

Shire *of* Capel

AGENDA

ORDINARY COUNCIL MEETING

Wednesday 28th September 2016

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

REMINDER:

1.45pm Briefing: Asset Management Strategy

**2.15pm Briefing: Regional Centres Development
Plan - Growth Update**

3.00pm Briefing: Garry Green, Iluka Resources Ltd

3.30pm Round the Table Discussion



Experience the
Shire of Capel



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FINANCIAL INTEREST

(Effective 1 July 1996)

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

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

Councillors should declare an interest:

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

A member who has declared an interest must not:

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

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

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

DISCLAIMER

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

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

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

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS, FORREST ROAD, CAPEL ON WEDNESDAY, 28TH SEPTEMBER 2016 COMMENCING AT 4.30PM.

PF Sheedy.

PF Sheedy
CHIEF EXECUTIVE OFFICER

23 September, 2016

AGENDA

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IMPORTANT NOTE:

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

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

Leave of Absence: Cr P McCleery (OC0701)

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.

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 – 24.08.16

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.

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.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 CHIEF EXECUTIVE OFFICER REPORTS**13.1 Annual Performance Review – Chief Executive Officer**

Location: Capel
 Applicant: John Phillips (WALGA)
 File Reference: Personnel 110
 Disclosure of Interest: I wish to declare a financial interest in this matter, being the employee who is the subject of the review.
 Date: 30.08.16
 Author: Chief Executive Officer, PF Sheedy
 Senior Officer: Chief Executive Officer, PF Sheedy
 Attachments: Chief Executive Officer – Annual Appraisal Council Report
(Confidential)

MATTER FOR CONSIDERATION

That Council:

1. Receive the Performance Review report and endorse the overall rating of "Satisfactory";
2. Schedule the annual appraisal to be conducted by 30 July 2017; and
3. Adopt the Key Result Areas for the period 2016/2017.

BACKGROUND / PROPOSAL**Background**

Elected Members were given the opportunity to provide feedback based on a questionnaire containing a series of questions reflecting the four Key Result Areas and associated objectives and actions.

Eight (8) Elected Members provided feedback, which compares with seven (7) in 2015.

The Chief Executive Officer provided his own report based on the same questionnaire.

The Key Result Areas used were:

1. Strategic Directions
2. Sustainable Economic Development
3. Service Delivery
4. Financial

A feedback report was prepared for consideration at a formal appraisal meeting, and the review of performance criteria for 2016/17, which was held with Mr Sheedy on Wednesday 24 August 2016.

Overall, the aggregated outcome of all ratings from respondent elected members indicates that the Mr Sheedy's performance during 2015/16 has been 'Satisfactory - performance consistently meets expectations for the criteria. Knows and performs the job well'.

Proposal

The review of Mr Paul Sheedy's performance as the Chief Executive Officer of the Shire of Capel for 2015/16 has been carried out in accordance with Council's statutory obligations and within the terms of Mr Sheedy's contract with the Shire, as varied from time to time.

Council appointed Mr John Phillips to facilitate the Shire's performance appraisal and contract review process. This included obtaining feedback from respondents, compiling a discussion report for the appraisal meeting ('Feedback Report'), facilitating the appraisal meeting undertaken on 24 August 2016 and drafting the Council report.

Overall Mr Sheedy's performance was considered by Elected Members to be 'Satisfactory'.

STATUTORY ENVIRONMENT

Local Government Act sections 5.38

5.38. Annual review of certain employees' performances

The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.

POLICY IMPLICATIONS

There are no current policies applicable to this item.

FINANCIAL IMPLICATIONS

Budget

Funding is provided within the 2015/16 budget to allow for the implementation of the Actions within the KRA's based on them being undertaken internally.

Long Term

Annual salary increases will require additional funding to be provided in future budgets on an annual basis.

Whole of Life

As no assets are being created there are no whole of life cost implications.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications with this matter.

STRATEGIC IMPLICATIONS

Whilst the annual performance review of the Chief Executive Officer is a statutory requirement under the Local Government Act 1995, it is important in ensuring that, the organisation is achieving its objectives, is heading in the direction desired by Council and allows the Council to set specific objectives for the CEO for the next twelve months.

CONSULTATION

As part of the review, consultation occurred with Councillors by John Phillips and with the Chief Executive Officer at the workshop to develop the KRA's. No further consultation is required.

COMMENT

The KRA's for the 2016/17 financial year have been amended to reflect the requirements of Councillors expressed at the workshop on 24 August 2016.

VOTING REQUIREMENTS

Simple majority

| |
|---|
| OFFICER'S RECOMMENDATIONS – 13.1 |
|---|

That Council:

- 1. Receives the Performance Review report and endorses the overall rating of "Satisfactory";**
- 2. Schedules the annual appraisal to be conducted by 30th July 2017; and**
- 3. Adopts the Key Result Areas for the period 2016/2017.**

13.2 Greater Bunbury Regional Centre Growth Plan – Executive Support for Implementation

Location: Capel
Applicant: Shire of capel
File Reference: GR.LI.4
Disclosure of Interest: Nil
Date: 14.09.16
Author: Chief Executive Officer, PF Sheedy
Senior Officer: Chief Executive Officer, PF Sheedy
Attachments: Nil

MATTER FOR CONSIDERATION

Approval of unbudgeted expenditure of up to \$130,000, with funds provided from Landcorp, to allow for the employment of an Administration Officer and Project Technical Officer to ensure the implementation of the Greater Bunbury Regional Centre Growth Plan strategies and support for the cluster based committees.

Council will provide some in-kind contributions with the provision of office accommodation, internal telephone (but not mobile phone costs), power, consumables, photocopying etc. costs.

BACKGROUND / PROPOSAL**Background**April 2015

The State Government announced that it wished to enter into a partnership with nine new regional centres building on the initial Super Towns program. The objective of the partnership was to develop an economic plan for each centre that would set out a pathway for economic growth in a manner that complements local governments existing or proposed town plans and ten year community strategies.

Greater Bunbury was identified as one of the State's growth centres incorporating the urban area from Australind in the north to Dalyellup in the south. While this provides a singular focus for growth planning it is recognised that economic and social links radiate out to adjacent localities and shires. The growth plan would have the capacity to recognise and enhance those linkages.

Greater Bunbury was considered to be unique in that to proceed; it would require a collaborative partnership between the four Greater Bunbury local government authorities and the South West Development Commission (SWDC) in order to develop a growth plan that could embrace the whole area based on a shared vision and values. There was no intent that the growth plan in any shape or form would affect the responsibility and autonomy of each local government. It was to be a guide for local government, State and Federal government and the private and not for profit sector that could help inform and maximise the benefits of future investment.

Following the briefing session by Stewart Hicks, Chairperson SWDC and Don Punch, Chief Executive Officer SWDC on Thursday 8th April 2015, a further brief meeting was held on Monday 13th April 2015 with the local government Mayor/Presidents and Chief Executive Officers of the four Greater Bunbury local governments, to discuss how as a group they could progress a joint application under the Regional Centres program.

Council at its meeting on 22 April 2015 resolved (OC0403) the following:

That Council advises the South West Development Commission that it considers that the development of a Greater Bunbury Growth Plan under the Regional Centres Development Plan provides significant opportunities for the Shire of Capel and its communities and:

1. *That it fully supports the proposed development of a Greater Bunbury Growth Plan, under the Regional Cities Development Plan Phase Two (RCDP2);*
2. *Confirms its interest to support the development of a joint funding submission (four local governments) to participate in the RCDP; and*
3. *That it has the capability (President and CEO time) and preparedness to develop a Growth Plan for the Greater Bunbury Area.*

Proposal

Considerable thought has been given to a methodology for embedding the growth plan in the local community. Given that the key to the success of the growth plan will be the operation of effective cluster based committees, it is recognised that a period of incubation for these committees gives them the best chance of success. With this in mind, on advice from the Regional Centres program, funds allocated to preparation of the growth plan which have not been expended can be directed towards the embedding process.

It is proposed that the unexpended funds be held by the Shire of Capel and that the Shire auspice the engagement of staff and consultants with the expenditure of funds as directed by the Growth Plan Partnership. These funds are expected to be directed towards:

1. Engaging facilitation services to help with the ongoing operation of the cluster based committees.
2. Executive support to help with setting up meetings of the cluster based committees.
3. Matters ancillary to the above.

STATUTORY ENVIRONMENT

Local Government Act 1995 section 3.1

3.1. General function

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

Local Government Act 1995 section 6.8

6.8. Expenditure from municipal fund not included in annual Budget

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

* Absolute majority required

POLICY IMPLICATIONS

There are currently no Council policies that would impact on or are relevant to the approval of the unbudgeted expenditure; however the following 'Council Staff' policies will apply to the employment of the staff:

- 3.2 EEO, Discrimination, Bullying and Harassment
- 3.9 Uniform Allowance
- 3.13 Smoking in the Workplace
- 3.14 Occupational Safety, Health and Disciplinary Actions
- 3.16 Grievances, Investigations and Resolutions
- 3.20 Code of Conduct
- 3.25 Recruitment and Selection.

FINANCIAL IMPLICATIONS**Budget**

The 2016/17 budget has no allocation for these positions and any expenditure is therefore considered to be unbudgeted expenditure. If this proposal is approved by Council an adjustment will be made to the budget as part of the annual budget review in February 2017 for this project.

As Council will be able to draw on funds, it will hold from the unallocated portion of the Growth Plan preparation funding, to meet all of these costs, there will be no adverse impact on the Council's annual budget.

Council will provide some in-kind contributions with the provision of office accommodation, internal telephone (but not mobile phone costs), power, consumables, photocopying etc. costs and all other costs will be met from the program funds.

Long Term

The initial proposal is for a twelve month period and any extension of this will require additional external funds to be provided to meet all costs to ensure there is no impact on the Council's finances.

Whole of Life

There will be some possible future costs for the replacement of computers etc. in line with Council's current IT Plan but these costs will be met by the program.

SUSTAINABILITY IMPLICATIONS

The development of a Growth Plan for the Greater Bunbury area will include an economic plan which sets out a pathway for economic growth, and has the potential to dramatically improve the sustainability of the various localities and towns within the Shire.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013 – 2031

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

Strategic Outcome:

1.3 Develop, support and implement innovation solutions.

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

Strategic Outcome:

4.9 Encourage business development.

CONSULTATION

Consultation has been undertaken with the Department of Regional Development RCDP Steering Committee to seek approval for the allocation of the unexpended funds, Landcorp who currently are the custodians of the Growth Plan implementation funds and the four local government Elected Member and CEO representatives.

No further consultation is required in regards to this matter.

COMMENT

The proposal that was put forward in April 2015 was for the four local governments to form a local Greater Bunbury Steering Committee consisting of the Mayor and Presidents and Chief Executive Officers (CEOs) of the City of Bunbury and Shires of Capel, Dardanup and Harvey and the CEO of the SWDC or their delegates at sufficiently senior level to participate. It could include other members as agreed and would have strong links to community and business stakeholders. This group would be responsible for the development of a growth plan with a completion date of 1st October 2016.

The Growth Plan is nearing completion with the expected sign off by the Department of Regional development and the Minister to be completed prior to 31 December 2016. This will then allow for the program to move to the next stage which is the implementation phase. This will involve working very closely with the four identified cluster groups, the newly formed Bunbury Geographe Growth Plan Steering Committee (Mayor and Presidents of four local governments, SWDC, Bunbury Chamber of Commerce or similar organisation that represents business interests of the region, Southern Ports and Bunbury Wellington Economic Alliance) and progressing the identified growth drivers and priority initiatives for the region that have been previously identified.

It is very important that the current momentum for this program is not lost and so the intention is that adequate staff resources are put in place now, to ensure that work can continue once the consultants' current contract expires on 31 October 2016, on such matters as the launch and ongoing work. As a result the Shire of Capel has indicated that it is prepared to hold the unspent Growth Plan funds and employ the required staff and consultants (if required) immediately.

The intention is to employ a Project Technical Officer for approximately twenty (25) hours per week for a period of twelve (12) months, who will work with the Steering Committee and the cluster groups to ensure that the projects are consulted widely with industry and community, are well planned and then delivered efficiently and effectively to a required standard. This position will be advertised in local newspapers in the week commencing 3 October 2016, with final selection to be undertaken by the four local government CEOs in late October 2016.

In addition, an Administration Officer will initially be employed for a period of four (4) months from 1 October 2016 to ensure the Growth Plan final phase and projects are completed and then the Steering Committee will make a decision on whether to extend the employment for a further period.

Internally both positions will report to the Shire of Capel Chief Executive Officer in regards to day to day matters whilst externally they will be report to the Bunbury Geographe Growth Plan Steering Committee.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATIONS – 13.2

That Council approves unbudgeted expenditure of up to \$130,000, with funds provided from Landcorp, to allow for the employment of an Administration Officer and Project Technical Officer to ensure the implementation of the Greater Bunbury Growth Plan strategies and support for the cluster based committees.

14 ENGINEERING AND DEVELOPMENT SERVICES REPORTS**14.1 Overnight Stay Caravan and Recreational Vehicle site**

| | |
|-------------------------|---|
| Location: | Capel |
| Applicant: | Shire of Capel |
| File Reference: | RC.PL.3 |
| Disclosure of Interest: | Nil |
| Date: | 29.06.16 |
| Author: | Executive Manager Engineering & Development Services, J Gick |
| Senior Officer: | Acting Chief Executive Officer, S Stevenson |
| Attachments: | 1. Locality Plans 2. Berkshire Road – Concept Plan 3. Schedule of Submissions |

MATTER FOR CONSIDERATION

Determination to develop a 'roadside rest area' at Berkshire Road (west), Capel for overnight caravan and recreational vehicle stays.

This report is designed to address Council Decision OC0711 that Council defer this item pending the undertaking of community consultation with residents on West Road adjoining Hannaby Park on the use of Hannaby Park as an overnight stay Caravan and RV site and staff to bring a report back to Council for consideration.

BACKGROUND / PROPOSAL

August 2013 – CEO Annual Performance Review included a KRA to 'prepare a report to Council on potential opportunities and issues for overnight stay caravan sites.

June 2014 – Council Decision OC0602:

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

1. That it agrees that it is important that it not establish similar facilities that will be in competition with the Peppermint Grove Beach Caravan Park;
2. That it makes provision in the future development of the Civic Precinct for signage to be provided giving instruction to travelers on where to find the Peppermint Grove Beach Caravan Park;
3. That the Chief Executive Officer considers in more detail the site suitability and feasibility of providing a temporary "road side rest area" on Berkshire Street west adjacent to the Capel Recreation Ground, specifically for self-contained vehicles for stays no longer than 24 hours; the vehicles that are not self-contained to be directed to the Peppermint Grove Beach Caravan Park;
4. That the Chief Executive Officer investigates the amendment of existing local laws to allow for the designation and management of road side areas by Council;
5. That the Chief Executive Officer investigates the requirements of establishing Ironstone Gully Falls as a nature based camping area and if feasible and subject to budget allocation prepare a reserve management plan to formalise the use of the reserve for camping; and

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

July 2016 – Council Decision OC0711:

That Council defer this item pending the undertaking of community consultation with residents on West Road adjoining Hannaby Park on the use of Hannaby Park as an overnight stay RV site and staff to bring a report back to Council for consideration.

STATUTORY ENVIRONMENT

Section 3.1 of the Local Government Act 1995 applies.

3.1. General function

- (1) The general function of a local government is to provide for the good government of persons in its district.
- (2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.
- (3) A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Section 11 of the Caravan Park and Camping Grounds Regulations 1997 applies.

11. Camping other than at caravan park or camping ground

- (1) A person may camp —
 - (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval; or
 - (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area; or
 - (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve; or
 - (d) on any land which is —
 - (i) held by a State instrumentality in freehold or leasehold; or
 - (ii) dedicated, reserved, or set apart under the *Land Administration Act 1997* or any other written law, and placed under the care, control or management of a State instrumentality, in accordance with the permission of that instrumentality; or
 - (e) on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the *Land Administration Act 1997*, or a person authorised by the Minister to give permission under this paragraph.

Clause 4.1 and 4.4 of the Shire of Capel Activities in Thoroughfares and Public Places and Trading Local Law 2016 applies.

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

- (1) A person shall not leave an animal or a vehicle, or any part of a vehicle, in a public place or on local government property so that it obstructs the use of any part of that public place or local government property, unless that person has first obtained a permit or is authorised to do so under a written law.
- (2) A person will not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.
- (3) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.
- (4) Subclause 1 does not apply to a person with a disability where the animal is a guide dog or assistance animal as defined in the *Disability Discrimination Act 1992* (Commonwealth) s9(2).

4.4 Removal of vehicle or animal

Any animal or vehicle left in contravention of Clause 4.1 may be removed, impounded or disposed of in accordance with Subdivision 4 of Division 3 of Part 3 of the Act and regulation 29 of the Regulations.

Clause 3.14 of the Shire of Capel Local Government Property Local Law applies.

- 3.14** (1) In this clause –
"facility" has the same meaning as is given to it in section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.
- (2) This clause does not apply to a facility operated by the local government.
- (3) A person shall not without a permit -
 (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property; or
 (b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.
- (4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the Caravan Parks and Camping Grounds Regulations 1997.

POLICY IMPLICATIONS

Council Policy 7.1: Asset Management applies.

FINANCIAL IMPLICATIONS

Budget

Development of an overnight stay area on Berkshire Road (west) has been costed at about \$24,500. The cost estimate does not include any project management costs, overheads or contingency. The 2016/17 Budget therefore, includes \$26,000 for this item.

Long Term

The development of a new overnight stay area will require the ongoing maintenance of the site. The proposed asset is essentially a widening of the road formation and seal, and is likely to attract a typical annual maintenance cost of about 2% of the capital outlay. This equates to an increase in the road's maintenance budget of about \$500 per annum into the future. Over the useful life of this new asset (65 years), this will cost the Council \$32,500 in today's value, or \$65,563 if indexed at 2% per annum. This includes provision of \$6,000 in 2017/18.

Whole of Life

The new asset can be viewed as a road / car park as it will perform and behave in a similar way. The whole of life costing can be summarised as:

| Year | Activity | Cost (\$) | Indexed cost (2%) (\$) |
|--------|--|----------------|------------------------|
| 0 | Construct new formation & seal | 26,000 | 26,000 |
| 1 | 2 nd coat seal | 6,000 | 6,120 |
| 22 | First Reseal | 6,000 | 9,094 |
| 44 | Second Reseal | 6,000 | 14,059 |
| 65 | Reconstruction | 26,000 | 94,186 |
| Annual | Maintenance x 65 | 32,500 | 65,563 |
| Annual | Depreciation (80% Original capital) | 20,800 | 20,800 |
| Annual | Shire of Capel overheads and management (10% of Capital/useful life) | 2,600 | 5,350 |
| | WHOLE OF LIFE COST | 125,900 | 241,172 |

SUSTAINABILITY IMPLICATIONS

The recommended development of an overnight stay site at Berkshire Road, adjacent to the Capel Recreation Ground, addresses sustainability in the following areas:

Economic – the recommended treatment is a moderate version of the previous development proposal, and saves Council in the order of \$47,000 in capital expenditure. Overnight visitors are likely to contribute towards the local economy through supplies and services.

Environmental – the recommended treatment is a moderate version of the previous development proposal and saves on materials, and reduces impact on stormwater. A dedicated site may reduce the incidence of indiscriminate camping in roads and reserves.

Social – the recommended treatment is closer to the Capel Recreation Ground, the Capel Bowls Club and the Capel Country Club, which may facilitate improved social engagement. The recommended treatment is also closer to dwellings on Goodwood Road, which may attract some negative commentary from nearby landowners.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013 – 2031

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

Strategic Outcome:

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

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 Outcome:

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

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

Strategic Outcome:

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 Outcome:

5.6 Effectively manage the Shires assets and resources.

CONSULTATION

Internal staff in Health, Technical Services, Governance and the Executive have been consulted on this matter.

The issue of an overnight stay facility was raised by Mr Bevan Martin of the Campervan & Motorhome Club of Australia at the official opening of the Capel Civic Precinct Waste Dump Point on 23 May 2016. Mr Martin suggested to Shire President M Scott, Cr J Scott and the Chief Executive Officer that there might be some merit in developing an overnight stay area closer to the dump point. This communication will be commented on further below.

Following discussion at its July 2016 meeting, Council decided to seek comment from landowners and residents living near Hannaby Park on West Road, to determine community opinion on developing an overnight stay location at Hannaby Park.

A letter explaining Council's decision was sent to 19 landowners and residents within close proximity of Hannaby Park. In response to the outgoing letter, the Executive Manager Engineering & Development Services was contacted by Mr Rick Davey of Dilley Rest, Capel and asked to meet on site. Mr Davey had contacted several of the nearby residents, and in the late afternoon of 23 August 2016, the Executive Manager met with about 15 people at Hannaby Park to explain the Council decision and field questions on the proposal.

Most of the questions and comments revolved around the following themes:

- The origins of the proposal;
- Objections to the proposal and details of those objections;
- Questions on procedure; and
- Opportunities to present to the Council.

The Shire called for comments on the proposal by 5 September 2016, and 11 letters of objection were received within that deadline, including two separate letters by the same person. Two other letters of objection were received by 6 September 2016. Of the 13 letters received, eight were a photo copy of an original letter drafted by Mr Davey and made available by others to sign separately. Five letters were written in an original format.

A schedule of submissions is attached.

COMMENT

The comment for this report follows on from the update on Council Decision OC0602 from the May 2014 meeting given at the July 2016 meeting. This comment addresses a suggestion by the Campervan & Motorhome Club of Australia suggesting the overnight stay area be located closer to the Waste Dump Point, and responds to letters of objection raised by landowners and residents near Hannaby Park.

Update on Council Decision OC0602:

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

STATUS UPDATE: Noted. No further action required.

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

STATUS UPDATE: Stages 2 and 2A of the Capel Civic Precinct are nearing completion. The Project Management Plan for this part of the Capel Civic Precinct project did not include provision for directional signage for the Peppermint Grove Beach caravan park, so has not been installed at this time.

The Shire is working with the new owners of the Peppermint Grove Beach caravan park with respect to statutory approvals for Planning, Building and Health applications. The owners have indicated they are aiming to be operational by October 2016. The Shire has engaged with the owners to determine a suitable signage strategy to address this item.

3. That the Chief Executive Officer considers in more detail the site suitability and feasibility of providing a temporary "road side rest area" on Berkshire Street west adjacent to the Capel Recreation Ground, specifically for self-contained vehicles for

stays no longer than 24 hours; the vehicles that are not self-contained to be directed to the Peppermint Grove Beach Caravan Park;

STATUS UPDATE: This decision has been progressed. Consideration of the use of Berkshire Street was discussed in the 18 June 2014 meeting as part of the commentary around the possible use of the northern part of the Capel Recreation Ground. The initial site investigation identified a wide part of the Berkshire Road reserve, west of the Recreation Ground, and adjacent to the railway reserve, as depicted in the attached Locality Plan.

A concept plan was prepared for this location, which included earthworks, bituminous seal, parking for 4 caravans, and a turning circle with opportunity for street furniture to complement the site. A cost estimate was prepared for this site which suggested the works would cost in the order of \$90,000. This was discussed at the EMT meeting on 10 May 2016, which coincided with discussions on an already constrained draft 2016/17 budget. The discussion then considered the site which features the following attributes:

| Advantages | Disadvantages |
|------------------------------|---------------------------------------|
| Quiet location | Isolated, lack of security |
| Plenty of space | Walkers, horses, off-road trail bikes |
| Greenfields development site | Exposed to weather |

Review of the 18 June 2014 report also suggested in the commentary that the Berkshire Road might itself present an option for development. There is a section of Berkshire Road between the access crossovers to the Recreation Ground that presents very well as a more suitable passive overnight stay option. This location could be developed as a widened road formation with line-marking and directional signage to accommodate three caravan bays on the southern side of the road. A cost estimate indicates this project could be delivered for a moderate cost of \$26,000.

The use of the Berkshire Road location, as depicted in the Locality Plan and the attached Concept Plan, features the following attributes:

| Advantages | Disadvantages |
|-----------------------------------|-----------------------------|
| Quiet location | Isolated, lack of security |
| Shaded and sheltered | On road traffic |
| Closer to the Pavilion facilities | Sports training interaction |

This site is a moderate development that will provide a space for caravan and recreational vehicles users for overnight stays in Capel.

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

STATUS UPDATE: There are two Local Laws that make provision for overnight stays for caravans and Recreational Vehicles. Clause 4.1(1) of the Shire of Capel Activities in Thoroughfares and Public Places and Trading Local Law 2016, says:

“A person shall not leave an animal or a vehicle, or any part of a vehicle, in a public place or on local government property so that it obstructs the use of any part of that public place or local government property, unless that person has first obtained a permit or is authorised to do so under a written law.” Contravention of this clause attracts a \$200 infringement.

Clause 4.4 of the Shire of Capel Activities in Thoroughfares and Public Places and Trading Local Law 2016, is a proposed new clause to the Local Law, and says:

“Any animal or vehicle left in contravention of Clause 4.1 may be removed, impounded or disposed of in accordance with Subdivision 4 of Division 3 of Part 3 of the Act and regulation 29 of the Regulations.” This clause gives the Shire authority to forcibly remove an offending vehicle. By definition, a caravan or recreational vehicle is defined as a ‘vehicle’ and would therefore be subject to this clause.

Clause 3.14 of the Shire of Capel Local Government Property Local Law may also apply, as it outlines requirements to obtain a permit to camp outside a caravan park and camping ground.

Clause 3.14 says:

“(1) In this clause –

“facility” has the same meaning as is given to it in section 5(1) of the Caravan Parks and Camping Grounds Act 1995.

(2) This clause does not apply to a facility operated by the local government.

(3) A person shall not without a permit -

(a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property; or

(b) erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day.

(4) The maximum period for which the local government may approve an application for a permit in respect of paragraph (a) or (b) of subclause (3) is that provided in regulation 11(2)(a) of the Caravan Parks and Camping Grounds Regulations 1997.”

This clause can be used to discourage camping in areas on land owned by the local government, if they are camping in areas that causes offence to others.

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

STATUS UPDATE: The development of a new Reserve Management Plan has been discussed at staff level, but no progress has been made. Staff are scoping up the task and identifying issues for inclusion in a future Management Plan. Some issues identified for consideration include:

- Ironstone Gully Falls not a gazetted camping area, but is mentioned in camping directories as a good place for overnight stay;
- The bushland is managed as a native bushland reserve by the LCDC and Shire, but there is evidence that people are camping in the bushland areas;
- There is no all year fresh water supply or fire-fighting supply during summer.
- A walk trail has been suggested for future development
- There is a single composting toilet with no water supply.
- There is a poisonous weed problem (*Gastrolobium bilobum*); and
- Vehicles have been accessing the “falls area”, which poses safety risks.

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

STATUS UPDATE: As part of its arrangements to support the official opening of the Waste Dump Point, the Shire engaged with Mr Bevan Martin of the Caravan and Motorhome Club of Australia, to discuss the opportunity for Capel to be recognised as an RV friendly town.

In an email dated 27 April 2016, Mr Martin indicated that he would investigate this opportunity, but the Shire has not yet received a response.

Comment on suggestion to locate overnight stay area closer to Waste Dump Point

Mr Martin made a suggestion to Shire President M Scott, Cr J Scott and the Chief Executive Officer that there might be some merit in establishing the overnight stay in a location closer to the Waste Dump Point.

Review of the 18 June 2014 report shows that four sites discussed for further development were:

- Reserve 7574 – Erle Scott Reserve, Buchanan Road;
- Hannaby Park, West Road;
- Reserve 24529 – Capel Recreation Ground (northern end); and
- Railway Reserve, Properjohn Road / Forrest Road.

Three of the four suggested locations are closer to the centre of town, than the Council nominated site at Berkshire Road; however, the distances are not significantly less. The table below shows the distances from each site to the dump point, the town centre and includes comments on the various advantages and disadvantages of each site:

| Site | Advantages | Disadvantages | Distance to Dump Point | Distance to SoC Admin Centre |
|-------------------------|--|---|------------------------|------------------------------|
| Erle Scott Reserve | <ul style="list-style-type: none"> • Close to town centre • Good vehicle access • Close to dump point • Public toilet access • Power option | <ul style="list-style-type: none"> • CCP makes no provision for caravans in plan • CCP redesign required • Close to residences | 260m | 210m |
| Hannaby Park | <ul style="list-style-type: none"> • Close to town centre • Good vehicle access • Pleasant setting | <ul style="list-style-type: none"> • Close to residences • Playground area use • No power • No toilets | 430m | 720m |
| Capel Recreation Ground | <ul style="list-style-type: none"> • No residential area • Good vehicle access to driveways • Nearby public toilets (pavilion) • Pleasant setting | <ul style="list-style-type: none"> • Distance to town centre • Drainage and site works required • User conflicts during sports training and events • Land use zoning does not permit use. | 1,270m | 980m |
| Railway Reserve | <ul style="list-style-type: none"> • Close to town centre • Good vehicle access • Close to Doctor & Pharmacist | <ul style="list-style-type: none"> • Land tenure subject to negotiation • Parking conflicts on Properjohn Road • Close to residences | 580m | 390m |

| Site | Advantages | Disadvantages | Distance to Dump Point | Distance to SoC Admin Centre |
|-----------------------|--|---|------------------------|------------------------------|
| Berkshire Road (end) | <ul style="list-style-type: none"> • Quiet location • Greenfields site • Space | <ul style="list-style-type: none"> • Isolated, lack of security • Walkers, horses, off-road trail bikes • Exposed to weather | 1,380m | 1,090m |
| Berkshire Road (west) | <ul style="list-style-type: none"> • Quiet location • Shaded and sheltered • Nearby public toilets (pavilion) | <ul style="list-style-type: none"> • Isolated, lack of security • On road traffic • Sports interaction conflicts | 1,200m | 910m |

The shortest distance is 210m from Erle Scott Reserve to the Shire Administration Centre. The longest distance is 1,380m from the end of Berkshire Road to the dump point. None of the distances are excessive and the distances to the dump point are somewhat moot, as all access to the dump point needs to be driven to bring the caravan or recreational vehicle to the site for dumping.

Commentary around the proximity of the overnight stay to the town centre may be somewhat subjective as the advantages and disadvantages of each site are not easily measurable. The convenience of being close to town for one site might be off-set by the privacy of another site.

Comment on Council Decision OC0711

The Council decided on 27 July 2016 to consult with the community of residents and landowners near Hannaby Park to determine community view on the use of Hannaby Park as an overnight stay location for Capel. All responses to that consultation object to the proposal, with several reasons given for the objections.

Common themes around the community objections include:

- Development impact on Hannaby Park, including road works, damage to trees, damage to lawned areas;
- Conflict between overnight stayers and passive recreation users (e.g. people walking dogs);
- Increased traffic on West Road and Hannaby Park (potential conflict with children);
- Early morning disturbances when overnight stayers leave;
- Security of the site and nearby dwellings may be compromised;
- Risk of increased vandalism and noise;
- Lack of toilet facilities will result in indiscriminate latrines around Hannaby Park and the river foreshore;
- Potential conflict or compromise if the adjoining land owned by the Roman Catholic Church develops;
- Lack of control of the site during peak months;
- Increased litter; and
- Disruption of the river foreshore views and access to open space.

Some objectors also suggested that the additional driving or walking time from Berkshire Street was not that significant and should not be viewed as a major motivation to nominate Hannaby Park as the Council's preferred overnight stay site.

General Comment

The number of caravans and recreational vehicles visiting and staying overnight in Capel is gradually increasing, it has not reached a point where dedicated spaces need to be developed significantly, or stringent controls need to be enforced to control anti-social behaviours.

The very strong objection to the Hannaby Park site, suggests the Council should re-nominate Berkshire Street as its preferred development site, consistent with Council Decision OC0602 in 2014. The nearest residential dwelling to the three sites on Berkshire Street is 140m away on Goodwood Road.

The space on Berkshire Street allows over-nighters to choose a space that suits them within a precinct that has a mixture of open space, mature trees, proximity to a toilet and vehicle accessibility.

The site is currently subject to some localised ponding as there is a low space on the verge. This can be addressed through construction of a widened and elevated road shoulder, which will drain into the adjoining drain.

The adjoining drainage line is functional, but will need some maintenance to remove overgrown grasses, thinning out of some saplings and cleaning to remove siltation and litter. The drain drains west to east, then through a series of culverts under Berkshire Road, and makes its way into Lot 967, vested in the Crown.

The mature trees nearby will need to be inspected prior to use of the site, to remove any risky or low hanging branches, but this can be undertaken as a routine maintenance of the site.

The project will require some line-marking to separate the verge from the road and to delineate parking spaces along the length of the works.

Advanced warning signage will provide visual cues to motorists on Berkshire Road to slow down and share the road space.

It is recommended that the Council develop a moderate space on Berkshire Street that can accommodate up to three caravans and/or recreational vehicles, and continue to monitor patronage of this user type to determine a more sophisticated development for the future, if required. Notwithstanding this recommendation, it is recommended that caravanners and recreational vehicle users continue to be advised of the choice to use the Peppermint Grove Beach caravan park.

VOTING REQUIREMENTS

Simple majority

| |
|---|
| OFFICER'S RECOMMENDATIONS – 14.1 |
|---|

That Council develop a hardstand verge area on the southern side of Berkshire Road (0.27 SLK to 0.36 SLK) to provide space for caravans and recreational vehicles for overnight stays.

14.2 Local Planning Policy (LPP) 6.28 Signs

| | |
|-------------------------|--|
| Location: | Whole of Shire |
| Applicant: | Shire of Capel |
| File Reference: | C5.49.1/V2 and C5.9 |
| Disclosure of Interest: | Nil |
| Date: | 31.08.16 |
| Author: | Planning Officer, M Young |
| Senior Officer: | Executive Manager Engineering & Development Services, J Gick |
| Attachments: | Local Planning Policy 6.28 Signs |

MATTER FOR CONSIDERATION

Council is requested to adopt the Draft Local Planning Policy 6.28 - Signs (Policy) for the purpose of advertising.

BACKGROUND/PROPOSAL**Background**

May 2001 – Council endorsed the Signs Local Law.

September 2001 – Council resolved to approve a Dalyellup Beach Estate Signage Manual that detailed performance standards.

August 2003 – Council adopted Policy 6.8 Dalyellup Common Interest Area that permitted Council to approve signage related to Dalyellup urban expansion area that has a Common Interest in accordance with provision 7.11.2 (g) of the Scheme.

November 2011 – Council endorsed Modification No. 9 to Dalyellup Beach Local Structure Plan Signage and Advertising Device Strategy for the Display Home Centre Precinct in Colonna Street, Dalyellup.

March 2012 – Council adopted Policy 6.19 Highway Signage for Rural Tourism Activities & Services. The objective of this Policy is to identify an area of Common Interest pursuant to Clause 7.11.2 (g) of the Scheme for the purposes of approving signs associated with Rural Tourism Activities and Services.

June 2015 – Council approved the Dalyellup District Centre Signage Strategy.

June 2016 – Council resolved to repeal the Signs Local Law 2001 on the basis that the Local Law had no legislative backing. Given that the Local Law has not been reviewed since 2001 it is appropriate to review to better deal with planning applications for signs in light of the new Regulations and current practice. Council adopted the Activities in Thoroughfares and Public Places and Trading Local Law 2016.

Proposal

The objective of the Policy is to provide guidance in assessing planning applications for signs that are not otherwise permitted under the Planning and Development (Local Planning Schemes) Regulations 2015 and Town Planning Scheme No. 7.

The Local Government Act 1995 Section 3.16(1) 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. Council at its meeting on 22 June 2016 agreed to repeal the Signs Local Law and this draft Policy is a result of that Council resolution.

Accordingly, it is recommended Council adopt Draft Local Planning Policy 6.28 Signs, for advertising.

The draft Policy provides guidance, criteria and standards that will apply to the consideration of sign applications where they require planning approval under the Planning & Development (Local Planning Scheme) Regulations 2015 (the Regulations) and the Shire of Capel Town Planning Scheme No. 7 (the Scheme). The provisions of this Policy apply to all land zoned and reserved under the Scheme.

STATUTORY ENVIRONMENT

Town Planning Scheme No. 7

Clause 7.11 of the Scheme outlines circumstances where signs may require prior approval of Council within Highway Protection Areas delineated on the Scheme Map.

Clause 7.12 of the Scheme empowers Council to consider a broad range of criteria and impose conditions when dealing with planning applications for signs.

Clause 7.12.4 (Appendix 11) includes specific types of advertisements that are 'permitted development' and therefore exempt from the need to obtain planning approval. Refer to Clause 5.0 of this draft Policy which incorporates the provisions of Appendix 11 of the Scheme.

Planning and Development (Local Planning Schemes) Regulations 2015

On 18 October 2015, the Planning & Development (Local Planning Schemes) Regulations 2015 (the Regulations) were gazetted, which introduced significant statutory legislative changes for Local Planning Schemes within Western Australia, including the process required for reviewing and/or adopting new local planning policies. In summary, when a Council wishes to adopt new local planning policies the required process is now prescribed in Part 2 of the Regulations and not within the Scheme.

The key differences with these statutory changes in terms of local planning policy adoption are:

- Introduction of deemed provision for all Local Planning Schemes;
- Reduction in the minimum public consultation time from 28 days to 21 days; and
- Allows a local government to include exempt development provisions into Local Planning Policies rather than the common scheme amendments processes.

Part 2, Division 2 of the Regulations states:

"3. Local planning policies

- (1) The local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area.*
- (2) A local planning policy —*
 - (a) may apply generally or in respect of a particular class or classes of matters specified in the policy; and*
 - (b) may apply to the whole of the Scheme area or to part or parts of the Scheme area specified in the policy.*
- (3) A local planning policy must be based on sound town planning principles and may address either strategic or operational considerations in relation to the matters to which the policy applies.*
- (4) The local government may amend or repeal a local planning policy.*
- (5) In making a determination under this Scheme the local government must have regard to each relevant local planning policy to the extent that the policy is consistent with this Scheme.*

4. Procedure for making local planning policy

- (1) *If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —*
- (a) *publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —*
 - (i) *the subject and nature of the proposed policy; and*
 - (ii) *the objectives of the proposed policy; and*
 - (iii) *where the proposed policy may be inspected; and*
 - (iv) *to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
 - (b) *if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
 - (c) *give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*
- (2) *The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).*
- (3) *After the expiry of the period within which submissions may be made, the local government must —*
- (a) *review the proposed policy in the light of any submissions made; and*
 - (b) *resolve to —*
 - (i) *proceed with the policy without modification; or*
 - (ii) *proceed with the policy with modification; or*
 - (iii) *not to proceed with the policy.*
- (4) *If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.*
- (5) *A policy has effect on publication of a notice under subclause (4).*
- (6) *The local government —*
- (a) *must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and*
 - (b) *may publish a copy of each of those local planning policies on the website of the local government"*

POLICY IMPLICATIONS

The proposed Policy will provide for the regulation, control and management of signs with the Shire.

FINANCIAL IMPLICATIONS**Budget**

The costs associated with staff preparation, administration and advertising of the Policy are fully at the expense of the Shire.

Long Term

Council will continue to receive revenue from planning applications for signs within the Shire.

Whole of Life

No assets are being created for the Shire.

SUSTAINABILITY IMPLICATIONS

The Shire is supportive of signage as it can add vitality to urban centres and help identify the location of businesses in rural settings that can enhance the local economy. The effectiveness

of signage is compromised if the design, siting and numbers are not managed. Inappropriate signage can impact on the visual amenity of an area and compromise public safety. The draft Policy provides guidance and standards for signs with the aim of ensuring signage considers both public safety and visual amenity issues throughout the Shire.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013 – 2031

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 Outcome:

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 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

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

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

4.2 Pursue diversity and vitality in the local economy

4.3 Enhance the local economy by promoting local produce

4.4 Improve the attraction of the towns as retirement destinations

4.5 Facilitate the development of district activity precinct for retail, commercial and professional service delivery

4.6 Support and promote the agricultural economy

4.7 Promote tourist interests and provision of tourist accommodation

4.8 Support the retention of the mining industry

4.9 Encourage business development

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

Strategic Outcome:

5.2 Maintain and enhance the quality of our built environment.

CONSULTATION

No public consultation has occurred, however, Shire staff have consulted internally across Divisions. The draft Policy has been amended to reflect comments from Shire staff. The objective of this report is to seek adoption for the draft Policy 6.28, for the purposes of formally advertising the draft policy to the community and relevant agencies.

If Council resolves to adopt draft Policy 6.28, it is recommended that the draft Policy 6.28 be advertised for public comment by:

- Two consecutive notices in the local newspaper;
- Details on the Shire's web site and social media sites;
- Referral to relevant government agencies; and
- Referral to the Capel Chamber of Commerce and Boyanup Progress Association.

The period for making submissions must not be less than 21 days in line with the Planning & Development (Local Planning Scheme) Regulations 2015 (the Regulations).

COMMENT

Where a sign is not exempt from the requirement to obtain planning approval in accordance with clause 7.12 or Appendix 11 of the Scheme, a planning application is required for all signs within the Shire.

The former Signs Local Law 2001 was outdated and did not provide clear guidance or standards for the assessment of sign applications. The preparation of this draft Policy has identified inconsistencies in the Shire's planning policy framework in relation to signage. These inconsistencies can be consolidated and addressed as part of the draft Local Planning Strategy and review of the Scheme. This draft Policy essentially consolidates relevant parts of the former Signs Local Law, the Dalyellup District Centre Signage Strategy and conforms to the current Scheme provisions. The Policy has been drafted to work in conjunction with existing adopted planning Policies 6.8 Dalyellup Common Interest Area, 6.19 Highway Signage for Rural Tourism Activities and Services, and the Activities in Thoroughfares and Public Places and Trading Local Law 2016.

The draft policy provides essential definitions, visual diagrams for illustrative purposes only and introduces a table for exempt signs that is in accordance with the Scheme.

Definitions

The draft Policy introduces a number of definitions pertaining to various types of signage most commonly proposed and located within the Shire. Many of the definitions have been taken from the repealed Signs Local Law, the Activities in Thoroughfares and Public Places and Trading Local Law 2016 and from a review of several other Councils' signage Local Planning Policies. The following signage classes have been identified within the Policy:

- Awning Fascia or Verandah Fascia Sign;
- Projecting or Verandah Sign;
- Wall, Fascia or Building Identification Sign;
- Free Standing Sign;
- Pylon or Monolith Sign;
- Portable Sign;
- Banner Sign; and
- Panel Sign.

Part 5 of the draft Policy includes separate definitions for Exempted Signage as per Appendix 11 of the Scheme, the Regulations 2015, the repealed Signs Local Law and the Activities in Thoroughfares and Public Places and Trading Local Law 2016.

Parameters for Signage

One of the difficulties in drafting a signage policy is acknowledging that there is a multitude of different designs for signs and advertisements. Including criteria or standards for all eventualities is virtually impossible and tends to make planning policy overly prescriptive and complicated. The Regulations 2015 encourage local planning policy to broadly address key planning issues and not to prepare a policy to address "the one off" signage proposal. The key planning issues for signage applications are an assessment of a signage proposals impact on the visual amenity of a building, site, the immediate locality, highway and public safety.

The draft Policy includes five assessment categories as to when and how an assessment of signs proposal would occur.

- Part 1) General requirements for all signs requiring planning approval.
- Part 2) Specific requirements for various types of signs and when such signs will be deemed acceptable.
- Part 3) Discretionary criteria when a proposal does not address all relevant criteria prescribed in 2 above.
- Part 4) Additional criteria when signs relate to a heritage listed property.
- Part 5) Exempt signs when planning approval would not be required in accordance with the current Scheme.

One of the main components of the draft Policy is the introduction of parameters for the size and location for each of the individual signage classes where signage is deemed acceptable. The former Signs Local Law 2001 provisions were difficult to apply to modern signage, with limited specific criteria for the assessment of specific signage classes. Accordingly criteria will be provided for each of the various signage classes to provide for circumstances where signage is deemed to comply.

With regards to specific content of various signs (i.e. words or symbols) this is not a planning matter which is assessed as part of a development application and is governed by the Advertising Standards Board, which forms part of the Advertising Standards Bureau (ASB). It is also important to note that regardless of the planning process any member of the community in any medium can lodge a complaint with the ASB development application process.

Discretionary Criteria

In circumstances where a sign does not meet the general requirements outlined in the Policy, the draft Policy allows for a proposal to be assessed against the relevant discretionary criteria for every defined signage type. This approach is consistent with Clause 8.10 of TPS7 that permits variations to a proposal based on their individual planning merits.

The draft discretionary criteria of the Policy states as follows:

“Council may vary the requirements outlined within Clause 2 where it can be demonstrated that the following can be met to the satisfaction of the Council:

- (a) the cumulative effect of the signage does not negatively impact on the surrounding locality by way of visual clutter; and*
- (b) The scale and design of the signage is subservient to the building to which it relates, are sized in proportion with parapets, panels, windows and wall areas within close proximity to the proposed sign so as to not dominate the view of the building from the street.”*

Should the Shire be of the opinion that a sign fails to satisfy the general signage provisions, it would seek to ensure that the proposed sign meets the general expectations prescribed by the discretionary criteria above and the Objectives of the draft Policy.

Exempted Signs

Appendix 11 of the Scheme includes a list of 12 Land Use and/or Development that would generate a need for signage. This approach is out dated and is better addressed as per the repealed Signs Local Law 2001 that includes sign types that are exempt from requiring planning approval.

On this basis the draft Policy incorporates both the existing provisions of Appendix 11 – Exempt Advertisements from the Scheme, but reformatted to be classified under signage type, as opposed to land use; and Clause 8 of the repealed Signs Local Law 2001.

The Regulations 2015 allows for development exempt from the requirement to obtain planning approval to be included in a planning policy. The introduction of these provisions into a local planning policy rather than the Scheme allows a Local Government more flexibility to review, adopt or amend such permitted development provisions rather than using the Scheme amendment process which is significantly longer and more complex.

Signs not Permitted

Section 6 of the draft Policy refers to signs and advertisements not permitted. A common type of signage application that often is controversial is for signs that do not relate to activities that occur on site. These range from signs for fast food outlets and for house builders' sale signs for large development sites.

Clause 6.1 of the draft Policy proposes that signs will not be approved on private land which include:

- (a) *the name, logo, or symbol of a company or other organisation that does not own or substantially occupy the site or building on which the sign is located;*
- (b) *a product, activity or service not provided on the site on which the sign or advertisement is located.*
- (c) *a product or service that does not form part of the signage displaying the name, logo or symbol; of a company or other organisation that owns or substantially occupy the site or building on which the sign or advertisement is located; or*
- (d) *a tethered sign - Any balloon or other device flown above a building;*
- (e) *a person shall not fly post at any place or location within the Shire;*
- (f) *any sign painted on the roof of any building or any above roof sign that protrudes above the normal roofline of the building;*
- (g) *Any sign located a roundabout or within the clear zone of a road reserve.*

These provisions accord with the Part 9 of the repealed Signs Local Law 2001 that prohibited third party signage.

The draft Policy also recommends restrictions for certain illuminated or animated signage. This again works in conjunction with the former provisions of the repealed Signs Local Law 2001, the Activities in Thoroughfares and Public Places and Trading Local Law 2016 and the Scheme.

CONCLUSION

The draft Policy achieves a balance between what is considered to be sufficiently general prescriptive criteria, but also includes appropriate discretionary criteria to allow for signage proposals to be considered on their individual merits.

The draft Policy offers both an update of the repealed Signs Local Law 2001, incorporates criteria from the Activities in Thoroughfares and Public Places and Trading Local Law 2016; adopted Planning Policy, endorsed Strategies for Dalyellup and accords with the Scheme. It is acknowledged that following work associated with the Local Planning Strategy and review of the Scheme further modifications to this Policy could be applied.

It is recommended that Council adopts draft Local Planning Policy 6.28 Signs for advertising for the reasons outlined above.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 14.2

That Council adopts the draft Local Planning Policy 6.28 Signs as detailed in the attachment to this report for the purpose of public advertising in accordance with the provisions of Part 2, Division 2 of the Planning & Development (Local Planning Schemes) Regulations 2015.

14.3 Renewal - Child Family Care Centre – Lot 175 (No. 32) Treloar Road, Stirling

| | |
|-------------------------|---|
| Location: | Lot 175 (No. 32) Treloar Road, Stirling |
| Applicant: | K Clark |
| File Reference: | C5.2.S.86 |
| Disclosure of Interest: | Nil |
| Date: | 07.09.16 |
| Author: | Planning Officer, M Young |
| Senior Officer: | Executive Manager Engineering and Development Services, J Gick |
| Attachments: | 1. Location Plan 2. Site Plan 3. Schedule of Submissions 4. Parent Information (Applicant) |

MATTER FOR CONSIDERATION

Council is requested to consider an application for the renewal and a request to amend conditions of a previous development approval for a 'Child Family Care Centre' operating from the dwelling at Lot 175 (No. 32) Treloar Road, Stirling (the subject site).

BACKGROUND / PROPOSAL**Background**

January 2008: Planning approval was granted subject to conditions for an ancillary accommodation unit at Lot 175 Treloar Road, Stirling. The Ancillary Accommodation has been constructed and is occupied by the applicant's parents.

July 2015: Council granted Planning Approval for a 'Child Family Care Centre' subject to conditions. Condition 2 stated that the approval would be valid for 12 months after which time an application for renewal is invited. This development approval lapsed 6th July 2016.

June 2016: The application for renewal was submitted.

Proposal

The child family care centre operates from an existing games room within the main dwelling occupying approximately 45 m². The applicant has selected this room as it has a direct link to both the kitchen and an existing toilet, allocated for the children in care.

The outdoor play area is still provided in the front garden that is fenced off from the remainder of the garden and has an area of approximately 900 m². The outdoor play area has a nature based design using natural materials to be in keeping with the streetscape.

The games room has a northerly aspect that opens onto this front garden area and an existing covered patio area. There is an existing pedestrian gate and footpath that links Treloar Road to the front entrance of the main dwelling.

The applicant submitted additional information in support of the renewal of the development approval (received 4th September 2016) which is summarised below:

- The core hours of operation have not changed from last year which are 7.30am and close at 5.30pm Monday to Friday. The first child usually arrives at 8am and all children are usually picked up between 3pm and 5pm.
- Government regulations remain the same (with a limit of four children under preschool age). The applicant provides care for four young (preschool) children. Note that the

applicant has two children that the applicant includes within these ratios as school children.

- The maximum number of vehicles visiting the property each day is four in the mornings dropping children off and four in the afternoons picking children up (not 20 as stated in the letter of objection). Two days a week I care for siblings so this means less vehicles visit on those days.
- Since the business commenced no persons other than the applicant are employed in association with the child family care centre. The owner operated care centre operates under the name "Tiny Tuarts".
- Every family enrolled in the family day care have to sign an agreement to drive slowly on Treloar Road in order to minimise dust disturbance. The applicant has submitted 18 signed agreements as evidence to the Shire. The applicant also verbally discusses with families upon enrolment the issues of noise, traffic and dust and regularly reminds them of this throughout the year. Each family values the care their children receive at the daycare centre, and always follow the requirement to drive appropriately. The applicant refutes the claim that "a significant number of cars now drive past at speed everyday" – this is simply not true.
- There is ample parking space out the front of my home which is unobtrusive, landscaped and in keeping with the amenity of the location. The Shire has generously erected a "Children" sign outside the car parking area as a visual reminder for cars to drive slowly and cautiously.
- The applicant is a qualified teacher and has additional qualifications in Early Childhood Education. The applicant enjoys her business which is about children and creating a place where they feel safe and loved. This place is very important to some of the families of Capel.

STATUTORY ENVIRONMENT

Town Planning Scheme No. 7

Lot 175 Treloar Road (the site) is zoned Rural and comprises 8,095m² in area.

Clause 1.6.1 – The objectives 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 with the zoning table. 'Child Family Care Centre' within a Rural zone is listed as a "AA" use which means it is a discretionary use that is not permitted unless Council has granted Planning Consent.

'Child Family Care Centre' is defined as, "... the conduct within a private dwelling of the daily or occasional care of children in accordance with the Community Services (Child Care) Regulation 1988."

Clause 5.7 relates to the Scheme objectives in controlling development in the Rural zone applicable to the assessment of this proposal. One of the key objectives of the Rural zone is to protect prime agricultural land and established agricultural industries from inappropriate land uses. The land within the Stirling Estate is used for rural living purposes rather than agricultural uses and reflects when this land was originally subdivided before the current Scheme came into operation.

Clause 5.7.4 is applicable and sets out certain considerations for lots in the Rural zone with an area less than 15ha.

Clauses 8.3.1 and 8.3.2 list issues to be taken into consideration in determining an application for planning consent:

- (a) The purpose for which the subject land is reserved, zoned or approved for use under the Scheme;
- (d) The size, shape and characteristics of the land, and whether it is subject to inundation by floodwaters;
- (f) Any comments received from any authority consulted by the Council;
- (g) Any relevant submissions received in response to giving public notice of the application;
- (h) The orderly and proper planning of the locality;
- (i) The preservation of the amenity of the locality.

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

- (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

The site is zoned Rural under the Greater Bunbury Region Scheme. Lot 175 forms part of a small group of lots similar in size to lots usually associated within the urban area.

The lot also falls under the Greater Bunbury Region Scheme ‘Strategic Agricultural Resource Policy Area.’ The nature of the existing land-use and the proposal does not present any potential implications with respect either to the Rural zone or agricultural uses within the locality. In view of this and as the application is not considered to be in conflict with the strategic policy area, referral under the GBRS was not required for this proposal.

POLICY IMPLICATIONS

There are no policy implications to consider.

FINANCIAL IMPLICATIONS

Budget

There are no budget costs to consider. Relevant fees have been paid.

Long Term

There are no long term costs to consider.

Whole of Life

There are no whole of life costs to consider.

SUSTAINABILITY IMPLICATIONS

The child family care centre provides a local service to working parents of preschool and young children for this part of Capel. This proposal provides a service in a more rural setting accessible to the local Capel community.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013 – 2031

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 Outcome:

2.1 Provide social, recreational and cultural opportunities and facilities for our 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 experiences.'*

Strategic Outcome:

3.1 Promote the diverse lifestyle opportunities in the Shire.

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

Strategic Outcome:

4.9 Encourage business development.

CONSULTATION

The renewal of development approval for the child family care centre has been advertised for public comment to all adjoining landowners (6 residents) for a period of 14 days. Following the close of advertising, one (1) submission was received objecting for the following reasons:

- Impact on the amenity and tranquil residential setting of nearby residents.
- Increased traffic movements have an adverse impact on the amenity of the area.
- Concerns about the dust due to the speed at which the additional traffic drives past creates a large amount of dust in the warmer months.
- The road condition with the increased traffic creates corrugations and potholes at a much faster rate since the inception of the centre.

In summary the key issues raised by the submitter relate to traffic and amenity. The applicant was consequently given the opportunity to comment on all the issues raised. A detailed summary of the submission and the responses is attached as Attachment 3.

COMMENT

In regards to this development application the key issue is whether the land use is appropriate for this Rural zone location.

Land Use

A child family care centre is a discretionary ('AA') land use that is not allowed in the Rural zone unless Council has granted planning consent. Within the Rural zone the principle of allowing alternative land uses may be considered pursuant to Clause 5.7.1 of the Scheme. The objective within the Rural Zone is to preserve the character of the rural area, discourage the

removal of prime agricultural land from agricultural production and prevent adverse effects on the continuation of established or potential agricultural industries.

The nature of the existing land-use and the proposal does not present any potential implications with respect to agricultural uses within the locality. Whilst the property is within a Rural zone the site is one of eight residential homes on lot sizes of between 5,666m² and 8,095m² that immediately surround the subject site.

When considering alternative land uses on Rural zoned land the objectives under Clause 5.7.4 (c) requires that due consideration be given to:

- (i) *The suitability of the land for the proposed use and without limiting the generality of the foregoing the potential for environmental degradation.*
- (ii) *The likelihood of any adverse impacts on the amenity of the locality.*
- (iii) *The likelihood of any adverse impacts on established Rural Uses in the locality.*
- (iv) *The standard of road access to the lot and the extent of any contribution to the upgrading of the road that it may require.*

In regards to the Scheme provision Clause 5.7.4 the child family care centre operates from an existing large rural residential property set within a lot size of 8,095m². The land use confirms with the land use description in the Scheme and is considered to be of a scale appropriate to the size of both the house and the Lot. The impact on surrounding rural uses in the immediate locality is minimal as the site is immediately surrounded by other rural residential properties.

The Zoning Table in the Scheme lists a variety of different 'AA' land uses in the Rural zone for example, Ancillary Accommodation, Bed and Breakfast, Art and Craft Studio even Educational Establishments. Draft State Planning Policy 2.5 'Rural Planning' and the Scheme support the principle of considering alternative land uses in rural areas.

The principle of considering alternative land uses is not an uncommon planning practice in rural areas. Rural residential living is an important component of the settlement pattern for the Shire. Rural residential living provides for lifestyle choice and has the potential to provide certain services in a more rural location. Whilst every site should be treated on its individual merits, the principle of allowing a child family care centre has already been widely supported within the Shire in a variety of locations, including the Rural zone.

It should also be noted that these child family care centre activities are subject to strict compliance with State Legislation for Child Care Services that require the operator to be licensed, which limits the number and age of children and require compliance with other strict public health requirements.

Planning conditions on the previous development approval for the child family care centre issued in July 2015 restricted the land use to a temporary 12 month where a renewal could be applied for and the land use approval was personal to the applicant.

Development approvals generally run with the land but there are occasions where personal permissions are deemed to be appropriate. It is considered still appropriate on the basis of it being an 'exception' and on the balance of merit that this land use be restricted to the personal use of the applicant and a condition has been recommended to the this effect. This is relevant to planning given how the applicant operates the family day care, the management practices that are in place and the scale of the land use.

A condition to restrict the land use as a temporary approval is not considered warranted on planning grounds.

Traffic and Dust on Treloar Road

The parking area at the front of the property was established last year when the family day care first commenced. There has been no change to the parking that can accommodate up to

4 vehicles for when children are dropped off or collected. No comments have been received from neighbours in regard to the car parking arrangement.

The submission received raise concerns relating to two key issues 1) an increase in traffic movements and 2) dust nuisance due to the gravel finish of Treloar Road.

In relation to traffic movements, it has already been established that State Regulations specify that the total number of children that may be cared for (which includes the carers own children) is seven (7).

The applicant has clearly stated that she caters for 4 preschool children per day that would result in up to 4 vehicles in the mornings and afternoons for drop offs and collections. Of note is that since the applicant will be working from home, her own car will not be travelling on Treloar Road. This effectively reduces the number of vehicle movements to 3. Notwithstanding 5 vehicle movements could potentially be generated for drop off and 5 for collection given the use is to be restricted to 7 children (inclusive of the applicant's 2 children). Whilst this is a modest increase in traffic it is not considered to be of such a degree that would warrant refusal of this renewal.

The applicant has also confirmed that since the development approval last year there were four adults residing at the property, now there are only two, the applicant and her father. The personal use of the property is now more limited in terms of traffic movements.

Vehicles travel approximately 120 metres along Treloar Road to the allocated drop off and pick up area. All of the properties that directly front Treloar Road have generous setbacks to the road that range between 20 – 30 metres. Similarly, the private outdoor amenity areas are orientated to the rear of the properties or face Mallokup Road.

Road signs have been erected by the Shire both at the entry of Treloar Road and adjacent to the subject site. The signs request that cars travel slowly along the road to minimise noise and dust. There is a yellow 'children' sign to inform drivers of the presence of children. It highlights the need for cars to proceed at slow speed to reduce dust and for the road safety of local children. This is a positive approach to managing customers that intend to use this particular child family care centre.

The second concern relates to dust and the sealing of Treloar Road. Further advice has been sought from the Engineering Technical Officer particularly in relation to upgrading Treloar Road who has confirmed there would be no requirement to upgrade this road as a result of this proposal. There are no planning policy requirements that require the applicant to seal the road surface. There is already speed advisory signage at the entrance to Treloar Road and more signage has been added during the year. The nature of the traffic is most likely to be standard family cars (i.e. not heavy freight vehicles) that would have little impact on the deterioration of the road surface.

Shire Technical Officers from the Engineering Division have received complaints from a local resident concerning the condition of Treloar Road. These complaints have been addressed with the road graded and rolled where necessary. In regard to the upgrading of Treloar Road in terms of the Shires four year road upgrade program, Treloar Road has not been identified as part of this four year plan, at this stage.

Amenity

Amenity is an important planning consideration. An objective assessment is to consider the existing character of the area. It has already been established that this rural residential area has already undergone change with the development of new houses, changing demographics all of which have some impact on the amenity of the area.

No. 10 Treloar Road immediately to the west of the application site is set back approximately, 80 metres from the outdoor play area. Both, No. 5 and No. 10 Treloar Road are reasonably landscaped lots with a number of mature trees along the side boundary that provide some screening of those properties from the subject site.

It is submitted that the scale of the proposed family day care taking into account the limit on child numbers, the size of the lot (8095 m²) and the strict licensing requirements, is reasonable for this rural residential location. A rural zone or setting does not equate to no development and both the Scheme and Draft State Planning Policy 2.5 allows for alternative land uses in the Rural zone.

Summary

This report has included an assessment of previous Shire approvals, setbacks, traffic and local resident submissions. It is considered that the applicant has provided sufficient information to meet the requirements of the Scheme and the conditions of the initial development approval. The proposal is recommended for approval subject to conditions.

VOTING REQUIREMENTS

Simple majority

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| OFFICER'S RECOMMENDATIONS – 14.3 |
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That Council:

1. **Grants Development Approval pursuant to Clause 68 (2) (b) of the Deemed Provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the activity of a Child Family Care Centre from the existing dwelling at Lot 175 (32) Treloar Road, Stirling subject to compliance with the following conditions:**
 - a) **No more than seven (7) children, including the operator's own children, may be cared for within the premises used for the purposes of a Child Family Day Care at any one time.**
 - b) **No person other than Kirsty Clark being employed in the activity.**
 - c) **The child family care centre land use hereby approved shall be operated only by Kirsty Clark of 'Tiny Tuarts' (the applicant) and shall not be transferred to or assigned to any other person.**
 - d) **The activity is to operate between the hours of 7.30am to 5.30pm Monday to Friday.**
2. **Advises the applicant :**
 - (a) **Clients being instructed to park on site in the allocated car parking area.**
 - (b) **In regards to condition 1(c) when the premises cease to be occupied by Kirsty Clark, the child family care centre land use 'Tiny Tuarts' hereby permitted shall cease and a new development application may be submitted by any new landowner.**
3. **Advises the applicant of the need to comply with the following requirements of other legislation where applicable:**
 - (a) **Environmental Health requirements for the following:**
 - **Health Premises Registration Notification**
 - **Food Safety Standards of the Food Standards Code**
 - **Water Supply to comply with the Australian Drinking Water Guidelines.**
 - (b) **Compliance with any State Legislation applicable to the activity. Further information can be obtained from the Department of Local Government and Communities, which is responsible for licencing and monitoring Child Care Services.**

14.4 Gates Across Thoroughfares - Renewal of Existing Agreements

| | |
|-------------------------|--|
| Location: | Various locations in Capel and Gwindinup |
| Applicant: | Shire of Capel |
| File Reference: | RO.RC.2 |
| Disclosure of Interest: | Nil |
| Date: | 12.09.16 |
| Author: | Engineering Technical Officer, M Bovell |
| Senior Officer: | Executive Manager Engineering & Development Services, J Gick |
| Attachments: | Site Location Plans |

MATTER FOR CONSIDERATION

The renewal of approval to erect four gates on unmade sections of road reserves with the Shire of Capel.

BACKGROUND / PROPOSAL

Background

Four Shire of Capel residents were granted approval to retain existing gate licences across unmade sections of road reserves in 2007 (Ordinary Council Minutes of 09.05.07 Ref: OC0509). In accordance with the Local Government Act 1995 these agreements were valid for a period of five years and given that they are now out of date, an investigation into their status was undertaken earlier this year.

The locations of these gate licences and a brief summary of each situation is as follows:

1. R and R Morgan – portion of Maitland Road, Capel.
This road reserve comprises cleared understorey and mature trees. There is no fence between it and the neighbouring property to the north so it essentially is an extension of the neighbouring paddock. It leads to the Main Roads WA road reserve of the Bussell Highway to the west. This property in question is now owned by Jennifer Gibbings.
2. JR and J Beelitz – portion of Payne Street, Gwindinup.
This road reserve leads west to the Preston River and is the continuation of the property access for three properties located on Payne Street. These landowners still continue to maintain this parcel as their own, which comprises a cleared understorey and mature trees.
3. S Gauld – portion of Wrights Road, Gwindinup.
This is now a constructed cul-de-sac road that accesses three private landowners and leads to State forest. The gate request was initially made to deter illegal dumping of rubbish and minimise inadvertent traffic.
4. G and V Espinos – portion of Anderson Road, Capel.
This application was originally made by an adjoining landowner to discourage vehicle movement through the seasonal drain at the end of two cul-de-sacs.

On 11 July 2016 correspondence was posted to the mailing addresses of the four landowners listed above, seeking that they clarify the status of their purpose and need to maintain this agreement. The responses and a brief description of each location number, is as follows:

1. Maitland Road.
This agreement with R and R Morgan is related to the property now owned by Jennifer Gibbings. Jennifer Gibbings phoned the Shire on 21 July 2016 to request that the agreement be renewed.

During the process of locating the new owner, Stephen and Linda Hay were contacted by the Shire as they own the neighbouring property. Linda Hay phoned the Shire on 21 July 2016 to advise that they have a fence and gate installed across the adjacent unmade road reserve off Maitland Road to access their land-locked property that is located at the north end of this road reserve. They are the only landowner using this reserve to access their property as an extension of their driveway. This unmade road reserve consists of seasonal grass, an avenue of mature trees, and a limestone track.

2. Payne Street.

An email from Rainer Beelitz on 27 July 2016 confirms their interest in maintaining the gate agreement, and that they have spoken with their neighbour who is supportive of where the fence and gate is currently located.

3. Wrights Road.

Steve Gauld who resides in the only residential house on this road, phoned the Shire on 16 August 2016 to request that the agreement be renewed on the grounds that the gate is often open during daytime hours but when closed it discourages motorists from using this route to access the gravel pit and State forest at the end of Wrights Road, and commit acts of vandalism including the damage of flora and the dumping of rubbish.

4. Anderson Road.

No contact was made from the applicant nor the address from which the original agreement was listed with. The existing fence is now in disrepair and two of the four remaining properties have since sold. A discussion with the neighbouring owner identified that agreement is no longer sought and that the fencing should be removed.

No records of any breach of conditions or complaints have been located for any of these agreements.

Proposal

That the expired five year agreement between the Shire and particular landowners to have a gate and/or fence across a public reserve, be renewed for a further five years from now.

The landowners and property addresses in question are as follows:

- 15 Payne Street, Gwindinup JR & J Beelitz
- 58 Wrights Road, Gwindinup Steve Gauld
- 101 Maitland Road, Capel Linda & Stephen Hay
- Lot 171 Maitland Road, Capel Jennifer Gibbings.

STATUTORY ENVIRONMENT

In accordance with Schedule 9.1 cl 5 (1) of the Local Government Act 1995, permission may be granted to erect a gate or other device across a public thoroughfare under the following conditions:

1. A person may apply to the local government for permission to have across a public thoroughfare under the control or management of the local government a gate or other device that enables motor traffic to pass across the public thoroughfare and prevents livestock from straying;
2. The local government may, before dealing with the application, require the applicant to publish notification of the application in such a manner as the local government thinks fit;
3. Permission granted by the local government under this regulation —
 - a. must be in writing; and
 - b. must specify the period for which it is granted; and

- c. must specify each condition imposed under subregulation (4); and
 - d. may be renewed from time to time; and
 - e. may be cancelled by giving written notice to the person to whom the permission was granted.
4. The local government may impose such conditions as it thinks fit on the construction, placement and maintenance of the gate or other device across the public thoroughfare and may, when renewing the permission or at any other time, vary any condition; and
 5. The local government may at any time withdraw permission granted under this regulation and request the person responsible for the gate or other device to remove it within a time specified in the request.
 6. The local government may at any time, by written notice given to the person to whom permission was granted under this regulation, cancel the permission and request the person responsible for the gate or other device to remove it within a time specified in the request.
 7. A person to whom a request is made under subregulation (6) must comply with the request. Penalty: a fine of \$5,000.
 8. A local government must keep a register of gates and other devices constructed in accordance with a permission granted under this regulation.

POLICY IMPLICATIONS

There are no policy implications relevant to this matter.

FINANCIAL IMPLICATIONS

Budget

There are no budget implications relevant to this matter.

Long Term

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

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

A sustainability implication of this agreement is that the risk of the recipient may assume more ownership over the land than they have; and this is regulated by the presence of a \$5,000 fine for any breach of the conditions.

STRATEGIC IMPLICATIONS

Strategic implications of this agreement are managed by the ability, as per conditions 4, 5 and 6 of Schedule 9.1 cl 5 (1) of the Local Government Act 1995, of the local government to at any time withdraw permission granted under this regulation; should control over this land be required by the Shire.

CONSULTATION

As noted previously, written and verbal contact with the applicants has been made to confirm their interest in retaining these agreements. Further public notice has not been undertaken as there has been no formal enquiry on any of these agreements since their inception prior to

2007; and nor will there be any change to the appearance, functionality or usability of these sites.

COMMENT

The locations of these gates are shown in the maps provided in the Attachment. The gates are indicated by the red circle and the road reserve used by the landowner to access their property is indicated in yellow.

The existing gates have been in place since pre-2007 without causing any complaint or adverse comment regarding their placement. In the majority of cases the gates serve a public purpose in reducing access to areas previously subjected to illegal fires, dumping of rubbish and the destruction of flora. To cease these agreements will result in the expense to remove and reinstate new fencing, as well as a shift in who undertakes the maintenance of these areas from the landowners to the Shire.

The dilapidated gate at Anderson Road will be removed.

VOTING REQUIREMENTS

Simple majority

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| OFFICER'S RECOMMENDATIONS – 14.4 |
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That Council:

1. Approves the retention of existing gates across thoroughfares for:

- **JR and J Beelitz – portion of Payne Road, Gwindinup;**
- **Steve Gauld – portion of Wright Road, Gwindinup;**
- **Linda and Stephen Hay – portion of Maitland Road, Capel; and**
- **Jennifer Gibbings – portion of Maitland Road, Capel**

for a further period of five years in accordance with the provisions of the Local Government Act 1995.

2. Authorises the Chief Executive Officer to provide the above listed landowners with written advice pertaining to the conditions of the Local Government Act 1995 relating to this five year agreement renewal.

14.5 Development Approval – Single Dwelling and Outbuilding

| | |
|-------------------------|--|
| Location: | Lot 277 Peppermint Grove Terrace, Peppermint Grove Beach |
| Applicant: | AK Homes Construction Pty Ltd |
| File Reference: | PA118/2016 |
| Disclosure of Interest: | Nil |
| Date: | 29.08.16 |
| Author: | Planning Officer, L Sandon |
| Senior Officer: | Executive Manager Engineering and Development Service, J Gick |
| Attachments: | 1. Location Plan 2. Development Plans 3. Schedule of Submissions |

MATTER FOR CONSIDERATION

Council is requested to consider an application for Development Approval for a single dwelling and outbuilding.

BACKGROUND / PROPOSAL**Background**

Subdivision was approved in 2008 by the Western Australian Planning Commission.

Development approval is required as the applicant is seeking variation to State Planning Policy 3.1 Residential Design Codes (R-Codes). The variations are sought for *Part 5.4.3 Outbuildings* and *5.4.1 Visual Privacy* for the proposed two-storey dwelling at Lot 277 (188) Peppermint Grove Terrace, Peppermint Grove Beach.

The proposal is required to be determined by Council as officers do not have delegation authority to determine applications where objections have been received which cannot be satisfied by conditions of approval.

Proposal

The applicant is seeking approval for a two-storey dwelling and outbuilding. The dwelling complies with the deemed-to-comply provisions of the R-Codes with the exception of the west first floor internal habitable rooms which overlook the adjoining property's open space.

The proposed outbuilding complies with the provisions of the deemed-to-comply provisions of the R-Codes with the exception of the side setback to the east.

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

The subject lot is zoned Residential with a density coding of R12.5.

Clause 5.3 of the Scheme sets out the requirement for the Residential zone and Clause 5.3.2 (b) states:

"The Residential Planning Codes shall apply to all residential development as provided for in this scheme".

Clause 5.3.3.5 states:

'Notwithstanding that a single house does not require the prior approval of the Council pursuant to the Scheme, any person who wishes Council to vary any particular standard of the R-codes relating to the erection of a single house shall, at the time of lodging an application for a building licence or earlier, apply in writing to Council, seeking Council's approval for the variation.

The Council may approve the variation with or without conditions or may refuse to approve the variation. The Council shall, before granting its approval, satisfy itself that:

- (a) The variation requested is one which the Council has the power to approve; and*
- (b) The approval of that variation would not compromise the objectives of the R-Codes.*

Planning and Development (Local Planning Schemes) Regulations 2015

Clause 61 (c) of the Planning and Development (Local Planning Schemes) Regulations 2015 states that development approval of the local government is not required for the erection or extension of a single house on a lot if the R-Codes apply and the development satisfies the deemed to comply requirements of the R-Codes. The proposal does not comply with Clause 5.4.1 and 5.4.3 of the R-codes and therefore development approval is required.

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
2. State Planning Policy 3.7 Planning in Bushfire Prone Areas.

FINANCIAL IMPLICATIONS

Budget

The applicant has paid the relevant Development Application fee.

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 financial implications relevant to this matter.

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

There are no immediate environmental, social and economic impacts associated with the development of a single dwelling.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013 - 2031.

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 experiences.'

Strategic Outcome:

3.2 Maintain and enhance the quality of our unique natural environments.

CONSULTATION

The application was referred to adjoining land owners, and two submissions were received by the Shire. The primary concerns raised in submissions related to the following:

- Overheight - Dwelling and Outbuilding;
- Loss of amenity - Reduced setback of the Outbuilding;
- Visual privacy - Overlooking;
- Overshadowing.

The issues listed above are discussed further in the Comment section below.

COMMENT

The proposed development requires approval for the variation to the R-Codes. Following the advertising period the applicant was provided with the opportunity to comment on the submissions (Attachment 3) and having considered the issues raised, the applicant decided to address a number of the issues by submitting revised plans as follows:

- Outbuilding – Rear setback revised to 1m - Complies
- Dwelling first floor balcony - 1.6m high screen added to western elevation - Complies.

The variations that still require assessment are:

- Outbuilding- Side setback – nil (required 1m)
- Visual privacy – Study nook and living room.

Overheight - Dwelling and Outbuilding

The assessment of the height of the dwelling and outbuilding has established that the proposal is compliant with the deemed-to-comply provisions of the R-Codes. However the submission raises concerns about the perceived impact of the development on adjoining land owners.

Issues raised by submitters

The development application was initially referred to adjoining land owners by the applicant who advised that the dwelling and outbuilding exceeded the height permitted by the relevant provision of the R-Codes and the Scheme. In view of this the submitters raised concerns on the impact of an overheight building on their amenity.

Officer comment

Having assessed the application it has been established that neither the proposed dwelling nor outbuilding is overheight; both comply with the deemed-to-comply provisions of the R-Codes and Clause 5.2 of the Scheme.

Clause 2.5.4 of the R-Codes states "The decision-maker shall not refuse to grant approval to an application where the application satisfies the deemed-to-comply provisions of the R-Codes and the relevant provisions of the scheme and any relevant local planning policy." Therefore whilst it is acknowledged that the submitter raised concerns it was based on the provision of inaccurate information and given the proposed height complies with relevant statutory requirement it is deemed to be acceptable.

Loss of amenity - Reduced setback of the Outbuilding

The R-Codes in Part 5.4.3 Outbuildings sets the deemed-to-comply requirements for setbacks in conjunction with Table 2a. An outbuilding is not a habitable room and therefore does not have major openings; the application of Table 2a requires the outbuilding to be set 1m from the boundary. The original outbuilding plans proposed a nil setback to the east and south boundary of the lot with brick parapet walls built into the retaining wall, the submissions discussed the basis of building bulk and loss of amenity.

The revised plans are as follows:

| Outbuilding | Proposed Setback | Deemed-to-comply | Comment |
|--------------------|-------------------------|-------------------------|--------------------|
| East Wall | Nil | 1m | Requires variation |
| South Wall | 1m | 1m | Complies |

The east setback does not satisfy the Deemed-to-comply requirement. The proposed outbuilding addresses the relevant Design Principles with the following;

| Design Principle (P3) | Comment |
|--|---|
| <i>Outbuilding that do not detract from the streetscape or visual amenity of residents or neighbouring properties.</i> | <ul style="list-style-type: none"> • The outbuilding is designed with the skillion roof which mirrors the dwelling, the skillion is higher on the east side and slopes west resulting in reduced building bulk effects to the adjoining property. • The subject lot is lower in relation to the east adjoining lot by a minimum of two limestone retaining blocks. The height difference at the boundary will mitigate and reduce visual amenity. • The outbuilding skillion roof and position at the rear of the lot and does not detract from the streetscape. |

The variation demonstrates compliance with the Design Principles. Pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 Clause 64 the affected adjoining property owner with the nil setback has been consulted and did not submit an 'Objection' to a nil setback for the proposed setback variation and based on the above assessment it is considered acceptable.

Visual Privacy - Overlooking

The R-Codes recognised that privacy is a valid cause for concern in residential amenity. Visual privacy is subjective and often relates to cultural perceptions and concerns. The following table sets out the required distances from the applicable rooms to the adjoining property. The major opening on the first floor of the west wall in the study nook and living room requires a variation to the R-Code.

| Point-to-Point Application: | | | |
|------------------------------------|---|-----------------------------------|-----------------------|
| Room (West first floor) | Deemed-to-comply cone of vision setbacks | Distance past the boundary | Over looks |
| Study nook | 4.5m | 0.5m | Open space (Driveway) |
| Living Room | 6m | 2m | Open space (Driveway) |
| Balcony | 7.5m | Screened | Complies |

Issues raised by submitter

The privacy issues raised by the submitter are as follows:

- Building height

- Overlooking
- Overhearing.

As previously commented the dwelling building height is deemed acceptable not requiring decision maker approval.

Officer comment

The visual privacy protected areas identified in the R-Codes are habitable rooms and outdoor living areas. The deemed-to-comply provisions are limited to protection of areas of any adjoining property behind its setback line. Protection from overlooking is not required for open space.

Minimisation of overlooking should not be interpreted as an absolute prohibition of visual interaction. The objective for this Part is to minimise the impact of development of visual privacy of nearby residents. The R-Codes does not address privacy in regards to noise or overhearing.

The applicant provided detailed consideration of the development on adjoining properties through point-to-point application as per the relevant provisions of the R-Codes. The applicant submitted revised plans detailing the inclusion of permanent screening to the balcony which resulted in the proposal complying with the requirements of the R-Codes.

The two habitable rooms of the proposed dwelling (study nook and living room) overlook the open space area of the adjoining property which is acceptable under the provisions of the R-Codes.

Overshadowing

The R-Codes Part 5.4.1 *Solar access for adjoining sites* determines that overshadowing on adjoining properties is to not exceed the 25% of the site area for properties coded R25 and lower. The R-Codes does not protect morning and evening direct sunlight. The position of the dwelling in relation to the site is north to south. The required southern setbacks are achieved and overshadowing does not exceed 25% of the adjoining properties, which is compliant with the Deemed-to-comply C2 (i) requirement, therefore not requiring a variation to the R-codes for solar access for adjoining sites.

Conclusion

The issues raised through the referral period relating to overheight development, overshadowing and loss of amenity are not quantifiable by the measurable standards of deemed-to-comply elements of the R-Codes. The proposed variations for reduced side setback of an outbuilding and visual privacy overlooking adjoining properties demonstrates compliance with the relevant Design Principles of the R-Codes.

On balance it is considered that the applicant has addressed the significant issues raised through the referral process by submitting amended plans. The remaining proposed variations to the R-Codes are considered to be acceptable and meet the requirements of the design principles and it is therefore recommended that the application is approved subject to conditions.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 14.5

That Council:

- 1. Agrees to a variation to Part 5.4.3 of the Residential Design Codes to allow an outbuilding with a reduced nil side setback in lieu of 1m, and Part 5.4.1 of the R-Codes for a major opening in the west wall for the living room and study nook at Lot 277 (188) Peppermint Grove Terrace, Peppermint Grove Beach.**

- 2. 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 two-storey single dwelling at Lot 277 Peppermint Grove Terrace, Peppermint Grove Beach subject to compliance with the following condition:**
 - (a) All development being in accordance with the Approved Development Plan dated 28 September 2016.**

15 CORPORATE SERVICES REPORTS

15.1 Extractive Industries Local Law - 2016

| | |
|-------------------------|---|
| Location: | Whole of Shire |
| Applicant: | Shire of Capel |
| File Reference: | N/A |
| Disclosure of Interest: | Nil |
| Date: | 05.09.16 |
| Author: | Governance Officer, A Handley |
| Senior Officer: | Executive Manager Corporate Services, S Stevenson |
| Attachments: | 1 Proposed Extractive Industries Local Law 2016 2 Submission Summary |

MATTER FOR CONSIDERATION

Make the *Shire of Capel Extractive Industries Local Law 2016* and delegate administration of that local law to the Chief Executive Officer, with conditions.

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.

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 proposed local law has now been through the required statutory period of advertising and public comment and may be found as Attachment 1.

Proposal

Council to make the *Shire of Capel Extractive Industries Local Law 2016* and delegate administration of that local law to the Chief Executive Officer, with conditions.

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 are advertising costs associated with providing local notice of Council's decision to make a local law, and a fee to publish the local law in the *Government Gazette*. Funds are allocated in the budget for statutory purposes.

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.

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)

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

Strategic Outcome:

- 3.2 Maintain and enhance the quality of our unique natural environments.

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

Strategic Outcome:

- 4.2 Pursue diversity and vitality in the local economy.
- 4.9 Encourage business development.

CONSULTATION

There was consultation amongst officers during the review of this local law. The proposed version was advertised for public comment, and also sent to the Department of Local Government and Communities for comment, as required by the *Local Government Act 1995*. The Executive Management Team also undertook a review.

One submission was received from the Department of Local Government & Communities, and a second from a ratepayer. Attachment 2 contains the pertinent points made in the submissions, and the resulting officer comment and response.

No significant changes to the proposed local law were recommended as a result of submissions received during the public comment period.

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 required amendment to reflect changes in legislation and current practice. Although the proposed changes to the Extractive Industries Local Law 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. Local 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 proposed Extractive Industries Local Law is as follows.

| Purpose | Effect |
|--|---|
| Extractive Industries Local Law 2016 | |
| 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' versions. These model local laws provide a starting point from which to develop local laws suitable for an individual locality and are used widely by local governments throughout the state.

The current *Shire of Capel Extractive Industries Local Law* is based on an earlier WALGA model, with very few deviations. The proposed 2016 version is based on the current WALGA model, again with very few deviations. Some minor changes have been made to the model consistent with contemporary extractive industry local laws of other regional local governments. Text that has been amended or added since the proposed 2016 version was advertised for public comment is indicated in red in Attachment 1. Editorial, numbering and layout changes have not been marked.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATIONS – 15.1

That Council:

1. **Incorporates the suggested minor amendments as shown in Attachment 1 to make the *Shire of Capel Extractive Industries Local Law 2016* by absolute majority;**
2. **Authorises the Chief Executive Officer to carry out the processes required to make the above local law in accordance with section 3.12(5) and 3.12(6) of the *Local Government Act 1995*.**
3. **Endorse the amendment of existing Delegation 123 to the Chief Executive Officer to reflect the slight alteration in the title of the local law as follows:**

"The administration of the Extractive Industries Local Law 2016, including any enforcement action and collection of the annual licence fee be delegated to the CEO, but that the exercise of the following powers be reserved to the Council:

- a) **issue or refusal of a licence under Clause 3.1(2)**
- b) **determination of a licence period under Clause 3.1(3)(a)**
- c) **cancellation of a licence under Clause 4.2(1)**
- d) **renewal or refusal to renew a licence under Clause 4.3(4)**
- e) **determination of any security under Clause 5.1(1)."**

15.2 Donation – Boyanup Memorial Park Committee

| | |
|-------------------------|---|
| Location: | Boyanup |
| Applicant: | Shire of Capel |
| File Reference: | IFM3977 and IFM4829 |
| Disclosure of Interest: | Nil |
| Date: | 07.09.16 |
| Author: | Executive Manager Corporate Services, S Stevenson |
| Senior Officer: | Chief Executive Officer, P Sheedy |
| Attachments: | Nil |

MATTER FOR CONSIDERATION

Council to consider making a donation of \$535.70 to the Boyanup Memorial Park Committee. This is equivalent to the cost, already incurred by the Boyanup Memorial Park Committee, of refurbishing the plaque at the Jack and Mary Kitchen Community Centre.

BACKGROUND / PROPOSAL

Background

In 2016, the Boyanup Memorial Park Committee endorsed to restore the plaque on the Jack and Mary Kitchen Community Centre in Boyanup as Jack Kitchen had passed away. This work was carried out and paid for by the Boyanup Memorial Park Committee in May 2016.

Boyanup Memorial Park Committee has requested reimbursement for the sum of \$535.70 paid to Hancock Memorials to carry out the work.

The Local Government Act does not provide for reimbursement of expenditure for works carried out by a third party. Should Council wish to reimburse the Boyanup Memorial Park Committee, the only mechanism available is to make a donation.

Council Policy 2.7 specifies that donations be limited to charitable organisations operating within the Shire of Capel or neighbouring local governments with priority given to those that operate within the Shire.

Proposal

Council makes a \$535.70 donation to the Boyanup Memorial Park Committee, equivalent to the cost of refurbishing the plaque at the Jack and Mary Kitchen Community Centre in Boyanup.

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.

6.8 Expenditure from municipal fund not included in Annual Budget

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

POLICY IMPLICATIONS

There are no policy implications relating to this item.

FINANCIAL IMPLICATIONS

Budget

The donation of \$535.70 to Boyanup Memorial Park Committee is unbudgeted. This will therefore result in an increase in expenditure to the Shire in the 2016/17 financial year.

Long Term

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

Whole of Life

There are no whole of life implications from this item.

SUSTAINABILITY IMPLICATIONS

The proposal has no environmental implications.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013 – 2031

1 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.

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 Outcome:

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

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

Strategic Outcome:

5.6 Effectively manage the Shire's assets and resources.

CONSULTATION

There had been written correspondence with the Boyanup Memorial Park Committee. Advice has been given that all future works should be authorised in advance and carried out by Shire officers as part of the on-going maintenance and management of Shire assets.

COMMENT

The refurbishment of the plaque at the Jack and Mary kitchen Community Centre has already been completed by the Boyanup Memorial Park Committee on a Shire asset. Any future works of this nature should be carried out by Shire officers as part of the Asset Management Plan. On this occasion, funds should be reimbursed.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATIONS – 15.2

That Council donate \$535.70 to the Boyanup Memorial Park Committee, equivalent to the cost incurred to refurbish the plaque at the Jack and Mary Kitchen Community Centre in Boyanup.

15.3 Waiver of 2016/17 Minimum Rate Levied

| | |
|-------------------------|---|
| Location: | Lot 815 Bussell Highway, Stratham |
| Applicant: | D & L Cox |
| File Reference: | ICR13881 and A2403 |
| Disclosure of Interest: | N/A |
| Date: | 07.09.16 |
| Author: | Executive Manager Corporate Services, S Stevenson |
| Senior Officer: | Chief Executive Officer, P Sheedy |
| Attachments: | Nil |

MATTER FOR CONSIDERATION

Council to consider waiving the minimum rate payable on Lot 815 Bussell Highway, Stratham, for the 2016/17 financial year.

BACKGROUND / PROPOSAL

Background

Property owners David and Laurel Cox have owned Lot 815 Bussell Highway in Stratham for 45 years. This property is vacant land and is rated in zone 11 as 'Rural'. This is valued on the Unimproved Valuation (UV) basis. The property attracts the minimum rate of \$1,175 for the 2016/17 financial year.

The applicant has requested that the 2016/17 minimum rate be waived due to the fact that:

- The land is landlocked.
- There is no access via road, easement or right of way.
- The applicants are elderly and have been paying rates on this block for 45 years.
- No activity either private or business can be carried out on the land.

Lot 815 Bussell Highway has been landlocked since purchase 45 years ago. There had been an informal access agreement in place with the owner of one of the neighbouring properties. This neighbour is now deceased and the adjacent property has been sold with no access agreement on access in place.

Proposal

Council resolve not to waive the minimum rate of \$1,175 payable for Lot 815 Bussell Highway, Stratham for the 2016/17 financial year.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.2

6.2. Local Government to prepare Annual Budget

- (3) 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*

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

- (b) the revenue and income, independent of general rates, of the local government; and
- (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

Local Government (Financial Management) Regulations 1996, regulation 26

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

- (1) The annual budget is to include for each discount or other incentive to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money –
 - a) in respect of a discount -
 - (i) the amount of the discount, or the percentage discount, to be allowed; and
 - (ii) the circumstances in which the discount will be granted;
 and
 - 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 6.26

6.26. Rateable land

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land –
 - (a) land which is the property of the Crown and –
 - (i) is being used or held for a public purpose; or
 - (ii) is unoccupied, except –
 - (I) where any person is, under paragraph (e) of the definition of owner in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the Mining Act 1978 in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or
 - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of owner in section 1.4 occupies or makes use of the land; and
 - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and
 - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a

- trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
- (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
 - (e) land used exclusively by a religious body as a school for the religious instruction of children; and land used exclusively as a non-government school within the meaning of the School Education Act 1999; and
 - (g) land used exclusively for charitable purposes; and
 - (h) land vested in trustees for agricultural or horticultural show purposes; and
 - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or a statutory authority (within the meaning of that term in the Financial Management Act 2006) by that co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make a contribution to the local government; and
 - (j) land which is exempt from rates under any other written law; and
 - (k) land which is declared by the Minister to be exempt from rates.
- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that co-operative or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
 - (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
 - (5) Notice of any declaration made under subsection (4) is to be published in the Gazette.
 - (6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious or public nature.

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 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 6.45(1)(2)(3)

6.45. Options for Payment of Rates or Service Charges

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by –
 - (a) 4 equal or nearly equal instalments; or
 - (b) such other method of payment by instalments as is set forth in the local government's annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge –
 - (a) by a single payment; or

- (b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.

Local Government Act 1995, Section 6.47

6.47. Concessions

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

** Absolute majority required*

Local Government Act 1995, Section 6.51

6.51. Accrual of interest on overdue rates or service charges

- (1) A local government may at the time of imposing a rate or service charge resolve* to impose interest (at the rate set in its annual budget) on —
 - (a) a rate or service charge (or any instalment of a rate or service charge); and
 - (b) any costs of proceedings to recover any such charge, that remains unpaid after becoming due and payable.

** Absolute majority required.*

POLICY IMPLICATIONS

Rates paid account for 46.3% of the Shire revenue for the 2016/17 financial year and are therefore a significant source of funding.

FINANCIAL IMPLICATIONS

Budget

The Budget outlines planned expenditure and revenue and determines the financial parameters for the Shire to operate within for the 2016/17 financial year. The budget for the year is balanced with all revenue to be received during the year and the estimated brought forward surplus being expended on meeting operating expenditure demands, the capital works program and transfers to reserves for future year's expenditure.

After taking into consideration all other sources of income, Council is required to raise sufficient rates to meet its total expenditure.

For the 2016/17 Budget it is proposed a total of \$10,713,454 be raised from general property rates and \$611,936 from specified area rates. The expected yield from rates will be sufficient to balance the 2016/17 Budget.

Long Term

A 6% increase in the differential rate in the dollar and a 10% increase in the minimum rate has been built into the 2016/17 budget as per the ratings workshop held with Council on 23 March 2015. This has formed the base for 2017/18 onwards in the 2016-2026 Long Term Financial Plan. It is important that Council can accurately forecast revenue from rates into the future to allow robust planning of expenditure and capital projects. Even with discretionary expenditure being contained it is critical for the Shire not to forego rates revenue.

Whole of Life

No assets are being created in relation to this item however it is paramount that rates revenue be accurately forecast in the long term. This revenue forecasting is critical for the long term to allow projects and expenditure to be planned.

SUSTAINABILITY IMPLICATIONS

Collection of rates is a key contributor towards financial sustainability. The imposition of the minimum rate of \$1,175 is not expected to cause any undue economic hardship.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan 2013 – 2031

1 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.

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

Strategic Outcome:

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

CONSULTATION

Consultation has taken place between the applicant's representative and the Shire to establish the circumstances around the request for waiver.

COMMENT

The levying of rates is governed by the Land Valuation Act 1978 and Section 6 of the Local Government Act 1995. The Shire is obliged to levy rates based on the valuation provided by the Valuer General's Office. At the time of the 2016/17 budget, there were 2,498 properties to which the minimum rate was applied yielding revenue of \$2,935,150.

There are approximately 45 properties within the Shire which are either landlocked or accessed via a track with no formal access. Assuming a minimum payment was applicable to each property this generates \$52,875 in rates. Lot 815 Bussell Highway, Stratham is classed as rateable land and is not exempt under s6.26 of the Local Government Act 1985. The lack of ability to access the land does not exempt it from being rateable. To date the rates for this property remain outstanding and are attracting penalty interest of 10% per annum for the period outstanding.

Rate Concessions

Council has, in the past, agreed to a rates concession however this was due to the fact that the property in question is partly located in the Shire of Capel and the City of Busselton. The concession is not connected to land use or access.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATIONS – 15.3

That Council resolves not to waive the minimum rate of \$1,175 payable for Lot 815 Bussell Highway, Stratham for the 2016/17 financial year.

15.4 Accounts Due and Submitted for Authorisation

| | |
|-------------------------|---|
| Location: | Whole of Shire |
| Applicant: | Shire of Capel |
| File Reference: | N/A |
| Disclosure of Interest: | Nil |
| Date: | 28.09.16 |
| 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 is 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

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

Strategic Outcome:

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. Document has been reviewed by Manager Finance, A Mattaboni.

COMMENT

Accounts due and submitted for authorisation are as follows:

| | | | | |
|----------|------------|---------------------------|---|--------|
| EFT22508 | 12/09/2016 | BUNBURY PLASTICS | 4 DIFFUSERS DALYELLUP COMMUNITY CENTRE | 114.40 |
| EFT22509 | 12/09/2016 | B & B STREET SWEEPING | HIRE SUMP SUCKER, FLAGFALL, CLEAR 2 PITS - ROUNDABOUT DALYELLUP BVD | 935.00 |
| EFT22510 | 12/09/2016 | BULLIVANTS PTY LTD | 8MM LIFTING CHAIN AND TIE DOWN STRAPS | 233.55 |
| EFT22511 | 12/09/2016 | BLUE'S TOWING | CAR TOWING TO DEPOT | 88.00 |
| EFT22512 | 12/09/2016 | STAPLES AUSTRALIA PTY LTD | 2016/17 STATIONERY | 888.70 |

| | | | | |
|----------|------------|---|--|----------|
| EFT22513 | 12/09/2016 | COATES HIRE SERVICE | ROLLER HIRE 31/7/16-31/8/16 | 5279.47 |
| EFT22514 | 12/09/2016 | CLEANAWAY | DISPOSAL OF HOUSEHOLD DOMESTIC WASTE-AUG 16 | 25028.07 |
| EFT22515 | 12/09/2016 | CAPEL CRANE HIRE | CRANE HIRE TO REMOVE RUBBISH TO TIP | 1225.40 |
| EFT22516 | 12/09/2016 | CROSS SECURITY SERVICES | SUPPLY AND INSTALL GPRS INTERFACE TO SECURITY SYSTEM | 393.80 |
| EFT22517 | 12/09/2016 | CARBONE BROS PTY LTD | 105.69 TONNE GRAVEL | 1955.27 |
| EFT22518 | 12/09/2016 | CJD EQUIPMENT PTY LTD | WATER PUMP + EXHAUST BRACKET - DATE 26/8/16 | 1281.14 |
| EFT22519 | 12/09/2016 | FENNESSY'S | 80,000 SERVICE - CP9503 AND 30,000 SERVICE CP81 | 981.48 |
| EFT22520 | 12/09/2016 | GEOGREEN | QUARTERLY SERVICING OF WATERLESS URINAL CAPEL SHIRE BUILDINGS 16/17 | 1969.70 |
| EFT22521 | 12/09/2016 | GRACE RECORDS MANAGEMENT | RECORDS STORAGE AND DESTRUCTION FOR AUG 16 | 286.07 |
| EFT22522 | 12/09/2016 | JETLINE KERBING CONTRACTORS | FOOTPATH REPAIR JULES ROAD GELORUP | 3410.00 |
| EFT22523 | 12/09/2016 | WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA | LOCAL GOVERNMENT PEOPLE & CULTURE SEMINAR 2016 | 1000.00 |
| EFT22524 | 12/09/2016 | LD TOTAL | REPLACE MISSING BASKETBALL RING SOUTH PARK & REMOVE DEAD TREE | 1100.00 |
| EFT22525 | 12/09/2016 | MALATESTA ROAD PAVING & HOT MIX | 150 LITRES OF EMULSION | 240.00 |
| EFT22526 | 12/09/2016 | NIGHTGUARD SECURITY SERVICE PTY LTD | ALARM RESPONSES FOR AUGUST | 1440.19 |
| EFT22527 | 12/09/2016 | PIACENTINI & SON PTY LTD | LIMESTONE CARTAGE | 9339.79 |
| EFT22528 | 12/09/2016 | FULTON HOGAN INDUSTRIES PTY LTD | 1 TONNE OF EZSTREET BULK BAG AND 1 TONNE HOTMIX | 904.00 |
| EFT22529 | 12/09/2016 | PRESTIGE PRODUCTS-BUSSELTON | SUPPLY 1 CTN 82L BIN BAGS | 185.57 |
| EFT22530 | 12/09/2016 | RTW STEEL FABRICATION | MODIFYING SOCKETS FOR CP855 AS REQUESTED | 99.00 |
| EFT22531 | 12/09/2016 | SOUTHERN LOCK & SECURITY | SUPPLY 5 PADLOCKS KEYED TO SHIRE SYSTEM REPLACEMENT DUE TO BURGLARY AT DEPOT, LOCK REPLACEMENT ON NEW BBQ'S CAPEL CIVIC PRECINCT | 1948.19 |
| EFT22532 | 12/09/2016 | MICHAEL SAUNDERS | CAPEL CIVIC PRECINCT INSTALLATION OF PARK FURNITURE | 5277.80 |
| EFT22533 | 12/09/2016 | SOUTH WEST ZONE WA LOCAL GOVERNMENT ASSOCIATION | ANNUAL FEES 2016/17 | 600.00 |
| EFT22534 | 12/09/2016 | WORK CLOBBER BUNBURY | JUMPER | 77.88 |

| | | | | |
|----------|------------|------------------------|--|--------------|
| EFT22535 | 12/09/2016 | WESTRAC EQUIPMENT | SERVICE GRADER 250HRS - CP1804 - FRIDAY 12 AUGUST 16 - SHIRE DEPOT | 2896.62 |
| EFT22536 | 12/09/2016 | WARREN BLACKWOOD WASTE | WASTE, RECYCLING & ORGANIC COLLECTION - AUG 16 | 66460.36 |
| | | | | \$135,639.45 |

OUTSTANDING CREDITORS AS AT 31 August 2016: \$251,821.53

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for 28 September 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

That Council authorises the Schedule of Accounts covering vouchers EFT22508 to EFT22536, a total of \$135,639.45 for payment.

15.5 Accounts Paid During the Month of August 2016

Location: Whole of Shire
Applicant: Shire of Capel
File Reference: N/A
Disclosure of Interest: Nil
Date: 28.09.2016
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 has been checked 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 August 2016 are as follows:

| | | | | |
|----------|------------|------------------------------|---|---------|
| EFT22196 | 01/08/2016 | WESTNET PTY LTD | MONTHLY INTERNET | 369.78 |
| EFT22197 | 01/08/2016 | FUJI XEROX AUSTRALIA PTY LTD | ANNUAL PHOTOCOPIER RENTAL AND SERVICE AGREEMENT FOR ADMINISTRATION COPIERS | 1369.61 |
| EFT22198 | 03/08/2016 | ANZ - LENDING PROCESSING | BANKING CONFIRMATION AUDIT CERTIFICATE | 70.00 |
| EFT22199 | 03/08/2016 | BELL FIRE EQUIPMENT COMPANY | FIRE INDICATOR PANEL ANNUAL MONTHLY SERVICE - CAPEL LIBRARY AND BOYANUP COMM CENTRE | 229.16 |
| EFT22200 | 03/08/2016 | BUSSELTON TOYOTA | 30,000KM SERVICE P0093 | 300.05 |

| | | | | |
|----------|------------|---|--|----------|
| EFT22201 | 03/08/2016 | BUNBURY AUTO ELECTRICS | SUPPLY AND REPLACE 2X FLASHING BEACONS TO ISUZU TIP TRUCK CP9574, COLORADO UTE CP154 AND NISSAN NAVARA CP5186 | 1480.95 |
| EFT22202 | 03/08/2016 | B & B STREET SWEEPING | DRAIN CLEANING - GAVINS ROAD - 15/6/16 | 660.00 |
| EFT22203 | 03/08/2016 | BRANDICOOT | WEBSITE SUBSCRIPTION - JUL 16 | 238.00 |
| EFT22204 | 03/08/2016 | BLUE'S TOWING | TOW CAR FROM KOONAK STREET, DALYELLUP TO SHIRE DEPOT | 88.00 |
| EFT22205 | 03/08/2016 | STAPLES AUSTRALIA PTY LTD | VARIOUS STATIONERY | 1634.32 |
| EFT22206 | 03/08/2016 | CAPEL CLEANING | CLEANING OF CAPEL PLAYGROUPO/INFANT HEALTH BUILDING AND SHIRE BUILDING JUNE AND JULY | 652.50 |
| EFT22207 | 03/08/2016 | GOLDEN WEST PLUMBING & DRAINAGE | INSTALL NEW CISTERN & FITTINGS AT BOYANUP LIBRARY, UNBLOCK TOILETS AT DALYELLUP LIFE SAVING CLUB AND LAKES MALE TOILETS AND REPLACE FILTER, SERVICE HOT WATER UNITS IN STAFF COUNCIL CHAMBERS AND SHIRE KITCHEN, REPAIR FEMALE CISTERN BOYANUP COMM CENTRE, UNBLOCK MALE TOILET AT DALYELLUP LIFE SAVING CLUB AND UNBLOCK MALE TOILET AT DALYELLUP LAKES | 1504.25 |
| EFT22208 | 03/08/2016 | FLEXI STAFF | EMPLOYEE CONTRACT HIRE | 414.39 |
| EFT22209 | 03/08/2016 | GLOBE AUSTRALIA PTY LTD | 18KG BARMAC LARVICIDE & 20KG BIOPREN - MOSQUITO MANAGEMENT | 18187.40 |
| EFT22210 | 03/08/2016 | INSIGHT CCS PTY LTD | CALL CENTRE CHARGES JUNE 2016 | 219.51 |
| EFT22211 | 03/08/2016 | ISA TECHNOLOGIES | MANAGE SERVER INFRASTRUCTURE DURING POWER SHUT DOWNS FOR PROGRAMMED CONSTRUCTION WORKS ON SAT 25 JUNE 2016 | 638.00 |
| EFT22212 | 03/08/2016 | WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA | WALGA SUBSCRIPTION 16/17- ASSOCIATION MEMBERSHIP | 33961.02 |
| EFT22213 | 03/08/2016 | LD TOTAL | REPAIR DAMAGED FISH SCULPTURE - SOUTH PARK | 330.00 |
| EFT22214 | 03/08/2016 | LGIS PROPERTY SCHEME | 16/17 PROPERTY INSURANCE | 39281.81 |
| EFT22215 | 03/08/2016 | MAINSPRAY | CASTOR OIL PLANT CONTROL AT WASTE TRANSFER STATION | 900.46 |

| | | | | |
|----------|------------|------------------------------------|--|----------|
| EFT22216 | 03/08/2016 | OUTDOOR WORLD CAPE TO CAPE | CONSTRUCT AND INSTALL SHED WITH REMOVABLE ROOF AND SINGLE DOOR OVER IRON FILTRATION SYSTEM IN ERLE SCOTT TOWN PARK | 8800.00 |
| EFT22217 | 03/08/2016 | PROTECTOR FIRE SERVICES | SERVICE ALL SHIRE PORTABLE FIRE EQUIPMENT | 5778.74 |
| EFT22218 | 03/08/2016 | PRIME INDUSTRIAL PRODUCTS PTY LTD | 10X SAFETY GLASSES, 3X BOX DISPOSABLE MASK, 24X GLOVES | 251.88 |
| EFT22219 | 03/08/2016 | AUSTRALIA TAXATION OFFICE | PAYG WITHHOLDING 26.7.16 | 47477.00 |
| EFT22220 | 03/08/2016 | PLANNING INSTITUTE AUSTRALIA | PLANNING INSTITUTE AUSTRALIA MEMBERSHIP 16/17 | 599.00 |
| EFT22221 | 03/08/2016 | SOUTH WEST TREE SAFE | EMERGENCY CALLOUT TO REMOVE TREE IN ARMSTRONG RD, REMOVE TREE FROM WARNES RD CAPEL, REMOVED DANGEROUS BRANCH FROM TREE ON TIMBERLEY ST | 4510.00 |
| EFT22222 | 03/08/2016 | STRATHAM BOBCAT HIRE | BOBCAT HIRE FOR PLAY GROUND MULCH AT GELORUP COMMUNITY CENTRE PLAY GROUND | 522.50 |
| EFT22223 | 03/08/2016 | SOUTH WEST INSTITUTE OF TECHNOLOGY | 3 X PARTICIPANTS | 130.00 |
| EFT22224 | 03/08/2016 | TOTALLY WORKWEAR | WORK UNIFORMS | 699.80 |
| EFT22225 | 03/08/2016 | WORK CLOBBER BUNBURY | WORK BOOTS | 150.30 |
| EFT22226 | 03/08/2016 | WOOD & GRIEVE ENGINEERS | PROVISION OF STRUCTURAL, MECHANICAL ELECTRICAL AND HYDRAULIC SERVICES FOR EAST DALYELLUP SPORTS PAVILION | 385.00 |
| EFT22227 | 03/08/2016 | WESTSIDE EQUIPMENT | SHIRE OF CAPEL CO-PAYMENT FOR HR LICENCE TRAINING - BOYANUP BFB | 430.00 |
| EFT22229 | 03/08/2016 | TRUE BLUE EXHIBITIONS | SENIORS OUTING TO WA CRAFT & WOOD SHOW - ADMISSION | 476.00 |
| EFT22230 | 03/08/2016 | SUE BURKETT | REIMBURSEMENT FOR TRAINING COSTS - MEALS AND ACCOMMODATION | 663.80 |
| EFT22231 | 08/08/2016 | FUJI XEROX AUSTRALIA PTY LTD | 16/17 LEASE OF PHOTOCOPIER PER MONTH-CAPEL LIBRARY | 132.00 |
| EFT22232 | 08/08/2016 | BENDIGO BANK LIMITED | BANKING CONFIRMATION AUDIT CERTIFICATE | 30.00 |
| EFT22233 | 10/08/2016 | AMITY SIGNS | 3 X SIGNS FOR PEPPERMINT GROVE BEACH HOLIDAY PARK | 269.50 |
| EFT22234 | 10/08/2016 | AUSTRAL MERCANTILE COLLECTIONS P/L | LEGAL FEES - RATES | 440.00 |
| EFT22235 | 10/08/2016 | ANZ BUSINESS BANKING | LOAN NO. 59 OFFICE EXTENSIONS | 11168.02 |
| EFT22236 | 10/08/2016 | BELL FIRE EQUIPMENT COMPANY | REPLACE SMOKE DETECTOR IN LADIES TOILET BOYANUP COMMUNITY CENTRE | 708.18 |
| EFT22237 | 10/08/2016 | BUNBURY PLUMBING SERVICES BPS | EMPTY TANK AT MININNUP BEACH | 900.90 |

| | | | | |
|----------|------------|------------------------------------|---|----------|
| EFT22238 | 10/08/2016 | BUNNINGS BUILDING SUPPLIES PTY LTD | FOLD UP TABLE FOR PEPPY GROVE BEACH COMM CENTRE AND ENGRAVER FOR SENIOR CITIZENS CAPEL | 79.87 |
| EFT22239 | 10/08/2016 | BCF | WADERS - MOSQUITO MANAGEMENT | 149.00 |
| EFT22240 | 10/08/2016 | BANK OF I.D.E.A.S | REGISTRATION FEES FOR TRAINING | 220.00 |
| EFT22241 | 10/08/2016 | BENDIGO BANK BUSINESS CREDIT CARD | JULY CREDIT CARD TRANSACTIONS: 16.7.16 - \$297.00 CIVIC LEGAL - GIFT WORKSHOP 19.7.16 - \$318.00 - RENDEZVOUS HOTEL - ACCOMMODATION WA RANGERS CONFERENCE 19.7.16 - \$448.00 - RENDEZVOUS HOTEL - ACCOMMODATION WA RANGERS CONFERENCE 19.7.16 - \$318.00 - RENDEZVOUS HOTEL - ACCOMMODATION WA RANGERS CONFERENCE 22.7.16 - \$180.00 - TELSTRA - RECHARGE WIFI DONGLE 30.7.16 - \$8.00 - CARD FEE 31.7.16 - INTEREST | 1575.89 |
| EFT22242 | 10/08/2016 | BRITEL ENTERPRISES PTY LTD | ADVERTISEMENT IN SES DIARY PLANNER | 275.00 |
| EFT22243 | 10/08/2016 | STAPLES AUSTRALIA PTY LTD | 2016/17 STATIONERY | 236.24 |
| EFT22244 | 10/08/2016 | CAPEL TRANSPORT | TRANSPORT LARVICIDE FROM PERTH - MOSQUITO MANAGEMENT | 356.35 |
| EFT22245 | 10/08/2016 | COATES HIRE SERVICE | CONCRETE GRINDER AND GEN-SET HIRE 13/7/16-14/7/16 | 648.19 |
| EFT22246 | 10/08/2016 | CR MURRAY SCOTT | TAXI FARE FOR LOCAL GOVERNMENT CONFERENCE | 19.50 |
| EFT22247 | 10/08/2016 | CAPEL NEWSAGENCY | NEWSPAPERS AND STATIONERY FOR 3X LIBRARIES AND SHIRE ADMIN | 233.65 |
| EFT22248 | 10/08/2016 | DM & S CURTIN | INVESTIGATE LACK OF HEATING FROM AIR CON AT BOYANUP LIBRARY | 187.00 |
| EFT22249 | 10/08/2016 | CIVILCON (WA) PTY LTD | CONTRACT TO BUILD EAST DALYELLUP SPORTS PAVILION | 92357.59 |
| EFT22250 | 10/08/2016 | CAPEL CLEANING | VACUUMING OF SHIRE OFFICES AND CAPEL PLAYGROUP 30/7/16 | 135.00 |
| EFT22251 | 10/08/2016 | DALYELLUP COLLEGE | 2016 DONATION FOR YEAR 12 PRESENTATION AWARD | 100.00 |
| EFT22252 | 10/08/2016 | TJ DEPIAZZI & SONS | LAWN MIX M3 - BOYANUP RECREATION GROUND | 461.47 |
| EFT22253 | 10/08/2016 | FLEXI STAFF | EMPLOYEE CONTRACT HIRE | 2047.58 |
| EFT22254 | 10/08/2016 | FIT 2 WORK.COM.AU | EMPLOYEE POLICE CHECK | 40.59 |
| EFT22255 | 10/08/2016 | GANNAWAYS | BUS CHARTER FOR JULY 2016 IN ZONE | 1531.60 |

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| EFT22256 | 10/08/2016 | GHD PTY LTD | GROUNDWATER MONITORING | 6694.60 |
| EFT22257 | 10/08/2016 | GALVINS PLUMBING SUPPLIES | SUPPLY OF TWO VALVES FOR STORM WATER INTO RAIN WATER TANK. | 310.47 |
| EFT22258 | 10/08/2016 | HANSON CONSTRUCTION MATERIALS PTY LTD | 12.10 TONNE - RIP RAP FOR RAMSAY ROAD | 481.82 |
| EFT22259 | 10/08/2016 | JR & A HERSEY PTY LTD | VARIOUS HARDWARE | 917.44 |
| EFT22260 | 10/08/2016 | INVARION RAPIDPLAN PTY LTD | INVARION RAPID PLAN ANNUAL LICENCE RENEWAL | 412.50 |
| EFT22261 | 10/08/2016 | JULIES LAWNMOWING | MOWING OF BOYANUP MUSEUM GROUNDS AND BOYANUP HALL GROUNDS | 255.00 |
| EFT22262 | 10/08/2016 | LESCHENAULT COMMUNITY NURSERY INC | 240 X PLANTS FOR UNDER THE NEW STAIRCASE AT PGB | 292.00 |
| EFT22263 | 10/08/2016 | LOCAL GOVERNMENT MANAGERS AUSTRALIA LGMA | SPONSORSHIP OF THE 2016 COMMUNITY DEVELOPMENT CONFERENCE | 1500.00 |
| EFT22264 | 10/08/2016 | LGIS INSURANCE BROKING | 16/17 MOTOR VEHICLE INSURANCE | 23310.66 |
| EFT22265 | 10/08/2016 | JUST YOUNGER CATERING | CATERING FOR MONTHLY COUNCIL MEETINGS, CATERING FOR SW GAS EXPO, CATERING FOR HELICOPTER/CLAG MOSQUITO MEETING | 638.50 |
| EFT22266 | 10/08/2016 | MARAS CONSTRUCTIONS | BOBCAT HIRE FOR RICH ROAD BOAT RAMP 26/7/16 | 1100.00 |
| EFT22267 | 10/08/2016 | PIACENTINI & SON PTY LTD | 12.05 TONNE SAND | 99.41 |
| EFT22268 | 10/08/2016 | PRESTIGE PRODUCTS-BUSSELTON | VARIOUS CLEANING /MAINTENANCE PRODUCTS FOR SHIRE BUILDING AND TRANSFER STATION | 280.39 |
| EFT22269 | 10/08/2016 | PAVING PEOPLE | REPAIRS TO PAVING/FOOTPATH - FORREST RD (OUTSIDE LIBRARY) | 495.00 |
| EFT22270 | 10/08/2016 | RTW STEEL FABRICATION | MESH GRILL FOR DRAINAGE 980 X 530 | 198.00 |
| EFT22271 | 10/08/2016 | SOUTH WEST TREE SAFE | REMOVE TWO LARGE TREES LEANING OVER ROAD ON BRYCE ROAD, BOYANUP | 2640.00 |
| EFT22272 | 10/08/2016 | SOS OFFICE EQUIPMENT | METERBILLING FOR SHIRE AND LIBRARY PHOTOCOPIERS | 3214.89 |
| EFT22273 | 10/08/2016 | SDEA NOMINEES PTY LTD RENTALS TRUST | RATES REFUND | 791.58 |
| EFT22274 | 10/08/2016 | SONIC HEALTHPLUS PTY LTD | PRE EMPLOYMENT MEDICAL | 324.50 |
| EFT22275 | 10/08/2016 | SUMMERS CONSULTING | MOSQUITO IDENTIFICATION 21/10/15 | 382.80 |
| EFT22276 | 10/08/2016 | SOUTH WEST UNIT DEVELOPMENT PTY LTD ATF JIM EVANS FAMILY TRUST | REPAIR AND REVARNISH LECTERN AND NAME PLATES | 286.00 |

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| EFT22277 | 10/08/2016 | D & K THOMAS ELECTRICAL | FAULT FIND/FIX LIGHTING CONTROLS FOR GELORUP SKATE PARK AND CALL OUT TO DISCONNECT POWER LINE TO TOILET BLOCK AT BOYANUP LIONS PARK AND RE-CONNECT | 1608.74 |
| EFT22278 | 10/08/2016 | TOTALLY WORKWEAR | WORK UNIFORMS | 902.00 |
| EFT22279 | 10/08/2016 | TRADELINK PLUMBING SUPPLIES | ONE LENGTH OF PIPE, GELORUP COMM CENTRE | 43.49 |
| EFT22280 | 10/08/2016 | RAY TINK ROOFING | INSTALL GUTTER GUARD TO LOWER STOREY ONLY OF GELORUP HALL, WORKS TO TOILET BLOCK AT CENTRAL LAKES AND MAIN BEACH AND REPLACE SHEETS AT BOYANUP HALL AND REPAIR LEAK AT BOYANUP COMM CENTRE | 10615.00 |
| EFT22281 | 10/08/2016 | WORK CLOBBER BUNBURY | WORK UNIFORM | 112.48 |
| EFT22282 | | -EFT22306 | PAYMENT ALREADY APPROVED BY COUNCIL PLEASE REFER TO AGENDA ON 24.08.2016 | |
| EFT22307 | 17/08/2016 | AMITY SIGNS | WATER OVER ROAD - SIGNS TO FIT INTO MMS | 1716.00 |
| EFT22308 | 17/08/2016 | AUSTRALIA POST | JULY POSTAGE AND FREIGHT | 6320.60 |
| EFT22309 | 17/08/2016 | AUSLEC | 37 X T5 FLURO TUBES | 264.55 |
| EFT22310 | 17/08/2016 | ATA CONNECTIONS | REPROGRAM BUTTONS AND CLEAN CASH REGISTER USED AT TIP | 82.39 |
| EFT22311 | 17/08/2016 | SANDRO AGRIZZI FARM MACHINERY PTY LTD | SET OF NEW BRUSHES FOR BROOM | 962.20 |
| EFT22312 | 17/08/2016 | AUSTRALASIAN PERFORMING RIGHT ASSOC LTD | APRA LICENCE FEE FOR 4X HALLS | 141.16 |
| EFT22313 | 17/08/2016 | BUNBURY MOWER SERVICE | REPAIR BROKEN MUFFLER AND SERVICE POLE SAW | 88.50 |
| EFT22314 | 17/08/2016 | BUNNINGS BUILDING SUPPLIES PTY LTD | 2 X DOOR VENTS | 205.20 |
| EFT22315 | 17/08/2016 | BLACKWOODS | 10 PAIRS FIREWALKER LEVEL 1 GLOVES SIZE | 463.21 |
| EFT22316 | 17/08/2016 | BOYANUP BOTANICAL | MIXED PLANTS FOR MAIDMENT PARADE GARDENS | 305.94 |
| EFT22317 | 17/08/2016 | BERT'S HOME MAINTENANCE SERVICES | SUPPLY AND INSTALL REPLACEMENT BACK BOARD AND RING AT PEPPY GROVE BEACH COMM CENTRE BROKEN DUE TO VANDALISM | 1529.00 |
| EFT22318 | 17/08/2016 | BUILT RIGHT APPROVALS | CONTRACTORS: ASSISTANCE WITH PROCESSING OF BUILDING APPLICATIONS JULY 16 | 2420.00 |
| EFT22319 | 17/08/2016 | BLUE'S TOWING | TOW CAR FROM DALYELLUP TO DEPOT | 88.00 |
| EFT22320 | 17/08/2016 | BP AUSTRALIA | JULY FUEL | 9904.57 |
| EFT22321 | 17/08/2016 | STAPLES AUSTRALIA PTY LTD | 2016/17 STATIONERY | 639.94 |

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| EFT22322 | 17/08/2016 | PAUL SHEEDY | REIMBURSEMENT MEAL FOR LEADERSHIP IN LOCAL GOVT CONFERENCE MELBOURNE 11 & 12/8/16 | 149.50 |
| EFT22323 | 17/08/2016 | BUNBURY CITY BULLS JUNIOR RUGBY CLUB | KIDSPORT APPLICATION | 120.00 |
| EFT22324 | 17/08/2016 | GEORGINIA CARTER | WORKING WITH CHILDREN CHECK REIMBURSEMENT | 83.00 |
| EFT22325 | 17/08/2016 | CAREY PARK FOOTBALL SPORTING AND COMMUNITY CLUB INC. | KIDSPORT APPLICATIONS | 400.00 |
| EFT22326 | 17/08/2016 | CAPEL CLEANING | VACUUMING OF SHIRE OFFICES AND CAPEL PLAYGROUP | 180.00 |
| EFT22327 | 17/08/2016 | DELRON CLEANING | CLEANING OF SHIRE BUILDINGS FOR AUG 16 AS PER TENDER | 10453.91 |
| EFT22328 | 17/08/2016 | DEPARTMENT OF PREMIER & CABINET | GOVERNMENT GAZETTE PRINTING- VARIOUS LOCAL LAWS | 8734.85 |
| EFT22329 | 17/08/2016 | DALYELLUP DOCKERS FOOTBALL CLUB | KIDSPORT APPLICATIONS | 1000.00 |
| EFT22330 | 17/08/2016 | DALYELLUP PROPERTY MANAGEMENT | RATES REFUND | 484.12 |
| EFT22331 | 17/08/2016 | FLEXI STAFF | EMPLOYEE CONTRACT HIRE | 1657.57 |
| EFT22332 | 17/08/2016 | GANNAWAYS | BUS CHARTER FOR ACTIVE AGEING PROGRAM | 1095.00 |
| EFT22333 | 17/08/2016 | GEOGRAPHE FORD - BUNBURY | SERVICE - 70CP | 814.50 |
| EFT22334 | 17/08/2016 | A INGRAM | 16 X BOOK STOCK PURCHASES | 244.00 |
| EFT22335 | 17/08/2016 | INJURY CONTROL COUNCIL OF WA | REGISTRATION FOR LOCAL GOVERNMENT COMMUNITY SAFETY NETWORK CONFERENCE | 99.00 |
| EFT22336 | 17/08/2016 | WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA | REGISTRATION FOR WALGA UNDERSTANDING FINANCIAL REPORTS AND BUDGETS TRAINING COURSE ON 24 OCTOBER 2016 (BUSSELTON) | 155.00 |
| EFT22337 | 17/08/2016 | LD TOTAL | WAVE WALK, PGB CONCRETE PATH PROJECT SAFETY FENCING AND REMEDIAL LANDSCAPING WORKS AND REPLACE 100 LTR AGONIS AND RE-MULCH 21 TREE BOWLS | 5200.14 |
| EFT22338 | 17/08/2016 | ROLAND AND LEONIE LYNCH | CROSSOVER CONTRIBUTION | 300.00 |
| EFT22339 | 17/08/2016 | MOUNTS BAY WATERS APARTMENT HOTEL | ACCOMMODATION FOR TWO (2, 3 & 4 AUGUST 2016) | 2678.50 |
| EFT22340 | 17/08/2016 | MIRAGE DOORS WA | REPAIR ROLLER SHUTTERS AT DALYELLUP SPORTS PAVILION | 946.00 |
| EFT22341 | 17/08/2016 | PIACENTINI & SON PTY LTD | 72 TONNE OF LIMESTONE | 1054.09 |
| EFT22342 | 17/08/2016 | AUSTRALIA TAXATION OFFICE | PAYG WITHHOLDING 9/8/16-\$45989.00 | 45989.00 |

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| EFT22343 | 17/08/2016 | SOUTH WEST TREE SAFE | CALLOUT FOR TREE OVER FENCE ON WELD RD TO BE REMOVED AND EMERGENCY CALLOUT FOR TREE OVER FENCE CNR OF GAVINS AND ELGIN RD TO BE REMOVED | 1320.00 |
| EFT22344 | 17/08/2016 | SOUTH WEST RUBBER STAMPS | OPERATIONS INSPECTED STAMP 2 RED INK PADS POSTAGE | 100.80 |
| EFT22345 | 17/08/2016 | DONNA SIMS | REIMBURSEMENT FOR ACCOMMODATION FOR COMMUNITY SAFETY CONFERENCE | 154.20 |
| EFT22346 | 17/08/2016 | SOILS AINT SOILS | MULCH FOR MAIDMENT PDE GARDENS | 510.00 |
| EFT22347 | 17/08/2016 | SOUTH WEST PRINT GROUP | VARIOUS HEALTH AND INFRINGEMENT NOTICES | 1791.00 |
| EFT22348 | 17/08/2016 | CHERYL SMITH | ACCOMMODATION & DINNER FOR MEETING ON 4/8/16 | 255.50 |
| EFT22349 | 17/08/2016 | D & K THOMAS ELECTRICAL | REPLACEMENT OF 4X LIGHT BULBS AT SHIRE ADMIN BUILDING AND REPAIR BBQ AT CAPEL SPORTS PAVILION | 881.32 |
| EFT22350 | 17/08/2016 | RAY TINK ROOFING | REPAIR ROOF LEAK DALYELLUP COMMUNITY CENTRE (OVER PLAYGROUP TOILETS) | 330.00 |
| EFT22351 | 17/08/2016 | VACUUM WORLD SALES & SERVICE | SUPPLY 3 PACKS OF VACUUM BAGS AF-PVS | 60.00 |
| EFT22353 | 17/08/2016 | MICHELLE PLUME | REIMBURSEMENT - EMERGENCY EXERCISE PLANNING MEETING REFRESHMENTS AND PARKING | 122.70 |
| EFT22354 | 22/08/2016 | CALTEX AUSTRALIA | JULY FUELCARD EXPENSE | 2899.88 |
| EFT22355 | 24/08/2016 | AMPAC DEBT RECOVERY | POUNDAGE COSTS ON LEGAL ACTION | 140.25 |
| EFT22356 | 24/08/2016 | BUNBURY MOWER SERVICE | REPLACEMENT CHAINS FOR POLE SAW | 149.00 |
| EFT22357 | 24/08/2016 | BUSSELTON TOYOTA | VEHICLE SERVICE FOR HILUX CP9378 INCLUDING SUPPLY AND INSTALLATION OF REAR LEFT MUDFLAP | 493.20 |
| EFT22358 | 24/08/2016 | BUNNINGS BUILDING SUPPLIES PTY LTD | MALE AND FEMALE TOILET SIGNS | 13.69 |
| EFT22359 | 24/08/2016 | BSEWA | CHECK ELECTRICAL OPERATION OF HOT WATER SYSTEMS AT DALYELLUP SPORTS PAVILION & PROVIDE ADVICE ON OPTIONS TO REDUCE ENERGY USE | 100.00 |
| EFT22360 | 24/08/2016 | CAPEL CLEANING | VACUUMING OF SHIRE OFFICES AND CAPEL PLAYGROUP SATURDAY 13/8/16 | 135.00 |
| EFT22361 | 24/08/2016 | GRESLEY ABAS PTY LTD | EAST DALYELLUP SPORTS PAVILION, ARCHITECTURAL CONSULTANCY FEE FOR SKETCH DESIGN, DETAILED DESIGN AND CONTRACT ADMINISTRATION | 1347.89 |

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| EFT22362 | 24/08/2016 | LESLEY JACKES | REIMBURSEMENT FOR ACCOMMODATION BOOKED FOR CD CONFERENCE 7/9/16-8/9/16 | 292.60 |
| EFT22364 | 24/08/2016 | QUADRIO MA & SG | RATES REFUND | 1105.25 |
| EFT22365 | 24/08/2016 | SOUTH WEST TREE SAFE | REMOVE TO GROUND LEVEL STORM DAMAGED TREE ON CAIN ROAD | 1320.00 |
| EFT22366 | 24/08/2016 | TRAFFIC FORCE | TRAFFIC SIGNAGE HIRE | 44.00 |
| EFT22367 | 24/08/2016 | RAY TINK ROOFING | PLUMB DOWN PIPES AT SIDE ENTRY DOOR, MAIN DOORS AND SMALL FRONT ENTRY DOOR DIRECTLY INTO DRAINAGE SYSTEM AT DALYELLUP COMMUNITY CENTRE AND REPAIR ROOF LEAK AT CAPEL HALL | 1540.00 |
| EFT22368 | 24/08/2016 | SOUTH WEST WARRIORS RLC INC | KIDSPORT APPLICATIONS | 300.00 |
| EFT22369 | 24/08/2016 | BUNBURY POTHoles & ASPHALT REPAIRS | ROAD REPAIR, SPURR STREET CAPEL, SUPPLY & LAY 3 TONNE ASPHALT IN 2 AREAS | 3850.00 |
| EFT22370 | 24/08/2016 | LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA NSW | BENCHMARKING YEAR 1 2016/17 PACKAGE | 6545.00 |
| EFT22371 | 31/08/2016 | AMITY SIGNS | 6X ANTI THEFT BOLT/KEYS | 128.70 |
| EFT22372 | 31/08/2016 | BUNBURY BEARINGS | 4X TIE ROD ENDS | 99.00 |
| EFT22373 | 31/08/2016 | BUNBURY MOWER SERVICE | MISC PARTS FOR LINE TRIMMERS INCLUDING HEAD, SPOOLS, CORD | 986.00 |
| EFT22374 | 31/08/2016 | BELL FIRE EQUIPMENT COMPANY | SERVICE FIRE PANEL CAPEL HALL JULY 16 | 229.16 |
| EFT22375 | 31/08/2016 | BUNBURY TYREPOWER | 4X TYRES & INSTALLATION FOR 70CP | 1905.00 |
| EFT22376 | 31/08/2016 | BOYANUP FOUNDATION INC | CORPORATE/GROUP MEMBERSHIP 2016/17 | 66.00 |
| EFT22377 | 31/08/2016 | BUNBURY WELLINGTON ECONOMIC ALLIANCE | LOCAL GOVT MEMBERSHIP FEES 2016/17 | 12127.50 |
| EFT22378 | 31/08/2016 | BUNNINGS BUILDING SUPPLIES PTY LTD | LEATHER APRON AND DISPOSABLE OVERALLS (FOR HANDLING BATTERIES, ETC) | 32.01 |
| EFT22379 | 31/08/2016 | BUNBURY HARVEY REGIONAL COUNCIL | DISPOSAL WASTE FOR THIRD ORGANIC BIN DOMESTIC SERVICE JUL 16 AND REGIONAL WASTE EDUCATION PROGRAM CONTRIBUTION | 7057.13 |
| EFT22380 | 31/08/2016 | BUNBURY TRUCKS | 100,000KM SERVICE FOR CP9477 | 2832.15 |
| EFT22381 | 31/08/2016 | BRANDICOOT | WEBSITE SUBSCRIPTION 12 MONTHS - AUG 16 | 238.00 |
| EFT22382 | 31/08/2016 | BUILT RIGHT APPROVALS | ASSISTANCE WITH PROCESSING OF BUILDING APPLICATIONS | 1144.00 |

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| EFT22383 | 31/08/2016 | BRAND SUCCESS | 250 X 3MM DELUXE RUBBER SPONGE COASTERS (CAPEL TROLL) 250 X 3MM DELUXE RUBBER SPONGE COASTERS (IRONSTONE GULLY FALLS) | 984.50 |
| EFT22384 | 31/08/2016 | BP AUSTRALIA | DISTILLATE -9400L | 9874.70 |
| EFT22385 | 31/08/2016 | STAPLES AUSTRALIA PTY LTD | VARIOUS STATIONERY | 1521.12 |
| EFT22386 | 31/08/2016 | COATES HIRE SERVICE | ROLLER HIRE 1 JULY 2016 TO 31 JULY 2016 | 6203.43 |
| EFT22387 | 31/08/2016 | CLEANAWAY | 2016/17 - DISPOSAL OF HOUSEHOLD DOMESTIC WASTE JUL 16 | 33786.30 |
| EFT22388 | 31/08/2016 | CENTRECARE CORPORATE | CENTRECARE CORPORATE - APPOINTMENTS/USAGE | 748.00 |
| EFT22389 | 31/08/2016 | CAPEL HARDWARE & FARM SUPPLIES | VARIOUS HARDWARE REQUIREMENTS | 2592.71 |
| EFT22390 | 31/08/2016 | CASTROL AUSTRALIA PTY LIMITED | 24 GREASE CAPSULES | 165.79 |
| EFT22391 | 31/08/2016 | CAPEL CLEANING | VACUUMING OF SHIRE OFFICES AND PLAYGROUP SATURDAY AND CLEANING OF MEETING ROOM AT BOYANUP COMM CENTRE | 180.00 |
| EFT22392 | 31/08/2016 | CHILD SUPPORT AGENCY | PAYROLL DEDUCTIONS | 940.52 |
| EFT22393 | 31/08/2016 | DISCOUNT AUTO PARTS | 3 X BOOSTER CABLES FOR RANGER'S CARS | 129.85 |
| EFT22394 | 31/08/2016 | DELRON CLEANING | GENERAL SHIRE CLEANING FOR AUGUST | 10453.91 |
| EFT22395 | 31/08/2016 | ELGIN HALL COMMITTEE | REIMBURSEMENT FOR ELECTRICITY CONSUMPTION AT ELGIN HALL | 80.76 |
| EFT22396 | 31/08/2016 | EASIFLEET MANAGEMENT | NOVATED LEASE | 753.86 |
| EFT22397 | 31/08/2016 | EXTERIA | CAPEL CIVIC PRECINCT STAGE 4 X 240L STRUTWOOD BINS WITH DIGITAL WRAP GRAPHICS | 10870.20 |
| EFT22398 | 31/08/2016 | GOLDEN WEST PLUMBING & DRAINAGE | UNBLOCK MALE AND FEMALE TOILETS AT DALYELLUP LAKES, UNBLOCK BACK TOILET AT SHIRE DEPOT, UNBLOCK TOILETS AT DALYELLUP BEACH TOILETS | 420.75 |
| EFT22399 | 31/08/2016 | CRAIG & SARINA FIELD | CROSSOVER CONTRIBUTION DALYELLUP | 300.00 |
| EFT22400 | 31/08/2016 | FENNESSY'S | INSTALL NEW FUSE FOR CP9132 | 45.09 |
| EFT22401 | 31/08/2016 | FLEXI STAFF | EMPLOYEE CONTRACT HIRE | 3290.76 |
| EFT22402 | 31/08/2016 | FAT BIRDIE CAFE | LUNCH FOR AUGUST MEETING - WRAPS FOR 20 PEOPLE @ \$8 PER HEAD | 160.00 |
| EFT22403 | 31/08/2016 | GOLDEN WEST PEST & WEED CONTROL | SPRAY FOR TERMITES OLD TREE STUMP | 145.00 |
| EFT22404 | 31/08/2016 | GEOVET BUSSELTON | POUND CONTRACT JUL 16 | 350.00 |

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| EFT22405 | 31/08/2016 | GEO SPREAD | MULCH AT WASTE TRANSFER STATION | 17600.00 |
| EFT22406 | 31/08/2016 | GRACE RECORDS MANAGEMENT | RECORDS STORAGE AND DESTRUCTION FOR JUL 16 | 895.99 |
| EFT22407 | 31/08/2016 | INSIGHT CCS PTY LTD | AFTER HOURS CALLS TILL THE 15/08/2016 | 286.72 |
| EFT22408 | 31/08/2016 | IMAGETEC | 2016/17 GESTETNER SUPPLIES | 160.69 |
| EFT22409 | 31/08/2016 | PERTHWASTE GREEN RECYCLING | DOMESTIC RECYCLING JUL 16 | 4301.77 |
| EFT22410 | 31/08/2016 | STATE LIBRARY OF WESTERN AUSTRALIA | DELIVERY OF BETTER BEGINNINGS PROGRAM 2016-2017 AND LOST AND DAMAGED BOOKS | 1859.00 |
| EFT22411 | 31/08/2016 | WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA | LOCAL RECOVERY COORDINATOR TRAINING 18 & 19 AUGUST 2016. | 1144.50 |
| EFT22412 | 31/08/2016 | LD TOTAL | REPLACE 1X STREET TREE ON THE CORNER OF NOTTINGHAM AND DALYELLUP BLVD, DALYELLUP, REMOVE & REPLACE 2 TREES ON ATHENA RD | 836.00 |
| EFT22413 | 31/08/2016 | LAKESIDE WHOLESALE NURSERY | 1 AGONIS FLEXUOSA TREE FOR STREET TREE PLANTING | 110.00 |
| EFT22414 | 31/08/2016 | LOCAL GOVERNMENT MANAGERS AUSTRALIA | 2016-17 FELLOW MEMBERSHIP | 513.00 |
| EFT22415 | 31/08/2016 | MAINSPRAY | AFRICAN LOVEGRASS CONTROL FOWLER, BROOKDALE AND KILPATRICK ROADS AND VARIOUS AND CARRY OUT ROAD VERGE SPRAYING OF SHIRE RURAL ROADS | 20030.19 |
| EFT22416 | 31/08/2016 | MARKETFORCE | VARIOUS ADVERTISING | 3222.90 |
| EFT22417 | 31/08/2016 | NIGHTGUARD SECURITY SERVICE PTY LTD | ALARM RESPONSES- JULY 16 | 1148.69 |
| EFT22418 | 31/08/2016 | VODAFONE HUTCHISON AUSTRALIA PTY LTD | VODAFONE MESSAGING FOR BUSH FIRE BRIGADE AUG 16 | 187.11 |
| EFT22419 | 31/08/2016 | PIACENTINI & SON PTY LTD | LIMESTONE 36 TONNE | 527.41 |
| EFT22420 | 31/08/2016 | FULTON HOGAN INDUSTRIES PTY LTD | 3 TONNE BULK BAG EZSTREET | 2112.00 |
| EFT22421 | 31/08/2016 | PERTH MANAGEMENT SERVICES | RENT & OUTGOING- UNIT 5/135 NORTON PROMENADE SEP 16 | 1597.09 |
| EFT22422 | 31/08/2016 | PJ & EV PAGE | MONTHLY FLOOR POLISHING BOYANUP HALL JUL 16 | 70.00 |
| EFT22423 | 31/08/2016 | PROTECTOR FIRE SERVICES | FIRE INDICATOR PANEL ROUTINE TESTING AT CAPEL AND BOYANUP LIBRARY – AUGUST 2016 | 1347.50 |
| EFT22424 | 31/08/2016 | AUSTRALIA TAXATION OFFICE | PAYG WITHHOLDING 23/8/16- TAX \$46779 | 46779.00 |
| EFT22425 | 31/08/2016 | PLANNING INSTITUTE AUSTRALIA | PLANNING INSTITUTE AUSTRALIA CONFERENCE 2 SEPTEMBER 2016 | 630.00 |
| EFT22426 | 31/08/2016 | WA RANGERS ASSOCIATION | 3 X PARTICIPANTS TO ATTEND RANGERS CONFERENCE | 1510.00 |

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| EFT22427 | 31/08/2016 | RTW STEEL FABRICATION | MANUFACTURE ALUMINIUM SEAT POLE SUPPORTS FOR REPLACEMENT OF SEAT AT BOYANUP RECREATION GROUND | 220.00 |
| EFT22428 | 31/08/2016 | MATTHEW REECE | CROSSOVER CONTRIBUTION DALYELLUP | 300.00 |
| EFT22429 | 31/08/2016 | RAECO | BOOK COVERINGS AND LABELS | 408.92 |
| EFT22430 | 31/08/2016 | SELECTUS | PAYROLL DEDUCTIONS | 1090.93 |
| EFT22431 | 31/08/2016 | STEANN PTY LTD | JULY KERBSIDE HARDWASTE PICKUP 307.84 TONNE | 47962.20 |
| EFT22432 | 31/08/2016 | SOUTH WEST PRINT GROUP | VARIOUS HEALTH AND INFRINGEMENT NOTICES/BOOKS | 914.00 |
| EFT22433 | 31/08/2016 | SUMMERS CONSULTING | MOSQUITO IDENTIFICATION 7 OCT 15 | 382.80 |
| EFT22434 | 31/08/2016 | SKYLINE LANDSCAPE SERVICES PTY LTD | LANDSCAPE MAINTENANCE FOR DALYELLUP PUBLIC OPEN SPACE FOR JULY 2016 | 46631.57 |
| EFT22435 | 31/08/2016 | SURVEYING SOUTH | FEATURE SURVEY OF BRIDGE ST BOYANUP INCLUDING PICKUP OF EXISTING CULVERT ON CAPEL TUTUNUP RD | 1154.99 |
| EFT22436 | 31/08/2016 | D & K THOMAS ELECTRICAL | REPLACE LIGHT SWITCH MECHANISM AT GELORUP HALL HEALTH ROOM | 211.20 |
| EFT22437 | 31/08/2016 | TOTALLY WORKWEAR | UNIFORM ORDERS | 743.05 |
| EFT22438 | 31/08/2016 | TRAFFIC FORCE | TRAFFIC MANAGEMENT, FOR SPUR STREET CAPEL 27 AND 28 JULY | 3085.04 |
| EFT22439 | 31/08/2016 | WORK CLOBBER BUNBURY | WORK BOOTS | 133.21 |
| EFT22440 | 31/08/2016 | WOOD & GRIEVE ENGINEERS | PROVISION OF STRUCTURAL, MECHANICAL ELECTRICAL AND HYDRAULIC SERVICES FOR EAST DALYELLUP SPORTS PAVILION | 759.00 |
| EFT22441 | 31/08/2016 | WESTERN AUSTRALIAN TREASURY CORPORATION | LOAN NO. 65 - CAPEL HALL | 16593.81 |
| EFT22442 | 31/08/2016 | WINDOW IMAGERY | SUPPLY AND FIT CURTAIN TO CAPEL SENIOR CITIZENS CENTRE AND REPLACE BLIND MECHANISM AT GELORUP COMMUNITY CENTRE | 525.80 |
| EFT22443 | 31/08/2016 | THE PRINT SHOP | 10,000 LETTERHEADS | 781.00 |
| EFT22444 | 31/08/2016 | WARREN BLACKWOOD WASTE | 16/17 WASTE, RECYCLING & ORGANIC WASTE COLLECTION | 61158.77 |
| EFT22445 | 31/08/2016 | WYE ELECTRICAL PTY LTD | CONNECT POWER TO NEW BBQ UNIT AND COMMISSION CAPEL CIVIC PRECINCT | 1672.00 |
| EFT22446 | 31/08/2016 | BESAFE BUILDING INSPECTIONS | SWIMMING POOL INSPECTIONS | 2002.00 |
| EFT22447 | 31/08/2016 | NOVUS AUTO GLASS BUNBURY & BUSSELTON | REPLACE BROKEN REAR WINDOW ON NISSAN NAVARA CP5186 | 478.50 |

| | | | | |
|----------|------------|-----------------------------------|---|----------|
| EFT22448 | 31/8/2016 | FUJI XEROX | MONTHLY PHOTOCOPIER RENTALS | 1369.61 |
| 48166 | 03/08/2016 | KLEENHEAT GAS | CYLINDER HIRE PEPPY GROVE BEACH COMMUNITY CENTRE | 69.30 |
| 48167 | 03/08/2016 | SYNERGY | ELECTRICITY | 7274.75 |
| 48168 | 03/08/2016 | WATER CORPORATION | WATER USAGE | 79.88 |
| 48169 | 10/08/2016 | AQWEST | REPAIR DAMAGE TO SERVICE | 542.00 |
| 48170 | 10/08/2016 | COURIER AUSTRALIA INTERNATIONAL | COURIER COSTS ANALYTICAL | 20.60 |
| 48171 | 10/08/2016 | SHIRE OF CAPEL | NEWSPAPERS | 37.90 |
| 48172 | 10/08/2016 | SYNERGY | ELECTRICITY | 28961.20 |
| 48173 | 10/08/2016 | TELSTRA CORPORATION LTD | JULY LANDLINE | 2009.36 |
| 48174 | 10/08/2016 | WATER CORPORATION | WATER USAGE | 1437.50 |
| 48175 | 17/08/2016 | SARAH & GARY BRADSHAW | CROSSOVER CONTRIBUTION | 300.00 |
| 48176 | 17/08/2016 | COURIER AUSTRALIA INTERNATIONAL | FREIGHT FOR 3 X LIBRARIES | 63.41 |
| 48177 | 17/08/2016 | KRISTY ANNE HAYWARD | RATES REFUND | 1786.30 |
| 48178 | 17/08/2016 | JF & KJ ITALIANO | CROSSOVER CONTRIBUTION | 300.00 |
| 48179 | 17/08/2016 | DAVID NOWLAND HYDRAULICS | HYDRAULIC BREATHING CAP FOR CP9574 | 83.60 |
| 48180 | 17/08/2016 | SYNERGY | ELECTRICITY | 2328.00 |
| 48181 | 17/08/2016 | WOOLF INVESTMENT NOMINEES PTY LTD | RATES REFUND | 3000.00 |
| 48182 | 24/08/2016 | SHIRE OF CAPEL | SHIRE ADMIN PETTY CASH RECOUP | 318.75 |
| 48183 | 24/08/2016 | COUNTRY WOMENS ASSOCIATION CAPEL | REFRESHMENTS FOR COMMUNITY FORUM ON DOMESTIC VIOLENCE | 150.00 |
| 48184 | 24/08/2016 | SHIRE OF DARDANUP | ANNUAL CONTRIBUTION TO BUNBURY WELLINGTON GROUP OF COUNCILS FOR 2016/17 | 550.00 |
| 48185 | 24/08/2016 | SYNERGY | ELECTRICITY | 2622.40 |
| 48186 | 24/08/2016 | WATER CORPORATION | WATER USAGE | 2119.24 |
| 48187 | 31/08/2016 | COURIER AUSTRALIA INTERNATIONAL | COURIER OF LIGHTBAR FOR CP9503 REPLACEMENT VEHICLE | 78.97 |
| 48188 | 31/08/2016 | DALYELLUP NETBALL CLUB INC | KIDSPORT REGISTRATIONS | 2280.00 |
| 48189 | 31/08/2016 | SYNERGY | ELECTRICITY | 7037.15 |
| 48190 | 31/08/2016 | GLENN PHILIP TRUMAN | CROSSOVER CONTRIBUTION DALYELLUP | 300.00 |
| 48191 | 31/08/2016 | WATER CORPORATION | WATER USAGE | 338.91 |
| 48192 | 31/08/2016 | WESTERN POWER | PRODUCTS & SERVICE CHARGE FOR POWER AT LOT 4340 FERNDALE AVE DALYELLUP | 450.00 |
| 48193 | 31/08/2016 | AUSTRALIAN SERVICES UNION | PAYROLL DEDUCTIONS | 52.70 |
| 48194 | 31/08/2016 | THE AUSTRALIAN WORKERS UNION | PAYROLL DEDUCTIONS | 132.00 |
| 48195 | 31/08/2016 | SHIRE OF CAPEL | PAYROLL DEDUCTIONS | 2857.00 |
| 48196 | 31/08/2016 | LGRCEU | PAYROLL DEDUCTIONS | 205.00 |
| 680 | 03/08/2016 | JIM BELL | HALL BOND REFUND | 500.00 |
| 681 | 03/08/2016 | ADRIAN DOWNES | HALL BOND REFUND | 150.00 |

| | | | | |
|-----|------------|--|----------------------------------|---------------------|
| 682 | 03/08/2016 | ALLIVIA PYNE | HALL BOND REFUND | 150.00 |
| 683 | 03/08/2016 | CALEB SALMON | HALL BOND REFUND | 150.00 |
| 684 | 10/08/2016 | DIVINE GRACE ESTRELLA | HALL BOND REFUND | 150.00 |
| 685 | 17/08/2016 | BUILDING & CONSTRUCTION IND TRAINING FUND | BCITF LEVY COLLECTED JULY 16 | 3690.77 |
| 686 | 17/08/2016 | DEPARTMENT OF COMMERCE - BUILDING COMMISSION | BSL LEVEY COLLECTED JULY 16 | 4542.83 |
| 687 | 17/08/2016 | SHIRE OF CAPEL | BSL COMMISSION COLLECTED JULY 16 | 294.25 |
| 688 | 24/08/2016 | JULIETTE DAVIES | HALL BOND REFUND | 150.00 |
| 689 | 31/08/2016 | LYDIA GONGA | HALL BOND REFUND | 150.00 |
| | | | | \$962,387.97 |

| | | |
|----------|---------------------------------|--------------|
| 09.08.16 | SHIRE OF CAPEL PAYROLL PAYMENTS | \$155,797.22 |
| 23.08.16 | SHIRE OF CAPEL PAYROLL PAYMENTS | \$156,963.82 |
| 31.08.16 | SHIRE OF CAPEL PAYROLL PAYMENTS | \$1,131.90 |

\$313,892.94

| | | |
|----------|---------------------------------|-----------------|
| 03.08.16 | TRANSFER to MUNICIPAL ACCOUNT | \$200,000.00 |
| 17.08.16 | TRANSFER from MUNICIPAL ACCOUNT | -\$800,000.00 |
| 24.08.16 | TRANSFER from MUNICIPAL ACCOUNT | -\$1,230,000.00 |
| 31.08.16 | TRANSFER from MUNICIPAL ACCOUNT | -\$288,000.00 |

-\$2,317,800.00

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 28 September 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 – 15.5 |
|---|

That Council receives:

- 1 The Schedule of Accounts covering vouchers 680-689, EFT22196 to EFT22447, CHQ48166 to CHQ48196 totalling \$962,387.97 during the month of August 2016;**
- 2 Payroll payments for the month of August 2016, totalling \$313,892.94; and**
- 3 Transfers to and from investments as listed.**

15.6 Financial Statements for 31 August 2016

| | |
|-------------------------|---|
| Location: | Capel |
| Applicant: | Shire of Capel |
| File Reference: | N/A |
| Disclosure of Interest: | Nil |
| Date: | 09.09.16 |
| Author: | Manager Finance, A Mattaboni |
| Senior Officer: | Executive Manager Corporate Services, S Stevenson |
| Attachments: | Financial Statements for August 2016 |

MATTER FOR CONSIDERATION

Council to consider adopting the monthly financial statements for August 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 asset/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

Strategic Community Plan 2013 to 2031

1: 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

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

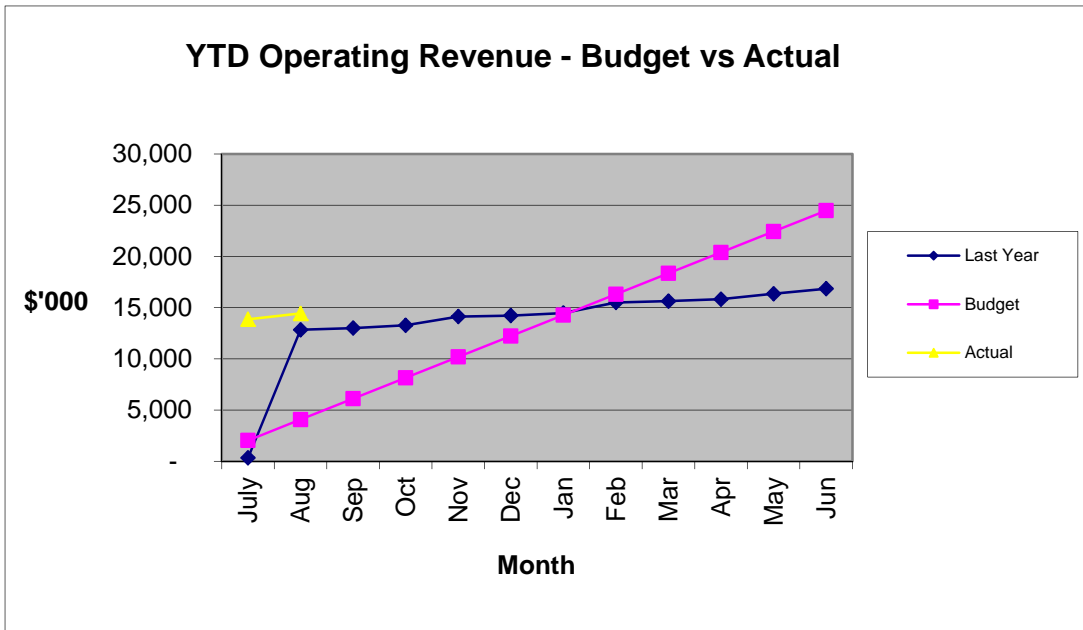
At 31st August 2016, Council’s net current assets position was a surplus of \$12,674,182. The forecast year end net current asset position is a surplus of \$4,442.

Compared to the annual budget approximately 83% of Operating Revenue has been invoiced and 9% of the Operating Expenditure budget has been spent. As shown at Note 18, rates have been assessed for the 2016/17 financial year. The monthly budget of income and expenditure has yet to be adjusted to reflect the expected timing of actual income and expenditure throughout the financial year.

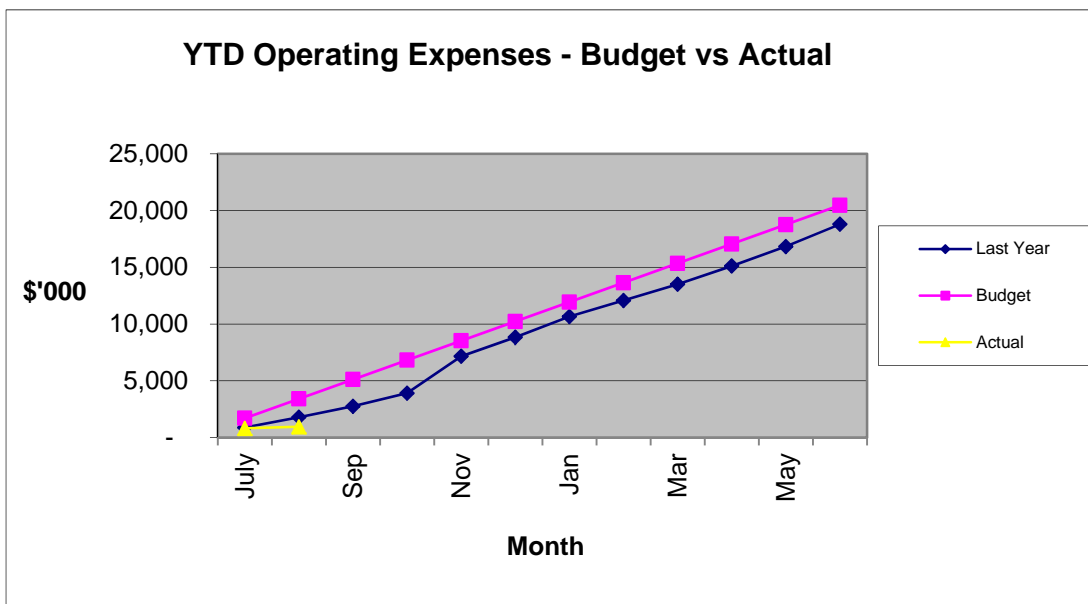
A comparison of employee costs shows that 14% of the annual budget has been spent.

Fixed asset depreciation has not been calculated for the months of July and August 2016 pending the update of the fair value of all assets as at 30 June 2016.

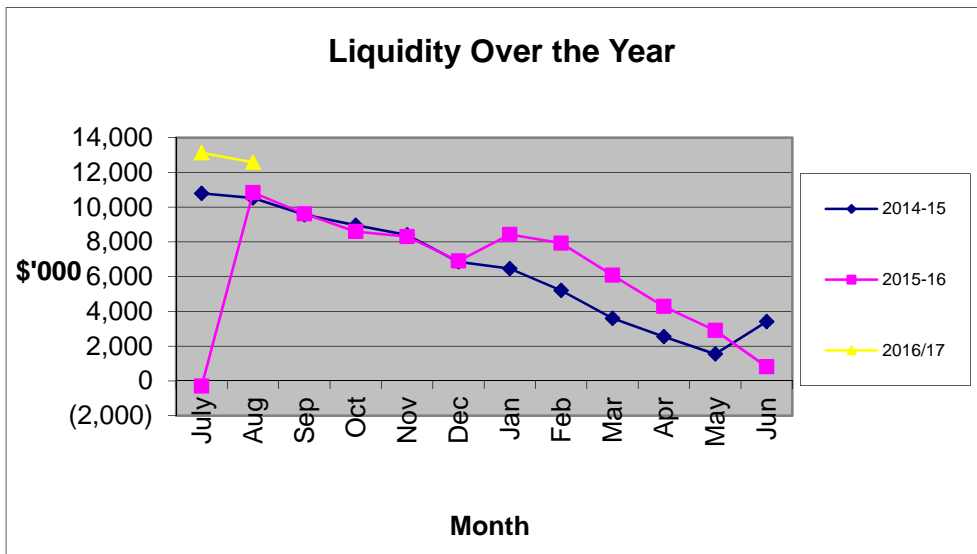
The following graphs compare actual Operating Revenue and Operating Expenditure against the approved budget on a year to date basis. Last year's actual is also included for comparative purposes, although rates have been assessed in July this year, compared to August 2015.



Year to date actual expenditure compared to budget and last year.

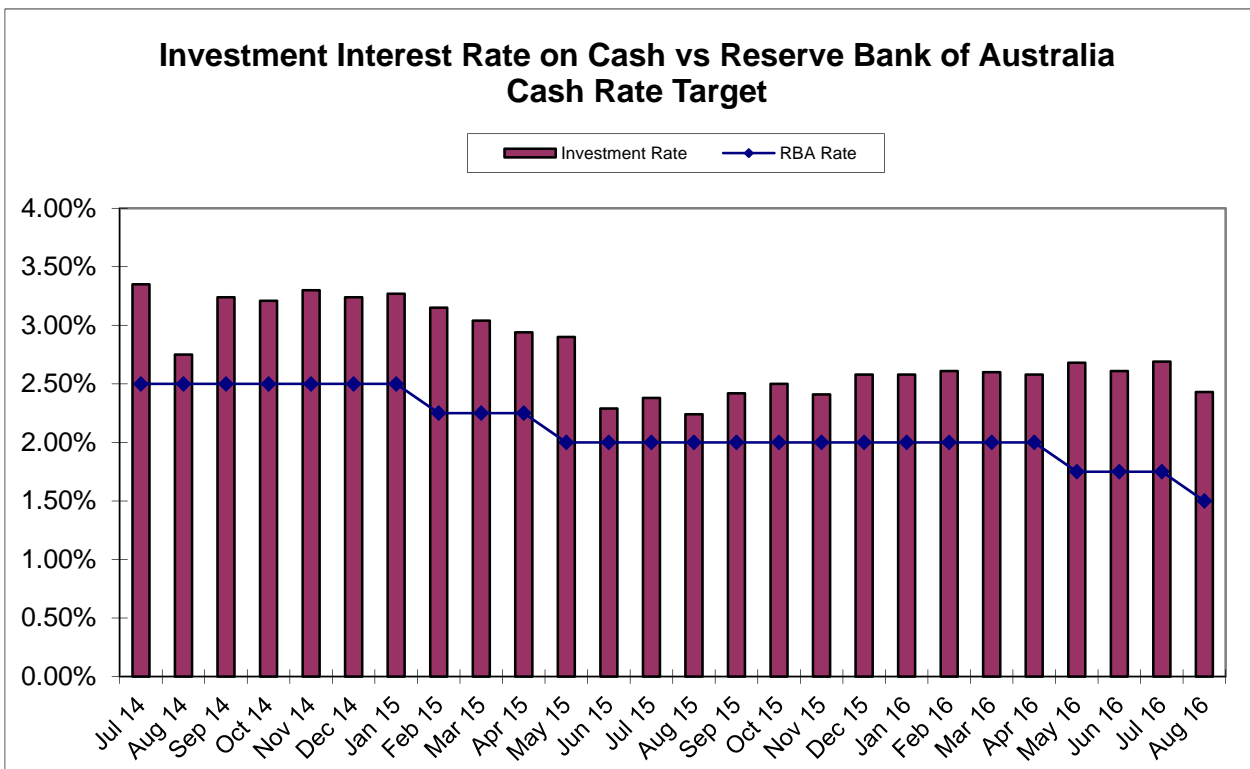


The liquidity graph compares the current year’s net current assets position against that of the two previous years.



Council’s municipal cash and investments position has increased by \$2,534,458 compared to July 2016. The Municipal cash position is an amount of \$13,475,747 of which \$10,285,768 is restricted for specific purposes as shown at Note 3. Cash revenue came from State Government grants, Rates receipts and Business Activity Statement refund from the Australian Taxation Office. Major cash expenses were for payroll and contractor payments.

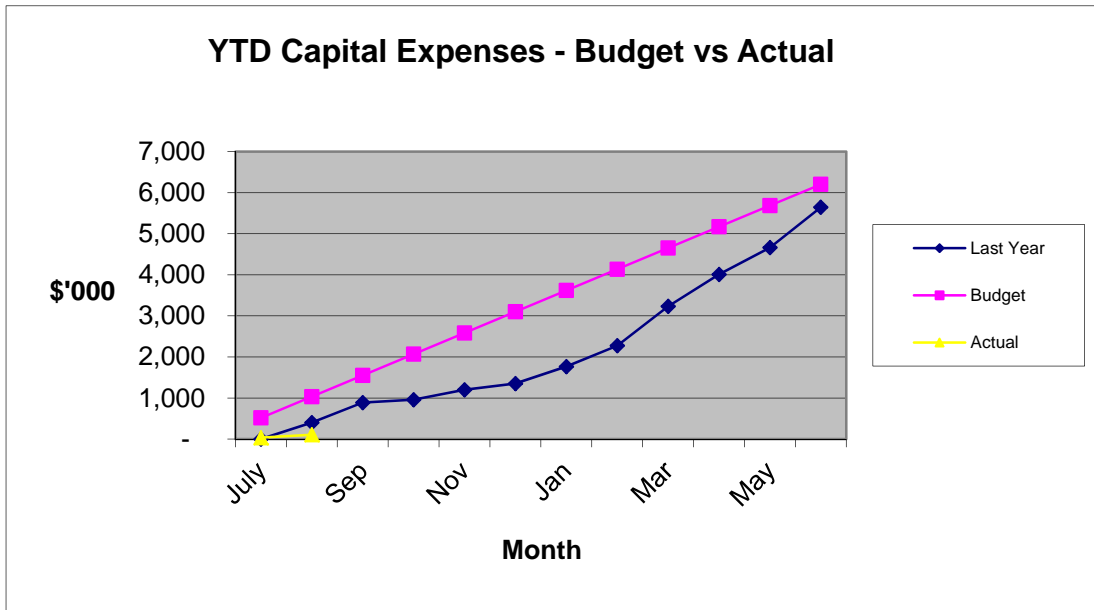
Total interest earned year to date is \$23,741 which is below the year to date budget of \$61,748. This will even itself out as the year goes by and accruals are absorbed by receipts. The average investment rate of return has decreased from 2.69% to 2.32% which exceeds the Reserve Bank’s cash reference rate of 1.5%. However, investment rates of interest are declining. The Reserve Bank Board on 7th September 2016 made no change to their target cash rate to 1.50%. The Shire has term deposits maturing from September 2016 to February 2017, investment terms ranging from 91 days to 189 days and interest rates from 2.40% to 3.00%.



Capital works expenditure of \$107,745 was incurred during the month on:

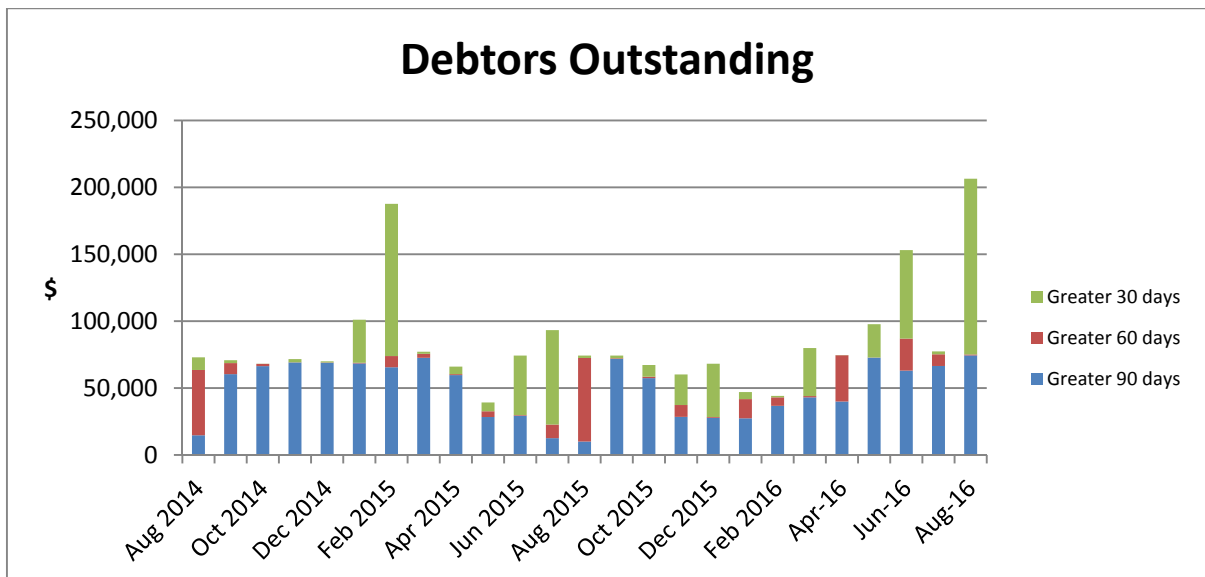
- \$4,700 Road Reconstruction,
- \$1,050 Design works,
- \$17,168 Capel Civic Precinct Stage 2,
- \$85,877 Tuart Forest Primary School Oval Facilities and
- \$4,324 Administration building.

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.

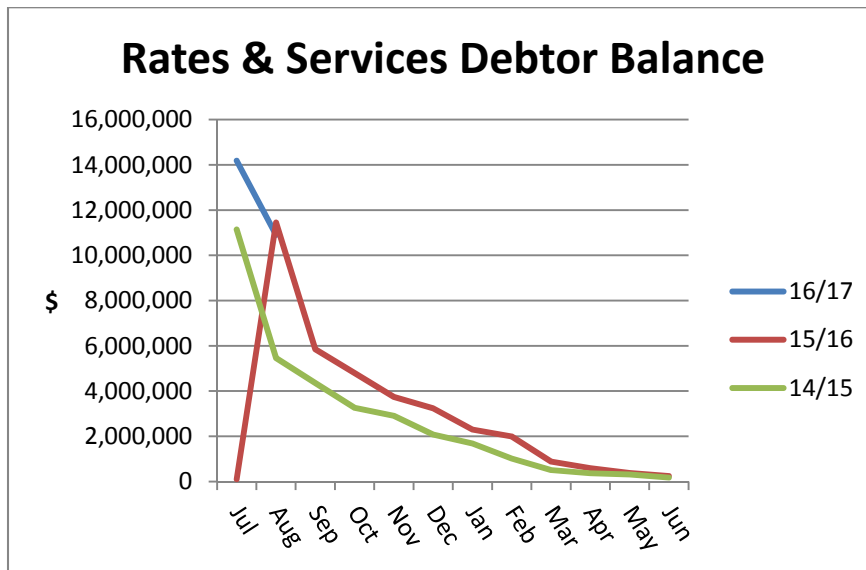


Council’s financial ratios are disclosed in Note 14.

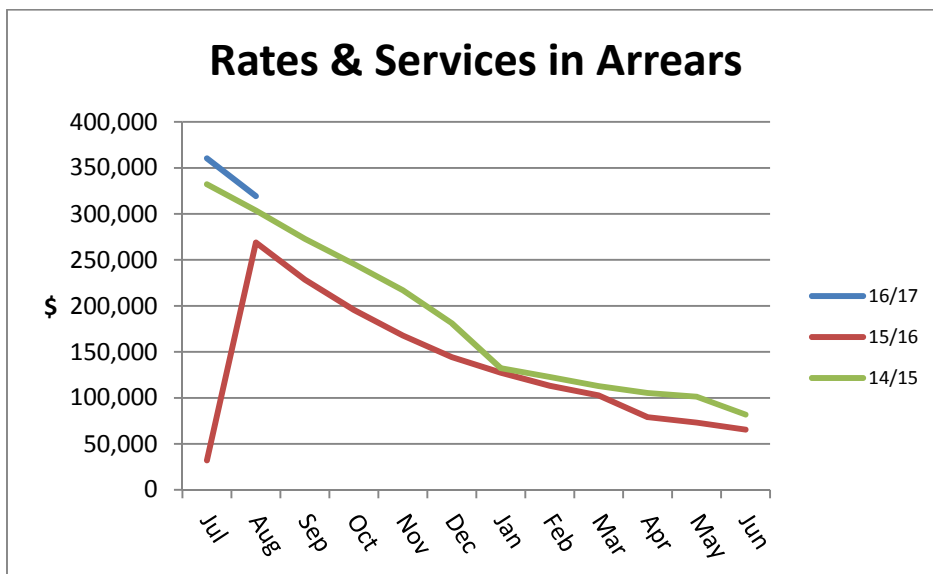
The following graph illustrates Council’s current level of general Debt recovery for 31-60 days, 61-90 days and greater than 90 days.



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: 2016/17 2.54%, 2015/16 2.35% and 2014/15 2.98%.



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 31st August 2016.

VOTING REQUIREMENTS

Simple majority

OFFICER’S RECOMMENDATION – 15.6

That Council adopts the financial statements for the period ending 31st August 2016 as attached.

- 16 COMMUNITY SERVICES REPORTS**
- 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**