

# Shire *of* Capel

## AGENDA

### ORDINARY COUNCIL MEETING

Wednesday 23<sup>rd</sup> September 2015

Commencing at 4.30pm in the Council Chambers  
Shire Administration Building, Forrest Road, Capel

#### REMINDER:

#### 3.00pm Briefing –

- Shire of Capel Development Contribution Plan
- Capel Town Multi-purpose Community Centre and Youth Space Building

#### 3.30pm Round the Table Discussion



*Experience the*  
Shire of Capel



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# **FINANCIAL INTEREST**

(Effective 1 July 1996)

A financial interest occurs where a Councillor, or a person with whom the Councillor is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

An indirect financial interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

## **Councillors should declare an interest:**

- a) in a written notice given to the CEO before the meeting; or**
- b) at the meeting immediately before the matter is discussed**

A member who has declared an interest must not:

- \* preside at the part of the meeting relating to the matter; or
- \* participate in, or be present during any discussion or decision making procedure relating to the matter,

unless the member is allowed to do so under Section 5.68 or 5.69, Local Government Act (1995).

Ref: Local Government Act 1995 Division 6 - Disclosure of Financial Interest.  
Specifically Sections 5.60, 5.61, 5.65 and 5.67.

## **DISCLAIMER**

No responsibility whatsoever is implied or accepted by the Shire of Capel for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Capel disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions.

Any persons or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Capel during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Capel. The Shire of Capel warns that anyone who has an application lodged with the Shire of Capel must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Capel in respect of the application.

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 23<sup>RD</sup> SEPTEMBER 2015 COMMENCING AT 4.30PM.

*PF Sheedy.*

PF Sheedy  
CHIEF EXECUTIVE OFFICER

18 September, 2015

# AGENDA

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**IMPORTANT NOTE:**

Members of the public are advised that any decisions made at the meeting tonight, can be revoked, pursuant to the *Local Government Act 1995*. Therefore, members of the public should not rely on any decisions until formal notification in writing by Council has been received.

**1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS****2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)****3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Mr Michael Hearne, 12 Ecclestone Court, Boyanup asked several questions regarding Item 14.5 Meadowbrooke Estate Village – Development Guide Plan and Design Guidelines at the Council meeting on 26<sup>th</sup> August 2015, one of which was taken on notice by Mr Gick, Executive Manager Engineering & Development Services (EMEDS).

Mr Hearne: The Emergency Escape Route to the North and West of the existing man made water feature is in an area that is a part of the Creek Flow and is an Aboriginal Heritage Place. Building this road will require significant engineering and will cause a change in the flow of the Creek. This is an area assessed by the Department of Water to be at risk of erosion. Why does this not need to be accounted for in the Development Guide Plan?

EMEDS: The submission received from the Department of Aboriginal Affairs was contained in the Schedule of Submissions (Attachment 6 Agenda Item 14.5). The Department confirmed that the lot intersects with one Aboriginal heritage place and recommended the applicant submit an application under section 18 of the Aboriginal Heritage Act 1972 to avoid a breach of the legislation.

The Development Guide Plan (DGP) reflects the extent of the indigenous site and further advice will be provided to the applicant at the Development Application stage. The applicant is aware of this requirement relating to other legislation.

The DGP identifies the need for an emergency escape route and further details thereof will be assessed at the Development Application stage in consultation with the Department of Water.

**4 PUBLIC QUESTION TIME**

*Public Question Time provides an opportunity for members of the public to ask a question of Council. For more information regarding Public Question Time, please phone the Shire Office during office hours on 9727 0222 or visit the Shire's website [www.capel.wa.gov.au](http://www.capel.wa.gov.au).*

**5 APPLICATIONS FOR LEAVE OF ABSENCE****6 DECLARATION OF INTEREST****7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS****8 CONFIRMATION OF MINUTES**

8.1 Ordinary Council Meeting – 26.08.15

**9 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION****10 PETITIONS/DEPUTATIONS/PRESENTATIONS**

*Any person or group wishing to make a 5 minute presentation to Council regarding any matter on this agenda for consideration must request the right to do so in writing to the Chief Executive Officer prior to 12 noon on the day of this Council*

*meeting. For more information about presentations please contact the Executive Assistant on 9727 0222 or email [info@capel.wa.gov.au](mailto:info@capel.wa.gov.au).*

*Any person or group wishing to make a 5 minute Deputation to Council on any matter is required to apply in writing to the Chief Executive Officer at least 7 days prior to a Council meeting. For more information about making a deputation, please contact the Executive Assistant on 9727 0222 or email [info@capel.wa.gov.au](mailto:info@capel.wa.gov.au).*

Mr Chris Elliott, Chief Executive Officer of Busselton Water will provide an update on the Busselton Water Growth Strategy.

**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**12 QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**13 CHIEF EXECUTIVE OFFICER REPORTS****13.1 Recognition of Community Volunteers**

Location:	Gelorup
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	07.09.15
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	1 Location Plan indicating Lot 61 Hasties Road, Gelorup & Reserve 41592 Hasties Road, Gelorup 2 Street map indicating both locations

**MATTER FOR CONSIDERATION**

1. The naming of Council freehold land, Lot 61 Hasties Road, Gelorup, as the 'Michael Tichbon Park' in recognition of his many hours of volunteer community service with rehabilitation of reserves in the Shire;
2. An application to the Geographic Names Committee (GNC) requesting that the Gelorup Community Centre be named the 'Don Martin Community Centre', subject to endorsement by the Gelorup Community Centre Management Committee, in recognition of his many hours of volunteer community service; and
3. That a joint Council function be held to celebrate the occasion when the approval from the GNC is received or singular one for Mr Tichbon if the GNC approval is not forthcoming.

**BACKGROUND / PROPOSAL****Background**

Council has previously received correspondence from a community member (Brian Piesse) and the Gelorup Community Management Committee requesting that Council give consideration to nominated reserves, under the management control of Council, being named after local identities who have contributed many hours of voluntary service, either undertaking workings in these reserves or around the Shire.

October 2013 refers: Council at its meeting on 16<sup>th</sup> October 2013 resolved (OC1009):

*'That Council:*

1. *Approves the naming of Reserve 41592 (Lot 429) Hasties Road, Gelorup the 'DON MARTIN RESERVE'; and*
2. *Authorises the Chief Executive Officer to undertake relevant advertising and community consultation, gather relevant background information and support and then submit the application to the Geographic Names Committee for consideration.'*

*The naming of reserves after Mr Tichbon was deferred pending further information.*

November 2013 refers: Council at its meeting on November 2013 resolved (OC1108):

*'That Council:*

1. *Approves the naming of Reserves 2307 (Lots 458 & 477) and 25500 (Lot 31) Lowrie Road, Gwindinup the 'MICHAEL TICHBON RESERVE'; and*
2. *Authorises the Chief Executive Officer to undertake relevant advertising and community consultation, gather relevant background information and support and then submit the application to the Geographic Names Committee for consideration.'*

May 2014 refers: Landgate advised by email on 20<sup>th</sup> May 2014 'that the Shire's request to name Reserve 41592 (lot 429) after Don Martin is not supported. This is because the bulk of the site is already occupied by the Gelorup Community Centre and the Gelorup Fire Station and parking areas; therefore it is not appropriate to name the tenure containing them with a separate name. To honour Mr Martin, it is recommended that given his dedication to the Gelorup Community that the building itself on this site be renamed in order to recognise his contribution and efforts for the district.'

Landgate advised by email on 21<sup>st</sup> May 2014 'We have reviewed the Shire's request to name Reserves 2307 and 25500 Lowrie Road, Gwindinup after Michael Tichbon.

I can advise that the request to name the abovementioned reserves after a living person is not supported. The proposal does not comply with the GNC Policy and Standards given the size of the reserves (all of the parcels are well over 1 hectare), furthermore names cannot also be applied to disconnected sections of land.

July 2015 refers: The (GNC) advised Council that it has reviewed all the information provided in the application to name Reserves 2307 and 25500 *Michael Tichbon Reserves* and has decided to support the Landgate's original decision not to approve the name due to its current non-compliance with the naming policies.

August 2015 refers: The Chief Executive Officer lodged an appeal with the Minister for Regional Development; Lands Hon Terry Redman MLA against the decision of the GNC.

September 2015 refers: The Minister advised that he supported the decision of the GNC not to endorse the proposed name at this time.

## **Proposal**

The rejection by the GNC of proposals to name reserves after Messrs Tichbon and Martin now leaves Council with two options, either wait for two years after the person has pass away and then pursue the current proposals (Mr Martin's proposal is unlikely to receive approval even at that time due to other buildings on the reserve) or find alternative sites/buildings that will meet the GNC guidelines or freehold land that does not require GNC approval.

Given that the GNC in their email of 20<sup>th</sup> May 2014 has suggested naming the Gelorup Community Centre after Don Martin, subject to the endorsement of the Gelorup Community Centre Management Committee, Council should pursue this proposal. However as the reserve on which the Community Centre is located (Reserve 41592) has not been formally named, the approval of the GNC will be required.

Whilst the intention of the original proposal was to seek the naming of reserves that were located close to where Michael Tichbon currently resides and where he has undertaken extensive rehabilitation works, he has also done this in many other areas throughout the Shire. Lot 61 Hasties Road, Gelorup is a prime example, where he has undertaken rehabilitation of the area and created an extensive array of native plantings.

This lot is a freehold lot owned by the Shire of Capel and so does not require the approval of the GNC. Naming of this land the 'Michael Tichbon Park' would allow Council to recognise him



for the significant amount of conservation work he has undertaken throughout the Shire whilst he is still alive and can celebrate with friends. The area can still be used by the Gelorup Community as a local park, possibly with some playground equipment, if required. Council could then at a later time, after the passing of Michael, pursue the naming of Reserves 2307 and 25500 if it wished to do so at that time.

### **STATUTORY ENVIRONMENT**

Land Administration Act 1997

### **POLICY IMPLICATIONS**

Policy 6.11 'Road and Reserve Names' in part has relevance to this item and the relevant parts are detailed below.

#### **3. Naming of Parks, Reserves and other Places**

3.1 In determining names for parks and reserves, priority will be given to the use of an adjacent road/street name to maximise the identification of that park within the area (the use of existing and approved street names reinforces local themes and enhances name recognition). The road type is not to be included in the name.

3.5 Other places such as components of reserves e.g. pavilions, spectator stands, ovals, gardens etc. may be named in honour of persons (including living persons) or organisations (including corporate sponsors) that have made significant contributions (including financial) toward the establishment of the reserve or facility, or to the community generally.

In addition, the Shire may determine at any time that an unnamed road, reserve or other place should be formally provided with an appropriate name.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

Council may be required to advertise any proposals in local newspapers which can be covered within the existing budget allocations.

If the proposed naming of the building and land proceeds Council will be required to have suitable signs made (the 'Michael Tichbon sign' would be based on previously approved new reserves signage ) to be located at each site.

The 2015/16 budget includes an amount of \$2,000 for signage for Michael Tichbon. The cost of the signage for Don Martin would be costed as maintenance against the Gelorup Community Centre.

Any costs associated with functions for the official naming ceremony would be allocated to the Members of Council 'Refreshments and Receptions' account which then may exceed the budget allocation.

#### **Long Term**

There will also be an ongoing cost to maintain the signage in a reasonable standard condition or replacement if required.

#### **Whole of Life**

Maintenance of the signage is expected to minimal if at all over their useful life, with possible replacement due to aged or damage the only considerations.

**SUSTAINABILITY IMPLICATIONS**

The recognition of long serving volunteers in the community by Council demonstrates Council's appreciation of their community contributions which could have some social benefits.

**STRATEGIC IMPLICATIONS**

The Shire of Capel Corporate Business Plan 2013 – 2017 under 'The Community Experience' and specifically Strategic outcome 2.2 'Encourage community engagement and participation' and Strategic outcome 2.2B 'Develop links with and support community volunteers' has relevance to this item.

**CONSULTATION**

Given the work previously undertaken by Council staff in regards to Don Martin, it is not expected that any further consultation with the community will be required as the proposal is also for a building and not a reserve as previously proposed. Discussion has been undertaken by the Chief Executive Officer with a Gelorup Management Committee representative who will discuss the matter with the Committee for approval.

No further consultation is required in regards to Michael Tichbon given that the proposal is for Council freehold land; however advice to the Mr Brian Piesse who originally wrote to Council with the proposal for the reserves will be undertaken.

**COMMENT**

Previous proposals to name reserves after Messrs Martin and Tichbon were based on a reserve area where they undertook many hours of work and or the reserve was located close to where they live (Michael Tichbon). However the naming of a reserve, park or building after a person is generally more about recognising their contribution to the community in which they have lived or do live (i.e. Jack & Mary Kitchen Community Centre).

Ideally this would be in the vicinity where they have lived and in Don Martin's case he has undertaken many hours of community work in the Gelorup area so the proposal fits these criteria. In the case of Michael Tichbon, he has undertaken conservation/rehabilitation work in many areas across the Shire, so a proposal to recognise this achievement, by naming a reserve, park or building in one area is about recognising the overall contribution throughout the Shire and not just in that particular area.

The other important point is that where possible, this recognition would be undertaken whilst the person is alive or if not possible whilst there are still family members or relatives around to celebrate the achievement. Given that both of these people don't have family members or relatives who would be able to celebrate their achievements with Council after they have passed away, it is important that this recognition and celebration be undertaken whilst they are still with us.

As can be seen from the information provided in the Background section of this report this is not achievable with the areas that have previously been proposed by the community, whilst these persons are still alive, so what is proposed is a suitable alternative that achieves Council's and the community's intention of recognising these two people whilst they are still alive.

It would be the intention to proceed with the application to the GNC to name the Gelorup Community Centre the 'Don Martin Community Centre' assuming the Gelorup Community Centre Management Committee have indicated their support, and once this approval has been received to undertake a suitable ceremony for both on a similar date, given that the land and building are adjacent to each other.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 13.1**

**That Council:**

- 1. Approves the naming of Lot 61 Hasties Road, Gelorup as the 'Michael Tichbon Park' in recognition of the rehabilitation works undertaken by Mr Tichbon at this site and many other sites throughout the Shire;**
- 2. Subject to the support by the Gelorup Committee Centre Management Committee, seeks the approval of the Geographic Names Committee (GNC) to name the Gelorup Community Centre the 'Don Martin Community Centre' in recognition of the many hours of community work undertaken by Mr Martin in the Gelorup community;**
- 3. Authorises the Chief Executive Officer to arrange a joint Council function to celebrate the occasion when the approval from the GNC is received or singular one for Mr Tichbon if the GNC approval is not forthcoming.**

**14 ENGINEERING AND DEVELOPMENT SERVICES REPORTS****14.1 Tender 15/04 Capel Civic Precinct Stage 1 & 2 Civil Works**


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Location:	Capel Drive, Capel
Applicant:	Shire of Capel
File Reference:	C5.81.6
Disclosure of Interest:	Nil
Date:	08.09.15
Author:	Coordinator Engineering Development, A Coulson
Senior Officer:	Executive Manager Engineering & Development Services, J Gick
Attachment:	Development Plan

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**MATTER FOR CONSIDERATION**

That Council consider the tender submissions for the Capel Civic Precinct Stage 1 & 2 proposed civil works and the appointment of APH Contractors as the successful tenderer.

**BACKGROUND / PROPOSAL****Background**

The formulation of a master plan for the Capel Civic Precinct (the 'Precinct') was identified as a 'High' priority action in the endorsed Capel Townsite Strategy.

November 2011– Council resolved to adopt the Capel Civic Precinct Master Plan for final approval as a guide to the more detailed planning, development and use of the Precinct.

April 2013 – Council adopted the Capel Civic Precinct Detailed Landscape Design and Development Plan as a more detailed guide to the improvement and landscaping of the Precinct. Costings were undertaken at this time at a Master Plan level with input from landscape architects and an engineering consultant.

January 2015 – MPM engineering consultants engaged to undertake various detailed engineering works design for the precinct and in particular to deliver drawings and specifications for stage 1 and 2 of the precinct. Designs will also include infrastructure positioning for services such as power and CCTV throughout the total precinct.

May 2015 - Council accepted in principle to consider the inclusion of \$2 million in the draft 2015/16 budget deliberations for the implementation of Stages 1 and 2 of the Capel Civic Precinct Detailed Landscape Design and Development Plan, with the final outcome being dependent on the ability of Council to meet the guidelines relating to what is an acceptable Debt Service Cover Ratio.

August 2015 – Council included in the 2015/16 budget an allocation of \$2 million to be obtained through loan borrowings. The outcome of Council's ability to borrow the required amount is subject to the final audit of Council's 2014/15 year and the application to WA Treasury Corporation being approved.

**Location**

The Precinct generally comprises the land between Forrest Road, Capel Drive, Buchanan Road and Roe Road, including Reserves 4621 and 7574, the Saint John's Anglican church site and the former service station site.

Reserve 4621 comprises an area of 1.57ha and is vested for the purpose of 'Municipal Offices and Community Purposes' with a management order in the Shire of Capel.

Reserve 7574 comprises Erle Scott Reserve, an 'A' class reserve 1.62ha in area vested with the Shire of Capel for the purpose of 'Recreation' and with power to lease for 21 years subject to the Minister's consent.

### **Proposal**

To consider the tender submissions for the civil construction of the next stage of works for the Capel Civic Precinct, being Stage 1 & 2 as shown on the attached Development Plan. Stage 1 included the sullage disposal area which required reconstruction of part of Buchanan Road. The inclusion of the full reconstruction of Buchanan Road was considered beneficial to the staging of the project and represented a cost saving in comparison to reconstructing it in stages. The works also includes construction of the carpark adjacent to the western side of the administration centre and redevelopment of the car parking area and bus stop area adjacent to Capel Drive. The provision of services for lighting, water supply and CCTV will also be developed in addition to comprehensive drainage of the area.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995 s3.57(11)(1) of the Local Government Regulations requires all goods and services with a value in excess of \$100,000 to be subject to a public tender process.

### **POLICY IMPLICATIONS**

Policy 2.8 Purchasing: states that purchases must be made in consideration of (amongst other things) the best value for money.

To promote economic activity and employment opportunities within the Shire of Capel, Council has a local purchasing preference. A 5% price preference is applicable to locally based suppliers on all purchases where the purchase consideration exceeds \$1,000.

None of the tenderers qualified for consideration of local purchasing preference under this provision of this policy.

Policy 3.14 Occupational Safety & Health: Relates to ensuring shire of Capel employees, volunteers and contractors are aware of their responsibilities under the Occupational Safety and Health Act 1984.

Policy 7.7 Roads – (Verges): Relates to the development and management of road verges including the encouragement of the retention of native vegetation and utilities in verges.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

The 2015/16 Council Budget includes:

XP07	Capel Civic Precinct Stage 1	\$990,000; and
XO45	Capel Civic Precinct Stage 2	\$1,010,000.

The above budget allocation is for the provision of the Stage 1 & 2 civil works (estimated to cost \$1,216,599), landscaping and other infrastructure works (estimated to cost \$813,401) which included the following items:

- Installation of groundwater bore and pump;
- Installation of irrigation system for Stage 1 & 2;
- Soft landscaping of Stage 1 and 2 (planting of garden and turf areas);

- Installation of electric car charging point;
- Installation of 2 bus shelters in Stage 1; and
- Installation of picnic shelter, barbeque, bins, drink fountains and seats within Stage 1 & 2.
- Installation of public information area display.

The recommended tender price of \$1,150,969 plus GST for the civil works allows for an adequate buffer within the budget to ensure the satisfactory delivery of the civil works and the remaining items listed above.

It is to be noted however that the project is forecast to be funded by a \$2,000,000 loan from WA Treasury Corporation (WATC) as endorsed by Council as part of the 2015/16 Budget in August 2015 (SC0801).

WATC, as part of their assessment process, review a number of financial ratios but the primary indicator is the Debt Service Cover Ratio which aims to measure ability to repay and service debt. Guidelines have indicated a preferred Debt Service Cover Ratio of 2.0. For this loan, WATC have requested to review this ratio for:

- The 2014/15 financial year;
- July 2015 financial statements; and
- The 2015/16 Budget

On completion of the WATC loan application form the Debt Service Cover Ratio has been calculated as follows:

- |   |     |
|---|-----|
| • 2014/15 draft actuals (still to be finalised) | 5.3 |
| • July 2015                                     | 0.9 |
| • 2015/16 Budget                                | 1.0 |

It is to be noted that a number of factors have distorted this ratio between 2014/15 actuals and the 2015/16 Budget:

- Grants of \$1,107,863 relating to the 2015/16 financial year were prepaid in June 2015. This has had the effect of improving the Debt Service Cover Ratio for 2014/15 whilst having a negative effect on 2015/16;
- 2014/15 draft actuals have been affected by a negative asset revaluation of \$2,558,282.

WATC have indicated that both these factors will be adjusted for when they consider the application. This process is underway with the intent to have an agreement in principle for the loan and the usual draw down of loans in late May/June 2016.

### **Long Term**

The Long Term financial Plan currently proposes that the Civic Precinct be developed in four stages consisting of the following time lines:

Stage 1 and 2 Design – 2014/15  
 Stage 1 and 2 Development – 2015/16  
 Stage 3 and 3a Design – 2016/17  
 Stage 3 and 3a Development 2018/19  
 Stage 4 Design 2021/22  
 Stage 4 Development 2023/24

An additional allocation in the LTFP is provided for a public toilet in 2015/16 to align with the 2015/16 development of Stage 1 and 2.

Funding of the overall precinct is to consist of a combination of general revenue, regular annual allocation of funds into the Capel Community Facilities Reserve, securing of loan funding and grant funding. Options for funding of the project will be dependent on the project and financial priorities set by Council and generally through the Corporate Plan and LTFP.

The long term financial implications of redeveloping the Capel Civic Precinct will include budget considerations each year for:

- Lighting maintenance
- Power usage
- Toilet cleaning
- Carpark sweeping
- Stormwater infrastructure maintenance
- Landscape maintenance.

Carparks will require resurfacing after approximately 20 years.

### **Whole of Life**

Estimates for whole of life costs were not available for inclusion in this item due to the scale of the project and the relative complexity of the components. There will be ongoing costs associated with the maintenance of all implemented elements of the Civic Precinct plans.

### **SUSTAINABILITY IMPLICATIONS**

A Civic Precinct that is sustainable is critical to its effectiveness and value to the community. The development of Stage 1 & 2 incorporates the following sustainability characteristics.

Seeks to achieve sound environmental outcomes, including:

- retention of established native trees to provide shade, character and natural context.
- provision for sustainable display gardens, providing vegetation that is attractive with low water usage requirements and a showcase for these outcomes.
- targeted turf areas for reticulation achieving a balance between community desire for 'green spaces' for recreation and the need to manage long-term water use.
- provision of drainage and native vegetation areas, including rain gardens, with the potential to significantly contribute to local water management and water harvesting outcomes.

Development of Stage 1 & 2 will have a number of economic attributes including:

- attraction of more people to the town centre benefiting business.
- proposed caravan/motor home parking area, combined with the picnic areas, public toilet and sullage dump point is likely to attract additional visitors to the town.

The extent of facilities and improvements proposed in the Plan will provide significant social benefits to the residents of Capel and the Shire generally.

The outcomes of the Plan will ultimately create an important civic space that is a focal point for the community and where a range of recreation and other activities can be undertaken with significant social and cultural benefits.

### **STRATEGIC IMPLICATIONS**

#### **Shire of Capel Strategic Community Plan 2013 - 2031**

The proposed Development responds to a number of strategic objectives in the Strategic Community Plan including the following:

- *Provides facilities and services which recognise the diverse needs of the community and strive to make the Shire a safe place to live, work and visit;*
- *To preserve and enhance the natural and built environment to ensure it is liveable and adapts to our communities needs and expectation.*
- *Fosters and supports responsible economic development opportunities in the shire.*
- *Plan and facilitate safe, sustainable and efficient infrastructure and transport networks to meet the needs of the community.*

The Corporate Business Plan proposes that the achievement of the strategic objectives will achieve the outcomes of “providing social, recreational and cultural opportunities and facilities for our communities.” This outcome will be achieved in this case through action 21.A2 which requires the implementation of the Civic Precinct Master Plan.

### Capel Townsite Strategy 2008

The Capel Townsite Strategy was adopted in 2008 and subsequently endorsed by the WA Planning Commission in October 2009. It forms the primary policy framework for land use and development in the town of Capel over strategic time frames.

A range of actions are designed to support and reinforce the land use and development strategies. One of the most significant actions from a community and administrative perspective is Action (iv) of the ‘Community Facilities and Recreation’ strategy (which is identified as a ‘High’ priority):

*“Prepare a master plan for the Civic/Town Centre Precinct incorporating the existing Shire Administration and Community Centre Site, Erle Scott Reserve and vacant Lot 243 (former Reserve for Police Station). This Master Plan should investigate the future use of the Precinct and aim to accommodate long term civic and community needs of the Shire including administration, town centre car parking and potential government uses (including a community policing facility).”*

### **CONSULTATION**

Tender 15/04 Capel Civic Precinct Stage 1 & 2 Construction Works was advertised in the “West Australian” on 5 August 2015 and the “South Western Times” on 6 August 2015, and submissions closed on 4 September 2015.

Considerable consultation with the community has been undertaken previously in relation to the formulation of the Master Plan and the proposed development/landscaping outcomes.

### Project Working Group

A working group of staff was formed from representatives of divisions within the Shire with the role of managing the project and providing information, guidance and advice to the project consultants. The importance of the working group has been significant in view of the limited budget available for consultants and extensive knowledge and background of staff members on the relevant issues. The group continued to meet during 2012 and 2013 in relation to the preparation of the more detailed Plans for the Precinct.

A Project Steering Group is now in place for the implementation of the project.

### Mail Out and CapelFest

A flyer showing an aerial photo of the Precinct was sent out to all Capel residents in early 2011 inviting comment on why the Precinct is important to them. In addition, a display was provided at CapelFest 2011 and flyers were available for written comments to be made, with thirty six submissions received. There was a general consensus that something has to be done to improve the Precinct in view of its location and importance in the centre of the town.



### Formal Consultation

Following adoption of the draft Master Plan by Council in July 2011, a formal consultation process was carried out during August and September 2011 and twenty five submissions were received from the public. The issues raised by the community were addressed on the Master Plan when it was adopted in November 2011. There was no impetus for additional community consultation in relation to the more detailed Plan adopted in 2013 as it comprises an operational plan to guide the future use, development, landscaping and improvement of the Precinct consistent with Council's adoption of the Master Plan.

The RAC has been consulted in relation to an electric vehicle charging station in the Capel Civic Precinct and indicated that it would be keen to extend the coverage of the RAC Electric Highway. The RAC anticipates that it will be in a position to consider whether it can accommodate other participants' involvement e.g. Shire of Capel once the costs of installing the already committed fast charging stations have been established (likely in mid-late 2015).

The residents who live opposite the proposed site on Capel Drive as well as the Public Transport Authority were consulted in late 2014 in relation to proposed changes in where the school buses would pick up and drop off school children as a result of the closing of the internal road through the park. As a result of this consultation and Shire investigation, the proposal was changed to allow school buses to park within the car park off the road to increase safety of the school children.

The Public Transport Authority is currently in consultation with the Shire to develop suitable alternative school bus pick up and drop off areas during the construction period.

Prior to the commencement of works, surrounding residents and parents of schoolchildren will be advised in writing of the proposed works and arrangements for school bus parking during the construction works.

Four large signs will be erected on site prior to works commencing advising of proposed works and contact details, and information of the proposed works will be contained on the Shire website.

### **COMMENT**

Within the Financial Implications Section of this report under the "Budget" sub heading it is explained that the progressing of this project is dependent upon approval in principle from the WA Treasury Corporation (WATC) to the required \$2,000,000 loan. As the loan application is still being processed by the WATC at the time of writing this report and to avoid delays in progressing the project it is proposed to recommend that Council delegate authority to the Chief Executive Officer to appoint the preferred tenderer when the loan approval in principle is received.

In considering which tenderer to award the Contract to, there are several important considerations. As part of the tender assessment, 40% of the total score is based on the tenderer's ability to demonstrate previous experience on similar projects, outline available resources and personnel, demonstrate that previous works were completed to the required standard, in the required time, to the accepted price and with minimum disruption to the public.

All tenderers scored between 22.7 and 34.0 (out of a possible 40). The variation is due to the fact that some tenderers provided very little of the requested information while some provided very detailed and comprehensive documents. This information gives the Shire staff a better indication as to whether the Contractors are capable of performing the works and what success they have had in the past.

The remaining 60% of the total score is calculated as a percentage of the lowest price against the tenderers' price. Therefore, 60 points is allocated immediately to the lowest price. Refer to the table below (Table A).

**TABLE A: Tenders – Tender Criteria Weighting**

<b>Tenderer</b>	<b>Demonstrated Experience, Resources and Personnel (40% weighting)</b>	<b>Price (60% weighting)</b>	<b>SCORE TOTAL</b>
APH Contractors	34.0	60.0	<b>94.0</b>
Geographe Civil	28.1	57.1	<b>85.2</b>
BCP Group	22.7	57.7	<b>80.4</b>
Carbone Bros	24.7	55.0	<b>79.7</b>
SSP Diverse	24.0	52.2	<b>76.2</b>
JAK Civil	25.3	45.6	<b>70.9</b>
BCL Building	27.4	41.9	<b>69.3</b>
Civcon	26.0	41.5	<b>67.5</b>

APH Contractors submitted a comprehensive tender document which addressed all of the areas of plant, personnel and experience required to successfully complete the works. Their tendered price was also representative of the best value for money which resulted in a score of 94 out of 100.

After considering the points allocated and the information provided by the tenderers and relevant referees, staff supports the awarding of the tender to APH Contractors who scored the highest with 94, and have the experience and resources to complete the works on time, to the required standard and within the accepted price.

### **VOTING REQUIREMENTS**

Absolute majority

### **OFFICER'S RECOMMENDATIONS – 14.1**

**That Council delegate's authority to the Chief Executive Officer to accept the tender from APH Contractors for \$1,266,066 including GST as detailed in Tender No. 15/04 for the Capel Civic Precinct Stage 1 & 2 Construction Works subject to a \$2 million loan approval in principle being received from the WA Treasury Corporation.**

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**14.2 Town Planning Scheme Review and Local Planning Strategy**

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Location:	Whole Shire
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	03.09.15
Author:	Senior Strategic Planning Officer, K Muste
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachment:	Nil

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**MATTER FOR CONSIDERATION**

Council agreement to initiate a review of Town Planning Scheme No. 7 by preparing a new Local Planning Scheme No. 8 and to support the concurrent preparation of a Local Planning Strategy.

**BACKGROUND / PROPOSAL****Background**

A Town Planning Scheme or a Local Planning Scheme is a statutory mechanism which applies land use and development provisions including zoning of land and development standards.

A Local Planning Strategy is a separate strategic 'land use planning' supporting document that seeks to provide long term (15 years) planning direction, applies State and regional planning policies, addressing local planning issues and provides the rationale for zoning and classification of land in the Scheme.

March 2006 refers. Council acknowledged (Minute OC0313) the need to commence an ongoing strategic land use planning program for the Shire in order to:

- Undertake a staged and orderly review of the Shire of Capel Land Use Strategy and Town Planning Scheme No. 7 (Scheme 7);
- Introduce the concept of sustainability into townsite strategies and related plans; and
- Provide for appropriate implementation of strategic plans.

Townsite strategies for the Boyanup, Capel and Peppermint Grove Beach town sites have been completed and a number of detailed studies have been initiated and completed to implement the actions required by the townsite strategies.

November 2011 refers. Council resolved (Minute OC0303) to continue with its strategic land use planning program for the Shire to implement Strategies En1 and En2 of the then Shire of Capel Strategic Plan 2009 – 2020 and that an annual report on associated actions be provided to Council.

The Strategic Plan 2009 to 2020 has been superseded by the Shire of Capel Strategic Community Plan 2013 -2031. As background En1 and En2 of the Strategic Plan were as follows:

- EN1 Review the Land Use Strategy and District Planning Schemes to incorporate sustainability principles (3.1)
- EN2 Plan to undertake specialised studies identified within endorsed land use strategies to ensure orderly and appropriate coordinated development and land use strategies (3.1).

The 2006 and 2011 resolutions were primarily based on a staged approach to achieve the following outcomes:

- The preparation of townsite strategies that together with the Capel Land Use Strategy form the basis of an overall strategic local planning framework.
- Continued work on a range of technical studies to implement townsite strategy recommendations to facilitate further review of Scheme 7, detailed planning and development.
- Collectively the above were to form the basis of a staged review of Town Planning Scheme 7.
- Since 2006 a number of significant Amendments to Scheme 7 have been progressed including:
  - Amendment No. 45 to reflect residential density changes and subdivision coordination within the Capel Townsite.
  - Amendment No. 48 to introduce provisions for the preparation and adoption and implementation of Development Contribution Plans.
  - Capel Omnibus Amendment No. 60 to reflect the Capel Townsite Strategy outcomes.
- The following factors in 2006 and 2011 contributed to the above approach:
  - In 2006 the Greater Bunbury Region Scheme (GBRS) was not yet finalised with its gazettal occurred in October 2007.
  - By 2011 the Greater Bunbury Strategy (GBS) were not yet fully developed or introduced with finalisation and introduction occurred in 2013.
  - Shire officers and Council (with the support of the Department of Planning) favoured a staged approach at the time to develop townsite strategies in place of a Local Planning Strategy and a full Scheme review given the GBS was not yet finalised. The intention was that progressive staged updates to Scheme 7 would occur, leading to a comprehensive Scheme review.

### **Proposal**

Council is recommended to formally initiate a review of Scheme 7 to prepare a new Local Planning Scheme No. 8 (LPS8) and to concurrently prepare a Local Planning Strategy (LPS) based on the following key factors that are further detailed within the Comments section of this report.

The need for an LPS is summarised as following:

- WAPC requirement;
- The merit of consolidating the Shire's adopted local planning framework into a single document;
- The need to reflect the current regional planning framework;
- Consolidate the long term planning directions for the Shire;
- Identify planning issues to be addressed by the Scheme review; and
- Provide the rationale for Scheme zones and land use provisions.

The need for a new LPS8 is summarised as follows:

- The statutory requirement to review Schemes regularly;

- Ensure Model Scheme Text compliance;
- Reflect local and regional planning outcomes;
- The opportunity to improve planning outcomes; and
- The opportunity to improve assessment efficiencies.

## **STATUTORY ENVIRONMENT**

### **Introduction**

The statutory processes detailed within this report to initiate a Scheme review and concurrently prepare a Local Planning Strategy are in accordance with the *Planning and Development Act (2005)* and *Town Planning Regulations (1967)*.

The *Town Planning Regulations (1967)* will be replaced by the *Planning and Development (Local Planning Schemes) Regulations 2015* that were gazetted 25 August 2015 and come into force on 19 October 2015.

Shire officers have confirmed with the Department of Planning that Council is to follow the *Town Planning Regulations (1967)* prior to the introduction of the new 2015 Regulations on the 19 October and following this date the new 2015 Regulations will apply.

### **Requirement for a Scheme Review and Local Planning Strategy**

Under the *Planning and Development Act (2005)*, all Local Governments are required to consolidate their Scheme or prepare a new Scheme to replace their existing Scheme every five years. The requirement for Scheme reviews every five years is not strictly enforced; however it does provide the impetus for Local Governments to undertake regular reviews of their Schemes.

### **Town Planning Scheme No. 7 and Town Planning Scheme No. 3**

The Shire's current operational Town Planning Schemes are Town Planning Scheme No. 7 (Scheme 7) and Town Planning Scheme No. 3 (Scheme 3).

Scheme 7 relates to the whole of the Shire and was gazetted in 1998. Scheme 7 is recommended to be reviewed and replaced by Local Planning Scheme No.8 (LPS8).

Scheme 3 relates to the Gelorup residential area only and was gazette in 1976. Scheme 3 is primarily a guided development scheme that addresses subdivision and infrastructure contribution requirements. If possible, it would be preferable for the requirements of Scheme 3 to be included in the new LPS8 to avoid the need for two Schemes. This matter is further addressed in the Comments section of this report.

## **POLICY IMPLICATIONS**

LPS8 and the LPS will be required to reflect a broad range of state and local policies and guidelines. The following is a sample of the state and local planning framework documents that will guide LPS8 and LPS development.

### **State Policies**

- State Planning Framework
- State Planning Strategy
- South West Planning Framework
- Land Use Planning in Rural Areas
- State Coastal Planning Policy
- Urban Growth and Settlement
- Historic Heritage Conservation
- Development Contributions for Infrastructure

- South West Planning & Infrastructure Framework
- Planning for Bushfire Risk Management
- Greater Bunbury Strategy and associated policies

### **State Planning Manuals and Guidelines**

- Local Planning Manual
- Draft Local Planning Strategy Guide (South West)
- Greater Bunbury Regional Hotspot Land Supply Update
- Tourism Planning Guidelines
- Coastal Planning and Management Manual
- Rural Planning Guidelines
- Planning for Bushfire Protection
- Basic Raw Materials Study – Bunbury-Busselton Region

### **Local Strategies and Policies**

- Shire of Capel Strategic Community Plan (2013-2031)
- Shire of Capel Corporate Business Plan (2013-2017)
- Capel Townsite Strategy (2008)
- Boyanup Townsite Strategy (2010)
- Peppermint Grove Beach Land Use Strategy (2013)
- Shire of Capel Land Use Strategy (1999)
- Urban Landscape Strategy (2011)

## **FINANCIAL IMPLICATIONS**

### **Budget**

For 2015/16 the Shire has a budget of \$50,000 for Strategic Land Use Plans (funding from TPS reserve) OC0313/06.

The LPS8 text and LPS report are to be prepared in-house by Shire officers within the Strategic Projects section that will be covered by current salary budgets. This will involve the following tasks being undertaken in-house:

- Project management;
- LPS8 and LPS text and report preparation;
- Development of draft LPS8 and LPS mapping, plans and figures for external drafting; and
- Consultation and implementation of statutory planning processes.

LPS8 Maps and LPS plans and figures will need to be drafted externally within the available budget allocation. Shire officers have obtained a suitable cost estimate for drafting LPS8 zoning maps by the Department of Planning. Shire officers are also obtaining cost estimates from the Department of Planning and a consultancy to prepare LPS plans and figures.

Shire officers are confident that LPS8 and LPS drafting costs will be within the available budget. Detailed quotes will be obtained once the Scheme review process has been formally initiated by Council.

### **Long Term**

Achieving an updated LPS8 and LPS will assist with the following:

- The introduction of a MST compliant Scheme with updated provisions will introduce more widely used and accepted industry provisions that should contribute to greater clarity,

consistency, efficiency and productivity in the preparation and assessment of development applications and structure plans.

- Potentially reduce the need for Council to initiate and prepare Scheme amendments that will save both time and costs to all parties involved.

### **Whole of Life**

There are no whole of life costs as there are no capital works proposed.

### **SUSTAINABILITY IMPLICATIONS**

The Scheme review will allow Council to consider and incorporate planning related sustainability objectives and outcomes imbedded within the following:

- Shire of Capel Strategic Community Plan;
- Corporate Business Plan; and
- Existing key state and local strategies, policies and plans.

### **STRATEGIC IMPLICATIONS**

#### **Overview**

LPS8 is required to be approved by Council, the WAPC and the Minister. The LPS is required to be approved by Council and the WAPC.

Progressive development, landuse change, subdivision and structure planning of land within the Shire will be assessed and determined against LPS8 and the LPS.

#### **Strategic LPS Content**

The LPS is proposed to:

- Set out Council's 15 year town planning vision for the Shire to approximately 2031. This timeframe matches well with the Shire's Strategic Community Plan and townsite strategies;
- Outline trends in growth, demographics, infrastructure provision, demand for the provision of urban land for infill and expansion, staged infrastructure, transport/road networks, open space and community facilities consistent with the Shire's existing strategic planning framework;
- Incorporate the key planning outcomes of adopted townsite and related strategies; and
- Assist to identify planning issues to be addressed in the review of Scheme 7.

#### **Generally policy-neutral LPS8 and LPS**

Preparation of a generally 'policy-neutral' LPS8 is recommended. This means that LPS8 will reflect:

- The existing state, regional and local strategic planning framework;
- The Model Scheme Text;
- Compliance with the GBRS (including regional open space reservations);
- No rezoning and/or identification of new investigation areas for new urban or rural residential growth areas beyond areas already identified; and

- No dramatic changes to anticipated landuse and development control.

This approach is recommended given that the Shire has an existing adopted strategic local planning framework in the form of various local townsite strategies that reflect a 15 to 25 year planning and development timeframe.

In consultation with the Department of Planning, the LPS is recommended to reflect and update where necessary the key outcomes of the various townsite strategies that will be retained as active separate adopted documents.

Notwithstanding the above, a review of Scheme 7 provides an opportunity to update existing zones (without significant up rezoning of new land for development), landuses, development standards and other relevant provisions, whilst retaining provisions that are unique to development within the Shire of Capel.

A generally policy-neutral approach is the most efficient, expedient and cost effective way to introduce a new LPS8 an LPS. Additionally, it is to be noted that Council has through its completed strategic planning, provided for substantial growth without the need to undertake planning for further urban expansion within the life of a new Scheme and LPS.

### **Shire of Capel Strategic Community Plan (2013-2031)**

The following planning related strategies within the Strategic Community Plan are detailed to be considered as part of the Scheme review.

#### **2. *The Community Experience***

Provide facilities and services which recognise the diverse needs of the community and strive to make the Shire a safe place to live, work and visit.

- |              |   |
|--------------|---|
| Strategy 2.1 | Provide social, recreational and cultural opportunities and facilities for our communities. |
| Strategy 2.2 | Encourage community engagement and participation.   |
| Strategy 2.3 | Preserve and protect the character of the communities.                                      |

#### **3. *The Environmental experience***

To preserve and enhance the natural and built environment to ensure it is liveable, sustainable and adapts to our communities' needs and expectations.

- |              |  |
|--------------|--|
| Strategy 3.1 | Promote the diverse lifestyle opportunities of the Shire.            |
| Strategy 3.2 | Maintain and enhance the quality of our unique natural environments. |
| Strategy 3.3 | Preserve and protect the character of the towns as they expand.      |

#### **4. *Economic Experience***

Foster and support responsible and progressive economic development opportunities within the Shire.

- |              |  |
|--------------|--|
| Strategy 4.1 | Provide opportunities to take advantage of the Shire's location.   |
| Strategy 4.2 | Pursue diversity and vitality in the local economy.  |
| Strategy 4.5 | Facilitate the development of district activity precinct for retail, commercial and professional service delivery. |

#### **5. *Infrastructure Experience***

Plan and facilitate safe, sustainable and efficient infrastructure and transport networks to meet the needs of the community.

- |              |  |
|--------------|--|
| Strategy 5.1 | Provide and maintain a safe and efficient transport, cycle, and pedestrian network throughout the Shire. |
| Strategy 5.3 | Improve connectivity throughout the Shire.   |



Strategy 5.6 Effectively manage the Shires' assets and resources.

### **CONSULTATION**

The following consultation has occurred at this early stage of the project:

- Preliminary consultation with senior Department of Planning (DOP) officers from Bunbury to confirm statutory process and the strategic Scheme review approach recommended to Council;
- Briefing Session with Councillors including senior DOP officers on 26 August 2015;
- Meeting with a senior DOP officer from Perth in relation to the introduction of the 2015 regulations to discuss the implications for Scheme 7 and the Scheme review; and
- Consultation with a range of Shire officers to assist in the identification of issues to be addressed in by the Scheme review.

Feedback from DOP officers has been positive and cooperative. Shire and DOP officers are supportive of maintaining regular contact during development of LPS8 and the LPS.

A Consultation Strategy for the project will be implemented by Shire officers to further the project timelines.

### **COMMENT**

#### **Key Reasons for Scheme Review and Local Planning Strategy**

Preparation of a new LPS8 is recommended for the following key reasons:

- The legal requirement for Schemes to be consolidated or reviewed every five years;
- A new Scheme is required to align with a Local Planning Strategy;
- Scheme 7 is not compliant with the Model Scheme Text (MST);
- To assist in the implement of adopted townsite strategies;
- The merit of reviewing and introducing more contemporary land use permissibility and development controls given the extent and variety of urban development that has occurred over the last 10 to 15 years;
- The opportunity to improve planning outcomes; and
- The opportunity to improve planning assessment efficiencies.

Preparation of a concurrent Local Planning Strategy is recommended for the following key reasons:

- The preparation of a Local Planning Strategy is required pursuant to Regulation 12A(1)(a) of the Town Planning Regulations (1967);
- The merit of consolidating the strategic town planning vision for the Shire into a single strategic planning document to assist implementation of LPS8;
- To reflect and assist the practical implementation of various townsite strategies adopted by Council and the WAPC;
- To strategically review and consolidate knowledge on such matters as existing urban form,

demographics, population and employment projections, urban land supply, natural environment, agriculture, utility and community infrastructure, transport and heritage to guide progressive further detailed strategic planning and LPS8 implementation;

- To identify landuse planning issues to be addressed by the Scheme review; and
- Provide the rationale for Scheme zones and land use provisions.

### **Retention of Town Planning Scheme No. 3**

It would be preferable for the Shire to only have one updated Scheme rather than retaining Scheme 3. Initial consultation with the Department of Planning indicates there are two acceptable options in relation to Scheme 3 as follows:

1. Retain Scheme 3 in its current form so it remains operational, or
2. Convert Scheme 3 to a Development Contributions Area and Development Contributions Plan to be included within the new Scheme LPS8 that would carry over the requirements of Scheme 3.

Shire officers will further research the merit of retaining or absorbing Scheme 3 into the new Scheme. The report recommendation reflects initially retaining Scheme 3 to allow for further research to be undertaken on its conversion to a Development Contributions Area and Development Contributions Plan as part of the Scheme review process.

### **Planning and Development (Local Planning Schemes) Regulations 2015**

The *Town Planning Regulations (1967)* will be replaced by the *Planning and Development (Local Planning Schemes) Regulations 2015* that were gazetted 25 August 2015 and come into force on 19 October 2015. The new 2015 Regulations were prepared at the instruction of the Minister for Planning with the assistance of the Western Australian Planning Commission and Department of Planning.

The 2015 regulations provide for:

1. The requirement, preparation and adoption of local planning strategies.
2. The preparation, adoption, amendment, review and consolidation of local planning schemes. Regulation 65(2) requires existing Schemes adopted under the 1967 Regulations to be reviewed within the following timeframes:
  - 5 years, being 2020 if the Scheme is less than five years old.
  - 2 years, being 2017 if a Scheme is more than 5 years old. Council is also required to prepare approval and provide a Scheme review report to the WAPC within 6 months from 19 October 2015. As confirmed with the Department of Planning this would only apply to Scheme 7 if Council resolves to progress a Scheme review after 19 October 2015.
3. Model Scheme Text (MST) provisions for local planning schemes that are to be used by Local Government when preparing a new Scheme. Changes or departures from the MST provisions are strongly discouraged by the WAPC and should only be sought when required to address a fundamental issue; and any changes would need comprehensive planning and potential legal justification.
4. Mandatory provisions (described as “deemed” provisions) which apply to all planning schemes. *Planning Schemes) Regulations 2015*. When introduced these ‘deemed’ MST provisions will automatically override and replace any of the same provisions within a local

Scheme. Changes to the 'deemed' provisions cannot be made by Local Government and supplemental provisions are discouraged.

5. A common set of general and land use definitions; and
6. A set of standard forms relating to development approval.

As noted by point 2 above, the new 2015 Regulations will require Council to review Scheme 7 within 2 years with a Scheme review report to be provided to the WAPC within 6 months. While this report is required to follow the 1967 Regulations, the recommendation effectively also provides for compliance with the 2015 Regulations.

Scheme 7 has been subject to some updating, however it is increasingly out of step with the MST and the Scheme review process is the most appropriate way to achieve MST compliance. A substantial number of Scheme 7 provisions will be made redundant by the MST deemed provisions that further strengthens the need for Scheme review.

### **Requirement for Formal Resolution for TPS No. 8**

To formally and statutorily begin the process of preparing a new Local Planning Scheme for the Shire it will be necessary for Council to pass a resolution deciding to prepare (initiate) a Local Planning Scheme. This resolution must be worded in accordance with the legal requirements of the *Town Planning Regulations (1967)*, including reference to a "Scheme Area Map".

### **Objects and Intentions of the New Scheme**

In accordance with the legal process set out in the *Town Planning Regulations (1967)*, Council is required to forward its resolution to the Western Australian Planning Commission (WAPC), including a statement detailing the objects (objectives) and intentions of the new Scheme.

The new Local Planning Scheme will need to be advertised for public and agency comment and will be subject to review by the WAPC and Minister for Planning. Modifications are likely to be made to the draft new Scheme throughout this process. At this early stage it is not necessary to "lock-in" specific LPS 8 objectives and intentions.

The objectives and intentions listed below are preliminary only and may be changed or amended during preparation and approval of LPS8 and the LPS. The following preliminary objects and intentions (comparable to current Scheme 7 objectives) are recommended to be adopted:

#### ***Local Planning Strategy***

*To implement the recommendations of the Shire of Capel Local Planning Strategy.*

#### ***Community***

*To provide facilities and services that recognise the diverse needs of the community and strive to make the Shire a safe place to live, work and visit.*

#### ***Economy***

*To foster and support responsible and progressive economic development opportunities in the Shire.*

#### ***Development***

*To facilitate sustainable growth and development taking account of the special assets and individual requirements of each locality in the Shire.*

#### ***Infrastructure***

*To plan and facilitate safe sustainable and efficient infrastructure and transport networks to meet the need of the community.*

**Environment**

*To preserve and enhance the natural and built environment to ensure it is liveable, sustainable and adaptable to the communities' needs and expectations.*

**Heritage**

*To provide for the preservation and enhancement of areas, places and objects of cultural and heritage significance.*

**Agriculture and Natural Resources**

*To protect rural land for sustainable agricultural production and natural resource development and provide for a broad range of rural and ancillary land use opportunities.*

**Next Steps in the Inception Process**

Should Council resolve to initiate a Scheme review, Shire officers will arrange for the resolution and relevant information to be forwarded to the WAPC. Once notification is received from the WAPC, notice of Council's decision to prepare a new Local Planning Scheme will be published in a newspaper circulating in the Shire, and adjoining Local Governments and relevant public agencies will be written to seeking initial input and comment.

The preparation of the draft new LPS8 will officially commence once notification has been received from the WAPC. Feedback received from the adjoining Local Governments and relevant public authorities will be considered during the preparatory stages.

**Staging and Timing**

Concurrent preparation of a new Scheme and LPS will involve the following key stages:

- Inception and initiation (including this report to Council);
- Research and formulation;
- Preliminary stakeholder consultation;
- Council adoption and referral to achieve consent to advertise;
- Formal community consultation (advertising);
- Assessment of submissions and potential modifications;
- Referral and refinements to achieve relevant approvals; and
- Ministerial approval and gazettal of new Scheme and WAPC approval of LPS.

A timeframe of 2 to 3 years is anticipated for the Scheme review and Local Planning Strategy. This timeframe is subject to the scope of the project remaining as recommended with no unforeseen major issues arising that may require extended negotiations.

**CONCLUSION**

In accordance with relevant existing and proposed legislation, the Shire's Scheme 7 is in need of review. This process will result in the preparation of a new Local Planning Scheme No. 8 and Local Planning Strategy for the Shire.

In summary, Council is recommended to:

- Resolve to prepare a new Scheme and Local Planning Strategy;
- Adopt preliminary objects and intentions for the new Scheme;
- Forward relevant information to the Western Australian Planning Commission.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 14.2**

That Council resolves:

- 1) In pursuance of Section 72 of the Planning and Development Act (2005), to prepare Local Planning Scheme No. 8 with reference to an area situated wholly within the Shire of Capel and enclosed within the inner edge of the dashed black border on a plan, as contained in Attachment 1, titled "Scheme Area Map".
- 2) For the purposes of compliance with Regulation 4(3)(c)(i) of the Town Planning Regulations (1967), to adopt the following as the preliminary objects and intentions of the Scheme:

**Local Planning Strategy**

To implement the recommendations of the Shire of Capel Local Planning Strategy.

**Community**

To provide facilities and services that recognise the diverse needs of the community and strive to make the Shire a safe place to live, work and visit.

**Economy**

To foster and support responsible and progressive economic development opportunities in the Shire.

**Development**

To facilitate sustainable growth and development taking account of the special assets and individual requirements of each locality in the Shire.

**Infrastructure**

To plan and facilitate safe sustainable and efficient infrastructure and transport networks to meet the need of the community.

**Environment**

To preserve and enhance the natural and built environment to ensure it is liveable, sustainable and adaptable to the communities' needs and expectations.

**Heritage**

To provide for the preservation and enhancement of areas, places and objects of cultural and heritage significance.

**Agriculture and Natural Resources**

To protect rural land for sustainable agricultural production and natural resource development and provide for a broad range of rural and ancillary land use opportunities.

- 3) Pursuant to Section 72 of the Planning and Development Act (2005) and Regulation 4(3) of the Town Planning Regulations (1967), to forward to the Western Australian Planning Commission:
  - a) A copy of Council's resolution deciding to prepare a new Local Planning Scheme, certified by the Chief Executive Officer;
  - b) A map marked "Scheme Area Map", signed by the Chief Executive Officer, on which is delineated the area of land proposed to be included in the Scheme; and

- c) **A statement setting forth the objects and intentions of the Scheme and the anticipated format of the Scheme.**

**And subject to Council receiving notification from the Western Australian Planning Commission pursuant to Regulation 4(6) of the Town Planning Regulations (1967):**

- d) **Publish a notice within the Government Gazette and a newspaper circulating in a district of the Shire of the passing of the resolution deciding to prepare a Local Planning Scheme, pursuant to Regulation 5(1); and**
  - e) **Forward a copy of the notice to the Local Government of every adjoining district, the Water Corporation, the Department of Environment and Conservation and every other public authority likely to be affected by the Scheme, requesting details of matters that should be considered during the preparation of the Scheme, pursuant to Regulation 5(2).**
- 4) **That a Local Planning Strategy be prepared concurrently with Local Planning Scheme No. 8 in accordance with approach detailed in the report to Council.**
  - 5) **That the Western Australian Planning Commission be advised that Council will prepare a Local Planning Strategy concurrently with Local Planning Scheme No. 8.**

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### **14.3 Meadowbrooke Lifestyle Village - Development Application**

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Location:	Lot 201 (33) Turner Street, Boyanup
Applicant:	MPM Development Consultants
File Reference:	C5.2.B.49/V5
Disclosure of Interest:	Nil
Date:	04.09.15
Author:	Senior Planning Officer, M Slocomb
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	1. Location Plan 2. Development Guide Plan Adopted on the 26 August 2015 3. Development Plans (Land Lease Area Plan & Indicative Staging Plan) 4. Schedule of Submissions

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#### **MATTER FOR CONSIDERATION**

Council grants Planning Consent for the development of a Lifestyle Village comprising of 181 land lease areas on Lot 201 Turner Street, Boyanup.

#### **BACKGROUND / PROPOSAL**

##### **Background**

May 1994 – Application made to the former Department of Planning and Urban Development to subdivide 24 lots of sizes between 1000m<sup>2</sup> to 3000m<sup>2</sup>. Council conditionally supported the subdivision, however it did not proceed.

September 1995 – Planning Consent granted to 3 family type group dwellings, 3 single room grouped dwellings and a recreation/facility building. Main issues were the need for a geotechnical report for footing design, effluent disposal, and provision of central laundry facility, storm water disposal needs and the transfer of a drainage easement to Council.

November 1998 – Rezoning (Amendment No.1) of the site to include Additional Uses of Respite Centre, Multi-Purpose Building, Arts and Crafts and Holiday Accommodation gazetted. Residential R10/R15 and Foreshore Protection zoning retained.

July 2001 – Survey Strata application submitted to the WAPC to subdivide one of the existing dwellings from site. Council did not support the application and the WAPC refused the application.

July 2001 – Council resolved to adopt rezoning documents (Amendment No.14) for the land. The rezoning proposed to include the use "Short Term Accommodation" in lieu of the current use "Holiday Accommodation". This change in use was to facilitate uses such as lodging houses, which included backpackers' hostels. The Scheme Amendment also put in place development requirements relating to the architectural theme, parking requirements, storm water disposal, effluent disposal and water supply.

February 2004 – proposals for outdoor concerts received and considered but did not eventuate.

April 2004 – Section 39 and 40 certificates provided for liquor licence application for restaurant.

March 2005 – Planning Consent was granted to increase the seating capacity of the restaurant to 150 people and to use the 'Stables' building as a Reception Centre for up to 70 people.

February 2009 – Council resolved to initiate Amendment No. 46 to facilitate the development of an Aged Persons Village incorporating associated facilities and recreational areas. Pursuant to the Act the amendment was referred to the EPA for consideration.

October 2009 – The EPA requested modifications to the amendment prior to commencing advertising. Council resolved to adopt the suggested modifications, which vary from the February 2009 resolution. The modifications suggested by the EPA resulted in the need for a number of additional provisions relating to Water Management, Foreshore Management and Noise Management.

April 2010 – Council resolved to adopt Scheme Amendment No. 46. Final approval was granted by the Minister for Planning in September 2010.

June 2013 – The WAPC purchased from Preston Green Pty Ltd Lot 200 (Foreshore Area) reserved for Regional Open Space pursuant to the Greater Bunbury Region Scheme.

August 2015 – Council endorsed a Development Guide Plan and Design Guidelines as the basis of assessing a planning application for the subject site.

### **Proposal**

MPM Development Consultants submitted an application on behalf of Preston Green Pty Ltd, owner of Lot 201 for the Meadowbrooke Lifestyle Village at Lot 201 Turner Street, Boyanup.

Initially Council was requested to consider the Development Guide Plan and Design Guidelines simultaneously with the Development Application. Given the proposal included considerable departures from the Development Guide Plan approved as a part of Amendment No. 46 it was considered prudent to separate the assessment of the respective components. This also provided Council the capacity to finalise a number of outstanding matters to be encompassed into the more detailed conditions warranted at the development application stage.

The configuration of the proposed lifestyle village remains the same as that presented to Council on 26 August 2015, and is comprised of the following:

- 181 free standing modular homes;
- Community Centre for residents/The Club House;
- Family Centre;
- Short Stay visitor accommodation units;
- Secure caravan/boat parking and storage area;
- Bowling Green;
- Golf 'Chip and Putt' area;
- Small workshop;
- Storage shed;
- Security gate at Turner Street entrance;
- Visitor parking bays;
- Bio-retention basin and other water-sensitive urban design drainage features; and
- Community Garden as detailed in the proposal.

A copy of the adopted Development Guide Plan and development plans have been enclosed as attachments to this report (Attachments 2 and 3 respectively).



**STATUTORY ENVIRONMENT****Shire of Capel Town Planning Scheme No. 7**

Lot 201 is zoned "Special Use" pursuant to the Shire of Capel Town Planning Scheme No. 7. In regards to the use of the site, Appendix 4 of the Scheme states as follows:

*"The Uses permitted will be in accordance with the interpretation of Aged Persons Village under the Scheme and the adopted Development Guide Plan relating to the zone. The following uses are listed as being permitted within the zone:*

- Residential R40 – Aged Persons Accommodation
- Guest house/short term accommodation
- Community Centre
- Caretakers dwelling
- Car parking
- Administration Office".

Appendix 4 also provides the capacity for Council to determine and approve other uses that are considered to be ancillary and incidental to the objective of the zone, stating:

*"Ancillary and incidental uses, Recreation Public, Recreation Private and Public Amusement uses may at the discretion of Council be approved in the zone for use of patrons and visitors, not being residents of the zone, subject to compliance with any standards, conditions or requirements specified by Council in conducting the use.*

*In considering the discretionary uses, the Council may invite public comment in accordance with Clause 8.2.3 of the Scheme prior to determining the use".*

Under Appendix 1 of the Scheme, the following interpretations are provided:

'Aged Persons Village' means a building or group of buildings designed for residential occupation by aged persons and includes buildings and parts of buildings used for communal facilities, food preparation, dining, recreation, laundry or medical care.

'Guest House' means a residential building for which the primary purpose is short – stay tourist accommodation.

'Caretakers dwelling' means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.

**Greater Bunbury Region Scheme (GBRS)**

The application has been assessed against the provisions of the Greater Bunbury Region Scheme, and referred to the Department of Planning for comment.

Under the provisions of the GBRS Lot 201 is zoned Urban and abuts land reserved for Primary Regional Roads, Regional Open Space, and Railways. The proposal is not of a type that is exempt from requiring planning approval under the GBRS, and therefore a GBRS development application is required.

The Shire has delegation pursuant to the GBRS to determine an application where accepting the advice and recommendations of the Department of Planning, Main Roads WA (MRWA) and the Public Transport Authority (PTA).

The comment provided by the Department of Planning recommends that the development be referred to the Department of Parks and Wildlife and the Department

of Water, to ensure the development does not negatively impact upon the adjacent Regional Open Space. Additionally, it is noted that a Foreshore Management Plan be referred to the Department of Parks and Wildlife and the Department of Water for advice and recommendation.

Unless the Council does not accept the advice of the respective authorities referred to above, then it maintains delegation to consider the GBRS application.

### **POLICY IMPLICATIONS**

The proposal has been considered in the context of the following State Planning Policies:

- State Planning Policy 3.1 Residential Design Codes
- State Planning Policy 3.4 Natural Hazards and Disasters
- State Planning Policy 3.6 Development Contributions for Infrastructure.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

The applicant has paid the planning application fee. Given that the proposal has been assessed concurrently with the Development Guide Plan, the administrative and advertising cost has been recouped through the assessment invoice for the Development Guide Plan and Design Guidelines.

#### **Long Term**

The development is likely to result in increased demands on Boyanup's facilities and services. Notwithstanding this, the applicant will be making considerable contributions to the Shire's community facilities and infrastructure. Specifically, Land Use notes 7, 8 and 9 will translate into conditions of planning approval that will cover the following:

##### Community Facilities

The applicant will be providing a community contribution of \$245,000 or at a rate of \$1,353.60 per dwelling. The applicant has indicated a preference that this is paid as each individual dwelling is occupied, and will be indexed to inflation. It is likely that the funds will be spent in accordance with the Community Facilities and Services Plan adopted by Council in 2013 to inform the preparation of a developer contribution plan.

##### Infrastructure

As a continuation of the provisions of the Development Guide Plan and being a condition of planning approval, the applicant will be providing for the following infrastructure works to support the project:

- Dual use path linkages between the site and Bridge Street (via the existing Railway crossing) in consultation with the Public Transport Authority;
- Upgrade of Turner Street, including the provision of a foot path connecting to South Western Highway and drainage infrastructure; and
- Implementation of management actions as detailed in the Foreshore Management Plan.

In addition to the above, the development will provide an increased rate for the Shire based on Gross Rental Value, which will increase as the development grows.

**Whole of Life**

Through fulfilling the conditions of planning approval, additional infrastructure will be created that will require ongoing maintenance. Additionally, should the Council consider the acceptance of a management order over Lot 200 there will also be ongoing maintenance costs associated with the Foreshore Reserve management.

**SUSTAINABILITY IMPLICATIONS**

Pursuant to Appendix 4 of the Shire of Capel Town Planning Scheme No. 7 the applicant is required to prepare a Sustainability Outcomes and Implementation Plan to address matters including energy efficiency, solar orientation, water use, water sensitive landscaping and water harvesting. The planning approval conditions arising out of this plan is included in the planning comment section of this report. The community facilities contribution provided by the developer will provide for increased social infrastructure for the town, likewise, the preparation and implementation of a foreshore management plan will have considerable environmental benefits for the Preston River and wider catchment.

The increase in lot yield from 125 to 181 leased areas maximises the efficiency of the land, particularly given that the site falls within the 400m walkable catchment of the Boyanup Town Centre which may lead to a reduced dependency on private vehicle use. Additionally, the proximity of the development to the facilities and services of the town centre has important social and economic benefits for the town, as is evident from the consultation process where local business owners expect residents of the development together with their visiting family and friends to bring more business to town.

**STRATEGIC IMPLICATIONS**

Shire of Capel Community Strategic Plan 2013-2031

The following strategic objectives and outcomes are relevant to this proposal:

- 3.1 Promote the diverse lifestyle opportunities in the Shire;
- 3.2 Maintain and enhance the quality of our unique natural environments;
- 3.3 Preserve and protect the character of the towns as they expand;
- 4.4 Improve the attraction of the towns as retirement destinations;
- 5.1 Provide and maintain a safe and efficient transport, cycle, and pedestrian network; and
- 5.2 Maintain and enhance the quality of our built environment.

The proposal has also been considered in the context of the following policies/strategies:

- Boyanup Townsite Strategy;
- Boyanup Transport Infrastructure Study;
- Urban Landscape Strategy;
- Boyanup Public Open Space Strategy;
- Boyanup Heritage and Rail Precinct Master Plan; and
- Boyanup Memorial Park Master Plan.

**CONSULTATION**

The development application was advertised concurrently with DGP for a period of 21 days which concluded on 19 June 2015. The proposal was referred to 81 landowners within a radius of 250m of the development site, as well as 19 government and other agencies. In addition to notification in the *South Western Times* newspaper, a copy was also available at the Shire Office and Boyanup Library; and details were placed on the Shire website.

At the conclusion of the consultation process, a total of 39 submissions had been received, which are summarised as follows:

- 14 Submissions were received from government and other agencies providing technical advice in relation of the proposal;
- 5 Submissions received from residents of Ecclestone Crescent submitted a letter that raised concerns in regards to various aspects of the proposal.
- 20 submissions received in support of the proposal from prospective residents, local business owners and other interested parties.

Following advertising the applicant was given the opportunity to comment on the submissions received. A Schedule of Submissions was presented to the Council as a part of the adoption of the Development Guide Plan; however the main points raised will be discussed in the Comment section of the report.

A copy of an updated Schedule of submissions is enclosed as an attachment to this report (Attachment 4).

**COMMENT**

In accordance with Condition 1 of Appendix 4 of the Scheme, prior to development commencing on the subject land, a Development Guide Plan (DGP) and associated Design Guidelines are to be adopted by Council which form the basis of development assessment for the site. The DGP is the key planning instrument that encompasses the outcomes of studies prepared by the applicant, and guides land use and development.

The Development Guide Plan and associated design guidelines were adopted by Council on the 26 August 2015. Accordingly, an assessment against the provisions of the Development Guide Plan has been provided in the table below.

**Table 1 Development Application Assessment**

<b>1. Development in accordance with adopted Development Guide Plan (DGP)</b> <i>Development shall be generally in accordance with the development guide plan, implementation notes and design guidelines endorsed by the Shire of Capel in accordance with the provisions contained in Appendix 4 of the Shire of Capel Town Planning Scheme No. 7.</i>	
<b>Discussion</b>	<b>DA Response</b>
<p>As highlighted above, the DGP &amp; Design Guidelines form the key policy basis for which a development application for the site is to be assessed. It is standard practice that in addition to the preparation to the DGP itself, a requirement is included ensuring subsequent development is consistent with the DGP.</p> <p>The proposal, including the lease lot area plan is considered to be consistent with the DGP approved on the 26 August 2015.</p> <p>In terms of the requirements of Appendix 4, these have translated through to 'Land Use' which have been contained on the development guide plan.</p> <p>The assessment against the design guidelines will be undertaken at the building permit stage.</p>	<p>Assessment against the Land Use notes included on the DGP has been discussed individually below.</p> <p>A standard condition will be included to ensure that development is undertaken in a manner which is consistent with the approved plan, which will read as follows:</p> <p><b>All development being in accordance with the Approved Development Plan(s) dated 23 September 2015.</b></p>

<b>2. Proposed Land Uses</b> <i>Planning consent shall be obtained for the permitted and discretionary uses contained in Appendix 4.</i>	
<b>Discussion</b>	<b>DA Response</b>
This is an ongoing requirement, but has effectively been addressed through the submission of the subject application.	No response required, any future deviations or changes will require planning approval from the Shire.
<b>3. Landscape Master Plan</b> <i>Development shall be in accordance with the requirements of an adopted landscape master plan containing detail relating to pedestrian access and walkways to be approved by the Shire of Capel</i>	
<b>Discussion</b>	<b>DA Response</b>
<p>At the time of writing this report the landscape masterplan had not yet been finalised.</p> <p>It is common that landscaping plans or similar are required through a condition of planning approval, accordingly, a condition will be enclosed requiring the submission of a landscape master plan with the submission of a building permit.</p> <p>In addition to the above, it is to be noted that specific landscaping requirements have been included in the Design Guidelines adopted by Council on 26 August 2015. The Guidelines also reinforce the need for the submission of a landscape master plan, specifically stating:</p> <ul style="list-style-type: none"> <li>• A landscape strip as an interface to South West Highway and the noise attenuation wall is to be provided.</li> <li>• A Landscaping Master Plan shall be submitted for approval and should propose species endemic to the area, or reflective of other treatments throughout the estate. The Landscape Master Plan shall incorporate the principles of the Shire of Capel's <i>Urban Landscape Strategy 2011</i>.</li> <li>• The landscaping plan should take into account the following principles: <ul style="list-style-type: none"> <li>- Passive surveillance being maintained to the street whereby plants will not screen the view from the street, lane or open space areas, or surveillance from the street, lane or open space areas.</li> <li>- Selected plants being of an appropriate scale that do not dominate the streetscape or affect passive solar requirements for homes.</li> <li>- Water Corporation criteria for "Water Wise" gardens.</li> <li>- The landscaping treatment and interface between the site and the local recreation reserve; and</li> </ul> </li> </ul>	<p>A landscape master plan will need to be prepared and submitted with the building permit application. The following condition is to be imposed:</p> <p><b>Prior to the commencement of works, a Landscape Master Plan must be submitted for approval by the Shire of Capel. The Landscape Master Plan must address the following:</b></p> <ol style="list-style-type: none"> <li>i) <b>A site plan of existing and proposed development with natural and finished ground levels.</b></li> <li>ii) <b>The location, species and size of existing vegetation and vegetation to be removed.</b></li> <li>iii) <b>Exact species, location and number of proposed plants to be planted.</b></li> <li>iv) <b>A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.</b></li> <li>v) <b>Detail in regard to the landscape strip and finish/design of the noise wall located adjacent to South Western Highway.</b></li> <li>vi) <b>Detail relating to pedestrian access and walkways.</b></li> </ol> <p><b>Before the development is occupied, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed landscape plan(s).</b></p>

<p>- The landscape treatment of the internal road reserves and parking areas that are to include street trees or planting consistent with the Landscape Master Plan.</p>	
<p><b>4. Provision of Local Water Management Strategy (LWMS)</b>  <i>Development shall be in accordance with the requirements of a local water management strategy approved by the Shire of Capel and Department of Water</i></p>	
<p><b>Discussion</b></p>	<p><b>DA Response</b></p>
<p>A final version of the of the Local Water Management Strategy, encompassing the feedback provided by the Shire of Capel and the Department of Water has been prepared and subsequently submitted to the Department of Water and pending final approval. At the time of writing this report, the Shire was waiting on confirmation from the Department of Water that this plan was acceptable.</p> <p>It should be noted that the flood modelling is major component of the LWMS and in this case the only component likely to affect the lot layout. As an outcome of the flood management studies undertaken during the assessment of the DGP, modifications were made in accordance with DoW endorsed flood modelling. Whilst no further modifications to the layout are envisaged at this stage, the Shire received legal advice in regard to the validity in determining the proposal before the LWMS had been approved.</p> <p>Specifically the legal advice stated that given the LWMS is:</p> <p><i>fundamental to the acceptability of the DGP it would tend to suggest that it should not be put before the Council unless and until the DoW has approved the LWMS, as it is not appropriate to approve a planning instrument while deferring a fundamental component of it for later consideration.</i></p> <p>The applicant has met this requirement, with the Department of Water providing confirmation on the acceptability of the LWMS on the 4 September 2015.</p>	<p>Condition applied to ensure that development is implemented in accordance with the endorsed LWMS. In this regard the following condition is to be enclosed, which if normally applied to subdivisions pertaining to the implementation of a LWMS:</p> <p><b>Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved development plan, for the filling and/or draining of the land, including ensuring that stormwater is treated in accordance with an approved Local Water Management Strategy. Engineering drawings and specifications are to be in accordance with an approved Local Water Management Strategy for the site.</b></p> <p>The issue for the finished floor levels will be covered through a separate condition in accordance with land use note 5.</p> <p>In addition to the above, a condition has been included requiring the submission of detail pertaining to the earthworks and retaining proposed on site, which will need to correspond with the adopted Local Water Management Strategy. Accordingly, a condition has been included as follows:</p> <p><b>Engineering drawings and specifications are to be submitted and approved, and satisfactory arrangements being made for works to be undertaken in accordance with the approved development plan, Local Water Management Strategy, engineering drawings and specifications for the construction of earthworks and retaining on site.</b></p>
<p><b>5. Flood Management</b>  <i>Where land within this Development Guide Plan is within an identified floodprone area, any approval for the subdivision or development of that land shall require a notification to be registered against the certificate of title to the land (pursuant to section 165 of the Planning and Development Act in the case of subdivision or section 70A of the Transfer of Land Act in the</i></p>	

<p><i>case of development) advising owners or prospective owners of that land that:</i></p> <ul style="list-style-type: none"> <li>- <i>The land is within a floodprone area and may be subject to flooding; and</i></li> <li>- <i>The development of any habitable room must have a minimum floor level 0.5 metres above the adjacent Department of Water 100 year ARI flood level for flood protection.</i></li> </ul>	
<b>Discussion</b>	<b>DA Response</b>
<p>The nominated ARI level is derived from the adopted LWMS, and a condition is to be enclosed that development has sufficient clearance from the 100 year ARI flood level.</p> <p>As set out in the adopted DGP, a condition will be enclosed requiring a Section 70A notification be applied to the title of the site.</p>	<p>Inclusion of a condition largely consistent to ensure development meets clearance requirement as set out in the adopted Local Water Management Strategy, specifically stating:</p> <p><b>All habitable rooms shall have a minimum finished floor level 0.50 above the 100 year flood level as set out in the approved Local Water Management Plan.</b></p> <p>In addition to the above and pursuant to the adopted Development Guide Plan, the following condition will be enclosed pertaining to a Section 70A Notification being placed on the title:</p> <p><b>A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>The land is within a floodprone area and may be subject to flooding; and</b></li> <li>• <b>The development of any habitable room must have a minimum floor level 0.5 metres above the adjacent Department of Water 100 year ARI flood level for flood protection.</b></li> </ul>
<p><b>6. Development in accordance with R40 development requirements.</b>  <i>Aged persons and land lease areas are to be assessed in accordance with the R40 requirements of the residential design codes and design guidelines for the site.</i></p>	
<b>Discussion</b>	<b>DA Response</b>
<p>The proposal has been assessed in accordance with the minimum requirements of the Residential Design Codes applicable for a R40 density and complies.</p> <p>It is to be noted that this approval does not extend to the individual units themselves, as they will be assessed against the applicable design guidelines which encompass the R40 requirements at the building permit stage.</p>	<p>Addressed through condition outlined above requiring development in accordance with the approved plans, however in the case of aged persons accommodation an occupancy restriction is usually applied requiring conformity with the Residential Design Codes, accordingly the following condition is to be enclosed:</p> <p><b>At least one permanent occupant of the Aged or Dependent persons' dwellings is to be either a person over the age of 55 or dependent person as defined by the</b></p>

	<p><b>Residential Design Codes, or the surviving spouse of such an aged or dependent person.</b></p>
<p><b>7. Community Contribution</b>                  A contribution is to be made to the Shire towards community facilities to the specification and satisfaction of the Shire.</p>	
<p><b>Discussion</b></p>	<p><b>DA Response</b></p>
<p>Through the assessment of the Development Guide Plan the applicant advised that the facilities provided for the residents of Meadowbrooke would not be open to the community for public use. As an outcome, a contribution is being paid in lieu of providing public access.</p> <p>Correspondence was received on the 26 August 2015 advising that the applicant be providing a community contribution at a rate of \$1,353.60 per dwelling, or \$245,000 in total. The applicant has indicated a preference that this is paid per dwelling, and will be indexed to inflation. It is likely that the funds will be spent in accordance with the Community Facilities and Services Plan adopted by Council in 2013 to inform the preparation of a developer contribution plan. The Shire is of the view that the proposed contribution is acceptable and is therefore translated into a condition on planning approval.</p>	<p>A condition of planning approval relating to the community contribution be included and stating as follows:</p> <p><b>A contribution of \$245,000 being made to the Shire of Capel towards community facilities prior to occupation of the aged accommodation units or as otherwise agreed to in writing by the Shire of Capel.</b></p> <p>In addition to the above the following advice note will be included advising:</p> <p>In regard to condition e) Council would be prepared to accept the payment of the community contribution on a per lot basis at a rate of \$1,353.60, with the building permit of the respective lots.</p>
<p><b>8. Infrastructure Upgrades</b>  <i>Infrastructure upgrades are to be undertaken through the provision of the following to the specification and satisfaction of the Shire of Capel:</i></p> <ul style="list-style-type: none"> <li><i>a) Resurfacing of Turner Street including upgrades to the stormwater infrastructure at the eastern end.</i></li> <li><i>b) Upgrade of the intersection of Turner Street and South Western Highway in consultation with Main Roads WA</i></li> <li><i>c) Upgrade and provision of a dual use path between the site and Bridge Street in consultation with the Public Transport Authority;</i></li> <li><i>d) Provision of a pedestrian path along the extent of Turner Street</i></li> </ul>	
<p><b>Discussion</b></p>	<p><b>DA Response</b></p>
<p>The above components will be required through conditions of planning approval, accordingly the timing of the respective components has been summarised as follows:</p> <p><b>Resurfacing, Stormwater Upgrades and provision of pedestrian path on Turner Street</b></p> <p>Given that stages 2-3 will require the most fill being carted to the site, it is considered appropriate that these works are undertaken after these stages to avoid damage to the</p>	<p>The following conditions are to be enclosed pertaining to the infrastructure upgrades required for the site:</p> <p><b>Prior to Occupation of stage 1 or as otherwise agreed to in writing by the Shire, detailed design plans shall be submitted and approved demonstrating the upgrade and provision of a dual use path between the site and Bridge Street in consultation with the Public Transport Authority, and thereafter implemented in accordance with the approved plan to the</b></p>



<p>upgrades. Pedestrian access to the town will be provided at Stage 1 via the Bridge Street path, and it is considered practical that these works are undertaken at the same time as the intersection upgrade.</p> <p>As an outcome this component is to be required prior to the occupancy of stage 4.</p> <p><b>Turner Street South Western Highway Intersection Upgrade</b></p> <p>It is considered prudent that the works to Turner Street are undertaken at the same time as the intersection upgrade, ideally this would be provided earlier however it is acknowledged that discussions with Main Roads regarding the standard of the upgrade are ongoing, and this will be one of the more costly components of the project.</p> <p>Like the Turner Street upgrades this component is to be provided prior to the occupancy of stage 4.</p> <p><b>Bridge Street Path Link</b></p> <p>This represents the most practical and efficient link for access into the town for residents, and is anticipated to be used from the outset. The Turner Street path will not be as beneficial in this regard as it will be subject to high vehicle movements during construction, thereby can be provided at a later stage.</p>	<p><b>specification and satisfaction of the Shire of Capel.</b></p> <p>And:</p> <p><b>Prior to Occupation of stage 4 or as otherwise agreed to in writing by the Shire, detailed design plans shall be submitted and approved demonstrating the following infrastructure upgrades, and thereafter implemented and maintained in accordance with the approved plan to the specification and satisfaction of the Shire of Capel:</b></p> <ul style="list-style-type: none"> <li><b>i) Resurfacing of Turner Street including upgrades to the stormwater infrastructure at the eastern end;</b></li> <li><b>ii) Upgrade of the intersection of Turner Street and South Western Highway in consultation with Main Roads WA;</b></li> <li><b>iii) Provision of a pedestrian path along the extent of Turner Street.</b></li> </ul>
<p><b>Foreshore Management Plan (FMP)</b>  <i>A foreshore management plan shall be prepared and implemented to the satisfaction of the Department of Water and Shire of Capel in consultation with the West Australian Planning Commission.</i></p>	
<p><b>Discussion</b></p> <p>In accordance with the adopted DGP the foreshore area is annotated as being subject to the provisions of an adopted Foreshore Management Plan.</p> <p>At the time of writing the report the Foreshore Management Plan was still in the process of being finalised.</p> <p>The Foreshore Management Plan is to establish the management programme that will be implemented by the applicant in the foreshore area. This includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Weed Management;</li> <li>• Revegetation/Rehabilitation;</li> <li>• Ongoing Maintenance and Management.</li> </ul>	<p><b>DA Response</b></p> <p>It is proposed that two conditions are enclosed on the subject application, the first of which is to ensure that development within the foreshore area, as annotated on the approved DGP is in accordance with an adopted foreshore management plan. Such a condition would read as follows:</p> <p><b>Development within the Foreshore Area shall be in accordance with a Foreshore Management Plan adopted by the Shire of Capel, Department of Water and in consultation with the West Australian Planning Commission.</b></p> <p>Additionally, it would be necessary that a condition is included to reference the specific agreed outcomes of implementation. It should</p>

<p>It should be noted that there is a connection between the Foreshore Management Plan and Bushfire Management Plan needing an agreed outcome with several stakeholders involved which include the Applicant, WAPC as new landowner, Shire of Capel and the Department of Water.</p> <p>The specifics in terms of the management arrangement are still in the process of being finalised, however to ensure that the agreed outcome is enforceable through the development assessment process an implementation note has been included on the DGP.</p>	<p>be noted that the Management Plan itself will determine the timing of various implementation measures, accordingly the condition will only need to establish the duration for which the plan will be implemented. Accordingly the following condition has been included to this effect:</p> <p><b>The applicant shall implement the actions set out in adopted Foreshore Management Plan agreed to by the Shire of Capel.</b></p>
<p><b>Noise Management</b>  <i>The proposed lifestyle village is situated in the vicinity of transport corridors (south western highway and a railway reserve) and may be affected by transport noise.</i></p> <p><i>Buildings to be constructed on affected land lease areas to comply with noise mitigation requirements in accordance with the ‘transportation noise assessment’ report.</i></p>	
<p><b>Discussion</b></p>	<p><b>DA Response</b></p>
<p>This has been included as an advisory notice on the DGP. The Design Guidelines require effected land lease areas to demonstrate compliance with the noise mitigation requirements at the building permit stage.</p> <p>The adopted DGP has identified sites which will require noise attenuation measures to be incorporated into the construction as per the adopted design guidelines. This will be assessed at the building permit stage of the application.</p>	<p>Noise mitigation requirements will be assessed though the Building Permit process.</p>
<p><b>Bushfire Management Plan (BMP)</b>  <i>Any development within the identified bushfire prone area is to demonstrate compliance with AS3959 – construction of buildings in bushfire prone areas and the development shall be in accordance with a bushfire management plan to be adopted by the Department of Fire and Emergency Services.</i></p>	
<p><b>Discussion</b></p>	<p><b>DA Response</b></p>
<p>The Bushfire Management Plan prepared for the site was approved by the Department of Fire and Emergency Services on the 20 August 2015.</p> <p>The assessment undertaken for the individual lots will be undertaken at the building permit stage, where a BAL will be determined for the dwellings located in the area declared ‘bushfire prone’ pursuant to the adopted DGP.</p> <p>In order to ensure the site and access based considerations flagged though the BMP are implemented at development, a condition will</p>	<p>To ensure ongoing compliance with the requirements of the adopted Bushfire Management Plan the following condition has been included:</p> <p><b>Development shall be in accordance with a Bushfire Management Plan endorsed by the Department of Fire and Emergency Services in consultation with the Shire of Capel.</b></p>

be included to ensure that development is consistent with the adopted BMP.	
<p><b>Sustainability Outcomes and Implementation Plan</b>  <i>Development shall be in accordance with the requirements of an adopted sustainability outcomes and implementation plan approved by the Shire of Capel.</i></p>	
<b>Discussion</b>	<b>DGP Response</b>
<p>At the time of writing this report a Sustainability Outcomes and Implementation Plan had not yet been endorsed by the Shire.</p> <p>It is intended that the recommendations contained within the Sustainability Outcomes and Implementation Plan will be captured through the development of the site, and this has been reflected through a condition of planning approval requiring development to be consistent with the adopted plan. Additionally, it will be required that upon completion of the development that the applicant provides verification of implementing the plan in the form of an audit.</p>	<p>Should an audit be undertaken to determine the extent to which the applicant has fulfilled the requirements of the Sustainability Outcomes and Implementation Plan, the following condition is recommended to be imposed:</p> <p><b>Development shall be in accordance with a Sustainability Outcomes and Implementation Plan endorsed by the Shire of Capel. Compliance with the adopted Sustainability Outcomes and Implementation Plan shall be demonstrated by the applicant through an audit provided following completion of the development.</b></p>

## **CONCLUSION**

Based on the above assessment, it is considered that the development application is consistent with the adopted Development Guide Plan and relevant land use implementation notes applicable to the site.

In addition to the conditions being applied above, further conditions have been included in regard to the connection of the site to reticulated sewerage and water supply, the construction of the crossover for the emergency access to the specification of Main Roads and requiring the provision of a Mosquito Management Plan. All of which has not directly arisen as an outcome of the Land Use notes, but through the internal and external consultation process undertaken for the proposal.

Additionally, advice has been provided in relation to legalisation outside the Planning and Development Act which will be of relevance to this proposal.

Based on the above, it is considered that the proposal should be approved subject to conditions.

## **VOTING REQUIREMENTS**

Simple majority

## **OFFICER'S RECOMMENDATIONS – 14.3**

**That Council:**

- 1. Pursuant to Clause 41 of the Greater Bunbury Region Scheme and pursuant to Clause 8.3.3 of Town Planning Scheme No. 7 grants Planning Consent for the development of a Lifestyle Village comprising of 181 land lease areas on Lot 201 (33) Turner Street, Boyanup subject to compliance with the following conditions:**

- a) All development being in accordance with the approved Development Plans dated.....
- b) Prior to the commencement of works, a Landscape Master Plan must be submitted for approval by the Shire of Capel. The Landscape Master Plan must address the following:
  - i) A site plan of existing and proposed development with natural and finished ground levels.
  - ii) The location, species and size of existing vegetation and vegetation to be removed.
  - iii) Exact species, location and number of proposed plants to be planted.
  - iv) A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.
  - v) Detail in regard to the landscape strip and finish/design of the noise wall located adjacent to South Western Highway.
  - vi) Detail relating to pedestrian access and walkways.

Before the development is occupied, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed landscape plan(s).

- c) Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved development plan, for the filling and/or draining of the land, including ensuring that stormwater is treated in accordance with an approved Local Water Management Strategy. Engineering drawings and specifications are to be in accordance with an approved Local Water Management Strategy for the site.
- d) Engineering drawings and specifications are to be submitted and approved, and satisfactory arrangements being made for works to be undertaken in accordance with the approved development plan, Local Water Management Strategy, engineering drawings and specifications for the construction of earthworks and retaining on site.
- e) The emergency access/crossover to South Western Highway will need to be designed and constructed to the specifications and satisfaction of Main Roads including provision of lockable gates which only allow access for emergency purposes.
- f) All habitable rooms shall have a minimum finished floor level 0.50 above the 100 year flood level as set out in the approved Local Water Management Plan.
- g) A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:
  - i) The land is within a floodprone area and may be subject to flooding; and
  - ii) The development of any habitable room must have a minimum floor level 0.5 metres above the adjacent Department of Water 100 year ARI flood level for flood protection.
- h) At least one permanent occupant of the Aged or Dependent persons' dwellings is to be either a person over the age of 55 or dependent person as defined by the Residential Design Codes, or the surviving spouse of such an aged or dependent person.

- i) A contribution of \$245,000 being made to the Shire of Capel towards community facilities prior to occupation of the aged accommodation units or as otherwise agreed to in writing by the Shire of Capel.**
- j) Prior to Occupation of stage 1 or as otherwise agreed to in writing by the Shire, detailed design plans shall be submitted and approved demonstrating the upgrade and provision of a dual use path between the site and Bridge Street in consultation with the Public Transport Authority, and thereafter implemented in accordance with the approved plan to the specification and satisfaction of the Shire of Capel.**
- k) Prior to Occupation of stage 4 or as otherwise agreed to in writing by the Shire, detailed design plans shall be submitted and approved demonstrating the following infrastructure upgrades, and thereafter implemented and maintained in accordance with the approved plan to the specification and satisfaction of the Shire of Capel:**
  - i) Resurfacing of Turner Street including upgrades to the stormwater infrastructure at the eastern end;**
  - ii) Upgrade of the intersection of Turner Street and South Western Highway in consultation with Main Roads WA;**
  - iii) Provision of a pedestrian path along the extent of Turner Street.**
- l) Development within the Foreshore Area shall be in accordance with a Foreshore Management Plan adopted by the Shire of Capel, Department of Water and in consultation with the West Australian Planning Commission.**
- m) The applicant shall implement the actions set out in adopted Foreshore Management Plan agreed to by the Shire of Capel.**
- n) Development shall be in accordance with a Bushfire Management Plan endorsed by the Department of Fire and Emergency Services in consultation with the Shire of Capel.**
- o) Development shall be in accordance with a Sustainability Outcomes and Implementation Plan endorsed by the Shire of Capel. Compliance with the adopted Sustainability Outcomes and Implementation Plan shall be demonstrated though an audit provided following completion of the development.**
- p) Prior to occupation, the property shall be connected to reticulated sewerage and water supply.**
- q) Prior to occupation, a mosquito management plan is to be prepared for approval of the Shire of Capel and implemented thereafter to the satisfaction and specification of the Shire of Capel.**

**2. Advises the applicant:**

- a) That both the overall development and individual units require the issue of a Building Permit and compliance with Building Act 2011, Building Regulations 2012, and Building Code of Australia.**
- b) That this planning approval does not remove or affect any statutory responsibility or obligation the developer / landowner may have under the Aboriginal Heritage Act 1972 as amended. The developer / landowner is advised to contact the relevant State Government public authority(s) before commencing any site works to ensure that your statutory responsibilities or obligations are met.**

- c) That in regard to the community contribution, the Shire would be prepared to accept the payment on a per lot basis at a rate of \$1,353.60 with the submission of a building permit for the respective lots.
- d) That the site and adjacent Foreshore is identified as high to moderate risk of acid sulfate soils. The owner is advised to contact the Department of Environmental Regulation before commencing any site works to determine the implications of this and whether there is an obligation to prepare an acid sulfate soils assessment report and implement an acid sulfate soils management plan. Further information can be obtained from the Department of Environmental Regulation's Acid Sulfate Soils Branch on (08) 6467 5000 or at [www.der.wa.gov.au](http://www.der.wa.gov.au).
- e) That the existing effluent disposal system(s) must be decommissioned in accordance with Division 3 of the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.
- f) That any Public Building is to comply with the Health (Public Buildings) Regulations 1992.
- g) That the applicant will need to conform to the requirements of the Food Standards Code.

Additionally, the registration as a Food Premises as per the Food Act 2008 and Food Regulations 2009 will be required prior to the premises opening, and an application is to be submitted including floor plan showing fixtures and fittings to the Shire's Environmental Health Division for assessment and approval.

- h) That compliance with the Health (Aquatic Facilities) Regulations 2007 is required. Construction of the aquatic facility is not permitted to commence until the written approval of the Executive Director, Public Health has been obtained.
- i) That the development the subject of this planning approval must comply with the requirements of the Health Act 1911.
- j) That compliance with the Caravan Parks and Camping Grounds Act 1995 and Regulations 1997 is required.
- k) That an application is to be submitted to the West Australian Planning Commission for consideration and determination of the long term land lease for the site.

**15 CORPORATE SERVICES REPORTS****15.1 Write Off Sundry Debtors**


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Location:	Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	10.08.15
Author:	Customer Service Officer, J Riedmann
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	Nil

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**MATTER FOR CONSIDERATION**

Council to approve writing off a number of sundry debtors that are considered to be unrecoverable.

**PROPOSAL / BACKGROUND****Background**

Requests to write off bad debts are normally provided to Council every six months. The last write off approved by Council was on 24 June 2015 (minute reference OC0615) when 4 debtors to the value of \$140.00 were approved for write off.

**Proposal**

Invoices have been raised for the recovery of various amounts owed to Council. Action to collect these amounts has been consistent but has proven to be unsuccessful. It is proposed that Council write off the Sundry Debtors itemised within this report.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 6.12 (1) (c)

**Section 6.12 (1) (c) – Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may –
- (a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - (b) waive or grant concessions in relation to any amount of money; or
  - (c) write off any amount of money, which is owed to the local government.

\* Absolute majority required.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

This section allows a local government to write off any amount of money owed to the local government.

## **POLICY IMPLICATIONS**

There are no Policies relevant to the matter.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The total of outstanding debts proposed to be written off is \$330.25 including GST. The amount of the write off to be expensed within the financial report excludes GST and is \$322.77.

### **Long Term**

There are not considered to be any long term financial implications.

### **Whole of Life**

As no assets/infrastructure is being created, there are no whole of life costs relevant to this item.

## **SUSTAINABILITY IMPLICATIONS**

The write off of sundry debtors is not expected to have any environmental impact. In some cases the social situation of customers may have contributed to these minor debts having to be written off. The write off of these minor debts will have a minor economic impact upon the Shire.

## **STRATEGIC IMPLICATIONS**

The Strategic Community Plan 2013 to 2031 includes the following strategic objectives which have relevance:

### 1. The Leadership Experience:

- 1.4: Provide efficient and effective financial management to ensure the long term financial sustainability of the organisation.
- 1.5: Ensure the effective management of Council's resources.

## **CONSULTATION**

Despite written and verbal communication with the outstanding debtors no payments have been received.

## **COMMENT**

The fees and charges as detailed below cannot be recovered and the reasons for their non-recovery are detailed. Each debt has been followed up with statements and final letters of demand and visits from a Community Ranger where appropriate. Some of the debtors have now moved and their forwarding address is unknown. The outstanding debt could be followed up through Debt Recovery at an estimated cost, per Debtor, of a minimum of \$77.00 for initial lodgment plus 10% Commission and then any further costs for a civil summons, bailiff service fee and travel. These costs are added to the outstanding debt and would be recoverable from the debtor. However, it is essential a current address for the debtor is available so the summons can be served.

In all of the cases the value of the outstanding debt is low and it is not considered to be cost effective to follow up the matter through the issuing of a court summons.



In the case of debts associated with library books and fees, the member and all members of the debtor’s immediate family, living at the same address, are no longer permitted to use the library facilities in the Shire. Should these library users attempt to borrow books in the future they would be obliged to pay any outstanding fees before their borrowing privileges are reinstated.

In the following table, the details of the debtor’s name have not been included for privacy reasons.

Debtor	Amount	Description of Debt	Write Off Reason
G153	\$82.25	Charge for lost library items plus account fee	Outstanding since 7/02/2013. Professional Debt Collection has proven unsuccessful and any further attempts at recovery will not be cost effective if unsuccessful.
K106	\$92.00	Dog Impound Fee	Outstanding since 02/02/2013. Professional Debt Collection has proven unsuccessful and any further attempts at recovery will not be cost effective if unsuccessful.
B203	\$68.00	Dog Impound Fee	Outstanding since 08/02/2012. Professional Debt Collection has proven unsuccessful and any further attempts at recovery will not be cost effective if unsuccessful.
M157	\$88.00	Dog Impound Fee	Outstanding since 08/02/2012. Professional Debt Collection has proven unsuccessful and any further attempts at recovery will not be cost effective if unsuccessful.

In total four debtors are recommended to be written off and one of the debtors is or was a library customer, the others are Impound Fees for their dogs.

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER’S RECOMMENDATION – 15.1</b>
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**That Council writes off the following amounts of outstanding Sundry Debtor accounts that total \$330.25:**

<b>G153</b>	<b>Lost library items plus account fee</b>	<b>\$82.25</b>
<b>K106</b>	<b>Impound Fee</b>	<b>\$92.00</b>
<b>B203</b>	<b>Impound Fee</b>	<b>\$68.00</b>
<b>M157</b>	<b>Impound Fee</b>	<b>\$88.00</b>

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**15.2 Audit Committee Minutes**

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Location:	Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	06.09.15
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	1 Minutes of the Audit Committee meeting 26 August 2015 2 Regulation 17 Risk Review – Progress Report – August 2015

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**MATTER FOR CONSIDERATION**

Council to receive the minutes of the Audit Committee meeting held on 26 August 2015, and adopt the Committee Recommendations.

**BACKGROUND / PROPOSAL****Background**

Changes to the Local Government Act 1995 that were enacted in 2005 required that Council establish an Audit Committee. The delegation of powers and duties to the Audit Committee was agreed to by Council at the meeting of 28 September 2005.

An amendment to the Local Government (Audit) Regulations 1996 (regulation 17) was gazetted on 8 February 2013 which extended the role of the Audit Committee to include a regular review of the effectiveness of local government systems concerning:

- Risk management;
- Internal control; and
- Legislative compliance.

Local government Chief Executive Officers (CEOs) are now required to report information every 2 years that allows the Audit Committee to undertake this review.

Council adopted the Audit Committee recommendation (OC0715) at the 16 July 2014 Council meeting "that an external audit firm be engaged to undertake an independent review of the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance by 30 November 2014".

AMD was appointed to conduct the review and their report on Regulation 17 was provided on 12 November 2014. The report was reviewed and an action plan developed to ensure that the various issues raised are addressed before the next report is due in December 2016. Attachment 2 is a progress report summarising achievements to date.

**Proposal**

Council to receive the minutes of the Audit Committee held on 26 August 2015, and adopt the recommendation therein:

- Receive and accept the Progress Report generated in response to the AMD regulation 17 report on the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, s5.22

**5.22 Minutes of council and committee meetings**

- (2) The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

**7.1A Audit Committee**

- (1) A local government is to establish an audit committee

**7.13 Regulations as to audits**

- (1) (i) Regulations may make provision requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance.

Local Government (Audit) Regulations 1996

**14 Compliance audits by local governments**

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be –
- (a) presented to the council at a meeting of the council; and
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

**16 Audit Committee, functions of an audit committee –**

- (a) is to provide guidance and assistance to the local government –
- (i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and
  - (ii) as to the development of a process to be used to select and appoint a person to be an auditor; and
- (b) may provide guidance and assistance to the local government as to –
- (i) matters to be audited; and
  - (ii) the scope of audits; and
  - (iii) its functions under Part 6 of the Act; and
  - (iv) the carrying out of its functions relating to other audits and other matters related to financial management; and
- (c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to –
- (i) report to the council the results of that review; and
  - (ii) give a copy of the CEO's report to the council.

**17 CEO to review certain systems and procedures**

- (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –
- (a) risk management;
  - (b) internal control; and
  - (c) legislative compliance.
- (2) The review may relate to any or all of the matters referred to in sub-regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.
- (3) The CEO is to report to the audit committee the results of that review.

**POLICY IMPLICATIONS**

There are no policy implications with this item.

**FINANCIAL IMPLICATIONS****Budget**

There are no budget implications associated with the response to the Regulation 17 Risk Report as it was completed using existing staff resources. Funds from the LGIS funding pool for risk programs were allocated in the budget for senior staff risk management training, and implementation of the Regulation 17 Risk Report recommendations has been undertaken by existing staff.

**Long Term**

There are no long term financial implications associated with this item.

**Whole of Life**

There are no whole of life financial implications associated with this item.

**SUSTAINABILITY IMPLICATIONS**

Continued legislative compliance and a reduction in exposure to risk will have a positive impact on the long term business and operational sustainability of the Shire of Capel.

**STRATEGIC IMPLICATIONS**

The Strategic Community Plan 2013 to 2031 includes the following strategic objectives which have relevance:

- Ensure open, transparent, effective good governance and communication within the organisation and the community.
- Provide efficient and effective financial management to ensure the long term financial sustainability of the organisation.
- Ensure the effective management of Council's resources.

**CONSULTATION**

A number of staff had input into the response to the Regulation 17 Risk Report and are listed in Attachment 2.

**COMMENT**

The changes to the *Local Government (Audit) Regulations 1996* in 2013 further expanded the role of local government Audit Committees to encompass a regular review of areas such as risk management, internal control and legislative compliance at least once every 2 years.

The Regulation 17 Risk Report prepared by AMD concentrated on the effectiveness of local government systems concerning risk management, internal controls and legislative compliance. Attachment 2 comprises a summarised list of findings and recommendations generated by AMD, and the staff responses to those recommendations. Responses generally comprise one or more actions, and a time frame.

Attachment 2 also documents progress to date. There have been a few delays and some timelines have not been met due to unplanned extended staff leave. The timelines in the attachment were not set by AMD but by Council staff, and were designed to facilitate progress in meeting the recommendations laid out in the report. The delays experienced will not impact the ability of staff to action all recommendations by the end of 2016 when the next report is due.

Items in green have been addressed and completed. Items in orange are currently in progress.

### **VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 15.2</b>
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**That Council receives the Minutes of the Audit Committee meeting held on 26 August 2015 and adopts the Committee's recommendation:**

**AC0802**

**Council accepts the Progress Report generated in response to the AMD Regulation 17 report on the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance as attached.**

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### 15.3 Delegations – Annual Review

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Location:	Capel
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	05.09.15
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services S Stevenson
Attachments:	Attachment 1 – List of proposed amendments Attachment 2 – Delegations Register – Sections 1 & 4

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### **MATTER FOR CONSIDERATION**

The review, reaffirmation and minor amendment of delegations to the Chief Executive Officer (CEO), and Committees made under the Local Government Act 1995 and various other legislation.

### **BACKGROUND / PROPOSAL**

#### **Background**

Council is required by the Local Government Act 1995 to conduct an annual review of delegations. It is again necessary to review the delegations currently existing in accordance with Local Government Act requirements.

There are currently a total of fifty six delegations in place with the breakup being:

1. Forty two (42) direct to the Chief Executive Officer (Delegations 100-141), who in turn further delegates a number of these to other Officers.
2. Thirteen (13) direct to Other Officers (Delegations 200 – 213); and
3. One (1) direct to a Council Committee (Delegation 400, Audit Committee).

The vast majority of delegations 100 – 141 to the CEO are made under the Local Government Act 1995. There are also delegations made under the Local Government (Miscellaneous Provisions) Act 1960; Cemeteries Act 1986; Dog Act 1976; Litter Act 1979; Cat Act 2011; Bush Fires Act 1954; Food Act 2008; Building Act 2011, Environmental Protection Act 1986 and Control of Vehicles (Off Road Areas) Act 1978.

Delegations 200 – 215 to other officers are made under the Shire of Capel Town Planning Scheme No 7; Health Act 2011; Strata Titles Act 1985; Bush Fires Act 1954 and Liquor Licencing Act 1988. Delegations that are not made under the Local Government Act do not have to be reviewed each year. Whilst they would normally be included in this review for consistency, changes in the Planning and Development (Local Planning Schemes) Regulations 2015 to be gazetted in the next month mean it would be prudent to wait until that gazettal has occurred. Delegation 400 to the Audit Committee is made under the Local Government Act and must also be reviewed and reaffirmed annually.

Delegation 103 (Creditors – Payment) is still the most widely used delegation, followed by Delegation 104 (Crossovers) and Delegation 127 (Waive or Grant Concessions).

Many of the others are only used occasionally and reflect the administrative and procedural nature of some actions rather than referring the matter to Council for a decision. Usage of the delegations varies considerably according to the nature of the delegation itself.

Significant changes were made during the two most recent reviews (2013 & 2014), including renumbering delegations and revoking a number of delegations made redundant by changes in legislation. Since the last review, there has been an organisational realignment.

A number of changes and updates are proposed. Most are limited to position name changes and additions resulting from the organisational realignment. Some involve rewording to clarify intent, or better reflect a delegation originating from another body. Only a few changes involve a significant amendment or change of intent to the delegation. A detailed table listing delegations and their changes may be found in Attachment 1. Attachment 2 is a copy of the Delegations Register with replaced text ~~struck through~~ and newly inserted text in red. The table below lists those delegations that have been the subject of a significant change, deleted, and those that are new.

Delegation	Change
102	Contract Variations – reworded to improve clarity, variation limit of ≤ \$50,000.
107	Fencing Repairs – Stock on Roads – expanded to include road reserves
114	Sale of Surplus Goods – Waste Transfer Station added as source of goods, WTS Attendants added as Officers authorised to sell.
117	Tenders – reworded to improve clarity, replace ‘annual budget’ with ‘approved expenditure budget’, increased nominated amount from \$200, 000 to \$500,000.
126	Withdrawal of Infringements – see Delegation 141.
140	Noise – Serve Environmental Protection Notices - Delegation is from CEO of Department of Environmental Regulation. Text reflects wording in original gazettal.
141	New – Withdraw Infringements - Separated from Delegation 126 so that withdrawal of infringements issued under Local Government Act is a separate delegation to withdrawal of infringements issued under other acts.
400	Audit Committee – expanded to reflect new terms of reference.

### Proposal

That Council review, reaffirm and amend delegations to the Chief Executive Officer (CEO) and Committees made under the Local Government Act 1995 and various other legislation as detailed in Attachments 1 and 2 and discussed within this report.

### STATUTORY ENVIRONMENT

Local Government Act 1995

#### s5.16 Delegation of some powers and duties to certain committees

(1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.

\* *Absolute majority required*

(3b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.

#### s5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under –

(a) this Act other than those referred to in section 5.43; or

(b) the Planning and Development Act 2005 section 214(2), (3) or (5).

**s5.45 Other matters relevant to delegations under this Division**

(1b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.

**s5.46 Register of, and records relevant to, delegations to CEO & employees**

(1) The CEO is to keep a register of delegations made under this division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Building Act 2011

**s127 Delegation: special permit authorities and local governments**

(1) A special permit authority of a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.

Bush Fires Act 1954

**48. Delegation by local governments**

(1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.

Cat Act 2011

**44. Delegation by local government**

(1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

Cemeteries Act 1986

**6. Local governments to perform functions of a Board**

Where an order is made or is deemed to have been made under section 5 vesting the care, control and management of a cemetery in a local government, the local government shall, subject to this Act and to any necessary modifications, perform and be subject to the duties imposed on Boards under this Act and may exercise the powers conferred on Boards under this Act; and references in this Act to a Board or Boards shall be construed accordingly in relation to such a local government as the case may require.

Dog Act 1976

**10AA. Delegation of local government powers and duties**

(1) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.

Environmental Protection Act

**20. Delegation by CEO**

(1) The CEO may by notice published in the Gazette, with the approval of the Minister, delegate either generally or as otherwise provided in the notice, to —

(a) an officer or other person referred to in section 22; or

(b) a public authority or officer or employee of a public authority; or

(c) any other person,

specified in the notice (in this section called the delegate) all or any of the powers and duties of the CEO under this Act, other than this power of delegation.



## Food Act

**117. CEO may delegate**

- (1) Subject to subsection (2), the CEO may delegate any power or duty of the CEO under another provision of this Act to –
- (a) a member of staff;
  - (b) an authorised officer;
  - (c) a local government; or
  - (d) the holder of an office prescribed by the regulations.

**POLICY IMPLICATIONS**

There are no direct implications on any current policies however a number of the delegations are linked to Council policies.

**FINANCIAL IMPLICATIONS****Budget**

The delegations allow for staff to authorise expenditure, raise income, write off monies and issue infringements in regards to various areas of operations. These decisions are accommodated within the current annual budget.

**Long Term**

In the long term the annual budgets will include allocations in the operating expenditure to allow for these decisions to be made, many of which are daily operational matters.

**Whole of Life**

Other than the acceptance of tenders (Delegation 117), no assets are being created and therefore no whole of life costs are being incurred.

In regards to assets created under acceptance of tenders, operating expenditure allocations are made in the following years for new assets.

**SUSTAINABILITY IMPLICATIONS**

A number of the delegations allow staff to make decisions based on possible environmental impacts both positive and negative, such as collection of native seed, timber disposal, notice to owners and local laws.

Delegations in relation to approving events on roads, waiving of fees, swimming pool inspections and enforcing local laws have positive effects on the community.

Delegations allowing for the approval of accounts for payment, timber disposal, extractive industries, determination of mining tenements and exploration licences, without referral to Council can have a positive economic benefit in that they provide faster approvals to businesses and improved cash flow.

**STRATEGIC IMPLICATIONS**

Key Strategic Direction 1 'The Leadership Experience' of the Shire of Capel Corporate Business Plan 2013 – 2017' is relevant to this item. Objective 1.1 'Ensure continuous improvement of the organisation' and Strategy 1.1C 'Achieve best practice outcomes' have a direction relationship to this item.

**CONSULTATION**

No public consultation is required on this matter. Appropriate staff have been consulted as to the relevance and/or updating of the existing delegations. Advice was sought from the Department of Local Government & Communities regarding delegation of powers to 'position' rather than 'person' and appropriate record keeping when exercising a delegation.

**COMMENT**

Of the forty two Delegations to the CEO, twenty one have been further delegated to various employees, either completely or in part. Part of the review process for delegations also includes a requirement for the CEO to review delegations made by him, and this has also occurred during the current audit. A number of changes will be made to these further delegations as a result of the review.

As part of the review, all of the delegations have been examined to ensure that they are still relevant and the wording of each one is correct. A detailed list of changes is provided in Attachment 1.

The changes proposed for delegations from Council to the CEO (Delegations 100 – 141) are generally minor, and do not change the substance or intent of the delegations. The most common changes stem from position changes evolving from the organisational realignment.

Those delegations in which there is a change of intent or purpose are listed below, as are new delegations.

<b>Delegation</b>	<b>Changes</b>
102	Contract Variations – reworded to improve clarity, variation limit of ≤ \$50,000
107	Fencing repairs – stock on roads – road <b>reserves</b> added so power can also be exercised if stock are on verges.
114	Surplus Equipment, Materials, Tools, etc – Amended to include the sale of items from the Waste Transfer Station. Waste Transfer Station attendants are now Authorised Officers for the sale of items.
117	Tenders – reworded to improve clarity, replace 'annual budget' with 'approved expenditure budget'. Increase the variation limit from \$200,000 to \$500,000 to reflect a realistic assessment of the current costs of developing key infrastructure items.
126	Withdrawal of Infringements – Previously worded to encompass infringements issues under Local Laws, Local Government Act and other Acts such as Bush Fire Act & Litter Act. Amended to separate infringements that are issued under the Local Government Act & Local Laws, now the subject of an additional delegation (141). It is not possible to further delegate under the Bush Fire Act & Litter Act.
127	Waive or Grant Concessions – amount increased from \$200 to \$600 – a more accurate reflection of current fees and charges.
139	Environmental Protection Act – Construction sites – noise management – general - Delegation is from CEO of Department of Environmental Regulation. Reworded to reflect wording in original gazettal.
140	Environmental Protection Act – Noise Control – serve notices – New - Delegation is from CEO of Department of Environmental Regulation. Text reflects wording in original gazettal.
140	New - Noise Control – Serve Environmental Protection Notices – Comes from CEO of Environmental Protection Authority

<b>Delegation</b>	<b>Changes</b>
141	Withdrawal of infringements – Local Laws - Separated from Delegation 126 so that withdrawal of infringements issued under Local Government Act is a separate delegation to withdrawal of infringements issued under other acts.
400	Power & Duties of Audit Committee – Expanded to reflect new Terms of Reference.

### **VOTING REQUIREMENTS**

Absolute majority

### **OFFICER'S RECOMMENDATIONS – 15.2**

**That Council:**

- 1. Affirms Delegations 100 - 141 to the Chief Executive Officer, with the amendments detailed above and in the attachments; and**
- 2. Affirms Delegation 400 to a Committee with the amendments detailed above and in the attachments.**

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**15.4 Accounts Due and Submitted for Authorisation**

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Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 23.09.15  
Author: Finance & Accounts Payable Officer, S Searle  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Nil

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**MATTER FOR CONSIDERATION**

Authorisation of accounts for payment.

**BACKGROUND / PROPOSAL****Background**

Accounts for payment are required to be submitted each month for authorisation.

**Proposal**

The list of accounts listed for payment have been checked and certified by staff as being correct and are submitted for the endorsement of Council.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.10

**6.10. Financial management regulations**

- (d) The general management of, and the authorisation of payments out of-
  - (i) the municipal fund; and
  - (ii) the trust fund,of a local government.

Local Government (Financial Management) Regulations 1996, regulation 13, 1 & 2

**13. List of accounts**

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared-
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transactions.
- (2) A list of accounts for approval to be paid is to be prepared each month showing-
  - (a) For each account which requires council authorisation in that month-
    - (i) The payee's name;
    - (ii) The amount of the payment; and
    - (iii) sufficient information to identify the transactions;and

(b) the date of the meeting of the council to which the list is to be presented.

### **POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

Payment from Council's Municipal Fund.

There are no financial implications relevant to this matter in the annual budget.

#### **Long Term**

There are no long term financial implications relevant to this matter.

#### **Whole of Life**

As no asset/infrastructure is to be created there are no whole of life costs relevant to this matter.

### **SUSTAINABILITY IMPLICATIONS**

The Shire provides monetary funds to suppliers in exchange for goods and services received. Where possible it is preferred to pay suppliers by electronic funds transfer; with remittances emailed thereby reducing the amount of paper used, lessening the environmental impact.

### **STRATEGIC IMPLICATIONS**

Objective 4.1 "Provide efficient and effective financial management to ensure long term financial viability of the organisation" under Key Focus Area 4 "The Economic Experience" in the Shire of Capel Strategic Plan is relevant to this matter.

### **CONSULTATION**

Relevant staffs have been consulted and authorised the payments. Documents have been reviewed by Manager Finance, A Mattaboni.

### **COMMENT**

Accounts due and submitted for authorisation are as follows:

EFT19765	23/09/2015	AMITY SIGNS	ASSORTED ROAD SIGNS FOR VARIOUS ROADS	3793.35
EFT19766	23/09/2015	BUNBURY PLASTICS	6 DEFUSERS	37.70
EFT19767	23/09/2015	BUNBURY MOWER SERVICE	REPAIR VERTICAL RAMMER & SPARE CHAINS	389.25
EFT19768	23/09/2015	BUNNINGS BUILDING SUPPLIES PTY LTD	6 INDICATOR BOLTS	255.59
EFT19769	23/09/2015	STAPLES AUSTRALIA PTY LTD	ADMIN BUILDING OFFICE EQUIPMENT	16588.11
EFT19770	23/09/2015	COATES HIRE SERVICE	MINI DIGGER HIRER FOR DRAINAGE REPAIR HAYFIELD DRIVE	1491.27

EFT19771	23/09/2015	CAPEL CRANE HIRE	CRANE HIRE - JAMIESON ROAD EMBANKMENT CLEAN-UP - 20/8/15	3240.60
EFT19772	23/09/2015	CLOUD OFFICE SUPPLIES	FULLVUE SHELF LATERAL FILES X 1 BOX - AD165715ORA	159.21
EFT19773	23/09/2015	DYMOCKS BUSSELTON	SALLY MURPHY TITLES FOR AUTHOR TALK	57.63
EFT19774	23/09/2015	DATA #3	MICROSOFT ENTERPRISE AGREEMENT RENEWAL AS PER QUOTE 2015-172532	37154.43
EFT19775	23/09/2015	Dept of Fire and Emergency Services (DFES)	ESL LEVIED MUNI QTR 1	144090.40
EFT19776	23/09/2015	FENNESSY'S	60,000KMS SERVICE - CP1125	210.91
EFT19777	23/09/2015	GCS HIRE PTY LTD - BUNBURY	MINI EXCAVATOR HIRE - 24/8 & 25/8	668.26
EFT19778	23/09/2015	GEOGREEN	ANNUAL SERVICING OF WATERLESS URINALS QUARTERLY - SHIRE OFFICE	1960.20
EFT19779	23/09/2015	GLOBE AUSTRALIA PTY LTD	TWO TONNES BARMAC LARVICIDE	35976.60
EFT19780	23/09/2015	HANSON CONSTRUCTION MATERIALS PTY LTD	6 WHEELER TRUCKS OF RIP RAP (24TAPPROX) TO BE COLLECTED BY SHIRE	966.03
EFT19781	23/09/2015	LANDGATE	GRV INTERIM VAL	2068.38
EFT19782	23/09/2015	MARKETFORCE	ADVERTISE TENDER 15/04 CAPEL CIVIC PRECINCT STAGES 1 & 2 CONSTRUCTION IN THE BUNBURY MAIL" 5.08.15	1199.09
EFT19783	23/09/2015	MARAS CONSTRUCTIONS	BOBCAT HIRE FOR SHOULDER REPAIR WORKS AFTER STORM 5/8/15	1650.00
EFT19784	23/09/2015	N M H PRODUCTIONS	REFURBISH 12 X GALLERY CHAIRS AS PER QUOTATION #57	598.40
EFT19785	23/09/2015	FULTON HOGAN INDUSTRIES PTY LTD	TONNE - HOT MIX (HALF TODAY - MONDAY 24/8	300.00
EFT19786	23/09/2015	CIVITEST AUSTRALIA	6 X PAVEMENT TESTS	5610.00
EFT19787	23/09/2015	PRESTIGE PRODUCTS-BUSSELTON	SUPPLY 2 CTNS HANDROLL TOWELS	180.18
EFT19788	23/09/2015	PUBLIC LIBRARIES WESTERN AUSTRALIA INC	PLWA MEMBERSHIP RENEWAL 2015-16	162.00
EFT19789	23/09/2015	PRESTON POWER EQUIPMENT	1X BLOWER	549.00
EFT19790	23/09/2015	RTW STEEL FABRICATION	SUPPLY MODIFICATION FOR - ROTATING JACKING PLATE FOR HOIST ON TRUCK (AS PER QUOTE CS-467-15)	1447.60

EFT19791	23/09/2015	RPS AUSTRALIA EAST PTY LTD	CAPEL CIVIC PRECINCT - ECONOMIC EVALUATION	11000.00
EFT19792	23/09/2015	RAECO	PEOPLE COUNTER	875.96
EFT19793	23/09/2015	SOUTHERN LOCK & SECURITY	SUPPLY & INSTALL VAROUS SECURITY DEVICES	1379.39
EFT19794	23/09/2015	SPILL STATION AUSTRALIA	BUNDED PALLET COVER	422.62
EFT19795	23/09/2015	SOUTH WEST AUDIO VISUAL	EB-585WI EPSON ULTRA SHORT THROW LCD DATA PROJECTOR	3329.79
EFT19796	23/09/2015	VISIMAX	NEW CROWN DONGLES FOR RANGER VEHICLE	107.40
EFT19797	23/09/2015	VASSE CIVIL & DRAINAGE	EMERGENCY WORKS - PIPE REPLACEMENT - AS PER QUOTE RECEIVED 04.08.15	6325.00
EFT19798	23/09/2015	WORK CLOBBER BUNBURY	PPE EQUIPMENT – OUTSIDE CREW	515.90
EFT19799	23/09/2015	WOOD & GRIEVE ENGINEERS	PROVISION OF STRUCTURAL, MECHANICAL, ELECTRICAL AND HYDRAULIC SERVICES FOR EAST DALYELLUP SPORTS PAVILION. FEE PROPOSALS DATED 31ST MAY 2013 AND 14TH MAY 2015. NOTE: PROJECT SERVICES 2014/15 AND 2015/16	2913.35
EFT19800	23/09/2015	WEATHERSAFE WA	TARP TONNEAU COVERS AS PER QUOTE #AA5745 REVISED - FOR TRUCK - SUPPLY AND INSTALLATION	2307.00
EFT19801	23/09/2015	THE PRINT SHOP	6500 DLX ENVELOPES AND LETTERHEADS 2015/16 FIRE BREAK ORDER	2771.00
				292751.60

OUTSTANDING CREDITORS AS AT 31 August 2015: \$395,705.87

#### CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 23rd September 2015 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

*P.F. Sheedy.*

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 15.4**

**That Council authorises the Schedule of Accounts covering vouchers EFT19765 to EFT19801, a total of \$292,751.60, for payment.**



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**15.5 Accounts Paid During the Month June 2015**

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Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 23.09.15  
Author: Finance & Accounts Payable Officer, S Searle  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Nil

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**MATTER FOR CONSIDERATION**

Council to receive listing of accounts paid during the month.

**BACKGROUND / PROPOSAL****Background**

Accounts paid are required to be submitted each month.

**Proposal**

The list of accounts listed for payment have been checked and certified by staff as being correct and are submitted for the endorsement of Council.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.10

**6.10. Financial management regulations**

- (d) The general management of, and the authorisation of payments out of-
  - (i) the municipal fund; and
  - (ii) the trust fund,  
of a local government.

Local Government (Financial Management) Regulations 1996, regulation 13, 1 & 2

**13. List of accounts**

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared-
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transactions.
- (2) A list of accounts for approval to be paid is to be prepared each month showing-
  - (a) For each account which requires council authorisation in that month-
    - (i) The payee's name;
    - (ii) The amount of the payment; and
    - (iii) sufficient information to identify the transactions;and

(b) the date of the meeting of the council to which the list is to be presented.

### **POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

Payment from Council's Municipal Fund.

There are no financial implications relevant to this matter in the annual budget.

#### **Long Term**

There are no long term financial implications relevant to this matter.

#### **Whole of Life**

As no asset/infrastructure is to be created there are no whole of life costs relevant to this matter.

### **SUSTAINABILITY IMPLICATIONS**

The Shire provides monetary funds to suppliers in exchange for goods and services received. Where possible it is preferred to pay suppliers by electronic funds transfer; with remittances emailed thereby reducing the amount of paper used, lessening the environmental impact.

### **STRATEGIC IMPLICATIONS**

Objective 4.1 "Provide efficient and effective financial management to ensure long term financial viability of the organisation" under Key Focus Area 4 "The Economic Experience" in the Shire of Capel Strategic Plan is relevant to this matter.

### **CONSULTATION**

Relevant staffs have been consulted and authorised the payments. Documents have been reviewed by Manager Finance, A Mattaboni.

### **COMMENT**

Payments made during the month of August 2015 are as follows:

EFT19509	04/08/2015	WESTNET PTY LTD	DALYELLUP LIBRARY INTERNET - 12 MONTHS	94.94
EFT19510	04/08/2015	WESTNET PTY LTD	SHIRE OF CAPEL INTERNET ADMINISTRATION - 12 MONTHS	274.84
EFT19511	05/08/2015	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	1338.00
EFT19512	05/08/2015	SELECTUS	PAYROLL DEDUCTIONS	2276.19
EFT19513	05/08/2015	AMITY SIGNS	WARNING SIGNS	180.40
EFT19514	05/08/2015	BUNBURY RETRAVISION	BREVILLE SMART KETTLE BKE825	240.00
EFT19515	05/08/2015	BUNBURY TYREPOWER	NEW TYRES - CP41 AND REPAIR TYRE ON CP9456	845.00
EFT19516	05/08/2015	BUNBURY AUTO ONE	ELECTRICAL TRAILER CONNECTION	54.90

EFT19517	05/08/2015	B & B STREET SWEEPING	ROAD SWEEPING TENDER 401 -28/3/15 - 29/6/15	18700.00
EFT19518	05/08/2015	BUNNINGS BUILDING SUPPLIES PTY LTD	MISC HAND TOOLS, BINS, STORAGE CONTAINERS	117.95
EFT19519	05/08/2015	DAVID BROCKMAN MECHANICAL REPAIRS & SERVICING	SUPPLY AND INSTALL BATTERY IN ELGIN TO CP246 TOYOTA	326.70
EFT19520	05/08/2015	BRECKEN HEALTH CARE	DRUG & ALCOHOL ASSESSMENT - LAB	66.00
EFT19521	05/08/2015	STAPLES AUSTRALIA PTY LTD	2015/16 STATIONERY	753.25
EFT19522	05/08/2015	CIVITEST AUSTRALIA	TEST OF SUB BASE SOILS	4840.00
EFT19523	05/08/2015	CAPELBERRY	DINNERS FOR COUNCIL MEETINGS	350.00
EFT19524	05/08/2015	CLOUD OFFICE SUPPLIES	FULLVUE SHELF LATERAL FILES	857.50
EFT19525	05/08/2015	DISCOUNT AUTO PARTS	PUNCTURE REPAIR KIT FOR MOWERS	55.25
EFT19526	05/08/2015	DEPARTMENT OF TRANSPORT	14/15 VEHICLES SEARCHES	53.10
EFT19527	05/08/2015	SUSAN DALGLEISH	REIMBURSEMENT FOR DALYELLUP LIBRARY TROLLEY PURCHASE	64.90
EFT19528	05/08/2015	EARTH 2 OCEAN COMMUNICATIONS	10 HAND HELD RADIOS AND 10 IN VEHICLE CHARGERS FOR FIRE TRUCKS	15310.00
EFT19529	05/08/2015	GOLDEN WEST PLUMBING & DRAINAGE	SERVICE AND CLEAN FAULTY INLET AND OUTLET VALVES, CISTERNS ETC AT DALY SURF CLUB TOILETS, UNBLOCK DALYELLUP LAKES TOILETS, FIX BROKEN TOILET SEAT AT GELORUP COM. CENTRE	1366.75
EFT19530	05/08/2015	INSTANT WINDSCREENS & TINTING	REPLACE CRACKED WINDSCREEN OF NISSAN NAVARA 60CP	300.00
EFT19531	05/08/2015	INVARIION RAPIDPLAN PTY LTD	ANNUAL RENEWAL FOR LICENSE - RAPID LICENSE - FOR TRAFFIC MANAGEMENT	412.50
EFT19532	05/08/2015	JUMOR WASTEWATER SERVICE & REPAIRS	ATU MAINTENANCE GELORUP COMM CENTRE AND DALYELLUP BEACH	457.80
EFT19533	05/08/2015	JACKSONS DRAWING SUPPLIES	ART AND CRAFT SUPPLIES FOR YOUTH ADVISORY COUNCIL PROGRAMS AND EVENTS	167.84
EFT19534	05/08/2015	JOHN PHILIPS CONSULTING	CEO ANNUAL PERFORMANCE REVIEW AND CONTRACT NEGOTIATIONS	3300.00
EFT19535	05/08/2015	STATE LIBRARY OF WESTERN AUSTRALIA	2015/16 RECOVERY OF LOST AND DAMAGED ITEMS	31.90
EFT19536	05/08/2015	LD TOTAL	CONTRACT WORK- AS PER DALYELLUP PUBLIC OPEN SPACES(POS) MAINTENANCE	33227.82
EFT19537	05/08/2015	LGIS FIRE INSURANCE	2015/16 BUSH FIRE INSURANCE	9143.75

EFT19538	05/08/2015	METAL ARTWORK CREATIONS	5 X NAME BADGES WITH MAGNET BACKS	61.60
EFT19539	05/08/2015	MAINSPRAY	WEED CONTROL GELORUP	592.30
EFT19540	05/08/2015	MANPOWER	MANPOWER HOURS	1600.76
EFT19541	05/08/2015	NATIONAL SEA CHANGE TASKFORCE INC	NATIONAL SEA CHANGE TASKFORCE MEMBERSHIP 15/16	1250.00
EFT19542	05/08/2015	AUSTRALIA TAXATION OFFICE	28.7.15 GROSS \$208,868.62, TAX \$45750.00	45750.00
EFT19543	05/08/2015	RTW STEEL FABRICATION	MANUFACTURE RAMP FOR THE TRANSFER STATION AND INSTALL.	629.20
EFT19544	05/08/2015	SOUTH WEST TREE SAFE	REMOVE AND STUMP GRIND DEAD EUCALYPT OVERHANGING BUS STOP RYELANDS DVE	1045.00
EFT19545	05/08/2015	SONIC HEALTHPLUS	PRE-EMPLOYMENT MEDICAL STRATEGIC PROJECT OFFICER	170.50
EFT19546	05/08/2015	D & K THOMAS ELECTRICAL	TESTING AND INSTALLATION OF RCD CIRCUITS AND SMOKE ALARMS FOR HAND OVER OF UNITS, REPAIR SKATEPARK LIGHTS AT CAPEL TOWN PARK, REPAIRED EXHAUST FAN AND SUPPLIED NEW BBQ TIMER AT DALYELLUP SPORTS PAVILION, CHECK PUMP STAND AT CHISELHUST DVE,	1910.02
EFT19547	05/08/2015	RAY TINK ROOFING	CONNECT 3 DOWNPIPES TO RUN UNDERGROUND TO EXISTING DRAIN CAPEL SHIRE BUILDING AND REPAIR LEAK AT BOYANUP FIRE SHED AND REPLACE TWO LASERLITE SHEETS	1100.00
EFT19548	05/08/2015	WORK CLOBBER BUNBURY	WORK BOOTS AND EMBROIDERED JUMPER	187.18
EFT19549	05/08/2015	WALGS PLAN	SUPER CONTRIBUTION	514.88
EFT19550	05/08/2015	THE PRINT SHOP	2500 X CAT REGO FORMS 25000 X DOG REGO FORMS	818.00
EFT19551		-EFT19570	PAYMENT ALREADY APPROVED BY COUNCIL PLEASE REFER TO AGENDA ON 26.08.2015	0.00
EFT19571	10/08/2015	FUJI XEROX AUSTRALIA PTY LTD	ANNUAL ALLOCATION FOR LEASE OF PHOTOCOPIER - CAPEL LIBRARY	132.00
EFT19572	12/08/2015	AMITY SIGNS	WHITE GUIDE POSTS AND YELLOW MAIN ROAD POSTS	4705.80
EFT19573	12/08/2015	AUSLEC	ONE CARTON DURACELL D BATTERIES	220.97
EFT19574	12/08/2015	AUSTRAL MERCANTILE COLLECTIONS P/L	RATE DEBTOR LEGAL FEES	211.79
EFT19575	12/08/2015	BUNBURY RETRAVISION	SUPPLY ONE MICROWAVE OVEN	218.00
EFT19576	12/08/2015	BUNBURY MOWER SERVICE	MISC BARS AND CHAINS AND REPAIR STIHL CHAINSAW	653.50

EFT19577	12/08/2015	BUSSELTON AUTO ELECTRICS	ANDERSON PLUG	122.50
EFT19578	12/08/2015	B & B STREET SWEEPING	CALL OUT CLEAN DRAINAGE PITS ON NORTON PROMENADE AFTER FLOODING, HIRE STREET SWEEPER AND SUMP SUCKER VARIOUS DAYS	3421.00
EFT19579	12/08/2015	BUSSELTON REFRIGERATION & AIRCONDITIONING	TO REMOVE AND DISPOSE OF EXISTING FUJITSU SYSTEMS AND SUPPLY AND INSTALL TWO DAIKIN INVERTER REVERSE CYCLES IN ADMIN AND 1 IN ENGINEERING OFFICE	6865.00
EFT19580	12/08/2015	BUNNINGS BUILDING SUPPLIES PTY LTD	28X19MMX2.4M PICTURE RAIL	143.75
EFT19581	12/08/2015	BULLIVANTS PTY LTD	GRADE 70 RATCHET LOAD BINDER MODIFIED WITH SLING HOOK EACH END, SHACKLES AND SLING, SNATCH STRAP AND SLING AND 3 X BAGS OF RAGS	1023.33
EFT19582	12/08/2015	BUSSELTON NETBALL ASSOCIATION	KIDSPORT REGISTRATIONS	435.00
EFT19583	12/08/2015	BUSSELTON HOCKEY STADIUM CLUB (INC)	KIDSPORT REGISTRATIONS	240.00
EFT19584	12/08/2015	BOYANUP BOTANICAL	TREE PLANTING	386.10
EFT19585	12/08/2015	BUNBURY CITY GLASS	SUPPLY & INSTALL REPLACE P40 RUBBER TO 12 WINDOWS COUNCIL CHAMBERS	355.68
EFT19586	12/08/2015	BENDIGO BANK BUSINESS CREDIT CARD	FRIDGE FOR CHAMBERS KITCHEN, NEW SOFTWARE FOR LABELING SYSTEM, LUNCHES EMT, ACCOMMODATION AND MEALS REGIONAL CENTRE FORUM, LIQUOR COUNCIL MEETINGS, TYRES CP0, FOLDABLE BED FIRST AID ROOM, SERVICE ON CP0	3780.76
EFT19587	12/08/2015	BRECKEN HEALTH CARE	DRUG & ALCOHOL ASSESSMENT - LAB	133.71
EFT19588	12/08/2015	BUNBURY NETBALL ASSOCIATION	KIDSPORT REGISTRATIONS	3090.00
EFT19589	12/08/2015	BRANDICOOT	MONTHLY WEBSITE SUBSCRIPTION	238.00
EFT19590	12/08/2015	STAPLES AUSTRALIA PTY LTD	2015/16 STATIONERY	241.11
EFT19591	12/08/2015	CUTTING EDGES PTY LTD	GRADER BLADES HT CURVE	2620.05
EFT19592	12/08/2015	COATES HIRE SERVICE	MINI DIGGER HIRER FOR 1/7/15, 2/7/15 BOYANUP CEMETERY AND 7/7/15 - 10/7/15	1466.52
EFT19593	12/08/2015	CEMETERIES & CREMATORIA ASSOC OF WA	ORDINARY MEMBERSHIP RENEWAL 2015/2016	110.00

EFT19594	12/08/2015	CLEANAWAY	COLLECTION AND DISPOSAL OF MOST WASTES FROM CAPEL WASTE TRANSFER STATION AS PER TENDER 15/02	35978.71
EFT19595	12/08/2015	CAREY PARK FOOTBALL SPORTING AND COMMUNITY CLUB INC.	KIDSPORT REGISTRATION	100.00
EFT19596	12/08/2015	CARBONE BROS PTY LTD	2 TONNE OF GRAVEL TO SHIRE DEPOT	1044.33
EFT19597	12/08/2015	EARTH 2 OCEAN COMMUNICATIONS	CHANGE RADIO FREQUENCY	264.00
EFT19598	12/08/2015	FENNESSY'S	REPAIR AND REPLACEMENT OF LEFT/FRONT HEADLIGHT COVER AND GLOBE	109.47
EFT19599	12/08/2015	FIT 2 WORK.COM.AU	2 NATIONAL POLICE CHECKS	81.18
EFT19600	12/08/2015	GANNAWAYS CHARTER SERVICE	CHARTER SERVICES FOR JULY INZONE 2015 SCHOOL HOLIDAY PROGRAM	43.50
EFT19601	12/08/2015	HOSPITALITY HOUSE	CUTLERY FOR ADMIN BUILDING	530.99
EFT19602	12/08/2015	HORTICULTURE INNOVATION AUSTRALIA LIMITED	STABLE FLY MANAGEMENT	1258.10
EFT19603	12/08/2015	SOUTHWEST HYGIENE	SUPPLY, SERVICE SANITARY BINSVARIOUS LOCATIONS	3821.40
EFT19604	12/08/2015	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA	PROFESSIONAL DEVELOPMENT LUNCHEON FORUM	100.00
EFT19605	12/08/2015	IMAGETEC	2015/16 GESTETNER SUPPLIES	160.69
EFT19606	12/08/2015	JUMOR WASTEWATER SERVICE & REPAIRS	ATU MAINTENANCE	1897.50
EFT19607	12/08/2015	SOUTH WEST ISUZU	REPAIR NO RETRACTING DRIVERS SEAT BELT ON ISUZU CP578	275.00
EFT19608	12/08/2015	LD TOTAL	REMOVE DEAD TREE AND PRUNE LIMBS ON OTHER TREES, DALYELLUP BOULEVARDE AND CAPEL	1754.50
EFT19609	12/08/2015	LANDGATE	BASIS OF RATES APPROVAL UV TO GRV	82.50
EFT19610	12/08/2015	MANPOWER	CONTRACT STAFF	1624.66
EFT19611	12/08/2015	NATIONAL AUSTRALIA BANK	BANK FEE FOR AUDIT CERTIFICATE	70.00
EFT19612	12/08/2015	VODAFONE MESSAGING	1516 ANNUAL ORDER VODAFONE MESSAGING	114.05
EFT19613	12/08/2015	PROTECTOR ALSAFE	RESPIRATORS	1025.97
EFT19614	12/08/2015	PRESTIGE PRODUCTS-BUSSELTON	CTN 240L BIN BAGS	184.36

EFT19615	12/08/2015	SOUTH WEST TREE SAFE	CALL OUT , STORM DAMAGE REMOVE TREES FROM DRAINAGE WASH OUT CAPEL RIVER 4/08/15 AND PRUNING TREES OVER ROAD BOYANUP ROAD WEST	4140.00
EFT19616	12/08/2015	SOS OFFICE EQUIPMENT	METERBILLING PHOTOCOPIERS	2134.59
EFT19617	12/08/2015	SW PRECISION PRINT	6300 X SURVEY FLYERS	790.00
EFT19618	12/08/2015	STEANN PTY LTD	HARDWASTE PICKUP	47300.00
EFT19619	12/08/2015	SUSSEX TURF CONTROL	SUPPLY AND APPLY BROADSIDE HERBICIDE TO BOYANUP OVAL AND HOCKEY GROUND	1240.00
EFT19620	12/08/2015	SUMMERS CONSULTING	MOSQUITO IDENTIFICATION	319.00
EFT19621	12/08/2015	TOTAL BUSINESS TECHNOLOGY-TOTALITY	GFI MAIL ESSENTIALS 2012, UNIFIED PROTECTION EDITION, 5 MAILBOX LICENSE ADDITION @ \$68.85 EACH	344.25
EFT19622	12/08/2015	TARVIA	REPAIRS TO TIMBER GAZEBO AT CENTRAL LAKES POS.	1419.57
EFT19623	12/08/2015	TRADE HIRE	BOBCAT AND ROLLER HIRE FOR MONDAY 27/7/15 TO 29/7/15 + MOBILISATION AND MINI EXCAVATOR AND DRIVE PUMP HIRE 21/7/15	2831.50
EFT19624	12/08/2015	VACUUM WORLD SALES & SERVICE	SUPPLY MULTI USE HEAD FOR PAC VAC SUPERPRO VACUUM CLEANER	66.00
EFT19625	12/08/2015	WORK CLOBBER BUNBURY	3 X PAIRS DRILL PANTS - SIZE 87R - WITH SHIRE OF CAPEL ON BAND, JACKETS AND VESTS WITH LOGOS AND STEELCAP BOOTS	497.73
EFT19626	12/08/2015	WA LIBRARY SUPPLIES	BAY END TROLLEY	685.00
EFT19627	12/08/2015	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 61	13325.24
EFT19628	12/08/2015	WISHING WELL CLINIC	PRE EMPLOYMENT MEDICAL	99.00
EFT19629	12/08/2015	WESTERN AG PTY LTD	MISC PINS AND CLIPS FOR MOWERS	53.82
EFT19630	18/08/2015	ANZ BUSINESS BANKING	LOAN NO. 59 INTEREST PAYMENT - OFFICE EXTENSIONS 105320.04	11168.02
EFT19631	19/08/2015	AUSTRALIA POST	15/16 POSTAGE	867.76
EFT19632	19/08/2015	BUNBURY MOWER SERVICE	1 NEW MOW MASTER CATCHER AS PER DISCUSSIONS FOR MEY CYLINDER MOWER 28TC	409.00
EFT19633	19/08/2015	BUNBURY TOYOTA	60,000 SERVICE - CP167 - 28/7/15	816.13
EFT19634	19/08/2015	BUNBURY WELLINGTON ECONOMIC ALLIANCE	15/16 LOCAL GOVT MEMBERSHIP FEE	12127.50

EFT19635	19/08/2015	BLACKWOODS	GREASE GUN COUPLING KFR RIGID/FLEXIBLE ENTNSIONS (00312653)	165.00
EFT19636	19/08/2015	BOYANUP BOTANICAL	PLANTS FOR ADMIN COURTYARD	203.28
EFT19637	19/08/2015	BUNBURY HARVEY REGIONAL COUNCIL	PROCESSING OF ORGANIC WASTE COLLECTION-JUL 15	6875.63
EFT19638	19/08/2015	SIDDHARTHA BAXI	WAGA COURSE-FINANCIAL SKILLS TRAVEL ALLOWANCE	380.80
EFT19639	19/08/2015	BAREFOOT BOOKS	CBW 2015 TITLES	921.61
EFT19640	19/08/2015	BP AUSTRALIA	DISTILLATE JULY	9804.32
EFT19641	19/08/2015	STAPLES AUSTRALIA PTY LTD	2015/16 STATIONERY	126.56
EFT19642	19/08/2015	CAPEL NEWSAGENCY	2015/16 STATIONERY	1752.05
EFT19643	19/08/2015	PAUL SHEEDY	LUNCHES SAT HEARING	78.10
EFT19644	19/08/2015	CLEVERPATCH	STORYTIME CRAFT, GIANT TREE	307.52
EFT19645	19/08/2015	CIVIC LEGAL	PD SEMINAR - IDENTIFYING & PREVENTING FRAUD-CEO ATTENDANCE	33.00
EFT19646	19/08/2015	COMMERCIAL TURF SERVICES	REPLACE CUTTER BAR, GRIND AND SHARPEN REEL, SERVICE MEY MOWER	408.98
EFT19647	19/08/2015	CARBONE BROS PTY LTD	ROAD TRAINS GRAVEL TO SHIRE DEPOT (APPROX 100T)	1741.78
EFT19648	19/08/2015	DISCOUNT AUTO PARTS	AIR GUN AND MISC PARTS FOR AIR CONNECTIONS	49.80
EFT19649	19/08/2015	DALYELLUP BEACH SURF LIFE SAVING CLUB INC.	REGISTRATIONS FOR INVOICES 238 AND 239	1235.00
EFT19650	19/08/2015	DEPARTMENT OF PREMIER & CABINET	BASIS OF RATES APPROVAL UV TO GRV - LOTS 6020-6023 ON DP48283	85.50
EFT19651	19/08/2015	DINDINDI DRUMS	CHILDREN'S SAFETY DAY IN CAPEL - FUNDED BY WESTERN AUSTRALIAN ASSOCIATION FOR MENTAL HEALTH PAYING 50% IN AUG 15	277.50
EFT19652	19/08/2015	EASIFLEET MANAGEMENT	NOVATED LEASE CEO	753.86
EFT19653	19/08/2015	EARTHMAC	TRAFFIC MANAGEMENT OF REPAIR WORKS AFTER STORM	2800.00
EFT19654	19/08/2015	FENNESSY'S	60000KM SERVICE. 45CP.	363.85
EFT19655	19/08/2015	GHD PTY LTD	ECOLOGICALS ASSESSMENT-FINAL	977.90
EFT19656	19/08/2015	GRACE RECORDS MANAGEMENT	ARCHIVE CARTONS	324.18
EFT19657	19/08/2015	GUARDIAN FIRST AID & FIRE	SUPPLY FIRE EXTINGUISHERS - INSTALLATION IN ACCORDANCE WITH AS 1851 - SHIRE ADMINISTRATION BUILDING NOTE: TOTAL COST TO BE ADJUSTED WHERE EXISTING FIRE EXTINGUISHERS ARE USED	2621.30



EFT19658	19/08/2015	HARVEY FARM SERVICE	HYDRAULIC LOCK FOR JOHN DEER TRACTOR	32.13
EFT19659	19/08/2015	SOUTH WEST ISUZU	SEAT COVERS	714.54
EFT19660	19/08/2015	KLEENHEAT GAS	GAS SUPPLY FOR STIRLING BUSH FIRE BRIGADE	68.20
EFT19661	19/08/2015	STATE LIBRARY OF WESTERN AUSTRALIA	2015/16 RECOVERY OF LOST AND DAMAGED ITEMS	58.30
EFT19662	19/08/2015	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	ASSOCIATION MEMBERSHIP	28652.97
EFT19663	19/08/2015	L.G. BUSINESS SYSTEMS PTY LTD	PAYSLIPS 4 BOXES OF 500	242.00
EFT19664	19/08/2015	MANPOWER	MANPOWER HOURS	778.80
EFT19665	19/08/2015	CAPEL MENS SHED INC	DONATION TOWARDS CONSTRUCTION OF CHILDREN'S BOOK SHELVES FOR BOYANUP LIBRARY	500.00
EFT19666	19/08/2015	NOVUS BUNBURY	REPLACE WINDSCREEN HOLDEN COLORADO 46 CP	310.00
EFT19667	19/08/2015	PERKINS (WA) PTY LTD	ALTERATIONS AND ADDITIONS TO SHIRE ADMINISTRATION BUILDING	403750.85
EFT19668	19/08/2015	PROTECTOR ALSAFE	RESPIRATORS, PART NUMBER02942742	683.98
EFT19669	19/08/2015	PAVING PEOPLE	REPAIR DRIVEWAY PAVING AFTER REPAIR TO DRAINAGE WORKS	605.00
EFT19670	19/08/2015	PROFESSIONAL CABLING	REPAIRS TO CABLING - RECORDS. AS PER QUOTE 5391	1507.00
EFT19671	19/08/2015	PRIME EARTHMOVING BUSSELTON	BOBCAT WORKS, ROCK PITCH AROUND BUBBLE UP AND SPILL WAY. JOB DOCKET 11241 6/8/15	2522.41
EFT19672	19/08/2015	RTW STEEL FABRICATION	REPAIR CUTTING EDGE ON BUCKET AND SIDE EDGERS	1592.25
EFT19673	19/08/2015	SOUTH WEST TREE SAFE	CALL OUT, STORM DAMAGE PRUN TREES 5/08/15	440.00
EFT19674	19/08/2015	ST JOHN OF GOD FOUNDATION INC	DONATION \$5000 15/16 PART OF \$25K OVER 5YR DONATION	5000.00
EFT19675	19/08/2015	SOURCE SEPARATION SYSTEMS PTY LTD	MS-40-DGRY MULTISORT 40L DARK GREY BASE	6049.86
EFT19676	19/08/2015	D & K THOMAS ELECTRICAL	CHECK REPAIR LIGHTS AT CAPEL SKATEPARK (BUCHANAN RD END)	473.00
EFT19677	19/08/2015	TOTAL BUSINESS TECHNOLOGY-TOTALITY	FORTIGATE 60D HARDWARE BUNDLE AS PER QUOTE QT1367	1353.85
EFT19678	19/08/2015	TRADE HIRE	HIRE ROLLER JAMIESON ROAD +MOD 4/08/15	1145.00
EFT19679	19/08/2015	IT VISION	UPLOAD AWARD CLASSIFICATIONS & GRADE CODES 2015.16 FN	550.00
EFT19680	19/08/2015	WORK CLOBBER BUNBURY	SUPPLY 1 PAIR STEEL CAPPED SAFETY BOOTS	136.80

EFT19681	19/08/2015	WESTRAC EQUIPMENT	250 HOURS SERVICE ON ROLLER CP4833 - 1/7/15	514.79
EFT19682	19/08/2015	THE PRINT SHOP	500 C4 NO WINDOW ENVELOPES	170.00
EFT19683	19/08/2015	WA FOREST COMMUNITIES NETWORK	ATTENDANCE AT WA FOREST COMMUNITIES NETWORK INDUSTRY BREAKFAST 22 JULY 2015 (CR M SCOTT)	88.00
EFT19684	19/08/2015	WARREN BLACKWOOD WASTE	15/16 WASTE, RECYCLING & ORGANIC COLLECTIO-JUL 15	64657.78
EFT19685	19/08/2015	BRYANNA WRIGHT	CONSULTANT FEE TO UNDERTAKE & SUBMIT ACQUITTAL PROCESS FOR AWARE PROJECT 12/13	1000.00
EFT19686	19/08/2015	PALMWOOD HOLDINGS T/A CITY AND REGIONAL FUELS	GREASE GUN & KERO PAID TO BP AUSTRALIA IN MARCH 2015	1108.00
EFT19687	21/08/2015	CALTEX AUSTRALIA	HACC JULY FUEL – DEBTOR INVOICE ISSUED	6225.80
EFT19688	26/08/2015	CHUBB FIRE	CHECK REPAIR FAULT IN BOYANUP COMMUNITY CENTRE FIRE DETECTOR	1354.10
EFT19689	26/08/2015	COVS PARTS	BATTERY CHARGER.	137.31
EFT19690	26/08/2015	CAPEL BUTCHERS	STAFF BBQ - OFFICE MOVE DAY	339.90
EFT19691	26/08/2015	DEPARTMENT OF TRANSPORT	2015/2016 ANNUAL ORDER FOR VEHICLE SEARCH FEES	75.35
EFT19692	26/08/2015	SUSAN DALGLEISH	REIMBURSEMENT FOR CBW 2016	289.54
EFT19693	26/08/2015	EXPRESS PRINT	PRINTING OF 6500 TIP PASSES DL SIZE DOUBLE SIDED COLOUR ON CYCLUS RECYCLED 250GSM PAPER WITH 4 PERFORATIONS	1001.00
EFT19694	26/08/2015	GOLDEN WEST PLUMBING & DRAINAGE	UNBLOCK MALE TOILET DALYELLUP CENTRAL LAKES 27/7	297.00
EFT19695	26/08/2015	GEOVET BUSSELTON	2015/2016 ANNUAL ORDER, POUND CONTRACT- JUL 15	350.00
EFT19696	26/08/2015	INSIGHT CCS PTY LTD	AFTER HOURS CALL FEES JULY 2015	288.15
EFT19697	26/08/2015	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	SUBSCRIPTION SERVICES	4906.00
EFT19698	26/08/2015	MANPOWER	MANPOWER HOURS	2517.48
EFT19699	26/08/2015	MICHELLE PLUME	REIMBURSEMENT STAFF LUNCH FOR WEEKEND MOVE	56.80
EFT19700	26/08/2015	PJ & EV PAGE	WAXING AND BUFFING FLOOR BOYANUP HALL MONTHLY 2015/16-JUL 15	70.00
EFT19701	26/08/2015	SOUTH WEST TREE SAFE	CARRY OUT PRUNING FOR POWER LINE CLEARANCE IN CAPEL & PEPPERMINT GROVE	8360.00

EFT19702	26/08/2015	WREN OIL	COLLECTION AND DISPOSAL OF OILY WATER FROM CAPEL WASTE TRANSFER STATION FOR 2015/16-650L	295.35
EFT19703	26/08/2015	WESTERN AG PTY LTD	CARRY OUT 100 HOUR SERVICE ON ISEKI OUTFRONT MOWER	820.29
EFT19704	26/08/2015	AMITY SIGNS	GUIDE POSTS – VARIOUS ROADS	4326.85
EFT19705	26/08/2015	BOYLES PLUMBING & GAS	REPLACE BROKEN VALVE AT CAPEL FIRESHED WATER LINE BETWEEN METER AND NON-RETURN VALVE	319.97
EFT19706	26/08/2015	CUTTING EDGES PTY LTD	GRADER BLADES HT CURVE - AS PER QUOTE 3199481	733.73
EFT19707	26/08/2015	COATES HIRE SERVICE	COMPLEX OFFICE 12X12 CONTINUATION OF HIRE TO 28 AUGUST 2015	3883.89
EFT19708	26/08/2015	CARBONE BROS PTY LTD	ROAD TRAIN GRAVEL TO SHIRE DEPOT - APPROX 50 TONNE	968.48
EFT19709	26/08/2015	ERG ELECTRICS PTY LTD	DALYELLUP QUARTERLY MAINTENANCE - APRIL TO JUNE 2015	11287.10
EFT19710	26/08/2015	GCS HIRE PTY LTD - BUNBURY	TOILET HIRE THURSDAY 2/7/15 - DISABLED UNISEX	286.00
EFT19711	26/08/2015	PERTHWASTE GREEN RECYCLING	JUL 15 PROCESSING OF DOMESTIC RECYCLING	4240.53
EFT19712	26/08/2015	STATE LIBRARY OF WESTERN AUSTRALIA	BETTER BEGINNINGS PACKS 2015/16 X 150	825.00
EFT19713	26/08/2015	LANDGATE	VALUER GENERALS OFFICE - SERVICE	2134.80
EFT19714	26/08/2015	CAPELBERRY	DINNERS FOR COUNCIL MEETINGS (\$25/PERSON FOR 14 PEOPLE) - JULY & AUGUST 2015 MEETINGS	700.00
EFT19715	26/08/2015	A INGRAM	BOOKSTOCK PURCHASES 24 ITEMS	356.00
EFT19716	26/08/2015	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	ANNUAL FEES	3324.42
EFT19717	26/08/2015	PICTON CIVIL PTY	HIRE OF LONG REACH EXCAVATOR - (STORM DAMAGE CLEAN-UP - 31/7/15)	3196.05
EFT19718	26/08/2015	SUMMERS CONSULTING	MOSQUITO IDENTIFICATION	231.39
EFT19719	26/08/2015	YOUTHCARE	15/16 CHAPLAINCY CONTRIBUTION FOR 4 SCHOOLS	19800.00
EFT19720	27/08/2015	BLACKWOODS	FLASHING LIGHT	264.80
EFT19721	27/08/2015	WESTERN POWER	DESIGN FEE SP041359 L4340 FERNDAL AVE DALYELLUP	6833.99
EFT19722	31/08/2015	CAPELBERRY	STAFF BBQ - OFFICE MOVE DAY	270.00

EFT19723	31/08/2015	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	888.76
EFT19724	31/08/2015	SELECTUS	PAYROLL DEDUCTIONS	1517.46
47707	03/08/2015	SHIRE OF CAPEL	CONFERENCE EXPENSES	150.00
47708	05/08/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	76.70
47709	05/08/2015	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS	242.00
47710	05/08/2015	GRAHAM AND JODI BYLES	CROSSOVER CONTRIBUTION	300.00
47711	05/08/2015	COURIER AUSTRALIA INTERNATIONAL	FREIGHT LIBRARIES	14.28
47712	05/08/2015	SHIRE OF CAPEL	PAYROLL DEDUCTIONS	4201.00
47713	05/08/2015	KV & BJ CATTAWAY	CROSSOVER CONTRIBUTION	300.00
47714	05/08/2015	LGRCEU	PAYROLL DEDUCTIONS	307.00
47715	05/08/2015	SYNERGY	ELECTRICITY	6256.85
47716	05/08/2015	TELSTRA CORPORATION LTD	14/15 MOBILE RENT & CALLS	1486.75
47717	05/08/2015	WATER CORPORATION	WATER USAGE	475.83
47718	06/08/2015	DEPARMENT OF ENVIRONMENT REGULATION	CLEARING PERMIT APPLICATION CIVIC PRECINCT CONTRUCTION WORKS	200.00
47719	12/08/2015	CITY OF BUNBURY	CONTRIBUTION TO REGIONAL WASTE REPORT (VARIATION TO TALIS CONTRACT)	323.25
47720	12/08/2015	BAKERS DELIGHT	REFUND FOR FOOD PREMISE REGISTRATION DOUBLE UP	104.00
47721	12/08/2015	SHIRE OF CAPEL	PETTY CASH RECOUP - CAPEL LIBRARY 06/07/2015 - 07/08/2015	98.80
47722	12/08/2015	SYNERGY	ELECTRICITY	29457.65
47723	12/08/2015	TELSTRA CORPORATION LTD	LANDLINE	1918.65
47724	12/08/2015	WATER CORPORATION	WATER USAGE	601.59
47725	12/08/2015	DL WHITFIELD	RATES REFUND FOR ASSESSMENT	124.89
44737	26/08/2015	SYNERGY	ELECTRICITY	2982.25
44738	26/08/2015	WATER CORPORATION	WATER USAGE	1180.67
47731	26/08/2015	CITY OF BUNBURY	COUNCIL RATE FOR CENTENARY RD	207.50
47732	26/08/2015	COURIER AUSTRALIA INTERNATIONAL	POSTAGE AND FREIGHT - ADMIN	38.33
47733	26/08/2015	DALE ALCOCK HOMES	PLANNING CONSENT NOT REQUIRED- REFUND APPLICATION FEE	147.00
47734	26/08/2015	MICHAEL J GRIFFEN	PLANNING CONSENT NOT REQUIRED-REFUND APPLICATION FEE	196.00
47735	26/08/2015	TELSTRA CORPORATION LTD	MOBILE RENT AND CALLS	2016.16

47736	26/08/2015	WESTPAC BANKING CORPORATION	AUDIT CERTIFICATE AS AT 30/6/2015	50.00
47739	31/08/2015	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	51.60
47740	31/08/2015	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS	176.00
47741	31/08/2015	SHIRE OF CAPEL	PAYROLL DEDUCTIONS	2744.00
47742	31/08/2015	LGRCEU	PAYROLL DEDUCTIONS	200.00
546	05/08/2015	BRENDAN ROBINSON	BOND REFUND	150.00
547	12/08/2015	A K HOMES	REFUND OF BCITF DUPLICATE ONLINE PAYMENT	1056.45
548	12/08/2015	BUILDING & CONSTRUCTION IND TRAINING FUND	BCITF LEVY COLLECTED JULY	8372.93
549	12/08/2015	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	BSL LEVY COLLECTED JULY	7210.35
550	12/08/2015	SHIRE OF CAPEL	BSL AND BCITF COMMISSION COLLECTED JULY	426.46
551	12/08/2015	ISLAMIC ASSOCIATION OF BUNBURY	BOND REFUND	150.00
552	12/08/2015	NATALA KING	BOND REFUND	150.00
553	28/08/2015	SHIRE OF CAPEL	BOND HELD T2114 VILLANEUVA - STAFF CALLOUT FOR KEYS.	50.00
554	28/08/2015	RODGIE VILLANUEVA	BOND REFUND T2114 VILLANEUVA	100.00
				1057867.57

11.08.15	SHIRE OF CAPEL PAYROLL PAYMENTS	\$162,087.20
25.08.15	SHIRE OF CAPEL PAYROLL PAYMENTS	\$154,356.66

**\$316443.86**

12.08.15	TRANSFER FROM MUNICIPAL ACCOUNT	\$440,000.00
18.08.15	TRANSFER FROM MUNICIPAL ACCOUNT	\$500,000.00
27.08.15	TRANSFER TO MUNICIPAL ACCOUNT	-\$630,000.00
31.08.15	TRANSFER TO MUNICIPAL ACCOUNT	-\$300,000.00

**\$10,000.00**

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 23<sup>rd</sup> September 2015 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

*P. F. Heedy.*

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 15.5**

**That Council receives:**

- 1 The Schedule of Accounts covering vouchers 546-554, EFT19509 to EFT19724, CHQ47707 to CHQ47742 totalling \$1,057,867.57 during the month of August 2015;**
- 2 Payroll payments for the month of August 2015, totalling \$316,443.86; and**
- 3 Transfers to and from investments as listed.**

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**15.6 Financial Statements for 31 August 2015**

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Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	17.09.15
Author:	Manager Finance, A Mattaboni
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	Financial Statements for August 2015

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**MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for August 2015.

**BACKGROUND / PROPOSAL****Background**

Local Government (Financial Management) Regulations 1996 prescribe the requirement to prepare financial reports on a monthly basis and also prescribe their format and content.

**Proposal**

The financial statements provided to Council satisfy the requirements.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 6.4 (1) & (2).

**6.4 Financial Report**

Section 6.4 of the Local Government Act 1995 specifies that a local government is to prepare such other financial reports as are prescribed.

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as prescribed.
- (2) The financial report is to –
  - (a) be prepared and presented in the manner and form prescribed; and
  - (b) contain the prescribed information.

Local Government (Financial Management) Regulations 1996, Regulation 34 (1).

**Financial Activity Statement Report**

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail:
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
  - (e) the net current assets at the end of the month to which the statement relates.

Sections 2, 3, 4, 5 and 6 prescribe further details of information to be included in the monthly statement of financial activity.

### **POLICY IMPLICATIONS**

Policy 2.6 – Financial Reports, Policy 2.8 – Purchasing, Policy 2.9 – Budget Management – Capital Acquisition & Works, 2.10 – Fixed Asset Accounting, Policy 2.11 – Fair Value of Assets, Policy 2.12 – Investment of Funds.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

Reports showing year to date financial performance allow monitoring of actual expenditure, revenue and overall results against budget targets.

#### **Long Term**

As all expenditure is covered in the current annual budget allocation, there are no long term financial implications from this item.

#### **Whole of Life**

As no assets/infrastructure is being created, there are no whole of life costs relevant to this item.

### **SUSTAINABILITY IMPLICATIONS**

The Monthly Financial Report includes the financial details of a number of projects that have a positive environmental impact and a direct social benefit for the community. Many of the projects and items included in the Monthly Financial Report have or will generate a significant economic benefit for the State and some businesses within the Shire of Capel have already shared in this benefit.

### **STRATEGIC IMPLICATIONS**

The Strategic Community Plan 2013 to 2031 includes the following strategic objectives which have relevance:

- Provide efficient and effective financial management to ensure the long term financial sustainability of the organisation.
- Ensure the effective management of Council's resources.

### **CONSULTATION**

The monthly Financial Statement was developed with the assistance and input of staff who determined expenditure needs and revenue expectations for the remainder of the financial year based upon actual performance compared against budget.

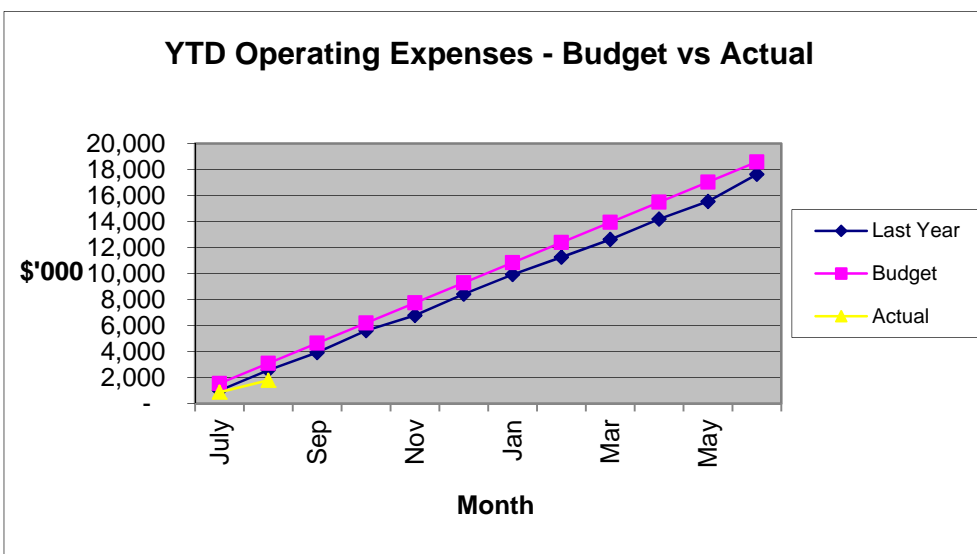
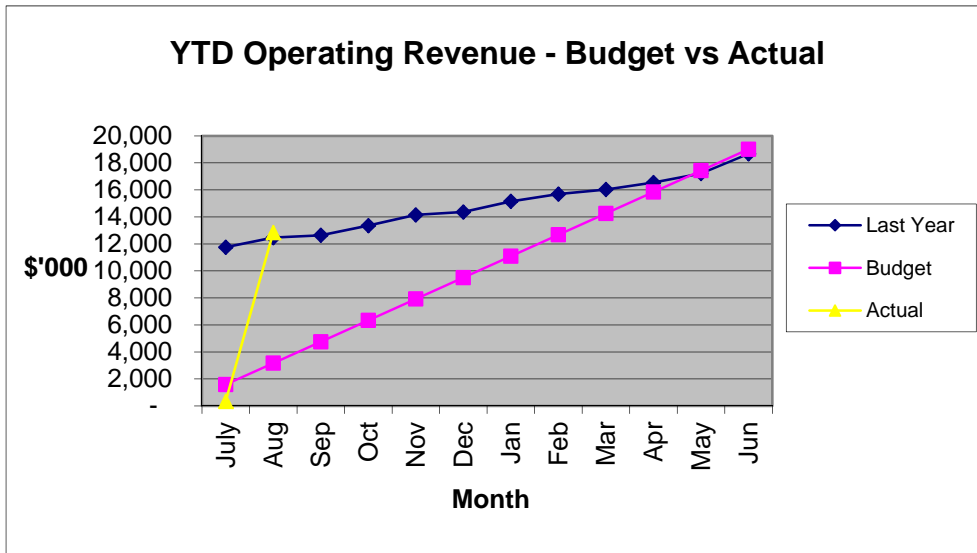
### **COMMENT**

At 31<sup>st</sup> August 2015, Council's net current assets position was a surplus of \$10,835,329. The year to date surplus exists because rates have been raised in August 2015 for 2015/16. The forecast year end net current asset position is a surplus of \$21,755. This is the current projected surplus and this amount may change as the accounts are still being updated for the 2014/15 and 2015/16 financial year. Depreciation and leave liability expense have not been calculated for 2015/16. Reserve transfers have been processed for 2014/15. The 2014/15 Financial Report will give the final year end result. Local Government (Financial Management)

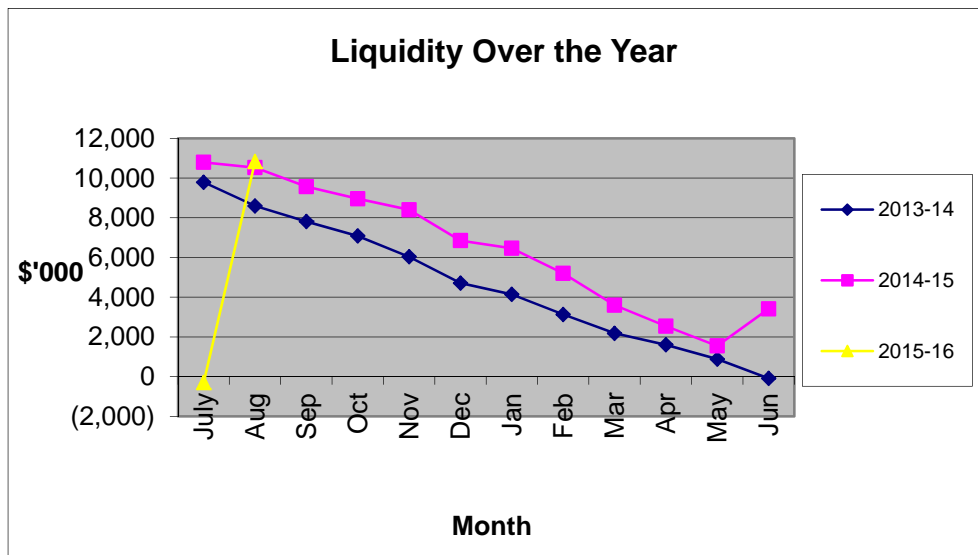


Regulation 34(4)(a) requires a statement of financial activity reporting on the revenue and expenditure for the month to be presented at an ordinary meeting within two months of the period end date.

A comparison of employee costs shows that 14% of the annual budget has been spent. The employee costs year to date actual amount is \$939,905 or 16% below the budget amount. The following graphs compare actual Operating Revenue and Operating Expenditure against the approved budget on a year to date basis. Last year’s actual is also included for comparative purposes. The increase in revenue reflects the raising of rates in August 2015. The non-cash operating revenue has yet to be posted.

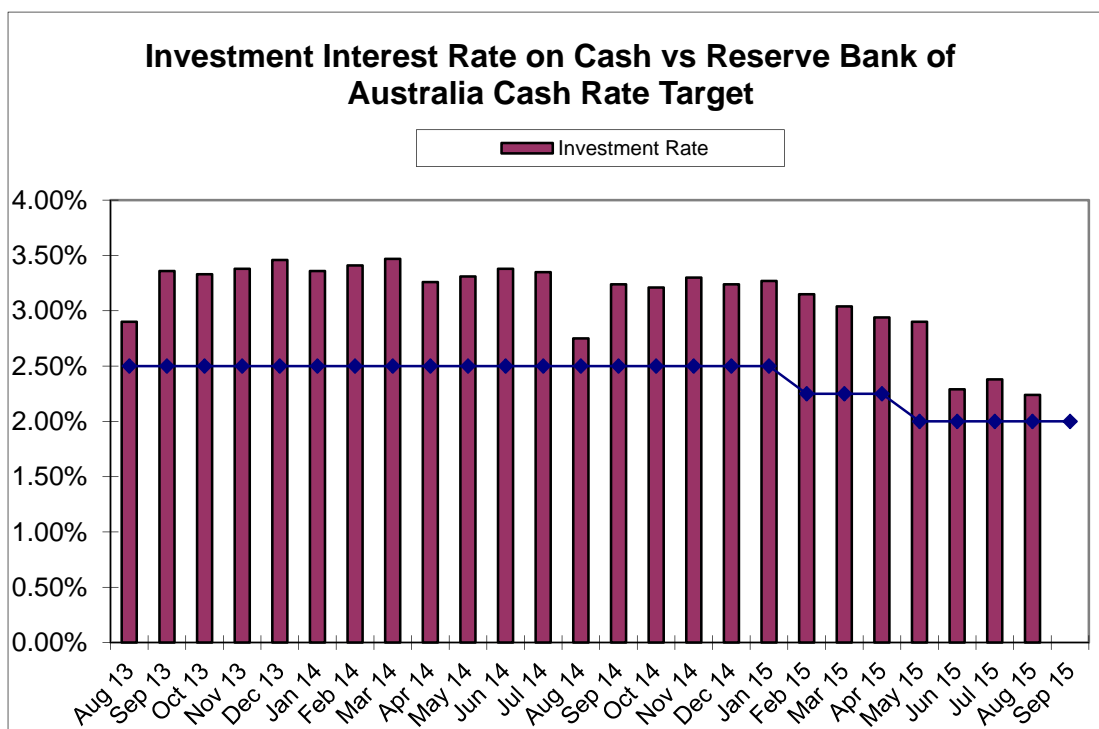


The liquidity graph compares the current year’s net current assets position against that of the two previous years. This graph will change with the completion of 2014/15 entries.



Council’s municipal cash and investments position has increased by \$259,290 compared to July 2015. The Municipal cash position is an amount of \$11,983,074 of which \$11,107,487 is restricted for specific purposes as shown at Note 3.

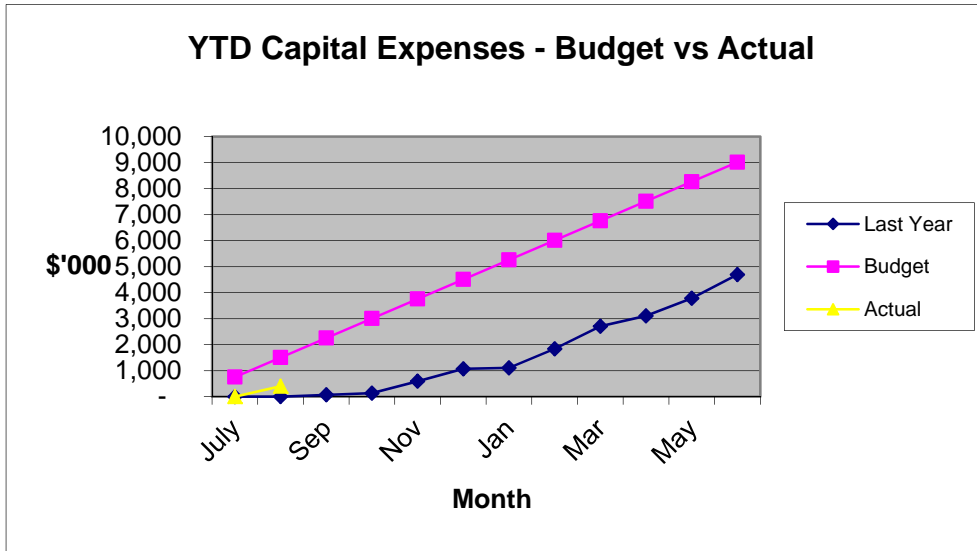
Total interest earned for the year is \$29,412. The average investment rate of return has decreased from last month’s amount of 2.38% to 2.24% which exceeds the Reserve Bank’s cash reference rate of 2.00%. The Reserve Bank Board on 2<sup>nd</sup> September 2015 kept their target cash rate at 2.00%. The Shire has term deposits maturing from September 2015 to February 2016, investment terms ranging from 28 days to 183 days and interest rates from 1.90% to 3.21%.



Capital works expenditure of \$400,082 was incurred during the month on:

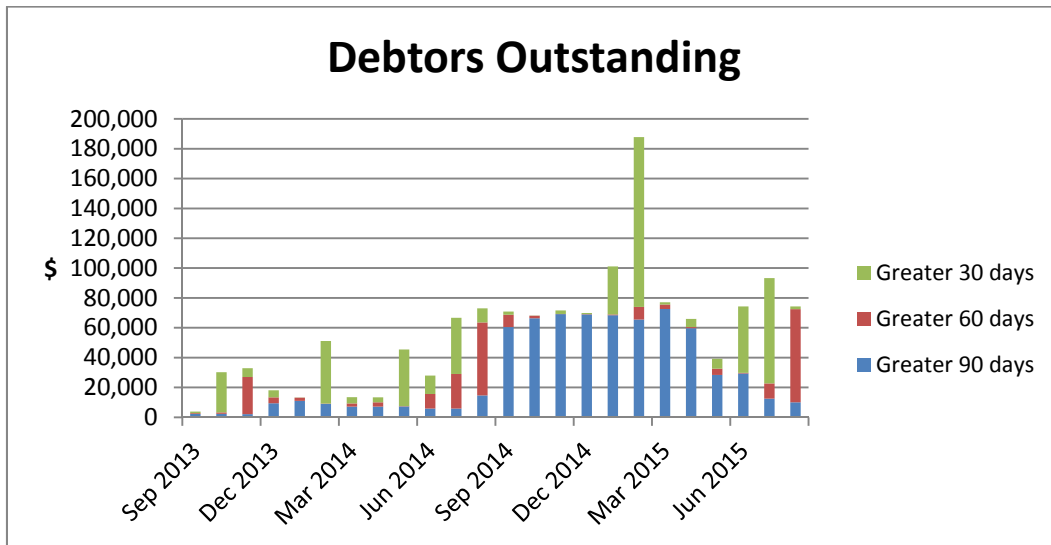
- \$5,436 Adaptation of powerboards at Community Centres,
- \$182 Capel Civic Precinct,
- \$7,713 Tuart Forest Primary Oval facilities, and
- \$386,751 Administration Building refurbishment.

The following graph compares actual capital expenditure against budget on a year to date basis. Last year’s actual is included for comparative purposes.

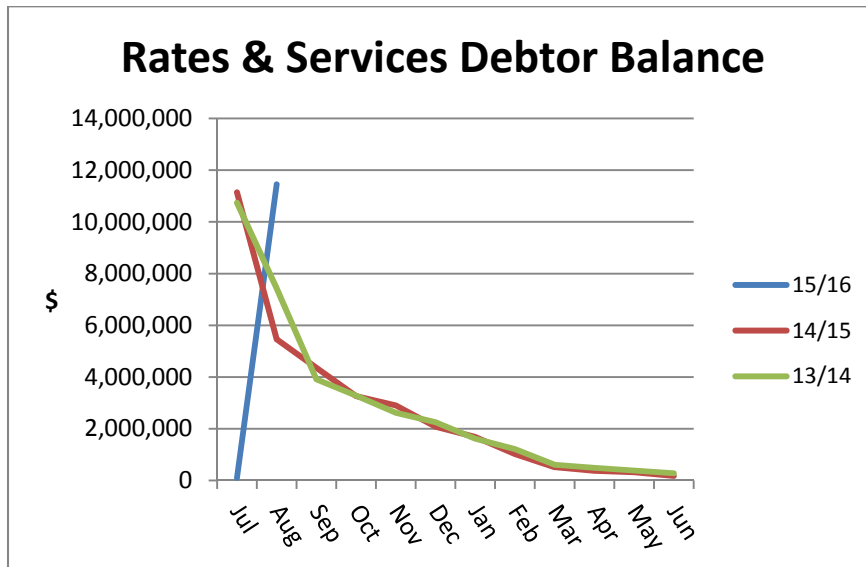


Council’s financial ratios are disclosed in Note 14.

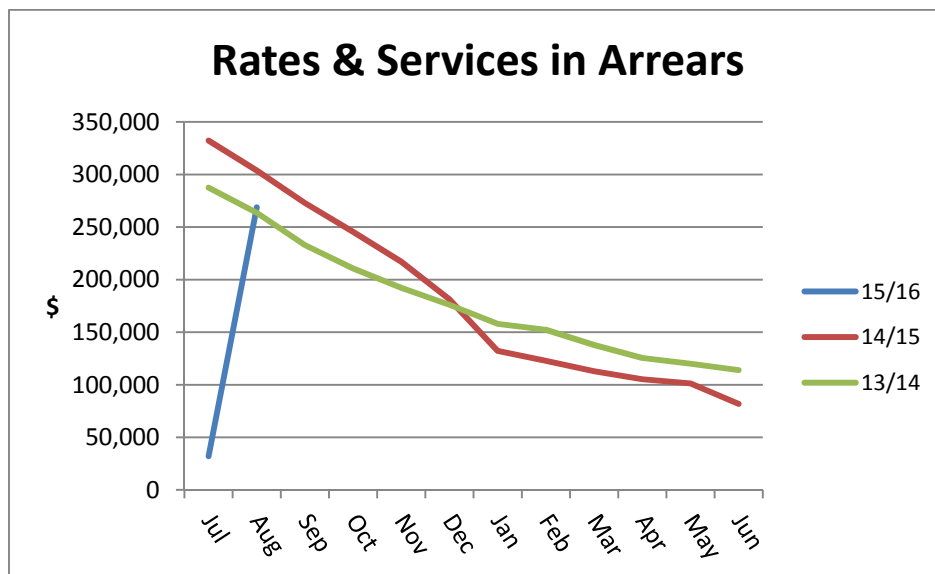
The following graph illustrates Council’s current level of general Debt recovery for 31-60 days, 61-90 days and greater than 90 days. There has been a reduction in debts greater than 90 days.



The following illustrates Council’s current level of Rate Debtors recovery and compares this with previous years. The amount includes both current and in arrears rates & services debtor balance. The Rates Debtor balance continues to fall in line with previous years.



The following graph shows the level of rates and services in arrears for the last three years. The arrears figure is calculated at the end of the financial year meaning the arrears figure for rates and services raised in 2014/15 will be calculated when rates are raised in 2015/16. Rates have been raised for 2015/16. Rates and Services in Arrears at the start of each financial year as a percentage of the Rates and Services Debtor Balance has been: 2015/16 2.35%, 2014/15 2.98% and 2013/14 2.68%.



A review of the Statement of Financial Position and the attendant notes indicates there are no adverse trends evident in the year to date financial statements as at 31<sup>st</sup> August 2015.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER’S RECOMMENDATION – 15.6**

**That Council adopts the financial statements for the period ending 31 August 2015 as attached.**

**16 COMMUNITY SERVICES REPORTS****16.1 Disability Access and Inclusion Plan 2012-2017 and Implementation Plan 2012-2017 - Amended**


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Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	07.09.15
Author:	Community Development Officer, D Sims
Senior Officer:	Executive Manager Community Services, M Plume
Attachments:	1. Amended Disability Access and Inclusion Plan 2012-2017 2. Amended Disability Access and Inclusion Implementation Plan 2012-2017

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**MATTER FOR CONSIDERATION**

Council to adopt the amended Disability Access and Inclusion Plan 2012-2017 and the amended Disability Access and Inclusion Implementation Plan 2012-2017.

**BACKGROUND / PROPOSAL****Background**

At the Council meeting held 19 September 2012, Council resolved to adopt the Disability Access and Inclusion Plan 2012-2017 and the Disability Access and Inclusion Implementation Plan 2012-2017.

The Disability Services Act 1993 has since been reviewed and now requires public authorities to include information in their Disability Access and Inclusion Plans (DAIPs) on how they will improve employment opportunities for people with disability and break down existing barriers. This requirement resulted in the incorporation of Outcome 7 in the Shire of Capel's DAIP. The Shire of Capel's DAIP, Disability Access & Inclusion Implementation Plan and Disability Access & Inclusion Policy have all been amended to incorporate Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with the Shire of Capel.

Furthermore, the Disability Services Commission amended the word 'disabilities' to 'disability' and the correct terminology is now 'people with disability'.

**Proposal**

Council to adopt the Amended Disability Access and Inclusion Plan 2012-2017 and the Amended Disability Access & Inclusion Implementation Plan 2012-2017.

**STATUTORY ENVIRONMENT**

Section 28 of the Disability Services Act 1994 requires each public authority (including local governments) to prepare and adopt a disability access and inclusion plan to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles in Schedule 1 and meets the objectives in Schedule 2.

This section of the Act further provides that not more than 5 years is to elapse —

- (a) between the day on which a public authority first lodges its disability access and inclusion plan with the Commission and the day it lodges a report of a review of the plan with the Commission; or
- (b) between the lodgement of the report of one review of a plan and the lodgement of the report of another review of the plan.

After reviewing its disability access and inclusion plan, a public authority may amend the plan or prepare a new plan.

### **POLICY IMPLICATIONS**

Policy 8.6 Disability Access and Inclusion Policy.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

There are no budget items associated with this matter.

#### **Long Term**

There are no long term implications associated with this matter.

#### **Whole of Life**

There are no whole of life implications associated with this matter.

### **SUSTAINABILITY IMPLICATIONS**

The amended Disability Access and Inclusion Plan 2012–2017 and the corresponding Implementation Plan now acknowledge that people with disability have the same opportunities as other people to obtain and maintain employment with the Shire, resulting in accessible employment opportunities which have positive social and economic impacts.

### **STRATEGIC IMPLICATIONS**

Consideration of this matter is consistent with Key Focus Area 2 – Objective 2.2 -Provide facilities and services which recognise the diverse needs of the community, and 2.5 - To ensure that all Community Plans are diverse, of best practice, innovative and appropriate to demographics. In particular Strategy C4 Plan to meet the needs of the increasing older population, the disabled and youth – which has the action Implement and Review the Disability access and Inclusion Plan.

### **CONSULTATION**

The draft amended Disability Access and Inclusion Plan 2012-2017 and the corresponding implementation plan were advertised to the community and relevant government agencies for comment for a period of three weeks. The consultation process included:

- Notification in regional newspapers; and
- The Shire Website.

No comments were received from the community or relevant government agencies.

### **COMMENT**

As there were no comments or submissions received that required the Disability Access and Inclusion Plan 2012–2017 and the corresponding implementation plan to be amended, the documents can be adopted by Council in their entirety.

**CONCLUSION**

It is considered that the amended Disability Access and Inclusion Plan 2012-2017 and corresponding Implementation Plan has comprehensively covered the key issues of access and inclusion in our communities at present and provides strategies to address each of these to create a more socially inclusive Shire for residents and visitors alike.

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATION – 16.1</b>
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**That Council adopts the amended Disability Access and Inclusion Plan 2012-2017, including the amended Strategies and Implementation Plan.**

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**16.2 Local Emergency Management Committee Minutes**

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Location:	N/A
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	07.09.15
Author:	Emergency Management Coordinator, D Collins
Senior Officer:	Executive Manger Community Services, M Plume
Attachments:	Minutes of the meeting of the Shire of Capel Local Emergency Management Committee held on 26.08.15

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**MATTER FOR CONSIDERATION**

To consider the minutes of the meeting of the Shire of Capel Local Emergency Management Committee held 26 August 2015 and adopt the recommendation therein.

**BACKGROUND / PROPOSAL****Background**

The Shire of Capel Local Emergency Management Committee was established as an advisory committee to the Council in response to the obligations placed upon Local Government arising from the proclamation of the Emergency Management Act 2005.

The Committee in accordance with the Emergency Services Act must meet at least four times per year and shall conduct an annual exercise.

**Proposal**

Council accepts the minutes of the meeting of the Shire of Capel Local Emergency Management Committee held on 26 August 2015 be received and the recommendation therein be adopted.

**STATUTORY ENVIRONMENT**

Emergency Management Act 2005

- Section 36 provides that it is a function of a local government to ensure that effective local emergency management arrangements are prepared and maintained for its district.
- Section 38 requires a local government is to establish one or more local emergency management committees for the local government's district.

Local Government Act 1995

Section 5.22 of the specifies that the minutes of a committee are to be submitted to the next Ordinary Meeting of the Council for confirmation

**POLICY IMPLICATIONS**

Council Policy - There are no Council Policies that are relevant to this matter.

State Emergency Management Committee Policy 2.5 – Emergency Management in Local Government Districts provides local governments are required to ensure that local emergency management arrangements are prepared for their districts. Local Emergency Management Arrangements should reflect the emergency management capabilities and responsibilities of



the agencies and industries involved and recognise and comply with any of their statutory responsibilities.

State Emergency Policy 2.5 also requires a Local Emergency Management Committee to meet every 3 months.

Policy 2.5 (45) requires local governments to ensure that their arrangements are exercised annually. Exercises may be undertaken in conjunction with other emergency management agencies or by the local government alone

### **FINANCIAL IMPLICATIONS**

#### **Budget**

An amount of \$818 is allocated to LEMC for catering purposes in the 2015/16 budget.

#### **Long Term**

There are no financial implications for Council associated with this matter.

#### **Whole of Life**

As no assets/infrastructure are being created there are no whole of life costs relevant to this item.

### **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this matter

### **STRATEGIC IMPLICATIONS**

The Strategic Community Plan 2013 to 2031 includes the following strategic objective which has relevance:

- Strategic Outcome 3.4 – promote emergency risk awareness.

### **CONSULTATION**

There has been no consultation undertaken on the matter at this stage.

### **COMMENT**

The annual exercise was to raise awareness of recovery coordination that is required following a disaster, and followed on from last year's annual exercise. Key objectives of the exercise were:

- To build collaborative recovery education/awareness for the LEMC members and local government staff; and
- Provide foundation to develop and formalise the Shire of Capel Recovery Arrangements.

The exercise highlighted the importance of local governments having their various management plans current.

### **VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 16.2</b>
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**That Council receives the minutes of the Local Emergency Management Committee meeting held on 26 August 2015, and adopts the Committee's recommendation:**

**LEMC0802 - Council be advised that the Shire of Capel Local Emergency Management Committee endorses the contents of the Shire of Capel LEMC 2014/15 Annual Report and the comments relating to achievements towards the objects of the LEMC 2014/15 Annual Business Plan and the actions of the Emergency Management Coordinator in forwarding these documents to the District Emergency Management Committee.**

**LEMC0803 - It be recommended to the Council that the future meeting dates and times as agreed be accepted.**

- Future meetings will be held quarterly, on the 2<sup>nd</sup> Wednesday of the month at 10.00am.**
- The next meeting of the LEMC will be held at 10.00am on Wednesday, 4 November 2015.**

**LEMC0804 - That the report of the exercise as presented by Mr Vikram Cheema, Community Emergency Management Officer, SEMC be presented to Council as evidence of the annual exercise and meets the requirements of State Emergency Management Policy 2.5.**

- 17 NEW BUSINESS OF AN URGENT NATURE**
- 18 PUBLIC QUESTION TIME**
- 19 MOTIONS WITHOUT NOTICE (ABSOLUTE MAJORITY BY COUNCIL)**
- 20 NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF THE COUNCIL**
- 21 ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS**
- 22 MEETING CLOSURE**