



# Shire *of* Capel

## MINUTES

ORDINARY COUNCIL MEETING  
Wednesday 22 August 2018

SHIRE OF CAPEL

ORDINARY COUNCIL MEETING – 22 AUGUST 2018

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## SHIRE OF CAPEL

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, FORREST ROAD, CAPEL ON WEDNESDAY 22 AUGUST 2018 COMMENCING AT 4.39PM.

PRESENT:	President	MT Scott
	Councillor	BW Bell
		BW Hearne
		DJ Kitchen
		PK McCleery
		DL Radisich
		SV Schiano
		JA Scott
	Chief Executive Officer	IJ McCabe
	Executive Manager Corporate Services	S Stevenson
	Executive Manager Engineering & Development Services	JM Gick
	Executive Manager Community Services	M Plume
	Manager Technical Services	K McKeachie
	Manager Human Resources	C Anderson
	Manager Emergency & Ranger Services	LD Freeman
	Manager Customer & Business Services	K Davis
	Senior Planning Officer	K Henry
	Youth and Communications Officer	C Eadie
	Minute Secretary	AD Evans
APOLOGY:	Councillor	M Southwell
MEMBERS OF PUBLIC:		5
VISITOR:	WALGA Elected Member Support Program Representative	Hon Cr P Omodei

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

Ms Kerry Bemrose of Dalyellup: Regarding the Dalyellup Waste Residue Disposal Facility in Dalyellup. According to a public notice issued by the Shire of Capel (13/3/2018), Cristal Pty Ltd established monitoring bores on their land at the rear of the sand dunes on Thursday the 15th of March 2018. Has the Shire of Capel received further correspondence from Cristal, the Department of Water and Environmental Regulation, the Radiological Council or any other authority, in relation to the former Dalyellup Waste Residue Disposal Facility or the surrounding areas including the neighbouring beach front to the west of the site and the adjacent land east of the site?

Mr Jason Gick, Executive Manager Engineering & Development Services response (EME&DS): The Shire would like to thank Ms Bemrose for her supplementary information provided to clarify the question. The notice issued by the Shire on 13 March 2018 referred to the installation of groundwater monitoring bores at Minnip Beach in Stratham. This was confirmed by Cristal Global on 2 August 2018. Ms Bemrose's question relates to the Waste Residue Disposal Facility in Dalyellup, so the matters are unrelated.

Nonetheless, in the interest of answering Ms Bemrose's question, the Shire has received two pieces of correspondence from the Department of Water and Environmental Regulation. The first dated 4 April 2018 is a formal notice of classification of a known or suspected contaminated site, in which the Shire may have an interest. The letter outlines the Department's receipt of a report on the site, details its investigation and summarises its findings. The Department's Site Classification is – Report not substantiated.

The second is a copy of correspondence between the Department and the Independent Auditor of the site, advising that the DWER and the Department of Health have reviewed the information, and that changes are required in order for the Site Management Plan to be considered suitable.

Most recently, on 3 August 2018, the Shire received an updated copy of the Dalyellup Rehabilitation Plan dated 26 July 2018, from Cristal Pigment Australia Pty Ltd.

Interrogation of the Shire's records do not show any correspondence from any other agencies since 13 March 2018 on the Dalyellup Waste Residue Disposal Facility.

There are also some email exchanges between members of the public (including Ms Bemrose) and staff, leading up to the 26 April 2018 Council meeting, which are related to the Dalyellup Waste Residue Disposal Facility and the Greenpatch Structure Plan assessment.

Mr Phil Harbour of Dalyellup: Regarding Item 14.2 Extractive Industry Licence, Page 78 paragraph 2, states on 4th of April 2018 the findings of a site visit identified completion criteria were not met for previous extractive industry. As a result, bond will not be released. Why did it take so long to establish the rehab had not been completed? Will a second bond be taken for any new clearing?

EME&DS response: Extractive Industries are inspected at least annually, and more frequently where the Shire is aware of non-compliances. This site was inspected in late 2017, to introduce new staff to the site and the rehabilitation requirements. The site was inspected again in early 2018, where some outstanding rehabilitation was noted for follow up later in the year following rain.

On 15 March 2018, the Shire received an Application for amendment for an existing planning consent (PA43/2018), Application for temporary Development Approval for Industry Extractive and Renewal for Extractive Industry Licence (PA41/2018).

As part of the development application, the applicant submitted a Flora Survey of Rehabilitated Area prepared formally requesting the Rehabilitation bond to be released for previous stages. On 4 April 2018, staff inspected the site against conditions of the 2013 OC0207 Approval.

It was the opinion of staff the site rehabilitation had not met the completion criteria set out in the Approved Rehabilitation Plan and therefore recommended not to return the bond over these sites at this time, and to note this as an outstanding item in the Council agenda report.

*Why did it take so long to establish the rehab had not been Complete?*

Sand extraction is not set by specific time, however by market demand and extraction quantities of the applicant. Only once extraction for the relevant stage is complete is re-contouring and rehabilitation initiated. A working face is typically left exposed, until such time that the resource is exhausted and the rehabilitation can commence. In this case, the outstanding rehabilitation item was identified several months before the application was sought and identified as a carry over item from the old approval to the new. This is not unusual.

*Will a second bond be taken for any new clearing?*

The applicant must provide adequate bond money to cover the amount of exposed surface area. Before moving to another stage, the applicant will be required to rehabilitate any exposed areas, but may also negotiate an opportunity to increase the bond allocation whilst rehabilitating one stage, working in another, and clearing in

another. It is typical that the applicant will seek to reduce their bond exposure by rehabilitating stages before moving onto another stage.

Mr Harbour: This extractive industry licence will see the further fragmentation and removal of habitat from the Dalyellup/Gelorup/Crooked Brook ecological linkage. Does the Shire of Capel have a policy specific to the care of this natural asset of the Shire of Capel and community?

EME&DS response: This Extractive industry is an operating sand pit and the recommendation for the 22 August 2018 Council meeting is to renew the existing development approval. The site is to be managed under a licence that includes provision for rehabilitation.

Whilst the Council does not have a specific policy on this matter, the importance of the natural environment is recognised in its Strategic Community Plan 2018 – 2028, its Corporate Business Plan 2018 – 2022, several policies on open space and sustainability, and active management of reserves, parks and gardens.

Ms Cindy Lovett of Gelorup: Shire of Capel Ordinary Council Meeting Minutes 27/06/2018 item OCO626 page 150 item 2 refers to the deeds being endorsed between the Shire and the Shire President and Chief Executive Officer (as tabled at the meeting) and authorise the President and Chief Executive Officer to affix the Common Seal to the deeds. – Affixing the Common Seal means all documents should be made public. Have these documents been made public, if not when will they be made public?"

Mr Ian McCabe, Chief Executive Officer (CEO) response: The reason I didn't respond at the meeting was that I had no direct knowledge of the deeds. I also had no knowledge of whether they had been made public. In answer to this latter question, the answer is they have not been made public. In the interim, I have viewed the deeds. The content of the deeds is legally privileged so I do not have the ability to make the deeds public. However, there is no information of substance that has not already been disclosed in the Council Minutes. The Deeds merely serve the purpose of binding the Council to make a payment to support the letters of notice, so, in effect, they are a contract or legal agreement to do those things.

The point made by you that the affixing of the common seal means all documents should be made public is not accurate. The use of the common seal is governed by various sections of the Local Government Act 1995. The common seal gives legal effect to a council decision – it executes the decision – but it doesn't change the nature of the decision. If the matter relates to an item that is deemed confidential as allowed by the Local Government Act, the documents attached to it will be confidential.

## **PUBLIC QUESTION TIME**

Ms Tegan Clews, Capel: A mistake was made during personal litigation by former CEO and Shire Pres against ratepayers. A particular person was incorrectly accused of defamation. The false accusation was quickly brought to light and litigation was dropped. How much did this mistake cost the Shire and who was responsible?

Mr Ian McCabe, Chief Executive Officer (CEO) response: There would be no particular cost attached to that one other than the cost of the registered letter because the cost would be for each of the letters drawn up. I will probably have to do some research to answer this question so I will take that on notice.

The legal matter you refer to was the issue of concerns notices related to the former CEO and the President. I won't comment directly on the letters of concern, the persons involved or the outcomes as those matters could be subjudice – that is, they could result in court proceedings. However, the expenditure for the notices was limited to the amount authorised by Council and any additional work, such as you state, would not

vary the total, which was a maximum of \$3,000 for the CEO and \$3,000 for the President.

Ms Clews: How does a ratepayer successfully apply to have rates money returned or be given an exemption?

CEO response: If an overpayment was made, you would get a reimbursement. Exemptions would need to be approved by Council. I am not able to give you a detailed response today but I can write it to you and include my response in the next Council agenda.

In general, exemptions are addressed by section 6.26 of the Local Government Act. These include Crown land held for a public purpose; local government land; land held by a registered charity but may be subject to a Council Decision; land associated with agricultural shows; land held by Co-Operative Bulk Handling Limited (noting that they make a contribution to the local government); and land determined by the Minister or a written law as not rateable.

The return of rates money once received by the Shire in payment of rates is usually connected to the sale of the property. In general, if land is sold half way through a financial year, then half of the rates is payable by the new owner; if the original owner paid the whole amount due early in the year, there would be an adjustment of this over-payment, usually in the settlement process.

If ratepayers have made an over-payment in some other way, either by mistake or due to an error by the Valuer-General or some other entity, an application in writing would be accepted for review.

Some staff members have amounts for rates deducted from wages; the local government holds these in trust until a rates payment is due; if there was no rates amount outstanding, these amounts would be returned to the staff member.

Mr David Clews, Capel: In regards to the potential for a conflict of interest on any issue, can the Councillors confirm which members of Council (themselves) have relationships of any manner outside of their roles as Councillors (for example, personal relationships)?

CEO response: In short, that is an impossible question to answer because each Councillor has interests in common with you because you live in the district, they might know someone who lives in the district. Councillors are required to detail declarations of interest and be accountable for their responses.

Mr Clews: (A) Councillor voting to allocate funds for personal litigation then that Councillor also has friends and family?

CEO response: I am not aware of any Councillors that are related to each other. They may have the same surname. Can I make a suggestion that if you have a question in which you might embarrass yourself or others that you come and speak with me outside of the Council meeting?

Mr Clews: As the current Shire President is under investigation for possible COI (Conflict of Interest) offences, and we now know the previous CEO had signed off Shire money for personal expenditure, will the Council (in an effort to restore public trust) instruct the new CEO to investigate and report on any other possible personal use or misuse of Shire money over the last 7 years?

CEO response: We will take that question on notice but what I can tell you is that all our accounts are audited. It would not be necessary for me to do 7 years of research. I am quite happy to give you a written response.

A Shire CEO necessarily authorises actions on behalf of council in accordance with delegations. This is to ensure the business of the shire continues between council meetings or between council budgets. I respectfully correct Mr Clews on the 'personal expenditure' comment – my understanding is that the expenditure for legal advice related to the role of CEO and the role of President (the identity of the person in those roles is not at issue).

Mr Clews: The concern is whether the money was above or below board.

CEO response: I'm not sure that I'm following you. We will take that on notice. I am quite happy to talk to you after the meeting.

Note by the CEO 27 August in response to the above:

Mr Clews wasn't available following the meeting but I telephoned him the next day to discuss the presentation of questions (making a questions available earlier will assist in getting an accurate, fulsome response); the appropriateness of some questions (an officer may be able to clear up minor matters prior to a meeting; and, to address any possible legal conflict or other limitation on a response).

**APPLICATIONS FOR LEAVE OF ABSENCE** Nil

**DECLARATIONS OF INTEREST**

Councillor D Kitchen declared an Impartiality Interest in Item 14.1 Tender 18/02 – Construction of Capel Civic Precinct (Stage 4) – Youth & Community Facility. The extent and nature of his interest is that he is an employee of the Department of Finance with the Australian Government.

Councillors B Bell and D Kitchen declared an Impartiality Interest in Item 15.1 Adoption of Budget and Differential Rates for 2018-19. The extent and nature of Cr Bell's interest is that he is a member of the Elgin Bush Fire Brigade. The extent and nature of Cr Kitchen's interest is that his family owns land adjacent to roads included in the Roads Program, and he is a member of the Elgin Bush Fire Brigade.

Cr M Scott declared a Financial Interest in Item 15.1 Adoption of Budget and Differential Rates for 2018-19. The extent and nature of Cr Scott's interest is that he is the recipient of a payment as Deputy Bush Fire Control Officer.

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

**1 / 2018 CONFIRMATION OF MINUTES**

**Moved Cr J Scott, Seconded Cr McCleery**

**That the Minutes of the Ordinary Council Meeting held on 25 July 2018 be confirmed.**

Carried 8/0

**VOTING REQUIREMENTS**

Simple majority

**PLEASE NOTE:** Council has agreed to change the numbering of Decisions in Minutes that will eliminate duplicates and create a unique identifier for Decisions.

The format to be introduced is a sequence in the form of Decision # / Year – i.e. 75 / 2018 – and this can be used for Special or Ordinary Council meetings. A register of these decisions will be maintained that can be filtered and this will allow us to find past history readily.

This change is being implemented immediately with Decision 1 / 2018 in the current minutes (see above). The register will include decisions made in the recent past with the currently allocated numbers.

**ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION**

The Presiding Member announced that Item 15.1 Adoption of Budget and Differential Rates for 2018-19 will be brought forward for consideration before Item 14.1 Tender 18/02 – Construction of Capel Civic Precinct (Stage 4) – Youth & Community Facility.

Cr S Schiano presented two awards to President M Scott that he had received on behalf of Council at the PHAIWA (Public Health Advocacy Institute of Western Australia) Children’s Health and Wellbeing Awards and Breakfast. The awards were presented to the Shire by the Minister for Local Government, Hon David Templeman MLA on 2 August 2018. The awards were in recognition of winning the categories of Child Health and Development, and Shade in Public Places. The Shire also received an “honourable mention” for its Waste Program scoring an A+ on the Report Card.

President M Scott acknowledged the Shire staff who had carried out the work being recognised by these awards and congratulated everyone involved.

Two members of the public left the meeting at 4.55pm and did not return.

**PETITIONS/DEPUTATIONS/PRESENTATIONS**

Mr Matthew Fletcher, Urban Planner with visionstream, gave a presentation on behalf of Telstra, in support of the recommendation in Item 14.2 Development Application – Telecommunications Facility.

The President thanked Mr Fletcher for his presentation.

Hon Cr Omodei left the meeting at 5.01pm and did not return.

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

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



## CHIEF EXECUTIVE OFFICER REPORTS

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### 2 / 2018 (13.1) Chief Executive Officer's Report

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Location:	Whole of Shire
Applicant:	Not Applicable
File Reference:	CM.IU.1
Disclosure of Interest:	Not Applicable
Date:	13.08.18
Author:	Chief Executive Officer, I McCabe
Senior Officer:	Not Applicable
Attachments:	Nil

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#### **IN BRIEF**

This report is prepared by the Chief Executive Officer to provide Council and the Community with information about CEO activities and the operations of the Shire in meeting the Mission of the local government.

#### *Mission*

*Facilitating our Community's Choice by bringing the community together and creating opportunities; enhancing local places and helping the community enjoy positive lifestyles.*

#### **RECOMMENDATION**

**That Council receives the Chief Executive Officer's report as presented.**

#### **COMMENT**

Performance Indicators of the Chief Executive Officer

Section 5.41 of the Local Government Act 1995 defines the functions of the Chief Executive Officer as:

- Advise Council as to written laws;
- Provide advice and information to Council to enable informed Decisions;
- Implement Council Decisions;
- Manage the day to day operations of the local government;
- Liaise with the President about the local government's affairs and performance;
- Speak on behalf of the local government if the President agrees;
- Be responsible for recruitment and other management of staff;
- Ensure records and documents are properly kept; and,
- Perform any other function as required by any written law.

The CEO commenced 2 July 2018 and has a five year performance based employment contract with Council. The key indicators under this contract are based on those agreed by previous office holders or legislative requirements. It is the intention of Council and the CEO to negotiate in the coming months key performance indicators that will deliver on current strategic or operational plans. These will address key responsibilities of the CEO including:

- Strategic and Corporate Planning;
- Council and Public Relations;
- Organisational Leadership;
- Management of Risk

Calendar:

Shire of Capel staff participated in Red25 Councils Blood Challenge and donated blood which will contribute to saving 21 lives.

A soft launch for stage 3 of the Capel Civic Precinct project took place 24 July when the public was able to access the precinct grounds. There are still some minor works occurring and safety is a paramount consideration, so while public reaction is very positive there is a reminder to exercise some care on-site while work progresses toward the official opening.

The opening of the new Dalyellup library occurred on 27 July with participants from the Capel Youth Collective Drama Club dressing as book characters. This group has been mentored by Shire Youth Development Team members Chloerissa Eadie and Curtis Mateljan in a program that won an award in the recent Children's Environment and Health Awards.

Council, Parliamentarians, members of the public and staff were also in attendance.

The Shire of Capel won two awards at the Children's Environment and Health Local Government Policy Awards presented at the recent local government convention – the Child Health and Development award for the Capel Youth Collective Drama Club – and for Shade in Public Places with a revised shade sail program. The Shire of Capel was also recognised with an A+ in the Climate Change category for sustainable policy, waste management and the Recycle Right project. The awards were accepted on 2 August 2018 by Cr Sebastian Schiano with support from Principal Environmental Health Officer, Mark Chadwick, from the Minister for Local Government; Heritage; Culture and the Arts, the Hon. David Templeman MLA.

Congratulations to all involved for the high standard of work on behalf of the district.

Council:

Council met for its ordinary meeting on 25 July 2018. The unconfirmed minutes are available via the local government website (go to Council / Council Meetings / Agenda & Minutes 2018) or on request from Administration.

Prior to the meeting of 25 July 2018, Council received presentations from:

- Main Roads WA Bunbury Outer Ring Road project team (overview level presentation including background history, opportunities and risks associated with the type of project, environmental considerations and a confidential briefing – the briefing was deemed confidential due to the need to speak with a group of landowners prior to any public notice);
- intern event student, Ms Lisa O'Neill presented on a proposal to stage a Community Christmas Festival at Dalyellup 'in December 2018 - this event would be planned to cater for 2,000 attendees and include elements of art and craft, sports, volunteering, entertainment and culture – the event will be widely publicised when funding is confirmed;
- a presentation from Forest and Wood Products Australia; and

the session concluded with a round-table discussion of Shire operations and comments from Council.

The Hon. Steve Thomas MLC joined President Murray Scott and Cr Jennifer Scott in the conferral of Australian Citizenship to 23 residents on 7 August 2018.

Strategic:

There were a significant number of strategic plans in place on my commencement. The challenge for me personally is to learn the background to the development of plans, understand the relevance for the community and forward projects; and look for opportunities to deliver the best outcomes for the community while adding value to our business performance.

The Corporate Business Plan has been rolled out across the business and may be viewed at the Shire website (go to Council / Publications).

Public comment on any strategic document is welcome at any time by emailing [info@capel.wa.gov.au](mailto:info@capel.wa.gov.au), by mail or by hand delivery to Shire administration.

Management:

The CEO represented the local government at a dairy industry conference on 26 July 2018; the West Australian Local Government Association (WALGA) 2018 Local Government Convention in Perth from 1 – 3 August (with Crs Murray Scott, Jennifer Scott and Schiano); with Cr Murray Scott, at a lease signing with the Boyanup Progress Association, for two of the historic Fettler’s Cottages on 10 August 2018.

Key meetings have included:

- the Contiguous Local Area Group (CLAG) to initiate this year’s mosquito control programme; introductory meeting with the South West Development Commission;
- 7 August, with Crs Murray Scott and Jennifer Scott, Hon. Steve Thomas MLC, member for the South West Region, to discuss regional issues;
- 8 August, with Shire President, Cr Murray Scott, introductory meeting with regional management, Department of Fire and Emergency Services (DFES), to discuss emergency services, the rural fire service and arrangements at this local government;
- later that day, with the President Cr Murray Scott, to meet the Minister for the Environment, Disability Services, Hon. Stephen Dawson MLC and representatives of Harvey, Collie, Donnybrook-Balingup and Dardanup local governments to discuss State waste management policy (a State position on waste management across Western Australia will be formulated by November 2018);
- 9 August with Cr Murray Scott, introductory meeting with Garry Green, Iluka Resources Ltd; and
- 10 August with Cr Murray Scott, introductory meeting with Don Punch MLA, Member for Bunbury.

Management work has included various matters related to staff, facilities and community relations, regular operational work and meetings with staff; Council relations has required some hours above what may be usual and this is expected to normalise in coming months.

**STRATEGIC IMPLICATIONS**

All key indicators of the Strategic Community Plan 2018 - 2028

**VOTING REQUIREMENTS**

Simple majority

<b>2 / 2018 OFFICER RECOMMENDATION ITEM 13.1/COUNCIL DECISION</b>
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**Moved Cr Kitchen, Seconded Cr McCleery**

**That Council receives the Chief Executive Officer’s report as presented.**

Carried 8/0

**CORPORATE SERVICES REPORTS**

As announced by the Presiding Member in Announcements, Item 15.1 Adoption of Budget and Differential Rates for 2018-19 was brought forward in the meeting.

Councillors B Bell and D Kitchen declared an Impartiality Interest in Item 15.1 Adoption of Budget and Differential Rates for 2018-19. The extent and nature of Cr Bell's interest is that he is a member of the Elgin Bush Fire Brigade. The extent and nature of Cr Kitchen's interest is that his family owns land adjacent to roads included in the Roads Program, and he is a member of the Elgin Bush Fire Brigade.

Cr M Scott declared a Financial Interest in Item 15.1 Adoption of Budget and Differential Rates for 2018-19. The extent and nature of Cr Scott's interest is that he is the recipient of a payment as Deputy Bush Fire Control Officer.

Cr M Scott left the Chambers, and Cr B Hearne took the Chair in his absence, at 5.03pm.

**3 / 2018 STANDING ORDERS**

**Moved Cr Bell, Seconded Cr McCleery**

**That Standing Orders be suspended to allow debate.**

Carried 7/0

**VOTING REQUIREMENTS**

Simple majority

**4 / 2018 STANDING ORDERS**

**Moved Cr Bell, Seconded Cr J Scot**

**That Council return to Standing Orders.**

Carried 7/0

**VOTING REQUIREMENTS**

Simple majority

**5 / 2018 (15.1) Adoption of Budget and Differential Rates for 2018-19**

Location:	N/A
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	03.08.18
Author:	Executive Manager Corporate Services, S Stevenson
Senior Officer:	Chief Executive Officer, I McCabe
Attachments:	1 2018-19 Rates – "Objects and Reasons" 2 Shire of Capel Budget for the year ending 30 June 2019 [Distributed separately in hard cover to Councillors]

**IN BRIEF**

- Local governments are required by the *Local Government Act (1995)* to prepare an annual budget for financial management of the municipal fund.
- This item relates to the adoption of the Annual Budget for the 2018-19 financial year.

## **RECOMMENDATION**

**That Council consider and adopt the Annual Budget for the 2018-19 financial year as presented including:**

- **differential, minimum and specified area rates;**
- **rate payment discount, instalment interest rate and fee, penalty interest rate and early payment incentive prizes;**
- **rubbish collection and disposal fees and charges;**
- **the waiving of charges and granting of concessions;**
- **the Schedule of Fees and Charges; and**
- **the materiality percentage for monthly financial reporting of variances.**

## **BACKGROUND / PROPOSAL**

### **Background**

On 25 July 2018 Council considered and endorsed the draft Budget for 2018-19 (refer Council resolution OC0708).

### **Proposal**

Council consider the adoption of the 2018-19 Budget, incorporating the Schedule of Fees & Charges, differential, minimum and specified area rates, related concessions, discounts, interest rates and monthly reporting variance.

## **STATUTORY ENVIRONMENT**

Local Government Act 1995, Section 6.2

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

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

*\*Absolute majority required*

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

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

Local Government (Financial Management) Regulations 1996, regulation 26

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

(1) The annual budget is to include for each discount or other incentive to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money –

a) in respect of a discount -

- (i) the amount of the discount, or the percentage discount, to be allowed; and
- (ii) the circumstances in which the discount will be granted;

and

c) in relation to a waiver or concession -

- (i) a brief description of the waiver or concession;
- (ii) a statement of the circumstances in which it will be granted;
- (iii) details of the persons or class of persons to whom it is available; and

- (iv) the objects of, and reasons for, the waiver or concession.

Local Government Act 1995, Section 6.12

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

- (1) Subject to subsection (2) and any other written law, a local government may –
  - a) when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or
  - b) waive or grant concessions in relation to any amount of money; or
  - c) write off any amount of money, which is owed to the local government.

*\* Absolute majority required*
- (2) Subsection 1(a) and (b) do not apply to an amount of money owing in respect of rates and services charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

Local Government Act 1995, Section 6.16(1)

**6.16. Imposition of fees and charges**

- (1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

*\* Absolute majority required.*

Local Government Act 1995, Section 6.28

**6.28. Basis of Rates**

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

Local Government Act 1995, Section 6.32

**6.32. Rates and Service Charges**

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

*\* Absolute majority required*

Local Government Act 1995, Section 6.33

**6.33. Differential General Rates**

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

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

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

- (1) In this regulation
 

**commencement day** means the day on which the *Local Government (Financial Management) Amendment Regulations (No.2) 2012* regulation 5 comes into operation;

**relevant district** means a district that –

  - (a) is declared to be a district by an order made under section 2.1(1)(a) on or after commencement day; or
  - (b) has its boundaries changed by an order made under section 2.1(1)(b) on or after commencement day.
- (2) For the purposes of section 6.33(1)(d), the following characteristics are prescribed in relation to land in a relevant district, where not more than 5 years has elapsed since the district last became a relevant district –
  - (a) whether or not the land is situated in a townsite as defined in the *Land Administration Act 1997* section 3(1);
  - (b) whether or not the land is situated in a particular part of the district of the local government.

Local Government Act 1995, Section 6.34

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

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

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

Local Government Act 1995, Section 6.35

**6.35. Minimum Payment**

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

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

Local Government Act 1995, Section 6.36

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

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so. *(21 days – may be 2 months before financial year)*
- (2) ....
- (3) ....
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- (5) ....

Local Government Act 1995, Section 6.37(1)

**6.37. Specified Area Rates**

- (1) A local government may impose a specified area rate on rateable land within a portion of its district for the purpose of meeting the cost of the provision by it of a specific work, service or facility if the local government considers that the ratepayers or residents within that area –
  - (a) have benefited or will benefit from; or
  - (b) have access to or will have access to; or
  - (c) have contributed or will contribute to the need for, that work, service or facility.

Local Government Act 1995, Section 6.45(1)(2)(3)

**6.45. Options for Payment of Rates or Service Charges**

- (1) A rate or service charge is ordinarily payable to a local government by a single payment but the person liable for the payment of a rate or service charge may elect to make that payment to a local government, subject to subsection (3), by –
  - (a) 4 equal or nearly equal instalments; or
  - (b) such other method of payment by instalments as is set forth in the local government’s annual budget.
- (2) Where, during a financial year, a rate notice is given after a reassessment of rates under section 6.40 the person to whom the notice is given may pay the rate or service charge –
  - (a) by a single payment; or
  - (b) by such instalments as are remaining under subsection (1)(a) or (b) for the remainder of that financial year.
- (3) A local government may impose an additional charge (including an amount by way of interest) where payment of a rate or service charge is made by instalments and that additional charge is, for the purpose of its recovery, taken to be a rate or service charge, as the case requires, that is due and payable.

Local Government Act 1995, Section 6.47

**6.47. Concessions**

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

\* *Absolute majority required*



Local Government Act 1995, Section 6.51

**6.51. Accrual of interest on overdue rates or service charges**

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

\* *Absolute majority required.*

Local Government Act 1995, Section 5.56

**6.56. Planning for the Future**

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

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

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

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

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

Other legislation (i.e.: Freedom of Information Act 1992, Emergency Service Levy Act 2002, Caravan Park & Camping Ground Regulations 1997, Health Act 1911, Waste Avoidance & Resource Recovery Act 2007, Planning & Development Act 2005, Building Services Act 2011) specifies certain fees and charges that may be adopted by Council, and the fee threshold.

Regulation 34(5) of the Local Government (Financial Management) Regulations 1996 states that each financial year a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

## **POLICY IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

### **Budget**

The Budget outlines planned expenditure and revenue and determines the financial parameters for the Shire to operate within for the 2018-19 financial year. The proposed budget for the year is balanced with all revenue to be received during the year and the estimated brought forward surplus being expended on meeting operating expenditure demands, the capital works program and transfers to reserves for future year's expenditure.

The fees and charges when adopted will determine the amount of revenue to be received during the 2018-19 financial year for certain areas. This income has been forecast in the budget income projections.

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

For the 2018-19 Budget it is proposed a total of \$12,455,956 be raised from general property rates and \$671,834 from specified area rates.

A generally balanced (break-even) position for the 2018-19 year provides a small estimated carried forward surplus at 30 June 2019 of \$18,637 but this will vary depending upon the final brought forward surplus/deficit from 2017-18.

### **Long Term**

The current Long Term Financial Plan incorporates a 6% increase in general rates yield for the 2018-19 year with 4% thereafter.

Minimum rates have increased by 6%. However, the future level of rates increase will continue to be reassessed as part of the planning process and in the context of the level of population growth and community requirement. Discretionary expenditure on capital works and other service areas will continue to be closely managed to ensure the financial sustainability of the Shire is maintained.

## **SUSTAINABILITY IMPLICATIONS**

The Budget includes a number of projects that will have a positive environmental impact. The levying of property rates has an environmental impact in that approximately 7,571 rate notices will be distributed in a paper based medium.

Many of the projects proposed in the Budget will provide a direct social benefit for the community. Increased property rates have the potential to have a social impact in terms of their affordability. Bearing in mind property rates also create a financial burden on customers, every effort has been made to minimise the size of the rate increase.

The projects in the Budget will generate a significant economic benefit for the Shire and some businesses within the Shire of Capel will share in this benefit. Property rates are the Shire's main area of "own source" revenue and it is therefore essential rate revenue be raised in a timely manner. To this extent, they allow the continued financial operation of the Shire in a sustainable manner.

There are no environmental impacts expected from the adoption of fees and charges. The increased fees and charges are not expected to have any social impact on the use of Shire services.

Increases to fees and charges will result in increased economic benefit to the Shire and whilst the increases will need to be paid by the users of the services, the extent of the increases are not expected to cause any undue economic hardship.

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018 – 2028

The Leadership Experience, *'Open, transparent, and effective good governance.'*

Community Objective:

1.6 Council is effective and efficient in the financial management stewardship of community assets.

The Community Experience, *'Facilities and services that accommodate the diverse needs of the community and providing a safe place to live, work and visit.'*

Community Objective:

2.1 Council works in partnership with the community in providing appropriate services and facilities

The Infrastructure Experience, *'To ensure safe, sustainable and efficient infrastructure and transport networks.'*

Community Objective:

5.3 Working together to meet the needs of changing infrastructure requirements.

### **CONSULTATION**

The Annual Budget includes items and projects that have been suggested by Councillors, the community and staff. It has been reviewed in draft form by Council and by management in the budget preparation stages. Many projects which have been included in the 2018-19 budget have been previously reviewed as part of the Long Term Financial Plan.

The Shire departments involved with the administration of the various services involved were consulted and provided input to the proposed schedule of fees and charges.

The proposed differential rates were advertised for public comment in an advertisement placed in the *South Western Times* on Thursday 14 June 2018. Ratepayers and electors were invited to provide submissions by 4.00pm on Friday 6 July 2018. No submissions were received.

In accordance with Section 6.35(5) of the Local Government Act 1995, an application was made to the Department of Local Government, Sport and Cultural Industries on 9 July 2018 requesting the Minister's approval to impose a minimum rate for the Vacant Residential and Urban differential rate category that exceeds 50%. The number of properties that the minimum rate of \$1,345 applies to is 85%. Ministerial approval was received on 9 August 2018.

### **COMMENT**

The 2018-19 budget document includes the following information:

- Commentary section incorporating:
  - Directory of the Council;
  - Message from the President;
  - Budget Highlights;

- Graphs of operating Revenue and Expenditure;
  - Comparison of Key Statistics;
  - How a Rate Dollar is allocated; and
  - The Budget in Overview.
- Financial statements including the Statement of Comprehensive Income (Income Statement) by Nature or Type, Statement of Comprehensive Income (Income Statement) by Program, Cash Flow Statement and Rate Setting Statement;
  - Notes to and forming part of the budget including notes on:
    - Significant Accounting Policies;
    - Operating Revenue and Expenditure;
    - Acquisition and Disposal of Assets;
    - Information on loan borrowings;
    - Reserve funds;
    - Net Current Assets;
    - Rating Information including Specified Area Rating;
    - Fees & Charges;
    - Grants and Contributions; and
    - Asset Management.
  - Detailed Financial Information at account level with Explanatory Notes provides a greater level of detail for each account. This information is formatted with the account number, description and totals for the 2018-19 Budget, 2017-18 Actual (estimated end of year position) and 2017-18 Budget on the left hand page. The right hand page provides a break-down of the major components (expenditure or revenue items) of each account that has been included in the 2018-19 Budget column.
  - 2018-19 Differential Rates – Objects and Reasons;
  - 2018-19 Capital Works Program; and
  - 2018-19 Schedule of Fees & Charges.

The following changes have been made to the draft Budget provided to Council at its meeting on 25 July 2018, the Rate Setting Statement has been amended and shows essentially a balanced result.

The budgeted result of \$18,637 for 2018-19 assumes that a surplus of \$31,771 will be recorded for 2017-18. However, as the annual financial statements have not been completed, this forecasted result is only a projection and may be subject to change.

#### Changes to the Draft Budget

Following the Council meeting on 25 July 2018, the following changes have been processed in the Budget document:

- \$15,000 has been added to Account 126620 for the remediation of the sports oval in Boyanup.
- \$17,427 has been added into capital account 107440 for building works at the Elgin Fire Shed. It is anticipated that this will be fully funded from third party sources with income appearing in Account 107230.
- Budgeted depreciation for 2018-19 has been updated for additional capital expenditure. This revision has increased budgeted depreciation from \$4,266,480 to \$4,402,369.
- Rates revenue in Account 100110 has been reduced by \$42,867 to reflect the probable rates waiver for Access Housing in 2018-19.

- Loss on asset disposal has been updated to reflect updated written down values and has resulted in a loss on disposal of \$16,892.
- Minor changes in movements to and from Reserve accounts.
- Changes in overhead allocations for Administration and Engineering Overheads for 2018-19. This does not change the total allocation, but affects the percentage of cost allocated to the various cost areas. This is undertaken periodically to ensure the overhead allocations reflect actual cost allocations; and
- Other minor variations to other grants, income, subscriptions, interest and expense areas to reflect updated information.

#### Rates, Discounts, Penalties and Instalments

The rates in the dollar and minimum rates included in the budget document are the same as those approved by Council at its meeting on 11 June 2018.

In accordance with Section 6.35(5) of the Local Government Act 1995, application was made on 9 July 2018 to the Department of Local Government, Sport and Cultural Industries requesting the Minister's approval to impose a minimum rate for the Vacant Residential & Urban Development differential rate category that exceeds 50%. The number of properties that the minimum rate of \$1,345 applies to in this category is 85%.

Ministerial approval for the proposed 2018-19 minimum rate was received on 9 August 2018.

As part of the review process, the Department of Local Government, Sport and Cultural Industries requested that the Shire consider further consolidation of its "Objects and Reasons" for the 2018-19 financial year. This has been completed and is included in the Annual Budget document for 2018-19.

Council agreed, at its meeting on the 11 June 2018, to a 6% increase in the rate in the dollar across all categories of properties within the Shire. Taking into account interim rates and new properties or lots becoming rateable during 2017-18 and estimated interim rates for 2018-19, the rates yield budget 2017-18 to budget 2018-19 will be an increase of 7.4%. Council has also endorsed a 6% increase in the minimum rate applicable from \$1,269.00 to \$1,345.00.

This increase is necessary to fund increases in the cost of the goods and services used by the Shire as well as fund the delivery of services to meet the needs of a rapidly growing area.

This rate increase has contributed to a balanced budget for the year. Revenue from general property rates including interim rates of \$67,133 is budgeted to be \$12,455,956. This is in line with the draft budget presented to and endorsed by Council on 25 July 2018 with the exception of the adjustment for Access Housing.

Penalty interest rate for rates not paid by the due date and rate payment instalment options and interest rate have been retained in percentage terms as per 2017-18 rates.

- The penalty interest to be charged on rates outstanding after the due date and for which the instalment option has been retained at 10%. 11% is the maximum amount stipulated by Regulation.

It is proposed that this penalty interest rate be changed to be based on the penalty interest rate applied by the Australian Taxation Office General Interest Charge (GIC) rounded up to the nearest half percentage plus 1% (8.96% for July – September 2018). This is in response to Ministerial Circular 11-2012 where the Minister sought a sector wide focus on administrative charges being based on cost recovery.

The GIC is based on the 90 day bank accepted bill rate plus an uplift factor of 7%. The definition of the 90 day bank accepted bill rate is the average mid rate for Australian dollar prime bank bills of exchange, accepted by an approved 'prime bank'. Prime bank designation approved by the Australian Financial Markets Association.

*"The uplift factor is intended to make the GIC rate sufficiently high to discourage the use of tax debts as a source of business or private finance. However, the uplift factor is not intended to serve as a 'culpability penalty' that is, it is not a penalty for having engaged in blameworthy conduct. The GIC also serves to compensate the Australian Government for the impact of late payments, as delays in tax receipts mean that government borrowing and interest costs are higher than otherwise need be."* (ATO)

This principle established in the determination of a Penalty Interest Charge by the ATO is proposed to form the basis for the determination of the penalty interest to be charged on rates outstanding after the due date.

The budgeted interest charge will remain at 10% for 2018-19.

- Rates can be paid in four instalments two months apart, provided there are no outstanding rates from the previous year. An instalment charge of \$11.00 is applicable to the second, third and fourth instalment. This remains unchanged from 2017-18.

Interest charges paid on instalments were 3.5% in 2016/17. 5.5% is the maximum amount stipulated by Regulation. In response to Ministerial Circular 11-2012 where the Minister sought a sector wide focus on administrative charges being based on cost recovery, it is proposed that this instalment interest rate be based on the average market interest rate available for a 12 month term deposit of \$100,000 in Western Australia, rounded up to the nearest half percentage.

The InfoChoice website ([www.infochoice.com.au](http://www.infochoice.com.au)) provides this market comparison, which on the 30 July 2018 was on average between 2.30% - 3.00%. The comparative range for 2017-18 was between 2.55% - 3.05%. As there is very little movement year on year, the resultant instalment interest charge will remain at 3.5% for the 2017-18 financial year.

Rates incentive prizes for rates paid in full and received by Council by 4.30pm on the first due date are offered to ratepayers. Three prizes of Bendigo Bank savings accounts of \$500.00, \$300.00 and \$200.00 are anticipated to be offered again provided by the Donnybrook Capel Districts Community Bank Branch of Bendigo Bank.

### Rubbish and Service Charges

Council has endorsed the refuse collection fees below. The Waste Transfer Fee and Refuse Collection Fees for the 2 bin and the 3 bin kerbside collection service have remained at the 2017-18 level. The summary is detailed below:

	3 Bin			2 Bin		
	2018/19	2017/18	2016/17	2018/19	2017/18	2016/17
Refuse Collection	254	254	254	191	191	191
Waste Transfer Fee	80	80	80	80	80	80
Green and Hard waste fee	31	31	30	13	13	12
<b>Total Fee</b>	<b>365</b>	<b>365</b>	<b>364</b>	<b>284</b>	<b>284</b>	<b>283</b>

For ratepayers provided with the 3 bin service (primarily in residential areas), the total Refuse Collection Charge will be \$365.00. For ratepayers provided the 2 bin service (primarily rural, semi-rural, industrial and commercial areas), which consists of the domestic and recycling pickup

service, the total Refuse Collection Charge will be \$284.00. This fee will be shown as individual elements on rates notices when levied.

### Rate Concessions

Council has a number of properties where it needs to grant a rate concession or waive the rates each year, when adopting its Budget. Details are as follows:

- Sussex Location 1328, Capel Tutunup Road – GL Roberts. This property is held in one title, but is divided by the Ludlow River; hence the property is partly located in both the Capel Shire and City of Busselton. As a result, the section located in the Shire of Capel attracts the minimum rate for rural land each year and is more than Mr Roberts would be levied if it was based on the rate in the dollar. Since 1997, Council has agreed to grant a concession to Mr Roberts each year.
- Late payment penalty interest resulting from monthly rates payment made by Access Housing for properties located within the Shire of Capel (refer minute OC0611) should a full waiver not be granted;
- A rate concession to all ratepayers in Dalyellup is requested in order to cap the specified area rate for Dalyellup Parks & Gardens Maintenance at \$186.88. The amount of this specified area rate has been retained at the 2017-18 level. The impact of this concession is that almost all properties will be rated the \$186.88 maximum rate.
- The amount budgeted to be raised from the specified area rate, including interim rates, is \$671,834. This is more than half of the total expenditure budget for maintenance of gardens and public open space in Dalyellup of \$893,121. An additional \$50,000 will be utilised to fund additional POS maintenance provisions. The Dalyellup Specified Area Rate reserve is expected to be \$945,719 at the end of 2018-19. This is a reduction of \$238,139 on the 2017-18 forecast of \$1,183,858. This is held in reserve to compensate for expenditure increases in maintenance costs or unexpected costs being incurred.

### Fees and Charges

Some minor amendments to the Schedule of Fees and Charges presented to Council at its meeting on 27 June 2018 (refer minute OC0618) include:

- A new kennel licence fee (establishment or renewal) of \$200.00 under Cat Registration;
- Updates to statutory fees associated with development applications for 2018-19.

These fees are set under the *Planning and Development (Development Assessment Panels) Regulations 2011*.

### Summary

The Budget document as presented to Council is complete in its format. However, as the information relating to the 2017-18 financial year is still being compiled and is subject to end of financial year audit scrutiny, the brought forward position for 2018-19 is likely to change. All of the explanatory text associated with the Budget has been prepared and is included with the document provided with this item and Councillors are asked to refer to this text for additional commentary on the budget.

Once adopted by Council this document, after the relevant noted amendments, will be the final Budget and will be provided to the Department of Local Government, Sport and Cultural Industries by the end of August 2018 as is required by the Local Government Act (1995).

To complete the budget process for 2018-19 there are a number of formal decisions required and these are outlined in the staff recommendations.

Materiality Limit

Local Government Financial Management Regulation 34 (5) requires that each financial year a local government adopts a percentage or value, calculated in accordance with the Australian Accounting Standards (AAS).

This percentage or value is required to guide the users of financial reports regarding variances in actual to budget expenditures and revenues. Specifically the intention is to highlight variances that are important or significant due to their magnitude and possible impact.

Having regard to the fact that the users of these financial reports are management and Council requiring assistance with making management decisions, 10% has been considered a reasonable lower limit for highlighting material variances. However, this limit could be adjusted in the future if necessary and the use of this limit also does not preclude reporting lesser variances if it is considered their disclosure would be of benefit to the user of the financial report. It is therefore proposed that the materiality limit remain at 10% for 2018-19.

Council last approved the materiality limit of 10% at its meeting on 26 July 2017 (minute reference OC0712) as part of the annual budget approval process. As legislation requires this approval be provided every year, it is recommended it continue to be considered as part of the annual budget approval process.

Compliance Audit Return – Executive Functions

As part of the annual Compliance Audit Return process, Council is requested to attest to whether it has satisfied the provisions of Section 3.18 of the Local Government Act 1995. This section is entitled “Performing Executive Functions” and Part 2 deals with a local government providing services and facilities. Part 3 states that a local government is to satisfy itself that the services and facilities it provides are properly managed, avoid unnecessary duplication with other sectors and integrate and coordinate as far as practicable with other sectors.

At the Audit Committee Meeting on 9 March 2011, Councillors queried how this compliance could be substantiated. The advice provided from the Department of Local Government in a letter dated 4 April 2011 is as follows:

*“The Department notes your comment that in adopting the annual budget to fund the services and facilities proposed, tacit acceptance of compliance with this section of the Act is given. There is no specific prescribed manner in which the local government is to satisfy itself that it has conformed with section 3.18 and in the Department’s view, the absence of a specific resolution of Council does not of itself indicate non-compliance. However it is suggested that the following resolution as part of budget adoption would clearly indicate that the Council has considered and deliberated on this.”*

In accordance with this advice an additional staff recommendation, that replicates the wording of that provided by the Department of Local Government, has been included for Council’s consideration.

**OFFICER’S RECOMMENDATIONS – 15.1**

**VOTING REQUIREMENT**

Absolute majority



**5 / 2018 STAFF RECOMMENDATION 1/COUNCIL DECISION**

Moved Cr Bell, Seconded Cr J Scott

That Council, in accordance with Section 6.36 of the Local Government Act 1995, adopts the following differential, minimum and specified area rates for the year ending 30 June 2019:

	Rate in \$	Minimum
<b>Differential Rating:</b>		
- Residential & Urban Development (zone groups 1 & 3 GRV)	7.7815 cents	\$1,345.00
- Residential & Urban Vacant (zone groups 2 & 4 GRV)	13.3987 cents	\$1,345.00
- Town Centre / Special Use / Light Industry Vacant (zone groups 6 & 9 GRV)	8.1473 cents	\$1,345.00
- Town Centre/Light Industry / Commercial Use Urban Development (zone groups 5,7 & 8 GRV)	8.1473 cents	\$1,345.00
- Land Use – Rural Commercial Use (zone group 10 – UV)	0.4876 cents	\$1,345.00
- Rural (zone group 11 – UV)	0.4876 cents	\$1,345.00
- Special Rural (zone group 12 – GRV)	6.7259 cents	\$1,345.00
<b>Specified Area Rating:</b>		
- Dalyellup Parks, Reserves Maintenance (GRV) Purpose: Parks and Reserves Maintenance	4.8160 cents (to a maximum of \$186.88 per assessment)	Nil

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Absolute majority

**6 / 2018 STAFF RECOMMENDATION 2/COUNCIL DECISION**

Moved Cr J Scott, Seconded Cr Kitchen

That Council grants a rate concession for 2018-19, under Section 6.47 of the Local Government Act 1995, to limit the Specified Area Rate for Dalyellup Parks and Reserves Maintenance to a maximum amount of \$186.88 for all ratepayers in zone groups 3 and 4 (Dalyellup) who are levied the Specified Area Rate for the maintenance of parks and reserves.

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Absolute majority

**7 / 2018 STAFF RECOMMENDATION 3/COUNCIL DECISION**

Moved Cr Kitchen, Seconded Cr J Scott

That Council grants a rate concession for 2018-19, under Section 6.47 of the Local Government Act 1995, to GL Roberts for Sussex Location 1328 Capel Tutunup Road (A94), by levying a rate on the property calculated at the adopted rate in the dollar for rural land (Rate zone group 11) disregarding the application of the minimum rate.

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Absolute majority

**8 / 2018 STAFF RECOMMENDATION 4/COUNCIL DECISION**

Moved Cr Bell, Seconded Cr McCleery

That Council grants a rate concession for 2018-19, under Section 6.47 of the Local Government Act 1995, to Access Housing Australia Limited by waiving late penalty interest and charges incurred from monthly payment of rates on properties owned by Access Housing which are located within the Shire of Capel, should a full waiver not be granted.

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Absolute majority

**9 / 2018 STAFF RECOMMENDATION 5/COUNCIL DECISION**

Moved Cr J Scott, Seconded Cr Kitchen

That Council:

1. In accordance with Section 6.45 (1) (b) of the Local Government Act 1995, offers the following options for the payment of rates:
  - Option 1 – payment in full by a single instalment 35 days after the issue date of the annual rates notice (5 October 2018); and
  - Option 2 – payment in four equal instalments at intervals of two calendar months (5 October 2018, 5 December 2018, 5 February 2019, 5 April 2019) with the first instalment being payable 35 days after the issue date of the annual rates notice (5 October 2018).
2. In accordance with Section 6.45 (3) of the Local Government Act 1995, imposes an interest rate on instalments of 3.5% for the second, third and fourth instalments.
3. In accordance with Section 6.45 (3) of the Local Government Act 1995, imposes an administration fee of \$11.00 to the second, third and fourth instalments.
4. In accordance with Section 6.51 of the Local Government Act 1995, imposes a late payment penalty interest rate of 10% on rates that have not been paid by the due date and where instalment option 2 has not been taken up.
5. Offers incentive prizes for rates paid in full and received by 4.30pm on the first due date shown on the annual rates notice (5 October 2018).

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Absolute majority

**10 / 2018 STAFF RECOMMENDATION 6/COUNCIL DECISION**

Moved Cr J Scott, Seconded Cr Kitchen

That Council, in accordance with Section 6.16 of the Local Government Act 1995, adopts the Schedule of Fees and Charges as presented in the Budget 2018-19 for the year ending 30 June 2019.

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Absolute majority

**11 / 2018 STAFF RECOMMENDATION 7/COUNCIL DECISION**

Moved Cr J Scott, Seconded Cr Bell

That Council, in accordance with Section 6.2 of the Local Government Act 1995, adopts the Annual Budget for the year ending 30 June 2019, acknowledging the changes noted contained will alter some of the annual budget content and authorises the Chief Executive Officer to effect changes to the budget document before distribution.

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Absolute majority

**12 / 2018 STAFF RECOMMENDATION 8/COUNCIL DECISION**

Moved Cr Kitchen, Seconded Cr J Scott

That Council, in accordance with Local Government Financial Management Regulation 34(5), adopts a percentage of plus or minus 10% to be used for the reporting of variances of actual expenditure and revenue to budgeted expenditure and revenue in the monthly report of financial activity for 2018-19.

Carried with an Absolute majority 7/0

**VOTING REQUIREMENT**

Simple majority

**13 / 2018 STAFF RECOMMENDATION 9/COUNCIL DECISION**

Moved Cr Bell, Seconded Cr McCleery

That Council, in accordance with Section 3.18 of the Local Government Act 1995, advises it is satisfied that the services and facilities it provides and which are funded in the 2018-19 Annual Budget:

- integrate and coordinate, so far as is practicable, with any provided by the Commonwealth, State or any public body;
- do not duplicate, to an extent that the Council considers inappropriate, services or facilities provided by the Commonwealth, State or any other body or person, whether public or private; and
- will be managed efficiently and effectively.

Carried 7/0

**VOTING REQUIREMENTS**

Absolute majority

<b>14 / 2018 STAFF RECOMMENDATION 10/COUNCIL DECISION</b>
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**Moved Cr McCleery, Seconded Cr Bell**

**That Council, in accordance with The Department of Local Government, Sport and Cultural Industries 'Rating Policy: Differential General Rates' and 'Rating Policy: Minimum Payments' Guidelines, adopts the 2018-19 Rates "Objects and Reasons" for the 2018-19 financial year.**

Carried with an Absolute majority 7/0

Cr Hearne vacated the Chair at 5.21pm and Cr M Scott returned to the Chambers and resumed the Chair at 5.21pm.

**ENGINEERING AND DEVELOPMENT SERVICES REPORTS**

Councillor D Kitchen declared an Impartiality Interest in Item 14.1 Tender 18/02 – Construction of Capel Civic Precinct (Stage 4) – Youth & Community Facility. The extent and nature of his interest is that he is an employee of the Department of Finance with the Australian Government.

**15 / 2018 STANDING ORDERS**

**Moved Cr M Scott, Seconded Cr Schiano**

**That Standing Orders be suspended to allow debate.**

Carried 8/0

**VOTING REQUIREMENTS**

Simple majority

Ms Anderson left the meeting at 5.50pm and did not return.

Two members of the public left the meeting at 6.01pm.

Mr Davis left the meeting at 6.03pm and did not return.

Mrs Evans left the Chambers at 6.05pm and returned at 6.07pm.

One member of the public returned to the Chambers at 6.10pm.

One member of the public left the Chambers at 6.22pm.

**16 / 2018 STANDING ORDERS**

**Moved Cr Hearne, Seconded Cr Kitchen**

**That Council return to Standing Orders.**

Carried 8/0

**VOTING REQUIREMENTS**

Simple majority

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**24 / 2018 (14.1) Tender 18/02 - Construction of Capel Civic Precinct (Stage 4) - Youth & Community Facility**

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Location:	Forrest Road, Capel
Applicant:	Shire of Capel
File Reference:	LP.CP.9
Disclosure of Interest:	Nil
Date:	01.08.18
Author:	Strategic Project Officer, S Mahmud
Senior Officer:	Executive Manager Engineering & Development Services, J Gick
Attachments:	1 Capel Civic Precinct Development Plan 2 Artist's Impression 3 Capel Civic Precinct Stage 4 Layout Plan 4 Summary of Tender submissions (CONFIDENTIAL)

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**IN BRIEF**

The Council is requested to consider the report on the tender submissions for the construction of Capel Civic Precinct (Stage 4) - Youth & Community Facility and appoint BGC Construction Pty Ltd as the successful tenderer.

## **RECOMMENDATION**

**That Council delegates authority to the Chief Executive Officer to accept the tender from BGC Construction Pty Ltd for \$5,214,579 (including GST) as detailed in Tender No. 18/02 for construction of Capel Civic Precinct (Stage 4) - Youth & Community Facility.**

## **BACKGROUND/PROPOSAL**

### **Background**

July 2008 (OC0714) - The formulation of a master plan for the Capel Civic Precinct (the 'Precinct') was identified as a 'High' priority action in the Capel Townsite Strategy

November 2011 (OC1113) - Council adopted the Capel Civic Precinct Master Plan for final approval as a guide to more detailed planning, development and use of the Precinct.

April 2013 (OC0410) - Council adopted the Capel Civic Precinct Detailed Landscape Design and Development Plan as an operational guide to future design, use and staged development of the Capel Civic Precinct for community and recreation purposes.

January 2015 – MPM Engineering consultants engaged to prepare design drawings and specifications for Stages 1 and 2.

August 2015 – Council included in the 2015/16 budget an allocation of \$2 million to be obtained through loan borrowings. The outcome of Council's ability to borrow the required amount was subject to the final audit of Council's 2014/15 year and the application to WA Treasury Corporation being approved.

September 2015 (OC0903) - Council delegated authority to the Chief Executive Officer to accept the tender from APH Contractors for \$1,266,066 (including GST) as detailed in Tender No. 15/04 for the Capel Civic Precinct Stage 1 and 2 Construction Works, subject to a \$2 million loan approval in principle being received from WA Treasury Corporation.

October 2015 - \$2 million loan approval received from the WA Treasury Corporation.

October 2015 – The (then) Department of Lands advised that the purpose of Reserve 7574 will need to change from "Recreation" to "Recreation and Community".

June 2016 - Capel Civic Precinct Stages 1 and 2 completed.

July 2016 - Negotiations started with the Anglican Diocese of Bunbury (Bunbury Diocese) to gain tenure to land for the development of Capel Civic Precinct Stage 3A car park.

September 2016 - The (then) Department of Lands (DoL) recommended investigation of a long term lease, as the subject land is held by the Bunbury Diocese as freehold, with conditions and subject to section 75 of the Land Administration Act 1997. The State holds the equity of the land value.

December 2016 - McLeods Barristers & Solicitors were engaged to prepare the draft lease agreement with the Bunbury Diocese.

February 2017 – The Director General of (then) Department of Lands approved the recommended change of purpose on the Reserve Management Order.

May 2017 - Draft lease document was reviewed and approved by the Bunbury Diocese. The final draft was sent to Department of Lands for the consent of the Minister for Lands.

June 2017 – The final draft reviewed by the DoL and a copy of the Minister’s consent attached with the lease agreement.

June 2017 - Cardno appointed as design consultant and superintendent to prepare tender and construction documentation, assist in tendering and delivery of the Capel Civic Precinct Stage 3 and 3A.

July 2017- Council included in the 2017-18 budget an allocation of \$943,964 for the development of Stage 3 and 3A.

July 2017 - (OCO708):

That Council:

1. Council enters into a lease for car parking – portion of Lot 3 (No. 88) Capel Drive, Capel with Bunbury Diocesan Trustees for the development and management of a car park for a period of 20 years commencing from the date of signing the agreement.
2. Council delegates authority to the Shire President and Chief Executive Officer to affix the common seal of the Shire of Capel to the lease for car parking – portion of Lot 3 (No. 88) Capel Drive, Capel.

October 2017 – the Minister for Lands signs the necessary documents for the change of purpose on the Reserve Management Order for Reserve 7574, for advertising.

October 2017 and November 2017 - \$2,361,900 funding from Building Better Regions Fund and \$2,300,000 funding from Royalties for Regions secured. Complementary funding from Lotterywest (\$1,533,260) and Department of Communities (\$50,000) was already secured in 2016.

November 2017 - The Shire advertised a public tender for the development of Capel Civic Precinct Stage 3.

December 2017 (OC1210) - Council delegated authority to the Chief Executive Officer to accept the tender from Perkins (WA) Pty Ltd for \$2,709,800 (including GST) as detailed in Tender No. 17/04 for Capel Civic Precinct Development Works.

February 2018 - July 2018 - Capel Civic Precinct Stage 3 was completed.

March 2018 – Minister for Lands signs documents for the change of purpose on the Reserve Management Order, ready for tabling in both Houses of Parliament.

June 2018 - Public tender advertised for the Construction of Capel Civic Precinct (Stage 4) Youth & Community Facility.

July 2018 – The proposed change of purpose for Reserve 7574 from “Recreation” to “Recreation and Community” is tabled in Parliament.

### **Location and Description**

The Precinct generally comprises the land between Forrest Road, Capel Drive, Buchanan Road and Roe Road, including Reserves 4621 and 7574, the Saint John’s Anglican Church site and the former service station site, as depicted in the Capel Civic Precinct Development Plan, attached.

Reserve 4621 comprises an area of 1.57ha and is vested for the purpose of ‘Municipal Offices and Community Purposes’ with a management order in the Shire of Capel.

Reserve 7574 comprises Erle Scott Reserve, an ‘A’ class reserve 1.62ha in area vested with the Shire of Capel for the purpose of ‘Recreation’ and with power to lease for 21 years subject to the Minister’s consent. The Management Order is currently before Parliament.



Stage 3A is a carpark on land subject to the lease with the Bunbury Diocese.

### **Proposal**

To consider the tender submissions for the Construction of Capel Civic Precinct (Stage 4) -Youth and Community Facility. The development of Stage 4 includes the following works:

- A multipurpose community centre (955m<sup>2</sup> approximately);
- A youth space (285m<sup>2</sup> approximately);
- One electric car charge bay;
- A new car park area with 41 car bays including 2 acrod bays; and
- Multiuse path and landscaping.

The general layout is depicted in the Capel Civic Precinct Stage 4 Layout Plan, attached.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995 s3.57 requires Local Government to invite tenders and points to the Regulations.

Regulation 11(1) of the Local Government (Functions and General) Regulation requires all goods and services with a value in excess of \$150,000 to be subject to a public tender process.

### **POLICY IMPLICATIONS**

The following Council policies apply

1. Policy 2.8 – Purchasing;
2. Policy 2.9 - Budget Management - Capital Acquisitions & Works;
3. Policy 2.25 – Corporate Sustainability;
4. Policy 2.28 – Risk management Framework;
5. Policy 2.33 – Asset Management;
6. Policy 3.14 - Occupational Safety & Health;
7. Policy 6.13 – Capel Townsite Strategy; and
8. Policy 6.14 – Capel Town Public Open Strategy.

### **RISK IMPLICATIONS**

There are a number of risks that could be detrimental to this project. The concept of 'risk' is based on two parameters: the probability of an event occurring, and the consequences of that event, if it occurs. For this project, the most significant consequences for each of the risks listed below is the financial impacts to Council's budget.

### **Tender Acceptance**

The proposal to appoint BGC Construction Pty Ltd as the preferred tenderer for the construction of Capel Civic Precinct Stage 4 is itself a low risk, as BGC Construction Pty Ltd submitted a comprehensive tender document along with the lowest price submission. This represents good value for money, however, there is typically some risk associated with variations to contract, project time line, inclement weather etc.

### **Contract Variations**

Experience of four previous major projects in the last few years shows at least 5% contingency was required to manage contract variation risk. The risk of variations depends on a number of factors including tender documentation, contract control, project management and externalities. In an ideal world, all issues would be addressed through exceptional design and specifications. Experience demonstrates that this is unlikely in complex infrastructure projects.

The following table demonstrates a moderate level of project expenditure increases at construction stage, through contract variations.

Project	Tender Price (excl GST)	Actual Project Cost (excl GST)	Variance (%)	No. of Variations
Capel Administration Building	\$2,466,931	\$2,537,858	\$70,927 (3%)	unknown
Construction of East Dalyellup Sports Pavilion	\$926,002	\$987,314	\$61,311 (7%)	08
Development of Capel Civic Precinct Stage 1 and 2	\$1,150,969	\$1,339,426	\$188,457 (16%)	40
Development of Capel Civic Precinct Stage 3	\$2,463,455	\$2,663,455	\$104,840 (4.2%)	55

The budget for this project is \$4,751,949 (over two years), which includes this contract, superintendence and some contingency. Based on current budget and tender price (\$80,000 included as contingency), the project provides no further contingency, and will exceed budget in 2019/20.

### Project Time Line

The project timeline is critical in accordance with the Commonwealth Standard Grant agreement (Building Better Region Fund). As per the agreement, the project must be completed on, or before 1 November 2019. If the project fails to be completed within the specified date, recovery of a portion of grant fund will be in jeopardy.

Achieving completion of the project by November 2019 is a genuine risk as experience on project of this scale shows they typically require 15-18 months. However, discussion with the project architects indicates that delivery within 14 months is achievable. The preferred Tenderer's program shows completion of the project by 1 November 2019. This risk will need to be re-emphasised to the contractor upon appointment as non-delivery to the agreed timeline significantly increases the Council's financial exposure.

The preferred Tenderer has also submitted an estimated Monthly Value of Work Completion table that demonstrates anticipated expenditure on the project, commencing in October 2018 and concluding in December 2019. Commencement of the project in late September / early October will realise the initial invoice period of October 2019 following contract administration, possession of site and mobilisation. If, however, the project spills over to December 2019, the funding agreement with the Commonwealth (Building Better Regions Fund – Infrastructure Projects) may attract non-payment of funds that extend beyond the 1 November 2019 agreement completion date.

The cash flow table submitted by the preferred Tenderer anticipates an invoice of \$275,000 for November 2019 and another for \$385,000 for December 2018. If the project stays true to the tenderer's scheduled timelines, it is possible that the project will be 100% completed by 1 November 2019. If the program spills beyond that date, the Shire may forfeit all or a proportion of the outstanding invoice estimate of \$385,000 for works in December 2019. This figure may increase if there are delays beyond this time.

There are two means to mitigate this risk. Firstly, the Grant Agreement provides clauses to address project variation. However, the program guidelines advise that no project may be completed beyond 31 December 2019. It may therefore, be possible to explore a small extension of time to the agreement.

Secondly, the Shire has sought and received written confirmation from the preferred Tenderer, that it is satisfied with its submission documentation and that it contains 'no specific variations, substitutions, omissions or provisions not obvious in the bid'. If an intensification is to be

achieved by methods that incur additional costs, those costs could reasonably be passed onto the Shire as variations. Examples may include provision to work extra hours on weekends, provision of overtime, fast tracking statutory approvals, scope reduction or Shire subsidised activities.

Ideally, an extension of time to the funding agreement could be achieved to reduce the risk of further costs.

### **Inclement Weather**

Inclement weather can be a cause of delay to the project. To mitigate that risk, a provisional delay period is included in the tender documents and all tenderers were requested to allow the provisional delay period as per the below table in their work program.

#### Provisional Delay Period

Jan	0	May	3	Sep	2
Feb	1	Jun	4	Oct	1
Mar	1	Jul	5	Nov	1
Apr	1	Aug	4	Dec	0

The Contractor shall only be entitled to the inclement weather for delays specified, under the following conditions:

- Only in the month the day(s) relate to; and
- Following submission of relevant notices, claims and supporting information in accordance with the contract.

Instead of granting an extension of time for any such delay, the Superintendent shall issue to the Contractor a notice reducing the provisional period by the amount of the extension of time that would otherwise have been granted. Nonetheless, inclement weather, regardless of the contractual arrangements, can add real time delays to the whole schedule. If the roof of the building is in place before the 2019 winter rains come, it may be possible to redirect some works to avoid delays due to inclement weather.

### **Risk of not proceeding with Stage 4**

Due to the co-dependence of funding arrangements, there is an expectation from external funding providers that Stage 4 will proceed. The co-dependence of funding links delivery milestones that, if not met, can trigger a breach of the funding agreement. As such, there may be a need to refund already spent funds to the grant provider, if the project does not proceed.

\$6,195,160 external funds has been granted from Commonwealth, Royalties for Regions and Lotterywest to implement Capel Civic Precinct Stages 3, 3A and 4. Some of these funds have already been used for the development of Stage 3.

As per the funding agreement with South West Development Commission and Commonwealth of Australia, the allocated grant amount must complete the Capel Civic Precinct Stages 3, 3A and 4. If Stage 4 does not proceed, there is a risk that \$1,361,654 will need to be refunded to the respective funding bodies, as tabled below.

<b>Funding Contributors</b>	<b>Amount already spent for Stage 3</b>
Royalties for Regions (R 4 R)	\$1,300,000
Building Better Regions Fund (BBRF)	\$61,654
<b>Total</b>	<b>\$1,361,654</b>

**Cash flow**

The secured grants are typically agreed to be paid in arrears after completion of a nominated milestone, or evidence that payments have occurred. If there is a lag time between outgoing payments and incoming revenue, the Council cash flow may be affected.

The Royalties for Regions fund, administered through the SWDC, has two large payments of \$1.3M (received) and \$1.0M eligible at completion of the tender process and a Management Order being changed. This is a large sum that, if delayed, could place the Council's finances under pressure.

The Building Better Regions Fund is spread more uniformly, but includes large payments in arrears for completion of 33%, 50%, 80% of works (all in 2018/19) and 100% of works (eligible on 1 November 2019). The only claim eligible in 2019/20 is worth \$996,867.

LotteryWest has committed to provide two payments in arrears of \$1.03M in 2018/19 and another of \$674,000 in 2019/20. \$172,495 of the \$1.03M has already been received in 2017/18, leaving an outstanding amount of \$859,260.

The claims for these payments will need to be carefully managed to ensure that the Shire's cashflow is not detrimentally affected, particularly close to the end of the 2018/19 financial year.

Expenditure on the project is more regulated. The cash flow projections offered by the preferred Tenderer range from \$127,000 in the lowest month (November 2018) to \$584,000 in the highest month (March 2019), with an average monthly expenditure of \$316,000 per invoice.

The project control group will need to work closely to ensure the cash flow risk is managed and mitigated over the life of the project.

**Land Tenure**

Reserve 7574 is being considered by Parliament to change its use from "Recreation" to "Recreation and Community". This has been supported by officers at the Department of Lands, the Director General of the Department of Lands and the Minister for Lands. There is a very low risk that it may not pass through Parliament, but with this level of support, it is unlikely.

**FINANCIAL IMPLICATIONS****Budget**

The construction will run over two financial years, commencing in 2018/19 and will be completed in 2019/20.

The 2018/19 Council draft Budget XP08 includes \$2,971,799 for the construction of Capel Civic Precinct Stage 4. Another \$1,780,150 is allocated in 2019/20 to complete the project, totaling \$4,751,949.

The original cost estimate (September 2015) for the construction of the Stage 4 is \$4,603,892 excluding the detailed design cost, but includes a \$212,000 contingency sum.

The pre-tender cost estimate (last updated in June 2018) for the construction of Stage 4 is \$4,728,259 excluding the detailed design cost, but includes a \$80,000 contingency sum.

The price submitted by the recommended Tenderer is \$4,740,526 (ex GST), which is \$136,634 over the original cost estimate.

The construction of Stage 4 is a complex project which has the following cost breakdown:

Stage 4 Item	Project Amount (\$)	Amount to be spent in 18/19	Amount to be spent in 19/20
Recommended Tender (includes \$80,000 contingency)	\$4,740,526	\$2,934,249	\$1,806,279
Detailed Design & superintendence (\$207,000 already paid in 2017/18)	\$149,508 (Outstanding amount)	\$37,550*	\$111,956*
Additional Contingency (Typically 5%)	\$150,000	To be absorbed in \$80,000 contract provision	\$150,000
<b>TOTAL STAGE 4 COST</b>	<b>\$5,040,034</b>	<b>\$2,971,799</b>	<b>\$2,068,235</b>
<b>Budget</b>	<b>\$4,751,949</b>	<b>\$2,971,799</b>	<b>\$1,780,150</b>
<b>Difference</b>	<b>\$288,085</b>	<b>0</b>	<b>\$288,085</b>

\* The cost estimates for detailed design have been assumed to align with the 2018/19 budget allocation for the project to transfer project budget adjustment to the subsequent 2019/20 year.

If Council considers Tender 18/02 Construction of Capel Civic Precinct (Stage 4) - Youth and Community Facility and appoints BGC Construction Pty Ltd, project budget XP08 needs to be reviewed to increase Council's allocation to \$5,040,034 over 2018/19 and 2019/20. A further contingency amount of \$150,000 should be considered for the construction phase.

At the time of writing the estimated project increase based on tender value, outstanding design and an increased contingency is \$288,000. As the 2018/19 budget is to be considered at the same Council meeting, any financial adjustment will need to be addressed in the 2019/20 budget.

The funding source for the above budget is as follows:

Year	Job No	Budget	Funding Source	
			Other Grants	Shire Funds incl. Reserved Grants
2018-19	XP08	\$2,971,799	\$2,674,473	\$531,986
2019-20	XP08	\$1,780,150	\$1,119,367	\$426,123
	<b>Total</b>	<b>\$4,751,949</b>	<b>\$3,793,840</b>	<b>\$958,109</b>

This includes \$1,391,694 as the Shire's contribution to the project over three financial years (2017/18, 2018/19 and 2019/20) which is \$288,085 over the original allocation. Any increase in Council allocation will need to be supplied from a combination of reserve funds, surplus funds or general revenue.

### Long Term

The Long Term Financial Plan 2018-2035 proposed to develop Capel Civic Precinct Stages 3 & 3A in 2016/17 with Stage 4 scheduled in 2017/18. Due to the funding unavailability and opportunity for new funding, Stages 3, 3A & 4 were deferred. The Project has now secured all external grant funding. The revised time line for the Project is as follows:

- Development of Stage 3 2017/18 (Practical Completion in July 2018)
- Detailed design of Stage 4 2017/18 (Completed)
- Development of Stage 3A 2018/19
- Development of Stage 4 2018/19 - 2019/20

The 2015 cost estimate for Stages 3, 3A and 4 was \$7,581,604. The updated project cost estimate is \$8,556,701. The following table shows cost differences of the elements of the Capel Civic Precinct:

**Table A - Variance from original cost estimate**

Stage	Original cost estimate	Actual cost/updated cost estimate	Difference	Comment
Stage 3 (included detailed design of stage 3 & 3A)	\$2,358,971	\$2,763,455	\$404,484	Tender price was higher than estimated price
Stage 3A	\$123,684	\$400,000	\$276,316	Updated cost estimate is higher than original estimate. Construction not started yet.
Stage 4 detailed design (Professional Fees)	\$355,057	\$356,508,	\$1,451	Actual cost is higher than estimated cost
Stage 4 including Electric Car charger	\$4,603,892	\$4,890,526 (includes \$150,000 contingency)	\$286,634	Tender price was higher than estimated price
Toilet block	\$120,000	\$126,212	\$6,212	Variation at construction
Business promotion	\$20,000	\$20,000	\$0	Purchase Order issued
<b>Total</b>	<b>\$7,581,604</b>	<b>\$8,556,701</b>	<b>\$975,097</b>	

The following table shows the total funding contribution amounts from the participating funding bodies:

**Overall Project Funding Arrangements**

Contributor	Total
Shire of Capel	<b>\$2,311,541</b>
LotteryWest	<b>\$1,533,260</b>
Royalties 4 Regions	<b>\$2,300,000</b>
Building Better Regions Fund	<b>\$2,361,900</b>
Department of Communities	<b>\$50,000</b>
<b>TOTAL</b>	<b>\$8,556,701</b>

### Stage 3A

Stage 3A is the northern carpark and is entirely funded by the Shire. The most recent cost estimate for Stage 3A is \$400,000, which has not been subjected to a detailed design quantity survey.

Stage 3A is included as a deliverable in the Building Better Regions Fund and the Royalties for Regions grant. It may be worthwhile investigating whether the Stage 3A portion of the project could be either deleted or deferred from the project overall.

### Ongoing Costs

There will be ongoing costs associated with the maintenance and management of the facility, which is not available at this time. Typically, infrastructure projects attract about 2% to 4% of the project cost for ongoing annual operating and maintenance. Based on the Stage 4 project

costs, this is likely to increase the Shire's maintenance budget by \$105,000 to \$210,000 per annum. A more accurate cost estimate will be provided in the 2019/20 budget forecasts.

### **SUSTAINABILITY IMPLICATIONS**

The sustainability implications of this proposal can be considered in the context of their environmental, economic and social impacts.

The proposed building complies with Section J of the National Construction Code, which outlines the energy efficiency requirements of non-residential buildings. The main objective is to reduce the amount of energy a building requires for its normal operation. The project also requires removal of seven (7) trees, but these will be replaced with the landscaping aspects of the project.

Capel Civic Precinct Stage 4 also incorporates the following environmental characteristics:

- Retention of established native trees to provide shade, character and natural context;
- Provision for sustainable display gardens, providing vegetation that is attractive with low water usage requirements and a showcase for these outcomes; and
- Provision of drainage and native vegetation areas, including rain gardens, with the potential to significantly contribute to local water management and water harvesting outcomes.

The Project will also have a number of economic impacts including:

- Initial capital costs including grant contributions;
- Opportunity to attract of people to the town for business;
- The existing caravan/motor home parking area and sullage dump point combined with the new picnic areas, playground, Skate Park, amphitheatre and stage and public toilet is likely to attract additional visitors to the town; and
- Ongoing maintenance and operational expenses.

The social impacts of the facilities and improvements proposed in the Plan will provide the following benefits:

- Creation of a community hub;
- Improved community health (mental and physical) through use of quality infrastructure and open space;
- Provision of a community events venue;
- Employment opportunities through staffing requirements for current and new services;
- Development of an accessible open space for heritage, culture, art and recreation enjoyment and;
- Encouraging community groups to use the space.

The outcomes of the project will ultimately create high standard civic space that can be a focal point for the community, where recreation and cultural activities can be undertaken.

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018 – 2028

The Leadership Experience, *'Open, transparent and effective good governance'*.

Community Objectives:

- 1.3 Creating a more connected community.
- 1.4 Building a culture of collaboration and a stronger, safer and happier community.
- 1.6 Council is effective and efficient in the financial management stewardship of community assets.

The Community Experience, *'Facilities and services that accommodate the diverse needs of the community and providing a safe place to live, work and visit'.*

Community Objectives:

- 2.1 Council works in partnership with the community in providing appropriate services and facilities.
- 2.3 The special characteristics of the Town Centres are fostered.

The Economic Experience, *'Responsible and progressive local economic development.'*

Community Objectives:

- 3.1 The community capitalises on its unique attributes and location.
- 3.3 Each Town Centre and its facilities meet the needs of residents and visitors and are presented to a welcoming standard.
- 3.4 Events, including arts, culture and sporting events are promoted to bring revenue into the Shire.
- 3.5 Activities, new business and developments are encouraged.

The Infrastructure Experience *'Ensure safe, sustainable and efficient infrastructure and transport networks.'*

Community Objectives:

- 5.2 As a community, we work to ensure our ongoing enjoyment of our quality of life.
- 5.3 Working together to meet the needs of changing infrastructure requirements.

Capel Townsite Strategy 2008

The Capel Townsite Strategy was adopted in 2008 and subsequently endorsed by the WA Planning Commission in October 2009. It forms the primary policy framework for land use and development in the town of Capel over strategic time frames.

A range of actions are designed to support and reinforce the land use and development strategies. One of the most significant actions from a community and administrative perspective is Action (iv) of the 'Community Facilities and Recreation' strategy (which is identified as a 'High' priority):

*"Prepare a master plan for the Civic/Town Centre Precinct incorporating the existing Shire Administration and Community Centre Site, Erle Scott Reserve and vacant Lot 243 (former Reserve for Police Station). This Master Plan should investigate the future use of the Precinct and aim to accommodate long term civic and community needs of the Shire including administration, town centre car parking and potential government uses (including a community policing facility)."*

Capel Town Public Open Space Strategy (2011-2021)

The Capel Town Public Open Space Strategy was adopted in 2011. The strategy recommended the following for the Capel Park/Erle Scott Reserve:

*"Recommendation 3:*

- 3.1 *Investigate future use and management of Reserve 7574 (Capel Park) in conjunction with preparation of the Capel Civic Precinct Master Plan.*
- 3.2 *Install additional shelter structures, seating, basketball hoop, bin surrounds and other park furniture in Reserve 7574 (Capel Park) subject to identification of a suitable theme linked to the Civic Precinct and 'Main Street'."*



## **CONSULTATION**

Tender 18/02, Construction of Capel Civic Precinct (Stage) 4 Youth and Community Facility, was advertised in the "West Australian" on 27 June 2018 and the "South Western Times" on 28 June 2018. Submissions closed on 25 July 2018.

Considerable consultation with the community has been undertaken previously in relation to the formulation of the Master Plan and the proposed development/landscaping outcomes.

### Project Management Plan

A Project Management Plan (PMP) has been prepared to provide an overall planning framework for the design and delivery of the project. The PMP is endorsed by the Executive and is used as an internal management tool for staff.

A Project Advisory Group was formed with representatives of all divisions of the Shire, to provide guidance and advice to the project consultants. The importance of the advisory group has been significant in view of the limited budget available for consultants and extensive knowledge and background of staff members on the relevant issues. The group continued to meet during 2016 and 2017 in relation to the preparation of the detailed design and implementation planning of the project.

A Tender Evaluation Group was formed to evaluate all tenders and quotations for the project.

July 2018 - South West Development Commission, in conjunction with the Shire of Capel, organised an Information Session in the Council Chambers for local suppliers to explore opportunities created by the project.

A Project Technical Group is now in place for the implementation of the project.

Consultation has been made with Department of Water and Environmental Regulation regarding clearing of some trees. The Department advised the clearing required for the proposed development would not require a clearing permit.

### Notification

Four large signs have been erected on site advising of proposed works and contact details. Development updates will be available on the Shire Website.

Prior to the commencement of works, surrounding residents will be advised in writing of the proposed works.

### Capel Civic Precinct Updates

A monthly project update is being posted regularly on the Shire website and Facebook pages to inform the community. Updates were also emailed to interested residents.

### Tender Addendum

There were five (5) tender addenda issued in response to Tenderer's queries. All submitters acknowledged receipt of the addenda.

## **COMMENT**

### Tender Assessment

As part of the tender assessment, 50% of the total score is based on the qualitative criteria which are the tenderer's ability to demonstrate previous experience on similar projects, outline

available resources and personnel, proposed work methodology, company profile, occupational health and safety record and sustainability experience.

A Tender Assessment Working Group was convened to assess the tenders. The Working Group consisted of Manager Technical Services, Strategic Planning Officer, Senior Finance Officer and the Architect. The Assessment Working Group was overseen by Executive Manager Engineering and Development Services.

Members of the Working Group undertook individual assessments and scoring, which was then collated and averaged to generate a group score against the selection criteria. The Senior Finance Officer focussed only on the compliance aspect of the company profile. All scores were close to each other against each tenderer.

At the conclusion of the tender assessment process, all tenderers scored between 73 and 46 (out of a possible 100). The variation is due to the qualitative criteria as specified in the tender documents and based on the information provided by the tenderer. This information gives staff a better indication as to whether the Contractors are capable of performing the works and what success they have had in the past.

The remaining 50% of the total score is calculated as a percentage of the lowest price against the tenderers' price. Therefore, 100 points is allocated immediately to the lowest price, and the others recorded as a ratio of the lowest price.

Refer to the table below (Table C).

**TABLE C: Tenders – Tender Criteria Weighting**

Tenderer	Qualitative Criteria 100% weighting (Relevant Experience of Company and Personnel, Methodology, Company Profile, Tenderer's Resources, Occupational Safety and Health & Sustainability Experience)	Price (100% weighting)	SCORE TOTAL (Average of Quality and Price)
BGC	94.08	100	<b>97.04</b>
Pindan	97.08	96.04	<b>96.56</b>
Firm	98.79	98.79	<b>89.73</b>
Metrocon	70.25	98.39	<b>84.32</b>
Mitie	66.75	96.88	<b>81.82</b>
Civilcon	68.17	92.26	<b>80.21</b>
Innovest	63.37	90.15	<b>76.91</b>

Pindan submitted a comprehensive tender document, which addressed all of the areas of plant, personnel and experience required to successfully complete the works and score the highest (97 out of 100) under the qualitative criteria, but price affects the total scoring.

BGC Construction Pty Ltd scored the second highest (94 out of 100) under the qualitative criteria and submitted the lowest price. A summary of Tender Submissions (CONFIDENTIAL) is attached.

Based on price and qualitative criteria, the tender evaluation group considered the first ranked tender from BGC Construction Pty Ltd to represent best value for money. BGC's bid also represents the only affordable bid, with respect to budget allocation.

After considering the project budget, points allocated and the information provided by the tenderers and relevant referees, staff supports award of the tender to BGC construction Pty Ltd who has the experience and resources to complete the works.

One member of the public returned to the Chambers at 6.27pm.  
Ms Stevenson left the Chambers at 6.27pm and returned at 6.30pm.  
Mr McCabe and Mr Gick left the Chambers at 6.40pm.

At this point the Presiding Member deferred discussion on Item 14.1 while Executive staff investigated a matter, and went onto Item 14.2.

At 6.49pm, the Presiding Member returned to this item.

**VOTING REQUIREMENTS**

Absolute majority

<b>24 / 2018 OFFICER'S RECOMMENDATIONS – 14.1/COUNCIL DECISION</b>
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**Moved Cr Schiano, Seconded Cr J Scott**

**That Council delegates authority to the Chief Executive Officer to accept the tender from BGC Construction Pty Ltd for \$5,214,578 including GST as detailed in Tender 18/02 Construction of Capel Civic Precinct Stage 4 Youth and Community Facility.**

The Vote was split 4/4

The Presiding Member used a casting vote.

A second vote by the Presiding Member must be cast but cannot achieve an absolute majority. An absolute majority is only achieved where more than 50% of the number of positions on Council (whether vacant or not) vote the same way on the decision'. Sections 1.4 and 5.21 of the Local Government Act 1995 refers.

The Motion was defeated.

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**17 / 2018 (14.2) Development Application – Telecommunications Facility**

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Location:	Lot 18 (89) Ilmenite Crescent, Capel
Applicant:	Visionstream Pty Ltd, on behalf of Telstra Corporation Ltd
File Reference:	PA62/2018
Disclosure of Interest:	Nil
Date:	02.08.18
Author:	Senior Statutory Planning Officer, K Henry
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	1 Development Plans 2 Submissions Table 3 Waddingham Loop montage 4 Environmental EME Report

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**IN BRIEF**

For Council to consider an application for Development Approval for a Telecommunication Facility (Mobile Base Station) at Lot 18 (89) Ilmenite Crescent, Capel.

**RECOMMENDATION**

**That Council in accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions for local planning schemes, Planning and Development (Local Planning Schemes) Regulations 2015, grants development approval for a Telecommunications Facility at Lot 18 Ilmenite Crescent, Capel, subject to conditions.**

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

Lot 18 (89) Ilmenite Crescent is located in the Capel Light Industrial area with a mechanical repair business operating from the site. The Shire has issued the following approvals under delegated authority:

May 1995

Planning Consent granted for an Industrial Shed on southwest corner of the site (Shed 1).

July 1995

Planning Consent granted for an extension on the eastern elevation of the existing Shed.

October 1995

Planning Consent granted for a Factory Unit and Toilets on the eastern end of the Lot (Shed 2).

December 2015

Planning Consent granted for External Alterations to Shed and new Internal Office.

**Proposal**

The proposal forms part of Telstra's NextG network for the Capel locality and will deliver essential mobile services and high-speed wireless internet/wireless broadband. The proposed Telecommunication Facility (see Attachment 1) is to be located at the rear of the site, abutting a Public Transport Authority rail reserve, and will be accessed from Ilmenite Crescent via an existing crossover. The access from Ilmenite Crescent and the portion of the site to be developed will be leased to Telstra by the landowners. The development consists of:

- Installation of one (1) 25m monopole;
- Installation of one (1) triangle headframe;

- Installation of six (6) new panel antennas (no greater than 2.8m in length);
- Installation of three (3) Tower Mounted Amplifiers (TMAs) and three (3) Remote Radio Units (RRUs);
- Installation of one (1) 3m high Telstra Equipment Shelter with a base area of 7.5m<sup>2</sup> at the base of the monopole;
- Installation of associated ancillary cabling and equipment; and
- Installation of 10m by 8m chain-link fence with a 3m wide gate.

## **STATUTORY ENVIRONMENT**

### **Planning and Development (Local Planning Scheme) Regulations 2015 – Schedule 2 Part 7 (the Regulations)**

Clause 60 (a) - requires the development approval of the local government prior to the commencement of development.

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

The subject lot is zoned 'Industry-Light' and a Telecommunications Facility best fits the Use Class of 'Radio/TV Installation' under TPS7. 'Radio/TV Installation' is defined as,

*Land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.*

A 'Radio/TV Installation' is an 'AA' use. This means the use is not permitted unless the Council has granted its planning consent.

#### **The Telecommunications Act 1997**

Allows Local Government to determine development applications for telecommunications facilities.

#### **Australian Communications and Media Authority Act 2005**

Established the Australian Communications and Media Authority.

## **POLICY IMPLICATIONS**

### **State Planning Policies**

The following State Planning Policy is applicable:

- State Planning Policy No. 5.2: Telecommunications Infrastructure (September 2015).

### **Local Planning Policies**

There are no current Shire Policies relevant to this matter.

## **RISK IMPLICATIONS**

The level of risk is considered to be 'Medium' in terms of the Financial Impact on the Shire should the Development Application be refused resulting in subsequent officer involvement in a SAT appeal. The risk of operating the site and compliance with conditions rests with the proponent.

In addition, should the application be approved there is a low risk of a speculative action being brought against the Shire by residents, on the basis of health concerns.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The applicant has paid a Development Application fee of \$480.00.

### **Long Term**

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

## **SUSTAINABILITY IMPLICATIONS**

The demand for better reception and download speeds for mobile phones and mobile broadband devices means that carriers have to continually upgrade and expand mobile phone networks to eliminate coverage blackspots and keep up with the demands and expectations of the community. The provision of up-to-date telecommunications infrastructure is fundamental to supporting the continued economic and social sustainability of Shire.

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018 – 2028

The Leadership Experience, *“Open, transparent and effective good governance.”*

Community Objectives:

- 1.2 Respond to key challenges, global factors and local impacts together.
- 1.3 Creating a more connected community.

The Community Experience, *“Facilities and services that accommodate the diverse needs of the community and providing a safe place to live, work and visit.”*

Community Objective:

- 2.1 Council works in partnership with the community in providing appropriate services and facilities.

The Economic Experience, *“Responsible and progressive local economic development.”*

Community Objectives:

- 3.2 Local businesses and retailers serve the needs of the local community and visitors.
- 3.5 Activities, new business and developments are encouraged.

The Infrastructure Experience: *“To ensure safe, sustainable and efficient infrastructure and transport networks.”*

Community Objective:

- 5.3 Working together to meet the needs of changing infrastructure requirements.

## **CONSULTATION**

In accordance with Schedule 2 Part 8 clause 64 (3) of the Regulations the application was advertised to the community for a period of 21 days from 28 May to 15 June 2018. The advertising included:

- Notice in the form of letters to owners and occupiers of land within a 150 metres of the subject site; and
- Notice on the Shire's website.

Furthermore, in accordance with Schedule 2 Part 9 clause 66 (1) of the Regulations the application was referred to the following external agencies from 6 November 2017 for comment:

- Public Transport Authority;
- Western Power; and
- Water Corporation.

In summary, agencies raised no objections or issues with the proposal (no response received from Western Power). Of the seven submissions received from the community, five raised objections in relation to the proximity of the Telecommunications Facility to residences, health concerns and the negative impact on property values. Two submissions supported the proposal based on the need for improved mobile coverage in the area. In addition, the Shire received eighteen individually signed copies of a standard letter objecting to the proposed Telecommunications Facility. All submissions are addressed in the Submissions Table (see Attachment 2).

### **COMMENT**

State Planning Policy No. 5.2: Telecommunications Infrastructure (SPP 5.2).

SPP 5.2 provides a framework for the preparation, assessment and determination of applications for Telecommunications Facilities.

The objectives of this policy are to:

- *facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;*
- *manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;*
- *ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons; and,*
- *promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.*

The proposal is considered to meet these objectives as shown below.

- *facilitate the provision of telecommunications infrastructure in an efficient and environmentally responsible manner to meet community needs;*

Prior to the selection of the site a number of options for the proposed Telecommunications Facility were assessed and excluded due to their failure to meet coverage objectives. These options included the potential to co-locate on an existing telecommunications facility, existing building or structure. To achieve the required coverage of Capel and the Bussell Highway the proposed location with a 25m high monopole is deemed optimal.

- *manage the environmental, cultural heritage, visual and social impacts of telecommunications infrastructure;*

The proposal Telecommunication Facility is located at the rear of a lot in a Light Industrial area of Capel adjacent to a heavily vegetated 40m wide Public Transport Authority rail reserve and a 28m wide reserve under the management of the Shire. The nearest residential properties to the south approximately 80m away are shielded from the visual impacts of the 25m monopole by the vegetated buffer. The site is well setback from schools, childcare centres, heritage sites and community and recreational facilities.

- *ensure that telecommunications infrastructure is included in relevant planning processes as essential infrastructure for business, personal and emergency reasons;*

Telstra has identified mobile phone coverage blackspots in the Capel locality and along major transport routes such as Bussell Highway. The Telecommunications Facility, if approved, will provide opportunities for other carriers to co-locate their infrastructure in the future.

- *promote a consistent approach in the preparation, assessment and determination of planning decisions for telecommunications infrastructure.*

The State planning framework through SPP 5.2 supports Local Government taking a balanced approach between the provision of improved telecommunications services that provide a net community benefit against environmental visual and social impacts.

### Visual Impact

Telstra is proposing to install a 25m monopole which has been sited to maintain the primary use of the land whilst considering the visual impact on the surrounding area. The specific site location was selected as it is within an industrial area where the coverage objectives of the proposal could be met. Furthermore, the proposed site is located far from any sensitive land uses, such as schools and child care centres, and is surrounded by mature vegetation and industrial buildings which will help to screen the facility and minimise impacts upon the residential area to the south (see Attachment 3).

### Construction Materials

The 25m concrete monopole will have a non-reflective standard grey concrete finish. In addition, the proposed Telstra equipment shelter is to be finished in a Colourbond 'Paperbark' colour which will allow the shelter to blend in with the surrounding environment.

### Radiofrequency (RF), Electromagnetic Energy Emissions (EME) and Health

The RF EME emissions from mobile phone base stations and other communications installations are regulated by the Australian Communications and the Media Authority (ACMA). The ACMA's regulatory arrangements require base stations to comply with the exposure limits in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) RF Standard. The ARPANSA Standard is designed to protect people of all ages and health status against all known adverse health effects from exposure to RF EME.

The ARPANSA Standard is based on scientific research that shows the level at which harmful effects occur and it sets limits, based on international guidelines, well below these harmful levels. The ARPANSA website states that,

*In March 2014 an independent Expert Panel reviewed the scientific literature published since the ARPANSA RF Exposure Standard was prepared. The Expert Panel found that the exposure limits in the RF Standard continue to provide a high degree of protection against the known health effects of RF electromagnetic fields and that no adverse health effects are expected from continuous exposure to the RF EME emitted by the antennas on mobile base stations.*

The ACMA requires telecommunications carriers to provide an Environmental EME report as part of Development Applications. The predicted levels of EME are expressed as a percentage of the ARPANSA Standard (RPS3). The Environmental EME Report provides a summary of the calculated RF EME levels around the proposed mobile base station (see Attachment 4). The results for this proposal found a maximum EME level of **0.76%**, or in other words, less than 1% of the public exposure limit. This maximum EME level occurs at **147.31m** from the antenna.



The table below shows the percentage ARPANSA exposure limits for distances from the antenna at 360-degree circular bands and the number of objector's properties within those bands.

Distance	% ARPANSA exposure limits	Objectors
0m to 50m	0.41%	0
50m to 100m	0.31%	0
100m – 200m	0.76%	6
200m – 300m	0.55%	2
300m – 400m	0.25%	6
400m – 500m	0.14%	3
>500m	Not available	6

Of the total 23 objections received (submissions and Standard Letters), 6 are the maximum EME level of 0.76% of the public exposure limit (100m – 200m band). As the distance from the mobile base station increases the exposure limit drops from 0.55% to 0.14%. These public exposure limits are typical of operating levels for mobile base stations.

The ACMA regulates EME from mobile base stations by imposing conditions on radio communications licences. In addition, through its compliance program the ACMA is confident that mobile carriers have a clear understanding about EME compliance obligations, have processes in place to ensure compliance assessments accurately reflect current environmental and site conditions and are appropriately addressing the underlying risk of EME exposure for mobile phone base stations. This ensures that EME exposure does not exceed levels set in the ARPANSA Standard.

#### Conclusion

The proponent, Telstra, has applied for development approval for a Telecommunications Facility to address coverage blackspots within the Shire. The location at the rear of the site, within the light industrial area, and adjacent to a PTA and Shire reserve is considered to be optimal in terms of reducing the visual impact of the 25m tower on the residential area to the south. The major concern raised during consultation was the potential for the development to impact on the health of residents. This is understandable, however, health impacts are addressed through safety standards set by ARPANSA for EME's and the regulatory and compliance framework of ACMA.

The proposed Telecommunications Facility is in accordance with State Planning Policy 5.2 and Town Planning Scheme No. 7. The installation of up-to-date telecommunications infrastructure is considered to benefit the Shire as a whole and it is, therefore, recommended that development approval be granted subject to conditions.

#### **VOTING REQUIREMENTS**

Simple majority

<b>17 / 2018 OFFICER'S RECOMMENDATION – 14.2/COUNCIL DECISION</b>
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Moved Cr J Scott, Seconded Cr McCleery

That Council in accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions for local planning schemes, Planning and Development (Local Planning Schemes) Regulations 2015, grants development approval for a Telecommunications Facility at Lot 18 Ilmenite Crescent, Capel, subject to the following conditions:

- a) All development being in accordance with the Approved Development Plan(s) dated 22 August 2018; and
- b) The development hereby approved shall not impact on the site's existing drainage system.

**Advice Notes**

- i. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- ii. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- iii. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Carried 8/0

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**18 / 2018 (14.3) Management Order - Lot 301 on DP 404741, Capel**

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Location:	Lot 301 Kwenda Loop, Capel
Applicant:	Department of Planning, Lands and Heritage
File Reference:	PR.AC.2
Disclosure of Interest:	Nil
Date:	06.08.18
Author:	Executive Assistant Engineering and Development Services, B Facey
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachment:	Aerial Plan

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**IN BRIEF**

Correspondence has been received from the Department of Planning, Lands and Heritage requesting advice as to whether Council is prepared to accept the Management Order for the purpose of "Public Recreation and Drainage" for Lot 301 on DP 404741, Kwenda Loop, Capel.

**RECOMMENDATION**

**That Council advises the Department of Planning, Lands and Heritage it is prepared to accept the Management Order for Lot 301 on DP 404741, Kwenda Loop, Capel for the purpose of "Public Recreation and Drainage".**

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

Lot 301 on Deposited Plan 404741 was created as a condition of subdivision under section 152 of the *Planning and Development Act* for the purpose of "Public Recreation and Drainage".

The attached plans show the location of the proposed reserve.

**Proposal**

To accept the Management Order for the purpose of Public Recreation and Drainage for Lot 301 on DP 404741, Kwenda Loop, Capel.

**STATUTORY ENVIRONMENT**

Lot 301 Kwenda Loop was created under statutes for subdivisions under the Planning and Development Act 2005.

The Management Order is proposed to be created under provisions of the Land Administration Act 1997.

**S41. Reserving Crown land, Minister's powers as to:**

Subject to section 45(6), the Minister may by order reserve Crown land to the Crown for one or more purposes in the public interest.

**51A. Certain prescribed land taken to be reserved under s. 41**

- (1) The regulations may prescribe land that has been reserved to the Crown for one or more purposes in the public interest—
  - (a) by or under a written law other than section 41; and
  - (b) before 30 March 1998.

- (2) Land prescribed by regulations referred to in subsection (1) is, by virtue of this subsection, to be regarded as having been reserved to the Crown under section 41 —
  - (a) for the purpose or purposes for which it was reserved by or under the other written law; and
  - (b) with the classification, if any, given by or under the other written law.
- (3) A reference in section 42(2) to the relevant order made under section 41 is, in relation to land prescribed by regulations referred to in subsection (1), a reference to the written law, or to the instrument under the written law, by which the land was reserved, as is relevant to the case.

### **POLICY IMPLICATIONS**

There are no policy implications to consider.

### **RISK IMPLICATIONS**

The risk implications are low. This reserve is already being maintained as part of asset acquisition through subdivision.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

The draft 2018/19 budget has an allocated budget amount \$222,379 for the maintenance of Capel Public Parks, Gardens and Reserves in Capel under Account 126420.

#### **Long Term**

There will be some increase in the Council's operating costs to maintain these areas for Public Recreation and Drainage, which is addressed through the Long Term Financial Plan.

### **SUSTAINABILITY IMPLICATIONS**

Accepting the Management Order for this lot will allow the Council to maintain Public Recreation and Drainage in Capel.

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018 - 2028

The Leadership Experience, *'Open, transparent, and effective good governance.'*

Community Objective:

- 1.6 Council is effective and efficient in the financial management stewardship of community assets.

The Economic Experience, *'Responsible and progressive local economic development.'*

Community Objective:

- 3.3 Each Town Centre and its facilities meet the needs of residents and visitors and are presented to a welcoming standard.

The Environmental Experience, *'Preserve and enhance the natural and built environment.'*

Community Objective:

- 4.2 Our unique bush, forests, rivers and beaches are valued and protected to preserve the natural environment.

The Infrastructure Experience, *'To ensure safe, sustainable and efficient infrastructure and transport networks.'*

Community Objective:

5.1 Urban development to be sustainably integrated to our unique natural environment, heritage and character.

### **CONSULTATION**

Shire staff from Executive, Operations and Technical Services have been consulted regarding the proposal with no objections received.

Consultation on the creation of the space occurred during the subdivision referral process.

### **COMMENT**

Council has previously accepted Management Orders over public recreation and drainage reserves within the Shire. Reserves generally provide an important function to a subdivision and are required to be maintained to effectively serve their intended purpose.

### **VOTING REQUIREMENTS**

Simple majority

<b>18 / 2018 OFFICER'S RECOMMENDATION – 14.3/COUNCIL DECISION</b>
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**Moved Cr Hearne, Seconded Cr Kitchen**

**That Council advises the Department of Planning, Lands and Heritage it is prepared to accept the Management Order for Lot 301 on DP 404741 Kwenda Loop, Capel for the purpose of "Public Recreation and Drainage".**

Carried 8/0

Ms Henry left the meeting at 6.42pm and did not return.  
Cr Schiano left the Chambers at 6.42pm.

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**19 / 2018 (15.2) Accounts Due and Submitted for Authorisation**

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Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 08.08.18  
Author: Finance & Accounts Payable Officer, S Searle  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Nil

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**IN BRIEF**

Adoption of accounts to be paid.

**RECOMMENDATION**

**That Council authorises the Schedule of Accounts covering vouchers EFT27886 to EFT27910, a total of \$44,103.09 for payment.**

**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.

### **RISK IMPLICATIONS**

Risk is medium. The schedule of accounts is a list available to the public of Council creditors, the amounts paid to these creditors and a description of the transaction.

### **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.

### **SUSTAINABILITY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018 - 2028

The Leadership Experience, 'open, transparent and effective good governance'.

Strategic Objective:

- 1.6: Council is effective and efficient in the financial management stewardship of community assets.

### **CONSULTATION**

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

### **COMMENT**

Accounts due and submitted for authorisation are as follows:

EFT27886	23/08/2018	AUSLEC	VOLTAGE DETECTOR	77.81
EFT27887	23/08/2018	AW ROADWORKS PTY LTD	TRAFFIC CONTROL FOR 18 AND 19 JULY	1,300.75
EFT27888	23/08/2018	BUNBURY MACHINERY	SERVICE FOR WET SAW AND BLADES BOLTS AND WASHERS	252.19

EFT27889	23/08/2018	B & B STREET SWEEPING	HIRE STREET SWEEPER	165.00
EFT27890	23/08/2018	BUNNINGS BUILDING SUPPLIES PTY LTD	CABLES, DUCT TAPE, REFLECTIVE ROLLS AND CROC GRIP	101.02
EFT27891	23/08/2018	HEATLEYS SAFETY & INDUSTRIAL	TWO ROLLS OF TAPE	196.24
EFT27892	23/08/2018	BLACKWOODS	ONE DEFIBRILLATOR METAL CASE BOX AND ROLLS OF RED AND WHITE TAPE	223.40
EFT27893	23/08/2018	BUSSELTON-DUNSBOROUGH ENVIRONMENT CENTRE	JOURNEY INTO THE TUART FOREST BOOKS	300.00
EFT27894	23/08/2018	BCA CONSULTANTS (WA) PTY LTD	PROVISION FOR ELECTRICAL CONSULTANCY SERVICES FOR THE PROPOSED DEVELOPMENT OF CAPEL CIVIC PRECINCT STAGE 4	1,320.00
EFT27895	23/08/2018	BP AUSTRALIA	DISTILLATE 12730 LITRES	18,124.29
EFT27896	23/08/2018	WINC AUSTRALIA PTY LTD	2018/2019 STATIONERY	345.55
EFT27897	23/08/2018	CEMETERIES & CREMATORIA ASSOC OF WA	ORDINARY MEMBERSHIP RENEWAL 1/7/18 TO 30/6/19	120.00
EFT27898	23/08/2018	CAPEL CLEANING	CLEAN WINDOWS AT NEW DALYELLUP LIBRARY	90.00
EFT27899	23/08/2018	CARBONE BROS PTY LTD	692 TONNE OF LIMESTONE	12,565.06
EFT27900	23/08/2018	TJ DEPIAZZI & SONS	15 CUBIC METRES OF MULCH FOR GELORUP PARKS	967.23
EFT27901	23/08/2018	DEPARTMENT OF PREMIER & CABINET	APPROVAL OF CHANGE OF METHOD OF VALUATION UV TO GRV ADVERTISING	103.95
EFT27902	23/08/2018	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	REGISTRATION FOR BREAKFAST FORUM	50.00
EFT27903	23/08/2018	LD TOTAL	VARIOUS IRRIGATION REPAIRS THROUGHOUT DALYELLUP, REMOVAL OF FALLEN TREE AT DAABLONE POS AND REPLACE AGONIS TREE AT MIDDLE LAKE	1,689.27
EFT27904	23/08/2018	MARKETFORCE	SEEK 5 AD PACK, PUBLIC NOTICES ADVERTISING AND LOCAL GOVERNMENT TENDERS	1,487.47
EFT27905	23/08/2018	FULTON HOGAN INDUSTRIES PTY LTD	PALLET 20KG EZSTREET	1,795.20
EFT27906	23/08/2018	PRESTIGE PRODUCTS-BUSSELTON	CLEANING AND BATHROOM PRODUCTS	232.32
EFT27907	23/08/2018	PROTECTOR FIRE SERVICES	CHANGE DETECTOR DEVICE IN MALE TOILETS FROM SMOKE TO THERMAL DETECTOR	478.50
EFT27908	23/08/2018	PRIME INDUSTRIAL PRODUCTS	TINTED SAFETY GLASSES	324.96



EFT27909	23/08/2018	RTW STEEL FABRICATION	GRATE FOR TANK FLOOR	892.10
EFT27910	23/08/2018	WORK CLOBBER BUNBURY	STAFF PROTECTIVE CLOTHING	900.78
				44,103.09

OUTSTANDING CREDITORS AS AT 31 July 2018: \$461,886.23

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for 22 August 2018 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.



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

Two members of the public left the meeting at 6.42pm and did not return.

**VOTING REQUIREMENTS**

Simple majority

<b>19 / 2018 OFFICER'S RECOMMENDATIONS – 15.2/COUNCIL DECISION</b>
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**Moved Cr Hearne, Seconded Cr J Scott**

**That Council authorises the Schedule of Accounts covering vouchers EFT27886 to EFT27910, a total of \$44,103.09 for payment.**

Carried 7/0

Mr Gick returned to the Chambers at 6.43pm.

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**20 / 2018 (15.3) Accounts Paid During the Month of July 2018**

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Location: Capel  
Applicant: Shire of Capel  
File Reference: N/A  
Disclosure of Interest: Nil  
Date: 08.08.18  
Author: Finance & Accounts Payable Officer, S Searle  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Nil

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**IN BRIEF**

Authorisation of accounts paid during the month.

**RECOMMENDATION**

**That Council receives:**

- 1 The Schedule of Accounts covering vouchers 943-950, EFT27573 to EFT24827, CHQ48912 to CHQ48928 totalling \$907,668.58 during the month of July 2018;**
- 2 Payroll payments for the month July 2018, totalling \$383,486.59; and**
- 3 Transfers to and from investments as listed**

**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.

**RISK IMPLICATIONS**

Risk is medium. The schedule of accounts is a list available to the public of Council creditors, the amounts paid to these creditors and a description of the transaction.

**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.

**SUSTAINABILITY IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018 - 2028

The Leadership Experience ‘open, transparent and effective good governance.

Strategic Objective:

1.6: Council is effective and efficient in the financial management stewardship of community assets.

**CONSULTATION**

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

**COMMENT**

Payments made during the month of July 2018 are as follows:

EFT27573	03/07/2018	IINET	DALYELLUP LIBRARY NBN	109.99
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EFT27574	03/07/2018	WESTNET PTY LTD	CAPEL ADMIN BUILDING NBN	219.98
EFT27575	04/07/2018	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT NORTON PROMENADE AND WELD ROAD	631.40
EFT27576	04/07/2018	BRANDICOOT	MONTHLY WEBSITE SUBSCRIPTION LIBRARY AND SHIRE	588.49
EFT27577	04/07/2018	BUNBURY & BUSSELTON TOWING	TOW CAR FROM DALYELLUP TO DEPOT	132.00
EFT27578	04/07/2018	CAPE TO CAPE FENCING	REPAIR TURNBUCKLE AND WELD BOLTS HAREWOODS RD FENCE	374.00
EFT27579	04/07/2018	C.E.M ALLIANCE PTY LTD CEM	PROFESSIONAL SERVICES FOR NEW DALYELLUP LIBRARY - DEVELOPMENT OF ISSUE FOR CONSTRUCTION DRAWINGS	4,908.20
EFT27580	04/07/2018	CAPEL CLEANING	CLEAR WATER FROM FLOOR IN PLAYGROUP ROOMS DALYELLUP COMMUNITY CENTRE AFTER WATER LEAK FROM ROOF	90.00
EFT27581	04/07/2018	CAPEL NEWSAGENCY	LIBRARY NEWSPAPERS A/C 100, SHIRE STATIONERY A/C 289 AND A/C 23	119.05
EFT27582	04/07/2018	CARBONE BROS PTY LTD	CONTRACT 17/05 RECONSTRUCTION AND WIDENING OF PORTION OF BOUNDARY ROAD UPGRADE SLK 1.11 TO 2.20	8,526.98
EFT27583	04/07/2018	DMC CLEANING	CLEANING OF DALYELLUP SPORTS PAVILION AND SHIRE TOILETS IN TOWN PARK	10,367.50
EFT27584	04/07/2018	FENNESSY'S	SHIRE VEHICLE 40,000KM SERVICE	396.26
EFT27585	04/07/2018	MOORE STEPHENS (WA) PTY LTD	WALGA TAX PAYG WORKSHOP MANUAL	330.00
EFT27586	04/07/2018	INSIGHT CCS PTY LTD	ANNUAL ORDER - AFTERHOURS CALL CENTRE SERVICE FOR RANGER SERVICES	554.84
EFT27587	04/07/2018	LANDGATE	LAND ENQUIRY	50.60
EFT27588	04/07/2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	RETIREMENT BREAKFAST HONOURING PAUL SHEEDY - 20 JUNE 2018	25.00
EFT27589	04/07/2018	METAL ARTWORK CREATIONS	8 X NAME BADGES WITH MAGNETIC BACK	96.80
EFT27590	04/07/2018	MCDONALD FENCING	REPAIRS TO FENCE AT CAPEL REC GROUND AS QUOTED	2,376.00

EFT27591	04/07/2018	PROTECTOR FIRE SERVICES	PROVIDE FIRE ZONE BLOCK PLAN FOR BOYANUP COMMUNITY CENTRE	2,101.00
EFT27592	04/07/2018	AUSTRALIA TAXATION OFFICE	PAYG WITHHOLDING	48,960.00
EFT27593	04/07/2018	SOUTHERN LOCK & SECURITY	CHECK ALARM SYSTEM AT CAPEL SENIOR CITIZENS CENTRE	290.00
EFT27594	04/07/2018	SELECTUS	PAYROLL DEDUCTIONS	2,341.84
EFT27595	04/07/2018	SECURE SOLAR PTY LTD	INSTALLATION OF 22 SOLAR PANELS FOR CAPEL SHIRE OFFICES	10,760.00
EFT27596	04/07/2018	TOTALLY WORKWEAR	STAFF UNIFORM ALLOWANCES	2,234.25
EFT27597	04/07/2018	TECHNOLOGY ONE	GIS TRAINING	1,760.00
EFT27598	04/07/2018	VILLAGE CARPET CARE	DRY OUT CARPET AT DALYELLUP LIBRARY AFTER CEILING COLLAPSE DUE TO WATER DAMAGE	378.00
EFT27599	04/07/2018	VACUUM WORLD SALES & SERVICE	REPAIR OF HENRY VACUUM CLEANER AND FILTERS	200.00
EFT27600	04/07/2018	WORK CLOBBER BUNBURY	EMPLOYEE PPE	439.11
EFT27601	04/07/2018	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 89 INTEREST PAYMENT - CAPEL CIVIC PRECINCT	72,089.62
EFT27602	04/07/2018	SHIRE OF WAGIN	PAYROLL DEDUCTIONS	80.00
EFT27603		CANCELLED		0.00
EFT27604	04/07/2018	PERTH MANAGEMENT SERVICES	ONE MONTH'S RENT FOR CURRENT LIBRARY PREMISES	1,571.20
EFT27605	04/07/2018	WORK METRICS PTY LTD	ONLINE INDUCTION PORTAL - ANNUAL FEE	1,848.00
EFT27606	05/07/2018	IQS SOLUTIONS	SUPPLY OF 50 BLUE HYDRANT MARKERS	341.88
EFT27607	11/07/2018	AMITY SIGNS	VARIOUS ROAD SIGNS	1,088.45
EFT27608	11/07/2018	AUSTRALIA POST	JUNE POSTAGE AND FREIGHT	6,931.81
EFT27609	11/07/2018	AMP BANK AUDITS	BANK AUDIT CERTIFICATE	30.00
EFT27610	11/07/2018	ARBORGUY	OVERHEAD AND LATERAL PRUNING OF OVERHANGING TREES ON WELD ROAD STARTING FROM EAST RD THROUGH TO BUSQUETS RD	19,384.20
EFT27611	11/07/2018	BOYANUP HALL ADVISORY COMMITTEE	CARETAKING OF BOYANUP HALL	224.25
EFT27612	11/07/2018	BUNBURY MOWER SERVICE	STIHL MS 211 CHAINSAW AND CHAIN	635.75
EFT27613	11/07/2018	TRiset BOSS PTY LIMITED	9000 RATES NOTICES	4,199.00

EFT27614	11/07/2018	BUNNINGS BUILDING SUPPLIES PTY LTD	ROLLERS FOR SLIDING DOORS, CAM LOCKS, DUST PAN AND BRUSH AND ANTI VANDAL TAPS	365.16
EFT27615	11/07/2018	BENDIGO BANK BUSINESS CREDIT CARD	<p>JUNE CREDIT CARD TRANSACTIONS:</p> <p>1.6.18 - EVENTBRITE - \$90 - POWERING THE FUTURE WORKSHOP</p> <p>1.6.18 - MERCURE HOTEL - \$90.16 - TRAINING FOR DEPT OF WATER &amp; ENVIRONMENT REGULATION</p> <p>10.6.18 - NOVOTEL LANGLEY - \$340.00 - EMPA DISASTER &amp; EMERGENCIES COMMUNICATION CONFERENCE</p> <p>10.6.18 - NOVOTEL LANGLEY - \$408.24 - EMPA DISASTER &amp; EMERGENCIES COMMUNICATION CONFERENCE</p> <p>10.6.18 - NOVOTEL LANGLEY - \$340 - EMPA DISASTER &amp; EMERGENCIES COMMUNICATION CONFERENCE</p> <p>10.6.18 - NOVOTEL LANGLEY - \$340.00 - EMPA DISASTER &amp; EMERGENCIES COMMUNICATION CONFERENCE (CREDITED ON 20.6.18)</p> <p>12.6.18 - WENDY BINKS - \$217 - FAREWELL GIFT CEO</p> <p>14.6.18 - THE TERRACE HOTEL - \$232.44 - GIS TRAINING</p> <p>15.6.18 - COSTUME COLLECTIONS - \$109.90 - YOUTH COLLECTIVE DRAMA CLUB</p> <p>15.6.18 - SMIFFYS AUSTRALIA - \$89.90 - YOUTH COLLECTIVE DRAMA CLUB</p> <p>15.6.18 - SPORTSPOWER - \$100.00 - STAFF REWARD &amp; RECOGNITION</p> <p>16.6.18 - COSTUMES COM AU - \$257.70 - YOUTH COLLECTIVE DRAMA CLUB</p>	3,037.14

			16.6.18 - HALLOWEEN COSTUMES - \$460.36 - YOUTH COLLECTIVE DRAMA CLUB 20.6.18 - NOVOTEL LANGLEY - \$-340.00 - CREDIT FOR 10.6.18 FEE 22.6.18 - SSL2BUY - \$114.39 - SSL CERTIFICATE FOR PAYROLL FUNCTION 24.6.18 - COSTUMES COM AU - \$-66.95 - REFUND FOR PURCHASE ON 16.6.18 28.6.18 - DWER WATER - \$50 - CLEARING PERMIT LUDLOW ROAD 28.6.18 - DWER WATER - \$200.00 - CLEARING PERMIT BOYANUP WEST ROAD 29.6.18 - CARD FEE \$4.00	
EFT27616	11/07/2018	ALZBETA BALADOVA	FILM WORKSHOP FACILITATOR	200.00
EFT27617	11/07/2018	WINC AUSTRALIA PTY LTD	2017/2018 ANNUAL SUPPLIES FOR PRINTING OF LOCAL NEWSPAPERS: GELORUP, CAPEL, BOYANUP, PEPPY GROVE AND SHIRE STATIONERY	1,535.92
EFT27618	11/07/2018	CAPEL HOCKEY CLUB	KIDSPORT REGISTRATIONS	235.00
EFT27619	11/07/2018	CAPELBERRY CAFE	CATERING FOR TEAM BUILDING	527.00
EFT27620	11/07/2018	CAREY PARK SCOUT GROUP	KIDSPORT REGISTRATION	495.00
EFT27621	11/07/2018	CARBON NEUTRAL	200 TONNE BIO DIVERSE REFORESTATION CARBON OFFSETS	4,180.00
EFT27622	11/07/2018	CROWN PERTH	ACCOMMODATION FOR MRS M BLANDFORD 14-17 AUGUST 2018	804.60
EFT27623	11/07/2018	CARBONE BROS PTY LTD	ADDITIONAL SAND OVER BOQ ESTIMATE SUPPLIED TO BATTERS AND .5 TONNE LIMESTONE	19,097.49
EFT27624	11/07/2018	GELORUP COMMUNITY MANAGEMENT COMMITTEE	CARETAKING OF GELORUP HALL	112.25
EFT27625	11/07/2018	DIESEL FORCE	SHIRE TRUCK REPAIRS INCLUDING ABS FAULT AND ELECTRICAL FAULT, FIT ELECTRICAL BRAKES AND REPAIR OF CATERPILLAR COMPRESSOR	10,815.84

EFT27626	11/07/2018	DIRT DESIGN	REMOVE PILES OF GRASS CLIPPINGS FROM RENOVATIONS IN BOYANUP TURF AREAS	2,420.00
EFT27627	11/07/2018	VANESSA DAVIES	SPORT PARTICIPATION SCHEME PAYMENT	100.00
EFT27628	11/07/2018	LGIS RISK MANAGEMENT	LGISWA SOUTH-WEST REGIONAL RISK COORDINATION PROGRAMME 2ND INSTALMENT	4,970.90
EFT27629	11/07/2018	EASIFLEET MANAGEMENT	VEHICLE LEASE PAYMENT	1,785.59
EFT27630	11/07/2018	GOLDEN WEST PLUMBING & DRAINAGE	INSTALL ISOLATION VALVE TO DRINKING FOUNTAIN AT NEW SKATE PARK AND BACKFLOW DEVICE TESTING AT CAPEL BFB AND CAPEL PAVILION	687.50
EFT27631	11/07/2018	FIT 2 WORK.COM.AU	EMPLOYEE POLICE CHECK	40.59
EFT27632	11/07/2018	GANNAWAYS	BUS CHARTER TO MANDURAH FORUM AS PART OF KEEPING IN TOUCH PROJECT	955.00
EFT27633	11/07/2018	GHD PTY LTD	GROUND WATER MONITORING EVENT 10-11 APRIL 2018	3,231.80
EFT27634	11/07/2018	JASON GICK	REFUND INZONE PROGRAM	60.00
EFT27635	11/07/2018	MOORE STEPHENS (WA) PTY LTD	FINANCIAL AND MANAGEMENT REPORTING WORKSHOP	2,420.00
EFT27636	11/07/2018	ISUBSCRIBE	2018/19 MAGAZINE SUBSCRIPTIONS FOR LIBRARY	1,044.92
EFT27637	11/07/2018	LESLEY JACKES	CAPTIVATE CAPEL REIMBURSEMENTS	52.77
EFT27638	11/07/2018	JULIES LAWNMOWING	MOWING OF BOYANUP MUSEUM GROUNDS AND BOYANUP HALL	140.00
EFT27639	11/07/2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	LG PROFESSIONALS - PAUL SHEEDY RETIREMENT BREAKFAST	75.00
EFT27640	11/07/2018	MALATESTA ROAD PAVING & HOT MIX	1 TONNE HOT MIX	200.00
EFT27641	11/07/2018	MARIST JUNIOR FOOTBALL CLUB	KIDSPORT VOUCHERS	260.00
EFT27642	11/07/2018	MCDONALD FENCING	REPAIR TO DAMAGED CHOOK YARD AND GATE	1,245.75
EFT27643	11/07/2018	M & B SALES BUNBURY	2X DOOR CLOSERS FOR GELORUP COMMUNITY CENTRE	282.36
EFT27644	11/07/2018	IAN MCCABE	REIMBURSEMENT OF REMOVAL COSTS AS PER CONTRACT (CL.6.10.3)	4953.30



EFT27645	11/07/2018	OFFICE LINE	SUPPLY THREE TRESTLE TABLES FOR DALYELLUP COMMUNITY CENTRE	1,600.50
EFT27646	11/07/2018	THE PERTH MINT	40 X 2018 AUSTRALIAN CITIZENSHIP \$1 COINS FOR CITIZENSHIP CEREMONIES	216.70
EFT27647	11/07/2018	RTW STEEL FABRICATION	24 TRAFFIC COUNTER BRACKETS CUSTOM MADE	1,188.00
EFT27648	11/07/2018	RIVERJET PTY LTD	PEPPERMINT GROVE BEACH EASEMENT STORMWATER PIPE LINER	19,483.20
EFT27649	11/07/2018	SOUTH WEST TREE SAFE	MARRI TREE TRIMMING AT GOODWOOD ROAD INCLUDING TRAFFIC CONTROL, PRUNE BRANCHES IN HAMPSTEAD STREET AND REMOVE TREE ON SLEAFORD DRIVE	2,200.00
EFT27650	11/07/2018	SOS OFFICE EQUIPMENT	METERBILLING FOR SHIRE PHOTOCOPIERS	2,820.81
EFT27651	11/07/2018	SOUTH WEST RUBBER STAMPS	SELF INKING STAMP	40.00
EFT27652	11/07/2018	STRATHAM BOBCAT HIRE	REPAIR TO NORMAN ROAD AFTER STORM DAMAGE, INSTALL LIMESTONE ON RAMP ON RICH ROAD AND BOBCAT HIRE FOR DRIVEWAY ON MEWETT DRIVE AFTER STORM DAMAGE	2,194.50
EFT27653	11/07/2018	ST JOHN AMUBULANCE WESTERN AUSTRALIA LTD	FIRST AID KIT SERVICES	964.31
EFT27654	11/07/2018	D & K THOMAS ELECTRICAL	REPAIR LIGHTING CIRCUIT AND REPLACE RCD/MCB AT GELORUP COMMUNITY CENTRE, CHECK SAFETY OF ELECTRICAL WIRING AFTER FLOODING AT DALYELLUP LIBRARY AND HALL AND REFIT HALLWAY LIGHT AND REPLACE FAULTY LIGHT FEED AND RCD AT HUGH KILPATRICK HALL	1,756.76
EFT27655	11/07/2018	TECHNOLOGY ONE	GIS CONSULTING SERVICES, TRAVEL, ACCOMMODATION & MEAL	15,154.66
EFT27656	11/07/2018	JASON'S HANDYMAN SERVICES	INSTALLATION OF 6 X BOLLARDS AT SHIRE STANDPIPES	600.00

EFT27657	11/07/2018	THINK WATER BUNBURY	POLY PIPE AND CUTTER FOR CAPEL COMMUNITY HALL	177.45
EFT27658	11/07/2018	RAY TINK ROOFING	INSTALL TOP CLIPS AND STRONGER HOLDING BRACKETS TO GUTTERING AT CAPEL TOWN PARK TOILET BLOCK, REPLACE MISSING PERSPEX WINDOW AT DALYELLUP MAIN BEACH TOILET BLOCK, REPLACE WHIRLY BIRD AT ELGIN HALL, REPAIR LEAK AT DALYELLUP COMMUNITY CENTRE AND SHIRE OFFICES COURTYARD DOOR, CLEAR GUTTERS AND INSTALL POSSUM BOX IN COURTYARD	1,441.00
EFT27659	11/07/2018	TOTAL EDEN	MONTHLY SERVICES - IRON FILTRATION SERVICE - CAPEL CIVIL PRECINCT + MONTHLY REPORTS TO SHIRE	281.60
EFT27660	11/07/2018	TROPHIES WEST	NAMEPLATES FOR NEW CEO	44.00
EFT27661	11/07/2018	SIMON THUIJS	FACILITATOR FOR SOCIAL MEDIA WORKSHOP FOR CLUBS	500.00
EFT27662	11/07/2018	WML CONSULTANTS	JAMIESON ROAD BOARDWALK CONCEPT INVESTIGATION AND DESIGN	7,700.00
EFT27663	11/07/2018	ZARBELLIKA	GIS CONSULTING JUNE 2018	4,394.50
EFT27707	18/07/2018	APH CONTRACTORS PTY LTD	INSTALLATION OF PIT AND PIPE CNR OF ROE AND WEST ROADS	16,357.00
EFT27708	18/07/2018	AMITY SIGNS	ROAD SIGNS	126.50
EFT27709	18/07/2018	ASTRAL SIGNS	SIGNS ON A FRAMES	1,062.60
EFT27710	18/07/2018	AMPAC DEBT RECOVERY	DEBT RECOVERY	665.53
EFT27711	18/07/2018	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT SERVICES	1,961.85
EFT27713	18/07/2018	AUSTRALIND PRE MIX	INSTALL FOOTPATH AT CAPEL CEMETERY	8,415.00
EFT27714	18/07/2018	BIG W	BOOK STOCK PURCHASES	620.00
EFT27715	18/07/2018	BUSSELTON REFRIGERATION & AIR CONDITIONING	2017/2018 AIR CONDITIONING SERVICE FOR ALL SHIRE SYSTEMS	3,148.00
EFT27716	18/07/2018	BUNNINGS BUILDING SUPPLIES PTY LTD	PLASTIC PORTABLE TABLE FOR YOUTH ACTIVITIES AND DUST PAN AND BRUSH	49.52
EFT27717	18/07/2018	BCF	ARC JOCKEY WHEEL FOR SHIRE TRAILER	99.99

EFT27718	18/07/2018	BP AUSTRALIA	DISTILLATE 6920 LITRES	10,013.12
EFT27719	18/07/2018	WINC AUSTRALIA PTY LTD	2017/2018 STATIONERY	427.52
EFT27720	18/07/2018	COATES HIRE SERVICE	UNISEX / DISABILITY TOILET FOR BOYANUP CEMETERY	627.00
EFT27721	18/07/2018	THE FAT BIRDIE	VARIOUS CATERING INCLUDING MLC HON A FARINA VISIT, REGIONAL WASTE FACILITY MEETING, LEMC MEETING AND CEO LIAISON MEETING	316.50
EFT27722	18/07/2018	FLEURS OF BUNBURY	HAMPER	157.00
EFT27723	18/07/2018	GANNAWAYS	INZONE BUS TO ESCAPE HUNT FREMANTLE	995.00
EFT27724	18/07/2018	GHD PTY LTD	REFUND FOR HALL HIRE 10/7/18 GELORUP COMMUNITY CENTRE	150.00
EFT27725	18/07/2018	GISSA INTERNATIONAL PTY LTD	ANNUAL SUBSCRIPTION TO A-SPEC, O-SPEC & R-SPEC	2,830.30
EFT27726	18/07/2018	ISA TECHNOLOGIES	30 BLOCK HOURS SUPPORT AGREEMENT	3,539.25
EFT27727	18/07/2018	LD TOTAL	REMOVE TREE IN GUTMAN PARKWAY AND INSTALL 200LT WATERLOG REPLACEMENT WITH LINEAL ROOT GUARD, REPLACE HIP-AB SWING AT LAKES EXERCISE AREA, REPAIR TODDLERS SWING AT MCMILLAN PARK AND REPLACE WIRE ROPE TO SWING AT DAABLONE PARK	2,127.40
EFT27728	18/07/2018	JUST YOUNGER CATERING	CATERING FOR COUNCIL MEETING DINNERS APRIL, MAY AND JUNE	1,176.00
EFT27729	18/07/2018	OFFICEWORKS SUPERSTORES PTY LTD	SHIRE DESK LAMP, 30 X 12LT WATER BOTTLES AND COOLER AND PLASTIC STATIONERY CONTAINERS	586.82
EFT27730	18/07/2018	Outback Imaging Pty Ltd	EZESCAN SOFTWARE MAINTENANCE RENEWAL	924.00
EFT27731	18/07/2018	PAGES MECHANICAL REPAIRS	RE-WIRE/INSTALL WINCH ON FLAT BED TRUCK.	197.50
EFT27732	18/07/2018	AUSTRALIA TAXATION OFFICE	PAYG WITHHOLDING 10.7.18	79,554.00
EFT27733	18/07/2018	RTW STEEL FABRICATION	3 X PROBES	132.00
EFT27734	18/07/2018	CAPEL FRESH IGA	SHIRE MILK AND YOUTH EXPENSES	358.82

EFT27735	18/07/2018	STEWART & HEATON CLOTHING CO PTY LTD	BFB PROTECTIVE GEAR	3,490.91
EFT27736	18/07/2018	SOUTHERN ATU SERVICES	AEROBIC TREATMENT UNIT MAINTENANCE - PGB	189.60
EFT27737	18/07/2018	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICAL	291.50
EFT27738	18/07/2018	SITE ENVIRONMENTAL AND REMEDIATION SERVICES PTY LTD	SITE MANAGEMENT PLAN, LANDFILL GAS MANAGEMENT PLAN & OHS PLAN FOR INTRUSIVE WORKS	3,025.00
EFT27739	18/07/2018	SURVEYING SOUTH	MCTAGGART RD, CAPEL ADDITIONAL SURVEY FOR DRAINAGE STUDY	792.00
EFT27740	18/07/2018	TOTALLY WORKWEAR	STAFF UNIFORM ALLOWANCES	1,329.75
EFT27741	18/07/2018	THINKTANK MEDIA PTY LTD	CORPORATE PA SUMMIT 2018	2,304.50
EFT27742	18/07/2018	TELSTRA BUSINESS CENTRE BUNBURY	REPLACEMENT IPHONE 6S AND LIFEPROOF COVER	816.00
EFT27743	18/07/2018	TOTAL GREEN RECYCLING PTY LTD	TRANSPORT AND PROCESSING OF E-WASTE COLLECTED AT CAPEL WASTE TRANSFER STATION IN 17/18	853.33
EFT27744	18/07/2018	RAY TINK ROOFING	REPAIR LEAK OVER STAGE AND CLEAN GUTTERS AT BOYANUP HALL	330.00
EFT27745	18/07/2018	TIMEZONE AUSTRALIA PTY LTD	YOUTH EXPENSES JULY SCHOOL HOLIDAY PROGRAM	620.00
EFT27746	18/07/2018	ANITA SCOTT	SPORTS PARTICIPATION SCHEME	100.00
EFT27747	18/07/2018	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN FEES JUNE 18	23,689.97
EFT27748	18/07/2018	TRACIE WALSH	YOUTH ART WORKSHOP MATERIALS AND ARTIST'S TIME	764.44
EFT27749	18/07/2018	SAMANTHA WROE	REIMBURSEMENT OF STUDY FEES AS PER STUDY POLICY	1,554.70
EFT27750	18/07/2018	ANTHONY WILLETTS	BOUNDARY ROAD - RECONSTRUCTION SLK 1.09 TO 2.15	13,895.75
EFT27751	18/07/2018	TELSTRA CORPORATION LTD	VELOCITY INTERNET CONNECTION - DALYELLUP SPORTS PAVILION	70.00

EFT27752	20/07/2018	DE LAGE LANDEN PTY LIMITED	17/18 MONTHLY PHOTOCOPIER RENTAL AND SERVICE FOR ALL SHIRE AND LIBRARY PHOTOCOPIERS	3,150.76
EFT27753	23/07/2018	CALTEX AUSTRALIA	JUNE FLEET FUEL	4,152.61
EFT27754	26/07/2018	ANIMAL CARE EQUIPMENT AND SERVICES	DOG BAG DISPENSERS	164.58
EFT27755	26/07/2018	AUSQ TRAINING	WORKSITE TRAFFIC MANAGEMENT	2,812.00
EFT27756	26/07/2018	ARBORGUY	DEAD WOOD LARGE REDGUM ON BRIDGE ST BOYANUP	2,112.00
EFT27757	26/07/2018	BUNBURY SWIMMING CLUB INC	KIDSPORT REGISTRATION	150.00
EFT27758	26/07/2018	BOYANUP JUNIOR HOCKEY CLUB	KIDSPORT REGISTRATION	125.00
EFT27759	26/07/2018	BUNBURY PLUMBING SERVICES	PUMP OUT GREASE TRAP BOYANUP HALL	209.50
EFT27760	26/07/2018	DL & SC BRINDLEY	CARRY OUT PAINTING OF INTERIOR WALLS IN DALYELLUP LIBRARY	880.00
EFT27761	26/07/2018	CROSS SECURITY SERVICES	SMOKE DETECTOR MAINTENANCE AT SHIRE OFFICES	176.00
EFT27763	26/07/2018	COMBINED TEAM SERVICES PTY LTD	OSH REP TRAINING	1,200.00
EFT27764	26/07/2018	DIESEL FORCE	INSTALL FLASHING LIGHTS AND WIRE UP CONTROL BOX FOR WATER CART TANK	4,385.22
EFT27765	26/07/2018	MD ZAKARIA FERDOUS & REZWANA PARVIN	CROSSOVER CONTRIBUTION	300.00
EFT27766	26/07/2018	GOLDEN WEST PEST & WEED CONTROL	TERMITE TREATMENT TO 2 GUMS AND 1 REDGUM ON BRIDGE STREET BOYANUP	250.00
EFT27767	26/07/2018	GRANTS EMPIRE	GRANTS CONSULTANCY FOR CSRFF FORWARD PLANNING GRANT	990.00
EFT27768	26/07/2018	JAZZ ATTACK	KIDSPORT REGISTRATION	165.00
EFT27769	26/07/2018	KLEENHEAT GAS	GAS CYLINDER CHARGE, PEPPERMINT GROVE BEACH	75.90
EFT27770	26/07/2018	LGIS PROPERTY SCHEME	LGIS PROPERTY INSURANCE	47,939.94
EFT27771	26/07/2018	LGIS LIABILITY SCHEME	LGIS INSURANCE - CRIME, BUSHFIRE AND LIABILITY	30,327.52
EFT27772	26/07/2018	LGIS WORKCARE SCHEME	LGIS WORKCARE	115,814.09

EFT27773	26/07/2018	LGIS INSURANCE BROKING	MANAGEMENT LIABILITY INSURANCE, MARINE HULL COMMERCIAL, MOTOR VEHICLE, MARINE CARGO, PERSONAL ACCIDENT, TRAVEL AND CYBER INSURANCE	51,124.94
EFT27774	26/07/2018	MAINSPRAY	RURAL ROAD AND TOWNSITE SPRAYING THROUGHOUT SHIRE OF CAPEL	31,350.00
EFT27775	26/07/2018	MARKETFORCE	ADVERTISE NOTICE OF DIFFERENTIAL RATES, DEVELOPMENT APPLICATIONS AND NOTICE OF SPECIAL COUNCIL MEETINGS	1,120.45
EFT27776	26/07/2018	KRISTIN MCKECHIE	REIMBURSEMENT OF PROFESSIONAL REGISTRATION FEES	374.00
EFT27777	26/07/2018	VODAFONE HUTCHISON AUSTRALIA PTY LTD	18/19 MESSAGING FOR BUSH FIRE BRIGADES	151.56
EFT27778	26/07/2018	JEREMY O'NEILL	REWARD FOR VOLUNTEER	100.00
EFT27779	26/07/2018	PROMOTE YOU	108618 SWISS PEAK MULTI TOOL FOR ORGANISATIONAL TRAINING	1,430.00
EFT27780	26/07/2018	PROFESSIONAL CABLING	CABLING AND DATA SERVICES FOR NEW DALYELLUP LIBRARY	5,896.00
EFT27781	26/07/2018	PJ & EV PAGE	MONTHLY POLISHING AND BUFFING BOYANUP HALL FLOOR JUNE	70.00
EFT27782	26/07/2018	PRIME MEDIA GROUP LIMITED	WATCH YOUR WASTE CAMPAIGN 2018, COMMERCIALS	4,631.00
EFT27784	26/07/2018	SOUTH WEST TREE SAFE	CUT DOWN SPLIT PEPPY TREE ON STIRLING ROAD CAPEL AND REMOVE HANGER ON SHENTON ROAD	1,705.00
EFT27785	26/07/2018	SOUTHERN LOCK & SECURITY	ALARM MONITORING SERVICE FEE FOR SHIRE PREMISES	981.96
EFT27786	26/07/2018	STRATHAM BOBCAT HIRE	BOBCAT HIRE FOR LIMESTONE ON NORMAN ROAD, EXCAVATOR FOR DRAINAGE BASIN ON JACINTH ROAD AND BOBCAT/ROLLER MOBILISATION FOR DRAINAGE ON HAMPSTEAD ROAD	3,448.23
EFT27787	26/07/2018	WELLINGTON DISTRICT PONY CLUB	KIDSPORT REGISTRATION	150.00

EFT27788	30/07/2018	AUSTRALIAN GROWN	CLUB TEE-SHIRTS FOR YOUTH COLLECTIVE PROGRAMS, EVENTS AND ACTIVITIES	765.93
48912	04/07/2018	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	54.90
48913	04/07/2018	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS	72.00
48914	04/07/2018	CITY OF BUNBURY	SOUTH WEST COORDINATED CORELLA CONTROL GROUP - PAYMENT TOWARDS CORELLA CONTROL CONTRACT	931.33
48915	04/07/2018	SHIRE OF CAPEL	PAYROLL DEDUCTIONS	68.00
48916	04/07/2018	LGRCEU	PAYROLL DEDUCTIONS	143.52
48917	04/07/2018	SYNERGY	ELECTRICITY	5,076.00
48918	11/07/2018	SHIRE OF DARDANUP	PAYMENT FOR THE DE-DUPLICATION OF LIBRARY CATALOGUE	644.85
48919	11/07/2018	SYNERGY	ELECTRICITY	33,338.00
48920	11/07/2018	TELSTRA CORPORATION LTD	JUNE 2018 LANDLINE ACCOUNT	3,626.44
48921	18/07/2018	COURIER AUSTRALIA INTERNATIONAL	COURIER COSTS ANALYTICAL	31.32
48922	18/07/2018	SHIRE OF CAPEL	PETTY CASH RECOUP-DALYELLUP NEWSPAPER PURCHASES	24.20
48923	18/07/2018	WATER CORPORATION	WATER USAGE	232.45
48924	26/07/2018	COURIER AUSTRALIA INTERNATIONAL	FREIGHT ON 9000 RATES NOTICES	42.35
48925	26/07/2018	SHIRE OF CAPEL	STATIONERY	342.70
48926	26/07/2018	FORWARD IN FAITH MINISTRIES INTERNATIONAL	REFUND DUE TO CANCELLATION OF DALYELLUP COMMUNITY CENTRE HIRE	1,215.90
48927	26/07/2018	SYNERGY	ELECTRICITY	908.75
48928	26/07/2018	WATER CORPORATION	WATER USAGE	753.68
943	04/07/2018	VANESSA KATHRYN BASSETT	T2322 HALL BOND REFUND	500.00
944	04/07/2018	COALCLIFF PTY LTD	T2246 12 MONTH DEFECT BOND RETURN - BITUMEN SEAL STRATHAM PARK STAGE 2	5,000.00
945	11/07/2018	BUILDING & CONSTRUCTION IND TRAINING FUND	T5518 JUNE BCITF LEVY COLLECTED	756.97
946	11/07/2018	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	T5516 JUNE BSL LEVY COLLECTED	6,124.39
947	11/07/2018	SHIRE OF CAPEL	T5618 JUNE BSL COMMISSION COLLECTED	186.25
948	18/07/2018	MICHAEL REDDIN	T2329 HALL BOND REFUND	1,000.00

949	26/07/2018	FORWARD IN FAITH MINISTRIES INTERNATIONAL	T2318 HALL BOND REFUND	155.40
950	26/07/2018	SOUTH WEST BAPTIST CHURCH	T2113 HALL BOND REFUND	150.00
				907,668.58

10.07.18	SHIRE OF CAPEL PAYROLL PAYMENTS	\$213,763.31
24.07.18	SHIRE OF CAPEL PAYROLL PAYMENTS	\$169,723.49

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**\$383,486.59**

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11.07.18	TRANSFER to MUNICIPAL ACCOUNT	\$660,000.00
25.07.18	TRANSFER to MUNICIPAL ACCOUNT	\$600,000.00
26.07.18	TRANSFER to MUNICIPAL ACCOUNT	\$1,115,000.00

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**\$2,375,000.00**

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#### 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 22 August 2018 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.



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

#### **VOTING REQUIREMENTS**

Simple majority

<b>20 / 2018 OFFICER'S RECOMMENDATIONS – 15.3/COUNCIL DECISION</b>
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**Moved Cr Hearne, Seconded Cr J Scott**

**That Council receives:**

- 1 The Schedule of Accounts covering vouchers 943-950, EFT27573 to EFT27788, CHQ48912 to CHQ48928 totalling \$907,668.50 during the month of July 2018;**
- 2 Payroll payments for the month of July 2018, totalling \$383,486.59; and**
- 3 Transfers to and from investments as listed.**

Carried 7/0

Cr Schiano returned to the Chambers at 6.44pm.



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**21 / 2018 (15.4) Financial Statements for 31 July 2018**

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Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 08.08.18  
Author: Manager Finance, A Mattaboni  
Senior Officer: Executive Manager Corporate Services, S Stevenson  
Attachments: Financial Statements for July 2018

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**IN BRIEF**

Council to consider adopting the monthly financial statements for July 2018.

**RECOMMENDATION**

**That Council adopts the financial statements for the period ending 30 July 2018 as attached.**

**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.

### **RISK IMPLICATIONS**

There are no risk implications related to this item.

### **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.

### **SUSTAINABILITY IMPLICATIONS**

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

### **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018-2028

The Leadership Experience, *'Open, transparent, and effective good governance'*.

Community Objective:

- 1.6 Council is effective and efficient in the financial management stewardship of community assets.

### **CONSULTATION**

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

**COMMENT**

At 31 July 2018, Council’s net current asset position was a deficit of \$1,234,481. The forecast 2018/19 year end net current asset position is a surplus of \$18,637.

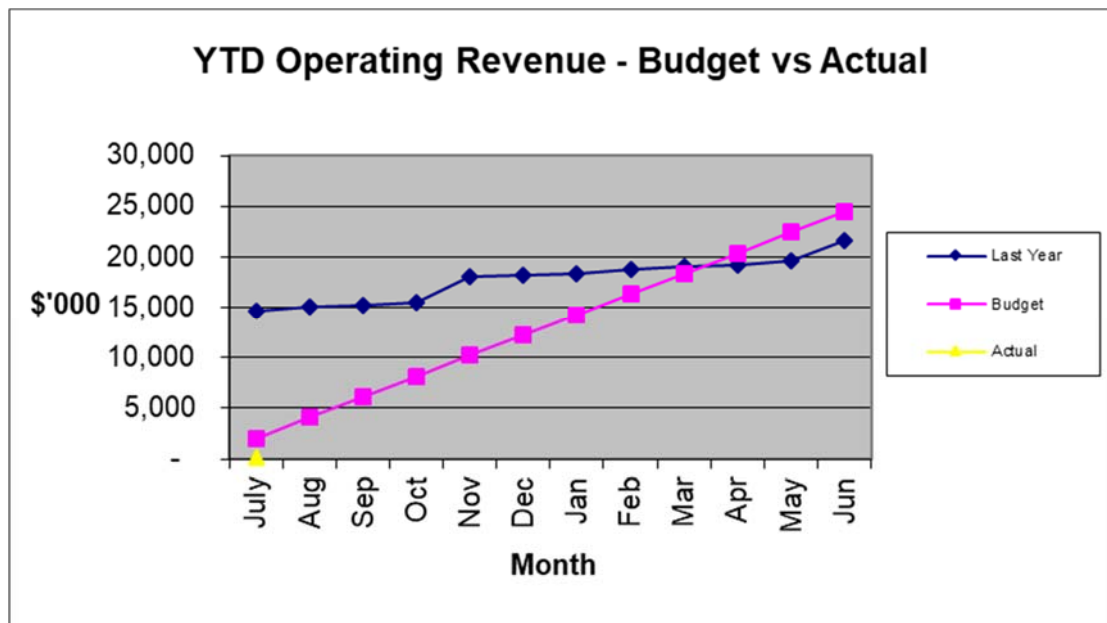
The 2017/18 year end net current asset position is a deficit of \$219,067. This amount will vary to the final surplus/(deficit) as accounts are finalised for the 2018 year. The 2017/18 forecast net current asset position used for the 2018/19 budget was a surplus of \$31,771.

Rates assessment for the 2018/19 financial year is expected to occur in September 2018.

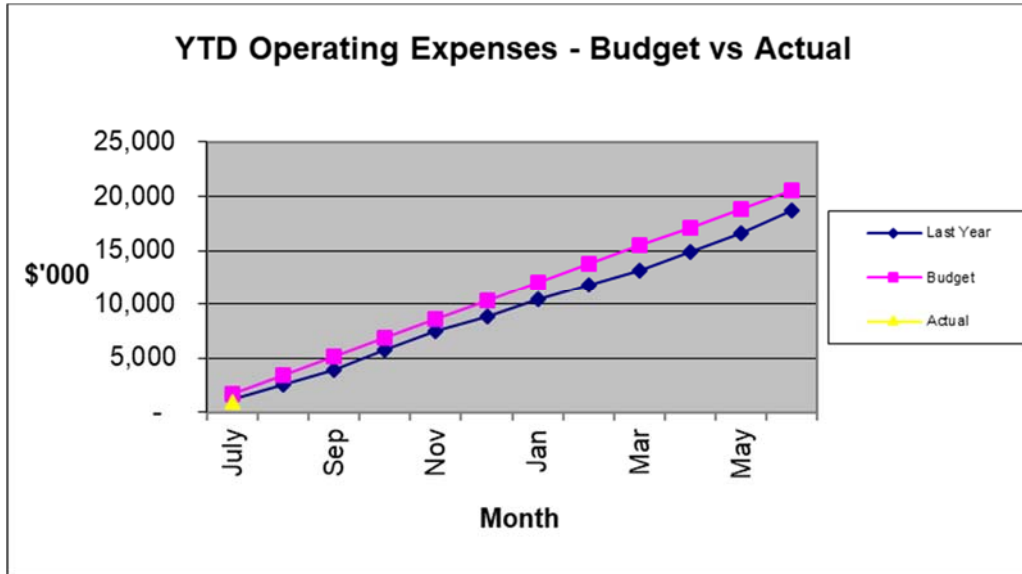
Compared to the 2018/19 draft budget approximately 1% of Operating Revenue has been invoiced and 5% of the Operating Expenditure budget has been spent. The monthly budget of income and expenditure has yet to be adjusted to reflect the expected timing of actual income and expenditure throughout the financial year.

Fixed asset depreciation has not been calculated for the month of July 2018 pending the update of the fair value of all assets as at 30 June 2018.

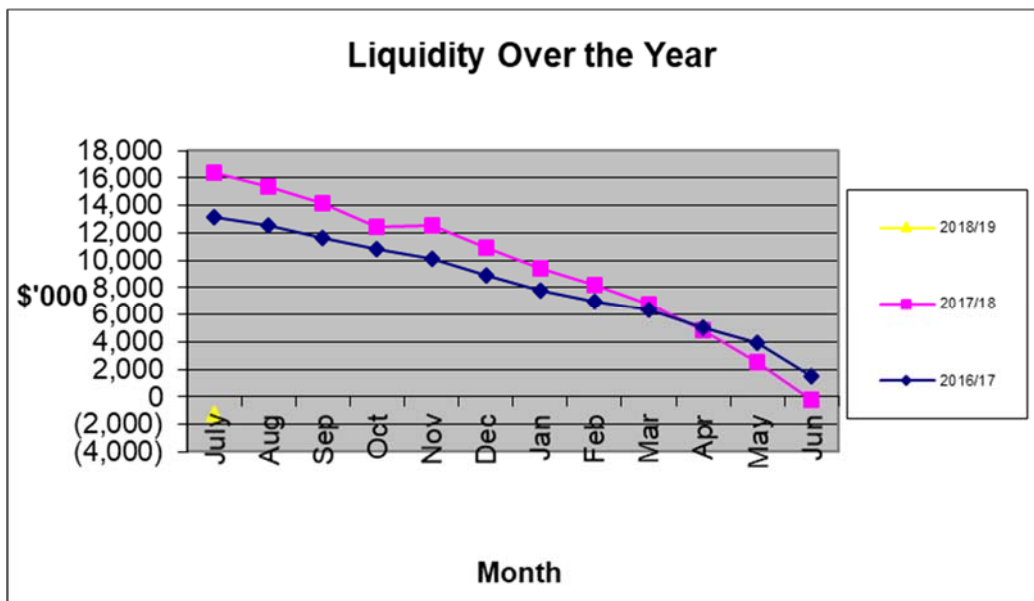
The following graphs compare actual Operating Revenue and Operating Expenditure against the 2018/19 draft budget on a year to date basis. The monthly budget of income and expenditure has yet to be adjusted to reflect the expected timing of actual income and expenditure throughout the financial year.



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

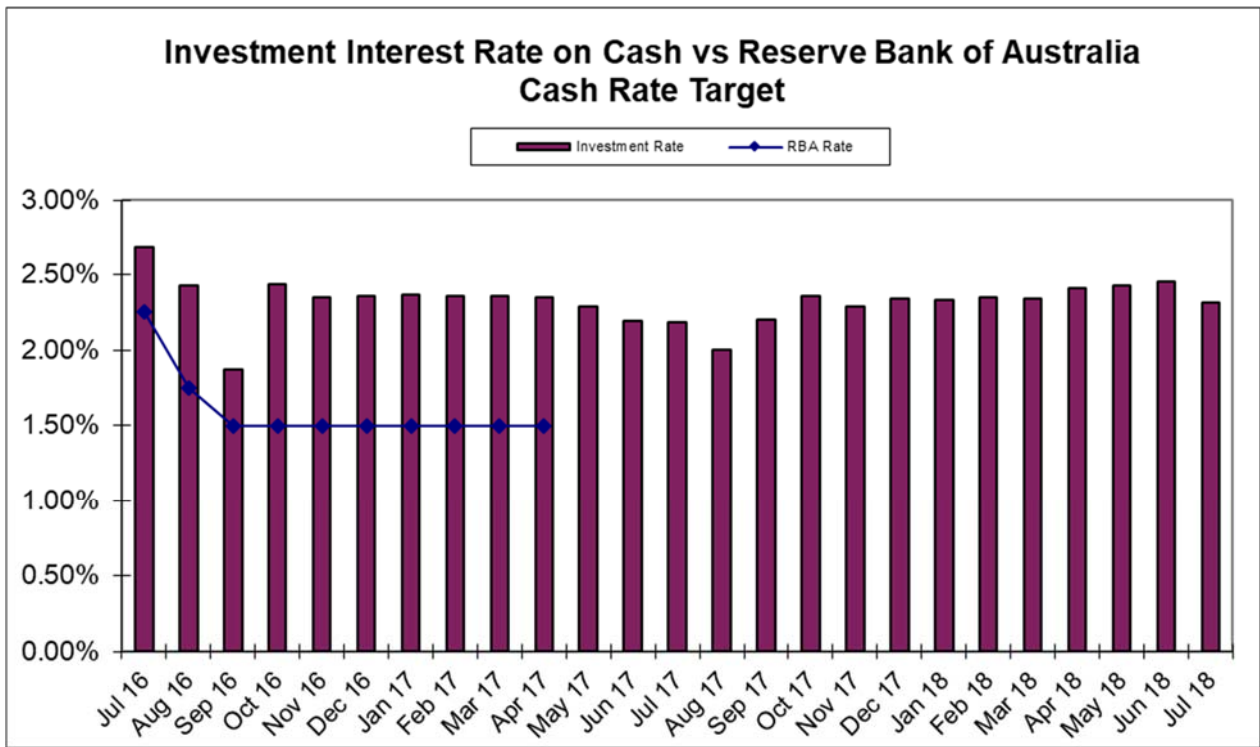


The liquidity graph compares the current year's net current assets position against that of the two previous years.



Council's municipal cash and investments position has decreased by \$2,056,565 compared to June 2018. The Municipal cash position is an amount of \$14,525,289 of which \$13,730,229 is restricted for specific purposes as shown at Note 3. The final actual reserve transfers are yet to be completed for 2017/18. Cash revenue is due to rates receipts, dog and cat registration renewals, grant funding and the Business Activity Statement refund from the Australian Taxation Office. Major cash expenses are a result of payroll, contractor and loan payments.

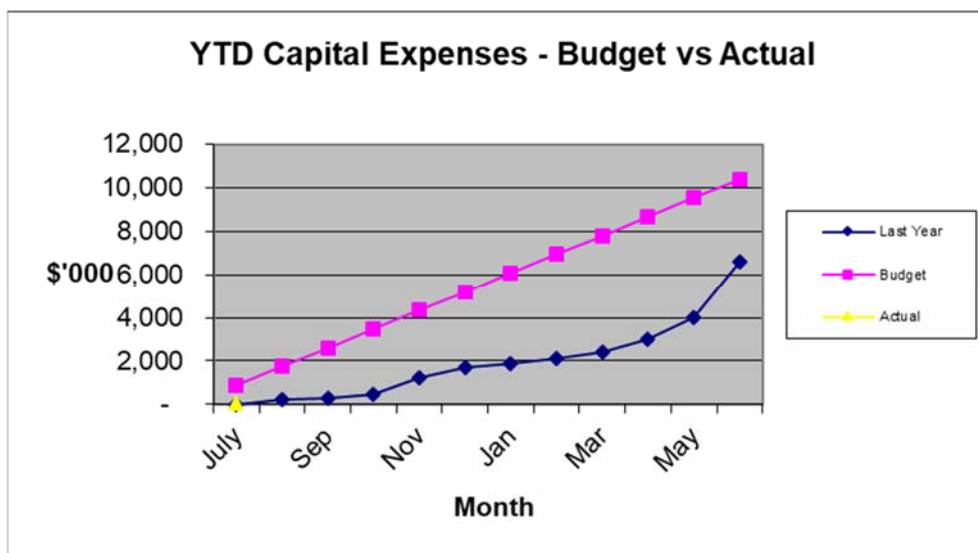
Total interest earned year to date is \$8,105 which is below the current year to date (draft) budget of \$40,398. The average investment rate of return has decreased to 2.31%, which exceeds the Reserve Bank's cash reference rate of 1.50%. The Reserve Bank Board on 7 August 2018 made no change to their target cash rate of 1.50%. The Shire has term deposits maturing from August 2018 to January 2019, investment terms ranging from 90 days to 364 days and interest rates from 2.45% to 2.70%.



Capital works expenditure of \$52,240 occurred during the month on:

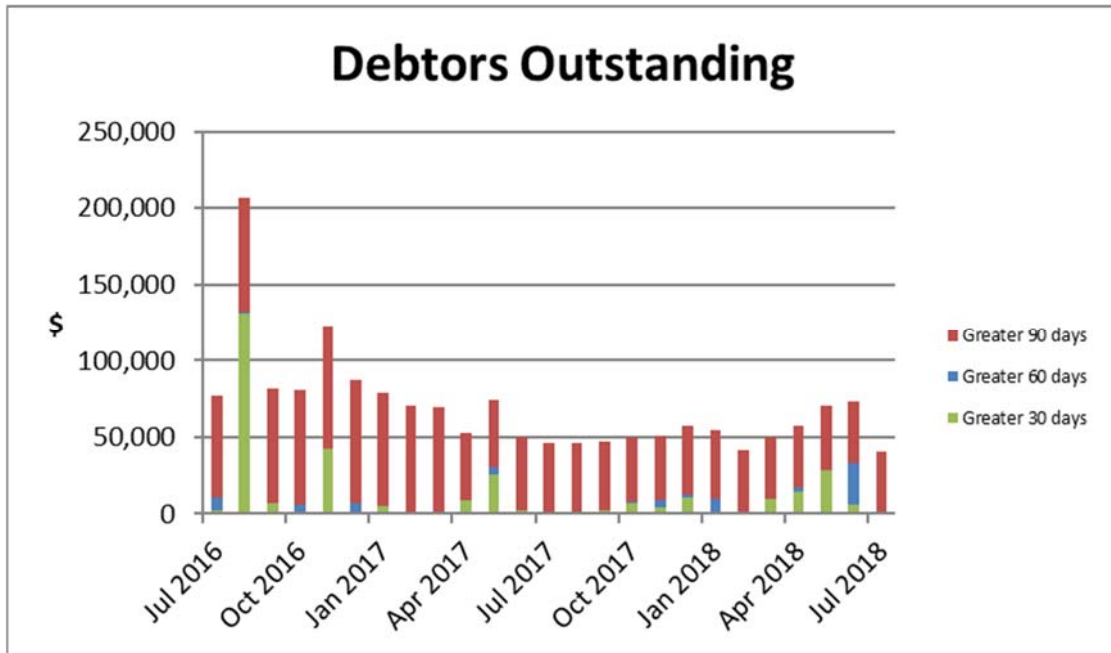
\$ 25,851	Capel Civic Precinct - Stage 3 and 3A
\$ 15,590	Drainage
\$ 4,917	Water Tank
\$ 3,182	Dalyellup Community Centre N. 2
\$ 1,500	Boyanup POS – Recreation Facilities
\$ 1,200	Capel Civic Precinct - Stage 4 Multi Use Building Design

The following graph compares actual capital expenditure against the 2018/19 draft budget on a year to date basis and includes the prior year actual for comparative purposes. The monthly budget of capital expenditure is yet to be adjusted to reflect the expected timing of actual expenditure throughout the financial year.

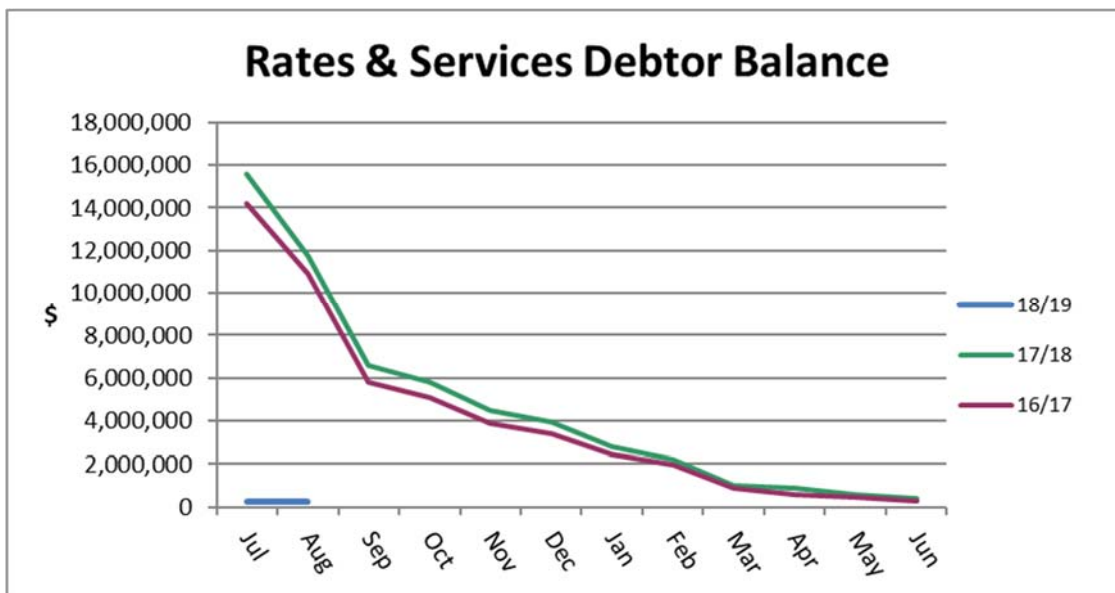


Council's financial ratios are disclosed in Note 14.

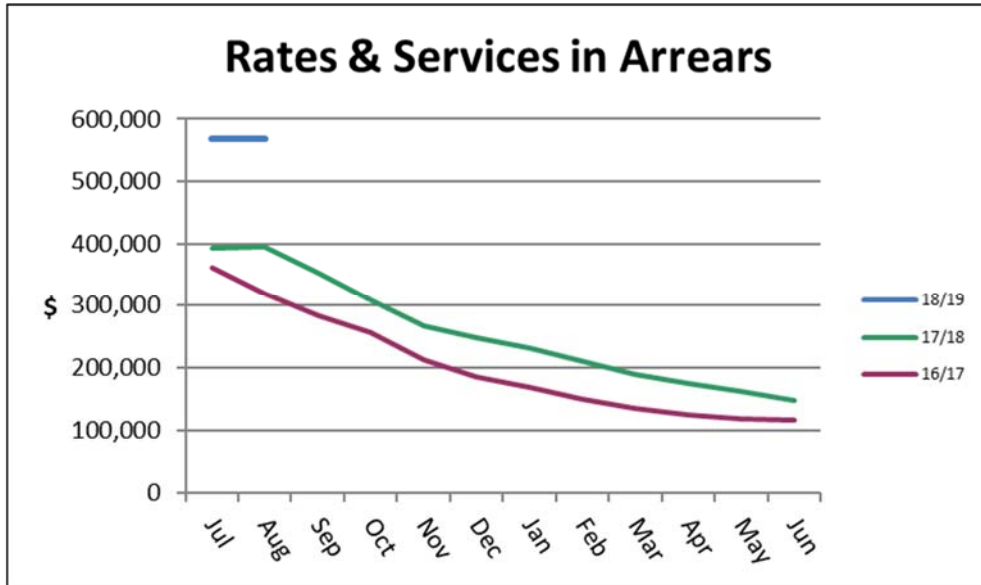
The following graph illustrates Council's current level of general Debt recovery for 31-60 days, 61-90 days and greater than 90 days.



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



The following graph shows the level of rates and services in arrears for the last three years. Rates and Services in Arrears at the start of each financial year as a percentage of the Rates and Services Debtor Balance has been: 2018/19 202.75% (to be adjusted once rates are assessed) 2017/18, 2.51% and 2016/17, 2.54%.



A review of the Statement of Financial Position and the attendant notes indicates there are no adverse trends evident in the year to date financial statements as at 31 July 2018.

**VOTING REQUIREMENTS**

Simple majority

**21 / 2018 OFFICER'S RECOMMENDATION – 15.4/COUNCIL DECISION**

**Moved Cr Bell, Seconded Cr Hearne**

**That Council adopts the financial statements for the period ending 31 July 2018 as attached.**

Carried 8/0

## COMMUNITY SERVICES REPORTS

### **22 / 2018 (16.1) Boyanup Hardcourts Redevelopment – CSRFF**

Location:	Boyanup
Applicant:	Shire of Capel
File Reference:	N/A
Disclosure of Interest:	Nil
Date:	06.08.18
Author:	Manager Community Development & Library Services, J O'Neill
Senior Officer:	Executive Manager Community Services, M Plume
Attachments:	Shire of Capel CSRFF Application – Boyanup Hardcourts Redevelopment

#### **IN BRIEF**

To consider a small grant application for funding to the Department of Local Government, Sport & Cultural Industries (DLGSCI) under the Community Sport & Recreation Facilities Fund (CSRFF) to redevelop the Boyanup Hardcourts.

#### **RECOMMENDATION**

##### **That Council:**

1. **Endorses a Small Grant application seeking one third of eligible project costs under the Community Sport & Recreation Facilities Fund for Redeveloping the Boyanup Hardcourts.**
2. **Ranks the Boyanup Hardcourts Redevelopment as "A – Well planned and needed by municipality"; and**
3. **Allocates a contribution, from the already budgeted \$491,461, of \$133,334 (ex GST) from the Boyanup Recreation Facilities Budget towards the Boyanup Hardcourts Redevelopment project to be undertaken in 2018/19.**

#### **BACKGROUND / PROPOSAL**

##### **Background**

DLGSCI administers the CSRFF program, with the purpose of providing State Government financial assistance to Local Government Authorities and local community groups (up to one third of the total capital cost), to develop well-planned facilities for sport and recreation.

In June 2009, several changes were made to the CSRFF program to improve the level of support the Western Australian Government provides to the sporting community. Of particular note is the introduction of the Small Grant Round, which has a different timeline to standard grant rounds. Small Grant Applications must be submitted to DLGSCI from Local Government Authorities by the end of March and August each year. This requires local governments to assess and prioritise applications prior to submission. Successful Small Grants are required to be acquitted prior to 15 June each year.

In order to assist with the evaluation of submissions and to ensure projects are viable and appropriate, DLGSCI has developed "Key Principles of Facility Provision". Accordingly, each submission is to be assessed against those criteria.

Under the provision, Local Government Authorities are required to rate and prioritise local submissions using the following guide:



RATE	DESCRIPTION
A	Well planned and needed by the municipality
B	Well planned and needed by the applicant
C	Needed by the municipality, more planning required
D	Needed by the applicant, more planning required
E	Idea has merit, more preliminary work needed
F	Not recommended

Submissions for the current funding round closed on Tuesday, 31 July 2018. Following this date, each Local Government Authority is required to assess and prioritise the applications before forwarding all documentation to the South West Office of the DLGSCI no later than 31 August 2018.

During October and November 2018 local applications (along with others received throughout the State) will be evaluated and ranked by relevant State Sporting Associations and the CSRFF Assessment Panel, prior to the outcome being announced by the Minister for Sport and Recreation. Funds for successful applications will become available around January 2019.

One (1) application was received for the current Small Grants round as follows:

*1. Shire of Capel – Boyanup Hardcourts Redevelopment*

**Proposal**

There is a budget of \$491,461 allocated in the 2018/19 Shire of Capel draft budget for the upgrade and improvement of the Boyanup Recreational Facilities (Boyanup Sports Precinct). After a significant period of community consultation (in excess of 12 months) the project has been divided into 2 distinct stages; Stage 1 – Boyanup Sports Building Compliance Upgrade and Stage 2, Boyanup Hardcourts Redevelopment; which is the basis of this proposal.

Stage 1 is currently in the pre-tender stage with all drawings and tender specifications recently finalised. The basis of the upgrade is to achieve disability access compliance and improve kitchen facilities (aesthetics) for the three Boyanup Sports Buildings at Boyanup Memorial Park including the Boyanup Football and Basketball / Netball Club rooms and the Boyanup Bowling Club.

Redeveloping the Boyanup Hardcourts (Stage 2) encompasses removing the existing asphalt, laying new foundations, drainage and kerbing, coating in plexipave acrylic surface, new linemarking and installation of posts for tennis nets, netball rings and basketball rings. A civil engineering consultant has developed concept designs and these were provided to qualified contractors for cost estimates in July 2018 and have formed the basis of this proposal.

**STATUTORY ENVIRONMENT**

There are no statutory environment provisions relevant to this matter.

**POLICY IMPLICATIONS**

There are no current Shire Policies relevant to this matter.

**RISK IMPLICATIONS**

The main risk for this Project is an unsuccessful grant application – Medium risk.

If external funding is not forthcoming, Council has the option to withdraw Stage 2 of the project or submit an application in a future round of CSRFF, scheduled for early 2019. However, this would further delay the Boyanup Recreational Facilities Project from being undertaken. Alternatively, Council may consider the following risk mitigation measures should funding not be secured in the next round:

1. Reduce the size and scope of the Boyanup Hardcourts Redevelopment project. This could include removing from the project scope the acrylic court surface and provide improvements only to the current external fencing.
2. Reduce the size and scope of the Sports Building Compliance Project. This could include removing from the project scope the kitchen aesthetic improvements.
3. Alternatively, the Council may consider contributing the full amount of project costs once the full cost of the Stage 1 Tender has become known.

## **FINANCIAL IMPLICATIONS**

### **Budget**

Cost estimates from external suppliers have indicated that the entire project cost is \$200,000 (ex GST). The Community Sport & Recreation Facilities Fund offered by DLGSCI is currently open for applications. Applicants can seek one third of eligible project costs for small projects, with the remaining two thirds of costs being contributed by the Shire or other external organisations. Therein, the Shire's contribution amounts to \$133,334 (ex GST).

### **Long Term**

The redevelopment of the hardcourt surface has a 12 month guarantee for the workmanship/construction and five year warranty for the surface subject to fair wear and tear. As this project is not constructing new infrastructure, it already forms part of the Shire's Asset Management Plan and appropriate life cycle costs are applied.

## **SUSTAINABILITY IMPLICATIONS**

The Boyanup Hardcourts Redevelopment project, if funded, will deliver a sports facility able to respond to population growth and changes in community demographics in the long term, and resulting in a sustainable and inclusive community facility that contributes to the social, health and well-being of many Boyanup residents.

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018 – 2028

The Leadership Experience, *"Open, transparent, and effective good governance."*

Community Objective:

- 1.6 Council is effective and efficient in the financial management stewardship of community assets.

The Community Experience, *"Facilities and services that accommodate the diverse needs of the community and provide a safe place to live, work and visit."*

Community Objective:

- 2.1 Council works in partnership with the community in providing appropriate services and facilities.

The Infrastructure Experience, *"To ensure safe, sustainable and efficient infrastructure and transport networks."*

Community Objective:

- 5.3 Working together to meet the needs of changing infrastructure requirements.

**CONSULTATION**

Consultation has occurred with the two primary user groups of the facility: Boyanup Basketball Club and Boyanup Netball Club. Both Clubs have confirmed their support for this Project and that it is their highest priority for improvement of facilities.

The DLGSCI’s CSRFF Regional Manager (South West) met with Shire representatives in February 2018 and provided comments on the progression of a CSRFF Application for this Project.

A concept design was developed in June 2018 and provided to the primary user groups and the South West Regional Manager for comment. With their approval, the concept design was then tendered for cost estimates, with project costs being received from three contractors in July 2018.

**COMMENT**

The need to redevelop the Boyanup Hardcourts has been identified by a series of Shire of Capel Strategic Facility planning documents.

The Shire of Capel Sport and Recreation Strategic Plan (2005-2015) indicated that the (then) existing facilities at Memorial Park were unable to fully cater for the basic needs of local sports clubs. At the time, user groups rated the hard courts as poor, but usable, however 15 years on the standard of these facilities has further deteriorated.

The Boyanup Sport & Recreation Master Plan (2013) also confirmed that Boyanup’s multipurpose hardcourts require new line marking due to changes in basketball rules and the current configuration limits the simultaneous play of sports. A hardcourt redevelopment would enable two (2) sports to be played simultaneously in a safe and contemporary way.

Consultation with the primary user groups and the undertaking of a structural assessment of the Boyanup Hardcourts has confirmed that redeveloping the hardcourts is necessary to enable continuation in physical activity by the Boyanup community as it is the only outdoor hardcourts facility in the local area.

**VOTING REQUIREMENTS**

Simple majority

<b>22 / 2018 OFFICER’S RECOMMENDATION – 16.1/COUNCIL DECISION</b>
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**Moved Cr Kitchen, Seconded Cr J Scott**

**That Council:**

- 1. Endorses a Small Grant application seeking one third of eligible project costs under the Community Sport & Recreation Facilities Fund for Redeveloping the Boyanup Hardcourts.**
- 2. Ranks the Boyanup Hardcourts Redevelopment as “A – Well planned and needed by municipality”; and**
- 3. Allocates a contribution, from the already budgeted \$491,461, of \$133,334 (ex GST) from the Boyanup Recreation Facilities Budget towards the Boyanup Hardcourts Redevelopment project to be undertaken in 2018/19.**

Carried 8/0

Mr McCabe returned to the Chambers at 6.48pm.  
Mr Gick left the Chambers at 6.49pm.

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**23 / 2018 (16.2) Bush Fire Advisory Committee Minutes**

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Location: Whole of Shire  
Applicant: Shire of Capel  
File Reference: EM.BFAC.1  
Disclosure of Interest: Nil  
Date: 07.8.18  
Author: Manager Emergency & Ranger Services, D Freeman  
Senior Officer: Executive Manager Community Services, M Plume  
Attachments: Minutes of the meeting of the Shire of Capel Bush Fire Advisory Committee held on 6 August 2018

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**IN BRIEF**

To consider the minutes of the meeting of the Shire of Capel Bush Fire Advisory Committee (BFAC) held on 6 August 2018.

**RECOMMENDATION**

**That Council receives the Minutes of the Bush Fire Advisory Committee held on 6 August 2018, and adopts the Committee’s recommendations.**

**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.

**Proposal**

The Minutes of the meeting of the Shire of Capel Bush Fire Advisory Committee held on 6 August 2018 be received and the recommendation 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**

The following Policy of Council is relevant to this item:

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.

## **FINANCIAL IMPLICATIONS**

### **Budget**

There are no unbudgeted financial implications for the Shire related to this matter.

### **Long Term**

There are no long term financial implications for the Shire related to this matter.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **STRATEGIC IMPLICATIONS**

Shire of Capel Strategic Community Plan 2018-2028

The Environmental Experience, *"Preserve and enhance the natural and built environment."*

Community Objective:

4.4 Council provides leadership and a responsive plan to manage our drying climate and increasing storm and fire risk.

## **CONSULTATION**

No consultation other than through the BFAC members has been undertaken. In addition to a Council delegate, membership of the BFAC comprises a representative of each of the Shire's five Volunteer Bush Fire Brigades, the Chief and Deputy Chief Bush Fire Control Officers and the Shire's Bush Fire Training Coordinator. Representatives of the Department of Fire and Emergency Services and the Department of Biodiversity, Conservation and Attractions are also members of the Committee as non-voting members.

## **COMMENT**

Although there are no matters requiring a resolution of Council, the following matters are brought to Council's attention:

BF0802 –Department of Biodiversity Conservation and Attractions 2018/19 Hazard Reduction Burning Program – the Department presented the Blackwood District 2018/19 Hazard Reduction Burn Program in which it is noted that no burns are planned on State Government reserves in the Shire in 2018/19.

BF803 – The Committee has considered the proposed program for hazard reduction burns on Shire managed reserves for 2018 and consider that subject to suitable weather conditions being available, the Hazard Reduction burns proposed in the 2018 Hazard Reduction Burn Program are achievable using Brigade resources/personnel.

## **VOTING REQUIREMENTS**

Simple majority

<b>23 / 2018 OFFICER'S RECOMMENDATION – 16.2/COUNCIL DECISION</b>
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**Moved Cr Bell, Seconded Cr Kitchen**

**That Council receives the minutes of the Bush Fire Advisory Committee held on 6 August 2018, and adopts the Committee's recommendations as follows:**

**BF0801 That Council receives the report of the Chief Bush Fire Control Officer and the comments therein be noted.**

**BF0802 That Council receives the report of the Department of Biodiversity Conservation and Attractions delegate and note that no prescribed Burns are planned within the Shire of Capel in 2018/19.**

- BF0803**
- 1. The Report of the Manager Emergency & Ranger Services be received and the comments therein noted;**
  - 2. The minutes of the Annual General Meetings of the Capel and Elgin Brigades be noted;**
  - 3. A Council Policy be developed to give guidance to Bush Fire Control Officers as to the circumstances where the powers of Section 46 of the Bush Fires Act shall be used, and by whom; and**
  - 4. Council be advised that subject to suitable weather conditions being available, the Hazard Reduction Burns proposed in the 2018 Hazard Reduction Burn Program are achievable using Brigade resources/personnel.**

Carried 8/0

At 6.49pm, the Presiding Member returned to Item 14.1 Tender 18/02 – Construction of Capel Civic Precinct (Stage 4) – Youth & Community Facility. See page 29.

Following the vote on Item 14.1 (see page 43), the Agenda continued in usual order.

Mr Gick returned to the Chambers at 6.51pm.

Mr Freeman and Mr McKeachie left the meeting at 6.52pm and did not return.

Cr McCleery left the Chambers at 6.52pm.

<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

Cr McCleery returned to the Chambers at 6.54pm.

**MEETING CLOSURE**

The meeting closed at 6.55pm.

These minutes were confirmed at an Ordinary Council meeting on 26 September 2018.

Signed

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

Date