

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 20<sup>TH</sup> NOVEMBER 2013 COMMENCING AT 4.30PM.

*PF Sheedy.*

PF Sheedy  
CHIEF EXECUTIVE OFFICER

18 November, 2013

# AGENDA

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**IMPORTANT NOTE:**

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

**1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

**2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

**3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**4 PUBLIC QUESTION TIME**

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

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

**6 DECLARATION OF INTEREST**

**7 NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**

**8 CONFIRMATION OF MINUTES**

8.1 Ordinary Council Meeting – 16.10.13

8.2 Special Council Meeting – 23.10.13

**9 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION**

**10 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Kathryn Heaton, Water Source Strategy Advisor of Strategic Projects, and Lauren Lane, both of the Water Corporation are to make a presentation to Council on the “Water Forever South West” project.

*Any person or group wishing to make a 5 minute presentation to Council regarding any matter on this agenda for consideration must request the right to do so in writing to the Chief Executive Officer prior to 12 noon on the day of this Council meeting. For more information about presentations please contact the Executive Assistant on 9727 0222 or email [info@capel.wa.gov.au](mailto:info@capel.wa.gov.au).*

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

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

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

**13 CHIEF EXECUTIVE OFFICER REPORTS****13.1 Annual Report 2012/13**


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Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	21.10.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	Annual Report 2012/13 (provided to Councillors under separate cover)

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**MATTER FOR CONSIDERATION**

Council is requested to consider and accept the Annual Report for 2012/13.

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

A local government must prepare an Annual Report each financial year. The Annual Report is to include:

- A report from the President
- A report from the CEO
- An overview of the plan for the future of the district
- The annual financial report
- The Auditor's report
- A report in accordance with the Disability Services Act
- A report on the Register of Complaints

**Proposal**

The Annual Report includes some facts and figures on the Shire, details of the Strategic Community Plan, Elected member details and meeting attendance in 2012/13, the President, Chief Executive Officer and Departmental reports outlining achievements of the past financial year and the audited financial reports of the Council to comply with Local Government Act requirements.

The adoption of the annual report by Council allows for the holding of the annual electors meeting which is set for Wednesday 4<sup>th</sup> December 2013 in the Council Chambers commencing at 6.00pm.

**STATUTORY ENVIRONMENT**

The Local Government Act 1995, sections 5.53, 5.54 and 5.55

**5.53. Annual reports**

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
  - (a) a report from the mayor or president; and

- (b) a report from the CEO; and
- [(c), (d) deleted]
- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and
- (f) the financial report for the financial year; and
- (g) such information as may be prescribed in relation to the payments made to employees; and
- (h) the auditor’s report for the financial year; and
- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
- (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including –
  - (i) the number of complaints recorded in the register of complaints; and
  - (ii) how the recorded complaints were dealt with; and
  - (iii) any other details that the regulations may require; and
- (i) such other information as may be prescribed.

**5.54. Acceptance of annual reports**

(1) Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.

\* *Absolute majority required.*

(2) If the auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor’s report becomes available.

**5.55. Notice of annual reports**

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

**POLICY IMPLICATIONS**

There is no policy implications related to this matter.

**FINANCIAL IMPLICATIONS**

**Budget**

The Annual Report is produced in a glossy format document at an estimated cost of \$1,000 and an amount of \$1,000 is included in the annual budget under printing and stationery to cover this cost.

The annual financial report presents the financial performance for the past financial year and is scrutinised by an independent auditor to ensure compliance with legislation and accounting standards. The financial impact upon the current financial year is that the audited net current assets position becomes the actual brought forward surplus/(deficit) for the Rate Setting Statement.

**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**

Due to its size the printing of the Annual Report has the potential to unnecessarily consume scarce resources if the number of printed copies exceeds demand.

The annual electors' meeting provides the opportunity for community members to meet with Councillors and senior staff in a social environment.

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031 'The Leadership Experience', strategic objective 'Ensure open, transparent, effective and good governance and communication within the organisation and the community' is relevant to this item.

### **CONSULTATION**

The Annual Electors meeting will be advertised in the local newspaper and questions on the Annual report are taken at the Electors meeting.

### **COMMENT**

In addition to the financial report the Annual Report includes commentary on the past year's activities and performance for each of the Shire's divisions as well as statements from the President and Chief Executive Officer and other information to comply with various statutory requirements.

The Independent Audit Report and Management Letter were received on 8 October 2013. Both reports were provided to the Audit Committee at their meeting on 16 October 2013 and the Committee reviewed and accepted the reports and recommended them to Council. The minutes of the Audit Committee are to be provided to Council at its meeting on 20 November 2013. The Audit Report noted one matter of non compliance with the Local Government Act, being the failure to report unbudgeted expenditure, authorised by the President in an emergency, to the next meeting of the Council and there were seven recommendations attached to the Management letter. The Audit Report has been included within the Annual Report.

The Audit Committee was also provided with a copy of the Annual Financial Report for 2012/13 and an explanation of the Shire's financial performance was included in the report to the Committee. This explanation has been included in the Finance section of the Annual Report.

In summary the Shire of Capel recorded a net operating result for the year of a surplus of \$1,454,480 compared to \$2,295,379 last year. Below the net operating amount is shown other comprehensive income amount of \$13,266,412. This amount is the revaluation increment of; land & buildings, plant & equipment and furniture & equipment. An explanation and amounts of the revaluation are detailed in the financial report at Note 1(g), Note 7 and Note 13. The total comprehensive income is the net result plus other comprehensive income equal to \$14,720,892.

It is proposed that Council hold its Annual Electors' meeting at the Council Chambers on 4 December 2013 commencing at 6.00pm. The availability of the Annual Report will be advertised so it is available for people attending this meeting.

### **VOTING REQUIREMENTS**

Absolute majority

**OFFICER'S RECOMMENDATIONS – 13.1**

**That Council receives and endorses the Annual Report 2012/13 that also includes the Annual Financial Report 2012/13.**

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**13.2 Naming of Reserves – Local Identities**

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Location:	Hasties Road, Gelorup Lowrie Road, Gwindinup
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	21.10.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	Reserves 2307 & 25500 Lowrie Road, Gwindinup

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**MATTER FOR CONSIDERATION**

The naming of identified Council managed reserves after a local identity that is still living.

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

Council has previously received correspondence from a community member (Brian Piesse) requesting that Council give consideration to nominated reserves, under the management control of Council, being named after a local identity who has contributed many hours of voluntary service undertaking works in these reserves.

**Proposal**

Mr Piesse is proposing that the two reserves that border South West Highway on the north and south sides of Lowrie Road in Gwindinup being named after Michael Tichbon a long time resident of the area who has undertaken conservation works on both of these reserves.

Michael Tichbon has been and member and Chairperson of the Capel LCDC for many years and was recognised for his environmental and conservation stewardship by the State Government several years ago.

It is suggested that the two reserves could be named 'Michael Tichbon – Flora & Fauna Reserve (1) and (2) or Michael Tichbon – Landcare Reserve (1) and (2).

**STATUTORY ENVIRONMENT**

Land Administration Act 1997

**POLICY IMPLICATIONS**

Policy 15.15 'Roads and Reserves Names' in part has relevance to this item and the relevant parts are detailed below.

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

Any proposals submitted by a subdivider, organisation or member of the community for the naming of a road, reserve, park or other place shall be in accordance with the following provisions. Where the Shire determines that an unnamed road, reserve, park or other place should be named, these proposals shall also be considered in accordance with these provisions.



In order to achieve a consistent approach to road and reserve naming, the Shire requires names to:

- recognise the significance of individual achievements or historic events in the Shire;
- promote the history and the cultural heritage of the locality;
- avoid duplication within the Shire or in adjacent municipalities to reduce misdirection of emergency services, visitors and others;
- be simple to pronounce; and
- give regard to road and reserve sign maintenance.

All road and reserve naming shall reflect the *Principles, Guidelines and Procedures* of the *Geographic Names Committee*.

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

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

3.2 Other names may be suitable if reflecting:

- the cultural heritage or natural features of the locality;
- a former eminent explorer, natural scientist or conservationist with some association with the area; or
- an existing theme in the locality.

3.3 Aboriginal words are also encouraged for names of reserves and preference will be for Wardandi names of animals and natural features which have some association with the area (regardless of the prominence of features); and for other Aboriginal associations, including the names of former prominent Aboriginals from the area (provided consultation has occurred with the relevant Aboriginal community and agreement obtained).

**3.4 Parks less than one (1) hectare in area may be named after living benefactors or persons (except for those persons holding any public office), where community support is demonstrated.**

## **FINANCIAL IMPLICATIONS**

### **Budget**

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

### **Long Term**

If the proposed naming of the reserves proceeds Council will be required to have suitable signs made (based on previously approved new model) to be located at each reserve and funds would have to be allocated in future budgets for this as there is currently no allocation.

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

### **Whole of Life**

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

## **SUSTAINABILITY IMPLICATIONS**

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

## **STRATEGIC IMPLICATIONS**

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

## **CONSULTATION**

As per the request of Councillors, Michael Tichbon has been contacted to discuss his preferred reserve/s and this report reflects his preference.

Additional community consultation may be required to demonstrate support where Council wishes to go outside the Geographic Names Committee Guidelines and Council policy (i.e. naming reserves greater than one hectare after living persons).

## **COMMENT**

Michael Tichbon has considered the request in regards to his preference for reserves that could be named in his honour and this has resulted in the two reserves in Lowrie Road, namely 2307 and 25500, being agreed upon. In regards to other reserves that he has had an association with, Mr Tichbon indicated that the reserve at the end of his property on the South West Highway has some historical importance to him as his father carted gravel from there to take to the City of Bunbury in the early years, however this reserve is located on the top of a crest on the highway and would be very dangerous for persons entering and leaving the reserve. In regards to the gravel pit on Goodwood Road he felt that whilst he has undertaken a lot of rehabilitation on the reserve he felt that it was a bit far away from where he lives. Hence his final determination that the two reserves on Lowrie Road are close to where he lives, he has undertaken rehabilitation works on them and he has in the past endeavoured to get Bemax (now Cristal Pigments Australia) to donate part of their private land that adjoins the reserves.

The Council policy 15.15 very much reflects the guidelines of the Geographic Names committee that approves all reserves names. As indicated in policy 15.15 they are not supportive of naming parks or reserves that are greater than one (1) hectare in area after living benefactors or persons and even for reserves that are less than one (1) hectare community support for the proposed name has to be demonstrated.

In regards to Michael Tichbon the proposal does not fit within the Geographic Names Committee guidelines as the two reserves in question, namely 2307 and 25500 are both substantially more than one (1) hectare in area being 13.8 and 10.2 hectares respectively. Both the reserves are vested in the Shire of Capel with Management Control for the purpose of 'Landscape Protection'.

Council can therefore decline to agree to the request as it does not comply with the Geographic Names Committee Guidelines or Council Policy 15.15 or can resolve to 'test the water' by agreeing to the request for one or both of the reserves and submit the application to the Geographic Names Committee for consideration based on supporting evidence such as:

- Michael Tichbon's lifelong environmental and conservation work in the Shire of Capel
- His many hours of volunteer work in these two reserves
- His close proximity to these two reserves
- Any other information that can be provided.

Given that it is outside of the Geographic Names Committee Guidelines they may also want to see evidence of strong community support (individuals and organisations) for the proposal which would include advertising it for public comment.

As the reserves are located next to each other and there is possibly no clear evidence of a boundary between each one, it is suggested that Council support the application with the name being 'Michael Tichbon Reserve' with signage erected on the south and north sides of Lowrie Road and that staff gather relevant information, including community support, to submit an application once relevant action has been completed such as advertising etc.

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 13.2</b>
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**That Council:**

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

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**13.3 Administration Office Extensions – Engineering & Operations**

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Location:	Forrest Road, Capel
Applicant:	Shire of Capel
File Reference:	Design and Construction Capel Shire Offices
Disclosure of Interest:	Nil
Date:	24.10.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	Nil

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**MATTER FOR CONSIDERATION**

Upgrading of the Engineering and Operations section of the Capel Administration building to improve the 'Open Plan' environment.

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

2007 refers: Following the building of the new library in Capel a staff survey was undertaken as part of the process to develop concept plans for the old library area (now occupied by Engineering & Operations) and a major redevelopment of the existing offices and Council Chambers.

The Engineering staff were relocated to the old library area on the southern side of the Administration Building in an open plan environment.

2008 refers: An Administration Refurbishment Working Group comprising Councillors (President and Deputy President) and staff was formed to progress the development of concept plans and undertook a tour of recently completed new administration offices at the Shires of Denmark and Plantagenet (Mt Barker) and the City of Albany.

A 'Project Brief and Requirements' document was produced following the staff surveys and tour of local governments in the Great Southern.

2009 refers: Concept development plans were produced by the architects, Gresley Abas in April 2009 with a preliminary cost estimated provided in June 2009 of \$3,600,000 to undertake all the proposed works.

A presentation was made to Councillors and staff on the concept plans to allow for feedback and possible alterations.

As a result of the announcement in February 2009 by the Minister for Local Government of the State Government's proposal to instigate structural reform of local government in Western Australia with a proposal for voluntary amalgamation of local governments it was determined that it would not be appropriate to undertake a \$3.6 million refurbishment of the Administration Offices until a clearer understanding was available on what the impact of the proposed structural reform would have on the Shire of Capel.

2010 refers: Works were undertaken to the front Reception area and old library (southern side of building at front) to create a meeting room, large office and smaller offices for the Director Technical Services and Manager Works. The Engineering staff were relocated to the old library area on the southern side of the Administration Building in an open plan environment and the old transportable removed from the rear of the building.

A new transportable building was purchased and attached to the southern side of the current building to accommodate the Health and Community Ranger staff.

2012 refers: Following very little progress on the structural reform process and the need to plan for future increases in staff it was decided to revisit the concept plans, with Councillors indicating support for a modified version of approximately \$2.0 million.

2013 refers: A modified draft concept plan has been finalised with an estimated cost of \$1.85 million excluding removal of the existing transportable, car parking requirements, fixtures and fittings and including 15% contingency.

July 2013 refers: Council at its meeting on 17 July resolved (Minute OC0704):

*That Council:*

- 1. Endorses the draft Administration Offices Refurbishment Concept Plan (detailed in attachment) and further minor modification as required and approved by the Capel Administration Refurbishment Working Group.*
- 2. Approves the production of detailed design plans to allow for the calling of tenders in the second half of the 2013/14 financial year.*

## **Proposal**

The current Engineering and Operations section of the administration building already operates predominately in an 'Open Plan' environment. However with some further modifications to the area it could be made to be more staff friendly. Modifications to be considered would be removal of the east and southern walls and replace with glass, upgrading of ceiling, removal of existing two offices to be converted into open plan, improved partitioning and air-conditioning.

It is proposed to prepare separate documentation so that a separate costing can be obtained for the proposed upgrading of the Engineering and Operations part of the building, when the tender is called for the major building upgrade expected to be in the first part of 2014. If the tender for the main renovations is below the budget allocation (\$2 million) then consideration would be given to undertaking the above works.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995 section 3.1 (1) indicates that 'The general function of a local government is to provide for the good government of persons of its district.

The land on which the administration building is located is zoned 'Town Centre' under Town Planning Scheme No 7 and is located on Reserve 4621 designated for 'Municipal Offices and Community Purposes' over which Council has a Management Order.

Council's Municipal Inventory of Heritage Places lists the current building as a Category 4 'Some heritage value, but not essential to an understanding of the district', with the Statement of Significance indicating 'The place represents the civic identity of the Capel Shire.'

## **POLICY IMPLICATIONS**

Capel Townsite Strategy 2008 is an adopted Planning Policy under Town Planning Scheme No 7 which requires the preparation of a master plan for the Civic/Town Centre Precinct and has relevance to this item.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The 2013/14 budget includes the provision of \$70,000 for the preparation of detailed design plans for the proposed refurbishment.

### **Long Term**

The Long Term Financial Plan includes the provision of the following:

- 2014/15 \$2.0 million (loan \$1.7 million and reserve funds \$300,000) for the Administration Offices refurbishment

### **Whole of Life**

The proposed refurbishment is not expected to add any additional cost to what will be incurred under the major upgrading.

## **SUSTAINABILITY IMPLICATIONS**

The upgrading including improved air-conditioning is expected to improve the environmental and financial operation of that part of the building and the improved layout and petitioning is expected to improve the interaction between staff.

## **STRATEGIC IMPLICATIONS**

The provision of suitable office accommodation and amenities for staff is seen as a key part of the Council's Staff Attraction and Retention Strategy.

The proposal meets the strategic outcome 1.2 'Maintain a safe and rewarding working environment' under 'The Leadership Experience' of Council's Strategic Community Plan 2013-2031

## **CONSULTATION**

Consultation on the proposed renovations with the Engineering and Operations staff has been undertaken and contact has also been made with the artist who designed the mural on the outside of the building in the 1980's.

## **COMMENT**

The current tendering for construction works is very competitive and given that this part of the building is predominately in an 'Open Plan' design it was thought prudent to consider further upgrades that would enhance the staff's working environment and office layout and seeking some costing indications as part of the overall tender.

The Engineering and Operations area was originally designed and built as the Shire Library with some funding provided by AMC Mineral Sands (now Iluka Resources). As part of the development a local artist was engaged to develop a mural on the outside of the eastern wall depicting rural life in the Shire of Capel.

Discussion with the local artist, Ms Denise Mercer has indicated that the process did not involve community consultation or input and she was okay with the mural being removed. If Council wanted the mural retained there may be some opportunity to have it embossed onto the frosted part of the proposed glass windows that would replace the current brick wall. Further investigations into whether this can be undertaken and what cost would be involved would have to be investigated before committing to this process. Alternatively the mural could be photographed and retained in the archival records.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 13.3**

**That Council approves the obtaining of costs for the upgrading of the Engineering & Operations part of the Administration building, as part of the tender for the major refurbishment project, with upgrading only to proceed if the works can be accommodated within the budget allocation for the major refurbishment works and endorsed by Council when the tender is considered.**

**14 HEALTH SERVICES REPORTS****14.1 Petition: Capel Golf Club - Spraying for Mosquitoes**


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Location:	Bussell Highway, Stratham
Applicant:	Capel Golf Club (Inc.)
File Reference:	Capel Golf Club A1218
Disclosure of Interest:	Nil
Date:	1.11.2013
Author:	Manager Health Services, C Dent
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	A. Map of Mosquito Breeding Areas: B. Copy of Petition from Capel Golf Club

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**MATTER FOR CONSIDERATION**

Consideration of a petition from Capel Golf Club (Inc.) containing 125 signatures, 56 Capel residents (based on address, where provided) to spray the golf course for mosquitoes and to respray if necessary until the problem is eradicated or at least under control. Further, they requested that it be done before 28 September 2013 which is when their major event the Capel 3000 starts.

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

Mosquitoes are known to present serious health risks to humans by acting as transmitters or vectors of pathogenic arbovirus. Factors important for mosquito survival are an aquatic environment to breed during their larval stage, vegetation to live in, a food source, temperature, wind and humidity. These factors influence the ability of adult mosquitoes to act as vectors of disease and to disperse away from breeding sites. Mosquitoes can also create severe nuisance problems which may severely impact on the amenity for the residents of affected areas.

Many residential areas in south west WA are located in close proximity to major natural mosquito breeding habitat and many more are being developed due to both the aesthetic values of living near water and a shortage of suitable land close to major centres. It is therefore intuitive that those living closer to potential breeding habitats are at greater risk of mosquito-borne diseases. This has been supported by recent studies in both the Capel and Leschenault regions.

Following pressure from the Department of Health over high numbers of Ross River virus cases in the mid to late 90's Council decided to employ a consultant to map the mosquito breeding areas within the Shire. This work started in 2000/01 and was carried out over a number of years due to budgetary constraints and the fact that there were several years of below average rainfall which impacted on the overall area of the wetlands.

DECEMBER 2005. A petition with 115 signatures was received requesting Council to call a special meeting of electors to the issue of mosquito control.

JANUARY 2006. A Special Electors meeting was held on 18 January 2006 in the Gelorup Community Centre. The recommendations from that meeting were considered at a Council meeting held on 8 February 2006 and the following recommendations were adopted (OCO204/06):



- To allocate funds in the 2006/07 budget for a mosquito control program and the application of a larvicide program, be subject to the provisions of funding by the Department of Health;
- That the Shire of Capel be requested to write to the Health Department voicing its concerns that funding for mosquito control is only provided on the basis of prevalence of notifiable disease and it be requested to provide funding for larvicide applications in areas where lifestyle behaviour encourages exposure to mosquito borne viruses.

APRIL 2006. A draft Mosquito Management Strategy was presented to Council at the April Council meeting (OC0404/06) and was advertised for public comment.

JUNE 2006. Contiguous Local Authority Group Shire of Capel Shire of Busselton.

Council agreed to form a Contiguous Local Authority Group (CLAG) with the Shire of Busselton for the purpose of mosquito control in the mosquito breeding habitats within the two Shires and that an application be made to the Mosquito Control Advisory Committee (MCAC) of the Department of Health for the formation of a CLAG (OCO619/06).

The current larviciding program started in 2007/08 as the low rainfall in 2006 meant that there were very little areas to treat.

OCTOBER 2013. Petition presented to Council by President, Cr Murray Scott, where is was resolved (minute OC1002) "That Council acknowledge the petition from the Capel Golf Club and refers it to the Chief Executive Officer for a report to come to Council for consideration."

### **Proposal**

The original request was for the Council to spray the Golf Club prior to their major event for the year on the weekend 28 September 2013 and to repeat the spraying until the mosquitoes were eradicated, or at least under control.

### **STATUTORY ENVIRONMENT**

#### **Health Act 1911**

Under the provisions of Section 40 of the Health Act 1911 Council has the power to levy a general health rate should it wish to do so, such a rate could help fund the operation of the Integrated Mosquito Management Plan.

Part 1X of the Health Act 1911, there is an obligation under this part for local governments to control the spread of infectious diseases within its boundaries. Amongst other things this section allows local governments to make local laws to prevent the spread of infectious disease. The Act also allows officers "to enter on lands and do works" to prevent the spread of disease.

#### **Shire of Capel Health Local Laws 2000, Part 6- Pest Control, Division 2 Mosquitoes.**

The local law requires landowners to prevent mosquito breeding and where the owner does not control such breeding allows the local government to enter the property and carry out the work at the expense of the owner.

#### **Environment Protection and Biodiversity Conservation Act 1999.**

The Federal Department of Environment and Heritage has to approve of any action that may affect Ramsar protected wetlands (Vasse-Wonnerup estuary). Staff made an application to the Department to carry out a mosquito larvicide program on the mosquito breeding habitat south of the Capel River as water from this area flows into the Vasse-Wonnerup estuary. Approval was received on 14 March 2006.

## **POLICY IMPLICATIONS**

There are no policies relevant to this matter

## **FINANCIAL IMPLICATIONS**

### **Budget**

There is no provision in this year's budget to do anything else other than carry out the existing larvicide program.

### **Long Term**

Being part of the Geographe Mosquito Management Group, Council receives part funding from the Mosquito Control Advisory Committee (MCAC) each year. The funding covers 50% of the costs of larvicide used by the group. The MCAC covers the other 50% cost of the larvicide plus the cost of the helicopter used in the aerial treatments. The funding does not cover the cost of adulticide.

If Council were to take on the role of carrying out applying an adulticide to the golf club the costs would dramatically increase. Firstly, the lack of resources means that the work would have to be subcontracted out and there would be no subsidy available from the MCAC for the work.

### **Whole of Life**

As no asset are being created there are no whole of life costs.

## **SUSTAINABILITY IMPLICATIONS**

Mosquito management involves health, environmental and socio-economic values, and whilst disease control is the primary focus, reduction of mosquitoes is a legitimate aspect of improved community wellbeing. Effective mosquito management requires a holistic approach and the cooperation and coordination of all stakeholders. Integrated Mosquito Management, which includes mosquito reduction, personal protection, community education, land use planning, coordinated programs and ongoing monitoring, is necessary for effective mosquito management in the long term.

Mosquito control measures should maintain healthy wetland ecosystems, minimise the physical alteration of foreshore areas or wetlands and encourage the appropriate management of urban storm water run-off.

## **STRATEGIC IMPLICATIONS**

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

- Develop, support and implement innovative solutions;
- Provide efficient and effective financial management to ensure the long term financial sustainability of the organisation;
- Effectively manage the Shire's assets and resources;
- Enhance community safety through community awareness and participation programs.

## **CONSULTATION**

Nil

**COMMENT**

The Health legislation relating to the prevention of the spread of diseases clearly passes the onus onto the landowner to control the breeding of mosquitoes. If the land owner does not control the breeding Council can step in a carry out the control, the same applies to Council, if Council does not take steps to control such breeding the Department of Health can order Council to carry out the work, if not the work will be carried out at Council's expense.

Of the three control methods larval treatment is the most effective and is the main one used in Australia. The other two methods are not target specific and are the least effective in mosquito control. All of the control methods were considered when council adopted it's Mosquito Management Plan in 2006.

As it would be impossible for individual landowners to coordinate an Integrated Mosquito Management Plan due to the size and diversity of the wetlands and multiple landowners, Council decided to carry out the implementation of the Integrated Mosquito Management Plan. The program only targets the larval breeding sites as this is the most effective method of reducing mosquito numbers.

Mosquitoes are a concern for the community not only due to their potential to carry debilitating diseases but also due to their nuisance value which can impact on the ability of residents to enjoy the amenities and natural beauty of the area. In contradiction to this, while they may be pests, mosquitoes are an important component of the local ecosystem, providing food for birds, bats, amphibians, fish and insects. The challenge is creating a balance between these factors and implementing a program that has little impact on the environment but reduces the risk of the community obtaining a mosquito borne disease.

This challenge can be met through Integrated Mosquito Management. Such an approach needs to consider the statutory obligations, policies, guidelines, current practices, the community and the environment. By having such an approach to mosquito management, it creates an effective and environmentally sensitive solution that is sustainable. It also provides for avenues sometimes less allocated for, these being health promotion and chemical resistance management.

Council staff have had several discussions with the committee and the CEO of the golf club and have given them advice on how to best prevent the spread of mosquitoes on the course. The environment of the golf course is working against the club and in favour of the mosquitoes in that the area is green, moist and shady with a plentiful supply of food in the shape of kangaroos and golfers. Despite the advice on how to prevent getting bitten Health Services staff have still seen golfers walking around in shorts and cut off sleeves.

Following Health Services advice the Capel golf club carried out some barrier spraying prior to the golf tournament and Health Services adult trapping indicated that it had some affect in that the number of adults trapped on the course was lower than other adult traps set in Stratham.

Whilst Council has the responsibility to prevent the spread of disease within its boundaries, and has taken on the responsibility of operating the Integrated Mosquito Management Plan, it is still the responsibility of the land owner to prevent mosquitoes breeding on their property where it has not been identified as a major breeding area. The Capel golf club does not have any wetland areas on its property and therefore does not have any potential mosquito breeding however, the environmental conditions of the site, close to major mosquito breeding sites, moisture, shade and food, means that it will be a natural attraction for mosquitoes. The golf club is no different to any other club, company, sporting body or individual in that they will have to accept the responsibility to control mosquitoes on their property.

There are three methods of managing mosquitoes:

- Larval treatment - This is the most effective method of control as it targets the larvae in their breeding area, the larvicide, which is specific to mosquito larvae, has no long term effects on the environment and is the best method from both a management and financial aspect. There are two types of larvicide methoprene, which is a growth hormone specific to mosquito larvae and stops them hatching into adults and Bacillus Thuringiensis israelensis (BTi) which is a bacteria, once again specific to mosquito larvae which destroys the lining of their gut;
- Barrier chemical - A chemical, usually Bifenthrin, is applied as a surface spray. This is a general pesticide and will kill any insect that comes into contact with it. Depending on the surface the chemical will have to be reapplied on a regular basis.
- Fogging - A chemical is applied as a fog and will kill any insect that comes into contact with the fog. Because of the nature of the application this method can have serious health implications for vulnerable people, those with respiratory problems for example.

Finally if Council were to carry out the wishes of the golf club other bodies such as, schools, sporting clubs would be lining up for the service. The Capel Equestrian Centre approached Council staff to spray the centre before the recent polocrosse tournament. At this stage it is impossible to put a cost on the service as there are too many variables.

### **VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 14.</b>
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**That Council;**

- 1. Acknowledges the receipt of the petition from the Capel Golf Club (Inc.) and informs them that the control of mosquitoes on their property located at Lot 27 Bussell Highway, Stratham, rests with the club and that Council staff will continue to provide advice on mosquito control as requested.**
- 2. That the CEO investigate the feasibility of assisting Community Groups with the control of mosquitoes at major events and provide a report to Council.**

**15 PLANNING AND DEVELOPMENT SERVICES REPORTS****16 ENGINEERING AND OPERATIONS REPORTS**

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**16.1 Tender 13/05 Maintenance Painting of Shire Buildings and Structures**

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Location:	Various locations within the Shire of Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	04.11.13
Author:	Director Engineering and Operations, W Butler
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Confidential: Pricing Schedules submitted by Tenderers

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**MATTER FOR CONSIDERATION**

Consideration of tender submissions for the Maintenance Painting of Shire Buildings and Structures over a seven year period from 1 January 2013 to 31 December 2020.

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

This is the third seven year contract, offered by the Shire of Capel, for maintenance painting of Council's buildings and structures. The number of buildings and structures included in this program has increased during this period to a total of 29 in this year's tender. The tender allows for the preparation and repainting of a building or structure once in the seven year cycle to maintain a high standard in both aesthetics and maintenance of the properties. In other years, all surfaces not scheduled for repainting will receive annual maintenance services consisting of cleaning painted surfaces and rectification of any damage sustained to the painted surfaces as a result of fair wear and tear. At the completion of each annual maintenance service, all nominated surfaces will be left in a clean, sound condition.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 3.57

**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 service.

Local Government (Functions and General) Regulations 1996, regulation 11

**11. Tenders to be invited for certain contracts**

(1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$100 000 unless sub-regulation (2) states otherwise.

**POLICY IMPLICATIONS**

Policy 10.1 Tender Procedures.

Policy 10.13 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 this policy.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The tender required that an annual price, including GST, be given for the maintenance painting of Shire buildings for a seven year period. Three businesses submitted tenders, Higgins Coatings Pty Ltd, Perrott Painting and Spotless Facility Services Pty Ltd and the tendered prices varied between \$42,977.57 and 80,302.04 per annum.

### **Long Term**

This tender provides for the maintenance painting of the Shire's buildings and structures for a period of seven years. It is anticipated that after this time, a subsequent tender will be issued for a similar period.

### **Whole of Life**

By continuing with the maintenance painting program, the overall aesthetics of Council's buildings and structures are retained, enhancing the community enjoyment of the facilities. Deterioration, either from use or atmospheric conditions, will be minimised thus ensuring the useful life of the buildings and structures is prolonged.

## **STRATEGIC IMPLICATIONS**

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

The maintenance painting program contributes to the Community and Infrastructure Experiences of the Strategic Community Plan. In particular, Infrastructure Experiences:

- 5.2 Maintain and enhance the quality of our built environment
- 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**

There were deficiencies with a number of the submitted tenders none of which were significant enough to preclude any from the tender process:

Higgins Coatings failed to comply with the requirement to sign the Tenderer's Offer, provide financial details and acknowledge each tender addendum. The committee considered that this was not sufficient, under legislative guidelines and the tender conditions, to dismiss the tender as non-conforming.

Spotless was not able to adequately address the experience criterion and attached their own Terms and Conditions. These terms were outside the tender agreement and not acceptable.

All members of the evaluation committee agreed that the submission which most competently addressed the tender criteria was submitted by Higgins Coatings.

#### ASSESSMENT

<b>Criteria:</b>	<b>Spotless:</b>	<b>Perrott:</b>	<b>Higgins:</b>
Relevant Experience: Weighting 20%	$8+12+8 = 28$	$16+16+20 = 52$	$16+16+16 = 48$
Key Personnel 10%	$6+0+6 = 12$	$8+8+10 = 26$	$6+8+8 = 22$
Demonstrated Understanding 10%	$6+6+8 = 20$	$10+8+8 = 26$	$0+0+6 = 6$
Price 60%	$43+48+48=139$	$32+12+36=80$	$60+36+36 = 132$
<b>Total:</b>	<b>199</b>	<b>184</b>	<b>208</b>

#### **VOTING REQUIREMENTS**

Simple majority

#### **OFFICER'S RECOMMENDATIONS – 16.1**

**That Council accepts the tender from Higgins Coatings for the Shire Buildings & Structures Maintenance Painting as detailed in the submission provided for Tender No 13/05. The contract will be for an initial period of seven years, from 1 January 2014 to 31 December 2020.**

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**16.2 Beach Access Stairway – Unbudgeted Expenditure**

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Location: Dalyellup Beach, Dalyellup  
Applicant: Engineering and Operations  
File Reference:  
Disclosure of Interest: Nil  
Date: 16.10.13  
Author: Director Engineering and Operations, Wayne Butler  
Senior Officer: Chief Executive Officer, Paul Sheedy  
Attachments: Nil

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**MATTER FOR CONSIDERATION**

Replacement of a section of beach access stairway at Dalyellup Beach.

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

During winter/spring, in the Dalyellup area, a number of storms caused irreparable damage to the timber access stairway beach access at Dalyellup Beach (North) necessitating substantial replacement of many components. An insurance claim has been lodged by Council, but with current improvement in weather and the high use of the beach it was decided to proceed with the renovations in anticipation of Council's claim being ratified. Currently no budgetary allocation exists for this to be undertaken and, as the cost of a replacement infrastructure exceeds the \$5,000 threshold for capital items, an unbudgeted allocation of \$11,817.00 is required to finance these works.

**Proposal**

That Council finance works to the stairway at Dalyellup Beach for safe pedestrian access to the beach.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**Section 6.8. - Expenditure from municipal fund not included in annual budget**

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

(1a) In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government:
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
  - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of Council



## **POLICY IMPLICATIONS**

There are no policies relevant to this subject.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The 2013/2014 Budget does not include a provision for the renovation of the Dalyellup Beach access stairway and, as such requires an allocation of \$11,817.00, which is the subject of an insurance claim already submitted by Council.

### **Long Term**

There are no additional long term financial implications other than those already budgeted for in relation to maintenance.

### **Whole of Life**

Whole of life costs in excess of normal maintenance considerations are unable to be calculated due to many variables associated with the overall location in conjunction with the unpredictability of climatic conditions.

## **SUSTAINABILITY IMPLICATIONS**

Maintaining beach access, conducive to community enjoyment, leisure activities and supportive of a healthy lifestyle is of prime importance in maintaining expected residential standards in regards to health and wellbeing. In addition, knowingly retaining defective infrastructure is an unacceptable risk from financial, litigation and human welfare perspectives.

## **STRATEGIC IMPLICATIONS**

The Strategic Community Plan 2013 to 2031 vision is to “establish a community of diverse lifestyle experiences accommodating progressive growth, sharing in prosperity, and using the unique environment” and includes the following strategic objectives which have relevance:

Infrastructure Experience:

- 5.2 - Maintain and enhance the quality of our built environment.
- 5.6 - Effectively manage the Shire’s assets and resources.

## **CONSULTATION**

Consultation was undertaken with Council Engineering & Operations staff to ascertain whether the unit was repairable or not. No other consultation was required in this matter.

## **COMMENT**

Council’s Officers have researched a number of alternatives, including short-term repair of the stairway, but the most cost effective, safe and efficient way of retaining pedestrian beach access in this area is to replace the defective components.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER'S RECOMMENDATIONS – 16.2**

**That Council approves the unbudgeted Capital expenditure, in account for the replacement of a section of beach access stairway at Dalyellup Beach at a cost of \$11,817.00.**

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**16.3 Extractive Industry**

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Location:	Lot 2644 and Lot 348 Jules Road, Gelorup
Applicant:	Holcim Australia Pty Ltd
File Reference:	C5.2.N.78 / EC.6.4.6
Disclosure of Interest:	Nil
Date:	27.09.13
Authors:	Engineering Technical Officer - Development, A Coulson Planning Officer – Andrew Dykstra
Senior Officer:	Director Engineering & Operations, W Butler
Attachments:	Site Plan

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**MATTER FOR CONSIDERATION**

Applications received from Holcim Australia Pty Ltd seeking Planning Consent and the granting of Extractive Industry Licences for the extension of the approval periods for the existing extractive industry (Basalt extraction).

The requested period of Planning Consent and licences are:

1. Planning Consent for Lot 2644 and 348 Jules Road – life of quarry
2. Extractive Industry Licence Lot 2644 Jules Road – 21 years
3. Extractive Industry Licence Lot 348 Jules Road – 21 years.

The Council previously considered a proposal for the above periods of time at its meeting held on 18 July 2012 where it was not prepared to agree to the requested terms and agreed to a ten (10) year approval term. The applicants have submitted a new application asking that this matter be reconsidered.

**BACKGROUND / PROPOSAL****Background**Lot 348

June 1999 – Council resolved to refuse Planning Consent and an Extractive Industry Licence (EIL) for Lot 348 Jules Road, Gelorup for the following reasons:

1. It is the Council's view that the external impacts from the operation of a hard rock quarry, even when managed within Environmental Protection Authority and Department of Minerals and Energy guidelines are unacceptable in this locality.
2. The buffer distances imposed on the quarry activity will add to unacceptable sterilisation of existing and identified long term urban resources due to the life of quarry activities in the area being extended beyond current licence limits.
3. The nature of the quarry activity is such that it limits the future usefulness of the quarry land to such an extent that it will create land use conflict when adjacent long term development takes place.

April 2000 – The Minister for Planning upheld an appeal by CSR Limited to the above refusal and Planning Consent was issued subject to conditions which were:

1. Approval of a post closure rehabilitation and management plan prior to the issue of an Extractive Industry Licence;
2. Satisfactory upgrading of the local stormwater network by constructing adequate retention within Lot 348, the installation of a culvert under Jules Road and upgrading of the downstream open drain to cater for the discharge into the local network; and
3. This approval for the extraction of sand and basalt being valid for ten (10) years from the date of Council's decision.

Due to delays in satisfying some of the conditions prior to the issuing of the Extractive Industry Licence, the EIL was not issued until August 2002 for a period of 10 years.

October 2010 – Council resolved to grant planning consent to Lot 2644 and Lot 348 Jules Road with the following conditions:

1. Development being restricted to that detailed on the approved Development Plan (BUN 1006-02 & BUN 1006-03);
2. The approval for extracting basalt being limited to 31 August 2012;
3. Compliance with the conditions of the Extractive Industry Licence issued 28 February 2003;
4. The preparation and submission of a Drainage and Stormwater Management Plan to Department of Water and Shire of Capel by the 28 February 2011;
5. A drainage easement/maintenance agreement being established with the Shire of Capel over portions of Lot 2644 to aid in the management of stormwater impacts on and from the land, by the 31 December 2010 or as agreed to by the Director of Technical Services. The location of the easement/s to be to the satisfaction of the Director Technical Services;
6. The submission of an End Land Use Plan by the 31 August 2011.

#### Lot 2644

The extractive industry on this lot started in the early 1950's. Planning consent was not required at this time.

1969 – 1995 The Shire issued an annual EIL licence.

1995 – The Council resolved that the site operators (Readymix) were required to make formal application including advertising for an Extractive Industry Licence in accordance with the Local Law.

1996 – Readymix appealed the Council decision.

1997 – The Minister for Local Government upheld an appeal to the above requirement to make formal application and Council was directed to issue an Extractive Industry Licence for 21 years with conditions. This licence is still current and expires on 31 December 2018.

October 2010 – Council resolved to grant planning consent with an expiry in line with the Extractive Industry Licence expiry of 31 August 2012.

#### Lot 2644 & Lot 348

July 2012 – Council resolved that it was not prepared to grant Planning Consent for a 'whole of life' approval to extract basalt from the lots and was prepared to grant approval for a 10 year period subject to conditions. Some of the conditions to be noted included:

- The approval is limited to 31 August 2022;
- The lodgement of a final end use plan or closure plan to the Council for adoption by 30 June 2013 which should be based on returning the land to rural land use that provides no safety or health issues to adjoining residential land uses;
- The provision of a Mosquito Management Plan to the satisfaction of the Manager of Health Services within 12 months from the date of this approval.

August 2012 – Holcim advised the Shire it would accept the Council resolution for a 10 year approval period but only on an interim basis with the view they would again seek a whole of life approval.

### **Proposal**

The extractive industry on both lots is being conducted by the same company and material from both lots is being blended to achieve the required standard for the product.

The projected life of this quarry is currently estimated at 40 years although one of the applicants documents refer to 50 years and an earlier 1997 study undertaken by the Department of Minerals and Energy estimated the regional resource as having a life of between 70 and 150 years.

Holcim currently has the following approvals which it is seeking to revise in order to obtain a 'whole of life' Planning Consent:

- A Development Approval across both Lot 2644 and Lot 348 expiry 31 August 2022.
- An Extractive Industry Licence on Lot 2644 expiry 31 August 2022.
- An Extractive Industry Licence on Lot 348 expiry 31 August 2022.

In order to lodge these applications, Holcim has prepared four documents for both Lot 2644 and Lot 348:

- A Development Application
- An Extractive Industry Licence Application
- An Environmental Management Plan
- A Mine Closure Plan.

In summary the applicants advise the following:

There is no proposed change to the operations as approved on 30 August 2012. Holcim's operations will continue at the same rate, with no increase in production planned and no amendments to the limits of extraction as approved. Holcim is seeking a 21 year EIL providing the Shire of Capel with the option to review environmental management measures every five (5) years to ensure adequate control measures are implemented.

The current approvals provide for the operations to continue until 31 August 2022. Holcim's business seeks longer approval time frames, while providing the Shire of Capel with regular review rights (every five years) of Holcim's operations. Longer approval timeframes will

provide Holcim's business with clarity of longevity of operations, allowing Holcim to secure future capital costs for upgrade of the quarry facilities and infrastructure.

It is the applicant's view that nothing in the town planning scheme prevents the Shire from issuing a Development Approval for Holcim's operations for the life of the quarry and consider this would be consistent with the Greater Bunbury Region Scheme and the Strategic Minerals and Basic Raw Materials Resource Policy 2005.

It is also the applicant's view that as the Shire's Extractive Industries Local Law 2001 under Bylaw 3.1(3) (a) allows Council the ability to issue a licence with a 21 year time period then it should do so.

Holcim advises that it has committed to updating, and seeking the Shire's approval of the Mine Closure Plan and Environmental Management Plan regularly (every five years) to allow the Shire the confidence that the operations will be managed through best practice methods of environmental mitigation.

More Specifically:

The *Development Application report* discusses past approvals, approval legislation and touches on environmental management measures addressing the project generally. The applicants' report details heavily how in their view the land use is compliant with State Government strategic directions. The only difference between the Development Application Report, that formed the basis of the current approval, and the Report submitted with the subject application is the focus by Holcim on seeking an extended approval period.

The longer approval timeframe was requested as it was stated by the applicant that it:

*"...will provide Holcim's business with clarity of longevity of operations, allowing Holcim to secure future capital costs for upgrade of the quarry facilities and infrastructure."*

Holcim is also of the opinion that there is nothing in the Shire Town Planning Scheme that prevents the Shire from issuing a DA for the life of the Quarry.

The *Extractive Industry Licence Application report* discusses more technical detail about how the quarry is operated and primarily addresses all requirements for the extractive industry licence application and demonstrates compliance with the Shire of Capel Extractive Industry Local Law.

The *Environmental Management Plan* is the report which documents all the environmental objectives and how Holcim will manage its operations to mitigate any effects to the community. This document includes details on vegetation, fauna, noise, dust, waste, water, heritage aspects, visual amenity and weed management. For each area of interest there are management actions, monitoring requirements and contingency actions in case the initial management actions are not sufficient. This is the most detailed document and directs how the quarry will operate on a day-to-day basis. This document is proposed to be updated regularly (every 5 years) as technology changes and improvements are made but the objectives of this document do not change.

The *Mine Closure Plan* identifies the issues that will need to be addressed prior to closure, in order to allow for planned progress on issue management to develop a more concise final land use. This document does not determine the final landscape of the land, but sets down that the area should ideally be used for recreation pending approval and consultation with the Shire of Capel and the State agencies and develops completion criteria. This mine closure plan can not confirm the detail of the final use today, but as the operations get closer to ending (in approx. 40 years), and as the document gets revised every five years, a clearer picture will form as to what the final use will be. This document is the first edition in this new ongoing process where additional documents are planned to be provided as advice on the outcome of investigations to be carried out within the next five years.

**STATUTORY ENVIRONMENT****Town Planning Scheme No. 7 (TPS No. 7)**

Both lots are zoned Rural and have a combined area of 84.5 hectares (Lot 348 -33.92 Ha, Lot 2644 - 50.58 Ha.)

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 was undertaken with the previous application approved July 2012. As the current application is identical 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 affects on the continuation of established or potential agricultural industries.

**8.3 Determination of Applications**

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.

8.3.6 Where the Council grants Planning Consent, the Council may impose conditions limiting the period of time for which the development is permitted to continue.

8.3.10 The Council may grant approval to a development already commenced or carried out regardless of when it commenced or was carried out. Such approval shall have the same effect for all purposes as if it had been given prior to the commencement or carrying out of the development, but provided that the development complies with the provisions of the Scheme, with or without the exercise of a discretion provided in the Scheme, as to all matters other than the provisions requiring Council's approval prior to the commencement of development.

#### Greater Bunbury Region Scheme (GBRS)

The GBRS includes the lots within a rural zone.

Both lots also fall within the "Basalt Extraction Area" of the Strategic Minerals and Basic Raw Materials Policy adopted under the GBRS (the Policy). The GBRS is to have regard to the principles of SPP No.2.4: Basic Raw Materials.

The Policy at 1.5 identifies basic raw materials in the GBRS area and responds to calls from the community, industry and government to, amongst other things, minimise the impact of extraction on surrounding land uses.

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.

As part of the consultation process of the GBRS and TPS No. 7 the previous application (current approval) was referred to the Department of Mines and Petroleum and several other Government agencies for comment.

The Department of Planning when consulted did not object to the proposal and stated that an application under the GBRS was not required.

It should be noted that it has been brought to the attention of the Shire that the Commission is considering an amendment to the GBRS in that land currently zoned Rural may be considered as Urban Deferred immediately south of the Site and adjoining the proposed Outer Ring Road. This would contradict the objective of the Policy in preventing the sterilisation of



extraction from incompatible land uses and is more of an impetus not to issue approval for the life of the operation given potential additional sensitive land uses.

### Extractive Industry Local Laws

Under the Shire of Capel Extractive Industry Local Laws, clause 5:

'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 Bylaw 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 as if it chooses to refuse the application an EIL is not forthcoming or if the applicants choose to challenge the planning approval the outcome may impact on the EIL licence conditions.

In respect to the applicants proposal for the term for which the EIL is to be valid, it is to be noted that Bylaw 3.1 (3) (9) 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".

### **POLICY IMPLICATIONS**

There are no current Policies relevant to this item.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

As previously conveyed to Council in the July 2012 report the following is again reiterated: The applicants' proposal will have no implications on the Council budget for 2013/14. However, as discussed in the Comments section of this report, the Shire Officer's recommendation that a path be constructed along Jules Road between Hasties Road and Frances Road to provide adequate separation between vehicles and pedestrians will require substantial improvements to the road to enable the path to be constructed.

The road will require widening on the western side to straighten the alignment as well as kerbing, drainage pits and filling behind the kerb at a cost of \$106,000 to allow the construction of a concrete path. This cost has been budgeted for in the 2014/15 budget under road improvement for Jules Road. The cost of the concrete path will be \$83,000, of which Holcim will be asked for a contribution of \$33,500 or the equivalent value of concrete material, and the remaining \$49,500 has been included in the 2014/15 budget for footpath construction.

**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) requires 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 \$22,500 per annum for every 290,000 ton of material moved. This contribution will be used towards the reconstruction of Jules Road and Hasties Road in the future.

Rehabilitation

A bank guarantee is currently held by the Shire for the sum of \$407,000 being the rehabilitation bond for Lot 2644 and Lot 348 Jules Road, Gelorup. This bond was accepted by the Shire in 2010 and will require review every five years.

**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 Jules, 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 (November 1995)

- 1 The Regional Plan is based on several basic Principles, with two of the key Principles to note being:

- (a) Under the context of the Conservation of the Natural Environment Section of the report relating to Basic Raw Materials it is stated that **extraction should include rehabilitation which may allow for new or modified land uses.**
  - (b) The Planning process must recognise landowners existing rights to use and develop their land, and must balance that carefully against overall community benefit in any proposed change.
- 2 Under the Policy Framework set for the Region Plan the following general objective is to be noted:
- (a) To identify the basic raw material resources of the region and plan for their extraction and development in relation to other land uses. **In principle these activities should have minimal adverse impacts on local communities.**
- 3 The specific Objectives and Recommendations of the Policy Frameworks which should also be noted are:
- (a) Basic Raw Materials
    - (i) **Minimise the adverse impacts of basic raw material extraction on local communities,** built and natural environments. Encourage early involvement of Government, industry and community in consideration of basic raw material development proposals. Promote the concept and method of staged or sequential extraction ahead of the build environment.
    - (ii) Ensure that the staging of urban, rural and tourism expansion takes into account the need for orderly exploration of land ahead of the creation of urban, tourism and rural areas.
    - (iii) **Determine the most appropriate end land use following quarrying. Promote the rehabilitation of quarries and pits sited in the natural environment to a predetermined standard well in advance of ground disturbance.** Alternatively, carry out remedial work of abandoned quarries and pits to an end use that is compatible with local and regional requirements.

Greater Bunbury Structure Plan

- 1 The Great Bunbury Structure Plan is contained within the Bunbury Wellington Region Plan document (referred to above) but is a more specific document considering the directions for long term urban development for the Greater Bunbury Area.
- The previous Bunbury Regional Plan (1987) identified long-term urban growth possibilities for Bunbury suggesting that the most suitable areas for expansion were east of Australind and south of Gelorup. The Greater Bunbury Structure Plan is generally consistent with those broad concepts about the direction of growth.
- 2 Lot 348 is noted as Industrial and Parks, Recreation and Drainage on the plan accompanying the report. Nearby and adjacent land uses to note are Rural Residential (existing and proposed), Rural, Industrial, Primary Distribution Road, High School and Special Development.
- 3 The primary objectives of the Greater Bunbury Structure Plan to note are:
- (a) To encourage the identification of basic raw materials and minerals and to facilitate their development, where justified by full socio-economic cost benefit analysis and environmental assessment, and where this accords with the needs and timing of other land uses in Greater Bunbury.

- (b) To anticipate and meet the residential land and housing needs of the growing population, facilitate coordinated urban development, provide for a wide variety of lifestyles, and promote identifiable communities, without compromising the natural environment, cultural heritage or social values.
- 4 Lot 2644 and Lot 348 are contained within Planning Unit BU6. The Planning Guidelines for this unit propose in part, that development in the area shall proceed in accordance with the approved Usher, Gelorup and Dalyellup District Structure Plan. There are no guidelines stated that specifically relate to the basalt activities.
- 5 A recommendation of the plan is that all future quarrying proposals are considered within the context of the Greater Bunbury Structure Plan and that **careful assessment is undertaken of rehabilitation requirements according to the planned long term use of affected land.**

Usher, Gelorup and Dalyellup District Structure Plan (November 1992)

- 1 The District Structure Plan was prepared to assist with the preparation of the Bunbury Wellington Region Plan – (1995).
- 2 The plan recognised the existing basalt resource at Gelorup as of regional importance to be protected from incompatible land uses.
- 3 Figure 10 of the document which is the adopted Structure Plan identifies the basalt activities as a resource of regional significance **requiring retention of suitable buffers to residential developments.**

State Planning Strategy – WAPC (December 1997)

The State Planning Strategy (WAPC 1997) provides for the implementation of the State Planning Framework Policy. The Strategy provides a strategic guide to land use planning through to 2029. The Strategy is based around balancing five key principles: environment, community, economic, transport and regional development.

The Gelorup district area is shown as “Regional Urban Areas”.

A strategy and action of the document for the South West Region is to protect natural resources from incompatible development and identify and provide access to mineral resources and basic raw materials in regional and local plans.

One overall Planning Strategy is to prepare a Greater Bunbury Regional Scheme to secure open space and transport corridors and provide for natural resources and urban management.

A second strategy is to implement and review the Bunbury Wellington Region Plan.

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.

Study to Determine "Buffers" to Quarrying Basalt in the Bunbury – Capel Area

As a result of the above Basic Raw Material study and its associated impacts on planned and zoned residential developments and resident concern expressed over blasting and the other off site effects from existing quarry activities at Gelorup there was determined a need to undertake a more definitive assessment of buffer needs.

There was little empirical evidence available from either the Department of Mines or the Department of Environment to determine the effect blasting has on residential properties within the 2km buffer distance suggested by DOME in the above report.

In June 1997 the Minister for Planning recognised the issues associated with managing the impacts of the quarrying activity at Gelorup. At the request of the Western Australian Planning commission a Technical Advisory Group (TAG) was established to examine the planning issues associated with the need for buffers to quarry activity. In particular the need for a review of the State Planning and Greater Bunbury Structure Plan to address the regional land use implications of the resource being extracted over an extended period of time was also identified.

As a result of the TAG meetings it was decided to employ a consultant to undertake a study to monitor blasting impacts over a 12 month term.

A contract was signed to commence the study in June 1999 with a completion date of November 2000.

The Western Australian Planning Commission adopted the position at this time of refusing to accept residential subdivision in Gelorup in the 2km buffer until the outcomes of the buffer study were known.

The WAPC have not formally released any of the findings of the study, however the results are used to determine the impact of the basalt extractive industry blasting activities on proposed new rural housing development on land adjacent to the basalt activities. The findings of the study also assisted in the refinement of blasting impacts imposed on the Gelorup residential community. The 2km buffer requirement has been relaxed by the WAPC for new residential subdivisions on existing zoned land in Gelorup but a notice on title is imposed warning of potential ground vibration impacts. The Department of Mines and Petroleum continues to prefer the 2km buffer requirement.

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.

#### Draft Greater Bunbury Strategy 2011-Western Australian Planning Commission (WAPC)

The Greater Bunbury Strategy 2011-2031 has been developed by the WAPC to guide urban and regional landuse 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.

Notwithstanding the strategy has not been completed and is still in its draft form it has been confirmed by the Department of Planning that the application site is in proximity to land potentially identified as "Urban Investigation Area" in the Greater Bunbury Strategy. The Department of Planning has indicated that it is anticipated that the Greater Bunbury Strategy will be published by late 2013 and the extent of the "Urban Investigation Area" will be confirmed at this time.

#### State Planning Policy No.2.4: Basic Raw materials

Under part 6.3, Relevant considerations in determining applications, before determining an application for an extractive industry operation, the Commission and/or the local government should consider: *"the effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area having regard to existing and future uses."*

#### 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 Community Plan

Relevant Strategic Directions under the plan include:

#### Community Experience

Strategic outcomes include the provision of social, recreational and cultural opportunities. The proposal had previously involved community engagement as part of the advertising process as discussed below under consultation.

#### 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 protect the character of the town which can be achieved through protecting the built environment. Provided the operation adheres to its environmental management plan it can be sustainable in the short term in regard to the communities expectations.

#### Economic Experience

In supporting responsible and 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; promoting tourist interests & accommodation; and encouraging business development. The operation will help foster economic development in the availability of a basic resource in the locality. In ensuring responsible economic opportunities are maintained the operation will need to be reviewed/updated relevant to current legislation and community expectations.

### **CONSULTATION**

Council is advised that this recent proposal has not been readvertised for public comment. Council is informed below of the previous advertising outcomes. Council may wish to determine whether a readvertising of the proposal should be considered but it is noted that the previous proposal did also at this time include the whole of life and 21 year approval term request.

The application that was approved July 2012 was referred to 8 government departments, the Local Land Care District Committee (LDCD) and 571 property owners. A public notice was also placed in the *South Western Times* and the Shire of Capel Snippets.

The comments received were discussed in the previous report that was considered by Council 18 July 2013. As the proposal is identical, the comments as discussed and presented to the previous meeting of Council are repeated below;

Department of Planning – No objection but made the following recommendations:

- The development taking place in accordance with conditions imposed on previous approvals/licences and in accordance with the Minister's decision and imposed time limits; and

- The development not requiring any extension of the existing buffer depicted as the “basalt extraction referral area” in the GBRS Strategic Minerals and Basic Raw Materials Resource Policy.

The Department also stated that an application under the GBRS was not required.

Telstra – No objection.

Department of Environment and Conservation

- A licence is required under the *Environmental Protection Act* which will target matters such as dust, noise, water discharge, ground vibration, hydrocarbon bonding, monitoring and annual reporting.
- Rehabilitation concepts appear suitable but DEC would prefer reference to shaping landforms in the rehabilitation plan.
- It is recommended the rehabilitation plan provide for regular (annual or biannual) report on the rehabilitation progress over all rehabilitated areas.
- Pits should be fenced to prevent accidental injury or death of native fauna.
- Quarry management should avoid adverse impacts on adjoining wetlands.
- DEC supports a requirement for the Shire to require regular environmental management reviews.

Western Power – No objection. Advice offered with respect to height of trucks permitted on roads and the height of any conductors on the site.

Department of Water – No objection on the understanding that the operation continues to be consistent with the DOW endorsed Drainage Management Plan prepared to meet Condition 4 of Council’s previous approval.

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

“Holcim’s Bunbury 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 Lot 2644 and Lot 348 is their 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 Lot 2644 and Lot 348, but also requests that favourable consideration be given to Holcim's request for a 21 year EIL. A long term licence would assist both company and government planning, and are entirely consistent with the long term nature of this type of quarrying."

Main Roads WA – No objection.

Residents – from the 571 letters sent to the residents of Gelorup, only 5 submissions were received. This may be attributed to Holcim's community consultation program which was initiated in November 2011 at the Shire's suggestion. Newsletters are delivered to all the residents in Gelorup north of the Five Mile Brook explaining the operations of the quarry and advising of the impending licence renewal application. The newsletters improve the relationship between the quarry operators and the surrounding residents and answer many of the questions the public may have. A public open day of the quarry was conducted in late November 2011 which was well attended by interested residents.

Of the five submissions received, two submissions objected to the licence renewal due to the noise and blast vibration impacting on their quality of life.

One submission did not object, but was concerned that an increase in blast intensity had occurred over the past few years which was resulting in cracks in their house and submitted that a review of the blasting practices should be undertaken to reduce the 'shockwave' back to what it was several years ago.

Two submissions did not object, but were concerned that Jules Road was without a footpath which forced pedestrians and cyclists to share the road with heavy vehicles accessing the quarry. They were of the opinion that a path needed to be constructed urgently before a serious accident occurred after a couple of near misses were witnessed.

Holcim were sent a copy of these submissions and asked to provide a response.

Holcim submitted a response which outlined the management actions they used to control blasting and control noise emissions and demonstrated that all blasts were within their licence conditions issued by the DEC. Holcim also recognised the impact that the heavy trucks are having on pedestrian movement along Jules Road and is willing to contribute all concrete material for a footpath being 2.4m wide and approx. 630m in length, being from the existing path located near the corner of Hasties Road to the intersection of Frances Road, mapped in red on the path location plan.

Also stated in their response was;

“Holcim is committed to making this one-off material contribution to the community for the safety of the community, in addition to the annual road deterioration payment. This contribution is a commercial decision by Holcim and can only be considered for the applications currently with the Shire for consideration:

- Development Approval for the life of the quarry,
- Extractive Industry Licence for Lot 2644 for 21 years, and
- Extractive Industry Licence for Lot 348 for 21 years.

Holcim would only make this contribution at the same time as the Shire undertakes the construction of the foot paving along Frances Road to provide a continuous footpath to the entrance of the Grammar School on Frances Road. Holcim would accept this as a condition of consent”.

### **COMMENT**

In comparison to the application that was determined by Council July 2012, the proposal is identical with an exception regarding the applicant’s justification as to why a ‘whole of life’ and 21 year approval was sought.

Holcim requested a whole of life approval in the July 2012 application based on the grounds that: they did not want the activity impacted by changes to Shire planning policy before it was exhausted; and it was Holcim’s view that a whole of life approval would give a clear intention to surrounding land owners it is there to stay as long as all relevant conditions are complied with.

In relation to the subject application, a ‘whole of life’ approval is now justified by Holcim on the grounds that it *“...will provide Holcim’s business with clarity of longevity of operations, allowing Holcim to secure future capital costs for upgrade of the quarry facilities and infrastructure.”*

Holcim’s new justification is considered a very broad and non-specific statement. Given the circumstances of the application being re-submitted subsequent to receiving a recent 10 year approval it is clear the main purpose is to “value-add” to the Site and the operations within for financial reasons should a whole of life approval is issued. Being aware of Council’s position in regard to limiting the term of the planning consent to 10 years, the subject application has been submitted with the view that should a whole of life approval not be issued, that they will request the matter be determined by the State Administrative Tribunal (SAT).

### **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 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 and 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 to 50 year predicted life span it is essential that Council pursue early documentation of 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.

In previous advice received from the WAPC it is noted the Site is also in proximity to land potentially identified as "Urban Investigation Area" in the Greater Bunbury Strategy. In this area additional low density residential zoning may be considered in the future. It is anticipated that the Greater Bunbury Strategy will be published by late 2013 and the extent of the "Urban Investigation Area" will be confirmed at this time.

Future planning of the investigation area would depend on a Development Guide Plan being prepared in consultation with all affected landowners. Such guide plan is to give consideration to broader planning issues such as the basalt extraction area and related buffers to sensitive land uses such as residential development; highway buffers and connection; coordination of services and infrastructure; drainage; and sustainable design and lot outcomes.

#### Impact on nearby properties

During the advertising period for the previous EIL application for Lot 348 in 1999, 90 submissions were received in a pro forma letter advising that residents would not support the continuation of a quarry until the peak particle velocity (PPV) recordings on the perimeter of the quarry area were reduced to 3.5mm/sec which was considered acceptable. The PPV recordings measure the amount of ground vibration experienced during blasting and the maximum allowed PPV reading according to the DEC licence is 5.0mm/sec.

At that time there had been many complaints about the vibration emitting from the quarry during blasting and subsequently, the quarry advised that they were in the process of building an "air trench" which was a world first and would considerably reduce the effect of vibrations on the community residences.

During the years of 2009, 2010 and 2011, only 1 complaint per year has been received relating to noise and vibration due to blasting.

The change in location and direction of blasting may also be contributing to the reduction in residential impact being experienced. The current pit face is at Lot 348 and is heading east and southwards which may further reduce the impact on the existing residents of Gelorup in the coming years.

Air blast records from 2011 and 2012 show that from 34 blasts that only 10 blasts recorded PPV above 3.5mm/sec (approx. 29%). This appears to be in line with previous years where 16 blasts exceeded 3.5mm/sec out of 62 blasts (approx. 25%).

The bunds surrounding the excavation areas and the revegetation developed on them has created a good visual buffer between the quarry and the residential area with many new residents to the area not realising there is a quarry until they hear a blast.

The low number of objections to the proposal may indicate that the community is accepting of the occasional disruption caused by the quarrying activities.

#### Length of Planning Consent

The initial planning consent of 2000 for Lot 348 was for a period of ten years directed by the Minister with a two year planning consent issued for Lot 2644 and Lot 348 in 2010 to align with the expiry of the EIL of Lot 348. At this time it was recognised that a whole review of the extractive industry would be required in 2012.

Holcim have applied for planning consent for the life of the quarry (predicted to be 40 years) on the grounds that it will provide the business with "*...clarity of longevity of operations, allowing Holcim to secure future capital costs for upgrade of the quarry facilities and infrastructure.*". Holcim also are of the opinion there is nothing in the Scheme preventing the issue of an approval for the life of the quarry.

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. Contrary to the applicants claim, the Shire has the ability pursuant to clause 8.3 of the Scheme to grant planning consent subject to such conditions it deems fit and for a duration (Clause 8.3.6) of a period of time for which development is permitted to continue.

It is acknowledged that the applicant sees commercial benefits in having a whole of life 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 in fact it is immediately adjacent to it where there will always be potential impacts. As previously stated, the Commission is considering an amendment to the GBRS in that land currently zoned Rural may be considered as Urban Deferred immediately south of the Site and adjoining the proposed Outer Ring Road. Although having no endorsed status, it is future potential land uses such as this that will impact and be impacted on from the operation and there needs to be the ability to review the controls/models that are in place as well as the overall amenity implications of the operation given its location adjacent to urban areas.

In issuing a "whole of life" approval Council would have limited predictive power and any assumptions made when granting approval may later be inaccurate. With the potential change of adjoining/nearby landuses in mind as well as ongoing maintenance and adherence to current law, there may be difficulties in complying with matters such as noise and dust, management may need to change and there may be a need for closer scrutiny. In addition

over a long time period there will be the need to re-assess the operation in the light of more scientific methods of dealing with impacts of blasting, noise and dust.

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 sites (as previously experienced with this site) 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 this 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 whole of life approval is inappropriate and unnecessary and will not provide Council with adequate ability to review the current undesirable scenario of a hard rock quarry adjacent to an urban area. The adherence to 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.

It is also to be noted that in a relatively recent SAT case involving *Hanson Construction Materials Pty Ltd vs Shire of Serpentine-Jarrahdale* [2013] WASAT 36 it was concluded by the State Administrative Tribunal an approval period for the Extractive Industry Licence to correspond with approval granted under their Town Planning Scheme was appropriate because of the history of the site, the operation, the planning framework in place for future residential development in the district and controls in place under the approvals. This proposal is considered to exhibit similarities in terms of being an existing hard road quarrying activity in proximity to residential areas (albeit also adjacent to existing residential areas) and potential urban expansion areas.

#### Length of Extractive Industry Licence

The previous extractive industry licence for Lot 348 was for a period of 10 years as instructed by the Minister of Planning in 2000. The current Extractive Industry Licence for Lot 2644 is for a period of 21 years (as directed by the Minister) which was granted in 1997.

The period of licence controls how often the operator must submit a fresh application to the Shire, which is subjected to rigorous assessment to ensure that up to date methods and controls are in place to limit the impact on the environment, community and public infrastructure. Lengthy licence periods such as 21 years, limits the Shire's and government agencies' ability to maintain progressive improvements in extractive operations at licensed sites.

It is not known why the Local Laws provide Council with the option to allow up to a 21 year licence for an EIL and what was envisaged by selecting 21 and not some other random number. It is apparent at least that it is a time period that has historically carried over from older versions of Local Laws but such a period of time is not appropriate given the Council's experience with extractive industries and for similar reasons discussed above under the consideration of the Planning Consent term.

It is important 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 proposed by the applicants that the Environmental Management Plan and Closure Plan are reviewed every five years as being the safety catch for Council, but there is no power for the Shire to add or vary conditions until the approvals expire.

### Closure Plan

The submission of an End Use Plan was a condition on the planning consent granted in 2010. Similarly there is a condition on the current approvals requiring the provision of an End Use Plan by 30 June 2013 which gives regard to the rehabilitation of the land back to rural use.

Holcim have submitted a Closure Plan and an Environmental Management Plan but it does not give any regard to returning the land to rural purposes.

Holcim have submitted the first version of the Closure Plan, and it is only conceptual in nature, given Holcim maintain that the life and nature of the quarry and proposed final landforms is subject to change. The Closure Plan is prepared with all relevant available environmental and social information considered, including assessments that have been undertaken to date. The closure plan lists planned investigations to be finalised between September 2012 and November 2013 which include Groundwater recharge assessment, Closure material sources investigation, Soil characterisation and Overburden characterisation. The Shire is yet to receive any of these investigation reports. The Closure Plan will be subject to review and amendment throughout the life of the Bunbury Quarry on a five yearly basis but the results of the above investigation should provide for some more detailed documentation on the closure plan.

### Conclusion

Whilst it is apparent that the extractive industry has been operating within acceptable limits for the last ten years with minor concerns raised by the community there has been no demonstrated advantage for Council to extend the period of either the Planning Consent or the Extractive Industry Licenses. As discussed throughout the report Shire officers still consider the 10 year limit on planning consent and extractive industry licenses is still appropriate given the interfacing of this hard rock extraction activity with an urban area. Having regard to matters such as the general welfare of inhabitants of the Scheme, amenity of the locality and orderly and proper planning of the locality is clearly documented in the Scheme and State planning policy.

Whilst staff will be recommending that the status quo remain in respect to the current approval terms, should Council accept that there is fair case for a greater approval term it may wish to consider whether the application should be readvertised in the first instance and secondly if approval is to be granted whether legal advice should be obtained to ensure any conditions imposed are significantly binding on the applicants.

### **VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATION – 16.3**

**That Council resolves the following regarding the application from Holcim Australia Pty Ltd to extract basalt from Lot 2644 and Lot 348 Jules Road, Gelorup:**

- 1 To advise Holcim that it is not prepared to grant Planning Consent with a 'Whole of Life' approval term nor is it prepared to grant an Extractive Industry Licence for a term of 21 years for the following reasons:**
  - a) Pursuant to Clause 1.6 – Scheme objectives and 8.3.2 of the Shire of Capel Town Planning Scheme No.7, in having regard to preservation of the amenity of the locality as well as the orderly and proper planning of the locality, Council is of the view that given the hard rock excavation activity is located adjacent to a residential area it requires the opportunity to undertake reassessment of the extraction activity periodically to ascertain the acceptance of the use in respect to the amenity of the residents of the locality and to ascertain any physical impacts or damage to infrastructure whether residential or community in nature.**
  - b) Pursuant to State Planning Policy 2.4 the Western Australian Planning Commission (WAPC) and the local authority are to have regard to the effect of traffic, noise, dust, blasting and vibration on the amenity of the surrounding area having regard to existing and future uses. Limiting the life of the approvals to 10 years gives the opportunity to review the operation relative to the amenity of the surrounding area, any future land uses considered by the WAPC and updated methods and controls limiting the impact on the environment, community and public infrastructure.**
  - c) The Council is aware of the commercial need to have some certainty of continuity of their business and therefore continues to support approval terms of ten (10) years consistent with a previous Minister's determination and consistent with the recommendation of the Western Australian Planning Commission.**
  - d) The proposals for a whole of life Planning Consent and a 21 year extractive industry licence are considered to be ultra virus in the absence of approval by the Western Australian Planning Commission pursuant to Section 136 of the Planning and Development Act 2005.**
  - e) An approval period for the Extractive Industry Licence should correspond with an approval period granted under the Town Planning Scheme to ensure consistent outcomes through the approval process administration. Also given that an EIL cannot be approved in the absence of a planning approval and given the need for the planning process to manage the land use planning compatibility in the first instance for the locality, approval time period variations are unacceptable and not practical.**
- 2 To advise Holcim that it has concerns in respect to the unknown outcome of the end land use of the extraction sites as it relates to the possible impacts on the adjacent residential community. State and local planning strategies emphasise the need for the determination of the end land use of extractive industries at an early stage in the process. The closure plan submitted with the application has disregarded Council's previous resolution requiring that the 'end use plan' should be based on returning the land to a rural land use that provides no safety and health issues to the adjoining residential land uses.**

**17 CORPORATE SERVICES REPORTS****17.1 Lease – Lot 1, South Western Highway, Boyanup**


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Location:	South Western Highway, Boyanup
Applicant:	Shire of Capel
File Reference:	214217
Disclosure of Interest:	Nil
Date:	28.10.13
Author:	Governance Officer, A Handley
Senior Officer:	Director Corporate Services, P Anastasakis
Attachments:	Map showing Lot 1 South Western Highway, Boyanup Draft Lease Agreement (Confidential)

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**MATTER FOR CONSIDERATION**

Lease of Lot 1, South Western Highway, Boyanup to Daniel Neill.

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

In 1994 Council entered into a deed of agreement to acquire Lot 1 South Western Highway (8.1 ha) from the late Mr M Morris with the view to use the land for future expansion of the Boyanup Recreation Ground. Part of the deed of agreement concerned an obligation on the part of Council to fence the southern boundary of the land to separate it from land owned by Mr Morris (Lot 100, South Western Highway, Boyanup).

Following the transfer of land to Council, it was leased back to Mr Morris for grazing until such time as Council was ready to develop the land. There is no source of water on Lot 1, and grazing stock must access water on Lot 100.

Lot 100 is now up for sale, and the fence (with 1 gate) specified in the original deed of agreement has been constructed on the southern boundary of Lot 1. The Morris property is currently leased for grazing to Daniel Neill.

**Proposal**

Council approve the lease of Lot 1 South Western Highway, Boyanup to Daniel Neill for a period of 2 years with a further single year option.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 3.58

**3.58 Disposing of Property**

(1) In this section -

**Dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not.

Local Government (Functions and General) Regulations 1996, regulation 30.

**30. Dispositions of Property excluded from the Act s. 3.58****POLICY IMPLICATIONS**

There are no policy implications relevant to this matter.



## **FINANCIAL IMPLICATIONS**

### **Budget**

By offering the land for lease, Council can expect to receive rental income as well as saving the cost of installing firebreaks and providing weed control on the land.

There are no other budget implications associated with this matter.

### **Long Term**

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

### **Whole of Life**

As there are no assets being created there are no whole of life financial implications associated with this matter.

## **SUSTAINABILITY IMPLICATIONS**

There are environmental benefits associated with the granting of this lease through the ongoing use and management of the land, which includes the control and eradication of any noxious plants or weeds.. The lease also contains clauses requiring the lessee to comply with all statutes and regulations and prohibits the carrying on of offensive acts, which include causing pollution.

Some social benefits may be associated with the development of this lease and the utilisation of the land.

The development of a lease for this area of land will provide economic benefits through an income source to the Shire and cost savings as the lessee will be responsible for fire and weed management.

## **STRATEGIC IMPLICATIONS**

The lease of Lot 1 South Western Highway, Boyanup is consistent with Strategic Objective 4 of the Shire of Capel Corporate Business Plan (2013- 17).

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

## **CONSULTATION**

Discussion with the Director, Community Services to determine the timing of any proposed development on Lot 1 as part of further development of the Boyanup Recreation Ground. Consultation has also occurred with the proposed lessee and the terms of the lease, which have been agreed upon.

## **COMMENT**

Council has no immediate plans to develop Lot 1 for recreational purposes, and it is unlikely that any development will occur within the next 3 years. Although the land is suitable for stock agistment, there are no yards or water source. The only safe access point to the land for stock is via Lot 100.

It is considered that given these limitations there would be little benefit in leasing the land to anyone other than the current lessee of Lot 100.

The annual rental value of the land was assessed in early 2012 and set at \$1,600 inclusive of GST.

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 17.1</b>
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**That Council approves the lease of Lot 1, South Western Highway to Daniel Neill for a period of 2 years expiring 30 November 2015 at an annual rental of \$1,600 (GST inc) with an option of a further 1 year extension. This lease will be subject to the lessee meeting all terms of the lease agreement.**

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**17.2 2013/14 Budget – Differential Rating Variations**

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Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 05.11.13  
Author: Director Corporate Services, P Anastasakis  
Senior Officer: Chief Executive Officer, P Sheedy  
Attachments: Nil

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**MATTER FOR CONSIDERATION**

Council to determine whether to offer a rate concession for property owners in the Industrial rate category for the 2013/14 financial year.

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

Council at its meeting on 20 March 2013 (minute reference OC0310) made the following resolution:

*"That Council approves:*

- 1. a rating strategy for the 2013/14 draft Budget that includes as a minimum a 6.0% increase to rates for all rating categories and a \$50.00 increase to all minimum rates so that the minimum rate for all properties will be \$900.00;*
- 2. a rating strategy for the Corporate Business Plan and Long Term Financial Plan where the method of calculating any rate yield increase is based on Council increasing or decreasing the rates in the dollar so that the impact of any changes in the GRV or UV for properties are minimised by proportionally changing the rate in the dollar to achieve the total rate yield target.*
- 3. a rating strategy for the remaining period of the 4 year Corporate Business Plan and Long Term Financial Plan being based on a 6% increase to rates for all categories and a 6% increase to all minimum rates to reflect the Local Government Cost Index increase plus 2%; and*
- 4. retain the payment on time discount for rates at 2.5%."*

The item outlined Council's rating strategy and preferred position on differential rating, annual percentage rate increases and minimum rates.

Council at its meeting on 15 May 2013 (minute reference OC0504) made the following resolution:

*"That based on a 6% increase, Council advertises its intention in accordance with Section 6.36 of the Local Government Act 1995 to adopt for advertising purposes the following rates in the dollar and minimum rates for the differential and specified area rating categories specified for the 2013/14 financial year:*

	<i>Rate in \$</i>	<i>Minimum</i>
<i>Differential Rating :</i>		
- Residential (zone groups 1 & 3 GRV)	5.7071 cents	\$900.00
- Vacant Residential (zone groups 2 & 4 GRV)	10.1958 cents	\$900.00
- Commercial (zone groups 5 – 6 GRV)	6.7112 cents	\$900.00
- Land Use Commercial (zone group 10 – UV)	1.0355 cents	\$900.00
- Rural (zone group 11 – UV)	0.3577 cents	\$900.00
- Special Rural (zone group 12 – GRV)	4.9330 cents	\$900.00
<i>Specified Area Rating:</i>		
- Dalyellup Parks, Reserves Maintenance (GRV) Purpose: Maintenance of Parks and Reserves in Dalyellup	4.5434 cents (to a maximum of \$154.00 per assessment)	Nil

"

The item considered Council's original aim of delivering a 6% average rate increase, based on Council's rating strategy and preferred position on differential rating, annual percentage rate increases and minimum rates.

The May 2013 report also considered a number of different rate increases (6%, 8%, 9%) together with consideration of an alternative modeling method. This introduced an additional three rate categories aimed at minimizing the deficiencies of averaging grouped zones.

### **Proposal**

That Council consider the impact of the final rate calculations for Industrial category properties in the Capel Industrial area and determine whether to offer a rate concession to affected property owners for the 2013/14 financial year.

### **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

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;
  - c) 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.

Local Government Act 1995, Section 6.12

**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
  - 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 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 the 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.

(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 Act 1995, Section 6.34

### **6.34 Limit on Revenue or Income from General Rates**

Unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to –

- a) be more than 110% of the amount of the budget deficiency; or
- b) be less than 90% of the amount of the budget deficiency.

Local Government Act 1995, Section 6.36

### **6.36 Local Government to give Notice of Certain Rates**

(1) Before imposing any differential general rate 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.

Local Government Act 1995, Section 6.47

### **6.47 Concessions**

Subject to the *Rates and Charges (Rebates and Deferrals) 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*

## **POLICY IMPLICATIONS**

Policy 11.8 – Preparation of Budget, outlining the steps and timetable leading to the adoption of the Budget has been followed.

## **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 required rate revenue. Any concessions offered by Council have a financial impact on Council's operations, either through the carried forward position into 2014/15 or through the reprioritization of Council's projects in the current year.

The current forecast carried forward position for Council at 30<sup>th</sup> June 2014 is a deficit of (\$112,609). Any concession offered by Council would increase this deficit position unless currently approved projects were not undertaken or savings were identified.

An assessment has been made of the financial impact of offering a concession to all properties in the Commercial Rating Category, which includes the Industrial, Commercial and Commercial Un-developed properties.

On the basis that a 7.18% increase in rate yield is produced from the entire Commercial Rating Category, the financial cost to Council is estimated to be \$24,214. However as the rate in the dollar required to achieve this 7.18% target (\$0.06134) applies to the whole Rating Category, this would still result in an average 17.76% increase for Industrial properties, 4.20% increase for Commercial properties and a -4.28% decrease for Commercial undeveloped properties.

On the basis that a 6.99% increase in rate yield is produced only from the Industrial zone group within the Commercial Rating Category, and the Commercial and Commercial Un-developed zone groups remain unchanged, the financial cost to Council is estimated to be \$14,119. This partial concession is not supported as it could be regarded as inequitable, is contrary to advice received, and may create a precedent for other zone groups to seek a concession.

### **Long Term**

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.

Council needs to ensure that any changes to its rating strategy are equitable, defensible and ensure the ongoing financial sustainability of Council's primary income source – rates.

The proposed introduction of additional Rating Categories into the calculation of differential rates in 2014/15 will assist in the analysis of future income sources and enable Council to manage rate increases for different zone groups. This is particularly relevant as the Shire continues to grow and service the needs of different communities of interest.

### **Whole of Life**

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

### **SUSTAINABILITY IMPLICATIONS**

The levying of property rates has an environmental impact in that over 6,864 rate notices have been distributed in a paper based medium. Any adjustments to rates will require additional notices being printed.

Increased property rates have the potential to have a social impact in terms of their affordability.

Property rates are the Shire's main area of "own source" revenue and it is therefore essential rate revenue be raised in a timely manner and to such an extent they allow the continued financial operation of the Shire in a sustainable manner.

### **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.

### **CONSULTATION**

The annual differential rating proposal is advertised for public comment for a period of 21 days prior to its adoption by Council. Council adopted these differential rates on the 17<sup>th</sup> July 2013 after the proposed rates were advertised in the local papers during the week ending 31<sup>st</sup> May 2013. No written submissions were received.

Four property owners in the Capel Light Industrial area have written to Council expressing their concern over the percentage increase in rates for Industrial area properties. A written

response has been provided to these owners, with further detailed discussions occurring with one owner.

Consultation with the Department of Local Government and Communities has occurred to seek advice on the proposed Council concession. The advice received confirms that Section 6.47 of the Local Government Act 1995 is the relevant section under which Council may grant a concession, however notes the following points for consideration:

- *There is a view that the concession can only be applied to a 'rate' so that everyone on the 'rate' receives the concession, but the Department has no firm view or advice on this at this time.*
- *However, the challenge that Capel has is that it did not impose an "Industrial" rate so it will not simply be a matter of applying a percentage / \$ value concession. You might need to identify the specific properties and come up with some defensible method of granting individual concessions. I'm not sure though if this would leave the Shire open to criticism from others (including those in other rate categories) who might have also experienced higher than usual rate increases but who did not receive the concession.*
- *It might be a better option to wait until the 2014/15 budget and adopt a separate differential for Industrial land. This won't help affected property owners in 2013/14 but will thereafter.*

## **COMMENT**

Based on Council's adoption of the Rating Strategy for 2013/14, the minimum rates and rate yield in all six rate categories were increased to provide an average increase of 6%. This was forecast to achieve an overall increase in the rate yield for 2013/14 of 7.18%, which included the rate revenue obtained from the increased growth in the number of ratable properties (estimated to be approximately 1-1.18%).

### Gross Rental Values

Properties rated on the basis of their Gross Rental Value (GRV) had their valuations updated during 2012/13 by Landgate. It had been 3 years since the last valuation was undertaken in 2010, which is one year sooner than previous valuations.

These valuations were provided to Council in April 2013 (based on an August 2012 valuation date) and applied from the 1<sup>st</sup> July 2013. These valuations will now remain in place until 30 June 2016.

Landgate provided some statistics associated with their review undertaken in a report dated 16<sup>th</sup> April 2013. Over the three year period, overall values increased by approximately 16% to now be \$100m with the new valuation. The following table summarises the change in the different classifications as defined by the Valuer General:

<b>Classification</b>	<b>% Increase/ Decrease</b>	<b>Number of Valuations</b>	<b>GRV's</b>	<b>% of Total</b>
Residential	18.58%	5,098	\$89,689,548	90%
Commercial	21.42%	49	\$2,429,265	2%
Industrial	-3.67%	45	\$1,862,840	2%
Miscellaneous	17.62%	3	\$59,140	0%
Vacant Land	-9.83%	834	\$6,014,970	6%
<b>TOTAL GRV</b>	<b>15.95%</b>	<b>6,029</b>	<b>\$100,055,763</b>	<b>100%</b>

While the percentage change for individual properties are not necessarily uniform, the average movement between the revaluations does generally provide a useful statistic and is relied upon for the purposes of rates modelling.

The rate model that was run applied a rate in the dollar that enabled a 7.18% (6% plus growth) higher rate yield to be achieved than the rate yield from 2012/13, with minimum rates across all categories increasing by \$50 or approximately 6%.



Unimproved Valuations

Updated valuations for properties rated on the basis of their unimproved value (UV) are provided annually and therefore took effect from 1 July 2013. The updated valuations received showed that on average rural property valuations decreased by 4.06% compared to last year. This is in addition to the previous years 6.07% reduction in value. This average decrease means that to achieve an overall increase of 7.18% in the rate yield from the rural sector (which was based on overall 6.0% increase in the rate in the dollar plus growth across the shire), the 2013/14 rate in the dollar will need to be increased by about 11.24%.

Total Rates

The total rate yield forecast in the 2013/14 budget is shown in the following table. \$7,728,236 is forecast to be raised from 6,864 rate assessments. Once expected interim rates, specified area rates and the payment on time discount are included the total amount to be raised increases to \$8,196,245.

Table 1: 2013/14 Anticipated Rate Yield (excluding interim rates)

	Rate in \$ or Minimum Rate	Rate Yield	Number of Properties	Average Rate
<b>Calculated Rate:</b>				
- Residential	5.7071 cents	\$3,609,944	3,338	\$1,081.47
- Vacant Residential	10.1958 cents	\$231,735	141	\$1,643.51
<b>- Commercial</b>	<b>6.7112 cents</b>	<b>\$277,944</b>	<b>89</b>	<b>\$3,122.97</b>
- Rural	0.3577 cents	\$997,683	489	\$2,040.25
- Land Use	1.0355 cents	\$61,053	12	\$5,087.75
- Special Rural	4.9330 cents	\$353,877	355	\$996.84
Total		\$5,532,236	4,424	
<b>Minimum Rates:</b>				
- Residential	\$900.00	\$1,203,300	1,337	\$900.00
- Vacant Residential	\$900.00	\$608,400	676	\$900.00
<b>- Commercial</b>	<b>\$900.00</b>	<b>\$13,500</b>	<b>15</b>	<b>\$900.00</b>
- Rural	\$900.00	\$302,400	336	\$900.00
- Land Use	\$900.00	0	0	0
- Special Rural	\$900.00	\$68,400	76	\$900.00
Total		\$2,196,000	2,440	
<b>Grand Total</b>		<b>\$7,728,236</b>	<b>6,864</b>	

Council has nine differential rating categories and no changes were made to this mix for 2013/14. Seven of these categories (Residential, Commercial and Special Rural) are based on the Gross Rental Value (GRV) basis of rates and the Rural and Land Use Commercial categories are Unimproved Value (UV).

Table 2: 2012/13 Actual Rate Yield at Rates Billing (excluding interim rates)

	Rate in \$ or Minimum Rate	Rate Yield	Number of Properties	Average Rate
<b>Calculated Rate:</b>				
- Residential	6.3005 cents	\$3,495,545	3,457	\$1,011.15
- Residential Undeveloped	9.9547 cents	\$355,189	231	\$1,537.61
- Commercial	6.3005 cents	\$230,779	74	\$3,118.63
- Rural	0.3262 cents	\$957,413	491	\$1,949.92
- Land Use	0.9285 cents	\$57,074	12	\$4,756.16
- Special Rural	5.5301 cents	\$242,726	253	\$959.39
Total		\$5,338,726	4,518	
<b>Minimum Rates:</b>				
- Residential	\$850.00	\$901,000	1,060	\$850.00
- Residential Undeveloped	\$850.00	\$583,100	686	\$850.00
- Commercial	\$850.00	\$25,500	30	\$850.00
- Rural	\$850.00	\$281,350	331	\$850.00
- Land Use	\$850.00	0	0	0
- Special Rural	\$850.00	\$147,050	173	\$850.00
Total		\$1,938,000	2,280	
<b>Grand Total</b>		<b>\$7,276,726</b>	<b>6,798</b>	

**Analysis of the 2013/14 Rates**

The following table compares the rates in the dollar and minimum rates by rate category for 2012/13 and 2013/14.

Table 3: Comparison of Rates in the Dollar and Minimum Rates

Rate Category	Basis	2012/13 Rate	2013/14 Rate	Difference (cents)	2012/13 Minimum	2013/14 Minimum	Difference
Residential Developed	GRV	6.3005	5.7071	-0.5934	\$850.00	\$900.00	\$50.00
Residential Undeveloped	GRV	9.9547	10.1958	0.2411	\$850.00	\$900.00	\$50.00
Dalyellup Developed	GRV	6.3005	5.7071	-0.5934	\$850.00	\$900.00	\$50.00
Dalyellup Undeveloped	GRV	9.9547	10.1958	0.2411	\$850.00	\$900.00	\$50.00
Commercial Developed	GRV	6.3005	6.7112	0.4107	\$850.00	\$900.00	\$50.00
Commercial Undeveloped	GRV	6.3005	6.7112	0.4107	\$850.00	\$900.00	\$50.00
Land Use Commercial	UV	0.9285	1.0355	0.1070	\$850.00	\$900.00	\$50.00
Rural	UV	0.3262	0.3577	0.0315	\$850.00	\$900.00	\$50.00
Special Rural	GRV	5.5301	4.9330	-0.5971	\$850.00	\$900.00	\$50.00

The following table shows the minimum, maximum, average and median (mid-point) rates for each rating category as well as the modal range (rate range that has the most ratepayers).

Table 4: Rating Statistics for 2013/14 Budget

	No. of Properties	Minimum	Maximum	Average	Median	Modal Range
Non-Rateable	255	\$0	\$0	\$0	\$0	\$0
Residential-Developed	2,040	\$900.00	\$5,712.81	\$957.93	\$900.00	\$801-\$900
Residential-undeveloped	452	\$900.00	\$13,947.85	\$1,088.25	\$900.00	\$801-\$900
Dalyellup-Developed	2,635	\$900.00	\$11,395.94	\$1,085.03	\$1,053.53	\$1,101-\$1,100
Dalyellup-Undeveloped	365	\$900.00	\$11,286.75	\$954.10	\$900.00	\$801-\$900
Commercial-developed	92	\$900.00	\$32,804.35	\$2,975.32	\$1,711.36	\$801-\$900
Commercial-Undeveloped	12	\$900.00	\$6,342.08	\$1,476.25	\$919.79	\$801-\$900
Land Use Commercial	12	\$2,360.94	\$9,795.83	\$5,087.76	\$4,825.44	\$4,801-\$4,900
Rural	825	\$900.00	\$55,443.50	\$1,575.86	\$1,048.06	\$801-\$900
Special Rural	431	\$900.00	\$1,718.66	\$979.76	\$961.94	\$901-\$1,000
All Properties	7,119	\$0	\$55,443.50	\$1,085.58	\$994.18	\$801-\$900

The following table shows the average rates and minimum rates per rating category proposed for 2013/14 compared to those for the past seven years. **Comparison of averages may be misleading, however it does provide a snapshot of the average increase over time by rate category.**

Table 5: Average Rates – 8 Year Comparison

	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
<b>Average Rates (rate in \$)</b>								
* based on average for calculated rates and minimum rates								
- Residential	670.80	710.90	778.91	848.27	905.71	962.04	1,011.15	1,081.47
- Residential Undeveloped	N/A	N/A	N/A	N/A	N/A	N/A	1,537.61	1,643.51
- Commercial	2,441.63	2,597.72	2,522.66	2,691.31	2,788.88	2,956.20	3,118.63	3,122.97
- Rural	1,298.25	1,405.32	1,530.47	1,684.16	1,766.35	1,865.62	1,949.92	2,040.25
- Rural Land Use	2,510.62	2,532.15	2,759.92	3,850.67	4,250.67	4,505.67	4,756.16	5,087.75
- Special Rural	623.28	664.34	722.48	795.71	813.59	891.85	959.39	996.84
<b>Minimum Rates</b>								
- Residential	530.00	565.00	615.00	700.00	750.00	795.00	850.00	900.00
- Residential Undeveloped							850.00	900.00
- Commercial	530.00	565.00	615.00	700.00	750.00	795.00	850.00	900.00
- Rural	575.00	610.00	665.00	750.00	750.00	795.00	850.00	900.00
- Special Rural	530.00	565.00	615.00	700.00	750.00	795.00	850.00	900.00

The above rates analysis and modeling outlined in a series of earlier reports to Council, forecast that the rates generated would provide a 7.18% average increase in rates yield for the Shire of Capel. This increase was made up of an average 6% increase in rates plus average growth in the number of properties in the Shire.

This analysis and modeling was based on a number of assumptions that have over time proven to be reasonable and consistent.

- That the percentage increase in valuations summarized in the General Valuation Report provided by the Valuer General was accurate and based on empirical evidence and statistics.
- That the classification of properties in the General Valuation Report provided by the Valuer General was reasonably consistent with the classifications applied by Council’s rating database.
- Properties classified by Council as either Commercial (Developed and Un-developed) or Industrial have been grouped together and had the same rate in the dollar applied.

In generating the final rates, it has become evident that there were a number of unexpected variances that adversely impacted on the average rates for the six groups rating categories. These were:

- For this particular period, the classification of properties in the General Valuation Report provided by the Valuer General was shown to be inconsistent with the classifications applied by Council's rating database.

Three large properties were classified by the Valuer General as Industrial, while they have been classified as Commercial from a Council perspective (Iluka Resources site on Jenkin Road, Capel; Harvey Fresh site on Roe Road, Capel; and Harvey Fresh site on Thomas Street, Boyanup). These three properties had unusually large reductions in their valuations (combined reduction of \$290,000 in their GRV) which adversely influenced the average change in GRV's.

In most years where there has been a general uniform increase in all Commercial and Industrial properties, then this classification difference has not distorted the average result.

However the current valuation report from the Valuers General states an average increase in GRV's for Commercial properties of 21.42%, and an average decrease for Industrial properties of -3.67%.

This increase in Commercial of 21.42% and decrease in Industrial of -3.67% formed the basis of calculating the required Council rate in the dollar to achieve the targeted increase of 6% plus growth.

The grouping of Commercial Developed (Industrial and Commercial zone group lots) and Commercial Undeveloped applies to 104 properties. A rate in the dollar of \$0.067112 was calculated to produce what was thought to be an average increase of 8.34%, which was close to the target increase of 6% plus growth.

To test further the impact of this rate in the dollar, the modeling was run in Synergy which calculated an average rate for the Commercial Developed zone group of \$2,975.32, compared to an average in 2012/13 of \$2,609.29. This is an increase of \$366.03 or 14%. The Synergy modeling calculated an average rate for the Commercial Un-developed zone group of \$1,476.25, compared to an average in 2012/13 of \$1,448.77. This is an increase of \$27.048 or 1.9%.

These two zone groups were combined together into the Commercial Category to provide an average rate of \$2,802.35 (calculated and minimum rates) compared to \$2,611.05 in 2012/13, which is an increase of \$191.30 or 7.3%.

In summary, there are therefore two primary reasons why the rates raised on Industrial properties were higher than expected :

1. Reliance on the stated changes from the Valuer General in GRV's and the zone categorization of properties; and
2. The averaging effect of combining the Industrial, Commercial and Commercial Un-developed zone group properties into one Commercial Rate Category and applying one rate in the dollar to these grouped zones.

#### Alternate Methodology

Council has previously adopted a differential rating method that spreads the rates burden equitably across the six Rating Categories, while at the same time maintaining rating based on land zoning and land use.

These six Rating Categories have different Zone Groups allocated to each category as follows:

1. **Residential (zone groups 1 & 3 GRV** – Residential Developed and Dalyellup Developed)
2. **Vacant Residential (zone groups 2 & 4 GRV** – Residential Undeveloped and Dalyellup Undeveloped)
3. **Commercial (zone groups 5 – 6 GRV** – Commercial Developed and Commercial Undeveloped)
4. **Land Use Commercial (zone group 10 – UV)**
5. **Rural (zone group 11 – UV)**
6. **Special Rural (zone group 12 – GRV)**

Due to the changing nature of zone groups, their respective GRV values and the service levels, their grouping together can some times result in significant fluctuations occurring from year to year when an average rate increase is modeled and applied across the groups.

The tables below illustrate this variance when comparing previous years average rates. These fluctuations can be further exacerbated when a significant GRV valuation change occurs (significant increases or decreases), and where there is a change in the relevant zone group for a significant number of properties ie: vacant land previously rated as residential undeveloped becoming residential developed.

It is for these reasons that an alternative rate model is proposed for the future using a different methodology.

Analysis of the 2013/14 Rate Model and Proposed Future Model

The following table compares the rates in the dollar for the different rate zone groups for 2013/14 based on the 6% increase, together with the average and median (mid-point) rates.

**Table 6: Rating Statistics for 2013/14**

	Basis	2012/13 Rate	2013/14 Rate @ 6%	No. of Properties	2012/13 Average	6% Average	6% Median
Non-Rateable				255	\$0	\$0	\$0
Residential-Developed	GRV	6.3005	5.7071	2,040	\$894.70	\$957.93	\$900.00
Residential-undeveloped	GRV	9.9547	10.1958	452	\$1,134.43	\$1,088.25	\$900.00
Dalyellup-Developed	GRV	6.3005	5.7071	2,635	\$1,034.89	\$1,085.03	\$1,053.53
Dalyellup-Undeveloped	GRV	9.9547	10.1958	365	\$900.87	\$954.10	\$900.00
Commercial-developed	GRV	6.3005	6.7112	92	\$2,609.29	\$2,975.32	\$1,711.36
Commercial-Undeveloped	GRV	6.3005	6.7112	12	\$1,448.77	\$1,476.25	\$919.79
Land Use Commercial	UV	0.9285	1.0355	12	\$4,756.24	\$5,087.76	\$4,825.44
Rural	UV	0.3262	0.3577	825	\$1,507.41	\$1,575.86	\$1,048.06
Special Rural	GRV	5.5301	4.9330	431	\$913.24	\$979.76	\$961.94
All Properties				<b>7,119</b>	<b>\$1,032.91</b>	<b>\$1,085.58</b>	<b>\$994.18</b>

As noted previously, these nine Rate Zone Groups are grouped into six Rate Categories.

The following table shows the average rates and minimum rates per Rating Category for 2013/14 compared to those for the past five years. Comparison of averages may be misleading as the grouping of Rate Categories can cause fluctuations from year to year, however it does provide a snapshot of the average increase over time by rate category.

The table does show based on a 6% rate increase, that for properties above the minimum rate on average rural rates increased by about \$90.33 (4.6%), commercial rates increased by \$4.34 (0.13%) and that average rates for residential ratepayers increased by \$70.32 (6.95%) per annum.

**Table 7: Average Rates – 8 Year Comparison**

	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14 6%
<b>Average Rates (rate in \$)</b>						
* based on average for calculated rates and minimum rates						
- Residential	778.91	848.27	905.71	962.04	1,011.15	1,081.47
- Residential Undeveloped	N/A	N/A	N/A	N/A	1,537.61	1,643.51
- Commercial	2,522.66	2,691.31	2,788.88	2,956.20	3,118.63	3,122.97
- Land Use Commercial	2,759.92	3,850.67	4,250.67	4,505.67	4,756.16	5,087.75
- Rural	1,530.47	1,684.16	1,766.35	1,865.62	1,949.92	2,040.25
- Special Rural	722.48	795.71	813.59	891.85	959.39	996.84
<b>Minimum Rates</b>						
- Residential	615.00	700.00	750.00	795.00	850.00	900.00
- Residential Undeveloped					850.00	900.00
- Commercial	615.00	700.00	750.00	795.00	850.00	900.00
- Land Use Commercial	665.00	750.00	750.00	795.00	850.00	900.00
- Rural	665.00	750.00	750.00	795.00	850.00	900.00
- Special Rural	615.00	700.00	750.00	795.00	850.00	900.00

**Concluding Comments**

To further improve the rate modeling undertaken by Council, and to reduce the deficiencies associated with the averaging of Rate Categories, an alternative rate model is proposed for future years where additional Rate Categories are used in calculating the total rate yield.

While it is recognised there were anomalies evident in calculating the final rates for properties in the Commercial Rating Category, based on advice received and calculations undertaken, it is not considered appropriate for Council to offer a rate concession through the waiving of a portion of ratable properties in 2013/14. The preferred course of action is to create a new Rate Category for Industrial properties in 2014/15, and as a form of concession, not apply a Council rate in the dollar increase for 12 months.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER’S RECOMMENDATION – 17.5**

1. That Council approve a rating strategy for the 2014/15 draft Budget and future budgets, based on the creation of one Rate Category for each Zone Group, and the creation of additional zone groups to distinguish between commercial and industrial properties, and commercial properties in Dalyellup. This will create the following Differential Rating categories:
  - Residential (zone group 1 GRV)
  - Dalyellup Residential (zone group 3 GRV)
  - Vacant Residential (zone group 2 GRV)
  - Vacant Dalyellup Residential (zone group 4 GRV)
  - Commercial Developed (zone group 5 GRV – only commercial)
  - Dalyellup Commercial Developed (new zone group 8 GRV)
  - Industrial Developed (new zone group 7 GRV – only industrial)
  - Vacant Commercial & Industrial (zone groups 6 GRV)
  - Land Use Commercial (zone group 10 – UV)
  - Rural (zone group 11 – UV)
  - Special Rural (zone group 12 – GRV)
  
2. That as part of developing the 2014/15 Draft Budget, Council consider a rate in the dollar of \$0.067112 for the proposed new Industrial Developed Rating Category.

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**17.3 Appointment of Authorised Officer**

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Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	05.11.13
Author:	Governance Officer, A Handley
Senior Officer:	Director Corporate Services, P Anastasakis
Attachment	Nil

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**MATTER FOR CONSIDERATION**

Appointment of Gordon Boettcher as an Authorised Officer under various items of legislation so he is able to undertake the role of Ranger Services Coordinator.

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

The Shire currently has three full-time Community Rangers which provides for the rostering of two Community Rangers to be on duty during weekends, one of whom will be responsible for patrolling beaches in the summer months.

Mr Clive Howes is retiring from the position of Senior Community Ranger on 15 December 2013 and will be replaced by Gordon Boettcher on 11 December 2013.

**Proposal**

To appoint Gordon Gerard Boettcher as an Authorised Officer for the Shire of Capel, and remove the status from Clive Howes.

**STATUTORY ENVIRONMENT**

The relevant legislation under which Mr Boettcher is required to be appointed as an Authorised Officer is:

1. Bush Fires Act 1954 s13(4-6), s59(3) r16, r24;
2. Caravan Parks and Camping Grounds Act 1995 s17 & r 6;
3. Control of Vehicles (Off-Road area) Act 1978 s5, s38(3) & r37;
4. Dog Act 1976 s3, s29(1), 44(2)(b) & r3;
5. Cat Act 2011 s3, s48(1) & s73(1 & 2);
6. Local Government Act 1995 (various sections);
7. Local Government (Miscellaneous Provisions) Act 1960 (Part XX & various sections; and;
8. Litter Act 1979 s26(1).

**POLICY IMPLICATIONS**

There are no policy implications relevant to this matter.

**FINANCIAL IMPLICATIONS**

**Budget**

There will be some costs associated with the requirement to advertise the appointment in the Government Gazette, however these costs have been accounted for in the budget.

**Long Term**

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

**Whole of Life**

As there are no assets being created there are no whole of life financial implications associated with this matter.

**SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications relevant to this matter.

**STRATEGIC IMPLICATIONS**

The Shire of Capel Strategic Community Plan 2013 to 2031 includes the following strategy which has relevance:

- Enhance community safety and wellbeing.

This strategy has relevance as Community Rangers are a visible presence in the community and are responsible for ensuring compliance with local and state laws as well as providing an educational role.

**CONSULTATION**

There has been no consultation required in this matter.

**COMMENT**

Mr Boettcher has been appointed as Ranger Services Coordinator to replace Senior Community Ranger Clive Howes who will retire on the 30 November 2013.

Without this authorisation the Ranger Services Coordinator would not be able to carryout his duties properly, especially in the areas of issuing infringement notices, enforcing the various legislations, carrying out prosecutions, etc.

**VOTING REQUIREMENTS**

Simple majority



**OFFICER'S RECOMMENDATION – 17.3**

**That Council appoints Gordon Gerard Boettcher, effective Wednesday 11 December 2013:**

- 1 An Authorised Officer to administer the following legislation:**
  - **Bush Fires Act 1954**
  - **Caravan Parks and Camping Grounds Act 1995**
  - **Control of Vehicles (Off-road Areas) Act 1978**
  - **Dog Act 1976**
  - **Cat Act 2011**
  - **Local Government Act 1995– Section 3.39 &Part 9 Division 2**
  - **Local Government (Miscellaneous Provisions) Act 1960**
  - **Litter Act 1979.**
  
- 2 A Pound Keeper and Ranger to exercise powers under Part XX of Local Government (Miscellaneous Provisions) Act 1960.**
  
- 3 A 'Prosecutor' (to instigate and carry on proceedings against persons committing offences) under section 59(3) of the Bush Fires Act 1954, section 44(2)(b) of the Dog Act 1976 and section 73(1 & 2) of the Cat Act 2011.**

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**17.4 Shire of Capel Audit Committee Minutes**

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Location:	Capel
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	05.11.13
Author:	Governance Officer, A Handley
Senior Officer:	Director Corporate Services, P Anastasakis
Attachments:	Minutes of the meeting of the Shire of Capel Audit Committee held on 16 October 2013.

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**MATTER FOR CONSIDERATION**

Council to receive the minutes of the Audit Committee meeting held on 16 October 2013, and adopt the Recommendations therein.

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

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

One of the roles of this Committee is to meet with the Auditor every year, review the Auditor's Report and ensure action is taken where necessary.

**Proposal**

The minutes of the Audit Committee held on 16 October 2013 be received and the recommendations therein be adopted.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

Section 5.22 of the Local Government Act 1995 specifies that the minutes of a Committee are to be submitted to the next Ordinary Meeting of Council for confirmation.

Section 7.1 refers to the need to establish an Audit Committee, its membership and decision making processes.

Section 7.13 (i) of the Local Government Act 1995 requires a local government to carry out an audit of compliance in the manner and form approved by the Minister.

Regulation 16 outlines the functions of the Audit Committee.

Local Government (Financial Management) Regulations) 1996

Regulation 5 (2)(c)- Financial Management Duties of the CEO – requires the CEO to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly.

**POLICY IMPLICATIONS**

There are no policy implications associated with this item.

**FINANCIAL IMPLICATIONS**

**Budget**

The cost of the annual financial review and audit are included as part of AMD Chartered Accountants response to Tender 08/08. Funds to meet this expense are allocated in Council's Annual Budget.

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this item.

**STRATEGIC IMPLICATIONS**

The following Strategic Outcome from the Shire of Capel Corporate Business Plan (2013-17) has relevance in the matter.

1.4 – Provide efficient and effective financial management to ensure the long term financial sustainability of the organisation.

**CONSULTATION**

No consultation is required on this matter.

**COMMENT**

The Minutes of the Audit Committee meeting held on 16 October 2013 are attached. The Audit Committee was requested to consider the Independent Audit Report for 30 June 2013, Management Report for 30 June 2013, and the Annual Financial Report for 2013/13. In accordance with the Local Government Act 1995, the Committee members also met with Council's Auditor, Mr Tim Partridge of AMD Chartered Accountants. The Committee also considered the extension of the existing contract for appointment of an Auditor.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER'S RECOMMENDATIONS – 17.4**

**That Council receives the minutes of the Audit Committee held on 16 October 2013 and that recommendations AC1001 to AC 1006 be endorsed.**

**AC1002 That the Audit Committee advises Council that it has met with the Auditor and discharged its obligations, in accordance with Section 7.12A (2) of the Local Government Act.**

**AC1003 It be recommended to Council that the Independent Audit Report and Management Report for the year ended 30 June 2013 be accepted and the Independent Audit Report be included in the Annual Report.**

**AC1004 It be recommended to Council that the Annual Financial Report for the year ended 30<sup>th</sup> June 2013 be accepted and included in the Annual Report.**

**AC1006 That the Audit Committee recommend to Council that Mr Tim Partridge and Ms Maria Cavallo of AMD Chartered Accountants be appointed as auditor for the Shire of Capel for a period of three financial years from 1 July 2013 to 30 June 2016 at a fee based on the conditions of the 2008 contract signed 1 July 2008.**

**Note: AC1005 was an Officer Recommendation that was amended by the Committee with AC1006.**

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## **17.5 Accounts Due and Submitted for Authorisation**

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Location: Capel  
 Applicant: Shire of Capel  
 File Reference:  
 Disclosure of Interest: Nil  
 Date: 06.11.13  
 Author: Finance & Accounts Payable Officer, H Tu  
 Senior Officer: Director Corporate Services, P Anastasakis  
 Attachments: Nil

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### **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 staffs have been consulted and authorised the payments. Documented reviewed by Manager Finance, A Mattaboni.

### **COMMENT**

Accounts due and submitted for authorisation are as follows:

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT14865	20/11/2013	AMITY SIGNS	126X VARIOUS SIGNS	5500.00
EFT14866	20/11/2013	SAI GLOBAL LIMITED	SAI GLOBAL-MEMBERSHIP FEE, BUYER ADV PROGRAM 1-5	466.00
EFT14867	20/11/2013	RL & JL ANDERSON	PURCAHSE & INSTALLATION OF 7X BATTERY CHARGER FOR EACH FIRE UNIT	2311.61
EFT14868	20/11/2013	ABNOTE	5000X ELABLES @\$0.078	390.50
EFT14869	20/11/2013	BUNBURY MACHINERY	VARIOUS PART FOR MOWER & SERVICE TO MOWER-CP9516	1187.69

EFT14870	20/11/2013	BUNBURY MOWER SERVICE	VARIOUS PARTS FOR MOWERS, PURCHASE NEW GENERATOR FOR CAPEL TIP-\$1799, NEW BLOWER-\$359	2431.00
EFT14871	20/11/2013	BELL FIRE EQUIPMENT COMPANY	13/14 MONTHLY SERVICING OF FIRE INDICTOR PANEL AT CAPEL LIBRARY:SEP 13	137.50
EFT14872	20/11/2013	BUNBURY TYREPOWER	NEW TYRE & WHEEL ALIGNMENT-70CP	357.00
EFT14873	20/11/2013	BUNBURY TOYOTA	20,000 KM SERVICE CP9081	379.16
EFT14874	20/11/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE SUPPLIES -OCT 13	591.88
EFT14875	20/11/2013	BULLIVANTS PTY LTD	CERTIFICATION OF LIFTING AND TOWING CHAINS OF LOADER AND GRADER AS REQUESTED BY SAFETY OFFICER	681.91
EFT14876	20/11/2013	BLACKWOODS	4 X 15KG BAGS RAG , 24X 350GM WHITE SPRAY PAINT	107.98
EFT14877	20/11/2013	BOYANUP BOTANICAL	25L EUCALYPTUS TORQUATA, FOR 9 ROE ROAD CAPEL	33.00
EFT14878	20/11/2013	STAPLES AUSTRALIA PTY LTD	2013/14 STATIONERY: OCT 13	1905.21
EFT14879	20/11/2013	CJD EQUIPMENT PTY LTD	REPAIR FLOAT SWITCH WIRING ON L70F LOADER CP4991	426.53
EFT14880	20/11/2013	TJ DEPIAZZI & SONS	PLAYGROUND SOFTFALL, GRADED PINEBARK MULCH 6-12MM: 35M3 EARL SCOTT TOWN PARK & 35M3 CAPEL RECREATION GROUND	5681.51
EFT14881	20/11/2013	EATON HARDWARE	HACC-HARDWARE SUPPLIES FOR OCT 13	52.65
EFT14882	20/11/2013	DEPT OF FIRE AND EMERGENCY SERVICES (DFES).	13/14 SW COMMUNITY SERVICE ANNOUNCEMENT PROGRAM	350.00
EFT14883	20/11/2013	FENNESSY'S	40,000KM SERVICE - CP9320 & CP1125, 30,000KM SERVICE-45CP,20,000KM-43CP	2333.11
EFT14884	20/11/2013	GLOBE AUSTRALIA PTY LTD	111X 18KG BARMAC BTI @\$138.60	15384.60
EFT14885	20/11/2013	INSTANT RACKING & STEEL SHELVING	3X STEEL TOOL BOX	2329.80
EFT14886	20/11/2013	JETLINE KERBING CONTRACTORS	REPAIR 26X BROKEN /DANGEROUS FOOTPATH PANELS AT DALYELLUP	16665.00
EFT14887	20/11/2013	LANDGATE	13X LAND ENQUIRIES & GROSS RENTAL VALUATIONS CHARGEABLE 19/9/13-18/10/13	2262.37
EFT14888	20/11/2013	MALATESTA ROAD PAVING & HOT MIX	ASPHALT-907.5 TON & EMULSION -280L	1187.50

EFT14889	20/11/2013	NATURALISTE BLOCK & PAVING	SUPPLY AND INSTALL LIMESTONE BLOCK WALL AROUND CAPEL PLAYGROUP SANDPIT 20X LINEAL METRE@\$60P/LM	1200.00
EFT14890	20/11/2013	ONSITE RENTAL GROUP	HIRE EXCAVATOR FOR 9 DAYS (4DAY-\$928.13, 4DAY-\$928.13, 1DAY-4286.48)	2142.74
EFT14891	20/11/2013	PEPPERWOOD ESTATE	2 CARTON OF REFRESHMENTS	410.00
EFT14892	20/11/2013	PRESTIGE PRODUCTS-BUSSELTON	5L PINE DISINFECTANT CLEANER	11.00
EFT14893	20/11/2013	PACIFIC BIOLOGICS	ONE TONNE PROSAND	10179.35
EFT14894	20/11/2013	POSITION PARTNERS	CIVILCAD MAGNET MAINTENANCE	368.50
EFT14895	20/11/2013	ROBERT'S TILT-TRAY & HIAB SERVICE	13/14 TRANSPORT E-WASTE CONTAINER FROM CAPEL TO PERTH AND RETURN \$869EACH MONTH: OCT13	869.00
EFT14896	20/11/2013	RTW STEEL FABRICATION	REPAIR TAILGATE TO CP4821	330.00
EFT14897	20/11/2013	SOUTHERNS WATER TECHNOLOGY	VARIOUS RETIC PARTS & LOCATION OF ALL UNDERGROUND SOLENOIDS AT CAPEL, BOYANUP OVALS AND SHIRE OFFICE GROUNDS	1496.12
EFT14898	20/11/2013	CAPEL FRESH IGA	SUPPLIES FOR OCT 13	396.53
EFT14899	20/11/2013	SOUTHERN LOCK & SECURITY	REKEY 8 KEYS, 1 SHACKLE & 6 PADLOCKS	485.43
EFT14900	20/11/2013	TYREPOWER BUSSELTON	REPLACE 4 TYRES FOR CP 9320	1180.00
EFT14901	20/11/2013	TOTALLY WORKWEAR	HACC -2X WORK SHIRTS FOR STAFF	92.40
EFT14902	20/11/2013	TOTAL EDEN	25X SPRINKLERS, 2X CONTROLLER, 2X SPRINKLER HEAD AND 11X SPRINKLERS FITTING	710.84
EFT14903	20/11/2013	VISIMAX	10 X CAT CONTROL NOTICES & 10 X CAT ACT INFRINGEMENT BOOKS	356.00
EFT14904	20/11/2013	WORK CLOBBER BUNBURY	UNIFORM FOR OUTDOOR CREW (5X BOOTS, 10X SHIRTS, 7X PANTS, 1X BELT, 2X HATS, 1X SOCK, PLUS EMBROIDERY)	1482.99
EFT14905	20/11/2013	WORLEYPARSONS SERVICES PTY LTD	COMPLETE-THE FEASIBILITY OF A PRIVATE WASTEWATER PUMPING STATION TO PUMP WASTE WATER FROM A PROPOSED NEW SPORTS PAVILION IN BOYANUP	6028.00
EFT14906	20/11/2013	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN & INTEREST REPAYMENT FOR LOAN 64-\$27371.28 & 66-\$26976.17	54347.45



EFT14907	20/11/2013	YARLOOP WORKSHOP INC	LUNCH FOR 90 SENIORS AT YARLOOP WORKSHOP FOR 10/11/13	2250.00
				\$ 147,489.86

OUTSTANDING CREDITORS AS AT 31<sup>st</sup> October 2013: \$80,829.86  
 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 20<sup>th</sup> November 2013 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

*P.F. Sheedy.*

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

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 17.5**

**That Council authorises the Schedule of Accounts covering vouchers EFT14865 to EFT14907 a total of \$147,489.86 for payment.**

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**17.6 Accounts Paid During the Month of October 2013**

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Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 06.11.13  
Author: Finance & Accounts Payable Officer, H Tu  
Senior Officer: Director Corporate Services, P Anastasakis  
Attachments: Nil

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**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. Documented reviewed by Manager Finance, A Mattaboni.

**COMMENT**

Payments made during the month of October 2013 are as follows:  
Relevant staff have been consulted and authorised the payments. Documented reviewed by Manager Finance, A Mattaboni.

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
301	02/10/2013	LESLEY HILL	BOND REFUND	500.00
302	09/10/2013	BUILDING & CONSTRUCTION IND TRAINING FUND	BCITF LEVY COLLECTED SEP 13	5098.75
303	09/10/2013	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	BASL LEVY COLLECTED SEP 13	2395.97
304	09/10/2013	SHIRE OF CAPEL	BCITF COMMISSION COLLECTED SEP 13	290.40
305	09/10/2013	TRANSPORT WORKERS UNION	HALL BOND REFUND CAPEL HALL 3/10/13	150.00
306	16/10/2013	DAVID BOURNE	REFUND DEMONLITION	500.00

			PERMIT BOND	
307	16/10/2013	JW CROSS & SONS	REFUND DEMOLITION PERMIT BOND	500.00
308	16/10/2013	DANIEL GOODALL	REFUND VERGE/KERB BOND	500.00
309	25/10/2013	CHRISTOPHER MCCOOKE	HALL BOND REFUND DCC 19/10/13	500.00
310	25/10/2013	GILLIAN POMERY	HALL BOND REFUND DCC 20/10/13	150.00
311	30/10/2013	SHIRE OF CAPEL	13/14 MELBOURNE CUP SWEEP	1144.00
EFT14615	01/10/2013	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 74 FIXED COMPONENT - XL12 DALYELLUP SPORTS PAVILION	107369.32
<b>EFT14616</b>	-	<b>EFT14640</b>	<b>REFER TO AGENDA 16.10.2013</b>	
EFT14641	02/10/2013	ANIMAL CARE EQUIPMENT AND SERVICES	24 DEGRADABLE BAG ROLLS@\$76.50EA	1836.00
EFT14642	02/10/2013	ALL WEST BUILDING APPROVALS PTY LTD	ASSISTING WITH THE ASSESSMENT OF BUILDING LICENCE @\$65 PER HR: SEP 13	1782.00
EFT14643	02/10/2013	BOYANUP HALL ADVISORY COMMITTEE	CARETAKING OF BOYANUP HALL-OCT-DEC 3X\$70=\$210	210.00
EFT14644	02/10/2013	BUNBURY HOLDEN	FRONT & REAR MATS FOR CP0	122.00
EFT14645	02/10/2013	BUNBURY CITY GLASS	REPLACE GLASS AT DALYELLUP COMMUNITY CENTRE	353.24
EFT14646	02/10/2013	DAVID BROCKMAN MECHANICAL REPAIRS & SERVICING	SERVICE 5X SHIRE FIRE TRUCKS	3012.72
EFT14647	02/10/2013	CR MURRAY SCOTT	PAYMENT TO VOLUNTEER DEPUTY BFCO (POLICY 19.20)	753.00
EFT14648	02/10/2013	DM & S CURTIN	SERVICE AIR CONDITIONER IN PLANNING OFFICES	599.50
EFT14649	02/10/2013	GELORUP COMMUNITY MANAGEMENT COMMITTEE	MANAGMENT FEE OCT-DEC \$35X 3=\$105	105.00
EFT14650	02/10/2013	COLIN DENT	REIMBURSE FOR CONFERENCE ON 23/9/13 ACCOMMODATION, MEALS & PARKING	849.51
EFT14651	02/10/2013	DELRON CLEANING	13/14 CLEANING CONTRACT FOR SEP13-\$7762.82,AUG 13-7762.71 & DALYELLUP SPORT PAVILION SEP13-\$1166.85	16692.38
EFT14652	02/10/2013	EATON MEDICAL CENTRE	PRE-EMPLOYMENT MEDICAL - 13/09/2013	130.00
EFT14653	02/10/2013	ERG ELECTRICS PTY LTD	DALYELLUP ST LIGHTING MAINTENANCE FROM JAN 13-JUL 13	22084.70

EFT14654	02/10/2013	EARTH 2 OCEAN COMMUNICATIONS	REPLACE TWO WAY RADIO AERIAL CABLE FOR RANGER UTILITY 60CP	554.30
EFT14655	02/10/2013	FIRST CLASS TRAINING	PUBLISHER TRAINING ON 17/9/13	352.00
EFT14656	02/10/2013	GEOVET BUSSELTON	13/14 VET COST: AUG 13	639.50
EFT14657	02/10/2013	INSIGHT CCS PTY LTD	CALL CENTRE CHARGE AUG 13	256.08
EFT14658	02/10/2013	UDAYA KHAREL	EDUCATION ASSISTANCE REIMBURSEMENT POLICY 13.16 ASSET MANAGMENT COURSE FOR THE SEMESTER	500.00
EFT14659	02/10/2013	KULBARDI HILL CONSULTING	REPLACEMENT OF TWO INTERPRETATION PANELS FOR THE PRESTON RIVER RAMBLE WHICH WAS STOLEN ON 5/9/13	2178.00
EFT14660	02/10/2013	CORENNE LYNN	REIMBURSE WORKING WITH CHILDREN CHECKS	54.00
EFT14661	02/10/2013	LGIS PROPERTY SCHEME	13/14 PROPERTY INSURANCE-1ST INSTALEMENT-\$46110.31	46110.31
EFT14662	02/10/2013	LGIS INSURANCE BROKING	PROFESSIONAL INDEMNITY CLAIM -INSURANCE EXCESS REF NO: 616745	1000.00
EFT14663	02/10/2013	MANPOWER	LABOUR HIRER: JL: 9/9/13-13/9/13	1070.21
EFT14664	02/10/2013	MOLONEY ASSET MANAGEMENT SYSTEMS	MOLONEY SOFTWARE UPGRADE DOWNLOAD - FINANCIAL MODELLING - RENEWAL GAP MODULE - 1/7/13-30/6/14	440.00
EFT14665	02/10/2013	ONSITE RENTAL GROUP	HIRE OF DIGGER MON-3DAY: 26/8 TUE27/8 WED 29/8	556.88
EFT14666	02/10/2013	WA RANGERS ASSOCIATION	RANGER CONFERENCE 12/9/13	300.00
EFT14667	02/10/2013	SOUTH WEST TREE SAFE	REMOVE 2XHANGING LIMB FROM TREE-\$1210 &2 STUMP-\$165	1375.00
EFT14668	02/10/2013	CL SCOTT	PAYMENT TO VOLUNTEERS CHIEF BFCO (POLICY 19.20)	2227.00
EFT14669	02/10/2013	DONNA SIMS	REIMBURSEMENT FOR POLICY AND PROCEDURE WRITING COURSE IN PERTH ON 26/9/13 ACCOMMODATION AND MEALS	135.15
EFT14670	02/10/2013	D & K THOMAS ELECTRICAL	REPAIR OF LIGHT FITTING THAT BROKE AFTER LEDS INSTALLED & FIX HOT WATER UNIT AT CAPEL SENIOR BUILDING	198.00
EFT14671	02/10/2013	TRADELINK PLUMBING SUPPLIES	PIPE FOR SINK	5.64

EFT14672	04/10/2013	WESTNET PTY LTD	13/14 INTERNET FOR THE SHIRE OFFICE, CAPEL,BOYANUP & DALYELLUP LIBRARY-OCT 13	369.78
EFT14673	09/10/2013	ALL WEST BUILDING APPROVALS PTY LTD	ASSISTING WITH THE ASSESSMENT OF BUILDING LICENCE @\$65 PER HR :SEP 13	1980.00
EFT14674	09/10/2013	ARBORGUY	REMOVAL OF DAMAGED TREE AT FRONT OF BOYANUP COMMUNITY CENTRE THOMAS ST BOYANUP	1100.00
EFT14675	09/10/2013	ANZ - LENDING PROCESSING	BANK AUDIT REQUESTS AT 28/6/13	70.00
EFT14676	09/10/2013	BUNBURY HOLDEN	PURCHASE NEW VEHICLE - CP0 -\$5321.86 & SERVICE CP1160-\$403.59	5725.45
EFT14677	09/10/2013	BUNBURY AERO CLUB	1HR AERIAL FLIGHT TO PHOTOGRAPH AND MAP EXTREME WATER LEVEL CONDITIONS IN MOSQUITO BREEDING WETLAND AREAS	198.10
EFT14678	09/10/2013	BOYANUP AUTO REPAIRS	SERVICE CP4912	163.63
EFT14679	09/10/2013	BUSSELTON HOCKEY STADIUM CLUB (INC)	KIDSPORT VOUCHER \$150	150.00
EFT14680	09/10/2013	BUSSELTON SENIOR CITIZENS CENTRE	54X LUNCH AT BUSSELTON SENIOR CITIZENS FOR STAY ON YOUR FEET WEEK EVENT@ \$20EA	1080.00
EFT14681	09/10/2013	KORONG VENDING (BCM VENDING)	HACC- KORONG VENDING SUPPLIES AUG-\$130,SEP-\$130 & MACHINE RENTAL-\$190	450.00
EFT14682	09/10/2013	BENDIGO BANK BUSINESS CREDIT CARD	7X CREDIT CARD USE FOR THE MONTH OF SEP 13 PLUS CARD FEE AND INTERES ON PURCHASES	2221.49
EFT14683	09/10/2013	BUNBURY & DISTRICTS BADMINTON ASSOCIATION	KIDSPORT VOUCHER \$90	90.00
EFT14684	09/10/2013	CEMETERIES & CREMATORIA ASSOC OF WA	MEMBERSHIP RENEWAL 2013/2014	100.00
EFT14685	09/10/2013	COALCLIFF PTY LTD	TRUCK MOVER-2 AND HALF DAY-\$453.75 & ROLLER HIRE-\$1089	1542.75
EFT14686	09/10/2013	CAPEL MEDICAL CENTRE	PRE-EMPLOYMENT MEDICAL 20/09/2013	99.00
EFT14687	09/10/2013	CAPEL SOCCER CLUB	KIDSPORT VOUCHER \$135	135.00
EFT14688	09/10/2013	DIRT DESIGN	CONTRACT WORKS DALYELLUP -5/10/13-4/11/13	10671.00
EFT14689	09/10/2013	DAPCO	HACC-REPLACE 2 TYRES	653.50
EFT14690	09/10/2013	ELLIOTT'S SMALL	HACC-REPAIRS TO	62.95

		ENGINES	BRUSHCUTTER	
EFT14691	09/10/2013	LGIS RISK MANAGEMENT	LGISWA EMERGENCY RISK MANAGEMENT TO 26/9/13-2ND INSTALLMENT	9570.00
EFT14692	09/10/2013	TONY EVANS	HACC- REIMBURSE VARIOUS BUS LICENCE EXPENSES	323.90
EFT14693	09/10/2013	ALISON EVANS	REIMBURSE COST FOR 50X FLAG PURCHASED FOR ANNUAL DINNER	86.80
EFT14694	09/10/2013	FRONT-LINE SIGNS	2X DECALS AND LOGOS FOR SHIRE CAR	1562.00
EFT14695	09/10/2013	AUSTRALIAN TAXATION OFFICE	SEP 13 BAS & FBT INSTALMENTS	44535.00
EFT14696	09/10/2013	GRESLEYABAS	CAPEL ADMIN REFURBISHMENT PROJECT NO 0811-B	1227.05
EFT14697	09/10/2013	GHD PTY LTD	LANDFILL GAS & WATER MONITERING : SEP 13	7945.60
EFT14698	09/10/2013	GEOGREEN	WATERLESS URINAL SERVICE FOR 12X SHIRE BUILDINGS	1944.20
EFT14699	09/10/2013	INCLUSION WA	REGISTRATION FOR ATTENDANCE TO THE LGA WORKSHOP SERIES TRAINING ON 9 MAY, 10 JULY, 18 SEPT & 22 NOV	360.00
EFT14700	09/10/2013	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	6X VARIOUS ADVERTISING FOR SEP 13	1645.29
EFT14701	09/10/2013	LD TOTAL	13/14 MAINTENCE OF POS-DALYELLUP @\$25461.34 PER MONTH: SEP 13	25461.34
EFT14702	09/10/2013	MANPOWER	LABOUR HIRER-GS: 17/9/13-20/9/13	3341.70
EFT14703	09/10/2013	OPUS INTERNATIONAL CONSULTANTS (PCA) LTD	PURCHASE AUTOCAD SIGNAGE BLOCKS	1100.00
EFT14704	09/10/2013	PRESTIGE PRODUCTS-BUSSELTON	HACC -SUPPLIES FOR JUN, JULY & SEP 13	314.22
EFT14705	09/10/2013	PANELWORX	INSURANCE EXCESS ON CATERPILLAR MULTI TYRE ROLLER REG#1DMY626	1000.00
EFT14706	09/10/2013	SOUTH WEST TREE SAFE	REMOVAL OF 2X TREES: COLROY AND PROWSE RD	3740.00
EFT14707	09/10/2013	STREET FURNITURE AUSTRALIA	1 X 4 STATION BIKE RACK	3806.00
EFT14708	09/10/2013	TOTALITY BUSINESS SOLUTIONS	HACC -SERVER CLEANING TAPE	88.00
EFT14709	09/10/2013	WESTERN AUSTRALIAN TREASURY CORPORATION	INTEREST AND LOAN REPAYMENT: LOAN 68-\$41157.75 & LOAN 70-\$41637.92	82795.67

EFT14710	09/10/2013	WOOLWORTHS LIMITED (WA)	HACC DAY CENTRE SHOPPING	106.98
EFT14711	14/10/2013	BE BEAUTIFUL BY LOUISE	PRETTY PRINCESS PAMPER PARTY - OCTOBER INZONE PROGRAM	850.00
EFT14712	15/10/2013	COLES	HACC- DAY CENTRE SHOPPING	96.85
EFT14713	16/10/2013	BUNBURY TOYOTA	HACC 100,000 KM & REPLACE TAIL LIGHT SERVICE ON BUS-CP5685 & SERVICE \$20,000KM-CP167	1098.59
EFT14714	16/10/2013	BOYANUP AUTO REPAIRS	SUPPLY & FITTED NEW BEACON TO CP855 & SERVICE BATTERIES ISUZU TRUCK -CP 578	945.22
EFT14715	16/10/2013	BUNBURY CHAMBER OF COMMERCE	REGISTRATION FEE FOR COUNCILOR TO ATTEND AICD COURSE GOVERNANCE FOR DIRECTORS ON 22/10/13	695.00
EFT14716	16/10/2013	KORONG VENDING (BCM VENDING)	HACC- KORONG MACHINE RENTAL SEP& OCT 13 \$190EA	380.00
EFT14717	16/10/2013	BUNBURY HARVEY REGIONAL COUNCIL	ORGANIC DISPOSAL & REGIONAL WASTE EDUCATION PROGRAM SEP 13	5142.64
EFT14718	16/10/2013	CAPEL TRANSPORT	2X DELIVERY OF PALLET MOSQUITO LARVICIDE	102.39
EFT14719	16/10/2013	DIRT DESIGN	ADDITIONAL SPRAYING FOR OCT 13	3190.00
EFT14720	16/10/2013	DATA #3	SHADOW PROTECT SERVER LICENCES	1389.66
EFT14721	16/10/2013	LGIS RISK MANAGEMENT	REGIONAL RISK CO-ORDINATION FEE 1/7/13-31/12/13	4503.40
EFT14722	16/10/2013	ERG ELECTRICS PTY LTD	INSPECT AND REPAIR STREET LIGHTING FOR DALYELLUP MTCE AUG-SEP 13 QTRLY RUN	12304.60
EFT14723	16/10/2013	EASIFLEET MANAGEMENT	LEASE REPAYMENT OF SUZUKI SWIFT-CEO & MAZDA -HR OCT 13	1557.47
EFT14724	16/10/2013	GOLDEN WEST PLUMBING & DRAINAGE	REPAIR BBQ AT GELORUP SKATPARK-\$308, REPAIR STAND PIPE AT LAKES RD STRATHAM-\$3517.80,INSTALL NEW HOT WATER UNIT AT CAPEL SENIOR CENTRE-\$1333.20	5159.00
EFT14725	16/10/2013	GANNAWAYS CHARTER SERVICE	BUS CHARTER FOR STAY ON YOUR FEET WEEK EVENT ON 9/9/13	665.00
EFT14726	16/10/2013	ZETTANET PTY LTD (FORMERLY HIGHWAY 1 (AUST) PTY LTD)	HACC-ADSL QUARTERLY-1/11/13-31/1/14-Q2	312.90
EFT14727	16/10/2013	IVC COMPUTER	NEW MONITOR SCREEN	169.00



		SERVICES IVC		
EFT14728	16/10/2013	STATE LIBRARY OF WESTERN AUSTRALIA	2013/2014 RECOVERIES OF LOST & DAMAGED BOOKS: 2X ITEMS	48.40
EFT14729	16/10/2013	LD TOTAL	ADDITIONAL MAINTENCE FOR FOR SEP 13	2759.90
EFT14730	16/10/2013	MANPOWER	LABOUR HIRER SA: 26/8/13-30/8/13	349.46
EFT14731	16/10/2013	OFFICEWORKS SUPERSTORES PTY LTD	LIBRARY STATIONERY SUPPLIES: SEP 13	62.58
EFT14732	16/10/2013	SOUTH WEST TREE SAFE	REMOVE 1X HANGING BRANCH OUTSIDE 18 GEORGE ST BOYANUP	495.00
EFT14733	16/10/2013	CAPEL FRESH IGA	REFRESHMENT FOR MORNING TEA FOR RETIRING EMPLOYEEEB 18/9/13	115.02
EFT14734	16/10/2013	SOS OFFICE EQUIPMENT	13/14 METERBILLING - FOR 5X SHIRE PHOTOCOPIER	2066.34
EFT14735	16/10/2013	SOUNDPACK SOLUTIONS	36X DVD CASES	147.68
EFT14736	16/10/2013	TOWN PLANNING MANAGEMENT ENGINEERING PTY LTD (TME)	MALLOKUP HERITAGE TRAIL DESIGN FINAL PAYMENT	1762.75
EFT14737	16/10/2013	T & P DESIGN	SURVEY FOR TUTENUP RD CONSTRUCTION SEP 13	2524.50
EFT14738	16/10/2013	TOTALLY SOUND	HIRE OF DJ EQUIPMENT FOR CAPEL SKATE EVENT - OCTOBER INZONE	310.20
EFT14739	16/10/2013	TOTALITY BUSINESS SOLUTIONS	20X IT PREPAID SUPPORT HOURS PLUS TRAVEL COST OCT 13	2453.00
EFT14740	18/10/2013	ALL WEST BUILDING APPROVALS PTY LTD	ASSISTING WITH THE ASSESSMENT OF BUILDING LICENCE @\$65 PER HR :OCT13	1595.00
EFT14741	18/10/2013	CLEANAWAY	WASTE TO LANDFILL SEP 13	12751.01
EFT14742	18/10/2013	CUSTOM SERVICE LEASING LTD	HACC-FLEET FUEL(7XVEHICLES)-OCT 13	3725.52
EFT14743	18/10/2013	TRANSPACIFIC WASTE MANAGEMENT	CLEAR BINS TO LANDFILL SEP 13	12774.46
EFT14744	21/10/2013	CALTEX AUSTRALIA	FLEET FUEL - 16X VEHICLES-SEP 13	3158.41
EFT14745	06/10/2013	RICOH FINANCE	PHOTOCOPYING LEASE REPAYMENT: OCT 13	1076.07
EFT14746	25/10/2013	A1 SIGN SHOP	BOYANUP LIBRARY HOUR SIGN	367.00
EFT14747	25/10/2013	A & L PRINTERS	6000 DL ENVELOPES	466.00
EFT14748	25/10/2013	AMITY SIGNS	REPLACE 2XSIGNS DUE TO VANDALISM.	814.00
EFT14749	25/10/2013	ANSTAT PTY LTD	REGISTRATION FOR FOOD STANDARD CODE AS OF OCT 13	415.00
EFT14750	25/10/2013	AUSTRALIA POST	POSTAGE FOR MONTH: SEP	777.29

			13	
EFT14751	25/10/2013	ALLOY & STAINLESS PRODUCTS	18X KUBOTA BLADES, 18X BOLTS & 36 WASHER	1116.76
EFT14752	25/10/2013	AMD CHARTERED ACCOUNTANTS	AUDIT 2013 AUDIT OF FINANCIAL STATEMENTS FOR WORK TO 30 SEPTEMBER 2013-\$10120& ACQUITTAL AUDIT 13- ROUND 4 & 5 FUNDING ALLOCATIONS \$704 EA	11528.00
EFT14753	25/10/2013	BUNBURY MACHINERY	REPAIRS TO KUBOTA MOWER CP9516 & PURCHASE NEW SPRAY PACK	811.24
EFT14754	25/10/2013	BUNBURY TAXIS CO-OPERATIVE LTD	HACC TRANSPORT WHEEL CHAIR CLIENT 1/9/13-30/9/13	75.75
EFT14755	25/10/2013	BUNBURY MOWER SERVICE	9 WHIPPERS SNIPPER PARTS\$52.50,SERVICE CHAINSAW\$125.50, PURCHASE 5X NEW GARDENING EQUIPMENT-\$2987	3815.00
EFT14756	25/10/2013	BELL FIRE EQUIPMENT COMPANY	HACC- FIRE EQUIPMENT SERVICE-\$643.81, REPAIR ALARM TO CAPEL LIBRARY-\$284.90,AUG 13 FIRE INDICATOR SERVICE TO CAPEL LIBRARY-\$137.50	1066.21
EFT14757	25/10/2013	BUNBURY TOYOTA	HACC- 110,000 SERVICE TO BUS CP5676	341.23
EFT14758	25/10/2013	BUNBURY PLUMBING SERVICES BPS	PUMP OUT GREASE TRAP:14/10/13	237.40
EFT14759	25/10/2013	BOYANUP AUTO REPAIRS	MULTIPAC ROLLER SERVICE - CP4833	1675.09
EFT14760	25/10/2013	BLACKWOODS	12X SAFETY SUN GLASSES@\$16.50EA	197.87
EFT14761	25/10/2013	SIDDHARTHA BAXI	REFUND ELECTION DEPOSIT OF \$80	80.00
EFT14762	25/10/2013	STAPLES AUSTRALIA PTY LTD	2013/14 STATIONERY: SEP 13	301.02
EFT14763	25/10/2013	CAPEL HARDWARE & FARM SUPPLIES	HARDWARE SUPPLIES SEP 13	2548.54
EFT14764	25/10/2013	CR MURRAY SCOTT	REFUND ELECTION DEPOSIT OF \$80	80.00
EFT14765	25/10/2013	CAPEL NEWSAGENCY	SEP 13 SUPPLIES	180.24
EFT14766	25/10/2013	CHUBB FIRE	BOYANUP CC FIRE DETECTION SYSTEM 1/10/13-30/9/14	2126.70
EFT14767	25/10/2013	COASTAL HIRE T/AS GCS SECURITY SCAFFOLD	HIRE OF OFFICE AND TOILET AT CAPEL TIP: SEP 13	454.92
EFT14768	25/10/2013	CENTRECARE CORPORATE	ACCESS EAP COUNSELLING SERVICES SEP 13	880.00
EFT14769	25/10/2013	CAPELBERRY	CATERING FOR 12 ORDINARY COUNCIL MEETING DINNERS: OCT 13	400.00

EFT14770	25/10/2013	CARBONE BROS PTY LTD	SUPPLY 76 CM3 LIMESTONE, 64CM3 GRAVEL	4068.40
EFT14771	25/10/2013	TJ DEPIAZZI & SONS	35M3 GRADED PINEBARK PLAYGROUND MULCH 6-12MM	1988.53
EFT14772	25/10/2013	DYMOCKS BUSSELTON	LIBRARY BOOK STOCK PURCHASE: 43X ITEMS	684.85
EFT14773	25/10/2013	DARREN WRIGHT TOWING & TILT TRAY SERVICE	TOW IMPOUNDED SUBARU S/SEDAN FROM DALLYELUP TO SHIRE DEPOT	175.00
EFT14774	25/10/2013	ELLIOTT'S SMALL ENGINES	MOWER REPAIRS- REPLACE DRIVE BELT	193.60
EFT14775	25/10/2013	EATON HARDWARE	HACC- SEP 13 HARDWARE SUPPLIES	40.48
EFT14776	25/10/2013	ALISON EVANS	REIMBURSE REFRESHMENT FOR SUNDOWNER ON 22/10/13	137.31
EFT14777	25/10/2013	DEPT OF FIRE AND EMERGENCY SERVICES (DFES).	13/14 EMERGENCY SERVICE L EVY FOR 19X SHIRE OWNED PROPERTIES	1140.00
EFT14778	25/10/2013	FOOD TECHNOLOGY SERVICES	FOOD AUDITING UPDATE ( 2HR)	55.00
EFT14779	25/10/2013	GLEN'S ENGINEERING	CONSTRUCT BOUNDARY FENCE - SOUTHERN BOUNDARY LOT 1 SOUTH WESTERN HIGHWAY	5448.00
EFT14780	25/10/2013	GEOVET BUSSELTON	13/14 VET COST:SEP 13	243.50
EFT14781	25/10/2013	GBC NEOPOST AUSTRALIA	8X INKS CARTRIGES FOR PRINTER	896.56
EFT14782	25/10/2013	A INGRAM	REIMBURSE FOR 29 BOOKSTOCK ITEMS PURCHASE FOR LIBRARY	512.66
EFT14783	25/10/2013	SOUTH WEST ISUZU	SERVICE AND REPAIRS TO TRUCK CP855	4025.24
EFT14784	25/10/2013	LESLEY JACKES	RATES REFUND FOR ASSESSMENT A3098	913.50
EFT14785	25/10/2013	GREEN RECYCLING	DISPOSAL OF KERBSIDE RECYCLABLES: SEP13	4454.36
EFT14786	26/10/2013	LD TOTAL	CANCELLED TO BE PAID AT LATER DATE	
EFT14787	25/10/2013	LANDGATE	GRV & RURAL INTERIM VALUATIONS 23/8/13-18/9/13 & MINING TENEMENTS	682.50
EFT14788	25/10/2013	LGIS PROPERTY SCHEME	13/14 PROPERTY INSURANCE-2ND INSTALMENT	46110.31
EFT14789	25/10/2013	METAL ARTWORK CREATIONS	11 NAME BADGES & POSTAGE	140.20
EFT14790	25/10/2013	LGIS LIABILITY SCHEME	13/14 WORKERS COMPENSATION-2ND INSTALEMENT-\$84325.10	104346.79
EFT14791	25/10/2013	MAINSPRAY	SPRAY OUT WEEDS LEFT SIDE OF RANGE RD CAPEL TO TOP OF TABLE DRAIN	559.74
EFT14792	25/10/2013	FAT BIRDIE CAFE	CATERING FOR LUNCH MEETING ON 18/9/13	27.00

EFT14793	25/10/2013	MANPOWER	MANPOWER GS-9/9/13-13/9/13	2948.56
EFT14794	25/10/2013	CR P MCCLEERY	REFUND ELECTION DEPOSIT OF \$80	80.00
EFT14795	25/10/2013	CR GREG NORTON	REFUND ELECTION DEPOSIT OF \$80	80.00
EFT14796	25/10/2013	NATIONAL PEN LTD	100 X VANITY PENS (BURGUNDY) WITH LASER ENGRAVED IMPRINT (PLUS 100 FREE)	257.24
EFT14797	25/10/2013	NIGHTGUARD SECURITY SERVICE PTY LTD	ALARM RESPONSE & SECURITY FOR SHIRE BUILDINGS FOR SEP 13	1375.84
EFT14798	25/10/2013	OFFICEWORKS SUPERSTORES PTY LTD	HACC -STATIONERY	94.64
EFT14799	25/10/2013	ONSITE RENTAL GROUP	HIRE OF EXCAVATOR-5 DAY: 16/9/13-20/9/13-\$928.13, HIRE EXCAVATOR -3DAY 23/9/13-25/9/13-\$464.07	1392.20
EFT14800	25/10/2013	PROTECTOR ALSAFE	12X ORANGE HARD HATS & 2 PAIR OF GLOVES	152.07
EFT14801	25/10/2013	PERTH MANAGEMENT SERVICES	RENT AND OUTGOING FOR OCT 13	1522.75
EFT14802	25/10/2013	SOUTHERN LOCK & SECURITY	RE-KEY LIBRARY AND TOY LIBRARY DOOR AND SUPPLY 3 KEYS	238.30
EFT14803	25/10/2013	SOS OFFICE EQUIPMENT	REPAIRS TO FOLDING MACHINE	110.00
EFT14804	25/10/2013	STEANN PTY LTD	VERG GREENWASTE COLECTION -82 TONNES ON 30/9/13-4/10/13-BOYANUP, CAPEL , DALY, PEPPY GROVE	19520.00
EFT14805	25/10/2013	SHADDICKS LAWYERS	LEGAL ADVICE ON DOG ATTACK PROSECUTION	220.00
EFT14806	25/10/2013	TRAFFIC FORCE	TRAFFIC MANAGEMENT PLAN FOR DIGGING OUT RURAL DRAINS	946.00
EFT14807	25/10/2013	WORK CLOBBER BUNBURY	1 X BOOTS	125.09
EFT14808	25/10/2013	WILSONS SIGN SOLUTIONS	SUPPLY HONOUR BOARD UPDATES PLUS POSTAGE	82.50
EFT14809	25/10/2013	WARREN BLACKWOOD WASTE	WASTE CONTRACT FOR HOUSEHOLD WASTE, RECYCLING AND ORGANICS: SEP 13	53683.76
EFT14810	25/10/2013	AUSTRALIANSUPER	SUPERANNUATION CONTRIBUTIONS	368.54
EFT14811	25/10/2013	SHIRE OF CAPEL SOCIAL CLUB	PAYROLL DEDUCTIONS	228.00
EFT14812	25/10/2013	THE COXALL SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	48.49
EFT14813	25/10/2013	CHAMPAGNE LIFESTYLE SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	321.88

EFT14814	25/10/2013	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	614.58
EFT14815	25/10/2013	EVANS FAMILY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	457.44
EFT14816	25/10/2013	PORTFOLIOFOCUS	SUPERANNUATION CONTRIBUTIONS	317.22
EFT14817	25/10/2013	TWUSUPER	SUPERANNUATION CONTRIBUTIONS	324.77
EFT14818	25/10/2013	WALGS PLAN	SUPERANNUATION CONTRIBUTIONS	57608.94
EFT14819	30/10/2013	AC FORSTER & SON	SUPPLY & INSTALLATION OF 10.5KW SOLAR POWER SYSTEM AT CAPEL SHIRE OFFICE	16042.00
EFT14820	30/10/2013	B & B STREET SWEEPING	HIRE STREET SWEEPER- GELORUP 112HR	12947.00
EFT14821	30/10/2013	PAUL SHEEDY	REIMBURSEMENT FOR SUNDRY EXPENSE FOR LGMA CONFERENCE POLICY 13.15(15)	75.00
EFT14822	30/10/2013	CORPORATE SIGN INDUSTRIES	FINAL PAYMENT- DOUBLE SIDED CURVED TOP CHANGABLE SIGN	7357.35
EFT14823	30/10/2013	CARBONE BROS PTY LTD	80X 75CM3 S LIMESTONE \$28.10EA	2248.00
EFT14824	30/10/2013	DELRON CLEANING	CLEANING OF CAPEL LIBRARY- AUG 13	1378.74
EFT14825	30/10/2013	DORMA AUTOMATICS PTY LTD	SERVICE AUTOMATIC DOORS AT CAPEL LIBRARY	132.00
EFT14826	30/10/2013	GOLDEN WEST PLUMBING & DRAINAGE	3 REPAIRS : UV UNIT AT ELGIN HALL-\$621.50, REPLACE UV FILTER AT ELGIN HALL-\$663.30,REPAIR BASKETBALL POLE AT CAPEL OVAL-\$335.50	1620.30
EFT14827	30/10/2013	GLEN'S ENGINEERING	INSTALL FARM GAT AT GLEN CLOSE RESERVE CAPEL- \$423.50, MANUFACTURING OF A STEEL TWO SHELVED LOCKABLE CABINET WITH MESH SHELVING-\$800	1223.50
EFT14828	30/10/2013	INSIGHT CCS PTY LTD	CALL CENTRE-SEP13- 51 CALLS	257.53
EFT14829	30/10/2013	KLEENHEAT GAS	FILL LPG BULK TANK RIVERSIDE VILLAS	467.58
EFT14830	30/10/2013	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	WALGA TRAINING REGISTRATION - INTRODUCTION TO LOCAL GOVERNMENT ACT ON 5 /12/ 13 & LOCAL GOV EMERGENCY MANAGEMENT 8/10/13	913.00
EFT14831	30/10/2013	LD TOTAL	13/14 MAINTENCE OF POS-DALYELLUP OCT 13	25060.40
EFT14832	30/10/2013	FAT BIRDIE CAFE	CATERING FOR MEETING ON 7/10/13	47.50

EFT14833	30/10/2013	MANPOWER	3X LABOURE HIRE: JL-23/9/13-27/9/13, JL-1/10/13-4/10/13, SG-7/10/13-11/10/13	4783.22
EFT14834	30/10/2013	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY-LIBRARY	75.28
EFT14835	30/10/2013	OCLC	LIBRARY SOFTWARE UPGRADE-AMLIB 5.4	550.00
EFT14836	30/10/2013	PJ & EV PAGE	WAXING AND BUFFERING OF BOYANUP HALL: SEP 13	70.00
EFT14837	30/10/2013	SOUTH WEST TREE SAFE	REMOVE 2 TREES, PRUNED 3X TREES, REMOVE 3X GRIND STUMP	4565.00
EFT14838	30/10/2013	SOS OFFICE EQUIPMENT	4 INK CARTRIDGES FOR DALYELLUP (1X), BOYANUP(1X) & CAPEL LIBRARY (2X)	1848.00
EFT14839	30/10/2013	STRATHAM BOBCAT HIRE	BOBCAT AND OPERATOR HIRER FOR INSTALLATION OF SOFTFALL AT EARL SCOTT TOWN PARK & CAPEL RECREATION GROUND PLAYGROUNDS	940.50
EFT14840	30/10/2013	SUSSEX TURF CONTROL	COMPLETE RENOVATIONS TO CAPEL REC GROUND & BOYANUP REC GROUND-\$10874.20, MOVED PEPPERMENTINT GROVE COMMUNITY CENTRE ON 22/8/13 & 24/9/13-\$1560	12434.20
EFT14841	30/10/2013	RAY TINK ROOFING	REPOINT ROOF AT BOYANUP RIVERSIDE VILLAS	2000.00
EFT14842	30/10/2013	WEST AUSTRALIAN NEWSPAPERS LIMITED	CAPEL COMMUNITY BUSINESS DIRECTORY - PRODUCTION OF AND DELIVERY	4700.00
EFT14843	30/10/2013	IAN RETALLACK	HALL BOND REFUND	500.00
46625	02/10/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE-BOYANUP LIBRARY & HEALTH	61.92
46626	02/10/2013	ESPLANADE RIVER SUITES	ILP TRAINING ACCOMMODATION & MEALS - 18 & 19 SEP 13 DIRECTOR OF ENGINEERING	503.00
46627	02/10/2013	DEPARTMENT OF JUSTICE	DOG ACT PROSECUTION	81.15
46628	02/10/2013	VODAFONE MESSAGING	BRIGADE MESSAGING SERVICE 28/8/13-27/9/13	135.50
46629	02/10/2013	POLICE LICENSING	SPECIAL SERIES PLATE ORDER 115CP	180.00
46630	02/10/2013	COMMISSIONER OF POLICE	REGISTRATION FOR FIREARM SERIAL	117.00
46631	02/10/2013	SYNERGY	ELECTRICITY	465.95
46632	02/10/2013	WATER CORPORATION	WATER USAGE	1214.18

46633	09/10/2013	BUSSELTON BASKETBALL ASSOCIATION	KIDSPORT VOUCHER \$120	120.00
46634	09/10/2013	DEPARTMENT OF ENVIRONMENT & CONSERVATION	CLEAR TREES FOR CONSTRUCTION ON LUDLOW RD NORTH	200.00
46635	09/10/2013	MR M ELSON	SPORTS PARTICIPATION SCHEME	300.00
46636	09/10/2013	NORM HART SETTLEMENTS	RATES REFUND FOR ASSESSMENT A8299	1011.36
46637	09/10/2013	TELSTRA CORPORATION LTD	RENT & CALLS	2106.84
46638	09/10/2013	WATER CORPORATION	WATER USAGE	56.99
46639	14/10/2013	ELGIN HALL COMMITTEE	ELECTRICITY CONSUMPTION REIMBURSED TO ELGIN HALL FOR OCT 13	112.66
46640	14/10/2013	BUNBURY CATHEDRAL GRAMMAR SCHOOL	2X @\$40 LEADERSHIP AWARDS FOR YEAR 12 STUDENTS	80.00
46641	14/10/2013	WATER CORPORATION	WATER USAGE	15.72
46642	16/10/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE-HEALTH	8.87
46643	16/10/2013	SHIRE OF CAPEL	PETTY CASH REIMBURSEMENT-DALYELLUP LIBRARY	33.65
46644	16/10/2013	1ST CAPEL GIRL GUIDES	CANCELLED - WRONG CREDITORS	
46645	16/10/2013	DALYELLUP COLLEGE	CANCELLED - WRONG CREDITORS	
46646	16/10/2013	BUNBURY CATHEDRAL GRAMMAR SCHOOL	DONATED 2X \$40 FOR YEAR 6 CITIZENSHIP AWARD	80.00
46647	16/10/2013	HONMAN GM & EI	RATES REFUND FOR ASSESSMENT A2598	377.13
46648	16/10/2013	ROY & DEBRA KAVANAGH	CROSSOVER CONTRIBUTION REFUND	300.00
46649	16/10/2013	VODAFONE MESSAGING	BRIGADE MESSAGING SERVICE 28/9/13-27/10/13	115.25
46650	16/10/2013	SYNERGY	ELECTRICITY-1488X STREET LIGHTS	27688.95
46651	16/10/2013	WATER CORPORATION	WATER USAGE	844.33
46652	18/10/2013	SHIRE OF DONNYBROOK/ BALINGUP	SOLICITORS FEES FOR WASTE CONTRACTS	2709.91
46653	25/10/2013	BRIAN H SMITH	REFUND ELECTION DEPOSIT OF \$80	80.00
46654	25/10/2013	K & H BURCHETT	RATES REFUND FOR ASSESSMENT A3436	174.02
46655	25/10/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE-ENGINEERING, HEALTH, STATINERY	41.62
46656	25/10/2013	SHIRE OF CAPEL	PETTY CASH REIMBURSEMENT-DALY	363.40

			LIBRARY, SHIRE OFFICE, HACC	
46657	25/10/2013	CLARK JC & HERRING A	RATES REFUND FOR ASSESSMENT A2663	676.08
46658	25/10/2013	DALYELLUP PRIMARY SCHOOL	DONATION-2X \$50 AWARDS FOR YEAR 6 PRESENTATION NIGHT	100.00
46659	25/10/2013	GIRL GUIDES WA INC CAPEL SUPPORT GROUP	KIDSPORT VOUCHERS \$200 (3X), \$130 (2X)	860.00
46660	25/10/2013	GEOGRAPH SAWS & MOWERS	PURCHASE NEW STIHL 660 CHAINSAW	1699.00
46661	25/10/2013	ALEX & PAULA HONEYKATS	CROSSOVER CONTRIBUTION	300.00
46662	25/10/2013	JUST PROPERTY MANAGEMENT	RATES REFUND FOR ASSESSMENT A6126	870.11
46663	25/10/2013	DEAN KALACHE	CROSSOVER CONTRIBUTION	300.00
46664	25/10/2013	W & J MAY	RATES REFUND FOR ASSESSMENT A1619	178.50
46665	25/10/2013	SATTERLEY PROPERTY GROUP PTY LTD	RATES REFUND FOR ASSESSMENT A8200	54117.41
46666	25/10/2013	SYNERGY	ELECTRICITY	10702.05
46667	25/10/2013	TELSTRA CORPORATION LTD	HACC-PHONE ACCOUNT-OCT 13	1045.26
46668	25/10/2013	WATER CORPORATION	WATER USAGE	301.78
46669	25/10/2013	WOODHOUSE SR & E	RATES REFUND FOR ASSESSMENT A6815	1615.28
46670	25/10/2013	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	49.11
46671	25/10/2013	AMP	SUPERANNUATION CONTRIBUTIONS	407.92
46672	25/10/2013	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	48.88
46673	25/10/2013	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS	242.00
46674	25/10/2013	SHIRE OF CAPEL	PAYROLL DEDUCTIONS	2230.00
46675	25/10/2013	CBUS	SUPERANNUATION CONTRIBUTIONS	156.52
46676	25/10/2013	SHIRE OF DONNYBROOK/BALI NGUP	PAYROLL DEDUCTIONS	180.00
46677	25/10/2013	HESTA	SUPERANNUATION CONTRIBUTIONS	760.18
46678	25/10/2013	LGRCEU	PAYROLL DEDUCTIONS	174.60
46679	25/10/2013	MLC MASTERKEY SUPER	SUPERANNUATION CONTRIBUTIONS	85.48
46680	25/10/2013	ONEPATH MASTER FUND	SUPERANNUATION CONTRIBUTIONS	435.63
46681	25/10/2013	REST SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	356.08
46682	25/10/2013	SPECTRUM SUPER	SUPERANNUATION CONTRIBUTIONS	507.48
46683	30/10/2013	CITY OF BUNBURY	REMOVE PAINT FROM FOOTPATHS AT 57 PARAGON LOOP, DALYELLUP	660.00



46684	30/10/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE-HEALTH & SHIRE OFFICE	37.58
46685	30/10/2013	SHIRE OF CAPEL	HALL BOND REFUND	27.00
46686	30/10/2013	ANDREW DUCE	WINNER -COMMUNITY PERCEPTIONS SURVEY LUCKY PRIZE DRAW	250.00
46687	30/10/2013	JASON GICK	REFUND-DECEASED DOG 14266	6.00
46688	30/10/2013	REGINALD MCLEAN	CROSSOVER CONTRIBUTION-DALYELLUP	300.00
46689	30/10/2013	BERNIE MASTERS	HALL BOND REFUND ZIRCON ROOM 13/11/13	40.00
46690	30/10/2013	PETER & PAUL	REPAIR OF MOSQUITO TRAPS	165.00
46691	30/10/2013	TELSTRA CORPORATION LTD	MOBILE RENT & CALLS-OCT 13	1415.45
				<b>\$1,103,967.46</b>

08.10.13 SHIRE OF CAPEL PAYROLL PAYMENTS \$170,347.11  
 22.10.13 SHIRE OF CAPEL PAYROLL PAYMENTS \$172,009.10  
**\$342,356.21**

02.10.13 TRANSFER TO MUNICIPAL ACCOUNT \$200,000.00  
**\$200,000.00**

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 20<sup>th</sup> November 2013 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

*P.F. Heedy.*

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 CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 17.6</b>
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**That Council receives:**

- 1. The Schedule of Accounts covering vouchers 301 to 311, EFT14615 to EFT14615, EFT14641 to EFT14843, CHQ46626 to CHQ46691 totalling \$1,103,967.46 during the month of October 2013;**
- 2. Payroll payments for the month of October 2013, totalling \$342,356.21; and**
- 3. Transfers to and from investments as listed.**

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**17.7 Financial Statements for 30 September & 31 October 2013**

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Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	05.11.13
Author:	Acting Manager Finance, S Maunder
Senior Officer:	Director Corporate Services, P Anastasakis
Attachments:	Financial Statements for September 2013 Financial Statements for October 2013

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**MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for September and October 2013.

**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**

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

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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 11.3 – Financial Reports.

**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 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**

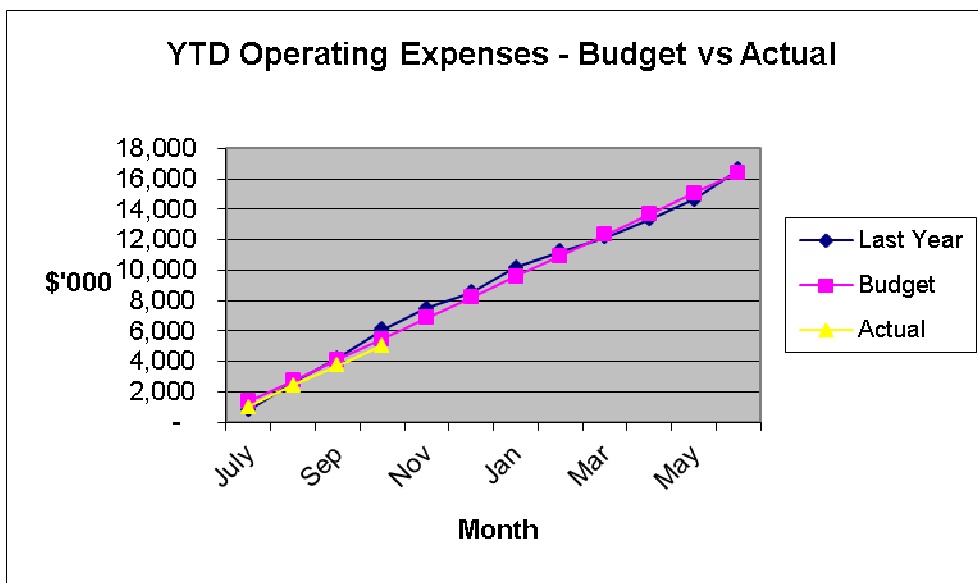
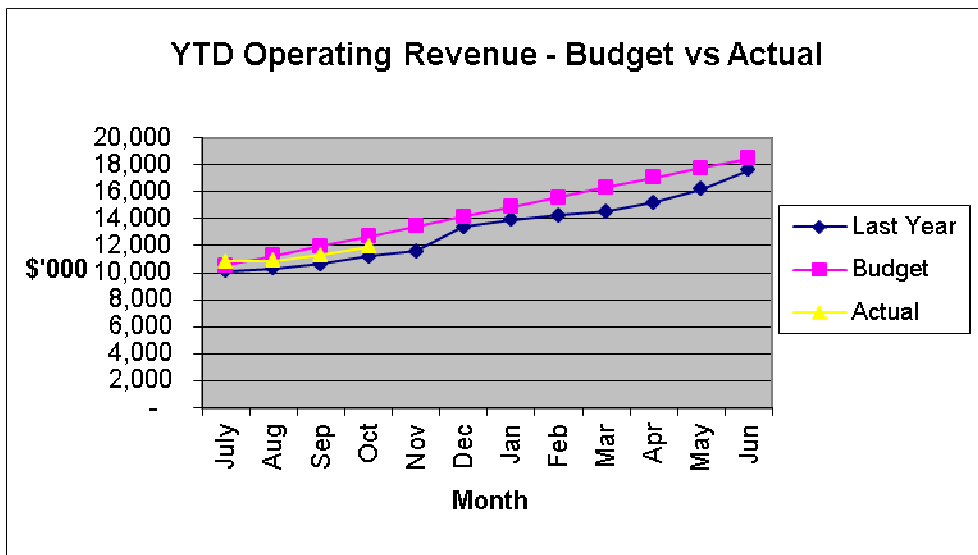
The monthly Financial Statement was developed with the assistance and input of staff who determined expenditure needs and revenue expectations for the remainder of the financial year based upon actual performance compared against budget.

**COMMENT**

At 31<sup>st</sup> October 2013, Council's net current assets position was a surplus of \$7,084,061. The high amount of the surplus was due to rates being calculated in the month of July. The surplus brought forward from the 2012/13 financial year is \$5,457. The budgeted figure used for the 2013/14 budget was a surplus of \$21,244. This amount should vary monthly as the forecast is updated.

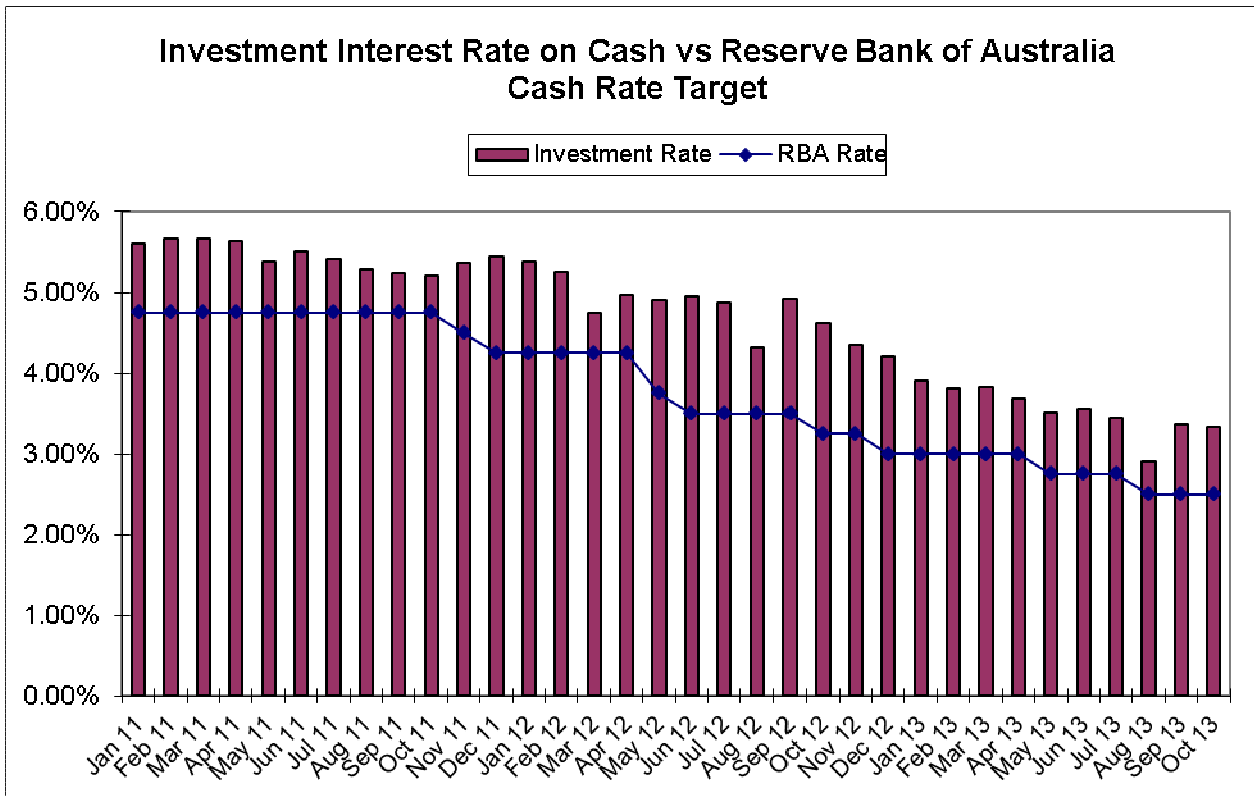
Compared to the annual budget, 81% of Operating Revenue has been invoiced and 31% of the Operating Expenditure budget has been spent. The revenue percentage amount is high due to the generation of rates debtors in July.

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.



Council’s municipal cash and investments position has increased by \$2,545,209 compared to August 2013. The Municipal cash position is an amount of \$13,899,706 of which \$8,926,364 is restricted for specific purposes as shown at Note 3. The receipt of rates income, pensioner rebates and grant funding was the reason for the cash balance increase. Major cash expenses were for loans, insurance premiums and software licenses.

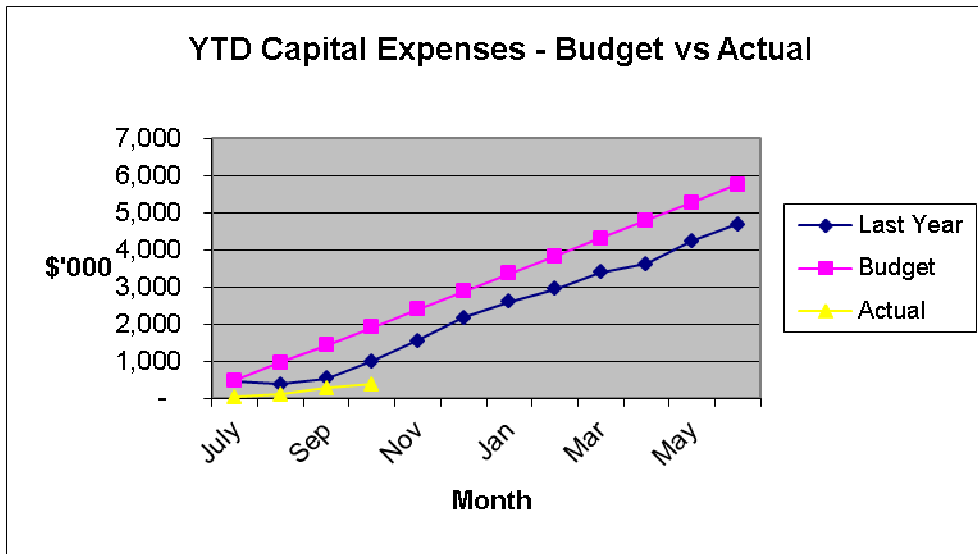
Total interest earned for the year is \$119,876 which is 22% of the annual budget. The average investment rate of return of 3.32% exceeds the Reserve Bank’s cash reference rate of 2.50%. The following graph compares the Shire’s interest rate earned on investments against the Reserve Bank’s reference rate.



Capital works expenditure of \$274,593 was incurred during the two months of which:

- \$15,761 Gravel Resheets
- \$2,477 Road Widening
- \$9,805 Capel Community Information Sign
- \$2,974 for Playground Replacement programme
- \$3,133 Playground Softfall replacement
- \$3,100 10 Bin stands
- \$385 Gate for Reserve at Glen Close Estate
- \$6,348 Boundary Fence Lot 1 SW Hwy, Boyanup
- \$5,480 Boyanup POS Stage 1 Boyanup Pavilion
- \$3,667 Capel Hardcourts parking
- \$6,867 Toilet Block Compliance Certificate, Dalyellup
- \$3,460 Bicycle rack and bin, Capel
- \$1,296 Administration Building
- \$14,584 Energy Efficient Systems
- \$164,196 for vehicle changeovers
- \$1,430 PC Replacement programme
- \$7,586 A1 Digital Scanner – IT Plan
- \$16,397 IT Vision Asset Management Module and
- \$5,651 Shelving for Depot.

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



Council’s financial ratios are disclosed in Note 14.

A review of the Statement of Financial Position and the attendant notes indicates there are no adverse trends evident in the year to date financial statements as at 31<sup>st</sup> October 2013.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER’S RECOMMENDATION – 17.7**

**That Council adopts the financial statements for the period ending 30 September 2013 and 31 October 2013 as attached.**

**18 COMMUNITY SERVICES REPORTS****18.1 Review of Policies – Community Services**


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Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	06.11.13
Author:	Community Development Officer, D Sims
Senior Officer:	Director of Community Services, M Plume
Attachments:	Policy Section 21 – Community Services

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**MATTER FOR CONSIDERATION**

Council to consider adopting a number of updated policies related to Community Services.

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

A review has been conducted on the Community Services policies to assess whether they remain relevant and reflect current trends and best practice. This review has resulted in the following:

- The following five policies have been updated:
  1. Policy 21.1 – Community Awards;
  2. Policy 21.2 – Local Studies Collection;
  3. Policy 21.3 – Community Grants Scheme;
  4. Policy 21.5 – Arts, Heritage & Community Spririt; and
  5. Policy 21.11 – Community Development Consultation.
- Policy 21.10 Contributions to School Chaplaincy Programs has been moved from Section 21 – Community Services to Section 11 – Finance
- The following six policies have been deleted:
  1. Policy 21.4 – Community Development;
  2. Policy 21.6 – Art Collection;
  3. Policy 21.7 – Capacity Building – Volunteers;
  4. Policy 21.8 – Volunteers – Insurance, Tasks & Equipment;
  5. Policy 21.9 – Recreation Facility Maintenance Requests; and
  6. Policy 21.12 - Youth

**Proposal**

Council to consider adopting a number of updated Policies related to Community Services.

**STATUTORY ENVIRONMENT**

The role of Council is defined under section 2.7 of the Local Government Act 1995. Section 2.7(2)(b) states that Council is to determine the local government policies.



## **POLICY IMPLICATIONS**

Existing Policy 21.1 – Community Awards; Policy 21.2 – Local studies Collection; Policy 21.3 – Community Grants Scheme; Policy 21.4 – Community Development; Policy 21.5 – Arts, Heritage & Community Spirit; Policy 21.6 – Art Collection; Policy 21.7 – Capacity Building-Volunteers; 21.8 – Volunteers-Insurance, Tasks and Equipment; Policy 21.9 – Recreation Facility Maintenance Requests; Policy 21.10 – Contributions to School Chaplaincy Programs; Policy 21.11 – Community Development Consultation; Policy 21.12 – Youth.

## **FINANCIAL IMPLICATIONS**

### **Budget**

Whilst all the reviewed Policies, excluding Policy 21.11 – Community Consultation, state that Council will commit an annual budget allocation to investing in the Policies, there will be no additional costs as these Policies will be funded in the context of the Shire's current expenditure.

### **Long Term**

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

### **Whole of Life**

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

## **SUSTAINABILITY IMPLICATIONS**

Community Service policies assist in guiding Council to achieve acceptable and sustainable social outcomes. This is done through the recognition of community, preservation of history, the provision of funding opportunities for community groups and ensuring appropriate consultation and communication across the Shire by the organisation.

## **STRATEGIC IMPLICATIONS**

The Community Strategic Plan 2013 -2031

### 1: The Leadership Experience

1.1 Ensure continuous improvement of the organisation.

### 2: The Community Experience

2.1 Provide social, recreational and cultural opportunities and facilities for our communities.

2.2 Encourage community engagement and participation.

## **CONSULTATION**

These policies have received comment and review by relevant staff and through the Executive Management Team meeting.

## **COMMENT**

These new policies provide improved direction and clarity on Council's activities.

Attached to the Agenda are copies of the original policies for reference. The wording that has been deleted has a line through it and the new wording is in bold.

#### Policy 21.1 – Community Awards

It is proposed to change the name of this policy to 'Community Recognition' to encompass other events Council holds to recognise the efforts of volunteers. A significant amount of information has been removed and placed into an internal procedure as it did not reflect strategic directions to Council.

#### Policy 21.2 – Local Studies Collection

The objective of this policy has been changed to reflect best practice.

#### Policy 21.3 – Community Grants Scheme

It is proposed to change the name of this policy to 'Minor Community Grants Scheme' to reflect current trends as no community groups have applied for Major Community Grants in the past five years (2008 was the last time we received applications). The Major Community Grants will still be covered under community annual budget requests taken into consideration during the annual budget deliberations in February each year. A significant amount of information has been removed and placed into an internal procedure as it did not reflect strategic directions to Council.

#### Policy 21.4 – Community Development

This policy has been removed and placed into an internal procedure because it is based on management decisions as opposed to strategic directions for Council.

#### Policy 21.5 – Arts, Heritage and Community Spirit

It is proposed to change the name of this policy to 'Arts, Culture & Heritage' to reflect current trends. A number of the actions have been removed because they are no longer relevant and do not reflect strategic directions for Council.

#### Policy 21.6 – Art Collection

This policy has been incorporated into Policy 21.5 – Arts, Culture & Heritage. A number of the actions have been removed and placed into an internal procedure because they do not reflect strategic directions for Council.

#### Policy 21.7 – Capacity Building-Volunteers

It is proposed to delete this policy because the majority of the content is covered in Policy 21.1 – Community Recognition and Policy 21.3 – Community Grants Scheme. A new policy 'Shire of Capel Volunteers' is to be developed to set guidelines for organisational volunteers.

#### Policy 21.8 – Volunteers-Insurance, Tasks & Equipment

It is proposed to delete this policy because it is incorporated as a standard practise with maintaining volunteers insurance and good risk management.

#### Policy 21.9 – Recreation Facility Maintenance Requests

It is proposed to delete this policy because it is not relevant as there is no longer a maintenance request budget and it is incorporated into the role of asset management. The objective of this policy is also achieved through community annual budget requests.

Policy 21.10 – Contributions to School Chaplaincy Programs

This policy has been moved from Section 21 – Community Services to Section 11 – Finance.

Policy 21.11 – Community Development Consultation

It is proposed to change the name of this policy to 'Community Consultation' to encompass community consultation for projects and services as well as development of facilities. A significant amount of information has been removed from this policy and placed into an internal procedure as it did not reflect strategic directions for Council.

Policy 21.12 – Youth

It is proposed to delete this policy because it is covered under the Youth Strategic Plan.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 18.1**

**That Council endorses:**

**1. The following updated policies as detailed in the attachment:**

- **Policy 21.1 – Community Recognition**
- **Policy 21.2 – Local Studies Collection**
- **Policy 21.3 – Minor Community Grants Scheme**
- **Policy 21.5 – Arts, Culture & Heritage**
- **Policy 21.11 – Community Consultation**

**2. The rescission of the following policies:**

- **Policy 21.4 – Community Development**
- **Policy 21.6 – Art Collection**
- **Policy 21.7 – Capacity Building-Volunteers**
- **Policy 21.8 – Volunteers-Insurance, Tasks & Equipment**
- **Policy 21.9 – Recreation Facility Maintenance Requests**
- **Policy 21.12 – Youth**

**3. The re-location of Policy 21.10 Contributions to School Chaplaincy Programs from Section 21 – Community Services to Section 11 – Finance.**

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