

# Shire *of* Capel

## AGENDA

### ORDINARY COUNCIL MEETING

Wednesday 22<sup>nd</sup> June 2016

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

#### REMINDER:

**2.00pm CEO/Councillor Quarterly Liaison meeting**

**3.30pm Round the Table Discussion**



*Experience the*  
Shire of Capel



Forrest Road, Capel  
PO Box 369, Capel

T 9727 0222  
F 9727 0223

info@capel.wa.gov.au  
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**

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

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

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

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 22<sup>ND</sup> JUNE 2016 COMMENCING AT 4.30PM.

*PF Sheedy.*

PF Sheedy  
CHIEF EXECUTIVE OFFICER

16 June, 2016

# AGENDA

## Table of Contents

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....	3
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED) .....	3
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
4	PUBLIC QUESTION TIME.....	3
5	APPLICATIONS FOR LEAVE OF ABSENCE.....	3
6	DECLARATION OF INTEREST.....	3
7	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS.....	3
8	CONFIRMATION OF MINUTES .....	3
9	ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION .....	3
10	PETITIONS/DEPUTATIONS/PRESENTATIONS .....	3
11	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	3
12	QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	3
13	CHIEF EXECUTIVE OFFICER REPORTS.....	4
14	ENGINEERING AND DEVELOPMENT SERVICES REPORTS.....	4
14.1	Town Planning Scheme No. 7 – Advertising Sign .....	4
14.2	Educational Establishment (School) - Lot 53 Widdeson Road, Capel .....	13
14.3	Lot 2740 Bibra Loop, Dalyellup – Boundary Setback Variation .....	26
14.4	Lot 134 Range Road, Capel – Boundary Setback Variation .....	30

<b>15</b>	<b>CORPORATE SERVICES REPORTS .....</b>	<b>34</b>
15.1	Local Laws - 2016 .....	34
15.2	2016/17 Budget – Elected Member Allowances .....	41
15.3	Caravan Parks and Camping Grounds Act 1995.....	47
15.4	Audit Committee Minutes.....	50
15.5	Local Law Review – 2016 (Extractive Industries).....	54
15.6	Draft Budget 2016/17 .....	58
15.7	Draft Long Term Financial Plan 2016 - 2026.....	71
15.8	Accounts Due and Submitted for Authorisation .....	81
15.9	Accounts Paid During the Month of May 2016 .....	86
15.10	Financial Statements for 31 May 2016.....	100
<b>16</b>	<b>COMMUNITY SERVICES REPORTS .....</b>	<b>106</b>
16.1	Trails Priorities and Implementation .....	106
16.2	Local Emergency Management Committee Minutes.....	112
<b>17</b>	<b>NEW BUSINESS OF AN URGENT NATURE .....</b>	<b>115</b>
<b>18</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>115</b>
<b>19</b>	<b>MOTIONS WITHOUT NOTICE (ABSOLUTE MAJORITY BY COUNCIL) .....</b>	<b>115</b>
<b>20</b>	<b>NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF THE COUNCIL .....</b>	<b>115</b>
<b>21</b>	<b>ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS .....</b>	<b>115</b>
<b>22</b>	<b>MEETING CLOSURE .....</b>	<b>115</b>

**IMPORTANT NOTE:**

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

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

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

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

**6 DECLARATION OF INTEREST**

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

**8 CONFIRMATION OF MINUTES**

8.1 Ordinary Council Meeting – 25.05.16

**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).*

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

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

**13 CHIEF EXECUTIVE OFFICER REPORTS****14 ENGINEERING AND DEVELOPMENT SERVICES REPORTS****14.1 Town Planning Scheme No. 7 – Advertising Sign**


---

Location:	Corner of Norton Promenade and Bussell Highway
Applicant:	DSA Pty Ltd
Owner:	Main Roads WA
File Reference:	PA32/2016
Disclosure of Interest:	Nil
Date:	19.05.16
Author:	Planning Officer, M Young
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	1. Location Plan 2. Plans and photoart elevation 3. Extract from Dalyellup District Centre Signage Strategy Report 4. Site photos

---

**MATTER FOR CONSIDERATION**

Development approval is sought under the Greater Bunbury Region Scheme (GBRS) for a freestanding advertising sign associated with the retail outlet Woolworths and BWS at the Dalyellup shopping centre.

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

There is no background associated with this matter.

**Proposal**

The applicant has submitted plans, elevations and a structural specification of the proposed sign. The proposed sign would be:

- 3 m<sup>2</sup> in area and a total height of 5.3 metres.
- Include reference to Woolworths, BWS, Dalyellup Shopping Centre, Norton Prom and the Shire of Capel.
- The sign would be internally illuminated.
- Setback 3 metres from the road verge on the corner of Bussell Highway and Norton Promenade.

Development Applications have been submitted under both the Scheme and the GBRS. The matter of dual approval is discussed under the 'Statutory Environment' section of this report.

The applicant was requested to submit a photoart elevation of the sign so the appearance and scale of the sign could be considered in context. Refer Attachment 2.

**STATUTORY ENVIRONMENT****Town Planning Scheme No 7**

The site is zoned 'No Zone' on TPS7 Scheme Map and falls within the Primary Regional Road Reserve under the ownership of Main Roads WA. The site is adjacent to Development Precinct No. 1 – Dalyellup East (DP1) as per Appendix 16 of TPS7. Appendix 16 makes no reference to development for signage in road reserves.

Planning and Development (Local Planning Schemes) Regulations 2015

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) has been Gazetted and took effect on 19 October 2015, replacing the *Town Planning Regulations 1967*. Clause 61 (1) (a) is applicable to this current Development Application in that it clarifies that development approval is not required under TPS7. It states:

***‘61. Development for which development approval not required***

*(1) Development approval of the local government is not required for the following works —*

*(a) the carrying out of works that are wholly located on an area identified as a regional reserve under a region planning scheme;*

*Note: Approval may be required from the Commission for development on a regional reserve under a region planning scheme.’*

As the proposed sign is located on reserved land only GBRS approval is required and no development application is required under TPS7.

Local planning policy, the Signs Local Law and Clause 7.11 of TPS7 have been considered as a reference in the assessment of this Development Application even though statutorily they do not apply.

Dalyellup East Local Structure Plan

The Dalyellup East Local Structure Plan (DELSP) applies to the eastern portion of Dalyellup estate (reference DP1 on TPS7 Scheme Maps). The subject site is adjacent to DP1. The DELSP was endorsed by Council and the WAPC in November 2007. It was a requirement of the WAPC (pre gazettal) to exclude Lots adjacent to the Bussell Highway from the ‘Highway Protection Line’ that is reflected in the current Scheme Map. As a consequence the DELSP does not include a Highway Protection Line.

The DELSP Land Implementation notes include a provision that advises that Council may approve a comprehensive system of signage designed for the Dalyellup Estate. This provision does not apply to the subject site as it is outside of the DELSP boundary.

Dalyellup District Centre Signage Strategy Report

The Dalyellup District Centre Signage Strategy Report was adopted pursuant to delegation 210 in June 2015 in accordance with provision 1.3.6 (g) of the Dalyellup District Centre Outline Development Plan. The purpose of this study is to satisfy the conditions of the Dalyellup District Centre Outline Development Plan (DDCOPD).

This Signage Strategy refers to a free standing (pylon) sign and the Strategy sets out mandatory requirements that requires that only one sign is permitted and that it shall be no higher than 9m. The indicative location for the pylon sign is at the roundabout on the corner of Tiffany Centre and Norton Promenade within the District Centre shopping area not adjacent to Bussell Highway. The indicative design includes a structure that can accommodate a series of strip signs that are popular in many shopping centre locations. Refer Attachment 3.

The proposed freestanding sign the subject to this application is outside of this Signage Strategy Area. It should be noted that if Council were to approve the proposed sign adjacent to the Bussell Highway, there is the potential in the future for a developer to apply for another pylon sign to be erected adjacent to the current District Centre.

Highway Protection Areas

Clause 7.11 refers to Highway Protection Areas whereby special conditions apply to uses allowable under the Scheme. The Highway Protection line on the Scheme Map does not

include Dalyellup Road Reserve areas but follows the line of the Bussell Highway. Whilst the subject site is not within a defined Highway Protection Area Clause 7.11.2 (g) is still relevant and states:

*'(g) Despite sub paragraphs (a) and (b) the Council may approve a sign within the Highway Protection Area that is within a defined area of Common Interest as may be identified within a Policy adopted pursuant to Clause 8.9 of the Scheme. (Clause 8.9 is the power to make planning policies).'*

The subject site is within the Dalyellup Common Interest Policy area. Council adopted Policy 6.8 – Dalyellup Common Interest Area in August 2003 to permit the Council to approve sign applications within the Highway Protection Area that relate to the Dalyellup urban expansion area that relies on Bussell Highway for primary access and exposure. The transition from rural to urban environment as a result of Dalyellup expansion and development highlighted the need to accommodate signage that relates to both the urban environment and the Bussell Highway.

A key statement of the Policy states that *"In order to restrict the form and number of signs within the Highway Protection Area, signage shall be limited to the promotion of townsite or major settlement areas, shopping centres and community facilities. The placement of signs to advertise individual business is not supported within the Highway Protection Area"*.

However, this policy only applies to privately held land. Any signs proposed that are located on or in the vicinity of a highway road reserve are subject to Main Roads WA approval. The fact that the proposed sign is within State Reserved land by defaults means the Policy cannot be applied.

#### Shire of Capel Signs Local Law 2001

All signage is subject to the provisions of the Shire of Capel Signs Local Law 2001. Part 1, section 3 of the Local Law states the law applies throughout the district *"...except for road reserves under the control of the Commissioner for Main Roads."* In this instance the provisions of the Sign Local Law would not apply to this sign as it is sited within the Road Reserve and is therefore exempt. However the provisions are useful as a guide to the appropriateness of the sign in terms of its scale and setback.

The following provisions of the Sign Local Laws refer:

Clause 13 (4) – A freestanding sign is required to be a minimum of 2 metres from any lot boundary; and  
 Clause 13(5) A freestanding sign shall not be any higher than the highest building on the lot.

The sign is set back 3 metres from the road reserve and 30 metres from 1 Norton Promenade (Lot 8513) immediately to the west of the site. The sign has a maximum height of 5.3 metres and would not protrude above existing vegetation or be higher than the existing retail buildings currently constructed in the District Centre. What this demonstrates is if the requirements of the Signs Local Law were applied that this current proposal would comply.

The Shire of Capel Signs Local Law 2001 is being reviewed and will be recommended to Council to repeal it.

#### Greater Bunbury Region Scheme

The subject site is reserved as a "Primary Regional Road Reservation" under the Greater Bunbury Region Scheme. The purpose of a Primary Regional Roads is:

*"..to provide a regional road network to accommodate current and future transport needs on roads declared under the Main Roads Act 1930;*



Signage is included within the interpretation of Development under the Region Scheme and Planning and Development Act 2005. The GBRS provides that certain types of development within Primary Regional roads (i.e. Bussell and South Western Highway) will require planning approval.

The application has been assessed in accordance with the relevant provisions of the GBRS that states:

- Under Schedule 1 development on land in a regional road reservation which requires planning approval under the GBRS is delegated to the local government where the local government accepts the recommendation and any advice of the advice agency;
- Schedule 3 stipulates that an application for development in or abutting a primary regional road reservation shall be referred within seven days to Main Roads Western Australia for advice and recommendation before being considered by the local government.

Delegation to determine the GBRS application is delegated to the Shire provided that any advice from Main Roads WA is accepted. Clause 18 of Schedule 3 of the Instrument of Delegation sets out how a local government is to determine an application where it has a different point of view to the advice agency: Clause 18 states:

*“Where the recommendation provided by an advice agency specified above is not acceptable to the local government, the application, together with the recommendations provided by all advice agencies consulted and the reasons why the recommendation is not acceptable to the local government, shall be forwarded immediately to the WAPC for determination.”*

GBRS considerations are discussed in the comment section of this report.

## **POLICY IMPLICATIONS**

The assessment of this Development Application highlights the need for a review of the Scheme provisions and policies associated with signage particularly adjacent to the highway in light of the new Planning and Development Regulations 2015. This review can be captured as part of the preparation of the Local Planning Strategy and the TPS7 review.

Notwithstanding that neither TPS7 or any Shire Policy applies to land reserved under the GBRS further discussions with the Department of Planning are warranted to better address this matter as part of the Shire’s review of TPS7.

Policy 6.19 Highway Signage for Rural Tourism Activities & Services relates to land zoned rural and given the subject site is not within the scheme area, the provisions of this policy do not apply.

## **FINANCIAL IMPLICATIONS**

### **Budget**

There is no planning fee associated with GBRS applications.

### **Long Term**

The ongoing maintenance and up keep of the signage would be remain with the applicant.

### **Whole of Life**

There are no whole of life implications relevant to this matter.

## **SUSTAINABILITY IMPLICATIONS**

The sign would be erected on cleared, flat ground. There would be no social implications, however, economically the signage may help direct outside patronage to visit the Dalyellup Shopping Centre particularly passing trade that is not familiar with the area.

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031

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

Strategic Outcomes:

3.3 Preserve and protect the character of the towns as they expand.

The Economic Experience 'To foster and support responsible and progressive economic development opportunities within the Shire.'

Strategic Outcomes:

4.9 Encourage business development.

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

Strategic Outcomes:

5.2 Maintain and enhance the quality of our built environment.

## **CONSULTATION**

Advice was sought from Main Roads WA and the Department of Planning in relation to the development and GBRS application. Main Roads advised on 6 April 2016 that the proposal complies fully with the requirements of Section 4.5 (Illuminated Street Name Signs) of the Main Roads 'Policy and Application Guidelines for Advertising Signs within and beyond State Road Reserves'. Main Roads has no objection to the sign. The advice from Main Roads is accepted as the proposed sign raises no issues in regards to traffic safety.

The Department of Planning confirmed that an application under the Greater Bunbury Region Scheme (GBRS) is required. The Delegation allows for the local government to determine applications for development approval in regional road reservations, where the local government accepts the recommendation of the advice agency, who in this case is Main Roads WA.

Advice has been sought from the Department of Planning on whether dual approval was required under both TPS7 and the GBRS. Department of Planning confirmed that as the sign is on Reserved land development approval is not required under TPS7.

## **COMMENT**

In regards to this development application there are two key issues that require consideration:

1. What impact would the sign have on the function, amenity and visual character of the area?
2. Will the proposal set an undesirable precedent for an influx of signage along the Bussell and South Western Highways?

Greater Bunbury Region Scheme

Clause 40 of the Greater Bunbury Region Scheme (GBRS) lists matters to be considered by the Western Australian Planning Commission (WAPC) in considering an application for planning approval. Relevant to this application include:

- “(a) the aims and provisions of the Scheme and any other local planning schemes in effect within the region;*
- (b) the requirements of orderly and proper planning including any relevant proposed Scheme amendment, or new local planning scheme or amendment, for which consent for public submissions to be sought has been granted;*
- (c) any State planning policy;*
- (f) the provisions of any Local Planning Strategy of the local government in respect of a local planning scheme, as approved by the Commission under the Town Planning Regulations 1967 regulation 12B and amended from time to time;*
- (g) in the case of land reserved under the Scheme, the purpose for which the land is reserved;*
- (i) the compatibility of a development with its setting;*
- (n) the preservation of the amenity of the location;*
- (o) the relationship of the proposal to development on adjoining land or on other land in the locality, including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;*
- (y) any relevant submissions received on the application;”*

Clause 40 makes it clear that the character and amenity of the locality within which it is to be displayed and traffic safety are relevant planning considerations.

The other planning issue to consider in regard to the GBRS is whether the proposal is consistent with the purpose of the “Primary Regional Road Reservation”. Considering the proposed sign includes a street address panel that refers to ‘NORTON Prom’ and serves as in part a directional sign, it considered the proposed sign accords with the GBRS. Given that Main Roads WA raises no objection the proposal can be considered pursuant to Clause 39 of the GBRS and Schedule 2 of the instrument of delegation.

**Visual Character and Amenity**

The provision of signage within the Shire of Capel along Bussell Highway is important to the promotion of urban development, business and community facilities. The Shire has also long held the view that this needs to be balanced against the objective to protect the visual character of the Shire’s main highways. An attempt to support signage along the highways and boost market viability could come at a cost with the potential proliferation of permanent non-uniform signs along the highway.

This is a proposal for one freestanding internally illuminated sign with an overall height of 5.3 metres. The purpose of the sign is to promote Woolworths and direct traffic to the Dalyellup Shopping Centre. The sign is located at the main entry point to Dalyellup setback 3 metres from the road reserve. In the assessment of the visual impact of this sign it is important to take into account both the immediate surrounds, but also to view the site in a wider context. To undertake the assessment of this development application a detailed survey

of signage within a 2–4 km radius of the site was undertaken in March 2016. Refer Attachment 4.

In the immediate vicinity of the site there are Main Roads street lights (approximately 10 metres in height), electrical substations and a traffic sign used as a warning sign for signals ahead. There is substantial mature vegetation at the rear of the site providing a green backdrop to this entry point into Dalyellup. The entry to Dalyellup Estate is clearly an established urban area. In this immediate context the proposed sign at 5.3 metres in height would not appear overbearing or out of character with existing urban infrastructure that is common to a major traffic intersection.

When the proposed sign location is considered in its wider context, the site forms part of an urban developed area that includes medium density housing, retail outlets, a commercial laundry, Bunbury Grammar school and the Caltex service station. Many of these establishments have either pylon signs (also illuminated) or freestanding board signs to advertise their location along the Highway albeit they are all within private land and not within the Highway Reserve.

Norton Promenade serves as the main entry to Dalyellup Estate and sited only 1km south of the City of Bunbury administrative boundary. Within 2 to 2.5 km north of the subject site there are two very similar illuminated pylon signs that advertise food outlets together with the street signage for Somerville Drive and Washington Avenue. The fact that the City of Bunbury has approved signs within the highway reserve is not itself grounds for Council to support this current proposal. It does put the subject site in a particular setting and context being in close proximity to the urban form of Bunbury and a more urbanised area.

The continued growth and expansion of Dalyellup is an important consideration for this application. This part of Dalyellup forms part of an area of transition between a more rural visual character immediately to the south of Frances Road towards Capel townsite and a more developed urban setting heading north towards Bunbury. In this particular context it is considered that the sign would be in keeping with the orderly and proper planning of the locality.

### **Will the proposal set an undesirable precedent?**

One of the concerns in approving this proposed roadside sign, in the absence of any planning policy position, is whether it will set an undesirable precedent.

Currently, Main Roads WA controls signage within highway road reserves or on land adjacent to highways. Main Roads WA 'Roadside Advertising' sets out general permission criteria such as size, shape and colour. Although Main Roads WA does have some regard to amenity, its criteria are mainly safety and distraction based for roadside advertising. The consideration of amenity and visual character of an area for roadside signage would be addressed in the provision of the Scheme or a Local Planning Policy.

The demand for various business enterprises to erect signage in highway reserves and private land has been an ongoing issue for the Shire. The Shire currently has planning policy 6.19 Highway Signage for Rural Tourism Activities and Services which provides direction on what the focus for signage should be along the Shire's highways. The Local Planning Strategy and Scheme review provides further opportunity to carefully consider the long term objectives for signage in the Shire. More consideration needs to be given to matters such as community based signage, promotion of local business, the need to promote tourism and clearer design criteria to ensure visual character particularly in the rural areas is addressed.

### **CONCLUSION**

If Council was to support the Officer recommendation and approve this freestanding sign it must be on the basis of it being an 'exception' on the balance of merit. It is acknowledged that the development proposal is outside of any local planning policy or the existing Signs

Local Law on the basis of its siting it is exempt. Mitigating grounds include the signs siting, context, scale and close proximity to urban form. This current signage application is considered on balance, acceptable on the basis that it forms part of the more urbanised Dalyellup. South of Harewoods Road to Capel townsite there is very little signage and this reflects the more rural character of this part of the Shire.

This development application has identified the following:

1. Council's current local laws do not apply to the control of advertising devices in the Bussell Highway.
2. The power to regulate advertising devices in the Bussell Highway is pursuant to Highway Protection Area provisions of Town Planning Scheme No. 7. There is a specific provision disallowing the approval of advertisements for a service commodity, which is not produced, offered or sold on the lot which the advertisement is erected. However, in this instance the sign is in the Regional Road Reserve and not on private land and the Scheme does not apply.
3. Support to the establishment of advertising devices on private land along the highway would require an amendment to the Town Planning Scheme. This can be incorporated as part to the emerging Local Planning Strategy and review of the Scheme that is currently ongoing within the Strategic Planning Department.
4. A number of State government agencies have an interest in signage control including Main Roads WA and Tourism WA each having guidelines for 'universal' signage options. There is not agreement between the State agencies over the design of signage although this could be addressed as part of the Scheme review.
5. There is a range of approaches undertaken by other Local Authorities in the south west and in the wider region in respect to addressing signage on highways by the Planning Scheme and Local Planning Policy. The Shire's strategic approach to signage can be captured as part of the Local Planning Strategy and the review of TPS7. Once this is in place then a Local Planning Policy can be prepared to provide design guidance.

To summarise, there are no specific statutory requirements pursuant to the Scheme, planning policy or Local Law that can control the size or design of this freestanding sign. Matters to be considered are amenity and visual implications relative to the geographical location. No objection has been raised from Main Roads WA. The proposal is recommended, on balance, for approval subject to conditions.

### **VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 14.1</b>
---

**That Council:**

- A. Grant Planning Consent pursuant to Clause 41 of the Greater Bunbury Region Scheme for the development of a free standing illuminated sign on the Road Reserve Bussell Highway, Dalyellup. The approval is subject to compliance with the following conditions:**
- 1. All development being in accordance with the Approved Development Plans dated 22 June 2016.**
  - 2. The applicant shall be responsible for the maintenance and upkeep of the sign including that caused by vandalism and vehicle damage.**
- B. Advise the applicant of the need to comply with the following requirements of other legislation:**
- 1. The proposal requires a Building Permit for a Class 10b structure.**
  - 2. In respect of condition 2 if any alteration is made to the sign, then in such event the applicant must apply for a new approval.**
  - 3. The sign owner shall provide evidence of Public Liability Insurance to the satisfaction of the Shire of Capel and Main Roads WA.**

---

**14.2 Educational Establishment (School) - Lot 53 Widdeson Road, Capel**

---

Location:	Lot 53 Widdeson Road, Capel
Applicant:	Harley Dykstra
Owners:	Free Reformed School Association (Inc)
File Reference:	C.52.C.159 V 1
Disclosure of Interest:	Nil
Date:	08.06.16
Author:	Planning Officer, M Young
Senior Officer:	Executive Manager Engineering & Development Services, J Gick
Attachments:	1 Location Plan 2 Site Plans and elevations 3 Previously approved Site Plan SK04 Feb 2015 and Conditions

---

**MATTER FOR CONSIDERATION**

Planning Approval is sought for the development of a school on lot 53 Widdeson Road (corner Gavins Road) Capel pursuant to Clauses 60 and 61 of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. The proposed development comprises buildings, infrastructure, car parking and sports facilities to cater for a pre-primary to Year 10 school. Applications have been made under both the Shire of Capel Town Planning Scheme No. 7 (TPS7) and the Greater Bunbury Region Scheme (GBRS).

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

February 2015 (Minute OC0205) – Council approved a School (Education Establishment) on the subject site subject to conditions (refer Attachment 3).

April 2015 – WAPC granted approval under the GBRS subject to the development being accordance with the approved plans.

October 2015 – The applicant submitted amended plans and a request that they be considered as a minor amendment to the previous Planning Consent. Shire Officers advised that the amended plans could not be considered as a minor amendment given the extent of the changes and a new Development Application was required.

**Proposal**

The applicant was invited to clarify the main changes between the previous school proposal approved in February 2015 and the current plans. The amended proposal can be summarised as follows:

**Preview**

The John Calvin School has been providing education services in the Bunbury district for the past 15 years. The new school site is to facilitate the districts of Bunbury and Busselton and provides a more central location than the existing school premises in Picton, currently leased from the government on a temporary basis.

The Site contains a dwelling and associated outbuildings which are proposed to be demolished. The land is bordered by existing road reserves on three sides of which Widdeson and Gavins Road have been constructed. Surrounding land uses are residential and standard services are available to the Site with the exception of reticulated sewer.

Application

The proposed school as currently submitted will cater for pre-primary to year 10 catering for 90 – 100 students plus 15 staff. The proposed development includes the following:

- One block of single storey classrooms catering for the Primary School;
- Library increased in size and fronts Widdeson Road;
- Upper floor above the extended library, three new classrooms providing a science room, home economics and a single classroom;
- Toilet facilities;
- Staff and administration areas re-sited to the north west corner of the site;
- A new workshop, machine and store building;
- Courtyard/covered assembly area;
- Playground areas and grassed areas with playground equipment;
- Sports courts;
- Sports oval;
- One consolidated car parking area to the north of the site;
- An access driveway with bus drop off/turn around area, kiss and drop is proposed west of the site within the Widdeson Road reserve.

The Site Plan illustrates the intended school layout – refer Attachment 2.

The applicant has noted the relevant clauses of the Greater Bunbury Region Scheme (GBRS) as they relate to this amended proposal. The applicant has confirmed that previous matters raised by Main Roads are not affected by this revised proposal.

The applicant notes that 'educational establishment' is an 'AA' or discretionary use within the Residential zone (Coded R2.5) under the Scheme and the proposal is consistent with the relevant clauses of the Scheme with the exception of 15m front setback requirement. A variation to the 15m setback is requested pertaining to the library and administration building facing Widdeson Road.

The school will be serviced by a single two lane driveway from Widdeson Road allowing access to parking and a bus drop-off/pick-up loop. No access will be to Gavins Road.

The applicant indicated on the previous development application that there may be an anticipated growth of up to 150 students in coming years. Through the detailed assessment of this current development application it is acknowledged by all parties that this may be unlikely given the size constraints of the site. Any future growth would either require the acquisition of more land or connection to deep sewer. For the purposes of assessing this development application a determination must be made on the basis of the information submitted by the applicant, the plans and the information provided by the various State agencies.

**STATUTORY ENVIRONMENT**Town Planning Scheme No. 7

Lot 53 Widdeson Road (the Site) is zoned Residential R2.5 and comprises 1.9112ha in area.

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

Clause 3.2 refers to the Zoning Table contained in Appendix 2 and the symbols used in the cross reference within the zoning table. 'Educational Establishment' is listed as an "AA" use within the Residential zone which means it is a discretionary use that is not permitted unless Council has granted its Planning Consent.



Clauses 5.3.1 and 5.3.2 relate to the Schemes objectives in controlling development in the Residential Zone applicable to the assessment of this proposal.

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

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) has been Gazetted and took effect on 19 October 2015, replacing the *Town Planning Regulations 1967*. The following Clauses are applicable to this current Development Application.

Clause 67 lists matters to be considered by Local Government in considering an application for development approval. Relevant to this application include:

- (a) *the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015*
- (c) *any approved State planning policy;*
- (d) *any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);*
- (e) *any policy of the Commission;*
- (f) *any policy of the State;*
- (g) *any local planning policy for the Scheme area;*
- (h) *any structure plan, activity centre plan or local development plan that relates to the development.*

#### Greater Bunbury Region Scheme

Lot 53 is zoned Urban under the Greater Bunbury Region Scheme and adjoins a 'Primary Regional Road'.

Under Schedule 2 Clause 3 of the GBRS an application for development in or abutting Primary Regional Road reservation shall be referred within 7 days to Main Roads WA for advice and recommendation before being considered by the local government.

The WAPC Resolution made on 22 April 2014 under section 16 of the *Planning and Development Act 2005* gives delegated authority to local governments in respect of the determination, in accordance with Parts 7 and 8 of the GBRS, of applications for approval to commence and carry out development as specified in schedules 1 & 2, subject to the terms set out in schedule 3.

The Shire has delegation to determine a GBRS application abutting a Primary Regional Roads reservation, where it accepts the advice and recommendation of Main Roads WA. In this instance the advice and recommendation received from Main Roads WA is acceptable and therefore Council does have delegation to determine the GBRS application.

#### Capel Townsite Strategy

The Capel Townsite Strategy was adopted by Council on 23 July 2008. The Strategy sets out the long term planning directions for the Capel Townsite including objectives, policy statements and recommended actions over the next 10 – 15 years. The site is included within the North West Planning Precinct No. 5 within an area that is Long Term Urban Deferred (LT1). This area includes the Iluka Processing Plant and surrounding buffer with a number of issues to be resolved. Issues for LT1 include closure of the plant, decontamination, servicing/infrastructure, drainage and the need for an Outline Development Plan (ODP).

The Site is located on the north west extremity of the LT1 area. The development of a school in this location is not considered to prejudice long term urban development of the precinct.

## **POLICY IMPLICATIONS**

The proposal has been considered in the context of State Planning Policy 3.7 Planning in Bushfire Areas, the Greater Bunbury Region Scheme, Capel Townsite Strategy.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The applicant has paid the relevant planning fee. Once the school buildings are finished and occupied the school will be exempt from paying land rates.

### **Long Term**

Development of the site may require a review of the rating assessment.

### **Whole of Life**

As the school will be non-rateable, Council will not get rate revenue, but will be able to rate for rubbish and collect the emergency services levy for the State.

## **SUSTAINABILITY IMPLICATIONS**

The site is cleared of vegetation and used for pasture. The proximity of the proposed school to Capel town centre and the Bussell Highway has important social and economic benefits. Socially, the proposal will add to the dynamics of the northern portion of the town, which is earmarked for the long term release of residential lots and appropriate infrastructure such as the proposed school. Economically, the school may benefit the town with students and parents making use of local shops and services before and after school.

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031

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.'*

Strategic Outcomes:

- 2.1 Provide social, recreational and cultural opportunities and facilities for our communities.
- 2.3 Preserve and protect the character of the communities.

The Environmental Experience *'To preserve and enhance the natural and built environment to ensure it is liveable, sustainable and adapts to our communities needs and experiences.'*

Strategic Outcomes:

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

The Economic Experience *'Foster and support responsible and progressive economic development opportunities within the Shire.'*

Strategic Outcomes:

- 4.4 Pursue diversity and vitality in the local economy.

The Infrastructure Experience *'Plan and facilitate safe, sustainable and efficient infrastructure and transport networks to meet the needs of the community.'*

Strategic Outcomes:

5.2 Maintain and enhance the quality of our built environment.

### **CONSULTATION**

The proposed school and the amended plans were re-advertised for public comment to all adjoining landowners (46 residents) due to the significant change in the plans. Following the close of advertising, no submissions were received from landowners. Six (6) submissions were received from government agencies.

In summary the key matters raised within the submissions included:

- Main Roads WA raised no objection subject to conditions that removes the Gavins Road access; fencing to prevent parking along Gavins Road and detailed designs to be submitted for access in the Widdeson Road Reserve.
- Department of Health provided comments in regards to septic plans, Food Act Regulations, Health Act requirements, the positioning of buildings within the site to consider children with disabilities and the provision of safe infrastructure for walking, cycling and public transport within the school vicinity.
- Department of Water provide comments on waste water management, stormwater management and the ATU irrigation system. The Department of Water recommends a condition requiring that a Water Management Plan be prepared to address the water resource constraints.

The Department of Education, Department of Environment Regulation and the Department of Planning raised no objection or comment.

The applicant's responses to the submissions are discussed in the Comment section of this report.

### **COMMENT**

The proposed school is a land use that can be considered in the residential zone being a discretionary or "AA" use under the Scheme. Planning Consent for a school was granted by Council in February 2015, so the principle of the 'land use' on this site is not under consideration. The key issue for this amended proposal is whether the increase size and footprint of the building is acceptable in terms of design, parking and effluent disposal.

Issues for consideration include:

1. The setback variation and the increased bulk with the introduction of the two storey element facing Widdeson Road;
2. Car parking;
3. Does the proposal satisfy Department of Health requirements in regards to effluent disposal?

### **School size**

The size of the site is 1.9 ha and this has consistently been raised as a major issue particularly in regards to the potential for additional growth or expansion in the future. The preferred minimum standard for a school is between 3–4 ha to account for buildings, parking, sport grounds and growth. There is no dispute that this is a small site for a new school.

The applicant has been required to clearly state that despite the changes in the building footprint and design of the school buildings that the proposed school would cater for the same number of students as what has been previously approved by Council. The applicants have confirmed the school would cater for up to 100 students and 15 staff members. The primary

purpose of the new school site is to accommodate the existing enrolled students that currently attend the school based in Picton. The applicants selected this site for its central location to serve both Bunbury and Busselton.

Shire Officers informed the applicants of the ongoing concern of how this relatively small site could cater for any expansion or growth in enrolments in the future. This is not only reflected in additional parking number requirements but also the available space for classrooms or recreation areas. There would also be the direct implications on any Aerobic Treatment Unit (ATU) system for effluent disposal. If the maximum designed capacity is exceeded leading to a failure of the system this would lead to the immediate closure of the school.

The applicant fully acknowledges Shire Officer's concerns and in support of this amended proposal states:

*'The School Board on behalf of the School Association that owns the site and manages the local school is fully aware of the constraints of the site in terms of size limitation for the school and effluent disposal system.... It should be noted that the current application and facilities for the new school have been designed based on this maximum number ". (i.e. 115 persons).*

The applicant states that this revised school proposal has been designed to cater for the same number of students. The land owners' decision to purchase a relatively small site for a new school is largely an issue for the School Board.

It is an established planning principle that development applications must be determined on the basis of the information submitted and not on what 'may' or 'could' happen in the future. It is not a relevant planning consideration that another proposal might provide a better planning outcome.

The principle of a school catering for up to 100 students on this site has already been supported by Council subject to a number of planning conditions. Council needs to be satisfied that the proposed development as submitted is capable of approval irrespective of the size of the site.

### **Setback Variation**

In terms of the current proposal in April 2016 the applicants were invited to amend the elevations and colour finishes for the school buildings. Compared to the previously approved plans it was considered that the design, architectural detailing and colour finishes were not appropriate to this setting. In May 2016, the applicants amended the elevation drawings.

The main difference between the approved February 2015 plans (refer Attachment 3) and the current proposal is as follows:

1. The introduction of a two storey building to accommodate classrooms, a library and toilets (south west of the site).
2. A single storey administration block (north west of the site).
3. Variation to the front setback with an increased building footprint setback 8–12 m to Widdeson Road. Previously only the administration building projected forward.

The applicants provided architectural comments regarding the design and aesthetics of the school buildings:

1. *'The proposed buildings have been designed to represent a development "of its time'.*
2. *The amended colour scheme consists of a palette of natural tones to complement the rural character of Capel.*

3. *The West elevation from the main front façade of the school. The wall cladding to the upper portion has been stepped out for additional interest. Painted feature panels have been included to break up the vastness and add visual interest. The triangular pattern pertains to science, maths learning reference, the colour variations refers to the art and creative side of learning. The size and number of window openings to the west have been restricted to address energy efficiency.*
4. *The proposed roof outline has been designed specifically to provide variation and interest.*
5. *The buildings have been proposed as two storey. This has been applied to the western streetscape and acts as a shelter for the internal courtyard during winter months. The buildings have been positioned to create a courtyard effect whilst maintaining a degree of visual outlook'.*

It is accepted that a development of this scale on a prominent corner site would have some visual impact on the local environs. Consideration must be given to whether the current proposal can be considered to contribute to the local area. A number of factors to be considered including height, colour finishes, orientation and design. In broad terms the current design is considered acceptable that takes into account its corner location. There are a number of factors to consider with this proposal:

- Whilst the buildings are setback between 8–12 metres from the Lot boundary as opposed to the required 15 metres, the actual verge width is over 20 metres wide. This overall provides a setback to Widdeson Road of over 30 metres.
- The site plans indicate a 4 metre deep landscaping strip between the proposed building and the lot boundary. Landscaping when matured will soften the visual impact of the building. The proposed tree landscaping would also accord with the tree lined character of this part of Capel townsite. Trees would provide a natural form of shade and shelter for students along the bus drop off/pick up zone.
- The elevations of the buildings have been designed to incorporate articulation and detail to face both Widdeson Road and Gavins Road to provide visual interest to the area.
- The designs of the buildings do not necessarily have to be architecturally compatible to the existing surrounding development in order to create a high quality built environment. To this end the development does incorporate interesting façades and variety of roof angles to vary the appearance of the buildings within the street scene. The architects have designed the buildings to represent a school land use.

The applicants have responded positively to Shire Officer's concerns and provided reasonable justification to support the amended design, footprint and setback variation to Widdeson Road.

### **Parking**

The concern with parking requirements refers to the increase in the building footprint of the school. The February 2015 approved plans showed a gross floor area (GFA) of 772 m<sup>2</sup>, the current plans show 1499m<sup>2</sup> of new building. The applicants were invited to provide further justification for the parking allocation.

There are no parking standards for educational establishments under Town Planning Scheme No. 7. Parking needs were calculated on the basis of 1 bay per staff member and 1 bay per 4.5 students. The table below provides a comparison between the approved plans and current proposal:

Previous approval Site Plan SK04 Feb 2015	Current Application
10 staff = 10 bays	15 staff = 15 bays
100 students 1 per 4.5 = 22 bays Total formal bays required = <b>32</b>	100 students 1 per 4.5 = 22 bays Total formal bays = 37 required. 2 kiss and ride bays  Total of formal bays = <b>39</b>
Overflow provision = extra 22 informal bays	Overflow provision = extra 22 informal bays
<b>Total on site = 54</b>	<b>Total on site = 61</b>

The same car parking requirements have been applied to this current scheme based on numbers in attendance and not gross floor area. The applicant has shown an increase in the formal bays to 39 to accommodate the additional staff.

The applicant has submitted that the increased GFA is justified on the basis of providing additional classrooms providing specific subject learning areas i.e. science and home economics and not to accommodate more students. The amended plans include an overflow parking area to cater for sporting events or whole school activities that may attract more parents from time to time.

The applicant provided additional information relating to the traffic management of the site and states:

*'We anticipate that the management plan could include matters such as the following:*

- *Bus bays being clearly marked and separated from the 'Kiss and Drop' bays;*
- *'Kiss and Drop' bays not to be used for parking;*
- *No queuing for the 'Kiss and Drop' bays;*
- *Parents to be notified of bus pickup and drop off times, and requested to avoid car pick up and drop off during these times.*
- *Currently, of the approx. 100 students attending the school, 90% travel by bus. Only a handful are dropped off/picked up by parents. Buses will continue to be the primary means of transport for most students with the main catchment areas being Bunbury and Busselton. The 'Kiss and Drop' bays at the front of the proposed development will be used by those parents who drop off/ pick up their children. '*

The applicant acknowledges the importance of effective traffic and parking management for the site and that this would be best achieved through a traffic management plan implemented by the school. It is recommended as a condition of approval that a traffic management plan be required. This would also help address concerns relating to student numbers and parking availability in the longer term.

### **Effluent disposal**

A major consideration for this proposal relates to the provision of an effluent disposal system that meets the requirements of the Department of Health. The Department of Health and Manager Health Services concerns relate to waste water volume, the limited size of the Lot and the ability to comply with the Draft County Sewerage Policy.

Since February 2016 there has been extensive consultation between the applicants, the Shire's Manager Health Services and Department of Health to achieve a solution for the site. The key concern has been:

- Whether the site can meet the requirements of the Draft Country Sewerage Policy;

- Whether the site is large enough to accommodate the particular aerobic treatment unit (ATU) system proposed;
- The limited size of the Lot;
- The impact of nutrients on the ground water; and
- The fact that the site has a perched water table.

The following is a summary of the key points pertaining to the on-site effluent disposal:

1. The original Planning Approval was issued with a condition relating to the need for onsite effluent disposal to be subject to an appropriate design approved by the Department of Health:
2. For this current development application the applicants were requested to demonstrate that there would be sufficient land area available to accommodate the onsite effluent disposal area (i.e. ATU system and associated effluent disposal area for treatment of wastewater). This was requested on the basis of the significant change to the building footprint. Officers needed to have some certainty that an ATU system could be accommodated on the site without further revision to the building positions.
3. The applicant's project hydraulic engineer liaised closely with the Local and State Health Departments, and undertook geotechnical investigation on the land, designed ATU systems and two alternative effluent disposal options for the development.
4. Under the Draft Country Sewerage Policy the site can accommodate 5,184 litres of wastewater per day (which at 45 litres per day per person equates to a maximum of 115 persons within the development).
5. The Department of Health approve all effluent systems for school development. Irrespective of this current development application a formal effluent disposal system application will still need to be submitted to and approved by the Department of Health. The previous planning consent would still need the same approvals from the Department of Health.

The extensive consultation between the applicants, Manager Health Services and Department of Health has benefited the applicants insofar as working towards a final design for the ATU system for this development.

The applicants have been able to 'reasonably' demonstrate that on the basis of 100 students and 15 staff that an ATU system can be accommodated on this site. The applicant has always maintained that an on-site effluent disposal system can be satisfactorily resolved for this development. The best solution would be for the site to be connected to deep sewer and this is an option the applicants are currently investigating. The applicants have submitted as part of the application:

*'The School Board, on behalf of the School Association that owns the site and manages the local school, is fully aware of the constraints of the site in terms of size limitation for the school and for the on-site effluent disposal system. The School Board is willing to accept a limit of 115 persons as part of the planning approval, and it should be noted that the current planning application and facilities for the new school have been designed based on this maximum number;*

*The School Board is completely aware and also accepts that a formal application for the required onsite effluent disposal system will need to be made with the State Health Department prior to building licence being approved, and that State Health is the determining authority for such an application. '*

Whilst there has been sufficient information submitted to support this revised proposal, it is supported on the knowledge that all parties are aware the ATU system has been designed on a set number of persons. The Department of Health have advised that there are limitations to the proposed ATU system designed with a maximum number of persons. The issue being that once exceeded the school and landowners would need to connect to deep sewer.

Concerns expressed about the long term capabilities of this ATU system should student numbers increase are valid. They are valid not only for effluent disposal (that would be resolved immediately if the site was connected to deep sewer) but on other planning grounds such as parking demand. The applicant has adequately managed to justify the development through the submission of information and in the agreement of specific conditions that seek to appropriately control the development.

### **Greater Bunbury Region Scheme**

The issue to consider in regard to the Greater Bunbury Region Scheme (GBRS) is whether Council accepts the recommendation and any advice from Main Roads WA. Main Roads WA raise no objection to the proposal subject to conditions. On this basis the proposal can be considered pursuant to Clause 39 of the GBRS and Schedule 2 of the instrument of delegation.

The applicant was informed of Main Roads WA conditions and accepted the conditions. The applicant confirmed that the existing house is only being retained during the construction phase of the school after which it will be demolished.

### **CONCLUSION**

An Educational Establishment is a discretionary land use within the 'Residential' zone. There are several aspects of the development that comply with the requirements of TPS7.

Notwithstanding that a better development of the site might be possible if the Lot was larger; Council must determine the application before it – not on what could be achieved. It is not a relevant planning consideration that another proposal might provide a better planning outcome. The overall concept for the use of the site is considered acceptable and the applicant has made further modifications to the development to satisfy Shire concerns in terms of car parking, setbacks, architectural design and effluent disposal.

No objection has been raised from Main Roads WA.

Having taken into account the particular site characteristics, the previous planning consent and submissions from relevant government agencies, the proposal is recommended, on balance, for approval for both the development application and GBRS application subject to conditions.

### **VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 14.1</b>
---

**That Council:**

- 1. Agrees to the relaxation of the front setback requirement (as it relates to the administration building, toilets and library facing Widdeson Road) prescribed under the Residential Design Codes from 15m to 8 – 12m pursuant to Clause 8.10 of the Scheme.**
- 2. Grants Planning Consent pursuant to Clause 41 of the Greater Bunbury Region Scheme and pursuant to Clause 68 (2) (b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 that**



**Planning Consent be granted for the development of an Educational Establishment (School) on Lot 53 Widdeson Road, Capel subject to the following conditions. The approval is subject to compliance with the following conditions:**

- a) All development being in accordance with the Approved Development Plans dated 22 June 2016.**
- b) Prior to Occupation, a detailed Landscape Plan (showing soft and hard features) for the lot and the street verge including details of the bin set out area shall be submitted for approval by the Shire of Capel and implemented thereafter as per the approved plan to the specification and satisfaction of the Shire of Capel. The Landscaping Plan shall comply with Shire of Capel Policy 6.17 Urban Landscape Strategy.**
- c) Prior to the lodgement of the building permit application, a detailed Engineering design for the car parking, manoeuvring areas and drainage thereof being submitted for approval by the Shire of Capel, and thereafter implemented in accordance with the approved design to the satisfaction of the Shire of Capel.**
- d) Prior to the lodgement of the building permit application, a detailed Engineering design plan of the stormwater disposal system shall be submitted for approval by the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.**
- e) Prior to occupation, the provision of 39 car parking bays (inclusive of one (1) disabled car parking bay and two (2) kiss and drop bays) and vehicle manoeuvring areas being constructed, drained, marked out and thereafter maintained to the satisfaction of the Shire of Capel.**
- f) Prior to occupation, the existing driveway and access from the property to Gavins Road to be removed and the road verge reinstated to the specifications of Main Roads WA and thereafter constructed in accordance with the approved design to the satisfaction of the Shire of Capel.**
- g) Prior to commencement of works detailed Engineering design for the proposed access turn around area in the Widdeson Road reserve designed to the specifications of Main Roads WA and thereafter constructed in accordance with the approved design to the satisfaction of the Shire of Capel.**
- h) Prior to occupation, a Traffic Management Plan must be submitted for approval by the Shire of Capel and thereafter implemented for the duration of works.**
- i) Prior to occupation, details of boundary fencing along the boundary of the lot abutting Gavins Road shall be submitted for approval by the Shire of Capel and implemented thereafter as per the approved plan to the specification and satisfaction of the Shire of Capel.**
- j) Prior to occupation, a bushfire management plan being prepared for approval by the Shire of Capel in consultation with the Department of Fire and Emergency Services and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.**

**Advises the applicant of the need to comply with the following requirements of other legalisation:**

- a) The proposal requires a Building Permit. Approval of a Building Permit is contingent on an approval for the construction or installation of any apparatus for the treatment of sewage as defined in the Health Act 1911 section 3(1). As**

the capacity of the sewage treatment system may determine the maximum number of sanitary facilities and impact the level of occupancy, it is recommended that the applicant considers *Building Code of Australia D1.13 Number of persons accommodated* and determines whether 'area' or 'any other suitable means of assessing its capacity' will determine the maximum number of persons to be accommodated.

- b) Investigation for soil and groundwater contamination, management and remediation should be carried out in accordance with the guidelines adopted by the Department of Environmental Regulation and set out in the Contaminated Sites Management Series and Contaminated Sites Fact Sheets.
- c) In accordance with regulation 31(1)(c) of the Contaminated Sites Regulations 2006, a Mandatory Auditor's Report, prepared by an accredited contaminated sites auditor, will need to be submitted to the Department of Environmental Regulation as evidence of compliance with the above condition. A current list of accreditors is available on the DER website.
- d) A separate application being made for all advertising signs in accordance with the Shire of Capel Sign Local Law 2001 and the Shire of Capel Town Planning Scheme No. 7.
- e) In regards to condition a), the applicant is advised that due to the limitations of the site in terms of car parking capacity and effluent disposal, student numbers on the site is limited to 100 students and 15 staff. Any further amendments to the building façade or floor space may require the land owner to submit a new development application.
- f) In regards to condition b), the applicant is advised that details on the rubbish bin collection area shall include elevations and demonstrate that it can be screened from public view.
- g) In regards to condition (e), the applicant is advised due to the limitations of the site, that the car parking requirements have been calculated and limited to 39 formal bays (22 overflow bays) based on 100 students and 15 staff as per the applicants car parking calculations and supporting information dated 27<sup>th</sup> May 2016 and 30<sup>th</sup> May 2016.
- h) In regards to condition (f) above, the applicant is advised that the plan will need to include measures including but not limited to boundary fencing and no parking signs to the specification and satisfaction of Main Roads WA to prevent parking along Gavins Road.
- i) In regards to condition (h) above the applicant is advised that the Traffic Management Plan should address issues but not restricted to the following: associated with the "Kiss and Drop" bays not to be used for parking; no queuing for the "Kiss and Drop" bays; parents to be notified of bus pickup and drop off times and how parking for major school events would be considered.
- j) Environmental Health requirements. The applicant to note the following:
  - (i) The effluent disposal system depicted on the approved site plans does not form part of this approval. Prior to lodgement of a Building Permit plans and specifications of all effluent disposal systems will be required to be submitted to the satisfaction of the Shire of Capel and Department of Health:
    - a) Be capable of being connected to sewer as per the Draft County Sewerage Policy;

- b) **An ATU system approved by the Department of Health being capable of coping with nutrient removal; and**
  - c) **The system shall be designed for the maximum number of staff and students expected on site which is 115 persons as per the development application.**
- 
- (ii) **The design and fit out of the school buildings is to comply with the requirements of the Health (Public Buildings) Regulations 1992 in terms of numbers of designated exits, numbers of ablution facilities, fire and safety equipment.**
  - (iii) **Development to be connected to reticulated scheme water supply.**
  - (iv) **The development the subject of this planning approval must comply with the requirements of the Health Act 1911, related regulations and guidelines and in particular Part VI – Public Buildings.**
  - (v) **The applicant will need to conform to the requirements of the provisions of the Food Act 2008.**

---

**14.3 Lot 2740 Bibra Loop, Dalyellup – Boundary Setback Variation**

---

Location:	Lot 2740 Bibra Loop, Dalyellup
Applicant:	CE & SM Field
File Reference:	PA71/2016
Disclosure of Interest:	Nil
Date:	03.06.16
Author:	Planning Officer, L Sandon
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	1. Location Plan 2. Photo of the affected area 3. Development Plans

---

**MATTER FOR CONSIDERATION**

Council is requested to consider an application for Development Approval for a variation to the Residential Design Codes (R-Codes) part 5.1.3 'Lot Boundary setback' and agree to a wall with major openings with a reduced setback of 1m in lieu of 1.5m.

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

A Building Permit was approved on 21 March 2016 for a dwelling – Class 1A Residential.

**Proposal**

The proposed variation relates to the replacement of the approved obscure window on the southern wall with clear glazing. The wall is setback 1m from the lot boundary and is currently determined as a 'wall with no major openings' as the obscure glass complies with the R-Codes requirement. The applicant is requesting to change the window material to clear glass resulting in the determination of a 'wall with a major opening' which requires a 1.5m setback to the lot boundary and therefore does not comply. The applicant is seeking a variation for a wall with a major opening with a reduced setback of 1m in lieu of 1.5m.

**STATUTORY ENVIRONMENT****Town Planning Scheme No. 7 (TPS7)**

Lot 2740 Bibra Loop, Dalyellup is zoned 'Urban Development'. Under the adopted Dalyellup Beach Estate Local Structure Plan, Detailed Area Plan Stage 15B/C Dalyellup Beach the lot is coded R30.

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

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) has been Gazetted and took effect on 19 October 2015, replacing the *Town Planning Regulations 1967*. The following Clauses are applicable to this Development Application.

Clause 67 lists matters to be considered by Local Government in considering an application for development approval.

Clause 68 relates to the determination of applications

(1) The local government must not determine an application for development approval until the later of —

- (a) if the application is advertised under clause 64 — the end of each period for making submissions to the local government specified in a notice referred to in clause 64(3); and
- (b) if a copy of the application has been provided to a statutory, public or planning authority under clause 66 — the end of each period for providing a memorandum to the local government referred to in clause 66(3).

- (2) The local government may determine an application for development approval by —
- (a) granting development approval without conditions; or
  - (b) granting development approval with conditions; or
  - (c) refusing to grant development approval.

### **POLICY IMPLICATIONS**

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

1. State Planning Policy 3.1 Residential Design Codes

### **FINANCIAL IMPLICATIONS**

#### **Budget**

An application fee has been paid in accordance with the adopted schedule of fees.

If Council resolves to refuse the application, or impose conditions to which the applicant objects, the applicant may seek review of the decision through the State Administrative Tribunal (SAT) and costs may be incurred through that process.

#### **Long Term**

There are no long term costs to consider.

#### **Whole of Life**

There are no whole of life costs to consider.

### **SUSTAINABILITY IMPLICATIONS**

There are no immediate environmental, social and economic impacts associated with the development of a single dwelling. These factors were considered at the stage when the subdivision was approved.

### **STRATEGIC IMPLICATIONS**

Strategic implications were considered at the stage when the subdivision was approved.

### **CONSULTATION**

The proposed setback variation was referred to the affected adjoining landowner as per Clause 64(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The adjoining landowner lodged the following submission:

*"We do not agree to this change as it places the house on L2740 too close to our block L2739. We purchased the largest and most expensive block to be as far away from our neighbours as possible."*

*"The house on L2740 is half completed and one of their walls is much closer to our fence than 'the new' one metre allowed. 1.5 metres should have been retained to maintain some*

*semblance of privacy for us on L2739. Please note our reservation about this retrospective decision”.*

The submission was forwarded to the applicant and the applicant replied with the following information:

1. *Lot 2740 is a minimum of one metre lower than the neighbouring Lot 2739, therefore once the developers have erected the specified estate fencing, our Lot 2739 neighbours will only ever view the colourbond roofing material used on our home, no matter where they stand on their block.*
2. *Privacy between neighbouring lots would not be a visual issue at either 1.0 metre or 1.5 metre setback from the southern boundary because of the different Lot ground levels.*
3. *The view seen outside of the Lot 2740 kitchen window by its occupants will only ever be of the dividing fence.*
4. *We the owners of Lot 2740 are most unhappy to be forced to view obscure glass from inside the home where the room is a kitchen.*
5. *We the owners of Lot 2740 only learnt of obscure glass requirement after the plans had been submitted to the Capel shire, with plans approved if obscured glass was installed in the kitchen during construction.*
6. *The builder has been of little help to rectify the matter, leaving it up to us the owners to contact the shire for assistance.”*

## **COMMENT**

### **Residential Design Codes Design Principles**

The State Planning Policy 3.1 Residential Design Codes comprises dual provisions; the Deemed- to-comply requirements and the Design principles. Development which does not satisfy the requirements of the Deemed-to-comply needs to be justified and demonstrate compliance with the Design Principles. The Residential Design Codes Explanatory Guidelines clarifies that the purpose of neighbour consultation is to seek comment about the nominated design components of the proposal and how it may affect the neighbours where a proposal is to be judged against the Design Principles of the R-Codes and the possible impact and/or reduction of the amenity of adjoining owners. In this respect the applicant needs to demonstrate compliance with the design principles in P3.1 where buildings are to be set back from lot boundaries so as to:

- Reduce impacts of building bulk on adjoining properties;
- Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and
- Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

#### **Building bulk:**

Building bulk will remain the same with or without the variation as the approved building has been constructed at 1.0m setback from the boundary wall. This variation will affect the window material only. The variance between the constructed wall lengths and setback already creates design articulations and reduces bulk.

#### **Sunlight and ventilation:**

The proposed variation is on the southern portion of the lot and has minimal effect on the direct sunlight to the subject lot. Lot 2740 has retaining on 3 sides; the southern retaining

wall supports a two course limestone wall for the adjoining neighbouring property Lot 2739. The development plans indicate the approximate ground level of the affected area inside Lot 2740 at 10.92 and the ground level inside Lot 2739 at 11.64 which demonstrate that Lot 2739 is higher than Lot 2740 (attachment 2 - photo of the affected area). The height difference between lot 2740 and 2739, results in minimal overshadowing to Lot 2739 that is compliant with the R-Code requirements.

### Visual Privacy

Fences provide reasonable privacy appropriate to the suburban locality and overall amenity to the street density of R30/R40. The *Residential Design Code Explanatory Guidelines* details; that with increases in density, there is an expectation that there is a commensurate increase in impact of building on privacy and solar access. Therefore it is an expectation of greater tolerance, and therefore allowance of these impacts at higher density. A level of impact not appropriate in an area of low density is likely to more acceptable and more tolerated at higher densities. Privacy in regards to the objection by the adjoining neighbour is subjective and privacy perceptions can be influenced by cultural perceptions and concerns. A sufficient level must be reached, visual privacy can be rationalised and satisfied by the 7.5m cone of vision for wall heights of 3.5m and above. The variation is below 3.5m height and the lot is visually lower than the objecting property.

### **Conclusion**

The adjoining neighbour reservation on privacy is subjective and not quantifiable by the measurable standards of visual privacy and overlooking. The variation of the reduced setback of a wall with major opening, in the content of the Lot 2740 height difference to Lot 2739 and the context of Stage 15B/C higher densities demonstrates compliance with the Design Principles of 5.1.3 of the R-Codes.

### **VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 14.3</b>
---

**That Council:**

- A. Agrees to a variation to Part 5.1.3 of the Residential Design Codes to allow a wall with major opening with a reduced setback of 1m in lieu of 1.5m at Lot 2740 (10) Bibra Loop, Dalyellup.**
- B. Pursuant to Clause 68(2)(b) of the Deemed provisions for local planning schemes of the Planning and Development (Local Planning Schemes) Regulations 2015 grants approval for development of a single dwelling at Lot 2740 Bibra Loop, Dalyellup subject to compliance with the following condition:**
  - (a) All development being in accordance with the Approved Development Plan dated 22 June 2016.**

---

**14.4 Lot 134 Range Road, Capel – Boundary Setback Variation**

---

Location:	Capel
Applicant:	Marsh Outdoor Living Centres
File Reference:	PA67/2016
Disclosure of Interest:	Nil
Date:	03.06.16
Author:	Planning Officer – Statutory, L Sandon
Senior Officer:	Executive Manager of Engineering and Development Services, J Gick
Attachments:	1. Location Plan 2. Site Plan 3. Elevations

---

**MATTER FOR CONSIDERATION**

Council is requested to consider an application for Development Approval for a Residential Design Code variation to Part 5.1.3 “Lot boundary setback”, for the proposed unenclosed patio to be constructed at Lot 134 (No 54) Range Road, Capel (the subject site).

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

A Building Permit was approved in January 2015 for a dwelling – Class 1A Residential.

**Proposal**

The proposed variation is for an unenclosed patio with reduced setback of 0.5m in lieu of 1.5m. Patio is position as an extension of the alfresco area at the subject site with the dimensions of 5m (width) x 7m (length) with a post height of 2.2m and roof ridge of 3.1m (gable roof design).

**STATUTORY ENVIRONMENT***Town Planning Scheme No. 7 (TPS7)*

Lot 134 Range Road, Capel Beach is zoned ‘Residential’ with a density coding of R20; the lot size is 700m<sup>2</sup>.

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

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) has been Gazetted and took effect on 19 October 2015, replacing the *Town Planning Regulations 1967*. The following Clauses are applicable to this Development Application.

Clause 67 lists matters to be considered by Local Government in considering an application for development approval.

Clause 68 relates to the determination of applications

(1) The local government must not determine an application for development approval until the later of —

- (a) if the application is advertised under clause 64 — the end of each period for making submissions to the local government specified in a notice referred to in clause 64(3); and



- (b) if a copy of the application has been provided to a statutory, public or planning authority under clause 66 — the end of each period for providing a memorandum to the local government referred to in clause 66(3).

- (2) The local government may determine an application for development approval by —
  - (a) granting development approval without conditions; or
  - (b) granting development approval with conditions; or
  - (c) refusing to grant development approval.

### **POLICY IMPLICATIONS**

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

- 2. State Planning Policy 3.1 Residential Design Codes.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

An application fee has been paid in accordance with the adopted schedule of fees.

If Council resolves to refuse the application, or impose conditions to which the applicant objects, the applicant may seek review of the decision through the State Administrative Tribunal (SAT) and costs may be incurred through that process.

#### **Long Term**

There are no long term costs to consider.

#### **Whole of Life**

There are no whole of life costs to consider.

### **SUSTAINABILITY IMPLICATIONS**

There are no immediate environmental, social and economic impacts associated with the development of a single dwelling. These factors were considered at the stage when the subdivision was approved.

### **STRATEGIC IMPLICATIONS**

Strategic implications were considered at the stage when the subdivision was approved.

### **CONSULTATION**

The proposed outbuilding was referred to an adjoining landowner by the applicant. The adjoining landowners submitted an 'Objection' to the proposed setback variation.

"We object to these plans as we feel it will affect the aesthetic outlook from our yard/patio. Also we have concerns to liability of fixing the fence and access to the fence if needed, water off run (run-off) from the roof, gutter cleaning & access to gutter (safety) also current Shire regulations state 1500mm -1.5m from boundary fence."

The submission was forwarded to the applicant and the applicant replied with the following information:

- "The 'aesthetic outlook' will hardly change between the original R code distance and the new proposed distance. It is not like the patio is meant to be 10 metres away and now it will be hanging over the fence.

- As the patio is still 500mm from the fence any need to 'fix or access the fence' is still there and not impeded by the reduced setback.
- All 'water run off' is into a gutter and down-pipe totally encapsulated onto the proposed property's boundary and will have no adverse effect on the adjoining property.
- 'Gutter cleaning' just like the fence repair is not at all affected by the reduced setback. There is still a 500mm gap to clean any gutter should that be required and isn't really a concern to the neighbour."

## **COMMENT**

### **Residential Design Codes Design Principles**

The State Planning Policy 3.1 Residential Design Codes comprises dual provisions; the Deemed- to-comply requirements and the Design principles. Development which does not satisfy the requirements of the Deemed-to-comply has the opportunity to demonstrate compliance with the Design principles. The Residential Design Codes Explanatory Guidelines clarifies that the purpose of neighbour consultation is to seek comment about the nominated design components of the proposal and how it may affect the neighbours where a proposal is to be judged against the Design principles of the R-Codes and the possible impact and/ or reduction of the amenity of adjoining owners. In this respect the applicant needs to demonstrate compliance with the design principles in P3.1 where buildings are to be set back from lot boundaries so as to:

- Reduce impacts of building bulk on adjoining properties;
- Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and
- Minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

### **Building Bulk**

The proposed unenclosed patio is to be constructed with post to the high of 2.2m, gutters and a gable roof with a ridge height of 3.1m. The length of the patio to be seen from the adjoining property measures 7m. Patios with posts are not walls with mass, and reduce building bulk to the adjoining property. The Explanatory guidelines detail perceived bulk and scale of buildings to be consistent with the desired character of the locality. The lot is within the Capel Townsite with a density of R20 consistent with suburban areas. The adjoining neighbour will view the post and gable roof of the patio which is to a considerable scale suitable to the suburban amenity.

### **Sunlight and ventilation**

The proposed patio is positioned to the west of the subject and will not adversely affect the adjoining neighbour in relation to overshadowing and ventilation to the building or open space.

### **Visual privacy**

The proposed patio is not elevated higher than the finished floor of the subject lot. There is no height difference between the adjoining property, therefore overlooking and loss of privacy will not occur from this development.

### **Objection Discussion**

A reduction of the R-Codes Deemed-to-comply setback requirements should only be considered where it can be demonstrated it is preferable for practical or aesthetics reasons and will not be detrimental to the amenity of the adjoining neighbouring properties where the reduced setback may result in increased overshadowing, overlooking or lack of privacy.

The objecting comment from the neighbour relating to the fence, access and maintenance is encapsulated by *Dividing Fences Act (WA) 1961*. The comment relating to water run-off from the roof is to be captured by the gutter and feed into a down pipe which is compliant with the 5.3.9 Stormwater management deemed-to-comply section of the R-Codes.

The objection in relation to aesthetic outlook is considered a planning concern. Aesthetic is a subjective element, of visual enjoyment. It is influenced by cultural and social factors, and is an individual perception. The proposed patio is not considered offensive in regards to the design principles of the R-Codes. The setback variation is considered consistent with the suburban amenity of the locality. It has been measured that the adjoining neighbour's outdoor living area is north facing and separated by a distance of 7.5m to the boundary fence which is sufficient distance to determine that the adjoining properties outdoor living area will not be conflicting.

### **Conclusion**

The adjoining neighbour's reservation on aesthetic is subjective and personal. The proposed development complies with the requirements of the R-Codes Deemed-to-comply with the exception of the reduced side boundary setback. The application has been assessed against the relevant provisions and is considered to address the requirements of the Design principles and does not have a significant detrimental impact on the subject property, therefore it is recommended for approval.

### **VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATIONS – 14.4</b>
---

**That Council:**

- A. Agrees to a variation to Part 5.1.3 of the Residential Design Codes to allow an unenclosed patio with a reduced setback of 0.5m in lieu of 1.5m at Lot 134 (54) Range Road, Capel.**
- B. Pursuant to Clause 68(2)(b) of the Deemed provisions for local planning schemes of the Planning and Development (Local Planning Schemes) Regulations 2015 grants approval for development of a unenclosed patio at Lot 134 Range Road, Capel subject to compliance with the following condition:**
  - a) All development being in accordance with the Approved Development Plan dated 22 June 2016.**

## 15 CORPORATE SERVICES REPORTS

---

### 15.1 Local Laws - 2016

---

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	02.06.16
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	1 Summary of submissions 2 Proposed local laws

---

### **MATTER FOR CONSIDERATION**

Council to make the following local laws –

- Bush Fire Brigades Amendment Local Law 2016;
- Shire of Capel Cemeteries Local Law 2016;
- Shire of Capel Fencing Local Law 2016;
- Shire of Capel Parking and Parking Facilities Local Law 2016;
- Shire of Capel Signs Repeal Local Law 2016;
- Shire of Capel Standing Orders Local Law 2016; and
- Shire of Capel Activities in Thoroughfares and Public Places and Trading Local Law 2016.

### **BACKGROUND / PROPOSAL**

#### **Background**

The *Local Government Act 1995* (the Act) empowers Council to make local laws. These pieces of delegated legislation allow a local government to control and regulate activities within district boundaries to ensure good governance over matters of municipal concern. Additional legislation such as the *Cat Act 2011*, *Dog Act 1976* and *Cemeteries Act 1986* provide specific powers to allow Council to regulate particular issues.

Section 3.16(1) of the Act requires that a local government must, within a period of eight years after the adoption of a local law, conduct a review to ensure that it still retains currency. If after that process of review, a local law is found to require repeal, replacement or amendment, the process for doing so is the same as if that local law were first being made.

The following Shire of Capel Local Laws required review by the end of 2016:

- Bush Fire Brigades Local Law;
- Local Laws Relating to the Capel and Boyanup Cemeteries;
- Extractive Industries Local Law;
- Local Laws Relating to Fencing;
- Parking and Parking Facilities Local Law;
- Signs Local Law;
- Standing Orders Local Law; and
- Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law.

The proposed changes to the Extractive Industries Local Law delayed its review, and it will be considered in a separate assessment by the end of 2016.

A six week period of statewide and local advertising is required stating that local laws are to be reviewed, and calling for submissions. In accordance with s3.16 (2) & 3.16(2a) of the Act, this took place in mid-2015. No submissions were received from the public.

Officers however identified a number of changes necessary to improve the relevance and currency of the local laws in question. Accordingly, seven draft proposed local laws and an explanatory report were developed, and in February 2016 (OC0207), Council called for public submissions on the proposed local laws. The submissions have been summarised in Attachment 1. The draft laws were amended slightly as a result of responses received and the resulting proposed local laws form Attachment 2.

## **Proposal**

Council to make the following local laws –

- Bush Fire Brigades Amendment Local Law 2016;
- Shire of Capel Cemeteries Local Law 2016;
- Shire of Capel Fencing Local Law 2016;
- Shire of Capel Parking and Parking Facilities Local Law 2016;
- Shire of Capel Signs Repeal Local Law 2016;
- Shire of Capel Standing Orders Local Law 2016; and
- Shire of Capel Activities in Thoroughfares and Public Places and Trading Local Law 2016.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995

### **3.5 Legislative power of local governments**

- (1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

### **3.12 Procedure for making local laws**

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law\* as proposed or make a local law\* that is not significantly different from what was proposed.

\* Absolute majority required.

- (8) In this section —  
**making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

## **POLICY IMPLICATIONS**

Local laws were reviewed in tandem with a Policy review to ensure consistency.

## **FINANCIAL IMPLICATIONS**

### **Budget**

There is an advertising cost associated with providing statewide and local notice of Council's intent to amend or make local laws. Funds are allocated in the budget for statutory advertising.

## **Long Term**

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

## **Whole of Life**

There are no whole of life financial implications for this matter as no assets are being created.

## **SUSTAINABILITY IMPLICATIONS**

Local Laws allow a local government to control and regulate activities within district boundaries to ensure good governance over matters of municipal concern. Additional legislation such as the *Cat Act 2011*, *Dog Act 1976* and *Cemeteries Act 1986* provide specific powers to allow Council to regulate particular issues.

This ability to regulate issues and respond to community needs within a local context is a positive contribution to the long term sustainability of the community in terms of health, safety, service provision, resource management and good governance.

## **STRATEGIC IMPLICATIONS**

Strategic Community Plan (2013 – 2031)

1: The Leadership Experience, to ensure open, transparent effective good governance and communication within the organisation and community.

Strategic Objective:

1.5 Ensure the effective management of Council's resources.

2: The Community Experience, to 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.

Strategic Objective:

2.3 Preserve and protect the character of the communities.

## **CONSULTATION**

In accordance with the requirements of the Act, statewide and local public notice was given stating that Council was proposing to review local laws, specifying where copies could be obtained and stating the time period during which submissions would be received.

Copies of the notice were also placed on the shire website, noticeboards at offices and libraries and in community newspapers.

Hard copies of the local laws were available to inspect at the office and libraries, and electronically on the shire website.

Copies of all the proposed laws were sent to the Minister for Local Government and Communities, and in addition, the Bush Fire Amendment Local Law was sent to the Minister for Emergency Services and the Fencing Local Law was sent to the Minister for Commerce, who is responsible for the *Dividing Fences Act 1961*.

There was consultation between officers throughout the review process, and during the drafting process for proposed amendments. Bush Fire Brigade members were also given the opportunity to comment on the *Bush Fire Brigades Local Law*. The Executive Management Team reviewed both the proposed draft local laws and the explanatory report.

**COMMENT**

The *Local Government Act 1995* (the Act) empowers Council to make local laws. These pieces of delegated legislation allow a local government to control and regulate activities within district boundaries to ensure good governance over matters of municipal concern. Additional legislation such as the *Cat Act 2011*, *Dog Act 1976* and *Cemeteries Act 1986* provide specific powers to allow Council to regulate particular issues.

Section 3.16(1) of the Act requires that a local government must, within a period of eight years after the adoption of a local Law, conduct a review to ensure that it still retains currency.

A six week period of public and local advertising is required locally and statewide stating that local laws are to be reviewed, and calling for submissions. In accordance with s3.16 (2) & 3.16(2a) of the Act, this took place in mid-2015. No submissions were received from the public.

The aim of the review process was to determine whether each local law was still relevant, and reflected current legislation, standards, operational requirements, community expectations and best practice. At the end of the review, each local law was assessed as to whether it should be:

- retained unchanged;
- retained but amended;
- repealed; or
- repealed and replaced.

Officers identified a number of changes necessary to improve the relevance and currency of the local laws in question. It was determined (see table below) that one law required further investigation, one required amendment, one should be repealed and not replaced, and five should be repealed and remade.

<b>Local Law</b>	<b>In brief</b>	<b>Action</b>
Bush Fire Brigades	Minor changes required	Amend
Cemeteries	Revision required	Repeal and make new law
Extractive Industries	Revision required	Further review required
Fencing	Revision required	Repeal and make new law
Parking & Parking Facilities	Revision required	Repeal and make new law
Signs	Has no legislative backing	Repeal
Standing Orders	Revision required	Repeal and make new law
Thoroughfares	Revision required	Repeal and make new law

If after a process of review, a local law is found to require repeal, replacement or amendment, the process for doing so is the same as if that local law were first being made.

Accordingly, 7 draft proposed local laws were approved by Council (OC0207) for the purpose of public advertising and commencement of the local law making process.

The procedure for making local laws is detailed in the Act, and is a prescribed process that must be adhered to strictly if the law is to be accepted by the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL).

Section 3.12 of the *Local Government Act 1995* is summarised as follows:

1. Presiding person is to give notice to the Council meeting of the purpose and effect of the proposed local laws in the prescribed manner;

2. State wide and local public notice to be given for a period of not less than 6 weeks inviting submissions on the proposed local law;
3. Copies of the proposed laws and public notices sent to relevant Ministers for comment;
4. Consideration of submissions, Council to make the local law if no significant changes result from submissions;
5. New local law published in the *Government Gazette*, supporting information sent to Joint Standing Committee on Delegated Legislation; and
6. Statewide notice provided that the local law has been made.

The submission period closed on 09 May 2016. There was one submission concerning the Fencing and Standing Orders local laws received from a member of the public, along with comments from the Department of Local Government and Communities on each of the draft proposed laws.

Submissions have been collated and summarised in Attachment 1, and are addressed briefly below. None resulted in changes of such significance that the local law making process must recommence.

The majority of comments made by the Department of Local Government and Communities were suggestions not requirements. Various reports from the Joint Standing Committee on Delegated Legislation have been issued since the original Shire of Capel local laws were gazetted, and the Department identified a number of clauses that had carried through into the new local laws that have since been declared unsuitable by the JSCDL. The Department also identified the need for a number of definitions not provided in the WALGA models that were used in the law making process, and preferred a different formatting style to that submitted.

Submission in brief	Officer recommendation
<i>Bush Fire Brigades – Amend - DLGC</i>	
<ul style="list-style-type: none"> <li>• Schedule contained 3 subclauses duplicated from main body – suggest delete</li> </ul>	Delete
<ul style="list-style-type: none"> <li>• Minor edits to punctuation and layout suggested</li> </ul>	Amend as suggested
<i>Cemeteries – Repeal and remake – DLGC</i>	
<ul style="list-style-type: none"> <li>• Provide additional details to locate each Cemetery (Reserve numbers)</li> </ul>	Amend as suggested
<ul style="list-style-type: none"> <li>• Additional definitions suggested</li> </ul>	Insert
<ul style="list-style-type: none"> <li>• Remove non prescribed forms – administrative only and unnecessary</li> </ul>	Remove
<ul style="list-style-type: none"> <li>• Insert clauses concerning cancellation of a Monumental Mason's Licence, sourced from WALGA model.</li> </ul>	Insert
<ul style="list-style-type: none"> <li>• Minor edits to punctuation and layout suggested</li> </ul>	Amend as suggested
<i>Fencing – Repeal and remake – DLGC</i>	
<ul style="list-style-type: none"> <li>• Additional definitions suggested</li> </ul>	Insert
<ul style="list-style-type: none"> <li>• Terms <i>licence</i>, <i>approval</i> and <i>permit</i> used interchangeably – choose one and standardise</li> </ul>	Standardise to ' <i>approval</i> '
<ul style="list-style-type: none"> <li>• Ensure all Australian Standards referred to in the local law are made available free of charge to readers.</li> </ul>	Purchased, readers of local law referred to Governance Officer for access



<ul style="list-style-type: none"> <li>• Insert a subclause specifying the type of approval to be issued</li> </ul>	Insert
<ul style="list-style-type: none"> <li>• Minor edits to punctuation and layout suggested</li> </ul>	Amend as suggested
<i>Fencing – Repeal and remake – Ratepayer</i>	
<ul style="list-style-type: none"> <li>• Request change the requirement that a timber fence should provide <i>solid cover</i> to a requirement that the fence provides <i>substantive cover and be visually attractive</i>.</li> </ul>	Make no change
<ul style="list-style-type: none"> <li>• Request change requirement that <i>all</i> timber fences on small residential lots be chemically treated against termite attack to only fences constructed of <i>susceptible</i> timber require chemical treatment.</li> </ul>	Relevant Australian Standard suggests treat susceptible timber only. Amend as requested.
<i>Fencing – Repeal and remake – Governance Officer</i>	
Many clauses in the new Capel local law were sourced from the <i>City of Mandurah Fencing Local Law 2015</i> . This was amended by the City in March 2016, and the amendments should be incorporated into the proposed Capel local law. The amendments clarify the text of the law and do not change the intent.	Amend Capel text as per the <i>City of Mandurah Fencing Amendment Local Law 2016</i> .
<i>Parking – Repeal and remake – DLGC</i>	
<ul style="list-style-type: none"> <li>• Remove tracts of text quoting <i>Road Traffic Code 2000</i> and <i>Road Traffic (Administration) Act 2008</i> – refer reader direct to source.</li> </ul>	Remove
<ul style="list-style-type: none"> <li>• Find alternative definition for <i>symbol</i> instead of referring reader to an Australian Standard.</li> </ul>	Amend as suggested
<ul style="list-style-type: none"> <li>• Alter three different clauses identified by the JSCDL in recent reports as problematic – alternative wording provided.</li> </ul>	Amend as suggested
<ul style="list-style-type: none"> <li>• Minor edits to punctuation and layout suggested</li> </ul>	Amend as suggested
<i>Signs – Repeal - DLGC</i>	
<ul style="list-style-type: none"> <li>• Change the word <i>signage</i> to <i>sign</i></li> </ul>	Amend as suggested
<i>Standing Orders – Repeal and remake – DLGC</i>	
<ul style="list-style-type: none"> <li>• Additional definitions suggested</li> </ul>	Insert
<ul style="list-style-type: none"> <li>• Clarify 6.12, clause should only refer to proximity or financial interests</li> </ul>	Amend as suggested
<ul style="list-style-type: none"> <li>• Minor edits to punctuation and layout suggested</li> </ul>	Amend as suggested
<i>Standing Orders – Repeal and remake – Ratepayer</i>	
<ul style="list-style-type: none"> <li>• Requested insertion of an item in the Agenda – <i>Questions and Statements by Members without due notice</i></li> </ul>	Make no change. There are forums other than Council meetings that are more appropriate for this.
<ul style="list-style-type: none"> <li>• Believes the local law is overly complex and rigid and inhibits members of the public from participating at council meetings</li> </ul>	Make no change
<ul style="list-style-type: none"> <li>• Believes members of the public are not sufficiently assisted if they wish to ask a question at public question time.</li> </ul>	Make no change. Agenda provides information and contact details for assistance on asking questions, as does website.
<ul style="list-style-type: none"> <li>• Believes it is undemocratic and restrictive to prevent people from making visual presentations or handing out</li> </ul>	Make no change. It is not reasonable to present new

supplementary information during a presentation to a Council meeting.	information on the night of a council meeting that must be considered without notice.
<i>Thoroughfares – Repeal and remake – DLGC</i>	
• Text restricting plants near intersections replaced with wording preferred by JSCDL	Amend as suggested
• Change prohibition for removing a tree to make it allowable by permit.	Amend as suggested
• Noted that the clause regarding a retailer being taken to own a trolley may not be enforceable.	Make no change
• Alter three different clauses identified by the JSCDL in recent reports as problematic – alternative wording provided.	Amend as suggested
• Minor edits to punctuation and layout suggested.	Amend as suggested
<i>Thoroughfares – Repeal and remake – Officer request</i>	
Request for clauses to assist officers in managing the proliferation of 'Display home open' portable signs in new subdivisions.	Insert subclause as requested

Attachment 2 contains the proposed local laws that have been produced after assessment of all submissions. Minor changes in wording or editorial style from the initial draft local laws presented to Council have not been marked, however changes that involve the insertion of text or a change in intent have been shown in red.

### **VOTING REQUIREMENTS**

Absolute majority

### **OFFICER'S RECOMMENDATIONS – 15.1**

**That Council:**

1. **Incorporates the suggested amendments as shown in Attachment 2 and by absolute majority makes the local laws listed below:**
  - **Bush Fire Brigades Amendment Local Law;**
  - **Shire of Capel Cemeteries Local Law;**
  - **Shire of Capel Fencing Local Law;**
  - **Shire of Capel Parking and Parking Facilities Local Law;**
  - **Shire of Capel Signs Repeal Local Law;**
  - **Shire of Capel Standing Orders Local Law; and**
  - **Shire of Capel Activities in Thoroughfares and Public Places and Trading Local Law 2016; and**
2. **Authorises the Chief Executive Officer to carry out the processes required to make the above listed local laws in accordance with section 3.12(5) and 3.12(6) of the Local Government Act 1995.**

---

**15.2 2016/17 Budget – Elected Member Allowances**

---

Location:	N/A
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	13.06.16
Author:	Executive Manager Corporate Services, S Stevenson
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Nil

---

**MATTER FOR CONSIDERATION**

Council to determine the following elected member's allowances and fees for inclusion in the 2016/17 Draft Budget:

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

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

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

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

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

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

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

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

The band ranges were updated on 12<sup>th</sup> April 2016. From this date under the Tribunal's determination the banding structure for local governments provides for meeting fees within a range of \$3,553pa to \$31,364pa for Councillors and \$3,553pa to \$47,046pa for Mayors and Presidents. The Tribunal has determined a general adjustment of 1.5% to the band ranges.

The Annual Allowance for Mayors and Presidents extends from \$508pa to \$88,864pa within the four band structure. The limit with respect to 0.2% of operating revenue and the entitlement to Deputies still applies.

Provision has been made for an annual allowance for Information and Communication Technology costs. An annual allowance of between \$500pa to \$3,500pa is provided.

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

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

- The annual attendance fee for a Councillor is between \$7,612 to \$16,205. The annual attendance fee for the Shire President is between \$7,612 to \$25,091.
- The President's Allowance is set between \$1,015 to \$36,591. The Deputy President's Allowance can be paid up to a maximum of 25% of the President entitlement.
- Reimbursement of Expenses:
  - o Telephone and facsimile rental charges – actual expense incurred
  - o Child Care costs – actual cost per hour of \$25 per hour, whichever is the lesser
  - o Travel costs – criteria based on distance multiplied by the Public Service Award 1992 rate.
- Annual Allowance in lieu of Reimbursement of Expense
  - o Information and Communications Technology Allowance is between \$500 to \$3,500.
  - o Travel and Accommodation is \$50.

The 2015/16 Budget allowed a total of \$135,500 broken down into \$92,160 of annual attendance fees, \$18,432 for the President's allowance, \$4,608 for the Deputy President's allowance and \$20,300 in information technology allowances.

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

### **Proposal**

The following fees and allowances are proposed to be included in the 2016/17 Budget, which are based on a 1.5% increase:

- Annual Attendance Fee for elected members of \$9,354
- Annual Attendance Fee for the President of \$18,708
- Allowance for the President of \$18,708
- Allowance for the Deputy President of \$4,677
- Annual Information & Communication Technology Allowance of \$3,500 for the President and \$2,100 for elected members.

A total of \$141,385 has been included in the 2016/17 Draft Budget. This can be broken down into \$93,542 of annual attendance fees, \$18,708 for the President's allowance, \$4,677 for the Deputy President's allowance and \$20,300 in Information & Communication Technology allowances.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 6.2

**6.2 Local Government to prepare Annual Budget**

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt\*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.  
\* *Absolute Majority required*
- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of –
  - (a) the expenditure by the local government; and
  - (b) the revenue and income, independent of general rates, of the local government; and
  - (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

Meeting Attendance Fees – Sections 5.98 and 5.99 of the *Local Government Act 1995* and *Local Government Elected Council Members Determination No.1 of 2013*. The minimum and maximum allowable fee is between \$7,612 and \$16,205 for a Councillor and \$7,612 and \$25,091 for the President.

President's Allowance – Sections 5.98 of the *Local Government Act 1995* and *Local Government Elected Council Members Determination No.1 of 2013*. The minimum and maximum allowable fee is between \$1,015 and \$36,591 for the President. The maximum allowable fee is \$36,591 or 0.2% of the local government operating revenue ( $\$16,906,033 \times 0.002 = \$33,812$ ).

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

Information & Communications Technology Allowance – Section 5.99A of the *Local Government Act 1995* and *Local Government Elected Council Members Determination No. 1 of 2013*. The minimum and maximum allowable fee is between \$500 and \$3,500.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS****Budget**

Allowances and fees endorsed by Council will be included in the 2016/17 Budget.

It is proposed total allowances and fees for elected members be increased to \$141,385 from \$139,596 in 2015/16. This increase is based on the Band 3 fee range determined by the Salaries and Allowances Tribunal.

**Long Term**

Approved expenditure is covered in the budget allocation. There are not considered to be any long term financial implications.

## **Whole of Life**

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

## **SUSTAINABILITY IMPLICATIONS**

The payments to elected members for attending meetings and fulfilling their other commitments as elected members recognises the imposition this role has upon their personal and social lives.

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

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031

The Leadership Experience 'Ensure open, transparent, effective, good governance and communication within the organisation and community.'

Strategic Outcomes:

- 1.5 Ensure the effective management of Council's resources
- 1.6 Lobby and advocate on behalf of the Shire of Capel community

## **CONSULTATION**

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

## **COMMENT**

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

## **Entitlements**

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

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

Elected members are entitled to attendance fees and these can be paid per meeting in which case the minimum amount payable is \$191 and the maximum \$406; or it can pay an annual attendance fee ranging from a minimum of \$7,612 to a maximum of \$16,205.

The President is also entitled to attendance fees and on a per meeting basis they can range from \$191 to \$628; or an annual attendance fee ranging from \$7,612 to \$25,091 can be paid.

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

An allowance in recognition of the additional duties required of the President is entitled to be paid and can range from \$1,000 to \$36,050 or 0.002 of the local government's operating revenue provided the result does not exceed \$36,591.

### Discretionary

The Local Government Act outlines the fees, expenses and allowances that Council has the right to determine whether they should be provided and if so their amount. For example, the deputy President's allowance and the annual Information Communication Technology allowance.

Should Council decide to continue to pay a Deputy President's allowance the maximum amount of the allowance is 25% of the President's allowance.

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

### Suggested Fees for 2016/17

Past practice has been to propose that fees and allowances be increased by a percentage at least equivalent to CPI. For comparison purposes, Perth CPI (March 2015 to March 2016) was 0.7%, however, the proposal would be to increase the fees by 1.5% in the Draft Budget for 2016/2017.

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

A comparison of fees and allowances for the current and past financial years and the fees proposed for 2016/17 are shown in the following table.

	2012/13	2013/14	2014/15	2015/16	2016/17
<b>President – Meeting Attendance Fee</b>	\$14,000	\$18,000	\$18,000	\$18,432	<b>\$18,708</b>
- Allowance	\$15,000	\$18,000	\$18,000	\$18,432	<b>\$18,708</b>
- Telecommunications Allowance	\$2,400	N/A	N/A	N/A	N/A
- Information Technology Allowance	\$1,000	\$3,500	\$3,500	\$3,500	<b>\$3,500</b>
<b>Deputy President – Meeting Attendance Fee</b>	\$6,210	\$9,000	\$9,000	\$9,216	<b>\$9,354</b>
- Allowance	\$2,355	\$9,000	\$4,500	\$4,608	<b>\$4,677</b>
- Telecommunications Allowance	\$1,035	N/A	N/A	N/A	N/A
- Information Technology Allowance	\$1,000	\$2,100	\$2,100	\$2,100	<b>\$2,100</b>
<b>Councillor – Meeting Attendance Fee</b>	\$6,210	\$9,000	\$9,000	\$9,216	<b>\$9,354</b>
- Telecommunications Allowance	\$1,035	N/A	N/A	N/A	N/A
- Information Technology Allowance	\$1,000	\$2,100	\$2,100	\$2,100	<b>\$2,100</b>
<b>Total of all Fees and Allowances</b>	\$100,715	\$132,800	\$132,800	\$135,500	<b>\$141,385</b>
Annual Percentage Increase for Total Fees	6.5%	31.86%	0%	2.4%	<b>1.5%</b>
CPI – All Cities (June to June)					
CPI – Perth (June to June)					<b>0.7% **</b>

\* Forecast result

\*\* CPI – Perth (March 2015 to March 2016)

### VOTING REQUIREMENTS

Absolute majority

**OFFICER'S RECOMMENDATION – 15.2**

**That Council:**

- 1 Sets an annual attendance fee for elected members of Council within the Band 3 SAT range to \$9,354 for 2016/17 and that this be paid quarterly in arrears, in September, December, March and June, except where members resign or do not seek re-election, when they will be paid their pro-rata entitlements on their term of office ceasing;**
- 2 Sets an annual attendance fee for the President within the Band 3 SAT range to \$18,708 for 2016/17 and that this be paid quarterly in arrears, in September, December, March and June, except where the President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing;**
- 3 Sets an annual President's Allowance within the Band 3 SAT range to \$18,708 for 2016/17 and that this be paid quarterly in arrears, in September, December, March and June, except where the President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing;**
- 4 Sets the Deputy President's Allowance at \$4,677 for 2016/17 and that this be paid quarterly in arrears, in September, December, March and June, except where the Deputy President resigns or does not seek re-election, when the entitlement will be paid pro-rata on their term of office ceasing; and**
- 5 That instead of reimbursing information and communications technology, telephone and facsimile rental and call costs, Council provides an annual Information and Communications Technology allowance for 2016/17 of \$3,500 for the President and \$2,100 for Councillors and that this be paid quarterly in arrears, in September, December, March and June, except where members resign or do not seek re-election, when they will be paid pro-rata their entitlements on their term of office ceasing.**



---

### **15.3 Caravan Parks and Camping Grounds Act 1995**

---

Location:	Boyanup and Peppermint Grove Beach
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	05.06.16
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	Nil

---

#### **MATTER FOR CONSIDERATION**

Council to consider the administrative requirements of the *Caravan Parks and Camping Grounds Act 1995* by delegating authority to the Chief Executive Officer to appoint authorised persons.

#### **BACKGROUND / PROPOSAL**

##### **Background**

The *Caravan Parks and Camping Grounds Act 1995* (the Act) is not new and has been in place for many years. With the closure of the Caravan Park in Peppermint Grove Beach some years ago there has not been any requirement for the Chief Executive Officer to have delegated authority under this Act. The Caravan Park has now been reopened, and there has also been a site constructed in Boyanup with the capacity to house 184 park homes. It has therefore become necessary to appoint authorised persons to administer various requirements of the Act.

##### **Proposal**

Council is requested to delegate authority to the Chief Executive Officer to appoint authorised persons under the *Caravan Parks and Camping Grounds Act 1995*.

#### **STATUTORY ENVIRONMENT**

Caravan Parks and Camping Grounds Act 1995

##### **17 Appointment of authorised person**

- (1) The chief executive officer of the department or a local government –
  - (a) may appoint such persons to be authorised persons for the purposes of this Act as the chief executive officer or the local government considers necessary.

Caravan Parks and Camping Grounds Regulations 1997

##### **6. Local government**

A function conferred on a local government by these regulations may be performed by an authorised person appointed by that local government who is authorised in writing by that local government to do so.

#### **POLICY IMPLICATIONS**

There are no policies relating to this matter.

## **FINANCIAL IMPLICATIONS**

### **Budget**

There will be a slight increase in the administration responsibilities for staff as well as additional enforcement responsibilities for Rangers and Environmental Health staff. This will increase costs slightly.

### **Long Term**

There are no long term financial implications for this delegation.

### **Whole of Life**

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

## **SUSTAINABILITY IMPLICATIONS**

The objects of the *Caravan Parks and Camping Sites Act 1995* are to provide for licencing and regulation of such sites, improve and promote caravanning, and ensure the layout, amenities and availability of services meet appropriate community, health and safety standards. Appointment of authorised persons will assist Council to manage the Peppermint Grove Beach Caravan Park and Meadowbrooke Lifestyle Village in such a way that the objects of the Act are attainable in a sustainable manner.

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan (2013 – 2031)

1: The Leadership Experience, to ensure open, transparent effective good governance and communication within the organisation and community.

Strategic Objective:

1.5 Ensure the effective management of Council's resources.

2: The Community Experience, to 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.

Strategic Objective:

2.3 Preserve and protect the character of the communities.

## **CONSULTATION**

Internal consultation confirmed the need for the appointment of authorised persons under the *Caravan Parks and Camping Grounds Act 1995*.

## **COMMENT**

The *Caravan Parks and Camping Grounds Act 1995* is not new and has been in place for many years. With the closure of the Caravan Park in Peppermint Grove Beach some years ago there has been no requirement for authorised persons under this Act. The Caravan Park has now been reopened with 60 sites available for hire, and is expected to commence trading this year. The Meadowbrooke Lifestyle Village in Turner Street, Boyanup will have the capacity to house 184 park homes and is also expected to commence trading in the near future.

Officers appointed as authorised persons under the Act have powers of entry, and are authorised to conduct examinations and enquiries necessary to ensure that there has been compliance with conditions imposed by the Act.

It is expected that the Shire of Capel Community Rangers, along with the Environmental Health Officers will be appointed as authorised persons.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER'S RECOMMENDATIONS – 15.3**

**That Council delegates authority to the Shire of Capel Chief Executive Officer to appoint authorised persons under the Caravan Parks and Camping Grounds Act 1995.**

---

## 15.4 Audit Committee Minutes

---

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	06.06.16
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	Minutes of the Audit Committee meeting held on 25 May 2016

---

### **MATTER FOR CONSIDERATION**

Council to receive the minutes of the Audit Committee meeting held on 25 May 2016, and adopt the Committee Recommendations.

### **BACKGROUND / PROPOSAL**

#### **Background**

Changes to the *Local Government Act 1995* (the Act) that were enacted in 2005 required that Council establish an Audit Committee. The delegation of powers and duties to the Audit Committee was agreed to by Council at the meeting of 28 September 2005 (OC0926).

#### **Proposal**

Council to receive the minutes of the Audit Committee meeting held on 25 May 2016, and adopt the recommendations therein:

##### AC0502

That Council accepts:

- (i) Progress Report 5 generated in response to the AMD Regulation 17 Report of 2014; and
  - (ii) the AMD Regulation 17 Audit Report of 2016,
- on the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance;

##### AC0504

That the meeting frequency of the Audit Committee be changed from 4 meetings a year to 3 meetings a year;

##### AC0505

That Mr Tim Partridge and Ms Maria Cavallo of AMD Chartered Accountants be appointed as Auditors for the Shire of Capel for a period of two financial years from 1 July 2016 to 30 June 2018; and

##### AC0506

That the 2016 Financial Management System Review was received and the Committee was satisfied with staff explanations and actions taken in response to the findings of the Review.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **5.22 Minutes of council and committee meetings**

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

**7.1A Audit Committee**

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

Local Government (Audit) Regulations 1996

**16. Audit Committee, functions of an audit committee —**

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

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

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

Local Government (Financial Management) Regulations 1996

**5. CEO's duties as to financial management**

- (2) The CEO is to —
- (a) ensure that the resources of the local government are effectively and efficiently managed; and
  - (b) assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and
  - (c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 4 financial years) and report to the local government the results of those reviews.

**POLICY IMPLICATIONS**

There are no policy implications with this item.

**FINANCIAL IMPLICATIONS****Budget**

The budgeted amount for audit services in 2015/16 is \$28,188.

**Long Term**

It is expected that the cost of audit services in future years will increase. The financial impact of the Auditor General taking responsibility for local government financial audits is currently unknown.

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031

The Leadership Experience 'Ensure open, transparent, effective good governance and communication within the organisation and the community.'

Strategic Outcomes:

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

**CONSULTATION**

There has been consultation between various staff and the Auditors resulting in production of the various audit reports discussed in this item.

**COMMENT**

There were 4 reports presented to the Audit Committee meeting of 25 May 2016. The Regulation 17 Progress Report was presented, which described officer progress meeting the items identified in the AMD Regulation 17 Audit Report of 2014. The results of the second AMD Regulation 17 audit, conducted in April 2016 were also provided. The Audit Committee then considered a second item discussing the appropriate meeting frequency for the Committee and the relationship of the proposed meeting dates to various statutory compliance requirements.

A third item discussed the appointment of an Auditor for the Shire of Capel. The current contract for audit services with AMD Chartered Accountants ends after the provision of audit services for the 2015/16 financial year. The *Local Government Act 1995* is being amended to allow the Office of the Auditor General to take responsibility for local government financial audits from 1 July 2017. The Department of Local Government and Communities has recommended that Auditors not be offered contracts beyond the transition period of the 2017/18 financial year. Accordingly, the Committee recommended appointment of AMD Chartered Accountants as the Shire of Capel Auditor for a further two year period ending at the completion of the 2017/18 financial year.

The final item addressed the 2016 Financial Management System Review. This occurs every 4 years and examines whether the CEO of a local government has financial management systems and procedures in place that are efficient and effective. The auditors identified some minor exception based issues but overall were satisfied with the financial management systems of the Shire of Capel. The Audit Committee were satisfied with staff explanations and responses to the Auditor's recommendations.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 15.4**

**That Council receives the Minutes of the Audit Committee meeting held on 25 May 2016 and adopts the Committee's recommendations:**

**AC0502**

**That Council accepts:**

- (i) Progress Report 5 generated in response to the AMD Regulation 17 Report of 2014; and**
- (ii) the AMD Regulation 17 Audit Report of 2016, on the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance;**

**AC0504**

**That the meeting frequency of the Audit Committee be changed from 4 meetings a year to 3 meetings a year;**

**AC0505**

**That Mr Tim Partridge and Ms Maria Cavallo of AMD Chartered Accountants be appointed as Auditor for the Shire of Capel for a period of two financial years from 1 July 2016 to 30 June 2018; and**

**AC0506**

**That the 2016 Financial Management System was received and the Committee was satisfied with staff explanations and actions taken in response to the findings of the Review.**

---

## 15.5 Local Law Review – 2016 (Extractive Industries)

---

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	08.06.16
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachment:	Draft proposed Extractive Industries Local Law 2016

---

### **MATTER FOR CONSIDERATION**

Council to advertise the draft *Shire of Capel Extractive Industries Local Law 2016* for public comment in order to commence the local law making process.

### **BACKGROUND / PROPOSAL**

#### **Background**

The *Local Government Act 1995* (the Act) empowers Council to make local laws. These pieces of delegated legislation allow a local government to control and regulate activities within district boundaries to ensure good governance over matters of municipal concern. Additional legislation such as the *Cat Act 2011*, *Dog Act 1976* and *Cemeteries Act 1986* provide specific powers to allow Council to regulate particular issues.

A number of changes necessary to improve the relevance and currency of the *Shire of Capel Extractive Industries Local Law* have been identified. The changes are such that it is appropriate to repeal the existing law and make a new one, rather than amend the current local law. The draft local law is included in the Attachment.

#### **Proposal**

Council to advertise the draft *Shire of Capel Extractive Industries Local Law 2016* for public comment in order to commence the local law making process.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995

#### **3.5 Legislative power of local governments**

- (1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

#### **3.12 Procedure for making local laws**

- (8) In this section –  
**making** in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Local Government (Functions and General) Regulations 1996

#### **3 Prescribed manner of giving notice of purpose and effect of proposed local law (Act s3.12(2))**

For the purpose of section 3.12 of the Act, the person presiding at a council meeting is to give notice of the purpose and effect of that local law by ensuring that –



- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and
- (b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.

### **POLICY IMPLICATIONS**

There are no Policy implications for this matter.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

There will be an advertising cost associated with providing state wide and local notice of Council's intention to make a local law. Funds are allocated in the budget for statutory advertising.

#### **Long Term**

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

#### **Whole of Life**

There are no whole of life financial implications for this matter as no assets are being created.

### **SUSTAINABILITY IMPLICATIONS**

Local laws allow a local government to control and regulate activities within district boundaries to ensure good governance over matters of municipal concern. Additional legislation such as the *Cat Act 2011*, *Dog Act 1976* and *Cemeteries Act 1986* provide specific powers to allow Council to regulate particular issues.

This ability to regulate issues and respond to community needs within a local context is a positive contribution to the long term sustainability of the community in terms of health, safety, service provision, resource management and good governance.

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan (2013 – 2031)

1: The Leadership Experience, to ensure open, transparent effective good governance and communication within the organisation and community.

Strategic Objective:

1.5 Ensure the effective management of Council's resources.

2: The Community Experience, to 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.

Strategic Objective:

2.3 Preserve and protect the character of the communities.

4: The Economic Experience, Foster and support responsible and progressive economic development opportunities within this Shire.

Strategic Objective:

4.9 Encourage business development.

**CONSULTATION**

There was consultation amongst officers during the development of the proposed local law. The Executive Management Team also reviewed the proposed draft.

**COMMENT**

The *Local Government Act 1995* (the Act) empowers Council to make local laws. These pieces of delegated legislation allow a local government to control and regulate activities within district boundaries to ensure good governance over matters of municipal concern.

Officers have been aware for some time that the Extractive Industries Local Law requires amendment to reflect changes in legislation and current practice. The process for repealing, replacing or amending a local law is the same as if that local law were first being made. Although the changes required are generally minor, and many are editorial in nature, there are sufficient that it is considered appropriate to repeal the existing local law and make a new one rather than amend.

The procedure for making local laws is detailed in the Act, and is a prescribed process that must be adhered to strictly if the law is to be accepted by the WA Parliamentary Joint Standing Committee on Delegated Legislation.

The process is detailed in s3.12 of the *Local Government Act 1995* and summarised as follows:

1. Presiding person is to give notice to the Council meeting of the purpose and effect of the proposed local laws in the prescribed manner;
2. State wide and local public notice to be given for a period of not less than 6 weeks inviting submissions on the proposed local law;
3. Copies of the proposed law and public notices sent to relevant Ministers;
4. Consideration of submissions, Council to make the local law if no significant changes result from submissions;
5. New local law published in the *Government Gazette*, supporting information sent to Joint Standing Committee on Delegated Legislation; and
6. Statewide notice provided that the local law has been made.

Section 3.12(2) of the Act requires that the first action in the process of making a local law is for the President to give notice to a Council meeting of the purpose and effect of that local law.

Regulation 3 of the *Local Government (Functions and General) Regulations 1996* states that this can be achieved by ensuring that –

- (a) the purpose and effect of the proposed local law is included in the agenda of that meeting; and
- (b) the minutes of the meeting of Council include the purpose and effect of the proposed local law.

Accordingly, the following statement of purpose and effect for the draft Extractive Industries Local Law is as follows.

Purpose	Effect
<b>Extractive Industries Local Law 2016</b>	
To prohibit the carrying on of an extractive industry unless by authority of a licence issued by the local government; regulate the carrying on of the extractive industry in order to minimise damage to the environment, roads and other peoples' health and property; and provide for the restoration and reinstatement of any excavation site.	Any person wanting to carry on an extractive industry will need to be licensed and will need to comply with the provisions of this local law.

The Western Australian Local Government Association (WALGA) provides assistance to local governments in the implementation of local laws by creating 'model' local laws. These model local laws provide a starting point from which to develop local laws suitable for an individual locality and are used widely throughout the state.

The current Shire of Capel Extractive Industries Local Law is based on the WALGA model, with very few deviations. Text that has been amended or added to the current local law is indicated in red in the attached draft local law and deleted text is ~~struck through~~. Editorial, numbering and layout changes have not been marked.

**VOTING REQUIREMENTS**

Absolute majority

**OFFICER'S RECOMMENDATIONS – 15.5**

**That Council:**

1. **Advertises the draft *Shire of Capel Extractive Industries Local Law 2016* in order to commence the local law making process in accordance with section 3.12(3)(a) of the *Local Government Act 1995*;**
2. **Forwards a copy of the draft law to the relevant Minister in accordance with s3.12(3)(b) of the *Local Government Act 1995*; and**
3. **Requests the Chief Executive Officer to prepare a report at the conclusion of the public advertising period to enable Council to further consider any submissions made.**

---

## 15.6 Draft Budget 2016/17

---

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	I hereby declare an interest in this item as I will benefit from a replacement vehicle in the 2016/17 financial year
Date:	09.06.16
Author:	Executive Manager Corporate Services, S Stevenson
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	1 Draft Budget for the year ending 30 June 2017 2 Draft 2016/17 Capital Works Program

---

### **MATTER FOR CONSIDERATION**

Council to consider the draft Budget for the 2016/17 financial year.

### **BACKGROUND / PROPOSAL**

#### **Background**

In previous years the draft Budget has been considered by Council at either a Special Council meeting or as part of the Agenda for the Ordinary Meeting in June.

#### **Proposal**

As many of the inputs to the Budget have already been considered by Council, including the rating strategy, it is proposed that the draft budget be considered as part of the Agenda for the June Ordinary Council meeting.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 6.2

#### **6.2 Local Government to prepare Annual Budget**

- (1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt\*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

*\*Absolute Majority required*

- (2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of –
- (d) the expenditure by the local government; and
  - (e) the revenue and income, independent of general rates, of the local government; and
  - (f) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

Local Government (Financial Management) Regulations 1996, regulation 26

#### **26. Discount, incentive, concession, waiver and write-off information**

- (1) The annual budget is to include for each discount or other incentive to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money –
- a) in respect of a discount -
    - (i) the amount of the discount, or the percentage discount, to be allowed; and

- (ii) the circumstances in which the discount will be granted;
- and
- c) in relation to a waiver or concession -
  - (i) a brief description of the waiver or concession;
  - (ii) a statement of the circumstances in which it will be granted;
  - (iii) details of the persons or class of persons to whom it is available; and
  - (iv) the objects of, and reasons for, the waiver or concession.

Local Government Act 1995, Section 6.12

### **6.12 Power to defer, grant discounts, waive or write off debts**

- (1) Subject to subsection (2) and any other written law, a local government may –
  - a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - b) waive or grant concessions in relation to any amount of money; or
  - c) write off any amount of money, which is owed to the local government.
- \* *Absolute majority required*
- (2) Subsection 1(a) and (b) do not apply to an amount of money owing in respect of rates and services charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

Local Government Act 1995, Section 6.28

### **6.28 Basis of Rates**

- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be –
  - a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
  - b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.
- (4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.

Local Government Act 1995, Section 6.32

### **6.32 Rates and Service Charges**

- (1) When adopting the annual budget, a local government –
  - (a) in order to make up the budget deficiency, is to impose\* a general rate on rateable land within its district, which rate may be imposed either –
    - i. uniformly; or
    - ii. differentially;
  - and
  - (b) may impose\* on rateable land within its district –
    - i. a specified area rate; or
    - ii. a minimum payment;
  - and
  - (c) may impose\* a service charge on land within its district.
- \* *Absolute Majority required*

Local Government Act 1995, Section 6.33

### **6.33 Differential General Rates**

- (1) A local government may impose differential general rates according to any, or a combination, of the following characteristics –

- (a) the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*; or
  - (b) a purpose for which the land is held or used as determined by the local government; or
  - (c) whether or not the land is vacant land; or
  - (d) any other characteristic or combination of characteristics prescribed.
- (2) ...
- (3) In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

Local Government (Financial Management) Regulations 1996, regulation 52A

**52A. Characteristics prescribed for differential general rates**

- (1) In this regulation
- commencement day** means the day on which the *Local Government (Financial Management) Amendment Regulations (No.2) 2012* regulation 5 comes into operation;
- relevant district** means a district that –
- (a) is declared to be a district by an order made under section 2.1(1)(a) on or after commencement day; or
  - (b) has its boundaries changed by an order made under section 2.1(1)(b) on or after commencement day.
- (2) For the purposes of section 6.33(1)(d), the following characteristics are prescribed in relation to land in a relevant district, where not more than 5 years has elapsed since the district last became a relevant district –
- (a) whether or not the land is situated in a townsite as defined in the *Land Administration Act 1997* section 3(1);
  - (b) whether or not the land is situated in a particular part of the district of the local government.

Local Government Act 1995, Section 6.34

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

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

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

Local Government Act 1995, Section 6.35

**6.35 Minimum Payment**

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than –
  - a) 50% of the total number of separately rated properties in the district; or
  - b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage (50%) of –
  - (a) the number of separately rated properties in the district; or
  - (b) the number of properties in each category referred to in subsection (6), unless a general minimum does not exceed the prescribed amount (\$200).

- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsection (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsection (2), (3) and (4) in respect of each of the following categories –
  - (a) to land rated on gross rental value; and
  - (b) to land rated on unimproved value; and
  - (c) to each differential rating category where a differential general rate is imposed.

Local Government Act 1995, Section 6.36

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

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so. (*21 days – may be 2 months before financial year*).

Local Government Act 1995, Section 6.47

#### **6.47 Concessions**

Subject to the *Rates and Charges (Rebates and Deferments) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive\* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

\* *Absolute majority required*

Local Government Act 1995, Section 5.56

#### **6.56 Planning for the Future**

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

#### **Local Government (Administration) Regulations 1996 apply. Specifically:-**

Division 3 — Planning for the future

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

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

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
  - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
  - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.

- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.  
\*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

**Budget**

After taking into consideration all other sources of income, Council is required to raise sufficient rates to meet its total expenditure. However, it is allowed to adopt a budget that has a deficit that does not exceed 10% of its rate revenue.

For the 2016/17 draft Budget it is proposed a total of \$11,325,454 be raised from property and specified area rates including a projection for interim rates. The expected yield from rates will be sufficient to balance the 2016/17 draft Budget after some adjustments have been made to increase other sources of revenue, reduce operating expenditure and to reduce the amount transferred to or from reserves.

The draft budget outlines planned expenditure and revenue for the 2016/17 financial year and provides a small estimated carried forward surplus at 30 June 2017 of \$24,041.

**Long Term**

The amount of the increase to the rate yield that is proposed is consistent with the forecasts included in the updated Rating Strategy and the annual rate increase in the updated Long Term Financial Plan. However the level of population growth anticipated 2016/17 and for the next few years is noticeably lower than originally forecast and variable costs will need to be contained where possible. Discretionary expenditure on capital works and other areas service areas will need to be closely managed to ensure the financial sustainability of the Shire is maintained.

**Whole of Life**

While the draft budget contains new assets and infrastructure, this report does not deal directly with the whole of life cost for those items. Consideration of the whole of life costs relevant to those items forms part of the individual project or asset evaluation and justification.

These items form part of the Strategic Integrated Planning process and link in with Council’s Long Term Financial Plan and four year Corporate Plan.

**SUSTAINABILITY IMPLICATIONS**

The Budget includes a number of projects that will have a positive environmental impact. Many of the projects proposed in the Budget will provide a direct social benefit for the community.

The projects in the Budget will generate a significant economic benefit for the State and some businesses within the Shire of Capel will share in this benefit.



**STRATEGIC IMPLICATIONS**

## Shire of Capel Strategic Community Plan 2013 – 2031

The Leadership Experience 'Ensure open, transparent, effective good governance and communication within the organisation and the community.'

Strategic Outcomes:

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

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.'

Strategic Outcomes:

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

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

Strategic Outcomes:

- 5.1 Provide and maintain a safe and efficient transport, cycle and pedestrian network throughout the Shire;
- 5.6 Effectively manage the Shire's assets and resources.

**CONSULTATION**

The draft budget includes items and projects that have been suggested by Councillors, the community and staff, and has been reviewed through the Executive Management Team.

**COMMENT**

The draft budget document follows a similar format to that intended for the final document and includes the following information:

- Financial statements including the Statement of Comprehensive Income (Income Statement) by Nature or Type, Statement of Comprehensive Income (Income Statement) by Program and Rate Setting Statement.
- A Funding Statement which is presented in a format similar to the Rate Setting Statement. This is utilised when considering the 4 year Corporate Business Plan and Long Term Financial Plan. This Statement provides an assessment of Funding required from General Operations, Strategic Projects and New Asset commitments, existing Asset Renewal obligations and Financing requirements.

It enables an assessment of maintenance and sustainability commitments, while providing for Strategic Projects and new assets identified through the Community Strategic Plan and the Long Term Financial Plan.

- Notes to and forming part of the budget including notes on operating expenditure and revenue, loan borrowings, transfers to and from reserves, rating information and grants (to be provided with the final budget document).
- Detailed Financial Information at account level with Explanatory Notes provides a greater level of detail for each account. This information is formatted with the account number, description and totals for the 2016/17 Budget, 2015/16 Actual (estimated end of year position) and 2015/16 Budget on the left hand page. The right hand page provides a

breakdown of the major components (expenditure or revenue items) of each account that has been included in the 2015/16 Budget column.

As the budget is still being prepared and the 2015/16 financial year has not yet ended, the draft Budget document presented to Council is incomplete, but represents a current forecast to the 30 June 2016. Further information and adjustments will be included in the final Budget document to be adopted by Council and presently scheduled for Council's Ordinary Meeting on 27 July 2016.

The preparation process for the Budget has been similar to previous years, with additional consideration to items related to the Integrated Planning processes providing improved long term financial planning. This has involved:

- Following on from the Rating Workshop held on 25th March 2015, minimum rates have been increased by 10%. Differential rates have been increased by 6% on the 2015/16 rates in the dollar as endorsed by Council at its meeting on 25th May 2016. The rating categories have remained the same as 2015/16 although there have been some amendments to the Shire Statement of Objects and Reasons.
- Including requests from Councillors and the community that were approved by Council (OC0418, 27/04/16).
- Incorporating expenditure items previously approved by Council including Donations (OC0414, 27/04/16).
- Incorporating revenue items previously approved by Council including Fees and Charges (OC0416, 27/05/16).
- Incorporating expenditure for the revised 4 year Path Program (OCO507, 25/05/16).
- Incorporating expenditure 10 year Plant Replacement Plan and 4 year Road Management Program previously approved by Council (OC0411, OC0408 on 27/04/16).
- Review of the Corporate Business Plan 2014-2018 previously endorsed by Council.
- Review of the Long Term Financial Plan 2014-2024, previously adopted in June 2014 further to the Council Workshop on 24th February 2016.
- Senior staff reviewing the document and adjusting items they consider should be reduced, deleted or deferred in order to achieve an acceptable net current assets position.
- Incorporating Elected Members Allowances which are within the band determined by new Regulations, which will be presented for adoption at the June 2016 Council meeting.
- The draft budget for 2016/17 assumes income from the proposed Developer Contribution Plan with revenues assumed as at 1st January 2017.

### **Rate Setting Statement**

This statement shows the proposed financial position that is close to balanced (minor surplus) for the year after including all operating revenue and expenditure, capital expenditure, loan repayments, transfers to and from reserves, income from sale of assets and rates. The statement is designed to show how much must be raised from rates to record a breakeven result.

The draft Budget for 2016/17 as presented is effectively balanced for the year, with a minor surplus of \$24,041. However, if grant, revenue and the estimated brought forward surplus do not meet expectations or there are requests to increase or add expenditure items, this position

will not be achievable. The other factor to be taken into account is the value of projects and items that have not been completed in 2015/16 and need to be brought forward to 2016/17 through the Carried Over Projects Reserve.

The draft budget position has been achieved with the benefit of an estimated brought forward surplus from 2015/16 of \$151,921 which compares favourably to the balanced position that was budgeted for this year. This brought forward position will not be impacted by the value of incomplete projects, as funds will be drawn from the Carried Over Projects Reserve in 2016/17.

In order to achieve a balanced draft budget, senior staff met to discuss and review an earlier draft Budget and as a result some items were removed or changed. Although a large number of changes were made the majority were only relatively minor in value and related primarily to reducing materials, contractor or consultancy expenditure. Other than those noted, no major changes were made to capital works expenditure or major projects as these items were considered to be a high priority for retention in the budget. Changes were made to the amount of funds transferred to and from reserves in order to create a balanced position, in accordance with the purpose of the relevant reserve account.

### **Brought Forward Position**

The draft Budget includes an estimated brought forward position from 30 June 2016 of a surplus of \$151,921. This expected surplus is subject to revision as end of financial year forecasts are reviewed further and items to be carried over are finalised.

The surplus compares favourably with the budgeted position for the 2015/16 yearend of \$21,756. This is primarily attributed to some revenue items exceeding budget forecasts, some expenditure items being lower than budget and the carrying forward of some capital works projects.

In May 2012 Council endorsed a new Policy on reserve fund transfers and to create a "Carried Over Projects Reserve". This Reserve will have funds transferred into it at the end of the 2015/16 financial year which relate to carried over projects, or expenditure savings greater than \$5,000. Funds will be drawn from this reserve in future financial years to fund carried over projects and other major operating expenditure or works.

### **Staffing**

A concerted effort has again been made in this budget to contain staff costs in the 2016/17 budget and future years. There has only been a minor increase in staff costs of \$3,616 compared to the full year forecast for 2015/16. This variance is made of two factors:

1. Increased expenditure for one-off staff costs in 2015/16 which will not reoccur in 2016/17.
2. Annual staff increases averaging 2.5%.

Employee costs consist of direct salary and wages, annual and long service leave provisions, workers compensation insurance, training costs, superannuation contributions, uniforms and protective clothing, professional development, fringe benefits tax and any other costs related to the employment of staff.

There has been an effective reduction of 1.0 full-time equivalent staff hours (76 hours per fortnight). This is the result of the organisational restructure which occurred in the 2015/16 financial year. There were some costs incurred however which will not re-occur in 2016/17.

Council currently has a policy where 2% of salary costs are allocated towards staff training. For 2016/17 the 2% amounts to \$112,399 allocated towards training, which compares with \$111,132 budgeted for 2015/16.

Workers compensation insurance costs are recorded against employee costs. The allocated 2016/17 budget for workers compensation insurance is \$172,723, which is an increase of \$14,051 or 8.8% on the 2015/16 forecast of \$158,672. The workers compensation insurance premium will be adjusted for the actual 2015/2016 salary amount in the 2016/2017 financial year.

Total insurance costs for Council, incorporating Workers Compensation and General Insurances has increased from the 2015/16 forecast of \$323,770 to \$355,025 in 2016/17.

Fringe Benefits Tax is incurred by Council for benefits provided to Council employees. The primary area of benefit provided is the private use of Council motor vehicles, with very minor costs for phone and entertainment. The result is an expense of \$109,937 in 2016/17 compared to a forecast full year of \$107,122 in 2015/16.

### **(Profit)/Loss on Asset Disposals**

A profit on disposal of \$82,908 has been included which relates to the sale of plant and vehicles.

### **Capital Works Program**

\$8,227,070 is to be spent on the acquisition and construction of office equipment, plant, buildings and infrastructure assets. Council will be required to contribute \$1,397,510 from municipal funds and \$533,564 from Reserves and carry over funds to fund this expenditure. No new loan borrowings are budgeted for 2016/17.

Of the \$8,247,070 capital expenditure budget, the following is the breakdown based on Asset Category:

• Asset Renewal	\$1,570,382	(19.0%)
• Asset Upgrade	\$1,174,533	(14.3%)
• New Assets	\$5,482,135	(66.7%)

For comparison, in 2015/16 the budget was allocated as follows:

• Asset Renewal	\$1,811,984	(20.1%)
• Asset Upgrade	\$3,363,842	(40.3%)
• New Assets	\$3,565,035	(39.6%)

For 2016/17, the breakdown of asset acquisition is as follows:

• Office and Other Equipment	\$ 123,938
• Plant & Equipment	\$ 694,839
• Land & Buildings	\$ 18,000
• Infrastructure	\$5,060,293
• Non-Cash Infrastructure (gifted)	<u>\$2,350,000</u>
TOTAL	\$8,247,070

The specific capital works items are included in the attached Draft 2016/17 Capital Works Program. The major items of note include:

- The road works program of \$1,602,383, which is based on the program agreed to by Council at their meeting on 27 April 2016 (minute reference OC0408).

These works include Road widening programs to the value of \$688,262 (including \$438,650 for Capel Tutunup Road and \$249,612 for Stirling Street) as previously agreed by Council. Stirling Street has been allocated a RTR grant of \$249,612 with an additional \$145,346 allocated to road widening for Capel Tutunup Road. Capel Tutunup Road has also been allocated Blackspot Funding of \$277,333.

Road reconstruction is planned for Boundary Road and Elgin Road to the value of \$318,000 and \$332,010 respectively. The total cost of the road reconstruction is being fully funded with a combination of RTR and RRG grants.

A direct grant of \$129,751 has been made available for gravel re-sheets across the Shire.

- Total grants of \$1,090,418 have been included in the 2016/2017 draft budget for the Roads Program.
- Council has previously adopted the Shire of Capel Path Strategy 2013-2018 (OC0308) and resolved to adopt the Strategy for the purpose of guiding the implementation and development of shared use paths within the Shire of Capel's urban areas.

As part of the budget development process, Council endorsed the updated 4 Year Path Program at its meeting on 25<sup>th</sup> May 2016 (OC0507). Paths included in the 2016/17 draft budget:

- Upton Road (Capel) - \$46,200
- Hornibrook Road (Dalyellup) - \$81,350
- Sand Dune Road (PGB) - \$13,447
- Barlee Road (Capel) – \$8,000
- Bussell Hwy (Washington Ave to Dalyellup) - \$47,500

An allocation of \$15,000 for path reinstatements has also been allowed for.

- The capital works program does include an estimate for the non-cash acquisition of road (\$300,000), path (\$250,000) and drainage assets (\$300,000) from developers. These estimates are preliminary and may be adjusted as further information becomes available. This is an area that will require an increasing level of Council resourcing into the future as more infrastructure assets are transferred across to the Council.
- A total of \$2,728,109 has been allocated for the works associated with the development of Stage 3 and 3A of the Capel Civic Precinct. The funding is broken down as follows:
  - \$2,073,049 is budgeted to be funded from capital grants from a number of different funding bodies.
  - \$655,060 is budgeted to be allocated from Council Municipal Funds.
- \$168,709 has been budgeted to be carried forward from 2015/16 for the East Dalyellup Primary School Oval Facilities. \$66,172 is being funded from the balance of approved grants to be received in 2016/17 and \$102,537 will be funded from the Dalyellup Community Facilities Reserve.
- Annual asset management provisions have been provided for a number of asset categories as part of Council's forward asset renewal and upgrade programs. These provisions will increase in future years as Council gains further data on its asset management requirements, and integrates these preservation requirements into the Long Term Financial Plan. Current provisions for 2016/17 include:
 

▪ Beach Stairways and Pathways	\$5,225
▪ Playground Replacement Program	\$35,000
▪ Dalyellup Watering Systems: provision for replacement of bore pumps, retic, pipes, etc.	\$40,000
▪ Dalyellup Street Light Replacement	\$30,000

- |   |         |
|---|---------|
| ▪ Bin Stands  | \$3,822 |
| ▪ Air conditioner and minor plant   | \$7,000 |
| ▪ Various replacement provisions for specific assets included in the Long Term Financial Plan |         |
- \$20,000 has been allocated towards the purchase of 140 litre and 360 litre plastic wheelie bins to complement the existing 240 litre bins. This purchase is funded 100% from a State Government grant.
  - \$57,027 has been allocated for playground shade sails on the assumption of receiving \$44,621 in grants.
  - \$25,000 has been included for Minor Community Grants.
  - \$68,569 of capital funding is allocated in the budget related to Strategic Information Technology Systems. \$57,116 is to be funded from The Furniture and Equipment Reserve and the balance of \$11,453 is being funded from Council funds. The main elements of the \$68,569 are:
    - \$10,000 for the PC replacement program.
    - \$23,500 for the required upgrade to the records management system consistent with the continued use of synergy by all functions.
    - \$12,680 for an IT Vision Human Resources Module
    - \$11,453 for IT Vision Online Building Application Software.
  - Funds of \$162,116 have been allocated for Information Technology expenditure. This includes:
    - \$41,100 has been allocated for product support and maintenance
    - \$25,356 for GIS maintenance, software support
    - \$28,795 for various licences
    - \$28,426 for Office 2010/Network Software, firewall licences and Network Enterprise Agreement.
  - Funds of \$130,000 have been allocated towards the purchase of the Boyanup Bushfire Brigade light tanker fire truck (ESL funded).
  - Items as per OC0418 (2016/2017 Budget – Councillor and Community Requests) and OC0414 (2016/17 Budget – Donations to Charitable Organisations) which have been endorsed by Council on 27 April 2016 have been included in the draft 2016/2017 budget. The values included are \$63,496 and \$19,480 respectively.
  - A number of small items have been budgeted to improve or renew the furniture and equipment and various Council buildings and facilities. These include:
    - \$5,000 – Chambers Buffet Table
    - \$30,199 - required Library Management System Upgrade
    - \$3,000 - Capel Hall chairs (Biannual allocation)
    - \$1,750 - Hugh Kilpatrick Hall Boyanup chairs (Biannual allocation)
    - \$5,000 – Upgrade of Chambers projectors, projector inputs and whiteboard
    - \$3,520 – Shire administration building fridge
    - \$6,000 – A Shire Depot ice machine.
  - The continuation of the program to install energy efficient systems at Council Facilities and other Shire buildings is planned with a budget of \$15,000 allocated for systems to be installed at yet to be specified buildings. This expenditure will be funded from the commitment to allocate 1% of rates towards climate change initiatives, and is partially funded from carried over funds.

- \$83,200 is allocated for the replacement of two passenger vehicles in accordance with the plant replacement program. This relates to one vehicle for corporate services and one for Engineering and Development Services. \$39,112 is expected to be funded from the sale/trade-in of motor vehicles with the balance of \$44,088 having to be funded from Council funds.
- \$368,009 is allocated for the replacement of heavy plant and equipment (one Cat12M Grader costing \$364,000 and a Metrocount vehicle classifier costing \$4,009) in accordance with the plant replacement program. \$110,000 is expected to be funded from the sale/trade-in of plant with \$258,009 funded from the Plant Replacement Reserve.
- \$86,630 has been included for the replacement of two light commercial vehicles in accordance with the plant replacement program. \$35,540 of this purchase price is expected to be obtained from sale proceeds and the balance of \$51,090 drawn from the Plant Replacement Reserve.

### **Loan Repayments**

The draft budget expects that \$610,779 in loan principal will need to be repaid compared to \$527,736 in the 2015/2016 financial year. Outstanding principal at 30 June 2017 is expected to reduce to \$7,352,833 from an expected balance of \$7,960,744 at 30 June 2016.

Council will not increase its number of outstanding loans in the 2016/17 financial year. The number of remaining outstanding loans in its portfolio will remain at seventeen at the end of the financial year.

The annual operating surplus as a percentage of loan principal and interest repayments (Debt Service Cover Ratio) is expected to be to 2.74 in 2016/17 (based on current borrowings) compared to 1.9 in 2015/16, 3.3 in 2014/2015 and 1.98 in 2013/2014. Guidance from the Department of Local Government and Communities recommends a ratio of greater than 2.

### **Reserves**

Transfers to reserves are expected to total \$3,055,258. Over \$215,299 in interest is forecast to be earned on cash backed reserves during 2016/17. This compares with the forecast interest for 2015/16 of \$331,106. This reduced earnings forecast is attributed to lower interest rates.

Transfers from reserves totalling \$1,879,265 are primarily used for capital projects, with the exception of the Debt Reduction Reserve.

Reserve transfers are detailed in the explanatory information, and will be detailed further in the final budget document.

The 2016/17 Budget expects more to be transferred to reserves than from reserves. If the reserve transfers proceed as budgeted the expected balance of reserves at 30 June 2016 will be \$10,705,282.

### **Revenue and Expenditure Explanatory Information**

This area of the budget primarily represents the operating expenditure and revenue for the coming year.

#### **General Purpose Funding**

Total rate revenue (general rate and specified area rate) has increased to \$11,325,391.

In accordance with Council's previous resolutions and workshops, the draft budget has allowed for an increase of 6% to rates in the dollar and a 10% increase to all minimum rates so that minimum rate for all properties will be \$1075.00.

The maximum specified area rate has been retained at 2015/16 levels at \$176.30. \$602,065 is expected to be billed at the start of the year and with the addition of an expected \$9,872 in interim rates will almost be sufficient to fund half the expected cost of Public Open Space maintenance in Dalyellup.

The WA Local Government Grants Commission (WALGGC) has not yet finalised the grants for 2016/17. The Grants Commission have advised that they plan to freeze the Financial Assistance Grants pool. For budget purposes the grant has been retained at the 2015/2016 level.

Interest earned on investments is expected to be lower than 2015/2016 forecast with lower interest rates and reduced reserve balances continuing. Investments are placed in accordance with Council's investment policy and are limited to secure and liquid investment options such as term deposits. The 2016/17 budget anticipates that over \$370,531 may be earned during the year.

Further details on other operational income and expenditure items are included within the draft budget document. These are allocated amongst the following schedules:

- Governance
- General Purpose Funding
- Law, Order, Public Safety
- Health
- Education & Welfare
- Community Amenities
- Recreation & Culture
- Transport
- Economic Services
- Other Property & Services

**Summary**

The draft budget for 2016/17 is balanced and Councillors are encouraged to examine the document thoroughly. It would be appreciated if Councillors could contact senior staff prior to the meeting to discuss relevant issues.

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATION – 15.6</b>
--

**That Council approves the draft Capital Works Program and draft Budget for 2016/17 as presented.**



---

**15.7 Draft Long Term Financial Plan 2016 - 2026**

---

Location:	Capel
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	10.06.16
Author:	Executive Manager Corporate Services, S Stevenson
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Draft Shire of Capel Long Term Financial Plan 2016 - 2026

---

**MATTER FOR CONSIDERATION**

Council to consider and endorse the draft ten year Long Term Financial Plan 2016-2026 for the Shire of Capel.

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

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

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

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

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

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

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

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

**1. *Community***

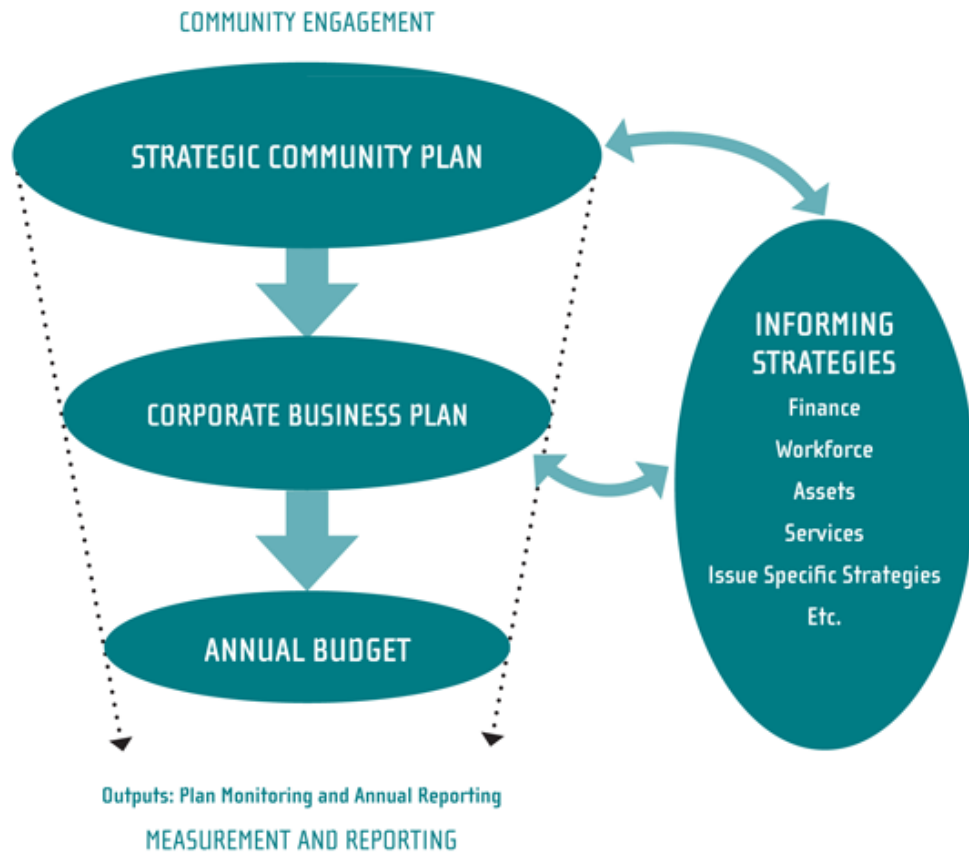
The community participates in a community planning process to determine major vision or big picture directions, and also participates in regular reviews of those directions.

2. **Council**

The Council signs off the Strategic Community Plan resulting from the community planning process, the four year reviews updating that plan, and the annual budget.

3. **Local Government Administration**

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



**Stages in the Integrated Planning process**

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

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

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

The Corporate Business Plan is developed from the 10 year Long Term Financial Plan, Workforce Plan, Asset Management Plans and various informing Services Strategies and Plans. While the ultimate aim is to incorporate all of these plans as appendices to the Corporate Business Plan, at this time it is proposed to continue to adopt them individually.

While Council adopted the Long Term Financial Plan 2014-2024 in June 2013, there is a statutory requirement for Council to have an annual review of the 4 year Corporate Business Plan and the ten year Long Term Financial Plan forms part of this Plan. For this reason, each year the Long Term Financial Plan will be reviewed and an additional year added onto the plan. This enables continued legislative compliance but also enables the plan to be reviewed, resulting in assumptions and projections being reassessed, and timeframes adjusted for projects if circumstances or the priorities of Council change.

## **Proposal**

That Council receive and adopt the draft ten year Long Term Financial Plan 2016-2026 for the Shire of Capel.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 5.56

### **5.56 Planning for the Future**

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

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

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

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

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
  - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government’s priorities for dealing with the objectives and aspirations of the community in the district; and
  - (b) govern a local government’s internal business planning by expressing a local government’s priorities by reference to operations that are within the capacity of the local government’s resources; and
  - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government’s strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.

\*Absolute majority required.

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

#### **19D. Adoption of plan, public notice of to be given**

- (1) After the adoption of a strategic community plan, or modifications of a strategic community plan, under regulation 19C, the local government is to give local public notice in accordance with subregulation (2).
- (2) The local public notice is to contain —
  - (a) notification that —
    - (i) a strategic community plan for the district has been adopted by the council and is to apply to the district for the period specified in the plan; and
    - (ii) details of where and when the plan may be inspected;
 or
  - (b) where a strategic community plan for the district has been modified —
    - (i) notification that the modifications to the plan have been adopted by the council and the plan as modified is to apply to the district for the period specified in the plan; and
    - (ii) details of where and when the modified plan may be inspected.

#### **POLICY IMPLICATIONS**

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

#### **FINANCIAL IMPLICATIONS**

##### **Budget**

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

In addition to staff time, \$14,500 has been allocated in the 2016/17 budget under GL104120 towards Integrated Strategic Planning and Reporting modelling. As the Community Strategic Plan must have a major review every 4 years, \$65,350 has been added to the same account in order to facilitate the community consultation and creation of the revised report.

##### **Long Term**

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

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

##### **Whole of Life**

This plan proposes the construction on new assets and the whole of life costs needs to be a consideration. A general allocation of 2% of the capital value has been used to represent the on-going expenditure associated with these assets.

## **SUSTAINABILITY IMPLICATIONS**

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

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031

The Leadership Experience 'Ensure open, transparent, effective good governance and communication within the organisation and the community.'

Strategic Outcomes:

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

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.'

Strategic Outcomes:

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

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

Strategic Outcomes:

- 5.1 Provide and maintain a safe and efficient transport, cycle and pedestrian network throughout the Shire;
- 5.6 Effectively manage the Shire's assets and resources.

## **CONSULTATION**

Extensive community, Councillor, staff and stakeholder consultation was undertaken in the development of the Strategic Community Plan in 2013. The current endorsed Long Term Financial Plan utilises this consultation to detail and prioritise actions and strategies within the Plan. The Strategic Community Plan must have a major review every four years and as such Council staff will commence the community engagement process again in the second half of 2016. Outcomes from this consultation process will be fed into subsequent revised Long Term Financial Plans and Corporate Business Plans.

The various projects, funding and timeframes outlined in the Long Term Financial Plan have been reviewed by the Executive Management Team and discussed as part of the Councillor Budget Workshop on 24<sup>th</sup> February 2016. This has resulted in a number of capital works project timeframes being altered, and funding sources being changed.

## **COMMENT**

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

A Councillor workshop was also conducted on the 24<sup>th</sup> February 2016 to review major strategic projects included in the previously adopted 2014-2024 Long Term Financial Plan. Projects were reviewed and the scope and timing of projects was considered where appropriate. The outcomes of this workshop are reflected in the proposed 2016-2026 Long Term Financial Plan.

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

**Table 1 Assumed forecasting variables**

Year	1	2	3	4	5	6	7	8	9	10
	16/17	17-18	18-19	19-20	20-21	21-22	22-23	23-24	24-25	25-26
<b>OPERATIONS- Revenue</b>										
Rates - Base:										
- Rates - Growth or Decline	4.34%	3.59%	4.01%	5.26%	4.42%	4.95%	4.41%	5.03%	3.81%	4.34%
- Rates - Strategy	6.00%	6.00%	6.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Operating grants, subsidies and contributions	0%	2.25%	2.50%	2.50%	2.75%	2.75%	3.00%	3.00%	3.25%	3.25%
Fees and charges	2.00%	2.25%	2.50%	2.50%	2.75%	2.75%	3.00%	3.00%	3.25%	3.25%
Interest Yield	2.25%	2.50%	2.50%	2.75%	3.00%	3.25%	3.50%	3.50%	3.00%	3.00%
Other revenue	1.75%	2.25%	2.50%	2.50%	2.75%	2.75%	3.00%	3.00%	3.25%	3.25%
<b>OPERATIONS- Expenditure</b>										
Employee costs	2.75%	5.75%	6.63%	8.50%	9.25%	9.50%	9.75%	9.75%	9.75%	9.75%
Materials and contracts	1.75%	2.25%	2.50%	2.50%	2.75%	2.75%	3.00%	3.00%	3.25%	3.25%
Utility charges (electricity, gas, water etc.)	5.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%	6.00%
Depreciation on non-current assets										
Insurance expense	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%	4.00%
Other expenditure	1.75%	2.25%	2.50%	2.50%	2.75%	2.75%	3.00%	3.00%	3.25%	3.25%
Salaries & Wages-training percentage	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%

The Long Term Financial Plan incorporates a comprehensive list of stated Assumptions and Policies, some of which have been updated. Some of these include:

- The Long Term Financial Plan is being developed on the basis that it will be 'Balanced' over the 10 years and the activities of Council are sustainable.
- There are no increases in full-time staff in 2016/17. 2017/18 has an allowance for an additional 2 full-time equivalent staff with increases in following years approximately aligning with major projects. These timelines and staff requirements will be reviewed as part of the on-going annual process and any amendments endorsed through Council.
- Projects funded by grants are not included in the 4 Year Corporate Plan unless there is a strong probability of receiving the grant and the funding body is identified. The project must be well advanced in planning and all approvals obtained or in the process of being obtained.

- In the 5 - 10 year period of the Long Term Financial Plan, grant funded projects that are less certain are included based on a provisional grant being obtained.
- Loan funds have been used as a last resort for funding projects, and are based primarily on 20 year loan terms for major building and infrastructure projects.
- The implementation of Fair Value asset accounting has had a significant impact on asset values and depreciation and will continue to do so into the future. The full impact is assessed and adjusted in the annual financial statements as a rolling asset valuation program. Asset valuations remain difficult to forecast. The base for this plan has been the recent revaluation as at June 2015. A further assessment is currently underway which will see asset values amended again. These adjustments will form part of the 2015/16 annual financial reports and forecasts will be updated accordingly. Base depreciation is \$5,797,667 as at 1<sup>st</sup> July 2016. This is forecast to increase to \$5,838,642 in 2016/17, \$5,904,440 in 2017/18 and rising to \$6,569,283 by the end of the 2015/16 financial year.
- The Rating Strategy identifies an annual rate increase of 6% plus growth for six years, reducing in 2019/20 to a 4% increase plus growth thereafter. The current draft budget for 2016/17 has deviated slightly from this strategy and Council has endorsed, at its meeting on 25<sup>th</sup> May 2016, to increase rates by 6% on the 2015/16 rate in the dollar.
- Population, demographics and land growth projections are based on current forecasts identified within the Shire of Capel over the next 10 years. These are primarily sourced from the Shire of Capel Local Profile document and development services staff.

This Local Profile is regularly updated by the Council's Planning staff, which has resulted in a downward revision of some growth projection for Dalyellup.

- Economic indicators for cost and revenue increases are provided through a variety of sources including the WALGA Economic Briefing, ABS and Treasury forecasts.
- Cash Reserves will gradually increase into the future to assist in funding major capital works in the latter portion of the 10 year plan and to assist in funding projects identified in the 10-20 year period.
- Capital works and Strategic Project expenditure are based on the categorisation into: Asset Renewal; Asset Upgrade and New Assets. Asset "renewal" and "upgrade" projects have been given priority over "new" projects to ensure a focus remains on the asset preservation and sustainability needs of the Council.

Listed below are the significant changes that have occurred since the adoption of the Long term Financial Plan adopted in June 2014:

- Updated Perth Consumer Price Index and Local Government Cost Index forecasts for future years.
- Revised population and dwelling growth projections. These have resulted in a downward estimate on previous forecasts, but still provide projected growth in 2016/17 of 4.34%, 2017/18 of 3.59%, 2018/19 of 4.01% and 2019/20 of 5.26%.
- No increase in Federal Grant Assistance Grants in 2016/17 and then marginal increases using CPI forward estimates in line with the WA Treasury State Budget handed down in May 2016.
- Significant increases in utilities costs with a 5% increase built in for 2016/17 and 6% thereafter.

- Assumed inclusion of the revised Developer Contribution Plan endorsed in principle by Council in its meeting of 23<sup>rd</sup> March 2016. Revenue is included from 1<sup>st</sup> January 2017.
- Increased costs associated with the maintenance and upkeep of the Dalyellup Parks, Gardens and Reserves occurring earlier than previously forecast. This cost is related to the handover of parks, gardens and reserves previously maintained by private developers.
- Adjusted timeframes and/or costs for the following Strategic Projects:
  - Stage 3, 3A and 4 of the Capel Civic Precinct has been condensed into the 2016/17 and 2017/18 financial years. Previously this was planned to be completed in 2023/24.
  - Within the Capel townsite, the upgrade of Forrest Road (Roe Road to Properjohn Road) has been moved to 2025/26 from 2022/23.
  - Capel drainage works have been brought forward into 2024/25.
  - The proposed Capel depot relocation remains outside the ten year timeframe of this plan however the purchase of the land was originally scheduled for 2024/25. The purchase of this land is no longer anticipated.
  - The expansion of the Capel Recreation Ground has been re-scoped and re-phrased. It is proposed to carry out some capital works between 2017/18 and 2019/20 to make interim improvements in the facilities which will allow the main expansion including the second oval to be deferred until 2018/19.
  - There has been a number of changes to various Capel road projects which were in the previous Long Term Financial Plan;
    - The upgrade to Capel Drive between Reid Avenue and Gavins Road and the upgrade to Weld Road have been removed as strategic projects and will be assessed as part of the on-going road maintenance program
    - The upgrade to the Capel Drive and Weld Road intersection have been removed from the plan as these roads are owned by WA Main Roads and the project is not considered to be a priority.
    - The installation of the roundabout at the Capel Drive and Forrest Road intersection has been moved out to 2025/26 from 2019/20 due to the scoping, planning and liaison with Main Roads WA required.
  - Works planned to the Boyanup townscape have been re-scoped and re-phased from 2020/21 to 2026/27.
  - Boyanup drainage works have been brought forward into 2025/26.
  - There has been a deferral of new Boyanup Recreation Facilities. The new sports pavilion (Stage 1) was previously planned for 2018/19 with football change rooms in 2019/20. These projects are now outside the 10 year scope of this plan and will need to be re-assessed in line with population growth. In place of this project there is a proposed renovation of the sports building and bowling club in 2017/18 and 2018/19 respectively to provide some immediate improvement to Boyanup facilities.
  - Boyanup public open space facilities have also had a review of the project timings. Project design for Fettle's Park is planned for 2017/18 with the provision of shelters and seating for both Fettle's Park and Lions Park proposed for 2018/19. Children's play equipment is also scheduled for 2018/19.



- Road traffic works originally planned for Boyanup in 2022/23 and 2024/15 have been deferred to outside the ten year scope of this plan.
  - The East Boyanup multipurpose works have been deferred from 2024/25 to 2027/28.
  - Installation of permanent water and sewerage for Dalyellup sports pavilion has been moved from 2016/17 to 2017/18.
  - Planning and construction of Dalyellup beach precinct facilities was originally scheduled across the financial years 2016/17 to 2021/22. This project is dependent on developer infrastructure being in place and at present this is not foreseen to be completed in that period. As a result, this project has had its timing reviewed with planning to take place in 2021/22 and construction commencing in 2023/24 and concluding in 2027/28.
  - Dalyellup Civic Precinct design and planning timeframes have generally moved out one year to 2018/19. The forecast construction period is due to commence in 2019/20 with a youth space building and counselling rooms, followed by a Dalyellup skate park in 2020/21 and construction of the Dalyellup district centre library and multipurpose centre spanning three years between 2020/21 to 2022/23.
  - Construction of the Dalyellup sports fields has been deferred to 2025/26 and 2026/27.
  - New toilets for Gutmann Park Way in Dalyellup are still planned for 2018/19.
  - Minor adjustment and for some senior facilities.
  - There has been a general annual allocation included for trails development.
  - For Peppermint Grove Beach, the trail viewing platform, carpark expansion and beach access walkway have been removed from the capital plan as have the works planned for the Peppermint Grove community centre surrounding facilities and carpark.
  - Within the Town Planning Scheme 3 projects, the 100 year flood events migration works have been moved out one year to 2020/21.
  - The Gelorup Drainage Study has been deferred until 2026/27 and therefore outwith the scope of this plan.
  - There has been a general reshaping of expenditure on entry statement, naming of parks and signage with an annual allocation built into the plan.
  - In line with the Aged Friendly Plan, installation of bus shelters and seating has been retained.
- Updated Capital Works Program to reflect current needs including an updated Road Construction Program, Footpath Program and Plant Replacement Program.
  - Various adjustments to operating costs to reflect increased maintenance and planning requirements.

Throughout the development of the Long Term Financial Plan, the financial sustainability of Council has remained a focal point. The determination, prioritisation and timing of services and facilities identified through the community and Councillor input has been strongly

influenced by the Council's ability to manage expected financial requirements and financial risks over the long term without the use of disruptive revenue or expenditure measures.

This has involved the examination and projection of Council's financial position in the current period and long term, while ensuring infrastructure renewals/replacement expenditure matches forward looking asset management plan expenditure needs.

**VOTING REQUIREMENTS**

Simple majority

<b>OFFICER'S RECOMMENDATION – 15.7</b>
--

**That Council adopts the updated Shire of Capel ten year draft Long Term Financial Plan 2016 - 2026, including the revised timeframes and budget funding allocations for the various services, strategies and plans referenced in the Plan.**

---

**15.8 Accounts Due and Submitted for Authorisation**

---

Location:	Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	22.06.16
Author:	Finance & Accounts Payable Officer, S Searle
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	Nil

---

**MATTER FOR CONSIDERATION**

Adoption of accounts to be paid.

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

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

**Proposal**

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

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.10

**6.10. Financial management regulations**

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

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

**13. List of accounts**

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

**POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

**FINANCIAL IMPLICATIONS****Budget**

Payment from Council's Municipal Fund.

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

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031

The Leadership Experience 'Ensure open, transparent, effective good governance and communication within the organisation and the community'.

Strategic Outcomes:

1.4: Provide efficient and effective financial management to ensure long term financial viability of the organisation.

**CONSULTATION**

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

**COMMENT**

Accounts due and submitted for authorisation are as follows:

EFT21820	22/06/2016	AUSTRALIA POST	15/16 POSTAGE MAY 16	2460.70
EFT21821	22/06/2016	ACTION KERBING	INSTALL NEW KERB AT SCOTT ROAD CR 54M	2079.00
EFT21822	22/06/2016	AMPAC DEBT RECOVERY	JUDGEMENT PROF FEE - PSSO A3651	143.00
EFT21823	22/06/2016	AUSTRALIAN INSTITUTE OF ARCHITECTS	1X ATTENDANCE HERITAGE COURSE 8 JUNE 2016	117.00
EFT21824	22/06/2016	BUNBURY MOWER SERVICE	NEW BRUSHCUTTER, NEW CHAINSAW, NEW BLOWER, AND VARIOUS PARTS	2160.00

EFT21825	22/06/2016	B & B STREET SWEEPING	SWEEPING FOR ANZAC DAY- 21/4/16, CAPEL DRIVE 27/4/16, PIT CLEANING 8/4/16, CARPARK PEPPY BEACH 20/4/16	1699.50
EFT21826	22/06/2016	BUNNINGS BUILDING SUPPLIES PTY LTD	ASSORTED DRILL BITS & MISC	605.09
EFT21827	22/06/2016	BLACKWOODS	6X FUEL STORAGE SIGNS, ASBESTOS TAPE, OVERSHOE COVERS	322.41
EFT21828	22/06/2016	BUNBURY HARVEY REGIONAL COUNCIL	PROCESSING OF ORGANIC WASTE COLLECTION - MAY 16	6500.07
EFT21829	22/06/2016	BLUE'S TOWING	TOW FORD FALCON SEDAN FROM BOYANUP TO THE SHIRE DEPOT	88.00
EFT21830	22/06/2016	BP AUSTRALIA	7400L UNLEADED	8330.23
EFT21831	22/06/2016	STAPLES AUSTRALIA PTY LTD	STATIONERY 15/16	1200.88
EFT21832	22/06/2016	COATES HIRE SERVICE	ROLLER HIRE -20 DAY & HIRE OF BOBCAT ON TRAILER 3 DAYS	5185.04
EFT21833	22/06/2016	CLEANAWAY	DISPOSAL OF HOUSEHOLD WASTE FROM THE DOMESTIC PICKUP - MAY 16	23751.04
EFT21834	22/06/2016	CLEANWAYXTRA	CARRY OUT WINDOW CLEANING AT ALL SHIRE BUILDINGS	2445.00
EFT21835	22/06/2016	CJD EQUIPMENT PTY LTD	LEFT HAND MIRROR	115.32
EFT21836	22/06/2016	DISCOUNT AUTO PARTS	REVOLVING LIGHT	537.60
EFT21837	22/06/2016	DELL AUSTRALIA PTY LTD	1X NEW COMPUTER & 1 LAPTOP	2371.71
EFT21838	22/06/2016	ELDERS RURAL SERVICES AUSTRALIA LIMITED	20 L ROUNDUP & SEASOL 20L	330.51
EFT21839	22/06/2016	EASIFLEET MANAGEMENT	NOVATED LEASE CEO - JUNE 16	753.86
EFT21840	22/06/2016	FUELRITE SERVICES	REPAIR DIESEL & UNLEADED FUEL PUMP AT DEPOT	503.25
EFT21841	22/06/2016	FRONTLINE SAFETY & TRAINING SERVICES	ASBESTOS TRAINING COURSE - 1 JUNE 2016 – 10 PARTICIPANTS	2880.00
EFT21842	22/06/2016	INSPIRED DEVELOPMENT SOLUTIONS	EXECUTIVE DEVELOPMENT DAY 13/5/16 & 4 X 360 REPORT	4620.00
EFT21843	22/06/2016	SOUTH WEST ISUZU	REPAIR LEFT HAND LOW BEAM LIGHT CP9574	294.11
EFT21844	22/06/2016	JETLINE KERBING CONTRACTORS	CONSTRUCTION OF BUS SHELTERS & KERBING AT CAPEL CIVIC PRECINCT	7139.00
EFT21845	22/06/2016	LD TOTAL	CAPEL CIVIC PRECINCT LANDSCAPEING STAGE 1 & 2. INSTALL IRRIGATION AT CORNER OF LENITA & ATHENA DALYELLUP. NAROONA POS RE-ESTABLISH GARDENS AND IRRIGATION. REPAIR SHORTFALL AT SOUTH PARK DALY'P. REMOVE BOOSTER PUMP AT NORTH LAKE DALY'P	50783.74

EFT21846	22/06/2016	LANDGATE	RURAL UV GENERAL REVALUATION 15/16 & GROSS RENTAL VALUATION CHARGEABLE	14809.35
EFT21847	22/06/2016	MARKETFORCE	VARIOUS ADVERTISEMENTS	1593.41
EFT21848	22/06/2016	NIGHTGUARD SECURITY SERVICE PTY LTD	ALARM RESPONSE MAY	2017.69
EFT21849	22/06/2016	PIACENTINI & SON PTY LTD	119.75 TON OF 100MM LIMESTONE	1751.94
EFT21850	22/06/2016	PRESTIGE PRODUCTS-BUSSELTON	MAY 16 SUPPLIES	409.75
EFT21851	22/06/2016	PRIME INDUSTRIAL PRODUCTS PTY LTD	2XSET DRILL BITS HONE SET & BLADE SET	402.49
EFT21852	22/06/2016	RTW STEEL FABRICATION	REPAIR AND THREAD NIPPLE FOR WATER PUMP	275.00
EFT21853	22/06/2016	CAPEL FRESH IGA	MAY 16 SUPPLIES	183.42
EFT21854	22/06/2016	SOUTHERN LOCK & SECURITY	RESET SECURITY SYSTEM AT DALYELLUP COMMUNITY CENTRE, 11 KEY CUTS, REPAIRS TO SECURITY SYSTEM FAIL TO SEND DALYELLUP LIBRARY	530.10
EFT21855	22/06/2016	SKYLINE LANDSCAPE SERVICES PTY LTD	VARIOUS LINE OF SIGHT TREE PRUNING THROUGHOUT DALYELLUP. SPRAY WEBBING MITE ON LUTHERAN OVALS	6704.50
EFT21856	22/06/2016	TOTALLY WORKWEAR	10X STAFF UNIFORM ORDERS	2938.31
EFT21857	22/06/2016	TELSTRA BUSINESS CENTRE BUNBURY	2 X LIFEPROOF CASE FOR IPHONE 6	189.95
EFT21858	22/06/2016	TRUCK & MACHINE	REPAIRS TO REVERSING CAMERA TO FIRE TRUCK 1CNS506	173.25
EFT21859	22/06/2016	TCS INSTRUMENTS	ROAD TUBE 100M	654.06
EFT21860	22/06/2016	VISIMAX	2 FOX TRAPS & EQUIPMENT FOR RANGERS	796.80
EFT21861	22/06/2016	WORK CLOBBER BUNBURY	1X STAFF UNIFORM ORDER & 1 STEEL CAP BOOTS	538.77
EFT21862	22/06/2016	WOOD & GRIEVE ENGINEERS	PROVISION OF STRUCTURAL, MECHANICAL, ELECTRICAL AND HYDRAULIC SERVICES FOR EAST DALYELLUP SPORTS PAVILION	1244.65
EFT21863	22/06/2016	THE WISHING WELL CLINIC CAPEL	INFLUENZA VACCINATIONS FOR 13 EMPLOYEES @ \$22	286.00
EFT21864	22/06/2016	WARREN BLACKWOOD WASTE	WASTE, RECYCLING & ORGANIC COLLECTION MAY 16	65499.66
				228415.16

OUTSTANDING CREDITORS AS AT 31 May 2016: \$144,426.20

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for 22<sup>nd</sup> June 2016 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

*P.F. Sheedy.*

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

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 15.8**

**That Council authorises the Schedule of Accounts covering vouchers EFT21820 to EFT21864, a total of \$228,415.16 for payment.**

---

**15.9 Accounts Paid During the Month of May 2016**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 22.06.16  
Author: Finance & Accounts Payable Officer, S Searle  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Nil

---

**MATTER FOR CONSIDERATION**

Authorisation of accounts paid during the month.

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

Accounts paid are required to be submitted each month.

**Proposal**

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

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.10

**6.10. Financial management regulations**

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

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

**13. List of accounts**

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



**POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

**FINANCIAL IMPLICATIONS****Budget**

Payment from Council's Municipal Fund.

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

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 – 2031

The Leadership Experience 'Ensure open, transparent, effective good governance and communication within the organisation and the community'.

Strategic Outcomes:

1.4: Provide efficient and effective financial management to ensure long term financial viability of the organisation.

**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 May 2016 are as follows:

EFT21489	02/05/2016	WESTNET	MONTHLY LIBRARY INTERNET	369.78
EFT21490	02/05/2016	FUJI ZEROX	SHIRE ADMIN AND DALYELUP LIBRARY PHOTOCOPIER RENTAL & SERVICE - MONTHLY	1369.61
EFT21491	04/05/2016	-EFT 21512	SYNERGY ERROR BATCH CANCELLED	0.00
EFT21513	04/05/2016	ATA CONNECTIONS	THERMAL SLIP PRINTER ROLLS	65.00

EFT21514	04/05/2016	BUNBURY SWIMMING CLUB INC	KIDSPORT REGISTRATIONS	800.00
EFT21515	04/05/2016	BUNBURY HORSE & PONY CLUB	KIDSPORT REGISTRATIONS	400.00
EFT21516	04/05/2016	BUNBURY PCYC	KIDSPORT REGISTRATIONS	400.00
EFT21517	04/05/2016	CAPEL CRICKET CLUB	CAPEL CRICKET CLUB DISCOUNT REFUNDED FOR COMMUNITY BUS INITIATIVE	85.80
EFT21518	04/05/2016	CAREY PARK SCOUT GROUP	KIDSPORT REGISTRATION	650.00
EFT21519	04/05/2016	CAPEL CLEANING	CARRY OUT RELIEF CLEANING OF SHIRE OFFICE AND CAPEL PLAYGROUP, APRIL 2016	697.50
EFT21520	04/05/2016	DEPARTMENT OF PREMIER & CABINET	AMENDMENT 60 FINAL APPROVAL NOTICE	417.60
EFT21521	04/05/2016	EARTH 2 OCEAN COMMUNICATIONS	INVESTIGATION AND REPAIR TO THE LIGHTS AND SIREN ON THE GELORUP 2.4	264.00
EFT21522	04/05/2016	EARTHMAC	TRAFFIC MANAGEMENT FOR TREE TRIMMING - TUART DRIVE FROM 4/4/16 -8/4/16	7500.00
EFT21523	04/05/2016	GOLDEN WEST PLUMBING & DRAINAGE	UNBLOCK MALE TOILETS AT PEPPY MAIN BEACH PUBLIC TOILETS, INSTALL NEW FLUSH PIPE AND SEAL TO DUCT, FIX BUBBLER FOUNTAIN, BACK FLOW TESTING AT COMMUNITY HALL AND TEMPORARYLY UNBLOCK SHOWER AND BASIN AT DALYELLUP SURF CLUB	858.00
EFT21524	04/05/2016	GREG MILLER	REIMBURSEMENT OF WORKING WITH CHILDREN CHECK	82.00
EFT21525	04/05/2016	MARAS CONSTRUCTIONS	BOBCAT, DIGGER & TIPPER HIRE, BROOKDALE ROAD SHOULDERS	8470.00
EFT21526	04/05/2016	PERTH MANAGEMENT SERVICES	RENT AND OUTGOINGS - UNIT 5/135 NORTON PMDE	1522.75
EFT21527	04/05/2016	PEAK CONSTRUCTIONS	SUPPLY AND CONSTRUCTION OF INTERNAL ROOM FOR NEW DOG POUND AND INSTALL LARGER AIR VENTS	22412.50
EFT21528	04/05/2016	RTW STEEL FABRICATION	REPAIR ANTI-SCALP WHEEL AXLES JOHN DEERE OUTFRONT MOWER - P0095	99.00
EFT21529	04/05/2016	SOUTH WEST TREE SAFE	DROP BROKEN TREE LIMB CAUGHT UP OVER FENCE ON STIRLING RD	440.00
EFT21530	04/05/2016	CAPEL FRESH IGA	PURCHASES OF MILK AND REFRESHMENTS FOR MEETINGS	101.28

EFT21531	04/05/2016	SOUTHERN LOCK & SECURITY	INSTALL REPLACEMENT PANEL AND KEYPAD AND SWAP RESISTORS IN SENSORS AT DALYELLUP COMMUNITY CENTRE, QUARTERLY ALARM MONITORING FEES AND SERVICE CALL AND LABOUR TO RESET EMERGENCY STOP AT DEPOT	1670.88
EFT21532	04/05/2016	SKYLINE LANDSCAPE SERVICES PTY LTD	IRRIGATION REPAIRS AT LUTHERAN PLAYING FIELDS AND REPLACE 10 X GEAR DRIVE SPRINKLERS AND REPAIR VALVES	1989.90
EFT21533	04/05/2016	TOTALLY WORKWEAR	STAFF UNIFORM	288.20
EFT21534	04/05/2016	WISHING WELL CLINIC	OSH FIT FOR WORK	72.00
EFT21535	11/05/2016	OFFSHORE MOORINGS WA	REMOVAL OF PONTOON FROM MOORINGS PEPPERMINT GROVE BEACH	2090.00
EFT21536	11/05/2016	APH CONTRACTORS PTY LTD	CIVIL WORK CONTRACT FOR CAPEL CIVIC PRECINCT STAGES 1 AND 2	531632.92
EFT21537	11/05/2016	AMITY SIGNS	SUPPLY SIGNS - SHIRE PRESIDENT PARKING ONLY, CEO PARKING ONLY, HEALTH PARKING ONLY AND VARIOUS CAUTION SIGNS	1864.17
EFT21538	11/05/2016	SAI GLOBAL LIMITED	INTERNET DOWNLOAD HOT MIX ASPHALT - A GUIDE TO GOOD PRACTICE	223.54
EFT21539	11/05/2016	ARCHIVAL SURVIVAL PTY LTD	PLASTIKLIPS 21MM, PK 1000	29.04
EFT21541	11/05/2016	AMD CHARTERED ACCOUNTANTS	FINANCIAL MANAGEMENT SYSTEM REVIEW, INTERIM AUDIT AND RISK REVIEW REGULATION 17	10120.00
EFT21542	11/05/2016	BOYANUP HALL ADVISORY COMMITTEE	CARETAKING OF BOYANUP HALL APRIL- JUNE	214.50
EFT21543	11/05/2016	BOYANUP LIONS CLUB	BOYANUP CEMETERY MAINTENANCE	1330.00
EFT21545	11/05/2016	BUNBURY MOWER SERVICE	REPAIR THROTTLE CABLE AND SERVICE POLE SAW, AUTO FEED HEADS FOR STIHL BRUSHCUTTERS AND SERVICE AND REPAIR FS 130 BRUSHCUTTER	473.00
EFT21546	11/05/2016	BELL FIRE EQUIPMENT COMPANY	6 MONTHLY & MONTHLY SERVICE - CAPEL LIBRARY FIRE INDICATOR PANEL	229.16
EFT21548	11/05/2016	BUSSELTON TOYOTA	20,000KMS SERVICE 47CP	245.00

EFT21550	11/05/2016	BUNNINGS BUILDING SUPPLIES PTY LTD	STORMWATER PIPE & FITTINGS, HOSE & OTHER HARDWARE FOR NEW DOG POUND AND TOILET AND WATER SUPPLY FITTINGS TO FIX LEAKS AND REDUCE WATER USE AT VARIOUS SHIRE FACILITIES	299.68
EFT21551	11/05/2016	HEATLEYS SAFETY & INDUSTRIAL	RECHARGEABLE AIR HORN FOR EMERGENCY EVAC PURPOSES	117.10
EFT21553	11/05/2016	BRANDICOOT	UPDATES TO SHIRE WEBSITE	165.00
EFT21555	11/05/2016	BP AUSTRALIA	DISTILLATE-1510L	1680.11
EFT21556	11/05/2016	STAPLES AUSTRALIA PTY LTD	2015/16 STATIONERY	473.71
EFT21557	11/05/2016	COATES HIRE SERVICE	DAY HIRE - CONCRETE GRINDER FOR BOYANUP SKATE PARK	266.64
EFT21559	11/05/2016	COMPLETE RETICULATION & TRAINING	DEVELOPING NEW BORE AT CAPEL CIVIC PRECINCT	1672.00
EFT21560	11/05/2016	CAPEL CLEANING	CLEANING OF CAPEL PLAYGROUP/INFANT HEALTH BUILDING	67.50
EFT21561	11/05/2016	CAPEL BINS	SUPPLY OF SKIP BIN, REMOVAL AND DISPOSAL OF DUMPED ASBESTOS	300.00
EFT21563	11/05/2016	GELORUP COMMUNITY MANAGEMENT COMMITTEE	MANGEMENT FEE APRIL-JUNE (35X3)	105.00
EFT21566	11/05/2016	DELRON CLEANING	GENERAL CLEANING AS PER TENDER	10113.55
EFT21569	11/05/2016	ELGIN HALL COMMITTEE	ELECTRICITY CONSUMPTION REIMBURSED TO ELGIN HALL	216.53
EFT21570	11/05/2016	EARTHMAC	MALLOKUP ROAD TRAFFIC MANAGEMENT - FROM 11/4/16	3000.00
EFT21571	11/05/2016	FENNESSY'S	NISSAN NAVARRA 4X4 RX DUAL CAB TO REPLACE CP167, INCLUDES TRADE-IN	8803.10
EFT21572	11/05/2016	FIT 2 WORK.COM.AU	3X NATIONAL POLICE CHECKS	121.77
EFT21573	11/05/2016	GEOGRAPHE TREE SERVICES	RURAL ROAD VERGE PRUNING AND CHIPPING MALLOKUP RD 11-13 APRIL INCLUSIVE, GAVINS ROAD 15 - 18 MARCH INCLUSIVE, TUART DVE 4-8 APRIL INCLUSIVE & JAMIESON RD 14 MARCH	20020.00
EFT21575	11/05/2016	GANNAWAYS	BUS HIRE FOR INZONE APRIL SCHOOL HOLIDAY ACTIVITIES	823.69
EFT21576	11/05/2016	GHD PTY LTD	SITE INSPECTION BOYANUP LANDFILL SITE	11895.40

EFT21580	11/05/2016	GRANT HUSSEY-ALLEN	REIMBURSEMENT OF LEARNERS PERMIT APPLICATION AND ISSUE FOR MR LEARNERS PERMIT	93.00
EFT21582	11/05/2016	IVC COMPUTER SERVICES IVC	HDMI CABLES AND ADAPTORS -SHIRE BUILDING	180.00
EFT21583	11/05/2016	SOUTH WEST ISUZU	40,000 KM SERVICE OF CP578	1076.00
EFT21584	11/05/2016	LD TOTAL	MODIFY BUBBLEUP LIDS TO STOP DRAINS FROM BLOCKING, REPAIR VANDALISED FENCE IN DALYELLUP AND INSTALL SOCCER AND FOOTBALL GOALS AND CRICKET MATS AT LUTHERAN COLLEGE	8508.50
EFT21588	11/05/2016	MAINSPRAY	SPRAY LILLYDALE RD FOR SUCKERS	567.19
EFT21591	11/05/2016	CR GREG NORTON	REIMBURSEMENT TRAVEL/CONFERENCE	957.83
EFT21594	11/05/2016	PROTECTOR ALSAFE	CHIEF WARDEN & EVACUATION TRAINING (30 & 31 MARCH 2016 - 3 SESSIONS)	2700.00
EFT21596	11/05/2016	PAVING PEOPLE	LIFT AND REINSTATE PAVING - GOSSE & NORTON PROM - 17/3/16	1402.50
EFT21599	11/05/2016	AUSTRALIA TAXATION OFFICE	PAYG WITHHOLDING TAX 3/5/16- GROSS \$204920.99, TAX \$44814	44814.00
EFT21601	11/05/2016	LINDSAY RAABE	REIMBURSEMENT OF INITIAL ISSUE ONLY OF MR LICENC	36.00
EFT21602	11/05/2016	JUSTEN ROBERTS	REIMBURSEMENT OF LEARNERS PERMIT APPLICATION & ISSUE OF MR LEARNERS PERMIT	93.00
EFT21603	11/05/2016	SOUTHERN'S WATER TECHNOLOGY	U/V FILTER SERVICE, CHANGE FILTERS AND TEST AND 20 MTRS OF WATER TANK HOSE	413.29
EFT21604	11/05/2016	SOUTH WEST TREE SAFE	PRUNE OVERHANGING WHITE GUM LIMBS ILMENITE CRES, REMOVE BANKSIA ON VERGE IN GELORUP AND REMOVE LARGE RED GUM LIMB AND PRUNE ON FENNEL RD	3740.00
EFT21606	11/05/2016	SOS OFFICE EQUIPMENT	METERBILLING FOR SHIRE PHOTOCOPIERS	1590.01
EFT21608	11/05/2016	SONIC HEALTHPLUS PTY LTD	PRE EMPLOYMENT MEDICALS	495.00
EFT21609	11/05/2016	SOUTH WEST AUDIO VISUAL	SUPPLY & INSTALL TOA CORDLESS INFRA-RED CONFERENCE SYSTEM - CHAMBERS	26464.98

EFT21610	11/05/2016	SKYLINE LANDSCAPE SERVICES PTY LTD	SUPPLY AND INSTALL MULCH ALONG HAREWOODS ROAD AND REPLACE GATE VALVES AT LUTHERAN OVALS	1447.60
EFT21611	11/05/2016	CHERYL SMITH	REIMBURSEMENT FOR LUNCH ITEMS	61.91
EFT21612	11/05/2016	TOTALLY WORKWEAR	15/16 UNIFORMS	533.50
EFT21613	11/05/2016	TELSTRA BUSINESS CENTRE BUNBURY	LIFEPROOF CASE TO SUIT IPHONE 6	89.95
EFT21621	11/05/2016	WYE ELECTRICAL PTY LTD	SUPPLY ALL MATERIALS, LABOUR AND EQUIPMENT FOR POWER CONNECTION TO THE IRRIGATION BORE COMPOUND FROM BUCHANAN ROAD SMSB	4977.00
EFT21622		EFT21658	PAYMENT ALREADY APPROVED BY COUNCIL, PLEASE REFER TO AGENDA OCM 25.05.2016	0.00
EFT21659	09/05/2016	FUJI XEROX AUSTRALIA PTY LTD	MONTHLY LEASE OF PHOTOCOPIER CAPEL AND BOYANUP LIBRARIES	132.00
EFT21660	12/05/2016	BENDIGO BANK BUSINESS CREDIT CARD	CREDIT CARD TRANSACTIONS: 1.4.16 - MISS MAUD - ACCOMMODATION FOR WALGA TRAINING \$175 3.4.16 - WATTLE GROVE MOTEL - 1 NIGHTS ACCOMMODATION FOR RANGER TRAINING - \$150 6.4.16 - WATTLE GROVE MOTEL - 3 NIGHTS ACCOMMODATION FOR RANGER TRAINING - \$450 9.4.16 - MANTRA ON MURRAY - PARKING FOR CDP FORUM \$30.60 10.4.16 - WATTLE GROVE MOTEL - MEALS FOR RANGER TRAINING 4 NIGHTS 12.4.16 - ACMA - LAND MOBILE LICENCE \$106 15.4.16 - AIBS - JOB ADVERTISEMENT - \$132 22.4.16 – RENDEZVOUS GRAND HOTEL - 2 NIGHTS ACCOMMODATION FOR CONFERENCE - \$316 23.4.16 - TRADE-WIND HOTEL - ACCOMMODATION 4 NIGHTS - \$731	2170.60
EFT21661	12/05/2016	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 63 INTEREST PAYMENT - PGB COMMUNITY CENTRE	6668.89

EFT21662	13/05/2016	AUSQ TRAINING	BWTM & TC -REFRESHER - 25 MAY 2016	1356.00
EFT21663	13/05/2016	BESAFE BUILDING INSPECTIONS	2015 SWIMMING POOL INSPECTIONS @\$65.00 PLUS GST FOR EACH PROPERTY WITH BARRIER DUE FOR ASSESSMENT	7150.00
EFT21664	13/05/2016	BUILT RIGHT APPROVALS	BUILDING SURVEYING CONTRACTOR SERVICE	1408.00
EFT21665		EFT21675	PAYMENT ALREADY APPROVED BY COUNCIL, PLEASE REFER TO AGENDA OM 25.05.2016	0.00
EFT21676	18/05/2016	AMITY SIGNS	VARIOUS ROAD SIGNS	303.60
EFT21677	18/05/2016	AUSTRALASIAN PERFORMING RIGHT ASSOC LTD	APRA LICENCE FEE- BOYANUP, CAPEL AND GELORUP HALLS AND ADMIN OFFICE GELORUP 1/5/16- 31/7/16	141.16
EFT21678	18/05/2016	BUNBURY 2ND SEA SCOUTS	KIDSPORT REGISTRATIONS	1000.00
EFT21679	18/05/2016	BUNBURY HORSE & PONY CLUB	KIDSPORT REGISTRATION FOR INVOICE 357	200.00
EFT21680	18/05/2016	BAYVIEW GEOGRAPHE RESORT	ACCOMMODATION FOR LGMA MENTORS & ASPIRING LEADERS CONFERENCE	112.50
EFT21681	18/05/2016	CAPEL NEWSAGENCY	2015/16 STATIONERY	514.92
EFT21682	18/05/2016	CIVILCON (WA) PTY LTD	CONTRACT TO BUILD EAST DALYELLUP SPORTS PAVILION	191681.39
EFT21683	18/05/2016	CHEM-SAFE AUSTRALIA PTY LTD	HERBICIDE TRAINING - 11 MAY 2016	1450.00
EFT21684	18/05/2016	CARBONE BROS PTY LTD	107 TONNE GRAVEL TO DEPOT	1974.88
EFT21685	18/05/2016	DALYELLUP BEACH COMMUNITY ASSOCIATION INC	MANUFACTURE AND SUPPLY TABLE TROLLEY FOR DALYELLUP COMMUNITY CENTRE	200.00
EFT21686	18/05/2016	TJ DEPIAZZI & SONS	20 M3 PINE BARK MULCH 6- 12MM GRADED	1240.80
EFT21687	18/05/2016	DALYELLUP DOCKERS FOOTBALL CLUB	KIDSPORT REGISTRATIONS	200.00
EFT21688	18/05/2016	BUNBURY FLOWER PLACE	SYMPATHY FLOWERS	75.00
EFT21689	18/05/2016	FENNESSY'S	NISSAN NAVARA 4X4 RX DUAL CAB - REPLACE CP9081, INCLUDES TRADE- IN	9803.10
EFT21690	18/05/2016	GRESLEY ABAS PTY LTD	EAST DALYELLUP SPORTS PAVILION CONCEPT DESIGN	1347.89
EFT21691	18/05/2016	HARVEY FARM SERVICE	FIND/FIX LACK OF BUCKET CROWD FAULT ON JOHN DEERE 5820 TRACTOR, FLASHING FLOOD LAMP, REPLACE SIDE DISCHARGE SHUTE AND REAR ANTI SCALP ROLLER HEIGHT PINS	1707.53

EFT21692	18/05/2016	LOUISE HUGHES	RELOCATION EXPENSE CLAIM	2000.00
EFT21693	18/05/2016	MOORE STEPHENS (WA) PTY LTD	2015-16 LOCAL GOVERNMENT RATES COMPARISON REPORT	209.00
EFT21694	18/05/2016	JULIES LAWNMOWING	MOWING OF BOYANUP MUSEUM GROUNDS @ \$115 PER MONTH	280.00
EFT21695	18/05/2016	LANDGATE	MINING TENEMENTS 4/3/16-7/4/16	37.50
EFT21696	18/05/2016	MERCURE HOTEL	ACCOMMODATION AND BREAKFAST 2 NIGHTS 29/2/16 & 1/3/16	495.00
EFT21697	18/05/2016	MARISA MOORE	REIMBURSEMENT FOR CANCER COUNCIL MORNING TEA	194.90
EFT21698	18/05/2016	OCLC	AMLIB ANNUAL FEE 15.05.16-14.05.17	1713.93
EFT21699	18/05/2016	PEAK CONSTRUCTIONS	SUPPLY AND INSTALL TWO 1200 X 600 VENTS IN WALLS OF SHED HOUSING NEW DOG POUND	2255.00
EFT21700	18/05/2016	GAIL PARKER	35 X HAND PAINTED GIFT BAGS FOR CITIZENSHIPS	490.00
EFT21701	18/05/2016	SOUTH WEST TREE SAFE	DROP LIMBS OFF WHITE GUM AND FLAME TREES WHICH ARE AFFECTING LIGHTING	880.00
EFT21702	18/05/2016	SPRAYMOW SERVICES	SPRAYING OF WEEDS IN KERBS, FOOTPATHS, BUS STOPS, PARKING BAYS MEDIANS AND ROUNDABOUTS, CUTTING AND CHEMICAL TREATMENT OF WISTERIA THROUGHOUT BUSHLAND IN MCMILLAN AND MOONDAR POS AND SPRAY GARDEN ON NORTON PROMENADE	3432.00
EFT21703	18/05/2016	SUMMERS CONSULTING	MOSQUITO IDENTIFICATION	382.80
EFT21704	18/05/2016	TOTAL BUSINESS TECHNOLOGY-TOTALITY	IT PREPAID SUPPORT	66.55
EFT21705	18/05/2016	WARREN BLACKWOOD WASTE	15/16 WASTE, RECYCLING & ORGANIC COLLECTION	65455.56
EFT21706	23/05/2016	CALTEX AUSTRALIA	FLEET FUEL	2695.09
EFT21707	25/05/2016	SAI GLOBAL LIMITED	INTERNET DOWNLOAD AS 3660.1.2014	268.74
EFT21708	25/05/2016	BLACKWOODS	ELGIN BFB - 1 PAIR FIREFIGHTING BOOTS	263.47
EFT21709	25/05/2016	BCF	ENGEL FRIDGE/FREEZER & 25L COOLER	948.99
EFT21710	25/05/2016	BUILT RIGHT APPROVALS	BUILDING SURVEYING CONTRACTOR SERVICE	1452.00
EFT21711	25/05/2016	BLUE'S TOWING	TOW MOTOR BIKE FROM BOYANUP TO CAPEL POUND	88.00
EFT21712	25/05/2016	BP AUSTRALIA	DISTILLATE-8240L	8742.59



EFT21713	25/05/2016	STAPLES AUSTRALIA PTY LTD	2015/16 ANNUAL SUPPLIES FOR PRINTING OF LOCAL NEWSPAPERS: GELORUP, CAPEL, BOYANUP, PEPPI GROVE BEACH	411.84
EFT21714	25/05/2016	CAPEL HARDWARE & FARM SUPPLIES	VARIOUS HARDWARE SUPPLIES	1315.74
EFT21715	25/05/2016	COATES CIVIL CONSULTING PTY LTD	SUPERVISION OF CONSTRUCTION WORKS TENDER 15/06 RECONSTRUCTION OF ELGIN AND BOUNDARY ROADS, ELGIN	5263.50
EFT21716	25/05/2016	CAPEL CLEANING	CLEANING OF SHIRE OFFICE AND CAPEL PLAYGROUND	135.00
EFT21717	25/05/2016	DELRON CLEANING	WATER DAMAGE RESTORATION OF DALYELLUP COMMUNITY CENTRE SATURDAY 7/5/16 (INSURANCE CLAIM)	2431.00
EFT21718	25/05/2016	EASIFLEET MANAGEMENT	NOVATED LEASE	753.86
EFT21719	25/05/2016	EARTHMAC	TRAFFIC MANAGEMENT CAPEL DRIVE - 26/4/16 TO 29/4/16 AND 4/5/16	7500.00
EFT21720	25/05/2016	EMILIANI CONCRETE CONTRACTING	SUPPLY AND INSTALL CONCRETE FOOTPATH TO WAVE WALK, PEPPERMINT GROVE BEACH	29260.00
EFT21721	25/05/2016	GOLDEN WEST PLUMBING & DRAINAGE	UNBLOCK TOILETS AT SOUTHERN END OF LAKES COMPLEX IN DALYELLUP AND ANNUAL BACK FLOW TESTING AT GOODWOOD ROAD AND ROE ROAD	748.00
EFT21722	25/05/2016	FITS TRAINING SERVICE	BASIC CHAINSAW TRAINING - JOHN FYFE - TUESDAY 16 FEB 2016	275.00
EFT21723	25/05/2016	FUJI XEROX AUSTRALIA PTY LTD	MISSING DIRECT DEBIT 23/10/15	487.41
EFT21724	25/05/2016	MOORE STEPHENS (WA) PTY LTD	MOORE STEPHENS MANAGEMENT AND FINANCIAL WORKSHOP 19 & 20 MAY 2016	2090.00
EFT21725	25/05/2016	KEEN'S TRUCK DRIVING TRAINING	1 DAY HR-B RESTRICTED SYNCHRO DRIVING COURSE AND MR DRIVING COURSE AND ASSESSMENTS	1260.00
EFT21726	25/05/2016	MICROCOM PTY LTD T/AS METROCOUNT	PURCHASE OF 3 TRAFFIC COUNTERS WITH ONE FREE. (4 IN TOTAL - 1 INSURANCE CLAIM)	13519.00

EFT21727	25/05/2016	JUST YOUNGER CATERING	CATERING FOR TRAINING (ZIRCON ROOM 11 MAY), ROAD INFRASTRUCTURE EXPENSES, CATERING FOR MORNING TEA FOR MICHAEL TICHBON PARK NAMING CEREMONY, CATERING FOR BWEA MEETING AND CATERING FOR MONTHLY COUNCIL MEETINGS	2561.40
EFT21728	25/05/2016	VODAFONE HUTCHISON AUSTRALIA PTY LTD	VODAFONE MESSAGING	144.30
EFT21729	25/05/2016	PAGES MECHANICAL REPAIRS	REPAIR TO LEAKING WATER OUTLET ON BOYANUP 3.4 FIRE TRUCK	157.00
EFT21730	25/05/2016	PJ & EV PAGE	WAXING AND BUFFING FLOOR BOYANUP HALL MONTHLY 2015/16	70.00
EFT21731	25/05/2016	AUSTRALIA TAXATION OFFICE	PAYG WITHHOLDING 17/5/16 - GROSS \$208135.79, TAX \$44752.00	44752.00
EFT21732	25/05/2016	QUICK ERECTION GYPROCKING	REPAIR CEILING AFTER WATER DAMAGE (INSURANCE CLAIM)	506.00
EFT21733	25/05/2016	SIFT & BAKE CUPCAKES	CATERING FOR BIGGEST MORNING TEA AT DALYELLUP	467.00
EFT21734	25/05/2016	WOOD & GRIEVE ENGINEERS	PROVISION OF STRUCTURAL, MECHANICAL, ELECTRICAL AND HYDRAULIC SERVICES FOR EAST DALYELLUP SPORTS PAVILION	3344.00
EFT21735	25/05/2016	BESAFE BUILDING INSPECTIONS	2015 SWIMMING POOL INSPECTIONS	3575.00
EFT21736	30/05/2016	DEPARTMENT OF TRANSPORT	VEHICLE SEARCHES APRIL	6.70
EFT21737	30/05/2016	INSIGHT CCS PTY LTD	INSIGHT CALL SERVICE - APRIL	491.21
EFT21738	30/05/2016	SURVEYING SOUTH	FEATURE SURVEY OF CAPEL TUTUNUP RD	1287.00
EFT21739	30/05/2016	TELSTRA ENTERPRISE SERVICES	DESIGN AND INSTALLATION OF A TELECOMMUNICATIONS NETWORK FOR EAST DALYELLUP RIMARY SCHOOL OVAL FACILITIES	13411.20
EFT21741	31/05/2016	FUJI XEROX AUSTRALIA PTY LTD	PHOTOCOPIER RENTAL AND SERVICE FOR ALL SHIRE MACHINES	1369.61
48052	04/05/2016	COURIER AUSTRALIA INTERNATIONAL	POSTAGE AND FREIGHT - CAPEL, DALYELLUP, BOYANUP LIBRARIES	18.49
48053	04/05/2016	KYLIE CREAM	REFUND FOR DOG STERILISATION	57.66

48054	04/05/2016	SHIRE OF DARDANUP	LONG SERVICE LEAVE LIABILITY	1689.49
48055	04/05/2016	K EMERSON	RATES REFUND	126.81
48056	04/05/2016	JD IRWIN	RATES REFUND	66.02
48057	04/05/2016	J JOHNSTON	RATES REFUND	70.41
48058	04/05/2016	ANITA MAYER	REFUND - EVENT CANCELLED PGBCC 30/4/16	42.00
48059	04/05/2016	M & CL MARTIN	RATES REFUND	52.76
48060	04/05/2016	P & D NETTLETON	RATES REFUND	143.53
48061	04/05/2016	MR W REDGWELL	RATES REFUND	46.60
48062	04/05/2016	SYNERGY	ELECTRICITY	5756.40
48063	04/05/2016	SIMTO RESOURCES PTY LTD	RATES REFUND	867.48
48064	04/05/2016	VENTURA HOMES	DA NOT REQUIRED - RETURN FEE PA64/2016	147.00
48065	09/05/2016	SYNERGY	ELECTRICITY	506.65
48066	11/05/2016	AQWEST	WATER USAGE MURTIN PARK	22063.74
48067	11/05/2016	SYNERGY	ELECTRICITY	1085.00
48068	12/05/2016	BOWERS WL	RERAISE RATES REFUND PER ITVISION AUDIT	20.50
48069	12/05/2016	DALYELLUP BEACH PTY LTD	RERAISE RATES REFUNDS PER ITVISION AUDIT	441.30
48070	18/05/2016	COURIER AUSTRALIA INTERNATIONAL	COURIER COSTS	65.94
48071	18/05/2016	SHIRE OF CAPEL	NEWSPAPER	66.00
48072	18/05/2016	DEPARTMENT OF TRANSPORT	1TRB186 BRING IN LINE WITH FLEET LICENSING DATE OF 30/11/16	23.05
48073	18/05/2016	DEPARTMENT OF TRANSPORT - VEHICLE LICENSING	ORDER SPECIAL SERIES PLATES- 1505CP	200.00
48074	18/05/2016	SYNERGY	ELECTRICITY-1703X STREETLIGHTS	31410.80
48075	18/05/2016	TELSTRA CORPORATION LTD	LANDLINE	2143.21
48076	18/05/2016	CAPEL PANEL & PAINT	\$1000 EXCESS 43CP	1000.00
48077	25/05/2016	COURIER AUSTRALIA INTERNATIONAL	COURIER COSTS	28.62
48078	25/05/2016	A C JUMEAU	CROSSOVER CONTRIBUTION	300.00
48079	25/05/2016	TG MCKENZIE & KM MCKENZIE	CROSSOVER CONTRIBUTION	300.00
48080	25/05/2016	PROWSE RDW	RATES REFUND	443.06
48081	25/05/2016	SYNERGY	ELECTRICITY	665.75
48082	25/05/2016	WATER CORPORATION	WATER USAGE	93.74
48083	25/05/2016	KRISTINA WEBER	CROSSOVER CONTRIBUTION	300.00
648	04/05/2016	BUILDING & CONSTRUCTION IND TRAINING FUND	BCITF LEVY COLLECTED APRIL 2016	5789.55
649	04/05/2016	SHIRE OF CAPEL	BCITF COMMISSION COLLECTED APRIL 2016	132.00
650	04/05/2016	EMMA LORD	HALL BOND REFUND 24/4/16	150.00
651	04/05/2016	CRYSTAL POTTS	GELORUP HALL HIRE 30/4/16	150.00

652	04/05/2016	SATTERLEY	DALYELLUP DCINT 12 MONTH DEFECT BOND REFUND	80465.00
653	11/05/2016	SHANNON ATHERTON	HALL BOND REFUND GELROUP HALL 8/5/16	150.00
654	18/05/2016	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	BSL LEVY COLLECTED APRIL 16	8470.03
655	18/05/2016	SHIRE OF CAPEL	BSL COMMISSION COLLECTED APRIL 16	190.00
656	18/05/2016	SATTERLEY PROPERTY GROUP PTY LTD	BOND & INTEREST REFUND TO SATTERLEY FOR 19D OUTSTANDING WORKS DALYELLUP	231518.88
657	18/05/2016	SATTERLEY PROPERTY GROUP PTY LTD	DALYELLUP BEACH ESTATE 15B 12 MONTH DEFECT BOND REFUND	30195.00
658	25/05/2016	SATTERLEY PROPERTY GROUP PTY LTD	DALYELLUP STAGE DCINT PATH LINK TO 19A BOND REFUND	66032.00
659	25/05/2016	MARCEL STEINGIESSER	HALL BOND REFUND GCC 22/5/16	150.00
				1714275.79

03.05.16	SHIRE OF CAPEL PAYROLL PAYMENTS	\$149,966.37
17.05.16	SHIRE OF CAPEL PAYROLL PAYMENTS	\$153,238.98
31.05.16	SHIRE OF CAPEL PAYROLL PAYMENTS	\$154,441.99

---

**\$457,647.34**

---

11.05.16	TRANSFER to MUNICIPAL ACCOUNT	\$1,350,000.00
26.05.16	TRANSFER to MUNICIPAL ACCOUNT	\$270,000.00

---

**\$1,620,000.00**

---

#### CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 22<sup>nd</sup> June 2016 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

*P.F. Heedy.*

---

CHIEF EXECUTIVE OFFICER

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 15.9**

**That Council receives:**

- 1 The Schedule of Accounts covering vouchers 648-659, EFT21489 to EFT21739, CHQ48052 to CHQ48083 totalling \$1,714,275.79 during the month of May 2016;**
- 2 Payroll payments for the month of May 2016, totalling \$457,647.34; and**
- 3 Transfers to and from investments as listed.**

---

**15.10 Financial Statements for 31 May 2016**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 14.06.16  
Author: Manager Finance, A Mattaboni  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Financial Statements for May 2016

---

**MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for May 2016.

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

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

**Proposal**

The financial statements provided to Council satisfy the requirements.

**STATUTORY ENVIRONMENT**

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

**6.4 Financial Report**

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

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

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

**Financial Activity Statement Report**

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

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

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

#### **Budget**

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

#### **Long Term**

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

#### **Whole of Life**

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

### **SUSTAINABILITY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 to 2031

1 Leadership Experience: “Ensure open, transparent, effective good governance and communication within the organisation and the community.

Strategic Outcomes:

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

### **CONSULTATION**

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.

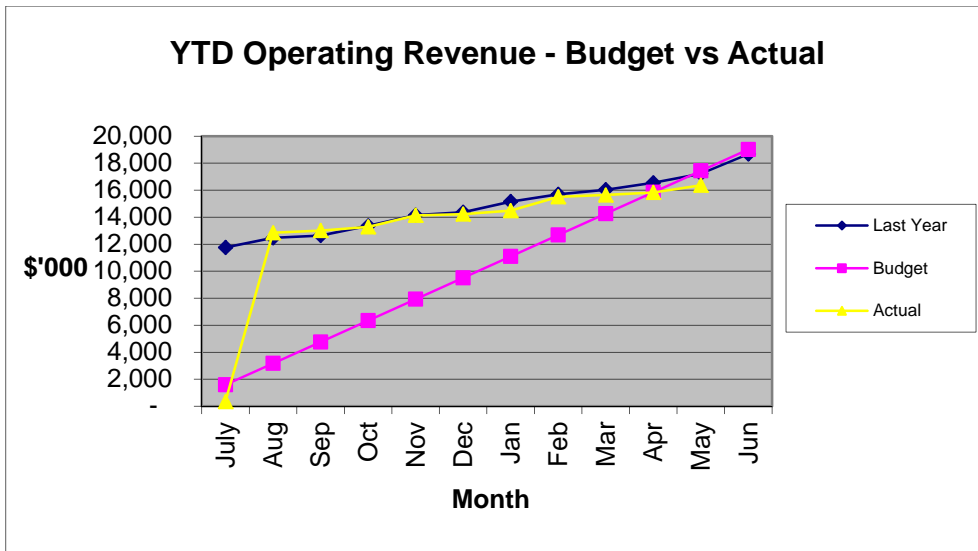
### **COMMENT**

At 31<sup>st</sup> May 2016, Council’s net current assets position was a surplus of \$2,899,943. The forecast year end net current asset position is a surplus of \$151,095. This amount may vary to the final surplus (deficit) as accounts are finalised for the year.

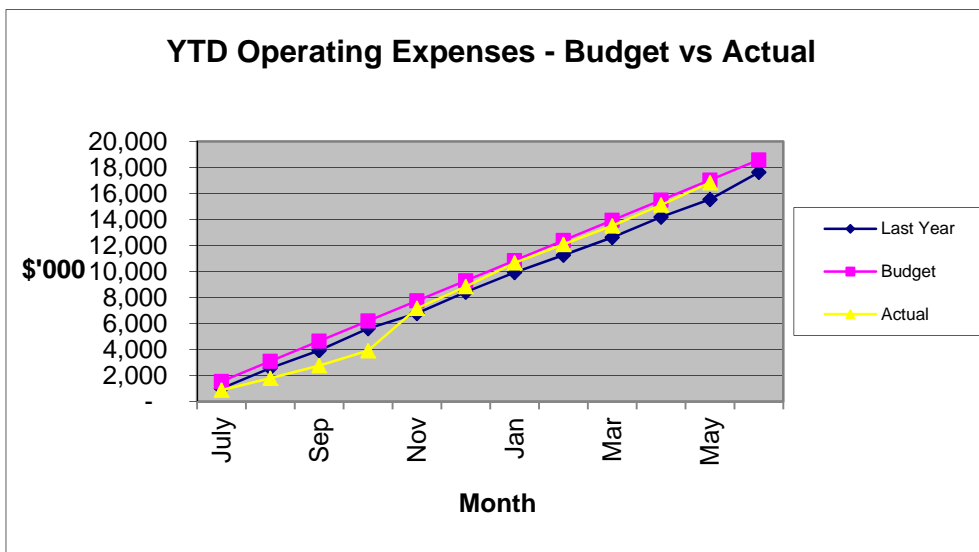
Compared to the annual budget approximately 100% of Operating Revenue has been invoiced and 91% of the Operating Expenditure budget has been spent. The monthly budget of income and expenditure has been adjusted to reflect the expected timing of actual income and expenditure.

A comparison of employee costs shows that 88% of the annual budget has been spent. The employee costs year to date actual amount is below the year to date budget amount by \$110,520 or 2%. Year end employee costs are forecast to be \$73,824 below budget. Adjustments have been made to forecast salary figures for organisational restructure. The actual employee costs figure includes the leave provisions expenses. The forecast year end depreciation amount is expected to be significantly above budget in the asset areas of roads, paths and drainage. A review of valuations and depreciation forecasts in this financial year should give more accurate depreciation amounts for future budget years.

The following graphs compare actual Operating Revenue and Operating Expenditure against the approved budget on a year to date basis. Last year's actual is also included for comparative purposes. The skew in August reflects the raising of rates in August 2015. This revenue is now trending as per previous years. The non-cash operating revenue for 2015/16 has yet to be posted.

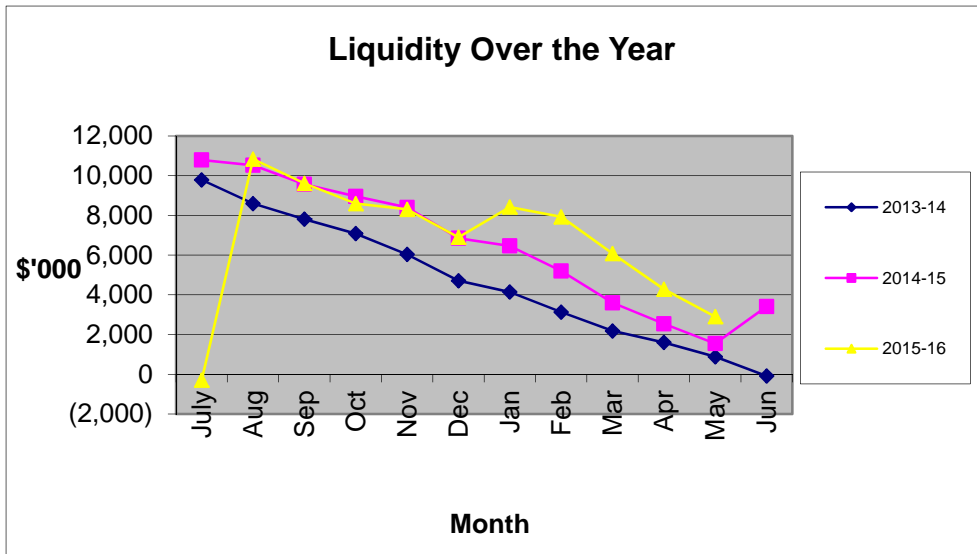


Year to date actual expenditure continues to compare favourably with the budget.



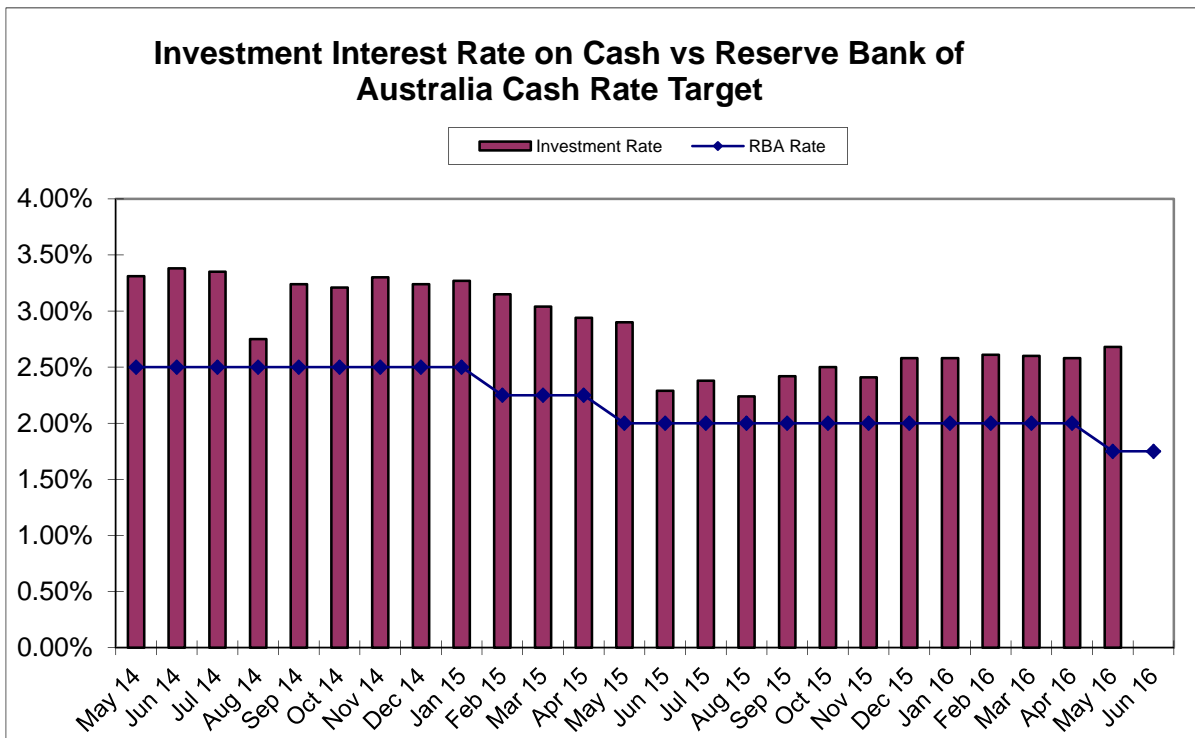


The liquidity graph compares the current year’s net current assets position against that of the two previous years. The January loan draw down is still affecting the graph though the results from operating continue to stay close to budget.



Council’s municipal cash and investments position has decreased by \$1,818,538 compared to April 2016. The Municipal cash position is an amount of \$13,472,629 of which \$10,171,389 is restricted for specific purposes as shown at Note 3. The transfers to and from restricted cash/reserves will be finalised as the end of year accounts are finalised to determine the final transfer amounts. Cash revenue mostly came from Rates receipts, State Government and Business Activity Statement Refund from the Australian Taxation office. Major cash expenses were for payroll and contractor payments.

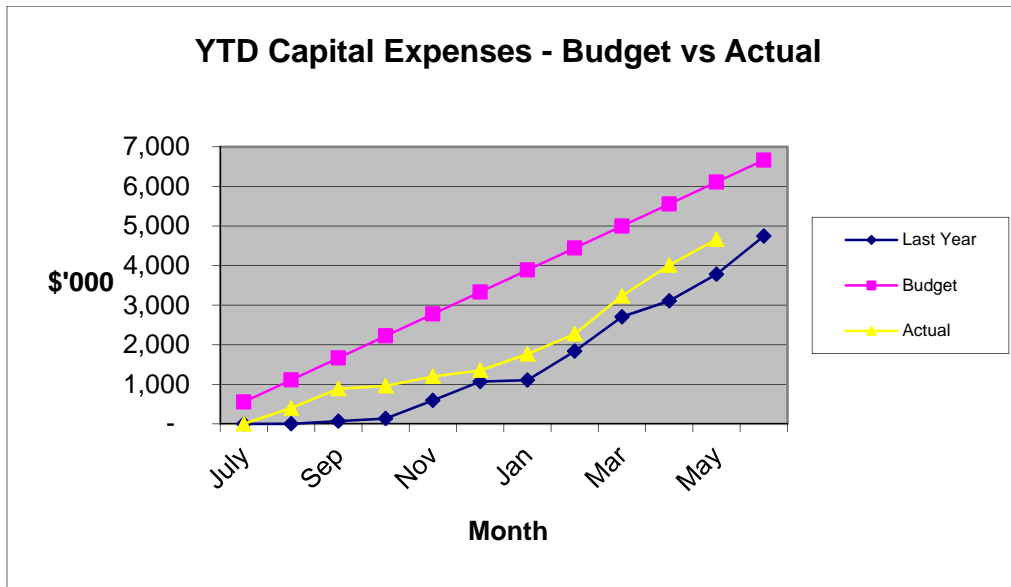
Total interest earned year to date is \$305,378 which is slightly below the year to date budget of \$307,266. The average investment rate of return has increased from 2.58% to 2.68% which exceeds the Reserve Bank’s cash reference rate of 2.00%. The Reserve Bank Board on 7<sup>th</sup> June 2016 maintained their target cash rate at 1.75%. The Shire has term deposits maturing from June 2016 to October 2016, investment terms ranging from 91 days to 273 days and interest rates from 2.50% to 3.07%.



Capital works expenditure of \$653,195 was incurred during the month on:

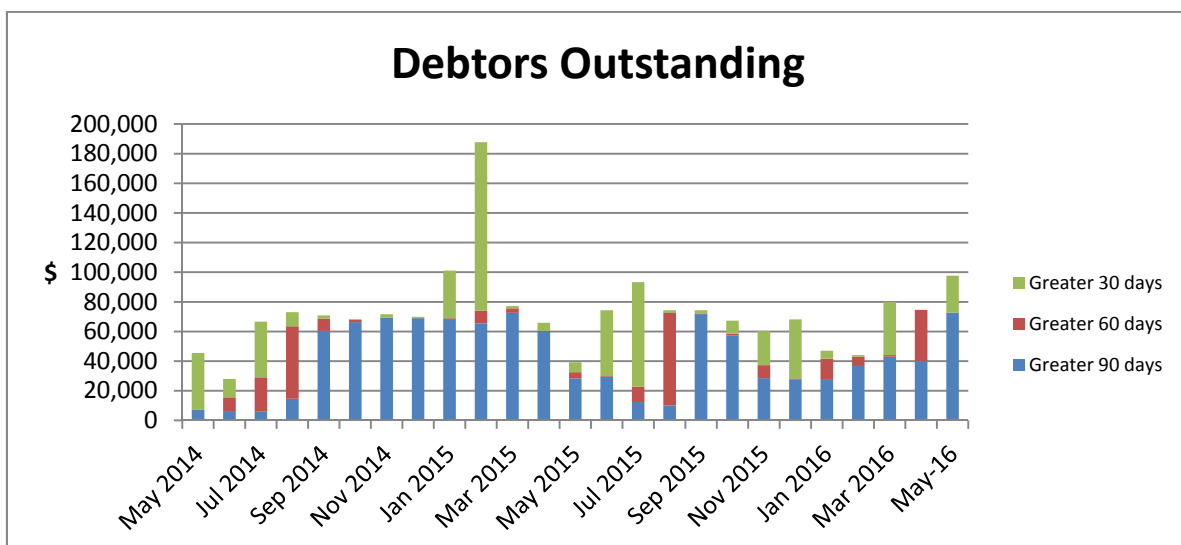
- \$351,802 Road Widening,
- \$26,600 Dual Use Paths,
- \$6,961 Capel Civic Precinct,
- \$2,151 Dog Pound,
- \$190,713 Tuart Forest Oval Facilities and
- \$74,105 Plant & Machinery.

The following graph compares actual capital expenditure against budget on a year to date basis. Last year’s actual is included for comparative purposes. Non cash infrastructure has not been included in the graph.

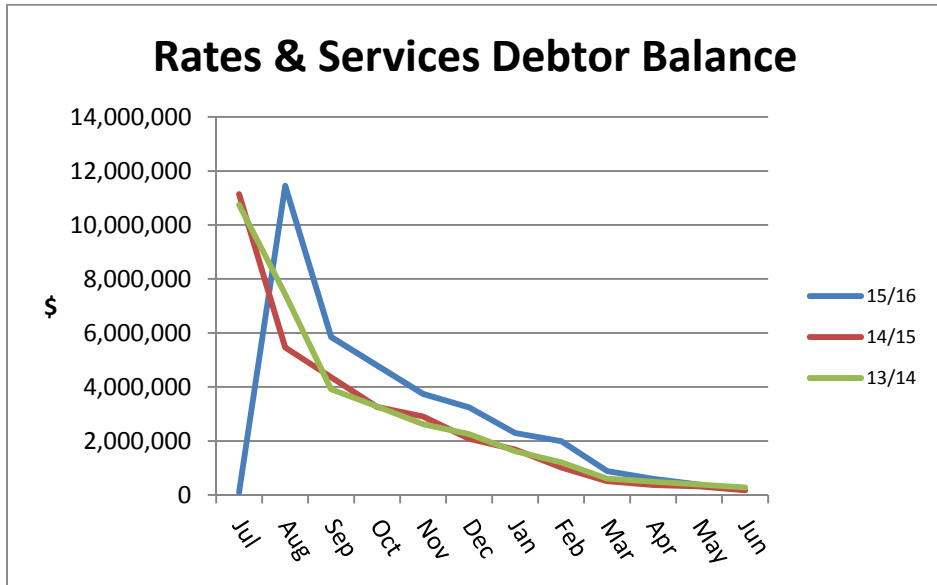


Council’s financial ratios are disclosed in Note 14. Ratios show no adverse trends.

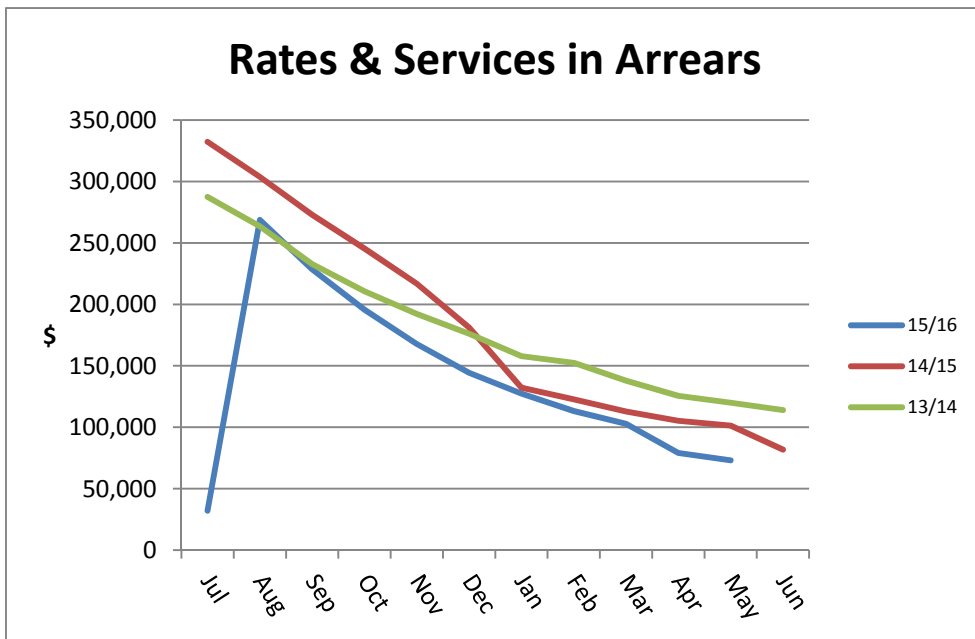
The following graph illustrates Council’s current level of general Debt recovery for 31-60 days, 61-90 days and greater than 90 days.



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



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



A review of the Statement of Financial Position and the attendant notes indicates there are no adverse trends evident in the year to date financial statements as at 31<sup>st</sup> May 2016.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATION – 15.10**

**That Council adopts the financial statements for the period ending 31<sup>st</sup> May 2016 as attached.**

## 16 COMMUNITY SERVICES REPORTS

### 16.1 Trails Priorities and Implementation

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	01.06.16
Author:	Community Development Officer, G Miller
Senior Officer:	Executive Manager Community Services, M Plume
Attachments:	Gelorup Trail Plan

#### **MATTER FOR CONSIDERATION**

Council is asked to support budget and long term financial plan allocations for the Shire of Capel Trails Management Group to implement trails planning, development and construction projects as identified and prioritised.

#### **BACKGROUND / PROPOSAL**

##### **Background**

At the Ordinary Council Meeting on 23 September 2009, Council resolved:

**OC0927** That Council endorses the Shire of Capel Trails Master Plan (August 2009) prepared by Transplan Pty Ltd and adopts the following recommendations contained therein.

- To refer the Trails Master Plan to the Department of Environment and Conservation (DEC) and seek the continued assistance of the DEC with respect to the development of trails within the Tuart Forest National Park in accordance with this plan. To seek to have the proposed trails for the Tuart Forest National Park included within the Management Plan currently being prepared by the DEC.
- Consider an annual allocation to supplement grants from other sources to implement the projects contained within the Capel Trails Master Plan.
- Agree to the Project Team remaining in place to oversee the implementation of the Trails Master Plan.
- Seek funds from other sources and funding programs for the projects contained within the Shire of Capel Trails Master Plan.
- If external funding can be sourced, make arrangements for a portion of work time of an officer of the Shire of Capel to be dedicated to trails and implementation of this Trails Master Plan.

**OC0928** That Council resolved to progress the following trail projects during the four financial years from 2010/2011 to 2013/2014 by allowing staff to commence detailed planning, submit proposals for budget consideration and source funding opportunities:

- Existing trails upgrading program
- Mallokup Bridge Heritage Trail
- Capel Heritage Trail
- Boyanup Heritage Trail
- Ironstone Gully Falls
- Capel Single Track Project
- Capel River Canoe Trail

**OC0929** In addition to OCO928 Council added to the Plan *The Avenue portion of the Capel to Peppermint Grove Beach Trail*.

**OC0930** *That Council consider progressing the other trail projects contained in the Trails Master Plan, on a project by project basis as resources and funding become available from the 2014/15 financial year onwards.*

**OC0931** *That Council:*

1. *Endorse staff consulting and investigating with state government authorities to determine requirements that need to be satisfied to achieve the proposals of the Trails Master Plan;*
2. *Be open to discussions with the Shire of Busselton in investigating the implications of providing regional 'rail-trail' linkages;*
3. *Supports the retention of Crown land (rail and road reserves) in State ownership where there is a need to retain such reserves to achieve the proposed trails of the Trails Master Plan; and*
4. *Does not support the permanent closure of the section of road known as "The Avenue" if it results in the loss of a possible recreational trail link to Peppermint Grove Beach.*

**OC0932** *That Council:*

1. *Advise the Department of Environment and Conservation that it has received several submissions raising concern over the potential loss of recreational horse riding activities in the Tuart Forest National Park and that Council supports the retention of horse riding activities within this forest where such activities can be appropriately managed.*
2. *Advise the submitters of mountain biking activities and trail bike activities that whilst Council does not oppose the development of such a facility it considers its Trail Master Plan satisfactorily provides for cycling activities and that if they require specialised facilities they should collectively apply for and obtain funding to investigate the demand for a regional facility and identify options (not necessarily within the Shire of Capel) for the location of such a facility should justifiable demand be proven.*

In 2015 officers undertook a desk top review of the Shire of Capel Trails Master Plan including the outcomes of the above recommendations.

At Ordinary Council Meeting 22<sup>nd</sup> July 2015, Council resolved:

**OC0712** *That Council:*

1. *Receives the Shire of Capel Trails Master Plan – Desktop Review; and*
2. *Supports the establishment of a Trails Management Group to facilitate the administration of trail project planning, development and management as referenced in Section 11 of the Trails Master Plan and that Councillors P McCleery and J Scott be nominated to the Trails Management Group.*

The Desktop Review of the existing Trails Master Plan contains an assessment of the Shire's recent history and documentation of Trails management. Specific references are made to the outstanding recommendations from the Ordinary Council Meeting of September 2009 (OC0927 – OC0932). The references include updates of outcomes achieved and of issues that have resulted in proposals remaining undeliverable.

### **Proposal**

To support budget and long term financial plan allocations to implement trails planning, development, management and construction of projects as identified and prioritised.

### **STATUTORY ENVIRONMENT**

Development of trails will require investigation and confirmation that there are no land tenure concerns.

### **POLICY IMPLICATIONS**

There are no policy implications in regards to this matter.

**FINANCIAL IMPLICATIONS****Budget**

A budget allocation of \$5,000 for existing trails maintenance is included in the 2016/17 budget.

**Long Term**

It is proposed to include \$43,000 for trail expenditure in the 16/17 Council Budget (For the Gelorup Trail as per attachment). A Lotterywest grant application will be submitted in 2016/17 Financial Year for an amount of \$23,000. This would represent potential income for Shire budget allocation.

The development of trails will require ongoing annual maintenance costs to be considered.

**Whole of Life****Whole of Life Costings for the Gelorup Wildflower Walk Trail**

These costings are calculated as a “manage to failure and reconstruct”.

This project will allow us to assess the accuracy of the calculated whole of life costings for this type of unsealed trail. Regular monitoring will establish baseline costing curves for this style of path.

**Total Ongoing Cost:**

Total Ongoing Cost equals sum of Ongoing Costs itemised in table below x Total Useful Life:  
 $\$ 4,723.18 \times 15 = \$ 70,847.70$

**Whole of life cost:**

Initial Investment plus Total Ongoing Cost:

$$\$ 42,843.00 + \$ 70,847.70 = \$ 113,690.70$$

Cost of developing trail, (Initial Investment)		\$ 42,943.00
Ongoing Costs	Operating Costs per annum (2%)	\$ 858.56pa
	Maintenance per annum (3%)	\$ 1,288.29pa
Depreciation Calculation	Total Useful Life (15 years)	
	Residual Value @20%	\$ 8,588.00
	Depreciable Portion (Cost – Residual)	\$ 34,355.00
	Depreciable Portion/Total Useful Life	\$ 2,290.33pa
Shire of Capel Overheads	Condition assessments, engineering reports, customer engagement etc. Cost * 10% / Total Useful Life	\$ 286.00pa

**SUSTAINABILITY IMPLICATIONS**

Effective trails management provides guidance and direction to Council and community to achieve acceptable and sustainable outcomes regarding the improvement of trail planning, development and management.

**STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan (2013 – 31)

1: The Leadership Experience “Ensure open, transparent, effective good governance and communication within the organisation and the community”.

**Strategic Objective**

1.5 Ensure the effective management of Council's resources

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".

**Strategic Objectives**

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

2.2 Encourage community engagement and participation

2.3 Preserve and protect the character of the communities

3: The Environmental Experience "To preserve and enhance the natural and built environment to ensure it is liveable, sustainable and adapts to our communities' needs and expectations".

**Strategic Objectives**

3.1 Promote the diverse lifestyle opportunities in the Shire

3.2 Maintain and enhance the quality of our unique natural environments

3.3 Preserve and protect the character of the towns as they expand

4: The Economic Experience "Foster and support responsible and progressive economic development opportunities within the Shire".

**Strategic Objectives**

4.1 Provide opportunities to take advantage of the Shire's location

4.7 Promote tourist interests and provision of tourist accommodation

5: The Infrastructure Experience "Plan and facilitate safe, sustainable and efficient infrastructure and transport networks to meet the needs of the community".

**Strategic Objectives**

5.1 Provide and maintain a safe and efficient transport, cycle, and pedestrian network

5.3 Improve connectivity throughout our communities and to the region

5.5 Engage in high level advocacy with the State Government and liaise with other infrastructure providers to obtain best possible levels of service for the community

5.6 Effectively manage the Shire's assets and resources.

In addition, there are a number of Shire of Capel Strategic Documents that support the development of Trails and illustrate the community interest and need for investment in these community enrichment projects. These documents include:

- Sport and Recreation Strategic Plan
- Strategic Community Plan
- Community Facilities and Services Plan
- Community Perceptions Survey 2015
- Shire of Capel Path Strategy 2013 – 2018
- Long Term Financial Plan

**CONSULTATION**

The following extracts are from the Community Facilities and Services Plan and demonstrate that development of trails and pathways is consistent with community facility and community participation trends.

"Across the Shire there is to be a concentration on the connectivity and linkages provided by footpaths tracks and trails, largely as indicated by the Shire's trails master plan".

"A significant focus on community connectivity and encouraging non-motorised transport has emerged. Footpaths have become the number one piece of recreation infrastructure and walking for fitness continues to outstrip every other form of physical recreation. Footpaths,

dual use paths, cycle paths, tracks and trails have become an integral part of every community development plan, residential estate structure plan and local planning strategy”.

“In 2010 the most popular activities for adults were walking, aerobics, swimming, cycling, running and golf. Participation in these top activities is almost uniform across the nation. Of these activities walking, cycling and running require little sport specific infrastructure with the majority being undertaken on footpaths, trails, linear parks and cycle lanes”.

In addition to these internal reference documents, Industry stakeholders including the Department of Sport and Recreation and Lotterywest have produced the Western Australian Trails Strategy 2009 – 2015 to provide strategic direction for the trails sector in the State.

These outcomes are also consistent with the results of the 2015 Community Perceptions Survey that indicate the following:

Q. Which areas would you most like the Shire to focus on improving?

A. Footpaths, Trails and Cycleways

Specific consultation for the proposed Gelorup Trail began with the project being identified by the Trails Management Group as the highest priority for a trail development. In addition to the reference group, a presentation was made by Shire staff at the Gelorup Community Management Committee Meeting in February 2016. The proposal was supported and the committee proposed a guided walk of the proposed trail be advertised within Gelorup for the purpose of community engagement and consultation.

An introduction letter explaining the proposal was mailed to residents prior to the guided walk taking place in April 2016. With 12 community members in attendance, a focus of the walk tour was to provide the opportunity for residents to feedback specific information and provide comment regarding the proposed trail. The considerable amounts of information received from this consultation resulted in slight route re-design of the trail alignment and feedback regarding community safety for consideration.

### **COMMENT**

The following trails are submitted for consideration:

#### **Gelorup Wildflower Walk**

While this was not identified in the original Trails Master Plan, through discussions with the Shire’s Environmental Officer, it became apparent that opportunities for trail development existed within the development of Reserve Management Plans. This proposal when presented to the Trails Management Group was met with approval and given a high priority.

#### **Heritage Trails**

In adopting the original Trails Master Plan, Council identified that the Capel and Boyanup Heritage Trails were of importance.

The Trails Management Group have also identified the following trails as a being of priority and base line costing have been sought and are as follows:

Capel Heritage Trail (2017/18) - \$44,680 + GST

Boyanup Heritage Trail (2018/19) - \$44,420 + GST

In both cases it is proposed that 50% of the costs would be offset with grant funding.

#### **Tourism Strategy**

Council is also advised that through its recent endorsement of the Bunbury Wellington District and Boyup Brook Regional Tourism Development Strategy, opportunities for trail development in a regional context, such as the identified “Self Drive Trails” which also feature in the original Trails Master Plan, could be considered by the Trails Management Group in the future.



**Capel Civic Precinct**

Should funding for Stage 4 of the Capel Civic Precinct be successful, this will mean the demolition of the current BMX track and the development of the Capel Single Track in future years.

As mentioned previously, Trails provide important linkages within communities and have rated highly in past surveys and consultations. To enable the continuation of trail development it is important that Council considers providing an annual allocation in the LTFP. The trails mentioned above in the report could then be considered and developed.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER RECOMMENDATION – ITEM 16.1**

**That Council supports the following:**

- 1. Allocation of \$43,000 in the 2016/17 budget for the Gelorup Wildflower Walk Trail on the understanding that \$23,000 will be funded from Grants; and**
- 2. An annual allocation of \$50,000 in future budgets on the basis that a minimum of 50% will be funded from grants.**

---

**16.2 Local Emergency Management Committee Minutes**

---

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	13.06.16
Author:	Community Services Executive Assistant, M Blandford
Senior Officer:	Executive Manager Community Services, M Plume
Attachments:	Local Emergency Management Committee Minutes 09.06.16

---

**MATTER FOR CONSIDERATION**

To consider the minutes of the meeting of the Shire of Capel Local Emergency Management Committee held on 9 June 2016.

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

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

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

**Proposal**

That the minutes of the meeting of the Shire of Capel Local Emergency Management Committee held on 9 June 2016 be received.

**STATUTORY ENVIRONMENT**

Emergency Management Act 2005

**Sections 36 and 38**

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

Local Government Act 1995

**Section 5.22**

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

**POLICY IMPLICATIONS**

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

State Emergency Management Committee Policy 2.5 – Emergency Management in Local Government Districts provides local governments are required to ensure that local emergency management arrangements are prepared for their districts. Local Emergency Management

Arrangements should reflect the emergency management capabilities and responsibilities of the agencies and industries involved and recognise and comply with any of their statutory responsibilities.

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

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

### **FINANCIAL IMPLICATIONS**

#### **Budget**

There are no financial implications for the budget associated with this matter.

#### **Long Term**

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

#### **Whole of Life**

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

### **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this matter.

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2013 to 2031

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

Strategic Outcome:

3.4 – promote emergency risk awareness.

### **CONSULTATION**

Membership of the LEMC is comprised of representatives from a number of external agencies as well as officers and elected members of the Shire of Capel. No further consultation is required.

### **COMMENT**

The Minutes provided as an attachment to this item are a true and correct record of proceedings.

Council may note the following:

- John Lane from the Western Australian Local Government Association (WALGA) presented the updated draft version of the new Local Emergency Management Arrangements (LEMA) for feedback. The Committee then voted in favour of endorsing these arrangements and submitting them to the Council for adoption.

**VOTING REQUIREMENTS**

Simple majority

**OFFICER'S RECOMMENDATIONS – 16.2**

**That Council receives the minutes of the Local Emergency Management Committee (LEMC) meeting held on 9 June 2016 and adopts the recommendation contained therein:**

**LEMC0602**

**That the Local Emergency Management Arrangements be accepted and tabled with the District Emergency Management Committee for noting, and tabled with the Shire of Capel Council for adoption.**

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