

# Shire *of* Capel

## AGENDA

### ORDINARY COUNCIL MEETING

Wednesday 16 October 2013

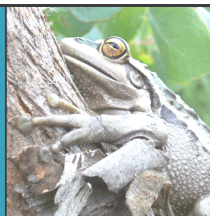
Commencing at 4.30pm in the Council Chambers at  
the Shire Offices, Forrest Road, Capel.

#### **REMINDER:**

**2.00pm Audit Committee meeting**



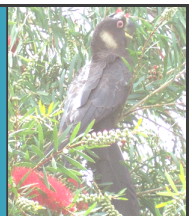
*Experience the*  
Shire of Capel



Forrest Road, Capel  
PO Box 369, Capel

T 9727 0222  
F 9727 0223

[info@capel.wa.gov.au](mailto:info@capel.wa.gov.au)  
[www.capel.wa.gov.au](http://www.capel.wa.gov.au)



# **FINANCIAL INTEREST**

(Effective 1 July 1996)

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

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

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

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

A member who has declared an interest must not:

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

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

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

## **DISCLAIMER**

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

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

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 16<sup>TH</sup> OCTOBER 2013 COMMENCING AT 4.30PM.

*PF. Sheedy.*

PF Sheedy  
CHIEF EXECUTIVE OFFICER

10 October, 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)**

Leave of Absence – Cr K Gibson (Minutes OC0801)

**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 – 18.09.13

**9 ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION**

**10 PETITIONS/DEPUTATIONS/PRESENTATIONS**

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

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

President M Scott will present a petition from the Capel Golf Club in regards to mosquito control on their land.

**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 Boyanup Foundation – Council Contributions**

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Location:	Turner Street, Boyanup
Applicant:	Boyanup Foundation
File Reference:	223946
Disclosure of Interest:	Nil
Date:	25.09.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	Nil

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#### **MATTER FOR CONSIDERATION**

The Boyanup Foundation is requesting Council to become a Corporate Member of the Foundation and to provide a number of additional services at the Railway Heritage site with Council meeting the cost of these services.

#### **BACKGROUND / PROPOSAL**

##### **Background**

In May 1997 the current Lessee of the Museum, Australian Railway Historical Society (ARHS), as a result of a significant increase in the rental to \$1,300 per annum by Westrail's agent, wrote to the Boyanup Foundation in regards to the Shire of Capel taking over the lease to reduce the annual rental fee. The Foundation subsequently wrote to the Shire of Capel on 11 June 1997, requesting that the Shire agree to this request. This request set in place a sequence of events which are summarised below:

June 1997 – Council's Community Services Committee considered the request and resolved (Minute CS0610) that a report on maintenance required at the museum be submitted to the July meeting of the Development Services Committee and staff investigate the option of transferring vesting of the Reserve to Council.

July 1997 – Council's Development Services Committee considered a report prepared by the PEHO and Building Surveyor which raised a number of concerns about the condition and safety of the timber structures in the buildings, the condition of asbestos wall, which were broken and flaking and the general lack of maintenance to the buildings and provided an estimate of approximately \$40,000 to upgrade the buildings in addition to ongoing maintenance. The Committee resolved (Minute DS0709) to advise the ARHS that it should give consideration to:

- Engaging a structural engineer to assess the adequacy of the timber framework
- Removing or sealing the asbestos wall cladding.

December 1997 – The ARHS advised Council that it was not in a position to undertake the works requested by Council and they indicated that the request to take over of the lease of the land including the buildings (I presume in their present condition).

December 1997 – Council's Development Services Committee again considered the matter as a result of letters from Westrail's agent and Boyanup Foundation, where it resolved (Minute DS1213) to ask Westrail to waive the \$1400 annual lease fees paid by the ARHS. The report staff report indicated that the letter from the ARHS had not been received.

February 1998 – Council's Development Services Committee agreed to advise the ARHS that it had no objection to the lease being transferred to the Boyanup Foundation Inc.

February 1998 – Council advised Westrail’s agent that Council would not be seeking vesting of the reserve or assignment of the lease as it was to be transferred to the Boyanup Foundation Inc.

May 1998 lease of the reserve and buildings transferred to the Boyanup Foundation from the ARHS.

April 2004 refers: As part of the annual budget Councillor and Community requests the Boyanup Museum (as was then referred to) made a request for \$3,000 annually for mowing, spraying and rubbish charges and this was approved by Council (Minute OC0416/04).

March 2005 – PEHO, Colin Dent inspected the building, at the request of the President of the Boyanup Foundation, provided comment on a number of areas of public safety concern at the museum and also indicated that a structural engineer should be engaged to assess the structural integrity of all the structures at the site. As a result of this inspection the PEHO had concerns that the building was unsafe and unsuitable for use as a public building and therefore issued a notice, under provisions of the Health Act 1911, ordering that the building be closed until the detailed repairs were rectified.

March 2005 – Boyanup Foundation advised by their insurers that if the repairs were not rectified within 30 days their Public Liability insurance would lapse.

April 2005 – A special meeting of the Foundation and interested persons was held at Boyanup to discuss the future of the museum. A further meeting is to be held on 17 May 2005.

April 2005 – Burgess Rawson, agents for PTAWA wrote to the Boyanup Foundation advising that a certificate of currency for Public Liability insurance for \$10m has to be provided by the 25 May 2005, failure to provide the certificate will be in breach of the lease and PTAWA will be forced to take action which may result in the termination of the lease.

May 2005 refers: Council was requested by Burgess Rawson to consider taking over responsibility for the Boyanup Transport Museum lease and Council resolved (Minute OC0508):

*‘That Council advise Burgess Rawson that until Council has a clearer indication of the future of the Boyanup Museum, where it is heading and whether there is strong community support for its continuation, it is not prepared to consider the matter of accepting management responsibility for it.’*

August 2009 refers: Council approved a request from the Boyanup Museum (Minute OC0817) to waive the building licence fee and septic tank fee (\$405.26) for the construction of a new toilet facility.

January 2013 refers: Council resolved (Minute OC0106) to nominate Councillors Brian Hearne and Murray Scott as Shire of Capel representatives on the Boyanup Foundation Committee until October 2013.

### **Proposal**

The Boyanup Foundation is seeking further assistance and support, from Council, in the ongoing development of the Railway Heritage grounds and building at Boyanup with the following:

1. Join the Boyanup Foundation as Corporate Members
2. Waive tip fees at the Capel Waste Transfer Station
3. Provide an additional household and recycling bin

4. Provide a household organics bin
5. Provide free use of the Jack & Mary Kitchen Community Centre for meetings until they complete refurbishment of the meeting room at the Railway Heritage site.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.12 (1)(b) indicates that a local government may waive or grant concessions in relation to any amount of money.

Local Government Act 1995, section 6.8

#### **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; or
- (b) is authorised in advance by resolution\*; or
- (c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

### **POLICY IMPLICATIONS**

Council has no relevant policies, however Delegation 127 to the Chief Executive Officer (CEO) allows the CEO to waive or grant concessions in relation to any amount of money up to \$600 excluding GST. As the amounts are expected to exceed this limit over several years Council approval is required.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

The cost of meeting the requests listed under points 3-5 above are estimated to be approximately \$200 during the balance of the 2013/14 financial year.

It is difficult to estimate the tip fee costs that would be waived as the amount of use is not stated and the material that is deposited could be green waste and recyclable materials that residents are not currently charged for when deposited at the Capel Waste Transfer Station. A cubic metre of waste is charged at \$27.00.

The 2013/14 budget includes an allocation of \$2,415 for allowance for maintenance of lawns, verges and gardens (\$2,208) and rubbish charge (\$206). Any additional allocations in 2013/14 will result in the budget allocation being exceeded.

The 2013/14 budget includes the allocation of \$215 under Subscriptions and Memberships (Account 101820) for Boyanup Foundations and Working Life (for Rail Heritage).

#### **Long Term**

The estimated ongoing annual costs to provide services requested under points 3-5 above would be \$215 plus any annual increases that Council applied to these services and facilities.

#### **Whole of Life**

As no assets are being created there will be no whole of life costs applicable to this item.



**SUSTAINABILITY IMPLICATIONS**

A number of groups, including Railway Heritage and Men’s Shed meet at the facility on a regular basis which provides an important social interaction opportunity for the members of the groups.

Ongoing financial assistance by Council to this organisation will assist in allowing them to continue to operate as they do not have the ability to generate substantial funds.

**STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013-2031 ‘The Community Experience’ and specifically outcome 2.2 ‘Encourage community engagement and participation’ is relevant to this item.

The Corporate Business Plan 2013-2017 Strategy 2.2B Develop links with and support community volunteers’ and Action 2.2B1 ‘provide continued recognition and support of volunteers’

The South West Rail and Heritage Centre is included on the South West Development Commission ‘Working Life’ Tourism Trail and is seen as an import part of the Boyanup Heritage.

**CONSULTATION**

The Chief Executive Officer met with the President of the Foundation in August 2103 to discuss these matters. No further consultation is required.

**COMMENT**

As indicated under the Financial Implications above the approximate annual cost to Council is expected to be \$255 plus any waiving of tip fees. Theses costs will be recorded against the Boyanup Museum budget allocation so that an accurate record of Council’s donations to the Group can be maintained.

It has been suggested to the Museum group that they also make use of the green and hard waste collections that are provided each year in Boyanup to reduce the number of trips their members have to make to the Capel Waste Transfer Station. In regards to waiving fees at the waste site it is proposed that these be recorded by the attendant and allocated against the Boyanup Museum account in the annual budget so that an accurate record of cost can be maintained.

As all the work undertaken at the Museum is provided by volunteers and any works are generally funded by limited grants obtained and income from Open Days it is recommended that Council support these requests to waive fees and provide additional services, given the expected small costs involved.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER’S RECOMMENDATIONS – 13.1**

**That Council supports the requests from the Boyanup Foundation and agrees to provide additional waste, recycling and organics collection bins, waive the hall hire fees at the Jack & Mary Kitchen Community Centre and waive tip fees at the Capel Waste Transfer Station.**

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## **13.2 Local Government Act – Poll Provisions Removal**

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Location:	N/A
Applicant:	Shire of Serpentine Jarrahdale Town of Mosman Park
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	26.09.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	Nil

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### **MATTER FOR CONSIDERATION**

To lobby local members of State Parliament (particularly Legislative Council members) to oppose proposed amendments to the Local Government Act 1995 insofar as they will affect existing poll provisions which preserve the rights of your local voters to decide as to whether or not to proceed with any proposal to amalgamate your Council with any other councils.

### **BACKGROUND / PROPOSAL**

#### **Background**

August 2013 refers: the Minister for Local Government and the Premier announced the amalgamation and change of boundaries for a number of Perth metropolitan local governments, reducing the number from 30 to 14, effective on 1 July 2015.

To ensure that the governments preferred position is achieved the Minister has foreshadowed the removal (freezing or amending) of the poll provisions found in Schedule 2.1 of the Local Government Act 1995, for all metropolitan local governments.

August 2013 refers: At the Annual General Meeting of the Western Australian Local Government Association (WALGA) at the Local Government Convention the following motion was passed as special urgent business:

*'That WALGA condemns the removal of the "poll provisions" from Schedule 2.1 of the Local Government Act 1995 and the forced amalgamation of Local Government Councils.'*

September 2013 refers: At the WALGA State Council meeting on 4<sup>th</sup> September 2013 the following staff recommendation was considered as a result of the WALGA AGM motion.

*'That WALGA:*

- 1. Oppose the State Government's proposal to remove in perpetuity the poll provision for the metropolitan area contained in Schedule 2.1 of the Local Government Act 1995;*
- 2. Continue to advocate for the State Government to honour its commitment to fund the transition and implementation process of the Metropolitan Local Government Review.'*

The recommendation was amended at the State Council meeting with the addition of points 2 and 4 as detailed in the following adopted motion:

*'That WALGA:*

- 1. Oppose the State Government's proposal to remove in perpetuity the poll provision for the metropolitan area contained in Schedule 2.1 of the Local Government Act 1995;*
- 2. Adopt a position to support an amendment to the Metropolitan poll provisions, where any poll petitioned will be of the entire district involved in the amalgamation proposal with the following conditions:*

- a. *For a poll to be held a petition will be required from 25% of electors of one local government*
  - b. *For an amalgamation to be rejected by the Minister, 50% of electors of all local governments proposed to be merged are required to vote, for it to be a valid poll.*
  - c. *A majority of votes at the poll against will defeat the amalgamation proposal.*
3. *Continue to advocate for the State Government to honour its commitment to fund the transition and implementation process of the Metropolitan Local Government Review.*
  4. *That WALGA request the Minister for Local Government to urgently develop legislation or regulations guiding the functions of the Local Implementation Committee and the appointment of an Interim CEO.'*

The Town of Mosman Park, on behalf of western suburbs Councils, and the Serpentine Jarrahdale Shire have written to all local governments seeking support to lobby the government to publicly object to the removal of the Poll provisions from Schedule 2.1 of the Local Government Act (1995).

A Special Meeting of the WALGA State Council was called on 24 September 2013 and considered and passed a rescission motion that removed part 2 of the above previously passed motion.

### **Proposal**

"The purpose of this correspondence is to request your support to publicly object to the State Government's plans to seek a number of amendments to the *Local Government Act 1995* as part of the reform program. This includes changes that would remove the poll provisions in relation to metropolitan local governments. The State Government has made it clear that amalgamation of metropolitan local governments will take place by July 2015. Their next agenda will be country amalgamations by July 2017 and it is possible that your organisation may be affected in some way in the future.

We are calling for transparency during the process, including maintaining the Dadour provisions which allows the community to have their say on how their local government is to develop over time and the opportunity to hold a referendum on whether or not amalgamation should take place.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995 Schedule 2.1, clause 8

#### **8. Electors may demand poll on a recommended amalgamation**

- (1) Where the Advisory Board recommends to the Minister the making of an order to abolish 2 or more districts (the districts) and amalgamate them into one or more districts, the Board is to give notice to affected local governments, affected electors and the other electors of districts directly affected by the recommendation about the recommendation.
- (2) The notice to affected electors has to notify them of their right to request a poll about the recommendation under subclause (3).
- (3) If, within one month after the notice is given, the Minister receives a request made in accordance with regulations and signed by at least 250, or at least 10%, of the electors of one of the districts asking for the recommendation to be put to a poll of electors of that district, the Minister is to require that the Board's recommendation be put to a poll accordingly.

## **POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The only budget implication will be staff time and the cost of stationery and postage for the letters to all Parliamentarians which can be covered within existing budget allocations.

### **Long Term**

There are no long term financial implication resulting from this item

### **Whole of Life**

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

## **SUSTAINABILITY IMPLICATIONS**

It may be considered that the social aspects of a community could be adversely affected if the removal/amendment to the poll provisions resulted in amalgamation and the formation of a larger local government.

## **STRATEGIC IMPLICATIONS**

The removal or amendment of the poll provision in the Local Government Act, even if only for the metropolitan area at this time has a potential flow-on effect to country local governments in the future.

Shire of Capel Strategic Community Plan 2013 – 2031 under 'The Leadership Experience' and specifically:

'1.6 Lobby and advocate on behalf of the Shire of Capel community.'

would be considered relevant to this item.

## **CONSULTATION**

In addition to the sending of letters to all parliamentarians every opportunity should be taken by the Chief Executive Officer and all Elected Members to lobby politicians whenever the opportunity arises.

## **COMMENT**

To remove the powers of the Poll provisions in the Local Government Act the Minister will need to introduce amending legislation into the Parliament. The effect of the amendment will mean that affected local governments will not be able to demand a poll of electors. Under the current Local Government Act 1995 provisions, only 250 or at least 10% of the electors of one district is required to trigger a poll of all electors affected by the proposed amalgamation. If a poll is held the electors can block an amalgamation if 50% of the electors for **one of the districts** vote in majority against the recommendation.

Whilst the Minister for Local Government has argued that the proposed changes (as outlined in point 2 of the WALGA motion above) are considered to be democratic, clearly they are intended to make it more difficult for electors of one district (local government) to firstly obtain sufficient numbers to demand a poll and then secondly to out-vote the larger local government electors if they choose to vote. Alternatively it would be very simple for the larger local

government that supports the amalgamation process, to lobby to convince their electors to stay home and not vote, making it very difficult for the remaining smaller local government/s to obtain the overall 50% turnout.

It is recommended that Council support the request from the metropolitan local governments to write to all members of the Western Australian Parliament to object to any amendments being made to the Local Government Act 1995 that would remove the rights of the electors to call for a poll and the right to vote at a poll to reject any recommendation that would result in the amalgamation of local governments.

In addition Council may consider issuing a press release to inform the wider community of this support, including an article in the next Shire newsletter.

**VOTING REQUIREMENTS**

Simple majority

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

- 1. Supports the request from the metropolitan local governments to write to all members of the Western Australian Parliament to object to any amendments being made to the Local Government Act 1995 that would remove the rights of the electors to call for a poll and the right to vote at a poll to reject any recommendation that would result in the amalgamation of local governments.**
- 2. Issues a press release and includes an article on this decision in the next Shire newsletter.**

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**13.3 Community Forums**

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Location:	Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	26.09.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	Nil

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**MATTER FOR CONSIDERATION**

The rescission of the previous decision of Council on 17 April 2013 and the endorsement of proposed new format for the annual community forums throughout the Shire.

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

The community forums concept was introduced in 2007/08 as part of the Chief Executive Officer's annual performance Key Result Areas (KRAs).

The initial forums were held at five localities throughout the Shire that involved a sit down presentation by the Executive Management Team members outlining key strategies projects/issues for the whole of the Shire and for each relevant locality in the coming financial year and relevant funds included in the budget.

April 2013 refers: Council at its meeting on 17 April 2013 (Minute OC0403) passed the following motion:

*'That Council endorses the change in format for the Annual Community Forums detailed as follows:*

- 1. Four community forums are held each year at Boyanup, Capel, Peppermint Grove Beach and Dalyellup/Gelorup.*
- 2. Community forums are held between September and December.*
- 3. Community forums are held on a Saturday morning or other weekend time suitable to the relevant community to maximise attendance.*
- 4. The format for the community forums includes static and visual displays, guest speakers and/or displays on relevant local and current topical issues.'*

**Proposal**

In order to maximise the number of community members who would be encouraged to attend the community forums it is proposed that the forums be moved from the current winter period to the more friendly warmer months of the year, between September and January and be held during the day on weekends at the various markets days around the Shire (Boyanup, Capel, Dalyellup and Gelorup) with Peppermint Grove Beach being held on their Sunday coffee mornings, rather than at night.

The current format of having static and visual presentation is retained as this allows community members to view the information at their leisure, at a time that suits them and

also to engage with Councillors and staff in a one on one formation. However it is also suggested that this format can be varied if there is a specific need at a community locality.

### **STATUTORY ENVIRONMENT**

Local Government (Administration) Regulations 1996 clause 10

#### **10. Revoking or changing decisions (Act s. 5.25(1)(e))**

- (1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported –
  - (a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or
  - (b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.
- (2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made –
  - (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
  - (b) in any other case, by an absolute majority.

### **POLICY IMPLICATIONS**

There are no current policies relevant to this item.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

The annual cost to Council will involve staff time, display materials and some light refreshments which can be accommodated within the current budget allocations.

#### **Long Term**

The general costs will continue to be covered under existing budgets whilst additional allocations for guest speakers will be provided as the need arises.

#### **Whole of Life**

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

### **SUSTAINABILITY IMPLICATIONS**

The provision of the forums provides the opportunity for social interaction between community members and Councillors and staff on an annual basis and assists in promoting a positive image for the organisation.

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 - 2031 under 'The Community Experience' and specifically 2.2 'Encourage community engagement and participation is relevant to this item.

**CONSULTATION**

An online survey, on the Shire’s webpage, was undertaken with very few responses so the Library staff assisted by asking customers to complete a copy of the survey. A large number of the customers resided in Capel and a majority of the respondents were seniors.

Consultation with the Executive Management Team has been undertaken.

**COMMENT**

In recent years the attendance numbers at some of the venues has waned compared to when the forums first commenced and this could be seen as an indication that the community members are feeling that nothing new is being presented and some minor changes to the format could assist in re-energising their enthusiasm. In instances where attendance has been almost non-existent a significant change in the format is required or removal of that locality as a venue for a community forum could be the final outcome.

The time of the day that the forum is held is an important part of its success to some degree but the reality is that no matter what time the forum is held it will not be convenient for some members of the community (i.e. early evening as people are still at work, having meals, dealing with children and weekends when they have sport, going shopping etc.).

The customers from the libraries who completed the survey form indicated that Monday to Thursday between 10am – 12.00 noon and 5 – 7pm were the most suitable times. The during the day times will obviously not suit working people and the 5-7pm has been utilised in the past with some success in certain localities.

The recent change from a sit down presentation to a static and visual display format has allowed a lot more flexibility that allows community members to come at a time that suits them and to stay for as long as they wish. There has been some feedback that this does not suit all venues and it is worth considering the needs of the particular community where the forum is being held, be flexible in our approach, because at the end of the day Council is trying to engage with the community to provide information on what Council is doing in their locality to satisfy their aspirations. Sticking to a rigid format that does not work in a particular locality, that results in very few, if any, residents turning up to engage with Council, is achieving nothing and is a waste of everybody’s time and effort.

Following consideration of what has happened in the past the recent survey results and Council’s previous decision to hold the community forums on weekends the Executive Management Team have now suggested that holding them on a Sunday at the same time and venue where the various markets are held would be a good opportunity with a captive audience. The forum at Peppermint Grove Beach would be held at their Sunday coffee morning.

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER’S RECOMMENDATIONS – 13.3</b>
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**STAFF RECOMMENDATION 1**

**That Council consider the rescission of motion OC0403.**



**VOTING REQUIREMENTS**

Absolute majority

**STAFF RECOMMENDATION 2**

**That Council rescinds motion OC0403:**

**'That Council endorses the change in format for the Annual Community Forums detailed as follows:**

- 1. Four community forums are held each year at Boyanup, Capel, Peppermint Grove Beach and Dalyellup/Gelorup.**
- 2. Community forums are held between September and December.**
- 3. Community forums are held on a Saturday morning or other weekend time suitable to the relevant community to maximise attendance.**
- 4. The format for the community forums includes static and visual displays, guest speakers and/or displays on relevant local and current topical issues.'**

**VOTING REQUIREMENTS**

Simple majority

**STAFF RECOMMENDATION 3**

**That Council endorses the change in format for the Annual Community Forums detailed as follows:**

- 1. Five community forums are held each year at Boyanup, Capel, Peppermint Grove Beach, Dalyellup and Gelorup.**
- 2. Community forums are held between November and February.**
- 3. Community forums at Boyanup, Capel, Dalyellup and Gelorup be held on a Sunday morning at the community markets, with the Peppermint Grove Beach community forum held on their Sunday coffee morning.**
- 4. The format for the community forums includes static and visual displays, and/or displays on relevant local and current topical issues.**

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### **13.4 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:	26.09.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	A. Reserves 41592 & 36754 Hasties Road, Gelorup B. Reserves 2307 & 25500 Lowrie Road, Gwindinup

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### **MATTER FOR CONSIDERATION**

The naming of identified Council managed reserves after local identities that are still living.

### **BACKGROUND / PROPOSAL**

#### **Background**

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

#### **Proposal**

The Gelorup Community Management Committee would like Council to name Reserve 41592, Lot 429 Hasties Road after Don Martin for his services to the community within the northern part of the Shire and have provided the following information in support.

“Mr Martin has lived within the Shire for 16 years and has been a member of the Management Committee for that amount of time. His activities include:

- Don has every day that he is home taken his bike out and cleaned up the road verges within Gelorup area and recycled what was recyclable and binned the rest.
- Caretaker of the Gelorup Community Centre over the years, general repairs, etc. (until the Shire took this over) as Don has turned 80 (years of age) and Occupational Health and Safety became more to the forefront.
- Don has spent many hours looking after the Skate Park and BMX track and been a great mentor to the Youth in the area; he also keeps an eye on the Grammar School surrounds and locks the grounds late at night.
- This Gentleman was one of the members that won the Community Achievers Award for WA for the Gelorup Management Committee.
- The main Chef at the Gelorup Markets who cooks the scones for morning teas is our Don – these scones are the best in the west.
- Assisted the Gelorup Fire Brigade in keeping their surrounds tidy and advising them of any activities within the area.
- Don is also a member of Independent Retirees, Probus, Strong Angels, and several other committees.”

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 a member and Chairperson of the Capel Land Conservation District Committee 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**

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**

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 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.

The proposal by the Gelorup Community Management Committee to have the reserve on which the community centre and fire shed are located named 'Don Martin Reserve' can be supported as it is less than one (1) hectare and has demonstrated community support from the

Committee, who have also indicated that other organisations can provide supporting letters if required.

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 – 13.4</b>
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**That Council:**

- 1. Approves the naming of Reserve 41592 (Lot 429) Hasties Road, Gelorup the 'DON MARTIN RESERVE' and Reserves 2307 (Lots 458 & 477) and 25500 (Lot 31) Lowie 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 both applications to the Geographic Names Committee for consideration.**

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**13.5 Delegation 136**

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Location:	N/A
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	01.10.13
Author:	Chief Executive Officer, PF Sheedy
Senior Officer:	Chief Executive Officer, PF Sheedy
Attachments:	Nil

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**MATTER FOR CONSIDERATION**

The approval of Delegation 136 'Local Government (Uniform Local Provisions) Regulations'.

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

A recent request for the Chief Executive Officer to provide approval for the clearing of some vegetation and construction of a dual use path on Fishermans Road in Stratham, by the contractors, as part of the Bourne subdivision, highlighted an administration matter that needed to be delegated by Council.

**Proposal**

The intent of Delegation 136 is to provide the Chief Executive Officer with the authority to take immediate action to issue notices requiring persons to take action rectify matters that are consider an immediate risk to other community members (obstructions on thoroughfares, dangerous excavations etc.).

It will also allow the Chief Executive Officer, or delegated officer, to authorise works to be undertaken on Council property by persons other than Council employees (i.e. contractors undertaking works on a road reserve).

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 5.42

**5.42 Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
  - (a) this Act other than those referred to in section 5.43; or
  - (b) the Planning and Development Act 2005 section 214 (2), (3) or (5)
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Local Government Act 1995, section 5.43

**5.43 Limits on delegations to CEO**

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

Local Government Act 1995, section 5.44

**5.44 CEO may delegate powers and duties to other employees**

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Local Government Act 1995, section 5.18 provides that a local government is to keep a register of delegations and review the delegations once every financial year.

**POLICY IMPLICATIONS**

There are no direct implications on any current policies.

**FINANCIAL IMPLICATIONS**

**Budget**

The only budget implications would be staff time to issue any notices and possible legal advise if required which can be covered within existing budget allocations. It may require advise to council should amount exceed the budget allocation.

**Long Term**

Potential long term budget implications would be similar to annual budget implications.

**Whole of Life**

No assets are being created and therefore no whole of life costs are being incurred.

**SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications relevant to this Delegation.

**STRATEGIC IMPLICATIONS**

Within Council’s Strategic Community Plan 2013 - 2031 under Strategic Direction 1 ‘The Leadership Experience’ the following are relevant to this item.

- Outcome 1.1 ‘Ensure continuous improvement of the organisation.’
- Outcome 1.5 ‘Ensure the effective management of Council’s resources.’

**CONSULTATION**

No public consultation is required on this matter. Appropriate staff has been consulted as to the relevance and/or updating of the existing delegations.

**COMMENT**

When considering the matter of delegated authority for clause 17 of the Local Government (Uniform Local Provisions) Regulations ‘Private works on, over, or under public places’ the Chief Executive Officer took the opportunity to look at other provisions within the Regulations to identify any other administrative matters that could be considered by Council for delegation to the Chief Executive Officer to improve the efficient operations of the organisation.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER’S RECOMMENDATIONS – 13.5**

**That Council approves Delegation 136 ‘Local Government (Uniform Local provisions) Regulations 1996’ as detailed in the attachment.**



**14 HEALTH SERVICES REPORTS****14.1 Legal Fees Supply of Services (Processing of Recyclables) – Unbudgeted Expenditure**


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Location:	Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	27.09.13
Author:	Manager Health Services, C Dent
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Nil

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**MATTER FOR CONSIDERATION**

Payment of legal fees associated with the implementation of the regional contract for the provision of the Supply of Services (Processing of Recyclables)

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

The Local Governments of Bunbury, Boyup Brook, Capel, Collie, Dardanup, Donnybrook-Balingup and Harvey, operating as the Wellington Waste Working Group (WWWG) in conjunction with the Western Australian Local Government Association (WALGA) preferred supplier program asked for suppliers to provide costs for the provision of several contracts relating to provision of kerbside waste pickups, the provision and maintenance of new bins and the Supply of Services (Processing of Recyclables). The latter contract was awarded to Perthwaste who have a Materials Recovery Facility (MRF) in Bunbury. Both the WWWG and the tenderer acknowledged that the contract had some major flaws which had to be cleared up before any of the parties were prepared to sign the document.

Several intense meeting have been held between the WWWG and the contractor regarding the contract. The Shire of Donnybrook-Balingup engaged the services of solicitors, Slee Anderson Pidgeon on behalf of the WWWG to prepare a document all were happy with. The costs of the legal preparation would be shared amongst the councils.

**Proposal**

Authorise for part payment of legal fees to the Shire of Donnybrook Balingup for joint costs associated with contract for the Supply of Services ((Processing of Recyclables). As the contract proposal is only partially ready there will be other legal costs in the next two months

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.8

**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; or
  - (b) is authorised in advance by resolution\*; or

(c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

Waste Avoidance and Resource Recovery Act 2007  
Part 6, Waste Services, Division 1 – Services Provided by Local Government.

West Australian Waste Strategy “Creating the Right Environment”

Shire of Capel Strategic Waste Management Plan

### **POLICY IMPLICATIONS**

There are no Policies relevant to this subject.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

The 2013/14 budget does not include any amount for legal fees so the costs will be unbudgeted expenditure. The current invoice, \$2,709.91 is only part of the expected costs which will probably be around \$4,000 to \$5,000.

#### **Long Term**

There are no long term financial implications for the budget. Indeed the legal costs can be seen as a saving of potential legal costs in the future.

#### **Whole of Life**

There is not expected to be any whole of life implications for future budgets.

### **SUSTAINABILITY IMPLICATIONS**

The Western Australian Waste Strategy “Creating the Right Environment” has set strategy targets for Western Australia. In the Municipal Solid Waste Sector targets are:

- 30% diversion from landfill of material presented for collection in major regional centres by 30 June 2015 (non-metropolitan region recovery in 2009/10 was 15%);
- 50% diversion from landfill of material presented for collection in major regional centres by 30 June 2020.

The collection and processing of domestic recyclables is seen as helping reduce the amount of waste going to landfill and allowing for the reprocessing of finite resources.

### **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:

Leadership Experience:

- Develop, support and implement innovative solutions;
- Provide efficient and effective financial management to ensure the long term financial sustainability of the organisation;

Infrastructure Experience:

- Effectively manage the Shire’s assets and resources.

**CONSULTATION**

No public consultation was required on this matter however; there has been extensive consultation between the members of the WWWG, the legal representatives and the tenderer.

**COMMENT**

The document prepared by WALGA for the preferred supplier, Supply of Services (Processing of Recyclables), had some deficiencies that neither the officers nor the contractor whom was awarded the contract were entirely aware of at the time of agreeing to accept the contract. Given the history between the successful applicant and the regional group of councils all parties agreed that the contract had to be clarified before it was signed by the member councils.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER’S RECOMMENDATIONS – 14.1**

**That Council approves the unbudgeted expenditure of \$7,500 in account 2042, for the payment of legal fees to the Shire of Donnybrook-Balingup for the preparation of a contract for the Supply of Services (Processing of Recyclables).**

**15 PLANNING AND DEVELOPMENT SERVICES REPORTS****15.1 Scheme Amendment No 57 Town Planning Scheme No 7**


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Location:	Lot 50 (No 104) Bridge Street, Boyanup
Applicant:	TME Town Planning Management Engineering
File Reference:	C5.3.7.057
Disclosure of Interest:	Nil
Date:	17.09.13
Author:	Senior Planning Officer, M Slocomb
Senior Officer:	Acting Director Planning and Development Services, C Muller
Attachments:	Location Plan

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**MATTER FOR CONSIDERATION**

A request has been received from TME for Council to initiate an amendment to the Shire of Capel Town Planning Scheme No 7. The amendment consists of modifying the permitted uses and development standards contained in Appendix 4 as they apply to the Bull and Bush Tavern located at Lot 50 (104) Bridge Street, Boyanup. Specifically the proposal is comprised of the following amendments:

- Addition of 'Take Away Food Outlet' and 'Holiday Accommodation' use classes designations for the site;
- Inclusion of development standards and requirements to ensure further development is consistent with both the strategic objectives for the Boyanup Townsite, and the heritage significance of the subject site and Bridge Street Precinct.

Should Council resolve to advertise the proposal, the amendment will need to be advertised for public inspection in accordance with Sections 83 and 84 of the *Planning Development Act 2005*, which will be for a minimum period of 42 days.

Following the conclusion of the advertising period, the proposal will be referred back to Council for further consideration.

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

June 1997	Council resolved to support the establishment of a 'Pubtab' facility within the exiting hotel premises.
March 2003	Planning Consent was issued for various including upgrading of kitchen, staff and toilet facilities, public bar and internal and external restoration.
July 2003	Building licence issued for the above development.
June 2004	Planning Consent was issued for a proposed beer garden pavilion, carparking area, service/storage yard and landscaping subject to conditions.
September 2005	Request received for amendments to the June 2004 planning consent, the Shire indicated no objection to the proposal but required a number of matters to be addressed that were outstanding.
February 2006	Planning Consent was issued for alterations and additions to the existing premises, consisting of a gazebo, cool room, laundry and store at the rear and a store/cool room addition to the eastern side of the building.

August 2006	Building licence issued for the above alterations and additions to the existing premises.
July 2007	Following receipt of an application for a proposed patio to house a pizza oven, the proponent was advised of a number of matters that were still outstanding in respect of an approval dated June 2004. The applicant was advised to complete the outstanding matters prior to consideration of the application.
January 2008	Planning consent issued for the construction of a patio and pizza oven.
August 2008	Building licence issued for the above structure.

### **Proposal**

The Applicant has proposed an amendment to the Shire’s Town Planning Scheme No 7 in order to provide for a Takeaway Food Outlet and Holiday Accommodation to be undertaken on the lot.

In addition, the applicant is proposing a number of additional standards and requirements to guide the development of the uses on the subject lot. The standards act to ensure that the proposed take away food outlet is to operate in an incidental capacity to the Hotel use. Additionally, a number of standards have been included in relation to the proposed holiday accommodation, which includes measures to provide for sympathetic design to the existing hotel, connection of deep sewerage and occupancy restrictions.

The proposed amendments will form the basis from which a development proposal will in the future be assessed for the above uses.

### **STATUTORY ENVIRONMENT**

#### **Town Planning Scheme No 7 (TPS7)**

Under TPS7 Lot 50 is zoned ‘Special Use – Hotel’.

There are no specific development requirements applied to this existing land use under the ‘Special Use’ zoning as outlined in Appendix 4 of the scheme. There is however development requirements relevant to a ‘Hotel’ under Clause 5.2 and as specified in Appendix 5 of the scheme.

The proposed new use classes under the scheme have the following interpretations:

#### **Take-Away Food Outlet:**

Means the land and building used for the preparation, sale, and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a fish shop.

#### **Holiday Accommodation:**

Means land and buildings constructed and used for the accommodation of holiday makers and organisations generally in accordance with the Local Government Model By-laws (Holiday Accommodation) No 18, and may include, with the approval of Council, uses incidental to the normal function of a holiday accommodation facility.

Clause 5.8 of the scheme specifies that Council may use its discretion in determining development requirements for land within the ‘Special Use’ zone.

In addition to the above, the premise is listed in the Town Planning Scheme as a Management Category 2 heritage place. The listing means that the place is to be retained and conserved. The Municipal Inventory states:

“The place has significant associations with the development of Boyanup and has been a continually licensed establishment since 1893. The place was built on the site of the original inn and has associations with generations of Boyanup people and more recently with the local football club.”

The hotel premises have been assessed by the National Trust and have indicated that it has cultural heritage significance for the Town of Boyanup for the following reasons:

- The place sits on the site of the first and only hotel constructed in Boyanup;
- The place is associated with the historical development of Boyanup; and
- The place has been an important meeting place for various social events since the time of its erection.

Clause 7.14 of the Scheme states in part, that the purpose and intent of the heritage provisions of the Scheme are:

- (a) To facilitate the conservation of places of heritage value; and
- (b) To ensure as far as possible that development occurs with due regard to heritage values.

#### Planning and Development Act and Regulations

If Council agrees to initiate a scheme amendment, it is obligated to comply with the procedural requirements of the Planning and Development Act 2005 and the Town Planning Regulations 1967 (as amended). The following requirements apply:

#### Planning and Development Act 2005

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

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

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

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

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

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

Town Planning Regulations

It is to be noted that whilst the new Planning and Development Act 2005 (mentioned above) has been in operation since the 9 April 2006, no changes have as yet been made to the regulations. The relevant provisions of the Regulations are outlined as follows:

- 13(1) On completion of the preparation of amendment documents Council shall:
- (a) If it resolves to proceed with the amendment, adopt the proposed amendment in accordance with the Act; or
  - (b) If it resolves not to proceed with the amendment, notify the Commission in writing of the resolution.
- 25(2) In agreeing to undertake an amendment Council will be required to confirm that the amendment is consistent with the following criteria set out under the Regulations:
- (a) Those purposes for which schemes may be made under Section 6(1) of the Act or the First Schedule;
  - (b) Any Regulation made under the Act; and
  - (c) Any Statement of Planning Policy prepared under Section 5AA of the Act.
- 25(2) (j) Council is responsible for initiating the advertising requirements of a Scheme Amendment where it is determined that advertising can proceed without the consent of the Commission.
- 13(3) If advertising is to be undertaken, it is firstly conditional upon the amendment being referred to the Environmental Protection Authority (EPA) and compliance with any requirements of the EPA.

**POLICY IMPLICATIONS**

There are no Policy implications in adopting the proposal for advertising.

**FINANCIAL IMPLICATIONS****Budget**

No fees have been received to date. The applicant is required to meet all administrative and advertising costs. The fee should be paid prior to the endorsement of the documents by the CEO and President.

**Long Term**

There are no long term costs to consider.

**Whole of Life**

Overall the proposed Holiday Accommodation is anticipated to contribute to the greater tourist use of the Boyanup Townsite, and in this regard provide increased tourist income for businesses in the locality.

The scale of the development is not anticipated to result in any significant increase in vehicle movements; accordingly any impacts on infrastructure are anticipated to be negligible.

**SUSTAINABILITY IMPLICATIONS**

Discussion contained within the 'Comment' section of the report addresses matters which are considered to have an influence of the sustainability of the final development outcome.

**STRATEGIC IMPLICATIONS**Shire of Capel Land Use Strategy 1999

The subject site is contained within Planning Unit P2 – Boyanup Townsite. Discussion in the strategy is generally limited to the development of the East Boyanup Structure Plan Area and generally not applicable to the proposal.

Strategic Community Plan 2013-2031

The Shire of Capel Strategic Community Plan sets out the overarching vision for the Shire, which is a 'community of diverse lifestyles experiences accommodating progressive growth, sharing in prosperity, and valuing the environment'. This overarching vision is supported through general Shire wide objectives, along with place specific objectives. The following strategic directions are considered to be relevant to the proposal:

- 2.1 Provide social, recreational and cultural opportunities and facilities for our communities;
- 2.3 Preserve and protect the character of the communities;
- 3.3 Preserve and protect the character of the towns as they expand;
- 4.7 Promote tourist interests and provision of tourist accommodation;
- 4.9 Encourage business development; and
- 5.2 Maintain and enhance the quality of our built environment.

In addition to the above, the following community aspirations and strategies are of relevance to the proposal and specifically applicable to Boyanup:

- 1.2 Promote the Preston River as a major community asset and encourage community use of the river foreshore areas as a part of the pedestrian circuits within the town;
- 3.1 Develop the Railway Precinct as the key retail and tourist area (including café's) – allowing for easy access to Meadowbrook;
- 3.2 Promote Boyanup for Tourists as the home of clean, green farm produce and cottage-based visitor experiences;
- 3.3 Lobby for/encourage the private sector to provide additional tourist accommodation and a caravan park in the town.

It is to be noted that the community aspirations 3.2 and 3.3 are listed as a priority within the Strategic Community Plan.

The contents of the Strategic Community Plan will be discussed further in the Planning Comment section of this report.

Boyanup Townsite Strategy

The Boyanup Townsite Strategy identifies the Bridge Street precinct being a key industry and employment generator, specifically noting that "a number of tourist, heritage and other uses on the eastern part of Bridge Street provide a degree of attraction to the town which contributes to the local economy".

Additionally, the adopted Boyanup Townsite Strategy designates the site, amongst others along Bridge Street and the Railway corridor as a 'tourist' zone.



In regard to the actions set out in the Townsite Strategy, Section 6.4.2 outlines the specific strategies and actions pertaining to the local economy and employment of Boyanup. The overall objective is as follows:

“To increase the level of employment self-sufficiency within the Boyanup Townsite by providing appropriately zoned land for a variety of land uses and businesses and to maximise the location of the town as a service centre with good access to Bunbury and surrounding rural settlements”.

Whilst the above strategy is more general in its nature, it is underpinned by a number of specific actions. Of these actions, clauses viii and xi are of particular relevance to this proposal, as outlined below:

“Establish and promote a tourist and heritage precinct incorporating the railway reserve and museum, old rail worker cottages and surrounding land as a tourist/visitor attraction for Boyanup”.

“Promote and develop strategies to increase tourist visitors to Boyanup with an emphasis on heritage and cultural values and facilitate where required the provision of tourist accommodation within the town”.

The implications of the proposal in relation to the Boyanup Townsite Strategy will be discussed further in the ‘Comment’ section of this report.

#### Trails Master Plan

The subject site is situated within close proximity to the proposed route of the Boyanup heritage trail as identified in the Trails Master Plan. The master plan proposes that the trail would commence from Fetter’s Park and contain components of Bridge Street. The location of this trail in relation to the site and subsequent holiday accommodation is anticipated to considerably improve the viability of such heritage/tourism based trails.

### **CONSULTATION**

#### Public/Authorities

The proposed amendment, if initiated by Council, will be required to be advertised for public inspection in accordance with Sections 83 and 84 of the *Planning Development Act 2005*, which will be for a minimum period of 42 days.

### **COMMENT**

The proposal has been considered in the context of the relevant strategic, policy and sustainability objectives, as well as the implications on the greater Boyanup Locality.

In terms of the proposed Take-Away outlet, there is an existing shortage of premises that sell food after the lunch time period in the Boyanup Townsite. Whilst the Bull and Bush Tavern currently provide a restaurant venue, there is no capacity for the Hotel to provide take away meals given the current zoning of the premises.

Whilst a Take-Away type premises is considered to be under represented in Boyanup, it is the view of staff that such uses are better located within the Town Centre Zone. Notwithstanding this it is acknowledged that there would be considerable demand for a use of this nature, and is therefore not prepared to totally preclude such operations occurring. On this basis the scheme amendment has included requirements to ensure that the use will operate in an ancillary capacity to the existing Hotel. This allows such a use to operate, but not to the detriment of the existing functions and heritage significance of the site – both of which are consistent with the intended strategic objectives for the Bridge Street precinct.

Additionally, this approach removes the capacity for the site to be used as a stand-alone take-away premise, which would be to the detriment of the Town Centre in decentralising its intended commercial function - where it would be anticipated that the grouping of like uses will provide for mutual benefit to the respective businesses.

The proposed association of the Take-Away and Hotel also ensures the continued use of the site as a Hotel through association – in that a Take-Away premise cannot operate without an operational Hotel on site. This provision thereby encourages the continued Hotel use, therefore maintaining the function for which the premises were originally built in 1893. Ensuring the ongoing use of the site as a Hotel is considered to be a positive outcome on heritage grounds.

In regard to the proposed Holiday Accommodation, the applicant has also expressed a desire to develop a number of chalets on site. The applicant was advised that the Take-Away Food Outlet amendment could be modified to encompass such a proposal, mitigating the need for further scheme amendments in the future.

Overall, the proposed holiday accommodation is considered entirely appropriate in the context of the strategic direction and imperatives for the Boyanup Town Centre provided such development is sympathetic to the heritage and townscape values.

The community aspirations that drove the direction of the Shires Strategic Community Plan places a clear impetus on utilising the Preston River as a tourist drawcard for the locality, and adapting the Bridge Street railway precinct for tourism purposes. The location of the subject site is within the immediate vicinity of the Preston River (including the starting point of Preston River Ramble) as well as being situated within the railway precinct. In this regard, it is considered that the provision of holiday accommodation in this area is highly appropriate and will significantly contribute towards the Shire achieving the objectives set out in the Strategic Community Plan and the outcomes intended under the Corporate Plan.

In addition to the above, the proposed use is considered to be entirely appropriate for the designated tourist zoning outlined within the Boyanup Townsite Strategy, and significantly contributes to the viability of establishing a functional tourism and cultural precinct in the Bridge Street area.

The addition of tourist accommodation within such close proximity to the proposed Boyanup heritage trail as designated in the Shire of Capel Trails Master Plan will significantly contribute to the viability of such a route. Additionally, the location of the holiday accommodation would further promote the Preston River as a major community asset and tourist attraction.

Overall the proposal for the Holiday Accommodation on site is considered to be entirely conducive to the strategic objectives for the Bridge Street precinct and the Boyanup Town Centre as a whole.

Accordingly the proposal is considered to be supportable, provided suitable development requirements are included within the proposed amendment text to maintain the desired built form outcomes. The proposed development requirements and conditions are outlined and justified as follows:

1. The Take-Away Food Outlet use is only permissible in conjunction with the Hotel use, and shall be ancillary to the Hotel use.

As discussed above, it is the intent of the Shire that the proposed use is undertaken in an incidental capacity to the existing hotel use on site. It is considered that a Take-Away is better situated within the area zoned, or proposed to be zoned 'town centre', where it is anticipated that there would be a grouping of such like uses for mutual benefit. Additionally, having a standalone use of this nature on the periphery of town will act to decentralise the town centre's intended commercial function.

Additionally, and as discussed before, allowing a Take-Away premises in conjunction with the Hotel encourages the continued use of the Hotel whilst providing a degree of diversification for the business. Maintaining the Hotel use is considered to be a positive heritage outcome given that the use is consistent with the intent of the building as constructed in 1893. Best practice in heritage preservation seeks to maintain the use and enjoyment of a site as close as possible to the way in which it was initially intended, which in turn ensures a level of upkeep and maintenance which may not otherwise be provided.

2. The Take Away Food Outlet is limited to a maximum floor area of 25m<sup>2</sup>.

This provision ties into the above discussion, in that it provides a spatial dimension to the 'ancillary' nature of the proposed use.

This spatial figure was provided by the applicant, and is considered an appropriate designation to encompass the existing kitchen facilities on site and provide adequate area for the provision of a 'pick up area'.

3. All buildings and extensions shall reflect the relevant design guidelines pursuant to the Boyanup Townscape Plan (9 January 1995), any adopted heritage policy for Boyanup and is sympathetic with the Heritage significance of the existing Hotel.

This provision is included to ensure that any future development on the subject site is undertaken in a manner which is not detrimental to the heritage significance of the existing Hotel. This is achieved in part through reference to the Boyanup Townscape Plan, which provides general guidelines pertaining to general character, verandas and awning, building materials, colour, advertising and fencing. Additionally, the clause would take into account any future policy which may be developed through the Municipal Heritage Review and Heritage Strategy process currently being undertaken. Overall these provisions should ensure that any further development is not to the detriment of the existing hotel premises.

4. The Holiday Accommodation development shall be connected to reticulated water supply and sewerage services to the satisfaction of the Shire.

This requirement is included to ensure the development is connected to the reticulated sewerage available on site. The use of conventional or on site disposal is anticipated to be problematic, and would also reduce the developable area on the property; accordingly connection to deep sewer is a preferable outcome in this instance.

5. The Holiday Accommodation development shall ensure minimal impact on the setting of the existing Hotel through adequate setbacks from Bridge Street.

This provision has been included to ensure that the siting of the proposed Holiday Accommodation does not impede the views of the existing Hotel from the eastern approach along Bridge Street. The prominence of the Hotel in the street is a fundamental component of the Bridge Street streetscape, therefore it is considered important that the buildings are adequately setback to ensure the building's contribution to the streetscape is not diminished.

The clause has intentionally remained objective, as it is considered that the development application process is the appropriate context to explore specific setback requirements from Bridge Street. This requirement clearly states the Shire's intent in this regard, whilst it maintains the degree of flexibility that the development application process affords, as opposed to scheme requirement which is binding and difficult to vary.

6. No person shall occupy the Holiday Accommodation for more than a total of three months in any one twelve month period.

This requirement has been included to maintain holiday occupancy and to avoid the development being inhabited on a permanent basis, which is contrary to the objective of the amendment and the strategic framework for the site.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER’S RECOMMENDATIONS – 15.1**

**That Council:**

**1. In pursuance of Section 75 of the Planning and Development Act, 2005 agrees to amend Town Planning Scheme No 7 by:**

**(a) Modifying Appendix 4 of the Shire of Capel Town Planning Scheme No 7 by introducing new “Special Use” zone provisions as follows:**

**NOTE: PROPOSED PROVISIONS SHOWN IN ITALICS**

<b>LAND PARTICULARS</b>	<b>PERMITTED USES</b>	<b>DEVELOPMENT STANDARDS/CONDITIONS</b>
<p>Lot 50 Bridge Street, Boyanup</p>	<p>Hotel</p> <p><i>Take Away Food Outlet</i></p> <p><i>Holiday Accommodation</i></p>	<p>1. <i>The Take Away Food Outlet use is only permissible in conjunction with the Hotel use, and shall be ancillary to the Hotel use.</i></p> <p>2. <i>The Take Away Food Outlet is limited to a maximum floor area of 25m<sup>2</sup>.</i></p> <p>3. <i>All buildings and extensions shall reflect the relevant design guidelines pursuant to the Boyanup Townscape Plan (9 January 1995), any adopted heritage policy for Boyanup and be sympathetic with the Heritage significance of the existing Hotel.</i></p> <p>4. <i>The Holiday Accommodation development shall be connected to reticulated water supply and sewerage services to the satisfaction of the Shire.</i></p> <p>5. <i>The Holiday Accommodation development shall ensure minimal impact on the setting of the existing Hotel through adequate setbacks from Bridge Street.</i></p> <p>6. <i>No person shall occupy the Holiday Accommodation for more than a total of three months in any one twelve month period.</i></p>

- 2. In accordance with Regulation 13(1) (a) of the Town Planning Regulations 1967 (as amended) to adopt Scheme Amendment documents prepared in accordance with the above.**
- 3. Confirms that in its opinion the amendment is consistent with the criteria set out in sub-regulation 25 (2) of the Town Planning Regulations 1967 (as amended) and in accordance with Section 77 of the Act it is considered the amendment is not affected by State Planning Policy.**
- 4. On receipt of amendment documents prepared to the satisfaction of the Director Planning and Development Services and payment of the required amendment fee, proceeds to process the amendment by undertaking those actions required by the Planning and Development Act 2005 and Town Planning Regulations 1967 (as amended).**

**16 ENGINEERING AND OPERATIONS REPORTS****16.1 Tender 13/02 - Supply and Lay of Bituminised Products**


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Location:	Various locations within the Shire of Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	17.09.13
Author:	Engineering Technical Officer, J Reilly
Senior Officer:	Director Engineering and Operations, W Butler
Attachments:	Confidential: Pricing Schedules Submitted by Tenderers

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**MATTER FOR CONSIDERATION**

The consideration of tender submissions for the Supply and Lay of Bituminised Products.

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

The current contract for the supply and lay of bituminised products expired on 30 June 2013. Tenders have been called for the supply lay of bituminised products to meet the requirements of the Council's road construction and maintenance programme.

The contract will be for an initial period of twelve months, from 1 October 2013 to 30 September 2014 with options to extend for a further two one-year extensions.

**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 subregulation (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**

Road construction and maintenance have been included in the budget. The tenders received are within anticipated price ranges.

### **Long Term**

This tender provides for the supply and lay of bituminised products for a period of up to three years. It is anticipated that after this time, a further tender will be issued for a similar period.

### **Whole of Life**

Road maintenance and construction is a vital role of Council. A continuous maintenance programme is required to ensure the viability of the surfaces into the future and keep costs to a minimum.

## **STRATEGIC IMPLICATIONS**

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

The road construction and maintenance programme contributes to the Community and Infrastructure Experiences of the Strategic Community Plan. In particular, Infrastructure Experiences:

- 5.6 - Effectively manage the Shire's assets and resources.

## **CONSULTATION**

The Request for Tender was advertised in accordance with the requirements of the Local Government Act 1995. Advertisements appeared in *The West Australian* on Wednesday 17 July 2013 and in the *South Western Times* on Thursday 18<sup>th</sup> July 2013.

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

## **COMMENT**

### PREFERRED TENDERER

Tender submissions were received from two contractors. Both were assessed against qualitative and financial criteria. The submissions were very similar on quality therefore the decision was made on price, in particular the price for Line item 4 – "Supply and lay – reseals", which is the material most used by Council. Fulton Hogan achieved an overall score of 94.00 which was 4.63 higher than Malatesta.

<b>Tenderer</b>	<b>Relevant Experience and Resources (30% weighting)</b>	<b>Price (70% weighting)</b>	<b>Score Total</b>
Fulton Hogan	24	70.00	94.00
Malatesta	24	65.37	89.37

## **VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 16.1**

**That Council accepts the tender from Fulton Hogan Industries Pty Ltd for the Supply and Lay of Bituminous Products as detailed in Tender No 13/02. The contract will be for an initial period of twelve months, from 1 October 2013 to 30 September 2014 with options to extend for a further two one-year extensions.**



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**16.2 Tender 13/03 Supply and Lay of Asphaltic Concrete**

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Location:	Various locations within the Shire of Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	17.09.13
Author:	Engineering Technical Officer, J Reilly
Senior Officer:	Director Engineering and Operations, W Butler
Attachments:	Confidential: Pricing Schedules Submitted by Tenderers

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**MATTER FOR CONSIDERATION**

The consideration of tender submissions for the Supply and Lay of Asphaltic Concrete.

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

The current contract for the supply and lay of asphaltic concrete expired on 30 June 2013. Tenders have been called for the supply lay of asphaltic concrete to meet the requirements of the Council's road construction and maintenance programme.

The contract will be for an initial period of twelve months, from 1 October 2013 to 30 September 2014 with options to extend for a further two one-year extensions.

**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 subregulation (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**

Road construction and maintenance have been included in the budget. The tenders received are within anticipated price ranges.

**Long Term**

This tender provides for the supply and lay of asphaltic concreted for a period of up to three years. It is anticipated that after this time, a further tender will be issued for a similar period.

**Whole of Life**

Road maintenance and construction is a vital role of Council. A continuous maintenance programme is required to ensure the viability of the surfaces into the future and keep costs to a minimum.

**STRATEGIC IMPLICATIONS****Shire of Capel Strategic Community Plan 2013-2031**

The road construction and maintenance programme contributes to the Community and Infrastructure Experiences of the Strategic Community Plan. In particular, Infrastructure Experiences:

- Effectively manage the Shire's assets and resources.

**CONSULTATION**

The Request for Tender was advertised in accordance with the requirements of the Local Government Act 1995. Advertisements appeared in *The West Australian* on Wednesday 17 July 2013 and in the *South Western Times* on Thursday 18<sup>th</sup> July 2013.

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

**COMMENT****PREFERRED TENDERER**

Tender submissions were received from two contractors. Both were assessed against qualitative and financial criteria. The submissions were very similar on quality therefore the decision was made on price, in particular the price for Line item 2 – Asphalt – 25mm, 10mm aggregate, 50MB, which is the material most used by Council. Fulton Hogan achieved an overall score of 94.00 which was 2.91 higher than Malatesta.

<b>Tenderer</b>	<b>Relevant Experience and Resources (30% weighting)</b>	<b>Price (70% weighting)</b>	<b>Score Total</b>
Fulton Hogan	24	70.00	94.00
Malatesta	24	67.09	91.09

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 16.2**

**That Council accepts the tender from Fulton Hogan Industries Pty Ltd for the Supply and Lay of Asphaltic Concrete as detailed in Tender No 13/03. The contract will be for an initial period of twelve months, from 1 October 2013 to 30 September 2014 with options to extend for a further two one-year extensions.**

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**16.3 Air Conditioning Unit- Unbudgeted Expenditure**

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Location:	Capel Administration Office
Applicant:	Engineering and Operations
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	02.10.13
Author:	Director Engineering and Operations, W Butler
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Nil

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**MATTER FOR CONSIDERATION**

Purchase of a replacement reverse cycle air conditioning unit for the Capel Administration Office.

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

The Administration Office is not outfitted with a conventional single unit air conditioning system. Heating and cooling is controlled by a number of reverse cycle and split wall units which overall maintain a climatic condition that is conducive to staff comfort and work efficiencies. One of the split system units has failed and cannot be repaired thus, requiring the unit to be replaced.

Currently no budgetary allocation exists for this to be undertaken and, as the cost of a replacement unit exceeds the \$2,000 threshold for non-capital items, an unbudgeted allocation of \$2,700 is required to enable the purchase and replacement of the faulty unit.

**Proposal**

That Council authorises the purchase and replacement of the faulty reverse cycle unit so as to maintain the current climatic status quo within the Capel Administration Office.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.8

**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; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

\* Absolute majority required.

**POLICY IMPLICATIONS**

There are no policies relevant to this subject.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The 2013/2014 Budget does not include a line for the purchase of replacement air conditioning units and, as such requires an allocation of \$2,700, which is available within Council's Building Maintenance budgetary consideration.

### **Long Term**

There is no financial implications long term for the budget.

### **Whole of Life**

There is not expected to be any whole of life implications for the budget.

## **SUSTAINABILITY IMPLICATIONS**

Maintaining a comfortable environment, conducive to the health, well-being and effectiveness of Council's staff, is of prime importance in maintaining the work efficiencies and moral of staff.

## **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:

Leadership Experience:

1.2 - Maintain a safe and rewarding working environment.

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 Technical 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 repair of the unit, and the most cost effective and efficient way of retaining an adequate work environment in this area is to replace the defective unit.

## **VOTING REQUIREMENTS**

Absolute majority

**OFFICER'S RECOMMENDATIONS – 16.3**

**That Council authorises the unbudgeted expenditure of \$2,700 in Account 0664 for the purchase and installation of a replacement reverse cycle air conditioning unit for the Capel Administration Office.**

**17 CORPORATE SERVICES REPORTS**

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**17.1 Accounts Due and Submitted for Authorisation**

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Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 09.10.13  
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 (Financial Management) Regulations 1996 (Reg 13(2)).

**POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

**FINANCIAL IMPLICATIONS****Budget**

Payment from Council's Municipal Fund.

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

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**CONSULTATION**

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

**COMMENT**

Accounts due and submitted for authorisation are as follows:

<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	
EFT14616	16/10/2013	COLLINS BOOKSELLERS BUNBURY (FORMERLY ANGUS & ROBERTSON)	Book Vouchers for School Awards 2013	500.00
EFT14617	16/10/2013	BUNBURY MACHINERY	4 Tube clips for outfront mower	4.35
EFT14618	16/10/2013	BUNBURY MOWER SERVICE	Bump feed heads for FS130's	922.95
EFT14619	16/10/2013	BELL FIRE EQUIPMENT COMPANY	HACC- FIRE EQUIPMENT SERVICE	1066.21
EFT14620	16/10/2013	BUNBURY AUTO ONE	ELECTRICAL TRAILER CONNECTION	27.90
EFT14621	16/10/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	6 Storage Hangers	164.63
EFT14622	16/10/2013	BLACKWOODS	Reflective tape for water tank and 10x pair gloves	178.20
EFT14623	16/10/2013	STAPLES AUSTRALIA PTY LTD	2013/14 STATIONERY LIBRARY: SEP 13	1539.13
EFT14624	16/10/2013	DARREN WRIGHT TOWING & TILT TRAY SERVICE	Tow impounded Toyota Utility from Spurr Road Capel to Shire Depot.	175.00
EFT14625	16/10/2013	HANSON CONSTRUCTION MATERIALS PTY LTD	4 x 6 wheeler loads of agfill for road maint	415.47
EFT14626	16/10/2013	INSTANT RACKING & STEEL SHELVING	1 Complete Industrial Workbench A426 Backing Panel \$229 + A420 Workbench \$378 + A764 Tool Cabinet \$640 +parts bins	1515.80
EFT14627	16/10/2013	MALATESTA ROAD PAVING & HOT MIX	1 x tonne Hotmix for Hasties Rd	181.50
EFT14628	16/10/2013	ONSITE RENTAL GROUP	4 x days hire excavator from 9/9/13-12/9/13	1494.90
EFT14629	16/10/2013	PROTECTOR ALSAFE	Drum Spill Accumulation Centre 1245x635x140	311.70



EFT14630	16/10/2013	PRESTIGE PRODUCTS-BUSSELTON	Supply of 2 ctns hand roll towels	191.46
EFT14631	16/10/2013	PICTON TYRE CENTRE PTY LTD	3 x new tyres for CP9132	804.00
EFT14632	16/10/2013	PUBLIC LIBRARIES WESTERN AUSTRALIA INC	PLWA MEMBERSHIP 13/14	153.75
EFT14633	16/10/2013	RED11 PTY LTD	5 x LTO-5 Ultrium RW Data Cartridges - Backup Tapes	265.98
EFT14634	16/10/2013	RAECO	Genre labels, date slips, genre spots, genre oblongs, freight	123.84
EFT14635	16/10/2013	CAPEL FRESH IGA	1 x Tin coffee for depot 1 x box milk	36.95
EFT14636	16/10/2013	TOTALLY WORKWEAR	HACC Domestic staff uniforms	451.00
EFT14637	16/10/2013	TROPHIES WEST	2 x Desk name plates for Cr Siddhartha Baxi for Council Chambers measuring 220mm x 30mm	36.00
EFT14638	16/10/2013	TRAFFIC FORCE	Traffic Management Plan - Traffic Control - signage hire - Bentley Drive - start date 26/8/13	607.20
EFT14639	16/10/2013	IT VISION	SynergySoft Asset Management Software	20119.95
EFT14640	16/10/2013	WORK CLOBBER BUNBURY	UNIFORM 3X SHIRT, 2X JUMPER, 3X TROUSERS.	453.69
				31741.56

OUTSTANDING CREDITORS AS AT 30<sup>th</sup> September 2013: \$106,567.95

#### 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 18<sup>TH</sup> September 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 – 17.1**

**That Council authorises the Schedule of Accounts covering vouchers EFT14616 to EFT14640 a total of \$31,741.56 for payment.**

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**17.2 Accounts Paid During the Month of August 2013**

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Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 09.10.13  
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 (Financial Management) Regulations 1996 (Reg 13(1)) requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

**POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

**FINANCIAL IMPLICATIONS****Budget**

Payment from Council's Municipal Fund.

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

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**CONSULTATION**

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

**COMMENT**

Payments made during the month of September 2013 are as follows:

<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
286	04/09/2013	BUNBURY CLASSIC POOLS	INCORRECT VERGE/KERB FEE CHARGED FOR PROPERTY	110.00
287	13/09/2013	ACCESS HOUSING AUSTRALIA LIMITED	BOND REFUND	65000.00
288	13/09/2013	BOYANUP COLLECTORS GROUP	BOND REFUND BOYANUP HALL 7-9 SEP 12	150.00
289	13/09/2013	BARBARA CAREY	BOND REFUND- EVENT CANCELLED GCC 20/9/13	500.00
291	13/09/2013	JENNIFER STRYDOM	BOND REFUND	150.00
292	13/09/2013	GARETH WAREHAM	BOND REFUND	1000.00
293	13/09/2013	J & TW DEKKER PTY LTD	REFUND VERGE MAINTENANCE FEE- WRONGLY CHARGED	110.00
294	16/09/2013	AUSTRALIAN ELECTORAL COMMISSION	BOND REFUND	300.00
295	18/09/2013	BUILDING & CONSTRUCTION IND TRAINING FUND	BCITF LEVY COLLECTED- AUG 13	10833.31
296	18/09/2013	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	BSL LEVY COLLECTED AUG 13	5175.32
297	18/09/2013	SHIRE OF CAPEL	BCITF COMMISSION COLLECTED-AUG 13	456.23
298	18/09/2013	1ST CAPEL GIRL GUIDES	BOND REFUND	150.00
299	18/09/2013	JODIE ROBERTS	BOND REFUND	150.00
300	18/09/2013	STEVE THOMAS	BOND REFUND	150.00
EFT14388	04/09/2013	AECOM AUSTRALIA PTY LTD	Cristal Closure Plan - Dalyellup	11000.00
EFT14389	04/09/2013	GLEN BISHOP	REIMBURSE CPP (WA) PROFESSIONAL FEE	440.00
EFT14390	04/09/2013	CR BARRY BELL	SEPT 13 ALLOWANCE PAYMENT -COUNCILLOR	2775.00
EFT14391	04/09/2013	CR MURRAY SCOTT	SEPT 13 ALLOWANCE PAYMENT -PRESIDENT	9875.00
EFT14392	04/09/2013	DM & S CURTIN	Carry out quarterly inspection and service of 70 airconditioners at	4018.05

			Shire owned buildings & replace 2 fan motors at DCC	
EFT14393	04/09/2013	CAPELBERRY	Catering for Ron Maidment Digital Collection presentation	400.00
EFT14394	04/09/2013	CIVIC LEGAL	REVIEW OF OCEAN BROADBAND LICENCE AGREEMENT-LEGAL FEE	3850.00
EFT14395	04/09/2013	CORPORATE SIGN INDUSTRIES	30% payment: Double Sided Community Information sign for Capel Curved Top Changeable Sign.	3153.15
EFT14396	04/09/2013	CARNARVON MEDICAL CENTRE	Pre-employment Medical 3/09/2013	275.00
EFT14397	04/09/2013	DIRT DESIGN	Redistribute sand from around fence line of playground through general playground area at Peppermint Beach foreshore park as quoted	1320.00
EFT14398	04/09/2013	DATA #3	Enterprise Agreement - Renewal of various Microsoft licenses and CAL - 2 x Server Enterprise, 4 x SQL Server Standard Core, 29 x Windows Pro, 7 x Server Standard edition, 88 x Office Professional Plus, 1 x Std Exchange Server, CAL licences as per quote	82139.59
EFT14399	04/09/2013	SUSAN DALGLEISH	PROMOTIONAL GIFTS- RON MAIDMENT ARCHIVES PRESENTATION	218.50
EFT14400	04/09/2013	FENNESSY'S	Purchase of new Nissan D40 Navara - Rangers 40CP - change over - Extras as per quote	15618.03
EFT14401	04/09/2013	GLEN'S ENGINEERING	Secure metal plates at Capel Sports Pavilion	170.50
EFT14402	04/09/2013	CR KINGSLEY GIBSON	SEPT 13 ALLOWANCE PAYMENT -COUNCILLOR	2775.00
EFT14403	04/09/2013	GHD PTY LTD	DRILLING FEE FOR SOIL GAS BORE INSTALLATIONS	16268.53
EFT14404	04/09/2013	CR BRIAN HEARNE	SEPT 13 ALLOWANCE PAYMENT -COUNCILLOR	2775.00
EFT14405	04/09/2013	HORTICULTURE AUSTRALIA LIMITED	MANAGING BITING FLY IN VEGETABLE CROP	1105.29
EFT14406	04/09/2013	SOUTHWEST HYGIENE	Supply and service monthly 6 sanitary bins Capel Sports Pavilion 26 Aug 2013 to 25 Aug 2014	3371.50

EFT14407	04/09/2013	A INGRAM	REIMBURSE BOOK STOCK PURCHASES	94.94
EFT14408	04/09/2013	INVARION RAPIDPLAN PTY LTD	Rapid Plan traffic management licence renewal	412.50
EFT14409	04/09/2013	STATE LIBRARY OF WESTERN AUSTRALIA	2013/2014 RECOVERIES OF LOST & DAMAGED BOOKS: DREAM MAN	8.80
EFT14410	04/09/2013	CR SANDRA MANLEY	SEPT 13 ALLOWANCE PAYMENT -COUNCILLOR	2775.00
EFT14411	04/09/2013	FAT BIRDIE CAFE	Refreshments for Seniors' Hearing Information Session and Free Hearing Assessments 3/7/13	427.00
EFT14412	04/09/2013	CR P McCLEERY	SEPT 13 ALLOWANCE PAYMENT -COUNCILLOR	2775.00
EFT14413	04/09/2013	CR GREG NORTON	SEPT 13 ALLOWANCE PAYMENT -DEPUTY	3900.00
EFT14414	04/09/2013	NRP ELECTRICAL	Installation of controllers and run timer switches for two ACs in hall at Dalyellup Community Centre as per option 1 in email	1980.00
EFT14415	04/09/2013	PERTH MANAGEMENT SERVICES	RENT AND OUTGOING FOR 12MONTH @1341.02 EACH MONTH: 1/9/13-30/9/13	1522.75
EFT14416	04/09/2013	RAECO	DVD spinner 5 tier charcoal incl freight	1131.99
EFT14417	04/09/2013	SOUTH WEST TREE SAFE	Prune trees from power line Capel Dr	3905.00
EFT14418	04/09/2013	SOUTH WEST RUBBER STAMPS	STAMP FOR RATES & 5 X PADS + POSTAGE	125.75
EFT14419	04/09/2013	SURVCON PTY LTD	Survey Works - re-establish the boundary of Lot 1 Ludlow Road North - Reconstruction works	1078.00
EFT14420	04/09/2013	CR JENNIFER SCOTT	SEPT 13 ALLOWANCE PAYMENT -COUNCILLOR	2775.00
EFT14421	04/09/2013	STREET FURNITURE AUSTRALIA	Furniture for the Hardcourts Capel 1x Bike stand 1x Bin 2x Seats	4990.70
EFT14422	04/09/2013	CR BRIAN SMITH	SEPT ALLOWANCE PAYMENT -COUNCILLOR	2775.00
EFT14423	04/09/2013	SUSSEX TURF CONTROL	Mow open space Peppermint Grove Community Centre	780.00
EFT14424	04/09/2013	D & K THOMAS ELECTRICAL	Boost power supply to Dalyellup Community Centre-photo copier room. Power point number 3.	689.70
EFT14425	04/09/2013	WESTERN AUSTRALIAN TREASURY CORPORATION	Loan No. 65 Fixed Component – Capel Hall 181120.04	16703.21

EFT14426	04/09/2013	BUNBURY WELLINGTON ECONOMIC ALLIANCE	13/14 LOCAL GOVT MEMBERSHIP FEE	12127.50
EFT14427	04/09/2013	SMALL BUSINESS CENTRE	2013/14 support for Small Business Centre	6600.00
<b>EFT14428</b>		<b>To EFT14465</b>	<b>REFER TO AGENDA 18.9.13</b>	
EFT14466		Cancelled		
EFT14467	13/09/2013	ALL WEST BUILDING APPROVALS PTY LTD	ANNUAL ORDER FOR ASSISTING WITH THE ASSESSMENT OF BUILDING LICENCE @\$65 PER HR PLUS GST JUL 13-JUN14:AUG 13	1485.31
EFT14468	13/09/2013	BADGERS EMBROIDERY	HACC Staff uniform embroidery	26.40
EFT14469	13/09/2013	BOYANUP AUTO REPAIRS	Manufacture & fit bracket & fit headlights to roller	881.54
EFT14470	13/09/2013	BUNBURY HARVEY REGIONAL COUNCIL	REGIONAL WASTE EDUCATION OFFICER	5210.40
EFT14471	13/09/2013	CAPEL TRANSPORT	DELIVERY OF LARVICIDE	102.39
EFT14472	13/09/2013	CUSTOM SERVICE LEASING LTD	13/14-HACC TOYOTA HIACE 3.0L TURBO DIESEL BUS CP5685 P0002	3654.14
EFT14473	13/09/2013	C & D CUTRI	Remove damaged railings and replace with MRWA standard railings Emergency Repair - insurance claim	41800.00
EFT14474	13/09/2013	CAREY PARK SCOUT GROUP	Registrations Kidsport	600.00
EFT14475	13/09/2013	COLES	HACC-DAY CENTRE GST FREE	738.85
EFT14476	13/09/2013	DEPARTMENT OF TRANSPORT	VEHICLE SEARCH -9 SUCCESSFUL	28.80
EFT14477	13/09/2013	EASIFLEET MANAGEMENT	ANNUAL ORDER FOR LEASE REPAYMENT OF SUZUKI SWIFT-CEO & MAZDA -HR (JULY 13-JUNE14):Sep 13	1557.47
EFT14478	13/09/2013	GLEN'S ENGINEERING	New gates for tip face	2582.55
EFT14479	13/09/2013	GHD PTY LTD	LANDFILL GAS MONITORING	16268.53
EFT14480	13/09/2013	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	Full Registration to Local Govt Convention 2013 for	9701.69
EFT14481	13/09/2013	LD TOTAL	13/14 MAINTENCE OF POS-DALYELLUP @\$23456.63PER MONTH: AUG 13	27367.13
EFT14482	13/09/2013	LOCAL GOVERNMENT MANAGERS AUSTRALIA LGMA	LGMA Membership Subscription	160.00

EFT14483	13/09/2013	MERCURE HOTEL	Accommodation for during Local Govt Convention	1320.70
EFT14484	13/09/2013	LGIS LIABILITY SCHEME	13/14 LIABILITY INSURANCE	20021.69
EFT14485	13/09/2013	FAT BIRDIE CAFE	Catering for meetings 30 AUG AND 2 SEP 13	105.50
EFT14486	13/09/2013	NICK MARINELLI	REIMBURSE PRESCRIPTION SAFETY GLASSES	449.00
EFT14487	13/09/2013	SOUTH WEST TREE SAFE	Reduce canopy of tree to stop limbs falling into neighbours yard.	2585.00
EFT14488	13/09/2013	SOS OFFICE EQUIPMENT	13/14 METERBILLING - SHIRE OFFICE: SHIR15470,SHIR15471, SHIR14447	2573.55
EFT14489	13/09/2013	D & K THOMAS ELECTRICAL	Adapt 4 light fittings for 2 x 2' LED tubes and repair 4' fitting in open office area	489.50
EFT14490	13/09/2013	TOTALITY BUSINESS SOLUTIONS	FORTIGATE RENEWAL	850.30
EFT14491	13/09/2013	WML CONSULTANTS	Site inspection by WML Engineer to advise on pavement cracking	305.25
EFT14492	13/09/2013	WA MENS SHED ASSOCIATION	2013 Mens Shed Seminar	100.00
EFT14493	13/09/2013	WARREN BLACKWOOD WASTE	WASTE CONTRACT FOR HOUSEHOLD WASTE, RECYCLING AND ORGANINCS: AUG 13	58181.56
EFT14494	13/09/2013	WOOLWORTHS LIMITED (WA)	HACC Day Centre Shopping	310.40
EFT14495	17/09/2013	BENDIGO BANK BUSINESS CREDIT CARD	SOUTHERN CROSS UNIVERSITY- COURSE FEES FOR SALARY SACRIFICE	3038.54
EFT14496	18/09/2013	ALL WEST BUILDING APPROVALS PTY LTD	ANNUAL ORDER FOR ASSISTING WITH THE ASSESSMENT OF BUILDING LICENCE @\$65 PER HR PLUS GST JUL 13-JUN14:SEP 13	2013.00
EFT14497	18/09/2013	ACQUIRE HOME LIVING	HACC Day Centre cup & saucers	139.20
EFT14498	18/09/2013	BUNBURY TOYOTA	Purchase of Rav 4 - DSL GXL AWD - as per quote	24037.83
EFT14499	18/09/2013	BIN BOMB PTY LTD	4 kg Bin bombs	60.44
EFT14500	18/09/2013	CLEANAWAY	WASTE TRANSFER TO LANDFILL	23204.93
EFT14501	18/09/2013	COALCLIFF PTY LTD	Hire of CC186 Roller - WE 25 August 13	4719.00
EFT14502	18/09/2013	CAPELBERRY	Catering for Citizenship Ceremony supper on Monday 16th September	1500.00

			2013 in Capel Community Centre	
EFT14503	18/09/2013	DELRON CLEANING	GENERAL CLEANING FOR THE MONTH- PUBLIC BUILDINGS	7622.79
EFT14504	18/09/2013	DIRT DESIGN	ROAD SIDE MULCHING in Dalyellup MCMILLAN AND WENTWORTH PARK	28051.00
EFT14505	18/09/2013	ELLIOTT'S SMALL ENGINES	Blades & Trimmer Cord for mowers	276.60
EFT14506	18/09/2013	Dept of Fire and Emergency Services (DFES).	13/14 ESL Q1 CONTRIBUTION	123570.00
EFT14507	18/09/2013	FENNESSY'S	Purchase of Holden Captiva CX - Turbo Diesel - extras as per quote -	16553.70
EFT14508	18/09/2013	FLOWER BAZAAR	Baby gift basket	150.00
EFT14509	18/09/2013	AUSTRALIAN TAXATION OFFICE	PAYG WITHHOLDING-AUG13 BAS	25860.00
EFT14510	18/09/2013	GRESLEYABAS	CAPEL ADMIN REFURBISHMENT PROJECT 0811-B	198.00
EFT14511	18/09/2013	JTAGZ PTY LTD	WRAP AROUND DOG TAGS COLOUR YELLOW NUMBERED 2001-3000 WORDING SHIRE OF CAPEL EXPIRES 31 OCT 2014 0897270222	352.00
EFT14512	18/09/2013	GREEN RECYCLING	DISPOSAL OF KERBSIDE RECYCLABLES: July 13	3879.42
EFT14513	18/09/2013	LOCAL GOVERNMENT MANAGERS AUSTRALIA LGMA	13/14 LGMA CORPORATE COUNCIL MEMBER SUBSCRIPTION	2453.50
EFT14514	18/09/2013	MS SYLVIA MAUNDER	REIMBURSE UNIFORM CHARGE ABOVE ALLOWANCE	56.48
EFT14515	18/09/2013	MANPOWER	LABOUR 19/8/13-23/8/13	6639.72
EFT14516	18/09/2013	THE WORKWEAR GROUP (NEAT N TRIM UNIFORMS PTY LTD)	12/13Uniform Allowance	346.39
EFT14517	18/09/2013	OPUS INTERNATIONAL CONSULTANTS (PCA) LTD	TMP approval for light globe replacement	231.00
EFT14518	18/09/2013	PACIFIC BIOLOGICS	TWO TONNES PROSAND	40710.90
EFT14519	18/09/2013	PJ & EV PAGE	13/14 WAXING AND BUFFERING OF BOYANUP HALL \$70 EACH MONTH X 12MONTH: AUG 13	70.00
EFT14520		Cancelled		
EFT14521	18/09/2013	PLANNING INSTITUTE AUSTRALIA	Smart Clobal Connected Planning Officers	2400.00
EFT14522	18/09/2013	ROSE & CROWN	Accommodation and meals for 12th August to 16th August 2013	1572.50



EFT14523	18/09/2013	RAECO	GST ON freight for DVD spinner	26.57
EFT14524	18/09/2013	D & K THOMAS ELECTRICAL	Replace two outdoor lights at the Capel Sports Pavilion	601.70
EFT14525	18/09/2013	TRANSPACIFIC WASTE MANAGEMENT	WASTE BINS AT TIP	12520.58
EFT14526	18/09/2013	WA MENS SHED ASSOCIATION	WAMS Membership Renewal 13/14	30.00
EFT14527	18/09/2013	WOOLWORTHS LIMITED (WA)	HACC-Day Centre Shopping	162.15
EFT14528	04/09/2013	WESTNET PTY LTD	ANNUAL -CAPEL SHIRE ADSL-JUL 13-JUN14: SEP 13	488.78
EFT14529	23/09/2013	OFFICEWORKS SUPERSTORES PTY LTD	Quantum 4 door locker	209.00
EFT14530	23/09/2013	LAWRENCE JOHN TYLOR	SPORTS PARTICIPATION SCHEME- REPRESENTATIVE IM STATE NATIONAL SPORTS	300.00
EFT14531	25/09/2013	A & L PRINTERS	15000 LETTERHEADS	3408.00
EFT14532	25/09/2013	AMITY SIGNS	Various - spare bolts, strapping, brackets, screws	3477.65
EFT14533	25/09/2013	AUSTRALIA POST	POSTAGE FOR MONTH	1457.00
EFT14534	25/09/2013	AUSTRALIA DAY COUNCIL OF WA (INC)	BRONZE ADCWA MEMBERSHIP 13/14	200.00
EFT14535	25/09/2013	SOUTHWEST TYRE SERVICE	2x front tyres.	714.00
EFT14536	25/09/2013	BOC LIMITED	15KG DRY ICE FOR MOSQUITO TRAPS	38.83
EFT14537	25/09/2013	B & B STREET SWEEPING	HIRE STREET SWEEPER- GELORUP Sep 13	10126.25
EFT14538	25/09/2013	BUNNINGS BUILDING SUPPLIES PTY LTD	Assorted small crates for reticulation equipment and storage	365.06
EFT14539	25/09/2013	CHRIS BURWOOD	Accommodation for Leadership Course	130.00
EFT14540	25/09/2013	BATTERY ALL TYPES	5x Trickle Battery Chargers Model MB-3608 25AMP 12/24 9 STASE	2025.00
EFT14541	25/09/2013	BP AUSTRALIA	UNLEADED 8000L@1.43 DELIVERED ON 11/9/13	24894.59
EFT14542	25/09/2013	STAPLES AUSTRALIA PTY LTD	2013/14 STATIONERY	244.37
EFT14543	25/09/2013	CAPEL NEWSAGENCY	Milk	176.88
EFT14544	25/09/2013	CARDINALS BCD FOOTBALL CLUB	Registration for participant	125.00
EFT14545	25/09/2013	COASTAL HIRE T/AS GCS SECURITY SCAFFOLD	12 mth for hire of office and toilet at Capel tip starting 01/07/2013 thru to 30/06/2014: AUG13	470.08

EFT14546	25/09/2013	CENTRECARE CORPORATE	ACCESS EAP Counselling Services 2013-14: Aug 13	352.00
EFT14547	25/09/2013	CAPELBERRY	Catering for 12 Ordinary Council meeting dinners (two courses) at \$25 per person for 16 persons (\$400 per monthly meeting) for the period January to December 2013: SEP 13	400.00
EFT14548	25/09/2013	CARBONE BROS PTY LTD	cubic metres limestone	3139.80
EFT14549	25/09/2013	CJ CAMPBELL CONSULTING	Water audits of three sites	4125.00
EFT14550	25/09/2013	COLROYS COUNTRY KITCHEN	HACC- ANNUAL VOLUNTEER'S FUEL JUL13-JUNE14: AUG 13	140.00
EFT14551	25/09/2013	DELRON CLEANING	Cleaning of Capel library July 2013 @ \$919.16 per month- JUL13-JUNE14: Sep 13	1378.74
EFT14552	25/09/2013	LISA DENT	Conference expenses	521.24
EFT14553	25/09/2013	DEPARTMENT OF TRANSPORT	Vehicle search fees 10x@3.20- Aug 13	32.00
EFT14554	25/09/2013	SUSAN DALGLEISH	Reimburse book stock purchases	239.35
EFT14555	25/09/2013	DARREN WRIGHT TOWING & TILT TRAY SERVICE	Tow impounded Mitsubishi Station Sedan from Stratham to Shire Depot.	700.00
EFT14556	25/09/2013	DELL AUSTRALIA PTY LTD	Purchase one computer for Engineering Division - Optiplex (TM) 9010 MT Base	1573.00
EFT14557	25/09/2013	EATON HARDWARE	HACC-AUG 13 SUPPLIES	225.94
EFT14558	25/09/2013	BUSSELTON ELECTRONICS AND TOOLING PTY LTD	2-WAY RADIO HAND PIECE	64.90
EFT14559	25/09/2013	FORPARK AUSTRALIA	3 Rubber Stoppers for Flying Fox PLUS DELIVERY	107.80
EFT14560	25/09/2013	GOLDEN WEST PLUMBING & DRAINAGE	Repair of BBQ	187.00
EFT14561	25/09/2013	FENNESSY'S	Navara D40 2.5L DSL - 4x4 RX Auto - Dual Cab - - Ranger vehicle - 60CP	41177.72
EFT14562	25/09/2013	GEOVET BUSSELTON	13/14 POUND	979.00
EFT14563	25/09/2013	GBC Neopost Australia	1 x scanner / printer as quoted \$12,356 plus GST: Canon A0 Printer (IPF760) with Contex Scanner (SD36MFP2GO) - 3 years warranty	8344.60

EFT14564	25/09/2013	HARRADINE & ASSOCIATES	13/14 DESEXING SUBSIDY: Aug 13	950.00
EFT14565	25/09/2013	CR BRIAN HEARNE	Reimburse travel expense for CR B HEARNE 430KM @0.74 PER K/M	318.20
EFT14566	25/09/2013	HYDRAULINK FLUID CONNECTORS SOUTH WEST	Repair leaking fuel pipe on multi tyre roller	214.12
EFT14567	25/09/2013	KEEP AUSTRALIA BEAUTIFUL COUNCIL (WA)	Roadside Rubbish Collection Bags	72.00
EFT14568	25/09/2013	GREEN RECYCLING	DISPOSAL OF KERBSIDE RECYCLABLES: Aug 13	4149.22
EFT14569	25/09/2013	STATE LIBRARY OF WESTERN AUSTRALIA	2013/2014 RECOVERIES OF LOST & DAMAGED BOOKS: 127 HOURS	56.10
EFT14570	25/09/2013	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	Consultant Fee to facilitate CEO's Annual Performance Review on Wed 21 August 2013 in Capel	3300.00
EFT14571	25/09/2013	LINDA'S LAWNMOWING	MOWING OF BOYANUP MUSEUM 27/7,27/7,13/8,13/8 2013	280.00
EFT14572	25/09/2013	LANDGATE	LAND ENQUIRY 20 X-AUG 13	48.00
EFT14573	25/09/2013	L.G. BUSINESS SYSTEMS PTY LTD	VPAY-SS A4 Laser Pay Envelopes x 2 boxes (500 ea)	189.20
EFT14574	25/09/2013	MIRACLE RECREATION EQUIPMENT PTY LTD	0.9m Fibreglass Straight Slide	3080.00
EFT14575	25/09/2013	MAINSPRAY	Spray Capel oval as quoted	1076.46
EFT14576	25/09/2013	MANPOWER	LABOUR HIRE 2/9/13- 6/9/13	6006.31
EFT14577	25/09/2013	NIGHTGUARD SECURITY SERVICE PTY LTD	ALARM RESPONSE 3X SECURITY PATROLS TO DALYELLUP	1556.79
EFT14578	25/09/2013	OFFICEWORKS SUPERSTORES PTY LTD	Ink cartridges, adhesive labels	442.12
EFT14579	25/09/2013	ONSITE RENTAL GROUP	Hire mini excavator for drainage works x 3 days	742.50
EFT14580	25/09/2013	PROTECTOR ALSAFE	4 sets of ear muffs	140.14
EFT14581	25/09/2013	PRESTIGE PRODUCTS- BUSSELTON	HACC-AUGUST 13 SUPPLIES	751.11
EFT14582	25/09/2013	PERTH MANAGEMENT SERVICES	RENT AND OUTGOING FOR 12MONTH @1522.75 EACH MONTH: SEP 13	1522.75
EFT14583	25/09/2013	PICTON TYRE CENTRE PTY LTD	Front tyres - fitted for 120H Grader	3875.00
EFT14584	25/09/2013	JUSTIN PRINCI	REIMBURSEMENT OF POLICE CLEARANCE	63.50
EFT14585	25/09/2013	ROBERT'S TILT-TRAY & HIAB SERVICE	13/14 TRANSPORT E- WASTE CONTAINER FROM CAPEL TO PERTH AND RETURN \$869 EACH	869.00

			MONTH: AUG 13	
EFT14586	25/09/2013	DONNA RUDOLF	Accommodation and meal	270.67
EFT14587	25/09/2013	RAECO	DVD spinner - red children's unit 10528	1492.70
EFT14588	25/09/2013	SOUTH WEST TREE SAFE	Remove and stump grind tree Boyanup Community Centre - quote no 17608	1155.00
EFT14589	25/09/2013	SOUTHERN LOCK & SECURITY	Supply and cut 7 keys	38.50
EFT14590	25/09/2013	STREET FURNITURE AUSTRALIA	Supply Park seat (PS7) as per quote Q0003380	1441.00
EFT14591	25/09/2013	SOILS AINT SOILS	Washed white sand for playground sandpit.	270.00
EFT14592	25/09/2013	D & K THOMAS ELECTRICAL	Test and tag electrical items, emergency lighting, smoke detectors Boyanup Community Centre	6812.30
EFT14593	25/09/2013	THOMPSON SURVEYING CONSULTANTS	Fence - survey pegs - southern boundary of Lot 1, SW Highway, Boyanup	990.00
EFT14594	25/09/2013	TOWN PLANNING MANAGEMENT ENGINEERING PTY LTD (TME)	Mallokup Heritage Trail Design to 31/8/13	1762.75
EFT14595	25/09/2013	TRAFFIC FORCE	Traffic Management Plan - Traffic Control - signage hire - Bentley Drive - start date 26/8/13 as per estimate quote	3068.05
EFT14596	25/09/2013	TCS INSTRUMENTS	3 Traffic counter batteries plus delivery	92.40
EFT14597	25/09/2013	WESTRAC EQUIPMENT	4 x end tips for grader	410.92
EFT14598	25/09/2013	WEST COAST PROPERTY DEVELOPMENTS P/L	HACC office 1st Oct - 31st December	26535.35
EFT14599	25/09/2013	WOOLWORTHS LIMITED (WA)	Day Centre luncheon	84.95
EFT14600	25/09/2013	AMITY SIGNS	Blue guide posts - metal flex	6875.00
EFT14601	25/09/2013	AUSTRALIANSUPER	Superannuation contributions	350.38
EFT14602	25/09/2013	SHIRE OF CAPEL SOCIAL CLUB	Payroll deductions	220.00
EFT14603	25/09/2013	THE COXALL SUPERANNUATION FUND	Superannuation contributions	140.04
EFT14604	25/09/2013	CHAMPAGNE LIFESTYLE SUPERANNUATION FUND	Superannuation contributions	321.88
EFT14605	25/09/2013	CHILD SUPPORT AGENCY	Payroll deductions	614.58
EFT14606	25/09/2013	EVANS FAMILY SUPERANNUATION FUND	Superannuation contributions	457.44
EFT14607	25/09/2013	PORTFOLIOFOCUS	Superannuation contributions	301.75

EFT14608	25/09/2013	TWUSUPER	Superannuation contributions	324.78
EFT14609	25/09/2013	WALGS PLAN	Superannuation contributions	62026.63
EFT14610	06/09/2013	RICOH FINANCE	ANNUAL ORDER FOR PHOTOCOPYING LEASE REPAYMENT :JUL 13-JUN 14: SEP 13	1076.07
EFT14611	23/09/2013	CALTEX AUSTRALIA	FLEET FUEL - 43CP	4454.92
EFT14612	24/09/2013	CALTEX AUSTRALIA	1 x box grease cartridges	112.91
EFT14613	25/09/2013	CAPEL HARDWARE & FARM SUPPLIES	DRILL BIT SET, RIVET	1571.45
EFT14614	25/09/2013	CAPELBERRY	REFRESHMENTS CONTRACT MEETING	153.50
46566	04/09/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE-BOYANUP LIBRARY	150.73
46567	04/09/2013	SHIRE OF CAPEL	BCITF COMMISSION COLLECTED NOV 12	26.30
46568	04/09/2013	DEHRING P	Rates refund for assessment A4015 26 DIGGER PLACE BOYANUP WA 6237	468.75
46569	04/09/2013	ESPLANADE RIVER SUITES	Accommodation and meals - 21 & 22 August 2013	490.95
46570	04/09/2013	LEEANNA PARNELL	BOOK FOUND REFUND PAYMENT	31.90
46571	04/09/2013	SYNERGY	ELECTRICITY	570.00
46572	04/09/2013	TUART FOREST PRIMARY SCHOOL	DONATION FOR SCHOOL AWARD	100.00
46573		Cancelled		
46574	13/09/2013	Bunbury Netball Association	Registrations Kidsport	2070.00
46575	13/09/2013	COUNTRY FRAMERS	Repair to framed painting "The Jacaranda" by Evelyn Sturges"	50.00
46576	13/09/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE-HEALTH	27.64
46577	13/09/2013	SAMANTHA EHRlich	CAT STERILISATION SUBSIDY REFUND	50.00
46578	13/09/2013	ETHAN FALLON	SPORTS PARTICIPATION SCHEME-ETHAN FALLON	300.00
46579	13/09/2013	GIRL GUIDES WA INC CAPEL SUPPORT GROUP	Registration and Unit fees Kidsport	291.00
46580	13/09/2013	EMMA HAY	SPORTS PARTICIPATION SCHEME	300.00
46581	13/09/2013	SUZANNE LIGHT	SPORTS PARTICIPATION SCHEME	600.00
46582	13/09/2013	THE MURRAY HOTEL	Two nights accommodation and meals for the 4th & 5th of September 2013	462.00
46583	13/09/2013	AMY NINYETTE	REFUND DOG STERILISED 14661	38.00

46584	13/09/2013	PRIME INDUSTRIAL PRODUCTS PTY LTD	New tyre gauge for workshop	102.00
46585	13/09/2013	SYNERGY	HACC-ELECTRICITY	880.45
46586	13/09/2013	TELSTRA CORPORATION LTD	Rent & Calls	1984.11
46587	13/09/2013	BARBARA CAREY	Refund 50% of fee due to cancellation	106.25
46588	18/09/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE BOYANUP LIBRARY	71.82
46589	18/09/2013	SHIRE OF CAPEL	HACC-REFRESHMENTS	312.10
46590	18/09/2013	GEMMILL HOMES GROUP	Rates refund for assessment A6943 18 KAMBANY APPROACH DALYELLUP	978.79
46591	18/09/2013	J KURONEN & N FRASER	Rates refund for assessment A818 47 JUNCTION STREET BOYANUP	34.82
46592	18/09/2013	POLICE LICENSING	ORDER SPECIAL SERIES PLATES	180.00
46593	18/09/2013	SYNERGY	1482X ELECTRICITY STREETLIGHTS	29019.05
46594	18/09/2013	TELSTRA CORPORATION LTD	HACC RENT & CALL	1024.37
46595	18/09/2013	WATER CORPORATION	Lot 8012 Dalyellup Application fee, Sewer connection fee & 5 x Headwork charges	7525.38
46596	25/09/2013	BELL HR	Rates refund for assessment A198 85 KEN BELL ROAD NORTH BOYANUP WA 6237	371.18
46597	25/09/2013	COURIER AUSTRALIA INTERNATIONAL	COURIER FEE-FOR SLIDE	217.64
46598	25/09/2013	SHIRE OF CAPEL	STATIONERY & OTHER	75.70
46599	25/09/2013	CHILDREN'S LEUKAEMIA & CANCER	DONATION	250.00
46600	25/09/2013	JENNY KINSELLA & RICHARD CAMPBELL	CROSS OVER CONTRIBUTION-CAPEL	300.00
46601	25/09/2013	BRIAN & JENNIFER HERRMANN	CROSSOVER CONTRIBUTION-DALYELLUP	300.00
46602	25/09/2013	MG SETTLEMENTS	Rates refund for assessment A4242 24 SAMROSE ROAD DALYELLUP WA 6230	244.26
46603	25/09/2013	PAUL & CHERONNE NASH	CROSSOVER CONTRIBUTION	300.00
46604	25/09/2013	PEPPERMINT GROVE BEACH COMMUNITY ASSOCIATION	DONATION TOWARDS CURB NUMBERS	285.00
46605	25/09/2013	SYNERGY	ELECTRICITY	4143.10
46606	25/09/2013	JOHN SOUTH	OVER PAYMENT ON BUILDING APPLICATION (B/12633) & PLANNING APPLICATION	324.78
46607	25/09/2013	TELSTRA CORPORATION LTD	Mobile Rent & Calls	1529.86
46608	25/09/2013	WATER CORPORATION	WATER USAGE	402.70

46609	25/09/2013	WISHING WELL CLINIC	Pre-employment Medical - 4 September 2013	99.00
46610	25/09/2013	JOHN & DEBORAH WALSH	CROSSOVER CONTRIBUTION- DALYELLUP	300.00
46611	25/09/2013	AMP LIFE LIMITED	Superannuation contributions	82.45
46612	25/09/2013	AMP	Superannuation contributions	45.62
46613	25/09/2013	ASGARD	Superannuation contributions	37.59
46614	25/09/2013	AUSTRALIAN SERVICES UNION	Payroll deductions	48.88
46615	25/09/2013	THE AUSTRALIAN WORKERS UNION	Payroll deductions	264.00
46616	25/09/2013	SHIRE OF CAPEL	Payroll deductions	2204.00
46617	25/09/2013	CBUS	Superannuation contributions	156.52
46618	25/09/2013	SHIRE OF DONNYBROOK/BALINGUP	Payroll deductions	180.00
46619	25/09/2013	HESTA	Superannuation contributions	507.64
46620	25/09/2013	LGRCEU	Payroll deductions	155.20
46621	25/09/2013	MLC MASTERKEY SUPER	Superannuation contributions	99.42
46622	25/09/2013	ONEPATH MASTER FUND	Superannuation contributions	426.94
46623	25/09/2013	REST SUPERANNUATION	Superannuation contributions	356.08
46624	25/09/2013	SPECTRUM SUPER	Superannuation contributions	253.74
				<b>\$1,173,741.16</b>

10.9.13	SHIRE OF CAPEL PAYROLL PAYMENTS	\$168,487.91
24.9.13	SHIRE OF CAPEL PAYROLL PAYMENTS	<u>\$178,304.69</u>
		<b><u>\$346,792.60</u></b>
4.9.13	TRANSFER FROM MUNICIPAL ACCOUNT	\$1,800,000.00
13.9.13	TRANSFER FROM MUNICIPAL ACCOUNT	<u>\$600,000.00</u>
		<b><u>\$2,400,000.00</u></b>

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 16<sup>TH</sup> October 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.*

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

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 17.2**

**That Council receives:**

- 1 The Schedule of Accounts covering vouchers 286 to 300, EFT14388 to EFT14427, EFT14466 to EFT14614, CHQ46566 to CHQ46624 totalling \$895,988.40 during the month of August 2013;**
- 2 Payroll payments for the month of September 2013, totalling \$1.173.741.16; and**
- 3 Transfers to and from investments as listed.**



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**17.3 Financial Statements to 31 August 2013**

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Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 09.10.13  
Author: Manager Finance, A Mattaboni  
Senior Officer: Director Corporate Services, P Anastasakis  
Attachments: Financial Statements for August 2013

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**MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for August 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**

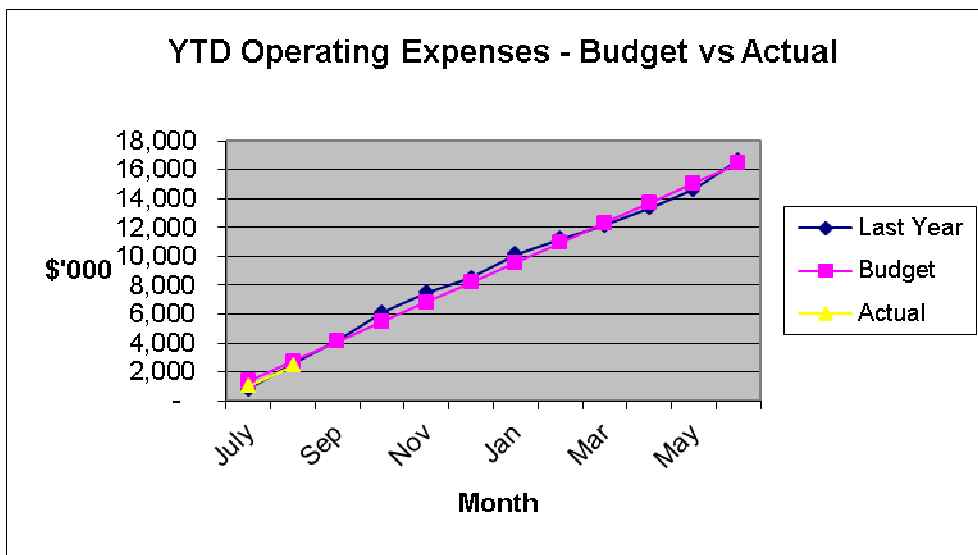
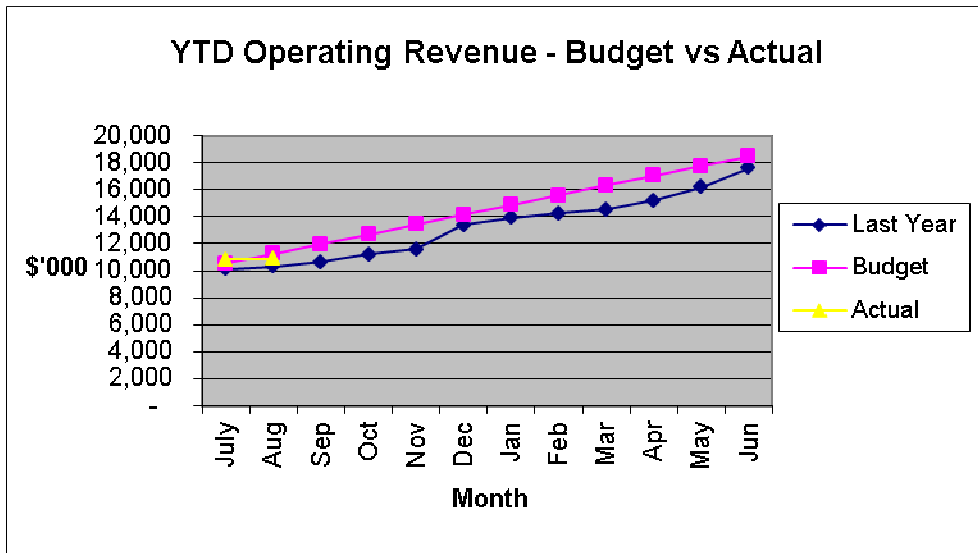
The monthly Financial Statement was developed with the assistance and input of staff who determined expenditure needs and revenue expectations for the remainder of the financial year based upon actual performance compared against budget.

**COMMENT**

At 31<sup>st</sup> August 2013, Council's net current assets position was a surplus of \$8,593,176. The high amount of the surplus was due to rates being calculated in the month of July. The estimated surplus brought forward from the 2012/13 financial year has been calculated at \$5,457. The budgeted figure used for the 2013/14 budget was a surplus of \$21,244.

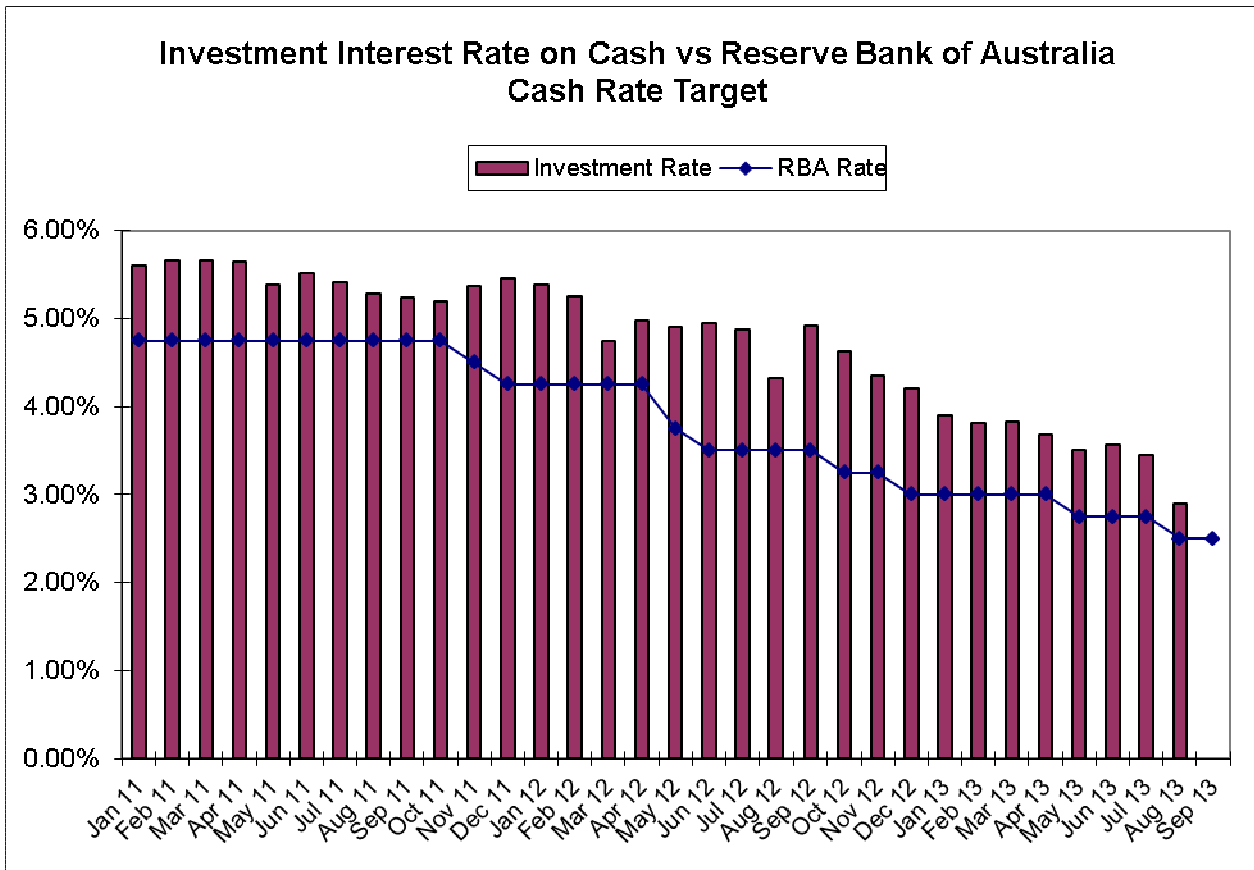
Compared to the annual budget, 58% of Operating Revenue has been invoiced and 15% of the Operating Expenditure budget has been spent. The revenue percentage amount is high due to the generation of rates debtors in July. There are accrued income and expenses entries in the accounts that will distort the comparison between actual and budget figures. This can be seen on the Rate Setting statement operating revenues at Other Property and Services which shows a negative amount due to an accrued income reversal from 2012/13.

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 \$2,011,295 compared to last month. The Municipal cash position is an amount of \$11,354,498 of which \$8,879,557 is restricted for specific purposes as shown at Note 3. The receipt of rates income was the reason for the cash balance increase.

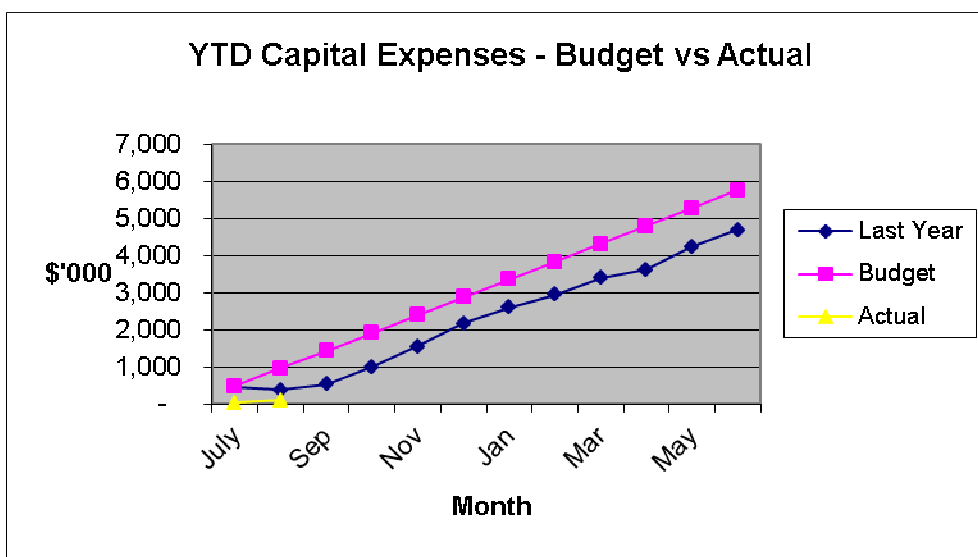
Total interest earned for the year is \$35,538 which is 7% of the annual budget. The average investment rate of return of 2.90% exceeds the Reserve Bank’s cash reference rate of 2.50%. The average investment return percentage is lower due to the higher amount in the cash management account. As funds are placed into term deposits this percentage return should improve. The following graph compares the Shire’s interest rate earned on investments against the Reserve Bank’s reference rate.



Capital works expenditure of \$57,074 was incurred during the month of which:

- \$1,078 for bitumen reconstruction Ludlow Road,
- \$18,690 for the Capel Hardcourts,
- \$544 for the HACC men’s shed and
- \$36,762 for vehicle changeovers.

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> August 2013.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATION – 17.3**

**That Council adopts the financial statements for the period ending 31 August 2013 as attached.**

**18 COMMUNITY SERVICES REPORTS****18.1 Community Grants Scheme Applications**


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Location:	Capel
Applicant:	Various
File Reference:	4/60/11
Disclosure of Interest:	Nil
Date:	02.10.13
Author:	Community Development Officer, D Sims
Senior Officer:	Director Community Services, M Plume
Attachments:	Nil

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**MATTER FOR CONSIDERATION**

Consideration of funding projects under the Shire Community Grants Scheme.

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

Council's Community Grants Policy 21.3 indicates that Council will consider requests for grants from local sporting clubs and community organisations for the purpose of supporting projects, activities, events, purchases of durable equipment, and / or improved facilities or services which benefit the community.

**Proposal**

The Shire Community Grants Scheme 2013/14 was promoted to local community groups and sporting clubs through the Shire newsletters and website. Applications closed on 27<sup>th</sup> September with 13 applications for minor grants from across the Shire being received. No major grant applications were received. Each application has been reviewed and recommendations for funding are outlined for Council's approval.

**STATUTORY ENVIRONMENT**

There is no relevant legislation applicable to this matter.

**POLICY IMPLICATIONS**

Council Policy 21.3 Community Grants  
The Minor and Major Community Grants Scheme are funding programs under this policy.

**FINANCIAL IMPLICATIONS****Budget**

The 2013/14 budget has allocated a budget of \$25,000 for minor community grants.

Requests for the Minor Community Grants Scheme totalled \$26,747.75. The amount recommended for funding is \$26,747.75. This is \$1,747.75 more than the approved budget.

No Major Community Grants were submitted. However these will be promoted in November for inclusion in the 2013/14 budget.

**Long Term**

The minor community grants are required to be acquitted by end of June 2014. Therefore there are no long term financial implications

**Whole of Life**

Infrastructure and equipment purchased as a result of receipt of a minor or major community grant becomes the responsibility of the applicant to maintain, repair or replace. Therefore there are no whole of life costs to Council associated with the Grants Scheme.

**SUSTAINABILITY IMPLICATIONS**

Although there are no Environmental impacts, socially, community groups play an important role in the wellbeing of a community. They provide the chance for people to socialise with like minded members, develop skills, assist to integrate members of the community and are mostly intergenerational. Community groups however, do face difficulties accessing funds for development and projects and without assistance are less likely to remain sustainable. It should also be noted that the various events run by community groups do have the ability to increase visitor numbers to the region, thereby having some economic impact.

**STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031 Strategic Objective 2 - "The Community Experience – Provide facilities and services which recognise the diverse needs of the community and strive to make the Shire a safe place to live, work and visit".

Shire of Capel Corporate Business Plan 2013 – 2017 Strategic Outcome 2.2 - "Encourage community engagement and participation" and Strategy 2.2B – "Develop links with and support community volunteers".

**CONSULTATION**

The Minor and Major Community Grants schemes were advertised in the July and August Shire of Capel Snippets which is included in each of the local newsletters. The Scheme was also advertised on Council's website.

All potential applicants were strongly encouraged to make contact with the Community Development team prior to submitting their application to ensure the guidelines were followed and that the applicant provided the required information. If required, the applicants were also directed to contact staff in the Planning & Development Services, Health Services and Engineering & Operations areas to ensure adequate information would be provided with their application.

**COMMENT**

The Community Grants Program offers Council the opportunity to further contribute to community projects within the Shire. Such funding can provide Council with significant promotion, as well as enabling smaller community organisations to achieve their goals. This in turn assists in the sustainability of these vital groups within the Shire.

**Minor Community Grants Scheme**

Twelve applications for funding have been received and are listed in the following table with each application being summarised below. Council's Minor Community grants Scheme allows for a grant of a maximum of one third (to a maximum grant amount of \$3,333) of the total project cost to be allocated to the applicant, or where the total cost of the project is less than \$2,000 up to a maximum of half (i.e., \$1,000) of the project cost can be allocated.

The total amount of funding requested from the applications received is \$25,812.75. As indicated in the table it is recommended that 12 projects be funded at a total cost of \$25,812.75.

<b>No.</b>	<b>Applicant</b>	<b>Project Title</b>	<b>Total Project Cost</b>	<b>Requested Amount</b>	<b>Description</b>
1	Capel Bowls Club	Purchase Bowls Shirts	\$5,596	\$1,865	Design and purchase of new shirts for Men's Bowls
2	Gelorup Management Committee	Gelorup Skate Park Protecting Wall	\$10,000	\$3,333	Replace existing pine poles with a limestone wall to prevent vehicles gaining access onto the skate park and BMX track.
3	Lions Club of Dalyellup	Dalyellup Movie in the Park 2013	\$9,340	\$3,113	Host the annual event, Movie in the Park, in Dalyellup. Screening of a family movie, free entry to all residents of the Shire
4	Dalyellup Community Garden	Pergola for Dalyellup Community Garden	\$10,725	\$3,333	Build a pergola, which will be used as a meeting area. A water fountain, table and chairs will be positioned under the pergola.
5	Peppermint Grove Beach Community Association	Art Exhibition	\$2,000	\$1,000	Provides an evening Exhibition of local art work to be held over the Easter Weekend 2014.
6	Bunbury Horse & Pony Club	Clean, clear sustainable water	\$9,856.00	\$3,285	Replace current antiquated water tank system which is now contaminated and unfit for human consumption. In doing this, we will replace the roof, gutters and downpipes.
7	Riding for the Disabled South West	Volunteer Vests	\$1,017.50	\$508.75	Purchase a stock of vests for volunteers to wear onsite and be easily recognised as volunteers.



8	Girl Guides WA Inc. Capel Support Group	Internal and external upgrade to Girl Guides Shed.	\$4,596	\$1,532	Internal stud walls and cladding, internal door access to toilet, patio partially enclosed to allow storage, divider wall/door between toilet and basin areas, disabled access to toilet. Lighting and electrics supplied to areas.
9	Capel Sub Branch RSL	RSL Hall Gutter Replacement	\$2,500	\$834	Replace rusted gutters and downpipes with new colourbond.
10	Capel LCDC	An oral history and transcriptions on Michael Tichbon	\$8,300	\$2,750	A professional oral historian is to be employed to undertake an oral history on Michael Tichbon and have it transcribed so it will be accessible to all the people of Capel.
11	Dalyellup Beach Surf Life Saving Club	Purchase of Life Saving Equipment	\$9,777	\$3,259	Purchase a number of items to improve club members' life saving skills and improve safety.
12	SAFE Bunbury	Portable runs for rescue dogs	\$2,000	\$1,000	Wire mesh runs for containment and temporary care of rescued dogs during the transition to a permanent home (4 runs of 1.8m high, 4m long, 2.3m wide)
13	Boyanup Foundation	Promoting the Past	\$1,870.65	\$935	Help promote and market the SW Rail & Heritage Centre through development of brochures and purchase or display boards for interpretive information, photographs and documents pertaining to the collections on site.
				<b>TOTAL \$26,747.75</b>	

Comment on each application:

### **1. Capel Bowls Club – Purchase bowls shirts**

- Amount requested \$1,865.00
- Previously funded in 2011 for \$3,299.13 for refurbishment of green.
- Have not applied for other funding at this stage but will be submitting an application to Bendigo Bank.
- Will allow the Capel Bowls Club to produce new and modern shirt design and reduce the costs of purchasing shirts for members.
- Will allow community members and existing members to purchase new modern design shirts at a reduced cost, thus increasing participation in sport.

**Approved subject to the applicant meeting the following conditions:**

**No conditions apply.**

### **2. Gelorup Management Committee – Gelorup Skate Park Protecting Wall**

- Amount requested \$3,333
- Previously funded in 2011 for \$1000 towards Kids activity program and 2012 for \$3,000 for replacement printer.
- Have submitted an application for \$5,000 to the Strategic Crime Prevention Division. Outcome to be advised in December 2013.
- Replacement of existing pine poles with limestone wall to prevent vehicle access onto skate park and BMX track.
- Prevent damage, safety issues and general disruption. Save time and costs associated with repairing damage and replacing pine poles. Control of parking and vehicle access to skate park and BMX track.

**Approved subject to meeting the following conditions:**

- **Subject to funding approval from Strategic Crime Prevention Division.**

### **3. Lions Club of Dalyellup – Dalyellup Movie in the Park 2013**

- Amount requested \$3,133.
- Previously funded in 2012 for \$3,333 for Movie in the Park.
- Hosting this annual event in Dalyellup, which is a free screening of a family movie for all Shire residents to enjoy.
- The event offers the opportunity for residents to socialise and network. It also provides many fundraising opportunities for local community groups who are all invited to be involved.
- Funding has been confirmed from Satterley Property Group of \$6097.10. Satterley Property Group will assist the Lions Club to run this event for the second time.

**Approved subject to meeting the following conditions:**

- **Event Management Plan submitted and approved.**

### **4. Dalyellup Community Garden - Pergola**

- Amount requested \$3,333
- Dalyellup Community Garden has not previously been funded through the Grants Scheme
- Erect a pergola that will be used for training for adults and children on all aspects of gardening.
- Allows people in the Shire of Capel to interact with others and allows them to see that involvement within the community has flow on effects.
- Dalyellup community garden will be using in-kind labour to erect the pergola and have requested funding from the Shire to purchase the materials for the pergola.

**Approved subject to meeting the following conditions:**

- **Building approvals obtained from the Shire.**

**5. Peppermint Grove Beach Community Association – Art Exhibition**

- Amount requested \$1,000
- Previously funded in 2011 for New Year's Eve Function and in 2012 for \$500 for Art Exhibitions.
- Provide an evening exhibition of local art over Easter 2014.
- Raises awareness and promotion of local artists. Showcases local landscapes and the built environment in an art form.
- Peppermint Grove Beach Community Association have committed \$800 to the exhibition and the remaining \$200 will come from participant fees.

**Approved subject to meeting the following conditions:**

**No conditions apply.**

**6. Bunbury Horse and Pony Club – Clean, Clear, Sustainable Water**

- Amount requested \$3,285.00
- Received \$3,278.68 in 2011 for reticulation.
- Replace current antiquated water tank system and replacement of roof, gutters and downpipes.
- Allows riders, volunteers and visitors access to fresh, clear sustainable water. At present they cannot allow anyone to use the water due to contamination. Replacement of corroded roof and gutters will ensure the Shire asset remains in a healthy and useable condition.
- Bunbury Horse & Pony Club will contribute \$6,571 cash contribution.

**Approved subject to meeting the following conditions:**

- **Building approval from Shire.**

**7. Riding for the Disabled South West – Volunteer Vests**

- Amount requested \$508.75
- Received \$1190 in 2012 to purchase a hoist
- Purchase volunteer vests so volunteers can be easily recognised. The vests will be hi-vis vests for safety reasons.
- Riding for the Disabled South West will gain a professional image in the community through the volunteer vests and people with disabilities will gain trust in their professionalism.
- Riding for the Disabled South West will contribute \$508.75 cash.

**Approved subject to meeting the following conditions:**

**No conditions apply.**

**8. Girl Guides WA Inc. Capel Support Group – Internal & External Upgrade to the Girl Guides Shed**

- Amount requested \$1,500
- Capel Girl Guides have not previously received funding from Shire Community Grants Scheme.
- Internal stud walls and cladding, internal door access to toilet, patio partially enclosed to allow storage, divider wall/door between toilet and basin areas, disabled access to toilet. Lighting and electrics supplied to areas.
- Improved security, health and safety, better insulation against weather, a finished room rather than a shed. Happier members with internal access to toilet, possibility of sleep over facilities in future.
- Have applied for \$1,500 from Bendigo Bank – awaiting outcome.
- Girl Guides will contribute \$1,564 cash from selling biscuits, raffles and cash in bank.

**Approved subject to meeting the following conditions:**

- **Planning, Building and Health approvals from Shire.**
- **Subject to receiving funding from Bendigo Bank.**

**9. Capel Sub Branch RSL – RSL Hall Gutter Replacement**

- Amount requested \$834
- Capel RSL have not previously received funding from the Community Grants Scheme.
- Replace rusted gutters and downpipes with new colourbond to improve the external appearance of RSL Hall and properly dispose of stormwater.
- Improves the streetscape of Forrest Road and maintains pride in a national institution.
- Capel RSL will contribute \$1,666 cash.

**Approved Subject to meeting the following conditions:**

**Planning approval due to the building being listed on the Municipal Inventory of Heritage Buildings.**

**10. Capel LCDC – An oral history and transcription on Michael Tichbon**

- Amount requested \$2,750
- Capel LCDC have not previously received funding through the Grants Scheme.
- Employ a professional oral historian to undertake an oral history and transcription on Michael Tichbon.
- The completed transcripts will be available to all interested people via Capel Library and the Batty Library.
- Have submitted a funding application to Lotterywest from \$3,750.
- Capel LCDC have committed \$1,800 to the project.

**Approved subject to meeting the following conditions:**

- **Subject to receiving funding from Lotterywest.**

**11. Dalyellup Beach Surf Life Saving Club – Purchase Life Saving Equipment**

- Amount requested \$3,259
- Received \$3,333 in 2011 to purchase an inflatable boat, \$3,333 in 2010 to purchase a marquee, \$3,314 in 2009 to purchase equipment and \$3,333 in 2008 to purchase a portable patrol tower.
- Is intending to purchase a number of items to improve club members' life saving skills and improve safety on the beach for the general public.
- Dalyellup Beach Surf Life Saving Club will contribute \$6,518 through cash, in kind labour, sponsorship drive funds, barbeque sales and registration fees.

**Approved subject to meeting the following conditions:**

- Submit a quote for \$600 for 6 Gaff Helmets
- Submit a quote for \$5,000 for 2<sup>nd</sup> hand surf skis
- Submit a quote for \$2,000 for website development
- Submit a quote for \$600 for training at SLSWA Rise Up
- Submit a quote for \$500 for SLSWA TOAD Camps.

**12. Saving Animals From Euthanasia Bunbury – Portable Runs for Rescue Dogs**

- Amount requested \$1,000
- Construct wire mesh runs for containment and temporary care of rescued dogs during the transition to a permanent home (4 runs of 1.8m high, 4m long and 2.3m wide).
- This project will provide a much greater capacity to take on re-homeable dogs from the pounds and private surrenders and the ability to rehabilitate and socialise difficult to contain dogs.
- Have not applied for any other funding at this stage.
- Previously applied for \$2,500 in 2012 for kennel repairs. Was not approved due to the following:

**To be reconsidered in 2013/14 Grants Round, subject to meeting the following conditions:**

- **Provision of signed lease agreement between the land owners and proponents**
- **Provision of a Management Plan for the facility**
- **A current licence to operate such a facility.**

**Currently the kennels do not conform in the following manner:**

- **No effluent disposal system in most of the areas;**
- **Unsuitable construction, wood, bare brick, tin and possibly asbestos;**
- **Cat area does not conform (no ventilation, unsuitable floor and wall construction)**
- **Most of the dog areas are unsuitable due to lack of effluent disposal and type of construction of kennels.**

Greg Miller spoke to the SAFE contact on 2<sup>nd</sup> October 2013 in regards to the above conditions and she was not aware that SAFE was declined funding in 2012 due to the above conditions as she is new to the organisation. She is going to follow up in regards to the conditions and get back to us as soon as possible.

**Not Approved as they have not complied with conditions applied by the Shire of Capel in 2012 and there are no Health, Building and Planning approvals in place for a kennel facility on the property.**

**13. Boyanup Foundation – Promoting the Past**

- Amount requested \$935
- Received \$750 in 2010 for safety and site maintenance equipment, \$995 in 2009 for tools for the Lions Shed, \$3,125 in 2008 for setting up workshop areas and sea container and \$1,400 in 2007 for fitting out workshops as part of redevelopment plan.
- Funding will help promote and market the SW Rail & Heritage Centre through development of brochures and purchase of display boards for interpretive information, photographs and documents pertaining to the collections on site.
- This project benefits the wider community by attracting people from outside the area into Boyanup where they will spend money at local shops and enhance the economy. The display panels and interpretive materials will add to the community's knowledge of their heritage.

**Approved subject to meeting the following conditions:  
No conditions apply.**

**Major Community Grants**

No Major Community Grant applications were received. However it is intended that the Major Community Grants will be promoted during November and December 2013 closing in January 2014 ready for inclusion in the 2014/15 financial year budget deliberations.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 18.1****That Council:**

- 1. Approves funding from Account 123420 (Community Grants Scheme) for Minor Community Grant applications 1-11 and 13 (as detailed in Table 1), and totalling \$25,747.75 to the community groups listed for their projects as submitted, subject to the community groups meeting the conditions outlined in the report; and**
- 2. Advises SAFE Bunbury that they are required to obtain all relevant Health, Building and Planning approvals to operate a kennel establishment on the property before applying for funding from Council.**

- 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**