

# Shire *of* Capel

## MINUTES

ORDINARY COUNCIL MEETING  
Wednesday, 23<sup>rd</sup> March 2016



*Experience the*  
Shire *of* Capel



Forrest Road, Capel  
PO Box 369, Capel

T 9727 0222  
F 9727 0223

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



## SHIRE OF CAPEL

### ORDINARY COUNCIL MEETING – 23.03.16

#### TABLE OF CONTENTS

<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</b>	<b>3</b>
<b>PUBLIC QUESTION TIME</b>	<b>3</b>
<b>OC0301 APPLICATIONS FOR LEAVE OF ABSENCE</b>	<b>3</b>
<b>DECLARATION OF INTEREST</b>	<b>3</b>
<b>NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS</b>	<b>3</b>
<b>OC0302 CONFIRMATION OF MINUTES</b>	<b>3</b>
<b>ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION</b>	<b>4</b>
<b>PETITIONS/DEPUTATIONS/PRESENTATIONS</b>	<b>4</b>
<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>4</b>
<b>QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	<b>4</b>
<b>CHIEF EXECUTIVE OFFICER REPORTS</b>	<b>4</b>
OC0303 (13.1) Annual Leave – Chief Executive Officer	4
OC0304 (13.2) Policy Review – Elected Members	7
<b>ENGINEERING AND DEVELOPMENT SERVICES REPORTS</b>	<b>10</b>
OC0305 (14.1) Draft Scheme Amendment No. 65 (draft Development Contribution Plan)	10
OC0306 (14.2) Town Planning Scheme No. 7 – Scheme Amendment No. 64	21
OC0307 (14.3) Road Widening – Bussell Highway, Capel	32
<b>CORPORATE SERVICES REPORTS</b>	<b>36</b>
OC0308 (15.1) Audit Committee Minutes	36
OC0309 (15.2) Delegations – Annual Review - 2016	41
OC0310 (15.3) Waste Local Law - 2016	47
OC0311 (15.4) Accounts Due and Submitted for Authorisation	51
OC0312 (15.5) Accounts Paid During the Month of February 2016	56
OC0313 (15.6) Financial Statements for 29 February 2016	71
<b>COMMUNITY SERVICES REPORTS</b>	<b>78</b>
OC0314 (16.1) Bush Fire Advisory Committee Minutes	78
<b>NEW BUSINESS OF AN URGENT NATURE</b>	<b>83</b>
<b>PUBLIC QUESTION TIME</b>	<b>83</b>

**MOTIONS WITHOUT NOTICE (ABSOLUTE MAJORITY BY COUNCIL) ..... 83**

**NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF  
THE COUNCIL ..... 83**

**ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS ..... 83**

**MEETING CLOSURE ..... 83**

SHIRE OF CAPEL

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, FORREST ROAD, CAPEL ON WEDNESDAY, 23<sup>RD</sup> MARCH 2016 COMMENCING AT 4.38PM.

PRESENT:	President	MT Scott
	Councillor	SH Baxi
		BW Bell
		BW Hearne
		PK McCleery
		GJ Norton
		SV Schiano
		JA Scott
		BH Smith
	Chief Executive Officer	PF Sheedy
	Executive Manager Engineering & Development Services	JM Gick
	Executive Manager Community Services	MI Plume
	Executive Manager Corporate Services	S Stevenson
	Minute Secretary	A Evans

APOLOGIES: Nil

VISITOR: Journalist, South Western Times K Fielding

MEMBERS OF PUBLIC: Nil

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

**PUBLIC QUESTION TIME** Nil

**OC0301 APPLICATIONS FOR LEAVE OF ABSENCE**

Moved Cr Smith, Seconded Cr J Scott

That Cr P McCleery be granted a Leave of Absence for the Ordinary Council meeting to be held on 27 April 2016.

Carried 9/0

**VOTING REQUIREMENTS**

Simple majority

**DECLARATION OF INTEREST** Nil

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

**OC0302 CONFIRMATION OF MINUTES**

Moved Cr McCleery, Seconded Cr J Scott

That the Minutes of the Ordinary Council meeting held on 24<sup>th</sup> February 2016 be confirmed.

Carried 9/0

**VOTING REQUIREMENTS**

Simple majority

<b>ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION</b>	Nil
<b>PETITIONS/DEPUTATIONS/PRESENTATIONS</b>	Nil
<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	Nil
<b>QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>	Nil
<b>CHIEF EXECUTIVE OFFICER REPORTS</b>	

---

**OC0303 (13.1) Annual Leave – Chief Executive Officer**

---

Location: Capel  
 Applicant: Chief Executive Officer  
 File Reference: N/A  
 Disclosure of Interest: As I am the applicant who will benefit from the approval I wish to declare a financial interest in this matter.  
 Date: 17.02.16  
 Author: Chief Executive Officer, PF Sheedy  
 Senior Officer: Chief Executive Officer, PF Sheedy  
 Attachments: Nil

---

**MATTER FOR CONSIDERATION**

A request by the Chief Executive Officer (CEO) to take nineteen (19) days annual leave from 27 September to 21 October 2016.

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

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

**Proposal**

It is proposed to taken fifteen days leave as part of the 2015/2106 leave entitlement to travel overseas and given that the budget adoption will be finalised it is a good time for it to be taken. Susan Stevenson, Executive Manager Corporate Services will be Acting CEO during this period.

**STATUTORY ENVIRONMENT**

Local Government Industry Award 2010

**POLICY IMPLICATIONS**

Policy 3.1 indicates that:

1. The Chief Executive Officer be required to submit annual leave applications to Council for approval where the period of leave to be taken exceeds five working days.
2. Where the Chief Executive Officer wishes to take periods of leave that is five working days or less, the President is to be advised of the proposal.
3. The details of all Chief Executive Officer annual leave periods shall be included in the weekly Friday Flyer.
4. The Chief Executive Officer is delegated authority to appoint an Executive Manager to the position of Acting Chief Executive Officer during all periods of leave.

## **FINANCIAL IMPLICATIONS**

### **Budget**

There are no additional financial implications as the provisions for leave are included in the annual budget provisions. There are some additional costs for higher duties for the person appointed as Acting CEO during this period.

### **Long Term**

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

### **Whole of Life**

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

## **SUSTAINABILITY IMPLICATIONS**

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

## **STRATEGIC IMPLICATIONS**

### **Strategic Community Plan 2013-2031**

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

### **Corporate Business Plan 2013 -2017**

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

## **CONSULTATION**

Consultation has been undertaken with Executive Manager Corporate Services to ensure her availability to be Acting CEO during this period of absence.

## **COMMENT**

Being taken at the start of the calendar month it has minimal impact on the monthly round of Council meetings and Council operations given that the major decisions (budget) have been completed by this time.

During 2016/17 there is a requirement to undertaken extensive community consultation as part of the major review of the Strategic Community Plan, which is required every four (4) years and this will be worked around when the Chief Executive Officer is working.

**VOTING REQUIREMENTS**

Simple majority

**OC0303 OFFICER'S RECOMMENDATIONS – 13.1/COUNCIL DECISION**

**Moved Cr J Scott, Seconded Cr B Smith**

**That Council approves the Chief Executive Officer taking nineteen (19) days annual leave from 27 September to 21 October 2016.**

Carried 9/0

---

**OC0304 (13.2) Policy Review – Elected Members**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference: CM.PO.1  
Disclosure of Interest: Nil  
Date: 19.02.16  
Author: Chief Executive Officer, PF Sheedy  
Senior Officer: Chief Executive Officer, PF Sheedy  
Attachments: Policy Manual – Section 1 Elected Members

---

**MATTER FOR CONSIDERATION**

The endorsement of existing 'Council' policies 1.1, 1.6, 1.7, 1.9 and 1.10 with no changes and amendments to existing policies 1.2 to 1.5, 1.8 and 1.11.

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

The last major review of these policies was undertaken in December 2014 and all policies are now be completely reviewed once every two years, at an agreed time regardless of when a new policy was adopted. The next required review date was to be December 2015.

**Proposal**

Given that the policies were reviewed in December 2014 only minor adjustments are required at this time, with some of the more significant changes being to move from the provision of documents in hard copy to providing them in an electronic version (thumb drive) and some additional wording to Policy 1.5 'Legal Representation-Costs and Indemnification'.

Minor changes have been made to other policies to reflect current titles and to ensure that they read correctly.

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 2.7(2)(b).

**2.7 Role of Council**

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and
- (b) determine the local government's policies.

**POLICY IMPLICATIONS**

There is only minor amendments proposed to a number of the policies in section 1 with no new policies proposed.

**FINANCIAL IMPLICATIONS****Budget**

The current budget includes provision for costs associated with Council policies that require a financial contribution (i.e. travel expenses, conference expenses, retirement gifts and functions).



**Long Term**

Future budgets will require a monetary allocation for ongoing allocations for travel, conferences and training expenses and gifts.

**Whole of Life**

As no assets will be created with these policies there are no whole of life costs applicable.

**SUSTAINABILITY IMPLICATIONS**

The policies put in place propose to minimise the financial impact on the Council in regards to reimbursement/payment for Councillor costs for such things as conferences and travel expenses, legal representation and retirement presentations, and also reduce the impact on the environment by ensuring the most economically and efficient transport is undertaken when travelling to conferences.

The provision of Council documents in an electronic format as against the previous hard copy (paper) format will reduce the amount of paper being used and be environmentally friendly.

Social implications are covered with such policies as the ‘Code of Conduct’ and ‘Conferences, Training Expenses’, ‘Retirement Presentations’ and ‘Council Functions & Events’.

**STRATEGIC IMPLICATIONS**

**Shire of Capel Strategic Community Plan 2013-2031** under the ‘Leadership Experience’, strategic outcomes:

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

**Shire of Capel Corporate Business Plan 2013-2017**

Strategy 1.5A ‘Effective and efficient management of Council’s resources’, Action 1.5A1 ‘Review and maintain internal systems, policies and procedures.’

**CONSULTATION**

The policies have been reviewed by the Executive Management Team and no further consultation is recommended or required.

**COMMENT**

As indicated in the Background section of this report these policies were last reviewed in December 2014 so in many instances no changes or only minor changes are required to improve readability. Those where significant changes are proposed are detailed below with appropriate comment/explanation.

**Policy 1.2 Publications - Councillors**

The policy has been amended to allow for the provision of Council documents in an electronic format rather than hard copy (paper) as was previously the format, with the list of mandatory documents that are provided being updated to reflect the current document list and a number of documents also listed under Discretionary, that Councillors can also request in an electronic format.

Policy 1.3 Travelling Expenses

Minor wording changes to improve readability.

Policy 1.4 Code of Conduct

Minor wording changes to improve readability, inclusion of the correct title for the Department of Local Government and Communities and inclusion of a reference to Policy 1.3, Travelling Expenses under point 5.2 Travelling and Sustenance Expenses.

Policy 1.5 Legal Representation-Costs and Indemnification

Two additional clauses, as follows, have been included to ensure that Council's funding is utilised appropriately.

*3.3 The application is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in the matter.*

*3.4 As far as possible, the application is to be made before the commencement of the legal representation to which the application relates.*

Policy 1.8 Honorary Freeman

Minor wording changes to improve readability.

Policy 1.11 Council Functions & Events

Minor wording changes to improve readability.

**VOTING REQUIREMENTS**

Simple majority

<b>OC0304 OFFICER'S RECOMMENDATIONS – 13.2/COUNCIL DECISION</b>
---

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

**That Council endorses:**

- 1. The existing policies 1.1, 1.6, 1.7, 1.9 and 1.10 with no changes; and**
- 2. The amendments to existing policies 1.2 to 1.5, 1.8 and 1.11 as detailed in the attachment.**

Carried 9/0

## ENGINEERING AND DEVELOPMENT SERVICES REPORTS

### OC0305 (14.1) Draft Scheme Amendment No. 65 (draft Development Contribution Plan)

Location:	Dalyellup, Capel, Boyanup
Applicant:	Nil
File Reference:	C5.037.65
Disclosure of Interest:	Nil
Date:	08.03.16
Author:	Strategic Projects Planner, T Shingles
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	Draft Shire of Capel Development Contribution Plan

#### **MATTER FOR CONSIDERATION**

Adoption of the draft Shire of Capel Development Contribution Plan (*'draft DCP'*) and associated draft Scheme Amendment No. 65 (*'Amendment 65'*) for the purpose of community consultation.

The draft DCP, in conjunction with enabling provisions in Town Planning Scheme No. 7 (*'the Scheme'*) will enable the Shire to seek contributions from development proponents to assist with the provision of community facilities and services that are reasonably required as a result of ongoing residential development in the urban areas of the Shire.

It is intended that the draft DCP and Amendment No. 65 will be advertised to the community and referred to relevant stakeholders with the outcomes of consultation referred to Council for consideration.

#### **BACKGROUND/PROPOSAL**

##### **Background**

June 2011 (OC0606) – Council adopted Scheme Amendment No. 48 which introduced provisions to the Scheme relating to development contributions toward the provision of community facilities within the Capel, Boyanup and Dalyellup urban areas however this did not include the details of the specific community facilities (which are to be introduced by Amendment No. 65). Amendment No. 48 also identified three development contribution areas on the Scheme map.

September 2013 (OC0905) – Council adopted the 'Shire of Capel Community Facilities and Services Plan' as a guide to the future provision and funding of community facilities and services in the Shire; and as the substantial basis for the formulation of a Development Contribution Plan for Boyanup, Capel and Dalyellup.

##### **Location**

The DCP will apply to the urban areas of Dalyellup, Capel and Boyanup as identified in the respective development contribution areas (*'DCAs'*) on the Scheme map (DCA1, DCA2 and DCA3).

##### **Proposal**

The draft DCP is part of a comprehensive local planning framework that seeks to more equitably fund community infrastructure and facilities and adequately provide for the current and future needs of the community.

The draft DCP has been prepared to determine the reasonable requirements for community facilities, services and infrastructure in the Shire. In summary the draft DCP will:

- identify the community facilities and services required to reflect anticipated growth;
- establish a mechanism to achieve the equitable sharing of costs for the provision of the facilities and services required by growth; and
- ensure ongoing access to an appropriate range of community facilities and services for residents and visitors.

It should be noted that the 2005 Dalyellup Community Facilities Development Plan currently requires a contribution from development in Dalyellup, however it is overdue for review and the draft DCP is anticipated to supersede this Plan.

## **STATUTORY ENVIRONMENT**

### **State Planning Policy 3.6 – Development Contributions for Infrastructure**

State Planning Policy 3.6 (SPP3.6) is a government policy which establishes the principles underlying development contributions for community infrastructure and the form, content and process for the preparation of a DCP.

Community infrastructure is defined in the Policy as *‘the structures and facilities which help communities and neighbourhoods to function effectively’* including sporting and recreational facilities; community centres; child care/after school centres; libraries; cultural facilities; and such other services and facilities for which development contributions may reasonably be requested.

SPP 3.6 sets out development contribution provisions for standard infrastructure items applied to the subdivision or development of land; and provides a consistent, accountable and transparent system for local governments to plan and charge for community infrastructure.

The Policy requires that DCPs be supported by:

- a community infrastructure plan e.g. Community Facilities and Services Plan for the area, identifying the services and facilities required;
- a capital expenditure plan which identifies the capital costs of facilities, the revenue sources and programmes for provision;
- projected growth figures including the number of new dwellings to be created at catchment level; and
- a methodology for determining the proportion of costs of community infrastructure to be attributed to growth and the proportion to be attributed to existing areas.

The preparation of DCPs is required to reflect the principles of nexus, transparency, equity, certainty, efficiency, consistency, accountability and the need for consultation and review.

### **Town Planning Scheme No. 7**

The Scheme includes Dalyellup east in ‘Development Precinct 1’ pursuant to Appendix 16 which requires that *“subdividing land owners shall, at the time of creating new lots, contribute to a community facilities development fund such funds as are reasonably assessed by the Shire of Capel to be an equitable share of meeting the cost of implementing an adopted community infrastructure development plan.”*

Appendix 16 also requires the Shire to prepare and adopt a community facilities development plan for Dalyellup and make available details of estimated costs of the plan and how it relates to the potential population increase created by the subdivision of Development Precinct 1.

The Scheme map includes the urban areas of Boyanup, Capel and Dalyellup in Development Contribution Areas and Clauses 3.5 and 5.11 of the Scheme introduce the ability for the Shire to prepare DCPs for these areas. The preparation of a DCP for these areas is therefore supported by the local and State planning framework.

#### Planning and Development Regulations 2015

The Regulations establish the process for adopting and advertising a Scheme amendment. As it proposes to introduce development contribution provisions the Amendment is considered a 'complex' amendment pursuant to Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015 and must be referred to the Western Australian Planning Commission prior to advertising pursuant to Regulation 37.

Amendments are also required to be referred to the Environmental Protection Authority pursuant to Section 81 of the Planning and Development Act for determination of whether the amendment requires formal environmental review, prior to advertising.

#### **POLICY IMPLICATIONS**

Planning Policies 6.13 and 6.15 (Capel and Boyanup Townsite Strategies) are applicable and their relationship to the draft DCP is described in the Strategic Implications section of this report. Planning Policies 6.14 and 6.16 (Capel and Boyanup Public Open Space Strategies) are generally applicable and their relationship is described in the Strategic Implications section.

#### **FINANCIAL IMPLICATIONS**

##### Budget

There are no immediate financial implications in relation to adoption of the draft DCP apart from the costs of advertising. The draft DCP has been prepared by staff apart from the budgeted consultant fees to prepare the Community Facilities and Services Plan in 2013.

If successfully adopted, the DCP is predicted to generate over \$800,000 in revenue in 2016/17, however, this is based on a high assumption of development which is unlikely to be realised.

##### Long Term

There are significant long-term financial implications due to the number and scale of the identified projects as summarised in the draft Capital Expenditure Plan, included as Appendix 3 in the draft DCP (Attachment). The draft Capital Expenditure Plan for the specified items of infrastructure is based on the draft Long Term Financial Plan (LTFP) considered by Council at its 24 February 2016 workshop.

The forecast costs escalated over the currency of the plan to 2031 total a bit under \$60M. This figure only includes projects identified through the DCP and does not include additional projects included in the LTFP. Given the DCP identifies a proportionate contribution towards eligible projects, the balance of projects needs to be funded from a variety of sources. The financial modelling provided within the draft DCP and LTFP proposes a funding strategy that relies on Shire rate revenue, grant funds, loans and contributions from development.

There may, however, be delays in development activity from time to time and this would present DCP cash flow shortfalls, which may cause some projects to be delayed or require some form of bridging finance to be established. It is also possible for developers to forward-

fund certain projects thereby eliminating the cash flow lag and avoiding cost escalations however this outcome may not be relied on.

### Whole of Life

The LTFP assumes ongoing annual operating expenses of 1.5% of the capital cost of significant built assets. The annual operating costs are indexed annually at 1.5% to ensure there is capacity to service new assets in the future. The LTFP does not however, properly consider the ongoing need to set aside funds for future renewal of the asset or elements of the asset, into reserves. These arrangements are yet to be developed through future asset management plans.

The whole of life costing of new assets are unable to be determined until the assets have been subject to more detailed design and forecast costing. The financial modelling of facilities and services may need to be adjusted over time as more information becomes available e.g. the timing of facility needs and the level of income received from development and grants.

### **SUSTAINABILITY IMPLICATIONS**

It is anticipated that the DCP will contribute significantly to improved sustainability outcomes for the community in terms of the more timely provision of community infrastructure. The Shire's ability to fund the provision and improvement of facilities and services required to address population growth from urban development is currently unsustainable unless a significantly lower standard can be accepted, or other sources of funding identified e.g. development contributions, grant funding.

The draft DCP provides the basis for equitable contributions from the development industry toward the provision of community infrastructure in Capel, Boyanup and Dalyellup. These contributions, in conjunction with contributions from the Shire and other sources, will dramatically enhance the ability of the Shire to sustainably plan for the provision of appropriate facilities and services to meet the expectations of the community over the next 10-15 years.

### **STRATEGIC IMPLICATIONS**

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

The Strategic Community Plan establishes the long-term directions for the Shire in terms of administration and development, focusing on matters which are important to the community. The Strategic Plan 'Vision' is to establish "*a community of diverse lifestyle experiences accommodating progressive growth, sharing in prosperity, and valuing the unique environment*".

Relevant strategic objectives pursuant to the Plan include:

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. Community Experience Objective 2.1: "*Provide social, recreational and cultural opportunities and facilities for our communities.*"

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

Economic Experience - foster and support responsible and progressive economic development opportunities within the Shire.

Infrastructure Experience - plan and facilitate safe, sustainable and efficient infrastructure and transport networks to meet the needs of the community.

### Capel and Boyanup Townsite Strategies

These Strategies were adopted by Council in 2008 and 2010 as Planning Policies to set out the key long-term planning directions for the towns by establishing policies and actions associated with residential, community, environmental, recreation, social and economic outcomes over twenty five years.

Relevant 'actions' included the requirement to prepare Development Contributions Plans for the towns to enable clear and equitable distribution of costs related to urban expansion projects and the timely provision of community facilities and open space.

The Structure Plans associated with these Strategies require a community needs analysis to be prepared by development proponents addressing the requirements of the town planning scheme and the Townsite Strategies, including an audit of the necessary community facilities and infrastructure required, and the developer's responsibility for their provision, including monetary contributions, consistent with local and regional policy.

### Capel and Boyanup Public Open Space Strategies

These Strategies were adopted by Council in 2011 as Planning Policies to guide the planning of open space, parks, reserves and associated community and recreation facilities in the towns of Boyanup and Capel.

The Strategies provide a basis for the improvement of the quality and diversity of parks and the delivery of improved recreation services to ensure sustainable use of the Shire's resources. The outcomes provide information and direction to the Council, the community, developers, government agencies and funding bodies over a period of ten years.

### Dalyellup Community Facilities Development Plan 2005

The Dalyellup Community Facilities Development Plan was prepared in 2005 in order to meet the needs of the Dalyellup community for specific infrastructure and facilities. It focuses on building and related assets and excludes infrastructure such as walk trails, pathways and public open space as these were to be provided by development as part of the subdivision process. The Plan represents the blueprint that details the type, timing and funding of the facilities required to address the identified community needs.

The Plan requires developers to demonstrate their commitment to funding community facilities by providing contributions to the identified facilities. This funding commitment is outlined in a Memorandum of Agreement that references the Specific Provisions contained in Appendix 16 of Town Planning Scheme No. 7 and as detailed in conditions of subdivision. The Memorandum was prepared to establish a process for funding the development of community facilities within Dalyellup via an agreed contribution rate. The amount to be provided by development was calculated to be \$565 per dwelling site in 2005. This rate has not changed since 2005.

### Community Facilities and Services Plan 2013

The Shire of Capel Community Facilities and Services Plan (CFSP) was adopted by Council as a guiding document in September 2013 and provides a framework for the provision of community facilities needed to address demographic change over strategic time frames.

The Plan forecasts the community facilities required to be established in the Shire over the period to 2031 and indicates the services necessary to help stimulate, activate and build a strong, cohesive community. The future requirements have been determined accounting for ongoing development which will see substantial resident population increases over that period.

This schedule of facilities has been developed in consultation with the community and has been influenced by planning guides that include relevant benchmarks and standards and by emerging trends in social participation and community life. The recommendations of the Plan

are consistent with existing Shire commitments through other planning processes and embrace the published forward financial plans.

Inherent in this exercise is an apportionment of responsibility for the provision of the facilities and services required by the community. The community demonstrated through the consultation programme that their highest priorities for facilities and services are associated with medical and allied health, education, community safety and justice, and economic viability. These items are primarily the province of the State government, and the Shire's role is one of facilitator and lobbyist to ensure access to these services for Shire residents.

### **CONSULTATION**

The draft DCP and Scheme Amendment are intended to be formally advertised to the community and relevant stakeholders for a minimum of forty two days. Any submissions received will be reported to Council for consideration following consultation. The consultation process will include:

- referral to relevant development proponents and planning/property consultants.
- referral to community stakeholders.
- referral to relevant government agencies for comment.
- notices in local print media and Shire newsletters.
- notice and copy of documentation on the Shire's web page.
- notices and copies of documentation at the Shire office and Libraries.

### **COMMENT**

The capacity of local government to provide the necessary infrastructure, facilities and services to adequately service the community is limited by the available financial resources from rate revenue and other sources such as grants. The issue of resources is often exacerbated in high growth areas such as the Shire of Capel which experienced 7.7% average annual growth between 2001 and 2011 while Dalyellup averaged annual growth of 15.3% between 2006 and 2011. This is because higher growth can require earlier provision of community infrastructure which is not always achievable in the timeframes sought by the community.

Development proponents are already responsible for the provision of essential infrastructure during the subdivision process, including water supply, sewerage, drainage, roads, electricity, gas, public open space and primary school sites. Other community facilities and services are also required to enable sustainable community development and State Planning Policy 3.6 indicates that the Shire can request contributions from development proponents at the development stage for the provision or improvement of facilities and infrastructure such as community buildings, shared paths and recreation facilities etc. This relieves the burden on ratepayers to finance community facilities that are required by new development (future residents) and ensures that appropriate standards of facilities and services are provided to the community in a timely manner.

Accordingly, the Shire currently has the ability to seek contributions from residential development and subdivision via preparation of a DCP (or voluntary agreement) to assist with the provision of community facilities and services which have been determined as necessary for the creation of sustainable, healthy and connected communities.

### **Residential Growth**

The projections for growth in the urban areas of the Shire are determined from adopted land use strategies and structure plans which identify substantial additional residential development within urban areas of the Shire. Accordingly, the outcomes of the Boyanup and Capel Townsite Strategies and Dalyellup structure plans are used to project future lot production and population growth as this determines the proportion of facility funding that can be attributed to new development.



It should be noted that currently adopted plans and strategies identify that up to 4,000 additional residential lots may be subdivided between 2011 and 2031 in Dalyellup, Boyanup and Capel. While this estimate is based on assumptions which may change over the next fifteen years, it represents a reasonable assessment based on the currently available information. In terms of population, it is estimated that up to 11,000 additional persons may reside in the Shire by 2031. As a comparison, the population increased by over 9,000 permanent residents between 1996 and 2011 according to the Australian Bureau of Statistics (from 5,990 to 15,060). Since 2011 the Shire's population has increased by around 700 persons per year and this growth is expected to continue to around 28,600 in 2031.

The outcomes of the Peppermint Grove Beach Land Use Strategy are not included in the draft DCP as there is only a small residential development potential remaining in that locality which does not warrant consideration in the draft DCP.

### Facilities

The analysis, consultation and other investigations carried out during formulation of the CFSP in 2013 have culminated in the formulation of a schedule of recommended facilities as indicated in Table 1. The proportion of the total cost of each facility which may be attributed to development is indicated in the third column of Table 1 (the proportion attributed to development e.g. 42% for Capel, is calculated in Table 2 below). Table 1 includes only those facilities which the Shire is seeking a contribution from development.

Table 1  
**Schedule of facilities/services to be funded**

		<b>Total cost in 2013 \$</b>	<b>Contribution from development</b>
<b>Capel</b>			
TC_1.0	Development of a multi-purpose Community Resource Centre and Youth Space in the Civic Precinct including associated landscaping and feasibility.	4,010,200	\$1,684,284 (42%)
TC_2.0			
TC_3.0			
TC_10.0			
TC_6.0	Additional active green space (new oval) at Capel Rec. Ground including feasibility.	2,852,920	\$1,198,226 (42%)
TC_10.0			
Total Capel Projects			<b>\$2,882,510</b>
<b>Boyanup</b>			
BS_1.0	Boyanup Recreation Ground Master Plan - Stage 1.	3,436,112	\$2,611,445 (76%)
BS_2.0	Boyanup Recreation Ground Master Plan - Stage 2.	3,720,178	\$2,827,335 (76%)
BS_8.0	POS/parks development - Boyanup east.	2,881,713	\$2,190,102 (76%)
Total Boyanup Projects			<b>\$7,628,882</b>
<b>Dalyellup</b>			
DY_1.0	Surf lifesaving club including feasibility.	2,500,850	\$1,125,382 (45%)
DT_20.0			
DY_2.0	Multi-purpose Community Resource Centre.	3,876,660	\$1,744,500 (45%)
DY_3.0	Multi-function branch library.	3,684,800	\$1,658,160 (45%)
DY_4.0	Youth centre/space.	1,835,540	\$825,990 (45%)
DY_6.0	Millennium Sports Precinct.	13,947,740	\$6,276,480 (45%)
DY_17.0	Trails and pathways development.	604,160	\$271,870 (45%)

DY_18.0	Public open space development.	85,330	\$38,398 (45%)
DY_19.0	Feasibility and design for Community Resource Centre/library/youth space.	192,500	\$86,625 (45%)
Total Dalyellup Projects			<b>\$12,027,405</b>

Source: CCS Strategic – Community Facilities and Services Plan 2013.  
 Boyanup Memorial Park summary of costs, Gresley Abas Design, 2013.  
 CRC preliminary estimate, RBB Construction Cost Consultants 2015.

### Contributions from development

The proportion of funding for new or improved community facilities and infrastructure that can be attributed to new development is determined from current and future population and/or dwelling yields. This data is used to calculate the relative proportion that can be attributed to different types of facilities and infrastructure i.e. local or district. The rates are derived from population growth beyond 2013 as a percentage of the projected 2031 population in each catchment.

In general the percentage contribution by development will be based on the percentage of population growth created by development as indicated in Table 2. The per lot/dwelling unit rate is determined by dividing the total cost attributed to development by the total projected additional lot yield as indicated in Table 3.

Table 2

### **Proportion of funding attributed to development**

Locality	Estimated population in 2013	Estimated population in 2031	Forecast population increase 2013-31	Proportion of growth attributed to new development (additional pop. as a proportion of 2031 pop.)	Proportion of costs funded by development
<b>Capel</b>	2,160	3,750	1,590	42.4%	42%
<b>Boyanup</b>	840	3,500	2,660	76%	76%
<b>Dalyellup</b>	8,250	15,000	6,750	45%	45%

Pursuant to SPP 3.6 an administration fee may be levied to recover costs to the Shire which are reasonably associated with the preparation, implementation and administration of the DCP. The Shire will ask for 1% of the contribution rate as a contribution to these costs based on the need to prepare the CFSP and the DCP, and the ongoing administration and review costs.

Table 3

### **Contributions from development**

	Total contribution from development (2013)	Estimated lot release 2013-2031	Rate	Administration fee (+1%)	Per lot contribution rate in 2013
<b>Capel</b>	\$2,882,510	600	\$4,804.18	\$48.04	\$4,852
<b>Boyanup</b>	\$7,628,882	1,000	\$7,628.88	\$76.28	\$7,705
<b>Dalyellup</b>	\$12,027,405	2,400	\$5,011.42	\$50.11	\$5,061

The development contribution rate in subsequent years will be subject to escalation in accordance with an appropriate cost index. Accordingly, the development contribution rates per lot/dwelling unit in 2015/16 can be determined as follows, assuming CPI of 2.2% for 2013/14 and 1.3% for 2014/15 (per ABS construction index for WA).

Contribution rates per lot/dwelling 2015/16:

Capel	\$5,023
Boyanup	\$7,976
Dalyellup	\$5,239

Development of one and two bedroom grouped/strata dwellings (including one/two bedroom 'lifestyle village' dwellings) and aged accommodation units may contribute 50% of the relevant rate due to generally smaller household size (1-2 persons/household).

### Conclusion

The preparation of the DCP is an important component of the Shire's strategic approach to the sustainable and equitable provision of community facilities and services required by the growing population of the Shire arising from ongoing residential development in Dalyellup, Capel and Boyanup.

It is anticipated that the adopted DCP will operate over a 14-15 year timeframe (depending on when it becomes operational) with 5 year reviews as provided for in SPP 3.6.

The draft DCP has considered options for community facilities and services that provide a balance between community aspirations and expectations, funding availability and ongoing operational sustainability. Accordingly, it is recommended that the Shire adopt the draft DCP and Amendment No. 65 for the purpose of community consultation. Once the proposals have been considered by the community, the matter will be referred back to Council for consideration of any submissions received and for final determination.

### **VOTING REQUIREMENTS**

Simple majority

### **OC0305 OFFICER'S RECOMMENDATIONS – 14.1/COUNCIL DECISION**

**Moved Cr Smith, Seconded Cr Baxi**

**That Council resolves:**

- to adopt the draft Shire of Capel Development Contribution Plan for the purpose of community consultation and advertise the draft Plan accordingly.**
- in pursuance of Section 75 of the Planning and Development Act, 2005 (as amended) to initiate Amendment No. 65 to Town Planning Scheme No. 7 which proposes to insert additional provisions into 'Appendix 17 – Development Contribution Plans' as follows:**

#### **APPENDIX 17 – DEVELOPMENT CONTRIBUTION PLANS**

<b>Reference No.</b>	<b>DCA1</b>
Area name	<b>DCA1 – Capel</b> - applies to the land in the Capel Townsite Structure Plan as depicted on the Scheme map.
Relationship to other planning instruments	The Development Contribution Plan generally conforms to the Shire's Strategic Community Plan, Community Facilities and Services Plan and Capel Townsite Strategy.
Infrastructure and administrative items to be funded	<ol style="list-style-type: none"> <li>1. Civic Precinct - Multi-purpose Community Resource Centre and Youth Space including landscaping.</li> <li>2. Additional active green space (new oval) at Capel Recreation Ground.</li> <li>3. Administration of DCP – 1% of per lot rate.</li> </ol>

Method of calculating contributions	<p>Development contributions have been determined from the need for the identified facilities generated from population growth attributed to additional residential development. The proportion of growth attributed to additional development is determined from the estimated additional population as a proportion of the projected 2031 population i.e. 42% in Capel.</p> <p>The per lot contribution rate is determined from the proportional cost of facilities (to development) divided by the anticipated additional lot production (+ 1% for the cost of administration of the DCP).</p> <p>Development contributions are required at the subdivision stage (including strata) or development stage based on the number of new lots or dwelling units proposed.</p>
Period of operation	2016-2031
Priority and timing	In accordance with the adopted Long Term Financial Plan.
Review process	Community facility and infrastructure costs are to be reviewed at two year intervals to ensure that the monetary contributions reflect the increases in the actual costs associated with their provision. The DCP should be reviewed at appropriate intervals having regard to the rate of development in each DCA, and no later than following ten years of operation.
<b>Reference No.</b>	
<b>DCA2</b>	
Area name	<b>DCA2 – Boyanup</b> - applies to the land in the Boyanup Townsite Structure Plan as depicted on the Scheme map.
Relationship to other planning instruments	The Development Contribution Plan generally conforms to the Shire’s Strategic Community Plan, Community Facilities and Services Plan and Boyanup Townsite Strategy.
Infrastructure and administrative items to be funded	<ol style="list-style-type: none"> <li>1. Boyanup Recreation Ground Master Plan - Stage 1.</li> <li>2. Boyanup Recreation Ground Master Plan - Stage 2.</li> <li>3. Public open space/parks development - Boyanup east.</li> <li>4. Administration of DCP – 1% of per lot rate.</li> </ol>
Method of calculating contributions	<p>Development contributions have been determined from the need for the identified facilities generated from population growth attributed to additional residential development. The proportion of growth attributed to additional development is determined from the estimated additional population as a proportion of the projected 2031 population i.e. 76% in Boyanup.</p> <p>The per lot contribution rate is determined from the proportional cost of facilities (to development) divided by the anticipated additional lot production (+ 1% for the cost of administration of the DCP).</p> <p>Development contributions are required at the subdivision stage (including strata) or development stage based on the number of new lots or dwelling units proposed.</p>
Period of operation	2016-2031
Priority and timing	In accordance with the adopted Long Term Financial Plan.
Review process	Community facility and infrastructure costs are to be reviewed at two year intervals to ensure that the monetary contributions reflect the increases in the actual costs associated with their provision. The DCP should be reviewed at appropriate intervals having regard to the rate of development in each DCA, and no later than following ten years of operation.

Reference No.	DCA3
Area name	<b>DCA3 – Dalyellup</b> - applies to the land in the Dalyellup urban area as depicted on the Scheme map.
Relationship to other planning instruments	The Development Contribution Plan generally conforms to the Shire’s Strategic Community Plan, Community Facilities and Services Plan and the relevant structure plans.
Infrastructure and administrative items to be funded	<ol style="list-style-type: none"> <li>1. Surf lifesaving club.</li> <li>2. Multi-purpose Community Resource Centre.</li> <li>3. Multi-function branch library.</li> <li>4. Youth centre/space.</li> <li>5. Millennium Sports Precinct.</li> <li>6. Dalyellup (east) sports pavilion.</li> <li>7. Trails and pathways development.</li> <li>8. Public open space development.</li> <li>9. Administration of DCP – 1% of per lot rate.</li> </ol>
Method of calculating contributions	<p>Development contributions have been determined from the need for the identified facilities generated from population growth attributed to additional residential development. The proportion of growth attributed to additional development is determined from the estimated additional population as a proportion of the projected 2031 population i.e. 45% in Dalyellup.</p> <p>The per lot contribution rate is determined from the proportional cost of facilities (to development) divided by the anticipated additional lot production (+ 1% for the cost of administration of the DCP).</p> <p>Development contributions are required at the subdivision stage (including strata) or development stage based on the number of new lots or dwelling units proposed.</p>
Period of operation	2016-2031
Priority and timing	In accordance with the adopted Long Term Financial Plan.
Review process	Community facility and infrastructure costs are to be reviewed at two year intervals to ensure that the monetary contributions reflect the increases in the actual costs associated with their provision. The DCP should be reviewed at appropriate intervals having regard to the rate of development in each DCA, and no later than following ten years of operation.

3. to refer Amendment No. 65 and the draft DCP to the WA Planning Commission for consideration prior to advertising of the Amendment.

Carried 9/0

---

**OC0306 (14.2) Town Planning Scheme No. 7 – Scheme Amendment No. 64**

---

Location:	Part Lot 1181 and Lot 9001 Hawley Parkway, Capel
Applicant:	TPG Town Planning Urban Design and Heritage
Owner:	Meynell Pty Ltd
File Reference:	C5.37.64
Disclosure of Interest:	Nil
Date:	10.03.16
Author:	Planning Officer, M Young
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	1. Location Plan 2. Proposed Amendment - Zoning Map 3. Indicative Subdivision Design Plan – Stage 3 4. Approved Subdivision and Development Guide Plan Amendment No. 33 5. Amendment No. 60 – Zoning Plan

---

**MATTER FOR CONSIDERATION**

Request has been made from TPG (the Applicant) for Council to initiate an amendment to Town Planning Scheme No. 7 (the Scheme) to:

- 1) Rezone portions of land described as Hawley Parkway from Local Scheme Reserve 'Recreation' and 'No Zone' road reserve to Residential with a code of R20;
- 2) Recode the entire site to a Residential R20 code including internal road reserves;
- 3) Rezone a part Lot 1181 and part Lot 9001 from Rural zone to Residential R20.

The purpose of the amendment is to facilitate a revised subdivision design for Stage 3 of the Goodwood Estate.

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

September 1995 - Minute TP0916 refers. Council resolved to advise the applicant that it would be prepared to initiate a Scheme Amendment to rezone the land Residential subject to the extent of the rezoning being defined by an economically viable and environmentally acceptable solution to groundwater management.

September 1995 – December 1999. Negotiations occurred between Council and the Applicants in regard to a groundwater investigation report, drainage solutions, an amended Land Use Concept Plan and the submissions received following advertising.

December 1999 - Minute DS1215 refers. Council resolved to proceed with Amendment No. 3 with various modifications. Council also resolved to advise the West Australian Planning Commission that Council strongly holds the view that the site constraints (primarily drainage issues) that must be overcome need to be reflected in the manner of the modifications required by Council. Should the Commission or the Minister not incorporate the modifications, then Council considers the land is not capable of being made suitable for residential subdivision.

January 2003 – After three years of further negotiation with the Western Australian Planning Commission the Hon Minister agreed to grant final approval to the rezoning of Location 871 (Scheme Amendment No. 3).

April 2005 – Minute OC0407 refers. Council resolved to recommend to the Western Australian Planning Commission (WAPC) that the proposed subdivision of Location 871 be approved subject to conditions.

August 2006 – Minute OC0822 refers. Council resolved to initiate Scheme Amendment No. 33 which rezoned portions of Location 871 Goodwood Road and Lot 1181 Hawley Parkway from Rural to Residential and Reserve for Recreation and to change the Special Use Zone on Location 871 to Residential with density codes of R2.5, R20 and R30.

May 2008 the WAPC granted conditional approval to the subdivision of Location 871 (WAPC ref 127776).

July 2008 – Following approval from the Minister, Amendment No. 33 was published in the Government Gazette.

February 2009 – the WAPC granted conditional support to the subdivision of Location 871 and Lot 1181 (Ref: 135825) creating 100 residential lots and a 'superlot' containing the R2.5 zoned component. The Shire provided comments in August 2008.

October 2009 – The WAPC granted conditional support (Ref: 140451) to seven lots that were not released as part of stage 1.

July 2014 – The WAPC granted conditional support to re approve Stage 2 of Goodwood Estate. The proposed subdivision included residential lots over the Yelka Road reserve. The WAPC agreed to create a 'superlot' incorporating the Yelka Road reserve with the intent that it be subdivided into residential lots following approval of the subject Scheme Amendment proposal that would rectify the zoning anomaly.

July 2015 – Minute OCO704 refers. Council resolved to adopt Amendment No. 60 to Town Planning Scheme No. 7 (TPS7) and proceed to amend the Scheme. The main purpose of Amendment No. 60 was to introduce provisions into the Scheme that will translate the 'Strategic Vision' set out in the Capel Townsite Strategy and Public Open Space Strategy into development control provisions within TPS7. The Amendment will establish the statutory basis upon which Council can determine subdivision and development applications for future urban development.

## **Proposal**

The proposal is to amend the Scheme Map by:

- a) Rezoning a portion of Lot 9001 described as Hawley Parkway from a Local Scheme Reserve 'Recreation' to Residential with a code of R20. The land was designated as Public Open Space as part of Amendment No. 33. The purpose of the rezoning is to create two additional residential Lots 250 and 251. The indicative subdivision design plan shows these Lots would have double frontage to both Hawley Parkway and a road reserve to the south.
- b) Amend the Scheme Map for part Lot 1181 and 9001 to include the entire subject site within a Residential R20 coding. This would include recoding a portion of the site from R30 to R20.
- c) Rezoning portions of road reserve from 'No Zone' to 'Residential' zone with a R20 code.
- d) Rezone a portion of Lot 1181 and Lot 9001 from Rural to Residential with a R20 code.

The purpose of the Amendment is to facilitate a revised subdivision design for Stage 3 of the Goodwood Estate. The applicant has submitted an indicative subdivision design as part of the Scheme Amendment request. The revised plan indicates a total of 42 residential Lots at a R20 coding.

The applicant states that the Amendment will allow the area to be developed in a more efficient design that allows for additional Lots to be developed for single residential development maintaining a R20 density coding across the site. The applicant is of the opinion that rezoning the whole precinct to R20 with no road reserves indicated will allow flexible subdivision design options if this is required without the need for further significant Scheme Amendments. The applicant states that any further changes (for example to show Road Reserves) could be addressed as part of the Scheme review. Alternatively, a 'Basic Amendment' could address any anomalies as per Clause 34 of the Planning and Development (Local Planning Schemes) Regulations 2015.

## **STATUTORY ENVIRONMENT**

### Town Planning Scheme No. 7

Lot 9001 is zoned "Residential" with the codes "R2.5", "R20" and "R30" pursuant to the Subdivision and Development Guide Plan and Amendment No. 33 to the Shire of Capel Town Planning Scheme No. 7. Portions of the land are also reserved "Recreation". The whole of Lot 9001 is within Precinct No. 3 listed under Appendix 15 – Residential Precincts.

Amendment provisions listed under Appendix 15 for Precinct No. 3 identify the development standards as they relate to the subdivision of the land and the development of the land. In regards to subdivision the Scheme states:

*"1. Subdivision shall be generally in accordance with the Subdivision and Development Guide Plan 05032P-37 dated 14th June 2007 attached to the Scheme Amendment Report (Amendment No. 33) or any modification to the guide plan as endorsed by the Local Government and the Western Australian Planning Commission."*

It should be noted that the subdivision plan (refer DWG16337-3) is only an indicative subdivision design plan developed by the applicant to demonstrate the potential for a different lot configuration and internal road layout to what has previously been endorsed by Council and the WAPC.

Amendment No. 60 proposed to modify TPS7 to allow for the effective implementation of the Capel Townsite Strategy and Public Open Space Strategy. The Amendment included changes to the Scheme map for sites being up-coded in terms of residential density, rezoning or to include sites within specific development control areas. In regard to the subject site it was resolved to rezone Part Lot 1181 and Lot 9001 from Rural to Residential with a R30 code.

Amendment No. 60 is discussed in more detail in the Comment section of this report.

### Greater Bunbury Region Scheme

The Greater Bunbury Region Scheme (GBRS) has identified the subject land as "Urban".

It is to be noted that the Environmental Protection Authority (September 2003) in undertaking its assessment of land in the Shire of Capel for the GBRS identified in Bulletin 1108 that the subdivision area contained remnant vegetation, significant fauna and ecological linkage values.

The residential zoning of the land was considered acceptable subject to the conservation of remnant vegetation as part of any future subdivision proposal. Relevant conditions have been imposed as required pursuant to the Amendment No. 33 provisions, to impose building envelopes and the existing Declared Rare Flora being protected by fencing and appropriate notifications on the titles as required by the DPaW (formerly the DEC) on the R2.5 lots.



Planning and Development Act 2005

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

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

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

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

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

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

Planning and Development (Local Planning Schemes) Regulations 2015

The Planning and Development Act 2005 outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this amendment.

The Planning and Development (Local Planning Schemes) Regulations 2015, which came into operational effect on 19 October 2015, identifies three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation of the reason for the local government forming that opinion.

Regulation 35 addresses the requirements for adoption of a scheme amendment. Regulation 47 addresses the requirements for advertising of a standard amendment and Regulation 50, the consideration of submissions.

Other Regulations addresses the specific requirements for amending a local planning scheme e.g. the information to be provided to the Commission when seeking final approval (Regulation 53).

Amendments are also required to be referred to the EPA pursuant to Section 81 of the Planning and Development Act for determination of whether the amendment requires formal environmental review, prior to advertising.

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS****Budget**

Fee rates for Scheme Amendments are set by the Town Planning (Local Government Planning Fees) Regulations and are effectively based on cost recovery. The applicant has paid the relevant fees and will be required to meet all administrative and advertising costs.

**Long Term**

Increased development resulting from Amendment No. 64 may result in some additional demand on infrastructure and services and will contribute additional rate revenue as development occurs.

**Whole of Life**

There are no whole life costs to consider as there are no capital works proposed.

**SUSTAINABILITY IMPLICATIONS**

It is anticipated that Amendment No. 64 will enable a more efficient use of existing urban zoned land through creating a subdivision design that meets current market demand. Amendment No. 64 will in part implement a key objective of the Capel Townsite Strategy to enhance the built environment to ensure that areas are liveable, sustainable and adapt to the community needs and expectations.

Socially and economically the proposal has little impact other than the Amendment would facilitate development of Stage 3 of Goodwood Estate resulting in additional residents seeking local goods and services.

Whilst the Amendment will maximise the existing urban zoned land, there would be environmental implications in regard to the proposed rezoning of Recreation Reserve (currently shown as Public Open Space) to Residential R20. Further discussion in relation to vegetation removal and residential density is contained in the Comment section of this report.

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

The subject site is contained within Planning Unit CA3 – Capel Townsite. Discussion in this Strategy has been incorporated into the adopted Capel Townsite Strategy.

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

The following strategic objectives and outcomes are relevant to this proposal:

- 2.1 Provide social, recreational and cultural opportunities and facilities for our communities.
- 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;
- 5.1 Provide and maintain a safe and efficient transport, cycle, and pedestrian network; and
- 5.2 Maintain and enhance the quality of our built environment.

**Capel Townsite Strategy**

The Capel Townsite Strategy was adopted by Council in July 2008. The Strategy sets out the long term strategic planning direction for land use and development for the Capel townsite.

A key focus of the Strategy is to identify land for future urban development and to make more efficient use of land within the townsite. In this regard the Strategy identifies areas considered appropriate for urban expansion and by changing the R Code of existing Residential zoned land to allow for an increase in the density of development in appropriate locations.

The Capel Townsite Strategy vision states:

*“To promote and facilitate the growth of Capel townsite as a sustainable and vibrant town that is a significant settlement and economic centre within the Shire of Capel”.*

Further discussion in relation to the proposals compatibility with this Strategy is contained in the Comment section of this report.

#### Capel Town Public Open Space Strategy

The Capel Town Public Open Space Strategy was adopted by Council in March 2011.

The Capel Town Public Open Space Strategy forms a part of the local planning framework influencing decision-making in relation to structure planning, land use and development in Capel. It forms the primary policy position of Council with regard to the provision and development of public open space (POS).

A key objective of the Strategy is to improve the quality and diversity of parks and recreation services for the local community. This includes identifying where new areas of public open space should be provided, particularly in regard to potential long term urban expansion areas.

The open space adjacent to Hawley Parkway is identified in this Strategy as Freehold land reserved for Recreation. The land remains unvested as a Shire Reserve as it is subject to subdivision.

#### Bushfire Regulations

The DFES Bushfire Prone Maps indicate that the site is identified as a Bush Fire Prone Area. The site is already zoned Residential with a potential to be developed for residential purposes. Issues associated with the Bush Fire Regulations would be addressed at the Subdivision stage.

### **CONSULTATION**

In September 2015 Officers informed the applicant of the planning concerns relating to this Amendment request and the applicant was invited to submit additional information in support of the Amendment. The applicant provided a response and confirmed a preference to proceed with the Amendment request to rezone the land irrespective of the Shire progressing Amendment No. 60. After careful consideration and on the basis of the information submitted, Officers are still of the opinion that the proposal as submitted does not satisfy or address all the concerns raised particularly in regard to the removal of the Reserve for Recreation.

The proposed amendment, if initiated by Council as per the Officer recommendation, is required to be advertised for public inspection in accordance with Sections 83 and 84 of the *Planning Development Act 2005* and the *Planning and Development (Local Planning Scheme) Regulations 2015*, which will be for a minimum period of 42 days.

### **COMMENT**

The following issues are relevant to the proposed Amendment and indicative subdivision design:

1. is the request to rezone the Reserve for Recreation appropriate in regard to the environmental issues?

2. how does the Amendment request conflict with Amendment 60 that has been initiated by the Shire of Capel to implement the Capel Townsite Strategy?
3. is the access configuration desirable?
4. does the proposal address WAPC Planning Policy Liveable Neighbourhoods?

#### Remove Reserve for Recreation (Public Open Space) to Residential R20

One of the key changes of this Amendment request involves removing a portion of Lot 9001 from Local Scheme Reserve 'Recreation' to the Residential Zone R20 to create two additional lots (Lots 250 and 251).

In May 2007 Council resolved to approve Scheme Amendment 33 for final approval. When Council considered submissions following advertising of Amendment No. 33 a number of modifications were made to the Amendment and associated Subdivision Guide Plan.

Comments from the Department of Environment and Conservation (DEC) generated a series of amendments in regards to the Public Open Space across the entire site. This included the amendment of a proposed single residential Lot at the entry to Goodwood Estate from Residential to Public Open Space. The basis for this modification to the subdivision plan was to improve the wildlife link between the roadside vegetation buffer and the adjacent Public Open Space further to the west. The large area of Public Open Space was identified as a declared rare flora Peppermint Woodland providing a possum habitat.

Hence the final gazetted plan as referred to in Appendix 15 TPS7 (Plan 05032P-37 14/06/2007) included Public Open Space up to Goodwood Road shown as a Landscaped Entry into Goodwood Estate. The original idea of even a single residential Lot in this location was not supported.

The applicant submitted a response and demonstrated that in pure 'numerical' terms the removal of this area of Public Open Space would have no impact on the amount of public open space required in the context of the whole of the site. However, the applicant has not addressed the environmental implications based on DEC's original advice to preserve this area for wildlife linkages between the roadside and the adjacent POS area.

Element 3 of Liveable Neighbourhoods refers to Lot Layout. Clause R26 states: "*Lots having road access to both front and rear boundaries other than rear lanes are not generally favoured ...*". The proposed Lots 250 and 251 would have a double frontage at a prominent corner location. It is desirable to have Lots orientated to front streets to provide good streetscape amenity and surveillance. This is another reason not to support the loss of the Public Open Space as the proposed Lots fail to respond to the natural environmental features of this site contrary to the objectives of Liveable Neighbourhoods.

It is recommended that this aspect of the Amendment request **not be supported**. This area of Public Open Space is considered to have both streetscape amenity value to the entry of Goodwood Estate and environmental value to encourage wildlife linkages between the areas of Public Open Space.

#### Scheme Amendment 60 - Capel Townsite Strategy

Council resolved at its meeting on 22<sup>nd</sup> July 2015 to adopt Amendment No. 60 to modify TPS7 to allow for the effective implementation of the Capel Townsite and Public Open Space Strategies. The subject site is affected by Amendment No. 60 where Council resolved to:

*"2. in accordance with Part 5 of the Planning and Development Act 2005 (as amended) and Regulation 17(2)(a) of the Town Planning Regulations 1967 (as amended), to adopt Amendment No. 60 to Town Planning Scheme No. 7 for final approval and proceed to amend the Scheme by:*

u) Rezoning part Lot 1181 and Part Lot 9001 from 'Rural' zone to 'Residential' zone coded 'R30' as depicted on the Scheme Amendment Map;"

Amendment No. 60 is currently with the Department of Planning and has been forwarded to the Minister for final approval. WAPC has confirmed that the Minister has granted final approval to Amendment No. 60 on 23 February 2016.

Council therefore has established a planning position whereby there is a clear strategic planning framework in place (i.e., Capel Townsite Strategy) where the overarching planning objective outlines a general increase in the density codings across Capel townsite. For Stage 3 of the Goodwood Estate Amendment No. 60 outlines an R30 density coding in regard to the subject site. The applicant is proposing a down coding to R20. The applicant was invited to provide justification for departing from this framework especially in view of the fact that Amendment No. 60 is current and being progressed by the Shire.

Amendment No. 60 was formally advertised as part of the Amendment process. The landowner made no submission on the proposed rezoning or coding in relation to the subject site. This would have been the opportune time to make a submission to be considered by Council. The applicant confirmed that the landowner wished to proceed with the Amendment 64 request irrespective of the Shire progressing Amendment No. 60. The applicant states that the current Amendment request to code the entire site R20 including road reserves will allow future flexibility in subdivision design and that the R20 coding still allows diversity in Lot sizes given the R Codes now enables a minimum lot size to be reduced to 350 sqm for R20.

Advice was sought from the Department of Planning who advised that the planning rationale behind determining subdivision applications is to define the minimum lot size criteria and not the maximum. Therefore, whilst a strategic document may encourage higher density development or subdivision a landowner is not obliged to develop at that density.

It is recommended that this aspect of the Amendment request be **supported**. The blanket residential zoning that includes road reserves would facilitate a more flexible subdivision layout over the site. The reduction in the density coding from R30 to R20 only affected two areas of the proposed subdivision in the south west and south east corners of the site. It is proposed that an R20 coding would still provide a reasonable lot yield and achieve the strategic aims of encouraging efficient use of urban zoned land. The original R30 nodes were based around a previous subdivision design that was approved in June 2007. It is considered reasonable that market demands may have changed in that time.

It should be noted that the subdivision plan (refer DWG16337-3) is only an indicative subdivision design plan developed by the applicant to demonstrate the potential for a different lot configuration and internal road layout to what has previously been endorsed by Council and the WAPC. Council could request as a condition of any future subdivision that a 'Basic Amendment' be initiated to reflect any future roads as 'No Zone' to ensure the Scheme Map properly reflects any approved subdivision plan.

Should the applicant wish to proceed with the rezoning amendment on this basis, the necessary amended documentation would need to be submitted to the Manager of Planning Services. The amendment proposals could be advertised for public comment in accordance with the requirements of the Planning and Development Act 2005 and the Planning and Development (Local Planning Schemes) Regulations 2015. This is outlined in the Staff Recommendation of this report.

Should the applicant wish to apply for the rezoning amendment that is *not* in accordance with the stated advice, the matter would be referred back to Council for consideration and formal determination.

Revised access

The Scheme Amendment request shows the rezoning of a road link off Hawley Parkway from road reserve (No Zone) to Residential R20. This rezoning is aligned to the indicative subdivision layout submitted in support of the Amendment request to provide two additional residential Lots.

It is recommended that this proposed rezoning request is **not supported** for environmental reasons outlined above. The proposed removal of the connecting road link off Hawley Parkway will only leave one point of access into and out of the Stage 3 which is not desirable.

WAPC Liveable Neighbourhoods

The applicant refers to Liveable Neighbourhoods to justify the Amendment request particularly in relation to the revised access. Aspects of this Amendment request would conform to the objectives of Liveable Neighbourhoods for urban infill sites.

Liveable Neighbourhoods is the State Government's policy guideline for the design and assessment of urban subdivisions. One of the key objectives of Liveable Neighbourhoods is aimed at increasing residential densities within "Walkable Catchments" of neighbourhood centres and to facilitate increased connectivity between centres. Liveable Neighbourhoods has a number of principles that include:

1. *To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.*
2. *To maximise land efficiency wherever possible.*
3. *To provide for an urban structure of walkable neighbourhoods clustering to form towns of compatible mixed uses in order to reduce car dependence for access to employment, retail and community facilities".*

The State Government's strategic approach to the design of residential neighbourhoods is to generally increase "base" residential density coding to R20 in Urban zoned areas. The intent of State Government advice is to facilitate residential density mixes that are compatible with future housing demands, the existing town framework and long term urban expansion. The proposal would still accord with the objectives of Liveable Neighbourhoods in regard to the amended density code.

Element 2 of Liveable Neighbourhoods provides policy advice on street networks. A key objective is to provide a network of streets that provide a safe, convenient and legible vehicle and pedestrian movements. The removal of this road link would affect the permeability and efficiency of the road network for this Stage 3.

**CONCLUSION**

The proposed Amendment of the Scheme to facilitate the rezoning of the Public Open Space (Reserve for Recreation) and the north western 'No Zone' road reserve to Residential (R20) is **not supported** and should be retained as per the current Scheme Map.

It is recommended that a revised amendment proposal for Lots 9001 and 1181 to initiate the rezoning from Rural to Residential R20; rezoning of 'no zone' road reserves and recoding of R30 to R20 be **supported**.

**OPTIONS**

Should the Council not support the Officer's Recommendation the Council could instead resolve:

1. To decline the request to initiate the proposed Amendment in its entirety (and provide a reason for such a decision). It should be noted that under the relevant legislation there is no right of appeal against a Council decision not to initiate an amendment.
2. To seek further information before making a decision.
3. To initiate the proposed Amendment subject to further modification(s) as per the Staff recommendation.

### **VOTING REQUIREMENTS**

Simple majority

<b>OC0306 OFFICER'S RECOMMENDATIONS – 14.2/COUNCIL DECISION</b>
---

**Moved Cr J Scott, Seconded Cr Bell**

**That Council resolves:**

- (A) The proposed Amendment to Town Planning Scheme No. 7 to rezone part Lot 9001 from 'No Zone' Road Reserve and removing the Local Scheme Reserve 'Recreation' and include within Residential zone R20 – not be supported by Council for the following reasons:**
1. The proposed Amendment and accompanying indicative subdivision design plan indicates two residential Lots (Lot 250 and Lot 251) to be created that would have a double frontage at a prominent corner location that would be contrary to the objectives of Liveable Neighbourhoods.
  2. The proposed Amendment and accompanying indicative subdivision design plan fails to address the requirements of development standards associated with Amendment 33 and Development Guide Plan 05032P-37 dated 14 June 2007 as listed in Town Planning Scheme No. 7 in relation to the retention of the Landscape Entry and the wildlife link between the roadside vegetation buffer and the adjacent Public Open Space further to the west.
  3. The proposed Amendment and accompanying indicative subdivision design does not address the Capel Town Public Open Space Strategy.
- (B) In pursuance of Section 75 of the Planning and Development Act, 2005 to initiate proposed modified Amendment No. 64 to Town Planning Scheme No. 7 by:**
1. Rezoning portions of 'No Zone' and 'Rural' within part Lot 1181 and part Lot 9001 to Residential R20 and the recoding of the R30 to R20.
  2. Amending the Scheme Map, Scheme Report and accompanying subdivision design plan accordingly.
- (C) Subject to Amendment No. 64 documentation being amended in accordance with resolution (B) above, in accordance with regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, it is the opinion of the Council that draft Amendment No. 64 is a 'standard amendment', for the following reason(s):**
1. the draft Amendment is consistent with the objectives identified in the Scheme for that zone;
  2. the draft Amendment is consistent with State Planning Policy Liveable Neighbourhoods;
  3. the draft Amendment will have no significant environmental, social, economic or governance impacts on land in the Scheme area not subject to the draft Amendment proposal.

- (D) Upon preparation of the necessary amended documentation, to refer the proposed Amendment to the Environmental Protection Authority (EPA) as required by the *Planning and Development Act 2005*. On receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, the proposed Amendment will be advertised for a period of 42 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and referred to relevant state government agencies for comment. In the event that the EPA determines that the proposed Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to consultation. All advertisement costs will be recovered as an additional amount after completion of the relevant actions.

Carried 9/0



---

**OC0307 (14.3) Road Widening – Bussell Highway, Capel**

---

Location:	Bussell Highway, Capel
Applicant:	Main Roads WA
File Reference:	RO.DC.3
Disclosure of Interest:	Nil
Date:	09.03.16
Author:	Engineering Technical Officer, M Bovell
Senior Officer:	Executive Manager Engineering and Operations, J Gick
Attachments:	1 – Locality Plan Bussell Highway – Capel to Hutton Road Section 2 – Main Roads drawings 1560-045 to 1560-048

---

**MATTER FOR CONSIDERATION**

That Council supports the dedication of the land contained in Main Roads Land Dealing Drawings 1560-045 to 1560-048 inclusive as road under Section 56 of the Land Administration Act.

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

Main Roads Western Australia (Main Roads) South West Region is proposing to construct 4.8km section of second carriageway on the existing Bussell Highway between Capel to 800m west of Hutton Road (the Project). The Project is located in the Shire of Capel as shown at Figure 1 (**Attachment 1**). Pre-construction works are proposed to be commenced in mid to late 2016.

Main Roads strategy is to duplicate the remaining 17km of single carriageway between Capel and Busselton. The Capel to Hutton Road section is the first 4.8km section to be duplicated.

The Project will occur entirely within the Bussell Highway road reserve. The Project largely occurs within a road reserve that has been historically cleared or is otherwise highly modified. Main Roads is currently in the process of acquiring small strips of land abutting the existing road reserve in order to widen the existing road reserve to accommodate the second carriageway. Land abutting the widened road reserve comprises freehold land (including cropping land, a non-operational mineral sands processing plant and land previously mined for mineral sands), Western Power sub-station, Crown reserve (rifle range) and pine plantation.

**Proposal**

Main Roads is in the process of acquiring the land shown on the attached Main Roads drawings 1560-045 to 1560-048 inclusive (**Attachment 2**), for the purposes of the Ludlow Deviation – Bussell Highway, Capel. This section of highway falls within the Shire of Capel and to comply with the Land Administrative Act 1997 Regulations, it is a requirement that the Local Authority grant its approval to the dedication of the land as road.

**STATUTORY ENVIRONMENT**

Local Government Act 1997 Section 56 Dedication of land as road, states that;

- (1) If in the district of a local government —
  - (a) land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government; or
  - (b) in the case of land comprising a private road constructed and maintained to the satisfaction of the local government —

- (i) the holder of the freehold in that land applies to the local government, requesting it to do so; or
- (ii) those holders of the freehold in rateable land abutting the private road, the aggregate of the rateable value of whose land is greater than one half of the rateable value of all the rateable land abutting the private road, apply to the local government, requesting it to do so;

or

- (c) land comprises a private road of which the public has had uninterrupted use for a period of not less than 10 years,

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

- (2) If a local government resolves to make a request under subsection (1), it must —
  - (a) in accordance with the regulations prepare and deliver the request to the Minister; and
  - (b) provide the Minister with sufficient information in a plan of survey, sketch plan or document to describe the dimensions of the proposed road.
- (3) On receiving a request delivered to him or her under subsection (2), the Minister must consider the request and may then —
  - (a) subject to subsection (5), by order grant the request; or
  - (b) direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or
  - (c) refuse the request.
- (4) On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.
- (5) To be dedicated under subsection (3)(a), land must immediately before the time of dedication be —
  - (a) unallocated Crown land or, in the case of a private road, alienated land; and
  - (b) designated in the relevant plan of survey, sketch plan or document as having the purpose of a road.
- (6) If land referred to in subsection (1)(b) or (c) is dedicated under subsection (3)(a), a person with an interest in that land (including a person who has the benefit of an easement created under section 167A of the TLA) is not entitled to compensation because of that dedication.

### **POLICY IMPLICATIONS**

There are no policy implications relevant to this matter.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

Main Roads will indemnify Council against all costs and charges in respect to the dedication action.

#### **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**

The Project was referred to the Commonwealth Department of the Environment (DotE) for a determination under the provisions of the Environmental Protection and Biodiversity Conservation Act 1999. DotE are currently assessing the need to formally assess the Project. It is anticipated that Project clearing will be conducted under the provisions of Main Roads Purpose Clearing Permit (CPS 818/12) as issued by the WA Department of Environment Regulation under the Environmental Protection (Clearing of Native Vegetation) Regulations 2005.

It is a condition of CPS 818, that where native vegetation is at variance to any of the ten clearing principles (as described in Schedule 5 of the Environmental Protection Act 1986), Main Roads is required to invite submissions from interested parties on those clearing impacts that are at variance with the clearing principles. An Environmental Impact Assessment (EIA) was undertaken for the Project and this determined that Project clearing is likely to be at variance to clearing principles b, e, and f.

The Project will require the clearing of 7.91 ha of native vegetation and 1.19 ha of planted vegetation. Project clearing will impact on:

- 6.59 ha of habitat for conservation significant Western Ringtail Possum
- 6.47 ha of habitat for conservation significant Black Cockatoo species, including 66 potential breeding trees
- Three known individuals of the Priority 3 listed species *Acacia semitullata*.

Main Roads will manage native vegetation clearing and environmental impacts associated with the project through a Construction Environmental Management Plan (CEMP). The CEMP will address issues including:

- Inspection and marking of the clearing area
- Pre-clearing fauna inspections
- Salvage of millable timber
- Mulching of cleared vegetation
- Topsoil management
- Dieback and weed management

As the clearing is at variance with the clearing principles, an offset will be required under condition 15 of CPS 818. The offset proposal will require approval from the CEO of the Department of Environment and Regulation prior to the commencement of the Project.

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

The proposed highway road widening responds to the following strategic objectives in the Strategic Community Plan, to:

- Plan and facilitate safe, sustainable and efficient infrastructure and transport networks to meet the needs of the community.
- Engage in high level advocacy with the State Government and liaise with the other infrastructure providers to obtain best possible levels of service for the community.

**CONSULTATION**

Shire officers from Engineering, Environment, Health and Planning have been consulted on this proposal to declare the land as road; and are satisfied that the measures taken by MRWA in acquiring these land parcels are appropriate and acceptable.

**COMMENT**

Council support of this proposal to duplicate the 4.8km length of single carriageway on Bussell Highway from 600m south of Spurr Road to 800m west of Hutton Road, is a benefit to motorists and cyclists as it provides more gaps in traffic to enter the highway, allows motorists to change lanes when coming upon cyclists, reduces congestion via a lesser number of merge points, particularly during periods of holiday traffic. It also improves motorist safety with a greater distance of separation between opposing directions of traffic.

The adverse impact of this proposal is the loss of vegetation and habitat. In order for the project to proceed, MRWA needs to satisfy the conditions of the Commonwealth Department of the Environment (DotE) and WA Department of Environment Regulation (DER).

**VOTING REQUIREMENTS**

Simple majority

<b>OC0307 OFFICER'S RECOMMENDATIONS – 14.3/COUNCIL DECISION</b>
---

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

**That Council supports the dedication of the land contained in Main Roads Land Dealing Drawings 1560-045 to 1560-048 inclusive as road under Section 56 of the Land Administration Act.**

Carried 9/0

## **CORPORATE SERVICES REPORTS**

### **OC0308 (15.1) Audit Committee Minutes**

Location:	Capel
Applicant:	Shire of Capel
File Reference:	CM.ME.2
Disclosure of Interest:	Nil
Date:	06.03.16
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	1. Minutes of the Audit Committee meeting 24 February 2016 2. Compliance Audit Return 3. Regulation 17 Progress Report

### **MATTER FOR CONSIDERATION**

Council to receive the minutes of the Audit Committee meeting held on 24 February 2016, and adopt the Committee Recommendations.

### **BACKGROUND / PROPOSAL**

#### **Background**

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

The Compliance Audit Return is one of the tools that allow Council to monitor how the organisation is functioning in regards to compliance with the Act. This year's return again places emphasis on the need to bring to the attention of Council any cases of non-compliance or where full compliance was not achieved.

After the Compliance Audit Return has been presented to Council, a certified copy of the Return along with a copy of the relevant section of the minutes and any additional information explaining or qualifying the Compliance Audit will be submitted to the Director General of the Department of Local Government and Communities.

An amendment to the *Local Government (Audit) Regulations 1996* (regulation 17) was gazetted on 8 February 2013 which extended the role of the Audit Committee to include a regular review of the effectiveness of local government systems concerning:

- Risk management;
- Internal control; and
- Legislative compliance.

Local government Chief Executive Officers (CEOs) are now required to report information every 2 years that allows the Audit Committee to undertake this review.

Council adopted the Audit Committee recommendation (OC0715) at the 16 July 2014 Council meeting "that an external audit firm be engaged to undertake an independent review of the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance by 30 November 2014".

AMD was appointed to conduct the review and their report on Regulation 17 was provided on 12 November 2014. The report has been reviewed and an Action Plan developed to ensure that the various issues raised are addressed before the next report is due in December 2016.

The Audit Committee receives a regular progress report (Attachment 3) on elements in the Action Plan.

### **Proposal**

Council to receive the minutes of the Audit Committee held on 24 February 2016, and adopt the recommendations therein:

- Adopting the Compliance Audit Report for the period 1 January 2015 to 31 December 2015; and
- Accepting the Regulation 17 Progress Report on the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995, s5.22

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

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

#### **7.1A Audit Committee**

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

#### **7.13 Regulations as to audits**

- (1) (i) Regulations may make provision requiring local governments to carry out, in the prescribed manner and in a form approved by the Minister, an audit of compliance.

Local Government (Audit) Regulations 1996

#### **14 Compliance audits by local governments**

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.
- (3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.
- (3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be –
- (a) presented to the council at a meeting of the council; and
  - (b) adopted by the council; and
  - (c) recorded in the minutes of the meeting at which it is adopted.

#### **16 Audit Committee, functions of an audit committee –**

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

- (i) report to the council the results of that review; and
- (ii) give a copy of the CEO's report to the council.

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

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

#### **POLICY IMPLICATIONS**

There are no policy implications with this item.

#### **FINANCIAL IMPLICATIONS**

##### **Budget**

There are no budget implications associated with completing the Compliance Audit Return or the Regulation 17 Progress Report. Both were completed using existing staff resources. Implementation of the Regulation 17 Risk Report recommendations is being undertaken by existing staff.

##### **Long Term**

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

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

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

#### **SUSTAINABILITY IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

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

- Ensure open, transparent, effective good governance and communication within the organisation and the community.
- Provide efficient and effective financial management to ensure the long term financial sustainability of the organisation.
- Ensure the effective management of Council's resources.

#### **CONSULTATION**

A number of staff had input into the Compliance Audit Return and Regulation 17 Progress Report, both of which were presented to the Audit Committee on 24 February 2016.

**COMMENT**

The Department of Local Government & Communities advise that it is intended that the reductions to the Compliance Audit Return, and proposed associated transfer of responsibilities to the Audit Committee of each local government will enable local governments to better manage legislative compliance within their own timeframes and increase transparency and involvement for elected members.

The changes to the *Local Government (Audit) Regulations 1996* in 2013 further expanded the role of local government Audit Committees to encompass a regular review of areas such as risk management, internal control and legislative compliance at least once every 2 years.

The Audit Report for 2015 concentrates on the statutory obligations of the Council in the areas of:

- Commercial Enterprises by Local Government
- Delegation of Power/Duty
- Disclosures of Interest
- Disposal of Property
- Elections
- Finance
- Local Government Employees
- Official Conduct
- Tenders for Providing Goods and Services.

The 2015 Return has two questions (concerning Delegations) in which the Shire of Capel is non-compliant, and one area (Finance) in which compliance although delayed, will occur within the prescribed timeframe.

The Shire of Capel did not conduct the annual review of delegations to Committees (s5.18 of the Act) and other delegations (s5.46(2) of the Act) within the appropriate time frame - the report to Council on delegations was tabled in September 2015 (OC0908). A comment was made in the Return noting that this delay was due to the combined impact of an extensive organisational restructure and 8 weeks' sick leave on the part of the Governance Officer. It was noted that in 2016, the timing of the delegations review will return to March.

In addition, the Auditor's Report received by Council in November 2015 was qualified by a request for more information (action to be undertaken) on the valuation of infrastructure assets. The time line set for provision of that information is 30.06.16. The Minister will receive a report on the action to be undertaken within the prescribed time frame.

**VOTING REQUIREMENTS**

Simple majority



**OC0308 OFFICER'S RECOMMENDATIONS – 15.1/COUNCIL DECISION**

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

**That Council receives the Minutes of the Audit Committee meeting held on 24 February 2016 and adopts the Committee's recommendations:**

**AC0202**

**Council adopt the 2015 Compliance Audit Return, detailed in the attachment, as the official Council return for the period 1 January 2015 to 31 December 2015.**

**AC0203**

**Council accept the Progress Report generated in response to the AMD Regulation 17 Report on the appropriateness and effectiveness of Council's risk management, internal controls and legislative compliance.**

Carried 9/0

---

**OC0309 (15.2) Delegations – Annual Review - 2016**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference: CM.DE.1  
Disclosure of Interest: Nil  
Date: 06.03.16  
Author: Governance Officer, A Handley  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachment: Delegations Register – **altered pages only**

---

**MATTER FOR CONSIDERATION**

The review, reaffirmation and minor amendment of delegations to the Chief Executive Officer (CEO), Other Officers/Persons and Committees made under the *Local Government Act 1995* and various other legislation.

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

Council is required by the *Local Government Act 1995* and *Planning and Development (Local Planning Schemes) Regulations 2015* to conduct an annual review of delegations made under that legislation. It is again necessary to review delegations in accordance with legislative requirements.

There is currently a total of fifty six (56) delegations from Council and various other bodies in place with the breakup being:

1. Fifty one to the Chief Executive Officer (Delegations 100-216), who in turn further delegates a number of these to other Officers;
2. Four direct to other Officers (203, 209, 214 and 217); and
3. One to a Council Committee (Delegation 400, Audit Committee).

The vast majority of delegations to the CEO are made under the *Local Government Act 1995*. There are also delegations made under the *Local Government (Miscellaneous Provisions) Act 1960*; *Cemeteries Act 1986*; *Dog Act 1976*; *Litter Act 1979*; *Cat Act 2011*; *Bush Fires Act 1954*; *Food Act 2008*; *Building Act 2011*, *Environmental Protection Act 1986* and *Control of Vehicles (Off Road Areas) Act 1978*.

The recent gazettal of the *Planning and Development (Local Planning Schemes) Regulations 2015* resulted in a number of planning delegations previously made by Council directly to Planning Officers being transferred to the Chief Executive Officer.

Only the *Local Government Act 1995* and the *Planning and Development (Local Planning Schemes) Regulations 2015* require an annual review of delegations, however it is considered good practice to also assess delegations made under other legislation at the time of the annual review.

**Proposal**

That Council review, reaffirm, amend and make delegations to the Chief Executive Officer (CEO), Other Officers/Persons and Committees made under the *Local Government Act 1995* and various other legislation as detailed in Attachment 1 and discussed within this report.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**s5.16 Delegation of some powers and duties to certain committees**

(1) Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.

\* *Absolute majority required*

(3b) any decision to amend or revoke a delegation under this section is to be by an absolute majority.

**s5.42. Delegation of some powers and duties to CEO**

(1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under —

(a) this Act other than those referred to in section 5.43; or

(b) the Planning and Development Act 2005 section 214(2), (3) or (5).

**s5.45 Other matters relevant to delegations under this Division**

(1b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.

**s5.46 Register of, and records relevant to, delegations to CEO & employees**

(1) The CEO is to keep a register of delegations made under this division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Building Act 2011

**s127 Delegation: special permit authorities and local governments**

(1) A special permit authority of a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.

Bush Fires Act 1954

**48. Delegation by local governments**

(1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.

Cat Act 2011

**44. Delegation by local government**

(1) The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

Cemeteries Act 1986

**6. Local governments to perform functions of a Board**

Where an order is made or is deemed to have been made under section 5 vesting the care, control and management of a cemetery in a local government, the local government shall, subject to this Act and to any necessary modifications, perform and be subject to the duties imposed on Boards under this Act and may exercise the powers conferred on Boards under this Act; and references in this Act to a Board or Boards shall be construed accordingly in relation to such a local government as the case may require.

Dog Act 1976

**10AA. Delegation of local government powers and duties**

- (1) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.

Environmental Protection Act

**20. Delegation by CEO**

- (1) The CEO may by notice published in the Gazette, with the approval of the Minister, delegate either generally or as otherwise provided in the notice, to —
- (a) an officer or other person referred to in section 22; or
  - (b) a public authority or officer or employee of a public authority; or
  - (c) any other person,
- specified in the notice (in this section called the delegate) all or any of the powers and duties of the CEO under this Act, other than this power of delegation.

Food Act

**117. CEO may delegate**

- (1) Subject to subsection (2), the CEO may delegate any power or duty of the CEO under another provision of this Act to —
- (a) a member of staff;
  - (b) an authorised officer;
  - (c) a local government; or
  - (d) the holder of an office prescribed by the regulations.

Shire of Capel Town Planning Scheme No. 7

**8.11 Delegation**

Clauses 8.11.1 – 8.11.6 are relevant.

**POLICY IMPLICATIONS**

Although a number of delegations are linked to Council Policies nothing in this item has any direct impact on any Policy.

**FINANCIAL IMPLICATIONS**

**Budget**

The delegations allow for staff to authorise expenditure, raise income, write off monies and issue infringements in regards to various areas of operations. These decisions are accommodated within the current annual budget.

**Long Term**

In the long term annual budgets will include allocations in the operating expenditure to allow for these decisions to be made, many of which are daily operational matters.

**Whole of Life**

Other than the acceptance of tenders (Delegation 117), no assets are being created and therefore no whole of life costs are being incurred.

In regards to assets created under acceptance of tenders, operating expenditure allocations are made in the following years for new assets.

### **SUSTAINABILITY IMPLICATIONS**

A number of the delegations allow staff to make decisions based on possible environmental impacts both positive and negative, such as collection of native seed, timber disposal, notice to owners and local laws.

Delegations in relation to approving events on roads, waiving of fees, swimming pool inspections and enforcing local laws have positive effects on the community.

Delegations allowing for the approval of accounts for payment, timber disposal, extractive industries, determination of mining tenements and exploration licences, without referral to Council can have a positive economic benefit in that they provide faster approvals to businesses and improved cash flow.

### **STRATEGIC IMPLICATIONS**

Key Strategic Direction 1 'The Leadership Experience' of the Shire of Capel Corporate Business Plan 2013 – 2017' is relevant to this item. Objective 1.1 'Ensure continuous improvement of the organisation' and Strategy 1.1C 'Achieve best practice outcomes' have a direction relationship to this item.

### **CONSULTATION**

No public consultation is required on this matter. Appropriate officers have been consulted as to the relevance and/or necessary updates of the existing delegations.

### **COMMENT**

Of the fifty one delegations to the Chief Executive Officer, thirty have been further delegated to various employees, either completely or in part. Part of the review process for delegations also includes a requirement for the CEO to review delegations made by him, and this has also occurred during the current audit.

All delegations have been examined to ensure that they are still relevant and that the wording of each one is correct. Proposed changes are as follows, and copies of amended and new Delegations are provided in Attachment 1.

#### **Amended Delegation**

##### **136 Local Government (Uniform Local Provisions) Regulations 1996**

The existing delegation allows the CEO to undertake certain actions under the *Local Government (Uniform Local Provisions) Regulations 1996* regarding the maintenance of safe and clear thoroughfares. An additional regulation (7A) was inserted in 2013 and allows a local government to require a land owner to remove anything fallen from their land that obstructs a public thoroughfare. In particular, this gives Council additional powers to manage trees falling from private property onto Shire footpaths and roads. It is proposed that this additional power be added to the CEO's Delegation 136.

#### **New Delegations (derived from existing Policies)**

There are three new Delegations that stem from the recent Policy review. Council endorsement of a Policy means that any delegation included in that Policy is approved by default. Policies however may be approved by Simple Majority, whereas delegations must be approved by Absolute Majority. It is therefore necessary to identify delegations included in existing Policies and gain appropriate absolute majority endorsement by Council before they are added to the Delegations Manual.

**151 Financial Assistance for Legal Services (Policy 1.5, Legal Representation, Costs & Indemnification)**

Policy 1.5 is designed to protect the interests of Councillors and employees when they become involved in civil legal proceedings as a result of their official function with the Shire of Capel. Policy Statement 8 notes that when a delay in approval of an application for financial assistance may be detrimental to the legal rights of the applicant the CEO may, under some circumstances approve assistance to a value of \$10,000. This will be reflected as Delegation 151 in the Register.

**152 Appointment of Acting CEO (Policy 3.1, Annual Leave – Chief Executive Officer)**

Policy 3.1 sets out the conditions under which the Chief Executive Officer may apply for, and take leave. Policy Statement 4 notes that the CEO is delegated authority to appoint an Executive Manager to the position of Acting Chief Executive Officer during all periods of leave. This will be reflected as Delegation 152 in the Register.

**153 Financial Settlement Negotiations (Policy 3.6, Severance Pay)**

The *Local Government Act 1995* requires a local government to prepare a policy concerning financial settlements for employees whose employment with a local government is finishing. Policy 3.6 addresses the matter of severance payments, and Policy Statement 2 delegates authority to the Chief Executive Officer to negotiate a settlement in order to avoid expensive litigation. This will be reflected as Delegation 152 in the Register.

**Renumbering**

Changes in legislation and a significant reorganisation of the Delegations Register over the last two years have resulted in an erratic internal numbering system in the Register that is a poor reflection of the original intent. Delegations from Council to the Chief Executive Officer have always sat within the number span 100 – 199, however the gazettal of the *Planning and Development (Local Planning Schemes) Regulations 2015* resulted in a number of planning delegations previously made by Council directly to Officers (in Section 2, the 200-299 series) being transferred to the Chief Executive Officer.

Only 4 Delegations remain in Section 2, with assorted numbering after removal of the planning delegations.

Likewise, Delegations from the Chief Executive Officer to other officers have been reorganised over the last two years, redundant delegations removed and some amalgamated. This has resulted in this section too being erratically numbered. The relatively minor nature of amendments in this review provides a timely opportunity for the process of renumbering.

Accordingly, the planning delegations that came from section 2 of the Manual to the Chief Executive Officer will be renumbered so that all delegations to the CEO fall in the 100 – 199 numerical sequence. The sequence for delegations directly to Officers will begin at 200. Delegations from the CEO to other officers will run numerically from 1 – 99. The Attachment provides more detail.

**VOTING REQUIREMENTS**

Absolute majority

**OC0309 OFFICER'S RECOMMENDATIONS – 15.2/COUNCIL DECISION**

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

**That Council:**

- 1. Affirms the existing Delegations to the Chief Executive Officer, with the renumbering detailed above and in the Attachment;**
- 2. Endorses the amendment to Delegation 136 detailed above and in the Attachment;**
- 3. Endorses the new Delegations 151, 152 and 153;**
- 4. Affirms Delegations 203, 209, 214 and 217 to other Officers/Persons, with the subsequent renumbering detailed above and in the Attachment;**
- 5. Affirms the renumbering of delegations from the Chief Executive Officer to other officers; and**
- 6. Affirms Delegation 400 to a Committee.**

Carried with an Absolute majority 9/0

---

**OC0310 (15.3) Waste Local Law - 2016**

---

Location:	Capel
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	10.03.16
Author:	Governance Officer, A Handley
Senior Officer:	Executive Manager Corporate Services, S Stevenson
Attachments:	1. Minutes OCM 27.01.16, OC0112 2. Proposed Waste Local Law 2016

---

**MATTER FOR CONSIDERATION**

Council to consider the purpose and effect of the proposed Shire of Capel Waste Local Law 2016 for the purpose of public advertising and commencement of the local law making process.

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

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

The process of making a local law is strictly regulated and must follow a precise statutory procedure. Failure to follow the required procedures in the sequence in which they are described will result in a new local law being disallowed by the Joint Standing Committee on Delegated Legislation.

The Act (s3.12(2)) requires the purpose and effect of a new local law to appear in the Minutes of Council. The Minutes of the Ordinary Council meeting on 27 January 2016 (OC0112) documented the purpose of the proposed Shire of Capel Waste Local Law 2016 but not the effect.

**Proposal**

Council to consider the purpose and effect of the proposed Shire of Capel Waste Local Law 2016 for the purpose of public advertising and commencement of the local law making process.

**STATUTORY ENVIRONMENT**

Local Government Act 1995

**3.5 Legislative power of local governments**

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



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 with this matter.

**FINANCIAL IMPLICATIONS**

**Budget**

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

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

Local Laws allow a local government to control and regulate activities within district boundaries to ensure good governance over matters of municipal concern.

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.

The introduction of the waste local law will help Council manage a variety of health and environmental targets.

**STRATEGIC IMPLICATIONS**

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

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

**CONSULTATION**

No consultation was required for this matter. A review of Council Minutes by an officer revealed that a statement concerning the effect of the local law was not included.

**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.

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

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

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

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

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

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

Accordingly, the following statement of purpose and effect for the proposed Shire of Capel Waste Local Law 2016 is provided as follows.

**Purpose**

- Enable Council to provide, or enter into a contract for the provision of waste services;
- Enable the Council to have the ability to impose rates, fees and charges relating to waste services;
- Enable Council to provide for the collection of a range of local government wastes; and
- Provide for the management and operation of waste facilities provided by Council.

**Effect**

- Household waste is collected in an orderly and effective manner;
- The costs of providing a waste collection service are met by the residents who use the service;
- The minimum requirements for what can be collected, recycled and reused are established; and
- Council may operate a waste transfer station, charge fees and define what can be collected.

**VOTING REQUIREMENTS**

Absolute majority

<b>OC0310 OFFICER'S RECOMMENDATIONS – 15.3/COUNCIL DECISION</b>
---

**Moved Cr McCleery, Seconded Cr Schiano**

**That Council:**

- 1. Makes the proposed Shire of Capel Waste Local Law 2016 as detailed in Attachments 1 and 2 for the purpose of public advertising;**
- 2. Advertises the proposed law in accordance with section 3.12(3)(a) of the *Local Government Act 1995*;**
- 3. Forwards a copy of the proposed law to the relevant Ministers in accordance with s 3.12(3)(b) of the *Local Government Act 1995*; and**
- 4. Requests the Chief Executive Officer prepare a further report at the conclusion of the public advertising period to enable Council to further consider any submissions made.**

Carried with an Absolute majority 9/0

---

**OC0311 (15.4) Accounts Due and Submitted for Authorisation**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 09.03.16  
Author: Finance & Accounts Payable Officer, S Searle  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Nil

---

**MATTER FOR CONSIDERATION**

Adoption of accounts to be paid.

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

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

**Proposal**

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

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.10

**6.10. Financial management regulations**

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

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

**13. List of accounts**

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

**POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

**FINANCIAL IMPLICATIONS****Budget**

Payment from Council's Municipal Fund.

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

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**CONSULTATION**

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

**COMMENT**

Accounts due and submitted for authorisation are as follows:

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT21122	23/03/2016	AMITY SIGNS	9X VARIOUS SIGNS	1115.40
EFT21123	23/03/2016	ARCHIVAL SURVIVAL PTY LTD	S/S AND TEFLON MICROSPATULA	34.65
EFT21124	23/03/2016	BELL FIRE EQUIPMENT COMPANY	FIRE INDICATOR PANEL MONTHLY SERVICE - CAPEL & BOYANUP LIBRARY & ALARM TEST AT BOYANUP COMMUNITY CENTRE, 4.5KG FIRE EXTINGUISHER	476.66
EFT21125	23/03/2016	BUNBURY TYREPOWER	NEW TYRES AND WHEEL ALIGNMENT CP 9503, CP9320, PUNCTURE REPAIR FOR TRAILER	1209.00

EFT21126	23/03/2016	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE SUPPLIES FEB 16	878.63
EFT21127	23/03/2016	BRAD BROOKSBY	7.25HR REVIEW TRAFFIC MANAGEMENT PLAN	680.64
EFT21128	23/03/2016	B & B CABINETS	TO SUPPLY ALTERATIONS TO EXISTING OVERHEAD CABINET IN STAFF KITCHEN	1017.50
EFT21129	23/03/2016	STAPLES AUSTRALIA PTY LTD	2015/16 STATIONERY	907.08
EFT21130	23/03/2016	CLEANAWAY	DISPOSAL OF HOUSEHOLD WASTE FROM THE DOMESTIC PICKUP FEB 16	25858.84
EFT21131	23/03/2016	CROSS SECURITY SERVICES	RELOCATED STAFF ASSISTANCE REQUEST INDICATOR TO REAR OFFICE AREA AND CHANGED TO BLUE STROBE	294.80
EFT21132	23/03/2016	CARBONE BROS PTY LTD	2389.75 TONNE GRAVEL	44210.41
EFT21133	23/03/2016	DISCOUNT AUTO PARTS	SUPPLY ONE PACK 15AMP BLADE FUSES	89.90
EFT21134	23/03/2016	DATA #3	THREAT TRACK SECURITY VIPRE ANTIVIRUS BUSINESS SUBSCRIPTION	1196.80
EFT21135	23/03/2016	FENNESSY'S	NEW GLOBE HEADLIGHT	64.48
EFT21136	23/03/2016	GCS INTEGRATED SERVICES PTY LTD	DISABLED/UNISEX TOILET TO BE DELIVERED TO CAPEL CEMETERY	352.00
EFT21137	23/03/2016	HOSEPRO SOUTH WEST	TRACTOR HOSE REPAIR - 10/2/16	255.86
EFT21138	23/03/2016	INSTANT RACKING & STEEL SHELVING	SUPPLY ONE LOCKER	358.00
EFT21139	23/03/2016	SOUTH WEST ISUZU	15000KM SERVICE - CP855 MAINTENANCE TRUCK	993.92
EFT21140	23/03/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	PROCUREMENT TRAINING FOR LOCAL GOVERNMENT - 21 TO 22 MARCH 2016	1320.00
EFT21141	23/03/2016	LANDGATE	RURAL & GROSS RENTAL VALUATIONS CHARGEABLE 21/1/016-24/2/16 , 21X LAND ENQUIRY	3422.20
EFT21142	23/03/2016	LOCAL GOVERNMENT MANAGERS AUSTRALIA LGMA	ANNUAL LGMA FINANCE PROFESSIONALS CONFERENCE 2016 1X ATTENDANCE	1320.00

EFT21143	23/03/2016	MIRACLE RECREATION EQUIPMENT PTY LTD	SUPPLY AND INSTALL MODIFIED PLAYGROUND COMBO UNIT, SINGLE POST BIRDNEST SWING WHALE SPRING RIDER SEAHORSE SPRING RIDER INCLUDING EARTHWORKS & MULCH AS QUOTED 27/11/2015 SUPPLY & INSTALL BASKETBALL STAND WITH 10MX10M CONCRETE PAD	118476.60
EFT21144	23/03/2016	MARKETFORCE	SEEK 5 JOB AD PACK	753.50
EFT21145	23/03/2016	PROTECTOR ALSAFE	EMERGENCY EVACUATION & FIRE EXTINGUISHER TRAINING & VARIOUS BUSHFIRE EQUIPMENT	4862.39
EFT21146	23/03/2016	FULTON HOGAN INDUSTRIES PTY LTD	2000L OF EMULSION & 8X RESEAL VARIOUS ROADS	197772.08
EFT21147	23/03/2016	RTW STEEL FABRICATION	REPAIRS TO BBQ AT DALYELLUP BEACH , FABRICATE GRID FOR DRAIN PIPE AT JOSHUA BROOK LAKE RESERVE, REPAIR BEND IN REAR OF JOHN DEERE MOWER	1184.70
EFT21148	23/03/2016	CAPEL FRESH IGA	REFRESHMENTS FOR BUSHFIRE MEETING ON 01/02/2016 , REFRESHMENT FOR STAFF FAREWELL	108.50
EFT21149	23/03/2016	SOUTHERN LOCK & SECURITY	4 X KEYS CUT, 8 X PADLOCKS	952.86
EFT21150	23/03/2016	SIGNAL ONE	RANGERS UNIFORMS	469.65
EFT21151	23/03/2016	TOTALLY WORKWEAR	4X STAFF UNIFORM ORDERS & 1X POLORISED SUNGLASSES	1379.15
EFT21152	23/03/2016	VISIMAX	DOG ACT INFRINGEMENT NOTICE BOOKS & EPALETTES FOR RANGER	119.30
EFT21153	23/03/2016	WORK CLOBBER BUNBURY	WORK CREW UNIFORMS	844.10
EFT21154	23/03/2016	WESTRAC EQUIPMENT	250HR SERVICE -CP1025, 250HR SERVICE TO CP1804, 10X GRADER BLADES, REPAIRS TO GRADER AFTER BREAK IN CP 4991, TROUBLE SHOOT MACHINE CP1025	6706.33
EFT21155	23/03/2016	WOOD & GRIEVE ENGINEERS	PROVISION OF STRUCTURAL, MECHANICAL, ELECTRICAL AND HYDRAULIC SERVICES FOR EAST DALYELLUP SPORTS PAVILION	2112.00
				421797.93

OUTSTANDING CREDITORS AS AT 29 February 2016: \$384, 739.75

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 23<sup>rd</sup> March 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

**OC0311 OFFICER'S RECOMMENDATIONS – 15.4/COUNCIL DECISION**

**Moved Cr Baxi, Seconded Cr J Scott**

**That Council authorises the Schedule of Accounts covering vouchers EFT21122 to EFT21155, a total of \$421,797.93, for payment.**

Carried 9/0



---

**OC0312 (15.5) Accounts Paid During the Month of February 2016**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 23.03.16  
Author: Finance & Accounts Payable Officer, S Searle  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Nil

---

**MATTER FOR CONSIDERATION**

Authorisation of accounts paid during the month.

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

Accounts paid are required to be submitted each month.

**Proposal**

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

**STATUTORY ENVIRONMENT**

Local Government Act 1995, section 6.10

**6.10. Financial management regulations**

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

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

**13. List of accounts**

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

**POLICY IMPLICATIONS**

There are no current policies relevant to this matter.

**FINANCIAL IMPLICATIONS****Budget**

Payment from Council's Municipal Fund.

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

**Long Term**

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

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

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

**CONSULTATION**

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

**COMMENT**

Payments made during the month of February 2016 are as follows:

<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
EFT20851	01/02/2016	FUJI XEROX AUSTRALIA PTY LTD	MONTHLY PHOTOCOPIER RENTAL & SERVICE	1369.61
EFT20852	01/02/2016	WESTNET PTY LTD	MONTHLY INTERNET ADMINISTRATION	369.78
EFT20853	03/02/2016	A & L PRINTERS	PRINTING OF SHIRE OF CAPEL 2014/15 ANNUAL REPORT	962.00
EFT20854	03/02/2016	ALL WEST BUILDING APPROVALS PTY LTD	FEE PROPOSAL FOR SERVICES RELATING TO DESIGN AND CONSTRUCTION STAGE EAST DALYELLUP PRIMARY SCHOOL	2640.00

EFT20855	03/02/2016	AUSTRALIND PRE MIX	2 CUBIC METRES OF CONCRETE FOR FOOTINGS OF TRANSPORTABLE AND 1 METRE CONCRETE FOR MEMORIAL STAND	748.00
EFT20856	03/02/2016	AUSTRALASIAN PERFORMING RIGHT ASSOC LTD	APRA LICENCE FEES	141.16
EFT20857	03/02/2016	BUNBURY MOWER SERVICE	STIHL FS250 BRUSHCUTTER AND BG86 BLOWER	1368.00
EFT20858	03/02/2016	B & B STREET SWEEPING	QUARTERLY GENERAL SWEEPING OF SHIRE TOWNSITES	18700.00
EFT20859	03/02/2016	CARDNO BSD PTY LTD	BICYCLE NETWORK PLAN - SHIRE OF CAPEL BIKE PLAN PRELIMINARY REPORT	8800.00
EFT20860	03/02/2016	BUNNINGS BUILDING SUPPLIES PTY LTD	FEB 16 HARDWARE SUPPLIES	172.90
EFT20861	03/02/2016	BUSSELTON-DUNSBOROUGH ENVIRONMENT CENTRE	PROVISION OF 'TUART' BOOKLETS FOR COMMUNITY AWARDS NIGHT, 2016	200.00
EFT20862	03/02/2016	DAVID BROCKMAN MECHANICAL REPAIRS & SERVICING	URGENT REPAIR OF HOSELINE ON STIRLING 2.4 OVERNIGHT ON THE 12 JANUARY 2016	1100.77
EFT20863	03/02/2016	MYLES BOVELL	FUEL REIMBURSEMENT	89.23
EFT20864	03/02/2016	BELLE DONI	GIFTS FOR NOMINEES AT COMMUNITY AWARDS ON 21 JANUARY 2016.	8.00
EFT20865	03/02/2016	BUNBURY & BUSSELTON TOWING	TOW TWO ABANDONED VEHICLES	440.00
EFT20866	03/02/2016	STAPLES AUSTRALIA PTY LTD	2015/16 STATIONERY	214.38
EFT20867	03/02/2016	COATES HIRE SERVICE	HIRE OF CONCRETE GRINDER 3 DAYS	504.02
EFT20868	03/02/2016	PAUL SHEEDY	AIRFARES AND ACCOMMODATION - MELBOURNE CONFERENCE AUGUST 2016	1169.00
EFT20869	03/02/2016	CAPEL HARDWARE & FARM SUPPLIES	VARIOUS HARDWARE ITEMS	2305.85
EFT20870	03/02/2016	EMILIANI CONCRETE CONTRACTING	SUPPLY AND PLACEMENT OF CONCRETE PATHWAY TO PAYNES STREET BOYANUP INCLUSIVE OF TRAFFIC MANAGEMENT, MESH TO CROSSOVERS, PRAM RAMPS, REMOVAL OF SPOILS, SITE TIDY UP, AND ALL OTHER ITEMS QUOTED	34562.00

EFT20871	03/02/2016	GOLDEN WEST PLUMBING & DRAINAGE	REPAIR/REPLACE BUBBLER AT DRINK FOUNTAIN FETTLERS PARK BOYANUP, REPLACE DAMAGNED URINAL CISTERN TOILET BLOCK AT END OF NORTON PROM AND UNBLOCK MALE TOILET DALYELLUP LAKES	968.00
EFT20872	03/02/2016	FENNESSY'S	CP9370 - CAR SERVICE AND REPLACEMENT OF BRAKES AND 75000 KM SERVICE FOR 41CP	1011.69
EFT20873	03/02/2016	GHD PTY LTD	DETAILED SITE INSPECTION BOYANUP LANDFILL SITE AND WATER MONITORING	14234.00
EFT20874	03/02/2016	HARVEY FARM SERVICE	INSTALL NEW WINDOW AND REPAIRS FOR JOHN DEERE LOADER, AND GENERAL SERVICE ON TWO JOHN DEERE MOWERS	2499.69
EFT20875	03/02/2016	A INGRAM	REIMBURSEMENT FOR BOOKSTOCK PURCHASE	114.98
EFT20876	03/02/2016	IMAGETEC	RISO BLACK INK S-4251	160.69
EFT20877	03/02/2016	JULIES LAWNMOWING	MONTHLY MOWING OF BOYANUP HALL AND MUSEUM GROUNDS	60.00
EFT20878	03/02/2016	KLEENHEAT GAS	SUPPLY CHARGE FOR GAS BOTTLES BOYANUP FOOTBALL PAVILION, SUPPLY 2 X GAS PIGTAILS AND BUSH FOR LPG HOUSEHOLD REGULATOR AT GELORUP COMMUNITY CENTRE	84.66
EFT20879	03/02/2016	LONSDALE CATERING & PARTY HIRE	10 X TABLECLOTHS FOR COMMUNITY AWARDS BEING HELD 21.01.2016	325.00
EFT20880	03/02/2016	CAPEL MENS SHEDS INC	8 CHEESEBOARDS WITH KNIVES AND 8 SMALL POT PLANT HOLDERS FOR COMMUNITY AWARDS	160.00
EFT20881	03/02/2016	PIACENTINI & SON PTY LTD	316.65 TONNE LIMESTONE	4632.59
EFT20882	03/02/2016	PRIME INDUSTRIAL PRODUCTS PTY LTD	700MM REFLECTIVE CONES AND SOCKETS	224.25
EFT20883	03/02/2016	AUSTRALIA TAXATION OFFICE	26.1.16 GROSS \$218,729.80, TAX \$52,295.00	52295.00
EFT20884	03/02/2016	REGAL APARTMENTS PTY LTD	ACCOMMODATION FOR CONDUCT A BUILDING AUDIT FOR DISABILITY ACCESS COURSE	199.00
EFT20885	03/02/2016	ROSANKIM HOLDINGS PTY LTD	RATES REFUND	2167.75

EFT20886	03/02/2016	SOUTH WEST TREE SAFE	DROP FALLEN BRANCH TO GROUND FROM LARGE TUART NEAR STIRLING RD JUNCTION WITH LUDLOW NTH RD	385.00
EFT20887	03/02/2016	SPRAYMOW SERVICES	SPRAYING INTERIOR OF WASTE TRANSFER STATION.	572.00
EFT20888	03/02/2016	SPILL STATION AUSTRALIA	BUNDLED SPILL PALLETT & COVER	1021.79
EFT20889	03/02/2016	SOULAY CONTRACTING	SUPPLY AND PLACEMENT OF CONCRETE PATHWAY TO DESIGN AND SPECIFICATION FOR THOMAS STREET, BOYANUP. BOX-OUT AND REMOVAL OF SPOILS INCLUDED.	13502.50
EFT20890	03/02/2016	D & K THOMAS ELECTRICAL	INVESTIGATE NON WORKING SPOTLIGHTS ON REAR OF BUILDING (X1) AND FLOODLIGHTS ON SOUTH SIDE (X2), BREAKERS ARE ALL OK & RCD FOR THIS STATION APPEARS TO HAVE BEEN REMOVED FROM PANEL. REPAIR BBQ AT PEPPERMINT BEACH PARK	1166.00
EFT20891	03/02/2016	TOTALLY SOUND	HIRE OF SOUND EQUIPMENT FOR COMMUNITY AWARDS NIGHT, 2016	2721.40
EFT20892	03/02/2016	VILLAGE CARPET CARE	CLEAN CARPET AND STRIP AND SEAL VINYL FLOORING IN BOYANUP COMMUNITY CENTRE, DALYELLUP LIBRARY AND DALYELLUP COMMUNITY CENTRE, CAPEL LIBRARY, CAPEL INFANT HEALTH CENTRE AND GELORUP COMMUNITY CENTRE	6251.00
EFT20893	03/02/2016	VACUUM WORLD SALES & SERVICE	SUPPLY VACUUM BAGS FOR VACUUM CLEANER	139.00
EFT20894	03/02/2016	LORD MAYOR'S DISTRESS RELIEF FUND	WAROONA & DISTRICTS FIRE APPEAL 2016	2500.00
EFT20895	03/02/2016	WORKPLACE TRAINING & ADVISORY AUSTRALIA PTY LTD	CONFERENCE REGISTRATION MELBOURNE AUGUST 2016	795.00
EFT20896	03/02/2016	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	902.36
EFT20897	03/02/2016	SELECTUS	PAYROLL DEDUCTIONS	2713.08

EFT 20898		-EFT20928	PAYMENT ALREADY APPROVED BY COUNCIL PLEASE REFER TO AGENDA ON 24.02.16	0.00
EFT20929	04/02/2016	BESAFE BUILDING INSPECTIONS	2015 SWIMMING POOL INSPECTIONS @\$65.00 PLUS GST FOR EACH PROPERTY WITH BARRIER DUE FOR ASSESSMENT	3575.00
EFT20930	08/02/2016	FUJI XEROX AUSTRALIA PTY LTD	LEASE OF PHOTOCOPIER PER MONTH - CAPEL LIBRARY	132.00
EFT20931	10/02/2016	BOYANUP P & C	PROVISION OF CATERING FOR COMMUNITY AWARDS NIGHT, 2016	2500.00
EFT20932	10/02/2016	AMITY SIGNS	VARIOUS SIGNS	347.60
EFT20933	10/02/2016	AUSQ TRAINING	BASIC WORKSITE TRAFFIC MANAGEMENT & TRAFFIC CONTROLLER COURSE	339.00
EFT20934	10/02/2016	BELL FIRE EQUIPMENT COMPANY	MONTHLY FIRE INDICATOR PANEL SERVICE - CAPEL LIBRARY	137.50
EFT20935	10/02/2016	BOYANUP CELLARS	BEVERAGES FOR COMMUNITY AWARDS HELD ON 21 JANUARY 2016	373.00
EFT20936	10/02/2016	BUNBURY PLUMBING SERVICES BPS	PUMP OUT GREASE TRAP CAPEL HALL	244.60
EFT20937	10/02/2016	BESAFE BUILDING INSPECTIONS	2016 SWIMMING POOL INSPECTIONS	3575.00
EFT20938	10/02/2016	BENDIGO BANK BUSINESS CREDIT CARD	TICKETS TO CRITICAL HORIZONS CONFERENCE ON 1ST APRIL 2016	168.85
EFT20939	10/02/2016	BUSSELTON FLORIST	SYMPATHY FLOWERS	175.00
EFT20940	10/02/2016	CLEANAWAY	COLLECTION AND DISPOSAL OF MOST WASTES FROM CAPEL WASTE TRANSFER STATION AS PER TENDER 15/02	13673.33
EFT20941	10/02/2016	CARTERS FENCING	REMOVE 53.5M OF EXISTING CHAINMESH FENCE AND REPLACE AND INSTALL NEW PINE BOLLARDS	4413.86
EFT20942	10/02/2016	CAPEL CLEANING	CLEANING OF SHIRE OFFICE	67.50
EFT20943	10/02/2016	DELRON CLEANING	CLEANING OF VARIOUS SHIRE BUILDINGS	9327.05
EFT20944	10/02/2016	DIRT DESIGN	MULCHING AND WEEDING AT GELORUP COMMUNITY CENTRE AND LABOUR FOR ROAD VERGE WEEDING DALYELLUP PARKS GARDENS & RESERVES	32615.00

EFT20945	10/02/2016	ELLIOTT'S SMALL ENGINES	REPLACE BAR ON CHAIN SAW	152.55
EFT20946	10/02/2016	FLEXI STAFF	FLEXI STAFF 22/1/16	1511.31
EFT20947	10/02/2016	GANNAWAYS	BUS HIRE FOR JANUARY INZONE PROGRAM AND HIRE FOR SENIORS TO SW SENIORS EXPO	1238.35
EFT20948	10/02/2016	GEOVET BUSSELTON	DECEMBER POUND CONTRACT	350.00
EFT20949	10/02/2016	GRACE RECORDS MANAGEMENT	15/16 RECORD STORAGE & DESTRUCTION	402.37
EFT20950	10/02/2016	MOORE STEPHENS (WA) PTY LTD	GOVERNMENT FINANCE TRAINING FOR ELECTED MEMBERS AND MANAGERS	4684.90
EFT20951	10/02/2016	JR & A HERSEY PTY LTD	1/2 SOCKETS, RAGS, BLUE AND PINK TAPE, SPRAY MARK WHITE PAINT, CABLE TIES & 2 CANS CRC	726.44
EFT20952	10/02/2016	JUMOR WASTEWATER SERVICE & REPAIRS	MONTHLY SERVICE ANAEROBIC TREATMENT UNIT MAINTENANCE	466.60
EFT20953	10/02/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	WALGA EMERGENCY MANAGEMENT SUBSCRIPTION - CURRENT SUBSCRIPTION WILL EXPIRE 30 JUNE 2016	1603.80
EFT20954	10/02/2016	LD TOTAL	REMOVAL OF GRAFFITI AND DANGEROUS TREES AND TIDY UP GARDENS INCLUDING WEEDING, PRUNING, WEED SPRAYING AND SPRAYING FOR IDENTIFIED PESTS	11190.30
EFT20955	10/02/2016	METAL ARTWORK CREATIONS	NAME BADGES X 4	48.40
EFT20956	10/02/2016	MPM DEVELOPMENT CONSULTANTS	CIVIL DESIGN WORKS FOR STAGE 1 & 2 CAPEL CIVIC PRECINCT	929.50
EFT20957	10/02/2016	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY, USB DRIVES AND KEY SAFE	249.25
EFT20958	10/02/2016	SOUTH WEST TREE SAFE	REMOVE PEPPY TREE ON HARRIS ROAD AND REMOVE AND STUMP GRIND TREE ON VERGE BOYANUP	3080.00
EFT20959	10/02/2016	SOUTHERN LOCK & SECURITY	SUPPLY 6 KEYS CUT, SUPPLY 4 PADLOCKS AND SUPPLY 1 DEADBOLT	933.75
EFT20960	10/02/2016	SOS OFFICE EQUIPMENT	MONTHLY METERBILLING FOR SHIRE PHOTOCOPIERS	1705.87
EFT20961	10/02/2016	SHADDICKS LAWYERS	LEGAL ADVICE REGARDING DOG ATTACK INCIDENT	275.00

EFT20962	10/02/2016	TCS INSTRUMENTS	100M ROAD TUBE AND 50 ROAD TUBE FLAPS	345.95
EFT20963	10/02/2016	WALJIN CONSULTANCY	INDIGENOUS CEREMONY & TRAVEL COST FOR COMMUNITY AWARDS NIGHT, 2016	500.00
EFT20964	10/02/2016	WIZARD PROPERTY MAINTENANCE	CLEAR HAZARDOUS VEGETATION BOYANUP, DALYELLUP AND PEPPERMINT GROVE BEACH	2745.00
EFT20965	10/02/2016	WARREN BLACKWOOD WASTE	15/16 STREET BIN- PARKS WASTE COLLECTION	62341.29
EFT20966	10/02/2016	CLEANAWAY	DISPOSAL OF HOUSEHOLD WASTE FROM THE DOMESTIC PICKUP	14435.54
EFT20967	16/02/2016	M & JE NEWMAN	RATES REFUND	300.00
EFT20968	16/02/2016	ANZ BUSINESS BANKING	LOAN NO. 59 INTEREST PAYMENT - OFFICE EXTENSIONS 105320.04	11168.02
EFT20969	17/02/2016	SAI GLOBAL LIMITED	INTERNET DOWNLOAD	826.54
EFT20970	17/02/2016	ASB MARKETING	BANNERS, CAPS, WATERPROOF POUCHES, SHIRTS, PART OF FIMMWA FUNDING	4929.54
EFT20971	17/02/2016	AUSQ TRAINING	BASIC WORKSITE TRAFFIC MANAGEMENT & CONTROLLER COURSE 22 & 23 FEB 2016	579.00
EFT20972	17/02/2016	SOUTHWEST TYRE SERVICE	FOUR TYRES FOR REAR OF FUSO CANTER CP 9477	1204.00
EFT20973	17/02/2016	NATIONAL TAX MANAGER	NATIONAL TAX MANAGER MANUAL AND SOFTWARE	434.50
EFT20974	17/02/2016	B & B STREET SWEEPING	3 HOURS HIRE STREET SWEEPER & SUMP SUCKER - SWEEP - PROWSE ROAD	671.00
EFT20975	17/02/2016	BULLIVANTS PTY LTD	RATCHET BINDER FOR SECURING MOWERS TO TRUCK	33.74
EFT20976	17/02/2016	BUNBURY CITY GLASS	REPLACE GLASS IN DOOR CAPEL LIBRARY	734.81
EFT20977	17/02/2016	BUNBURY HARVEY REGIONAL COUNCIL	JOINT SHARE OF REGIONAL WASTE EDUCATION OFFICER, PROCESSING OF ORGANIC WASTE COLLECTION	7747.35
EFT20978	17/02/2016	BRANDICOOT	MONTHLY WEBSITE SUBSCRIPTION	238.00
EFT20979	17/02/2016	BUNBURY BMX CLUB INC	KIDSPORT REGISTRATION	185.00
EFT20980	17/02/2016	BUILT RIGHT APPROVALS	BUILDING SURVEYING CONTRACTOR SERVICE	1056.00
EFT20981	17/02/2016	COVS PARTS	WORKSHOP CONSUMABLES	97.02



EFT20982	17/02/2016	CAPEL CLEANING	CLEANING OF SHIRE OFFICE	67.50
EFT20983	17/02/2016	DEPARTMENT OF TRANSPORT	MONTHLY ORDER FOR VEHICLE SEARCH FEES	20.10
EFT20984	17/02/2016	EASIFLEET MANAGEMENT	NOVATED LEASE CEO	753.86
EFT20985	17/02/2016	BUNBURY FLOWER PLACE	BABY BASKET	89.00
EFT20986	17/02/2016	GOLDEN WEST PLUMBING & DRAINAGE	REPAIR LOOSE SHOWER AT BEACH PARK, END OF NORTON PROM. CLEAN OUT SHOWER AND DRINKING FOUNTAIN DRAINS AND UNBLOCK MALE TOILETS DALYELLUP RD BEACH	797.50
EFT20987	17/02/2016	BRIAN FISHER FABRICATION	SUPPLY AND DELIVER 2 X 45KG LPG GAS BOTTLES TO GELORUP COMMUNITY CENTRE	250.00
EFT20988	17/02/2016	FLEXI STAFF	FLEXISTAFF 25/1/16 - 5/2/16	3399.48
EFT20989	17/02/2016	GAS-IT CONTRACTING	LOCATE ANY CABLING AROUND NEW DOG POUND	299.20
EFT20990	17/02/2016	HARVEY FARM SERVICE	GENERAL SERVICE AND HYDRAULIC LOCK KIT FOR JOHN DEERE P4912	1106.86
EFT20991	17/02/2016	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	12 X 2016 DESK PAD CALENDARS FOR COUNCILLORS AND STAFF	105.60
EFT20992	17/02/2016	MICROCOM PTY LTD T/AS METROCOUNT	METROCOUNT 5600 PLUS BOX WITH 12 MONTH WARRANTY	3954.50
EFT20993	17/02/2016	MARAS CONSTRUCTIONS	LOWRIE ROAD - BOBCAT & TIPPER - 1/2/16 - 3/2/16	3740.00
EFT20994	17/02/2016	PIACENTINI & SON PTY LTD	304.55 TONNES OF LIMESTONE	4455.57
EFT20995	17/02/2016	CHANTEL PARSONS	SPORTS PARTICIPATION SCHEME	300.00
EFT20996	17/02/2016	PICTON TYRE CENTRE PTY LTD	VOLVO LOADER TYRE REPAIRS - CP4991	494.50
EFT20997	17/02/2016	PAGES MECHANICAL REPAIRS	1 WIRING HARNESS FOR SPRAY TANK	119.00
EFT20998	17/02/2016	PJ & EV PAGE	WAXING AND BUFFING FLOOR BOYANUP HALL MONTHLY 2015/16	70.00
EFT20999	17/02/2016	PRIME EARTHMOVING BUSSELTON	BACK LOAD OF SHALE ROCK FROM PIT TO SHIRE YARD	1599.79
EFT21000	17/02/2016	PRIME INDUSTRIAL PRODUCTS PTY LTD	RUBBER MALLETS	12.29
EFT21001	17/02/2016	RADIOWEST BROADCASTER PTY LTD	MOSQUITO AWARENESS RADIO CAMPAIGN	1100.00

EFT21002	17/02/2016	SOUTHERN LOCK & SECURITY	QUARTERLY ALARM MONITORING FEE AND SUPPLY OF 2 X 75MM PADLOCKS	909.86
EFT21003	17/02/2016	VASSE CIVIL & DRAINAGE	DRAINAGE - BOUNDARY RD	28758.31
EFT21004	18/02/2016	APH CONTRACTORS PTY LTD	CIVIL WORK CONTRACT FOR CAPEL CIVIC PRECINCT STAGES 1 AND 2	212966.41
EFT21005	23/02/2016	CALTEX AUSTRALIA	JAN 16 FLEET FUEL	3198.82
EFT21006	24/02/2016	AMITY SIGNS	VARIOUS SIGNS	1362.90
EFT21007	24/02/2016	AMD SOUTHWEST PTY LTD	REVIEW OF COMPILATION OF 2015 FBT RETURN - SCOPE OPTION 1	1650.00
EFT21008	24/02/2016	BADGERS EMBROIDERY	EMBROIDER 5 SHIRTS WITH SHIRE OF CAPEL LOGO AND OFFICER'S NAME	93.50
EFT21009	24/02/2016	B & B STREET SWEEPING	CLEAN PIPES & PITS - NORTON PROMENADE - 23/9/15, 20/10/15, 3/2/16	11335.50
EFT21010	24/02/2016	BUNBURY POTHoles & ASPHALT REPAIRS	HOTMIX EDGE BREAKS AND DEPRESSIONS ON SALTER ROAD	7920.00
EFT21011	24/02/2016	BEYOND BRICKS (WA) PTY LTD	SUPPLY AND DELIVERY OF 1.25 PACKS OF HEAVY DUTY CLAY PAVERS	650.00
EFT21012	24/02/2016	BUNBURY & BUSSELTON TOWING	TOW ABANDONED COMMODORE FROM CALINUP RD TO DEPOT	220.00
EFT21013	24/02/2016	STAPLES AUSTRALIA PTY LTD	TWO OFFICE CHAIRS	497.99
EFT21014	24/02/2016	CAPEL HORSE & PONY CLUB	KIDSPORT REGISTRATION	735.00
EFT21015	24/02/2016	CRANEFORD PLUMBING	REPLACE UV LIGHTS AT DALYELLUP SPORTS PAVILLION	1472.19
EFT21016	24/02/2016	CAPEL CLEANING	CLEANING OF SHIRE OFFICE	67.50
EFT21017	24/02/2016	CARBONE BROS PTY LTD	SEMI - YELLOW FILL SAND (DELIVER TO DEPOT)	636.00
EFT21018	24/02/2016	DELRON CLEANING	CLEANING OF CAPEL PAVILION	313.50
EFT21019	24/02/2016	DS AGENCIES PTY LTD	SUPPLY AND DELIVER 2 PARK TABLES SFPT7	2167.00
EFT21020	24/02/2016	ELLIOTT'S SMALL ENGINES	NEW HUSQVARNA 450II CHAINSAW AND TO REPAIR FAULTY CHAINSAW	1238.75
EFT21021	24/02/2016	ELGIN HALL COMMITTEE	ELECTRICITY CONSUMPTION REIMBURSED TO ELGIN HALL	211.00

EFT21022	24/02/2016	EARTHMAC	TRAFFIC MANAGEMENT FOR NORTON PROMENADE AND TRAFFIC MANAGEMENT FOR LOWRIE ROAD	11600.00
EFT21023	24/02/2016	GOLDEN WEST PLUMBING & DRAINAGE	UNBLOCKING SHOWERS AND REPAIRS OF THE SHOWER HANDLE AT WAVE WALK TOILETS AND REPAIRS AND UNBLOCKING OF TOILETS AT DALYELLUP LAKES AND REMOVAL OF WATER PIPE AT BOYANUP FOOTBALL CLUB	467.50
EFT21024	24/02/2016	FLEXI STAFF	FLEXISTAFF CONTRACT	1486.94
EFT21025	24/02/2016	GEOVET BUSSELTON	2015/2016 ANNUAL ORDER, POUND CONTRACT.	70.00
EFT21026	24/02/2016	LESLEY JACKES	REIMBURSEMENT OF EXPENDITURE FOR SHIRE OF CAPEL COMMUNITY AWARDS 21 JAN	1102.12
EFT21027	24/02/2016	BRAYDEN JONES	SUCCESSFUL APPLICATION SPORTS PARTICIPATION SCHEME	300.00
EFT21028	24/02/2016	KEN NEILL SERVICES	SUPPLY ALL MATERIALS, LABOUR AND EQUIPMENT TO CONSTRUCT A LANDING FOR THE PROPOSED STAFF TRAINING ROOM AT THE SHIRE'S DEPOT, INCLUDES HANDRAILS AND GUARDRAILS FOR THE AIRCON AND LANDING	4818.00
EFT21029	24/02/2016	LOCAL GOVERNMENT MANAGERS AUSTRALIA LGMA	INDUCTION TO LOCAL GOVERNMENT WORKSHOP	270.00
EFT21030	24/02/2016	MARINDI FABRICATION	SUPPLY OF DOG KENNEL MODULE INCLUDING DELIVERY TO CAPEL	15098.60
EFT21031	24/02/2016	VODAFONE PTY LTD	MONTHLY VODAFONE MESSAGING	229.77
EFT21032	24/02/2016	PIACENTINI & SON PTY LTD	120 TONNE LIMESTONE	1757.79
EFT21033	24/02/2016	PROTECTOR ALSAFE	1 PAIR OF SIZE 10 LACE UP FIREFIGHTING BOOTS WITH ZIP FOR GELORUP BRIGADE	263.47
EFT21034	24/02/2016	FULTON HOGAN INDUSTRIES PTY LTD	EMULSION	440.00
EFT21035	24/02/2016	PERTH MANAGEMENT SERVICES	RENT AND OUTGOINGS - UNIT 5/135 NORTON PMDE	1522.75
EFT21036	24/02/2016	PICTON TYRE CENTRE PTY LTD	NEW TYRE AND FITTING TO CP4991 LOADER	3542.00

EFT21037	24/02/2016	PAGES MECHANICAL REPAIRS	14 & 16" TUBES FOR BOYANUP 3.4	37.50
EFT21038	24/02/2016	JOHN PAPAS TRAILERS	HEAVY DUTY TANDEM FLAT TOP TRAILER	7392.00
EFT21039	24/02/2016	AUSTRALIA TAXATION OFFICE	9/2/16 GROSS \$215448.63, TAX 47199.00	47249.00
EFT21040	24/02/2016	SOUTH WEST TREE SAFE	TREE REMOVAL - WELD ROAD	440.00
EFT21041	24/02/2016	SPRAYMOW SERVICES	SPRAYING OF BILL BUGS AND BLACK BEETLE ON LUTHERAN OVALS	1220.34
EFT21042	24/02/2016	SKYLINE LANDSCAPE SERVICES PTY LTD	MONTHLY LANDSCAPE MAINTENANCE FOR DALYELLUP POS AND BOX OUT AREAS TO BE MULCHED AND CLEANUP	48743.57
EFT21043	24/02/2016	THINKWATER BUNBURY	HUNTER PGJ SPRINKLERS AND MASTER VALVE AND RETICULATION PARTS	455.70
EFT21044	24/02/2016	THE PRINT SHOP	5000 DLX WINDOW ENVELOPES	386.00
EFT21045	24/02/2016	WA POLICE AND COMMUNITY YOUTH CENTRES - COLLIE	KIDSPORT REGISTRATIONS	200.00
EFT21046	24/02/2016	RILEY WESTRA	SUCCESSFUL APPLICATION SPORTS PARTICIPATION SCHEME	300.00
47934	03/02/2016	R & D JOSE	RATES REFUND	176.89
47935	03/02/2016	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	51.60
47936	03/02/2016	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS	176.00
47937	03/02/2016	BOYANUP HALL ADVISORY COMMITTEE	BOYANUP HALL ADVISORY COMMITTEE - CHAIR PURCHASE	1050.00
47938	03/02/2016	BUNBURY HORSE & PONY CLUB	OVERPAYMENT OF LEASE 2015/16	79.00
47939	03/02/2016	TEGAN BYWATERS	DOG STERILISATION 163275	30.00
47940	03/02/2016	SHIRE OF CAPEL	PAYROLL DEDUCTIONS	2582.00
47941	03/02/2016	CAPEL BAKEHOUSE	BBQ BUNS 66 FLAT BREAD ROLLS 40 HOT DOG BUNS	124.20
47942	03/02/2016	EDWARDS B	RATES REFUND	130.47
47943	03/02/2016	HERBST GM	RATES REFUND	294.23
47944	03/02/2016	LAND INSIGHTS	GENERAL PLANNING SERVICES	1059.36
47945	03/02/2016	LINDBERG FE & HA	RATES REFUND	141.79
47946	03/02/2016	LGRCEU	PAYROLL DEDUCTIONS	164.00
47947	03/02/2016	I & E MCDONAGH	RATES REFUND	124.47
47948	03/02/2016	NOVUS AUTO GLASS BUNBURY & BUSSELTON	REPAIR WINDSCREEN STONE DAMAGE ISUZU FRR 60 LONG 2011 MODEL	120.00
47949	03/02/2016	SYNERGY	ELECTRICITY	7716.65
47950	03/02/2016	WATER CORPORATION	WATER USAGE	468.84
47951	03/02/2016	WA FARMERS FEDERATION	WAROONA HARVEY FIRE APPEAL	2500.00

47952	03/02/2016	HI SAMSA	RATES REFUND	186.54
47953	03/02/2016	YALLINGUP MAZE PTY LTD	INZONE JANUARY 2016 EXCURSION - YALLINGUP MAZE	210.00
47954	03/02/2016	SHIRE OF CAPEL	PETTY CASH BOYANUP MILK AND TEA	131.30
47955	10/02/2016	COURIER AUSTRALIA INTERNATIONAL	POSTAGE AND FREIGHT - CAPEL, DALYELLUP, BOYANUP LIBRARIES	37.07
47956	10/02/2016	CM & DJ FORREST	LEASE RENTAL FOR 2015/16 FOR FORREST BEACH LOT CARPARK	1.10
47957	10/02/2016	MEYNELL PTY LTD	REFUND FOR INVOICE 21675 RECEIVED TWICE	795.34
47958	10/02/2016	RENEE RICE	REFUND OF CANCELLED RESERVE PERMIT	114.00
47959	10/02/2016	SATTERLEY PROPERTY GROUP PTY LTD	RATES REFUND	337.08
47960	10/02/2016	TELSTRA CORPORATION LTD	LANDLINE	1980.42
47961	10/02/2016	DEPARTMENT OF TRANSPORT	TRANSFER FEE	16.75
47962	10/02/2016	WATER CORPORATION	WATER USAGE	233.22
47963	10/02/2016	SHIRE OF CAPEL	PETTY CASH DALYELLUP LIBRARY	31.30
47964	10/02/2016	DALE ALCOCK HOMES	CANCELLATION OF BSL AND VERGE FEES	366.01
47965	17/02/2016	BOYANUP PRIMARY SCHOOL	SUCCESSFUL APPLICANT TO SHIRE MINOR COMMUNITY GRANT SCHEME	3333.00
47966	17/02/2016	COURIER AUSTRALIA INTERNATIONAL	POSTAGE AND FREIGHT - CAPEL, DALYELLUP, BOYANUP LIBRARIES	51.60
47967	17/02/2016	SHIRE OF CAPEL	CAPEL LIBRARY PETTY CASH	91.20
47968	17/02/2016	CAPEL PHARMACY	OSH : STINGOSE FOR FIRST AID KITS	190.00
47969	17/02/2016	NATURALISTE REPTILE PARK	OSH TRAINING : SNAKE AWARENESS SESSION PLUS TRAVEL	489.50
47970	17/02/2016	PPCA LTD	PUBLIC PERFORMANCE OF PROTECTED SOUND RECORDINGS OR PUBLIC EXHIBITION OF MUSIC VIDEOS	170.00
47971	17/02/2016	PIARA LANDHOLDINGS PTY LTD	RATES REFUND	1810.38
47972	17/02/2016	SYNERGY	ELECTRICITY	32289.70
47973	17/02/2016	STEPHANIE LAURIE SETTLEMENTS	RATES REFUND	766.41
47974	17/02/2016	WATER CORPORATION	WATER USAGE	2741.35
47975	24/02/2016	AXIOM CONVEYANCING	RATES REFUND	339.98
47976	24/02/2016	CITY OF BUNBURY	REMOVE GRAFFITI FROM REMAINING AREA OF BOYANUP SKATE PARK	627.00

47977	24/02/2016	CWA OF WA BOYANUP	PROVISION OF FLORAL ARRANGEMENTS FOR COMMUNITY AWARDS NIGHT, 2016	300.00
47978	24/02/2016	CAPEL PLAYGROUP INC	SUCCESSFUL APPLICANT TO SHIRE MINOR COMMUNITY GRANT SCHEME	2891.55
47979	24/02/2016	SHIRE OF CAPEL	CAPEL ADMINISTRATION PETTY CASH INCREASE FROM \$250 TO \$500. AS PER FM8 - PETTY CASH PROCEDURE.	277.80
47980	24/02/2016	CAPEL ART GROUP	9 SETS OF HAND PAINTED COASTERS	180.00
47981	24/02/2016	THOMAS COTTON AND CHANTAL ENGLISH	CROSSOVER CONTRIBUTION	300.00
47982	24/02/2016	GELORUP COMMUNITY MANAGEMENT COMMITTEE	SUCCESSFUL APPLICANT TO SHIRE MINOR COMMUNITY GRANT SCHEME.	2843.13
47983	24/02/2016	DEPARTMENT OF TRANSPORT	LICENCE AND TRANSFER FEE CP2090	42.20
47984	24/02/2016	FORMIDABLE VEGETABLE SOUND SYSTEM	ENTERTAINMENT PLUS PURCHASE OF CD'S FOR GIFT BAGS FOR COMMUNITY AWARDS 21.01.2016	1700.00
47985	24/02/2016	DALYELLUP LIONS CLUB	SUCCESSFUL APPLICANT TO SHIRE MINOR COMMUNITY GRANT SCHEME. PROJECT - MOVIE IN THE PARK	3333.00
47986	24/02/2016	BROOKE NEAL	CROSSOVER CONTRIBUTION	300.00
47987	24/02/2016	SYNERGY	ELECTRICITY	6345.65
47988	24/02/2016	WATER CORPORATION	WATER USAGE	6391.40
47989	24/02/2016	GELORUP COMMUNITY MANAGEMENT COMMITTEE	SUCCESSFUL APPLICANT TO SHIRE MINOR COMMUNITY GRANT SCHEME	2276.47
617	03/02/2016	BUILDING & CONSTRUCTION IND TRAINING FUND	JAN BCITF LEVY COLLECTED	6899.00
618	03/02/2016	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	BSL COLLECTED JAN 16	7271.91
619	03/02/2016	SHIRE OF CAPEL	JAN 16 BSL AND BCITF COMMISSION COLLECTED	1498.50
620		CANCELLED		0.00
621	24/02/2016	ACTIV FOUNDATION INC	BOND REFUND	150.00
622	24/02/2016	WETHERELL FD	BOND REFUND	150.00
623	24/02/2016	SHIRE OF CAPEL	BALANCE OF HALL DEPOSITS HELD FOR DAMAGES	1387.50

624	24/02/2016	COUNTRY WOMEN'S ASSOCIATION BOYANUP BRANCH	BOND REFUND	150.00
625	24/02/2016	CORNELIA HOOGSTAD	BOND REFUND	150.00
626	24/02/2016	MATTHEW J MCCARTHY	BOND REFUND	150.00
627	24/02/2016	PEPPERMINT GROVE BEACH ART GROUP	BOND REFUND	100.00
628	24/02/2016	SOUTH WEST WOMEN'S HEALTH & INFORMATION CENTRE INC	BOND REFUND	150.00
629	24/02/2016	SUZANNE WATTS	BOND REFUND	150.00
				957706.00

09.02.16	SHIRE OF CAPEL PAYROLL PAYMENTS	\$155,340.29
23.02.16	SHIRE OF CAPEL PAYROLL PAYMENTS	\$237,242.80
26.02.16	SHIRE OF CAPEL PAYROLL PAYMENTS	\$210.32

**\$392,793.41**

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 23<sup>rd</sup> March 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. Shedy.*

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

**VOTING REQUIREMENTS**

Simple majority

**OC0312 OFFICER'S RECOMMENDATIONS – 15.5/COUNCIL DECISION**

**Moved Cr Bell, Seconded Cr Baxi**

**That Council receives:**

- 1 The Schedule of Accounts covering vouchers 617-629, EFT20851 to EFT21046, CHQ47934 to CHQ47989 totalling \$957,706.00 during the month of February 2016;**
- 2 Payroll payments for the month of February 2016, totalling \$392,793.41; and**
- 3 Transfers to and from investments as listed.**

Carried 9/0

---

**OC0313 (15.6) Financial Statements for 29 February 2016**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 14.02.16  
Author: Manager Finance, A Mattaboni  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Financial Statements for February 2016

---

**MATTER FOR CONSIDERATION**

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

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

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

**Proposal**

The financial statements provided to Council satisfy the requirements.

**STATUTORY ENVIRONMENT**

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

**6.4 Financial Report**

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

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

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

**Financial Activity Statement Report**

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



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

### **POLICY IMPLICATIONS**

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

### **FINANCIAL IMPLICATIONS**

#### **Budget**

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

#### **Long Term**

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

#### **Whole of Life**

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

### **SUSTAINABILITY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

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

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

### **CONSULTATION**

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

### **COMMENT**

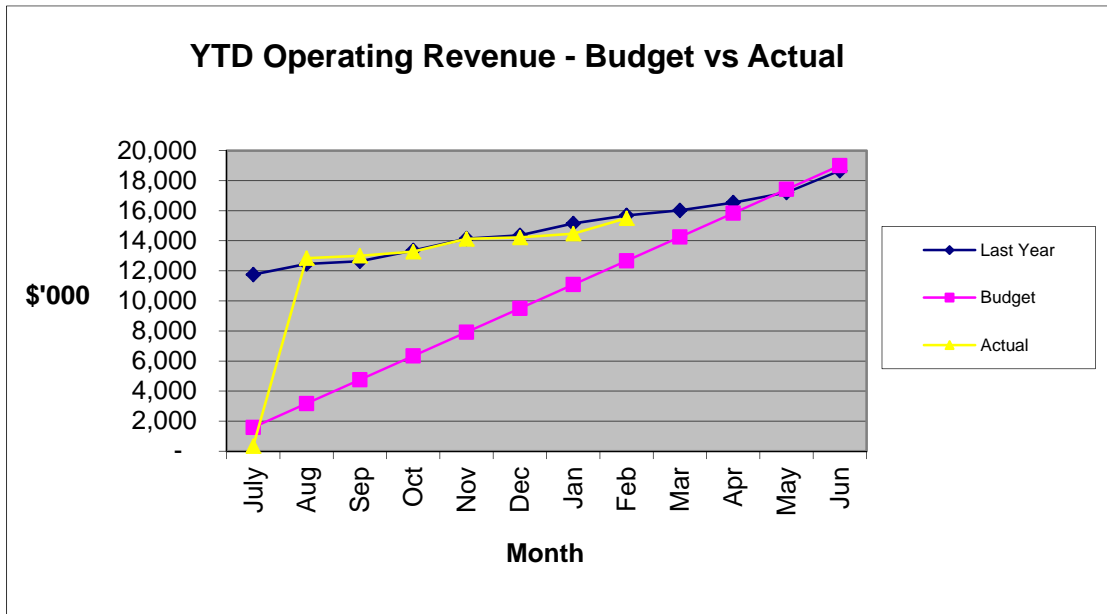
At 29 February 2016, Council's net current assets position was a surplus of \$7,925,435. The forecast year end net current asset position is a surplus of \$117,570 which is a decrease from last month's surplus of \$137,438. This amount may vary each month as the forecast is updated with revised figures

Compared to the annual budget, 95% of Operating Revenue has been invoiced and 65% of the Operating Expenditure budget has been spent. On a year to date comparison, actual operating

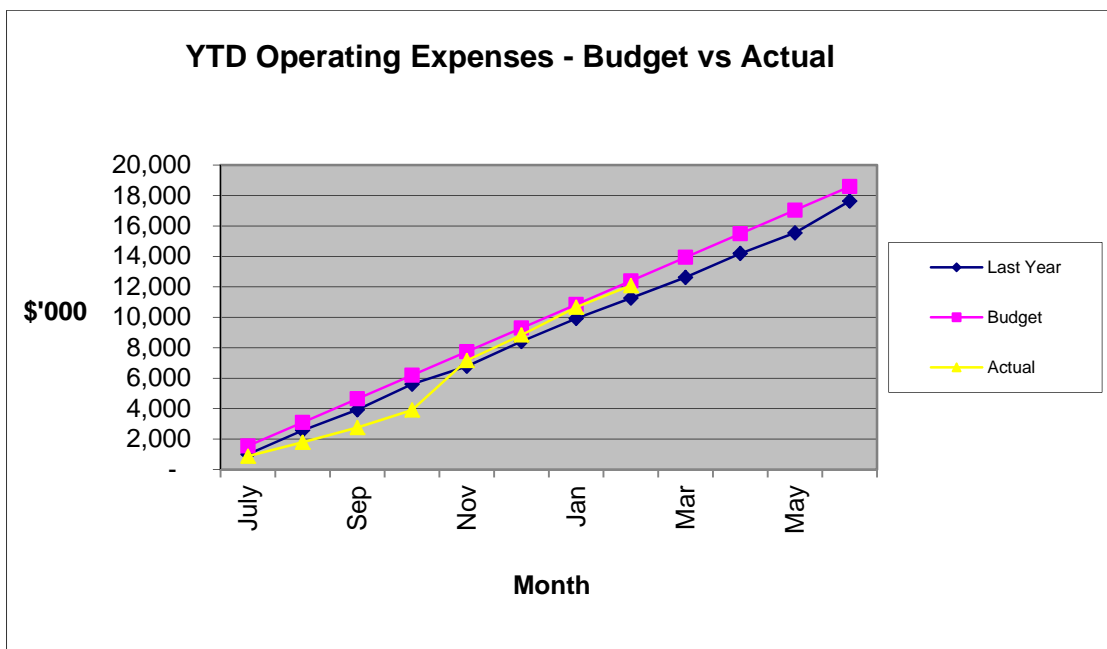
revenue is marginally above budget and actual operating expenditure is below the year to date budget. The monthly budget of income and expenditure has been adjusted to reflect the expected timing of actual income and expenditure.

A comparison of employee costs shows that 65% of the annual budget has been spent. The employee costs year to date actual amount is below the year to date budget amount by \$226,879 or 4.9%. Year end employee costs are forecast to be \$58,362 below budget. Adjustments have been made to forecast salary figures for organisational restructure. The actual employee costs figure includes the leave provisions expenses.

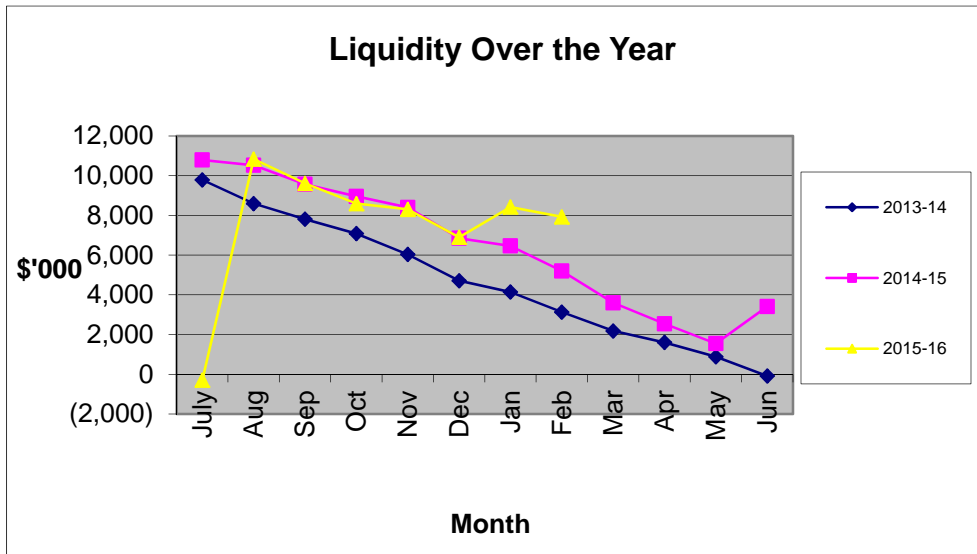
The following graphs compare actual Operating Revenue and Operating Expenditure against the approved budget on a year to date basis. Last year's actual is also included for comparative purposes. The skew in August reflects the raising of rates in August 2015. This revenue is now trending as per previous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



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

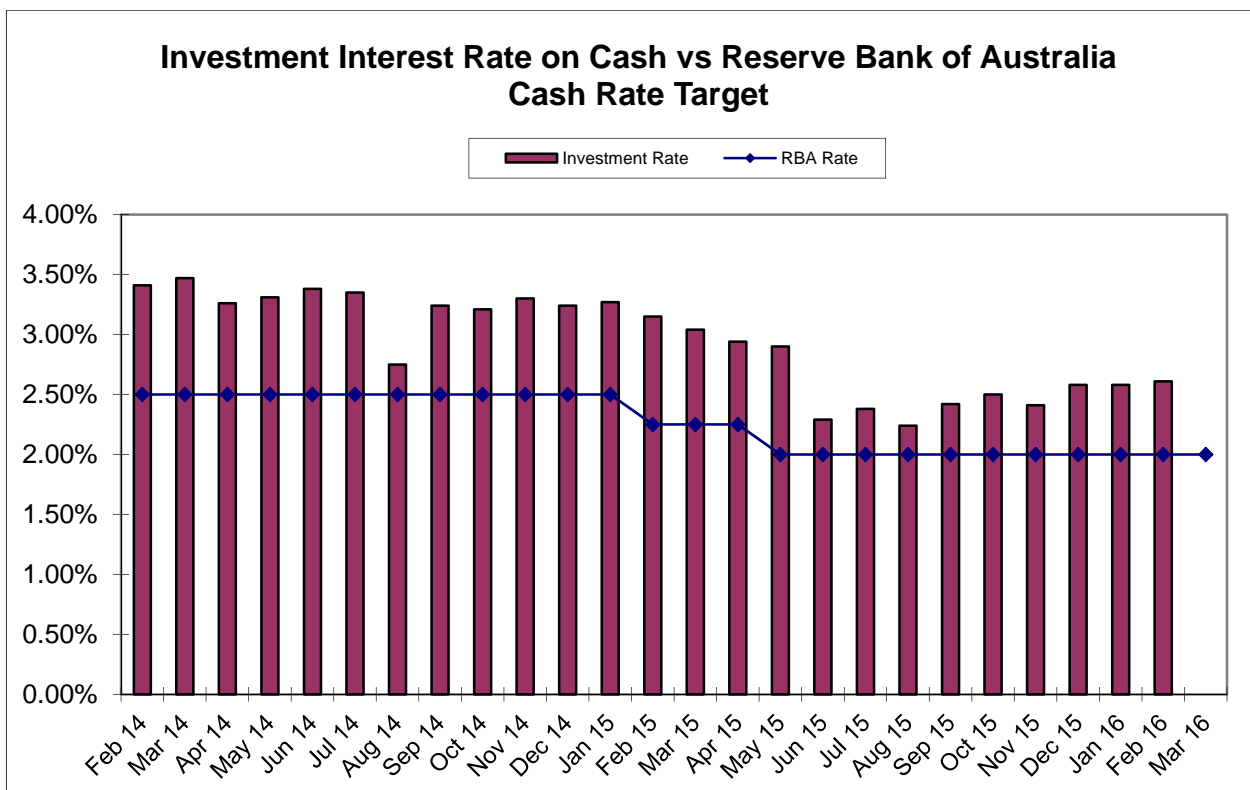


The liquidity graph compares the current year’s net current assets position against that of the two previous years. The January loan draw down is still affecting the graph though the results from operating continue to stay close to budget.



Council’s municipal cash and investments position has decreased by \$86,251 compared to January 2016. The Municipal cash position is an amount of \$17,273,015 of which \$10,094,034 is restricted for specific purposes as shown at Note 3. Cash revenue came from Rates receipts and road grants. Major cash expenses were for payroll and contractor payments.

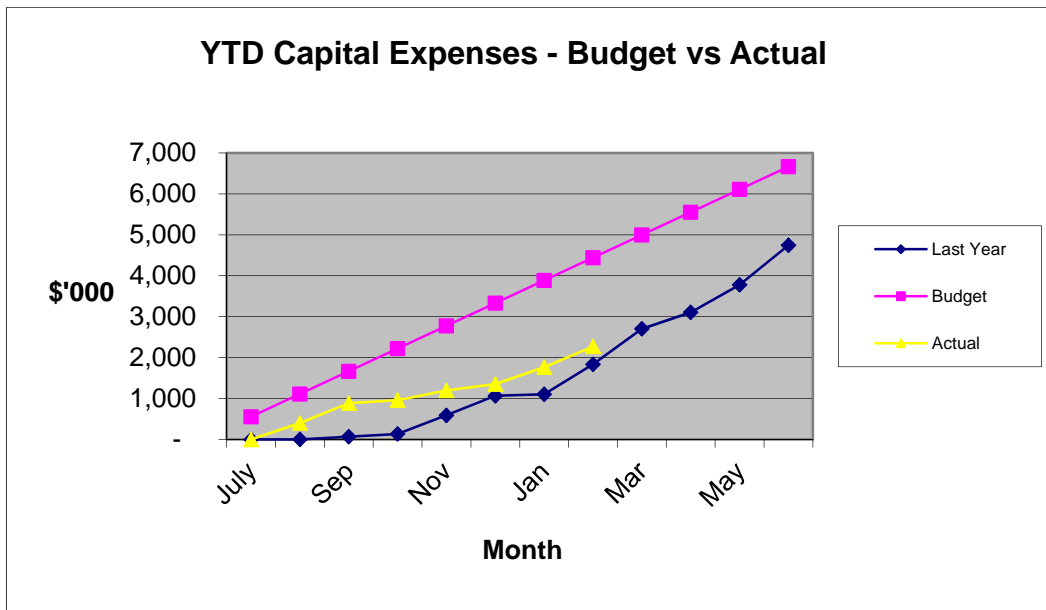
Total interest earned for the year is \$191,792 which is below the year to date budget of \$193,101. The average investment rate of return has increased to 2.62% which exceeds the Reserve Bank’s cash reference rate of 2.00%. The Reserve Bank Board on 1<sup>st</sup> March 2016 kept their target cash rate at 2.00%. The Shire has term deposits maturing from March 2016 to August 2016, investment terms ranging from 91 days to 273 days and interest rates from 2.50% to 3.07%.



Capital works expenditure of \$494,948 was incurred during the month on:

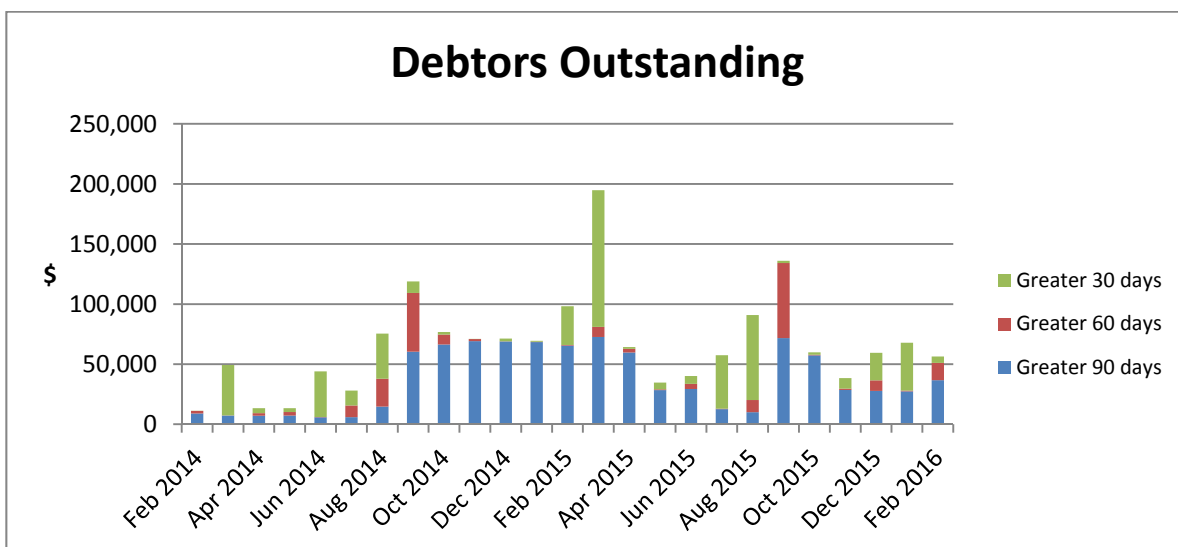
- \$126,365 Road widening,
- \$101,264 Asphalt,
- \$47,708 Footpaths,
- \$202,041 Capel Civic Precinct,
- \$4,060 Tuart Forest Oval Facilities,
- \$6,853 Administration building and
- \$6,658 Plant & Machinery,

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

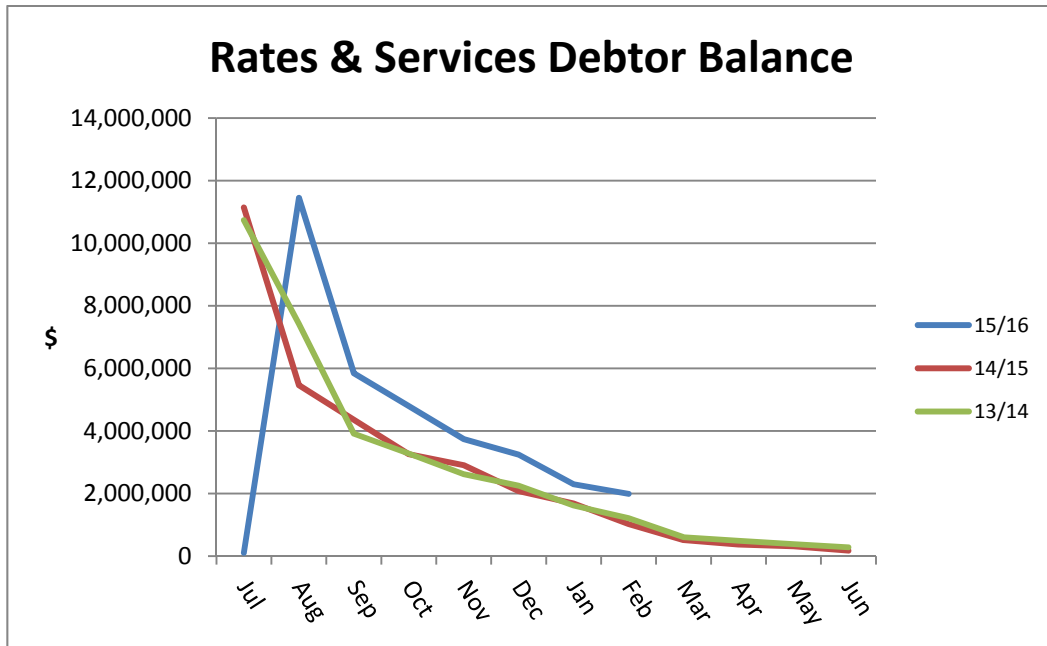


Council’s financial ratios are disclosed in Note 14. The current ratio continues to move down to historical levels as cash current assets decrease towards the end of the financial year.

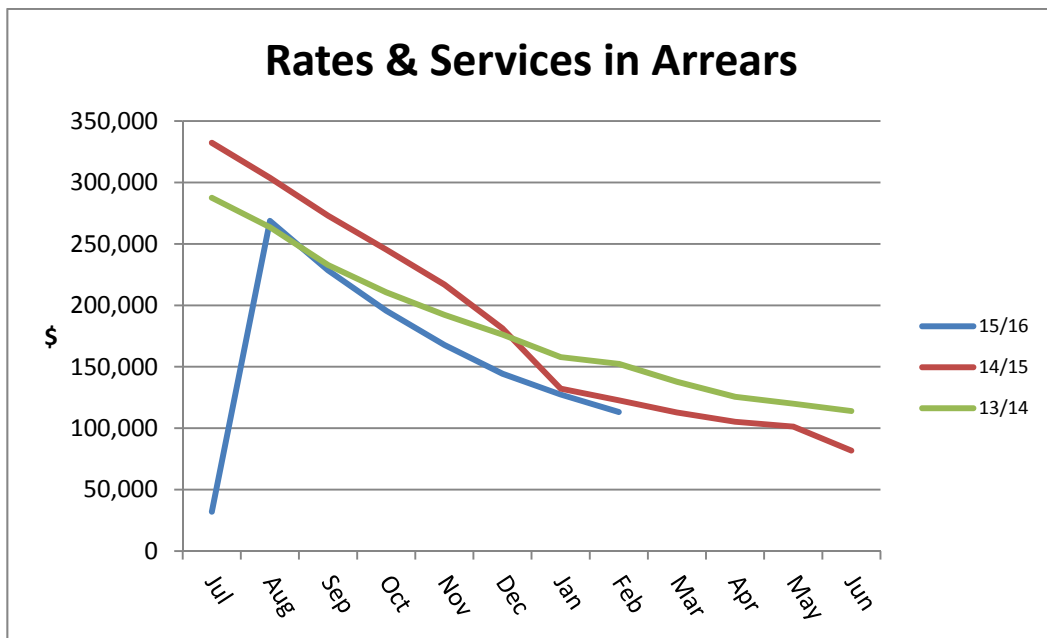
The following graph illustrates Council’s current level of general Debt recovery for 31-60 days, 61-90 days and greater than 90 days.



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. The arrears figure is calculated at the end of the financial year meaning the arrears figure for rates and services raised in 2014/15 will be calculated when rates are raised in 2015/16. Rates have been raised for 2015/16. Rates and Services in Arrears at the start of each financial year as a percentage of the Rates and Services Debtor Balance has been: 2015/16 2.35%, 2014/15 2.98% and 2013/14 2.68%.



A review of the Statement of Financial Position and the attendant notes indicates there are no adverse trends evident in the year to date financial statements as at 29 February 2016.

**VOTING REQUIREMENTS**

Simple majority

**OC0313 OFFICER'S RECOMMENDATION – 15.6/COUNCIL DECISION**

**Moved Cr McCleery, Seconded Cr Bell**

**That Council adopts the financial statements for the period ending 29 February 2016 as attached.**

Carried 9/0

## COMMUNITY SERVICES REPORTS

### OC0314 (16.1) Bush Fire Advisory Committee Minutes

Location:	N/A
Applicant:	Shire of Capel
File Reference:	ES.ME.2
Disclosure of Interest:	Nil
Date:	14.03.16
Author:	Community Services Administration Officer, M Blandford
Senior Officer:	Executive Manager Community Services, M Plume
Attachments:	Minutes of the Special Meeting of the Shire of Capel Bush Fire Advisory Committee held on 2 March 2016

### **MATTER FOR CONSIDERATION**

To consider the minutes of the Special Meeting of the Shire of Capel Bush Fire Advisory Committee (BFAC) held on 2 March 2016.

### **BACKGROUND / PROPOSAL**

#### **Background**

The BFAC meets a minimum of twice each year to advise Council on matters relating to its responsibilities under the Bush Fires Act 1954.

A special BFAC meeting was called to review the training requirements for brigade members following the Council Meeting held on 24 February 2016, when Council requested that this matter be returned to BFAC for further review, as per Council Minute Number OC0216.

#### **OC0216**

*That Council amends BFO204 as follows:*

1. *That the Report of the Emergency Services Coordinator be received and the comments therein notes, specifically that AIIMS 4 whilst staying in the Policy as a requirement to hold the position of the Brigade Lieutenant (or higher), it is understood that this cannot be fulfilled until such time as suitable trainers are available, and that if all other training requirements for the position have been met it is not to prevent a member holding that position. This is on the understanding that they nominate to undertake the training when it becomes available.*
2. *Training to hold the position of Brigade Lieutenant (or higher) return to BFAC for further discussion*

*Reason: Training requirements are too onerous for some of the positions through DFES pathways*

The Department of Fire and Emergency Services (DFES) has created Pathways for various categories of emergency services and firefighting, including Volunteer Firefighters. The aim of these pathways is to ensure that all members are appropriately trained and skilled to manage the various tasks and hazards that form part of their role.

It is not possible to receive training at a higher level without completing the prerequisite levels of training.

The Bushfire Advisory Committee (BFAC) has previously adopted these Pathways as their minimum training requirements for all brigade members under a unanimous vote when

accepting the Shire of Capel Policies, Section 4 – Law, Order and Public Safety. This decision was then endorsed by Council at its meeting held on 27 May 2015, Minute Number OC0526.

This meant that all members who were in positions of Chief/Deputy Chief, Captain, Lieutenant, or FCO that had not already completed all the training requirements for their level (including AIIMS 4, which at the time was not being offered in the state) were required to apply for and complete the remaining components of their training as soon as they were made available on the DFES training calendar and a training application accepted. Training applications are to be given to the Brigade Training Officer who then lodges them with the Shire's Brigade Training Coordinator.

Discussion is also being conducted between DFES and the Shire of Dardanup Chief Executive Officer, Mark Chester, along with other Local Government Chief Executive Officers, regarding the current dissatisfaction with the DFES Pathways Training Program. A request for support for this matter from Mark Chester was put before BFAC at its meeting held on 16 November 2015, with the following recommendation (BFAC Minute Number BF1106);

**"That it be recommended to Council that it supports the Chief Executive Officer of the Shire of Dardanup:**

- 1. To seek feedback from Local Government Chief Executive Officers within the State regarding the current dissatisfaction with the Pathways Training Program; and**
- 2. To facilitate a meeting with the Superintendent of the South West Office of the Department of Fire and Emergency Services and invite regional Local Government Chief Executive Officers to the meeting to detail how the current Pathways Training Program is not suitable for local government Volunteer Bush Fire Brigade fire-fighters."**

This was put to Council at their meeting held on 16 December 2015 where it was supported as recommended above (Council Minute Number OC1110). To date there has been no further outcome with this matter.

At the BFAC meeting held 1 February 2016, training requirements in relation to completing the AIIMS 4 course for the positions of Lieutenant or higher were confirmed as follows:

*Excerpt from Bush Fire Advisory Committee Minutes, 1 February 2016;*

#### **BF0204**

**It be recommended to Council that the Report of the Emergency Services Co-ordinator be received and the comments therein noted, specifically that AIIMS 4 whilst staying in the Policy as a requirement to hold the position of Brigade Lieutenant (or higher), it is understood that this cannot be fulfilled until such time as suitable trainers are available, and that if all other training requirements for that position have been met it is not to prevent a member holding that position. This is on the understanding that they nominate to undertake the training when it becomes available.**

*Excerpt from Emergency Services Coordinators Report for February BFAC Meeting:*

#### **AIIMS 4**

- It has been identified that under the Shire of Capel's Law, Order and Public Safety Policy 4.22, under the requirements for Lieutenant AIIMS 4 is listed. However, there is currently no one in the state able to conduct the training for this module. It is recommended that a notation be made in the minutes of the February BFAC Meeting to advise this, and to confirm that Lieutenant level can still be attained in the interim on the understanding that it will need to be completed as soon as training is available in order to maintain Lieutenant level.



**Actions:**

- **Brigades and Training Coordinator to be advised that the AIIMS 4 will not be a requirement until such time as a suitable trainer is available.**

**Proposal**

The minutes of the meeting of the Shire of Capel Bush Fire Advisory Committee held on 2 March 2016 be received and the recommendations therein be adopted.

**STATUTORY ENVIRONMENT**

Section 67 of the Bush Fires Act 1954 provides that a local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires and any related matters.

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

**POLICY IMPLICATIONS**

Policy 4.1 – BFAC Meetings provides that the Committee shall meet a minimum of twice each year to advise Council on matters relating to its responsibilities under the Bush Fires Act 1954.

Policy 4.22 – Will need to be amended as follows to reflect the BFAC recommendation if endorsed by Council:

Lieutenant

Remove the following courses:

- Ground Controller;
- Sector Commander; and
- AIIMS 4

Add the following course:

- AIIMS Awareness

Captain

Add the following courses:

- Sector Commander
- Machine Supervision

**FINANCIAL IMPLICATIONS**

**Budget**

There are no financial implications associated with this matter.

**Long Term**

There are no long term financial implications associated with the recommendations at this stage.

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

The provision of emergency services is essential to the safety of our community. For those communities that do not have sufficient population or sources of risk to justify professional emergency services, they are reliant on the good will of community members to take on those roles in a volunteer capacity.

There are no economic implications associated with this matter.

**STRATEGIC IMPLICATIONS**

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

- Strategic Outcome 3.4 – promote emergency risk awareness.

**CONSULTATION**

On this occasion, all brigades were asked to invite their Training Officers to attend and provide feedback to the Committee.

**COMMENT**

The minutes of the meeting are generally self-explanatory.

**VOTING REQUIREMENTS**

Simple majority

**OC0314 OFFICER'S RECOMMENDATIONS – 16.1/COUNCIL DECISION**

**Moved Cr Bell, Seconded Cr McCleery**

**That Council receives the minutes of the Special Bush Fire Advisory Committee meeting held on 2 March 2016, and adopts the Committee's recommendation:**

**SBF0301**

**That Council endorses the following training arrangements/policy changes as adopted by the Bush Fire Advisory Committee (BFAC):**

**Revert back to the training requirements listed in former policy 19.26 (adopted 10.10.07, Council Minute Number OC1008) allowing for adjustment in course titles to align with what the current courses are now called until such time as the outcome is known of the ongoing discussions between the Superintendent of the South West Office of the Department of Fire and Emergency Services, regional local area Chief Bushfire Control Officers and regional Local Government Chief Executive Officers. At this time, the outcome of these discussions is to be presented to the BFAC committee for consideration.**

**As such the following changes are proposed to Policy 4.22 (current policy) to reflect previous policy 19.26:**

**Lieutenant**

**Remove the following courses:**

- Ground Controller;
- Sector Commander; and
- AIIMS 4

**Add the following course:**

- AIIMS Awareness

**Captain**

**Add the following courses:**

- Sector Commander
- Machine Supervision

Carried 9/0

<b>NEW BUSINESS OF AN URGENT NATURE</b>	Nil
<b>PUBLIC QUESTION TIME</b>	Nil
<b>MOTIONS WITHOUT NOTICE (ABSOLUTE MAJORITY BY COUNCIL)</b>	Nil
<b>NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF THE COUNCIL</b>	Nil
<b>ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS</b>	Nil
<b>MEETING CLOSURE</b>	

The meeting closed at 5.17pm.

These minutes were confirmed at an Ordinary Council meeting on 27<sup>th</sup> April 2016.

Signed

Presiding Person at the meeting at which time the minutes were confirmed.

Date