816,706	12,133	0	0		(489,000)		339,839	816,706
Swimming Pool Reserve	94,483	1,404	0	0		0		95,887	94,483
Information Technology Reserve	0	0	0	5,000		0		5,000	0
Footbridge Reserve	0	0	0	5,000		0		5,000	0
	2,954,070	45,000	0	1,006,297	0	(1,918,194)	0	2,087,173	2,954,070

Shire of Toodyay
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 For the Period Ending 31 October 2013

Note 9: Cash Backed Reserve (Continued)



Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Profit(Loss) of Asset Disposal				Disposals	Current Budget			
Cost	Accum Depr	Proceeds	Profit		Replacement		Variance (Under)Over	
\$	\$	\$	\$		Proceeds	Proceeds Actual	\$	
				0 T0017 - John Deere 670D Grader	150,000	0	(150,000)	▼
				0 1TIL297 - Dolly 1	15,000	0	(15,000)	▼
				0 Dolly 2	15,000	0	(15,000)	▼
				0 T0010 - Truck	77,000	0	(77,000)	▼
				0 T4623 - Tow Behind Sweeper	8,000	0	(8,000)	▼
				0 T0013 - Mitsubishi Triton Garden	7,000	0	(7,000)	▼
				0 T0014 - Mitsubishi Triton Garden	7,000	0	(7,000)	▼
				0 T0026 - Mitsubishi Triton Dual Cab (WC)	15,000	0	(15,000)	▼
				0 T6364 - Mitsubishi Triton	7,000	0	(7,000)	▼
				0 T6480 - Mitsubishi Triton	14,000	0	(14,000)	▼
				0 T0000 - Mazda 6 Sports Sedan	15,000	0	(15,000)	▼
				0 1DGW869 - Mazda 6 Sports Sedan	16,000	0	(16,000)	▼
				0 T1184 - Mitsubishi 4x4 D/Cab (BS/EC)	25,000	0	(25,000)	▼
0	0	0	0	Totals	371,000	0	(371,000)	

Comments - Capital Disposal

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions Information				Summary Acquisitions	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$		\$	\$	\$	
4,877,162	330,000	950,000	6,157,162	Property, Plant & Equipment	7,083,583	18,745	(7,064,838)	▼
			0	Land and Buildings	524,000	98,532	(425,468)	▼
			0	Plant & Property	60,750	(15,655)	(76,405)	▼
				Furniture & Equipment				
				Infrastructure				
1,172,575	0	0	1,066,325	Roadworks	2,587,950	100,869	(2,487,081)	▼
76,000	0	0	76,000	Bridges	76,000	0	(76,000)	▼
43,500	6,552	0	50,052	Footpaths & Cycleways	95,500	0	(95,500)	▼
0	30,807	0	0	Other Infrastructure	212,807	34,725	(178,082)	▼
6,169,237	367,359	950,000	7,349,539	Totals	10,640,590	237,216	(10,403,374)	

Comments - Capital Acquisitions

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions Information				Land & Buildings	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
31,550			31,550	LOPS - Building - Capital Expenditure	31,550	767	(30,783)	▼
				Cat Pound - Building Expenditure	150,000	3,838	(146,162)	▼
				Alma Beard Medical Centre - Building	10,125	0	(10,125)	▼
				<u>Staff Housing - Capital Works</u>	25,170	0	(25,170)	▼
				- \$13,136 Connors Cottage Paint & Ceiling				
				- \$7,534 Clinton Street New Fencing				
				- \$4,500 19A Clinton Street Finish Bathroom				
4,000,000			4,000,000	AROC Aged Care Housing Initiative	4,400,000	0	(4,400,000)	▼
	30,000		30,000	Waste Transfer Station - Capital Works	30,000	0	(30,000)	▼
				<u>Buildings - Public Halls & Civic Centres</u>	106,255	0	(106,255)	▼
50,000			50,000	- \$90,000 Memorial Hall Re-roof				
				- \$8,198 Youth Hall Paint & Re-fence				
				- \$8,057 Toodyay Community Centre Re-paint				
	100,000		100,000	Land - Public Halls & Civic Centres	125,000	0	(125,000)	▼
				Dudgee Park Upgrade	20,000	0	(20,000)	▼
				<u>Buildings - Sport & Recreation</u>	1,850,000	0	(1,850,000)	▼
575,000	100,000	950,000	1,625,000	- \$1,625,000 Rec Precinct Land Purchase			0	
122,000			122,000	- \$200,000 Dudgee Park Skate Park Stage 2				
				- \$25,000 Basketball Facilities				
	100,000		100,000	Recreation Precinct - Design & Drawings	100,000	0	(100,000)	▼
				<u>Upgrade To Heritage Buildings</u>	36,227	0	(36,227)	▼
				- \$12,500 Connors Mill Repairs				
				- \$8,670 Newcastle Old Gaol Roof Repairs				
				- \$5,057 Parkers Cottage Ceiling Replacement				
				- \$10,000 Donegans Cottage Structure Repairs				
				<u>Economic Services & Tourism - Buildings</u>	20,000	0	(20,000)	▼
				- \$20,000 VC Refit For Additional Office Space				
				<u>Buildings - Economic Services</u>	110,000	14,140	(95,860)	▼
58,405			58,405	- \$75,000 Tourist Information Bay				
				- \$35,000 Shire of Toodyay Entry Statements				
				<u>Community Depot - Capital Works</u>	69,256	0	(69,256)	▼
40,207			40,207	- \$69,256 Connect power, water & level site				
4,877,162	330,000	950,000	6,157,162	Totals	7,083,583	18,745	(7,064,838)	

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions Information				Plant & Equipment	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$		\$	\$	\$	
				<u>Purchase Of Plant & Equipment</u>				
				0 T0010 - Truck	240,000		(240,000)	▼
				0 T4623 - Tow Behind Sweeper	47,000	47,750	750	▼
				0 T0013 - Mitsubishi Triton Garden	22,000		(22,000)	▼
				0 T0014 - Mitsubishi Triton Garden	22,000		(22,000)	▼
				0 T0026 - Mitsubishi Triton Dual Cab (WC)	35,000		(35,000)	▼
				0 T6364 - Mitsubishi Triton	25,000		(25,000)	▼
				0 T6480 - Mitsubishi Triton	25,000		(25,000)	▼
				0 T0 - Holden Caprice (CEO)	45,000	45,062	62	▲
				0 T1184 - Mitsubishi 4x4 D/Cab (BS/EC)	35,000		(35,000)	▼
				0 New Standpipe & Swipe Cards	16,000		(16,000)	▼
				0 HP T790 A1 Plotter Eprinter	6,000		(6,000)	▼
				0 Portable Toilet	6,000	5,720	(280)	▼
0	0	0	0	Totals	524,000	98,532	(425,468)	

Contributions Information				Furniture & Equipment	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$		\$	\$	\$	
				0 <u>Council Chambers - Furniture & Fittings</u>	21,600	5,600	(16,000)	▼
				- \$15,000 Council Chambers Visual Display				
				- \$6,600 Council Dashboard - Meetings				
				0 Administration - Computer Hardware & Software	30,000	(21,255)	(51,255)	▼
				0 <u>Furniture & Fittings - Visitor Centre</u>	9,150	0	(9,150)	▼
				- \$9,150 VC Upgrade Website & Annual Fee				
0	0	0	0	Totals	60,750	(15,655)	(76,405)	

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions Information				Roads	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$		\$	\$	\$	
366,000			366,000	<u>Regional Road Group Projects - Grant Funded</u>	856,972	1,998	(854,974)	▼
109,333			109,333	- \$366,000 Julimar Road				
217,981			217,981	- \$164,000 Dewars Pool Road				
				- \$326,972 Telegraph Road				
175,731			175,731	<u>Roads To Recovery - Grant Works</u>	706,978	14,708	(692,270)	▼
47,324			47,324	- \$175,731 Lovers Lane				
78,400			78,400	- \$47,234 Beaufort Street				
71,556			71,556	- \$78,400 Dryandra Road				
0			0	- \$82,723 Horsehoe Road				
				- \$322,800 Toodyay Bindi Bindi Road Bridge				
				<u>Road Construction - Own Resources</u>	1,024,000	84,164	(939,836)	▼
				- \$129,734 Mount Road				
				- \$9,170 Rosedale Street				
				- \$16,200 Lukin Street				
				- \$36,135 Coondle Drive				
				- \$129,734 Toodyay West Road				
				- \$12,584 Town Oval				
100,000				- \$150,968 Charcoal Lane Car Park				
				- \$100,000 Mountain Park Subdivision				
6,250				- \$12,500 Bike Parking - 26 U Rails				
				- \$360,000 Dumbarton Road				
				- \$16,970 Harcourt Street				
				- \$50,005 Emergency & Shoulder Work				
1,172,575	0	0	1,066,325	Totals	2,587,950	100,869	(2,487,081)	

Contributions Information				Bridges	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$		\$	\$	\$	
76,000			76,000	<u>Bridges & Culverts Works</u>	76,000	0	(76,000)	▼
				Telegraph Rd Toodyay Brook Bridge				
76,000	0	0	76,000	Totals	76,000	0	(76,000)	

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions Information				Footpaths & Cycleways	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$	\$	\$	\$	\$	
8,250			8,250	Footpaths - Construction	95,500	0	(95,500)	▼
35,250	6,552		41,802	- \$16,500 Duidgee Park Pathway				
			0	- \$70,500 Drummond Street Pathway				
				- \$8,500 Charcoal Lane Street Pathway				
43,500	6,552	0	50,052	Totals	95,500	0	(95,500)	

Shire of Toodyay
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ending 31 October 2013

Note 10: CAPITAL DISPOSALS AND ACQUISITIONS

Contributions Information				Parks, Gardens & Reserves	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$		\$	\$	\$	
			0		0	0	0	
0	0	0	0	Totals	0	0	0	

Contributions Information				Other Infrastructure	Current Budget			
Grants & Contributions	Reserves	Borrowing	Total		This Year			
					Budget	Actual	Variance (Under)Over	
\$	\$	\$	\$		\$	\$	\$	
			0	<u>Construction Of New Depot Facility</u>	162,000	34,725	(127,275)	▼
			0	- \$85,000 Sealing of car park				
			0	- \$32,000 Replacement of Water Tanks				
			0	- \$30,000 Conduit/Drainage				
			0	- \$15,000 Furniture				
	30,807		0	<u>Remediation Of Old Depot Site - Harper Road</u>			0	
			0	- \$30,807 Site Investigation	30,807	0	(30,807)	▼
			0	<u>Toodyay Townsite - Upgrade</u>			0	
			0	- \$20,000 Treescape	20,000	0	(20,000)	▼
0	30,807	0	0	Totals	212,807	34,725	(178,082)	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		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		(500)		(500)		(164)		(6)	158	(96.54%)	
031209	Administration Allocation - Rates		(189,505)		(189,505)		(63,168)		(72,097)	(8,929)	14.14%	▲
031210	Salaries - Rates Officer		(36,261)		(36,261)		(12,084)		(13,569)	(1,485)	12.29%	
031211	Other Employee Costs - Rates Officer - Uniforms - 600		(600)		(600)		(200)		0	200	0.00%	
031212	Conferences & Training - Rates		(500)		(500)		0		0	0	0.00%	
031213	Superannuation		(5,099)		(5,099)		(1,696)		(1,131)	565	(33.30%)	
031215	Postage - Rates Notices - 3,000 - Instalments Notices x 3 - 2,500		(5,500)		(5,500)		(2,500)		(2,998)	(498)	0.00%	
031216	Rating Valuations - GRV Valuations - 2,500 - UV Valuations - 30,000 - Interim Valuations - 2,500		(38,500)		(38,500)		(2,000)		(546)	1,454	(72.70%)	
031217	Title Searches		(1,000)		(1,000)		(332)		(576)	(244)	73.49%	
031218	Legal Expenses - Debt Collection Costs - 25,000		(25,000)		(25,000)		(1,600)		(1,509)	91	(5.67%)	
031219	Rates Review - VGO Valuations - 50,000 - Postage & Community Consult - 5,000		(55,000)		(55,000)		0		0	0	0.00%	
			(357,465)		(357,465)		(83,744)		(92,432)	(8,688)		
<u>OPERATING REVENUE</u>												
031301	Rates Levied - All Areas	5,023,495		5,023,495		5,023,495		5,015,084		(8,411)	0.00%	
031302	Ex Gratia Rates	700		700		700		811		111	0.00%	
031303	Interest On Outstanding/Overdue Rates	25,000		25,000		0		4,220		4,220	0.00%	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
031305	Instalment Charges	20,000		20,000		5,000		19,285		14,285	0.00%	
031306	Rates - Administration Fee	20,000		20,000		20,000		17,498		(2,503)	(12.51%)	
031307	Rates - Property Account Enquiries	20,000		20,000		8,000		8,416		416	5.20%	
031308	Rates - Payment Plan Administration Fee	2,500		2,500		2,500		0		(2,500)	0.00%	
031330	Sale Of Electoral Rolls & Maps	0		0		0		55		55	0.00%	
031331	Rates - Legal Expenses Recovered	20,000		20,000		5,000		1,599		(3,401)	0.00%	
031332	ESL - Administration Fee	5,000		5,000		0		0		0	0.00%	
		5,136,695		5,136,695		5,064,695		5,066,967		2,272		
	TOTAL RATES - Operating	5,136,695	(357,465)	5,136,695	(357,465)	5,064,695	(83,744)	5,066,967	(92,432)	(6,416)		
	CAPITAL EXPENDITURE											
031220	Transfer To Rates Review Reserve		0		0		0	0	0	0	0.00%	
			0		0		0	0	0	0		
	CAPITAL REVENUE											
031333	Transfer From Rates Review Reserve	51,345		51,345		0		0		0	0.00%	
		51,345		51,345		0		0		0		
	TOTAL RATES - Capital	51,345	0	51,345	0	0	0	0	0	0		
	TOTAL RATES	5,188,040	(357,465)	5,188,040	(357,465)	5,064,695	(83,744)	5,066,967	(92,432)	(6,416)		
	GENERAL PURPOSE FUNDING											
	GENERAL PURPOSE GRANTS											
	OPERATING EXPENDITURE											
			0		0		0	0	0	0	0.00%	
			0		0		0	0	0	0		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
OPERATING REVENUE												
032330	General Purpose Grant	472,000		472,000		118,000		117,988		(12)	0.00%	
032331	Road Improvement Grant	244,000		244,000		61,000		61,035		35	0.00%	
032332	Special Projects (Bridges) Gp Grants	0		0		0		0		0	0.00%	
032341	Special Project Grants	0		0		0		0		0	0.00%	
		716,000		716,000		179,000		179,022		22		
TOTAL GENERAL PURPOSE GRANTS - Operating		716,000	0	716,000	0	179,000	0	179,022	0	22		
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				
TOTAL GENERAL PURPOSE GRANTS - Capital		0	0	0	0	0	0	0	0	0		
TOTAL GENERAL PURPOSE GRANTS		716,000	0	716,000	0	179,000	0	179,022	0	22		
GENERAL FINANCE												
OPERATING REVENUE												
032334	Interest On Investment	45,000		45,000		27,000		29,490		2,490	9.22%	
032335	Interest On Reserve Accounts	45,000		45,000		12,000		4,297		(7,704)	(64.20%)	▼
032336	Interest Earned On Trust	0		0		0		947		947	0.00%	
032339	Royalties For Regions	558,405		558,405		0		0		0	0.00%	
	<u>2012/2013 Component To:</u>											
	- Charcoal Lane Car Park - 100,000											

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	- Skate Park - Stage 2 - 50,000 - Aged Care Units (AROC) - 350,000 - Information Bay - 58,405											
	TOTAL GENERAL FINANCE - Operating	648,405	0	648,405	0	39,000	0	34,733	0	(4,267)	(1)	0
	CAPITAL EXPENDITURE											
032204	Reserve Interest Transferred To Reserve		(45,000)		(45,000)		(10,000)		0	10,000	0.00%	
032205	Transfer To Bridge Reserve		0		0		0		0	0	0.00%	
			(45,000)		(45,000)		(10,000)		0	10,000		
	CAPITAL REVENUE											
		0		0		0		0		0	0	
		0		0		0		0				
	TOTAL GENERAL FINANCE - Capital	0	(45,000)	0	(45,000)	0	(10,000)	0	0	10,000		
	TOTAL GENERAL FINANCE	648,405	(45,000)	648,405	(45,000)	39,000	(10,000)	34,733	0	5,733		
	TOTAL GENERAL PURPOSE FUNDING	6,552,445	(402,465)	6,552,445	(402,465)	5,282,695	(93,744)	5,280,722	(92,432)	(661)		
	GOVERNANCE & ADMINISTRATION											
	GOVERNANCE											
	OPERATING EXPENDITURE											
041201	Aroc Secretariat		(5,000)		(5,000)		0		60	60	0.00%	
041202	Memb. Attendance & Allowance Attendance Fees		(141,900)		(141,900)		(47,300)		(43,058)	4,242	(8.97%)	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	Councillors x 8 - 99,200											
	Shire President x 1 - 19,200											
	<u>ICT Allowance</u>											
	Councillors x 9 - 9,000											
	IT Monthly & Annual Fees - 5,500											
	<u>Travel Expenses</u>											
	Councillors x 9 - 9,000											
041203	Members Conf & Travel Exp		(18,000)		(18,000)		(6,000)		(7,862)	(1,862)	31.03%	
041204	Election Expenses		(15,000)		(15,000)		(5,000)		(1,676)	3,324	(66.48%)	
041205	Shire Presidents Allowance		(19,157)		(19,157)		(6,384)		(5,192)	1,192	(18.67%)	
	- President's Allowance - 15,326											
	- D/Pres Allowance - 3,831											
041206	Wheatbelt Development Commission Funding		0		0		0		0	0	0.00%	
041207	Refreshments & F'Ns - Crs		(10,000)		(10,000)		(3,332)		(1,115)	2,217	(66.54%)	
041208	Refreshments & F'Ns - Staff		(15,000)		(15,000)		(5,000)		(3,857)	1,143	(22.87%)	
041210	Members Insurance		(10,000)		(10,000)		(10,000)		(6,155)	3,845	(38.45%)	
041211	Subscriptons		(21,865)		(21,865)		(21,865)		(17,878)	3,987	(18.23%)	
	- Avon Midland WALGA Zone - 2,000											
	- WALGA Assoc M/Ship - 8,332											
	- WALGA Procurement - 1,990											
	- Linking Councils & Communities - 5,000											
	- WALGA Local Laws Service - 543											
	- LGMA - 2,000											
	- Miscellaneous - 2,000											
041212	Misc Members Expenses		(5,000)		(5,000)		(1,664)		(1,403)	261	(15.67%)	
041213	Printing & Stationery		(1,000)		(1,000)		(332)		(630)	(298)	89.64%	
041214	Advertising		(25,000)		(25,000)		(8,332)		(7,524)	808	(9.70%)	
041218	Administration Allocation - Governance		(394,239)		(394,239)		(131,412)		(70,442)	60,970	(46.40%)	▼
041219	Audit Fees		(35,000)		(35,000)		0		0	0	0.00%	
041221	Strategic Development Plans - Fcwp Funding		0		0		0		(4,600)	(4,600)	0.00%	
041222	Legal Fees		(5,000)		(5,000)		(1,664)		(896)	769	(46.18%)	
000312	Deprec Of Assets-Members		(7,062)		(7,062)		(2,352)		(2,311)	41	(1.76%)	
041223	Local Laws Review		(11,150)		(11,150)		(3,716)		15,900	19,616	(527.88%)	▼
041226	175Th Birthday Celebrations		0		0		0		0	0	0.00%	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
041227	Cost Of Dlg Enquiry - Audit Findings		0		0		0		0	0	0.00%	
041228	Integrated Strategic Plan - Consultant		(25,000)		(25,000)		(25,000)		(23,319)	1,681	(6.72%)	
041230	Economic Development Plan		(25,000)		(25,000)		0		(5,363)	(5,363)	0.00%	
			(789,373)		(789,373)		(279,353)		(187,319)	92,034		
OPERATING REVENUE												
041320	Recoups - Council Expenses	1,000		1,000		332		117		(215)	(64.82%)	
041321	Recoups - Other	1,000		1,000		332		0		(332)	(100.00%)	
		2,000		2,000		664		117		(547)		
TOTAL GOVERNANCE (Operating)		2,000	(789,373)	2,000	(789,373)	664	(279,353)	117	(187,319)	91,487		
CAPITAL EXPENDITURE												
041252	Transfer To Anzac 100Th Reserve		(20,000)		(20,000)		0		0	0	0.00%	
041254	Council Chambers - Furniture & Fittings - Council Chambers Visual Display - 15,000 - Council Dashboard Meetings - 6,600		(21,600)		(21,600)		(5,000)		(5,600)	(600)	0.00%	
			(41,600)		(41,600)		(5,000)		(5,600)	(600)		
CAPITAL REVENUE												
041322	Transfer From 175Th Anniversary Rese	0		0		0		0		0	0.00%	
		0		0		0		0		0		
TOTAL GOVERNANCE (Capital)		0	(41,600)	0	(41,600)	0	(5,000)	0	(5,600)	(600)		
TOTAL GOVERNANCE		2,000	(830,973)	2,000	(830,973)	664	(284,353)	117	(192,919)	90,887		
GOVERNANCE & ADMINISTRATION												
ADMINISTRATION												

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>OPERATING EXPENDITURE</u>												
042201	Salaries - Administration		(908,731)		(908,731)		(302,908)		(323,719)	(20,811)	6.87%	
042202	Salaries - L.S.L.		(35,000)		(35,000)		0		0	0	0.00%	
042204	Superannuation - Admin		(79,638)		(79,638)		(26,544)		(25,937)	607	(2.29%)	
042205	Staff Insurances		(70,996)		(70,996)		(60,000)		(46,906)	13,094	(21.82%)	▼
	- Public Liability Insurance - (47,959)											
	- Workes Comp Insurance - (23,037)											
042206	Fbt - Administration Staff		(35,000)		(35,000)		(20,000)		(16,252)	3,748	(18.74%)	
042207	Conference & Training		(45,000)		(45,000)		(8,000)		(6,789)	1,211	(15.14%)	
042208	Advertising Positions		(10,000)		(10,000)		(3,332)		(514)	2,818	(84.57%)	
042209	Staff Uniforms		(2,400)		(2,400)		(800)		0	800	(100.00%)	
042210	Office Maint & Surrounds		(51,402)		(51,402)		(17,120)		(28,021)	(10,901)	63.67%	▲
042211	Admin Printing & Stationery		(25,000)		(25,000)		(8,332)		(9,241)	(909)	10.91%	
042212	Telephone & Internet		(40,000)		(40,000)		(13,332)		(13,035)	297	(2.23%)	
042213	Office Equip. Mtce.		(30,000)		(30,000)		(10,000)		(8,854)	1,146	(11.46%)	
042214	Bank Charges		(14,000)		(14,000)		(4,664)		(4,389)	275	(5.89%)	
042215	Postage & Freight		(5,500)		(5,500)		(1,832)		(1,619)	213	(11.61%)	
042216	Computer Expenses		(80,000)		(80,000)		(45,000)		(57,114)	(12,114)	26.92%	▲
042217	Admin Vehicle Expenses		(20,000)		(20,000)		(6,664)		(9,816)	(3,152)	47.30%	
042218	Admin Legal Expenses		(5,000)		(5,000)		(1,664)		(111)	1,553	(93.34%)	
042220	Administration - Miscellaneous Expenditure		(6,727)		(6,727)		(5,500)		(9,560)	(4,060)	73.81%	
	- Miscellaneous - 2,000											
	- Workplace Solutions - 3,492											
	- WALGA Tax Service - 1,235											
	- Noise Headphones - 400											
042222	Contractor Expenses - Various		0		0		0		0	0	0.00%	
000772	Deprec Of Assets - Admin		(33,379)		(33,379)		(11,124)		(13,234)	(2,110)	18.97%	
00B402	Less Admin Allocation		1,509,273		1,509,273		503,088		551,622	48,534	9.65%	
			11,500		11,500		(43,728)		(23,490)	20,238		
<u>OPERATING REVENUE</u>												

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
042331	Legal Expenses Recovered	500		500		164		0		(164)	(100.00%)	
042333	Photocopying	1,000		1,000		332		555		223	67.02%	
042334	Administration - Miscellaneous Income	10,000		10,000		5,500		8,777		3,277	59.58%	
042341	Income Protection Insurance Revenue	0		0		0		0		0	0.00%	
042342	Administration - Miscellaneous Income	0		0		0		9,432		9,432	0.00%	
		11,500		11,500		5,996		18,763		12,767		
	TOTAL ADMINISTRATION (Operating)	11,500	11,500	11,500	11,500	5,996	(43,728)	18,763	(23,490)	33,005		
	CAPITAL EXPENDITURE											
042254	Transfer To Lsl Reserve - Administration		(15,000)		(15,000)		0		0	0	0.00%	
042255	Transfer To Information Technology Reserve		(5,000)		(5,000)		0		0	0	0.00%	
042400	Administration - Computer Hardware & Software		(30,000)		(30,000)		0		0	0	0.00%	
042401	Office Fitout		0		0		0		0	0	0.00%	
			(50,000)		(50,000)		0		0	0		
	CAPITAL REVENUE											
042330	Transfer From Employee Entitlement Re	15,000		15,000		0		0		0	0.00%	
		15,000		15,000		0		0		0		
	TOTAL ADMINISTRATION (Capital)	15,000	(50,000)	15,000	(50,000)	0	0	0	0	0		
	TOTAL ADMINISTRATION	26,500	(38,500)	26,500	(38,500)	5,996	(43,728)	18,763	(23,490)	33,005		
	TOTAL GOVERNANCE & ADMINISTRATION	28,500	(869,473)	28,500	(869,473)	6,660	(328,081)	18,880	(216,409)	123,892		

LAW, ORDER & PUBLIC SAFETY

FIRE PREVENTION

OPERATING EXPENDITURE

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
051200	Strategic Access & Egress - Stage 3A - Toodyay Highlands (150,000) - Stage 3B - Julimar (100,000) - Stage 3C - Moondyne Park (50,000)		(300,000)		(300,000)		0		0	0	0.00%	
051201	Mitigation Works - Fire - Fuel Reduction Burning (5,000) - Spraying (5,000) - Revegetation (2,000)		(12,000)		(12,000)		(3,000)		(1,550)	1,450	0.00%	
051202	Firefighting - Water - Tank Maintenance (8,000) - Grounds Maintenance (2,000)		(10,000)		(10,000)		(2,000)		0	2,000	0.00%	
051209	Firebreak Inspections		(1,000)		(1,000)		(200)		0	200	0.00%	
051210	Advertising & Signs	0		0		0			(426)	(426)	0.00%	
051211	Fire Standpipe Expenses		(10,000)		(10,000)		(2,000)		0	2,000	0.00%	
051212	Firebreaks - Shire Reserves - Fuel Reduction Burning (5,000) - Spraying (5,000) - Revegetation (2,000)		(12,000)		(12,000)		(3,992)		(3,284)	708	(17.73%)	
051213	Firebreaks Services - Maintenance		(5,000)		(5,000)		(1,660)		0	1,660	(100.00%)	
051214	Egress & Access Track - Maintenance - Spraying (5,000) - Revegetation (2,000)		(7,000)		(7,000)		(2,328)		(1,405)	923	(39.66%)	
051215	Firefighting - Shire Resources		(28,000)		(28,000)		(9,324)		(9,943)	(619)	6.64%	
051216	Legal Costs Incurred	0		0		0			0	0	0.00%	
051218	End Of Year Brigade Function		(3,000)		(3,000)		(1,000)		0	1,000	(100.00%)	
051219	Ranger Services Allocation - Fire Prevention		(115,059)		(115,059)		(38,352)		(43,035)	(4,683)	12.21%	
051220	Brigade Plant & Equip (Less \$1,000)		(5,000)		(5,000)		(1,664)		(727)	937	(56.29%)	
051221	Brigade Plant & Equip Maint		(10,000)		(10,000)		(3,332)		(232)	3,100	(93.04%)	
051222	Brigade Vehicles, Trailers Mtce		(56,000)		(56,000)		(50,000)		(50,765)	(765)	1.53%	
051223	Dfes Co-Location Centre		(8,000)		(8,000)		(2,656)		(5,783)	(3,127)	117.72%	
051224	Brigade Clothing & Access		(8,000)		(8,000)		(8,000)		(10,076)	(2,076)	25.95%	
051225	Brigade Utilities, Rates & Taxes		(20,000)		(20,000)		(6,664)		(9,543)	(2,879)	43.20%	
051226	Brigade Other Goods & Services		(3,000)		(3,000)		(1,000)		(1,019)	(19)	1.90%	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
051227	Brigade Insurances		(18,000)		(18,000)		(18,000)		(17,700)	300	(1.67%)	
001742	Deprec Of Assets - Fire		(217,178)		(217,178)		(72,392)		(60,667)	11,725	(16.20%)	▼
			(848,237)		(848,237)		(227,564)		(216,155)	11,409		
OPERATING REVENUE												
051331	Grant/Contributions - Fire - Bush Fire Mitigation SEMC - 50,000	50,000		50,000		0		1,476		1,476	0.00%	
051334	Legal Costs Recovered	0		0		0		0		0	0.00%	
051335	Fines & Penalties	7,500		7,500		2,500		250		(2,250)	(90.00%)	
051336	Esl Levy Recoup	128,000		128,000		32,000		64,000		32,000	0.00%	
051338	Fesa Recoup For Firefighting	15,000		15,000		0		0		0	0.00%	
051342	Ndrp 2010/2011 Program - Fesa Grant	0		0		0		0		0	0.00%	
051343	Lops - Grants - Morangup BFB Extensions - 31,550	31,550		31,550		0		0		0	0.00%	
051352	Lops - Sale Of Plant & Equipment - Volvo 8 Wheeler Sale - 2,727	0		0		0		8,182		8,182	0.00%	
		232,050		232,050		34,500		73,908		39,408		
TOTAL FIRE PREVENTION - Operating		232,050	(848,237)	232,050	(848,237)	34,500	(227,564)	73,908	(216,155)	50,817		
CAPITAL EXPENDITURE												
51253	Lops - Building - Capital Expenditure - Morangup BFB Extensions		(31,550)		(31,550)		(10,516)		(767)	9,749	0.00%	
			(31,550)		(31,550)		(10,516)		(767)	9,749		
CAPITAL REVENUE												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
TOTAL FIRE PREVENTION - Capital		0	(31,550)	0	(31,550)	0	(10,516)	0	(767)	9,749		

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
TOTAL FIRE PREVENTION		232,050	(879,787)	232,050	(879,787)	34,500	(238,080)	73,908	(216,922)	60,566		
<u>LAW, ORDER & PUBLIC SAFETY</u>												
<u>ANIMAL CONTROL</u>												
<u>OPERATING EXPENDITURE</u>												
052207	Dog Control Expenses		(7,400)		(7,400)		(2,464)		(1,193)	1,271	(51.59%)	
052208	Dog Pound Maintenance		(5,500)		(5,500)		(1,820)		(1,947)	(127)	6.99%	
052209	Other Animal Control		(7,500)		(7,500)		(2,496)		(1,361)	1,135	(45.49%)	
052210	Ranger Services Allocation		(161,083)		(161,083)		(53,692)		(67,627)	(13,935)	25.95%	▲
			(181,483)		(181,483)		(60,472)		(72,127)	(11,655)		
<u>OPERATING REVENUE</u>												
052321	Fines & Penalties - Dog Act	1,000		1,000		332		0		(332)	(100.00%)	
052322	Impounding Fees - Dogs	3,000		3,000		1,000		2,141		1,141	114.14%	
052323	Dog Registration Fees	12,000		12,000		4,000		6,913		2,913	72.83%	
052324	Kennel Licences	100		100		32		0		(32)	(100.00%)	
052325	Fines - Other Animals	250		250		80		400		320	400.00%	
052326	Impounding Fees - Other	500		500		164		200		36	21.95%	
052327	Grant Income - Cat Pound Facilities	0		0		0		0		0	0.00%	
052328	Cat Registration Fees	0		0		0		0		0	0.00%	
		16,850		16,850		5,608		9,654		4,046		
TOTAL ANIMAL CONTROL - Operating		16,850	(181,483)	16,850	(181,483)	5,608	(60,472)	9,654	(72,127)	(7,609)		
<u>CAPITAL EXPENDITURE</u>												
052211	Cat Pound - Building Expenditure		(150,000)		(150,000)		(50,000)		(3,838)	46,162	0.00%	
			(150,000)		(150,000)		(50,000)		(3,838)	46,162		

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		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 ANIMAL CONTROL - Capital	0	(150,000)	0	(150,000)	0	(50,000)	0	(3,838)	46,162		
	TOTAL ANIMAL CONTROL	16,850	(331,483)	16,850	(331,483)	5,608	(110,472)	9,654	(75,965)	38,553		
<u>OTHER</u>												
<u>OPERATING EXPENDITURE</u>												
053203	Printing & Stationery		(1,000)		(1,000)		(332)		0	332	(100.00%)	
			(1,000)		(1,000)		(332)		0	332		
<u>OPERATING REVENUE</u>												
053320	Fines Enforcement Recoup	0		0		0		0		0	0.00%	
053321	Fines & Penalties - Misc	2,500		2,500		832		520		(312)	(37.50%)	
053322	Income - Misc	0		0		0		0		0	0.00%	
		2,500		2,500		832		520		(312)		
	TOTAL (LOPS) OTHER - Operating	2,500	(1,000)	2,500	(1,000)	832	(332)	520	0	20		
<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%	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
		0		0		0		0		0		
	TOTAL (LOPS) OTHER - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL (LOPS) OTHER	2,500	(1,000)	2,500	(1,000)	832	(332)	520	0	20		
	<u>EMERGENCY MANAGEMENT</u>											
	<u>OPERATING EXPENDITURE</u>											
054202	Recovery Expenses		0		0		0		0	0	0.00%	
054204	Community Emergency Services Manager		(148,962)		(148,962)		(49,644)		(53,594)	(3,950)	7.96%	
	- Public Liability Insurance (1,500)											
	- Workes Compensation Ins (3,000)											
	- CESM Wages & Allowances (80,000)											
	- CESM Superannuation (7,000)											
	- Administration Assistant -(52,000)											
	- Vehicle & Other Costs (5,000)											
			(148,962)		(148,962)		(49,644)		(53,594)	(3,950)		
	<u>OPERATING REVENUE</u>											
054332	Reimbursements - WANDRRA	0		0		0		0		0	0.00%	
054335	Cesm - Recoup	80,750		80,750		20,187		22,982		2,795	0.00%	
		80,750		80,750		20,187		22,982		2,795		
	TOTAL EMERGENCY MANAGEMENT - Operating	80,750	(148,962)	80,750	(148,962)	20,187	(49,644)	22,982	(53,594)	(1,155)		
	<u>CAPITAL EXPENDITURE</u>											
054205	Transfer To Emergency Management & Recovery Res		(10,000)		(10,000)		(10,000)		0	10,000	0.00%	
	- Transfer Bush Fire Relief Funds											
			(10,000)		(10,000)		(10,000)		0	10,000		

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
CAPITAL REVENUE												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL EMERGENCY MANAGEMENT - Capital	0	(10,000)	0	(10,000)	0	(10,000)	0	0	10,000		
	TOTAL EMERGENCY MANAGEMENT	80,750	(158,962)	80,750	(158,962)	20,187	(59,644)	22,982	(53,594)	8,845		
	TOTAL LAW ORDER & PUBLIC SAFETY	332,150	(1,371,232)	332,150	(1,371,232)	61,127	(408,528)	107,064	(346,481)	107,984		
HEALTH												
PUBLIC HEALTH												
OPERATING EXPENDITURE												
074201	Health Salaries		(65,882)		(65,882)		(21,960)		(17,789)	4,171	(19.00%)	
074202	Salaries - L.S.L.		0		0		0		0	0	0.00%	
074204	Health Superannuation		(5,606)		(5,606)		(1,868)		(2,672)	(804)	43.03%	
074206	Health - Other Employment Costs - Public Liability Insurance (720) - Workers Compensation (2,500) - Travel & Meal Allow EHO (8,200) - State Conference (1,200)		(12,620)		(12,620)		(4,204)		(3,971)	233	(5.55%)	
074207	Vehicle Expenses - Health		0		0		0		0	0	0.00%	
074208	Health Control Expenses		(1,200)		(1,200)		(400)		0	400	(100.00%)	
074209	Legal Expenses		(10,000)		(10,000)		(3,332)		0	3,332	(100.00%)	
076201	Analytical Expenses		(1,550)		(1,550)		(516)		(1,159)	(643)	124.61%	
074210	Administration Allocation - Health		(40,608)		(40,608)		(13,536)		(25,319)	(11,783)	87.05%	▲
074211	Consultant Expenses		(2,000)		(2,000)		(664)		0	664	(100.00%)	
002502	Deprec Of Assets - Health		(19,621)		(19,621)		(6,540)		(6,536)	4	(0.06%)	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
			(159,087)		(159,087)		(53,020)		(57,445)	(4,425)		
	OPERATING REVENUE											
074331	Legal Expenses Recoup	1,000		1,000		332		364		32	9.53%	
074332	Health Act Fees,Licences	15,000		15,000		5,000		9,048		4,048	80.96%	
074333	Misc Income	0		0		0		0		0	0.00%	
		16,000		16,000		5,332		9,412		4,080		
	TOTAL PUBLIC HEALTH - Operating	16,000	(159,087)	16,000	(159,087)	5,332	(53,020)	9,412	(57,445)	(345)		
	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 PUBLIC HEALTH - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL PUBLIC HEALTH	16,000	(159,087)	16,000	(159,087)	5,332	(53,020)	9,412	(57,445)	(345)		
	OTHER HEALTH											
	OPERATING EXPENDITURE											
077201	Alma Beard Centre - Equipment Maint/Replace (5,000) - Building Maintenance (12,966) - Garden Maintenance -(10,155)		(42,121)		(42,121)		(14,024)		(9,097)	4,927	(35.13%)	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
077202	- Utilities, Insurance etc (14,000) Alma Beard Medical Centre - Rental		(38,500)		(38,500)		(34,000)		(34,500)	(500)	0.00%	
			(80,621)		(80,621)		(48,024)		(43,597)	4,427		
	<u>OPERATING REVENUE</u>											
077330	Alma Beard Medical Centre - Rental	45,000		45,000		40,000		35,956		(4,044)	(10.11%)	
		45,000		45,000		40,000		35,956		(4,044)		
	TOTAL OTHER HEALTH - Operating	45,000	(80,621)	45,000	(80,621)	40,000	(48,024)	35,956	(43,597)	383		
	<u>CAPITAL EXPENDITURE</u>											
077251	Alma Beard Medical Centre - Building - New Front Auto Doors		(10,125)		(10,125)		(3,372)		0	3,372	0.00%	
			(10,125)		(10,125)		(3,372)		0	3,372		
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL OTHER HEALTH - Capital	0	(10,125)	0	(10,125)	0	(3,372)	0	0	3,372		
	TOTAL OTHER HEALTH	45,000	(90,746)	45,000	(90,746)	40,000	(51,396)	35,956	(43,597)	3,755		
	TOTAL HEALTH	61,000	(249,833)	61,000	(249,833)	45,332	(104,416)	45,368	(101,042)	3,410		
	HOUSING											
	STAFF HOUSING											

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>OPERATING EXPENDITURE</u>												
091201	Lot35, 19 A/B Clinton St		(10,084)		(10,084)		(10,000)		(14,424)	(4,424)	44.24%	
091202	Other Staff Housing		(2,000)		(2,000)		(664)		(95)	569	(85.65%)	
091203	Lease - Staff Housing		(4,800)		(4,800)		(1,600)		(2,255)	(655)	40.91%	
091204	Lot 46/47 Telegraph Road, Toodyay		(7,978)		(7,978)		(2,640)		(946)	1,694	(64.17%)	
091205	Lot 3 (5) Piesse Street, Connors Cottage		(14,769)		(14,769)		(4,904)		(1,220)	3,684	(75.13%)	
002602	Deprec Of Assets - Staff		(2,472)		(2,472)		(824)		(815)	9	(1.06%)	
002662	Deprec Of Assets-Housing		(25,496)		(25,496)		(8,496)		(8,353)	143	(1.68%)	
			(67,599)		(67,599)		(29,128)		(28,108)	1,020		
<u>OPERATING REVENUE</u>												
091330	Shire Owned Housing - Rental Income	10,000		10,000		3,332		3,150		(182)	(5.46%)	
091332	Recoups - Staff Housing	10,000		10,000		3,332		2,464		(868)	(26.05%)	
		20,000		20,000		6,664		5,614		(1,050)		
TOTAL STAFF HOUSING - Operating		20,000	(67,599)	20,000	(67,599)	6,664	(29,128)	5,614	(28,108)	(30)		
<u>CAPITAL EXPENDITURE</u>												
091250	Staff Housing - Capital Works - Connors Cottage Paint & Ceiling (13,136) - Clinton Street - New Fencing (7,534) - Clinton Street - Bathroom (4,500)		(25,170)		(25,170)		(7,376)		0	7,376	0.00%	
			(25,170)		(25,170)		(7,376)		0	7,376		
<u>CAPITAL REVENUE</u>												
		0		0		0		0		0		
		0		0		0		0		0		
TOTAL STAFF HOUSING - Capital		0	(25,170)	0	(25,170)	0	(7,376)	0	0	7,376		

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
TOTAL STAFF HOUSING		20,000	(92,769)	20,000	(92,769)	6,664	(36,504)	5,614	(28,108)	7,346		
<u>OTHER HOUSING</u>												
<u>OPERATING EXPENDITURE</u>												
092202	Stirling Tce (O'Reilly)		(22,463)		(22,463)		(7,484)		(3,611)	3,873	(51.75%)	
092203	Butterly House		(4,323)		(4,323)		(1,432)		(3,415)	(1,983)	138.46%	
092205	19B Clinton Street - Rental		0		0		0		0	0	0.00%	
			(26,786)		(26,786)		(8,916)		(7,026)	1,890		
<u>OPERATING REVENUE</u>												
092255	Grants & Subsidies - Aged Care - CLGR/RFR Grant - 2,742,412 - Butterly Cottages - 857,588 - Shire of Goomalling - 200,000 - Shire of Victoria Plains - 200,000	4,000,000		4,000,000		0		0		0	0.00%	
092331	Recoups - Butterly House	3,500		3,500		3,500		3,415		(85)	(2.44%)	
092336	19B Clinton Street, Toodyay - Rental	0		0		0		0		0	0.00%	
		4,003,500		4,003,500		3,500		3,415		(85)		
TOTAL OTHER HOUSING - Operating		4,003,500	(26,786)	4,003,500	(26,786)	3,500	(8,916)	3,415	(7,026)	1,805		
<u>CAPITAL EXPENDITURE</u>												
092252	Aroc Aged Care Housing Initiative		(4,400,000)		(4,400,000)		0		0	0	0.00%	
			(4,400,000)		(4,400,000)		0		0	0		
<u>CAPITAL REVENUE</u>												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	TOTAL OTHER HOUSING - Capital	0	(4,400,000)	0	(4,400,000)	0	0	0	0	0		
	TOTAL OTHER HOUSING	4,003,500	(4,426,786)	4,003,500	(4,426,786)	3,500	(8,916)	3,415	(7,026)	1,805		
	TOTAL HOUSING	4,023,500	(4,519,555)	4,023,500	(4,519,555)	10,164	(45,420)	9,029	(35,134)	9,151		
<u>COMMUNITY AMMENITIES</u>												
<u>HOUSEHOLD REFUSE</u>												
<u>OPERATING EXPENDITURE</u>												
101201	Waste Transfer Station		(139,369)		(139,369)		(46,448)		(27,195)	19,253	(41.45%)	▼
101202	Disposal Of Refuse		(70,000)		(70,000)		(23,332)		(16,308)	7,024	(30.10%)	▼
101203	Domestic Refuse Collection - Includes fortnightly recycle collection - 420 waste collection (77,700) - 1,100 waste collection (203,500) - 50 commercial collection (9,250) - Monthly tonnage collection fee (36,000)		(335,700)		(335,700)		(111,900)		(87,140)	24,760	(22.13%)	▼
101204	Administration Allocation - Refuse		(33,840)		(33,840)		(11,280)		(17,597)	(6,317)	56.00%	▲
101205	Waste Initiatives - Review Of Zero Waste Mgmt Plan (5,000)		(5,000)		(5,000)		(1,664)		0	1,664	(100.00%)	
002752	Deprec Of Assets-Rubbish		(4,300)		(4,300)		(1,432)		(1,407)	25	(1.75%)	
			(588,209)		(588,209)		(196,056)		(149,647)	46,409		
<u>OPERATING REVENUE</u>												
101330	Domestic Rubbish Collection - Mandato - Includes fortnightly recycle collection - 420 collections @ \$230	96,600		96,600		96,600		97,290		690	0.00%	
101331	Commercial Rubbish Collection	12,500		12,500		12,500		28,390		15,890	0.00%	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
101332	- Includes fortnightly recycle collection - 50 collections @ \$250 Transfer Station Entry Fees - Additional - 30 passes x \$35 each (10 passes) - single tip passes/loads	1,500		1,500		500		453		(47)	(9.40%)	
101333	Waste Transfer Station Maintenance - M - 2,972 assessments @ \$80	237,760		237,760		237,760		236,153		(1,607)	0.00%	
101334	Domestic Rubbish Collection - Additional - Includes fortnightly recycle collection - 1,100 collections @ \$230	253,000		253,000		253,000		232,982		(20,018)	0.00%	
101336	Waste Transfer Station Fees	0		0		0		0		0	0.00%	
101338	Worm Farm/Compost Bins	100		100		32		0		(32)	0.00%	
101340	Grant Income	0		0		0		0		0	0.00%	
		601,460		601,460		600,392		595,268		(5,124)		
TOTAL HOUSEHOLD REFUSE - Operating		601,460	(588,209)	601,460	(588,209)	600,392	(196,056)	595,268	(149,647)	41,285		
CAPITAL EXPENDITURE												
101251	Waste Transfer Station - Capital Works - J0006 Fencing Waste Transfer Site (30,000)		(30,000)		(30,000)		(10,000)		0	10,000	0.00%	
101252	Transfer To Refuse Reserve		0		0		0		0	0	0.00%	
			(30,000)		(30,000)		(10,000)		0	10,000		
CAPITAL REVENUE												
101350	Transfer From Refuse Reserve	(30,000)		(30,000)		(10,000)		0		10,000	0.00%	
		(30,000)		(30,000)		(10,000)		0		10,000		
TOTAL HOUSEHOLD REFUSE - Capital		(30,000)	(30,000)	(30,000)	(30,000)	(10,000)	(10,000)	0	0	20,000		
TOTAL HOUSEHOLD REFUSE		571,460	(618,209)	571,460	(618,209)	590,392	(206,056)	595,268	(149,647)	61,285		
OTHER REFUSE												

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>OPERATING EXPENDITURE</u>												
102206	Street Bins Collection		(10,000)		(10,000)		(3,332)		(2,781)	551	(16.53%)	
102207	Litter Control - Other		0		0		0		(378)	(378)	0.00%	
102210	Ranger Services Allocation - Other Refuse		(5,753)		(5,753)		(1,916)		(6,148)	(4,232)	220.87%	
			(15,753)		(15,753)		(5,248)		(9,307)	(4,059)		
<u>OPERATING REVENUE</u>												
102332	Litter Infringements	200		200		64		0		(64)	(100.00%)	
		200		200		64		0		(64)		
TOTAL OTHER REFUSE - Operating		200	(15,753)	200	(15,753)	64	(5,248)	0	(9,307)	(4,123)		
<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		
TOTAL OTHER REFUSE - Capital		0	0	0	0	0	0	0	0	0		
TOTAL OTHER REFUSE		200	(15,753)	200	(15,753)	64	(5,248)	0	(9,307)	(4,123)		
<u>COMMUNITY AMMENITIES</u>												
<u>SEWERAGE</u>												

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
OPERATING EXPENDITURE												
			0		0		0		0	0	0.00%	
			0		0		0		0	0		
OPERATING REVENUE												
103332	Dividend - Nth'M Liquid Waste Fac	20,000		20,000		0		0		0	0.00%	
		20,000		20,000		0		0		0		
TOTAL SEWERAGE - Operating		20,000	0	20,000	0	0	0	0	0	0		
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 SEWERAGE - Capital		0	0	0	0	0	0	0	0	0		
TOTAL SEWERAGE		20,000	0	20,000	0	0	0	0	0	0		
COMMUNITY SPONSORSHIP												
OPERATING EXPENDITURE												
104201	Community Grants & Sponsorships - Discretionary Funds (10,000) - Toodyay Art Acquisition Prize (1,000) - Toodyay Cricket Club (2,500)		(33,500)		(33,500)		(10,000)		(13,214)	(3,214)	0.00%	

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
104202	- RSL Sandakan (1,500) - Youthcare - (5,000) - Toodyay Ag Society (1,500) - Moondyne Festival (8,000) - Bush Poets Weekend (4,000) Contributions, Donations, Grants & Sponsorships		0		0		0		0	0	0.00%	
			(33,500)		(33,500)		(10,000)		(13,214)	(3,214)		
	<u>OPERATING REVENUE</u>											
104330	Contributions, Donations, Grants & Sponsorships	0		0		0		5,000		5,000	0.00%	
		0		0		0		5,000		5,000		
	TOTAL COMMUNITY SPONSORSHIP - Operating	0	(33,500)	0	(33,500)	0	(10,000)	5,000	(13,214)	1,786		
	<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		
	TOTAL COMMUNITY SPONSORSHIP - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL COMMUNITY SPONSORSHIP	0	(33,500)	0	(33,500)	0	(10,000)	5,000	(13,214)	1,786		
	<u>PROTECTION OF THE ENVIRONMENT</u>											
	<u>OPERATING EXPENDITURE</u>											

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
105201	Environmental Officer - Salaries		(58,240)		(58,240)		(19,412)		(17,089)	2,323	(11.96%)	
105202	Environmental Officer - Superannuation		(5,387)		(5,387)		(1,792)		(1,098)	694	(38.76%)	
105203	Environmental Officer - Employee Costs		(5,000)		(5,000)		(1,664)		(724)	940	(56.50%)	
			(68,627)		(68,627)		(22,868)		(18,911)	3,957		
OPERATING REVENUE												
0		0		0		0		0		0	0.00%	
		0		0		0		0		0		
TOTAL PROTECTION OF ENVIRONMENT - Operating		0	(68,627)	0	(68,627)	0	(22,868)	0	(18,911)	3,957		
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 PROTECTION OF ENVIRONMENT - Capital		0	0	0	0	0	0	0	0	0		
TOTAL PROTECTION OF ENVIRONMENT		0	(68,627)	0	(68,627)	0	(22,868)	0	(18,911)	3,957		
TOWN PLANNING												
OPERATING EXPENDITURE												
106201	Town Planning Salaries		(131,007)		(131,007)		(43,668)		(49,312)	(5,644)	12.92%	▲
106202	Salaries - L.S.L.		0		0		0		0	0	0.00%	
106204	Superannuation (T.Plng)		(11,837)		(11,837)		(3,944)		(3,823)	121	(3.06%)	

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
106205	Other Employee Costs (Town Planning)		(30,976)		(30,976)		(10,324)		(26,189)	(15,865)	153.67%	▲
	- Public Liability Insurance (2,500)											
	- Workers Compensation (7,176)											
	- Fringe Benefits Tax (10,000)											
	- Uniforms x 3 (1,800)											
	- State Conference x 2 (3,000)											
	- National Conference x 1 (1,500)											
	- Other Training (2,000)											
	- Memberships (1,000)											
	- Miscellaneous (2,000)											
106206	T.Plng Vehicle Expenses		(10,000)		(10,000)		(3,332)		(8,445)	(5,113)	153.44%	▲
106208	Rezoning/Subdivision Expenses		(5,000)		(5,000)		(1,664)		0	1,664	(100.00%)	
106209	T.Plng Misc. Expenses		(10,000)		(10,000)		(3,332)		(1,417)	1,915	(57.47%)	
	- Finalise Syreds inc rd & fence (8,200)											
	- Miscellaneous (1,800)											
106210	T.Plng Legal Costs		(15,000)		(15,000)		(5,000)		(3,215)	1,785	(35.71%)	
106212	Administration Allocation - Town Planning		(169,201)		(169,201)		(56,400)		(32,491)	23,909	(42.39%)	▼
106213	Deprec Of Assets - T/P		(3,981)		(3,981)		(1,324)		(1,573)	(249)	18.78%	
106214	Engineering Expenses		0		0		0		0	0	0.00%	
106216	Contractor Expenses		(70,000)		(70,000)		(23,332)		(6,820)	16,512	(70.77%)	▼
			(457,002)		(457,002)		(152,320)		(133,283)	19,037		
OPERATING REVENUE												
106332	Subdivision Fees	5,000		5,000		1,664		0		(1,664)	(100.00%)	
106334	T.Plng Misc Fees	20,000		20,000		10,000		12,068		2,068	20.68%	
		25,000		25,000		11,664		12,068		404		
TOTAL TOWN PLANNING - Operating		25,000	(457,002)	25,000	(457,002)	11,664	(152,320)	12,068	(133,283)	19,440		
CAPITAL EXPENDITURE												
			0		0		0		0	0	0.00%	
			0		0		0		0	0		

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
CAPITAL REVENUE												
106338	Transfer From Local Planning Scheme I	15,403		15,403		0		0		0	0.00%	
		15,403		15,403		0		0		0		
TOTAL TOWN PLANNING - Capital		15,403	0	15,403	0	0	0	0	0	0		
TOTAL TOWN PLANNING		40,403	(457,002)	40,403	(457,002)	11,664	(152,320)	12,068	(133,283)	19,440		
COMMUNITY AMMENITIES												
OTHER COMMUNITY SERVICES												
OPERATING EXPENDITURE												
107201	Cemetery Maintenance		(35,898)		(35,898)		(11,956)		(18,564)	(6,608)	55.27%	▲
107202	Federation Square Mtce		(15,045)		(15,045)		(5,000)		(4,409)	591	(11.82%)	
107204	Tdy Railway Station		(16,500)		(16,500)		(5,484)		(3,675)	1,809	(32.98%)	
107205	Street Furniture		(3,180)		(3,180)		(1,052)		(3,175)	(2,123)	201.79%	
107206	War Memorial		(27,049)		(27,049)		(9,008)		(3,148)	5,860	(65.05%)	▼
003502	Deprec Of Assets-Amenitie		(12,770)		(12,770)		(4,256)		(4,178)	78	(1.84%)	
			(110,442)		(110,442)		(36,756)		(37,150)	(394)		
OPERATING REVENUE												
107331	Cemetery Fees (Inc Gst)	8,150		8,150		2,716		7,809		5,093	187.52%	▲
107332	Cemetery Fees (Not Inc Gst)	1,900		1,900		632		360		(272)	(43.04%)	
		10,050		10,050		3,348		8,169		4,821		
TOTAL OTHER COMMUNITY - Operating		10,050	(110,442)	10,050	(110,442)	3,348	(36,756)	8,169	(37,150)	4,428		
CAPITAL EXPENDITURE												

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
107272	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		
TOTAL OTHER COMMUNITY - Capital		0	0	0	0	0	0	0	0	0		
TOTAL OTHER COMMUNITY SERVICES		10,050	(110,442)	10,050	(110,442)	3,348	(36,756)	8,169	(37,150)	4,428		
TOTAL COMMUNITY AMENITIES		642,113	(1,303,533)	642,113	(1,303,533)	605,468	(433,248)	620,504	(361,511)	86,774		

RECREATION & CULTURE

PUBLIC HALLS

OPERATING EXPENDITURE

111201	Memorial Hall - Operational & Maintenance Expenditur		(30,843)		(30,843)		(10,276)		(17,369)	(7,093)	69.03%	▲
111202	Morangup Comm Ctre.		(12,441)		(12,441)		(4,132)		(3,608)	524	(12.68%)	
111203	Community Ctre		(37,937)		(37,937)		(12,632)		(21,825)	(9,193)	72.78%	▲
111204	Administration Allocation - Public Halls		(42,300)		(42,300)		(14,100)		(25,871)	(11,771)	83.48%	▲
161205	Loan 65 - Interest Payments		(5,611)		(5,611)		(1,868)		32	1,900	(101.69%)	
003522	Deprec Of Assets - Halls		(39,446)		(39,446)		(13,148)		(12,972)	176	(1.34%)	
			(168,578)		(168,578)		(56,156)		(81,614)	(25,458)		

OPERATING REVENUE

111330	Memorial Hall Rentals	5,000		5,000		1,664		1,249		(415)	(24.94%)	
111332	Community Centre Rentals	41,100		41,100		13,700		10,134		(3,566)	(26.03%)	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
111333	- Resource Centre Lease - 1,000											
	- Maximus Solutions - 5,000											
	- Silver Chain - 12,600											
	- Dept Child Protection - 17,500											
	- Other Rentals - 5,000											
111333	Community Centre Recoups	500		500		164		0		(164)	(100.00%)	
111334	Grants - Halls, Community & Civic Cent	90,207		90,207		0		0		0	0.00%	
	- RDAF Round 5 Grant Funding											
	- Memorial Hall Re-roof - 50,000											
	- Community Depot Development - 40,207											
		136,807		136,807		15,528		11,383		(4,145)		
TOTAL PUBLIC HALLS - Operating		136,807	(168,578)	136,807	(168,578)	15,528	(56,156)	11,383	(81,614)	(29,603)		
CAPITAL EXPENDITURE												
111351	Buildings - Public Halls & Civic Centres		(106,255)		(106,255)		(35,416)		0	35,416	0.00%	
	- Toodyay Comm Ctre - Repaint (8,057)											
	- Youth Hall - Paint & Fence (8,198)											
	- Memorial Hall - Re-roof (90,000)											
111352	Land - Public Halls & Civic Centres		(125,000)		(125,000)		(41,664)		0	41,664	0.00%	
	- Land Purchase (125,000)											
111353	Memorial Hall - Capital Works		0		0		0		0	0	0.00%	
161256	Loan 65 - Principal Payments		(8,085)		(8,085)		(2,692)		0	2,692	0.00%	
			(239,340)		(239,340)		(2,692)		0	2,692		
CAPITAL REVENUE												
113350	Transfer From Recreation Development	100,000		100,000		0		0		0	0.00%	
		100,000		100,000		0		0		0		
TOTAL PUBLIC HALLS - Capital		100,000	(239,340)	100,000	(239,340)	0	(2,692)	0	0	2,692		
TOTAL PUBLIC HALLS		236,807	(407,918)	236,807	(407,918)	15,528	(58,848)	11,383	(81,614)	(26,911)		

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>RECREATION & CULTURE</u>												
<u>RECREATION & SPORT</u>												
<u>OPERATING EXPENDITURE</u>												
003792	Deprec Of Assets - Sport		(55,540)		(55,540)		(18,512)		(18,365)	147	(0.80%)	
113201	Toodyay Showgrounds		(145,047)		(145,047)		(48,332)		(60,102)	(11,770)	24.35%	▲
113202	Toodyay Race Course		0		0		0		(7,492)	(7,492)	0.00%	
113203	Newcastle Park		(19,333)		(19,333)		(6,428)		(2,879)	3,549	(55.22%)	
113204	Toodyay Skate Park		(6,206)		(6,206)		(2,060)		(4,219)	(2,159)	104.83%	
113206	Parks & Gardens Depot		(6,126)		(6,126)		(2,028)		(5,260)	(3,232)	159.39%	
113207	Pioneer Arborteum		(6,373)		(6,373)		(2,112)		(1,455)	657	(31.12%)	
113208	Railway Wagon Reserve No. 35142		(2,300)		(2,300)		(752)		(14)	738	(98.14%)	
113210	Wilson Street (Parking) Reserve		(1,486)		(1,486)		(488)		(879)	(391)	80.22%	
113212	Pelham Reserve		(19,571)		(19,571)		(6,508)		(5,083)	1,425	(21.90%)	
113213	Duidee Park		(95,590)		(95,590)		(31,836)		(28,386)	3,450	(10.84%)	
	- Parks & Gardens (68,583)											
	- Building Maintenance (27,007)											
113214	Misc Sports Club Facilities		(5,653)		(5,653)		(1,876)		(5,450)	(3,574)	190.53%	
	- Building Maintenance (27,007)											
	- Golf Club Ins Reimburse (1,500)											
	- Tennis Club Ins Reimburse (1,000)											
113215	Miscellaneous Shire Parks & Gardens		(13,493)		(13,493)		(4,488)		(1,562)	2,926	(65.21%)	
113216	Aroc Rec. Coordinator		(35,000)		(35,000)		0		0	0	0.00%	
113221	Admin Allocation - Recreation & Sport		(64,296)		(64,296)		(21,432)		(26,423)	(4,991)	23.29%	
113224	Be Active Grant Expenses		0		0		0		0	0	0.00%	
113226	Recreation Facility Expenses		0		0		0		0	0	0.00%	
113227	Youth Advisory Council - Expenditure		(3,000)		(3,000)		(1,000)		9	1,009	(100.91%)	
113228	Community Grants & Sponsorships - Sport & Rec		(5,000)		(5,000)		(1,664)		(3,788)	(2,124)	127.66%	
	- Public Reserve/Open Space - 20,000											
	- Cricket Nets Upgrade - 3,774											

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
161214	Loan 72 - Interest - Purchase Land - Rec Precinct		(44,734)		(44,734)		(22,367)		(17,910)	4,457	0.00%	
			(528,748)		(528,748)		(171,883)		(189,257)	(17,374)		
OPERATING REVENUE												
113330	Showground Rental	2,500		2,500		832		2,158		1,326	159.40%	
113332	Club Leases	500		500		164		300		136	82.93%	
113335	Clubs Insurance	10,000		10,000		10,000		11,632		1,632	16.32%	
113351	Grants & Contributions	72,000		72,000		0		0		0	0.00%	
	- DSR Grant - Skate Plans - 3,000											
	- Lotterywest Grant - Skate Plans - 3,000											
	- DSR Grant - Skate Construction - 66,000											
113354	Loan Income - Toodyay Bowling Club	2,300		2,300		764		2,285		1,521	199.11%	
113356	Be Active - Corporate Challenges	500		500		164		0		(164)	(100.00%)	
113357	Toodyay Race Club Sheds - Insurance	0		0		0		0		0	0.00%	
113358	Youth Advisory Council - Income	2,000		2,000		664		0		(664)	(100.00%)	
		89,800		89,800		12,588		16,375		3,787		
TOTAL REC & SPORT - Operating		89,800	(528,748)	89,800	(528,748)	12,588	(171,883)	16,375	(189,257)	(13,587)		
CAPITAL EXPENDITURE												
113256	Duidgee Park Upgrade		(20,000)		(20,000)		(6,664)		0	6,664	0.00%	
113258	Transfer To Recreation Centre Reserve		0		0		0		0	0	0.00%	
113262	Buildings - Sport & Recreation		(1,850,000)		(1,850,000)		(1,625,000)		0	1,625,000	0.00%	
	- Rec Precinct Land Purchase (1,625,000)											
	- Duidgee Park - Skate Park Stage 2 (200,000)											
	- Basketball Facilities (25,000)											
113264	Toodyay Showgrounds - Design & Drawings		0		0		0		0	0	0.00%	
113265	Recreation Precinct - Design & Drawings		(100,000)		(100,000)		(33,332)		0	33,332	0.00%	
113266	Buildings - Sport & Recreation		0		0		0		0	0	0.00%	
113268	Toodyay Tennis Club - Repair Retaining Wall		0		0		0		0	0	0.00%	
113273	Recreation Strategic Plan		0		0		0		3,000	3,000	0.00%	
113274	Transfer To Swimming Pool Reserve		0		0		0		0	0	0.00%	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
113275	Transfer To Recreation Development Reserve		(786,297)		(786,297)		(786,297)		0	786,297	0.00%	
113276	Bicycle Plan		0		0		0		0	0	0.00%	
161262	Loan 72 - Principal - Recreation Precinct		(31,878)		(31,878)		(10,624)		(15,764)	(5,140)	0.00%	
			(2,788,175)		(2,788,175)		(2,461,917)		(12,764)	2,449,153		
CAPITAL REVENUE												
113355	Transfer From Recreation Centre Reser	(786,297)		(786,297)		(262,096)		0		262,096	0.00%	
		(786,297)		(786,297)		(262,096)		0		262,096		
TOTAL REC & SPORT - Capital		(786,297)	(2,788,175)	(786,297)	(2,788,175)	(262,096)	(2,461,917)	0	(12,764)	2,711,249		
TOTAL RECREATION & SPORT		(696,497)	(3,316,923)	(696,497)	(3,316,923)	(249,508)	(2,633,800)	16,375	(202,021)	2,697,662		

RECREATION & CULTURE

LIBRARIES

OPERATING EXPENDITURE

115201	Library Salaries		(111,508)		(111,508)		(37,168)		(43,856)	(6,688)	17.99%	▲
115202	Long Service Leave Provision		0		0		0		0	0	0.00%	
115203	Superannuation (Lib.)		(14,837)		(14,837)		(4,944)		(5,150)	(206)	4.17%	
115204	Other Emp Costs (Lib.)		(9,384)		(9,384)		(5,000)		(15,564)	(10,564)	211.27%	▲
	- Public Liability Insurance (1,500)											
	- Workers Compensation (3,084)											
	- Training (3,000)											
	- Uniforms x 3 (1,800)											
115205	Library Operating Expenses		(16,000)		(16,000)		(5,328)		(9,307)	(3,979)	74.68%	
115206	Library Bldg. Maintenance		(30,667)		(30,667)		(10,204)		(18,710)	(8,506)	83.36%	▲
115207	Library Office Equipment		(6,000)		(6,000)		(2,000)		(29)	1,971	(98.53%)	
	- Miscellaneous (5,000)											
	- Read Out Loud - Grant Funded (1,000)											

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
115208	Library Book Purchases		(2,000)		(2,000)		(664)		0	664	(100.00%)	
115210	Administration Allocation - Library		(38,916)		(38,916)		(12,972)		(21,513)	(8,541)	65.84%	▲
115211	Library - Events - Writer's Festival - Grant Funded		(3,000)		(3,000)		(1,000)		0	1,000	(100.00%)	
161209	Loan 67 Interest - Library Upgrade 1		(26,933)		(26,933)		0		739	739	0.00%	
161211	Loan 69 - Library Upgrade 2		(12,656)		(12,656)		(4,216)		(5,104)	(888)	21.06%	
004072	Deprec Of Assets-Library		(29,488)		(29,488)		(9,828)		(9,648)	180	(1.84%)	
			(301,389)		(301,389)		(93,324)		(128,142)	(34,818)		
OPERATING REVENUE												
115332	Lib. Photocopying	2,500		2,500		832		643		(189)	(22.75%)	
115333	Book Fines	500		500		164		48		(116)	(70.90%)	
115334	Misc Income	4,500		4,500		1,500		5,095		3,595	239.70%	
		7,500		7,500		2,496		5,786		3,290		
TOTAL LIBRARIES - Operating		7,500	(301,389)	7,500	(301,389)	2,496	(93,324)	5,786	(128,142)	(31,528)		
CAPITAL EXPENDITURE												
004314	Library - Computer Software & Hardware		0		0		0		0	0	0.00%	
161258	Loan 67 Principal - Library Upgrade 1		(26,383)		(26,383)		(8,792)		0	8,792	0.00%	
161261	Loan 69 Interest - Library Upgrade 2		(24,234)		(24,234)		(8,076)		(11,930)	(3,854)	0.00%	
			(50,617)		(50,617)		(16,868)		(11,930)	4,938		
CAPITAL REVENUE												
115350	Loan Income	0		0		0		0		0	0.00%	
		0		0		0		0		0		
TOTAL LIBRARIES - Capital		0	(50,617)	0	(50,617)	0	(16,868)	0	(11,930)	4,938		
TOTAL LIBRARIES		7,500	(352,006)	7,500	(352,006)	2,496	(110,192)	5,786	(140,072)	(26,590)		

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
<u>RECREATION & CULTURE</u>												
<u>HERITAGE</u>												
<u>OPERATING EXPENDITURE</u>												
116201	Museum (Gaal) Maintenance		(47,260)		(47,260)		(15,736)		(15,616)	120	(0.77%)	
116202	Museum Honariums		(4,800)		(4,800)		(1,600)		(1,400)	200	(12.50%)	
116203	Museum Displays		(6,000)		(6,000)		(2,000)		(9)	1,991	(99.55%)	
116204	Museum Subscriptions		(250)		(250)		(80)		0	80	(100.00%)	
116205	Mus. Conservation Materials		(1,000)		(1,000)		(332)		0	332	(100.00%)	
116206	Mus. Volunteer Uniforms		(250)		(250)		(80)		0	80	(100.00%)	
116207	Mus. Office Equip & Stationery		(1,500)		(1,500)		(500)		(109)	391	(78.21%)	
116208	Mus Trng & Workshops		(2,000)		(2,000)		(664)		(145)	519	(78.16%)	
116209	Mus. - Marketing/Promotion		(1,500)		(1,500)		(500)		(912)	(412)	82.30%	
116210	Heritage - Preservation & Conservation		0		0		0		0	0	0.00%	
116212	Museum Curator - Salary		(56,537)		(56,537)		(18,844)		(14,428)	4,416	(23.44%)	
116213	Long Service Leave Provision		0		0		0		0	0	0.00%	
116214	Museum Curator - Super		(7,526)		(7,526)		(2,508)		(1,265)	1,243	(49.55%)	
116215	Museum Curator - Oth Emp Costs		(3,213)		(3,213)		(1,068)		0	1,068	(100.00%)	
	- Public Liability Insurance (1,000)											
	- Workers Compensation (1,613)											
	- Uniforms x 1 (600)											
116217	Heritage Advisory Services		(20,000)		(20,000)		0		0	0	0.00%	
116218	Administration Allocation - Heritage		(54,145)		(54,145)		(18,048)		(23,113)	(5,065)	28.06%	▲
116219	Cultural Heritage Interp Works		0		0		0		(1)	(1)	0.00%	
116220	Grant - Conservation Plan - Archeological		0		0		0		0	0	0.00%	
			(205,981)		(205,981)		(61,960)		(56,997)	4,963		
<u>OPERATING REVENUE</u>												
116332	Admissions To Museum	6,000		6,000		2,000		2,329		329	16.47%	
116333	Grant Income - Heritage	0		0		0		0		0	0.00%	

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
116335	Recoups - Heritage Council	10,000		10,000		3,332		0		(3,332)	(100.00%)	
		16,000		16,000		5,332		2,329		(3,003)		
	TOTAL HERITAGE - Operating	16,000	(205,981)	16,000	(205,981)	5,332	(61,960)	2,329	(56,997)	1,960		
	CAPITAL EXPENDITURE											
117252	Upgrade To Heritage Buildings - Connors Mills Repairs (12,500) - Newcastle Old Gaol Roof Repairs (8,670) - Parkers Cottage Ceiling (5,057) - Donegans Cottage Structural (10,000)		(36,227)		(36,227)		(12,064)		0	12,064	0.00%	
			(36,227)		(36,227)		(12,064)		0	12,064		
	CAPITAL REVENUE											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL HERITAGE - Capital	0	(36,227)	0	(36,227)	0	(12,064)	0	0	12,064		
	TOTAL HERITAGE	16,000	(242,208)	16,000	(242,208)	5,332	(74,024)	2,329	(56,997)	14,024		
	RECREATION & CULTURE											
	CULTURE											
	OPERATING EXPENDITURE											
004222	Deprec Of Assets-Culture		(10,943)		(10,943)		(3,644)		(3,580)	64	(1.75%)	
113209	Toodyay St Aboriginal Reserve		(2,650)		(2,650)		(876)		(278)	598	(68.29%)	
117201	Festivals - Other		(2,140)		(2,140)		(2,140)		(2,138)	2	(0.08%)	
117202	Avon Descent		(12,173)		(12,173)		(12,173)		(13,864)	(1,691)	13.89%	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	- Donation/Sponsorship (9,091)											
	- Employee Costs (1,719)											
	- Parks & Gardens (1,363)											
117203	Aust. Day Celebrations		(5,000)		(5,000)		(1,664)		0	1,664	(100.00%)	
117204	Donegan'S Cottage (Shwgrnds)		(4,050)		(4,050)		(1,332)		(6,219)	(4,887)	366.88%	
117205	Parkers Cottage		(8,151)		(8,151)		(2,712)		(1,034)	1,678	(61.89%)	
117206	Moodyne Festival		(2,700)		(2,700)		(896)		0	896	(100.00%)	
117207	Toodyay International Food Festival		(52,497)		(52,497)		(52,497)		(53,359)	(862)	1.64%	
	- IFF Event Expenses (46,397)											
	- Maintenance (1,500)											
	- Waste Collection (1,500)											
	- Parks & Gardens (1,600)											
	- Hire Of Toilets/Emptying (1,500)											
117208	Targa West		(1,099)		(1,099)		(356)		(1,706)	(1,350)	379.20%	
117210	Toodyay Ag Show		(5,527)		(5,527)		(1,836)		(3,850)	(2,014)	109.72%	
117211	Xmas Street Party		(1,000)		(1,000)		(324)		(90)	234	(72.17%)	
117212	Toodyay Races		(1,550)		(1,550)		(508)		(1,098)	(590)	116.09%	
117213	Community Grants & Sponsorships - Culture		(12,300)		(12,300)		(4,100)		(2,247)	1,853	(45.19%)	
	- Wikimedia Toodyay Interpretation (5,000)											
	- Around The Towns (1,300)											
	- Thank A Volunteer Day (1,000)											
	- Miscellaneous (5,000)											
			(121,780)		(121,780)		(85,058)		(89,463)	(4,405)		
OPERATING REVENUE												
117332	Grant Income	37,000		37,000		0		0		0	0.00%	
	- EMRC - Avon/IFF Festival											
117333	Sponsorship - International Food Festival	2,000		2,000		664		2,500		1,836	276.51%	
117334	Stallholder Fees - Iff	1,000		1,000		332		0		(332)	(100.00%)	
117335	Events - Miscellaneous Income	6,000		6,000		2,000		1,523		(477)	(23.86%)	
		46,000		46,000		2,996		4,023		1,027		
TOTAL CULTURE - Operating		46,000	(121,780)	46,000	(121,780)	2,996	(85,058)	4,023	(89,463)	(3,378)	0	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
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 CULTURE - Capital		0	0	0	0	0	0	0	0	0		
TOTAL CULTURE		46,000	(121,780)	46,000	(121,780)	2,996	(85,058)	4,023	(89,463)	(3,378)		
TOTAL RECREATION & CULTURE		(390,190)	(4,440,835)	(390,190)	(4,440,835)	(223,156)	(2,961,922)	39,896	(570,166)	2,654,808		
TRANSPORT												
CONSTRUCTION												
OPERATING EXPENDITURE												
121201	Crossover Contributions		(20,000)		(20,000)		(6,664)		(7,410)	(746)	11.19%	
121203	Traffic Signs & Control Equipment		0		0		0		0	0	0.00%	
121214	Survey ,Design & Audits - CBD Safety Audit (5,000)		(5,000)		(5,000)		0		3,765	3,765	0.00%	
161210	Loan 68 - Interest		(11,916)		(11,916)		(5,958)		(3,286)	2,672	0.00%	
161212	Loan 70 - Interest Payments - Footbridge		(5,804)		(5,804)		(1,932)		(1,442)	490	(25.37%)	
161213	Loan 71 - Interest Payments - Depot		(36,445)		(36,445)		(9,111)		1,689	10,800	0.00%	
004670	Deprec Of Assets Roads		(1,167,893)		(1,167,893)		(389,296)		(391,371)	(2,075)	0.53%	
			(1,247,058)		(1,247,058)		(412,961)		(398,056)	14,906		

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
OPERATING REVENUE												
121333	Grant Income - Infrastructure - Dept Transport - Duidgee - Dept Transport - Drummond Street - Dept Transport - Bike Parking	49,750		49,750		0		0		0	0.00%	
121334	Regional Roads Group (Project) Grants - A0004 National Black Spot (Julimar) - A0194 - Dewars Pool Road - A0196 - Telegraph Road	693,314		693,314		320,000		277,326		(42,674)	(13.34%)	▼
121337	Roads To Recovery Grants - B0010 - Lovers Lane - B0099 - Beaufort Street - B0106 - Dryandra Road - B0176 - Horsehoe Road	373,011		373,011		124,336		82,324		(42,012)	(33.79%)	▼
121339	Road Const. (Private) Contribution	100,000		100,000		20,000		0		(20,000)	0.00%	
121341	Contributions - Roads & Pathways	0		0		0		0		0	0.00%	
		1,216,075		1,216,075		464,336		359,650		(104,686)		
TOTAL CONSTRUCTION - Operating		1,216,075	(1,247,058)	1,216,075	(1,247,058)	464,336	(412,961)	359,650	(398,056)	(89,781)		
CAPITAL EXPENDITURE												
112122	Footpaths - Construction Y0036 - Duidgee Park Pathway Y0071 - Drummond Street Pathway Y0258 - Charcoal Lane Path/Steps		(95,500)		(95,500)		(31,832)		0	31,832	0.00%	
121204	Footbridge- Newcastle Park / School - Refurbishment		0		0		0		0	0	0.00%	
121211	Regional Road Group Projects - Grant Funded A0004 - Julimar Road A0194 - Dewars Pool Road A0196 - Telegraph Road		(856,972)		(856,972)		(285,636)		(1,998)	283,638	(99.30%)	▼
121212	Roads To Recovery - Grant Works B0010 - Lovers Lane		(706,978)		(706,978)		(235,624)		(14,708)	220,916	(93.76%)	▼

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
121213	B0099 - Beaufort Street B0106 - Dryandra Road B0176 - Horsehoe Road J697 - Toodyay Bindi Bindi Bridge Road Construction - Own Resources		(1,024,000)		(1,024,000)		(341,272)		(84,164)	257,108	(75.34%)	▼
	D0026 - Mount Road D0062 - Rosedale Street D0095 - Lukin Street D0117 - Coondle Drive D0011 - Toodyay West Road D0025 - Town Oval D0258 - Charcoal Lane Car Park J0001 - Mountain Park Subdivision J0003 - Bike Parking - 26 U Rails J0008 - Dumbarton Road J0091 - Harcourt Street Various - Emergency & Shoulder Work											
121215	Bridges & Culverts Works		(76,000)		(76,000)		0		0	0	0.00%	
122202	Purchase Of Plant & Equipment		(496,000)		(496,000)		(100,000)		(92,812)	7,188	0.00%	
	T0010 - 2013 Truck T4623 - Tow Behind Sweeper T0013 - Mitsubishi Triton Garden T0014 - Mitsubishi Triton Garden T0026 - Mitsubishi Triton D/Cab WC T6364 - Mitsubishi Triton T6480 - Mitsuibshi Triton T0 - Holden Caprice T1184 - Mitsubishi 4x4 D/Cab BS											
122203	Transfer To Plant Replacement Reserve		(150,000)		(150,000)		0		0	0	0.00%	
122204	Transfer To Road & Paths Contribution Reserve		0		0		0		0	0	0.00%	
122205	Transfer To Road Contribution Reserve		0		0		0		0	0	0.00%	
122206	Construction Of New Depot Facility - Railway Road - Sealing Of Car Park (85,000) - Replacement of Water Tanks (32,000)		(162,000)		(162,000)		(73,992)		(34,725)	39,267	(53.07%)	▼

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
122207	- Conduit/Drainage (30,000) - Furniture (15,000) Remediation Of Old Depot Site - Harper Road		(30,807)		(30,807)		0		0	0	0.00%	
122208	Charcoal Lane		0		0		0		(52)	(52)	0.00%	
122209	Toodyay Townsite - Upgrade - Treescape (20,000)		(20,000)		(20,000)		(6,664)		0	6,664	(100.00%)	▼
122210	Works & Services (Transport) - Computer Hardware &		0		0		0		0	0	0.00%	
122211	Transfer To Newcastle Footbridge Reserve		(5,000)		(5,000)		(1,664)		0	1,664	(100.00%)	
161259	Loan 68 - Principal		(43,286)		(43,286)		(21,643)		(21,298)	345	0.00%	
161269	Loan 70 - Principal Payment		(10,721)		(10,721)		(3,572)		(2,624)	948	(26.54%)	
161270	Loan 71 - Principal Payment - Depot		(26,369)		(26,369)		0		0	0	0.00%	
			(3,703,633)		(3,703,633)		(1,101,899)		(252,380)	849,519		
CAPITAL REVENUE												
121348	Transfer From Road Contribution Reser	489,000		489,000		0		0	0	0	0.00%	0
121350	Transfer From Mrwa Bridge Reserve	23,439		23,439		0		0	0	0	0.00%	
122330	Sale Of Plant & Equipment	371,000		371,000		40,000		8,864		(31,136)	0.00%	
	T0017 - John Deere 670D Grader											
	1TIL297 - Dolly 1											
	Dolly 2											
	T0010 - Truck											
	T4623 - Tow Behind Sweeper											
	T0013 - Mitsubishi Triton Garden											
	T0014 - Mitsubishi Triton Garden											
	T0026 - Mitsubishi Triton D/Cab WC											
	T6364 - Mitsubishi Triton											
	T6480 - Mitsuibshi Triton											
	T0000 - Mazda 6 Sports Sedan											
	1DGW869 - Mazda 6 Sports Sedan											
	T1184 - Mitsubishi 4x4 D/Cab BS											
106339	Transfer From Old Depot Remediation &	30,807		30,807		0		0	0	0	0.00%	
122331	Transfer From Plant Replacement Rese	200,000		200,000		0		0	0	0	0.00%	

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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
122334	Loan Income - Depot	0		0		0		0		0	0.00%	
122337	Transfer From Dual Use Pathway Reser	6,552		6,552		2,184		0		(2,184)	(100.00%)	
		1,120,798		1,120,798		42,184		8,864		(33,320)		
TOTAL CONSTRUCTION - Capital		1,120,798	(3,703,633)	1,120,798	(3,703,633)	42,184	(1,101,899)	8,864	(252,380)	816,198		
TOTAL CONSTRUCTION		2,336,873	(4,950,691)	2,336,873	(4,950,691)	506,520	(1,514,860)	368,513	(650,436)	726,418		
<u>TRANSPORT</u>												
<u>MAINTENANCE</u>												
<u>OPERATING EXPENDITURE</u>												
123201	Road Maintenance		(896,508)		(896,508)		(298,816)		(346,490)	(47,674)	15.95%	▲
123202	Bridge Maintenance		(103,353)		(103,353)		(72,790)		(83,255)	(10,465)	14.38%	▲
	- Maintenance Program Year 3											
	- Building Maintenance											
	- Bridge Insurance											
123203	Street Sweeping & Cleaning		(5,000)		(5,000)		(1,664)		0	1,664	(100.00%)	
123205	Footpath Maintenance		(9,500)		(9,500)		(3,160)		0	3,160	(100.00%)	
123206	Lighting Of Streets		(35,000)		(35,000)		(11,664)		(5,853)	5,812	(49.82%)	▼
123207	Road Verge Spraying		(30,000)		(30,000)		(20,000)		(20,000)	0	0.00%	
123209	Depot Maintenance		(11,158)		(11,158)		(11,158)		(33,070)	(21,912)	196.38%	▲
	- Building Maintenance											
	- Parks & Gardens Maintenance											
	- Utilities											
	- Insurance											
123210	Roman li Subscription		(5,428)		(5,428)		(1,808)		(5,248)	(3,440)	190.27%	
004870	Deprec Of Assets - Maint		(107,374)		(107,374)		(35,788)		(39,823)	(4,035)	11.28%	
			(1,203,321)		(1,203,321)		(456,848)		(533,739)	(76,891)		
<u>OPERATING REVENUE</u>												

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
123330	Mrwa Street Light Subsidy	1,500		1,500		500		0		(500)	(100.00%)	
123331	Operating Grants	98,755		98,755		98,755		98,755		0	0.00%	
123333	Road Maintenance Contributions	100,000		100,000		20,000		0		(20,000)	0.00%	
		200,255		200,255		119,255		98,755		(20,500)		
	TOTAL MAINTENANCE - Operating	200,255	(1,203,321)	200,255	(1,203,321)	119,255	(456,848)	98,755	(533,739)	(97,391)		
	<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		
	TOTAL MAINTENANCE - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL MAINTENANCE	200,255	(1,203,321)	200,255	(1,203,321)	119,255	(456,848)	98,755	(533,739)	(97,391)		
	TRANSPORT											
	POLICE LICENSING											
	<u>OPERATING EXPENDITURE</u>											
126201	Administration Allocation - Licencing		(40,228)		(40,228)		(13,408)		(55,603)	(42,195)	314.70%	▲
126202	Police Licensing		(2,982)		(2,982)		(992)		(2,863)	(1,871)	188.60%	
126203	Dot Direct Debits		(306,532)		(306,532)		(306,532)		(424,747)	(118,215)	38.57%	▲
126332	Dot Direct Credits		306,532		306,532		102,176		427,205	325,029	318.11%	▲

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
			(43,210)		(43,210)		(218,756)		(56,008)	162,748		
	<u>OPERATING REVENUE</u>											
126331	Police Licensing Commission	17,500		17,500		17,500		22,858		5,358	30.62%	▲
		17,500		17,500		17,500		22,858		5,358		
	TOTAL POLICE LICENSING - Operating	17,500	(43,210)	17,500	(43,210)	17,500	(218,756)	22,858	(56,008)	168,105		
	<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		
	TOTAL POLICE LICENSING - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL POLICE LICENSING	17,500	(43,210)	17,500	(43,210)	17,500	(218,756)	22,858	(56,008)	168,105		
	TOTAL TRANSPORT	2,554,628	(6,197,222)	2,554,628	(6,197,222)	643,275	(2,190,464)	490,126	(1,240,184)	797,132		
	<u>ECONOMIC SERVICES</u>											
	<u>RURAL SERVICES</u>											
	<u>OPERATING EXPENDITURE</u>											
131201	Weed Control - Contract		(10,000)		(10,000)		(10,000)		0	10,000	0.00%	
131210	Rural Street Addressing		(4,000)		(4,000)		(2,000)		0	2,000	0.00%	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
131211	- Folewood, Julimar & Toodyay (2,000)											
131211	- Bejoording (2,000)											
131211	Ranger Services Allocation - Rural Services		(5,753)		(5,753)		(1,916)		(6,148)	(4,232)	220.87%	
131212	State Barrier Fencing		0		0		0		0	0	0.00%	
			(19,753)		(19,753)		(13,916)		(6,148)	7,768		
<u>OPERATING REVENUE</u>												
131334	Rural Street Addressing	250		250		80		64		(16)	(20.45%)	
		250		250		80		64		(16)		
TOTAL RURAL SERVICES - Operating		250	(19,753)	250	(19,753)	80	(13,916)	64	(6,148)	7,752		
<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		
TOTAL RURAL SERVICES - Capital		0	0	0	0	0	0	0	0	0		
TOTAL RURAL SERVICES		250	(19,753)	250	(19,753)	80	(13,916)	64	(6,148)	7,752		
<u>ECONOMIC SERVICES</u>												
<u>TOURISM & AREA PROMOTION</u>												
<u>OPERATING EXPENDITURE</u>												

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
132201	Salaries (V.C.)		(146,179)		(146,179)		(48,724)		(51,402)	(2,678)	5.50%	
132203	Superannuation (V.C.)		(18,621)		(18,621)		(6,204)		(7,262)	(1,058)	17.05%	
132204	Conferences & Training (V.C.)		(2,000)		(2,000)		(664)		(514)	150	(22.64%)	
132205	Staff Uniforms (V.C.)		(1,800)		(1,800)		(600)		0	600	(100.00%)	
132207	Printing & Stationery (V.C.)		(2,000)		(2,000)		(664)		(537)	127	(19.14%)	
132208	Postage (V.C.)		(500)		(500)		(164)		(68)	96	(58.52%)	
132209	Public Liability Insurance (V.C.)		(4,385)		(4,385)		(1,460)		0	1,460	(100.00%)	
132210	Telephone/Internet Costs (V.C.)		(3,500)		(3,500)		(1,164)		(1,706)	(542)	46.57%	
132211	Visitor Centre - Other Employee Costs - Public Liability Insurance - Workers Compensation Insurance		(6,378)		(6,378)		(6,378)		(19,476)	(13,098)	205.37%	▲
132212	Other V/C Office Expenses		(9,500)		(9,500)		(3,164)		(598)	2,566	(81.09%)	
132213	Connors Mill Bldg. Operation (V.C.) - Building Maintenance - Utilities, Insurance etc		(20,502)		(20,502)		(6,824)		(9,937)	(3,113)	45.62%	
132214	Visitors Ctre. Bldg. Operation - Building Maintenance - Parks & Gardens Maintenance - Utilities, Insurance etc		(30,540)		(30,540)		(10,160)		(7,255)	2,905	(28.60%)	
132215	Memberships Affiliated Bodies - Accreditation Of Visitor Centre		(1,000)		(1,000)		(332)		(505)	(173)	52.25%	
132216	Accommodation Expense		(70,000)		(70,000)		(23,332)		(28,029)	(4,697)	20.13%	
132217	Accommodation Commission Expenses		(2,500)		(2,500)		(832)		(540)	292	(35.10%)	
132218	Ye Olde Lolly Shoppe Misc Expenses		0		0		0		(50)	(50)	0.00%	
132219	Ye Olde Lolly Shoppe Stock Purchases		0		0		0		(597)	(597)	0.00%	
132220	Ye Olde Lolly Shoppe Commission Paid		0		0		0		0	0	0.00%	
132221	Tourist Information Bay		(2,205)		(2,205)		(728)		(544)	184	(25.27%)	
132222	Transwa Ticket Sales		(5,000)		(5,000)		(1,664)		(1,293)	371	(22.32%)	
132224	Floor Stock Purchases		(25,000)		(25,000)		(8,332)		(10,196)	(1,864)	22.37%	
132229	Administration Allocation - Tourism		(76,140)		(76,140)		(25,380)		(39,662)	(14,282)	56.27%	▲
005502	Deprec Of Assets-Tourism		(14,047)		(14,047)		(4,680)		(4,596)	84	(1.80%)	
161204	Loan 64 - Interest Payments		(8,318)		(8,318)		(2,772)		(2,837)	(65)	2.36%	
			(450,115)		(450,115)		(154,222)		(187,603)	(33,381)		

Shire of Toodyay
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For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
OPERATING REVENUE												
132330	Admissions Connors Mill	5,000		5,000		1,664		1,718		54	3.25%	
132332	Floor Stock Sales	45,000		45,000		15,000		13,509		(1,491)	(9.94%)	
132333	Misc Visitor Ctre Income	500		500		164		245		81	49.16%	
132334	Membership Fees	500		500		164		727		563	343.46%	
132335	Accommodation Income	65,000		65,000		21,664		32,910		11,246	51.91%	▲
132336	Accomodation Commission	6,500		6,500		2,164		0		(2,164)	(100.00%)	
132337	Ye Olde Lolly Shoppe Stock Sales	0		0		0		5,575		5,575	0.00%	
132338	Transwa Ticket Sales	6,000		6,000		2,000		1,221		(779)	(38.95%)	
		128,500		128,500		42,820		55,905		13,085		
TOTAL TOURISM & AREA PROMO - Operating		128,500	(450,115)	128,500	(450,115)	42,820	(154,222)	55,905	(187,603)	(20,296)		
CAPITAL EXPENDITURE												
132339	Economic Services & Tourism - Buildings - VC Refit (20,000)		(20,000)		(20,000)		(10,000)		0	10,000	0.00%	
132340	Furniture & Fittings - Visitor Centre - VC Upgrade website & fee (9,150)		(9,150)		(9,150)		0		0	0	0.00%	
			(29,150)		(29,150)		(10,000)		0	10,000		
CAPITAL REVENUE												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
TOTAL TOURISM & AREA PROMO - Capital		0	(29,150)	0	(29,150)	0	(10,000)	0	0	10,000		
TOTAL TOURISM & AREA PROMOTION		128,500	(479,265)	128,500	(479,265)	42,820	(164,222)	55,905	(187,603)	(10,296)		
ECONOMIC SERVICES												

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
OTHER TOURISM & AREA PROMOTION												
<u>OPERATING EXPENDITURE</u>												
132230	Area Promotion Advertising - Avon Valley Tourism - Pioneer Pathway Brochure - Destination Toodyay - Valley - Experience Perth - Miscellaneous		(18,500)		(18,500)		0		(27)	(27)	0.00%	
			(18,500)		(18,500)		0		(27)	(27)		
<u>OPERATING REVENUE</u>												
132351	Community Directory	3,000		3,000		1,000		0		(1,000)	(100.00%)	
132352	Special Issue Licence Plates	0		0		0		0		0	0.00%	
132354	Grant Income - Tourism & Area Promoti	0		0		0		0		0	0.00%	
132358	Tourism & Interpretation Plan	0		0		0		0		0	0.00%	
		3,000		3,000		1,000		0		(1,000)		
TOTAL OTHER TOURISM & AREA PROMO - Operating		3,000	(18,500)	3,000	(18,500)	1,000	0	0	(27)	(1,027)		
<u>CAPITAL EXPENDITURE</u>												
161255	Loan 64 - Principal Payments		(12,625)		(12,625)		(4,208)		(6,210)	(2,002)	47.57%	
132250	Buildings - Economic Services - Tourist Info Bay (75,000) - SoT Entry Statements (35,000)		(110,000)		(110,000)		(10,000)		(14,140)	(4,140)	0.00%	
			(122,625)		(122,625)		(14,208)		(20,350)	(6,142)		
<u>CAPITAL REVENUE</u>												
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
TOTAL OTHER TOURISM & AREA PROMO - Capital		0	(122,625)	0	(122,625)	0	(14,208)	0	(20,350)	(6,142)		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
TOTAL OTHER TOURISM & AREA PROMO		3,000	(141,125)	3,000	(141,125)	1,000	(14,208)	0	(20,377)	(7,169)		
<u>BUILDING SERVICES</u>												
<u>OPERATING EXPENDITURE</u>												
133201	Building Salaries		(181,585)		(181,585)		(60,528)		(38,374)	22,154	(36.60%)	▼
133202	Long Service Leave Provision		0		0		0		0	0	0.00%	
133203	Superannuation (Bldg)		(23,499)		(23,499)		(7,832)		(4,621)	3,211	(41.00%)	
133204	Conferences & Training (Bldg)		(5,400)		(5,400)		(1,800)		(2,456)	(656)	36.43%	
	- State Conference x 2											
	- Building Mtce Training											
	- Other Training											
	- TAFE - Assist B/Surveyor											
133205	Other Employee Costs - Building		(17,441)		(17,441)		(17,441)		(19,841)	(2,400)	13.76%	
	- Public Liability Insurance											
	- Workers Compensation Insurance											
	- Fringe Benefits Tax											
	- Uniforms											
	- Register SBS/EHO											
	- Memberships											
133206	Bldg Vehicles Expenses		(2,500)		(2,500)		(832)		(868)	(36)	4.30%	
133207	Building Control Expenses		(6,500)		(6,500)		(2,164)		(248)	1,916	(88.55%)	
	- Additional Tools											
	- Subscriptions											
133208	Legal Expenses - Bldg.		(1,000)		(1,000)		(332)		(30)	302	(91.03%)	
133209	Administration Allocation - Building		(71,065)		(71,065)		(23,688)		(33,594)	(9,906)	41.82%	▲
133210	Consultant Expenses		0		0		0		0	0	0.00%	
			(308,990)		(308,990)		(114,617)		(100,030)	14,587		
<u>OPERATING REVENUE</u>												

Shire of Toodyay
Operating Statement By Function & Activity
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
133331	Bldg Fines & Penalties	100		100		32		0		(32)	(100.00%)	
133333	Building Licences	30,000		30,000		10,000		10,522		522	5.22%	
133334	Building Fees - Other	2,500		2,500		832		651		(181)	(21.72%)	
133337	Grant Income - Community Depot - Wheatbelt NRM Stormwater Reuse	10,181		10,181		3,392		0		(3,392)	(100.00%)	
		42,781		42,781		14,256		11,174		(3,082)		
	TOTAL BUILDING SERVICES (Operating)	42,781	(308,990)	42,781	(308,990)	14,256	(114,617)	11,174	(100,030)	11,505		
	CAPITAL EXPENDITURE											
133332	Community Depot - Capital Works - Connect power, water & level site		(69,256)		(69,256)		(25,000)		0	25,000	0.00%	
			(69,256)		(69,256)		(25,000)		0	25,000		
	CAPITAL REVENUE											
		0		0		0		0		0	0.00%	
		0		0		0		0		0		
	TOTAL BUILDING SERVICES - Capital	0	(69,256)	0	(69,256)	0	(25,000)	0	0	25,000		
	TOTAL BUILDING SERVICES	42,781	(378,246)	42,781	(378,246)	14,256	(139,617)	11,174	(100,030)	36,505		
	ECONOMIC SERVICES											
	OTHER ECONOMIC SERVICES											
	OPERATING EXPENDITURE											
137202	Standpipe - Northam Toodyay Road		(111,023)		(111,023)		(5,336)		(5,166)	170	(3.18%)	
137205	Lot 3 Piesse Street (Connors Cottage)		0		0		0		(915)	(915)	0.00%	
137208	Deprec Of Assets		(9,363)		(9,363)		(3,120)		(3,145)	(25)	0.79%	

Shire of Toodyay
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
			(120,386)		(120,386)		(8,456)		(9,226)	(770)		
	OPERATING REVENUE											
137330	Standpipes	85,000		85,000		5,000		5,185		185	0.00%	
137331	Extractive Industry Licences	5,000		5,000		1,664		500		(1,164)	(69.95%)	
		90,000		90,000		6,664		5,685		(980)		
	TOTAL OTHER ECONOMIC SERVICES (Operating)	90,000	(120,386)	90,000	(120,386)	6,664	(8,456)	5,685	(9,226)	(1,749)		
	CAPITAL EXPENDITURE											
137253	Plant & Equipment - Other Economic Services - New standpipe & swipe cards		(16,000)		(16,000)		0		(8,520)	(8,520)	0.00%	
			(16,000)		(16,000)		0		(8,520)	(8,520)		
	CAPITAL REVENUE											
137254	Transfer From Gravel Reserve	30,351		30,351		0		0		0	0.00%	
		30,351		30,351		0		0		0		
	TOTAL OTHER ECONOMIC SERVICES (Capital)	30,351	(16,000)	30,351	(16,000)	0	0	0	(8,520)	(8,520)		
	TOTAL OTHER ECONOMIC SERVICES	120,351	(136,386)	120,351	(136,386)	6,664	(8,456)	5,685	(17,745)	(10,269)		
	TOTAL ECONOMIC SERVICES	294,882	(1,154,775)	294,882	(1,154,775)	64,820	(340,419)	72,827	(331,903)	16,523		
	OTHER PROPERTY & SERVICES											
	PRIVATE WORKS											
	OPERATING EXPENDITURE											

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For The Period Ending
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COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
141201	Private Works		(16,330)		(16,330)		(5,428)		(1,375)	4,053	(74.67%)	
			(16,330)		(16,330)		(5,428)		(1,375)	4,053		
	OPERATING REVENUE											
141330	Private Works Income	18,780		18,780		6,260		1,636		(4,624)	(73.87%)	
		18,780		18,780		6,260		1,636		(4,624)		
	TOTAL PRIVATE WORKS - Operating	18,780	(16,330)	18,780	(16,330)	6,260	(5,428)	1,636	(1,375)	(571)		
	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 PRIVATE WORKS - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL PRIVATE WORKS	18,780	(16,330)	18,780	(16,330)	6,260	(5,428)	1,636	(1,375)	(571)		
	PUBLIC WORKS OVERHEADS											
	OPERATING EXPENDITURE											
143201	Salaries - Supervisors - Public Work Overheads		(293,365)		(293,365)		(97,788)		(96,478)	1,310	(1.34%)	
143202	Salaries - L.S.L.		0		0		0		0	0	0.00%	
143203	Engineering Costs		0		0		0		0	0	0.00%	
143204	Superannuation (Supervisors)		(28,748)		(28,748)		(9,580)		(9,511)	69	(0.72%)	
143205	Conferences & Training (Super)		(2,500)		(2,500)		(832)		0	832	(100.00%)	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
143206	Other Employee Costs - Pwo - Supervisors		(19,732)		(19,732)		(6,576)		(5,416)	1,160	(17.64%)	
	- Workers Compensation Insurance											
	- Fringe Benefits Tax											
143207	Supervisors Vehicles		(15,000)		(15,000)		(5,000)		(8,748)	(3,748)	74.96%	
143208	Engineering Office Expenses		(20,000)		(20,000)		(6,664)		(6,084)	580	(8.71%)	
143209	Eng. - Printing & Stationery		(2,000)		(2,000)		(664)		(538)	126	(19.04%)	
143210	Wages Staff - Training		(10,000)		(10,000)		(6,664)		(15,814)	(9,150)	137.31%	▲
	- Various											
	- Plant Operators Assessment											
143211	Wages Staff - Meetings		(17,350)		(17,350)		(5,772)		(6,318)	(546)	9.46%	
143212	Outside Staff - Wages - Annual Leave		(87,185)		(87,185)		(29,060)		(28,845)	215	(0.74%)	
143213	Outside Staff - Wages - Public Holidays		(50,074)		(50,074)		(16,688)		(4,453)	12,235	(73.31%)	▼
143214	Outside Staff - Wages - Sick Leave		(20,000)		(20,000)		(6,664)		(7,603)	(939)	14.09%	
143217	Pwo - Back Pay		0		0		0		0	0	0.00%	
143216	Superannuation (Wages Staff)		(125,000)		(125,000)		(41,664)		(40,944)	720	(1.73%)	
143219	Insurance On Works		(75,000)		(75,000)		(65,000)		(70,733)	(5,733)	8.82%	
	- Public Liability Insurance											
	- Workers Compensation Insurance											
	- Employee Protection Insurance											
143220	Salaries (O/S) - L.S.L.		(20,000)		(20,000)		0		0	0	0.00%	
143222	Safety Equipment & P.P.E.		(10,000)		(10,000)		(10,000)		(9,369)	631	(6.31%)	
143223	Communication Costs		(1,000)		(1,000)		(328)		(1,034)	(706)	215.10%	
143224	Administration Allocation - Pwo		(250,417)		(250,417)		(83,472)		(51,742)	31,730	(38.01%)	▼
143226	Small Plant Operating Costs		(15,000)		(15,000)		(10,000)		(11,369)	(1,369)	13.69%	
143228	Building Maintenance - Allowance		(500)		(500)		(164)		(385)	(221)	134.93%	
143250	Less Allocated To Works & Services (Pwoh)		1,077,871		1,077,871		359,288		229,823	(129,465)	(36.03%)	▼
			15,000		15,000		(43,292)		(145,561)	(102,269)		
OPERATING REVENUE												
143331	P.W.O. Misc Income	0		0		0		3,050		3,050	0.00%	
		15,000		15,000		5,000		13,378		8,378		
TOTAL PUBLIC WORKS OVERHEADS - Operating		15,000	15,000	15,000	15,000	5,000	(43,292)	13,378	(145,561)	(93,891)		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
CAPITAL EXPENDITURE												
143225	Transfer To Employee Entitlement Reserve - Outside \$		(15,000)		(15,000)		0		0	0	0.00%	
143229	Plant & Equipment - Pwo - Cap Ex - HP T790 A1 Plotter Eprinter (6,000) - Portable Toilet (6,000)		(12,000)		(12,000)		(5,000)		0	5,000	0.00%	
			(27,000)		(27,000)		(5,000)		0	5,000		
CAPITAL REVENUE												
143330	Transfer From Lsl Reserve	15,000		15,000		5,000		0		(5,000)	0.00%	
		15,000		15,000		5,000		0		(5,000)		
TOTAL PUBLIC WORKS OVERHEADS - Capital		15,000	(27,000)	15,000	(27,000)	5,000	(5,000)	0	0	0		
TOTAL PUBLIC WORKS OVERHEADS		30,000	(12,000)	30,000	(12,000)	10,000	(48,292)	13,378	(145,561)	(93,891)		
OTHER PROPERTY & SERVICES												
PLANT OPERATION COSTS												
OPERATING EXPENDITURE												
144202	Unleaded Fuel		(45,000)		(45,000)		(15,000)		(14,906)	94	(0.63%)	
144203	Distillate		(260,000)		(260,000)		(86,664)		(72,750)	13,914	(16.06%)	▼
144205	Tyres & Tubes		(40,000)		(40,000)		(13,332)		(3,078)	10,254	(76.91%)	▼
144206	Plant - Parts & Repairs		(122,500)		(122,500)		(40,832)		(53,771)	(12,939)	31.69%	▲
144207	Plant Repair - Wages		(61,000)		(61,000)		(20,332)		(30,721)	(10,389)	51.10%	▲
144208	Ins. & Licences		(77,723)		(77,723)		(77,723)		(82,773)	(5,050)	6.50%	
144209	Sundry Tool Purchases		(10,000)		(10,000)		(3,332)		(3,277)	55	(1.65%)	
004425	Less Plant Dep"n Allocated To Works		165,000		165,000		55,000		43,750	(11,250)	(20.45%)	
005012	Loss On Sale Of Assets - Road Plant Purchases		(40,382)		(40,382)		0		0	0	0.00%	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
008362	Plant Operation - Expen.Stores		(500)		(500)		(164)		0	164	(100.00%)	
008412	Plant Depreciation		(250,931)		(250,931)		(83,640)		(96,074)	(12,434)	14.87%	▲
144250	Less Allocated To Works & Services (Poc)		742,105		742,105		247,368		229,635	(17,733)	(7.17%)	
			(931)		(931)		(38,651)		(83,965)	(45,314)		
OPERATING REVENUE												
001523	Profit On Sale Of Assets - Road Plant	64,386		64,386		14,386		0		(14,386)	0.00%	
144330	Fuel Tax Credits	30,000		30,000		10,000		7,368		(2,632)	(26.32%)	
144331	Reimbursement - Insurance Claims	0		0		0		0		0	0.00%	
		94,386		94,386		10,000		7,368		(2,632)		
TOTAL PLANT OPERATION COSTS - Operating		94,386	(931)	94,386	(931)	10,000	(38,651)	7,368	(83,965)	(47,945)		
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 PLANT OPERATION COSTS - Capital		0	0	0	0	0	0	0	0	0		
TOTAL PLANT OPERATION COSTS		94,386	(931)	94,386	(931)	10,000	(38,651)	7,368	(83,965)	(47,945)		
MATERIALS IN STORE												
OPERATING EXPENDITURE												
			0		0		0		0	0	0.00%	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
			0		0		0		0			
	<u>OPERATING REVENUE</u>											
145330	Sale Of Stock Direct	0		0		0		0		0	0.00%	
		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	0.00%	
			0		0		0		0	0		
	<u>CAPITAL REVENUE</u>											
		0		0		0		0		0	0.00%	
		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>											
008580	Wages & Allow Default		0		0		0		(1,261)	(1,261)	0.00%	
008570	Workers Compensation Payments		(15,000)		(15,000)		(5,000)		(9,092)	(4,092)	81.85%	
008571	Parenting Payments To Staff		0		0		0		0	0	0.00%	
008572	Employment Programs		0		0		0		(3,040)	(3,040)	0.00%	
146201	Salaries & Wages Drawn		(3,238,063)		(3,238,063)		(1,079,352)		(1,043,982)	35,370	(3.28%)	
146202	Salaries & Wages Alloc To W. & S.		3,238,063		3,238,063		1,079,352		1,009,636	(69,716)	(6.46%)	

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
			(15,000)		(15,000)		(5,000)		(47,740)	(42,740)		
	OPERATING REVENUE											
143333	Workers Compensation Reimbursemen	15,000		15,000		5,000		13,378		8,378	0.00%	
		15,000		15,000		5,000		13,378		8,378		
	TOTAL SALARIES & WAGES - Operating	15,000	(15,000)	15,000	(15,000)	5,000	(5,000)	13,378	(47,740)	(34,362)		
	CAPITAL EXPENDITURE											
101250	Household Hazardous Waste Project		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 SALARIES & WAGES - Capital	0	0	0	0	0	0	0	0	0		
	TOTAL SALARIES & WAGES	15,000	(15,000)	15,000	(15,000)	5,000	(5,000)	13,378	(47,740)	(34,362)		
	OTHER PROPERTY & SERVICES											
	UNCLASSIFIED ITEMS											
	OPERATING EXPENDITURE											
147204	6 Duke Street		(1,162)		(1,162)		(376)		(340)	36	(9.70%)	
147205	Bank Building Operations		(8,078)		(8,078)		(2,672)		(1,682)	990	(37.05%)	
147206	Syreds Cottage - Building Maintenance & Operating		(24,546)		(24,546)		(8,168)		(2,277)	5,891	(72.12%)	▼

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	- Conservation Plan											
	- Parks & Gardens											
147207	Lot 1 A&B Stirling Tce		(524)		(524)		(168)		0	168	(100.00%)	
161203	Loan 63 - Interest Payments		(7,074)		(7,074)		(2,356)		(606)	1,750	(74.28%)	
08682	Unclassified Bldgs - Dep'N		(4,373)		(4,373)		(1,456)		(1,431)	25	(1.75%)	
			(45,757)		(45,757)		(15,196)		(6,336)	8,860		
OPERATING REVENUE												
147331	Bank Bldg - Recoup Outgoings	1,500		1,500		500		261		(239)	(47.80%)	
147332	Bank Bldg - Rent Bank	24,000		24,000		8,000		7,952		(48)	(0.60%)	
147333	Recoups - Lot 1 A&B Stirling Tce	1,500		1,500		500		246		(254)	(50.74%)	
147335	Rental - Lot 1 A&B Stirling Tce	30,000		30,000		10,000		13,414		3,414	34.14%	
		57,000		57,000		19,000		21,874		2,874		
TOTAL UNCLASSIFIED ITEMS - Operating		57,000	(45,757)	57,000	(45,757)	19,000	(15,196)	21,874	(6,336)	11,734		
CAPITAL EXPENDITURE												
147252	Transfer To Asset Development Reserve		0		0		0		0	0	0.00%	
161254	Loan 63 - Principal Payments		(11,510)		(11,510)		(3,836)		(5,666)	(1,830)	47.70%	
			(11,510)		(11,510)		(3,836)		(5,666)	(1,830)		
CAPITAL REVENUE												
147253	Transfer From Asset Development Rese - Purchase Land For Egress	125,000		125,000		125,000		0		(125,000)	0.00%	
		125,000		125,000		125,000		0		(125,000)		
TOTAL UNCLASSIFIED ITEMS - Capital		125,000	(11,510)	125,000	(11,510)	125,000	(3,836)	0	(5,666)	(126,830)		
TOTAL UNCLASSIFIED ITEMS		182,000	(57,267)	182,000	(57,267)	144,000	(19,032)	21,874	(12,001)	(115,096)		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
OTHER PROPERTY & SERVICES												
RANGER SERVICES												
<u>OPERATING EXPENDITURE</u>												
148201	Wages/Salaries - Rangers		(129,808)		(129,808)		(43,268)		(38,008)	5,260	(12.16%)	▼
148202	Superannuation		(12,007)		(12,007)		(4,000)		(2,214)	1,786	(44.64%)	
148203	Long Service Leave Taken - Rangers		0		0		0		0	0	0.00%	
148204	Insurance		(6,894)		(6,894)		(6,894)		(11,672)	(4,778)	69.30%	
	- Public Liability Insurance											
	- Workers Compensation Insurance											
148205	Conferences & Training - Rangers		(4,000)		(4,000)		(1,332)		(470)	862	(64.71%)	
	- Various Training											
	- Accommodation											
148206	Vehicle Expenses		(20,000)		(20,000)		(6,664)		(5,589)	1,075	(16.14%)	
148207	Deprec Of Assets		(21,470)		(21,470)		(7,156)		(8,058)	(902)	12.60%	
148211	Administration Allocation - Ranger Services		(84,600)		(84,600)		(28,200)		(56,155)	(27,955)	99.13%	▲
148213	Telephone Expenses		(5,000)		(5,000)		(1,664)		(1,324)	340	(20.44%)	
148214	Misc Expenses		(3,500)		(3,500)		(1,164)		(184)	980	(84.19%)	
	- Horsefloat Maintenance											
	- Corella Control											
148215	Uniforms		(1,200)		(1,200)		(400)		(275)	125	(31.31%)	
	- Uniforms x 2 (1,200)											
148218	Cctv Maintenance		(2,500)		(2,500)		(828)		(95)	733	(88.50%)	
	- Maintenance											
	- Utilities											
148212	Less Allocated To Schedules		287,648		287,648		95,532		122,958	27,426	28.71%	▲
			(3,331)		(3,331)		(6,038)		(1,086)	4,952		
<u>OPERATING REVENUE</u>												
148330	Recoup For Ranger Services	1,500		1,500		500		459		(41)	(8.27%)	
148332	Ranger Services - Miscellaneous Incom	2,000		2,000		664		627		(37)	(5.53%)	
		3,500		3,500		1,164		1,086		(78)		

Shire of Toodyay
Operating Statement By Function & Activity
For The Period Ending
31 October 2013

COA	Description	2013/2014 Original Budget		2013/2014 Amended Budget		YTD Budget		YTD Actual		Variance \$	Variance %	Variance Movement
		Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense			
	TOTAL RANGER SERVICES - Operating	3,500	(3,331)	3,500	(3,331)	1,164	(6,038)	1,086	(1,086)	4,874		
	CAPITAL EXPENDITURE											
148217	Plant & Equipment - Ranger Services		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	0	0		
	TOTAL RANGER SERVICES	3,500	(3,331)	3,500	(3,331)	1,164	(6,038)	1,086	(1,086)	4,874		
	TOTAL OTHER PROPERTY & SERVICES	343,666	(104,859)	343,666	(104,859)	176,424	(122,441)	58,720	(291,728)	(286,991)		

**Shire Of Toodyay - Statement Of Financial Activity - 2013/2014
for the 12 month period 1 July 2013 To 30 June 2014**

Report Of Significant Variances Greater Than 10% and/or \$5,000

Operating & Capital Income

General Finance

032335 Interest On Reserve - timing variance

Other Community Services

107331 Cemetery Fees (Inc GST) - timing variance - may require review

Transport

121334 Regional Road Group - timing variance

121337 Roads To Recovery - timing variance

Police Licensing

126331 Police Licensing Commission - timing variance - may require review

Tourism & Area Promotion

132335 Accommodation Income - timing variance

Operating & Capital Expenditure

Governance

041223 Local Laws Review - Timing Variance/Cost Accrued - Work has occurred but not yet invoiced

Administration

042205 Staff Insurances - timing variance - may require review

042210 Office Maintenance & Surrounds - timing variance

042216 Computer Expenses - timing variance

042220 Administration - Miscellaneous Expenses -

Household Refuse

101201 Waste Transfer Station - timing variance - may require review

101202 Disposal Of Refuse - timing variance - may require review

101203 Domestic Refuse - timing variance - may require review

Town Planning

106201 Town Planning Salaries - timing variance - offset by reduction in Building Salaries GL: 133201

106205 Other Employee Costs - Town Planning - timing variance

Other Community Services

107201 Cemetery Maintenance - timing variance - may require review

107206 War Memorial - timing variance - may require review

Public Halls

111201 Memorial Hall - timing variance

111203 Community Centre - timing variance

Libraries

115201 Library Salaries - timing variance

115204 Other Employee Costs - Library - to be investigated

115206 Library Maintenance - timing variance

Transport

121211 Regional Road Group - timing variance

121212 Roads To Recovery Grant Works - timing variance

121213 Road Construction - Own Resources - timing variance

122206 Construction Of New Depot Facility - timing variance

122209 Toodyay Townsite Upgrade - Treescape - timing variance

123201 Road Maintenance - timing variance

**Shire Of Toodyay - Statement Of Financial Activity - 2013/2014
for the 12 month period 1 July 2013 To 30 June 2014**

Report Of Significant Variances Greater Than 10% and/or \$5,000

123202 Bridge Maintenance - timing variance
123206 Lighting Of Streets - timing variance
123209 Depot Maintenance - includes new depot maintenance - to be included in budget review

Tourism & Area Promotion

132211 Visitor Centre - Other Employee Costs - to be investigated

Building Services

133201 Building Salaries - timing variance & change in MPD allocation

Public Works Overheads

143210 Wages - Staff - Training - to be investigated
143213 Outside Staff - Wages - Public Holidays - timing variance

Plant Operation Costs

144203 Distillate - timing variance
144205 Tyres & Tubes - timing variance
144206 Plant Parts & Repairs - timing variance
144207 Plant Repair Wages - timing variance

Unclassified Items

147206 Syred Cottage - timing variance

Ranger Services

148201 Wages/Salaries - Rangers - not fully staffed

Non-Cash

Rates

031209 Administration Allocation - Rates - timing variance - July has three pays, accrued expenses & insurance

Governance

041218 Administration Allocation - Governance - ABC Admin Allocations reviewed for 2013/2014

Fire Prevention

001742 Depreciation Of Assets - Fire - timing variance - may require review

Animal Control

052210 Ranger Services Allocation - Fire Prevention - timing variance - ABC Admin Allocations reviewed for 2013/2014

Public Health

074210 Administration Allocation - Health - timing variance - ABC Admin Allocations reviewed for 2013/2014

Household Refuse

101204 Administration Allocation - Refuse - timing variance - ABC Admin Allocations reviewed for 2013/2014

Town Planning

106212 Administration Allocation - Town Planning - timing variance - ABC Admin Allocations reviewed for 2013/2014
106216 Contractor Expenses - Town Planning - timing variance

Public Halls

111204 Administration Allocation - Public Halls - timing variance - ABC Admin Allocations reviewed for 2013/2014

Recreation & Sport

113201 Toodyay Showgrounds - timing variance

Libraries

**Shire Of Toodyay - Statement Of Financial Activity - 2013/2014
for the 12 month period 1 July 2013 To 30 June 2014**

Report Of Significant Variances Greater Than 10% and/or \$5,000

115210 Administration Allocation - Libraries - timing variance - ABC Admin Allocations reviewed for 2013/2014

Heritage

116218 Administration Allocation - Heritage - timing variance - ABC Admin Allocations reviewed for 2013/2014

Police Licensing

126201 Administration Allocation - Police Licensing - timing variance - ABC Admin Allocations reviewed for 2013/2014

Tourism & Area Promotion

132229 Administration Allocation - Tourism - timing variance - ABC Admin Allocations reviewed for 2013/2014

Building Services

133209 Administration Allocation - Building Services - timing variance - ABC Admin Allocations reviewed for 2013/2014

Public Works Overheads

143224 Administration Allocation - PWO - timing variance - ABC Admin Allocations reviewed for 2013/2014

143250 Less Allocated To Works & Services (PWOH) - timing variance

Plant Operation Costs

008412 Plant Depreciation - timing variance

Ranger Services

148211 Administration Allocation - Ranger Services - timing variance - ABC Admin Allocations reviewed for 2013/2014

148212 Less Allocated To Schedules - timing variance

STRATEGIC PLANNING POLICY

POLICY NO	SP.1
POLICY SUBJECT	ASSET MANAGEMENT POLICY
FILE NUMBER	FIN20
ADOPTION DATE	19 NOVEMBER 2013 (Council Res. 351/11/13)
LAST REVIEW	

STATEMENT OF INTENT

Scope & Limitations

This Policy covers all service delivery areas of the Shire of Toodyay and relates specifically to the management of infrastructure assets under the care, control and responsibility of the Shire that are used to deliver services or the infrastructure management regime of third parties where the Shire facilitates service delivery by a third party. This may include but is not limited to:

- Government Agencies;
- Private Enterprise; and
- Contractors.

Background

The community relies on the Shire of Toodyay to deliver services. The Shire has finite resources and limited income streams that can be targeted to fund service delivery. The Shire must ensure that service delivery is well targeted and aligns with the Community’s aspirations identified via the Strategic Community Plan.

To ensure that scarce resources are optimally allocated, it is important that informed decisions are made when considering the acquisition, ongoing ownership, management and disposal of infrastructure assets. The Shire must also continuously consider whether it needs to provide and/or own assets in order to deliver services or whether it can simply facilitate the provision of the service by a third party e.g. non asset ownership service delivery.

To assist with making informed decisions in relation to this issue, the Shire will put in place the following:

- A Strategic Asset Management Framework that is consistent with National standards in Asset Management and Long Term Financial Planning (Nationally Consistent Approach);
- Maintain a contemporary Asset Management Policy that is regularly reviewed (this Policy);
- Develop, maintain and regularly review an Asset Management Improvement Strategy that clearly articulates a sustainable path for

continuous improvement and identifies resources to implement via the budget process;

- Develop, maintain and regularly review Asset Management Plans;
- Asset Management Plans will document the Council adopted level of service that applies to Infrastructure Assets which will be derived from Service Level Plans and the community engagement processes used to develop the Strategic Community Plan; and
- Ensure processes are in place to train Councillors and Officers in key aspects of asset management and long term financial planning.

Guiding Statement

KEY COMMITMENTS

Prior to making a decision to either deliver a new service, vary the current level of service (up or down) or cease the delivery of a service, the following key commitments are to be adhered to:

- The need for the service must be reviewed;
- The service must align with the Community Strategic Plan and fit within the Corporate Business Plan;
- Options for the Shire of Toodyay to facilitate delivery of the service by a third party to be identified and considered;
- If the service is needed and a third party cannot deliver the service, infrastructure assets that are required to deliver the service will be identified along with:
 - The whole of life cost of delivering the service; and
 - The whole of life planning, maintenance, operation, renewal and disposal cost of the asset required to support the service delivery.
- The service delivery and asset whole of life costs must fit within the Ten Year Long Term Financial Plan (once developed);
- Options to renew infrastructure asset before acquiring a new infrastructure assets are to be considered;
- Options to rationalise assets will be considered; and
- A cross functional, multidisciplinary team will be established and maintained to develop the systems and processes to comply with the above key commitments.

RESPONSIBILITY AND REPORTING

Council - is responsible for approving (including amendments to) the following documents:

- Asset Management Policy;
- Asset Management Improvement Strategy; and
- Asset Management Plans.

Council is also responsible for ensuring (upon recommendation of the CEO) that resources are allocated to achieve the objectives of the above documents.

In adopting asset management plans, Council is also determining the Level of Service for each asset class.

Chief Executive Officer (CEO) - is responsible for ensuring that systems are in place to develop, maintain and regularly review Council's AM Policy, AM Improvement Strategy, and AM Plans.

The CEO is responsible for resource allocation (from Council approved resources) associated with achieving Council's Asset Management Improvement Strategy.

The CEO is responsible for the AMWG and ensuring that resources are commissioned (where appropriate) to assist the Council in achieving its asset management objectives.

The CEO reports to Council on all matters relating to Asset Management.

Senior Management Group (SMG) – is responsible for monitoring the implementation of asset management across the organisation. The SMG will ensure that strategies are put in place to remove barriers to the successful implementation of Asset Management. The Senior Management Group reports to the CEO on all matters relating to Asset Management.

Asset Management Working Group (AMWG) – the CEO and Senior Management Group will take on the role of the Asset Management Working Group and be responsible for ensuring that Council's Asset Management Improvement Strategy is achieved and that Asset Management Plans are prepared and maintained in line with Council's Policy on Asset Management.

All Managers – are responsible for ensuring that resources under their control are appropriately allocated to resource asset management. All Managers report to the CEO on all matters relating to Asset Management under their area of control.

OBJECTIVES

The objective of this Policy is to ensure that the Shire of Toodyay has sufficient structure, systems, processes, resources and organisational commitment in place to deliver service outcomes on a financially sustainable basis.

Service delivery may be via the provision of Shire owned Infrastructure Assets, in which case assets are to be optimally managed to support financially sustainable service delivery outcomes for the lowest whole of life cost.

Alternatively service delivery may be by via third party, in which case the Shire has a role in ensuring third party Infrastructure Assets are optimally provided and managed to achieve financially sustainable service delivery outcomes without the need to draw on Shire of Toodyay resources.

This Policy also assists the Shire in compliance with the provisions of the State Government's Integrated Planning & Reporting Framework by having an integrated approach to Planning for the Future.

DEFINITIONS

“Asset”	means a physical item that is owned or controlled by the Shire of Toodyay, and provides or contributes to the provision of service to the community (in this context excluding financial, intellectual, and non-tangible assets).
“Asset Management”	means the processes applied to assets from their planning, acquisition, operation, maintenance, replacement and disposal, to ensure that the assets meet the priorities of the Corporate Business Plan for service delivery.
“Asset Management Plan”	means a plan developed for the management of an infrastructure asset or asset category that combines multi-disciplinary management techniques (including technical and financial) over the lifecycle of the asset.
“Council”	means the elected council (comprising Councillors) of the Shire of Toodyay.
“Infrastructure Assets”	are fixed assets that support the delivery of services to the community. These include the broad asset classes of Roads, Drainage, Buildings, Parks and Bridges.
“Level of Service”	the defined service quality for a particular activity (e.g. Roads) or service area (e.g. Street lighting) against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability and cost.

“Life Cycle”	means the cycle of activities that an asset goes through while it retains an identity as a particular asset.
“Whole of life cost(s)”	means the total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, and rehabilitation and disposal costs.
“Maintenance”	means regular ongoing day-to-day work necessary to keep asset operating and to achieve its optimum life expectancy.
“Operations”	means the regular activities to provide public health, safety and amenity and to enable the assets to function e.g.: road sweeping, grass mowing, cleaning, street lighting and graffiti removal.
“New”	means creation of a new asset to meet additional service level requirements.
“Resources”	means the combination of plant, labour and materials, whether they be external (contractors/consultants) or internal (staff/day labour).
“Renewal”	means restores, rehabilitates, replaces existing asset to its original capacity. This may include the fitment of new components necessary to meet new legislative requirements in order that the asset may achieve compliance and remain in use.
“Risk”	means probability and consequence of an event that could impact on the Council’s ability to meet its corporate objectives.
“Shire”	means the collective Shire of Toodyay organisation. The CEO of the Shire of Toodyay is responsible for ensuring the Shire's obligations and commitments are met.
“Stakeholders”	are those people/sectors of the community that have an interest or reliance upon an asset and who may be affected by changes in the level of service of an asset.
“Upgrade”	means to enhance an existing asset to provide higher level of service.

Outcomes

Adherence to this Policy will ensure that the Shire will continue to deliver (or facilitate the delivery) of financially sustainable services aligned with the aspirations of the community.

ADOPTED ORDINARY COUNCIL MEETING 19 NOVEMBER 2013

ADMINISTRATION POLICY

POLICY NO	A.10
POLICY SUBJECT	Christmas Holiday Office Closure
FILE NUMBER	
ADOPTION DATE	19 April 2007
LAST REVIEW	13 May 2010

STATEMENT OF INTENT

This policy is designed to provide guidelines for the closure of the Administration Centre, Library, Depot and Visitor Centre over the Christmas holiday period.

OBJECTIVES

- To assist with the proper and efficient management of the Administration Centre, Library, Depot and Visitor Centre over the Christmas Holiday period.
- To ensure that members of the public are aware of the closures.

POLICY STATEMENT

The Administration Centre, Library and Depot will be closed for business from the cessation of the last working day before Christmas and re-open on the second working day following New Year's Day.

The Chief Executive Officer will have discretion to vary the times of closure so that the period may include up to one day prior to Christmas Day and up to two days after New Year's Day, but not exceeding a total of eight consecutive working days, excluding weekends although inclusive of public holidays.

Provided:

1. Staff use Annual Leave, Time in Lieu or Rostered Days Off to account for those days not designated as public holidays.
2. Suitable emergency contact, either by telephone or personally are available to the public.
3. The closure is advertised in The Toodyay Herald or other locally circulated newspaper.

POLICY STATEMENT

The Visitor Centre will close on Christmas Day, Boxing Day and New Year's Day only.

Reviewed Council Meeting 15 November 2007
Reviewed Council Meeting 21 May 2009
Reviewed Council Meeting 13 May 2010

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Shire of Toodyay Rating Strategy

Background

Council has been considering a review of its rating strategy since 2001. This has included consideration of:

- Changes to the basis of rates for a number of types of properties;
- The implementation of differential rates for different types of properties with business use treated differently from residential use; and
- The implementation (and removal of) concessional treatment for classes of ratepayers.

Basis of Rates

The Local Government Act 1995 Section 6.28 provides that the Minister is to determine the method of valuation of land to be used by a local government as the basis for rates. The Minister is to have regard to the general principle that the basis for a rate on any land is to be -

- a) Where the land is used **predominantly** for rural purposes, the unimproved value of the land; and
- b) Where the land is used **predominantly** for non-rural purposes, the gross rental value of the land.

The Department has published a Guideline to assist local Governments to prepare submissions for changes to be considered.

The guideline suggests that Councils should consider the following principles.

Objectivity

As far as possible the predominant use of land should be reviewed and determined on the basis of an objective assessment of relevant criteria. External parties should be able to understand how and why a particular determination was made.

Fairness and equity

Rating principles should be applied fairly and equitably. Each property should make a fair contribution to rates based on a method of valuation that appropriately reflects predominant use.

Consistency

Rating principles should be applied, and determinations should be made, in a consistent manner. Like properties should be treated in a like manner.

Transparency

Systems and procedures for determining the method of valuation of land should be clearly documented and available for the public to inspect. This is fundamental to the "good

government" principle upon which the Act is based. The right to govern accompanies the obligation to do so openly and fairly.

Administrative efficiency

Rating principles and procedures should be applied and implemented in an efficient and cost-effective manner.

Council Resolution

In October 2010 Council resolved as follows:

That Council, having regard for the Consensus Outcome arising from its Special Forum held on 23 September 2010:

1. *Adopt a position which relies the provisions of the Shire of Toodyay Local Planning Scheme No. 4 as the basis of determining whether specific zones are predominantly "rural" or "non-rural" in nature;*
2. *Confirm that the only zone under the provisions of Local Planning Scheme No. 4 which is considered to be predominantly "rural" in nature is, in fact, the "Rural" zone.*
3. *Adopt a position which rates all land zoned other than "Rural" on the basis of Gross Rental Value and land which is zoned "Rural" on the basis of Unimproved Value;*
4. *Adopt a position which relies on land which is predominantly identified as "rural" in nature but on which there are specific "non-rural" developments to be the subject of split valuations based on a combination of Gross Rental Value for the non-rural element and Unimproved Value for the rural element; and*
5. *Apply to the Minister for Local Government no later than April in any year to allow for revised valuations to be provided, such valuations to become effective from 1 July.*

Departmental response

On the 11 January 2011, correspondence was received from the Department of Local Government advising that, in order to support the Shire of Toodyay's application, the "Operational Guidelines, Changing Methods of Valuation of Land" would be required to be adhered to.

On the 5 May 2011 the Department of Local Government further advised that an application would require supporting documentation such as:

- Full details of properties involved including maps
- Details of improvements to the land
- Information regarding consultation
- Information regarding the impact on the properties

The Shire of Toodyay has not followed up this advice, except to the extent that a further proposal was put to Council expanding the use of other methods such as split rating, spot rating and

differential rating, but did not advance the fundamental questions of changing the basis of rating including following the process set out in the relevant departmental guideline.

Proposed Action

Council's resolution of October 2010 was fundamentally sound, except that Rural Living would need to be assessed at the individual property level to determine the appropriate basis for rates. All that is required is that the additional information requested by the Department be provided. The approach for gathering the information is proposed as follows below.

Policy Position

The guidelines provide the following advice on determining the predominant use:

Predominant use – factors to be considered

Assessing the predominant use of land is fundamental to determining the method of valuation to be used for rating purposes. The Act does not define the term "predominant". Consequently, an assessment has to be made on a case by case basis as a question of "fact and degree" as to whether or not the use of a particular property should be categorised as predominantly rural or non-rural.

Local governments should take all relevant factors into consideration including the following.

(a) Activity conducted on the land

Many activities may be associated with the use of a property. The nature, scale and extent of each activity should be taken into account in any assessment of predominant use.

(b) Development on the land

The nature, scale and extent of the development of a property can give an indication of the nature, scale and intensity of associated uses. They can also affect the capacity for a property to be used for other purposes.

(c) Income

Where a property is used for two or more different purposes, the income generated from each use can be a guide to assessing the predominant use of the land.

Local Planning Scheme

Taking account of the Departmental Guideline and the planning table an assessment of the predominant use based on the activities permitted under the Local Planning Scheme produces the following outcome.

Zone	Objectives	Default Basis of Rates	Rationale
Light Industry	(i) provide for rural, service, light and general industrial activities; (ii) provide appropriate buffers between industrial and adjacent land uses to avoid land use conflicts; and (iii) avoid conflicting uses from establishing in the industrial area.	GRV	Not rural.
Residential	(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.	GRV	Residential is clearly not rural, and this zoning generally provides for small lot sizes that would not allow for rural pursuit.
Residential Development	(i) designate land for future urban development; (ii) provide for orderly planning and development of larger areas of land for residential and associated purposes through the preparation of a development plan; and (iii) ensure the adequate provision of physical and community infrastructure.	GRV	This would generally be vacant land that has been earmarked for future development. There may be opportunities for GRV rating of individual properties or spot rating of particular non-residential developments.
Special Residential	(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 complement the natural and cultural landscape of the Toodyay locality.	GRV	While this involves larger lot sizes the objectives relate to lifestyle and proximity to the townsite. LPS 4 does not contemplate any rural pursuits.

Zone	Objectives	Default Basis of Rates	Rationale
Mixed Business	(i) provide for commercial, light and service industrial, wholesaling, showrooms and professional services which, by reason of their scale, character and operational land requirements, are not generally appropriate to, or cannot conveniently or economically be accommodated within the Town Centre zone or Industrial zone; (ii) provide for development and land uses which will not result in a detrimental impact on the Town Centre zone; (iii) promote buildings of a high standard of architectural design complemented by landscaped surrounds.	GRV	This is intended as a non-rural business zoning.
Town Centre	(i) establish a strong town focus; (ii) develop the town centre as the principal place for retail shopping, office and commercial development in the district; (iii) provide for expansion of commercial activity to meet future demands; (iv) provide for a variety of housing types and tourism related accommodation; (v) provide for social, recreational and community facilities; (vi) provide for the efficient and safe movement of vehicles and pedestrians; and (vii) provide for the preservation of the historical character of Toodyay.	GRV	Even undeveloped land would be earmarked for residential or commercial development
Rural	(i) protect broad-scale agriculture from un-planned breakdown of rural land: (ii) subject to (i) above: (a) provide for tourist related activities, including farm stay, bed and breakfast and holiday accommodation; and (b) provide for a range of rural related uses such as intensive agriculture, aquaculture, rural pursuits.	UV	While predominantly UV there may be occasions where spot or split rating are justified.

Zone	Objectives	Default Basis of Rates	Rationale
Rural Residential	(i) provide for closer settlement for residential use in a rural environment; (ii) maintain and enhance the rural character and amenity of the locality; (iii) enhance the district's social and economic structure without detrimentally affecting the landscape, environment and existing agricultural activity; (iv) ensure the protection and conservation of native vegetation; (v) ensure that lot sizes and shapes are rationally related to the topography and state of land development; and (vi) have regard for the visual aspect of the site in considering development applications.	GRV	This is primarily for residential purposes, and while in a rural environment there would be few occasions where a rural enterprise on anything approaching a commercial scale could be accommodated. Some potential for UV rating where it can be demonstrated that the predominant use is not residential. LPS 4 contemplates a very limited range of rural uses.
Rural Living	(i) identify areas with convenient access to the Toodyay townsite to take advantage of services provided in the area; (ii) to provide for a range of lot sizes between 5 ha to 40 ha, with an average of 15 ha to 20 ha depending on topography and landscape; (iii) allow for range of lifestyle opportunities including small rural holdings, rural pursuits; cottage industry and intensive agriculture; (v) provide for tourism related accommodation; and (vi) ensure the protection and conservation of native vegetation.	GRV / UV Case by case	Predominantly rural in nature and the lot sizes are such that a rural purpose could be sustained. There may be opportunities for spot rating where the activity or use is clearly not the rural in nature. LPS 4 contemplates a limited range of rural uses.

An extract from the Shire of Toodyay Local Planning Scheme No 4 rating table is reproduced below. As can be seen from the table land used for predominantly rural purposes will most likely be found in the Rural Zone, to a limited extent in the Rural Living Zone and rarely in the Rural Residential Zone.

	Residential	Residential Development	Special Residential	Town Centre	Mixed Business	Light Industry	Rural	Rural Residential	Rural Living
Abattoir	X	X	X	X	X	X	A	X	X
Agriculture - Extensive	X	X	X	X	X	X	P	X	D
Agriculture - Intensive	X	X	X	X	X	X	D	A	D
Agroforestry	X	X	X	X	X	X	P	X	A
Animal Establishment	X	X	X	X	X	A	D	X	A
Animal Husbandry - Intensive	X	X	X	X	X	X	D	X	X
Dam	X	X	A	X	X	X	P	A	D
Equestrian Centre	X	X	X	X	X	X	A	X	A
Farm Stay/Host Farm	X	X	X	X	X	X	D	X	A
Industry – Rural	X	X	X	X	D	D	A	X	A
Roadside Stall	X	X	X	X	X	X	D	X	D
Rural Pursuits	X	X	X	X	X	X	P	A	A
Stables – Commercial	X	X	X	X	X	X	D	X	X
Stables – Private	X	X	X	X	X	X	P	D	A
Stockyard	X	X	X	X	X	X	P	D	D
Winery	X	X	X	X	X	X	D	A	A

Conducting the review

Step one – Desk Top Survey:

- Review mapping to gauge extent of development;
- Review planning and or building applications for the property;
- For vacant land consider the context of neighbouring properties; and
- If there is no evidence from the desk top survey that the default basis of rating will not apply use that basis.

Step Two – Council Endorsement

- Council endorsement of the desktop survey

Step Three - Consultation

- Write to each affected landowner advising of the review and the draft outcomes;
- Invite landowners to make a submission if they have evidence that their property is predominantly rural; and
- If necessary conduct a physical inspection of the affected property.

Step three – Council Decision

The officer's report to the council should include the following information:

- details of the property(s) involved, including size and current uses;
- details of improvements on the land;
- current system of valuation used and the proposed change;
- indication of the likely impact that the change would have on the rate assessment of the affected property(s);
- details of consultation undertaken with affected ratepayers and their views;

- a statement indicating whether similar properties in the district are valued on the same system;
- whether consideration should be given to phasing in the effects of the valuation change; and
- the date when the proposed change should take effect.

Council to determine based on evidence which objections (if any) to sustain.

Step 4 – Comprehensive Report to the Department for final decision.

The final decision has been delegated by the minister to the Department.

Conclusion

Previous attempts to change the Basis of Rates for properties in Toodyay were rejected by the Department because the process set out in the guidelines had not been followed. When Council is contemplating a decision where people may be liable to pay more rates the public consultation process is likely to be difficult. If rates are being levied on an incorrect basis (as they almost certainly are now) it will be creating inequities. People will be paying more or less than their fair share. At some point we need to fix it.

Differential Rates

Differential rates allow a Local Government to apply different levels of rates to different activities. While it is not a direct alternative to changing the basis of rates it does provide Council with a means for distinguishing between the rates paid by different categories of landowners.

Residential versus Commercial or Industrial

It is fairly common for Councils to levy a higher rate for commercial or industrial activities as opposed to residential premises. There are a couple of examples below:

Shire of Northam	Rate c in \$	Minimum
Townsite Residential	9.1472	\$760
Townsite Commercial Industrial	10.3056	\$760
City of Swan	Rate c in \$	Minimum
Residential	6.6140	\$765.00
Commercial/Industrial	8.0940	\$1,215.00
City Centre	8.0930	\$1,215.00
Heavy Industry	13.2270	\$1,470.00

Types of Rural Land

In the same way types of rural land use or zoning can be applied with different rates.

Shire of Northam	Rate c in \$	Minimum
Agricultural Local	0.4475	\$760
Agricultural Regional	0.3615	\$760
Rural Small Holdings	0.5389	\$760

City of Swan	Rate c in \$	Minimum
Farmland	0.2060	\$765
Landscape	0.2760	\$765
Special Area	0.2910	\$765
Rural	0.2900	\$765
UV Commercial	0.4110	\$765

Many rural communities have, with ministerial permission, imposed mining rates that are many times higher than the UV rate applying to other rural properties.

Rates as a Strategic Tool

Differential rates can be used as a device for Council to promote or discourage different types of activities. This can be on the basis of such things as:

- Whether an activity is to be encouraged (lower rates) or discouraged (higher rates);
- Whether an activity has a greater or lesser impact on Shire infrastructure;
- The capacity to pay of particular industries; or
- The sustainability of particular industries – whether they are likely to be a long term or short term contributor to the local economy or community.

Ministerial permission is required before a differential rate may be imposed that is more than twice the lowest rate. For GRV for example Council could choose to strike a general GRV rate of 10 cents in the dollar and Waste Disposal Site GRV Rate of 19 cents in the dollar without seeking Ministerial permission.

Spot or Split rating

It is possible to spot or split rate activities. For example:

- You may spot rate an accommodation village located on a farming property; or
- You may split rate a farming property which is also a tourism business.

An example of spot rating may be for extractive industries (UV) or waste disposal sites (GRV).

Equity in the rating system

It is a common complaint in Toodyay, particularly amongst farmers, that some people are carrying more than their fair share of the rating burden. The challenge for Council is to equitably share the rating burden to ensure that everyone pays a fair share and that no one is unreasonably disadvantaged.

Taxation versus Fee for Service

Council rates are a property tax. They are own source income for local governments to fund their activities. They should not be confused with service charges in exchange for roads or libraries or sporting facilities. How much you put in depends on your capacity to pay, in much the same way as the income tax system taxes more from high income earners regardless of whether they access government services.

Minimum Rates

A Local Government cannot without Ministerial permission strike a minimum rate that applies to more than half the number of properties in a particular category. The more categories there are the more likely this will be an issue.

Advertising

If Council were to contemplate imposing differential rates it must advertise its intention to do so in the two months preceding the new financial year, and allow 21 days for comments. This means that Council must have its rate in the dollar for the different categories decided well ahead of final budget deliberations. If Council strikes a rate that is different from the advertised rates it must repeat the advertising process and disclose that change and the reason for the change in the budget papers.

Conclusion

Differential rates are a valuable tool available to Local Governments to manage their income, ensure the equitable distribution of rates burden and collect greater contributions from high impact industries. They also add another layer of compliance that Councils must monitor. In Toodyay's case differential rates should be considered when the review of the basis for rates is completed.

Concessional Rates

Providing concessions on rates was a vehicle used for some time in Toodyay to try to correct perceived inequities that resulted from a failure to change the basis of rates for new subdivisions. Concessions can be a useful means to provide short term relief to a particular group of ratepayers, but it is not good practice to install long term concessions where another vehicle is available to achieve the outcome.

Recommendations

It is recommended that:

1. The Shire of Toodyay pursue changes to the basis of rating in line with the following with a view to implementing in 2014/15:

Zone	Default Basis of Rates
Light Industry	GRV
Residential	GRV
Residential Development	GRV
Special Residential	GRV
Mixed Business	GRV
Town Centre	GRV
Rural	UV
Rural Residential	GRV
Rural Living	GRV / UV Case by case

2. Following the implementation of the review of the basis of rates that Council consider the implementation of differential rates based on the results of the above changes to ensure equitable distribution of rates burden. In particular it is recommended that Council examine the opportunity to spot rate extractive industries and private waste treatment facilities on farm land.

3. That Rating Concessions be used on a very limited basis to address short term issues for small numbers of rate payers. In particular it is recommended that Concessions not be used in circumstances that could be addressed through the application of a differential rate.

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President *John Clarke* 9574 5715
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Secretary/Treasurer *Lou Kidd*
9574 4310
E-Mail lou101@bigpond.com



Date 31 October 2013

TOODYAY RSL SUB BRANCH

(Charter Granted 7 Oct 1919)

Chief Executive Officer
Shire of Toodyay
P.O. Box 96
Toodyay WA 6566

SHIRE OF TOODYAY	
Record Number:	TCR24345
4 - NOV 2013	
Officer / Dept:	MCS/EXECSEC
File Number:	COM7

Dear Mr Scott

Sandakan Scholarship Tour

We write to once again seek your support in providing this unique and worthwhile opportunity for the youth of Toodyay. It is proposed by our Sub Branch that two local students will participate in next year's tour. This will be dependent on available funds resulting from our fundraising efforts. In previous years we have funded the full travel and accommodation costs of the parent/guardian. It is proposed to reduce the financial support given to accompanying adults to help facilitate sending a second student. We trust that your organisation will be able to continue to support this most worthwhile cause and if possible consider increasing the level of your financial commitment.

We most sincerely appreciate your assistance and acknowledge the great work the Shire does in support of the youth of the community.

Yours Sincerely

John Adams
Vice President [Sandakan Coordinator]
95745681

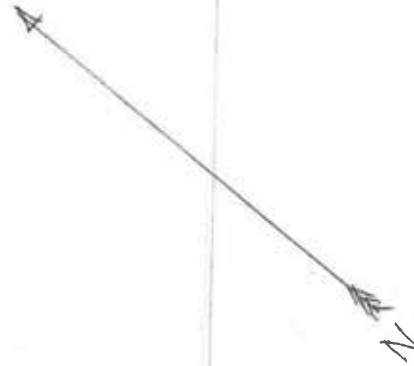
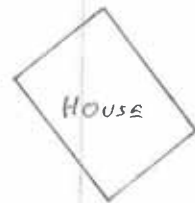
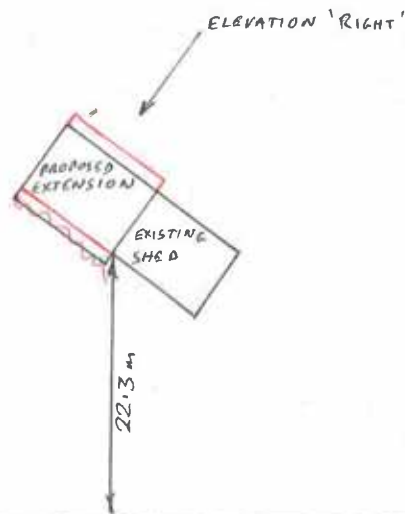
THE PRICE OF LIBERTY IS ETERNAL VIGILANCE

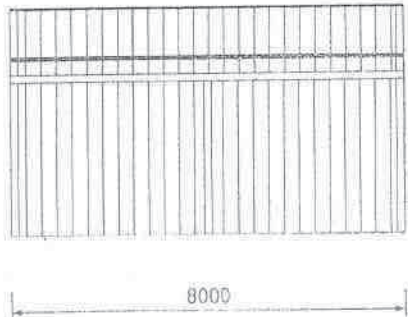
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Lot 73 Sandspring Road, Julimar

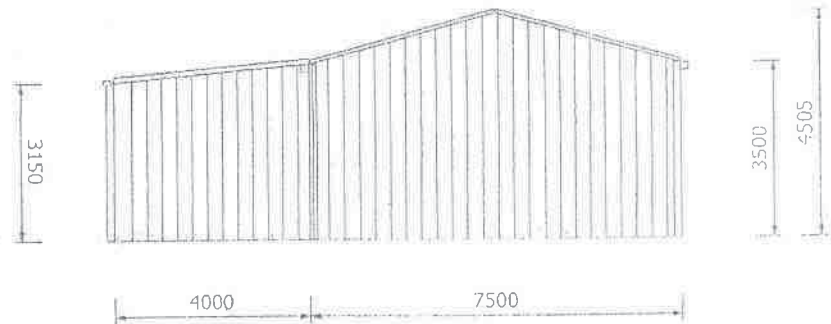


Proposed outbuilding shifted so the rear is in line with the rear of the existing outbuilding.

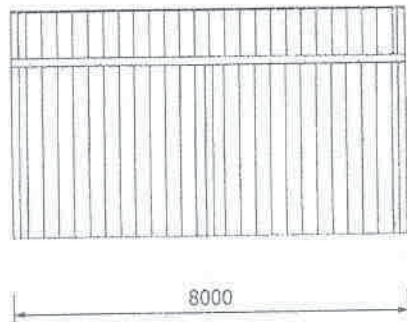




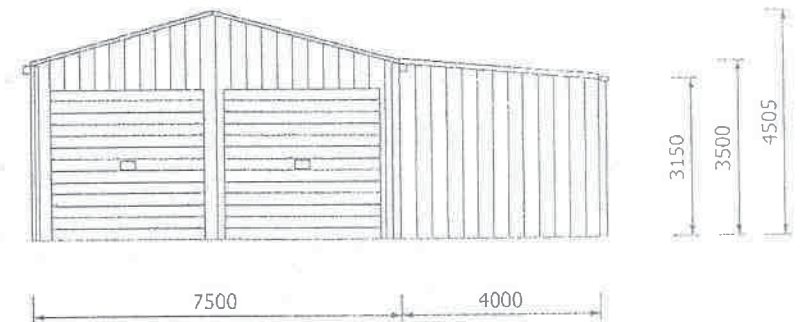
Back



Left



Front



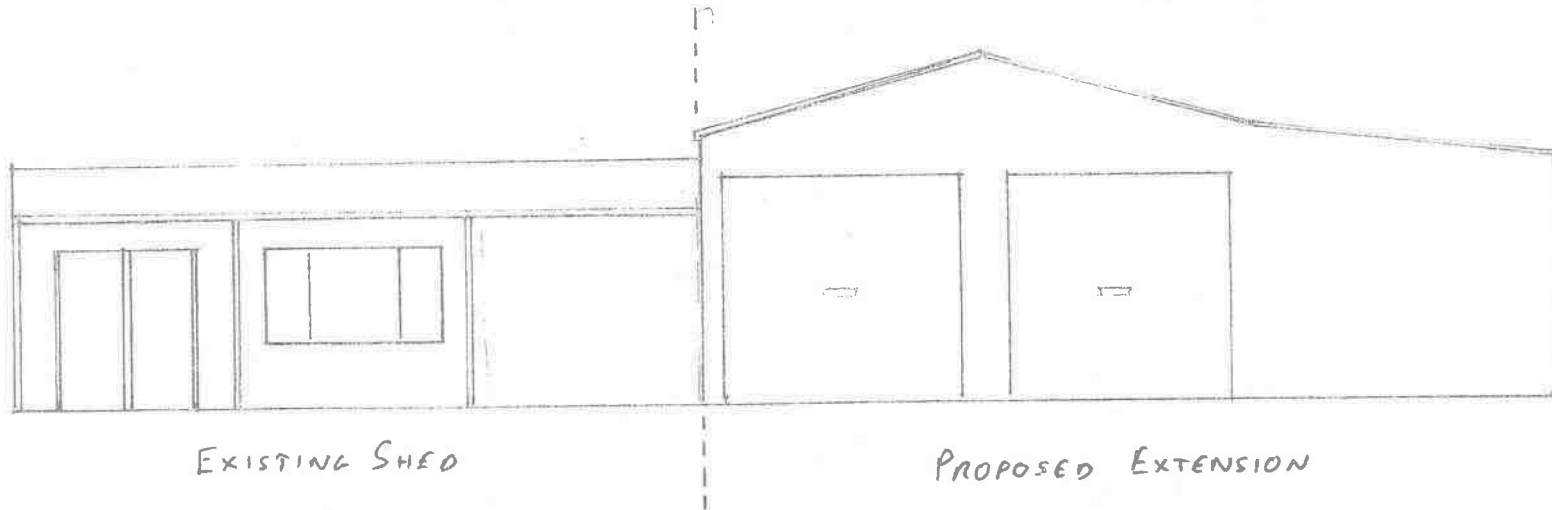
Right *

Company: Fielders Wangara
 Phone: 93031414
 Email: cbird@fielders.com.au
 Address: 19 Integrity Way, Wangara, WA, PC: 6065



CLIENT NAME: MIDALIA NORTHAM - MARTIN WHITTAKER
 SHEET NO: TBA
 Northam, WA, PC 6401

ELEVATIONS	
PROJECT: FDWCB20582	DATE: N1S
DATE: 01/07/2013	01 of 01



PROPOSED SHED EXTENSION 40 SANDSPRING RD
WHITE COLOURBOND WALLS AND ZINC ROOF TO
MATCH EXISTING SHED

HOT WATER SYSTEM TO HAVE A THERMOSTATIC TEMPERATURE VALVE TO EACH BATHROOM. HOT WATER FEED TO LAUNDRY AND KITCHEN TO BE UNTEMPERED.

NOTE: CEILING EXHAUST FANS & CEILING VENTS (shown) FLUMED TO EXTERNAL AIR

ELEVATION 4

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 TEKS.

INSULATION NOTES:
 CLIMATE ZONES '4' BCA 2013

- R2.5 high density glass fibre insulation to external WALLS
 min TOTAL = R2.52 value (min. R2.8 reqd.)
 - a) R3.5 glass fibre insulation to HOUSE CEILINGS.
 b) R1.3 foil faced glass fibre insulation to UNDER HOUSE ROOF SHEETING (50mm)
 min TOTAL = R5.19 value (min R5.1 reqd.)
- NOTE: R0.2 THERMAL BREAKS TO EXTERNAL STEEL WALL FRAMES.

TIMBER FRAMED EXTERNAL DOORS (generic U_w & SHGC)

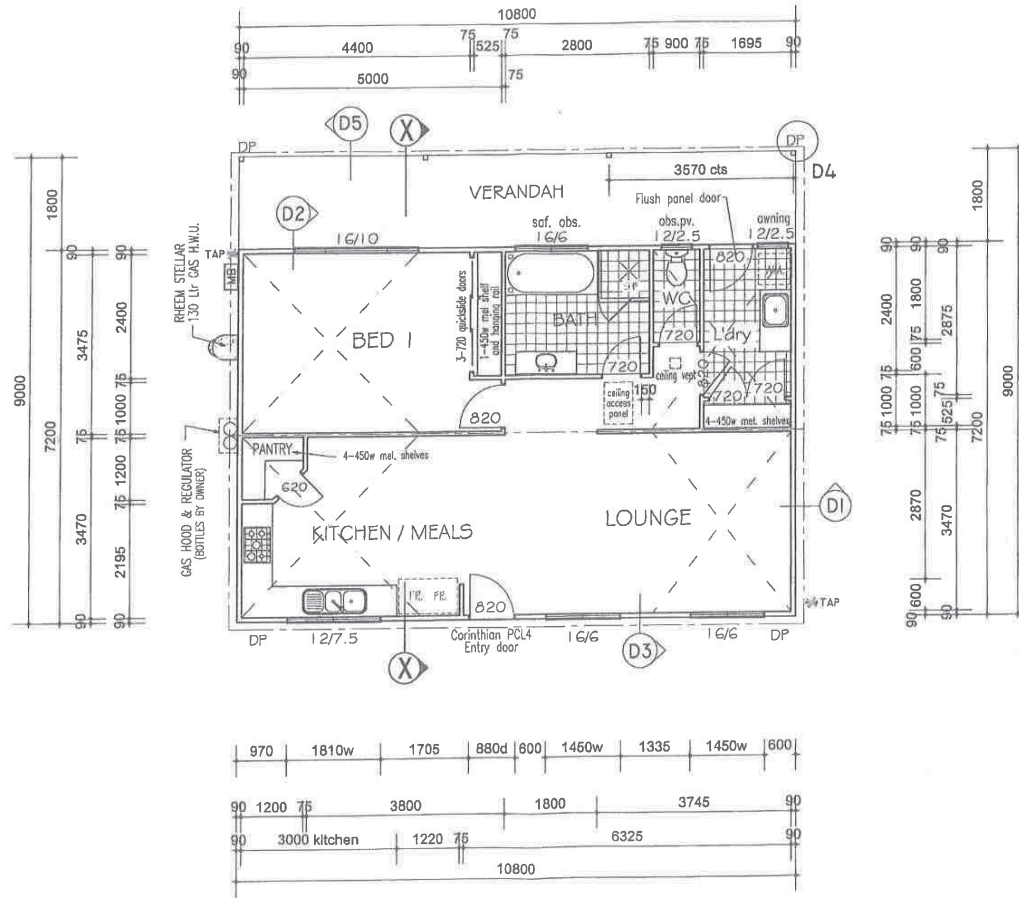
UNWT SEALS TO ALL EXTERNAL DOORS & WINDOWS TO BCA 3.12.3.3 requirements and/or AS 2047

DOWELL (WA) alum. framed windows & sliding doors	U _w	SHGC
AWNING window 3mm DOW-031-01 cas/door	6.4	0.81
SLIDING window 3mm DOW-032-01 cas/door	6.7	0.74
FIXED window 4mm DOW-014-01 cas/door	6.2	0.75
SLIDING door 5mm DOW-006-01 cas/door	6.2	0.71

CONSTRUCTION NOTES:

- Aluminum framed windows & glass sliding doors (with insect screens) BY 'DOWELL' WINDOWS.
- Corinthian STANFORD internal doors.

ELEVATION 2



THIS STRUCTURE HAS BEEN EARTHQUAKE DESIGNED IN ACCORDANCE WITH A.S. 1170.4

FLOOR PLAN
 SCALE 1:100

HOUSE FLOOR AREA	77.76	M2
VERANDAH FLOOR AREA	19.44	M2

NOTE - QUANTITIES DO NOT INCLUDE EAVES

ELEVATION 1

DATE	AMENDMENTS	HOUSE TYPE: mod. Ascot	PAGE No	SCALES	AS SHOWN	PROPOSED RESIDENCE FOR:
			3.	DATE DRAWN	15-08-13	MR & MRS MCAULEY
				JOB NUMBER	32902	
				No. in SET	DRAWN BY	zk
				CHECKED BY		
						TO BE CONSTRUCTED ON: Lot 681 (#73) CALADENIA DRIVE COONDLE
						ROSS SQUIRE HOMES
						OWNER _____ WITNESS _____
						OWNER _____ WITNESS _____
						BUILDER _____ WITNESS _____
						ROSS SQUIRE HOMES PH : (08) 92783400 FAX : (08) 92502181 36 MELLIADOR WAY, MIDVALE 6056 Western Australia

CAUTION - DO NOT SCALE FROM DRAWING AS DISTORTION CAN OCCUR DURING COPYING FB1

32902 plan

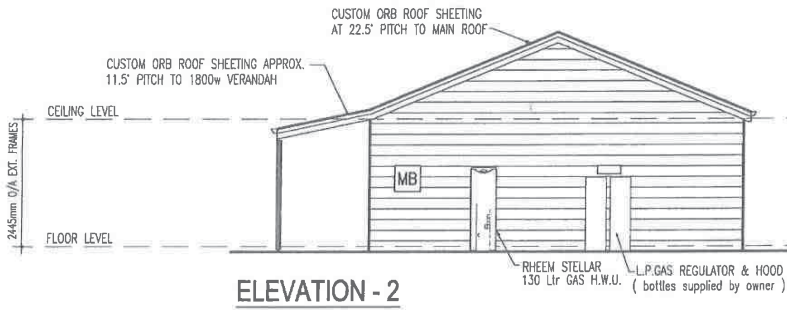
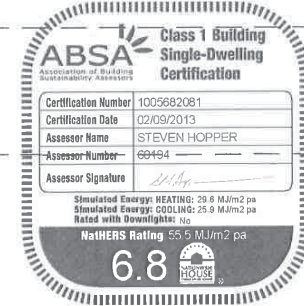
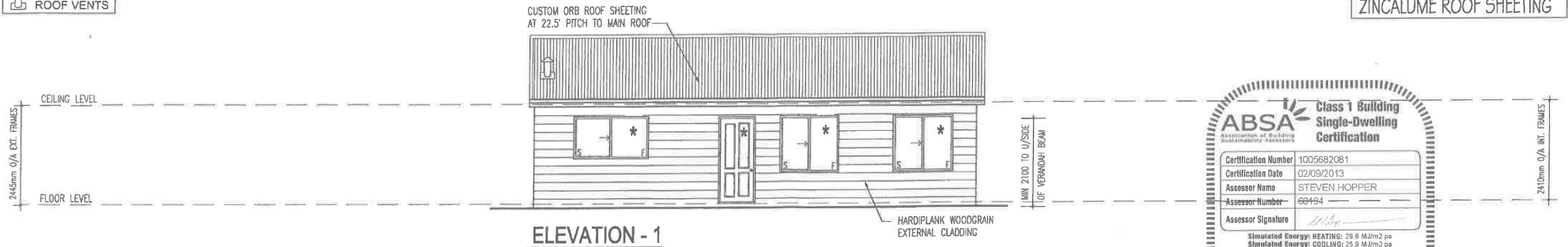
HEAD FLASHING TO ALL WINDOWS
& DOORS MARKED THUS *

3 - Zincalume
ROOF VENTS

230mm HARDIPLANK WOODGRAIN EXTERNAL WALL CLADDING

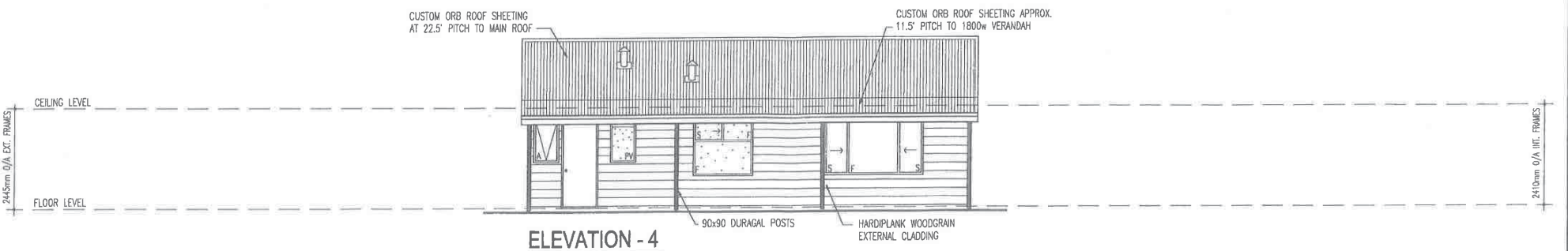
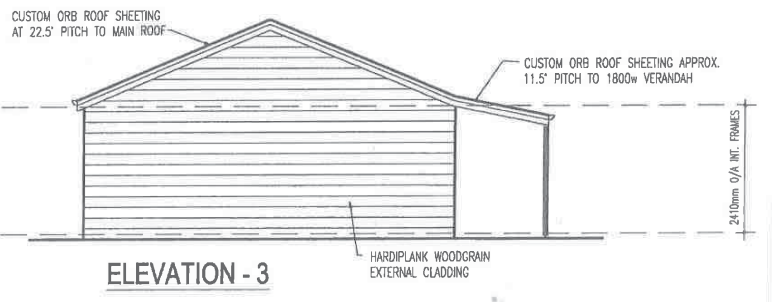
ZINCALUME GUTTERS & DOWN PIPES


ZINCALUME ROOF SHEETING



RHEEM STELLAR
130 Ltr GAS H.W.U.

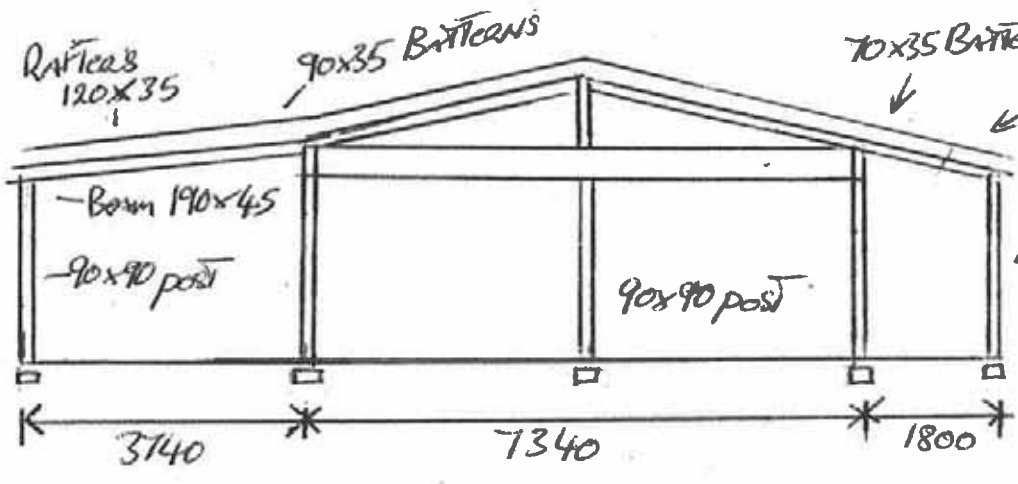
L.P. GAS REGULATOR & HOOD
(bottles supplied by owner)



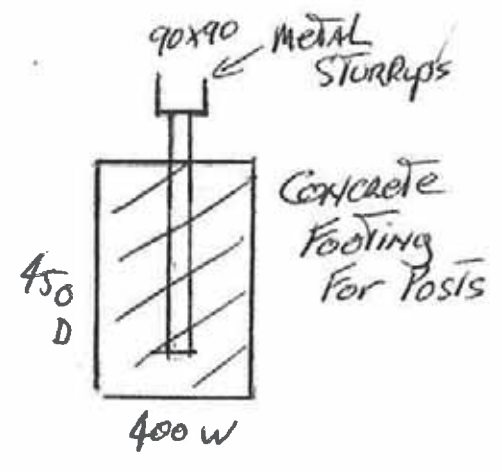
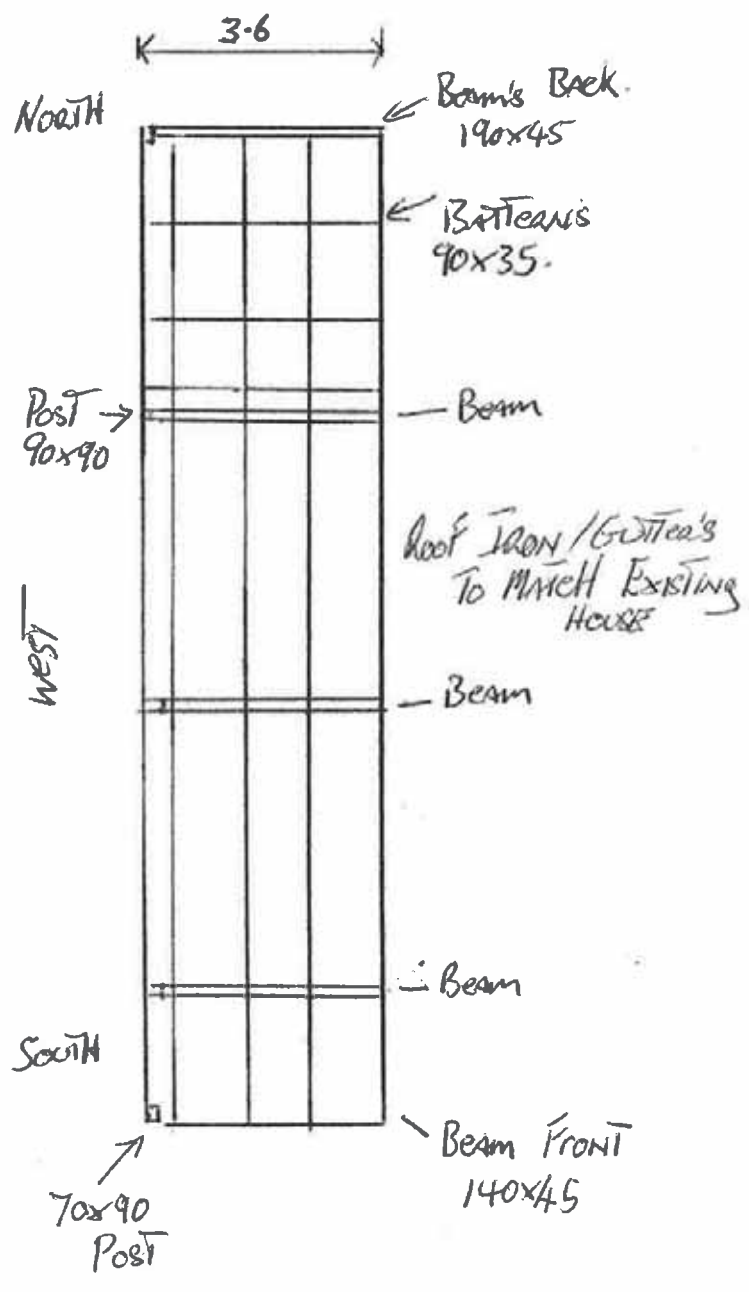
DATE	AMENDMENTS	HOUSE TYPE: mod. Ascot	PAGE No	SCALES	AS SHOWN	PROPOSED RESIDENCE FOR:	 ROSS SQUIRE HOMES PH : (08) 92783400 FAX: (08) 92502181 36 MELIADOR WAY, MIDVALE 6056 Western Australia	OWNER	WITNESS
			4.	DATE DRAWN 15-08-13		MR & MRS McaULEY		OWNER	WITNESS
			No. IN SET	JOB NUMBER 32902		TO BE CONSTRUCTED ON:		BUILDER	WITNESS
			CHECKED BY	zk		Lot 68 (#73) CALADENIA DRIVE COONDLE			
CAUTION - DO NOT SCALE FROM DRAWING AS DISTORTION CAN OCCUR DURING COPYING		FB1		32902 elev					

Proposed West End Verandah Extension

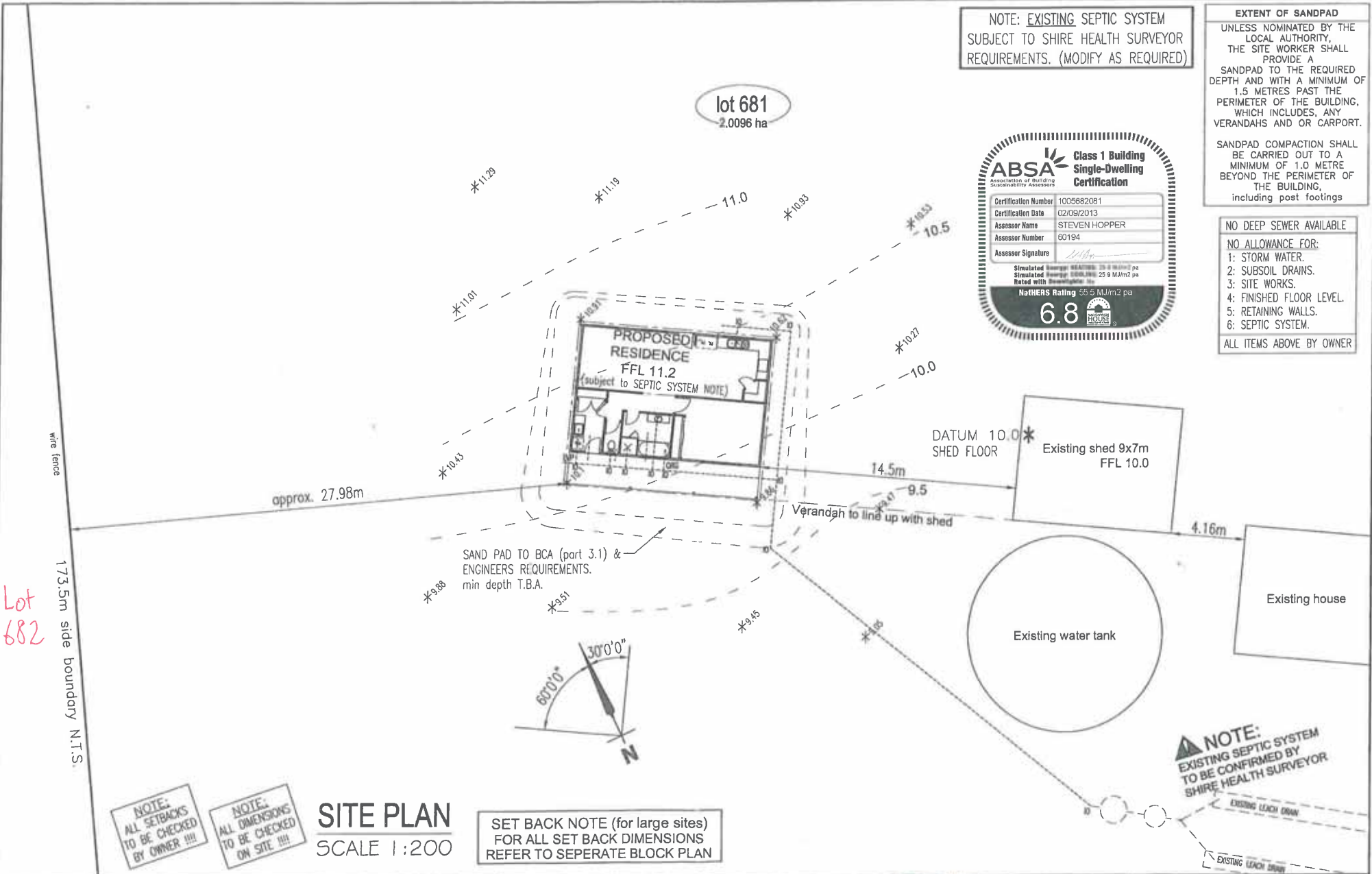
MR & MRS McAuley 9574459
 Lot 681 (#73) 041 597314
 CALADENIA Drive
 COONDLIE



Rafters 90x35
 Beam 140x45
 90x70 posts
 West Side / Front



Footings	400x400x450 Deep
Rafters	120x35 North Side
"	90x35 South Side
Battens	90x35 North Side
	70x35 South Side
Beam's	190x45 North/West Side
	140x45 South Side
Posts	90x90 North/West
	90x70 South Side

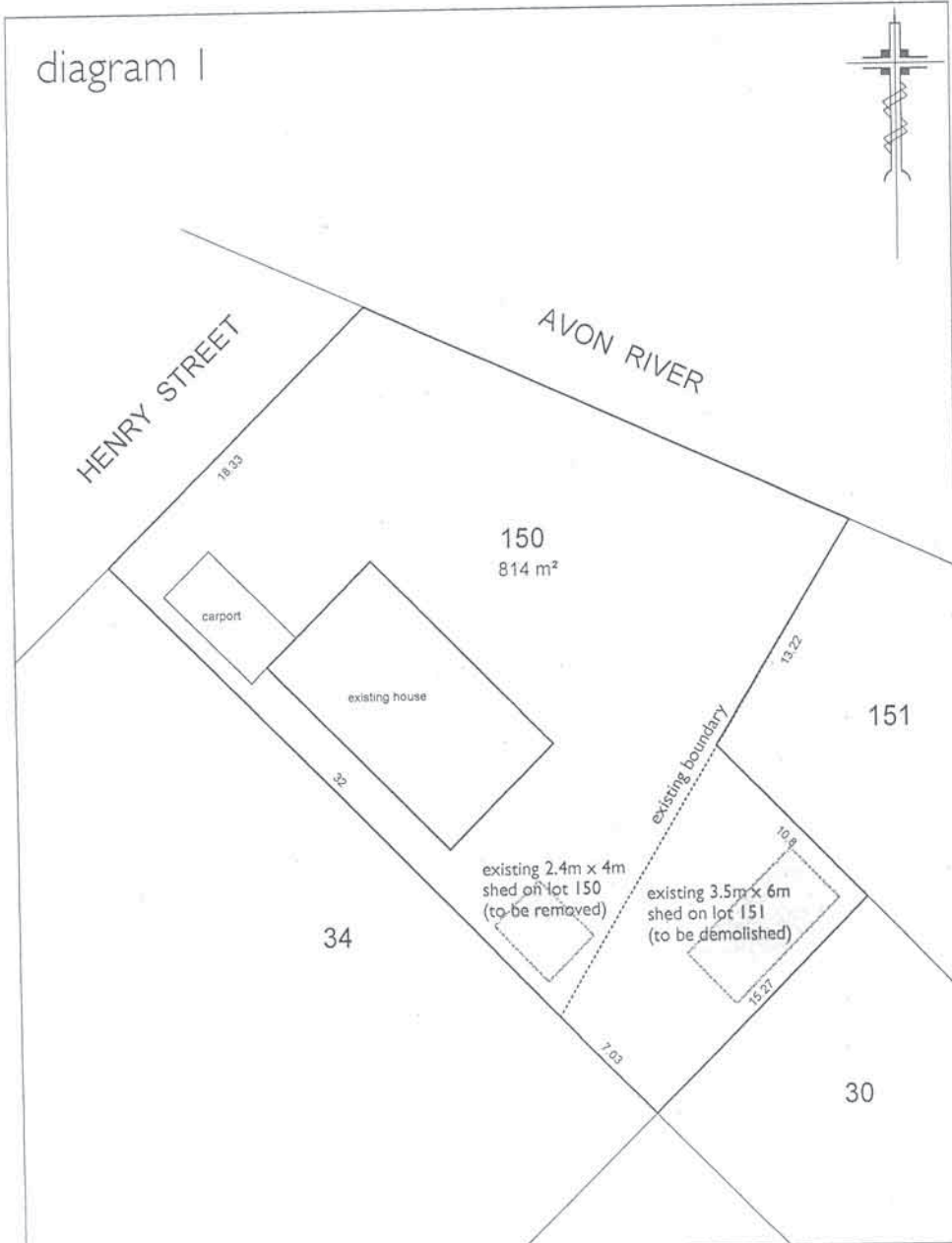


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			2.	DATE DRAWN	02-09-13	MR & MRS McAULEY
			No. IN SET	JOB NUMBER	32902	TO BE CONSTRUCTED ON:
				DRAWN BY	zk	Lot 681 (#73) CALADENIA DRIVE
				CHECKED BY		COONDLE
CAUTION - DO NOT SCALE FROM DRAWING AS DISTORTION CAN OCCUR DURING COPYING			FB1	32902 site		

ROSS SQUIRE HOMES
PH : (08) 92783400
FAX: (08) 92502181
36 MELIADOR WAY, MIDVALE 6056
Western Australia

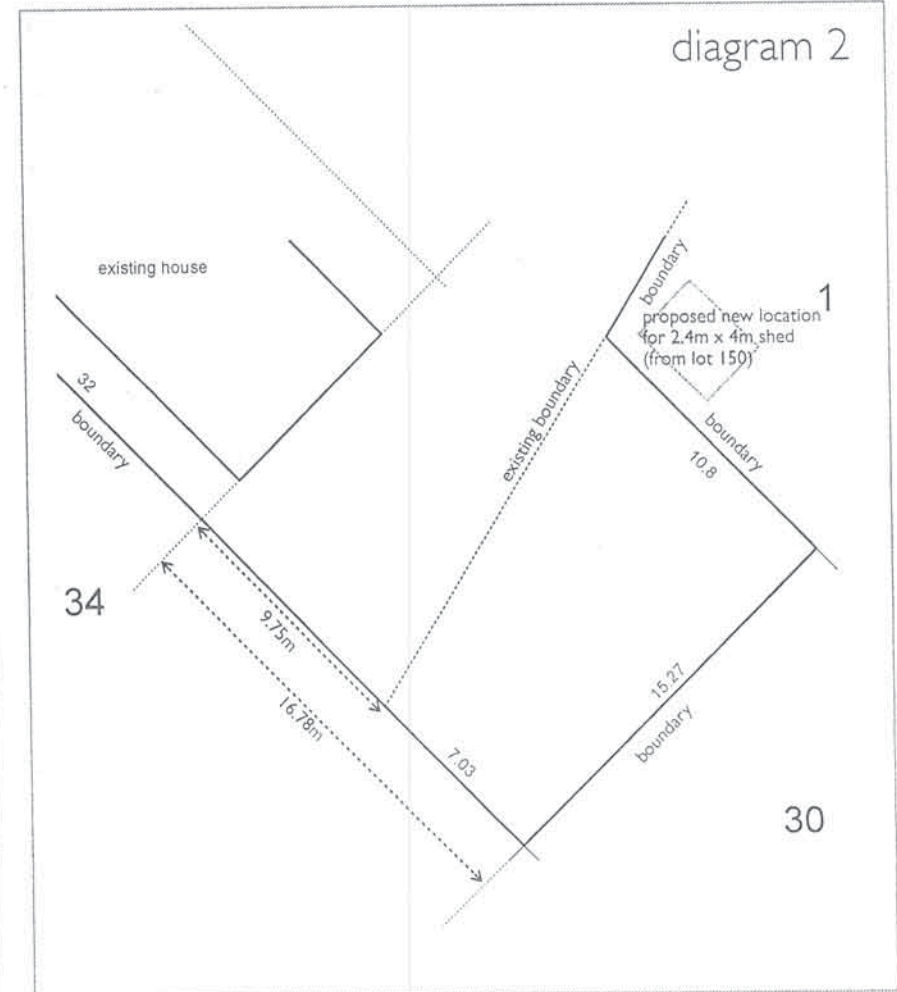
OWNER	WITNESS
OWNER	WITNESS
BUILDER	WITNESS

diagram 1



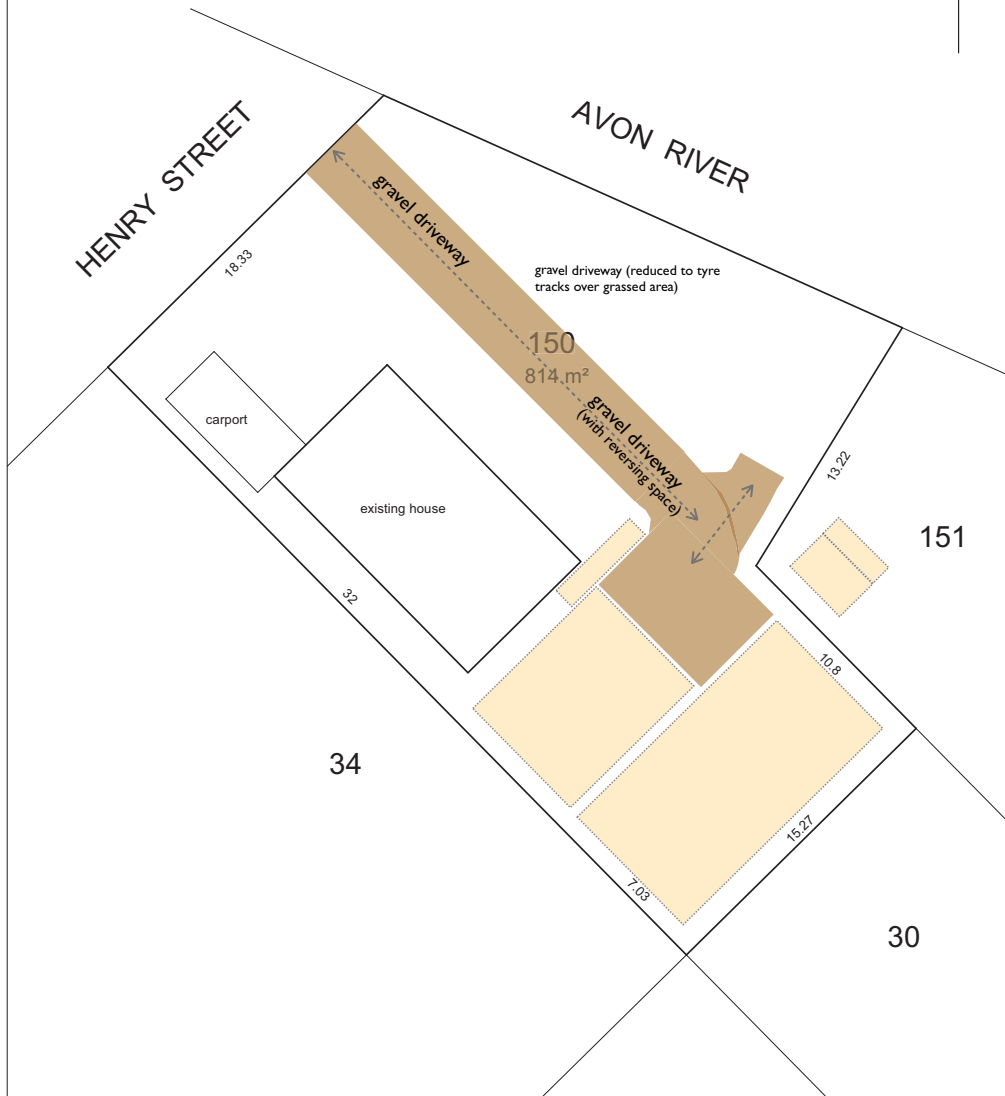
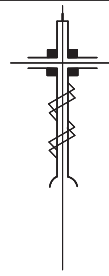
building footprints
 (existing sheds & relocation of
 shed from lot 150 to lot 151)

diagram 2

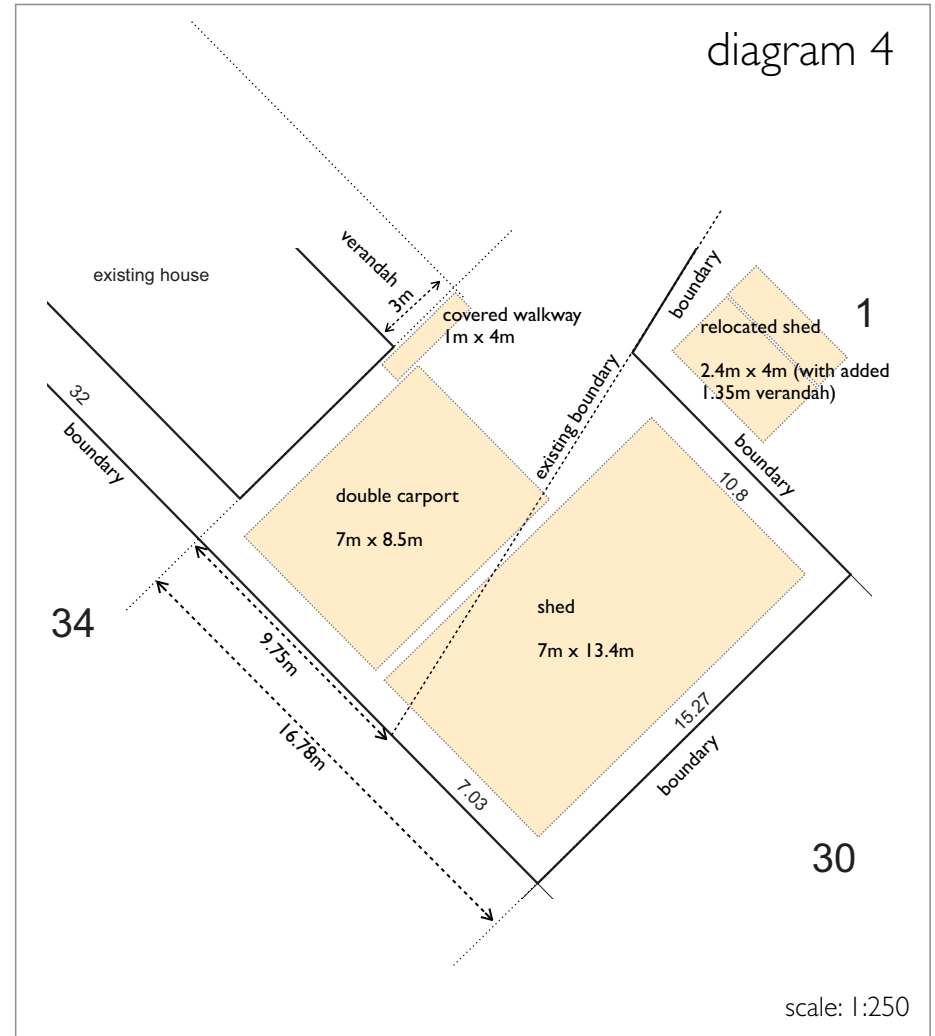


PAUL KRAFT & ASSOCIATES PO BOX 428 NORTHAM 6401 Phone: 94574 2690 Fax: 9574 2991 Scale: 1:250 Date: 06/08/2013	BUILDING PLAN OF	
	LOT 150 ON DP 47226 HENRY STREET TOODYAY	
	C/T Vol: 2613 Fol: 394	Original Sheet Size: A4

diagram 3



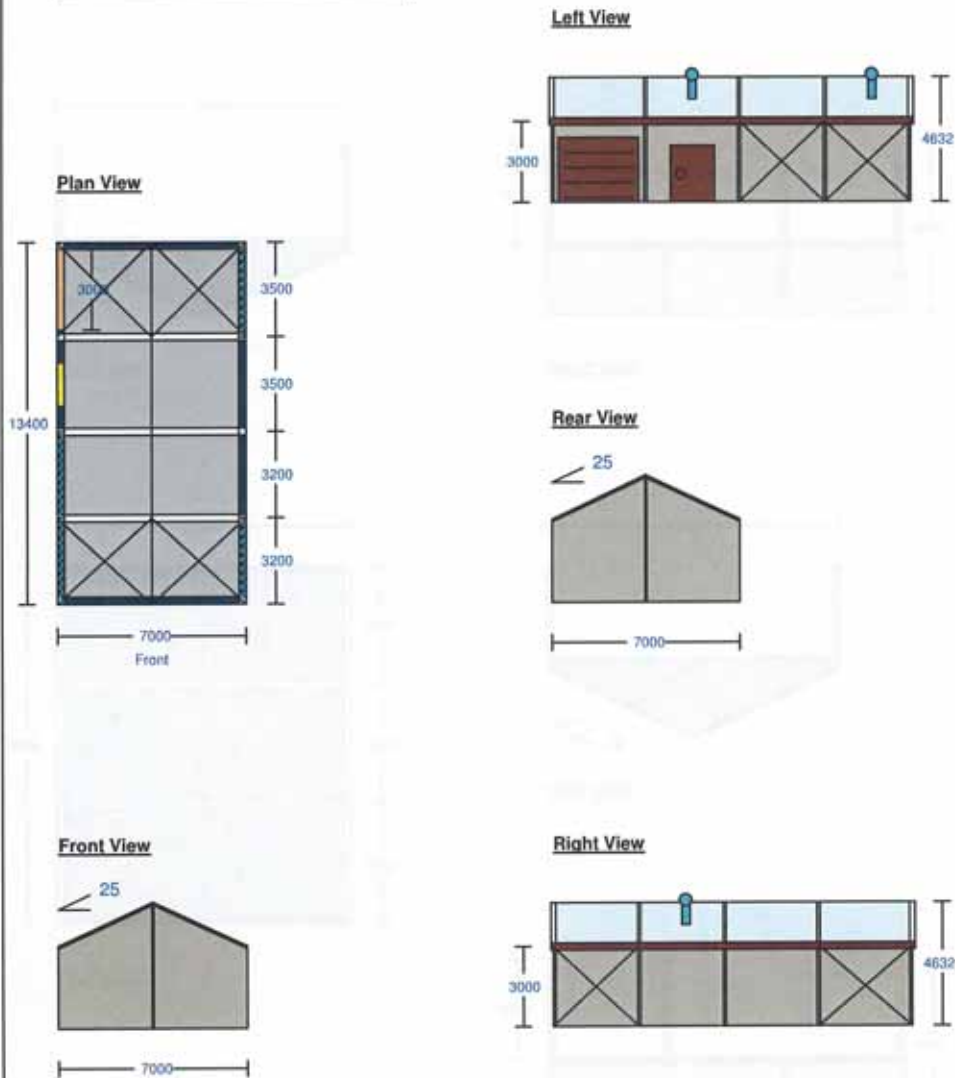
building footprints
(proposed buildings)



PAUL KRAFT & ASSOCIATES PO BOX 428 NORTHAM 6401 Phone: 94574 2690 Fax: 9574 2991	BUILDING PLAN OF	
	LOT 150 ON DP 47226 HENRY STREET TOODYAY	
Scale: 1:250	Date: 06/08/2013	C/T Vol: 2613 Fol: 394 Original Sheet Size: A4

scale: 1:250

diagram 6 - shed elevations



Shed

footprint dimensions:

- * width = 7m
- * length = 13.4m
- * height = 4.632m

roof pitch:

25 degrees (house = 26 degrees)

materials & colours:

- * roof - silver corrugated iron (matching house roof)
- * walls - cream horizontal corrugated iron (matching house exterior wall colour)
- * red downpipes & gutters

access:

- * one roller door for vehicles
- * one personal access door
- * no windows

flooring:

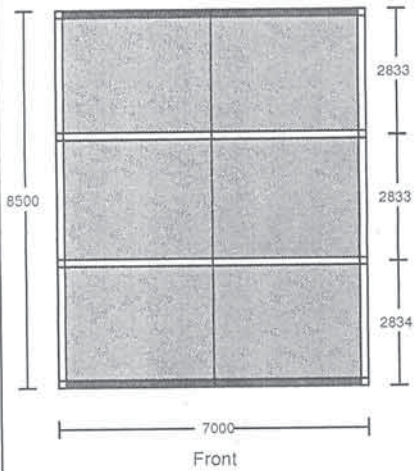
100mm reinforced cement slab

elevation:

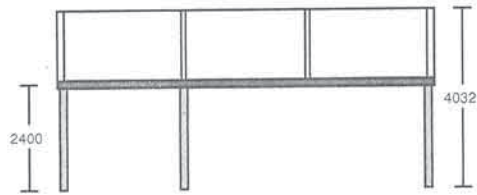
same elevation as house slab

diagram 7 - carport elevations

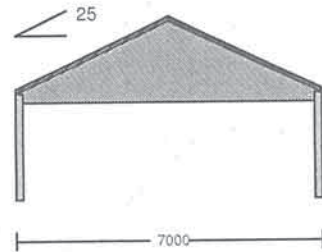
Plan View



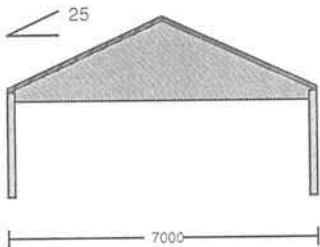
Left View



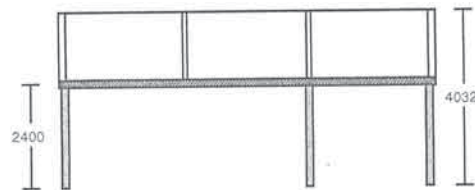
Rear View



Front View



Right View



carport

footprint dimensions:

- * width = 7m
- * length = 8m
- * height = 4.032m
- * total footprint area = 56m²

roof pitch:

- 25 degrees (house = 26 degrees)

materials & colours:

- * roof - silver corrugated iron (matching house roof)
- * front & rear panels - cream horizontal corrugated iron (matching house exterior wall colour)
- * supports - red (matching house verandah supports)
- * downpipes & gutters - red (matching supports)

flooring:

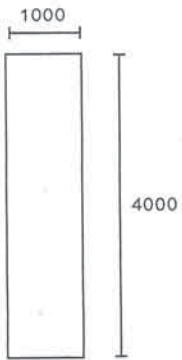
- 100mm reinforced cement slab

elevation:

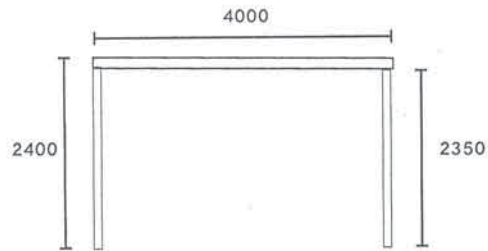
- same elevation as house slab

diagram 8 - walkway elevations

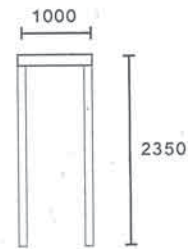
Plan View



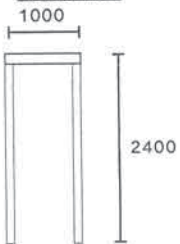
Left View



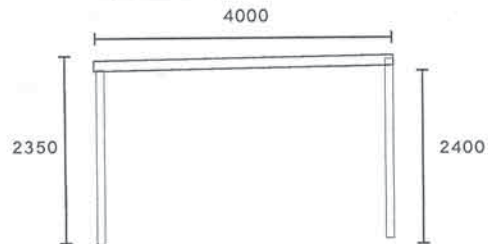
Rear View



Front View



Right View



walkway

footprint dimensions:

- * width = 1m
- * length = 4m
- * height = 2.4m
- * total footprint area = 4m²

roof pitch:

50mm fall from front to rear

materials & colours:

- * roof - silver corrugated iron (matching house roof)
- * supports - red (matching house verandah supports)
- * downpipes & gutters - cream

flooring:

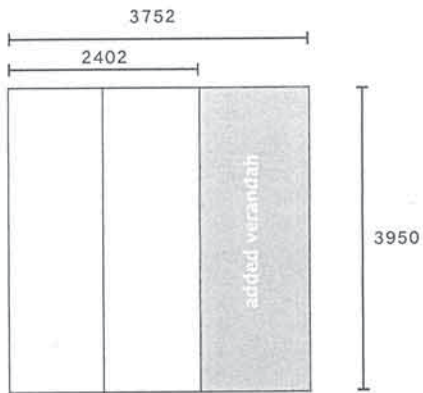
on existing concrete walkway surround house

elevation:

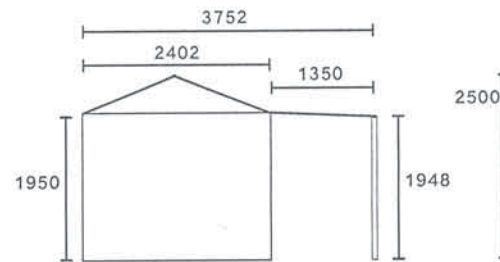
same as existing concrete walkway surround house

diagram 9 - relocated shed elevations

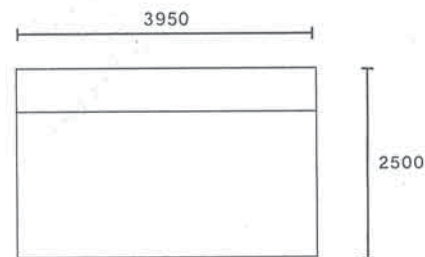
Plan View



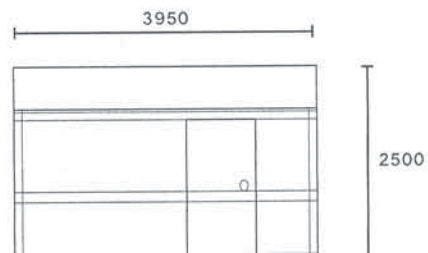
Left View



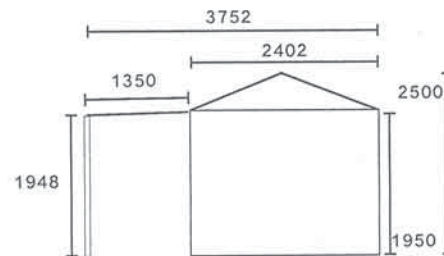
Rear View



Front View



Right View



shed (relocated to lot 151)

footprint dimensions:

- * width = 3.752m (including verandah)
- * length = 3.95m
- * height = 2.5m
- * total footprint area = 14.8m²

roof pitch:

20 degrees

materials & colours:

- * roof - silver corrugated iron
- * walls - red corrugated iron
- * verandah supports wooden beams

flooring:

75mm concrete slab

elevation:

same as existing shed on lot 151

Lot 150 Henry Street

State Planning Policy No 3.1 - Central Toodyay Heritage Area

	<i>Clause</i>		<i>Variation</i>	<i>Description of variation</i>	<i>justifications for variations</i>
1	5.1.3	C3.1.i)	South west side boundary	1.5m setback in lieu of 0.9m.	Minimal impact on the neighbouring property as this adjoins the back yard of that property. Need to utilise as much area of the 136m2 area (to be purchased) for the purpose of locating a shed.
2	5.1.3	C3.1.i)	South east side boundary	1.5m setback in lieu of 0.9m.	as above
3	5.1.3	C3.1.i)	South rear boundary	1.5m setback in lieu of 0.9m.	as above
4	5.2.1	C1.2	Setback of carport	1.5m setback in lieu of 0.9m.	Minimal impact on the neighbouring property as this adjoins the back yard of that property. The existing shed on lot 150 is setback at 900mm from the SW boundary. Also, this allows the shed and carport to be lined up for aesthetic consideration.
5	5.3.5	C.5.2	Minimum width of driveway	Please confirm the width of the new driveway. Under the Residential Design Codes, driveways are required to be a minimum 3m wide.	The driveway is 3m wide.
6	5.3.5	C.5.4	Two way access where driveway exceeds 15m in length	One way access only for the driveway that is longer than 15m.	Two-way access will be possible. There will a turning bay so vehicles can leave the property in forward gear.
7	5.4.3	C.3.iii.	Outbuilding area	93.8m ² in lieu of 60m ² .	Need to utilise as much area of the 136m2 area (to be purchased) from lot 151) for the purpose of locating a shed and to provide enough space for a trailer, workshop, and storage. A smaller shed would not provide enough space.
8	5.4.3	C.3.vii.	Open space as a result of the outbuilding	58% open space in lieu of 60%.	as above - and; Both these outbuildings will be neatly located at the back of lot 150 leaving a large open space between the house and the river bank.
9	5.4.3	C.3.viii	outbuilding setback	1.5m setback in lieu of 0.9m.	Minimal impact on the neighbouring property as this adjoins the back yard of that property. Need to utilise as much area of the 136m2 area (to be purchased) for the purpose of locating a shed.

Local Planning Policy No 13 - Outbuildings in Residential Areas

	<i>Clause</i>		<i>Variation</i>	<i>Description of variation</i>	<i>justifications for variations</i>
1	5		Outbuilding area	93.8m ² in lieu of 60m ²	Need to utilise as much area of the 136m2 area (to be purchased) from lot 151) for the purpose of locating a shed and to provide enough space for a trailer, workshop, and storage. A smaller shed would not provide enough space.
2	5		Outbuilding wall height	3.2m in lieu of 2.7m. Actual wall height is 3.0m. The additional 0.2m is due to wall height above natural ground level.	Require at least a 2.4m door height for vehicle entry. That is for 4WD vehicles with/without roof racks. The wall height of 3000mm allows 600mm to accommodate a roller door.
3	5		Outbuilding ridge height	4.832m in lieu of 2.7m. Actual ridge height is 4.632m The additional 0.2m is due to wall height above natural ground level.	The ridge height of 4632mm is the result of the 3000mm wall height and a 25 degree roof pitch (matching as close as possible the main house roof pitch of 26 degrees).

Local Planning Policy No 20 - Central Toodyay Heritage Area

	<i>Clause</i>		<i>Variation</i>	<i>Description of variation</i>	<i>justifications for variations</i>
1	3.4.5.		Verandah roof pitch	Flat roof in lieu of 15 degree roof pitch	The walkway roof must be flat as it is too narrow (1000mm) to accommodate a pitch. There is a fall of 50mm over the 4000mm length to assist with rain flow into the gutters.

Lot 151 Arthur Street

Local Planning Policy No 20 - Central Toodyay Heritage Area

	<i>Clause</i>		<i>Variation</i>	<i>Description of variation</i>	<i>justifications for variations</i>
1	3.4.5.		Verandah roof pitch	Flat roof in lieu of 15 degree roof pitch	The verandah falls 120mm over its length of 1350mm to assist with rain flow into the gutter. A pitched verandah roof is not suitable.
2	3.4.7.		Roof pitch	20 degrees in lieu of 25 degrees.	This is an existing approved shed on lot 150 with a roof pitch of 20 degrees. It is to be relocated to lot 151 without modification.

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LOCAL PLANNING POLICY

POLICY NO:	LLP.5
POLICY SUBJECT:	FOGGARTHORPE DESIGN GUIDELINES
ADOPTION DATE:	19 March 2009
LAST REVIEW:	17 September 2013

STATEMENT OF INTENT

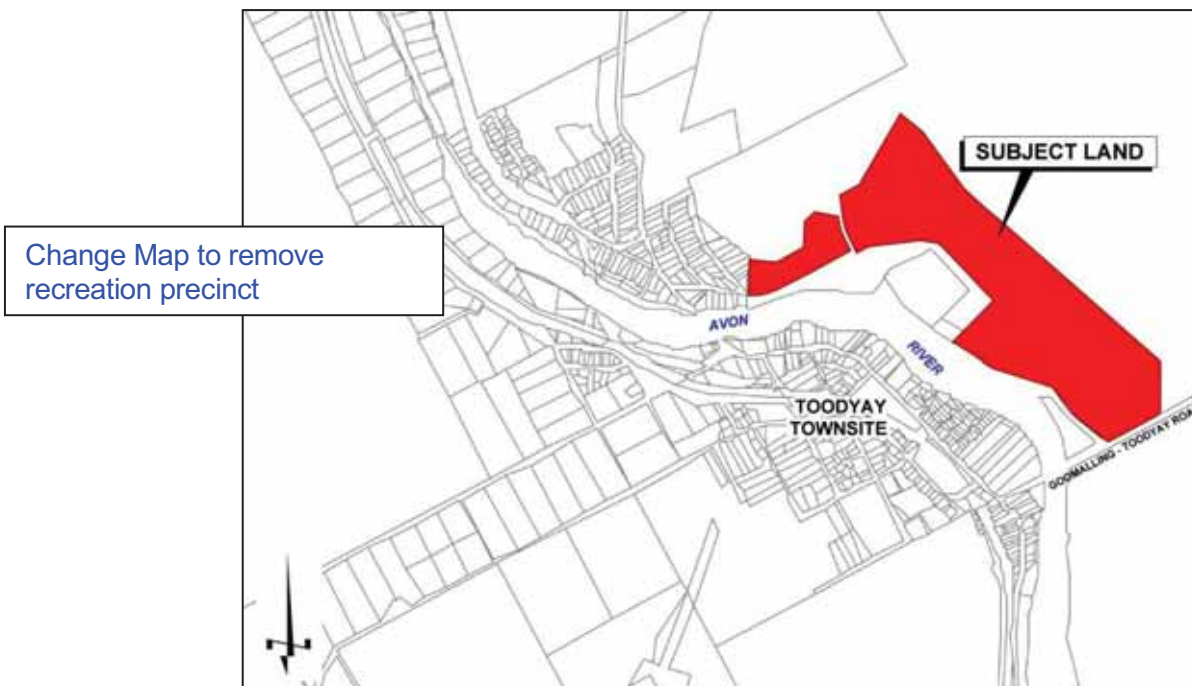
These design guidelines apply to Foggarthorpe Residential Estate, previously Lot 3 Drummond Street and Lot 6 Goomalling-Toodyay Road, Toodyay.

OBJECTIVES

- ~~• To ensure a high standard of residential development and amenity commensurate with the character of Toodyay.~~
- To set out the **minimum** standards and conditions under which residential development will be applied in the policy area.
- ~~• To facilitate quality development within the Shire of Toodyay.~~

DEFINITIONS

'Policy Area' shall mean the residential areas of the Foggarthorpe Residential Estate, previously Lot 3 Drummond Street and Lot 6 Goomalling-Toodyay Road, as identified on the below location plan:



All other definitions shall have the meanings applied to them within the Shire of Toodyay Local Planning Scheme.

STATUTORY POWER

This Local Planning Policy has been prepared in accordance with Clause 2.2 of the Shire of Toodyay Local Planning Scheme No. 4.

POLICY STATEMENT

All residential development within the policy area shall satisfy these design guidelines. An application for planning approval will be required where compliance with this policy or the Residential Design Codes cannot be achieved or for those properties within the Toodyay Bypass Special Control Area.

For some lots in close proximity to the proposed Toodyay Bypass Road and the existing Goomalling – Toodyay Road (refer to the shaded lots on Appendix No 1 titled Toodyay Bypass Special Control Area Plan) houses will need to be designed in accordance with the Quiet House Design Principles. The Quiet House Design Principles form Appendix No 2 to this policy.

The design of new buildings to reflect the nature of Toodyay will occur through the requirements outlined below.

1.0 Minimum Dwelling Size

1.1 Each dwelling shall be constructed to a minimum floor area (inclusive of all floors measured over the enclosing walls of the dwellings and excluding carports, garages and outdoor living/storage areas) of ~~150m²~~ = 120m²;

1.2 ~~Each dwelling will comprise a minimum area of 210m² 150m² under the main roof inclusive of lockup garages, verandahs and carports;~~ Each dwelling will comprise a minimum of 150m² attached to the main dwelling inclusive of lockup garages, verandahs and carports.

~~1.3 Each dwelling will have a minimum 15 metre street frontage inclusive of lockup garages, verandahs and carports, unless the main roof area exceeds 230m² wherein a lesser street frontage will be permitted.~~

~~2.0 Roof Pitches and Eaves~~

~~2.1 Minimum roof pitch for the main roof shall be 15 degrees.~~

~~2.2 Shallower pitches for verandahs, patios, canopies and awnings are permitted, however must have a minimum pitch of 10 degrees where the structure can be viewed from the primary or secondary street.~~

~~2.3 Roofing materials shall be Colorbond, Tiles, Slate or Zinalume.~~

~~2.4 Roofing material colours should complement the other materials used on the site and the surrounding environment.~~

~~2.5 Minimum 300mm eaves around whole house.~~

~~3.0~~ 2.0 External wall Materials

~~3.1.2.1~~ Allowed external wall finishing materials are:

- a) Facebrick;
- b) Coloured cement rendered finish;
- c) Weatherboard;
- d) Stone;
- e) Rammed earth;
- f) Tilt up concrete/pre-manufactured panel, excepting unpainted smooth finish;
- ~~f) g)~~ g) Custom Orb/Mini Orb, Zinalume where used as an architectural feature or profile walls (galvanised or painted) to a maximum of 35% of house structure.
- h) ~~Custom Orb/Mini Orb, Zinalume or~~ Colourbond where used as an architectural feature or profile walls ~~(galvanised or painted) to a maximum of 35%~~ of house structure
- ~~g) i)~~ i) Any new or innovative high quality materials; or
- ~~h) j)~~ j) No second hand building materials are to be used without the prior consent of the Shire of Toodyay.

~~3.2 The exterior colour scheme of the external finishing materials should:~~

- ~~a) Draw inspiration from the local natural environment.~~

~~4.0~~ Excavation and Retaining Walls

~~4.1 Excavation below the natural ground level of lots is the preferred method where soil and topographical constraints allow, reducing the level of visual obtrusion which filling above the natural ground level incurs.~~

~~4.2 Dwellings or structures which require retaining walls in the front setback areas are to be positioned on the lot in such a way as to enable staging of the retaining wall to occur. The position of the dwelling is to ensure that each staged section of the retaining wall is no greater than 500mm in height.~~

~~4.3 Retaining walls are to be constructed out of masonry materials being blocks, bricks or stone.~~

~~5.0~~ Windows

~~5.1 Street facing windows shall not be constructed to floor level unless a verandah is located in front of the windows;~~

~~5.2 All street facing windows without a front verandah shall be a minimum of 600mm in height from the floor level~~

~~Stumps & Footings~~

~~5.3 Any stumps or footings constructed as a part of a dwelling or structure shall not be visible from any public place, other than dressed timber stumps or footings.~~

~~5.4 Materials that cover any stumps or footings shall be the same materials as that of the wall above or such construction materials as to complement the dwelling.~~

~~6.0 Washing Lines~~

~~All washing lines must be screened from view of public places.~~

~~7.0~~ 3.0 Air Conditioners/Hot Water Heaters/Solar Collectors

~~7.4~~ 3.1 All air conditioner units (excluding evaporative), hot water heater units (excluding solar) are not permitted to be positioned on any roof plane facing a street. ~~or located in any other position which can be viewed from the street or public place.~~

~~7.2~~ 3.2 Solar hot water systems are permitted to be on any roof plane to seek northern orientation. In situations where this will be a roof plane facing the primary street ~~or can be viewed from a public place the solar hot water system and roof shall be coloured appropriately so they complement each other.~~ they must be finished flush and follow the roof line.

~~7.3~~ 3.3 Evaporative air conditioner units are permitted on any roof plane. In situations where this will be a roof plane facing the primary street or can be viewed from a public place the evaporative air conditioner unit and roof shall be coloured appropriately so they complement each other.

~~8.0 Satellite Dishes/Two way Radio/Aerials/Electronic Communication, etc.~~

~~Two way radio or other aerial, any satellite dish or any other media or electronic communication aerial or device shall not be viewed from any primary or secondary street.~~

~~Note: this provision excludes TV aerials /antenna where required to obtain signal~~

~~9.0~~ 4.0 Rain Water Tanks

The use of rainwater tanks on properties is strongly encouraged within the Policy area. Where rainwater tanks are proposed, they are to be

located behind the building line, ~~in a position where they cannot be viewed from the primary street.~~

~~10.05.0~~ Freestanding Structure

~~10.1 Any freestanding structure including shed, garages, garden sheds, pergolas, gazebos or like structure must match and/or complement the dwelling in respect to materials used, colours, design and external appearance, unless concealed from view from any public place.~~

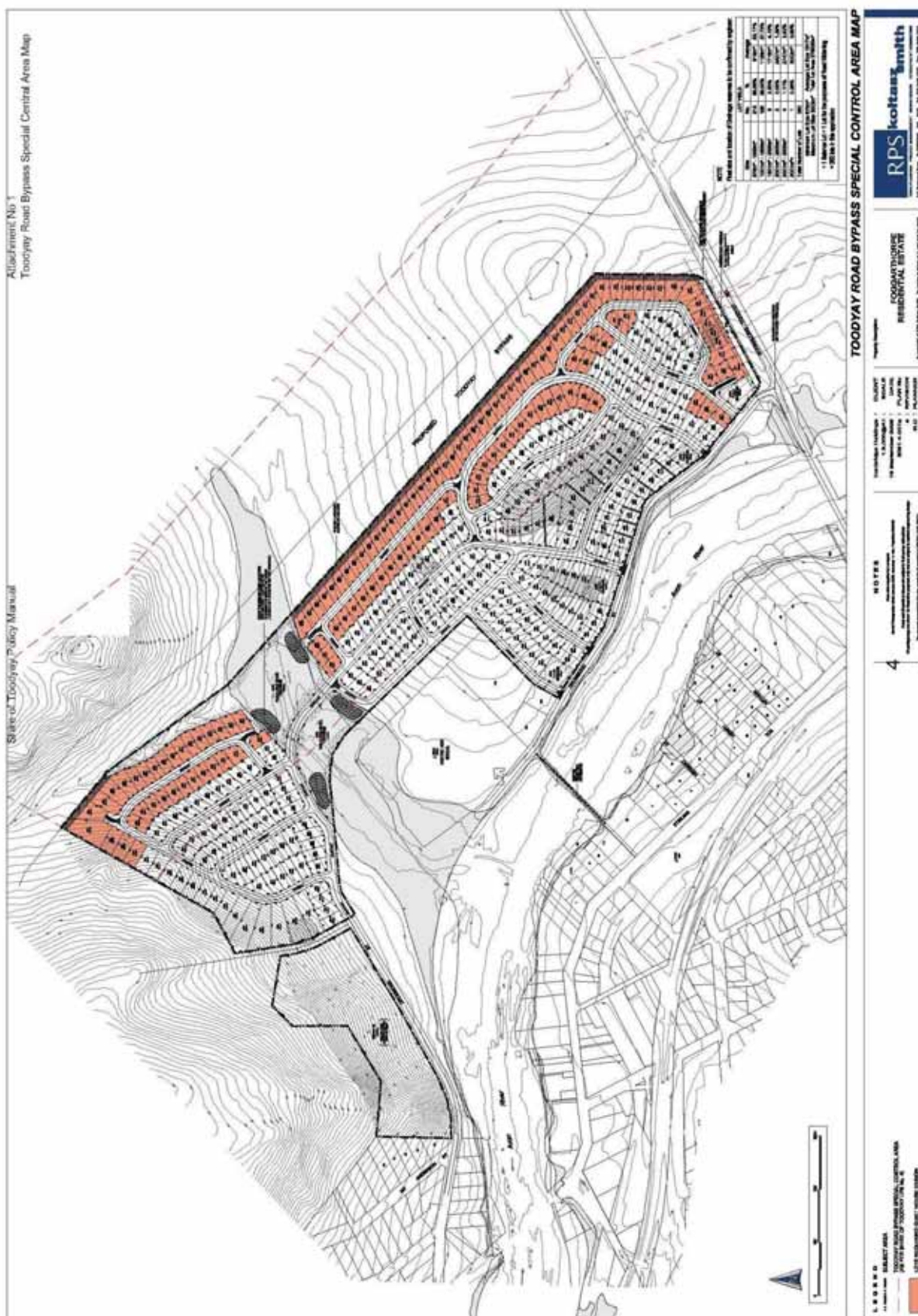
~~10.25.1~~ All outbuildings are to comply with the Shire of Toodyay Outbuildings in Residential Areas policy.

~~11.0~~ 6.0 Fencing and Walls

~~11.1~~ 6.1 Boundary walls or fences shall not be constructed forward of the building line unless that wall or fence is to a height of no more than 1.2 metres. ~~The fence or wall is to be constructed with materials and a finish to complement the dwelling on the land.~~

~~11.2 Walls or fences shall not be constructed in a position where it can be visible from a public place unless that wall or fence is constructed in the same brick or with the same finish as the walls of the dwelling and/or the boundary fence constructed on the land or with materials which complement the dwelling.~~

Appendix No 1 – Toodyay Bypass Special Control Area



Appendix No 2 – Quiet House Design Principles

Note: The following Quiet House Design Principles are based on the recommendations from the Noise Impact Assessment prepared by Lloyd Acoustics as a part of the Foggarthorpe Residential Structure Plan.

Any residence proposed to be constructed on a lot identified in Attachment No 1 requiring Quiet House Design Principles should be constructed to a high acoustic standard generally including:

- Orient the house in such a way so that any outdoor entertaining area is on the opposite side of the house to the road;
- Layout of the house to be such that any non-noise sensitive areas are to be located closest to the road. These would include garages, storage rooms, laundries, bathrooms, toilets etc, although there should be no fixed openings such as in toilets;
- Eaves to be enclosed and ceiling to be 13mm thick plasterboard with any penetrations (mechanical and electrical services) acoustically sealed;
- Minimise the size of external doors and windows;
- External hinged doors (except those on the opposite side of the house to the road) to be 40mm thick solid timber with Raven RP10 and RP99 seals or equivalent. If an aluminium door is preferred, this is to be in a high grade residential frame with the aforementioned door seals, with any glass being 6.38mm thick laminated (R_w30 or more);
- External windows (except those on the opposite side of the house to the road) to be in awning style frames closing onto compressible seals using mechanical winders with 6.38mm thick laminated glass (R_w30 or more);
- External sliding doors (except those on opposite side of the house to the road) to be *Boral Window Systems* 6.38mm laminated glass sliding door fitted with Q-Lon 69650 seals and D9652 sump sills (R_w30 or more) or equivalent;

Note: that the benefit of thicker glazing systems will be negated when windows and doors are open. Therefore, consideration should be given to forced ventilation to allow these areas to be closed.

If double storey residence is to be constructed adjacent to the road, external noise levels to the upper floor are likely to be higher. In this case, the architectural treatments would depend upon the exact external noise levels and should be assessed on a case-by-case basis but would generally improve upon the above construction having 2 x 13mm thick plasterboard ceiling, acoustic (as opposed to thermal) insulation on top of the ceiling, roof sarking and 10.38mm thick laminated glass.

It should be further noted that some people are more sensitive to noise than others and by satisfying AS2107:2000 the majority of people will deem this an acceptable noise level. It is possible to install windows so that occupants who are more sensitive could increase the acoustic performance at a later date if required. Increased sound reduction can be achieved by:

- Installing a frame that allows for a second sheet of glass to be installed within the frame; or
- Install the frame on the outside leaf of the construction to allow an additional window to be installed on the inner leaf. For the awning style frames, either the inner window can open inwards or can be a double hung system.

The above effectively forms a double glazed system. Note that to be acoustically effective, the air gap between the two sheets of glass is to be large as possible with a minimum of 50mm recommended.

Reviewed Council Meeting 21 May 2009

Reviewed Council Meeting 13 May 2010

Amended Council Meeting 19 November 2013

Schedule of Submissions

9.5.4 Local Planning Policy No 5 - Foggarthorpe Design Guidelines

No	Contact	Submission	Comments	Recommendation
1.	Ironbridge Property	<p>a) The following advice has been received from TR Homes in respect to Items 1 & 2:</p> <p>b) <i>Minimum Dwelling Size</i> <i>Each dwelling shall be constructed to a minimum floor area (inclusive of all floors measured over the enclosing walls of the dwellings and excluding carports, garages and outdoor living/storage areas) of 120m²; TR advice - This is not a problem as our 3 x 2 bedrooms homes are minimum 120m² under the main roof.</i></p> <p>c) <i>Each dwelling will comprise a minimum area of 150m² under the main roof inclusive of lockup garages, verandahs and carports; TR advice - In order to suit our design and give flexibility it would be better if the wording was “Each dwelling will comprise a minimum of 150m² attached to main dwelling inclusive of lockup garages, verandahs and carports.”</i></p>	<p>a) Noted</p> <p>b) Noted.</p> <p>c) The proposed rewording allows for multiple roof spaces to exist in the one dwelling complex and can allow for structures such as flat carport and verandah roofs, which may otherwise could possibly been considered as separate roofs. It is considered that the proposed rewording of this clause meets the intention of the clause, being to provide for an absolute minimum floor area size to prevent undersized dwellings,</p>	Submission to be noted.

Schedule of Submissions

9.5.4 Local Planning Policy No 5 - Foggarthorpe Design Guidelines

No	Contact	Submission	Comments	Recommendation
		<p>d) Can you please consider the suggestion in light of the advice received, noting the benefits in both suitability of design and flexibility. Ultimately there are cost implications.</p> <p>e) <i>Roof Pitches</i> <i>Minimum roof pitch for the main roof shall be 15 degrees. This would be a problem for most of our design due to transport reasons and height issues especially for the bigger homes which are 3 modules (4x2) designs. Could I suggest that this be changed to minimum roof pitch for the main roof shall be 12 degrees for Gabled roof and minimum 5 degrees for Skillion roof. This would give clients more options to chose from.</i></p>	<p>while still allowing flexibility in design. It is therefore recommended that clause 1.2 is amended accordingly.</p> <p>d) Noted.</p> <p>e) It is considered that stipulating roof pitch unnecessarily restricts forms of development that can occur in this site, because it is considered that it is possible to have high quality dwelling design without a 15 degree roof pitch. It should be noted that the Foggarthorpe Estate Design Advisory Committee did not recommend roof pitch being stipulated. In addition, the areas of town to the north of the Avon River do not have any roof pitch designation and it is considered that there is still high quality development in this area.</p>	

Schedule of Submissions

9.5.4 Local Planning Policy No 5 - Foggarthorpe Design Guidelines

No	Contact	Submission	Comments	Recommendation
		<p>f) Of particular concern is the comment regarding roof pitches. I am aware that that the Foggarthorpe Estate Design Advisory Committee recommended that reference was to be removed from the Foggarthorpe Design Guidelines (FDG). It is clear that any reference to roof pitch will create both practical and cost issues.</p> <p>g) In summary, both comments, received from a major builder in regional areas, would suggest that these clauses need to be amended(1) and removed(2). The imposition of both Clauses, as they are, in terms of practicality and affordability could be significant.</p> <p>h) Further to the above, I refer to Appendix No 2 – Quiet House Design Principles of the FDG. This component of the FDG was considered by Council in February 2013. I have no record of further advice in this regard. I reiterate my previous comments to Council via email in July 2012 being;</p>	<p>f) See above.</p> <p>g) Noted.</p> <p>h) A change to Appendix 2 – Quiet House Design Principles was not proposed in the policy review. This means that if the Shire of Toodyay is to proceed with removing this requirement from the policy, the consultation process will need to be repeated. It is recommended that in view of the new SPP No 5.4 – Road and</p>	

Schedule of Submissions

9.5.4 Local Planning Policy No 5 - Foggarthorpe Design Guidelines

No	Contact	Submission	Comments	Recommendation
		<p>i) <i>Simply put, these requirements are excessive.</i></p> <ul style="list-style-type: none"> - <i>No outdoor entertaining area in back yards.</i> - <i>specific brand products.</i> - <i>window frames to accommodate double glazing.</i> - <i>other requirements which in total have seen builders walk from a contract, due to the difficulty in design and costs imposition.</i> <p>j) In addition I refer to the attached letter, previously submitted, from Lloyd George Acoustics(LGA), the</p>	<p>Rail Transport Noise and Freight Considerations in Land Use Planning, Council delegate authority to the Chief Executive Officer to negotiate with Ironbridge Holdings and Main Roads WA to review or remove Appendix 2 – Quiet House Design Principles.</p> <p>i) See above.</p> <p>j) See above. In addition, the final noise requirements in the policy will be dependent on what Main</p>	

Schedule of Submissions

9.5.4 Local Planning Policy No 5 - Foggarthorpe Design Guidelines

No	Contact	Submission	Comments	Recommendation
		<p>Company which produced the <i>Noise Impact Assessment, Foggarthorpe Estate, Adjacent the Future Toodyay Bypass</i> in February 2007. LGA has reviewed its recommendations in response to the Western Australian Planning Commission adopting State Planning Policy 5.4, <i>Road and Rail Transport Noise and Freight Considerations in Land Use Planning</i>.</p> <p>k) I again request that Council replace Appendix No 2 – Quiet House Design Principles and replace with the relevant text from the State Planning Policy 5.4, <i>Road and Rail Transport Noise and Freight Considerations in Land Use Planning</i>. This has now become near to standard practice in WA. Austin Waters adjacent to Forrest Highway is provided as an example.</p>	<p>Roads WA are willing to commit to.</p> <p>k) See above.</p>	

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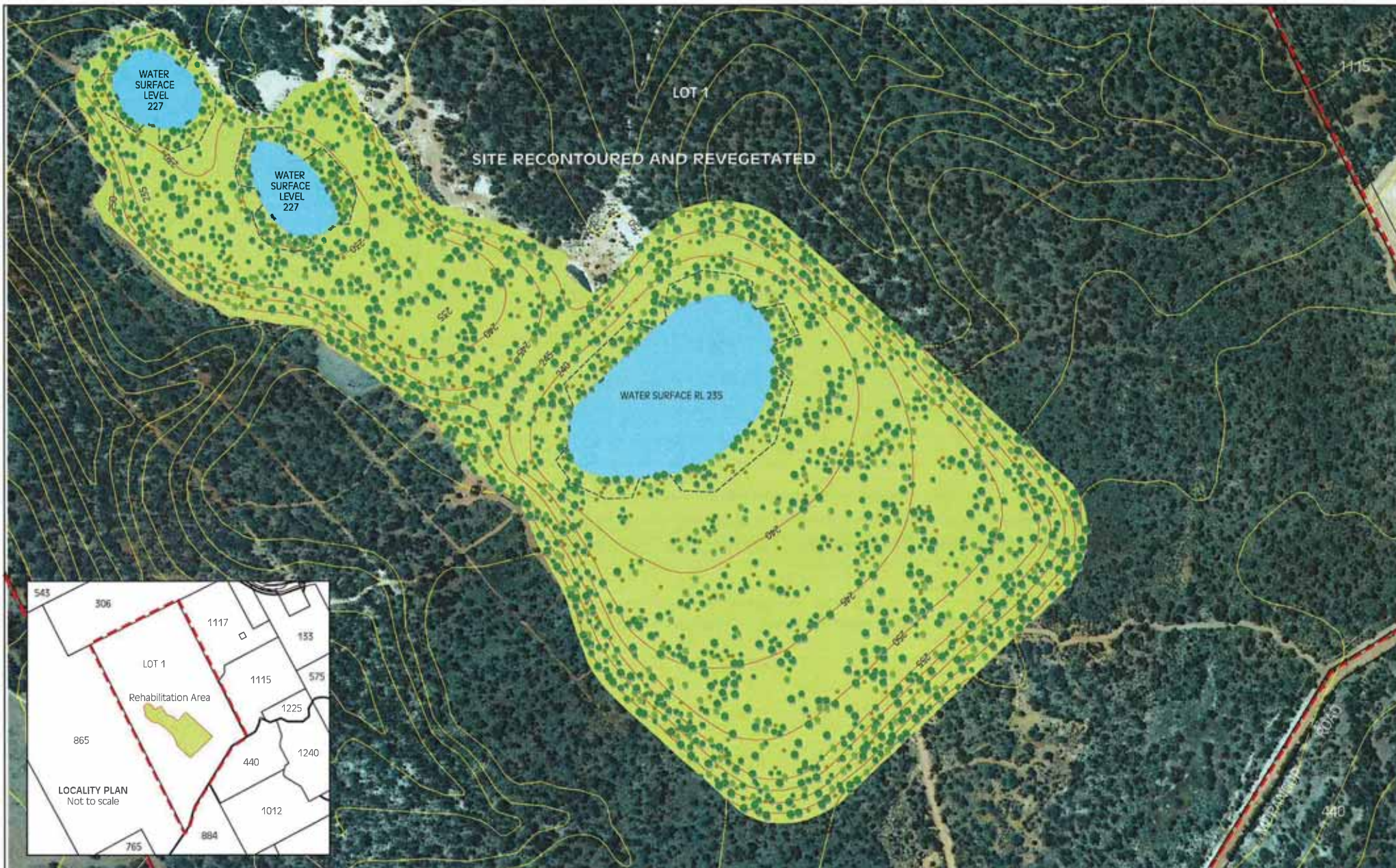


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 ALL PLACEMENTS AND LINES SHOWN ON THIS PLAN ARE APPROXIMATE
 BASED ON AVAILABLE INFORMATION

SITE AND EXCAVATION PLAN



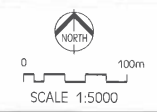
LOT 1 MORANGUP ROAD
 TOODYAY
 AUSTRAL BRICKS PTY LTD



LEGEND	
	PROPOSED PLANTING
	10m ² NODES OF RUSHES, SEDGES AND SUBMERGENT SPECIES
	PROPOSED FENCE TO 30m WIDE 'BUFFER' TREES AND SHRUBS AROUND WATER EDGE

NOTES
 • DISTANCES AND AREAS SUBJECT TO SURVEY

FILE NO.	EC
DRAWN BY	25 July 2013
DATE	MT
VERIFIED BY	MT
APPROVED BY	1307008 Lot 1
DRAWING NO.	Rehab Plan 1



REHABILITATION PLAN
PROPOSED CLAY EXTRACTION
 LOT 1 MORANGOP ROAD, MORANGUP
 FOR BRISTLE OPERATIONS PTY LTD
 TRADING AS AUSTRAL BRICKS

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
1.	Main Roads Western Australia	<p>a) In assessing the application, MRWA have determined that the subject land does not have direct access to the MRWA road network and from the information provided, there appears to be no increase to current vehicle movement numbers.</p> <p>b) Therefore MRWA require no conditions of approval, however if vehicle movement numbers substantially increase then reassessment of the development's impact on the MRWA road network will be required.</p>	<p>a) Noted.</p> <p>b) Noted.</p>	Submission to be noted.
2.	Department of Water	<p>a) The Department of Water has assessed the proposal and has no objections.</p> <p>b) The department notes that the mine site is in close proximity to Mortigup Brook, a major tributary. However, Department of Water has no information on water management from the existing mine. As such, the department assumes that the Shire is dealing with water management of the site. Should assistance be required developing waterway protection on the site, the department can provide advice on request.</p>	<p>a) Noted.</p> <p>b) It is considered that as the proposed expansion will be away from Mortigup Brook, it will not have an impact on the brook. The Clay Extractive Industry Licence & Clay Extraction Management Plan states that all water will be retained on site.</p>	Submission to be noted.
3.	Department of Environment	<p>a) DER has reviewed the documents and provides the following comments and</p>	<p>a) Noted.</p>	Submission to be noted.

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
	Regulation	<p>recommendations in relation to the Department of Environment Regulation's (DER) responsibilities under the <i>Environmental Protection Act 1986</i> and <i>Contaminated Sites Act 2003</i>.</p> <p>b) No DER works approval or licence is required for extractive industries, and a clearing permit has already been applied for. If the development company is undertaking screening or crushing on site then it will need to apply for a works approval.</p> <p>c) The site management plan should comply with current best practice standards. A <i>guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities</i>, a Department of Environment and Conservation 2011 publication could be used to ensure that operations do not adversely impact on nearby vegetation.</p>	<p>b) Noted. This is not required by the Shire of Toodyay.</p> <p>c) The DER has been recontacted and they have stated that they will require this as a condition of approval.</p>	<p>c) Require that the applicant is to comply with <i>A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related</i></p>

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
				<i>activities</i> (Department of Environment and Conservation 2011).
4.	Cliff Simpson - Regional Road Safety Officer, WALGA Road Wise Program	<p>a) <u>Executive Summary</u> It is recommended that the Shire of Toodyay consider commissioning a Traffic Impact Assessment (TIA) when assessing this or any further planning application for heavy freight use of Toodyay Road.</p> <p>b) While there is a comparatively short length of Toodyay Rd affected within the Shire's boundaries, Morangup Road is wholly the Shire's responsibility and as such the Shire could reasonably build into any planning approval a requirement that the applicant make a contribution to the upkeep of Morangup Road.</p>	<p>a) Noted. It is considered that in this case a TIA will not be required because the applicant is not proposing to increase the number of trucks accessing the roads than that which already exists from the site.</p> <p>b) Noted. While the applicant contributed significantly to the upgrade of Morangup Road, it is considered that a Road Maintenance Plan should be prepared to identify and provide remediation to road maintenance issues caused by the new</p>	Submission to be noted.

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>c) A precedent for this would be the Bauxite industry funding a new seal for Mooliabeenie Rd in the Shire of Chittering.</p> <p>d) Crash stats do not reflect the general community concern about trucks, but there is little doubt that the presence of a high volume of trucks on this road creates anxiety in the community.</p> <p>e) Traffic counts would make any assessment of the traffic on this road easier, giving a clear picture of the times, types of vehicle, and travel speeds prevalent.</p> <p>f) The Shire of Toodyay needs to liaise closely with MRWA WBN to achieve the high standard of work prepared by MRWA Metro in response to the tragic fatalities in Gidgegannup. MRWA Metro has prepared detailed plans to incorporate safety features</p>	<p>period of extractive industry operations.</p> <p>c) See above.</p> <p>d) Noted. The applicant is not proposing to increase the number of trucks accessing the roads than that which already has existed for the last ten years from the site.</p> <p>e) See above. Please be aware that MRWA keeps the records of vehicle movements along certain sections of Toodyay Road.</p> <p>f) Main Roads Western Australia has been advised of the proposal and they have stated that they do not have an objection to the</p>	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>such as sealed shoulders, clear zones, audible edge lining, painted median zones to separate traffic and assist motorists to position themselves on the road.</p> <p>g) At the very least, the intersections of Dryandra and Morangup with Toodyay Road need a road safety audit with full upgrade including turning lanes.</p> <p>h) <u>Crash statistics on Toodyay Road</u> M026 State Main Road Toodyay Road passes through the Shire of Toodyay and the City of Swan.</p> <p>SLK 0.00 - 12.75 is in the City of Swan, SLK 12.75 - 40.46 is in the Shire of Toodyay.</p> <p>Austral Bricks heavy goods vehicles travel this road between the Morangup Rd/ Toodyay Rd intersection at SLK 15.85 - 12.75 in the Shire of Toodyay before entering the City of Swan.</p> <p>Main Roads crash statistics reveal 9 recorded crashes on this 3.1km section of road between January 2008 and December 2012.</p> <p>Of these crashes, 4 occurred at the</p>	<p>proposal.</p> <p>g) See above.</p> <p>h) Noted.</p>	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>Morangup Rd intersection SLK 15.82, 1 occurred at Dryandra Rd intersection SLK 13.24, and 4 crashes occurred within the 2.16 km between the intersections.</p> <p>4 of these crashes required hospitalisations, one required medical attention, the remainder only property damage.</p> <p>According to the crash stats none of the recorded crashes involved trucks.</p> <p>i) <u>Crash statistics on the full length of Toodyay Road within the Shire of Toodyay</u> Main Roads crash statistics on M026 from SLK 12.75 – 40.46 reveal a total of 59 recorded crashes between January 2008 and December 2012.</p> <p>Of these crashes, 5 were fatal, there were 20 hospitalisations, and 10 required medical treatment.</p> <p>8 of these crashes involved trucks or road trains.</p> <p>j) <u>Road safety considerations</u> Toodyay Road currently operates at close to capacity, according to MRWA, with trucks</p>	<p>i) Noted.</p> <p>j) Main Roads Western Australia has been advised of the proposal</p>	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>from several extractive industries, agricultural cartage, school buses, local and commuting traffic. Public transport will soon be added to this mix. There have been recent fatalities on Toodyay Road in recent months and the latest did involve a truck.</p> <p>MRWA from the Metro region has agreed to conduct a road safety audit on the whole of Toodyay Road, from Roe Hwy to Toodyay, and has in fact already commenced this process, including speed limit reductions at Gidgegannup.</p> <p>A suite of road safety education programs for motorists, truck operators and the communities on the road to back up any infrastructure or speed limit changes will be necessary to make this road safer.</p> <p>k) <u>Marginal costs of wear to Toodyay Road in carting 180,000 tonnes of clay</u> Road wear is defined as the incremental deterioration of the road pavement structure until it reaches the end of its service life. Road wear may initially have little or no effect on the road user but will later manifest as deterioration in the road surface condition including cracking, rutting and potholing. The</p>	<p>and they have stated that they do not have an objection to the proposal.</p> <p>k) Noted.</p>	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>impact of a vehicle on road wear is a function of many variables including the vehicle's mass, the distribution of the mass, the tyre pressure and the type of pavement.</p> <p>l) Austral Bricks operate rigid trucks plus 5 axle dog trailers with a gross weight of 64 tonnes. They will probably operate with a concessional loading of an extra 3 tonnes per trip, carting a total of 180,000 tonnes of clay over a year. The planning application proposes a continuation of 8500 truck movements per year.</p> <p>m) There is currently no mechanism for Main Roads WA to recover costs for maintenance and repair of the structural deterioration of pavement on State Highways. Heavy vehicles cause greater wear to pavement than cars and other light vehicles, and based on a method of calculating damage to pavement by comparing the effects of different axle groupings and payloads on bituminous surfaces of the standard of a State Highway a figure of \$5000 per year can be calculated as the marginal cost for the wear on the road for this freight task.</p> <p>In conclusion the marginal costs associated</p>	<p>l) Noted.</p> <p>m) Noted.</p>	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>with the wear on the road are minimal and in any event unrecoverable.</p> <p>n) However, Morangup Road is owned by the Shire of Toodyay, and as such the Shire is fully entitled to charge the operator (Austral Bricks) for a percentage of costs deemed to be incurred in the maintenance of this road and any other roads used by the trucks.</p> <p>Gravel roads owned by the Shire in particular will require significant maintenance with the proposed level of traffic.</p> <p>o) <u>Traffic volumes</u> No road counts were made available to me by Main Roads WBN or Toodyay Shire, so this report is unable to comment other than to recommend that this planning application is considered in the light of ALL traffic movements on Toodyay Road. This data is available from Metrocount equipment owned and operated by both MRWA and the Shire of Toodyay.</p>	<p>n) Noted. There are no gravel roads proposed to be used. While the applicant contributed significantly to the upgrade of Morangup Road, it is considered that a Road Maintenance Plan should be prepared to identify and provide remediation to road maintenance issues caused by the new period of extractive industry operations.</p> <p>o) Main Roads WA keeps the records of vehicle movements along certain sections of Toodyay Road. The Shire of Toodyay was not approached for traffic data for Morangup Road.</p>	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
5.	Landowner	a) I wish to advise that not any objection is made to the proposal on the assumption that noise from the site does not significantly increase.	a) Noted. The proposed extractive industry does not propose an increase in the intensity of operations, so it is considered that noise levels from the site will not significantly increase.	Submission to be noted.
6.	Landowner	a) We strongly oppose any increase in heavy vehicles whatsoever on Morangup Road. b) We have lived at this address for 16 years and have had heavy clay trucks use the road for the entire time. We are not sure how long	a) Noted. b) The applicant is not proposing to increase the number of trucks	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>before this they had been using Morangup Road.</p> <p>c) We therefore feel it is time that access to the current industry by heavy vehicles should be diverted to another access road, so the suggestion of even more trucks using the road is just unthinkable.</p>	<p>accessing the roads than that which already has existed for the last ten years from the site.</p> <p>c) It is considered that approaching the site from the west (Morangup Road turnoff on Toodyay Road) is the only viable option currently, as the eastern approach to the site is via a windy and non sealed road.</p>	
7.	Landowner	<p>a) My concerns about this proposal relate to two issues: environmental impact and road safety.</p> <p>b) A recent town hall meeting in Toodyay was alerted to the practice by some clay extraction businesses of not finishing one put before starting the next so that rehabilitation requirements are not triggered. Conditions on the company need to be such that this can not occur. For example:</p> <ul style="list-style-type: none"> - Phased operations with later phases not being able to be commenced until rehabilitation / revegetation of earlier 	<p>a) Noted.</p> <p>b) It is recommended that Council collect a bond from the applicant to ensure that the Shire can rehabilitate the site in accordance with the report's "Rehabilitation and Decommissioning Program" in the event that the applicants fail to do so.</p>	Submission to be noted.

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>phases has occurred to the satisfaction of the Shire.</p> <p>c) Road fatalities on the Toodyay Road are at an unacceptable level. The Shire needs to be confident that the transport of the clay will not put other road users at any additional risk. Transport conditions need to be applied that will minimise the hazard to other road users. For example:</p> <p>d) - A requirement that electronic speed monitoring equipment will be fitted to all clay cartage trucks, an active monitoring program by the company including the sanctioning of drivers who exceed speed limits and the suspension of any who are repeat offenders;</p> <p>e) - Limits on the number of trucks allowed on the roads during the hours when school speed limits operate;</p>	<p>c) The applicant is not proposing to increase the number of trucks entering and leaving the property that has existed for the last ten years so there is no expected increase in impact from the application itself.</p> <p>d) Compliance with road speeds is not a planning consideration. The Shire of Toodyay can consider placing road counters that measure speed along Morangup Road and can refer the matter to police if there is evidence of constant speeding.</p> <p>e) The trucks will not pass any schools in the Shire of Toodyay. Limits on the number of trucks</p>	

Schedule of Submissions

9.5.5 Proposed Extractive Industry - Lot 1 Morangup Road

No	Contact	Submission	Comments	Recommendation
		<p>f) - Delay of approval until such time as the concerns of Gidgegannup, Morangup and Toodyay residents about the state of the road have been met by Main Roads.</p>	<p>through school areas can be set by Main Roads WA.</p> <p>f) It is not considered to be reasonable to prevent the applicant from extracting from the site given that the site is already in use and the applicant is not proposing to increase the number of trucks entering and leaving the site.</p>	
8.	Landowner	<p>a) Please be advised that I have absolutely no objection to the company excavating clay materials from their site averaging 180,000 tonnes or more per annum as I am fully aware the clay is used for the manufacture of bricks and tiles for home building purposes.</p> <p>b) I also believe it would be irresponsible for anybody to oppose or delay the proposed extraction of clay application as the clay is a necessary and economical material to build houses with.</p>	<p>a) Noted.</p> <p>b) Noted.</p>	Submission to be noted.

Planning Approval Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Planning approval and licence requirement	Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Licence.	Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Licence.	Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Licence.	Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Permit.
Expiry date	The approval lapses on the 1 December 2020 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions by which it is issued.	The approval lapses on 12 October 2021 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.	The approval lapses on 19 July 2021 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.	The approval lapses on 16 October 2023 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.
Surveyors Certificate required	The applicant is required to provide the local government a Surveyor's Certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.	The applicant is required to provide the local government a surveyors certificate each year, as referred to in condition 10.i) above prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.	The applicant is required to provide the local government a surveyors certificate each year, as referred to in condition 10.i) above prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.	The applicant is required to provide the local government a surveyors certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.
Public Liability	<i>Not provided - see Extractive Industry Licence</i>	The applicant must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation and transport operations.	The applicant must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation and transport operations.	The applicant must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation and transport operations.
Working hours	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 6.00am and 5.00pm Mondays to Saturday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 7.00am and 5.00pm Mondays to Fridays (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 7.00am and 5.00pm Mondays to Friday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 6:00am and 5:00pm Mondays to Saturday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.
Covering of trucks	<i>Not provided.</i>	All truck loads leaving the site with materials are to be covered and all truck drivers must ensure that excess clay on the truck (that is clay not within the bowl of the truck) is removed prior to entering the public road.	All truck loads leaving the site with materials are to be covered.	All truck loads leaving the site with materials are to be covered.
Road specification.	<i>Not provided.</i>	<i>Not provided.</i>	<i>Not provided.</i>	Heavy haulage vehicles associated with the development travelling to and from Perth in the Shire of Toodyay are to use Toodyay Road and Morangup Road south of the site only.

Planning Approval Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Road maintenance contribution	<p>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 an annual road maintenance contribution as set out in the Shire of Toodyay's Schedule of Fees and Charges, for expenses incurred by the Shire of Toodyay for the repair and maintenance of Council's roads. The road maintenance contribution shall comply with the following:</p> <ul style="list-style-type: none"> i) The Road Maintenance Contribution shall be made annually for the lifetime of the facility, the conclusion of which will be marked by the completion of all rehabilitation works; ii) Payment shall be made in advance, with the first payment due upon the commencement of operations; iii) Payment may be made on a quarterly basis; iv) Payment shall be based on the estimated tonnage; v) The applicant is to provide a report detailing all activities to and from the site, by 30 June each year; and vi) The advance payments made through the year shall be reconciled against the actual activities and additional payments shall be sought or credited as appropriate. 	<p>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 an annual road maintenance contribution to an amount of \$0.26 per tonne compounded annually to the Consumer Price Index for Perth, for expenses that would be incurred by the Shire of Toodyay for the repair and maintenance of Council's roads. The road maintenance contribution shall comply with the following;</p> <ul style="list-style-type: none"> i) The road maintenance contribution shall be made annually for the lifetime of the facility, the conclusion of which will be marked at completion of all rehabilitation works; and ii) The applicant is required to provide the local government a surveyors certificate each year, as referred to in condition 10.i) above prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report. 	<p>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 an annual road maintenance contribution as set out in the Shire of Toodyay's Schedule of Fees and Charges, for expenses that would be incurred by the Shire of Toodyay for the repair and maintenance of Council's roads. The road maintenance contribution shall comply with the following;</p> <ul style="list-style-type: none"> i) The road maintenance contribution shall be made annually for the lifetime of the facility, the conclusion of which will be marked at completion of all rehabilitation works; and ii) The applicant is to provide a report detailing all activities to and from the site, by 30 June each year, together with Surveyors Certificate, from which the road maintenance contribution will be calculated and payable. 	<p>The applicant shall be responsible for the cost of maintaining and repairing damage to the roads controlled by the Shire which are used by heavy haulage traffic associated with the clay extractive industry operations at Lot 1 Morangup Road, to the extent that such traffic contributes to the need for such maintenance and repair. Prior to the commencement of operation of the Facility, a Road Maintenance Plan based on this principle and including;</p> <ul style="list-style-type: none"> (i) an audit of the condition of relevant roads prior to the commencement of the operation of the Facility; (ii) appropriate maintenance standards and associated requirements and responsibilities; (iii) the estimated average annual cost of road maintenance and repairs for the duration of operation of the Facility; and (iv) the amount of the contribution to such cost to be paid by the applicant, <p>shall be lodged with the Shire for approval and the Road Maintenance Plan shall be implemented throughout the duration of operation of the Facility.</p> <p>The proponent is to pay to the local government a bond or equivalent acceptable to the local government sufficient to secure the road maintenance and repair obligations contained in the approved Road Maintenance Plan, prior to the commencement of the excavation. The cash bond or approved equivalent is to be reviewed annually.</p>
Road upgrade	<i>Not provided.</i>	Prior to the commencement of operations on site, the proponent is to contribute an amount of \$99,357.30 being equivalent sharing of total private contribution to the upgrading and sealing of Salt Valley Road and Fernie Road proportional of respective regularity and size of loads to be carried on	<i>Not provided.</i>	<i>Not provided.</i>

Planning Approval Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
		said road.		
Trucks entering Toodyay	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.
Crossover upgrade	Prior to any extraction being undertaken, the crossover servicing the extraction site and the first 50 metres of the access track must be upgraded to a gravel standard acceptable to the Shire of Toodyay.	The crossover servicing the extraction site must be upgraded to comply with Shire of Toodyay's Policy E.3 – Standards and Specifications – Vehicle Crossovers for an Industrial Crossover to the satisfaction of Manager of Works, within 6 months of the date of this approval.	The crossover servicing the extraction site must comply with Shire of Toodyay's policy E.3 – Standards and Specifications – Vehicle Crossovers for an Industrial Crossover within 90 days of the approval being granted.	<i>Not provided - Crossover already exists.</i>
Temporary crossover utilisation	<i>Not provided</i>	Within the first six months of the date of this approval, access to the site can be obtained through the existing crossover and access track if a traffic management plan by a suitably qualified person is submitted and measures are implemented to address the safety concerns with the use of this crossover, to the satisfaction of the Manager of Works.	<i>Not provided.</i>	<i>Not required.</i>
Internal road upgrade	Prior to any extraction being undertaken, the crossover servicing the extraction site and the first 50 metres of the access track must be upgraded to a gravel standard acceptable to the Shire of Toodyay.	The first 50m of the internal access road from Salt Valley Road is to be upgraded and sealed to a minimum width of 6m. The internal access track must be position in the location shown on the approved site plan, within 6 months of the date of this approval.	The first 50m of the internal access road from Clackline Toodyay Road is to be upgraded and sealed to a minimum width of 6m within 90 days of the approval being granted.	<i>Not required.</i>
Rehabilitation	The excavation site is to be rehabilitated in accordance with the Rehabilitation Plan specified as part of the "Extractive Industries Report" for Lot 402 Mount Road, Wattening and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.	The excavation site is to be rehabilitated in accordance with the Mine Closure Plan specified as part of the "Excavation and Rehabilitation Management Plan" for Lot M1919 Chitty Road, Hoddys Well and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.	The excavation site is to be rehabilitated in accordance with the Rehabilitation and Recommissioning Programme specified as part of the Extractive Industries Licence Application for Lot 123 Clackline Toodyay Road, Hoddys Well and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.	The excavation site is to be rehabilitated in accordance with the approved Extractive Industry Licence and Clay Extraction Management Plan (Lot 1 Morangup Road) dated July 2013 for Lot 1 Morangup Road, Morangup Road and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.

Planning Approval Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Rehabilitation bond	<i>Not provided - see Extractive Industry Licence</i>	<i>Not provided - see Extractive Industry Licence</i>	Prior to the commencement of operations, the applicant shall provide a cash bond of \$85,200 to the Shire of Toodyay as a performance guarantee against the satisfactory completion of the rehabilitation of the site. The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. The bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, and the Licensee enter into an agreement with the Shire for the Licensee to pay any shortfall of costs to the Shire for the satisfactory completion of the rehabilitation of the site."	<i>Not provided - see Extractive Industry Licence</i>
Dieback	<i>Not provided.</i>	<i>Not provided.</i>	<i>Not provided.</i>	A Dieback and Disease Management Plan is prepared and implemented.
Clearing requirement	<i>Not provided.</i>	The applicant is required to obtain approval from the Department of Environment and Conservation prior to the removal of any vegetation on site.	The applicant is required to obtain approval from the Department of Environment and Conservation prior to the removal of any vegetation on site.	<i>Not requested. This is already required by the Department of Environment Regulation.</i>
Noise generation	The noise generated by the development is not to exceed the levels as set out under the <i>Environmental Protection Act 1986</i> (and the <i>Environmental Protection (Noise) Regulations 1997</i>).	The noise generated by the development is not to exceed the levels as set out under the <i>Environmental Protection Act 1986</i> (and the <i>Environmental Protection (Noise) Regulations 1997</i>).	The noise generated by the development is not to exceed the levels as set out under the <i>Environmental Protection Act 1986</i> (and the <i>Environmental Protection (Noise) Regulations 1997</i>).	<i>Not requested. This condition is covered in the Environmental Protection Act 1986.</i>
Dust generation	Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the <i>Environmental Protection Act 1986</i> and Department of Environment and Conservation Guidelines.	Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the <i>Environmental Protection Act 1986</i> and Department of Environment and Conservation Guidelines.	Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the <i>Environmental Protection Act 1986</i> and Department of Environment and Conservation Guidelines.	The proposal is to comply with the Department of Environment and Conservation (2011) publication "A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities".
Water resources	Advice note: <i>The development is to be undertaken in accordance with the Water Quality Protection Note "Extractive industries near sensitive water resources" with particular reference to Advice and Recommendations for natural waterways or waterways management areas, Chemical storage, pesticide/herbicide use and storage (if applicable) and site closure and rehabilitation;</i>	The operations are managed in accordance with "Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources."	The operations are managed in accordance with "Water Quality Protection Note 15 - Extractive Industries Near Sensitive Water Resources."	<i>Not requested by the Department of Water.</i>

Planning Approval Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Additional visual screening required	<i>Not provided.</i>	<i>Not provided</i>	Prior to the commencement of operations, the applicant shall plant out and fence off a 20m wide tree buffer, as shown on the approved plan in consultation with the Toodyay Land Conservation District Committee. Tree species used must be local native species and the proponent is to undertake ongoing infill planting and weed maintenance of the tree buffer for the life of the project.	<i>Not required.</i>
Dewatering	<i>Not provided.</i>	Any dewatering shall be in accordance with "Water Quality Protection Note 13 - Dewatering of Soils."	Any dewatering shall be in accordance with "Water Quality Protection Note 13 - Dewatering of Soils."	<i>Not requested by the Department of Water.</i>
Blasting	<i>Not provided - see Extractive Industry Licence</i>	<i>Not provided - see Extractive Industry Licence</i>	<i>Not provided - see Extractive Industry Licence</i>	<i>Not provided - see Extractive Industry Licence</i>
Security	<i>Not provided - see Extractive Industry Licence</i>	<i>Not provided - see Extractive Industry Licence</i>	<i>Not provided - see Extractive Industry Licence</i>	<i>Not provided - see Extractive Industry Licence</i>
Advertise to other Shires	<i>Not provided.</i>	<i>Not provided</i>	The applicant contact the Shire of Northam in regards to the use of their roads prior to commencement of operations.	<i>Not required.</i>

Extractive Industry Licence Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Planning approval and licence requirement	Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Licence.	Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Licence.	Any temporary or permanent structures to be situated on the site will require the issue of Planning Approval and a Building Licence.	<i>Not requested - See planning condition.</i>
Expiry date	The licence lapses on the 1 December 2020 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions by which it is issued.	The approval lapses on 12 October 2021 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.	The approval lapses on 19 July 2021 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.	The approval lapses on 16 October 2023 and is liable to cancellation without compensation at any time for infringement of any regulation governing the same or breach of any conditions under which it is issued.
Surveyors Certificate required	The applicant is required to provide the local government a Surveyor's Certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material excavated and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.	The applicant is required to provide the local government a surveyors certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.	The applicant is required to provide the local government a surveyors certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.	The applicant is required to provide the local government a surveyors certificate each year, prior to the annual renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved Extractive Industry Report.
Public Liability	The licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation and transport operations.	The licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any one claim relating to any of the excavation and transport operations.	The licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any claim relating to any of the excavation and transport operations.	The licensee must maintain a current public liability insurance policy in which the interests of the Shire of Toodyay are formally noted by the insurer, indemnifying the applicant and the Shire of Toodyay for a sum of not less than \$10,000,000 in respect of any claim relating to any of the excavation and transport operations.
Working hours	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 6.00am and 5.00pm Monday to Saturday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 7.00am and 5.00pm Mondays to Fridays (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 7.00am and 5.00pm Monday to Friday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.	Working hours within the extraction area and transportation of materials shall be restricted to the hours between 6:30am and 5:00pm Monday to Saturday (excluding public holidays) and may be further restricted in specific cases as determined appropriate by Council.
Trucks entering Toodyay	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.	All trucks entering the Shire of Toodyay shall comply with the Shire of Toodyay's Policy A.8 - Oversize Vehicles and shall seek the approval of Main Roads Western Australia as appropriate.
Covering of trucks	<i>Not provided.</i>	All truck loads leaving the site with materials are to be covered and all truck drivers must ensure that excess clay on the truck (that is clay not within the bowl of the truck) is removed prior to entering the public road.	All truck loads leaving the site with materials are to be covered.	All truck loads leaving the site with materials are to be covered.

Extractive Industry Licence Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Crossover upgrade	Prior to any extraction being undertaken, the crossover servicing the extraction site and the first 50 metres of the access track must be upgraded to a gravel standard acceptable to the Shire of Toodyay.	The crossover servicing the extraction site must be upgraded to comply with Shire of Toodyay's Policy E.3 – Standards and Specifications – Vehicle Crossovers for an Industrial Crossover to the satisfaction of Manager of Works, within 6 months of the date of this approval.	The crossover servicing the extraction site must comply with Shire of Toodyay's policy E.3 – Standards and Specifications – Vehicle Crossovers for an Industrial Crossover within 90 days of the approval being granted.	<i>Not provided - Crossover already exists.</i>
Temporary crossover utilisation	<i>Not provided.</i>	Within the first six months of the date of this approval, access to the site can be obtained through the existing crossover and access track if a traffic management plan by a suitably qualified person is submitted and measures are implemented to address the safety concerns with the use of this crossover, to the satisfaction of the Manager of Works.	<i>Not provided.</i>	<i>Not required.</i>
Internal road upgrade	Prior to any extraction being undertaken, the crossover servicing the extraction site and the first 50 metres of the access track must be upgraded to a gravel standard acceptable to the Shire of Toodyay.	The first 50m of the internal access road from Salt Valley Road is to be upgraded and sealed to a minimum width of 6m. The internal access track must be position in the location shown on the approved site plan, within 6 months of the date of this approval.	The first 50m of the internal access road from Clackline Toodyay Road is to be upgraded and sealed to a minimum width of 6m within 90 days of the approval being granted.	<i>Not required.</i>
Road maintenance contribution	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 an annual road maintenance contribution as set out in the Shire of Toodyay's Schedule of Fees and Charges, for expenses incurred by the Shire of Toodyay for the repair and maintenance of Council's roads. The road maintenance contribution shall comply with the following: a) The Road Maintenance Contribution shall be made annually for the lifetime of the facility, the conclusion of which will be marked by the completion of all rehabilitation works; b) Payment shall be made in advance, with the first payment due upon the commencement of operations; c) Payment may be made on a quarterly basis; d) Payment shall be based on the estimated tonnage; e) The applicant is to provide a report detailing all activities to and from the	<i>Not provided - see planning approval.</i>	<i>Not provided.</i>	<i>Not provided - see planning condition.</i>

Extractive Industry Licence Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
	<p>site, by 30 June each year; and</p> <p>f) The advance payments made through the year shall be reconciled against the actual activities and additional payments shall be sought or credited as appropriate.</p>			
Road upgrade	<i>Not provided.</i>	<i>Not provided - see planning approval.</i>	<i>Not provided</i>	<i>Not provided - see planning condition.</i>
Rehabilitation	<p>The excavation site is to be rehabilitated in accordance with the Rehabilitation Plan specified as part of the "Extractive Industries Report" for Lot 402 Mount Road, Wattening and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.</p>	<p>The excavation site is to be rehabilitated in accordance with the Mine Closure Plan specified as part of the "Excavation and Rehabilitation Management Plan" for Lot M1919 Chitty Road, Hoddys Well and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.</p>	<p>The excavation site is to be rehabilitated in accordance with the Rehabilitation and Recommissioning Programme specified as part of the Extractive Industries Licence Application for Lot 123 Clackline Toodyay Road, Hoddys Well and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.</p>	<p>The excavation site is to be rehabilitated in accordance with the approved Extractive Industry Licence and Clay Extraction Management Plan (Lot 1 Morangup Road) dated July 2013 for Lot 1 Morangup Road, Morangup Road and the Shire of Toodyay's Extractive Industry Local Law. The rehabilitation works must be completed within the first winter months following the re-establishment of the final contour ground levels and maintained for a period of three years thereafter.</p>

Extractive Industry Licence Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Rehabilitation bond	Prior to the commencement of operations, the applicant shall provide a cash bond of \$18,000 to the Shire of Toodyay as a performance guarantee against the satisfactory completion of the rehabilitation of the site. The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. Any such bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, for any costs to the Shire in completing and/or rectifying the outstanding works.	Prior to the commencement of operations, the applicant shall provide a cash bond of \$85,200 to the Shire of Toodyay as a performance guarantee against the satisfactory completion of the rehabilitation of the site. The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. The bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, and the Licensee enter into an agreement with the Shire for the Licensee to pay any shortfall of costs to the Shire for the satisfactory completion of the rehabilitation of the site.”	Prior to the commencement of operations, the applicant shall provide a cash bond of \$20,250 to the Shire of Toodyay as a performance guarantee against the satisfactory completion of the rehabilitation of the site. The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. The bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, for any costs to the Shire in completing and/or rectifying the outstanding works.	Prior to the commencement of operations, the applicant shall provide a cash bond of \$105,600 to the Shire of Toodyay as a performance guarantee against the satisfactory completion of the rehabilitation of the site. The performance guarantee will be refunded at a rate of 50% following completion of the final stage of rehabilitation works and 50% at the conclusion of the three year monitoring period. The bond is to be accompanied by a bonding agreement and written authorisation from the owner of the land that the Shire may enter the site to complete or rectify any outstanding work. The Shire will recover the bond, or part thereof as appropriate, for any costs to the Shire in completing and/or rectifying the outstanding works.
Clearing requirement	<i>Not provided.</i>	The applicant is required to obtain approval from the Department of Environment and Conservation prior to the removal of any vegetation on site.	The applicant is required to obtain approval from the Department of Environment and Conservation prior to the removal of any vegetation on site.	<i>Not requested. This is already required by the Department of Environment Regulation.</i>
Noise generation	The noise generated by the development is not to exceed the levels as set out under the <i>Environmental Protection Act 1986</i> (and the <i>Environmental Protection (Noise) Regulations 1997</i>).	The noise generated by the development is not to exceed the levels as set out under the <i>Environmental Protection Act 1986</i> (and the <i>Environmental Protection (Noise) Regulations 1997</i>).	The noise generated by the development is not to exceed the levels as set out under the <i>Environmental Protection Act 1986</i> (and the <i>Environmental Protection (Noise) Regulations 1997</i>).	<i>Not requested. This condition is covered in the Environmental Protection Act 1986.</i>
Dust generation	Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the <i>Environmental Protection Act 1986</i> and Department of Environment and Conservation Guidelines.	Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the <i>Environmental Protection Act 1986</i> and Department of Environment and Conservation Guidelines.	Measures are to be taken to minimise the amount of dust pollution associated with the extraction site and are to comply with the <i>Environmental Protection Act 1986</i> and Department of Environment and Conservation Guidelines.	<i>Not provided - see planning condition.</i>
Water resources	<i>Not provided - see planning approval.</i>	<i>Not provided.</i>	<i>Not provided - see planning approval.</i>	<i>Not requested by the Department of Water.</i>
Dewatering	<i>Not provided.</i>	<i>Not provided.</i>	<i>Not provided - see planning approval.</i>	<i>Not requested by the Department of Water.</i>
Additional visual screening required	<i>Not provided.</i>	<i>Not provided.</i>	Prior to the commencement of operations, the applicant shall plant out and fence off a 20m wide tree buffer, as shown on the approved plan in consultation with the Toodyay Land Conservation District Committee. Tree species used must be local native species and the proponent is to undertake ongoing infill planting and weed maintenance of the tree buffer for the life of the project.	<i>Not required.</i>

Extractive Industry Licence Conditions

	Lot 402 Mount Road, Wattening	Lot M1919 Chitty Road, Hoddys Well	Lot 123 Clackline Toodyay Road, Hoddys Well	Conditions recommended at October 2013 Meeting for Lot 1 Morangup Road, Morangup
Blasting	No blasting on the site is to occur without the written permission of the Shire of Toodyay.	No blasting on the site is to occur without the written permission of the Shire of Toodyay.	No blasting on the site is to occur without the written permission of the Shire of Toodyay.	No blasting on the site is to occur without the written permission of the Shire of Toodyay.
Security	The excavation site is to be maintained in a safe manner and a secure gate is to be installed and kept locked when the site is unmanned to prevent access to the general public.	The excavation site is to be maintained in a safe manner and a secure gate is to be installed and kept locked when the site is unmanned to prevent access to the general public.	The excavation site is to be maintained in a safe manner and a secure gate is to be installed and kept locked when the site is unmanned to prevent access to the general public.	The excavation site is to be maintained in a safe manner and a secure gate is to be installed and kept locked when the site is unmanned to prevent access to the general public.
Advertise to other Shires	<i>Not provided.</i>	<i>Not provided.</i>	<i>Not provided - see planning approval.</i>	<i>Not required.</i>

RECOVERING ROAD COSTS FROM EXTRACTIVE INDUSTRIES

Developer Contribution

State Planning Policy 3.6 was developed under the authority of Section 26 of the *Planning and Development Act 2005*. The Policy sets out several principles to guide the application of developer contributions. These are:

Development contributions must be levied in accordance with the following principles—

1. Need and the nexus

The need for the infrastructure included in the development contribution plan must be clearly demonstrated (need) and the connection between the development and the demand created should be clearly established (nexus).

2. Transparency

Both the method for calculating the development contribution and the manner in which it is applied should be clear, transparent and simple to understand and administer.

3. Equity

Development contributions should be levied from all developments within a development contribution area, based on their relative contribution to need.

4. Certainty

All development contributions should be clearly identified and methods of accounting for escalation agreed upon at the commencement of a development.

5. Efficiency

Development contributions should be justified on a whole of life capital cost basis consistent with maintaining financial discipline on service providers by precluding over recovery of costs.

6. Consistency

Development contributions should be applied uniformly across a Development Contribution Area and the methodology for applying contributions should be consistent.

7. Right of consultation and arbitration

Land owners and developers have the right to be consulted on the manner in which development contributions are determined. They also have the opportunity to seek a review by an independent third party if they believe that the calculation of the contributions is not reasonable in accordance with the procedures set out in the draft Model Scheme Text in appendix 2.

8. Accountable

There must be accountability in the manner in which development contributions are determined and expended.

Appendix 1 of the Policy provides some standards for developer contributions. Any additional contributions must be included in a Development Contribution Plan, which has no effect until it is incorporated into the LPS. In the absence of a Plan only standard contributions may be applied.

Appendix 1—Standard development contribution requirements

Land contributions	Infrastructure works	Monetary contributions
<p>Public open space</p> <p>Public open space equivalent to 10 per cent of the gross subdivisible area, or alternatively, a cash-in-lieu contribution, in accordance with WAPC policies and the <i>Planning and Development Act 2005</i>.</p> <p>Foreshore reserves</p> <p>Certain land for foreshore reserves on the coast, rivers and lakes in accordance with WAPC policies.</p> <p>Primary schools</p> <p>Land for government primary schools.</p> <p>Roads</p> <p>Land for widening existing roads, where the proposal induces additional traffic movements and/or benefits from it; land for new local streets where required; land for district distributor roads in new development areas that expand the urban front or where linkages to these areas is justified; and/or land for primary distributor roads, including primary regional roads and railway reserves where justified by the subdivision.</p> <p>Other contributions as provided for in WAPC policies.</p>	<p>Public utilities</p> <p>Infrastructure for—</p> <ul style="list-style-type: none"> • water; • sewerage; • drainage works; • electricity supply infrastructure; and • other public utilities. <p>This covers on-site works as well as off-site capital works, such as major pump stations, trunk sewers or transmission lines that are necessary to, or contribute to, the subdivision and/or development, and the planning and implementation of urban water requirements.</p> <p>Note that these works are in addition to monetary charges by the Water Corporation and Western Power for off-site major infrastructure.</p> <p>Roads</p> <p>All roads and traffic works required within the subdivision and linked to a constructed public road. These roads provide access to individual lots and allow utility services to be reticulated in the road reserves;</p> <p>Footpaths, pedestrian access ways and shared paths, where required.</p> <p>Upgrading, construction and widening of existing roads and laneways to accommodate additional traffic generated by a subdivision and/or development; and/or new district distributor roads including earthworks for the whole road reserve, the construction of one carriageway comprised of two lanes and associated drainage works. In addition, where set out in a structure plan for the area, grade-separated pedestrian crossings and shared paths may be required as a contribution.</p> <p>Other contributions as provided for in WAPC policies.</p>	<p>Standard water, sewerage and drainage headworks charges for off-site major infrastructure works; and if an area is in fragmented ownership, monetary or inkind contributions can be required in lieu of land or infrastructure works with reimbursement for other owners where costs are shared.</p> <p>Other contributions as provided for in WAPC policies.</p>

Making a charge for a developer contribution for a road must be based on the whole of life capital cost of the road. The cost of the road could include improvements necessary to safely accommodate

the additional usage. This could include for example bus bays to allow school buses to stop off the road or intersection upgrades where there are potential issues with grades or sight lines.

Where the road already exists the contribution could be through a calculation of the reduction of the useful life of the road as a result of the traffic generated. For accountability purposes these contributions should be held in reserve and expended only on capital works on affected roads.

There is no provision available that would allow us to make a general charge towards community infrastructure such as parks and gardens or sport and recreation facilities. Unlike a subdivision, which will in time increase population and contribute to additional pressure on facilities, the impact of an extractive industry is largely limited to the road or immediate environs. The nexus between community needs and the development activity cannot be demonstrated.

Road repairs and maintenance

Section 85 of the Road Traffic Act 1974 provides for the recovery of extraordinary expenses in the repair or maintenance of roads as follows:

85. Damage to road by heavy traffic, local government may recover extraordinary expenses of repairing

(1) *Where it appears to a local government which is liable or authorised or has undertaken to repair any road that, having regard to the average expense of repairing roads in the neighbourhood, extraordinary expenses have been incurred by such local government in repairing such road by reason of the damage caused by heavy traffic passing along the same, or extraordinary traffic thereon, such local government may recover in any court of competent jurisdiction from any person by or in consequence of whose order such traffic has been conducted, the amount of such expenses as may be proved to the satisfaction of the court having cognisance of the case to have been incurred by such local government by reason of the damage arising from such traffic as aforesaid.*

(2) *Any person against whom expenses are or may be recoverable under this section may enter into an agreement with such local government as is mentioned in this section for the payment to it of a composition in respect of such traffic, and thereupon the person so paying the same shall not be subject to any proceedings under this section.*

(3) *For the purposes of this section the Minister shall be deemed the local government which is liable or authorised or has undertaken to repair any Government road, and he may in his name of office bring an action for recovery of expenses under this section accordingly: provided that any moneys recovered by him shall be credited to the Consolidated Account.*

(4) *Proceedings for the recovery of any expenses hereunder shall be commenced within 12 months of the time when the damage has been done, or where the damage is the consequence of any particular building contract or work extending over a long period, shall be commenced not later than 6 months after the completion of the contract or work.*

Some Local Governments have taken the view that extraordinary in this context means restricted access vehicles, meaning vehicles that require a permit. Extraordinary could also be taken to mean a freight task that represents a significant proportion of the traffic on a particular road or route.

Again there must be a nexus between the actual cost and the charge applied to the proponent. There are two possible approaches:

- That an independent assessment of the road is undertaken at the applicants expense prior to the commencement of operations to establish a baseline condition and period assessments are undertaken to identify any damage and attribute the cost as a charge against the operator (This is the approach favoured by the SAT); or
- That a volume charge is calculated based on known characteristics and the operator is charged in accordance with that calculation. Funds are held in reserve and drawn down in accordance with actual repairs and maintenance on that road, maintaining the nexus between the charge and the repairs and maintenance.

Capital and Operating Costs

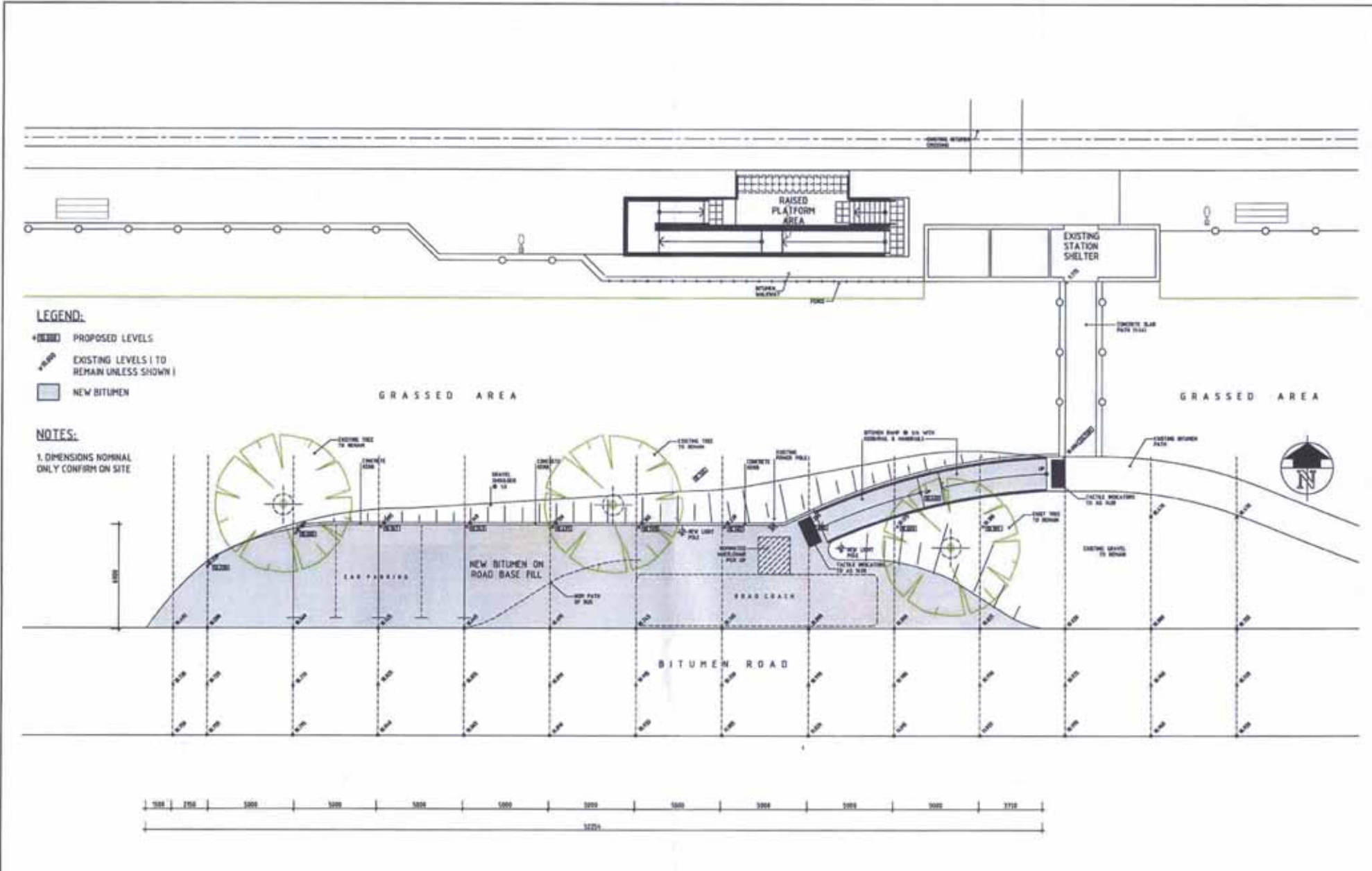
The two forms of charge should not be mutually exclusive as they are under different heads of power and one (Developer Contribution) relates to the capital cost of infrastructure and the other (damage contribution) relates to an operating cost.

Even if there is a contribution to the cost of building a road that road will still require repairs and maintenance by the Local Government. Similarly the useful life of road infrastructure is directly related to the volume and nature of traffic usage. A road with a 30 year design life will have to be replaced after 15 years if you double the amount of traffic notwithstanding the regular intervention through repairs and maintenance.

In both cases there is a direct nexus between the activity (the extractive industry) and the two types of cost. There is a clear link between additional costs for the local government, both capital and operating, as a result of the activity. Payment of a Developer Contribution does not replace the payment of damage charges.

To satisfy the requirements of the heads of authority for these two forms of charge the funds must be quarantined and only spent on the activity for which it is collected.

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LEGEND:

-  PROPOSED LEVELS
-  EXISTING LEVELS (TO REMAIN UNLESS SHOWN)
-  NEW BITUMEN

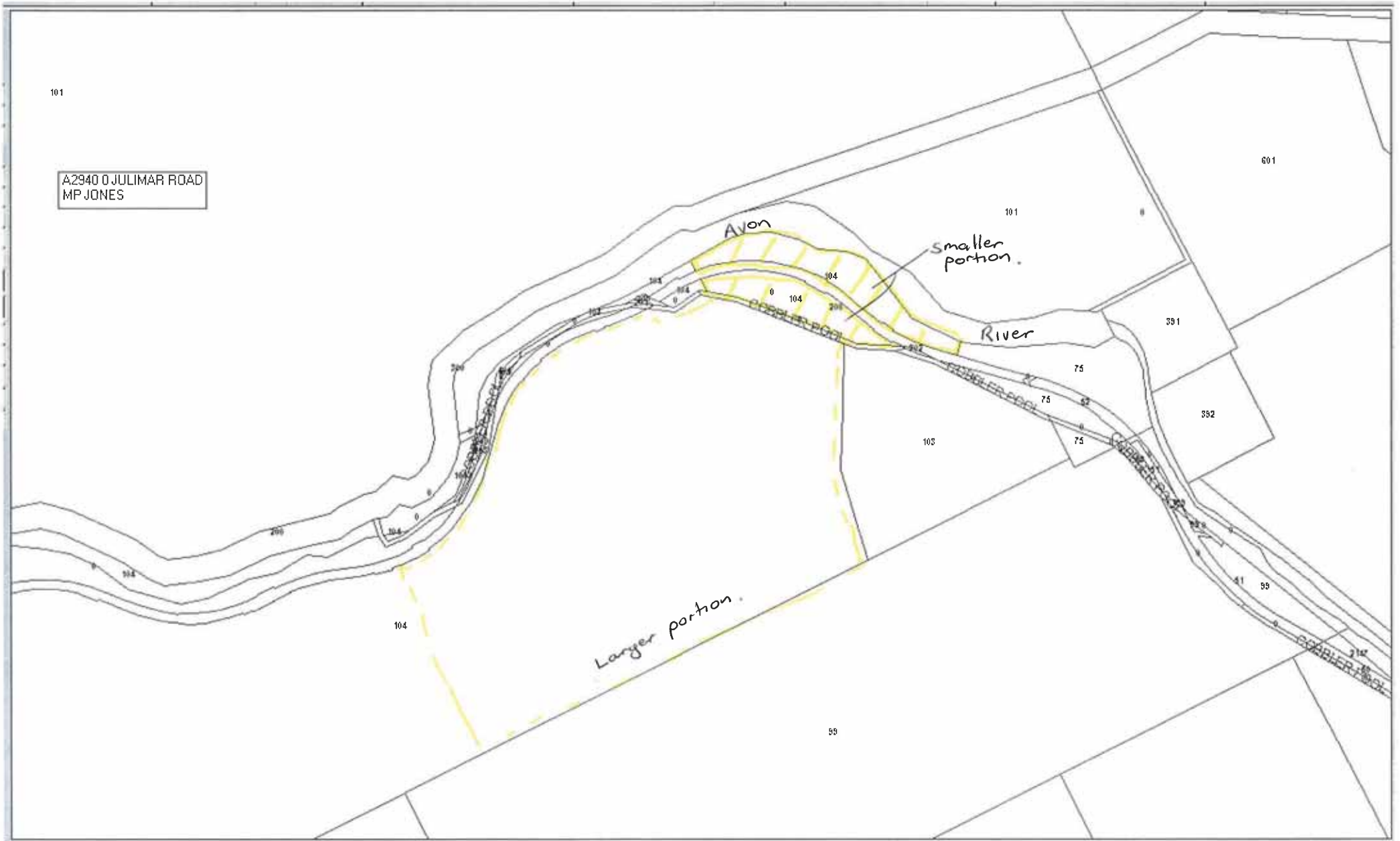
NOTES:

1. DIMENSIONS NOMINAL ONLY CONFORM ON SITE

	WARRIO'S FUNCTIONS SATISFIED				Prepared By: _____ Date: _____ Checked By: _____ Date: _____	
	SIGNATURE	DESIGNATION	DATE		MPS	MPS
DRAWING NUMBER				SITE	REV. DATE	REVISION DETAILS
REFERENCE DRAWINGS				FILE NO.	APP.	SCALE AS NOTED
Western Australian Government Railways URBAN INFRASTRUCTURE TOODYAY STATION ROAD COACH SET DOWN AREA - OPTION 2						PROJECT No. 13.070 TBSD DRAWING No. DD02 REC. - IN NETWORK ADDRESS

Aerial Map of Area Surrounding Proposed Road Coach Set Down Area





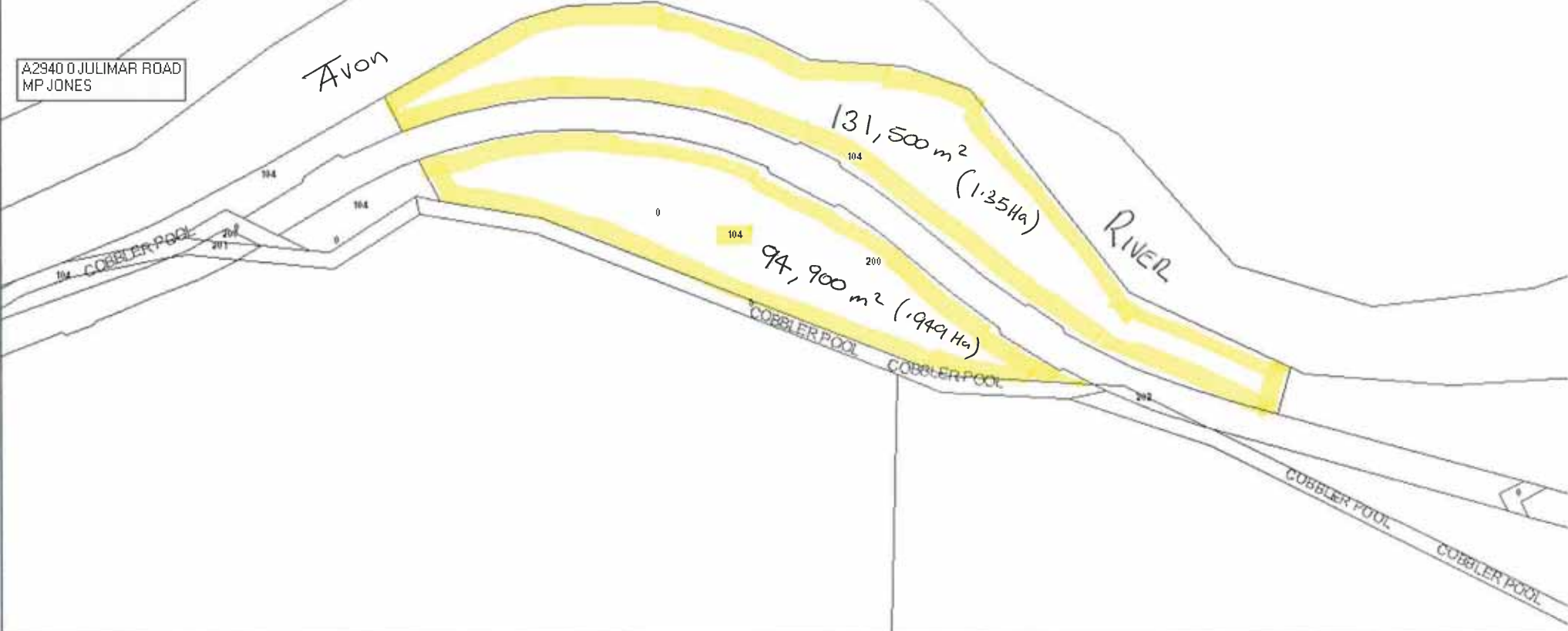
A2940 0 JULIMAR ROAD
MP JONES

Avon

131,500 m²
(1.354ha)

RIVER

94,900 m²
(0.949 Ha)





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LOCAL PLANNING POLICY

POLICY NO:	LPP.18
POLICY SUBJECT:	GLENCOE ESTATE DESIGN GUIDELINES
ADOPTION DATE:	20 August 2009
LAST REVIEW	13 May 2010

STATEMENT OF INTENT

These design guidelines apply to Glencoe Estate, previously Lot 11 Northam Toodyay Road, Toodyay. The design guidelines have been prepared to guide land use and development within the Glencoe Estate.

OBJECTIVES

- 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.

DEFINITIONS

‘Policy Area’ shall mean the area of the Glencoe Estate, previously Lot 11 Northam Toodyay Road, as shown on the Subdivision Guide Plan attached to this policy.

‘Federation Queenslander’ refers to an architectural style used in dwellings. The style is characterised by a timber framed construction with an iron roof and high set on timber stumps. The dwellings have a strong verandah element (a verandah on a minimum of three sides of the dwelling) and can have other decorative features for shade and ventilation. In more modern representations, other materials such as colourbond custom orb or textured hardi-sheet may be used as alternatives.

All other definitions shall have the meanings applied to them within the Shire of Toodyay Local Planning Scheme No 4.

STATUTORY POWER

This Local Planning Policy is made pursuant to Clause 2.2 of the Shire of Toodyay Local Planning Scheme No 4.

POLICY STATEMENT

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.

Setbacks and Building Envelopes

2. All buildings, including outbuildings, within the policy area shall be located within the building envelopes nominated on the Subdivision Guide Plan.
3. No buildings or structures may be constructed within 50 metres of the Northam Toodyay Road or the Avon River Foreshore Reserve. This setback shall be measured from the outer boundaries of the road and foreshore reserves.

Buildings

4. No more than one single dwelling, and its associated outbuildings, will be permitted on any lot.
5. All dwellings should be orientated towards the primary street. In the case of those lots with dual street frontage to the Northam Toodyay Road, the primary street shall be the internal subdivisional road.
6. All buildings and structures shall be constructed of such design or materials that complement the semi rural landscape character of the area, which shall include:
 - 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. 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.
 - b) Roofing materials of all dwellings shall be clay, slate or concrete tiles or colourbond sheeting. 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. Roofing materials should be non-reflective and the colours should complement the other materials used on the site and the surrounding environment.
 - c) All dwellings shall incorporate passive solar design, including the orientation of windows and openings, landscaping, shade devices (verandahs, pergolas etc) and the use of appropriate building materials.

Note: Please refer to the Energy Efficiency provisions of the Building Code of Australia 2005.

7. All carports, garages and outbuildings shall use building materials and colour schemes that match the materials used in the primary residence. Details of the proposed materials and colours to be used in any structure shall be provided at the time of making an application for Planning Consent.
8. Carports or garages shall not exceed a floor area of 40m², a wall height of 3.0m or a ridge height of 4.5m.
9. Outbuildings shall not exceed a floor area of 150m², a wall height of 4.0m or a ridge height of 5.0m, without the prior written consent of Council.

Fencing

10. The lots within the policy area have all been fenced (on side and rear boundaries) with ring lock fencing. Should landowners wish to replace this fencing or construct a front fence, the nature of this fencing should remain visually permeable and open, complementing the semi rural landscape of the policy area.
11. The fencing adjoining the Northam Toodyay Road reserve and the Avon River foreshore reserve shall be uniform. Any change to fencing adjoining these reserves requires the written consent of Council.
12. All front fencing must be a post and rail fence. Posts must achieve a minimum dimension of 75mm x 75mm and rails must have a minimum diameter of 100mm. Mesh fencing may be used as infill. The colours and materials used should complement the surrounding environment and any other buildings on the land.

Driveways & Crossovers

13. Crossovers must be sealed, paved or constructed in concrete and designed such that all stormwater is retained on site. While driveways do not need to be paved or sealed, they must be designed to retain all stormwater and any loose materials (i.e. gravel, silt etc) on the site.

Servicing

14. The disposal of waste water and effluent shall occur in a manner identified in consultation with and to comply with the requirements of the Shire's Health Services.

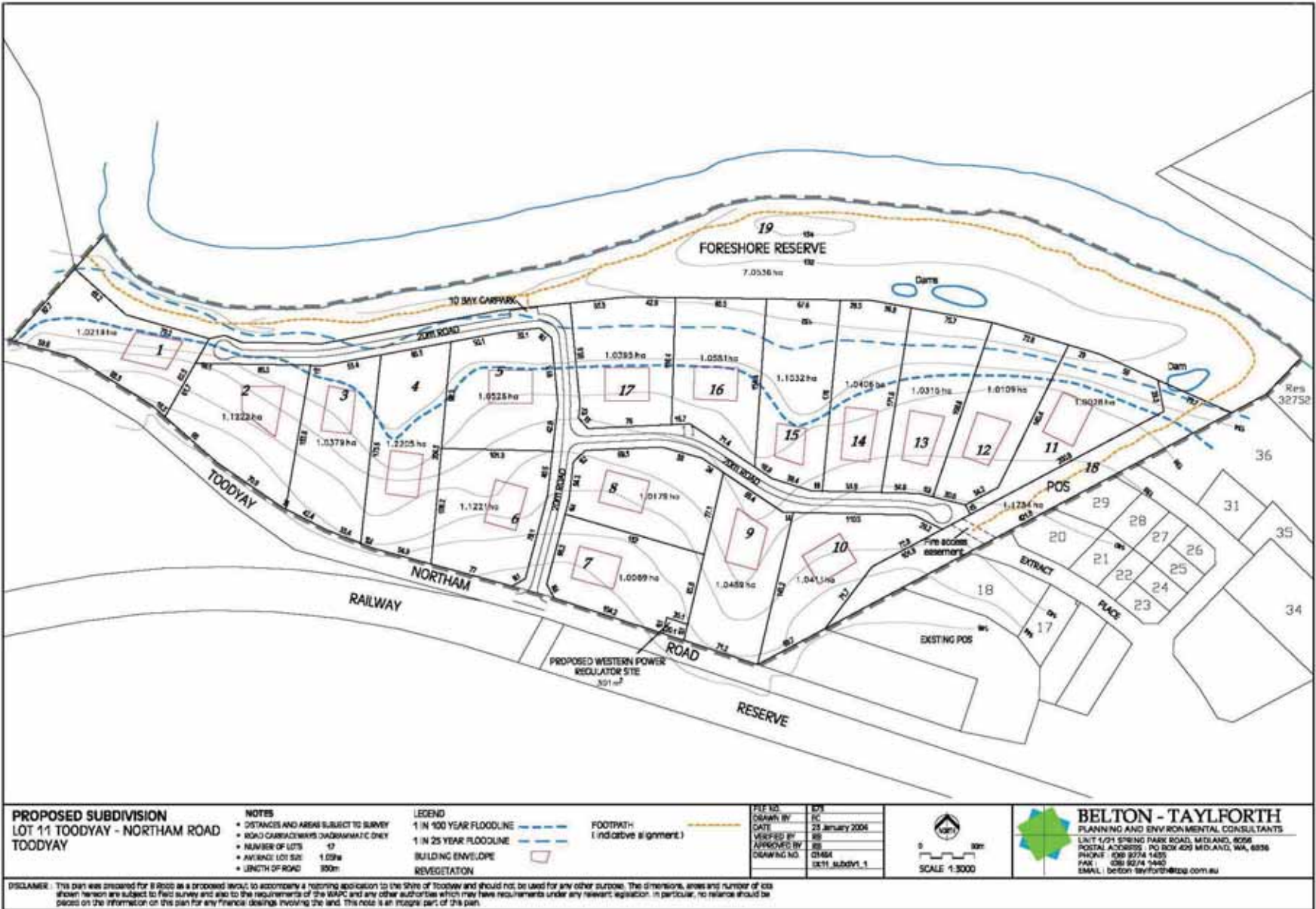
Existing Vegetation and Landscaping

15. No existing trees shall be removed without the written consent of the Shire of Toodyay. The removal of any trees should be offset by new plantings.

Further Subdivision

16. The subdivision of the land must comply with the Subdivision Guide Plan attached to this policy. No further subdivision of the land will be permitted.

**Adopted as TP Policy 19 January 2006
Amended Council Meeting 16 November 2006
Reviewed Council Meeting 15 November 2007
Amended Council Meeting 21 May 2009
Reviewed Council Meeting 13 May 2010**



Shire of Toodyay Policy Manual

LOCAL PLANNING POLICY

POLICY NO: LPP.18
POLICY SUBJECT: GLENCOE ESTATE DESIGN GUIDELINES
ADOPTION DATE: 20 August 2009
LAST REVIEW 13 May 2010

STATEMENT OF INTENT

These design guidelines apply to Glencoe Estate, previously Lot 11 Northam Toodyay Road, Toodyay. The design guidelines have been prepared to guide land use and development within the Glencoe Estate.

OBJECTIVES

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.

DEFINITIONS

'Policy Area' shall mean the area of the Glencoe Estate, previously Lot 11

Northam Toodyay Road, as shown on the Subdivision Guide Plan attached to this policy.

~~'Federation Queenslander'~~ Framed housing refers to an architectural style used in dwellings.

The style is characterised by a timber ~~or steel~~ framed construction with an iron roof and ~~high~~ set on timber ^{or steel} stumps. Walls are generally clad in lightweight materials such as Hardi weatherboard profiles, timber weatherboard or textured hardi sheet. Colourbond custom orb may be used as an alternative. The dwellings usually have a strong verandah element (~~a verandah on a minimum of three sides of the dwelling~~) and can have other decorative features for shade and ventilation. ~~In more modern representations, other materials such as colourbond custom orb or textured hardi sheet may be used as alternatives.~~

All other definitions shall have the meanings applied to them within the Shire of Toodyay Local Planning Scheme No 4.

STATUTORY POWER

This Local Planning Policy is made pursuant to Clause 2.2 of the Shire of Toodyay Local Planning Scheme No 4.

Local Planning Policy No.18 - Glencoe Estate Design Guidelines

Shire of Toodyay Policy Manual

POLICY STATEMENT

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. Setbacks and Building Envelopes

2.

All buildings, including outbuildings, within the policy area shall be located within the building envelopes nominated on the Subdivision Guide Plan.

3.

No buildings or structures may be constructed within 50 metres of the Northam Toodyay Road or the Avon River Foreshore Reserve. This setback shall be measured from the outer boundaries of the road and foreshore reserves.

Buildings

4.

No more than one single dwelling, and its associated outbuildings, will be permitted on any lot.

5.

All dwellings should be orientated towards the primary street. In the case of those lots with dual street frontage to the Northam Toodyay Road, the primary street shall be the internal subdivisional road.

6.

All buildings and structures shall be constructed of such design or materials that complement the semi rural landscape character of the area, which shall include:

a)

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

b)

Roofing materials of all dwellings shall be clay, slate or concrete tiles Zinalume or colourbond sheeting. All rooves shall have a minimum pitch of 25Deg. , with shallower pitches permitted for elements such as verandahs, awnings and canopies, but not less than 10deg. at any point unless a lesser pitch is required to allow clearance with wide verandahs. Roofing ~~materials should be non-reflective and the~~ colours should complement the other materials used on the site and the surrounding environment.

c)

All dwellings shall ~~incorporate passive solar design~~ be designed to achieve mandatory energy ratings. The orientation of windows and openings, landscaping, shade devices (verandahs, pergolas etc) and the use of appropriate building materials to be used to achieve energy ratings consistent with the Energy Efficiency provisions of the Building Code of Australia

~~Note: Please refer to the Energy Efficiency provisions of the Building Code of Australia 2005.~~

7.

All carports and garages ~~and outbuildings~~ shall use building materials and colour schemes that match the materials used in the primary residence. Colourbond sheeting may be used on outbuildings in a colour that matches the primary residence. Green or cream may be used as an alternative.

Details of the proposed materials and colours to be used in any structure shall be provided at the time of making an application for Planning Consent.

8.

Carports or garages shall not exceed a floor area of ~~40m²-50m²~~, a wall height of 3.0m, a width of 7.0m or a ridge height of 4.5m.

9.

Outbuildings shall not exceed a floor area of 150m², a wall height of 4.0m or a ridge height of 5.0m, without the prior written consent of Council.
Fencing

10.

The lots within the policy area have all been fenced (on side and rear boundaries) with ring lock fencing. Should landowners wish to replace this fencing or construct a front fence, the nature of this fencing should remain visually permeable and open, complementing the semi rural landscape of the policy area.

11.

The fencing adjoining the Northam Toodyay Road reserve and the Avon River foreshore reserve shall be uniform. Any change to fencing adjoining these reserves requires the written consent of Council.

12.

All front fencing must be a post and rail fence. Posts must achieve a minimum dimension of ~~75mm x 75mm~~ 100mm and rails must have a minimum diameter dimension of ~~100mm~~ 75mm. Mesh fencing may be used as infill. ~~The colours and materials used should complement the surrounding environment and any other buildings on the land.~~

Driveways & Crossovers

Driveways & Crossovers

13.

Crossovers must be sealed, paved or constructed in concrete and designed such that all stormwater is retained on site unless the crossover slopes toward the road in which case stormwater is to be directed to the roadside kerbing. While driveways do not need to be paved or sealed, they must be designed to retain all stormwater and any loose materials (i.e. gravel, silt etc) on the site.

Servicing

14.

The disposal of waste water and effluent shall occur in a manner identified

in consultation with and to comply with the requirements of the Shire's

Health Services.

Local Planning Policy No.18 - Glencoe Estate Design Guidelines

Shire of Toodyay Policy Manual

Existing Vegetation and Landscaping

15.

No existing trees shall be removed without the written consent of the Shire

of Toodyay. The removal of any trees should be offset by new plantings.

Further Subdivision

16.

The subdivision of the land must comply with the Subdivision Guide Plan attached to this policy. No further subdivision of the land will be permitted.

Adopted as TP Policy 19 January 2006

Amended Council Meeting 16 November 2006

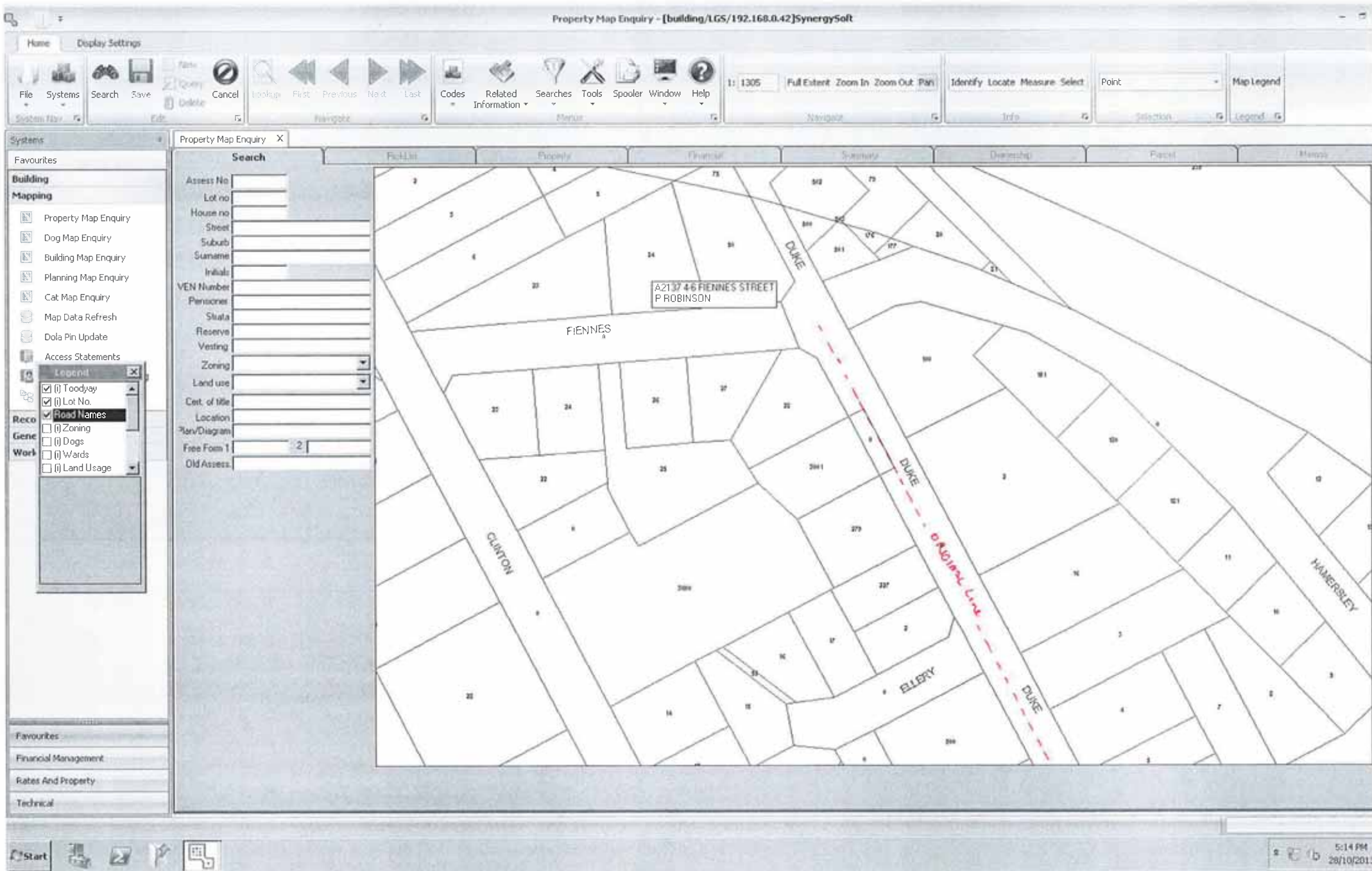
Reviewed Council Meeting 15 November 2007

Amended Council Meeting 21 May 2009

Reviewed Council Meeting 13 May 2010

Local Planning Policy No.18 -
Glencoe Estate Design Guidelines

Shire of Toodyay Policy Manual





Landgate Map Viewer - Windows Internet Explorer
 http://www.landgate.wa.gov.au/mapviewer/erm_mapviewer.html?user=nugb25&tokens=bf62e26fa1c04d260137761be7a0fb3508430a1675-d2&group=gr_survey&channel=4#

Landgate MAP VIEWER

Window Show/Hide

Cadastral Parcels

Catalogue (tick box to select) help Map help

- Aerial Photography
- Property View
- Street Maps

Service Details - Aerial Photography help

- Transparency

Layers Legend Metadata

Select layer to make image visible

- Avon River Toodyay to Beverley 2005 (Colour)
- Avon River Toodyay to Beverley 2005 (RGB)
- Metropolitan 1995
- Metropolitan East 2000
- Metropolitan East 2001
- Metropolitan North East 2002
- Metropolitan North East 2003
- Metropolitan North East 2004
- Metropolitan North East 2005
- Toodyay 2004
- Toodyay 2010 (Fire Scar)
- Woorlooc 2006
- Woorlooc 2008
- Woorlooc 2010
- Woorlooc 2012

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**PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION TO AMEND TOWN PLANNING SCHEME**

**SHIRE OF TOODYAY
LOCAL PLANNING SCHEME NO. 4
AMENDMENT NO. 4**

Council in accordance with Section 87 of the Planning and Development Act 2005 and pursuant to Section 17(2) of the Town Planning Regulations 1967, adopt for final approval, with modification, Omnibus Scheme Amendment No. 4 to the Shire of Toodyay Local Planning Scheme No.4 as follows;

1. To insert the words 'and enhance' after the word 'maintain' in Clause 4.2 (a) (i).
2. To delete the full stop at the end of point (iv) in Clause 4.2 (c) and replace with the following ';and'.
3. Add the word "and" on the end of Clause 4.2 (g) (ii) and include an additional point (iii) to read "ensure the protection of and conservation of native vegetation".
4. To insert the word 'and' following the semicolon in Clause 4.2 (d) (ii).
5. To insert the words 'and enhancement' following the word 'preservation' under Clause 4.2 (e) (vii).
6. To delete existing point (i) under Clause 4.2 (h) and replace with the following 'provide for a range of lifestyle opportunities as permitted under the zoning table and other provisions of the scheme'.
7. To deleted the words 'small rural land holdings' from Clause 4.2 (i) (iii).
8. Amend Table 1: Zoning Table under Clause 4.3 as follows:
 - a) For the use class 'accommodation for temporary workers' change the symbols to 'X' in the Residential, Residential Development, Special Residential, Light Industry, Rural Residential, Rural Living zones and change the symbols to 'D' in the Town Centre and Mixed Business zones.
 - b) For the use class 'agroforestry' change the symbol to 'D' in the Rural zone and 'D' in the Rural Living zone.
 - c) For the use class 'amusement parlour' change the symbol to 'X' in the Light Industry zone.
 - d) For the use class 'ancillary accommodation' change the symbol to 'D' in the Rural zone.
 - e) For the use class 'apiary' change the symbols to 'X' in the Residential, Residential Development and Light Industry zones and change the symbols to 'D' in the Rural Residential, Rural Living and Special Residential zones.
 - f) For the use class 'betting agency' change the symbol to 'X' in the Light Industry zone.



3 Environmental Management Plan

3.1 Introduction

The Environmental Management Plan contains information and management actions to ensure the clay extraction activities have minimal environmental impacts and to help return the land to an appropriate end use. This chapter includes information relating to dust management, noise management, water management, buffers, visual amenity, site clean-up and rehabilitation and revegetation.

3.2 Dust Management Plan

This Dust Management Plan aims to describe the measures that will be used by Austral Bricks to reduce the creation and effect of dust.

Dust suppression is generally achieved through the use of a 'dust suppression agent', most commonly water. The application of water over areas prone to the generation of dust helps to reduce the likelihood that small dust particles will be picked up by the wind. Dust problems can also be reduced through careful management such as monitoring weather conditions, recording and reacting to complaints, covering trucks with tarpaulin and watering stockpiles and access tracks.

Clay generally has a moisture content of 15-25% which means that particles are able to stick to one another which can reduce the effect of wind and dust generation. The surface of stockpiles and pit areas also form a durable crust which is also less susceptible to erosion.

Dust management procedures are discussed in further detail below.

Complaints Procedure

The complaints procedure is an important component of the dust management plan. It is essential that any complaints relating to dust generation are further investigated and acted on. It is also important that all complaints are recorded. The following activities will be conducted:

- Complaints made to the operator will be documented and dealt with expeditiously.
- Complaints received either directly from the complainant or via the Shire of Toodyay will be reviewed by the operator and interested parties to assess:
 - (i) the legitimacy of the complaint;
 - (ii) the aspects of the operation that triggered the complaint;
 - (iii) management actions required to address the issues raised to maintain compliance with conditions imposed on the extractive operation by the Shire of Toodyay under the Extractive Industries Licence.
- Actions deemed necessary to maintain compliance with relevant legislation, regulation and approval conditions will be undertaken immediately and before works are recommenced.
- Summaries of complaints and actions taken to address each specific issue will be recorded in the Complaints Register (See Appendix F).

The Shire of Toodyay will be notified in writing of the date, time and nature of the complaint received, results of the investigation, remedial actions undertaken and date and time of recommencement of works. Complainants are usually advised verbally, dependant on the severity of the complaint/issue.

Watering

Dust suppression can be achieved using normal techniques such as wetting down access roads and areas with high amounts of soil disturbance (i.e. areas that are likely to produce higher levels of dust). Watering down of materials will be conducted as required utilising a water cart. Stockpiles might also

require watering during certain weather conditions. This will depend on the amount of dust being produced and the weather conditions. However, as is stated above, clay has a natural water content of 15-25% which causes the particles to stick together and reduces the risk that they will be carried away by wind. The outer layer of the stockpile will also form a durable crust as it dries which will be less susceptible to winds.

Watering will be more prevalent during summer months rather than winter months owing to the increased moisture content of the material during winter and because most dust-generating activities on site will occur during summer. Watering currently takes place during extraction and carting campaigns to help keep dust under control.

Water runoff within the extraction area from precipitation will collect in the drainage basins and will be the source of water used for dust suppression. The frequency and amount of water applied will be dependent upon local conditions and observable dust generation. Therefore, it is difficult to specify the quantity of water to be used as conditions will vary from day to day. Nevertheless, water will be used conservatively in order to prevent unnecessary waste.

Other dust management procedures

All trucks will be covered by Enviro-tarp prior to leaving the site and access roads within the site are watered during earthworks or cartage campaigns. The Resource Manager Quarry Manager and site supervisor will check regularly on site to ensure that dust suppression is adequate.

Austral Bricks will attempt to keep the amount of exposed/disturbed area to a minimum in order to reduce the area susceptible to wind erosion. Rehabilitation and revegetation will take place as soon as practical to reduce the area of exposed land. Erosion of the final batters will be controlled by the progressive replacement of overburden, topsoil and the planting of vegetation. This will help reduce the creation of dust through wind erosion.

The nearest residence is approximately 900m to the south-west of the future excavation area. Two other residences are located further to the south. The combination of the distance and the extensive vegetation surrounding the extraction area is considered sufficient to reduce the impact of dust.

Operations have been taking place on site for over 50 years and Austral Bricks has not received any complaints relating to the pit operations.

3.3 Noise management

This Noise Management Plan aims to provide the measures that will be used by Austral Bricks to reduce the creation and effect of noise producing activities.

The clay extraction process does not involve blasting or major noise-generating practices. Noise generation will be limited to trucks and earthmoving equipment. The operator of the site makes the following commitments in relation to noise:

1. Manage noise levels in accordance with the *Environmental Protection (Noise) Regulations 1997*.
2. Monitor noise levels upon instruction from the Department of Environment and Conservation.
3. Manage vibration in accordance with *Australian Standard AS 2670.2 – Evaluation of Human Exposure to Whole Body Vibration (1990)*.

Noise mitigation and management

As extraction occurs the ground level will lower, resulting in the operation of machinery at levels below the surrounding ground level. This will act as a noise insulator and significantly reduce any residual



noise associated with the operation of machinery on site over time. No noise complaints have been made in relation to the pit operations since activities commenced.

All equipment used for excavation is relatively new and well maintained which aims to minimise noise generation. Noise levels will be governed by the *Environmental Protection (Noise) Regulations 1997*. The noise emitted by the main excavation equipment on site (i.e. excavator and loader) is similar to that of farm machinery. All workers will be supplied with noise protection equipment and noise management will be in accordance with the *Mines Safety and Inspection Act 1994 and Regulations 1995*.

Procedures involved in adhering to the management techniques are as follows:

- Adhering to the hours of normal operation, with work conducted in the hours identified in the application.
- All plant equipment and vehicles being fitted with appropriate noise suppression equipment to reduce noise levels so far as is practicable, with machines the quietest reasonably available.
- Any non-conformances and noise and vibration related complaints immediately reported to the Quarry Manager.
- Following complaints, the source of any excessive noise or vibration will be identified and work practices will be modified or re-scheduled to reduce or eliminate the risk of future events.

Considering the above, it is not expected that noise generation and nuisance to adjacent landowners should not be an issue.

Complaints Procedure

The complaints procedure is an important component of the Noise Management Plan. It is essential that any complaints relating to the creation of excessive noise is further investigated and acted on. It is also important that all complaints are recorded. The following activities will be conducted:

- Complaints made to the operator will be documented and dealt with expeditiously.
- Complaints received either directly from the complainant or via the Shire of Toodyay will be reviewed by the operator and interested parties to assess:
 - (i) the legitimacy of the complaint;
 - (ii) the aspects of the operation that triggered the complaint;
 - (iii) management actions required to address the issues raised to bring operations into line with conditions imposed on the extractive operation by the Shire of Toodyay under the Extractive Industries Licence..
- Actions deemed necessary to bring operations into line with relevant legislation, regulation and license conditions will be undertaken immediately and before works are recommenced.
- Summaries of complaints and actions taken to address each specific issue will be recorded in the Complaints Register (See Appendix F).

If any complaints are received, necessary action will take place to help rectify the issue. The Shire of Toodyay will be notified in writing of the date, time and nature of the complaint received, results of the investigation, remedial actions undertaken and date and time of recommencement of works. Complainants are usually advised verbally, dependant on the severity of the complaint/issue.

Vibration management

Vibration is not expected to be an issue due to the relatively small nature of machinery on site, and the lack of blasting. The operator will comply with the *Australian Standard AS 2670.2 – Evaluation of Human Exposure to Whole Body Vibration (1990)*.

3.4 Drainage Management Plan

Drainage management is already in place for the existing operation.

The existing drainage detention basins act as settlement and siltage basins for the existing operations and capture stormwater across the excavation area. This helps to ensure that stormwater runoff does not enter surround vegetation and adjoining areas.

As excavation occurs in a southerly direction into the future stages, new drainage basins and diversion drains will be established to retain water runoff on site.

During the summer months, water from the drainage basins is used for dust control and watering of pits, stockpiles and roads where necessary. No dewatering is required.

3.5 Surrounding Buffers and Land Uses

Buffers and separation distances are outlined in EPA Guidance Statement No. 3 entitled *Separation Distances between Industrial and Sensitive Land Uses* indicates that the generic buffer distance for clay extraction is 500-1,000 metres depending on the scale of the project, the extent of processing and the anticipated activities. The generic buffer distances are based on general experience by government agencies when addressing the impacts from certain land uses and can be used as a guide, although smaller buffer distances can be acceptable under different circumstances.

The nearest residence is approximately 900m to the south-west of the existing excavation area. This is considered sufficient distance from the excavation area. Operations have taken place on the property for over 50 years with no complaints from nearby landowners.

No blasting or processing will occur on site and noise will generally be limited to sound made by trucks and machinery (which aren't generally much louder than farm vehicles). Operations have been taking place on site for over 50 years and there have been no complaints from the residents of these properties for noise.

3.6 Visual Amenity

The site is well screened from Morangup Road as a majority of the property is still covered in remnant vegetation. The existing excavation area is also located outside of the Landscape Protection Area identified in the Scheme, therefore the operations do not have a negative visual impact on the views from the Toodyay townsite. Despite the clearing required over the future stages to facilitate excavation, there will still be sufficient vegetation remaining between the excavation area and the road and surrounding properties to ensure that the pit is well screened. Therefore, it is unlikely that excavation activities on site will affect the visual amenity of the surrounding area.

3.7 Rehabilitation and decommissioning program

Rehabilitation objectives

The historical use of the site has been for broad acre farming and timber production, and for extractive industries for the last 50 years. Therefore, it is expected that upon decommissioning, the site will be rehabilitated to fit with the existing landscape and will be rehabilitated. The old pit areas will remain as slight depressions in the landscape and these will be recontoured into wetland habitats. The remainder of the site will be recontoured with overburden and rehabilitated with native species. This will result in returning local species to the area and provide a habitat for native fauna across an area. Rehabilitation and expected final contours are shown on the rehabilitation plans at Appendix C.

Site recontouring

A majority of the extraction area will remain until the clay resources have been exhausted and the site can be decommissioned. Some areas will be progressively rehabilitated where possible (i.e. areas which aren't being used as drainage basins or stockpiling areas). A majority of recontouring will take place after the site has been decommissioned.

To prepare the site for rehabilitation, the old pits will be using overburden which has been stockpiled on site. Top soil will be replaced on top of the overburden to prepare the site for planting. The slopes of the pits will be recontoured to create batter slopes.

Timing

The actual timeframes for decommissioning will vary depending on the total lifetime of the excavation which is dependant on the specific types of clay found and the ongoing demand for differing types of product. Site rehabilitation will take place as soon as possible after decommissioning.

Planting will take place in late autumn/early winter when the first rains appear. This will provide moisture for the young plants so reliance on irrigation is kept to a minimum.

Planting will take place in association with the local landcare group so that the appropriate and desired species are used and because they will have better knowledge of the land. It should be noted that this method has been carried out successfully for the rehabilitation and revegetation of other decommissioned pits managed by Austral Bricks, which supports the use of this method for all other pits on site and their environmental commitments.

Species composition

Local native species will be used for rehabilitation. A list of species to use for rehabilitation is obtained at Appendix E (species list from the Flora Survey report by Del Botanics). Advice on species composition will also be sought from the local landcare group.

Species density

Vegetation will be planted at relatively high density across the rehabilitated areas to increase the ease of replacing vegetation across the site. The high density will also account for some plant deaths through natural selection. It is also expected that natural regeneration will take place across the site (a majority of the existing vegetation is from natural regeneration).

Wetland species will be planted around the wetland depressions at a relatively high density to aid in soil stabilisation and to increase the rate of plant success.

Irrigation, mulching and fertilising

No mulch or fertiliser will be used or considered necessary. Local native species will be used for planting which are adapted to the area and the local soil and weather conditions and therefore should not require additional site treatments such as mulch or fertiliser.

Native species are also adapted to survival in the average amount of rainfall. Planting in late autumn/early winter will also help ensure that rainfall will be available to water plants while they are still being established. However, should conditions be particularly dry and if plants seem to be struggling, water will be applied from the dam located on the site.

Weed management

The disturbed nature of the property and its past use for rural purposes has resulted in an abundance of weeds (mainly pasture species) which currently exist on the property. It would be impossible and irrational to try to eradicate all weeds over the revegetation areas. However, to help manage the spread of weeds the following should occur:

- Plant, soil or fill material are not brought to the site
- The site is kept secure to avoid rubbish dumping
- All rubbish is removed promptly from the site
- Weed affected soils are not used for rehabilitation
- The site is monitored for the presence of Declared Weeds or weeds that pose a significant environmental risk
- If Declared Weeds are found they should be burned, buried or removed.

3.8 Final site clean-up

All wastes on site will be appropriately managed during and after operation of the site in order to avoid environmental degradation. They will either be recycled or taken to an approved waste disposal site. Rubbish will be stored in large bins, which will be emptied at an appropriate rubbish tip. The creation of rubbish is limited to staff lunches/food wastes as other items are taken by mobile service contractors. Clay excavation activities do not require the use of chemicals apart from lubrication materials and fuel for on-site machinery (as required).

After clay extraction activities have ceased, all equipment will be removed from the site and the final stages of rehabilitation and revegetation will occur.

