Shire of Capel

MINUTES

ORDINARY COUNCIL MEETING
Wednesday, 18 June 2014
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MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 18 JUNE 2014 COMMENCING AT 4.35PM.

PRESENT: President MT Scott
Deputy President BW Hearne
Councillors SH Baxi
BW Bell
SC Manley
GJ Norton
JA Scott
BH Smith
Chief Executive Officer PF Sheedy
Director Corporate Services PJ Anastasakis
Director Community Services MI Plume
Director Planning & Development Services C Burwood
Manager Health Services CR Dent
Acting Director Engineering & Operations S Faber
Manager Statutory Planning C Muller
Minute Secretary AD Evans

APOLOGIES: Councillor PK McCleery

VISITORS: Managing Director, TPG D Caddy
Proprietor, Southwide Pty Ltd M Zare

PUBLIC GALLERY: Mr J Standley
Mrs S Standley (and son)
Mr R Selkirk
Ms H Davis

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE Nil

PUBLIC QUESTION TIME Nil

APPLICATIONS FOR LEAVE OF ABSENCE Nil

DECLARATIONS OF INTEREST

Cr B Smith declared an Impartiality interest in Item 15.2 St John Ambulance Sub-Centre to co-Locate with the Bushfire Brigade. The nature of his interest is that he is a senior member Fire Control Officer of the Boyanup Bushfire Brigade and his wife is Secretary Treasurer.

Crs S Manley and B Smith declared a financial interest in Item 17.4 Draft Budget 2014/15. The nature of Cr Manley’s interest is that road works will occur on Mangles Road adjoining her property in 2014/15. The nature of Cr Smith’s interest is that road works will occur on Hurst Road adjoining his property in 2014/15.

Cr B Smith declared an Impartiality interest in Item 17.5 Application to Keep 6 Cats – 2 Peak Place, Boyanup. The nature of Cr Smith’s interest is that he is a neighbour of the applicant, and his wife has put in a submission in this matter.
NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS
Nil

OC0601 CONFIRMATION OF MINUTES – 21.05.14

Moved Cr J Scott, Seconded Cr Hearne

That the minutes of the Ordinary Council meeting held on 21st May 2014, as printed, be confirmed subject to the following correction:

Page 104 – delete references to “Bunbury Netball Club” and insert “Boyanup Netball Club”.

Carried 8/0

VOTING REQUIREMENTS
Simple majority

ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION

The President announced that while he was on leave in New Zealand recently he met with the Mayor of New Plymouth District Council, Andrew Judd. Mayor Judd presented Cr M Scott with a book entitled “Images of a Nation Taranaki” which will be placed in the Iluka Capel Library. The President said he will reciprocate this gesture and forward a copy of Capel local history book, “Just a Horse Ride Away” to Mayor Judd.

PETITIONS/DEPUTATIONS/PRESENTATIONS

The presentation which was to have been given by Joel McGuinness, Centre Manager of the Bunbury Regional Entertainment Centre has been postponed to a later Council meeting as Mr McGuinness is unwell.

Mr David Caddy, Managing Director of TPG gave a PowerPoint presentation on behalf of Southwide Pty Ltd on the proposed Buddhist Shaolin Temple development on Minninup Road, Dalyellup. The President thanked Mr Caddy for his presentation and asked if he could provide more details on the Shoalhaven development in New South Wales for Council’s information.

Mr Caddy and Mr Zare left the Chambers with Mr Dent at 4.56pm.

Mr Joel Standley, owner of the land in question in Item 15.3 Special Rural Zone No 2 – Modification No 3 to Subdivision Guide Plans, gave a verbal presentation requesting Council to consider removing Point 5 of the Development Provisions.

Mr Sheedy left the Chambers at 4.57pm and returned at 4.58pm. Cr Bell left the Chambers at 4.58pm. Mr Dent returned to the Chambers at 4.59pm. Cr Bell returned to the Chambers at 5.00pm.

The President thanked Mr Standley for his presentation.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil
CHIEF EXECUTIVE OFFICER REPORTS

OC0602 (13.1) ‘Overnight Stay’ Caravan Site

Location: Capel
Applicant: Shire of Capel
File Reference: N/A
Disclosure of Interest: Nil
Date: 26.05.14
Author: Chief Executive Officer, PF Sheedy
Senior Officer: Chief Executive Officer, PF Sheedy
Attachments: RV Stop Signage – City of Kalgoorlie-Boulder

MATTER FOR CONSIDERATION

The establishment of a temporary ‘roadside rest area’ in Berkshire Road, Capel, signage at the Civic Precinct development directing travellers to the Peppermint Grove Beach Caravan Park, amendment of local laws to allow for ‘roadside rest areas’, establishing Iron Stone Gully Falls for camping and obtaining RV (recreation vehicle) friendly status.

BACKGROUND / PROPOSAL

Background

August 2013 refers: As part of the Chief Executive Officer’s Annual Performance Review in 2013 Council included a Key Result Area Action ‘Prepare a report to council on potential opportunities and issues for ‘Overnight Stay’ caravan sites’ for the 2013/14 period, with a report to be completed by June 2014.

Proposal

A number of sites within the Capel townsite have been considered in this report that are in close proximity to the town centre which if constructed would allow visitors to park their caravans at the caravan site and then walk to the town centre.

With the proposed establishment of the ‘Waste Dump’ site and parking for several caravans in Stage 1 (2015/16) of the Civic Precinct development and the re-development and re-opening of the Peppermint Grove Beach Caravan Park it is suggested that Council not undertake the development an ‘Overnight Stay’ caravan site in the Capel townsite, but consider the establishment of a temporary ‘roadside rest area’ and direct stop over visitors, into Capel, who wish to stay in the area overnight or longer, to the caravan park in Peppermint Grove Beach.

At this time no costs have been ascertained to undertake the various proposals and would form part of future budget considerations if endorsed by Council.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 2.7

2.7. Role of council

(1) The council —
   (a) governs the local government’s affairs; and
   (b) is responsible for the performance of the local government’s functions.

(2) Without limiting subsection (1), the council is to —
(a) oversee the allocation of the local government’s finances and resources; and
(b) determine the local government’s policies.

**Local Government Act Section 3.1**

3.1. General function

(1) The general function of a local government is to provide for the good government of persons in its district.

**Caravan Park and Camping Grounds Act 1995**

**Shire of Capel Activities on Thoroughfares and Trading in Public Places Local Law**

PART 3 – OBSTRUCTING ANIMALS, VEHICLES OR SHOPPING TROLLEYS
Division 1 - Animals and vehicles

3.1 Leaving animal or vehicle in public place or on local government property

A person shall not leave an animal or a vehicle, or any part of a vehicle, in a public place or on local government property so that it obstructs the use of any part of that public place or local government property, unless that person has first obtained a permit or is authorised to do so under a written law.

(1) A person will not contravene sub clause (1) where the animal is secured or tethered for a period not exceeding 1 hour.

(2) A person will not contravene sub clause (1) where the vehicle is left for a period not exceeding 24 hours.

Provided any caravan or vehicle stopping on a road did not exceed stopping over for more than 24 hours it would not be in breach of Local Law 3.1(3). The question is whether camping in the vehicle can be deemed to be leaving a vehicle on the thoroughfare. It is more likely that camping is covered by other legislation.

**POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

**FINANCIAL IMPLICATIONS**

**Budget**

There is no allocation in the 2013/14 budget or 2014/15 draft budget for the development of an ‘Overnight Stay’ caravan site.

**Long Term**

The Civic Precinct Master Plan Stage 1, planned for 2015/16 includes the provision of the ‘Waste Dump’ site and parking along Buchannan Road for short stay caravan stopping.

**Whole of Life**

As it is not recommended that any ‘Overnight Stay’ caravan site be developed there will be no Whole of Life costs incurred.
**SUSTAINABILITY IMPLICATIONS**

The location of stopover sites in close walking distance to the Capel town centre would reduce the use of motor vehicles and their carbon emissions.

The encouragement of caravan travellers to stopover in Capel will provide opportunities for increased retail sales leading to improved economic outcomes for some local businesses.

**STRATEGIC IMPLICATIONS**

Within the Shire of Capel Strategic Community Plan 2013 -2031, ‘The Economic Experience’ and specifically strategic outcome ‘4.7 Promote tourist interests and provision of tourist accommodation’ is relevant.

In Council’s Corporate Business Plan 2013-2017 strategy ‘4.7A Support and encourage the development of tourist accommodation’ and Action ‘4.7A1 – Encourage the development of caravan park facilities’ has relevance to this item.

**CONSULTATION**

Some consultation has been undertaken with the Caravan Industry Association to get some feedback on what facilities would be expected for overnight stays and this has been incorporated under the comment section.

**COMMENT**

In considering the matter of overnight caravan/motor home parking in Capel it is to be noted that such parking is regulated by the Caravan Parks and Camping Grounds Act 1995 and its associated Caravan Parks and Camping Grounds Regulations 1997. Whilst the legislation principally provides local government with licencing and management powers it also sets standards to be complied with in the development of caravan parks /camping grounds.

Interestingly the objectives of the Act are to also:

- Improve and promote caravanning and camping;
- To ensure that standards are met that is adequate to protect the health and safety of occupiers.

The Act (Section 6) specifies that a caravan park or camping area is not to be operated without a licence. Section 15 of the Act does however exempt a local authority from holding a licence to operate a facility but sections 13 and 31 will apply. Section 13 requires a manager to reside on or near the facility who is accessible at all times. Section 31 advises that the Minister may vary or grant exemptions from subsidiary legislation which it is assumed refers to the Regulations (undefined). At this point it is assumed that the Act relates to caravan parks and camping parks with no reference to rest areas etc.

Regulation 11(1)(b)(c) may be the opportunity for Council to consider as it indicates that “a person may camp for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area, on a road reserve in an emergency, on land held by the state (such as a reserve) with approval of that state instrumentality; or on any unallocated crown land or unmanaged reserve with the permission of the Minister administrating the Land Administration Act.

The opportunity to explore therefore, is how does Council designate a road side stop area (as distinct from a road reserve), alternatively Council may need to find a reserve or unallocated Crown land to which it can receive State approval.
Under the Camping Ground Regulations 1997 the definition of a of “road side rest area” means an area designated by a traffic sign erected in accordance with a written law, as an area which may be used for 24 hours for -

(a) resting;
(b) stopping; or
(c) camping;

in a vehicle.

The definition of vehicle under the Act is “means a conveyance (other than a train, vessel or aircraft) capable of being propelled or drawn on wheels.”

It therefore appears that the intent to “set up road side rest area” is to be governed by a written law and it is assumed that this would be a local law; however this will require further clarification.

Investigation needs to be undertaken to see if the Shire’s Local laws relating to Activities on Thoroughfares and Trading in Public Places or the Local Government Property Local Law provide for the establishment of “road side rest areas”. If they don’t is there an opportunity to amend them if necessary.

The Caravan Parks and Camping Ground Act and Regulations are in a process of review, which was commenced by the Economics and Industry Standing Committee’s review of the Caravan Industry and Legislation in 2009.

The Committee completed an extensive evaluation of factors influencing the health of Western Australia’s caravan and camping industry, including demand and supply constraints, waste management, planning and development issues and legislative matters. The Committee findings were wide ranging with 57 recommendations across 10 portfolios including a review of the Act in order to reduce the detailed regulation requirements in relation to caravan infrastructure.

The Department of Local Government and Communities has established (late 2013) a Caravan Parks and Camping Grounds Steering Committee to develop requirements for a new Act to replace the existing and associated legislation. The Committee has set itself an extensive list of tasks and consultation intentions and it would appear that it will be a lengthy process. Interestingly a number of workshops have already been held with one focus areas being “Roadside Rest Areas, the Role of Local Government and Catering for Different User Groups”. It is apparent that the Department is now preparing a discussion paper which was due for release for comment in the second quarter of 2014.

The view is held that the existing Act and Regulations are very prescriptive and unable to cope with the changes to the market. For example it is to be noted that many travellers now have fully self-contained recreational vehicles (RVs) that do not need the same facilities that are prescribed in the Act, nor do they comfortably fit in many of the site sizes that have been set under Regulation.

It is also noted that a National Competition Policy review found that Regulation 49 to be anti-competitive and recommended that it be removed from the Regulations and that a set of minimum standards for nature-based parks become legislative provisions. Regulation 49 does not allow a local government to grant a licence for a transit park or a nature based park if there is a caravan and camping facility within 50 kilometres. Advice is that the Minister is giving consideration to removing this clause from the legislation.

In considering possible locations within the Capel townsite, consideration was given to sites that would be close to the town centre and if possible allow the travellers to park their caravan and then walk into the town centre. Existing reserve purpose, Town Planning Scheme No 7 zoning and restrictions are also outlined for each site.
However given all the above information several sites were identified and their suitability as an ‘Overnight Stay’ site considered. They all have issues that make it difficult in the long term to establish a permanent approved ‘Overnight Stay’ site for caravans and recreation vehicles (RV) and relevant legislation would appear to indicate it may be difficult to get approval for such purpose.

**Reserve 7574 Erle Scott Reserve – Buchannan Road**

This is where the Civic Precinct Master Plan development will be undertaken and as previously indicated will have provision for the parking of caravans (short stay) and provision of a waste dump facility as part of Stage 1 in 2015/16.

**TPS Zoning:** Recreation

**Land Administration Act Reserve Purpose:** Recreation

**Advantageous**
- Close to the town centre in easy walking distance
- Good access of the main road (Capel Drive) and easy entry and exit from the town centre and Bussell Highway
- Will have caravan parking (which may be able to be utilised for overnight stay) and waste dump facility close by
- Toilet facilities close by (next to waste dump site)
- Minimal disturbance to existing residents.

**Disadvantageous**
- The Civic Precinct development has no provision for caravan hardstand areas in the current plan
- Would require a redesign of the Civic Precinct plan and relocation/deletion of some of the prosed development.

**Comment:** The Shire may wish to allow overnight stopping in Buchanan Street (subject to clarification on need for a local law) where at least two caravan parking bays are identified on the detailed plan, however these bays are not yet developed and currently only a gravel shoulder exists which is not considered adequate for any parking until the bays are constructed. Also, the road will be constructed on some grade for drainage and this does not lend itself to overnight parking (except where caravans have self-levelling).

This caravan parking area will have R30 residential development on the western side of the street which is not considered ideal immediately adjacent to overnight parking. Permitting the parking of tourist vehicles (camping) on residential streets and town reserves is uncommon except in remote areas and may be difficult to manage, including the ‘precedent’ issue.

**‘Hannaby Park’ West Road**

**TPS Zoning:** Not zoned, part of road reserve within the West Rd road reserve. The proposed omnibus amendment currently intends to rezone the area as Recreation reserve.

**Land Administration Act Reserve Purpose:** Roadway

**Advantageous**
- Close to the town centre in easy walking distance
- Good access of the main road (Capel Drive) and easy entry and exit from the town centre and Bussell Highway
- Generally not surrounded by residential housing (currently located on two sides)
Disadvantageous

- Currently partly utilised as a play/park area
- Would require works to provide hardstand areas for parking of caravans and drainage
- No facilities such as power, ablutions etc.

Comment: Parking is currently permitted on road reserves however overnight parking of caravans (camping) in a residential area or a local park may not be appropriate and may be opposed by nearby residents. Overnight camping is unlikely to be considered consistent with the road reserve designation unless it is possible to permit the use as a ‘road side rest area’ under a local law provision. There is also the issue of vehicles driving on a local park which is not generally supported.

Hannaby Park now has a well-developed residential area adjacent to it with a number of residences having an outlook to this park. It is also noted that Main Roads WA have standards that they apply to road side rest areas which specify that such areas should not be located within 200 metres of residential uses. Hannaby Park could be considered too close to residential uses.

Reserve 24529 Capel Recreation Ground – Northern End

TPS Zoning: Reserve for Recreation

Land Administration Act Reserve Purpose: Recreation and showground

Advantageous

- Not surrounded by residential housing
- Generally good access from town centre, from Spurr Road and Bussell Highway and easy entry and exit into site
- Has an ablution facility (at pavilion).

Disadvantageous

- Not close to the town centre and generally would have to drive rather than walk
- Would require some works to provide hardstand areas for parking of caravans and drainage as current area is low and gets wet in the winter
- May impinge of visitors parking around the oval to watch sports

Comment: Use must be in accordance with the Reserve purpose (Recreation & Showground) and the objectives of the Scheme reservation (Recreation).

Areas towards the centre of the Capel Recreation Ground are likely to have less impact on surrounding residential uses however there is still the question of whether it is permissible under the Recreation reservation.

Whilst allowing the use on the Recreation and Showground reserved land may not be permissible under the Land Administration Act it maybe Council’s view that the land at the end of Berkshire Street or even portion of the Berkshire Street (Western portion) road reserve may be suitable for the establishment of a temporary ‘road side rest area’ subject to access and safety matters being addressed and relevant local laws being established. The site or area would only have a temporary function as the growth of the Recreation Ground is likely to ultimately be in conflict with the use of this space. As mentioned above the use of this space would or should be established along the lines of the research findings which limit the use to no more than 24 hours and specifically for self-contained vehicles unless Council was to provide facilities or make access to facilities such as at the sports pavilion however this alternative creates management and maintenance issues.
Railway Land Properjohn/Forrest Roads

TPS Zoning: Reserved for Railway

Land Administration Act Reserve Purpose: Railway

Advantageous

- Close to the town centre in easy walking distance
- Very good access from the main road (Forrest Road) and easy entry and access to the site
- May provide additional patronage to adjoining shop
- Close to doctor and chemist

Disadvantageous

- Council would have to negotiate a lease with Westrail
- May impinge on parking for adjoining shop
- Would require some works to provide handstand area and possible kerbing.

Comment: Use must be in accordance with the Reserve purpose (Railway) and the objectives of the Scheme reservation (Railway). Overnight camping is not considered consistent with these objectives.

The railway reserve adjacent to Properjohn Road is specifically for railway purposes. It is noted that portion of it currently provides for some parking of larger vehicles which visit the town. Notwithstanding the permissibility of the reservation disallowing the stopping of caravans, approval and a lease or licence from PTA would be required. Similar to Hannaby Park, there are residential uses nearby which are considered to be too close for this activity.

City of Kalgoorlie-Boulder has set up a free RV camp in the middle of the town. “RV Stop Spot” signage at this camp indicates that:

- Site Specific Regulations apply;
- 24 hour stop only for self-contained vehicles;
- Vehicles not self-contained cannot stay;
- The parking area may be used for community event parking from time to time and parking maybe difficult to find;
- Directions to where the City provides Dump points;
- Directions to where caravan/motorhome parking is available;
- Directions to where Caravan Parks are located for stays longer than 24 hours;
- Visitor Centre phone contact details.

Ironstone Gully Falls rates a mention on the RV Association website as “quite a lovely site with a drop toilet and 2 gas BBQ’s. Slightly restricted access for smaller vehicles and impossible for larger vans. Plenty of wood for a fire.” Ironstone Gully Falls has over a long period of time been used for camping and management of campers has been a problem. It may be appropriate to consider preparing a formal management plan to investigate how camping can be managed and facilities maintained given its popularity.

Finally with no caravan facilities in the Shire at the time this report was requested by Councillors (July 2013) there was a desired need to consider providing some short stay (overnight) facilities. Now that there is a strong indication that the Peppermint Grove Beach Caravan Park will be re-established in the next twelve months it is better to give consideration to providing the opportunity for caravan travellers to stopover in Capel during the day and
then encourage them to travel to Peppermint Grove Beach and utilise the caravan park there for their short or extended stay. The provision of caravan parking bays (2-3 bays), the waste dump facility and toilets, as part of Stage 1 of the Civic Precinct Master Plan development in 2015/16 will provide this day time stopover opportunity.

As it appears that current legislation would not support ‘overnight stay’ sites it is suggested that consideration be given to ‘roadside rest areas’, signage directing visitors to the Peppermint Grove Beach Caravan Park and the possible establishment of low key camping at Ironstone Gully Falls.

VOTING REQUIREMENTS

Simple majority

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<tr>
<th>OC0602 OFFICER’S RECOMMENDATIONS – 13.1./COUNCIL DECISION</th>
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Moved Cr Smith, Seconded Cr J Scott

That Council receives the report on ‘Overnight Stay’ caravan sites in Capel and resolves:

1. That it agrees that it is important that it not establish similar facilities that will be in competition with the Peppermint Grove Beach Caravan Park;

2. That it makes provision in the future development of the Civic Precinct for signage to be provided giving instruction to travellers on where to find the Peppermint Grove Beach Caravan Park;

3. That the Chief Executive Officer considers in more detail the site suitability and feasibility of providing a temporary “road side rest area” on Berkshire Street west adjacent to the Capel Recreation Ground, specifically for self-contained vehicles for stays no longer than 24 hours; the vehicles that are not self-contained to be directed to the Peppermint Grove Beach Caravan Park;

4. That the Chief Executive Officer investigates the amendment of existing local laws to allow for the designation and management of road side rest areas by Council;

5. That the Chief Executive Officer investigates the requirements of establishing Ironstone Gully Falls as a nature based camping area and if feasible and subject to budget allocation prepare a reserve management plan to formalise the use of the reserve for camping; and

6. That the Chief Executive Officer investigates the opportunities for Capel Town to obtain “Recreation Vehicle friendly” status.

Carried 8/0
MATTER FOR CONSIDERATION

Approve the Chief Executive Officer (CEO) taking five weeks annual leave from 13 April to 15 May 2015.

BACKGROUND / PROPOSAL

Background

Council amended Policy 13.1 at its 14 April 2004 (Minute OC0413) on the basis that any periods of leave taken by the CEO that exceeds five working days have to be approved by Council.

The President can approve periods of leave of five days or less.

Proposal

To take five weeks annual leave in April/May 2015 to travel to Canada to see our son, who has been living there for four years.

STATUTORY ENVIRONMENT

Local Government Industry Award 2010

POLICY IMPLICATIONS

Policy 13.1 indicates that:

1. The Chief Executive Officer be required to submit annual leave applications to Council for approval where the period of leave to be taken exceeds five working days.

2. Where the Chief Executive Officer wishes to take periods of leave that is five working days or less, the President is to be advised of the proposal.

3. The details of all Chief Executive Officer annual leave periods, where time permits, shall be included in the monthly Information Brochure.

4. During periods of annual leave by the Chief Executive Officer, the Director Corporate Services shall be appointed to the position of Acting Chief Executive Officer.
**FINANCIAL IMPLICATIONS**

**Budget**

There are no additional financial implications as the provisions for leave is included in the annual budget provisions and where it is accrued leave funds are available in the Employees Leave Reserve to cover any additional costs.

**Long Term**

The taking of annual leave will reduce the amount required to be transferred to the Employee Leave Reserve Fund.

**Whole of Life**

As no assets will be created there is no whole of life costs relevant to this item.

**SUSTAINABILITY IMPLICATIONS**

The effective management of staff taking annual leave is seen as a sustainable social outcome for the employee and the organisation.

**STRATEGIC IMPLICATIONS**

**Strategic Community Plan 2013-2031**

The proposal meets the strategic outcome 1.5 ‘Ensure the effective management of Council’s resources’ under ‘The Leadership Experience’ of Council’s Strategic Community Plan.

**Corporate Business Plan 2013 -2017**

Strategy 1.5A ‘Effective and efficient management of Council’s resources’ is relevant to this proposal.

**CONSULTATION**

Consultation has been undertaken with the Director Corporate Services given this period is during draft Budget preparation.

**COMMENT**

I am intending to undertake a train/coach tour and a boat cruise up the Inland Passage, whilst in Canada; the most suitable times for this are obviously outside of their winter months, which are roughly October to March.

It is expected that the Administration Building refurbishment (assuming it proceeds) will be completed in August/September 2015 and I wish to be present during this time as staff move into the new ‘Open Plan’ environment. Whilst the April/May period is draft budget time it is expected that it should be a bit smoother process as we have a better understanding of the Integrated Planning process and steps are being put in place this year to improve the draft budget process.

I have had discussions with the Director Corporate Services, who will be Acting CEO during this time, and it is considered that the April/May period would be better than later in the year.

There are also some significant financial incentives to take the holiday in the April/May period.

During my periods of annual leave the Director Corporate Services is appointed as the Acting Chief Executive Officer as per Policy 13.1.
VOTING REQUIREMENTS

Simple majority

OC0603 OFFICER’S RECOMMENDATIONS – 13.2/COUNCIL DECISION

Moved Cr Smith, Seconded Cr J Scott

That Council approves the Chief Executive Officer’s leave for the period 13 April to 15 May 2015 and appoints the Director Corporate Services as Acting Chief Executive Officer during this period as per Council Policy 13.1.

Carried 8/0
MATTER FOR CONSIDERATION

The sale of Lot 10 Thomas Street, Boyanup (land and units) to Access Housing Australia (AHA) for $500,000 by private treaty, subject to advertising the proposal for public comment, to allow for the development of seniors housing units, for Boyanup residents.

BACKGROUND / PROPOSAL

Background

August 2007 refers: The Shire of Capel Seniors Housing Committee in considering alternatives to provide seniors housing in Boyanup resolved (Minute SHC0805):

“That it be recommended to Council that:

1. A public forum be held in Boyanup to clarify matters such as level of interest, support for the purchase of units, type of units required, is need immediate or in the future, sale of units to be at market price and any other matters raised;

2. The Chief Executive Officer be authorised to instigate a scheme amendment for Lot 10 Thomas Street, Boyanup to change the current zoning and R Code density to allow for a maximum of twelve two and three bedroom units to be constructed on the site, including the current units (an additional nine); and

3. Once the scheme amendment is completed, tenders be called for the sale of the land, excluding the land occupied by the existing units, on the basis that all the units on the site, including the existing units, would be strata titled and that the units would be occupied by at least one person over the age of 55 in each unit;

4. Once the scheme amendment is completed and prior to selling the lot, Council construct attached carports for existing units 1 and 3 and construct a stand-alone carport for existing unit 2 on land opposite it.

5. The Seniors Housing Advisory Committee further considers the most appropriate unit design.”

Council at its meeting on 22 August 2007 (Minute OC0814) endorsed the above recommendation.

April 2008 refers: Council at its meeting on 9 April 2008 (Minute OC0403) endorsed the rezoning of Lot 10 Thomas Street, Boyanup to ‘Special Use – Aged Persons Unit Accommodation’.

January 2009 refers: Western Australian Planning Commission approved the rezoning of Lot 10 Thomas Street, Boyanup from ‘Residential R10/R15’ to ‘Special Use’ with the permitted use being Aged Persons Unit Accommodation up to a maximum of 12 units including existing three.
April 2009 refers: A valuation report for Lot 10 Thomas Street, Boyanup was obtained from Herron Todd White, Independent Property Advisors, Bunbury by Shire staff.

July 2009 refers: At the meeting of the Capel Country Care Inc. held on 14 July 2009 the Committee resolved to support the sale of the Shire’s land in Thomas Street, Boyanup, excluding the existing three units, to AHA to allow them to build nine units, for seniors, under the Commonwealth Housing Stimulus package.

September 2010 refers: Proposals for the purchase of Boyanup land and existing units and transfer of Capel land received from Access Housing.

October 2010 refers: An updated valuation report by the Shire of Capel was obtained from Herron Todd White, Independent Property Advisors, Bunbury.

November 2010 refers: Council at its meeting on 10 November 2010 resolved:

‘to advertise for public comment, the proposal to sell Lot 10 Thomas Street, Boyanup, including the existing three units, to Access Housing Australia Limited at the current market valuation (subject to Access Housing agreeing to purchase the land at market valuation) as required under section 3.58 (3) of the Local Government Act 1995.’

March 2011 refers: The AHA Board in agreeing to purchase the land and buildings required its staff to obtain a current valuation of the land and buildings.

April 2011 refers: Council at its meeting on 27 April 2011 resolved:

‘That Council advises Access Housing Australia that given that the valuation they have obtained is based on the incorrect ‘living area’ of the three units in Thomas Street, Boyanup and the correct calculation would provide a market valuation similar to that previously obtained by Council in October 2010, the previous decision to offer the land and buildings for sale, by private treaty, at $610,000 stands.’

June 2011 refers: A further valuation report was commissioned by Shire staff which has indicated a market valuation of $565,000.

Proposal

Access Housing recently completed a valuation report (14 May 2014) on 9 Thomas Street, Boyanup which indicated a market value ‘as is’ of $635,000.

To assist with the development capacity of the site and to also highlight the Council’s contribution to provide affordable aged accommodation in the area and to strengthen an application for grant funding to Royalties for Regions, a discount to the valuation amount is being requested. The amount is subject to undertaking a more detailed feasibility however Council is requested to consider a purchase price of +/- $475,000. A detailed feasibility will be undertaken once we receive advice of the level of Shire support to support an application for R4R funding.

Access Housing will provide a mixture of retained dwellings for long term tenancy and a portion sold to provide direct ownership and retire debt. The rental level will be determined closer but will be discounted to market. Application of National Rental Assistance Scheme incentives will be subject to approval.

The proposal will be to develop the new homes then move the existing tenants into 3 and refurbish the existing dwellings.

Should this project commence, housing options will be presented firstly to existing persons identified from Council’s recent survey then progressing through the local community before
consideration of persons from outside of the area. Access Housing will work closely with Council and the local community to ensure the desired outcomes are achieved.

Access also will not be seeking a discount in rates under their charity status as they believe in supporting the community not only through the provision of social and affordable housing options but also financially through revenue to the local council to provide the services and amenities which residents use and enjoy.

**STATUTORY ENVIRONMENT**

Shire of Capel Town Planning Scheme No 7

Lot 10 is zoned ‘Special Use – Aged Persons Unit Accommodation’ pursuant to the Shire of Capel Town Planning Scheme No 7. The development standards and conditions relevant to the land as contained within Appendix 4 of the Scheme allow development in accordance with the R25 density code to a maximum of 12 units.

Local Government Act 5.23 (2) (c) & (d)

**5.23 Meetings generally open to public**

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

Local Government Act 1995 s 3.58 (3) & (4)

**3.58 Disposing of Property**

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

**POLICY IMPLICATIONS**

There are no current Council policies relevant to this matter.
FINANCIAL IMPLICATIONS

Budget

The sale of the property whether by private treaty or other means will provide additional funds to the Shire of Capel as the lot is owned freehold by the Shire of Capel. These funds can then be utilised to fund other Council projects throughout the Shire or placed into reserve funds for future projects at Boyanup or elsewhere in the Shire.

Sale of the property, including the three units, at the market valuation of $565,000, would realise funds equivalent to the 2011/12 draft budget allocation, would negate the requirement for Council to provide carports to the existing three units and meet any future annual expenditure, currently $27,700 per annum. Income of approximately $20,000 per annum from rental income would also be lost.

Long Term

Sale of the property, including the three units would negate the requirement for Council to meet any future annual expenditure, (2014/15 draft budget $27,700). Income of approximately $19,600 per annum from rental income and reimbursements would be relinquished.

Whole of Life

As the land and buildings are to be disposed of there will be no ongoing whole of life costs.

SUSTAINABILITY IMPLICATIONS

It is expected that the units constructed will achieve a minimum 5 star energy rating and be of a low maintenance nature.

The development of the seniors housing units will provide the opportunity for a number of seniors to be located in one complex leading to improved social interaction between seniors.

Construction of units in Boyanup will have positive economic benefits to local businesses both during the construction phase and when the units are occupied as it will bring additional people into the town centre.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013-2031

Strategic Direction 4 ‘The Economic Experience’ and specifically 4.4 ‘Improve the attraction of the towns as retirement destinations.’

Shire of Capel Corporate Business Plan 2013-2017

Strategy 4.4A ‘Plan for a variety of residential accommodation options, facilities and services for seniors’ and Action 4.4A2 ‘Plan for and promote Boyanup as a retirement destination as part of the growth of the town.’

Boyanup Townsite Strategy

The adopted Boyanup Townsite Strategy Structure Plan designates Lot 10 as ‘Residential R40’. Development of the land for aged persons is consistent with a number of aims and objectives of the Strategy, the most significant of these comprising:
Population Growth and Land Supply

(iii) Provide a range of residential densities in the town to reflect different lifestyle demands including town centre/medium density, traditional lower density, special residential and aged person’s accommodation.

(iv) Establish medium density precincts around areas providing local commercial/retail, recreational, educational or other community uses primarily surrounding the town centre.

Aged Friendly Communities Plan - Housing Recommendations

Objective 4 – Ensure that housing needs of older people are addressed through effective urban planning strategies.

Strategy 4.1 - Work with community based aged accommodation groups to determine the extent of aged accommodation needed in each township.

Strategy 4.2 - In the Shire’s town planning strategies ensure that land suitable for aged accommodation development is identified and zoned appropriately in all townships to encourage affordable housing.

Strategy 4.3 - Ensure that the planning, design and assessment of aged accommodation meet latest standards for accessibility and inclusion.

Objective 5 – Ensure that appropriate funding is provided by Government, Council and other stakeholders to develop aged accommodation.

Strategy 5.2 - Actively pursue funding for development of additional community housing in Boyanup and Capel.

Objective 6 – Identify new housing models that address issues of affordability and innovative design to suit people of all ages.

Strategy 6.1 - Encourage developers to consider aged care accommodation options which offer a range of affordable housing choices across all towns.

Strategy 6.2 - Develop a Housing and Development Sustainability Policy to include the need for housing design to accommodate and be adaptable to the changing needs of older people.

CONSULTATION

As can be seen from the information in the Background section of this report the sale of the land has involved ongoing discussion over a number of years by the Capel Country Care Inc. Committee, discussions between the Chief Executive Officer and Access Housing Australia and also officers from the South West Development Commission.

As indicated in the Statutory Environment the proposed sale by private treaty has to be advertised locally inviting submissions for at least two weeks before Council can consider any submissions and make a final decision on the disposal of the property by private treaty.

COMMENT

In considering the sale of the land and units in Boyanup a number of considerations arise, namely the interests of the existing tenants, maximising the financial return to Council on the sale and the trade-off (reduction in financial return) that Council is prepared to consider to ensure the development of additional seniors units on the lot to accommodate Boyanup seniors.
Existing Tenants

With discussion on a possible sale of the land and buildings in 2010 Council sought legal advice on the rights of the existing tenants should the whole lot, including the existing units be sold to a developer. The legal advice indicated that:

"A.1 The Shire will not, in our view, be able to require that, after acquisition, the developer honour the tenancy agreements as currently drafted. Apart from our concerns about the validity of the tenancy agreements (see point A.2 below), the developer will be entitled to serve a 60 day notice to terminate the tenancy agreement under section 64 of the Residential Tenancies Act 1987 at any time. The developer will also be entitled to increase the rent under the tenancy agreement (to market value) every six months under section 30(1) of the Residential Tenancies Act 1987. Whether a market rent is a fair rent in the circumstances is a matter of opinion.

A.2 In our view, the tenancy agreements do not comply with section 136 of the Planning and Development Act 2004, which requires that each of the units be on a separate strata title lot as they are each leased to seniors for housing. Consequently, if the Shire elects to retain ownership of the existing units, it should ensure that appropriate survey plans are drawn up and lodged at Landgate to strata title the existing units and the balance of the Land.

B. The Shire has two options to protect the current residents of the existing units from rent increases that will force them out:

(a) the Shire may strata title the Land sell that part of the Land not occupied by the units to the developer. The Shire would then retain ownership of the strata titles on which the original units stand. Each of the existing units should be the subject of title issue on its own strata lot, and a new lease should be drawn up for each one.

(b) If the Shire elects to sell the whole of the Land to the Developer, it can make the sale subject to the Land (and each existing unit) being strata titled and the developer giving the current residents an option to lease or purchase the respecting existing unit form the developer. Under this option:

(i) If the existing units are to be leased to the current residents than a new fixed term lease should be drawn up and attached to the sale contract. We suggest that the lease then be registered against the title at Landgate; and

(ii) The Shire could stipulate a low purchase price if the existing units are to be purchased by the current tenants from the developer, although stamp duty will be assessed at the true market value of that residence.

The prospective form of lease or purchase option will need to be attached to, and form part of, the contract of sale of the Land to the Developer."

Access Housing’s record in looking after the existing tenants is excellent and can be gauged by the accommodation of the existing four tenants in Capel during construction. However this was at a substantial cost to Access Housing during the construction and preliminary advice has been that in regards to Boyanup they are considering retaining the existing units to allow the current tenants to remain.

Given the written legal advice above the best that Council could achieve would be to make a written request to Access Housing at the time of the sale requesting that they undertake to retain the existing units to allow the current tenants to remain until they choose to vacate.
Maximising Financial Return

Council needs to ensure that it obtains the best possible financial outcome it can from the sale of any of its assets and if it proceeds down the path of 'sale by private treaty' there needs to be a clear level of transparency as to why Council is accepting an offer that is substantially less than the valuation.

Trade-Off to Ensure Development

In view of the current valuation obtained it could be argued that the offer made by Access Housing is insufficient and negotiations need to be undertaken if Council wishes to proceed down this path. Any requirement by Access Housing to increase their offer may render the proposal unviable if they were required to retain the three units for rental and the consequence might be that they would reduce the number of units available for rental.

The proposed sale price suggested by Access Housing of $475,000 +/- is on the basis:

‘To assist with the development capacity of the site and to also highlight the Council’s contribution to provide affordable aged accommodation in the area and to strengthen an application for grant funding to Royalties for Regions.’

Agreeing to the request from Access Housing will in affect provide a discount of $160,000 which then needs to be balanced against Council’s desire to encourage the development of seniors housing units on the lot and allow it to divorce itself from the ongoing requirement to provide and manage seniors housing in Boyanup.

The desire by Council to ensure that the existing tenants are allowed to remain in the existing units or relocated during construction of new units and relocated back when they are completed is seen as an impediment by developers and to ensure their needs are accommodated some discounting for this needs to occur.

How much should the discount then be to ensure the development of additional seniors units on the lot to accommodate existing seniors in Boyanup, plus ensure the ongoing tenancy of the current tenants is up for debate. As indicated in the Background section of this report the latest valuation obtained by Council in June 2011 was $565,000, so is an amount close to this figure still reasonable three years later? Based on the assumption that it is and given the other considerations, it is suggest that Council advise Access Housing that it is prepared to sell Lot 10 Thomas Street, Boyanup, including the existing thee units, for $500,000 subject to the existing tenants being allowed to remain in their units until they choose to vacate or are required to vacate due to them no longer being able to look after themselves.

The valuation obtained by Access Housing is considered to meet the requirements of section 3.58 (4)(c)(i) ‘the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition’ and whilst Council will be discussing matters relating to a ‘contract to be entered into’ and ‘legal advice obtained’ given that the sale has to be advertised for public comment, including the sale price and valuation and the legal advice is not considered of a confidential nature, it is not recommended that Council close part of the meeting to discuss this matter.

Finally, whilst Access Housing is requesting Council to indicate a sale price for the land and units that it would be prepared to accept at this time, the final decision on whether Access Housing will proceed or not, with the purchase and development of the lot, is very much dependant on them completing their feasibility study and business case for the proposal and the application to the State Government for R4R funding being successful.

The intention at this time is for Council to resolve to sell the lot and units at an agreed price to allow Access Housing to complete their feasibility study and include these figures, including Council’s in-kind contribution in the R4R application and to allow the Chief Executive Officer to
undertake the formal advertising process so that the sale can proceed, without hindrance later in the year, should Access Housing be in a position to proceed.

Mrs Standley left the Chambers with her son and Mr Dent at 5.23pm. Mr Dent returned to the Chambers at 5.24pm. Mrs Standley returned to the Chambers at 5.27pm.

VOTING REQUIREMENTS

Simple majority

**OC0604 OFFICER’S RECOMMENDATIONS – 13.3/COUNCIL DECISION**

Moved Cr J Scott, Seconded Cr Bell

That Council resolves:

1. To advertise its intention to sell Lot 10 Thomas Street, Boyanup, including the existing three units, to Access Housing Australia Limited for $500,000 by private treaty for a period of 14 days, as required under section 3.58 (3) of the Local Government Act 1995, for public comment;

2. That if no submissions are received during the advertising period the Chief Executive Officer be authorised to take appropriate action to proceed with the sale of Lot 10 Thomas street, Boyanup to Access Housing for $500,000, should their Royalties For Regions application be successful and they indicate their intention to proceed with purchase of the land and units; and

3. That if any submissions are made on the proposal that they be brought back to the July 2014 Council meeting for consideration.

Carried 6/2
MATTER FOR CONSIDERATION

Advice from the WA Beef Council indicating that it does not support further spending on South West Saleyards and that any future new saleyards is the responsibility of the Shire of Capel and WA Livestock Salesmen’s Association.

BACKGROUND / PROPOSAL

Background

The Chief Executive Officer wrote to the WA Beef Council in January 2014 seeking clarification of their position on new saleyards in the South West after the Minister for Agriculture had previous indicated that the investing of further State Government funds in new saleyards in the South West was not supported by the Beef Council.

Proposal

The WA Beef Council met in May 2011 to discuss the Boyanup Saleyards and their relative importance to the cattle industry in Western Australia and if $2.2 million should be invested in these saleyards.

Based on information presented at the time from the Department of Agriculture and Food (DAFWA), the Beef Council resolved that ‘a saleyard complex is necessary infrastructure for the industry in the south-west region of WA, however did not support any capital investment by the WA government in a replacement facility.’

The Council met in April 2014 to consider a letter from the Capel Shire seeking comment regarding the relocation of the Boyanup Saleyards.

The Council’s original position has not changed. That is, further spending on the saleyards could not be justified as there is, to date, no industry and/or commercial interest in investing in a new facility.

There was also agreement that if the industry considers that a saleyard is needed in the South West, post 2022, it is up to the Capel Shire and the WA Livestock Salesmen’s Association (WALSA) to determine the appropriate location and how the facility is to be funded.

The WA Beef Council would support a facility which is fully costed and available to all the industry participants rather than government investing in commercial infrastructure.

STATUTORY ENVIRONMENT

There are no statutory matters relevant to this item.
POLICY IMPLICATIONS

There is no current Council policy relevant to this item.

FINANCIAL IMPLICATIONS

Budget

The only current budget implications are minor costs for stationery and postage which are covered within the existing "Governance General" budget.

Long Term

Whilst there are no immediate long term financial implications from the decision by the WA Beef Council, the lack of support, by it, and apparently the current State Government, for government funding to build new saleyards in another location, does raise the question on whether the Shire of Capel will have to take the lead role going forward, which could involve financial considerations.

Whole of Life

There are no whole of life costs applicable at this time.

SUSTAINABILITY IMPLICATIONS

The lack of support by the WA Beef Council could potentially have an economic impact on the beef industry in the South West if the current saleyards are closed in 2022 and no suitable new saleyards provided.

STRATEGIC IMPLICATIONS

The Boyanup Saleyards are one of the few, if not the only yards in the South West that provide the opportunity for industry producers to dispose of their cattle and it therefore plays an important strategic role in the industry at the current time.

Shire of Capel Strategic Community Plan 2013 – 2031

Strategic objective under ‘The Economic Experience ‘Foster and support responsible and progressive economic development opportunities within the Shire’ and outcome 4.6 ‘Support and promote the agricultural economy’.

Shire of Capel Corporate Business Plan 2013-2017

Strategy 4.6C ‘Lobby State Government to support new and innovative agriculture opportunities’ and Action 4.6C1 ‘Lobby for the establishment of regional saleyards in the South West’.

CONSULTATION

No further consultation is recommended with the WA Beef Council at this time.

COMMENT

The comment and lack of support by the WA Beef Council is very disappointing given that one would assume from the title of the organisation that they would be strong advocates for and would ensure that they represent the best interests of beef producers in the South West.

It is very clear from their letter that they have relied on information from DAFWA, as has the Minister for Agriculture, and Council has previously and still does question the accuracy of this
information. The supposed drop in throughput numbers at the Boyanup saleyards, as claimed by DAFWA has been proven to be incorrect. In my view a number of the statements by the WA Beef Council are not correct or justified given previous decisions made by the State Government are outlined as follows.

**No Industry and/or commercial interest**

There is no disputing that if industry and/or commercial interests are expected to fully fund the purchase of land and development of new modern saleyards in the South West at an estimated cost of $15-$20 million then there is no interest as the return from yard fees would be insufficient to meet the substantial debt repayments plus generate a profit. That is clearly why the State Government has both fully or substantially funded the construction of new saleyards at Muchea and Katanning and provided funding to Mt Barker to eliminate its loan debt.

The original intention behind the proceeds from the sale of the Midland saleyards was to fund the construction of new strategically located saleyards in WA and the South West was identified as one of those locations.

What has happened is that the State Government of the past has squandered a large amount of this sale proceeds meeting the cost of the Muchea saleyards that were estimated to cost approximately $25 million but ended up costing in the vicinity of $50 plus million. The result being that very little funds were left for the South West after allocations to Katanning and Mt Barker. Clearly when it appears that the State Government and DAFWA only offered $2.2 million for the construction of new saleyards in the South West, there was no interest from the industry or commercial interests.

Council staff continue to argue that if a substantial amount of the estimated cost to build new saleyards in the South West was provided by the State Government, as was supposed to happen, then there would be interest from the industry and commercial operators to undertake the construction and management of the saleyards.

**Responsibility of Capel Shire and WALSA to determine location and funding**

It is clearly not the responsibility of local government to be solely responsible for identifying a suitable location for new saleyards or identify how it will be funded. Local government should not be held responsible to operate such activities as it is not our core business. It should clearly be facilitating it but not left to do it on its own.

The establishment of strategically located saleyards in this State has been previously identified in the State saleyards strategy and is clearly State strategic infrastructure that will benefit whole of industry with exports interstate and overseas and should be substantially, if not fully funded by the State Government as it has done with the others in this State. The current position of the State Government not to provide substantial funding is, in this Council’s view, not related to the need or justification or industry or commercial interest but the lack of funding at its disposal.

The State Government has previously indicated that it does not support WALSA retaining exclusive rights should a new saleyards be established in the South West if State funding is provided and Council fully supports this position and has continually advocated for an open new facility, but conversely it and the WA Beef Council cannot expect WALSA to fully fund a new facility and open it up to its competition without appropriate financial contributions.

Finally, as indicated by the WA Beef Council, this Council fully supports a fully costed facility that is available to all industry participants, but the only way that this is going to happen is if the State Government comes to the party and provides substantial funding towards the land purchase and saleyards construction costs for new saleyards in the South West, otherwise the industry risks losing saleyards in the South West if Council makes the decision not to renew the lease in 2022 resulting in the current saleyards closing.
VOTING REQUIREMENTS
Simple majority

OC0605 OFFICER’S RECOMMENDATIONS – 13.4/COUNCIL DECISION

Moved Cr Bell, Seconded Cr Smith

That Council requests the Chief Executive Officer to respond to the letter from the WA Beef Council Inc.:

1. Voicing its disappointment at the lack of support by the Beef Council for the State Government to substantially fund the construction of new saleyards in the South West; and

2. Pointing out that in Council’s view a number of the statements by the WA Beef Council are not correct or justified given previous decisions made by the State Government.

Carried 8/0
MATTER FOR CONSIDERATION

Approval for WALGA entering into a fixed term, fixed interest rate debt arrangement, when advantageous to finalise the funding of the remaining debt for its new headquarters in West Leederville (ONE70).

BACKGROUND / PROPOSAL

Background

The Shire of Capel originally contributed funds to enable its State Body, prior to WALGA being formed in 2001, to allow the purchase of a building in Perth as its headquarters. As a result the Shire of Capel became a unit holder (beneficiary) in the Local Government House Trust (‘the Trust’) and any future decisions affecting that building or future ones requires the approval of all/majority of unit holders.

ONE70 is a joint venture development undertaken between WALGA (as Trustee for the Local Government House Trust) and Qube Property Group under a 60:40 ownership arrangement. The new building was completed in January 2014 and has recently secured a 5 Star Green Star rating from the Green Building Council of Australia, representing Australian Excellence in Environmentally Sustainable Design.

Proposal

The Trust is now seeking to finalise the financing for the remaining debt underpinning the new building. With a Loan to Value Ratio (LVR) of 60%, the Trust is in a sustainable financial position given its 60% ownership share in the new building.

Through a competitive market process, WALGA and Qube Property Group have been successful in securing an exceptional loan facility for the remaining debt with BankWest. While the current loan facility is a variable rate arrangement, one of the options that may be sought in the short to medium term is to enter into a fixed term, fixed interest rate debt arrangement. This action may be pursued when our financial advisers indicate that it is advisable to capitalise on low interest rates by locking into a fixed term arrangement rather than remaining on a variable rate.

To enable this to occur, the Deed of Trust underpinning the Local Government House Trust will need to be amended to provide the Trust with the authority to enter into a fixed term, fixed interest rate debt arrangement. Any beneficiary Local Government that has an objection to this course of action is requested to notify WALGA in writing by 5.00pm on Friday 11 July 2014.

STATUTORY ENVIRONMENT

There is no statutory act or regulations relevant to this matter other than the original legal agreement (Deed of Trust) signed by all beneficiaries.
POLICY IMPLICATIONS

There are no current Council policies relevant to this matter.

FINANCIAL IMPLICATIONS

Budget

There are no current budget implications or costs incurred by Council in agreeing to this debt arrangement.

Long Term

The ongoing responsibility to meet debt repayments is the responsibility of WALGA and has no long term financial implications on Council at the value of the property would meet any outstanding debt if WALGA failed to meet its commitments.

Whole of Life

As there are no assets being created that are under the control of the Shire of Capel there are no whole of life costs applicable.

SUSTAINABILITY IMPLICATIONS

The new building, ONE70, has achieved a 5 Star Green rating from the Green Building Council of Australia.

STRATEGIC IMPLICATIONS

The construction of new headquarters for the local government state body, WALGA, assist in enhancing its ability to strongly represent all local governments at the state and federal government level and the joint venture arrangement assists in minimising WALGA’s exposure to excessive debt in the long term.

CONSULTATION

No further consultation is required.

COMMENT

Whilst WALGA has only requested advice of any objections to its fixed interest rate debt arrangement from beneficiary Local Governments, bringing this matter to Council’s attention and advice to WALGA of no objections by Council to this arrangement is considered prudent.

There is no financial exposure to Council with this arrangement and is merely an administrative and legal requirement under the Deed of Trust.

VOTING REQUIREMENTS

Simple majority

OC0606 OFFICER’S RECOMMENDATIONS – 13.5/COUNCIL DECISION

Moved Cr Hearne, Seconded Cr Baxi

That Council advises the Western Australian Local Government Association (WALGA) that it has no objections to WALGA entering into a fixed term, fixed interest rate debt arrangement to finance the remaining debt underpinning the new building (ONE70), at 170 Railway Parade, West Leederville, Perth WA.

Carried 8/0
HEALTH SERVICES REPORTS
Nil

PLANNING AND DEVELOPMENT SERVICES REPORTS

OC0607 (15.1) Amendment No 58 – Town Planning Scheme No 7 – Lot 900 Bussell Highway and Portions Lots 2 and 901 Loretta Avenue, Gelorup

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<td>3. Revised Local Structure Plan – 28 May 2014</td>
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<td>4. Schedule of Submissions</td>
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MATTER FOR CONSIDERATION

Consideration of submissions received during the advertising of the proposed Scheme Amendment and determination of whether to proceed to seek the final approval of the Hon Minister for Planning to Amendment No 58 to Town Planning Scheme No 7 (the Scheme).

Scheme Amendment No 58 entails modifying the endorsed Structure Plan and provisions pertaining to the land under Town Planning Scheme No 7 by increasing the maximum allowable floor areas for the permitted land uses and modifying the layout, staging and a range of other particulars relating to the endorsed Local Structure Plan (LSP).

BACKGROUND / PROPOSAL

Background

1998 - Council resolved in part that the uses of Liquor Store and Convenience Store are consistent with the objectives and purpose of the existing Special Use Zone for Lot 31 (now Lot 900). Council also advised the applicants that it is supportive of a development that will provide convenience services for residents of the locality.

1999 May - Council granted conditional Planning Consent to the development of three shops on the lot and accepted that the land use of Take-away-Food Outlet is consistent with the objectives and purpose of the Special Use Zone for Lot 31 and therefore is permitted.

2001 February - Planning Consent was granted for the development of a restaurant/fast food store within the complex at Lot 31 (now Lot 900). A variation allowing a shortage of 11 bays was granted on the proviso that should any future parking be required, there is additional space on site for the construction of further bays.

2003 October - Planning Consent was issued for the change of use from a convenience store to a pharmacy and deli/newsagency on Lot 31. The proposal did not eventuate.

2003 October – The WA Planning Commission (WAPC) granted subdivision approval to the creation of 10 special residential (4000m²) lots over Lots 2 and 3.
2004 May – Amendment No 22 proposing to rezone portions of Lots 71, 2 and 3 to 'Additional Use – Home Business' was initiated by Council. The amendment was advertised and Council recommended final approval be granted. This amendment has since been withdrawn.

2005 March – Application was submitted proposing extensions to the liquor store on Lot 31 to be constructed to the rear of the premises. Issues with regard to the proposal were discussed with the applicant in April 2005 and the application was withdrawn in May 2005.

2005 April – A Development Application for a child care centre was submitted for Lot 71. This was advertised for public comment and was deferred awaiting the outcome of the rezoning proposal for Amendment 32.

2005 June – Conditional Planning Consent was issued for the proposed change of use on Lot 31 with the then existing convenience store being added to the liquor store floor space.

2006 March – Council resolved to advise the applicants that it was prepared to consider a rezoning proposal for the land (Lots 31, 2, 3 and 71) subject to a range of matters being resolved/modified. These included more comprehensive details as part of the Development Guide Plan and scheme provisions, limitations on floor space, delineation of land uses, requirement for amalgamation, staging details, servicing details and traffic management information and modification in addition to various other minor changes. The applicants were also to confirm that Main Roads WA (MRWA) had been party to the Traffic Management Assessment undertaken by Riley Consulting and that during the advertising period the proponents should liaise directly with adjacent land owners to ensure they were fully informed of the proposals. Details of staging were also to be provided in particular with regards to access modifications.

2006 December – Council considered modified documentation and agreed to initiate a scheme amendment which included referring the scheme amendment to the Environmental Protection Authority and to request permission from the WAPC to advertise the amendment subject to modifications being made to the documents prior to advertising.

2007 December – Following referral to the WAPC Council resolved to adopt the Scheme Amendment (No 32) with modifications as requested by the WAPC.

March 2009 – Council resolved to approve an unbudgeted expenditure of $4,500 in the 2008/2009 budget to employ a traffic engineer (Shawmac Pty Ltd) to undertake an independent traffic audit of the submitted Traffic Management Assessment and to include consideration of the issues raised in submissions received during advertising of Amendment No 32. The study was undertaken at the cost of the proponent.

March 2010 – Minute OC0304 refers – Council resolved to consider the submissions received during the advertising period and adopt the Scheme Amendment (No 32) for referral to the Minister for planning.

March 2011 – The Minister approved Amendment No 32.

September 2011 – The WAPC granted conditional subdivision approval (WAPC ref: 144700) to the subdivision of Lots 2 and 3 Bussell Highway and Lots 30 and 71 Loretta Avenue proposing the Lot 900 comprising the liquor store and convenience store (service station), Lot 101 comprising the existing dwelling, the new road ‘A’ and balance of titles.

April 2013 – Clearances were granted for the staged subdivision of WAPC ref: 144700 that excised the portion of the road reserve from Lot 71 creating Lot 101 and amalgamating that portion with Lot 3 creating Lot 901. Lot 30 containing the liquor store had a minor boundary adjustment with Lot 101 and is now Lot 900.

June 2013 – Council resolved to initiate Scheme Amendment No 58 which was subsequently advertised for public comment.
Proposal

The applicant requested a modification to the Scheme provisions in order to increase the allocated Net Lettable Area (NLA) for the identified permissible uses as well as modify the Local Structure Plan to reflect a revised staging and development proposal. The intent is essentially to allow development of the convenience store (service station) as soon as possible prior to the original intent of the landowner to undertake extensions to the liquor store.

An anomaly also exists with regard to the Takeaway Food Outlet component. The takeaway food premises comprise 141m² in floor area however the amendment provisions and Structure Plan only acknowledge 70m² of this use as NLA. In addition the applicant has requested an increase in the NLA of the convenience store from 100m² to 200m² to result in what is alleged to be a more sufficient size for the use to operate effectively.

The modified LSP is required to go through the Scheme Amendment process as there is no mechanism in the Scheme to allow the modification of the existing LSP such as allowable under the Urban Development Zone. It should also be noted the modified LSP cannot be endorsed in isolation as it would be inconsistent with the provisions under Appendix 4 of the Scheme. The applicant agreed to a specific provision being inserted into Appendix 4 as it relates to the Site, to enable consideration of any future modification to the Structure Plan in a similar fashion to that applied to the ‘Urban Development’ zone.

A revised LSP that is also more concise and clear is now the subject of the amendment as well as modifications to Appendix 4 of the Scheme text to reflect these modifications.

Details of the actual modifications to the LSP and Scheme text were listed and discussed in the report that was presented to Council in June 2013 when the amendment was initiated.

STATUTORY ENVIRONMENT

Town Planning Scheme No 7 (the Scheme)

Lot 900 Loretta Avenue and portion of Lots 2 and 901 Bussell Highway, are zoned ‘Special Use – Local Centre, Service Station/Convenience Store, Liquor Store, Take Away Food outlet/Restaurant and Shop’ under the Scheme.

A portion of Lots 2, 900 and 901 fronting Bussell Highway are contained within a ‘Highway Protection Line’. Clause 7.11.2 (d) provides that a building setback line of 40m from the edge of the Bussell Highway reserve will apply. Service Roads may be constructed within this building setback area.

The site has a combined area of 1.8579ha.

Under the Scheme the definition of ‘Service Station’ includes with the sale of petroleum products and motor vehicle accessories, “...the carrying out of greasing, tyre repairs and mechanical repairs...”

The definition of ‘Convenience Store’ includes the sale of convenience goods being those commonly sold in supermarkets, delicatessens and newsagents including the sale of petrol but not exceeding 300m² in area.

Planning and Development Act and Regulations

Having initiated a scheme amendment Council is required to comply with the procedural requirements of the Planning and Development Act 2005 (the Act) and the Town Planning Regulations 1967 (as amended).
The Act

Section 75 – A local government may amend a planning scheme with reference to any land within its district by an amendment proposed by all or any owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.

Section 77 – Every local government in preparing or amending a local planning scheme – is to have regard to any State Planning Policy which affects its district and may include in the scheme a provision that a specified State Planning Policy, with such modifications as may be set out in the scheme, is to be read as part of the scheme.

Section 81 - Requires that when Council resolves to prepare or adopt an amendment that the proposal be referred to the Environmental Protection Authority for the determination of whether the amendment requires a formal review.

Section 82 – If the local authority wishes to proceed with the amendment it must firstly comply with or resolve any review requirements of the EPA. The commencement of advertising cannot be undertaken until this action is completed.

Section 83 – A local government, before submitting an amendment to the Minister is to make reasonable endeavours to consult such public authorities and persons as appears to be likely to be affected by the amendment.

Section 84 – After compliance with Sections 81 and 82, an amendment to a planning scheme prepared or adopted by a local government is to be advertised for public inspection in accordance with the regulations.

Section 87 (1) Subject to compliance with the consultation requirements of Sections 83, 84, 85 and 86 of the Act, a local planning scheme amendment prepared or adopted by a local government is to be submitted to the Minister for the approval of the Minister.

Section 87(2) The Minister may, in relation to a local planning scheme amendment submitted to the Minister under subsection 87(1):

(a) approve of the amendment;
(b) require the local government concerned to modify the amendment in such a manner as the Minister specifies before the amendment is resubmitted for the Minister’s approval; or
(c) refuse to approve of the amendment.

Town Planning Regulations 1967

17(1)(a) Within 42 days (or such period as approved by the Minister) of the closure of the advertising of the amendment, Council is required to consider all submissions and in respect of each submission consider whether the amendment should be modified or whether the submissions should be rejected.

17(2) After considering the submissions received or if no submissions Council is required to pass a resolution to either:

(a) Adopt the amendment with or without modification; or
(b) That it does not wish to proceed with the amendment.

Where no submissions are received, and Council resolves to adopt an amendment without modification it may proceed to execute the documents in accordance with Regulation 22.

Regulation 22(1) states that the three copies of the amendment submitted for final approval shall be executed by the responsible authority by affixing of the seal.
POLICY IMPLICATIONS

There are no policies relevant to this item.

FINANCIAL IMPLICATIONS

The modifications to the proposed LSP and Scheme text ultimately will not change the financial implications as discussed below.

Budget

Fee rates for Scheme Amendments are set by the Town Planning (Local Government Planning Fees) Regulations and are effectively based on cost recovery. The applicant is yet to pay an assessment fee.

Long Term

There are no long term costs to consider.

Whole of Life

The development proposal is estimated to result in an increase of approximately 1500 vehicles per day. There would be some additional costs associated with road maintenance particularly near the Loretta Avenue crossover points but these are not expected to involve major road upgrades or re-sealing in the short term further to the current approved use. The new road and dual use paths will result in whole of life costs no different to any other newly constructed subdivisional roads/paths in the Shire.

SUSTAINABILITY IMPLICATIONS

The proposed modification to increase the NLA of the development and alter the staging will have no environmental implications as the site is already clear of vegetation. From a social perspective the ultimate development of the site will provide a local convenience centre and potential meeting place for nearby residents although it is anticipated most business will be derived from passing traffic. Economically the ultimate development of the site involving the larger NLA’s is alleged to provide a better financial gain to the proprietor. There may be some impacts on the establishment and viability of the proposed District Centre to the west.

STRATEGIC IMPLICATIONS

Greater Bunbury Structure Plan

The Greater Bunbury Structure Plan and the Bunbury Wellington Region Plan are both referred to within the Section 5AA Policy – State Planning Framework Policy (Statement of Planning Policy No 8). Both identify the subject land for urban purposes.

Shire of Capel Land Use Strategy

The subject land is located within Planning Unit BU6 under the Shire of Capel Land Use Strategy. The overall objective for the Unit is “To provide for urban expansion whilst conserving significant areas of natural environmental value”. The proposal to develop the subject land is generally consistent with this.

Shire of Capel Strategic Community Plan

Relevant Strategic Directions under the plan include:
Community Experience

The proposal involved community engagement and consultation and consequently provides facilities for the community. These are outcomes that meet the objective to provide facilities and services recognising the needs of the community.

Economic Experience

Relevant outcomes are: the provision of opportunities taking advantage of the Shire’s location; facilitating retail & commercial precincts; and encouraging business development. These outcomes support the objective to foster and support responsible and progressive economic development opportunities in the Shire.

Infrastructure Experience

Relevant outcomes include; maintaining a safe and efficient transport and pedestrian network; improving connectivity and effectively managing the Shire’s assets and resources. This supports the objective to plan for safe, sustainable and efficient infrastructure and transport networks to meet the needs of the community.

CONSULTATION

The amendment (i.e. the proposed modifications and revised LSP) was initiated by Council and required to be advertised for public inspection in accordance with Sections 83 and 84 of the Planning Development Act 2005 (the Act) for a minimum period of 42 days.

The subject Amendment No 58 was advertised as well as referred to landowners adjoining the Scheme amendment area and relevant authorities for comment. The closing date for submissions was 17th February 2014 and a total of eight submissions were received – three from nearby landowners and five from relevant authorities. All details of the submissions received are listed in the Schedule of Submissions. The main issues raised by the submitters are discussed below under the ‘Comment’ section of this report.

COMMENT

The current Scheme provisions relating to the Site (pursuant to Amendment 32) and the current appurtenant Local Structure Plan was previously advertised and the submissions were considered by Council at its meeting in March 2010. A number of submissions were received from nearby landowners and Government departments which have been addressed and/or resolved to a standard that resulted in the current zoning provisions and adopted Guide Plan.

The proposed Amendment 58 essentially allows the same development except that the convenience store is to be developed before the liquor store extensions instead of the original intent of the landowner to undertake extensions to the liquor store before the convenience store.

Including the above, there are a number of modifications to the LSP (pursuant to the subject Amendment 58) when compared to the current endorsed LSP (May 2011) as a result of:

- fixing anomalies;
- Updating the stages in line with current development progress;
- Addressing the applicant’s request to change staging priorities; and
- To simplify/clarify the document.

All the details of these changes were previously discussed and assessed when the amendment was presented to Council for initiation in April 2013. Matters that now need to be discussed and resolved only relate to the issues raised in the submissions.
It is important that Council note the LSP (pursuant to the subject Amendment 58) that was advertised has now been modified to reflect the matters raised by MRWA in their submission. These matters are discussed below.

It should also be noted that references to the ‘convenience store’ means the store and fuel bowsers combined as this development technically is not a ‘service station’ which must have a vehicle workshop for mechanical repairs.

**Issues Raised in Submissions**

A total of eight submissions were received of which five were from government authorities and three from nearby landowners (as detailed in the attached Schedule of Submissions). Comments received from the Department of Health, the Water Corporation, Department of Mines and Petroleum and the Department of Water can be addressed at the development application stage. From the submissions received some pressing issues were raised which are discussed below. The applicant was also given the opportunity to comment on the submissions.

**Main Roads Department**

In summary, Main Roads WA requested:

- A 5m wide road widening along the highway frontage.
- That the access be relocated further south to reduce the length of the slip lane which will require the internal layout to be varied.

**Applicant’s Response** - The applicant responded by noting that a Traffic Report had already been undertaken for the original amendment which was then audited by another consulting engineer. The applicant notes the GBRS does not indicate any road widening and the slip lane already commences on adjoining land although it does need an extension. The applicant points out that the land is already zoned with an endorsed structure plan to accommodate the uses and that essentially the amendment is to allow the service station to be developed prior to the liquor store as opposed to the other way round. Other changes include a modified layout and some minor changes and the applicant stated the amendment was necessary as there are currently no provisions to allow a change of the Structure plan without having to go through the amendment process.

The applicant later confirmed their acceptance of the road widening as Main Roads agreed to the proposed crossover to the north to remain in the proposed location. The widening tapers from 6m on the northern boundary down to the road reserve near the existing liquor store. The applicant noted that ceding of the widening is unachievable at Stage 1 as this has already progressed too far and that the land is subject to a contract of sale. The applicant suggested this be ceded as part of Stage 2 when the service station is developed which is what actually generates the need for the slip lanes.

Notation 5 of the Local Structure Plan has therefore been amended to reflect the timing and need for the road widening as agreed by both Main Roads WA and the applicant as follows:

“The required road reserve widening for Bussell Highway is to be ceded free of cost and the access to the Bussell Highway including left turn slip lane and intersection modifications at Loretta Avenue are required to be designed and constructed to the specifications and satisfaction of Main Roads at the full cost of the proponent for the Stage 2 development”

**Comment** – Under the Scheme, Provision No 9 of Appendix 4 relating to the development standards/conditions for the site the following is stated in respect to Loretta Avenue:

“The upgrade of intersection treatments to be established at the direction of Main Roads WA as per the Scheme Amendment report, following an assessment by Main Roads WA of development applications associated with each stage depicted on the Local Structure Plan.”
The above provision implies that Main Roads WA intend to monitor performance and impacts of the intersection treatments as they exist on the approved LSP. The initial MRWA submission implied that they were satisfied that the final detail can be addressed during the staged development of the site however the recent submission now required the road widening and intersection treatments at Loretta Avenue. As this is a new Scheme Amendment Main Roads WA were in a position to reassess the proposal resulting in the additional modifications.

As detailed above Shire staff gave the applicant the opportunity to comment on the submission from Main Roads and after much deliberation the widening and intersection modifications were agreed as well as modifying LSP note No 5 to reflect these matters.

The LSP was adjusted accordingly and the Convenience Store has been relocated approximately 3m east in order to ensure the landscaped buffer on the road frontage is maintained. The internal traffic circulation is not considered to be affected however a new provision is proposed (due to the layout being modified from the original proposal) which requires a traffic report by a certified engineer as part of the development application for the Stage 2. This will ensure the modification as a result of the road widening will still result in acceptable traffic circulation outcomes.

It is considered the most appropriate time to cede the road widening is part of Stage 1 however it will be at the proponents’ expense if they desire to re-lodge an application for subdivision at Stage 2. Although MRWA and the applicant have agreed on the revised Notation 5, this should also be reflected in the Stage Particulars and importantly when the ceding of the land is to occur. Accordingly an additional Stage 2 Particular is recommended to read as follows:

“Ceding of Bussell Highway Road widening prior to commencement of Convenience Store development”

In regard to the 5m road widening impacting upon the adjacent lot to the north it should be noted the slip lane can still be created within the current road reserve. This would however adjoin the lot boundary until such time as the widening is ceded in the future which would allow for a potential dual use path.

Nearby Landowners

In summary, nearby landowners raised the following issues:

- The liquor store has already increased traffic in the area with associated problems and the service station will only worsen this problem resulting in potential safety hazards.
- If going to proceed, adjoining owners require a 4m high limestone fence along their entire western boundary adjoining the new road and a 15m return east along the northern and southern boundaries.
- Resident safety is a concern, due to a number of break-ins and ram raids.
- The development will result in lighting and noise pollution.

Applicant’s response – The applicant reinforces the intent of the amendment is to amend the structure plan to vary the timing on when the development takes place, amend the layout, introduce minor changes to the Net Lettable Area (NLA) and to fix some anomalies. The applicant states the traffic safety issues have previously been addressed and agreed to. The applicant also states that consolidation of the site and the proposed development will result in greater use, visual supervision and site management that will solve the issues associated with the current commercial isolation.

Comment – When Amendment No 32 was advertised, which zoned the land to accommodate the development, similar issues were raised by nearby landowners which were acknowledged and/or addressed accordingly. The subject amendment essentially is only to change the staging of the current structure plan, fix some anomalies and make minor changes to the NLA. The submissions received essentially repeated the issues raised in the former proposal.
In regard to the traffic concerns, the traffic management plan that was submitted with the initial application and later audited concluded that even during peak periods the intersections would operate with an acceptable level of service. Entry and exit points to the site were assessed and consultation between the applicant and affected landowners to the south resulted in some modifications that were incorporated into the current LSP. The traffic concerns made by the submitters are acknowledged however it is considered these issues have already been addressed satisfactorily and that the subject amendment does not result in any further traffic implications or impacts.

One submitter requested that a 4m high masonry wall be constructed the entire western boundary adjoining the new road and return 15m east along their northern and southern boundaries. The applicant did not specifically address this request however from an officer’s view such a structure should not be supported for the following reasons:

- Such a wall would seriously detract from the streetscape, be inconsistent with the surrounding residential area and be a visual impairment for motorists and pedestrians;
- The wall would provide a median for graffiti and potential ongoing maintenance issues;
- Is unnecessary due to the unlikely event of debris from an explosion and the safety standards that would need to be complied with in accordance with the *Gas Standards Act 1972* and the *Gas Standards (Gasfitting and Consumer Gas installations) Regulations 1999* as well as relevant legislation as administered by the Department of Mines and Petroleum; and
- Would be inconsistent with the provisions of the Scheme relating to orderly and proper planning and the Shire Local Laws relating to fencing.

Notwithstanding the above reasons, in the light that the land already is zoned to accommodate the intended uses, consequences of the subject amendment would not necessitate the need for the wall.

Resident safety was another issue raised and it is acknowledged the service station would intensify land uses on the site. The applicants view however is supported that consolidation of the site results in greater use of the site thus greater visual supervision and site management. Although criminal activities are police matters, a Scheme provision exists that requires development and construction to have regard to the WAPC Designing Out Crime Guidelines.

A Scheme provision exists that requires noise and light issues to be addressed in each development application lodged in respect of each stage depicted on the LSP.

Summary

It is considered the revised LSP is now in a form that is more concise and clear than that which is currently appurtenant to the Special Use Zone of the land under Appendix 4 of the Scheme. The focus is mainly demonstrating the spatial layout of the development, location of the permitted uses and staging of the development.

The major changes are: an increase in NLA; re-orientation of the convenience store; and proposed staging changes to enable the convenience store development as a priority in lieu of the liquor store extensions. These are not perceived as major variations and are considered to result in no further amenity, safety or other related implications on nearby landowners. It is therefore recommended that the proposed amendment proceed with the modifications to the “Special Use” zone provisions as adopted by Council at its meeting convened on 26 June 2013.
To advise the applicant the following modifications are required to the Local Structure Plan (dated 28 May 2014) appurtenant to Amendment No 58 to Town Planning Scheme No 7:

(a) Inserting a new Stage 2 Particular to read as follows:

“Ceding of Bussell Highway Road widening prior to commencement of Convenience Store development”

(b) The Dual Use Path along the Bussell Highway frontage to be re-aligned consistent with the proposed road widening.

(c) The references to “Service Station/Convenience Store” as annotated under the first Stage 2 Particular and depicted within Proposed Lot A on the Local Structure Plan to be replaced with “Convenience Store”.

2. Following receipt of the modified Local Structure Plan in accordance with (1) above, in accordance with Regulation 17(1) (a) to adopt the staff comments and recommendations for Amendment No 58 to Town Planning Scheme No 7 as contained in the Schedule of Submissions.

3. In accordance with Regulation 17(2) (a) of the Town Planning Regulations 1967 (as amended) to proceed with Amendment No 58 to Town Planning Scheme No 7 by:

(a) Modifying Appendix 4 Special Use Zone of the Shire of Capel Town Planning Scheme No 7 relating to Lots 900 Loretta Avenue, portion Lots 2 and 901 Bussell Highway, Gelorup by changing and introducing new “Special Use” zone Development Standards/Conditions as follows:

NOTE: Additional modifications underlined
Deletions shown with strike through

<table>
<thead>
<tr>
<th>LAND PARTICULARS</th>
<th>PERMITTED USES</th>
<th>DEVELOPMENT STANDARDS/CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 30, Portion of 71 Loretta Ave &amp; Portion of Lots 2 and 3 Bussell Hwy, Gelorup.</td>
<td>• Service Station/Convenience Store • Liquor Store and Ancillary Uses • Take-Away Food Outlet and Restaurant • Shop; servicing</td>
<td>1. Land use, subdivision and development is to be generally in accordance with a Local Structure Plan adopted by Council and endorsed by the Western Australian Planning Commission. The Local Structure Plan shall address, but not be limited to the following: • Overall site and Land Use Layout;</td>
</tr>
</tbody>
</table>
Gelorup residents of locality as a Local Centre
  • Small Scale Office (not more than 150m²)
  • Other compatible uses within a Local Centre

- Maximum floor areas for all land use components;
- Traffic Management Plan;
- Car parking requirements;
- Proposed Landscaping, buffering and other aesthetic outcomes;
- Proposed Development Design Guidelines as approved by Council;
- Assessment and detailed justification on proposed servicing of the site based on full development (this may require geotechnical analysis);
- Assessment on how all development of the site will respond to noise, odour, light and other issues associated with amenity of the surrounding area and particularly adjoining residents; and
- An explanation on how the Local Structure Plan will comply with the DEC Water Quality Protection Notes for a Priority 3 source Protection area.

2. The total net lettable area (NLA) for the Local Centre is 1000m² and the maximum net lettable floor areas shall apply to the following land uses:
  • Liquor Store: 830m²
  • Takeaway Food Outlet and Restaurant: 70m² to 141m²
  • Convenience Store: component of Service Station: 100m² to 200m²
  • Other alternative uses, as per the Local Structure Plan, should the above uses cease to operate

3. In the event that the Liquor Store and Ancillary land use ceases operation on the land, total on-site retail floor space shall not exceed 830m² NLA and remaining floor space area shall be removed or occupied by a non-retail land use, to the satisfaction of Council.

4. The Takeaway Food Outlet and Restaurant shall be established in the existing building as depicted on the Local Structure Plan. Council will give no consideration to these uses being established in a “stand-alone”
building.

5. The Service Station and Convenience Store shall be combined uses.

6. Council shall refer any development application to the Department of Water for advice and comment prior to any formal consideration or granting of development approval under a Town Planning Scheme which;

   ▪ May have the potential to impact detrimentally on the quality and quantity of public drinking water supplies or;
   ▪ Does not comply with the provisions of the Water Quality Protection Note on Land Use Compatibility in Public Drinking Water Source Areas.

6.

7. Clause 8.10 of the Shire of Capel District Town Planning Scheme No.7 shall not apply in respect of those floor area limitations described in development conditions (1) and (2).

7.

8. Lot 30 Portion of Lot 71 Loretta Avenue and Portion of Lots 2 and 3 Lot 900 Loretta Avenue, portion Lots 2 and 901 Bussell Highway shall be amalgamated and new titles issued in accordance with the Local Structure Plan prior to the consideration of any development proposals by Council and is subject to construction of the new access road.

8.

9. The upgrade of intersection treatments to be established at the direction of Main Roads WA as per the Scheme Amendment report, following an assessment by Main Roads WA of development applications associated with each stage depicted on the Local Structure Plan.

9.

10. Car-parking shall be implemented at each stage as specified on the Local Structure Plan and the number and location of parking bays shall be determined at the development application stage.

10.
| 11. | Landscaping shall be implemented as depicted on the Local Structure Plan in association with each stage of development. |
| 12. | Details relating to the servicing of the site with sewer and water, in respect of each development stage, shall be provided with the lodgement of each development application, and shall be to the satisfaction of relevant servicing authorities and Council. |
| 13. | Issues relating to noise, odour, and light impact on any surrounding development external to the site shall be addressed in each development application lodged in respect of each stage depicted on the Local Structure Plan. |
| 14. | Servicing to be to the satisfaction of Council, relevant servicing authorities, and the Department of Water in respect of each stage of development. Geotechnical investigations will be required to demonstrate the viability of onsite effluent disposal. |
| 15. | An onsite effluent and nutrient management plan shall be prepared to incorporate water sensitive design principles, and best management practices and monitoring requirements to the satisfaction of the Shire of Capel and the Department of Water. The management plan shall also include contingency provisions in the event that the criteria established for the water quality and quantity are not met. |
| 16. | A temporary turning area is to be constructed as depicted on the Local Structure Plan as part of Stage 2. |
| 17. | Design and implementation of a dual use path along Bussell Highway, and Loretta Avenue and Road A as depicted on the Local Structure Plan as part of Stage 2. and in respect to Road ‘A’ as part of Stage 3. |
| 18. | A set of Development Design |
Guidelines shall be prepared for the whole Local Structure Plan area to the satisfaction of the Shire of Capel prior to any development approvals being issued. These guidelines shall be prepared with the intent of ensuring a high level of consistency of built form over the site whilst minimising the visual dominance for the built form and shall include guidelines for:

- Hardstand treatments – Laterite Gravel Bitumen to be used
- Fencing Details
- Lighting Strategy
- Any corporate branding to be secondary to an overall architectural theme
- Signage Strategy
- Colour scheme that uses natural/earthy tones
- Other Character Elements

17. Council shall refer any development application to the Environmental Protection Authority under Section 38(5) of the Environmental Protection Act 1986 for its endorsement prior to any formal consideration or granting of development approval under a Town Planning Scheme which entails the operation of a service station facility and/or convenience store outside the hours of 0700 to 1900 hours.

18. A Sustainability Outcomes and Implementation Plan including targets and methods of delivery being prepared prior to the issue of any development approvals and implemented prior to commencement of the use and to address matters including energy efficiency, solar orientation, water use, water sensitive design and landscaping etc.

19. Development design and construction (inclusive of building, fences, landscaping, lighting etc.) shall give regard to the WAPC Designing Out Crime Guidelines.

20. Council may consider and adopt a Modification to the Local Structure Plan via a Plan of Modification which shall:

i) Prior to adoption by Council be
advertised for public comment for a minimum period of 28 days.

ii) Be adopted and endorsed by the Council, the Chief Executive Officer and the Western Australian Planning Commission.

iii) Comply with the procedures contained in clauses 5.10.6, 5.10.7 and 5.10.8 for any modification.

21. A traffic report by a certified engineer shall be prepared and approved to address the traffic circulation, internal and external to the convenience store prior to any development application associated with Stage 2.

22. All stormwater from impervious areas are to be contained onsite to the satisfaction of Council and any relevant authorities. Details are to be submitted and approved prior to each development application.

(b) Modifying the Local Structure Plan dated 11 January 2011 (appurtenant to Amendment No 32) by replacing it with the Local Structure Plan 116957_1-4-001c dated 28 May 2014 which will be appurtenant to Amendment No 58.

4. Pursuant to Regulation 22(1) authorise the President and Chief Executive Officer to execute the amendment documents by signing and affixing the Shire’s common seal on receipt of the required assessment fee; and

5. Forward the amendment to the WA Planning Commission for endorsement and subsequent forwarding to the Minister for Planning Culture and Arts for final approval.

Carried 8/0
Cr B Smith declared an Impartiality interest in Item 15.2 St John Ambulance Sub-Centre to co-locate with the Bushfire Brigade. The nature of his interest is that he is a senior member Fire Control Officer of the Boyanup Bushfire Brigade and his wife is Secretary Treasurer.

**OC0608 (15.2) St John Ambulance Sub-Centre to Co-locate with the Bushfire Brigade**

<table>
<thead>
<tr>
<th>Location:</th>
<th>Lot 42 (Reserve 2629) Turner Street, Boyanup</th>
</tr>
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<tbody>
<tr>
<td>Applicant:</td>
<td>St John Ambulance Western Australia Ltd</td>
</tr>
<tr>
<td>File Reference:</td>
<td>C.5.2.B.128 &amp; R2629</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Nil</td>
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<tr>
<td>Date:</td>
<td>18.03.14</td>
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<tr>
<td>Author:</td>
<td>Planning Officer, C Bonnie</td>
</tr>
<tr>
<td>Senior Officer:</td>
<td>Director Planning and Development Services, C Burwood</td>
</tr>
<tr>
<td>Attachments:</td>
<td>A. Location Plan</td>
</tr>
<tr>
<td></td>
<td>B. Site Plan</td>
</tr>
</tbody>
</table>

**MATTER FOR CONSIDERATION**

1. Acceptance of St John Ambulance to co-locate with the Bushfire Brigade on Reserve R2629 Lot 42 Turner Street, Boyanup;

2. Changing the purpose of the reservation to accommodate emergency services.

**BACKGROUND / PROPOSAL**

**Background**

11 May 2010 - Planning Consent granted for a St John Ambulance Sub-Centre Lot 9000 Corner Boyanup-Picton and Hurst Roads, Boyanup.

12 Sept 2013 - Planning Consent granted for 2 years renewal of the St John Ambulance Sub-Centre Lot 9000 Boyanup-Picton Road, Boyanup. The owner of this property has advised St John Ambulance that they will be selling the property in the near future and therefore it is paramount that St John Ambulance secures a new parcel of land to develop a new Centre to continue their service to the Boyanup and surrounding communities.

**Proposal**

A request has been received from St John Ambulance Boyanup Sub Branch and Belmont State Office to consider a proposal for co-locating with the Bushfire Brigade on a portion of Reserve R2629 Lot 42 Turner Street. Attachment B outlines the area to be leased by St John Ambulance in the northeast corner of the Reserve on Turner Street showing the 2 vehicle bay garage, staff, meeting rooms and toilets and a 5 bay car park.

**STATUTORY ENVIRONMENT**

**Shire of Capel Town Planning Scheme No 7 (TP7)**

Pursuant to the Shire of Capel Town Planning Scheme No 7 the lot is reserved for “Public Purposes” with a notation for ‘Fire Station’ purposes on the Scheme Map. The reserve comprises an area of 4047m².

The following provisions in the scheme are applicable to the proposal:

1.6 Scheme Objectives
1.6.1 To direct and control the development of the Scheme area in such a way as shall promote and safeguard the health, safety, economic and general welfare of its inhabitants and shall conserve the natural values of the District.

1.6.2 To reserve land required for public purposes.

1.6.3 To control the use of land by allocating zones to land within the scheme area for the various purposes described in the Scheme.

1.6.4 To provide standards to secure and maintain the orderly and properly planned development of land within the Scheme Area.

Part 2 of the scheme sets out the objectives for Reserved Land

2.1 The Scheme Area contains 4 types of reserves set out hereunder:
   - Recreation
   - Public Purposes
   - Major Road
   - Railway

2.2 Land set aside under this Scheme for the purpose of a reservation is deemed to be reserved for the purpose indicated on the Scheme Map. On land designated as a Public Purposes Reserve the purpose shall be that which is notated on the Scheme Map or where no notation is given the purpose shall be that for which a Public Authority has acquired the land or holds the vesting of the land pursuant to the Land Act 1933 (as amended).

2.3 Except as otherwise provided in this Part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining the written consent of the Council.

2.4 In giving its consent the Council shall have regard to the ultimate purposes intended for the reserve and shall in the case of land reserved for the purpose of a public authority confer with that authority before giving its consent.

**Land Administration Act**

The Shire of Capel holds a management order over the lot for the purpose of a “Bush Fire Brigade Station”. The management order was gazetted on 10 August 1993. Before Council could consider any development on the lot (other than a fire station) the Management Order of the lot will need to be amended.

The Department of Lands have been contacted regarding the proposal and indicated that a formal request should be submitted to obtain the relevant approval to change the purpose of the reserve to accommodate both the Brigade and St John; with power to Council to enter a Lease Agreement.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this matter.

**FINANCIAL IMPLICATIONS**

**Budget**

No fees are required for assessing this request. A planning application fee will be required when the development application is received.
**LONG TERM**

There are no long term cost implications for the Shire to consider.

**WHOLE OF LIFE**

There are no whole of life cost implications for the Shire associated with the proposed change of use.

**SUSTAINABILITY IMPLICATIONS**

The proposal will have no environmental implications as the St John’s building is to be constructed in a cleared area. As indicated on the concept site plan (Attachment B) the area allocated for St John’s is to the east of the existing row of trees. The existing trees will be retained within the boundary of the Bush Fire Brigade section of the site.

The proposal will benefit the community in Boyanup by ensuring the continuation of the existing emergency services as well as improving the service through the development of a new facility.

Development of the new facility will create employment to the construction industry.

**STRATEGIC IMPLICATIONS**

**Shire of Capel Land Use Strategy 1999**

The subject site is contained within Planning Unit P2 – Boyanup Townsite. Discussion in the strategy is generally limited to the development of the East Boyanup Structure Plan Area nominated for settlement expansion in the adjoining Planning Unit P3.

**Strategic Community Plan 2013-2031**

The Shire of Capel Strategic Community Plan sets out the overarching vision for the Shire, which is a ‘community of diverse lifestyles experiences accommodating progressive growth, sharing in prosperity, and valuing the environment’. This overarching vision is supported through general Shire wide objectives, along with place specific strategies. Bushfire and Emergency Services form part of the Environmental Experience and the strategic direction relevant to the proposal is “3.5 Lead our communities in Emergency Management”.

**Boyanup Townsite Strategy**

The Boyanup Townsite Strategy maintains the existing ‘Public Purpose’ reservation which currently applies to the subject site. From a sustainability and strategic perspective the Structure Plan proposes an ultimate population threshold of approximately 7500 people for the townsit that will be sufficient to support a range of facilities and services including primary school expansion, recreational, cultural, community and utility infrastructure, pedestrian and road access improvements, townscape and heritage enhancement projects conducive to the establishment of sustainable and liveable village.

**CONSULTATION**

The proposal was advertised to nearby landowners in Turner Street and referred to the Public Transport Authority for comment. The closing date for submissions was 9 May 2014 and one submission was received from the Public Transport Authority stating that the PTA has no objections to the proposed Ambulance depot on Lot 42 Turner Street, Boyanup.

Mr Wetherell on behalf of the Boyanup Bush Fire Brigade confirmed acceptance of the concept site plan (Attachment B). In other words the Bush Fire Brigade supports St John’s proposal for co-location.
COMMENT

St John Ambulance has a temporary approval to operate from Lot 9000 Boyanup-Picton Road. Given the temporary nature of the current approval (approval lapse September 2015) St John Ambulance has to secure a new parcel of land to develop a new centre in order to continue their service to Boyanup and surrounding communities. As indicated on the attached Concept Site Plan (Attachment B) the proposal involves the development of the Ambulance Centre on the eastern section of Reserve R2629 Lot 42 Turner Street, Boyanup.

Clause 2.2 of the Scheme affirms that on land designated as a Public Purposes Reserve the purpose shall be that which is notated on the Scheme Map. Pursuant to the notation on the Scheme Map the reserve is a ‘Public Purposes’ reserve for the purpose of a ‘Fire Station’.

The tenure contains conditions, one of which being that the site is used for a specific purpose being that known as “Bush Fire Brigade”. The Crown has vested the Reserve to the Shire of Capel.

In order to progress with the proposal the following process is to be followed:

1. The notation on the Scheme Map needs to be amended through a scheme amendment process to allow the purpose of the reserve to be changed. This is to be done as part of an omnibus amendment.
2. A formal request should be submitted to obtain the relevant approval from the Department of Lands to change the purpose of the reserve to accommodate emergency and community services.

CONCLUSION

With the residential land supply allowing room for future population growth in Boyanup (as outlined in the Boyanup Townsite Strategy) and holiday destinations further south, it is inevitable that there will be a growing need for emergency services such as provided by St John Ambulance.

In addition to St John Ambulance, there may be need for other emergency and/or community services to locate on the reserve and therefore the purpose of the reserve should not be restricted to accommodate only Fire and Ambulance services.

VOTING REQUIREMENTS

Simple majority

OC0608 OFFICER’S RECOMMENDATIONS – 15.2/COUNCIL DECISION

Moved Cr Bell, Seconded Cr J Scott

That Council resolves:

1. To support the proposal for St John Ambulance to co-locate with the Bushfire Brigade on a portion of Reserve R2629 Lot 42 Turner Street; and
2. To authorise the Chief Executive Officer to obtain the relevant approval from the Department of Lands to change the purpose of the reserve to accommodate Emergency and Community Services; and also obtain power to enter into Lease Agreements.

Carried 8/0
ORDINARY COUNCIL MINUTES – 18.06.14

OC0609 (15.3) Special Rural Zone No 2 – Modification No 3 to Subdivision Guide Plans

Location: Lot 36 Brockway Drive, Gelorup
Applicant: Town Planning, Management and Engineering
Owner: J & S Standley
File Reference: C5.37.029 & C.5.1.N.78
Disclosure of Interest: Nil
Date: 28.04.14
Author: Manager Statutory Planning Services, C Muller
Senior Officer: Director Planning and Development Services, C Burwood
Attachment: A. Previous proposed modification
B. Revised proposal (13209P-SU-01H)

MATTER FOR CONSIDERATION

Council has been invited pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) to reconsider its decision of 18 September 2013 where Council resolved to refuse Modification No 3 to the Plan of Subdivision (No 3) for Special Rural Area No 2.

BACKGROUND/PROPOSAL

Background

Minute No. OC0508 of 2006 refers. Council resolved to amend Town Planning Scheme No.7 by adopting modifications to Clause (d) and (k) (iv) of the Area No 2 provisions at Appendix 6 and to process Amendment No 29 in accordance with the Town Planning and Development Act 2005.

May 2007 – The Minister for Planning granted final approval to Scheme Amendment No 29 that provides the criteria and process by which a modification of the existing Gelorup Special Rural Zone Subdivision Guide Plan may be considered. This effectively allows in certain circumstances for the subdivision of 4-hectare lots adjacent to Bussell Highway and having a secondary road access to be subdivided into lots of 2 hectares.

October 2007 – The Commission endorsed Plan of Modification No 1 to Special Rural Zone Area No.2 which facilitated the subdivision of lot 100 Eucalypt Drive, Gelorup into two lots.

October 2007 – The Commission endorsed Plan of Modification No.2 to Special Rural Zone Area No.2 which facilitated the subdivision of lot 4 Woods Road, Gelorup into three lots.

February 2013 – The WAPC agreed to defer an application proposing to subdivide Lot 36 Brockway Drive pending the outcome of a modification to the Subdivision Guide Plan pertaining to the area.

September 2013 - Minute No OC0906 of 2013 refers. Council resolved to refuse Modification No 3 to the Plan of Subdivision (No 3) attachment A for Special Rural Area No 2 for the following reasons:

a. Consideration of submissions in accordance with Specific Provision (d) iii) of Special Rural Zone Area No 2, within Appendix 6 of Town Planning Scheme No 7 has revealed Main Roads WA do not support the proposal in its current form due to future road reserve requirements and potential traffic noise impacts.

b. In considering Main Roads’ advice that additional land will be acquired for road widening purposes, any subdivision and future development within proposed Lot 1 will be inconsistent with Specific Provisions (c) and (k)(iii) of Special Rural Zone Area No 2 within Appendix 6 of Town Planning Scheme No 7 respectively as:
• Any future development will be within the 80m minimum setback from Bussell Highway; and
• The creation of lots having an un-useable building area having regard to minimum setbacks and overall amenity.

c. Given the vicinity of the indicative future freeway interchange it is considered that the development of an additional dwelling would be in conflict with the objectives of the Scheme to safeguard the health and general welfare of inhabitants.

Proposal

The original proposal attachment A was not acceptable for the reasons listed under the ‘Background’ section of this report. The applicant appealed against Council’s decision and following a number of mediation hearings has submitted a revised proposal (Attachment B) and the following additional information in support of thereof:

• The revised proposal complies with the 80m setback requirement measured from the road widening alignment.

• The plan demonstrates compliance with the 20m Low Fuel Zone requirement of the Bushfire Order.

• Main Roads WA supports the proposal subject to certain requirements which will be discussed in the comment section of the report.

• The Department of Parks and Wildlife confirmed that the revised plan of subdivision boundaries and building envelope is acceptable.

• Lot sizes comply with the 2ha Scheme requirement (prior to road widening).

• The adjoining landowners to the south of the lot have agreed to the proposal.

• Updated noise assessment reflecting latest Subdivision Guide Plan.

• Updated fire management plan which reflects the latest Subdivision Guide Plan.

STATUTORY ENVIRONMENT

Town Planning Scheme No.7

Lot 36 Brockway Drive is zoned ‘Special Rural’ under Town Planning Scheme No 7, is affected by the Highway Protection Area and has a lot size of 4.1282 hectares.

1.6 Scheme Objectives

Clause 1.6.1 – The objects of the Scheme are in part to direct and control the development of the Scheme area in such a way as shall promote and safeguard the health, safety, economic and general welfare of its inhabitants and shall conserve the natural values of the District.

5.6 Special Rural Zone Provisions

Clause 5.6.1 – Council’s objective in making provision for a Special Rural Zone is to identify land within the Scheme Area which is suitable for closer subdivision to provide for such uses as hobby farms, rural residential retreats ... in such a manner as to make provision for the retention of the rural landscape and amenity in a manner consistent with orderly and proper planning of such areas.
 Clause 5.6.2 – In addition to any provisions which are generally applicable to land zoned Special Rural. Appendix 6 sets out specific provisions for controlling, land uses and development. No person shall use or develop land zoned Special Rural except in accordance with the provisions set out for the particular zone. The Appendix 6 also sets out subdivision requirements that the Council shall recommend to the Western Australian Planning Commission.

 Clause 5.6.3 – On land zoned Special Rural; the following general provisions shall apply in part:

(a) Subdivision to be generally in accordance with an adopted subdivision guide plan for a particular Special Rural Zone Area;
(b) All buildings erected on a lot shall have a minimum setback of 20 metres from boundaries unless otherwise specified in a particular Special Rural Zone;
(c) Council may if it so desires adopt a plan setting out the position of a building envelope on lots. Upon adoption the owner of the lot shall construct all buildings within the envelope unless Council agrees to a modification to the adopted plan.
(d) No more than a single dwelling house per lot shall be erected;
(e) No person shall clear natural vegetation on any part of a lot, except for the purpose of establishing fire breaks, driveways and areas for buildings, without the written approval of the Council;
(f) Prior to subdividing land, a developer shall liaise with the Fire and Emergency Service Authority of WA and Council to identify a system of strategic and individual lot fire breaks to be constructed at the time of subdivision; etc.

7.11- Highway Protection Area Provisions

 Clause 7.11 – Lot 36 is contained within the Highway Protection Line defined on the scheme maps and in part this provision states … that land contained within this boundary shall be subject to special conditions in order to protect the function, amenity and visual character of the Highway.

 Clause 7.11.2 identifies a number of conditions that apply to the land within the Highway Protection Area:

7.11.2 (e) – The building lines for Special Rural Zones shall be determined by the requirements set out in Appendix 6.

Appendix 6 Provisions

The following Specific Provisions relating to Special Rural Zone No 2 specified under Appendix 6 of Town Planning Scheme No 7 need to be noted in considering the proposal:

(a) The intent of the Special Rural Zone Area No 2 is to create lots on which rural residential activities can occur;
(b) Council shall recommend to the Western Australian Planning Commission that the minimum lot size of the area should be 2 hectares.
(c) The minimum setback for all buildings from Bussell Highway is 80 metres;
(d) Subdivision shall generally be in accordance with Subdivision Plans No 2, and No 2(a) and as modified by Subdivision Plan No 2(b) and Plan No 3 (dated August 2002, Plan No 99104P-06) and Plan No 4 (dated April 2004, Plan No 99116P-09).

Council may consider and adopt modifications to subdivision plans via a Plan of Modification. A Plan of Modification shall:

i) Comply with the general standards and requirements of the Scheme for Special Rural Zones (Clause 5.6) and the Appendix 6, Special Rural Zone Area 2 Specific provisions.
ii) Be advertised for public comment for a period of 28 days, prior to final adoption by Council.

iii) Be adopted by the Council and the West Australian Planning Commission.

iv) Have its own unique reference to set it apart from other plans adopted by Council.

(k) Council shall recommend to the Western Australian Planning Commission that subdivision proposals should have regard to the following requirements:

i) Protection and preservation of existing natural vegetation.

ii) No new access being created onto Bussell Highway.

iii) Creation of lots that have a usable building area having regard to minimum setbacks and overall amenity.

iv) Integration with surrounding lots. Where a Plan of Modification provides for integration through the use of a battle-axe access way, a reduction of up to 5% in the minimum lot area may be permitted where such a reduction is necessary to provide the access way”.

Provisions (l), (m), (n), (o) and (p) relate to matters which are to be addressed should the subdivision proposal be supported.

Greater Bunbury Region Scheme

Lot 36 is zoned Rural under the Greater Bunbury Region Scheme.

A portion of the lot immediately adjoining the Bussell Highway is also identified as road widening.

POLICY IMPLICATIONS

There are no Policy Implications to consider.

FINANCIAL IMPLICATIONS

Budget

There are no budget costs to consider.

Long Term

There are no long term costs to consider.

Whole of Life

There are no whole of life costs to consider.

SUSTAINABILITY IMPLICATIONS

The Plan of Modification is proposed in order to ultimately facilitate subdivision of the land. If the modification and subsequent subdivision application was approved then any new development would result in some vegetation removal. From an amenity related perspective the previous council report raised concerns that the subdivision and ultimate development of a new dwelling would in the long term result in a less than desirable dwelling location due to potential traffic noise impacts. A Transportation Noise Assessment by Lloyd George Acoustics has since been submitted addressing this issue.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan

Relevant Strategic Directions under the plan include:
Environmental Experience

The Strategic Objective is to preserve and enhance the natural and built environment to ensure it is liveable, sustainable and adapts to our communities’ needs and expectations. One outcome is to promote diverse lifestyle opportunities which can be achieved through land use strategies and plans. Allowing the subdivision to proceed would allow further lifestyle opportunities. Given the proximity to the highway (possible freeway) interchange Main Roads Western Australia requested a noise assessment. Such an assessment has been completed setting out certain requirements.

Economic Experience

In supporting progressive economic opportunities, relevant outcomes are: the provision of opportunities taking advantage of the Shire’s location; improve attractiveness of towns as retirement destinations; facilitating retail & commercial precinct; and encouraging business development. The proposal provides for additional residential accommodation options which in turn may help foster business activity.

CONSULTATION

Modification Plan No 3 Attachment A was previously advertised for public comment for 28 days in accordance with Scheme requirements.

In summary, the key matters raised within the submissions included:

- The Department of Fire and Emergency Services (DFES) has considered the proposal and the initial Fire Management Plan (FMP) prepared and indicated that provided the FMP can be implemented as proposed there is no objection. A revised FMP has since been received.

- The southern adjoining land owner strongly objected to the previous proposed modification (Attachment A). This is no longer the case as the adjoining owners have confirmed that they agree to the revised proposal (Attachment B).

- The (then) Department of Environment and Conservation did not support the original proposal. Notwithstanding the Department of Parks and Wildlife has confirmed that the revised plan of subdivision is acceptable.

- The Department of Health requested that the proponent will need to demonstrate that the site is capable of disposing of waste water.

COMMENT

As described in the Background section to this report the Council resolved to refuse to agree to a modification to allow the subdivision of Lot 36 as the resulting proposed lots significantly would not provide for acceptable development of an additional dwelling. The constraints to subdivision and acceptable development indicated that it was highly unlikely that these issues could be resolved.

The land owners appealed to the State Administrative Tribunal (SAT) where Council’s concerns were accepted however the land owners through their consultant were given the opportunity to demonstrate the concerns could be resolved by modifying the subdivision proposal.

After many weeks of consultation with the applicants and relevant government agencies a revised proposal has been received which demonstrates compliance in most respects, albeit a very constrained outcome with a small building envelope of 1162m² and the need for Specific Development Provisions to be imposed.
Whilst it is to be noted that the proposed lots will in the first instance comply with the minimum lot size of 2 hectares, both lots are reduced at the subdivision stage to approximately 1.6 hectares. Whilst this is not usually accepted the applicants have demonstrated that it was possible to provide a building site for a new dwelling which complied with all other standards particularly as it relates to amenity setbacks from the future freeway/property boundaries and fire management standards.

The Development Provisions required to assist in achieving suitable development which will be attached to the revised Plan of Modification No 3 include:

1. Subdivision shall be in accordance with this Subdivision Guide Plan.
2. Buildings to be constructed shall demonstrate compliance with AS3959;
3. The Subdivider is to prepare a Land Use Management Plan to be adopted by Council. The land use management plan is also to include requirements relating to the building envelope plan, fire management and noise attenuation measures.
4. No vehicular access is permitted from Bussell Highway or the future Bunbury Outer Ring Road.
5. At the time of subdivision the proposed road widening is to be ceded to the Crown free of cost to the satisfaction of Main Roads WA;
6. The following notifications pursuant to section 70A of the Transfer of Land Act 1983 is to be placed on the certificates of title of the proposed lots:
   - The lots are situated in the vicinity of a transport corridor, Bussell Highway and the future Bunbury Outer Ring Road, and may be affected by transport noise.
   - The use and management of the lots are subject to the provisions of a Land Use Management Plan adopted by Council.
   - Lot 2 has a designated building envelope and all buildings are to be contained within it giving regard to the protection of significant vegetation and siting buildings to reduce bush fire risk.

Council is now required by a SAT direction to determine whether it is prepared to endorse the revised Plan of Modification No 3 shown at Attachment B.

It is also raised with Council that should the new plan be endorsed, the SAT will be informed and a request will be made for the SAT hearing to be finalised. The process will then be for Council to forward the Plan of Modification to the Western Australian Planning Commission (WAPC) for its endorsement.

Should the Plan be endorsed by the WAPC it then provides the opportunity for the land owners to proceed with the subdivision application.

It is to be noted that one of the Development Provisions that will flow through to the subdivision is a requirement for the preparation of Land Use Management Plan (see provision 3 referred above) to the satisfaction of Council. This is a relatively straightforward document reflecting all the requirements of the various agencies necessary to regulate the use of the subdivided lots. Given the land owners are desperate to proceed with development of a new dwelling it would be reasonable to delegate authority to the Chief Executive Officer to endorse the Land Use Management Plan once it has been prepared to the satisfaction of the Director Planning and Development Services.
OFFICER’S RECOMMENDATION – 15.3

VOTING REQUIREMENTS

Simple majority

OC0609 RECOMMENDATION 1/COUNCIL MOTION

Moved Cr Smith, Seconded Cr Bell

That Council resolves:

1. Pursuant to Specific Provision (d) iii of Special Rural Zone Area No 2, within Appendix 6 of Town Planning Scheme No 7, to adopt Plan of Modification No 3 (Plan No: 13209P-SU-01H – dated 05/06/2014) to Special Rural Zone Area No 2 – Gelorup;

2. Forward Plan of Modification No 3 to the State Administrative Tribunal pursuant to s31(1) of the State Administrative Tribunal Act 2004 (WA) for determination; and

3. Pending the Tribunals positive determination that the endorsed Plan of Modification No 3 be forwarded to the Western Australian Planning Commission for endorsement, in accordance with Specific Provision (d) iii of Special Rural Zone Area No 2, within Appendix 6 of Town Planning Scheme No 7.

Lost 8/0

OC0610 COUNCIL MOTION

Moved Cr Hearne, Seconded Cr Norton

That this matter be deferred to allow the applicants at their request to discuss with Main Roads WA the matter of ceding the land free of cost and the applicants then advise the Chief Executive Officer when they want or request the matter to be considered by Council.

Carried 8/0

REASON: Following a presentation by the applicant, Council was unable to make a decision on Point 5 of the Development Provisions in Attachment B of the Officer’s Report until the matter of ceding has been resolved between the applicant and Main Roads WA.

VOTING REQUIREMENTS

Absolute majority

OC0611 RECOMMENDATION 2/COUNCIL MOTION

Moved Cr Norton, Seconded Cr Baxi

That Council resolves pursuant to Clause 8.11.1 of Town Planning Scheme No 7 to delegate the Chief Executive Officer the authority to endorse the Land Use Management Plan required under Development Provision 3, when the Plan has been prepared to the satisfaction of the Director Planning and Development Services.

Motion Withdrawn

NOTE: As Council resolved to defer a decision on this matter (see OC0610), the Motion for Recommendation 2 (OC0611) was withdrawn as the Chief Executive Officer was no longer able to endorse the Land Use Management Plan.
Mr Dent left the Chambers with Mr and Mrs Standley at 6.29pm.
Ms H Davis left the Chambers at 6.30pm and did not return.
Mrs Muller left the Chambers with Mr Selkirk at 6.31pm and they did not return.

ENGINEERING AND OPERATIONS REPORTS

**OC0612 (16.1) Cleaning of Shire Buildings and Public Amenities Tender 14/03**

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<tr>
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<td>Senior Officer:</td>
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**MATTER FOR CONSIDERATION**

Consideration and adoption of this tender submission for the Cleaning of the Shire of Capel Buildings and Public Amenities.

**BACKGROUND / PROPOSAL**

**Background**

The current contract for the supply of cleaning services expires on 30 June 2014. A tender for provision of these services was advertised with a response from 3 applicants. The contract will be for an initial period of 2 years from 1 July 2014 to 30 June 2016, with an option to extend for a further 1 year period.

**Proposal**

That Council accepts the tender from Delron Cleaning Bunbury for the provision of Cleaning services for an initial period of 2 years, from 1 July 2014 to 30 June 2016, with an option to extend for a further 1 year period.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**Section 3.57 Tenders for providing goods or services**

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

Local Government (Functions and General) Regulations 1996

**Part 4, Division 2 Tenders for providing goods and services (s.3.57)** outlines processes and conditions for local government tendering.

**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 under this provision of the policy.

**FINANCIAL IMPLICATIONS**

**Budget**

The tenders received are within anticipated price ranges and do not impact upon Council’s 2014/2015 budget.

**Long Term**

The tender provides for the provision of cleaning services for a period of up to 3 years. It is anticipated that after this time, a further tender will be issued for a similar period.

**Whole of Life**

The tendered services will cost Council the sum of $88,920 for the first year, followed by annual CPI increases for a further 2 to 3 years compounding.

**STRATEGIC IMPLICATIONS**

**Shire of Capel Strategic Community Plan 2013/2031**

“The Infrastructure Experience”
- 5.6 – Effectively manage the Shire’s assets and resources.

**CONSULTATION**

Consultation took place between appropriate officers in the areas of Engineering and Operations and Corporate Services.

**COMMENT**

**PREFERRED TENDERER**

The current contractor is Delron Cleaning Bunbury.

Tender submissions were received from three contractors. All tenderers were assessed against qualitative and financial criteria.

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**VOTING REQUIREMENTS**

Simple majority
Mr Dent left the Chambers at 6.33pm.

**OC0612 OFFICER’S RECOMMENDATIONS – 16.1/COUNCIL DECISION**

**Moved Cr J Scott, Seconded Cr Hearne**

That Council accepts the tender from Delron Cleaning Bunbury for the provision of cleaning services for Shire Buildings and Public Amenities as detailed in Tender 14/03. The contract will be for an initial period of 2 years from 1 July 2014 to 30 June 2016 with an option to extend for a further 1 year period.

Carried 8/0
MATTER FOR CONSIDERATION

Consideration of tender submissions for the maintenance of additional public open space (POS) in Dalyellup.

BACKGROUND / PROPOSAL

Background

The Developer (Satterley Property Group) is in the final stages of handover of additional POS and Streetscape landscaping within the Dalyellup Estate. Handover will complete the developer's minimum requirements as generally described in Liveable Neighbourhoods to establish and maintain landscaping for a minimum of two summers. It is expected handover will be completed requiring management by the Shire on or about 1 July 2014. There may be handover/s slightly prior to this date; the current handover process does not bind parties to specific completion dates. Currently the developer is required to complete procedural requirements after the two summer’s maintenance to complete handover.

Council staff are currently developing a revised handover procedure, this will include a maintenance agreement with developers that will prescribe handover dates. This will be presented to Council for endorsement.

The following areas are for handover within Tender 14/02;

- Stage 2B Northern Lake POS
- Stage 2B Middle Lake POS
- Stage 13 A, B and C Streetscapes
- Stage 18 E to I Streetscapes
- Stage 18 POS 2

The Shire received three Tender submissions;

- Landscape and Maintenance Solutions
- LD Total
- Dirt Design Landscaping.

Council also has Tender 12/01 (OC0205) Dalyellup Public Open Space (POS) Maintenance in place that is due to expire on June 30, 2015. LD Total and Dirt Design Landscaping are the current contractors engaged to service Tender 12/01.
Proposal

The Tender under consideration is for a 1 year period, this period of contract has been chosen to allow for the combination of contracts upon expiry into one only contract for the landscaping maintenance within the Dalyellup Estate.

STATUTORY ENVIRONMENT

Local Government Act 1995
Section 3.57 Tenders for providing goods or services
(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

Local Government (Functions and General) Regulations 1996
Part 4, Division 2 Tenders for providing goods and services (s.3.57) outlines processes and conditions for local government tendering.

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.

Dirt Design qualifies for consideration under this provision of this policy, LD Total does not qualify for consideration under the provision of this policy.

Policy 13.20 Occupational Safety & Health
Policy 7.7 Roads - Verges

FINANCIAL IMPLICATIONS

Budget

Financial allocation is included in the 2014/2015 draft budget for consideration. There is currently sufficient budgetary allocation within the 2013/2014 budget to meet any budgetary needs if any POS is handed over prior to 1 July 2014.

Long Term

This contract is for a one year term. Ongoing budgetary allocation for the Maintenance of the Landscaping within the Dalyellup Estate will be required at the renewal of the maintenance contract/s.

Whole of Life

Council will be required to consider ongoing budgetary allocation to service the maintenance requirements of this and all POS. There will also be a requirement to make budget allocation for the replacement of assets throughout the life of a POS.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013-2031
“The Infrastructure Experience”
- 5.6 - Effectively manage the Shire’s assets and resources.
CONSULTATION

Consultation took place between appropriate officers in the areas of Engineering and Operations and Corporate Services.

COMMENT

PREFERRED TENDERER

Evaluation Breakdown (Evaluation 1)

Tenders were assessed against the Qualitative Criteria.

<table>
<thead>
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<th>OH&amp;S 15%</th>
<th>Relevant Experience 20%</th>
<th>Key Personnel 5%</th>
<th>Resources 10%</th>
<th>Demonstrated Understanding 5%</th>
<th>Price 45%</th>
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<td>20</td>
<td>10</td>
<td>20</td>
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The evaluation panel had some concerns over the very significant price variation between Landscape and Maintenance Solutions and the other two assessed tenders. Clarification was sought from Landscape and Maintenance Solutions with regards to their tendered price.

Landscape Maintenance solutions responded on 5 May 2014 (reference number DWS Doc No 275266) stating;

"Confirming the price submitted is for the full 12 month period and covers all items required within the specification“.

Further investigation and assessment of the tender from Landscape and Maintenance Solution required the tender panel to seek further clarification, the tender panel raised concerns over their ability to deliver the contract based on the price that was submitted. Questions were sent for clarification;

- staffing allocation hours to complete the works
- prices submitted to supply various items within the contract
- mowing costs versus their submitted m2 rates for mowing.

Landscape and Maintenance Solutions responded 9 May 2014 (reference number DWS Doc No 283879) stating:

"Your email raised some concerns at our end so I went through this tender personally with our estimator and unfortunately there seems to have been some omissions on our part.

On review our tendered price should have been $215,800.00 ex GST per annum.

We understand submitting a new tender sum probably disqualifies us from the process now but should you wish to discuss it further we would appreciate it.

Our sincere apologies for the inconvenience. “
The tender panel sought advice from WALGA with regard to this information and Landscape and Maintenance Solutions tender was disqualified.

The evaluation team carried out a second evaluation on the two remaining tenders, Dirt Design Landscaping and LD Total.

Evaluation Breakdown (Evaluation 2)

<table>
<thead>
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<th>OH&amp;S 15%</th>
<th>Relevant Experience 20%</th>
<th>Key Personnel 5%</th>
<th>Resources 10%</th>
<th>Demonstrated Understanding 5%</th>
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<td>10</td>
<td>20</td>
<td>10</td>
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</table>

Based on the evaluation, Dirt Design Landscaping is the preferred tenderer.

The tender allows for the provision for Council to split the tender into portions to provide best value for Council. The tender panel has assessed the submitted Price Schedules and have provided a breakdown of this assessment, see Attachment B.

Due to the unknown handover dates it is envisaged that the portions of POS included in this tender may not all be handed over to Council for 1 July 2014 management. The tender allows for the portions to be maintained by the successful contractor/s when they become available.

Future tenders would include the allowance for additional portions of landscaping to be offered to the contractor/s during the life of the contract, removing the need to call a new tender when handover of additional POS occurs.

An in house tender would require the consideration of increasing current levels of Council’s Parks and Gardens staff, plant and equipment.

VOTING REQUIREMENTS

Simple majority

OFFICER’S RECOMMENDATIONS – 16.2

OC0613 STAFF RECOMMENDATION 1/COUNCIL DECISION

Moved Cr Hearne, Seconded Cr Baxi

That Council accepts the tender offer of Dirt Designs for the Dalyellup Public Open Space (POS) Landscape Maintenance contract for the amount of $106,162.00 (including GST) for the 12 month period commencing 1 July 2014 or part thereof as prescribed within the tender when the portions listed below become available for management by Council:

- Stage 2B Middle Lake
- Stage 18 Street Scape
- Stage 18 POS 2
- Annual Mulch Allocation.

Carried 8/0
Moved Cr J Scott, Seconded Cr Smith

That Council accepts the tender offer of LD Total for the Dalyellup Public Open Space (POS) Landscape Maintenance contract for the amount of $100,150.00 (including GST) for the 12 month period commencing 1 July 2014 or part thereof as prescribed within the tender when the portions listed below become available for management by Council:

- Stage 2B Northern Lake
- Stage 13 Street Scape.

Carried 8/0
OC0615 (16.3) Extractive Industry – Lots 3 and 27 Allenville Road, Gelorup

Location: Gelorup
Applicant: Hanson Construction Materials Pty Ltd
File Reference: EC.6.4.11
Disclosure of Interest: Nil
Date: 21.06.14
Author: Engineering Technical Officer – Design, D McKenna
Senior Officer: Acting Director Engineering and Operations, S Faber
Attachments: 1 - Location Plan
2 – Aerial Plan
3 – Extraction Stages (figure 18)
4 – Draft Licence and Conditions

MATTER FOR CONSIDERATION

Renewal of Planning Consent and an Extractive Industries Licence (EIL) to extract basalt from Lots 3 and 27 Allenville Road, Gelorup.

BACKGROUND / PROPOSAL

Background

Hanson Construction Materials Pty Ltd, previously known as Pioneer Concrete (WA) Pty Ltd and Pioneer Construction Materials Pty Ltd, has extracted basalt from the “Gelorup Quarry” on Lots 3 and 27 Allenville Road, Gelorup since the mid 1970’s.

1980 - An Extractive Industry Licence was issued.

February 1990 - Lot 27 was approved to construct an Asphalt Plant.

November 2000 - A two year licence was granted, limited to only two of four stages and a maximum depth to not exceed minus 6 (-6.00)m AHD.

August 2002 - A ten year licence was approved in August 2002 with a maximum depth to not exceed minus 8 (-8.00)m AHD.

June 2003 - Hanson acquired the “Bunbury Quarry” on Lot 2 Lillydale Road, North Boyanup from the Giacci Group of Companies.

Both the Bunbury and Gelorup Quarries run concurrently however, most excavation is undertaken at the Bunbury Quarry, whereas the Gelorup Quarry currently remains on a care and maintenance basis and is only used as a static plant lay down or additional stockpile area.

Initial applications were subject to objections and refuses by Council to issue Extractive Industry Licences, which were subsequently agreed to as a result of the Minister for Local Government upholding an appeal.

Proposal

In summary the applicants advise:

- Planning Approval of 20 years is sought to provide long term security.
- An Extractive Industry Licence term of 10 years is requested.
Excavation will continue to progress north in the northern pit on Lot 27. The rate of progress will be determined by contracts won and the production at the Bunbury Quarry.

Lot 3 is not proposed to be excavated but will be used as a water source.

A quarry floor level of minus 2 (-2.00)m AHD will be maintained as currently approved.

Access will not change significantly with the construction of the Bunbury Outer Ring Road. At that time truck traffic will utilise the same entrance but all traffic will travel south and south east to the roundabout on the Ring Road.

An updated Environmental Management Plan has been submitted with technical detail about how the quarry is operated, addresses all requirements for the extractive industry licence application and demonstrates compliance with the Shire of Capel Extractive Industry Local Law.

The plan also documents all the environmental objectives and how Hanson will manage its operations to mitigate any effects on the community. This document includes details on vegetation, fauna, noise, dust, waste, water, heritage aspects, visual amenity and weed management. For each area of concern there are management actions, monitoring requirements and contingency actions in case the initial management actions are not sufficient.

It also must be noted that in a number of instances where staff have requested information the applicants have declined to provide such information and suggest that Council impose the requirements as a condition of approval and they will appeal via the State Administration Tribunal.

**STATUTORY ENVIRONMENT**

**Town Planning Scheme No 7 (TPS No 7)**

Lots 3 and 27 are zoned Rural and have a combined area of 50.63 hectares.

An Extractive Industry is not permitted unless Council grants Planning Consent. Public advertising of the matter may be undertaken prior to making a determination of the application. Public and government consultation has been undertaken and comments are made in respect to this matter under the Consultation section of this report.

The following clauses of the Scheme apply to the consideration of this application:

1.6 Scheme Objectives

1.6.1 To direct and control the development of the Scheme area in such a way as shall promote and safeguard the health, safety, economic and general welfare of its inhabitants and shall conserve the natural values of the District.

1.6.4 To provide standards to secure and maintain the orderly and properly planned development of land with the Scheme Area.

5.7 Rural Zone

5.7.1 Council's objective in part in the management of land uses in the Rural Zone is to preserve the character of the rural area, discourage the removal of prime agricultural land from agricultural production and prevent adverse effects on the continuation of established or potential agricultural industries.

5.7.2 Provides in part, that Council's Policy in assessing applications for Planning Consent will be to have regard to:
(a) The objective of Clause 5.7.1;
(d) The adequacy of roads to support the traffic generated by the development; and
(e) The need to impose conditions to minimise any adverse effects the development may
have on the environment of the area.

8.3.2 In determining an application for planning consent the Council shall have regard to, in
part the following;

(a) The purpose for which the subject land is reserved, zoned or approved for use under the
Scheme;
(b) Any approved Statement of Planning Policy of the Western Australian Planning
Commission;
(c) Any policy of the Western Australian Planning Commission or any planning policy
adopted by the Government of the State of Western Australia;
(d) The size, shape and characteristics of the land, and whether it is subject to inundation
by floodwaters;
(e) The provisions of the Scheme and any Council policy affecting the land;
(f) Any comments received from any authority consulted by the Council;
(g) Any relevant submissions received in response to giving public notice of the application;
(h) The orderly and proper planning of the locality;
(i) The preservation of the amenity of the locality; and
(j) Any other planning considerations which the Council determines to be relevant.

8.3.3 In determining an application for planning consent the Council may refuse its consent or
grant its consent subject to such conditions as it deems fit.

8.3.5 States in part that, Where the Council grants planning consent, it (the planning consent):

(a) Continues in force for two years, or such other period as specified in the planning
consent, after the date on which the application is approved; and
(b) Lapses if the development has not substantially commenced before the expiration of the
period.

8.3.8 Provides that Council may call for further application details as it thinks fit.

8.3.10 The Council may grant approval to a development already commenced.

Greater Bunbury Region Scheme (GBRS)

The GBRS includes the lot within a rural zone.

The Lot also falls within the “Basalt Extraction Area” of the Strategic Minerals and Basic Raw
Materials Policy adopted under the GBRS.

This policy has the intent of achieving the following objectives:

- To identify land within the Greater Bunbury Region Scheme area which contains mineral
  basic raw materials of State and Regional Significance;
• To prevent basic raw materials from being sterilised from incompatible development and land uses;

• To encourage the extraction of basic raw materials in accordance with acceptable environmental standards;

• To promote rehabilitation and restoration of extraction sites, after works have been completed, in a way that is consistent with long term use of the land.

**Extractive Industry Local Laws**

Under the Shire of Capel Extractive Industry Local Laws (Clause 2.1):

'A person shall not carry out an extractive industry –

(a) unless the person is the holder of a valid and current licence; and

(b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of the licence.’

It is also to be noted that Clause 2.3 (1)(g) provides that it is a prerequisite that the activity have a planning consent prior to Council being able to grant an Extractive Industry Licence. It is important that Council note this law because if it chooses to refuse the planning application an EIL will not be forthcoming or if the applicants choose to challenge the planning approval the outcome may impact on the EIL licence conditions.

In respect to the applicant’s proposal for the term for which the EIL is to be valid, it is to be noted that Clause 3.1 (3) states where the local government approved an application for a licence, it shall:

(a) “determine the licence period, not exceeding 21 years from the date issued of the licence”.

It is also to be noted that Clause 4.3 requires an application to be made in writing at least 45 days prior to expiry for the renewal of a licence.

There are five requirements to be submitted for the renewal:

1. A renewal fee;
2. A copy of the current licence;
3. Adequate plans;
4. Details of excavation and rehabilitation; and
5. Any further detail required in an EIL application should it be seen as necessary.

The local government may waive items 4 and 5 above if:

1. The current EIL was issued less than twelve months previously; and
2. The works methods to be employed are identical to those currently used.

**POLICY IMPLICATIONS**

There are no current Policies relevant to this item.
**FINANCIAL IMPLICATIONS**

**Budget**

The applicants’ proposal will have no implications on the Council budget for 2013/14 other than income received by application fees.

**Long Term**

**Road Deterioration**

Extractive Industries within the Shire of Capel create a concentration of heavy vehicles accessing local roads to traverse from the site entrance to the closest arterial main road. This concentration of heavy vehicles causes considerable road damage to the local roads and the cost of the deterioration must be passed on to the Extractive Industry as they are the source of the heavy traffic.

The Shire of Capel Extractive Industries Local Laws 3.1(5) (q) require the licensee to enter into an agreement with the local government by which it agrees to pay any extraordinary expenses incurred by the local government in repairing damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the Licence.

In order to provide a consistent and transparent process the Shire have reviewed the agreement to include industry standard formulas that can be used to calculate the value of deterioration of the pavement for a given number of truck movements. The value of the surface damage is calculated by subtracting the agreed average surface repair cost from the actual cost to the Shire for the section of road for a 12 month period.

An agreement which has been signed between the applicant and the Shire based on these calculations will net a road damage contribution of approximately $27,000 per annum. This contribution will be used towards the reconstruction of Lillydale Road in the future.

**Rehabilitation**

A bank guarantee is currently held by the Shire for the sum of $350,000 being the rehabilitation bond for Lots 3 and 27 Allenville Road, Gelorup. This bond was accepted by the Shire in April 2011 and will require review every five years.

**Whole of Life**

The road assets will deteriorate at a higher rate due to the heavy vehicle movements associated with the licence agreement. Agreed contributions from the Applicant, Hanson Construction Material Pty Ltd will be used toward road preservation works on Lillydale Road in the future.

**SUSTAINABILITY IMPLICATIONS**

The nature of hard rock quarrying makes it very difficult to manage the site in an environmentally sustainable manner. The amount of material removed cannot be replaced and ultimately the site is left with a sizable void which fills with rain and ground water. Management of fauna and potentially pests such as mosquitoes would require consideration.

Extractive industries of this type can have impacts on the community by way of noise, vibration, dust and traffic. There is also the question of how to ensure the voids remaining do not become a safety and health risk to the community.

Truck traffic impacts are limited to Hasties, Allenville and Lillydale Roads being the only permissible route in and out of the quarry.
Basalt is an essential material in the manufacture of concrete and roadbase. This site is one of only a few sources of basalt in the Greater Bunbury Regional Area and assists in reducing the cost of the material principally due to the accessibility of the resource and by reducing transport distances and associated costs.

**STRATEGIC IMPLICATIONS**

**Bunbury – Wellington Region Plan (WAPC 1995)**

The Bunbury – Wellington Region Scheme 1995, sought to provide a regional planning framework up until the year 2011. This plan reflected the land use proposals and future land use and zoning including open spaces and major road proposals of the regional area.

The policy incorporated the *Greater Bunbury Structure Plan* that will in turn be superseded by the *Greater Bunbury Structure Plan 2013-2026* which forms part of the Greater Bunbury Strategy (see below).

The *Bunbury – Wellington Region Scheme 1995* was divided into a number of precincts that show Lots 3 and 27 as Rural Zone. The documentation acknowledges the presence of two basalt quarries and an additional proposed quarry. The proposed quarry is the Hanson Bunbury Quarry on Lots 3 and 27 that was originally opened by Giacci.

The *Greater Bunbury Structure Plan* also shows a primary distributor road (preplanning for the Bunbury Outer Ring Road), running along the north western corner and western edge.

Lots 3 and 27 and the area covering the Bunbury Basalt are shown as continued Rural Land Use which is compatible with other planning and the proposed land use.

**State Planning Strategy – WAPC (December 1997)**

The Western Australian Planning Commission (WAPC) released the State Planning Strategy in 1997. It comprises a range of strategies, actions, policies and plans to guide the planning and development of regional and local areas in Western Australia and assists in achieving a coordinated response to the planning challenges and issues of the future by State and Local Governments.

The State Planning Strategy contains the following five key principles. These are:

- Environment & resources: to protect and enhance the key natural and cultural assets of the State and to deliver to all Western Australians a high quality of life which is based on sound environmentally sustainable principles.

- Community: to respond to social changes and facilitate the creation of vibrant, accessible, safe and self-reliant communities.

- Economy: to actively assist in the creation of regional wealth, support the development of new industries and encourage economic activity in accordance with sustainable development principles.

- Infrastructure: to facilitate strategic development of regional Western Australia by taking account of the special assets and accommodating the individual requirements of each region.

- Regional Development: to assist the development of regional Western Australia by taking account of the special assets and accommodating the individual requirements of each region.

The continuation of the Bunbury Quarry will provide construction materials to achieve sustainable development of the Greater Bunbury Region.
The resource is strategically located close to the Bunbury Regional Centre and therefore continuing to source hard rock from the quarry provides for significantly reduced transport costs, impacts and greenhouse gas emissions.

This is recognised by the State in the key regional planning document, Greater Bunbury Region Scheme 2007, in which the resource is identified and studies have been conducted on the required buffers which have been implemented to protect and permit the staged use of the resource.

The environmental management of the quarry has been developed to minimise short and long term impacts on the local community and environment.

Bunbury Basalt as a Basic Raw Material – Preliminary Assessment of Possible Sources and requirements - Department of Minerals and Energy (1997)

The release of this report highlighted the importance of the basalt resource in Gelorup and two additional areas, one south of Capel and one adjacent to the Whicher Scarp. Due to the impacts that the activity has on residential use the report at this time recommended that a buffer zone of 2km be established around the outside of the basalt subcrop within which no further subdivision should occur.

The extent of the recommended buffer takes in Gelorup and South Bunbury and would have an impact on any thoughts of population increases in this locality and above existing densities.

Detailed geological knowledge about the basalt resource at this time was incomplete however the estimated life of the resource was between 70 and 150 years.

Environmental Code of Practice – Environmental Protection Authority

The following matters should be noted:

1. It is imperative that when an extractive industry site is established, an adequate distance be maintained between the site and nearby homes or other sensitive areas. Careful planning can minimise the environmental effects. **A component of such planning is deciding on the end land use of the site that will develop at the completion of the industry.**

2. As long as quarries are located near population centres, complaints from blasting will persist, but the severity of the effects can be minimised by undertaking certain actions.

Environmental Management of Quarries – Department of Mines and Petroleum

The following matters should be noted:

1. The site planning: Surrounding the extraction site there should be an adequate buffer zone to accommodate present and anticipated future land uses, particularly where there is any possibility of residential or hobby farm encroachment. An adequate buffer is the most effective safeguard against noise and dust impacts on neighbouring property as well as assisting management of visual amenity.

2. **End Land Use:** A key to the planning of quarry development and more particularly, to effective rehabilitation planning is advanced knowledge of the proposed end-use. This should be determined as early as possible in the life of the quarry between management, the landowner and/or appropriate statutory authorities such as the local Council and the Department of Mines and Petroleum.

3. Noise and Vibration: Noise ranks with dust as the major environmental concern with quarry operations. As for dust the best protection against noise and vibration impact on
the surrounding neighbourhood is an adequate buffer between the operational site and neighbouring properties.

**Greater Bunbury Strategy 2013-Western Australian Planning Commission (WAPC)**

The Greater Bunbury Strategy 2013-2026 has been developed by the WAPC to guide urban and regional land use planning, growth and infrastructure delivery in the Greater Bunbury sub-region from 2011 to 2031 and beyond. Implementation of the Greater Bunbury Strategy includes the preparation of a basic raw materials strategy for the Greater Bunbury sub-region, having due regard to the requirements of the South-west in the short to long term. It is likely that the study would be implemented with the WAPC and Department of Mines and Petroleum (DMP).

The Draft Greater Bunbury Strategy outlines the location of basic raw materials and their importance to the development of the south-west. To manage any potential constraints to extraction the WAPC will review the Strategic Minerals and Basic Raw Materials Policy 2005 and prepare a basic raw materials strategy that will inform a review of the Greater Bunbury Region Scheme – Minerals and Basic Raw Materials Policy.

**Shire of Capel Land Use Strategy April 1999**

The Shire’s Land Use Strategy includes the land within Planning Unit BU6.

The objective of this planning unit is to provide for urban expansion whilst conserving significant areas of natural environmental value.

This planning unit contains the Dalyellup and Gelorup urban areas and strongly promotes urban development in this area in keeping with the Greater Bunbury Structure Plan and the State Planning Strategy. The strategy recognises that the development of the Gelorup area will however be subject to the resolution of the issue of the need for a buffer around the basalt resource area. The need for the buffer is seen as an influencing factor to urban growth in the locality.

Notwithstanding the objective of the planning unit in respect to urban growth the strategy does also identify basalt quarries as being a desirable use with adequate buffers and resolution of end land use within an agreed time frame.

The Strategy also identifies that further planning is required to identify the extent of the basalt resource and the associated necessary buffers and once this is established a review of subdivision and development opportunities can occur.

**Shire of Capel Strategic Plan 2009 – 2020 - August 2009**

Vision – Encourage community diversity, sustainability and growth without compromising our rural and coastal lifestyle.

Guiding Principles in Part:

- Foster / support economic development;
- Maintain / enhance quality of environment;
- Acknowledge we are part of a wider region and that we will work to share resources;
- Contribute to sustainable development of the region.

Environment in Part:

3.1 Protect and promote the natural and built environment;
3.3 Use and manage resources in a sustainable manner.
CONSULTATION

The proposal was referred to 10 Government departments and the local Land Care District Committee (LCDC). A sign on site and a public notice was also placed in the South Western Times and on the Shire website.

A previous application for the renewal of Planning Consent and an Extractive Industries Licence (EIL) to extract basalt and sand from Lot 2 Lillydale Road, North Boyanup was sent to 571 residents for comment. From this extensive bulk mailing list only 1 submission was received. Due to the nature of the proposed activity of this application for licence renewal, the minimal number of complaints concerning the existing operation it was not considered necessary to undertake bulk mailing.

The following comments were received:

Department of Planning

No objection but advised that the proposed development needs to be assessed under the provisions of the local planning scheme as well as the GBRS under the delegation of the Shire.

Department of Environment Regulation

“Department of Environment Regulation (DER) has reviewed the Excavation and Rehabilitation and Management Plan and notes that the proposed extractive industry is located in area identified by Acid Sulfate Soils (ASS) risk mapping as a ‘Class 2’ risk area. However, a review of local geology at the location of the Gelorup Quarry is currently managed under the conditions of Licence L4593/1983/13, issued under Part V of the Environmental Protection Act 1986.

Based on the information provided in the Excavation and Rehabilitation and Management Plan, DER is satisfied that the existing licence conditions relating to water management and monitoring are sufficient to address the potential risks associated with ASS at the site. DER therefore does not require the proponent to implement any additional ASS management in relation to this planning application.”

DER has no additional comment to make in relation to the proposal.

Department of Parks and Wildlife


On 1 July 2013 the Department of Environment and Conservation (DEC) was separated into two agencies, one to carry out environmental regulation (Department of Environmental Regulation [DER]) and administer the Environmental Protection Act 1986 (EP Act), and the other (Department of Parks and Wildlife) [Parks and Wildlife] to be responsible for parks and wildlife while administering the Conservation and Land Management Act 1984 and the Wildlife Conservation Act 1950.

Therefore the responsible agency list needs to be amended to reflect that Parks and Wildlife are responsible for flora, fauna and wetlands, DER are responsible for the crushing and screening plant EP Act licence plus pollution and native clearing permits and native vegetation clearing permits and the Office of the Environment Protection Authority deals with matters of significant environmental impacts.

The ERMP states on Page 30 the proposed expansion of the pit will eventually “swallow up” a water monitoring point required by the DER EP Act licence for the subject site. DER is the lead agency in relation to assessing and providing comments on land use planning proposals that
relate to EP Act licenced sites. Parks and Wildlife recommends this application be referred to DER in relation to water monitoring points.

The application included a copy of an “Annual Environmental Report and Audit Document” for Hanson’s Bunbury and Gelorup Quarries dated 28 February 2014 (AER 2014). AER 2014 refers to vegetation rehabilitation using local flora species.

The ERMP refers to sump land and EPP Lakes wetland areas. Parks and Wildlife advises that given the proposed extractive industry expansion is moving northward, closer to the EPP wetland, vegetation planting using local endemic species to enhance buffers around the wetland would improve the quality of the wetland system.”

Department of Mines and Petroleum – No objection. The Geological Survey of Western Australia (GSWA), which is a division of the Department of Mines and Petroleum, included the following submission.

“Hanson’s Gelorup Quarry is one of only two current operations at Gelorup, and is of strategic importance for the entire Bunbury region. The significance of the Bunbury Basalt extraction area at Gelorup in general was documented by GSWA in 1997 (Freeman, 1997). The main findings of this report remain valid, and include:

- The Bunbury Basalt is used for a variety of purposes, but especially for general building and construction as well as precise specification, (unusually) high strength concrete aggregate, hard stand construction, road formation construction and has unusually favourable properties for top dressing of bitumen roads;
- Whilst the majority of basalt is consumed in the Bunbury-Busselton-Collie region, the high specification of the rock results in it being transported as far as Perth and Albany for certain projects;
- The Gelorup locality is the only area where the Bunbury Basalt is being extracted. Two other sites have been identified, although not evaluated, with one possibly having environmental concerns. No other alternative sites for other rock with similar specifications have been reported in the region; and
- The Gelorup locality has the lowest production costs of all of the possible alternative sites for Bunbury Basalt, in a large part due to the proximity to the market. As for all basic raw materials, the cost of transport is a significant component of the overall cost.

The wider community benefits from having a suitable, relatively low cost, long term supply of aggregate from the Gelorup locality. For example, savings from lower construction costs of infrastructure such as roads and public buildings can result in more public funds for other community projects or services. The key to ensuring that supply cost savings are passed onto consumers is to have a competitive marketplace with at least two operators in the same locality.

A further acknowledgement of the strategic importance specifically of these lots is its inclusion in the ‘Basalt Extraction Area’ identified in the Greater Bunbury Region Scheme and the Strategic Minerals and Basic Raw Materials Policy 2005.

Several other issues have emerged in the time since the GSWA study (Freeman, 1997):

1. The increasing significance placed by the community on remnant native vegetation, and biodiversity in general has made it highly desirable to continue existing long life basic raw material extraction sites such as Gelorup, rather than develop alternative sites.
2. The possible consequences of global warming have become a planning consideration for all levels of government. Rising sea levels may require the construction of protective walls, resulting in an increased demand for locally sourced rock. Again, proximity to the
areas where rock may be required would help to minimise the cost of this type of operation should it be necessary.

3. It is also desirable to reduce greenhouse gas emissions. Road transport of aggregate over increased distances from alternative sources will inevitably result in an increase in greenhouse gas emissions as well as cost.

GSWA not only strongly supports the extension of current approvals for the basalt extraction activity on these lots, but also requests that favourable consideration be given to Hanson’s request for planning approval of 20 years. Long term approval would assist both company and government planning, and is entirely consistent with the long term nature of this type of quarrying.”

**Department of Aboriginal Affairs**

No objection and advised that the following;

“DAA has reviewed the information provided and advises, based on that information, that area of the proposal planning application intersects with the mapped boundary of one Aboriginal heritage place on the Department of Aboriginal Affairs (DAA) database. The heritage place is DAA 18884 (Bunbury Bypass Archaeological Site 1) and was initially recorded in 1995 at a location on the south side of Hasties Road. The recorders reported this stone artefact scatter as small in size, has a high level of disturbance and a low level of significance. The current status of this place on the DAA heritage database is lodged. Based on the information provided to the DAA for this location, it is unlikely to be a place which the Aboriginal Heritage Act 1972 applies.

The area of the planning application is within a considerably altered environment which has previously been quarried. It is considered it is unlikely the proposed activities will impact on a place to which the Aboriginal Heritage Act 1972 applies.

For this proposal, we would advise that the developers are referred to the Aboriginal Heritage Due Diligence Guidelines for assistance in identifying the risk that proposed activities may have on adversely impacting Aboriginal heritage sites. The Guidelines can be located online.”

**Department of Water (DoW)**

“The Gelorup Quarry at Lots 3 & 27 Allenville Road (the Quarry) is located within the proclaimed ‘Bunbury Groundwater Area’, under the Rights in Water and Irrigation Act 1914 and groundwater abstraction in this proclaimed area is subject to licensing by the DoW.

DoW is concerned with any impact that the Quarry may have on water resources and supports effective containment and treatment systems to protect the values of both surface water and groundwater, including ecosystems.

It would appear that appropriate management systems are in place for the Gelorup Quarry and have been reported upon under licence from the Department of Environment Regulation (L4593/1983/13).

Nonetheless, it is understood that the Quarry remains on a ‘care and maintenance’ basis and is currently used only as a static plant lay-down area.

Whereas the Quarry owner has advised that there is unlikely to be any quarrying on site in 2014, there may be a need at some point in the future.

With this in mind, and acknowledging that mine closure planning is an integral part of mine development and operations planning, the Shire of Capel may wish to further consider the issue of closure.
Although the ‘Gelorup Quarry Excavation and Rehabilitation Management Plan, October 2013’ includes a ‘Closure and Rehabilitation Program’ (Section 6.6, pages 87-96), it may be that a more detailed closure plan is warranted.

If so, DoW recommends that the ‘Guidelines for Preparing Mine Closure Plans, June 2011’, prepared by the Department of Mines and Petroleum (DMP) and the Environmental Protection Authority (EPA), be referenced.

The level of information required should correspond to the life span of the Quarry and reflect the various stages of the life cycle of the quarrying operations.

In addition, it is noteworthy that the end use of the Quarry (and apparently other nearby operations) is proposed to be a lake that will be naturalised with local native vegetation.

The lake will form a large water body in an area where previously no such body existed and the Shire of Capel may wish to consider its future liability (if any) for such a lake (or lakes) within its boundaries.

Issues include _inter alia_ water quality (in context of potential impacts on other water resources off site), access and safety, and ultimately the matter of ownership.

Indeed, the Shire may see prudence in considering the development of a more comprehensive ‘combined’ closure plan for all of the quarries in the immediate area, to address closure issues and future land use.”

It is also noted that the DoW has also raised issues in its submission, with the need for more detail to be provided in respect to the intended Closure and Rehabilitation Program. Staff have consistently endeavoured to receive more information in respect to closure of the site and similar difficulties are experienced with all Quarry sites. The applicants have undertaken a reasonable level of detail in this case however there is future opportunity to upgrade the documentation in accordance with the guidelines recommended by the DoW.

**Main Roads WA**

No objection.

**COMMENT**

**Strategic Considerations**

The subject lots and the associated land uses of basalt mining have received substantial mention within local and state strategic planning documentation (refer Strategic Implications section of this report) and there is considerable emphasis on the need to minimise the impacts of the activity on adjoining urban uses whilst recognising the importance of the resource to the region and preserving this resource.

The strategic documentation that has been referenced effectively indicates that in a Greenfields situation where a new proposal for a basalt extraction activity would be under consideration, the Gelorup residential interface scenario currently experienced would not be contemplated and there would be a requirement for more significant buffers to residential development. The emphasis of this government position has always been a concern in considering the expansion of basalt mining activities in this Gelorup locality and may only continue to successfully occur in such a situation if the operators maintain diligence in the way they undertake the activity, the Department of Environment continues to maintain diligence in licensing the activity and enforcing compliance, the operators commit to adopting technology improvements to continue to review and reduce the impacts and the community continues to be accepting of the situation.
Notwithstanding the above, in considering the application the Council should acknowledge that one of the key objectives of its local planning scheme is to control development in such a way as shall 'safeguard the health, safety, economic general welfare of its inhabitants'.

To achieve this objective in changing times of increased urban development, a changing population (with changing values), changing technologies and changing management or operators of business operations, the Council needs to ensure it has a regular opportunity to review its planning directions and extractive industry licence requirements and therefore any associated term of approval that is agreed to will need careful consideration.

Apart from the ongoing management of the interfacing of the extractive industry activity with its adjacent urban land uses and residential population, is the priority of establishing what will be the end use of the extraction site once the resource has been depleted. Rehabilitation and restoration of extraction sites rates as a high priority in most of the Strategic and guiding documents for an extraction activity yet it has for years had a low priority with the operators of this extractive industry. Whilst it is acknowledged that this industry has a 40 year predicted life span it is essential that Council continually review how the site will be rehabilitated if it is to ensure a satisfactory end land use outcome that is compatible with the adjacent urban uses.

**Weighbridge Records**

There is currently a condition on the Bunbury Quarries Extractive Industry Licence stating that the licensee is to provide the Shire with accurate details of the quantity of material being transported from the site. This is for the Shire to apply the Road Deterioration Funding Agreement to the Bunbury Quarry extraction site.

The current Road Deterioration Funding Agreement is based on an estimated volume of material being dispatched from the site and does not allow for fluctuations in the market. All sales of material are weighed on the site weighbridge prior to dispatching as with neighbouring quarries of this nature.

The Shire recommends that a condition be added to the Gelorup Quarry on Lots 3 and 27 Allenville Road licence requiring the submission of weighbridge records annually to determine the accuracy of the agreed estimations of the Road Deterioration Funding Agreement. This is a current condition of licence for the neighbouring Holcim quarry.

**Impact on nearby properties**

The recommended buffer distance between this type of hard rock quarry and residences is 2 kilometres. The actual minimum distance between this quarry boundary and surrounding residences is currently 150 metres to isolated dwellings. This is the distance measure from the residence to Lot 3 which is utilised as a water source. The distance from the isolated dwellings to the existing pit in Lot 27 is 400 metres. The distance from Lot 27 to the Gelorup Urban area is 520 metres. This is measured directly across the existing Holcim Quarry on Lot 2644 Jules Road, Gelorup.

**Length of Planning Consent**

The initial planning consent of 2000 for Lot 3 and 27 was for a period of two years. This planning consent was renewed in August 2002 for a period of ten years to expire in August 2012.

Hanson have applied for planning consent for a period of 20 years to provide long term security.

Whilst the importance of the basalt resource is acknowledged, as discussed above under the Strategic Considerations, it is important that Council maintain an opportunity to review its approval on a periodic basis to deal with changing circumstances that may be causing impacts on the safety and amenity of its community. This review can only be successfully and
appropriately achieved by requiring a new application after or prior to the lapse of an approval as in this case.

It is acknowledged that the applicant sees commercial benefits in having a 20 year planning approval but there needs to be a balanced outcome achieved that provides benefits for both the applicant and the community. It is to be noted that this circumstance or need would have been different if the extractive industry was isolated from urban uses but the fact of the matter is that it is within 150 metres of some residences and 520 metres from the Gelorup Urban area.

It has in the past been the view of Planning staff that extractive industries should only have an approval of five (5) years to allow for a review of planning directions and to review the performance of the operator. In respect to this Council is well aware of the issues associated with extractive industries and in particular over extraction of resources from and poor rehabilitation outcomes or rehabilitation commitments not being adhered to. It is however acknowledged that a previous approval by a Minister specified a ten (10) year approval term for a neighbouring basalt activity which Council may wish to consider for this type of activity and given due regard to the resource importance. It is noted that the approval term also appears to have been supported by the Western Australian Planning Commission in its recent submission.

It is also the view of Planning staff that Town Planning Scheme No 7 clause 8.3.5 (b) relating to the setting of the term of a planning approval is not intended to provide long term approvals. Pragmatically, it is also found in instances such as this, there is a high probability that the activity or use does not achieve the intended development envisaged within the period of time and this results in the development being determined as not substantially commenced and the approval or planning consent then lapses.

In view of the above it is therefore considered that the applicant’s proposal for a 20 year approval is inappropriate and unnecessary and will not provide Council with adequate ability to review the current undesirable scenario of a hard rock quarry within the recommended buffer distance to an urban area. A ten (10) year planning approval term will be recommended by staff as a reasonable period of time for the commercial security of this type of activity and particularly given it has been indicated that the acquisition of new infrastructure is not proposed to operate the activity.

Council may also recall in December 2012 considering a similar request for Hanson’s Bunbury Quarry on Lot 2 Lillydale Road, North Boyanup, where it allowed ten (10) years only. It would be appropriate to maintain consistency between these two quarry approvals.

**Length of Extractive Industry Licence**

The initial extractive industry licence of 2000 for Lot 3 and 27 was for a period of two years. This planning consent was renewed in August 2002 for a period of ten years to expire in August 2012.

The period of licence controls how often the operator must submit a fresh application to the Shire, which is subjected to rigorous assessment and public consultation to ensure that up to date methods and controls are in place to limit the impact on the environment, community and public infrastructure. The requested period of 10 years is acceptable for this type of extraction site.

It is also to be noted that administratively and practically, Council should align the planning consent expiry with the extractive industry licence expiry so as to allow the Shire to holistically review the compliance of the activity under both areas of legislation. Often the conditions of both approvals are connected to achieve the desired outcomes. It is therefore recommended that a ten (10) year licence be accepted.
ORDINARY COUNCIL MINUTES – 18.06.14

Additional Licence Conditions

During 2012, Shire officers observed small quantities of imported topsoil being placed in the rehabilitated areas of some other extraction sites prior to planting. The importation of soil is the quickest way of spreading exotic weeds to native bush areas.

Any future licence will include a condition that strictly prevents any material being brought onto site without prior approval of the Council. This will allow the Council’s delegated authority to approve the importation of other materials for blending and small quantities of gravel and limestone for track building but will prohibit any other soils from being deposited there. This will be included as a standard condition to all future extractive industry licences within the Shire of Capel.

VOTING REQUIREMENTS

Simple majority

OC0615 OFFICER’S RECOMMENDATIONS – 16.3/COUNCIL DECISION

Moved Cr Bell, Seconded Cr J Scott

That Council resolves the following regarding the application from Hanson Construction Materials Pty Ltd to extract basalt from Lots 3 and 27 Allenville Road, Gelorup:

1 Pursuant to Clause 8.3.10 of Town Planning Scheme No 7 grants Planning Consent subject to the following conditions:

   (a) Development being limited to that detailed in the approved Gelorup Quarry Excavation and Rehabilitation Management Plan dated October 2013, and the Approved Development Plan (Figure 18).

   (b) The approval being limited to the 18 June 2024;

   (c) An agreement being entered into regarding the maintenance of Lillydale Road for the life of the extractive industry to the satisfaction of the Director Engineering and Operations; and

   (d) The issue of an Extractive Industry Licence in accordance with the Shire of Capel Extractive Industry Local Laws – February 2001 and compliance with the conditions of that licence.

2 Agrees to issue an Extractive Industry Licence pursuant to the Shire of Capel Extractive Industry Local Laws – February 2001 with the conditions as detailed in pages 1 to 5 of the attachment.

3 Advises the applicant that it is the Council’s expectation that there will be ongoing consideration given to the Closure and Rehabilitation Program for the site and that Council will be given updates on this matter as investigations proceed. It is advised that the Department of Water has recommended that the program should be prepared in accordance with the “Guidelines for Preparing Mine Closure Plans” prepared by the Department of Mines and Petroleum (DMP) and the Environmental Protection Agency (EPA).

4 Advises the applicant that Council’s approvals do not negate the need to obtain any other relevant approvals required under State or Federal Government Legislation and associated Regulations or any requirement to comply with such regulatory control during the operation of the activity.

Carried 8/0
CORPORATE SERVICES REPORTS

OC0616 (17.1) Write Off Sundry Debtors

Location: Capel
Applicant: Shire of Capel
File Reference: N/A
Disclosure of Interest: Nil
Date: 29.05.14
Author: Customer Service Officer, J Riedmann
Senior Officer: Director Corporate Services, P Anastasakis
Attachments: Nil

MATTER FOR CONSIDERATION

Council to consider 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 18 December 2013 (minute reference OC1210) when 8 debtors to the value of $300.75 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 proven to be unsuccessful for a variety of reasons. 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 applicable to the matter.
FINANCIAL IMPLICATIONS

Budget
The total of outstanding debts proposed to be written off is $882.24 including GST. The amount of the write off to be expensed within the financial report excludes GST and is $802.04.

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

Whole of Life
As no assets/infrastructure are 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 objective which has 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

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 lodgement 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 appropriate 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 their immediate family living at the same address have been banned from being able to use the library facilities in the Shire. Should these library users attempt to borrow books in the future they will need 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.

<table>
<thead>
<tr>
<th>Debtor</th>
<th>Amount</th>
<th>Description of Debt</th>
<th>Write Off Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>S233</td>
<td>$12.00</td>
<td>Library account fee</td>
<td>Outstanding since 18/2/14. Amount is minor compared to any further effort required to follow up debt. Borrowing privileges revoked.</td>
</tr>
<tr>
<td>L111</td>
<td>$40.64</td>
<td>Charge for lost library items plus account fee</td>
<td>Outstanding since 13/11/13. Amount is minor compared to any further effort required to follow up debt. Borrowing privileges revoked.</td>
</tr>
<tr>
<td>D183</td>
<td>$19.15</td>
<td>Charge for lost library items plus account fee</td>
<td>Outstanding since 11/9/13. Amount is minor compared to any further effort required to follow up debt. Borrowing privileges revoked.</td>
</tr>
<tr>
<td>W117</td>
<td>$12.00</td>
<td>Library account fee</td>
<td>Outstanding since 16/9/13. Amount is minor compared to any further effort required to follow up debt. Borrowing privileges revoked.</td>
</tr>
<tr>
<td>K108</td>
<td>$22.80</td>
<td>Charge for lost library items plus account fee</td>
<td>Outstanding since 18/4/13. Amount is minor compared to any further effort required to follow up debt. Borrowing privileges revoked.</td>
</tr>
<tr>
<td>B221</td>
<td>$213.55</td>
<td>Charge for lost library items plus account fee</td>
<td>Has declared Bankruptcy.</td>
</tr>
<tr>
<td>D185</td>
<td>$120.70</td>
<td>Charge for lost library items plus account fee</td>
<td>Address unknown.</td>
</tr>
<tr>
<td>H173</td>
<td>$91.60</td>
<td>Charge for lost library items plus account fee</td>
<td>Address unknown.</td>
</tr>
<tr>
<td>K059</td>
<td>$349.80</td>
<td>Repair costs for damage to Capel Recreation Ground</td>
<td>Debtor cannot be found. Further costs of $77 for Debt Recovery Lodgement then a minimum of $160 to do a Skip Trace would be required.</td>
</tr>
</tbody>
</table>

In total 9 debtors are recommended to be written off and all of the debtors, but one, are or were, library customers.

**VOTING REQUIREMENTS**

Simple majority

**OC0616 OFFICER’S RECOMMENDATION – 17.1/COUNCIL DECISION**

Moved Cr Hearne, Seconded Cr Baxi

That Council writes off the following amounts of outstanding Sundry Debtor accounts that total $882.24:

<table>
<thead>
<tr>
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<th>Description of Debt</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
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</tr>
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<td>K059</td>
<td>Repair costs for damage to Capel Recreation Ground</td>
<td>$349.80</td>
</tr>
</tbody>
</table>

Carried 8/0
MATTER FOR CONSIDERATION

Council to determine the following Elected Member’s Allowances and fees for inclusion in the 2014/15 Draft Budget:

- Annual Attendance Fee for President and Councillors
- President’s Allowance
- Deputy President’s Allowance
- Information & Communications Technology Allowance

BACKGROUND / PROPOSAL

Background

As part of the budget development process, Elected Members Allowances are considered for the forthcoming budget.

In the past, the Local Government Act 1995 required Council to determine the fees and allowances payable to Elected Members each year.

The Local Government (Administration) Regulations were amended in 2013 to transfer the responsibility of setting elected member fees, allowances and expenses to the Salaries and Allowances Tribunal. These amendments came into effect on 1 July 2013. Local governments must now use the prescribed figures established by the Tribunal.

The determination issued by the Salaries and Allowances Tribunal establishes a scale of payments and provisions for reimbursement of expenses with the Local Government Act 1995 and the Local Government (Amendment) Regulations 1996.

In establishing the framework for the payment of fees, allowances and expenses, the Tribunal has adopted a banding model to differentiate between the responsibilities carried by Councillors, Mayors, Presidents and their deputies in local government throughout the State. Provision has also been made for the reimbursement of expenses properly incurred in enabling council members to properly fulfil their duties.

The levels of remuneration for attending meetings and allowances for elected council members are not intended to be salaries but do take into account the responsibilities and commitments of elected council members serving as representatives of the community.

From 1 July 2013 under the Tribunal’s determination the banding structure for local governments provides for meeting fees within a range of $3,500pa to $30,000pa for Councillors and $3,500pa to $45,000pa for Mayors and Presidents.

The Annual Allowance for Mayors and Presidents extends from $500pa to $85,000pa within the four band structure. The limit with respect to 0.2% of operating revenue and the entitlement to Deputies still applies.
Provision has been made for an annual allowance for Information and Communication Technology costs. An annual allowance of between $500 to $3,500pa is provided.

The fees which may be claimed under the four band structure under which each local government is designated enables local governments to exercise the discretion vested in them under the Local Government Act 1995 and the Local Government (Amendment) Regulations 1996.

The Shire of Capel has been designated as a Band 3 local government. The following fees apply:

- The annual attendance fee for a Councillor is between $7,500 to $15,500. The annual attendance fee for the Shire President is between $7,500 to $24,000.

- The President’s Allowance is set between $1,000 and $35,000. The Deputy President’s Allowance can be paid up to a maximum of 25% of the President entitlement.

- Reimbursement of Expenses:
  - Telephone and facsimile rental charges – actual expense incurred
  - Child Care costs – actual cost per hour of $25 per hour, whichever is the lesser
  - Travel costs – criteria based on distance multiplied by the Public Service Award 1992 rate.

- Annual Allowance in lieu of Reimbursement of Expense
  - Information and Communications Technology Allowance is between $500 to $3,500.
  - Travel and Accommodation is $50.

The 2013/14 Budget allowed a total of $132,800 broken down into $90,000 of annual attendance fees, $18,000 for the President’s allowance, $4,500 for the Deputy President’s allowance and $20,300 in information technology allowances.

All fees and allowances are to be paid 3 monthly in arrears in December, March, June and September, except where members resign or do not seek re-election, when they will be paid their pro-rata entitlements on their term of office ceasing.

**Proposal**

The following fees and allowances are proposed to be included in the 2014/15 Budget, which are based on a 3.0% increase:

- Annual Attendance Fee for elected members of $9,270
- Annual Attendance Fee for the President of $18,540
- Allowance for the President of $18,540
- Allowance for the Deputy President of $4,635
- Annual Information & Communication Technology Allowance of $3,605 for the President and $2,160 for elected members

The 2014/15 Budget allows a total of $136,760 broken down into $92,700 of annual attendance fees, $18,540 for the President’s allowance, $4,635 for the Deputy President’s allowance and $20,885 in Information & Communication Technology allowances.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 6.2

6.2 Local Government to prepare Annual Budget
During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August. *Absolute Majority required

In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of –

(a) the expenditure by the local government; and

(b) the revenue and income, independent of general rates, of the local government; and

(c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

Meeting Attendance Fees – Sections 5.98 and 5.99 of the Local Government Act 1995 and Local Government Elected Council Members Determination No.1 of 2013. The minimum and maximum allowable fee is between $7,500 and $15,000 for a Councillor and $7,500 and $24,000 for the President.

President’s Allowance – Sections 5.98 of the Local Government Act 1995 and Local Government Elected Council Members Determination No.1 of 2013. The minimum and maximum allowable fee is between $1,000 and $35,000 for the President. The maximum allowable fee is $35,000 or .2% of the local government operating revenue ($14,501,132 x 0.002 = $29,002).

Deputy President’s Allowance – Section 5.98A of the Local Government Act 1995 and Local Government Elected Council Members Determination No.1 of 2013. The maximum allowable fee is 25% of the President’s Allowance.


POLICY IMPLICATIONS

The budget is based on the principles contained in the Strategic Community Plan and Corporate Business Plan. Policy 2.7 – Preparation of Integrated Financial Plan and Annual budget applies.

FINANCIAL IMPLICATIONS

Budget

Allowances and fees endorsed by Council will be included in the 2014/15 Budget.

It is proposed total allowances and fees for elected members be increased to $136,760 from $132,800 in 2013/14. This increase is based on the Band 3 fee range determined by the Salaries and Allowances Tribunal.

Long Term

Approved expenditure is covered in the budget allocation. 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 payments to elected members for attending meetings and fulfilling their other commitments as elected members recognises the imposition this role has upon their personal and social lives.

The fees and allowances paid are commensurate with the size of the Shire of Capel and the responsibilities of the role. The amounts paid do provide the elected members with some degree of economic sustainability.

**STRATEGIC IMPLICATIONS**

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

- Attract and retain a diverse and skilled body of elected members
- Achievement of the Strategic direction and vision of the community and council.

**CONSULTATION**

No dedicated consultation has been undertaken other than reference to earlier fee comparisons and the Salaries and Allowances Tribunal determination.

**COMMENT**

Fees and allowances payable to elected members in accordance with the Local Government Act 1995 are either entitlements or discretionary.

**Entitlements**

The Local Government Act outlines the fees, expenses and allowances that an elected member must receive should they request to receive them.

Generally, Council can determine the amount to be paid within minimum and maximum parameters specified by legislation. For example, elected member’s attendance fees, the President’s allowance and reimbursement of telecommunication equipment rental charges for a phone line and a fax line.

Elected members are entitled to attendance fees and these can be paid per meeting in which case the minimum amount payable is $188 and the maximum $388; or it can pay an annual attendance fee ranging from a minimum of $7,500 to a maximum of $15,500.

The President is also entitled to attendance fees and on a per meeting basis they can range from $188 to $600; or an annual attendance fee ranging from $7,500 to $24,000 can be paid.

Council has previously agreed to pay an annual attendance fee for the President and elected members in preference to meeting fees.

An allowance in recognition of the additional duties required of the President is entitled to be paid and can range from $1,000 to $35,000 or 0.002 of the local government’s operating revenue provided the result does not exceed $35,000.

**Discretionary**

The Local Government Act outlines the fees, expenses and allowances that Council has the right to determine whether they should be provided and if so their amount. For example, the Deputy President’s allowance and the annual Information Communication Technology allowance.
Should Council decide to continue to pay a Deputy President’s allowance the maximum amount of the allowance is 25% of the President’s allowance.

Council has previously determined that elected members will be provided an Information and Communications Technology allowance rather than reimbursement of telecommunication equipment rental charges and information technology expenses. The Information and Communications Technology allowance which ranges from $500 to $3,500 per member.

**Suggested Fees for 2014/15**

Past practice has been to propose that fees and allowances be increased by a percentage at least equivalent to CPI. For comparison purposes, the forecast Perth CPI for 2014/15 is 3.0%.

The suggested fees and allowances have been increased on the basis of either the mid-point in the designated SAT band range, available funds provided for in the draft budget or statutory limits. The final result after all of the fees and allowances are applied is an increase for all sitting members.

A comparison of fees and allowances for the current and past financial years and the fees proposed for 2014/15 are shown in the following table.

<table>
<thead>
<tr>
<th></th>
<th>2010/11</th>
<th>2011/12</th>
<th>2012/13</th>
<th>2013/14</th>
<th>2014/15</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>President</strong> – Meeting Attendance Fee</td>
<td>$14,000</td>
<td>$14,000</td>
<td>$14,000</td>
<td>$18,000</td>
<td>$18,540</td>
</tr>
<tr>
<td>- Allowance</td>
<td>$8,800</td>
<td>$12,000</td>
<td>$15,000</td>
<td>$18,000</td>
<td>$18,540</td>
</tr>
<tr>
<td>- Telecommunications Allowance</td>
<td>$2,400</td>
<td>$2,400</td>
<td>$2,400</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>- Information Technology Allowance</td>
<td>$550</td>
<td>$600</td>
<td>$1,000</td>
<td>$3,500</td>
<td>$3,605</td>
</tr>
<tr>
<td><strong>Deputy President</strong> – Meeting Attendance Fee</td>
<td>$5,500</td>
<td>$6,000</td>
<td>$6,210</td>
<td>$9,000</td>
<td>$9,270</td>
</tr>
<tr>
<td>- Allowance</td>
<td>$2,200</td>
<td>$2,275</td>
<td>$2,355</td>
<td>$4,500</td>
<td>$4,635</td>
</tr>
<tr>
<td>- Telecommunications Allowance</td>
<td>$950</td>
<td>$1,000</td>
<td>$1,035</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>- Information Technology Allowance</td>
<td>$550</td>
<td>$600</td>
<td>$1,000</td>
<td>$2,100</td>
<td>$2,160</td>
</tr>
<tr>
<td><strong>Councillor</strong> – Meeting Attendance Fee</td>
<td>$5,500</td>
<td>$6,000</td>
<td>$6,210</td>
<td>$9,000</td>
<td>$9,270</td>
</tr>
<tr>
<td>- Telecommunications Allowance</td>
<td>$950</td>
<td>$1,000</td>
<td>$1,035</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>- Information Technology Allowance</td>
<td>$550</td>
<td>$600</td>
<td>$1,000</td>
<td>$2,100</td>
<td>$2,160</td>
</tr>
<tr>
<td><strong>Total of all Fees and Allowances</strong></td>
<td>$83,950</td>
<td>$92,075</td>
<td>$100,715</td>
<td>$132,800</td>
<td>$136,760</td>
</tr>
<tr>
<td>Annual Percentage Increase for Total Fees</td>
<td>14.0%</td>
<td>9.6%</td>
<td>6.5%</td>
<td>31.86%</td>
<td>3.0%</td>
</tr>
<tr>
<td>CPI – All Cities (June to June)</td>
<td>3.6%</td>
<td>1.2%</td>
<td>3.5%</td>
<td>3.25%</td>
<td>3.0%</td>
</tr>
<tr>
<td>CPI – Perth (June to June)</td>
<td>3.0%</td>
<td>1.1%</td>
<td>3.5% *</td>
<td>3.25% *</td>
<td>3.0% *</td>
</tr>
</tbody>
</table>

* Forecast result

**VOTING REQUIREMENTS**

Absolute majority
Moved Cr Norton, Seconded Cr Hearne

That Council:

1. Sets an annual attendance fee for elected members of Council within the Band 3 SAT range to $9,270 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where members resign or do not seek re-election, when they will be paid their pro-rata entitlements on their term of office ceasing.

2. Sets an annual attendance fee for the President within the Band 3 SAT range to $18,540 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where the President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing.

3. Sets an annual President’s Allowance within the Band 3 SAT range to $18,540 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where the President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing.

4. That the Deputy President’s Allowance be $4,635 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where the Deputy President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing.

5. That instead of reimbursing information and communications technology, telephone and facsimile rental and call costs, Council provides an annual Information and Communications Technology allowance for 2014/15 of $3,500 for the President and $2,160 for Councillors and that this be paid quarterly in arrears, in September, December, March and June, except where members resign or do not seek re-election, when they will be paid pro-rata their entitlements on their term of office ceasing.

Note: Point 5 of the Officer’s Recommendation above was amended at the meeting from $3,605 to $3,500 as this is the maximum amount allowed for the Information and Communications Technology allowance.
VOTING REQUIREMENTS

Absolute majority

OC0618 AMENDMENT

Moved Cr Bell, Seconded Cr J Scott

That Council:

1. Sets an annual attendance fee for elected members of Council within the Band 3 SAT range to $9,000 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where members resign or do not seek re-election, when they will be paid their pro-rata entitlements on their term of office ceasing.

2. Sets an annual attendance fee for the President within the Band 3 SAT range to $18,000 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where the President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing.

3. Sets an annual President's Allowance within the Band 3 SAT range to $18,000 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where the President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing.

4. That the Deputy President's Allowance be $4,500 for 2014/15 and that this be paid quarterly in arrears, in September, December, March and June, except where the Deputy President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing.

5. That instead of reimbursing information and communications technology, telephone and facsimile rental and call costs, Council provides an annual Information and Communications Technology allowance for 2014/15 of $3,500 for the President and $2,100 for Councillors and that this be paid quarterly in arrears, in September, December, March and June, except where members resign or do not seek re-election, when they will be paid pro-rata their entitlements on their term of office ceasing.

The Amendment was Carried with an Absolute majority 8/0

The Amendment became the Motion and was Carried with an Absolute majority 8/0
MATTER FOR CONSIDERATION

Council to consider and endorse the updated ten year Long Term Financial Plan 2014-2024 for the Shire of Capel.

BACKGROUND / PROPOSAL

Background

The Integrated Planning and Reporting Framework and Guidelines were introduced in Western Australia during 2013/14 as part of the State Government’s Local Government Reform Program. Integrated Planning is the development and delivery of a Strategic Community Plan and a Corporate Business Plan.

All local governments in Western Australia are required to produce a ‘Plan for the Future’ for their district under S5.56(1) of the Local Government Act 1995. Local Government (Administration) Regulations 1996 now prescribe the requirement to prepare a Strategic Community Plan and Corporate Business Plan as part of the ‘Plan for the Future’.

These plans were required by the 1 July 2013 and are intended to guide local governments to a successful integrated planning process. This is designed to deliver the following outcomes:

- A long term strategic plan that clearly links the community’s aspirations with the Council’s vision and long term strategy.
- A corporate business plan that integrates resourcing plans and specific Council plans with the strategic plan.
- A clearly stated vision for the future viability of the local government area.

The Framework is supported by Integrated Planning and Reporting Guidelines, and outline the minimum planning and reporting methodology to achieve the outcome prescribed in the legislation.

The format and structure of individual local government’s integrated strategic plans vary with the size and complexity of the local government. While local governments are required to develop a Strategic Community Plan and a Corporate Business Plan, planning elements such as Informing Strategies and the Corporate Business Plan may be presented in a single document or as a range of separate documents.

There are three major parties to the development of an integrated strategic plan:

1. **Community**
   The community participates in a community planning process to determine major vision or big picture directions, and also participates in regular reviews of those directions.
2. **Council**
   The Council signs off the Strategic Community Plan resulting from the community planning process, the four year reviews updating that plan, and the annual budget.

3. **Local Government Administration**
   The local government administration supports delivery of the Strategic Community Plan, the four-yearly reviews, and an annual budget through the Corporate Business Plan.

**Stages in the Integrated Planning process**

In the first few years immediately after the first Strategic Community Plan is produced, many of the existing scheduled works and actions will remain. Essentially Council’s resources as identified in the Long Term Financial Plan, Asset Management Plans, Workforce Plan and Service Strategies will have already been committed, acted upon or in the process of being implemented.

In later years the prioritised Community Objectives sourced through the community engagement process will be gradually integrated more fully into the Long Term Financial Plan, Asset Management Plans, Workforce Plan and Service Strategies. The ongoing review of the Strategic Community Plan every 4 years will ensure that Council’s Long Term Financial Plan, Asset Management Plans, Workforce Plan and Service Strategies continue to align with the communities aspirations and priorities.

Council’s administration have developed a Corporate Business Plan which flows on from the Shire of Capel Strategic Community Plan, which outlines the Strategies and Actions required to achieve the Strategic Objectives and Outcomes of Council.

The Corporate Business Plan is developed from the 10 year Long Term Financial Plan, Workforce Plan, Asset Management Plans and various informing Services Strategies and Plans. While the ultimate aim is to incorporate all of these plans as appendices to the Corporate Business Plan, at this time it is proposed to continue to adopt them individually.
While Council adopted the Long Term Financial Plan 2013-2023 in June 2013, there is a statutory requirement for Council to have an annual review of the 4 year Corporate Business Plan and the ten year Long Term Financial Plan forms part of this Plan. For this reason, each year the Long Term Financial Plan is reviewed and an additional year added onto the plan. This enables continued legislative compliance but also enables the plan to be reviewed, resulting in assumptions and projections being reassessed, and timeframes adjusted for projects if circumstances or the priorities of Council change.

Proposal


STATUTORY ENVIRONMENT

Local Government Act 1995, Section 5.56

5.56 Planning for the Future

(3) A local government is to plan for the future of the district.

(4) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996 apply. Specifically:-
Division 3 — Planning for the future

19C. Planning for the future: strategic community plans — s. 5.56

19DA. Planning for the future: corporate business plans — s. 5.56

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.

(3) A corporate business plan for a district is to —

(a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and

(b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and

(c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

(4) A local government is to review the current corporate business plan for its district every year.

(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.

(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

*Absolute majority required.

(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

19D. Notice of plan to be given
POLICY IMPLICATIONS

The budget is based on the principles contained in the Strategic Community Plan and Corporate Business Plan. Policy 2.7 – Preparation of Integrated Financial Plan and Annual budget applies. The steps and timetable leading to the adoption of the Budget is impacted by the development of the Corporate Business Plan and Long Term Financial Plan.

FINANCIAL IMPLICATIONS

Budget

The development of an Integrated Strategic Planning and Reporting Framework has required the allocation of considerable staffing resources. This allocation of time and resources is an ongoing commitment of Council.

In addition to staff time, $10,000 was allocated in the 2013/14 budget under GL104120 towards Integrated Strategic Planning and Reporting.

Long Term

The development of the Long Term Financial Plan in itself does not have any long term financial implications, other than those referred to within the Plan and the ongoing staff resources required to annually produce and update the Plan.

Through the development of the Integrated Planning Framework, Council now has the ability to evaluate the long term financial implications of all of its strategies, plans and works programs. This provides sound guidance to Council on the amount of rates required to fund all of these services and facilities, and/or in turn adjust expenditure and service levels to match the rate income projected for the future.

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

The Integrated Strategic Planning & Reporting Framework is designed to improve the sustainability of local governments, while engaging in stronger ways with the community.

STRATEGIC IMPLICATIONS

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

Extensive community, Councillor, staff and stakeholder consultation was undertaken in the development of the Strategic Community Plan. The Long Term Financial Plan utilises this consultation to detail and prioritise actions and strategies within the Plan.

The various projects, funding and timeframes outlined in the Long Term Financial Plan have been reviewed by the Executive Management Team and discussed as part of the Councillor
Budget Workshop. This has resulted in a number of capital works project timeframes being altered, and funding sources being changed.

**COMMENT**

The Long Term Financial Plan has been developed and presented to Council in a similar format as the Strategic Community Plan and Corporate Business Plan. This approach has been used to provide a consistent appearance and structure for all of the related documents, and to assist in enabling a tracking of the various Strategic Objectives, Outcomes and Actions. This approach is also being used for other related informing strategies.

A Councillor workshop was also conducted on 14th May 2014 to provide Councillors with a greater understanding of the draft budget position, and to provide the opportunity for Councillors to have additional input into the development of the Long Term Financial Plan.

In any long term financial forecasting environment, a number of Assumptions and Policies have to be made to ensure future readers and users of the Plan can understand the basis for the future forecasts, and to enable consistent ongoing development and update of the policies within the organisation, particularly as there is always a level of risk and uncertainty associated with known and unknown variables in the future.

The Long Term Financial Plan incorporates a comprehensive list of stated Assumptions and Policies, some of which have been updated. Some of these include:

- The Long Term Financial Plan is being developed on the basis that it will be 'Balanced' over the 10 years and the activities of Council are sustainable.
- There are no increases in full-time staff projected for the next 3 years. Additional staff are forecast from 2017/18. Projected wages increases are based on CPI plus 0.25%.
- Projects funded by grants are not included in the 4 Year Corporate Plan unless there is a strong probability of receiving the grant and the funding body is identified. The project must be well advanced in planning and all approvals obtained or in the process of being obtained.
- In the 5 - 10 year period of the Long Term Financial Plan, grant funded projects that are less certain are included based on a provisional grant being obtained.
- Loan funds have been used as a last resort for funding projects, and are based primarily on 25 year loan terms for major building and infrastructure projects.
- The implementation of Fair Value asset accounting will have a significant future impact on asset values and depreciation. The full impact is unknown at this time, but the impact has in part been provided for through a provisional increase over the next few years. Depreciation has increased from $2,543,954 in 2012/13 to a forecast $5,133,978 in 2017/18 and it is anticipated that further increases in depreciation will occur as the full impact of revaluing infrastructure assets is realised.
- There are currently 61 separate Strategies/Plans that have been developed or will be developed that have an impact on the provision of services and facilities for the Shire. These Strategies/Plans have an estimated total cost impact over ten years of $71.1 million, consisting of a combination of capital and operating costs. Some of these projects have external funding attached to them – either loans, grants, reserves, external contributions etc. Over a 20 year period the cost impact is $144.8 million.
- The Rating Strategy identifies an annual rate increase of 6% plus growth for six years, reducing in 2019/20 to a 4% increase plus growth thereafter. As a result of the current draft budget, an 8% increase in rates is proposed for 2014/15.
Population, demographics and land growth projections are based on current forecasts identified within the Shire of Capel over the next 10 years. These are primarily sourced from the Shire of Capel Local Profile document and Development Services staff.

This Local Profile is regularly updated by the Council’s Planning staff, which has resulted in a downward revision of some growth projection for Dalyellup.

Economic indicators for cost and revenue increases are provided through a variety of sources including the WALGA Economic Briefing, ABS and Treasury forecasts.

Cash Reserves will gradually increase into the future to assist in funding major capital works in the latter portion of the 10 year plan and to assist in funding projects identified in the 10-20 year period.

Capital works and Strategic Project expenditure are based on the categorisation into: Asset Renewal; Asset Upgrade and New Assets. Asset “renewal” and “upgrade” projects have been given priority over “new” projects to ensure a focus remains on the asset preservation and sustainability needs of the Council.

Listed below are the significant changes that have occurred since the adoption of the Long Term Financial Plan last year:

- Updated Perth Consumer Price Index and Local Government Cost Index forecasts for future years.
- Revised compulsory Superannuation Guarantee Charge (SGC) contributions based on extending the period that the SGC will increase to 12.0% by 2022/23.
- Revised population and dwelling growth projections. These have resulted in a downward estimate on previous forecasts, but still provide projected growth in 2014/15 of 2.67%, 2015/16 of 3.78%, 2016/17 of 4.02% and 2017/18 of 4.79%.
- Minimal increase in Federal Assistance Grants (general purpose and roads) for the next 3 years as a result of the Federal Budget.
- Significant increases in Street Lighting electricity costs over the next 3 years as a result of the State Budget.
- Increased costs associated with the maintenance and upkeep of the Dalyellup Parks, Gardens and Reserves occurring earlier than previously forecast. This cost is related to the handover of parks, gardens and reserves previously maintained by private developers.
- Adjusted timeframes and/or costs for the following Strategic Projects:
  - Increased design and planning costs in 2014/15 for the Capel Civic Precinct
  - Reduced costs in 2014/15 for the installation of permanent electricity at the Dalyellup Sports Pavilion. Other costs related to the installation of permanent sewerage and water have been deferred back to 2016/17 to tie in with adjoining subdivision development.
  - Deferral of design and construction timeframe for the Boyanup Sports Pavilion project. The building construction has been deferred from 2015/16 to 2018/19. Increased costs and additional loans funds have been included. This also results in a deferral of Stage 2 and later works.
  - Deferral of a number of smaller Boyanup Tourism and Heritage Precinct projects.
Deferral of the Tuart Forest Sports Pavilion works from 2014/15 to 2015/16. Cost estimates have also been updated with additional funds being required from Reserves instead of external grants. This was due to projected grants from CSRFF and other sources not being successful.

Dalyellup Civic Precinct design and planning timeframes moving back one year. The forecast construction period of 2019/20 has not changed.

Removal of $60,000 for site survey works at the Capel Recreation Ground in 2014/15 due to these works being addressed separately.

Minor adjustment and reductions for some senior facilities.

Removal of $129,170 for the Mallokup Bridge Heritage trail in 2020/21. A further detailed review of trails, timing and funding is anticipated in the future.

Signage for the Naming of Parks being regrouped into 2017/18, with funding for Entry Statements being removed over the allocated years. The entry statements are expected to be addressed in the future after clarity is provided on locations, design and funding.

Removal of the seats, shelters and bins allocation of $22,700 from the Capel POS Strategy projects.

Removal of the Boyanup Pedestrian Crossing project of $11,648. This is expected to be addressed in future projects for the area.

Increased cost estimate for the Capel Transfer Station Recycling Shed, which is carried over from previous years into 2014/15.

Removal of $120,000 for the Fettlers Park toilet in 2014/15 due to loss of grant funding. This new toilet will be considered as part of future Fettlers Park redevelopment.

Increased allocation of $50,000 in 2014/15 for the Administration Building refurbishment project for temporary accommodation during the construction period. The total estimated cost for 2014/15 is $2,050,000. Forecast costs for 2013/14 have increased from $70,000 to $172,408 as a result of detailed design and surveys being required.

Removal of $200,000 for the new Dog Pound. This is due to Council’s current involvement with other Councils in the development of a Regional Pound.

Those projects that were previously included as year 11 projects in 2023/24 of the LTFP rolling forward into the 10 year timeframe. These include:

- Boyanup Townsite drainage works - $145,161
- Capel Civic Precinct Stage 4 - $961,945
- Depot relocation planning and design - $100,000
- Trails: Ironstone Gully Falls Trail $53,000, Capel to Boyanup Rail Trail $882,122, Forest Heritage Trail $289,872, Capel to Ludlow Rail Trail $17,170.
- Boyanup Markets entertainment area - $83,125.
- Peppermint Grove Beach Community Centre playground - $191,500.

Updated Capital Works Program to reflect current needs including an updated Road Construction Program, Footpath Program and Plant Replacement Program.
- Various adjustments to operating costs to reflect increased maintenance and planning requirements.

Throughout the development of the Long Term Financial Plan, the financial sustainability of Council has remained a focal point. The determination, prioritisation and timing of services and facilities identified through the community and Councillor input has been strongly influenced by the Council’s ability to manage expected financial requirements and financial risks over the long term without the use of disruptive revenue or expenditure measures.

This has involved the examination and projection of Council’s financial position in the current period and long term, while ensuring infrastructure renewals/replacement expenditure matches forward looking asset management plan expenditure needs.

**VOTING REQUIREMENTS**

Simple majority

<table>
<thead>
<tr>
<th>OC0619 OFFICER’S RECOMMENDATION – 17.3/COUNCIL DECISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moved Cr Bell, Seconded Cr Smith</td>
</tr>
</tbody>
</table>

**That Council adopts the updated Shire of Capel ten year Long Term Financial Plan 2014 - 2024, including the revised timeframes and budget funding allocations for the various services, strategies and plans referenced in the Plan.**

Carried 8/0
Councillors S Manley and B Smith declared a Financial interest in Item 17.4 Draft Budget 2014/15. The nature of Cr Manley’s interest is that road works will occur on Mangles Road adjoining her property in 2014/15. The extent of Cr Manley’s interest is that she is joint owner of property adjoining roadworks but no change or increase to the value of her property is anticipated. The nature of Cr Smith’s interest is that road works will occur on Hurst Road adjoining his property in 2014/15. The extent of Cr Smith’s interest is that he is joint owner of property adjoining roadworks but no change or increase to the value of his property is anticipated.

Mr Sheedy tabled a letter from Ms Jenni Law, A/Director Local Government Regulation and Support of the Department of Local Government and Communities advising:

“I refer to your letter dated 11 June 2014 requesting approval under section 5.69 of the Local Government Act 1995 (the Act) for Cr Sandra Manley and Cr Brian Smith to participate in deliberation on the adoption of the Shire’s 2014/2015 Budget on 18 June and 16 July 2014.

On this occasion, I have decided to approve the application in accordance with authority delegated by the Minister for Local Government. The approval is granted subject to the following conditions:

1. The approval is only valid for consideration and deliberation over the Shire’s 2014/15 Budget at Council’s ordinary meeting on 18 June and 16 July only;
2. The disclosing members must declare the nature and extent of their interest at the respective Council meetings when this matter is considered, together with the approval provided;
3. The CEO is to provide a copy of the Department’s letter advising of the approval to each disclosing member; and
4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the Ordinary Council meeting when this item is considered together with the approval provided.”

**OC0620 (17.4) Draft Budget 2014/15**

| Location:   | Capel |
| Applicant:  | Shire of Capel |
| File Reference: | Nil |
| Disclosure of Interest: | Nil |
| Date: | 05.06.14 |
| Author: | Director Corporate Services, P Anastasakis |
| Senior Officer: | Chief Executive Officer, P Sheedy |
| Attachments: | Draft Budget for the year ending 30 June 2015 |
|            | Draft 2014/15 Capital Works Programme |

**MATTER FOR CONSIDERATION**

Council to consider the draft Budget for the 2014/15 financial year.

**BACKGROUND / PROPOSAL**

**Background**

In previous years the draft Budget has been considered by Council at either a Special Council meeting or as part of the Agenda for the Ordinary Meeting in June.
Proposal

As many of the inputs to the Budget have already been considered by Council, including the rating strategy, it is proposed that the draft budget be considered as part of the Agenda for the June Ordinary Council meeting.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.2

6.2 Local Government to prepare Annual Budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

*Absolute Majority required

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of –

(a) the expenditure by the local government; and

(b) the revenue and income, independent of general rates, of the local government; and

(c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

Local Government (Financial Management) Regulations 1996, regulation 26

26. Discount, incentive, concession, waiver and write-off information

(1) The annual budget is to include for each discount or other incentive to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money –

a) in respect of a discount -

(i) the amount of the discount, or the percentage discount, to be allowed; and

(ii) the circumstances in which the discount will be granted;

and

b) in relation to a waiver or concession -

(i) a brief description of the waiver or concession;

(ii) a statement of the circumstances in which it will be granted;

(iii) details of the persons or class of persons to whom it is available; and

(iv) the objects of, and reasons for, the waiver or concession.


6.12 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

(1a) 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 services charges.

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

Local Government Act 1995, Section 6.28

6.28 Basis of Rates
(2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be –
   a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
   b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.

(4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.

Local Government Act 1995, Section 6.32

6.32 Rates and Service Charges

(1) When adopting the annual budget, a local government –
   a) in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either –
      i. uniformly; or
      ii. differentially;
   and
   b) may impose* on rateable land within its district –
      i. a specified area rate; or
      ii. a minimum payment;
   and
   c) may impose* a service charge on land within its district.

*Absolute Majority required

Local Government Act 1995, Section 6.33

6.33 Differential General Rates

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

(2) ...

(3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

Local Government (Financial Management) Regulations 1996, regulation 52A

52A. Characteristics prescribed for differential general rates

(1) In this regulation

   *commencement day* means the day on which the *Local Government (Financial Management) Amendment Regulations (No.2) 2012* regulation 5 comes into operation;

   *relevant district* means a district that –
   a) is declared to be a district by an order made under section 2.1(1)(a) on or after commencement day; or
   b) has its boundaries changed by an order made under section 2.1(1)(b) on or after commencement day.
(2) For the purposes of section 6.33(1)(d), the following characteristics are prescribed in relation to land in a relevant district, where not more than 5 years has elapsed since the district last became a relevant district –

(a) whether or not the land is situated in a townsite as defined in the Land Administration Act 1997 section 3(1);

(b) whether or not the land is situated in a particular part of the district of the local government.

Local Government Act 1995, Section 6.35

6.35 Minimum Payment

(1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.

(2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.

(3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than –

(a) 50% of the total number of separately rated properties in the district; or

(b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.

(4) A minimum payment is not to be imposed on more than the prescribed percentage (50%) of –

(a) the number of separately rated properties in the district; or

(b) the number of properties in each category referred to in subsection (6), unless a general minimum does not exceed the prescribed amount ($200).

(5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsection (2), (3) and (4) for that land.

(6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsection (2), (3) and (4) in respect of each of the following categories –

(a) to land rated on gross rental value; and

(b) to land rated on unimproved value; and

(c) to each differential rating category where a differential general rate is imposed.

Local Government Act 1995, Section 6.36

6.36 Local Government to give Notice of Certain Rates

(1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so. (21 days – may be 2 months before financial year)

Local Government Act 1995, Section 6.47

6.47 Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* Absolute majority required

Local Government Act 1995, Section 5.56
6.56 Planning for the Future

(1) A local government is to plan for the future of the district.
(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996 apply. Specifically:-

Division 3 — Planning for the future

19C. Planning for the future: strategic community plans — s. 5.56

19DA. Planning for the future: corporate business plans — s. 5.56

(1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
(2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
(3) A corporate business plan for a district is to —
   (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
   (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
   (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
(4) A local government is to review the current corporate business plan for its district every year.
(5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
(6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
   *Absolute majority required.
(7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

19D. Notice of plan to be given

POLICY IMPLICATIONS

The budget is based on the principles contained in the Strategic Community Plan and Corporate Business Plan. Policy 2.7 – Preparation of Integrated Financial Plan and Annual budget applies.

FINANCIAL IMPLICATIONS

Budget

After taking into consideration all other sources of income, Council is required to raise sufficient rates to meet its total expenditure. However, it is allowed to adopt a budget that has a deficit that does not exceed 10% of its rate revenue.

For the 2014/15 draft Budget it is proposed a total of $9,048,501 be raised from property and specified area rates. The expected yield from rates will be sufficient to balance the 2014/15 draft Budget after some adjustments have been made to increase other sources of revenue, reduce operating expenditure and to reduce the amount transferred to or from reserves.
The draft budget outlines planned expenditure and revenue for the 2014/15 financial year. A generally balanced (breakeven) position for the 2014/15 year provides a small estimated carried forward surplus at 30 June 2015 of $7,043.

**Long Term**

The amount of the increase to the rate yield that is proposed is consistent with the forecasts included in the updated Rating Strategy and the annual rate increase in the updated Long Term Financial Plan. However, the level of population growth anticipated during 2013/14, 2014/15 and for the next few years is noticeably lower than originally forecast and variable costs will need to be contained where possible. Discretionary expenditure on capital works and other areas service areas will need to be closely managed to ensure the financial sustainability of the Shire is maintained.

**Whole of Life**

While the draft budget contains new assets and infrastructure, this report does not deal directly with the whole of life cost for those items. Consideration of the whole of life costs relevant to those items forms part of the individual project or asset evaluation and justification.

In future years it is anticipated that this will form part of the Strategic Integrated Planning process and link in with Council’s Long Term Financial Plan and four year Corporate Plan.

**SUSTAINABILITY IMPLICATIONS**

The Budget includes a number of projects that will have a positive environmental impact. Many of the projects proposed in the Budget will provide a direct social benefit for the community.

The projects in the Budget will generate a significant economic benefit for the State and some businesses within the Shire of Capel will share in this benefit.

**STRATEGIC IMPLICATIONS**

The Strategic Community Plan 2013 to 2031 includes the following strategic objective which has 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 draft budget includes items and projects that have been suggested by Councillors, the community and staff, and has been reviewed through the Executive Management Team.

**COMMENT**

The draft budget document follows a similar format to that intended for the final document and includes the following information:

- Financial statements including the Statement of Comprehensive Income (Income Statement) by Nature or Type, Statement of Comprehensive Income (Income Statement) by Program and Rate Setting Statement.

- A Funding Statement which is presented in a format similar to the Rate Setting Statement. This is utilised when considering the 4 year Corporate Business Plan and Long Term Financial Plan. This Statement provides an assessment of Funding...
required from General Operations, Strategic Projects and New Asset commitments, existing Asset Renewal obligations and Financing requirements.

It enables an assessment of maintenance and sustainability commitments, while providing for Strategic Projects and new assets identified through the Community Strategic Plan and the Long Term Financial Plan.

- Notes to and forming part of the budget including notes on operating expenditure and revenue, loan borrowings, transfers to and from reserves, rating information and grants (to be provided with the final budget document).

- Detailed Financial Information at account level with Explanatory Notes, provides a greater level of detail for each account. This information is formatted with the account number, description and totals for the 2014/15 Budget, 2013/14 Actual (estimated end of year position) and 2013/14 Budget on the left hand page. The right hand page provides a breakdown of the major components (expenditure or revenue items) of each account that has been included in the 2014/15 Budget column.

As the budget is still being prepared and the 2013/14 financial year has not yet ended, the draft Budget document presented to Council is incomplete, but represents a current forecast to the 30 June 2014. Further information and adjustments will be included in the final Budget document to be adopted by Council and presently scheduled for Council’s Ordinary Meeting on 16 July 2014.

The preparation process for the Budget has been similar to previous years, with the additional planning related to the Integrated Planning processes providing improved long term financial planning. This has involved:

- Incorporating revenue generated by the Rating Strategy previously approved by Council (OC0416, 16/04/14). This resulted in Council establishing an increased number of differential rating categories and a general rate increase of 8%.

- Including requests from Councillors and the community that were approved by Council (OC0415, 16/04/14).

- Incorporating expenditure items previously approved by Council including Donations (OC0416, 16/04/14),

- Incorporating revenue items previously approved by Council including Fees and Charges (OC0414, 16/04/14).

- Incorporating expenditure for the 10 year Road Management Program, 10 year Plant Replacement Plan and 10 year Pathway Strategy previously approved by Council (OC0507, OC0508, OC0509, 21/05/14).

- Review of the Draft Corporate Business Plan 2014-2018, which will be presented for adoption at the July 2014 Council meeting.

- Review of the Draft Long Term Financial Plan 2014-2024, which will be presented for adoption at the June 2014 Council meeting.

- Senior staff reviewing the document and adjusting items they consider should be reduced, deleted or deferred in order to achieve an acceptable net current assets position.

- Incorporating Elected Members Allowances which are within the band determined by new Regulations, which will be presented for adoption at the June 2014 Council meeting.
**Rate Setting Statement**

This statement shows the proposed financial position that is close to balanced (minor surplus) for the year after including all operating revenue and expenditure, capital expenditure, loan repayments, transfers to and from reserves, income from sale of assets and rates. The statement is designed to show how much must be raised from rates to record a breakeven result.

The draft Budget for 2014/15 as presented is effectively balanced for the year, with a minor deficit of $4,528. However, if grant, revenue and the estimated brought forward surplus do not meet expectations or there are requests to increase or add expenditure items, this position will not be achievable. The other factor to be taken into account is the value of projects and items that have not been completed in 2013/14 and need to be brought forward to 2014/15 through the Carried Over Projects Reserve.

The draft budget position has been achieved with the benefit of an estimated brought forward surplus from 2013/14 of $10,333 which compares favourably to the balanced position that was budgeted for this year. This brought forward position will not be impacted by the value of incomplete projects, as funds will be drawn from the Carried Over Projects Reserve in 2014/15.

In order to achieve a balanced draft budget, senior staff met to discuss and review an earlier draft Budget and as a result some items were removed or changed. Although a large number of changes were made the majority were only relatively minor in value and related primarily to reducing materials, contractor or consultancy expenditure. Other than those noted, no major changes were made to capital works expenditure or major projects as these items were considered to be a high priority for retention in the budget. Changes were made to the amount of funds transferred to and from reserves in order to create a balanced position, in accordance with the purpose of the relevant reserve account.

**Brought Forward Position**

The draft Budget includes an estimated brought forward position from 30 June 2014 of a surplus of $10,333. This expected surplus is subject to revision as end of financial year forecasts are reviewed further and items to be carried over are finalised.

The surplus compares favourably with the budgeted position for the year end of $5,805. This is primarily attributed to some revenue items exceeding budget forecasts, some expenditure items being lower than budget and the carrying forward of some capital works projects.

In May 2012 Council endorsed a new Policy on reserve fund transfers and to create a "Carried Over Projects Reserve". This Reserve will have funds transferred into it at the end of the 2013/14 financial year which relate to carried over projects, or expenditure savings greater than $5,000. Funds will be drawn from this reserve in future financial years to fund carried over projects and other major operating expenditure or works.

**Staffing**

A concerted effort has been made again in this budget to contain staff costs in the 2014/15 budget and future years, and as a result there is no overall increase in the staffing numbers of 123, with a small increase in the full-time equivalent number of staff members from 90.92 to 92.76. As a result of these constraints and other identified savings, there has been a conservative increase in the total budgeted salary and wage costs from $6,119,047 to $6,290,697 or 2.81%.

A budget provision has been made for the internal employment of the Community Emergency Services Manager position which will receive a 75% reimbursement of costs through a
contribution from the Shire of Donnybrook-Balingup and the Department of Fire & Emergency Services.

The increase of 1.84 full-time equivalent staff hours (139.84 hours) can be itemised as follows:

- **76 hours** for the Community Emergency Services Manager position. This position was previously forecast to be contracted by DFES. 75% of the cost will be reimbursed by DFES and the Donnybrook-Balingup Shire.

- **7.6 additional hours** employing the Building Development Compliance Officer for the full year (76 hours per fortnight). The previous budget noted that the position commenced during the 2013/14 year and only 80% of the annual cost was budgeted. The adjustment reflects the full time employment cost committed to but not previously budgeted.

- **7.6 additional hours** employing the Environmental Health Officer for 4 days a week. The previous budget noted that the position was 3 days a week when this person commenced. The adjustment reflects the part-time employment cost committed to but not previously budgeted.

- **11.25 additional hours** for the Natural Resource Management Officer for 3 days a week. The previous budget noted that the position was vacant for a period of time. The adjustment reflects the part-time employment cost committed to but not previously budgeted.

- **47.21 additional hours** for the employment of a full time Strategic Planning Officer. The previous budget noted a Planning Officer position and different roles with different hours. The overall adjustment resulting in an increase of 47.21 hours per fortnight reflects the employment cost committed to but not previously budgeted.

- **8 additional hours** for relief Library staff. This increase from 8 hours to 16 hours enables the employment of casual relief staff when other library staff are taking extended leave periods.

- **76 hours** for the removal for 2014/15 of the Final Trim Grader Operator position. It is forecast that this position will be employed again in 2015/16. It is anticipated that there may also be some further adjustments to the staffing levels if the Final Trim Grader Operator position is reinstated within the 2014/15 budget. Details of any changes will be provided at the July 2014 Council meeting as part of the budget adoption report.

- **Other net minor adjustments of hours** to HACC, relief and casual staff.

Total Employee costs have increased from a forecast $7,252,768 to $7,523,792 or 3.73%. Employee costs consist of direct salary and wages, annual and long service leave provisions, workers compensation insurance, training costs, superannuation contributions, uniforms and protective clothing, professional development, fringe benefits tax and any other costs related to the employment of staff.

Council currently has a policy where 2% of salary costs are allocated towards staff training. For 2014/15 $168,760 is allocated towards training, which compares with $111,276 forecast for 2013/14. $180,382 was budgeted for 2013/14; however some organisational development training was not able to be completed during the year and is programmed to occur in 2014/15. These allocated funds have been carried over into 2014/15.

Workers compensation insurance costs are recorded against employee costs. The allocated 2014/15 budget for workers compensation insurance is $156,069, which is an increase of $8,062 or 5.4% on the 2013/14 forecast of $148,007.
Total insurance costs for Council, incorporating Workers Compensation and General Insurances has increased from the 2013/14 forecast of $297,943 to $320,998 in 2014/15.

Fringe Benefits Tax is incurred by Council for benefits provided to Council employees. The primary area of benefit provided is the private use of Council motor vehicles, with very minor costs for phone and entertainment. The calculation of fringe benefits tax has changed during the year, resulting in an increase from the forecast 2013/14 cost of $142,526 to $147,707. The original budget for 2013/14 was $113,273.

(Profit)/Loss on Asset Disposals

A profit on disposal of assets of $20,000 has been included which relates to the sale of plant and vehicles.

Due to the current stagnant Real Estate market, the possible sale of one block of land in the LIA has not been included in the 2014/15 budget but has been included in the Corporate Business Plan in 2015/16.

Proceeds from the sale, net of costs associated with the sale, will not be transferred to the LIA reserve as previously noted in the Long Term Financial Plan, but will now be allocated 50/50 between the Capel Community Facilities Reserve and the Boyanup Community Facilities Reserve, in the financial year that the sale occurs. This reserve allocation has also been applied to the sale of the second LIA block, estimated for 2020/21.

Capital Works Programme

$7,825,968 is to be spent on the acquisition and construction of office equipment, plant, buildings and infrastructure assets. Council will be required to contribute $1,110,092 from municipal funds and $1,167,815 from Reserves to fund this expenditure. Loan borrowings of $1,700,000 are projected for 2014/15 to fund the Council Administration Building refurbishment capital works project.

Of the $7,825,968 capital expenditure budget, the following is the breakdown based on Asset Category:

- Asset Renewal $1,971,003 (25.2%)
- Asset Upgrade $2,939,052 (37.6%)
- New Assets $2,915,913 (37.2%)

Within the total funds allocated towards Asset Renewal and Upgrade, the target is to allocate 60% towards asset renewal and 40% towards asset upgrades. The 2014/15 budget allocates the total asset renewal/upgrade expenditure on the basis of 40.1% towards asset renewal and 59.9% towards asset upgrade. The 2014/15 budget therefore does not achieve this target but the large expenditure attributed to the Administration Building refurbishment distorts this asset management target.

The breakdown of asset acquisition is as follows:

- Office and Other Equipment $152,064
- Plant & Equipment $1,061,963
- Land & Buildings $2,412,955
- Infrastructure $1,848,986
- Non-Cash Infrastructure (gifted) $2,350,000
- TOTAL $7,825,968

The specific capital works items are included in the attached Draft 2014/15 Capital Works Programme. The major items of note include:
• The road works programme of $1,160,742, which is based on the programme agreed to by Council at their meeting on 21 May 2014 (minute reference OC0507) totalling $1,095,442. A number of adjustments were subsequently made to the programme originally endorsed by Council.

These works include Ludlow North Road works which is receiving $65,300 from the City of Busselton as an advance towards the project, which will be reimbursed in 2015/16. This road will also receive $267,400 from MRWA as a Regional Road Group funded project, which is approximately double the normal allocation to the Shire of Capel. As a result of this advance grant, it is not anticipated that any Regional Road Group funding will be available for the Shire of Capel in 2015/16. A minor decrease in various gravel road funding has also been made to reflect the Direct Grant funding.

It is anticipated that there may also be some further adjustments to the roads and type of works selected in the road programme, which will not affect the total allocation. Details of these changes will be provided at the July 2014 Council meeting as part of the budget adoption report.

• Council considered the Shire of Capel Path Strategy 2013-2018 at the 20 March 2013 Council meeting and resolved to adopt the Strategy for the purpose of guiding the implementation and development of shared use paths within the Shire of Capel’s urban areas (minute reference OC0308).

As part of the budget development process, Council endorsed the updated 10 Year Pathway Strategy at the 21 May 2014 Council meeting (minute reference OC0509). The 10 Year Path Strategy (2014/2024) proposes a budgetary allocation for 2014/2015 of $203,324.00 ($39,000.00 externally funded; $115,923.00 from Council funds, plus a $48,400.00 carry over for Goodwood Road).

Paths included in the 2014/15 draft budget:

- Goodwood Road – $20,000: Lot 1 and Lot 2 road widening to allow for path construction. Land swap or easement agreement. Fence relocation/installation.
- Goodwood Road (C2) - $48,400: Extension of existing Goodwood Path heading south to the Goodwood Estate.
- Jules Road (G2) - $106,737: Hasties Road to Francis Road ($39,000 from Holcim).
- Maali Link – Maali Way to Peppermint Grove Terrace - $16,634.

It is anticipated that there may also be some further adjustments to the selected and type of works, which are not expected to affect the total allocation. Details of these changes will be provided at the July 2014 Council meeting as part of the budget adoption report.

• Additional Engineering capital works incorporated in the draft budget include:

- The road works programme partly funded by grants from the Commonwealth Roads to Recovery program (estimated $238,038 for 2014/15 – exact amount yet to be formally advised), Main Roads WA 2025 RRG program ($267,400) and the City of Busselton advance of $65,300. Council’s contribution from municipal funds to this programme is $468,484 or 40.4% of the total programme.
$100,000 towards drainage works in Townsite and Rural Areas. This is an increase of $25,000 on the previous annual allocation of $75,000, and is carried forward into future years.

The Capital Works Programme does include an estimate for the non-cash acquisition of road ($300,000), path ($250,000), parks & gardens infrastructure ($1,500,000) and drainage assets ($300,000) from developers. These estimates are preliminary and may be adjusted as further information becomes available. This is an area that will require an increasing level of Council resourcing into the future as more infrastructure assets are transferred across to the Council.

$2,050,000 has been allocated for the works associated with the redevelopment of the Council Administration building. This expenditure is to be funded partly from the Building Reserve ($350,000) and partly through the raising of a new loan for $1,700,000. This project is identified as a Strategic Project within Council’s adopted Long Term Financial Plan.

$155,705 has been allocated for the HACC Men’s Shed project in 2014/15. This project received grant funding during 2013/14 but was not commenced due to initial cost estimates exceeding the budget. With the current review occurring in HACC, this project may not be undertaken during 2014/15; however the funds will be preserved if this occurs.

$120,000 was budgeted in 2012/13 for the construction of a recycling shed for the Capel Waste Transfer Station which would include an office and ablution facilities. This project was commenced during 2012/13 with $95,000 carried over into 2013/14 to complete the works. Tenders for the project exceeded the budget allocation in 2013/14 and further funds have been included in the 2014/15 to complete the project – totalling $147,250. This expenditure will be funded from the Waste Management reserve and is a Strategic Project within Council’s adopted Long Term Financial Plan.

Annual asset management provisions have been provided for a number of asset categories as part of Council’s forward asset renewal and upgrade programs. These provisions will increase in future years as Council gains further data on its asset management requirements, and integrates these preservation requirements into the Long Term Financial Plan. Current provisions include:

- Beach Stairways and Pathways $15,000 pa
- Playground Replacement Program $35,000 pa
- Dalyellup Watering Systems: provision for replacement of bore pumps, retic, pipes, etc. $25,000 pa
- Dalyellup Street Light Replacement $35,000 pa
- Bin Stands $3,500 pa
- Building Asset Renewal $45,000 pa in future years
- Air conditioner and minor plant $3,000 pa
- Capel Hall – 40 chairs $2,905 biannual
- Boyanup Hall – 20 chairs $1,735 biannual
- Various replacement provisions for specific assets included in the Long Term Financial Plan

$100,000 has been allocated towards design and planning works related to Stage 1 and 2 of the Capel Civic Precinct. Stage 1 and 2 construction works are planned for 2015/16.

$75,000 has been allocated towards the purchase of 120 litre and 340 litre plastic wheelie bins to complement the existing 240 litre bins. This purchase is funded 100% from a State Government grant.
• $109,814 is allocated in the budget related to Strategic Information Technology Systems. This includes $11,400 for the PC replacement program (based on a 3 year cycle), $64,100 for the replacement of the servers and network equipment (based on a 4 year cycle), $20,050 for GIS software, and a number of smaller hardware and equipment items. Computer hardware typically needs to be replaced every three years and it is intended that one third of the value of the Shire’s total hardware be budgeted to be replaced each year and funded from the Furniture and Equipment reserve.

• Funds of $131,134 have been allocated towards the purchase or replacement of emergency management plant and equipment. These include $1,134 fire-fighting leak containment trays and $130,000 to replace the Capel Bushfire Brigade light tanker fire truck (ESL funded).

• A number of small items have been budgeted to improve or renew the furniture and equipment and various Council buildings and facilities. These include:
  - $7,218 replace gas stove at the Boyanup Hugh Kilpatrick Hall with electric stove
  - $3,800 Boyanup Basketball Pavilion: leach drain retaining wall
  - $2,000 Boyanup Hall gutter replacement
  - $500 Boyanup Memorial Park flag pole
  - $1,500 Gelorup Community Centre – blind, curtain replacement
  - $2,000 Signage for M Tichbon Reserve
  - $6,000 Boyanup Memorial Park - basketball backboard replacement
  - $3,200 Peppermint Beach Grove: picnic tables
  - $12,000 Bus Shelter (ongoing biannual programme)
  - $6,000 Seat installation (ongoing biannual programme)
  - $32,892 Peppermint Grove Beach: extend paving and covered area to the north ($17,500 funded by PGB Community Association, $4,185 funded by Lotteries)
  - $27,455 Peppermint Grove Beach: shade sails (100% funded by Lotteries)
  - $14,363 Peppermint Grove Beach: Hall and Meeting room air conditioning (100% funded by Lotteries)
  - $14,700 Power board adaption for emergency power at Capel Community Centre and Boyanup Hall
  - $8,500 allocated towards the installation of permanent electricity services at the Dalyellup Sports Pavilion
  - $10,000 replace electrical switchboard at the Capel Country Club
  - $13,500 radio tower extension at Shire depot
  - $30,000 two way radio communication system upgrade
  - $3,000 8 x portable radio unit
  - $6,800 Boyanup Library Air-conditioner
  - $4,610 Boyanup hall backdrop curtains (100% Lotteries funded)
  - $9,000 2 x beach showers in Dalyellup
  - $3,000 Library disk cleaner
  - $2,600 Library Wi-Fi

• The continuation of the program to install energy efficient systems at Council Facilities and other Shire buildings is planned with a budget of $15,000 allocated for systems to be installed at yet to be specified buildings. This expenditure will be funded from the commitment to allocate 1% of rates towards climate change initiatives, and is partially funded from carried over funds.

• The East Dalyellup (Tuart Forest) Primary School opened at the start of 2013. The development of a shared use oval has been discussed for some time, with the provision by Council of toilets/change room facilities anticipated. $15,000 was allocated in 2013/14 for the continued development of detailed plans and designs, with the construction of a building forecast for 2015/16.
$83,200 is allocated for the replacement of two passenger vehicles in accordance with the plant replacement program. This relates to two Environmental Health vehicles. $41,600 is expected to be funded from the sale/trade-in of motor vehicles with the balance of $41,600 having to be funded from rate income.

$211,811 is allocated for the replacement of six HACC vehicles and one ride-on mower. These include two commuter buses, three Holden Commodore Station Wagons and one Holden Captiva AWD. $105,144 is expected to be funded from the sale/trade-in of motor vehicles with the balance of $50,000 having to be funded from the Health Department HACC grant funding.

$367,000 is allocated for the replacement of heavy plant and equipment (one Multipac Roller, one Isuzu Maintenance truck, one Patching truck and one Agrizzi slasher) in accordance with the Plant Replacement Program. $113,200 is expected to be funded from the sale/trade-in of plant with $211,100 funded from the Plant Replacement Reserve. The balance of $42,700 is to be funded from rate income.

$176,800 has been included for the replacement of four light commercial vehicles in accordance with the Plant Replacement Program. $88,400 of this purchase price is expected to be obtained from sale proceeds and the balance of $88,400 drawn from the Plant Replacement Reserve.

Loan Repayments

The draft budget expects that $441,472 in loan principal will need to be repaid compared to $416,984 in 2013/14. Outstanding principal at 30 June 2015 is expected to increase to $5,901,273 from an expected balance of $4,642,745 at the start of the financial year. The increase is due to a new loan of $1,700,000 being raised to partly fund the Council Administration Building refurbishment. Loan repayments are also being made during the 2014/15 financial year.

Council will have sixteen outstanding loans in its portfolio at the end of the financial year.

The annual operating surplus as a percentage of loan principal and interest repayments (Debt Service Cover Ratio) is expected to increase to 3.3 in 2014/15 compared to 1.98 in 2013/14, 3.29 on 2012/13, 5.66 in 2011/12 and 6.31 in 2010/11. This ratio measures a Council’s ability to service debt out of its operating revenue. This increase shows that there is an increasing ability for Council to fund the Shire’s loan borrowing program from operating revenue. This trend and the longer term projections forecast a significant improvement in this ratio, with a ratio of 5.72 forecast by 2017/18.

Reserves

Transfers to reserves are expected to total $2,726,080. Over $273,823 in interest is forecast to be earned on cash backed reserves during 2014/15. This compares with the forecast interest for 2013/14 of $327,219. This reduced earnings forecast is attributed to lower interest rates and reduced cash reserves.

Transfers from reserves totalling $3,744,556 are primarily used for capital projects, with the exception of the new Debt Reduction Reserve.

It is proposed to modify the purpose of the Waste Management Reserve and LIA Land Reserve to expand and clarify the available uses of the reserve funds, and to create one new Debt Reduction Reserve. The following is proposed:

1. Waste Management Reserve – used to establish and maintain transfer sites, refuse sites, waste collection and disposal services within the Shire (existing purpose). Waste Management Reserve – used to establish and maintain transfer sites, refuse sites,
waste collection and disposal services within the Shire, waste site rehabilitation and regional waste services (proposed purpose).

2. LIA Land Reserve – used to further develop the Capel LIA. Funds are transferred from land sales (existing purpose). LIA Land Reserve – used to further develop the Capel LIA and associated road, access and infrastructure services. Funds are transferred from land sales (proposed purpose).

3. Debt Reduction Reserve - used to fund the repayment of Principal and Interest payments on Council Loans (proposed purpose). It is proposed that in 2014/15 $600,000 is transferred from the LIA Reserve to the Debt Reduction Reserve and that these funds are allocated for loan servicing costs over 4 years.

Reserve transfers are detailed in the explanatory information, and will be detailed further in the final budget document.

The 2014/15 Budget expects more to be transferred in from reserves than is to be transferred to reserves. If the reserve transfers proceed as budgeted the expected balance of reserves at 30 June 2014 will be $7,034,170 and is a decrease on the expected balance at the start of the year of $8,052,646.

Councillor Workshop

On 14th May 2014 a Councillor Budget Workshop was conducted, involving all Councillors and Council Senior staff. The purpose of the workshop was to review the current forecast deficit position for 2013/14 and budget deficit for 2014/15 (as it was at that time). The workshop undertook a review of many areas to provide guidance and input to staff in the further development of the 2014/15 draft budget.

At the workshop the following were the agreed outcomes of Councillors, which have been incorporated into the 2014/15 draft budget and updated Long Term Financial Plan:

1. A general rate increase of 8% in 2014/15. The Long Term Financial Plan continues to increase rates by 6% in later years, with a further reduction to 4% forecast from 2019/20.

2. Remove the 2.5% rates discount for the payment of rates by the due date – forecast saving of $108,000.

3. Remove the pet desexing (sterilisation) subsidy – forecast saving of $3,500.

4. Increase Waste Charges – subject of a future report to Council. At this time the Household Refuse Removal bin pickup cost will increase from $180 (two bin) and $240 (three bin) to $191 and $254. The Annual Refuse Site charge is proposed to remain at the current charge of $80.

5. Hall Hire Usage fees – reduced concessions through the removal of the 25% concession hire category which offered a 75% concession on hire fees. This reduced concession would apply from 1 January 2015.


7. Source additional external and grant funding where identified.

8. More stringent charging of town planning and building fees.

9. Increase the use of volunteers where possible.
10. Utilise $600,000 from the LIA Reserve and create a new Debt Reduction Reserve from the funds. The new reserve is to be used to fund loan principal and interest repayments.

11. Examine in the future service levels in various areas, including libraries.

12. Retain Council’s existing contributions and Policies for 1% of rates towards Climate Change initiatives, $25,000 towards Minor Community Grants and 2% of salary and wages costs towards staff training.

13. Final Trim Grader Driver position – not replaced in 2015/16 as required work to be performed by a contractor. Future years to reinstate the position as an internal staff member.

14. Grants consultant – allocated $20,000 for 2 years.

15. HACC review occurring which has the potential to significantly impact Council in the future.

16. Donations to various clubs retained as presented.

17. Contributions to various groups and events retained as presented, except to remove contributions for the Capel Descent event of $3,000 and the City of Bunbury Australia Day Celebrations of $5,000.

18. Minor Community Grants of $25,000 per year retained Community Grants only presented on request.

19. Gratuity payments – retain CBFCO and Deputy CBFCO, remove gratuity payment for the archives area.


22. Retain existing service levels for hall cleaning, street sweeping, road maintenance and tree pruning. Examine the monthly inspection of fire panels in halls to determine if this regularity is required.

23. Functions – remove the Councillors mid-year function of $4,686, retain the staff Christmas function and Christmas vouchers.

24. Servicing costs for the waterless urinals estimated at $2,000 per annum and water efficient systems of $3,000 are to be allocated as a Climate Change budget items.

25. Mallokup Bridge – Peppermint Grove trail and viewing platform. Deleted from the future works program. A future report to Council on the Trails Masterplan will be provided to Council for further consideration.


27. Consideration of Councillor numbers and fees. This will be reviewed in the future.

As part of reviewing the draft budget and in order to present a balanced position, the Executive Management Team have considered a number of the areas and requests which in earlier workshops or deliberations had been included. As a result of this, the following items are no longer included in the draft budget:
No Minor Community Grant allocation of $25,000 in 2014/15 to enable the inclusion of Major Community grants totalling $45,816. These Major Community Grants consist of the following:

- Capel Regional Equestrian Centre feasibility study - $20,403;
- Capel Country Club undercover viewing - $16,546;
- Boyanup Foundation Ag Machinery Shed floor - $3,950;
- Boyanup Lions Club storage shed - $4,917

In future years the Minor Community Grants are included, but there is no allocation for Major Community Grants.

- Remove the Dalyellup Surf Lifesaving Club - beach toilet water supply upgrade – $1,250. The installation of this system would not improve the stained toilets. It is proposed that when the new facilities are installed then the water system be treated at that time.

- Remove the purchase of a concrete picnic table for the reserve adjoining the Boyanup store - $800. This seat and table is not on a Council reserve.

- Reduce the Grants Consultant allocation in 2014/15 from $20,000 to $15,000. The $20,000 allocation in 2015/16 is unchanged.

- Reduce the donation to Bunbury Sea Rescue from the requested $1,500 to $310. A $310 donation is the same amount provided to the majority of other groups, excluding St John Ambulance and the Capel RSL.

**Revenue and Expenditure Explanatory Information**

This area of the budget primarily represents the operating expenditure and revenue for the coming year.

**General Purpose Funding**

Total rate revenue (general rate and specified area rate) has increased to $9,048,501 after the discontinuation of the rates discount.

In accordance with Council’s previous resolution, the draft budget has allowed for an increase of 8% to rates in the dollar and an 8% increase to all minimum rates so that minimum rate for all properties will be $972.00.

The maximum specified area rate has been increased by 8% and is proposed to increase by $12.30 to $166.30. $508,517 is expected to be billed at the start of the year and with the addition of an expected $9,313 in interim rates will almost be sufficient to fund half the expected cost of Public Open Space maintenance in Dalyellup. After taking into consideration 50% of the total maintenance costs, a deficit of $24,498 is anticipated for 2014/15 which will be subsidised from the Reserve account.

The WA Local Government Grants Commission (WALGGC) has not yet finalised the grants for 2014/15. The Grants Commission have advised that the indexation formula utilised to calculate the National FAG’s pool for the next 3 years will not apply. This will effectively reduce our potential grant funding in this area. For budget purposes the grant is based on the 2013/14 allocation plus a small increase in the order of 1.93% for General Purpose Grants and 0.47% for Local Roads Grants, which was the breakdown provided to WA.

The WA Grants Commission have advised that the FAG 50% advance grant payment applied in previous years will not occur in 2014/15.
The Commonwealth Roads to Recovery Grant allocated over 5 years to all local governments in Australia finished in 2013/14. The Commonwealth Government have confirmed that the program will be extended for a further 5 years, but the budget allocation to Capel has not been finalised at this time. For budget purposes, the existing annual payment of $238,096 has been included.

Council no longer receives direct grant funding from the State Government through the Country Local Government Fund under the Royalties for Regions program. 100% of funds are now retained for regional projects and allocated by a regional grouping of Councils. In previous years an amount of $645,000 has been included in Council’s budget, and the loss of this direct grant will have a significant impact on future capital works projects.

Interest earned on investments is expected to be similar to the 2013/14 forecast with lower interest rates and reduced reserve balances continuing. Investments are placed in accordance with Council’s investment policy and are limited to secure and liquid investment options such as term deposits. The 2014/15 budget anticipates that over $355,306 may be earned during the year. However, about 77% of this amount will be returned to reserves. Total interest earnings for the Council, inclusive of interest charge on instalments and overdue rates, is budgeted to be $405,362.

Further details on other operational income and expenditure items are included within the draft budget document. These are allocated amongst the following schedules:

- Governance
- General Purpose Funding
- Law, Order, Public Safety
- Health
- Education & Welfare
- Community Amenities
- Recreation & Culture
- Transport
- Economic Services
- Other Property & Services

Summary

The draft budget for 2014/15 is balanced and Councillors are encouraged to examine the document thoroughly. It would be appreciated if Councillors could contact senior staff prior to the Council meeting to discuss relevant issues.

Cr Baxi left the Chambers at 7.17pm and returned at 7.18pm.
Mr Dent left the Chambers at 7.23pm and returned at 7.24pm.

NOTE: That Council agreed to reinstate the desexing subsidy for cats to the cost of $1,000 for pension card holders.

VOTING REQUIREMENTS

Simple majority

OC0620 OFFICER’S RECOMMENDATION – 17.4/COUNCIL DECISION

Moved Cr Bell, Seconded Cr Baxi

That Council approves the draft Capital Works Programme and draft Budget for 2014/15 as presented.

Carried 8/0
Cr B Smith declared an Impartiality interest in Item 17.5 Application to Keep 6 Cats – 2 Peak Place, Boyanup. The nature of Cr Smith’s interest is that he is a neighbour of the applicant, and his wife has put in a submission in this matter.

Cr Smith left the Chambers at 7.28pm.

### OC0621 (17.5) Application to Keep 6 Cats – 2 Peak Place, Boyanup

<table>
<thead>
<tr>
<th>Location:</th>
<th>Boyanup</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Dorothy Barrett</td>
</tr>
<tr>
<td>File Reference:</td>
<td>269334</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Nil</td>
</tr>
<tr>
<td>Date:</td>
<td>26.05.14</td>
</tr>
<tr>
<td>Author:</td>
<td>Customer Service Officer, J Riedmann</td>
</tr>
<tr>
<td>Senior Officer:</td>
<td>Director Corporate Services, P Anastasakis</td>
</tr>
<tr>
<td>Attachments:</td>
<td>Location Map</td>
</tr>
</tbody>
</table>

**MATTER FOR CONSIDERATION**

An application has been received to keep 6 cats at 2 Peak Place, Boyanup.

**BACKGROUND / PROPOSAL**

**Background**

There are no previous decisions or history relevant to this matter.

**Proposal**

The applicant seeks Council’s approval to keep six cats at 2 Peak Place, Boyanup.

**STATUTORY ENVIRONMENT**

Cat Act 2011, Section 5, Division 2 – Local Laws

**79. Local laws**

(1) A local government may make local laws prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

(3) Without limiting subsection (1), a local law may be made as to one or more of the following —

(a) the registration of cats;

(e) cats creating a nuisance;

(f) specifying places where cats are prohibited absolutely;

(g) requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;

(h) limiting the number of cats that may be kept at premises, or premises of a particular type;

Council’s Local Laws relating to cats requires a person wishing to keep more than two cats on a property to apply for an approved permit, and also requires that the cats be confined to the property at all times.
Should the application for a permit be declined the applicants have a right of appeal to the State Administrative Tribunal (SAT). The Tribunal has shown in previous dealings that it is prepared to give the benefit of the doubt to the applicants unless there are specific examples of nuisance behaviour.

**POLICY IMPLICATIONS**

There are no current policies applicable to this matter.

**FINANCIAL IMPLICATIONS**

**Budget**

The approval of four additional cats would see a minor increase in the annual budget income.

**Long Term**

No long term implications with this application.

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

Council’s local laws are such that there would not be any foreseeable environmental impact as the cats are required to be confined to the property at all times.

Due to the number of cats there may be an impact on adjoining neighbours from the smell and noise and from wandering if they are not adequately confined at all times.

**STRATEGIC IMPLICATIONS**

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

- Key Focus Area 2 – The Community Experience: Strategic Objective - 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.

**CONSULTATION**

A letter was sent to the owners of all adjoining land advising of the application and asking whether or not they had any objections to the proposal. A total of 17 letters were sent out with 8 replies received. Of the 8 replies received the responses are as follows:

1) Do Not Object
2) Do Not Object – Unless cats are roaming freely in the area.
3) Do Not Object
4) Do Not Object
5) Do Not Object
6) Do Object –
   a. We do not believe 6 cats & 2 dogs should be homed on one property, considering the cats already roam our property without our consent.
   b. Some family members that visit us frequently are allergic to cats.
c. The dogs constantly ‘yap’ at all hours.
d. We do not have a problem with pets however the owners need to take responsibility.

7) Do Object – Concerned over amount of faecal material these cats will be generating as property drains through ours to the river. Cats carry a disease called Toxoplasmosis which can cause abortion in sheep which is a big risk to us. Also worried about amount of native wildlife these cats will be killing if not contained in house/cat run. No objection if cats contained and faecal material disposed of in waste bins.

8) Do Object – As I have a garden that attracts a lot of wildlife I am concerned that this number of cats is too many.

COMMENT

The application is to keep the following cats on the property:

<table>
<thead>
<tr>
<th>Name</th>
<th>Age</th>
<th>Gender</th>
<th>Spayed/Neutered</th>
<th>Breed</th>
</tr>
</thead>
<tbody>
<tr>
<td>TC</td>
<td>3 Years</td>
<td>Male</td>
<td>Sterilised</td>
<td>Domestic Short Hair</td>
</tr>
<tr>
<td>Abbie</td>
<td>3 Years</td>
<td>Female</td>
<td>Sterilised</td>
<td>Domestic Short Hair</td>
</tr>
<tr>
<td>Jaspurr</td>
<td>5 Years</td>
<td>Male</td>
<td>Sterilised</td>
<td>Domestic Long Hair</td>
</tr>
<tr>
<td>Bear</td>
<td>5 Years</td>
<td>Male</td>
<td>Sterilised</td>
<td>Domestic Short Hair</td>
</tr>
<tr>
<td>Mum Puss</td>
<td>6 Years</td>
<td>Female</td>
<td>Sterilised</td>
<td>Domestic Short Hair</td>
</tr>
<tr>
<td>Pearsey</td>
<td>5 Years</td>
<td>Male</td>
<td>Sterilised</td>
<td>Manx</td>
</tr>
</tbody>
</table>

Community Rangers have inspected the property and have advised that the area is adequately secure to confine the cats to the premises. There is an inside and an outside enclosed area at the property. All cats appear to be in good condition and are well looked after.

Staff have not had cause to visit the applicant’s property previously to deal with any claims of nuisance behaviour caused by the cats.

In the application Ms Barrett states her reason for having the six cats as follows; “I took on a stray female (Mum Puss). She was pregnant. I tried to find homes for her five kittens but could only home three. I already had two cats so now I have six.”

VOTING REQUIREMENTS

Simple majority

OC0621 OFFICER’S RECOMMENDATIONS – 17.5/COUNCIL DECISION

Moved Cr Bell, Seconded Cr Hearne

That Council does not grant an exemption allowing Ms Barrett to keep six cats at 2 Peak Place, Boyanup, based on the number of objections received and the number of cats involved.

Carried 7/0

Cr Smith returned to the Chambers at 7.29pm.
MATTER FOR CONSIDERATION

Adoption of accounts to be paid.

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 staff 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:

<table>
<thead>
<tr>
<th>CHQ/EFT</th>
<th>DATE</th>
<th>NAME</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>EFT16428</td>
<td>18/06/2014</td>
<td>AMITY SIGNS</td>
<td>4 X BATMAN WAY SIGNS</td>
<td>220.00</td>
</tr>
<tr>
<td>EFT16429</td>
<td>18/06/2014</td>
<td>BUNBURY MOWER SERVICE</td>
<td>SERVICE BLOWER &amp; A FACE SHIELD</td>
<td>144.75</td>
</tr>
<tr>
<td>EFT16430</td>
<td>18/06/2014</td>
<td>BUNBURY TOYOTA</td>
<td>140,000KM SERVICE CP5685 (HACC) &amp; 40,000KM SERVICE CP167</td>
<td>1101.54</td>
</tr>
<tr>
<td>EFT16431</td>
<td>18/06/2014</td>
<td>BUNBURY HOLDEN</td>
<td>HACC: 60,000KM SERVICE CP5704, REPAIR RIM &amp; TYRE CP9069, 75000KM SERVICE TO CP1160</td>
<td>1526.25</td>
</tr>
<tr>
<td>EFT16432</td>
<td>18/06/2014</td>
<td>BUNNINGS BUILDING SUPPLIES PTY LTD</td>
<td>MAY 14 HARDWARE SUPPLIES</td>
<td>644.00</td>
</tr>
<tr>
<td>Invoice No</td>
<td>Date</td>
<td>Description</td>
<td>Details</td>
<td>Amount</td>
</tr>
<tr>
<td>-----------</td>
<td>------------</td>
<td>------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>EFT16433</td>
<td>18/06/2014</td>
<td>BOYANUP BOTANICAL</td>
<td>113 VARIOUS PLANTS</td>
<td>593.12</td>
</tr>
<tr>
<td>EFT16434</td>
<td>18/06/2014</td>
<td>STAPLES AUSTRALIA PTY LTD</td>
<td>13/14 STATIONERY</td>
<td>1026.45</td>
</tr>
<tr>
<td>EFT16435</td>
<td>18/06/2014</td>
<td>DEPARTMENT OF PREMIER &amp; CABINET</td>
<td>GOVERNMENT GAZETTE ADVERTISING 16/5/14</td>
<td>81.60</td>
</tr>
<tr>
<td>EFT16436</td>
<td>18/06/2014</td>
<td>DARREN WRIGHT TOWING &amp; TILT TRAY SERVICE</td>
<td>TOW VEHICLE FROM HORNIBROOK DALYELLUP TO DEPOT</td>
<td>200.00</td>
</tr>
<tr>
<td>EFT16437</td>
<td>18/06/2014</td>
<td>DELL AUSTRALIA PTY LTD</td>
<td>3 X DELL DESKTOP SYSTEMS</td>
<td>3801.60</td>
</tr>
<tr>
<td>EFT16438</td>
<td>18/06/2014</td>
<td>DEPT OF FIRE AND EMERGENCY SERVICES (DFES).</td>
<td>13/14 ESL QTE 4 CONTRIBUTION</td>
<td>41190.00</td>
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<tr>
<td>EFT16439</td>
<td>18/06/2014</td>
<td>FENNESSY'S</td>
<td>60000 KM SERVICE CP81, 10000KM SERVICE CP9503</td>
<td>533.31</td>
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<tr>
<td>EFT16440</td>
<td>18/06/2014</td>
<td>LADMACH ENGINEERING</td>
<td>4 X TAIL GATE PINS @$40EA</td>
<td>176.00</td>
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<tr>
<td>EFT16441</td>
<td>18/06/2014</td>
<td>LANDGATE</td>
<td>LAND IDENTIFICATION-$161.7, 3X VARIOUS VALUATIONS 22/4/14-15/5/14-$12991.38, MAPPING SYSTEM USAGE-$726</td>
<td>13879.08</td>
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<tr>
<td>EFT16442</td>
<td>18/06/2014</td>
<td>THE WORKWEAR GROUP (NEAT N TRIM UNIFORMS PTY LTD)</td>
<td>3X 13/14 UNIFORM ORDERS</td>
<td>235.76</td>
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<tr>
<td>EFT16443</td>
<td>18/06/2014</td>
<td>OFFICEWORKS SUPERSTORES PTY LTD</td>
<td>HACC- OFFICE STATIONERY</td>
<td>98.53</td>
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<tr>
<td>EFT16444</td>
<td>18/06/2014</td>
<td>FULTON HOGAN INDUSTRIES PTY LTD</td>
<td>350 LTRS EMULSION FOR ROAD PATCHING</td>
<td>488.95</td>
</tr>
<tr>
<td>EFT16445</td>
<td>18/06/2014</td>
<td>PRESTIGE PRODUCTS-BUSSELTON</td>
<td>MAY 14 SUPPLIES FOR SHIRE OFFICE</td>
<td>167.42</td>
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<tr>
<td>EFT16446</td>
<td>18/06/2014</td>
<td>PICTON TYRE CENTRE PTY LTD</td>
<td>REPAIR PUNCTURE TYRE TO CP1125 &amp; REMOVE BRANCH FROM FRONT TYRE ON GRADER CP1804</td>
<td>399.90</td>
</tr>
<tr>
<td>EFT16447</td>
<td>18/06/2014</td>
<td>PLAYSCAPE CREATIONS</td>
<td>SUPPLY 1 WIGGLY WORM TUNNEL</td>
<td>4477.00</td>
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<tr>
<td>EFT16448</td>
<td>18/06/2014</td>
<td>PAINT PLACE BUNBURY</td>
<td>PAVE &amp; DECK GRIP, 4L MINERAL TURPENTINE AND 4L OF PAVING PAINT</td>
<td>172.10</td>
</tr>
<tr>
<td>EFT16449</td>
<td>18/06/2014</td>
<td>ROBERT'S TILT-TRAY &amp; HIAB SERVICE</td>
<td>13/14 TRANSPORT E-WASTE CONTAINER FROM CAPEL TO PERTH AND RETURN $869 EACH MONTH MAY 14</td>
<td>869.00</td>
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<tr>
<td>EFT16450</td>
<td>18/06/2014</td>
<td>SJ ROADWORKS</td>
<td>HIRE ROLLER FOR TRAINING &amp; WINTER FORM-UPS PROGRAM</td>
<td>10978.00</td>
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<td>EFT16451</td>
<td>18/06/2014</td>
<td>RTW STEEL FABRICATION</td>
<td>REMOVE BOLTS FROM GRADER CP1804</td>
<td>115.50</td>
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<td>EFT16452</td>
<td>18/06/2014</td>
<td>CAPEL FRESH IGA</td>
<td>COFFEE AND MILK FOR DEPOT</td>
<td>31.87</td>
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<tr>
<td>EFT16453</td>
<td>18/06/2014</td>
<td>TRADELINK PLUMBING SUPPLIES</td>
<td>SUPPLY 1 TOILET CISTERN &amp; MISC FIXTURES</td>
<td>95.90</td>
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<td>EFT16454</td>
<td>18/06/2014</td>
<td>IT VISION</td>
<td>REPAIRS TO TERMINAL SERVER (SYNERGY) - REGISTRY PERMISSION FIXES</td>
<td>330.00</td>
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<td>EFT16455</td>
<td>18/06/2014</td>
<td>WORK Clobber BUNBURY</td>
<td>3X UNIFORM ORDERS</td>
<td>653.93</td>
</tr>
<tr>
<td>EFT16456</td>
<td>18/06/2014</td>
<td>WESTRAC EQUIPMENT</td>
<td>14X CUTTING EDGE BLADES-$2945.10 &amp; 250HR SERVICE TO CP1025 - $2936.37</td>
<td>5881.47</td>
</tr>
<tr>
<td>EFT16457</td>
<td>18/06/2014</td>
<td>WE PRINT IT</td>
<td>250X BUSH FIRE CERTIFICATE OF APPOINTMENT CARDS</td>
<td>67.00</td>
</tr>
</tbody>
</table>

$ 90,180.03

OUTSTANDING CREDITORS AS AT 31st May 2014: $81,136.06

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 18th June 2014 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.

[Signature]

CHIEF EXECUTIVE OFFICER

Mr Dent left the Chambers at 7.29pm.

VOTING REQUIREMENTS

Simple majority

OC0622 OFFICER’S RECOMMENDATIONS – 17.6/COUNCIL DECISION

Moved Cr J Scott, Seconded Cr Baxi

That Council authorises the Schedule of Accounts covering vouchers EFT16428 to EFT16452, a total of $90,180.03, for payment.

Carried 8/0
MATTER FOR CONSIDERATION

Authorisation 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-
   (iii) the municipal fund; and
   (iv) 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 May 2014 are as follows:

<table>
<thead>
<tr>
<th>CHQ/EFT</th>
<th>DATE</th>
<th>NAME</th>
<th>DESCRIPTION</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>416</td>
<td>07/05/2014</td>
<td>PHILIP J DUNCAN</td>
<td>HALL BOND REFUND DCC 26/4/14</td>
<td>1000.00</td>
</tr>
<tr>
<td>417</td>
<td>07/05/2014</td>
<td>S WERAPITIYA</td>
<td>BOND REFUND</td>
<td>500.00</td>
</tr>
<tr>
<td>418</td>
<td>15/05/2014</td>
<td>BUILDING &amp; CONSTRUCTION IND TRAINING FUND</td>
<td>BCITF LEVY COLLECTED APRIL 14</td>
<td>9593.75</td>
</tr>
<tr>
<td>419</td>
<td>15/05/2014</td>
<td>DEPARTMENT OF COMMERCE - BUILDING COMMISSION</td>
<td>BSL LEVY COLLECTED APRIL 14</td>
<td>7395.94</td>
</tr>
<tr>
<td>420</td>
<td>15/05/2014</td>
<td>SHIRE OF CAPEL</td>
<td>BCITF COMMISSION COLLECTED APRIL 14</td>
<td>396.44</td>
</tr>
<tr>
<td>421</td>
<td>15/05/2014</td>
<td>ROD &amp; NICOLE JONES</td>
<td>HALL BOND REFUND DCC 7/5/14</td>
<td>150.00</td>
</tr>
<tr>
<td>422</td>
<td>15/05/2014</td>
<td>L &amp; L SEGRETO</td>
<td>BOND REFUND DCC10/5/14</td>
<td>1000.00</td>
</tr>
<tr>
<td></td>
<td>Date</td>
<td>Name</td>
<td>Reference</td>
<td>Amount</td>
</tr>
<tr>
<td>---</td>
<td>----------</td>
<td>--------------------</td>
<td>-----------</td>
<td>--------</td>
</tr>
<tr>
<td>423</td>
<td>21/05/14</td>
<td>Indira Madigasekara</td>
<td>Bond Refund</td>
<td>500.00</td>
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<tr>
<td>424</td>
<td>21/05/14</td>
<td>WA Country Builders</td>
<td>Refund Kerb Fee As Not Required</td>
<td>220.00</td>
</tr>
<tr>
<td>425</td>
<td>28/05/14</td>
<td>Alison Busher</td>
<td>Hall Bond Refund Boyanup Hall 24/5/14</td>
<td>1000.00</td>
</tr>
<tr>
<td>426</td>
<td>28/05/14</td>
<td>B De Rusetty</td>
<td>Hall Bond Refund Capel Community Centre</td>
<td>150.00</td>
</tr>
<tr>
<td>427</td>
<td>28/05/14</td>
<td>Aby Hendry</td>
<td>Hall Bond Refund</td>
<td>150.00</td>
</tr>
<tr>
<td>428</td>
<td>28/05/14</td>
<td>Sharon Ramesh</td>
<td>Hall Bond Refund GCC25/5/14</td>
<td>150.00</td>
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<tr>
<td>429</td>
<td>28/05/14</td>
<td>Esme Le Roux</td>
<td>Hall Bond Refund</td>
<td>150.00</td>
</tr>
<tr>
<td>430</td>
<td>28/05/14</td>
<td>ST Johns Ambulance Association</td>
<td>Hall Bond Refund Boyanup Hall 24/5/14</td>
<td>150.00</td>
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<tr>
<td>EFT16215</td>
<td></td>
<td>-EFT16243</td>
<td>Payment Already Approved By Council, Please Refer To Agenda On 21.05.14</td>
<td></td>
</tr>
<tr>
<td>EFT16244</td>
<td>07/05/14</td>
<td>Bunbury Army Surplus</td>
<td>3x Work Boots</td>
<td>329.00</td>
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<tr>
<td>EFT16245</td>
<td>07/05/14</td>
<td>Ausq Training</td>
<td>Basic Worksite Traffic Management &amp; Traffic Controller Course-$559 &amp; A Refresher Course-$319</td>
<td>878.00</td>
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<tr>
<td>EFT16246</td>
<td>07/05/14</td>
<td>Aecom Australia Pty Ltd</td>
<td>Audit Works Associated With The Cristal Closure Plan - Dalyellup</td>
<td>11000.00</td>
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<tr>
<td>EFT16247</td>
<td>07/05/14</td>
<td>Boyanup Lions Club</td>
<td>Donations To Boyanup Lions Club</td>
<td>1250.00</td>
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<tr>
<td>EFT16248</td>
<td>07/05/14</td>
<td>Bunbury 2nd Sea Scouts</td>
<td>Kisdport Voucher</td>
<td>200.00</td>
</tr>
<tr>
<td>EFT16249</td>
<td>07/05/14</td>
<td>Bunbury &amp; Busseton Air</td>
<td>Hacc-Additional Vent For Air Conditioning</td>
<td>850.00</td>
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<tr>
<td>EFT16250</td>
<td>07/05/14</td>
<td>Bunbury United Soccer Club</td>
<td>Kisdport Voucher 3x($150)</td>
<td>450.00</td>
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<tr>
<td>EFT16251</td>
<td>07/05/14</td>
<td>Capel Newsagency</td>
<td>13/14 Stationery-$539.14, 2x Shire Library-$126.10, Shire Office-$135.70</td>
<td>800.94</td>
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<tr>
<td>EFT16252</td>
<td>07/05/14</td>
<td>Bunbury City Bulls Junior Rugby Club</td>
<td>Kisdport Voucher</td>
<td>100.00</td>
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<tr>
<td>EFT16253</td>
<td>07/05/14</td>
<td>Craneys Lunchbar</td>
<td>Hacc - Volunteer Lunches April 14</td>
<td>227.00</td>
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<tr>
<td>EFT16254</td>
<td>07/05/14</td>
<td>Capelberry</td>
<td>Catering for SW Zone Walga Meeting At PGB On 24.4.14 For 23 People</td>
<td>368.00</td>
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<tr>
<td>EFT16255</td>
<td>07/05/14</td>
<td>Capel Soccer Club</td>
<td>26x Kisdport Vouchers: 16x(5-11yr-$125), 8x (12-15yr-$140), 2x(15-17yr-$200)</td>
<td>3520.00</td>
</tr>
<tr>
<td>EFT16256</td>
<td>07/05/2014</td>
<td>CLEANWAYXTRA</td>
<td>CLEAN WINDOWS INTERNAL AND EXTERNAL AT SHIRE OWNED HALLS, COMMUNITY CENTRE, SPORT PAVILION &amp; LIBRARIES</td>
<td>1695.00</td>
</tr>
<tr>
<td>EFT16257</td>
<td>07/05/2014</td>
<td>COLES</td>
<td>HACC-DAY CENTRE SUPPLIES</td>
<td>767.26</td>
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<tr>
<td>EFT16258</td>
<td>07/05/2014</td>
<td>ELLIOTT'S SMALL ENGINES</td>
<td>HACC- OIL &amp; GARDEN EQUIPMENT PARTS</td>
<td>312.50</td>
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<tr>
<td>EFT16259</td>
<td>07/05/2014</td>
<td>EATON HARDWARE</td>
<td>HACC-HARDWARE SUPPLIES MAR 14</td>
<td>35.15</td>
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<tr>
<td>EFT16260</td>
<td>07/05/2014</td>
<td>ALISON EVANS</td>
<td>REIMBURSE GROCERIES FOR SW ZONE MEETING- MORNING TEA ON 24/4/14</td>
<td>54.15</td>
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<tr>
<td>EFT16261</td>
<td>07/05/2014</td>
<td>FLOWER BAZAAR</td>
<td>FLORAL WREATHS FOR ANZAC DAY RSL CEREMONIES (BOYANUP AND CAPEL) ON FRIDAY 25.4.14</td>
<td>160.00</td>
</tr>
<tr>
<td>EFT16262</td>
<td>07/05/2014</td>
<td>FIT 2 WORK.COM.AU</td>
<td>POLICE CLEARANCE CHECK</td>
<td>40.59</td>
</tr>
<tr>
<td>EFT16263</td>
<td>07/05/2014</td>
<td>GOLDEN WEST PEST &amp; WEED CONTROL</td>
<td>TREAT BOYANUP BASKETBALL PAVILION FOR WHITE ANTS</td>
<td>440.00</td>
</tr>
<tr>
<td>EFT16264</td>
<td>07/05/2014</td>
<td>GANNAWAYS CHARTER SERVICE</td>
<td>BUS CHARTER FOR INZONE - ADVENTURE WORLD 17.4.14</td>
<td>1270.00</td>
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<tr>
<td>EFT16265</td>
<td>07/05/2014</td>
<td>STATE LIBRARY OF WESTERN AUSTRALIA</td>
<td>3X RECOVERIES OF LOST &amp; DAMAGED BOOKS</td>
<td>44.00</td>
</tr>
<tr>
<td>EFT16266</td>
<td>07/05/2014</td>
<td>WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA</td>
<td>3X VARIOUS ADVERTS FOR APRIL 14 &amp; 10 JOB ADVERTISING PACK FROM SEEK</td>
<td>2680.66</td>
</tr>
<tr>
<td>EFT16267</td>
<td>07/05/2014</td>
<td>LD TOTAL</td>
<td>13/14 MAINTENANCE OF POS-DALYELLUP @ $23456.63 PER MONTH: APRIL 14</td>
<td>23456.63</td>
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<tr>
<td>EFT16268</td>
<td>07/05/2014</td>
<td>LOCAL GOVERNMENT MANAGERS AUSTRALIA LGMA</td>
<td>ATTENDANCE OF TWO STAFF AT THE LGMA CDN REGIONAL SPOTLIGHT FORUM 16 MAY AT BUSSELTON</td>
<td>50.00</td>
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<tr>
<td>EFT16269</td>
<td>07/05/2014</td>
<td>MANPOWER</td>
<td>LABOUR HIRER- 7/4/14-11/4/14</td>
<td>1834.66</td>
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<tr>
<td>EFT16270</td>
<td>07/05/2014</td>
<td>DAVE MCKENNA</td>
<td>REIMBURSEMENT FOR PARKING MEALS, ACCOMMODATION FOR TRAINING ON 27-29 APRIL 14</td>
<td>420.90</td>
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<td>EFT16271</td>
<td>07/05/2014</td>
<td>THE WORKWEAR GROUP (NEAT N TRIM UNIFORMS PTY LTD)</td>
<td>3X 13/14 UNIFORM ORDERS</td>
<td>746.48</td>
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<tr>
<td>EFT16272</td>
<td>07/05/2014</td>
<td>NETREGISTRY</td>
<td>RENEWAL OF DOMAIN ADDRESS: CAPEL.WA.GOV.AU FOR 2 YEARS</td>
<td>47.85</td>
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<td>EFT16273</td>
<td>07/05/2014</td>
<td>OCLC</td>
<td>AMLIB ANNUAL MAINTENANCE 15/5/14-14/5/15</td>
<td>1623.42</td>
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<tr>
<td>EFT16274</td>
<td>07/05/2014</td>
<td>RIDING FOR THE DISABLED SOUTH WEST</td>
<td>KIDSPORT VOUCHER</td>
<td>197.00</td>
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<tr>
<td>EFT16275</td>
<td>07/05/2014</td>
<td>RIDING FOR THE DISABLED COLLIE</td>
<td>KIDSPORT VOUCHER</td>
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<tr>
<td>EFT16276</td>
<td>07/05/2014</td>
<td>SPRAYMOW SERVICES</td>
<td>SPRAY ANTS AT LUTHERAN OVALS</td>
<td>973.50</td>
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<td>EFT16277</td>
<td>07/05/2014</td>
<td>SKATEBOARDING AUSTRALIA</td>
<td>SKATEBOARDING WORKSHOP AT COMMUNITY SAFETY EXHIBITION AT THE GELORUP COMMUNITY CENTRE 7.6.14</td>
<td>363.00</td>
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<tr>
<td>EFT16278</td>
<td>07/05/2014</td>
<td>STRONG ANGELS</td>
<td>JOURNEY TO RECOGNITION AFTERNOON TEA IN CAPEL LIBRARY</td>
<td>200.00</td>
</tr>
<tr>
<td>EFT16279</td>
<td>07/05/2014</td>
<td>SOUNDPACK SOLUTIONS</td>
<td>50X DVD CASES PLUS POSTAGE</td>
<td>71.50</td>
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<tr>
<td>EFT16280</td>
<td>07/05/2014</td>
<td>WESTERN AUSTRALIAN TREASURY CORPORATION</td>
<td>INTEREST AND LOAN REPAYMENT: LOAN 63-PGB COMMUNITY CENTRE</td>
<td>6714.93</td>
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<tr>
<td>EFT16281</td>
<td>07/05/2014</td>
<td>WOOLWORTHS LIMITED (WA)</td>
<td>HACC-DAY CENTRE SUPPLIES</td>
<td>58.62</td>
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<tr>
<td>EFT16282</td>
<td>05/05/2014</td>
<td>WESTNET PTY LTD</td>
<td>CAPEL SHIRE ADSL-MAY 14</td>
<td>369.78</td>
</tr>
<tr>
<td>EFT16283</td>
<td>09/05/2014</td>
<td>ALL WEST BUILDING APPROVALS PTY LTD</td>
<td>ASSISTING WITH THE ASSESSMENT OF BUILDING LICENCE @$65 PER HR PLUS GST APR 14</td>
<td>990.00</td>
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<tr>
<td>EFT16284</td>
<td>09/05/2014</td>
<td>BUNBURY REGIONAL ENTERTAINMENT CENTRE</td>
<td>TICKET TO THE CRITICAL HORIZONS CONFERENCE 15.5.14</td>
<td>94.00</td>
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<tr>
<td>EFT16285</td>
<td>09/05/2014</td>
<td>THE WORKWEAR GROUP (NEAT N TRIM UNIFORMS PTY LTD)</td>
<td>13/14 UNIFORM ORDER</td>
<td>269.00</td>
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<tr>
<td>EFT16286</td>
<td>09/05/2014</td>
<td>RICOH FINANCE</td>
<td>ANNUAL ORDER FOR PHOTOCOPYING LEASE REPAYMENT :MAY 14</td>
<td>1076.07</td>
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<tr>
<td>EFT16287</td>
<td>15/05/2014</td>
<td>AMITY SIGNS</td>
<td>11X VARIOUS SIGNS</td>
<td>1163.80</td>
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<td>EFT16288</td>
<td>15/05/2014</td>
<td>ARBORGUY</td>
<td>BRIDGE VEGETATION CLEARANCE AT 6X LOCATION &amp; TRAFFIC MANAGEMENT PLANS</td>
<td>29711.00</td>
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<td>EFT16289</td>
<td>15/05/2014</td>
<td>AMD CHARTERED ACCOUNTANTS</td>
<td>INTERIM AUDIT ON THE 29.4.2014 FOR YEAR ENDED 30 JUNE</td>
<td>4400.00</td>
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<tr>
<td>EFT16290</td>
<td>15/05/2014</td>
<td>BUNBURY PLUMBING SERVICES BPS</td>
<td>PUMP OUT GREASE TRAP AT BOYANUP MEMORIAL HALL 0.5KL</td>
<td>198.70</td>
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<tr>
<td>EFT16291</td>
<td>15/05/2014</td>
<td>B &amp; B STREET SWEEPING</td>
<td>13/14 STREET SWEEPING 22HR AT DALYELLUP, 20HR AT CAPEL</td>
<td>3927.00</td>
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<tr>
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<td>------------</td>
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<td>--------------------------------------------------------</td>
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<tr>
<td>EFT16292</td>
<td>15/05/2014</td>
<td>BENDIGO BANK BUSINESS CREDIT CARD</td>
<td>AUSTRALIAN ENTOMOLOGICAL SUPPLIES-PURCHASE OF MOSQUITO EQUIPMENT-$1179.70, BREC - TICKET TO CRITICAL HORIZON CONFERENCE-$98.15, CAPEL IGA-REFRESHMENTS-$24.31, CELABRATION CAPEL-REFRESHMENTS-$227.29, ANBAR TAXI-TAXI FARE TO LGMA CONFERENCE-$49.98</td>
<td>1583.43</td>
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<td>EFT16293</td>
<td>15/05/2014</td>
<td>BUNBURY HARNEY REGIONAL COUNCIL</td>
<td>ORGANIC WASTE KERBSIDE COLLECTION &amp; WASTE EDUCATION PROGRAM FOR APRIL 14</td>
<td>7015.72</td>
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<td>EFT16294</td>
<td>15/05/2014</td>
<td>STAPLES AUSTRALIA PTY LTD</td>
<td>80X BOXES OF PAPER FOR THE PRINTING OF SHIRE SNIPPETS -$2030.16 &amp; STATIONERY FOR SHIRE OFFICE - $266</td>
<td>2296.16</td>
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<tr>
<td>EFT16295</td>
<td>15/05/2014</td>
<td>CLEANAWAY</td>
<td>EMPTY BINS AT THE WASTE TRANSFER STATION-$15010.44 &amp; CLEAR WASTE TO LANDFILL-$12209.88</td>
<td>27220.32</td>
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<tr>
<td>EFT16296</td>
<td>15/05/2014</td>
<td>DM &amp; S CURTIN</td>
<td>CARRY OUT QUARTERLY INSPECTION AND SERVICE OF AIR CONDITIONERS AT 11X SHIRE OWNED BUILDINGS</td>
<td>3531.00</td>
</tr>
<tr>
<td>EFT16297</td>
<td>15/05/2014</td>
<td>BUNBURY CITY BULLS JUNIOR RUGBY CLUB</td>
<td>KIDSPORT VOUCHER</td>
<td>200.00</td>
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<td>EFT16298</td>
<td>15/05/2014</td>
<td>COMMUNITY WORK CENTRES</td>
<td>NEWTON MOORE GARDENING CONSUMABLES 5 CLIENT JOBS</td>
<td>175.00</td>
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<td>EFT16299</td>
<td>15/05/2014</td>
<td>DIRT DESIGN</td>
<td>DALYELLUP PUBLIC OPEN SPACE MAINTENANCE 5.4.14-4.5.14</td>
<td>10671.00</td>
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<td>EFT16300</td>
<td>15/05/2014</td>
<td>DAPCO</td>
<td>4 X NEW TYRE TOYOTA BUS CP 5685</td>
<td>744.60</td>
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<td>EFT16301</td>
<td>15/05/2014</td>
<td>EATON HARDWARE</td>
<td>HACC - HARDWARE SUPPLIES FOR APRIL14</td>
<td>50.78</td>
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<td>EFT16302</td>
<td>15/05/2014</td>
<td>EASIFLEET MANAGEMENT</td>
<td>LEASE REPAYMENT OF SUZUKI SWIFT-CEO &amp; MAZDA -HR: APRIL 14</td>
<td>1557.47</td>
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<tr>
<td>EFT16303</td>
<td>15/05/2014</td>
<td>GOLDEN WEST PLUMBING &amp; DRAINAGE</td>
<td>REPLACE SINK TAP AND SPOUT AT UNIT 4 THOMAS RD BOYANUP RIVERSIDE VILLAS</td>
<td>479.60</td>
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<td>15/05/2014</td>
<td>GRESLEY ABAS</td>
<td>CAPEL ADMIN REFURBISHMENT PROJECT</td>
<td>6444.90</td>
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<td>EFT16305</td>
<td>15/05/2014</td>
<td>GHD PTY LTD</td>
<td>WATER MONITORING</td>
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<td>EFT16306</td>
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<td>GRACE RECORDS MANAGEMENT</td>
<td>RECORD FOR STORAGE &amp; DESTRUCTION 1/4/14-30/4/14</td>
<td>276.93</td>
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<td>EFT16307</td>
<td>15/05/2014</td>
<td>HORTICULTURE AUSTRALIA LIMITED</td>
<td>MANAGING BITING FLY IN VEGETABLE CROP REPORT</td>
<td>1105.29</td>
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<td>IVC COMPUTER SERVICES IVC</td>
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<td>EFT16309</td>
<td>15/05/2014</td>
<td>JUMOR WASTEWATER SERVICE &amp; REPAIRS</td>
<td>SERVICE ATU</td>
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<td>EFT16310</td>
<td>15/05/2014</td>
<td>SOUTH WEST ISUZU</td>
<td>MASTER CYLINDER REPAIRS - LEAKING OIL &amp; REPLACE WINDSCREEN FOR CP855</td>
<td>849.75</td>
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<td>EFT16311</td>
<td>15/05/2014</td>
<td>KLEENHEAT GAS</td>
<td>103 L OF GAS</td>
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<td>EFT16312</td>
<td>15/05/2014</td>
<td>PERTHWASTE GREEN RECYCLING</td>
<td>DISPOSAL OF KERBSIDE RECYCLABLES APRIL 14</td>
<td>4930.61</td>
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<td>EFT16313</td>
<td>15/05/2014</td>
<td>MANPOWER</td>
<td>2X MANPOWER HIRE</td>
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<td>15/05/2014</td>
<td>PJ &amp; EV PAGE</td>
<td>WAXING AND BUFFERING OF BOYANUP HALL APRIL 14</td>
<td>70.00</td>
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<td>15/05/2014</td>
<td>SOUTH WEST TREE SAFE</td>
<td>CARRY OUT STREET TREE PRUNING CAPEL AND BOYANUP TOWN SITES - $27500, REMOVE &amp; STUMP GRIND DEAD TREE AT WEST RD CAPEL-$770</td>
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<td>15/05/2014</td>
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<td>13/14 METERBILLING – FOR 4X SHIRE PHOTOCOPIER</td>
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<td>EFT16317</td>
<td>15/05/2014</td>
<td>SCITECH</td>
<td>SCITECH SHOW FOR 131 STUDENT ON 23/4/14-24/4/14</td>
<td>1305.00</td>
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<td>15/05/2014</td>
<td>D &amp; K THOMAS ELECTRICAL</td>
<td>REPLACE EXHAUST FAN IN UNIT 4 THOMAS RD BOYANUP RIVERSIDE VILLAS</td>
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<td>TOTAL GREEN RECYCLING PTY LTD</td>
<td>RECYCLE E-WASTE APRIL 2014 2967 KG</td>
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<td>15/05/2014</td>
<td>RAY TINK ROOFING</td>
<td>REPLACE GUTTERING &amp; DOWN PIPES AT BOYANUP FOOTBALL CLUB-$1166 &amp; BOYANUP BOWLING CLUB-$6160</td>
<td>7326.00</td>
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<td>EFT16321</td>
<td>15/05/2014</td>
<td>VASSE CIVIL &amp; DRAINAGE</td>
<td>DRAINAGE WORKS ON WEST RD</td>
<td>5310.80</td>
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<td>15/05/2014</td>
<td>WESTERN AG PTY LTD</td>
<td>12X BLADE RETAINING BOLTS AND 12X WASHERS FRONT MOWER</td>
<td>322.74</td>
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<td>EFT16323</td>
<td>15/05/2014</td>
<td>WARREN BLACKWOOD WASTE</td>
<td>WASTE CONTRACT FOR HOUSEHOLD WASTE, RECYCLING AND ORGANICS &amp; STREET BIN FOR APRIL 14</td>
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<td>EFT16324</td>
<td>15/05/2014</td>
<td>THE YOUTH DRIVER DEVELOPMENT PROGRAM</td>
<td>YOUTH DRIVER DEVELOPMENT PROGRAM 2014 FOR 12X STUDENTS@$175EA</td>
<td>2100.00</td>
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<td>EFT16325</td>
<td>20/05/2014</td>
<td>THE CHILDREN’S BOOK COUNCIL OF AUSTRALIA</td>
<td>2014/2015 - INSTITUTIONAL MEMBERSHIP FEE</td>
<td>60.00</td>
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<td>EFT16326</td>
<td>21/05/2014</td>
<td>ALL WEST BUILDING APPROVALS PTY LTD</td>
<td>ASSISTING WITH THE ASSESSMENT OF BUILDING LICENCE @$65 PER HR PLUS GST MAY 14</td>
<td>1320.00</td>
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<td>21/05/2014</td>
<td>BUNBURY TAXIS CO-OPERATIVE LTD</td>
<td>HACC- WHEEL CHAIR TAXI SERVICE TO TAKE CLIENT TO DAY CENTRE</td>
<td>18.00</td>
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<td>EFT16328</td>
<td>21/05/2014</td>
<td>B &amp; B STREET SWEEPING</td>
<td>HIRE SUMP SUCKER FOR DALYELLUP AREA FOR 42.5 HR FROM 2/4/14-16/04/14</td>
<td>3973.75</td>
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<td>EFT16329</td>
<td>21/05/2014</td>
<td>KORONG VENDING (BCM VENDING)</td>
<td>HACC - MACHINE RENTAL MAY 14</td>
<td>190.00</td>
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<td>EFT16330</td>
<td>21/05/2014</td>
<td>BP AUSTRALIA</td>
<td>DISTILLATE - 8080L</td>
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<td>EFT16331</td>
<td>21/05/2014</td>
<td>CAPELBERRY</td>
<td>CATERING FOR NOISE SEMINAR</td>
<td>250.00</td>
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<td>EFT16332</td>
<td>21/05/2014</td>
<td>COLROYS COUNTRY KITCHEN</td>
<td>HACC- VOLUNTEER’S FUEL FOR APRIL 14</td>
<td>50.00</td>
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<td>EFT16333</td>
<td>21/05/2014</td>
<td>DALYELLUP BEACH SURF CLUB</td>
<td>MINOR COMMUNITY GRANTS SCHEME - PURCHASE OF LIFE SAVING EQUIPMENT</td>
<td>3584.90</td>
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<td>EFT16334</td>
<td>21/05/2014</td>
<td>DALYELLUP BEACH COMMUNITY ASSOCIATION INC</td>
<td>REFRESHMENTS FOR HEARING TESTS</td>
<td>150.00</td>
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<td>EFT16335</td>
<td>21/05/2014</td>
<td>FENNESSY’S</td>
<td>50,000KM SERVICE FOR 45CP.</td>
<td>210.91</td>
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<td>AUSTRALIAN TAXATION OFFICE</td>
<td>BAS FOR APRIL 14</td>
<td>69375.00</td>
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<td>EFT16337</td>
<td>21/05/2014</td>
<td>HARRADINE &amp; ASSOCIATES</td>
<td>DESEXING SUBSIDY FOR APRIL 14</td>
<td>350.00</td>
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<td>EFT16338</td>
<td>21/05/2014</td>
<td>A INGRAM</td>
<td>REIMBURSE BOOKSTOCK PURCHASES 31X ITEMS</td>
<td>534.96</td>
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<td>EFT16339</td>
<td>21/05/2014</td>
<td>INSIGHT CCS PTY LTD</td>
<td>CALL CENTRE CHARGE-57X CALLS FOR APRIL 14</td>
<td>293.77</td>
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<td>EFT16340</td>
<td>21/05/2014</td>
<td>LD TOTAL</td>
<td>ADDITIONAL MAINTENANCE FOR FEB-$7839.54 &amp; APR14-$5601.18</td>
<td>13440.72</td>
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<td>EFT16341</td>
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<td>FAT BIRDIE CAFE</td>
<td>CATERING FOR COAST SWAP MEETING</td>
<td>93.50</td>
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<td>Date</td>
<td>Description</td>
<td>Details</td>
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<td>21/05/14</td>
<td>THE WORKWEAR GROUP (NEAT N TRIM UNIFORMS PTY LTD)</td>
<td>13/14 UNIFORM ORDER 88.00</td>
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<td>21/05/14</td>
<td>OFFICEWORKS SUPERSTORES PTY LTD</td>
<td>OFFICE CHAIR FOR DIRECTOR OF ENGINEERING &amp; OTHER STATIONERY ITEMS 276.87</td>
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<td>21/05/14</td>
<td>DL &amp; HR PAYNE</td>
<td>TOW VEHICLE FROM OCEAN OFF BARNDI WALK ENTRANCE TO PEPPERMINT GROVE BEACH TO CAR PARK. 280.50</td>
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<td>21/05/14</td>
<td>SOUTH WEST TREE SAFE</td>
<td>REMOVE DEAD TREE FROM VERGE OF 41 MAIDMENT PARADE, DALYELLUP. 385.00</td>
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<td>21/05/14</td>
<td>SIGNAL ONE</td>
<td>6X SHIRTS &amp; 6X CARGO PLUS FREIGHT 874.97</td>
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<td>21/05/14</td>
<td>VEEN’S DESIGN AND DRAFTING SERVICE</td>
<td>DRAFTING MEN’S SHED 1540.00</td>
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<td>21/05/14</td>
<td>WESTERN AUSTRALIAN TREASURY CORPORATION</td>
<td>INTEREST AND LOAN REPAYMENT: LOAN 64-CAPEL HALL $27371.28 &amp; LOAN 66-FLOOD LIGHTS FOR BOYANUP, CAPEL &amp; DALYELLUP $26976.17 54347.45</td>
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<td>21/05/14</td>
<td>WOOLWORTHS LIMITED (WA)</td>
<td>HACC - DAY CENTRE SUPPLIES FOR CASINO NIGHT 294.35</td>
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<td>27/05/14</td>
<td>AUSTRALIA POST</td>
<td>POSTAGE FOR MONTH APRIL 14 1702.02</td>
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<td>JOHN ANDERSON ELECTRICIAN</td>
<td>RELOCATION OF DATA POINTS AND POWER POINTS AT DALYELLUP LIBRARY 120.01</td>
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<td>27/05/14</td>
<td>ALL WEST BUILDING APPROVALS PTY LTD</td>
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<td>BOYANUP BUILDING AND EARTHWORKS CONTRACTORS</td>
<td>CARRY OUT REPAIRS TO BRIDGE APPROACH FROM EROSION DAMAGE AT BOYANUP RIVER WALK TRAIL 3432.00</td>
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<td>27/05/14</td>
<td>BUNBURY CHAMBER OF COMMERCE</td>
<td>BUDGET BREAKFAST ON 20 MAY 2014 ATTENDED BY A COUNCILLOR 45.00</td>
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<td>27/05/14</td>
<td>CAPEL HARDWARE &amp; FARM SUPPLIES</td>
<td>3X 8.5KG GAS-$114, APRIL 14 HARDWARE SUPPLIES-$906.91 1020.91</td>
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<td>CAPELBERRY</td>
<td>DINNERS FOR 16 COUNCILLORS FOR MAY 14 COUNCIL MEETINGS 449.50</td>
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<td>27/05/14</td>
<td>DALYELLUP NETBALL CLUB INC</td>
<td>21X KIDSPORT VOUCHERS: 6X($75), 2X($135), 13X(160) 3250.00</td>
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<td>EFT16358</td>
<td>27/05/2014</td>
<td>FLOWER BAZAAR</td>
<td>FLORAL ARRANGEMENT PLUS DELIVERY</td>
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<td>EFT16359</td>
<td>27/05/2014</td>
<td>LESLEY JACKES</td>
<td>RATES REFUND FOR ASSESSMENT A3098</td>
<td>600.00</td>
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<td>STATE LIBRARY OF WESTERN AUSTRALIA</td>
<td>4X RECOVERIES OF LOST &amp; DAMAGED BOOKS</td>
<td>15.40</td>
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<td>27/05/2014</td>
<td>METAL ARTWORK CREATIONS</td>
<td>4X NAME BADGES &amp; POSTAGE</td>
<td>48.40</td>
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<td>EFT16362</td>
<td>27/05/2014</td>
<td>FAT BIRDIE CAFE</td>
<td>3X CATERING: CLIMATE CHANGE MEETING 19.3.14, LEMC EXERCISE MEETING 20.3.14, LGIS PRESENTATION 8.4.14</td>
<td>332.00</td>
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<td>EFT16363</td>
<td>27/05/2014</td>
<td>PROMOTE YOU</td>
<td>150 X 750ML SPORTS BOTTLE @$9.35EA</td>
<td>1402.50</td>
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<td>EFT16364</td>
<td>27/05/2014</td>
<td>PRESTON POWER EQUIPMENT</td>
<td>SERVICE HEDGER-$119.50 &amp; VARIOUS ITEMS FOR WHIPPER SNIPPERS-$631</td>
<td>750.50</td>
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<td>EFT16365</td>
<td>27/05/2014</td>
<td>SOUTH WEST TREE SAFE</td>
<td>REMOVE 2X TREES &amp; REMOVED AND STUMP GRIND SUCKER AT PAYNE RD</td>
<td>1980.00</td>
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<td>EFT16366</td>
<td>27/05/2014</td>
<td>TOTALITY BUSINESS SOLUTIONS</td>
<td>2 X 4GB MEMORY STICK - $440, 5X DATA CARTRIDGES-$265</td>
<td>705.00</td>
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<td>EFT16367</td>
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<td>WA POLICE SERVICE</td>
<td>VOLUNTEER POLICE CHECK</td>
<td>15.10</td>
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<td>BUNBURY HOLDEN</td>
<td>HACC-45,000KM SERVICE CP5172</td>
<td>640.72</td>
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<td>27/05/2014</td>
<td>COASTAL HIRE T/AS GCS SECURITY SCAFFOLD</td>
<td>HIRE OF OFFICE AND TOILET AT CAPEL TIP: APRIL 14</td>
<td>454.92</td>
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<td>CARBONE BROS PTY LTD</td>
<td>167.31T OF GRAVEL</td>
<td>3095.24</td>
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<td>27/05/2014</td>
<td>DONALD VEAL CONSULTANTS</td>
<td>BOYANUP TRANSPORT INFRASTRUCTURE STUDY - FINALISE REPORT</td>
<td>7348.00</td>
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<td>EFT16372</td>
<td>27/05/2014</td>
<td>FENNESSYS</td>
<td>40,000KM SERVICE ON 43CP</td>
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<td>27/05/2014</td>
<td>JETLINE KERBING CONTRACTORS</td>
<td>SUPPLY &amp; LAY BACKFILL TO VARIOUS LOTS ON WIDDESON RD - #15,17,19,21,23,27,29</td>
<td>10230.00</td>
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<td>EFT16374</td>
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<td>STATE LIBRARY OF WESTERN AUSTRALIA</td>
<td>3X RECOVERIES OF LOST &amp; DAMAGED BOOKS</td>
<td>55.00</td>
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<td>27/05/2014</td>
<td>NIGHTGUARD SECURITY SERVICE PTY LTD</td>
<td>ALARM RESPONSE &amp; SECURITY FOR 4X SHIRE BUILDINGS FOR APRIL 14</td>
<td>1836.19</td>
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<td>OFFICEWORKS SUPERSTORES PTY LTD</td>
<td>5X LABEL MAKER TAPE</td>
<td>74.40</td>
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<td>EFT16377</td>
<td>27/05/2014</td>
<td>ROBERT'S TILT-TRAY &amp; HIAB SERVICE</td>
<td>TRANSPORT E-WASTE CONTAINER FROM CAPEL TO PERTH AND RETURN FOR APRIL 14</td>
<td>869.00</td>
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<td>EFT16378</td>
<td>28/05/2014</td>
<td>AUSTRALIANSUPER</td>
<td>SUPERANNUATION CONTRIBUTIONS</td>
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<td>ANZ SMART CHOICE SUPER ACCOUNT</td>
<td>SUPERANNUATION CONTRIBUTIONS</td>
<td>356.08</td>
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<td>EFT16380</td>
<td>28/05/2014</td>
<td>SHIRE OF CAPEL SOCIAL CLUB</td>
<td>PAYROLL DEDUCTIONS</td>
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<td>28/05/2014</td>
<td>CHAMPAGNE LIFESTYLE SUPERANNUATION FUND</td>
<td>SUPERANNUATION CONTRIBUTIONS</td>
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<td>CHILD SUPPORT AGENCY</td>
<td>PAYROLL DEDUCTIONS</td>
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<td>EVANS FAMILY SUPERANNUATION FUND</td>
<td>SUPERANNUATION CONTRIBUTIONS</td>
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<td>PORTFOLIOFOCUS</td>
<td>SUPERANNUATION CONTRIBUTIONS</td>
<td>326.25</td>
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<td>TWUSUPER</td>
<td>SUPERANNUATION CONTRIBUTIONS</td>
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<td>WALGS PLAN</td>
<td>SUPERANNUATION CONTRIBUTIONS</td>
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<td>MANPOWER</td>
<td>LABOUR HIRER- 5.5.14-9.5.14</td>
<td>1834.66</td>
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<td>PERTH MANAGEMENT SERVICES</td>
<td>RENT AND OUTGOING FOR JUNE 14</td>
<td>1522.75</td>
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<td>ST JOHN AMBULANCE ASSOCIATION - CAPEL</td>
<td>FIRST AID TRAINING FOR FIRST AID FOR BABES PROJECT - FUNDED BY PUBLIC HEALTH ADVOCACY INSTITUTE OF WA</td>
<td>2870.00</td>
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<td>-EFT16458</td>
<td>SEE NEXT MONTH AGENDA ON THE 16.07.14</td>
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<td>EFT16459</td>
<td>21/05/2014</td>
<td>CALTEX AUSTRALIA</td>
<td>FLEET FUEL FOR 21X SHIRE VEHICLE FOR MAY 14</td>
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<td>47034</td>
<td>07/05/2014</td>
<td>BUNBURY HOSPITAL</td>
<td>PREVENT ALCOHOL &amp; RISK-RELATED TRAUMA IN YOUTH - IN CONJUNCTION WITH YOUTH DRIVER DEVELOPMENT PROGRAM</td>
<td>50.00</td>
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<td>SHIRE OF CAPEL</td>
<td>PETTY CASH REIMBURSEMENT- CAPEL LIBRARY</td>
<td>78.00</td>
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<td>47036</td>
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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 18th June 2014 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.

Mr Dent returned to the Chambers at 7.30pm.

VOTING REQUIREMENTS

Simple majority

OC0623 OFFICER’S RECOMMENDATIONS – 17.7/COUNCIL DECISION

Moved Cr Manley, Seconded Cr Smith

That Council receives:

1. The Schedule of Accounts covering vouchers 416 to 430, EFT16244 to EFT16389, CHQ47034 to CHQ47091 totalling $684,912.68 during the month of May 2014;

2. Payroll payments for the month of May 2014, totalling $356,387.93; and

3. Transfers to and from investments as listed.

Carried 8/0
MATTER FOR CONSIDERATION

Council to consider adopting the monthly financial statements for May 2014.

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


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.


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 May 2014, Council’s net current assets position was a surplus of $885,033. The surplus bought forward from the 2012/13 financial year is $5,457. The forecast year end net current asset position is a surplus of $10,315 which is a decrease from last month’s deficit of $11,690. This amount may vary each month as the forecast is updated with revised figures.

Compared to the amended annual budget, 99% of Operating Revenue has been invoiced and 88% of the Operating Expenditure has been spent.
A comparison of employee costs shows that 86% of the amended budget has been spent. The actual employee costs are below the amended year to date budget. The forecast year end employee costs amount of $7,238,765 is just below the amended employee cost annual budget amount of $7,244,580. The employee costs figure includes the leave provisions expenses.

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 year end budgeted operating revenue is for non-cash infrastructure income.

The liquidity graph compares the current year’s net current assets position against that of the two previous years. Liquidity is continuing to move down in line with previous years.
Council’s municipal cash and investments position has decreased by $497,898 compared to April 2014. The Municipal cash position is an amount of $10,577,864 of which $9,125,709 is restricted for specific purposes as shown at Note 3. Cash revenue came from the final instalment of the Local Government Grants Commission grant allocation. Major cash expenses were for salary costs, loan repayments, fringe benefits taxation payment and waste contractors payments.

Total interest earned for the year is $377,899 which is 69% of the annual budget. The year end forecast for interest earnings is $458,751 which will be below the amended budget amount of $544,128. The average investment rate of return of 3.31% exceeds the Reserve Bank’s cash reference rate of 2.50%. The Reserve Bank of Australia on 3rd June 2014 kept the target cash rate at 2.50%. Three term deposits matured during the month and the full balance was re-invested. The Shire has term deposits maturing to November 2014 with the investment terms ranging from 91 days to 154 days. The Trust account has an amount of $1,252,818 deposited in a WA Treasury Corporation overnight cash deposit facility. The interest rate on this account is higher than the Bendigo transaction trust cheque account and allows the funds to be withdrawn at twenty four hours’ notice. The amount held in the overnight facility is equal to a cash bond that was expected to be returned to a developer by month end. Rainfall has resulted in a delay returning the bond. The following graph compares the Shire’s interest rate earned on investments against the Reserve Bank’s reference rate.
Capital works expenditure of $33,629 was incurred during the month on:

- $21,700 Road reconstruction,
- $4,070 Playground replacement program
- $5,859 Capel Shire administration building refurbishment and
- $2,000 HACC Men’s Shed.

The following graph compares actual capital expenditure against budget on a year to date basis. Last year’s actual is included for comparative purposes. The increase in year end budgeted capital expenses is for non-cash infrastructure which have yet to be calculated.

Council’s financial ratios are disclosed in Note 14. The Current Ratio decrease from 3.05 to 2.20 was caused by the expected fall in the cash balance. The Debt Service Coverage Ratio has decreased from 7.13 to 5.37 but remains above last year’s ratio of 3.32 because of the budgeted increase in the year to date Debt Service costs (principal plus interest).

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 is a single debt for $27,500 at greater than 30 days that has been received just after the month end.

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 and services debtor balance.
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 2013/14 will be calculated 1 July 2014. Rates and Services in Arrears at the start of each financial as a percentage of the Rates and Services Debtor Balance has been: 2013/14 2.68%, 2012/13 2.77% and 2011/12 2.35%.

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 May 2014.

**VOTING REQUIREMENTS**

Simple majority

**OC0624 OFFICER’S RECOMMENDATION – 17.8/COUNCIL DECISION**

Moved Cr Bell, Seconded Cr Manley

That Council adopts the financial statements for the period ending 31 May 2014 as attached.

Carried 8/0
COMMUNITY SERVICES REPORTS

OC0625 (18.1) Bunbury Wellington District Sports Facilities Plan 2013 – Stage 2

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<td>File Reference:</td>
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<td>Date:</td>
<td>29.05.14</td>
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<td>Author:</td>
<td>Director Community Services, M Plume</td>
</tr>
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<td>Senior Officer:</td>
<td>Chief Executive Officer, P Sheedy</td>
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MATTER FOR CONSIDERATION

Council to consider receiving the “Bunbury-Wellington District Sports Facilities Plan 2013 – Stage 2” as a guiding and reference document to assist future recreation planning and the development of sports facilities in the Shire and within the region.

BACKGROUND / PROPOSAL

Background

Council at its meeting on 27 February 2008 (minute reference OC0210) resolved the following:

“That Council:

1. Approves the entering of a partnership with the Department of Sport and Recreation to produce a subregional plan of sport and other physical activity facilities covering the areas of Brunswick, Leschenault, Australind, Eaton, Bunbury (including the outer suburbs), Gelorup, Boyanup, Dalyellup and Capel which will be presented to Council on completion; and

2. Approves of the Community Development Coordinator as its nominated representative on the Greater Bunbury Coastal Sport Facility Development Plan Working Group.”

Council at its meeting on 27 May 2009 (minute reference OCO529) resolved the following:

“That Council:

Receive the “Greater Bunbury Sports Facilities Planning Report Stage 1” as a planning tool to guide the future provision of sport and active participation facilities”.

Proposal

1. To acknowledge receipt of the Bunbury Wellington District Sports Facilities Plan 2013 – Stage 2”

2. To support the intent of the plan for local governments and the Department of Sport and Recreation to partner together in the provision of regional facilities and improvement to the delivery of sustainable recreational facilities.

STATUTORY ENVIRONMENT

There are no statutory implications in regards to this matter.
POLICY IMPLICATIONS

There are no policy implications in regards to this matter.

FINANCIAL IMPLICATIONS

Budget

The preparation of the Plan was funded by the Department of Sport and Recreation.

There are no implications to the 2013/14 budget.

The acceptance of the document/plan as a reference or guiding document has no cost implications for future budgets. Implementing the recommendations made in the plan will have no unbudgeted impacts on future budgets.

Long Term

The actions set out in the implementation of this 20 year plan will involve the need for staff resource involvement on an ongoing basis. The initiatives of the plan also propose local government cross boundary support to the provision of subregional and regional facilities and this may involve financial contributions yet to be determined. The merits of sharing regional facility costs will assist in minimising costs and demands from the Shire of Capel community to provide facilities that would not be sustainable at the local level. These will need discussion at the regional working group level and reported to Council as they arise, for consideration as part of the Long Term Financial Plan.

In addition to the costs of the implementation of the Plan, it is likely that regional working group actions may identify avenues to improve income for facility development and management at the local level.

Outcomes of the implementation of the plan may require MOUs and legal agreements in the future if regional partnerships are to be established which involve financial sharing of costs.

Whole of Life

It is also likely that in addition to contributing to regional facilities there will be a need to consider contributions to asset maintenance.

SUSTAINABILITY IMPLICATIONS

Implementation of this Plan will result in improved recreational facilities for all regional communities. With improved facilities to address the growing region, social contact and healthy lifestyles will be maintained.

The initiatives of the Plan will include research and investigations into achieving improvements to the management of facilities to ensure more sustainable use of resources such as water and energy usage. The development of new regional facilities may result in natural environmental impacts, however the focus of the Plan clearly indicates environmental impacts will be reduced where possible.

Partnerships in the provision of regional facilities will save unnecessary and costly duplication of facilities. It is possible that the development of jointly funded facilities may result in facilities being developed more timely and efficiently resulting in employment benefits, and potentially more efficient use of Council resources.

STRATEGIC IMPLICATIONS

The Strategic Community Plan 2013 to 2031 includes the following strategic outcomes which have relevance:
Leadership Experience:
1.5 – Ensure the effective management of Council’s resources

Community Experience:
2.1 Provide social, recreational and cultural opportunities and facilities for our communities
2.2 Encourage community engagement and participation

Infrastructure Experience:
5.6 – Effectively manage the Shire’s Assets and resources

Strategic Outcome 2.1 will most significantly be assisted by the implementation of the Plan which will directly link to the Corporate Plan Strategy “2.1A – Plan for sustainable community facilities, sport and recreation space and other infrastructure which addresses current and future needs of the community”.

CONSULTATION

The Department of Sport and Recreation (DSR) engaged Davis Langdon to undertake the study which produced this report.

Consultation was taken with representatives from each of the local governments in the Bunbury Wellington District including an analysis of sports facility requirements, current industry trends, demographic projections, strategic planning processes and an assessment of each sport’s anticipated needs.

Consultation was also taken with the South West Development Commission, Regional Development Australia, Edith Cowan University – SW, Department of Water, Department of Transport, Department of Planning, Bunbury Catholic College and Bunbury Cathedral Grammar School. A number of consistent issues and potential opportunities were raised which are considered important in developing the Plan.

What is interesting to note are the following comments taken out of the individual summaries of the consultation which was undertaken.

South West Development Commission (SWDC)

- The SWDC recognises significant growth will occur in the Dalyellup area, and therefore their sport and recreation provision will need to be provisioned, some of which may be able to be accessed through Bunbury at Hay Park.

- The SWDC views sports as catalysts for economic development (particularly AFL, Soccer, Cricket and Water Sports) however they are not considered an economic driver.

- Within the Bunbury-Wellington District there needs to be a focus on the sport and recreation opportunities for the 60+ demographic including pathways, cycleways and recreation based activities.

- Throughout the district a focus should be on the provision of quality infrastructure, targeted around the following areas: Hay Park – Bunbury, Leschenault Recreation Park and Eaton.

- Currently the Country Local Government Fund has a sustainability focus, so projects would need to have a large focus on this to obtain funding.

- In order to obtain funding there must be a sound business proposition; the hooks are recognition, value for money, participation, access to coaches and positive interaction relationship.
- The ability to provide water for the irrigation of sport and recreation facilities in an increasingly dry climate is requiring further investigation, and could be a potential source of funding.

- Investment could be provided for the consolidation of the facilities at Leschenault and Hay Park.

**Regional Development Australia (RDA)** indicated that their current RDA strategy within the South West region focusses on supporting the following projects:

- Development of the SW Ballistics complex.

- Further development of the Collie Motorplex.

- Further development of the Bridleway for trail riding in SW.

- They would look to providing funding to projects that help reduce the use of ground water.

- The development of a synthetic track upgrade for Bunbury Turf Club.

- Assisting to help make provision for active spaces and facilities in the Bunbury-Wellington area.

**Department of Water (DoW)**

- Allocation limits for proclaimed groundwater resources are being reached and therefore fit for purpose groundwater may only be accessible through water licence trades or transfers. Water efficiency plans should be developed to improve the use of existing local government allocations, which will also reduce the demand for more allocations. There is also a need to investigate alternative fit for purpose water sources that can be used for future sporting facilities.

- With regards to the provision of synthetic surfaces DoW would support anything that aided in water conservation. The use of synthetic surfaces also reduces the requirement for fertiliser reducing the risk of nutrient mobilisation.

**Department of Transport (DoT)**

- There is a transport funding program for pathways, a key purpose of the program is, does it help to link community facilities? As paths are critical for the connectivity of the district. The program provides for 50% project cost, the design and location of pathways is critical for maximum usage.

- The public transport routes within the district are very important especially for seniors, youth and disabled to help provide connectivity. Whilst not being high volume they remain an important community feature. If there is a need for public transport on a particular route, then there is scope to amend routes, the DoT can advocate change.

So notwithstanding the comments made by the SWDC and the RDA during their consultation, it is likely that their positions have changed with the development of the Blue Print. It is quite apparent that there is no support for development in Capel Shire instead whilst they acknowledge the growth in Dalyellup they support the development of Hay Park in Bunbury. The Plan also stated that Regional Development Australia prefaced their statements and current vision by saying that it could all change with a change in Federal Government, and that in general the RDA is not supporting community projects, however if it is a big enough and an interesting project then they may consider it.
COMMENT

The study area comprised the Shires of Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey and the City of Bunbury.

This document aims to develop the 2009 Stage 1 report further by incorporating a broader area and determine Bunbury Wellington’s growth patterns and future facility requirements for the next 20 years. The population within this area is increasing rapidly, creating pressure for new, consolidated, rationalised or co-located facilities to be developed.

The document includes an analysis of sport facility requirements, based on assessing current industry trends, demographic projections, current planning processes, selected consultation with local government, State Government and other nominated stakeholders and an assessment of each sport’s anticipated needs. A number of key areas were identified which became a focus for the recommendations contained within the strategy. The recommendations that have specific reference to the Shire of Capel include the following:

- **The need to establish a coordinated cross LGA boundary process for the development of infrastructure.** This is to ensure that facilities are not duplicated and to assist in negotiating funds.

- **Equine Provision: (potential rationalisation and consolidation of activities):** information collated through the consultation process and from document reviews identified the value placed by the local community with regard to equine provision within the Bunbury – Wellington District. The growth in urban areas and the potential encroachment on such activity is a cause for concern. Similarly the proliferation of equine infrastructure and the lack of recent investment highlight the view that a long term strategic intervention is required.

  Council currently has a budget request from Capel Regional Equestrian Park to undertake a feasibility study to improve infrastructure with an emphasis on developing facilities to meet requirements for regional events. Council should be questioning what importance does the Capel Equestrian Park have at a regional level, given this plan identifies the requirement for long term strategic plan/intervention for the Equine industry.

- **Dual Use with Education:** One of the key development options of Bunbury-Wellington District members is the potential partnership opportunity with local schools. It is recommended that further investigation be undertaken with respect to dual use school opportunities and particularly the drafting of a standardised approach/policy for future shared/dual use agreements.

  This relates to Shared Use Agreements that the Shire is currently undertaking and it will be useful for further investigations to improve the disjointed process recently experienced.

- **Water/Climate/Environmental Considerations:** There is a need for partner organisations to develop a consistent reference point for addressing issues associated with global warming, water shortages, energy costs and other environmental concerns which impact on the provision of sport and recreation facilities.

  The Shire’s Sustainability Officer is significantly involved in the investigation of alternative water supplies and energy saving initiatives. It would be advantageous to partner with organisations to continue to make improvements in this area.

- **Cost & Access to Facilities:** The cost and access to facilities has been raised by local Sport Associations as inhibiting the growth and development of the sport. It is however recognised that the cost to hire/use of facilities will ultimately need to reflect the cost of the facility infrastructure provision, management and maintenance obligations.
This relates to the ongoing issues of being able to recover the cost of maintaining sport infrastructure and at the same time being able to set a reasonable fee base. Cross coordination with other Local Governments may provide opportunities and insights into other approaches taken in fee charging.

- **Redevelopment of Current Facility Infrastructure**: Within the Bunbury-Wellington District there are a number of facilities which have been identified as being critical to the development of Regional Sport and Recreation. These facilities can be identified as:
  - Aquatic and Recreation Centres e.g. Southwest Sports Centre, Leschenault Leisure Centre, Eaton Recreation Centre, Roche Park Recreation Centre, Collie Mineworkers Memorial Pool and Donnybrook Recreation Centre
  - Significant playing pitch provision e.g. Hay Park, Hands Oval, Eaton Oval, and Leschenault Recreation Park.

It is important to ensure that all Bunbury-Wellington District’s partners support and endorse the regeneration and redevelopment of these regional facilities as a priority for the region.

Whilst it is important that there be support for regional facilities such as aquatic and recreation facilities to prevent duplication of facilities at a local level, it is unclear as to what extent the Bunbury-Wellington District partners are expected to support and endorse the regeneration and redevelopment of these facilities.

- **Provision of Trails**: The Bunbury-Wellington District should have a regional trails plan that links with the Western Australian Trails strategy.

Whilst Council’s existing Trails Master Plan will be capable of providing significant input into a Regional Trails strategy, it is important from a funding point of view that local governments not just those within the Bunbury-Wellington District come together to discuss proposed trails, especially those that have indigenous components, as working together could reduce the costs associated with trails planning and development.

- **Active sporting reserves**: The significant population expansion expected over the next 10 – 20 years particularly within the Shires of Dardanup, Capel, Harvey and City of Bunbury will put added pressure on the use and capacity of existing facility infrastructure. Ongoing research and analysis is required on the capability of reserves to meet the growing demand for informal pitch sport provision.

In some respects this matter has been addressed by the recent preparation of the Shire’s Community Facilities and Services Plan and the ongoing review of the plan with monitoring of sports demand will be important.

- **Asset management**: It was evident that Asset Management Planning is undertaken on an as needs basis and that a number of local government sport and recreation facilities are in need of modernisation and improvement. The management and maintenance of assets is a critical concern and budgets will need to be adjusted to reflect the actual costs and set aside resources within a 15 year financial plan. This may result in potential rationalisation of the current asset base; alternative investment mechanisms and greater assistance being sought from State Government agencies including DSR.

It is agreed that the provision of asset management plans will be critical to the ongoing provision of the appropriate level of recreation infrastructure and it is important that Council give asset management planning a high priority.

- **Volunteer support**: The consultation process identified a significant problem with attracting coaches and volunteers. The facilitation of club development support shared across the Bunbury-Wellington District is critical in ensuring the clubs and association are effectively governed; are and continue to be financially viable; undertake appropriate training and development of key members (committee, coaches volunteers
and leaders); properly manage succession and maximise the use of LGA owned, controlled or supported facilities.

Whilst DSR has one club development officer that is shared across the Bunbury-Wellington District, Council should note that this resource is extremely limited and currently working to capacity within the City of Bunbury. The effect of this resource is making no impact towards club development within the Shire of Capel. As such the Shire’s Community Development officer is currently responsible for club development however with limited resources/time to allocate to the role, officer effectiveness is impacted.

In regards to sports facilities, a number of recommendations were identified for each sport as being of significance across the Bunbury-Wellington District: Those that were specific to Shire of Capel are as follows:

- **AFL:** consolidation of existing ovals and supporting infrastructure to ensure more effective use of oval space and secure the long term viability of existing clubs.
- **Bowls:** Investigate the potential to develop bowling infrastructure in Australind and Dalyellup to serve the immediate population.
- **Cricket:** Undertake a needs analysis to determine appropriate locations for cricket infrastructure for the future growth of the sport and for the provision of State level competitive games.
- **Equine:** Undertake a major review of the equine industry throughout the Bunbury-Wellington District and develop a strategic plan to ensure the long term growth and sustainability and viability of the industry.
- **Ballistic Sports:** Further negotiations are undertaken with major land owners to facilitate the co-location of a number of ballistics sports on one dedicated site.
- **Soccer:** Undertake a review of soccer facilities within the region and more particularly the development of rectangular pitch provision in and around the Greater Bunbury area.
- **Surf Lifesaving:** Support the ongoing development of surf lifesaving infrastructure and club development within the Bunbury-Wellington District.

A detailed Implementation Plan has also been developed (refer attachment) which identifies key actions to be undertaken in respect to the recommendations.

The Implementation Plan has been split into two key areas:

- **Strategic Focus Areas:** to identify broad cross boundary collaboration on consistent local government strategic planning matters. These relate to cross boundary operational matters and an approach to development across a number of sporting collectives (i.e. equine, motorsport and ballistic sports).
- **Specific Project Implementation:** To identify specific recommendations related to facilities across the Wellington Area for which a local government has sole responsibility for its development but may require the support of one or more neighbouring LGAs in order to secure implementation.

It is to be noted that the facility recommendations relate to infrastructure which has a regional or sub-regional level impact and the recommendations underpin decisions being undertaken in relation to the development of district wide sport and recreation strategies.

In conclusion it should be noted that whilst the implementation strategy has strong emphasis on cross coordination being LGAs and DSR, it does indicate that there is a need for the Shire to
ensure it is adequately resourced to participate in the implementation actions, to be able to provide data input into the range of analysis proposed.

The approach to the Plan does, however, provide a positive direction to ensuring there is reduced duplication of facilities that are required at the Regional and Subregional level, and strongly encourages regional partnerships.

Mr Dent left the Chambers at 7.36pm and returned at 7.37pm.

**VOTING REQUIREMENTS**

Simple majority

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<tr>
<th>OC0625 OFFICER’S RECOMMENDATIONS – 18.1/COUNCIL MOTION</th>
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Moved Cr Smith, Seconded Cr Norton

That Council resolves to:

1. To acknowledge receipt of the “Bunbury Wellington District Sports Facilities Plan 2013 – Stage 2” as a planning tool to guide the future provision of sport and participation facilities;

2. To actively participate in the Working Group for implementation of the Plan; and

3. To congratulate the Department of Sport and Recreation in the preparation of the Plan which has a strong emphasis on regional partnerships to deliver recreational facilities.

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<th>OC0626 AMENDMENT</th>
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Moved Cr Manley, Seconded Cr Norton

That Council resolves to:

1. To acknowledge receipt of the “Bunbury Wellington District Sports Facilities Plan 2013 – Stage 2” as a planning tool to guide the future provision of sport and participation facilities;

2. To actively participate in the Working Group for implementation of the Plan; and

3. To acknowledge the Department of Sport and Recreation in the preparation of the Plan which has a strong emphasis on regional partnerships to deliver recreational facilities.

The Amendment was Carried 8/0

The Amendment became the Motion and was Carried 8/0
NEW BUSINESS OF AN URGENT NATURE

OC0627 (19.1) Affixing Common Seal – Processing of Recyclables Contract

Location: Shire of Capel
Applicant: Perthwaste Pty Ltd
File Reference: N/A
Disclosure of Interest: Nil
Date: 12.06.14
Author: Chief Executive Officer, PF Sheedy
Senior Officer: Chief Executive Officer, PF Sheedy
Attachments: Nil

MATTER FOR CONSIDERATION

Council to endorse the affixing of the Shire of Capel Common Seal to the contract and signing by the President and Chief Executive Officer with Perthwaste for the Processing of Recyclables.

BACKGROUND / PROPOSAL

Background

May 2013 refers: Council at its meeting on 15 May 2013 resolved (Minute OC0512) in part:

‘That Council:

1. Enters into a contract with Perthwaste Pty Ltd, trading as Perthwaste Greenrecycling for the provision of processing of recyclables as detailed in scenario 2 of the Recommendation Report submitted to Council on 17 April 2013 and commences the contract effective from 1 July 2013 for a period of five (5) years with a further five (5) year extension options, exercisable at the absolute discretion of the Principal and subject to satisfactory performance of contract provisions;’

April 2014 refers: Following advice that the contract was in fact originally advertised as a ten year contract by WALGA in 2013 the previous decision of 15 May 2013 was rescinded by Council at its meeting on 16 April 2014 and the following resolved (Minute OC0406):

‘That Council enters into a contract with Perthwaste Pty Ltd, trading as Perthwaste Greenrecycling for the provision of processing of recyclables as detailed in scenario 2 of the Recommendation Report submitted to Council on 17 April 2013 and commences the contract effective from 1 July 2013 for a period of ten (10) years finishing 30 June 2023, subject to satisfactory performance of contract provisions.’

Proposal

For the contract to be finalised it requires the affixing of the Shire of Capel Common Seal and the signature of the President and Chief Executive Officer.

STATUTORY ENVIRONMENT

Local Government Act 1995 2.5 (2)

2.5. Local governments created as bodies corporate

(2) The local government is a body corporate with perpetual succession and a common seal.
POLICY IMPLICATIONS

Policy 2.2 Common Seal Affixing

POLICY STATEMENT

1. The President and Chief Executive Officer are authorised to sign and affix the Common Seal of the Shire of Capel to the following legal documents without referral to Council.
   
   a. Legal documents that are a renewal or extension of the original document and there is not a significant variation in clauses/conditions in the renewal.
   
   b. Legal documents required as a condition of a subdivision or development approval previously granted by Council.
   
   c. Grant agreements/acquittals requiring the affixing of the Common Seal.

2. All other legal documents requiring the affixing of the Common Seal must be referred to Council for approval.

All instances of affixing of the Common Seal shall be recorded in the relevant register.

FINANCIAL IMPLICATIONS

Budget

There is no cost incurred with the signing of the contract.

Long Term

The finalisation of the contract results in Council having financial obligations to retain the service for a period of 10 years at the agreed price.

Whole of Life

As no assets are being created there are no whole of life financial implications.

SUSTAINABILITY IMPLICATIONS

Whilst there are no sustainable implications with the signing of the contract, the introduction of the Processing of Recyclables as a result of the contract signing does result in substantial materials being diverted from landfill.

STRATEGIC IMPLICATIONS

The Strategic Community Plan 2013 to 2031

The Leadership Experience and strategic outcome 1.3 ‘Develop, support and implement innovative solutions.’

CONSULTATION

No consultation required on this matter.

COMMENT

As indicated in Policy 2.2 Common Seal Affixing, the affixing of the Common Seal and signing by the President and Chief Executive Officer must be referred to Council for approval unless exempt under clause 1 a-c of the policy.
VOTING REQUIREMENTS

Simple majority

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<th>OC0627 OFFICER’S RECOMMENDATIONS – 19.1/COUNCIL DECISION</th>
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Moved Cr Baxi, Seconded Cr Hearne

That Council approves the affixation of the Common Seal of the Shire of Capel to the contract ‘FOR THE SUPPLY OF SERVICES (PROCESSING OF RECYCLABLES)’ in the presence of the President and the Chief Executive Officer of the Shire of Capel, each whom shall sign the document to attest the affixation of the common seal.

Carried 8/0
PUBLIC QUESTION TIME Nil

MOTIONS WITHOUT NOTICE (ABSOLUTE MAJORITY BY COUNCIL) Nil

NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF THE COUNCIL Nil

ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS Nil

MEETING CLOSURE

The meeting closed at 7.40pm.

These minutes were confirmed at an Ordinary Council meeting on 16 July 2014.

Signed

Presiding Person at the meeting at which time the minutes were confirmed.

Date