



Shire *of* Capel

MINUTES

ORDINARY COUNCIL MEETING
Wednesday 24 October 2018



SHIRE OF CAPEL

ORDINARY COUNCIL MEETING – 24 OCTOBER 2018

MINUTES

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SHIRE OF CAPEL

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS, FORREST ROAD, CAPEL ON WEDNESDAY 24 OCTOBER 2018 COMMENCING AT 4.33PM.

PRESENT:	President Councillor	MT Scott BW Bell BW Hearne DJ Kitchen DL Radisich SV Schiano JA Scott M Southwell IJ McCabe S Stevenson JM Gick A Evans
	Chief Executive Officer Executive Manager Corporate Services Executive Manager Engineering & Development Services Minute Secretary	
LEAVE OF ABSENCE:	Councillor	PK McCleery (28/2018)
APOLOGY:		Nil
MEMBERS OF PUBLIC:		1
VISITORS:	Journalist, South Western Times	E Ace

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

Nil

PUBLIC QUESTION TIME

Nil

APPLICATIONS FOR LEAVE OF ABSENCE

Nil

DECLARATIONS OF INTEREST

Cr Bell declared a Proximity Interest in Item 14.2 Program of Works – Roads (2019 – 2029). The nature and extent of his interest is that he owns land on Gavins Road, which is included in the Program.

Cr Kitchen declared a Proximity Interest in Item 14.2 Program of Works – Roads (2019 – 2029). The nature and extent of his interest is that his family owns property in direct proximity to Boyanup West Road, which is included in the Program.

Crs Hearne and Kitchen declared an Impartiality Interest in Item 14.4 Draft Memorandum of Understanding – Capel Land Conservation District Committee (LCDC). The nature and extent of their interest is that they are Council representatives to the LCDC.

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

Nil

50/2018 CONFIRMATION OF MINUTES
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Moved Cr J Scott, Seconded Cr Hearne

That the Minutes of the Ordinary Council meeting held on 26 September 2018 be confirmed.

Carried 7/1

VOTING REQUIREMENTS

Simple majority

ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION	Nil
PETITIONS/DEPUTATIONS/PRESENTATIONS	Nil
MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	Nil
QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	Nil

CHIEF EXECUTIVE OFFICER REPORT

51/2018 (13.1) Chief Executive Officer's Report

Location:	Whole of Shire
Applicant:	Not Applicable
File Reference:	CM.IU.1
Disclosure of Interest:	Not Applicable
Date:	11.10.18
Author:	Chief Executive Officer, I McCabe
Senior Officer:	Not Applicable
Attachments:	Nil

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 Chief Executive Officer (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; and
- Management of Risk.

Calendar:

The Chief Executive Officer completed (governance) professional development in Perth 2 October 2018 with the Australian Institute of Company Directors (AICD).

The Official Opening for the Capel Civic Precinct was held Saturday 13 October 2018 with community events and official presentations by Ms Nola Marino MP, Member for Forrest, and Hon. Mick Murray MLA, Minister for Seniors and Ageing; Volunteering; Sport and Recreation. Deputy President, Cr Brian Hearne acted for the President who was on leave.

Round One of the Event Sponsorship grants have been awarded to a total of \$11,452. The sponsorship has been awarded to Capel Bowls Club for several events; Dalyellup Primary School P&C school fete on 17 November; Capel Golf Club outdoor cinema; and, Dalyellup community groups for the Dalyellup Christmas Festival on 16 December 2018.

Congratulations to Community Development and Library staff on a successful school holiday program, including a Lego Challenge and other activities at all libraries and the Pemberton camp which saw 22 young people challenged and entertained.

Upcoming community events: a movie day will be held in the new Capel amphitheatre on 20 October, featuring shorts made by young members of our community and the feature *Sherlock Gnomes*; a Halloween youth event will be co-hosted with Gravity ETC. at Dalyellup on 27 October; and a workshop for users of the skateable link with artist Mikaela Miller on design of the skateable link will be held on 3 November from 10am. Please check the Library and Community Services page of the Shire website for details of all events and programs.

Council:

Council met for its Ordinary meeting on 26 September 2018. The 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 26 September, Council received a very interesting presentation from Community Development Officer, Donna Sims on the Shire's Community Engagement Strategy. The purpose of the Strategy is to activate Policy '8.5 Community Consultation', which is aimed at ensuring all residents have the opportunity to contribute to decision making; this is important and there has been ample evidence that the local government can and must do better in communicating the positive messaging around the work we do and mitigate misunderstanding that may arise.

Following this was an important presentation and discussion led by Dean Freeman, Manager Emergency and Ranger Services, about preparation and compliance for the bushfire season. There is no doubt that the region is at high risk of bushfire – accordingly, all community members must manage the risk around fire. Dean and team are endeavouring to reduce the risk to the Shire by aiming for 100% compliance in firebreaks and fire-readiness and this is commendable and necessary. Council will be kept informed of compliance risk and outcomes throughout the bush fire season.

An important presentation and discussion about public health was led by Principal Environmental Health Officer, Mark Chadwick – Mark's discussion of public health plans required under the new Health Act included some statistical evidence that highlights public health risk in the district and a possible focus for future health strategy.

A round table discussion of Shire operations and emerging issues followed these sessions.

Council held a workshop on 8 October 2018 for briefings from staff and to discuss dog exercise areas; biosecurity; the proposed DFES Bush Fire Centre of Excellence; media and communications policy; the Long Term Financial Plan; and emerging issues.

Strategic:

All key documents of the local government are available via the Shire website at (go to Council / Publications).

Public comment on any strategic document is welcome at any time by emailing info@capel.wa.gov.au, by mail or by hand delivery to Shire administration. Please address your submission to the Chief Executive Officer.

With the closing of accounts for 2017/18 and work under way to conclude the Annual Report, staff attention is turning toward the mid-year review and next year's budget. Accordingly, preliminary work and discussion with council have commenced in relation to the Long Term Financial Plan. This will provide the underpinnings to budget preparation and provide some context for community consultation and discussion.

It is my intention to prepare a status report for Council and the community of major projects. This report will be an appendix to the monthly CEO report and provide key information such as budgeted expenditure, progress against plan and any relevant information in relation to risk for those significant items included in the annual budget. The report will commence from November 2018.

Management:

The CEO represented the local government:

- At a meeting of the Local Emergency Management Committee on 18 September 2018 and participated in a risk assessment exercise with representatives of Department of Fire and Emergency Services (DFES) and other stakeholders – this will contribute to the Shire of Capel's accreditation under the state risk plan and assist with readiness for major incidents related to bush fire;
- In a similar vein, and with several colleagues, attended an emergency management workshop focussed on recovery hosted by DFES and the District Emergency Management Committee in Bunbury on 9 October with presentations on WA State recovery arrangements, disaster recovery funding arrangements, the recovery following the Esperance fire in 2015, waste arrangements following emergency events and transitioning from the response to an event to recovery;
- 10 October in Waroona with Deputy President Cr Brian Hearne for the official launch of the Digital Farms initiative by the Minister for Regional Development, Agriculture and Food; Minister Assisting the Minister for State Development, Jobs and Trade, Hon. Alannah MacTiernan MLC. This initiative will provide targeted fixed wireless broadband services in rural and regional WA to support the agricultural sector access digital services, including technologies accessed by farm equipment and vehicles.

Key meetings have included:

- 19 September with Executive Manager Corporate Services, to meet external auditor Moore Stephens to assess risk management, legislative compliance and internal control (this was one of a number of meetings across the business)- the resulting report is in compliance with Regulation 17 of the Local Government (Audit) Regulations 1996, which requires the Chief Executive Officer to review these aspects of compliance;
- 20 September at Meadowbrooke Lifestyle Village, Boyanup, to meet management and tour the facility;
- 21 September, met with ratepayers;

- 25 September, with Executive Manager Jason Gick, met with representatives of the Bunbury Outer Ring Road project team to discuss communications;
- 27 September, met with ratepayer;
- (later that day) met Nationals WA Senate candidate, Nick Fardell;
- 28 September, met with representatives of the Ludlow Tuart Forest Restoration Group and tour areas of restoration and risk in the Tuart forest; and
- (later that day) met with a ratepayer.

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

51/2018 OFFICER'S RECOMMENDATION – 13.1/COUNCIL DECISION

Moved Cr Kitchen, Seconded Cr J Scott

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

Carried 8/0

ENGINEERING AND DEVELOPMENT SERVICES REPORTS

52/2018 (14.1) Draft Shire of Capel Local Public Health Status Report (2018)

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	4/60/11
Disclosure of Interest:	Nil
Date:	02.10.18
Author:	Principal Environmental Health Officer, M Chadwick
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	Draft Shire of Capel Local Public Health Status Report (2018)

IN BRIEF

Council is requested to receive the Draft Shire of Capel Local Public Health Status Report (2018) and include a commitment of \$5,000 in the 2019/20 budget. This will assist in preparing the first Shire of Capel Local Public Health Plan.

RECOMMENDATION

That Council:

1. **Receives the Draft Shire of Capel Local Public Health Status Report (2018); and**
2. **Allocates \$5,000 for preparation of a Shire of Capel Local Public Health Plan in the draft 2019/20 budget.**

BACKGROUND / PROPOSAL

Background

At the Council briefing session held on 26 September 2018, Council was presented with an overview of the current status of the Public Health Act 2016 and a Draft Shire of Capel Local Public Health Status Report (2018).

The Public Health Act 2016 is currently at Stage 4 of 5 stages in its implementation. Stage 5 once enacted, will require local governments to prepare a local public health plan within two years of the date of enactment. Preparations have been made towards the first stage in preparing a local public health plan, which is a local public health status report. Staff commenced an audit of existing strategies, policies and plans, which have been incorporated in the draft local public health status report. The draft report has been reviewed externally and is supported by the WA Country Health Service, Southwest Branch, with its comments provided in the Consultation section of this agenda item.

Proposal

It is proposed that Council receives the Draft Shire of Capel Local Public Health Status Report (2018) and allocates \$5,000 towards preparing the first Shire of Capel Local Public Health Plan in the 2019/20 budget.

STATUTORY ENVIRONMENT

Public Health Act (2016)

45. Local public health plans

- (1) A local government must prepare a public health plan (a *local public health plan*) that applies to its local government district.

- (2) A local public health plan must be consistent with the State public health plan.
- (3) A local public health plan may be prepared in conjunction with a plan for the future of the local government district prepared under the *Local Government Act 1995* section 5.56.
- (4) A local public health plan must —
 - (a) identify the public health needs of the local government district; and
 - (b) include an examination of data relating to health status and health determinants in the local government district; and
 - (c) establish objectives and policy priorities for —
 - (i) the promotion, improvement and protection of public health in the local government district; and
 - (ii) the development and delivery of public health services in the local government district;and
 - (d) identify how, based on available evidence, the objectives and policy priorities referred to in paragraph (c) are proposed to be achieved; and
 - (e) describe how the local government proposes to work with the Chief Health Officer and other bodies undertaking public health initiatives, projects and programmes to achieve the objectives and policy priorities referred to in paragraph (c); and
 - (f) include a strategic framework for the identification, evaluation and management of public health risks in the local government district and any other matters relating to public health risks in the local government district —
 - (i) that the local government considers appropriate to include in the plan; or
 - (ii) that are required to be included in the plan by the Chief Health Officer or the regulations;and
 - (g) include a report, in accordance with the regulations, on the performance by the local government of its functions under this Act.
- (5) A local government must review its local public health plan each year and may amend or replace it at any time.
- (6) Unless it is sooner replaced, a local public health plan must be replaced at the end of the period of 5 years after it was prepared.
- (7) A local government must prepare its first local public health plan not later than 2 years after this section comes into operation.

POLICY IMPLICATIONS

The Draft Shire of Capel Local Public Health Status Report (2018) makes specific reference to policies identified as part of the audit process in developing the report. There may be other policies yet to be identified that may also be relevant and it is anticipated these will be picked up during the future preparation stage of the proposed local public health plan. The Policies identified include:

- Policy 7.10 Traffic Management Plan;
- Policy 7.6 Roads (Seal Width);
- Policy 5.3 Shade and Sun Smart;
- Policy 5.7 Event Management;
- Policy 5.2 Food Regulation Compliance;
- Policy 5.5 Integrated Mosquito Management; and
- Policy 5.6 Integrated Pesticide Management.

RISK IMPLICATIONS

The risk implication at present is low, as the Public Health Act (2016), Part 5 has not yet been enacted and therefore preparing a local public health plan is not yet required. It is expected that the requirement will occur by 2021, however, the earlier the Shire begins the process to prepare a local public health plan, the better positioned it will be to comply with this requirement in the future.

The Shire has received a health and wellbeing scorecard identifying community perceptions and expectations that will assist to improve its quality of life. The Shire has also recently adopted its Strategic Community Plan 2018-2028, which will require a minor review in two years' time. Should the Shire decide to incorporate the local public health plan with its Strategic Community Plan, then preparing the local public health status report ahead of this will assist in future review proceedings and be a significant advantage.

The risk of not approving the \$5,000 budget allocation is also low as the work can largely be done by staff in-house. However, the provision for an external review and input is more likely to ensure the final document meets with the expectations of the Chief Health Officer of the Department of Health.

FINANCIAL IMPLICATIONS

Budget

There are no implications to the 2018/19 Budget.

Long Term

The financial implication if Council supports the recommendation to allocate \$5,000 towards external input into review and preparation of the local public health plan is recommended for inclusion in the 2019/20 budget.

There are potential long term budget implications for costs of any actions associated with the implementation of the future local public health plan. These need to be identified in association with the development and implementation of a future Corporate Business Plan. Future reviews of the Local Public Health Plan may incur costs associated with staff involved in its review and mandatory annual reporting. This can be accommodated within the operational budget and the Long Term Financial Plan and fit within the existing corporate procedures and frequency for the review of policies, plans and strategies.

SUSTAINABILITY IMPLICATIONS

This agenda item has positive sustainability implications within the social domain, as the Draft Shire of Capel Local Public Health Status Report (2018), identifies specific risks associated with the social determinants of health.

Healthy communities also contribute to the economy.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Community Plan (2018-2028)

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

Community Objective:

1.4 Building a culture of collaboration and a stronger, safer and happier 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 Objectives:

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

2.4 Community safety is recognised as paramount.

The Infrastructure Experience, *'To 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.
- 5.4 Community needs a safe and efficient transport network including public transport.
- 5.5 Locals are able to 'age in place'.

Corporate Business Plan (2018 – 2022)

- 1.4 Undertake measures to ensure the protection of public health.
- 2.1 Develop and maintain a Shire with pedestrian/cycling access.
- 2.1 Create and maintain parks and open spaces that create opportunities for people to come together, socialise and enjoy a range of activity.
- 2.1 Foster participation in cultural events and activities that encourage a sense of identity and belonging.
- 2.4 Develop and implement various Health Plans that address major health risks in community.
- 5.2 Quality parks, gardens and green open spaces.
- 5.4 Working with public transport service providers to support improvements to public bus services within the District.
- 5.5 Age Friendly program initiatives.

CONSULTATION

Consultation has occurred with all Managers who participated in an audit of strategies, policies and plans, associated with health status of the community and preparation of the report. The Draft Shire of Capel Local Public Health Status Report (2018) was tabled at Managers meetings held on 27 February 2018 and 27 March 2018 and the Executive Management Team meeting held on 7 August 2018 and at the Councillor briefing session held on 26 September 2018.

The WA Country Health Services was invited to comment and made the following statement as received from the Office of the Regional Director, WA Country Health Service – South West on 1 October 2018:

- Thank you for the opportunity to review The Shire of Capel Local Public Health Status report 2018.
- The WA Country Health Service- South West Public Health Unit has supported the Shire of Capel in its endeavours to identify and source relevant health data to assist inform Shire progress towards a Local Public Health Plan by 2023.
- The Public Health Unit is fully supportive of this important first step; a Health Status Report that benchmarks current related activity around health risk factors including existing Shire Policies and Strategies.
- Of particular interest is, firstly, the WA Health priority area; healthy lifestyles where the Status report has addressed a range of existing Shire Strategies and Plans that go toward addressing healthy eating, physical activity, obesity, tobacco, alcohol and safer communities.
- Secondly, is the WA Health priority area; providing health protection for the community where the Status report refers to immunisation, communicable disease and oral health.
- The Status report goes on to identify significant higher risks than that of the state average, in some areas. Notwithstanding this additional State-wide data also indicates that the upward trend toward increases in additional risk factors currently not sitting above the state average will also require Shire of Capel public health planning attention.

- The Public Health Unit looks forward to providing Health Promotion support the Shire of Capel to identify additional best practice strategies, resources and stakeholders who can collaborate to help inform the development of the Shire’s future local public health plan.

COMMENT

This report recommends Council receives the Draft Shire of Capel Local Public Health Status Report (2018) and allocate \$5,000 in the 2019/20 budget for the preparation of a Local Public Health Plan.

Through gathering relevant local and State health data, conducting an audit of existing policy, strategy and plans, the Draft Shire of Capel Local Public Health Status Report (2018) provides the necessary evidence required for preparing a future Local Public Health Plan within the timeframe of implementation of Part 5 of the new Public Health Act (2016). It also provides the evidence needed for consideration when conducting the next scheduled review of the current Shire of Capel Strategic Community Plan and Corporate Business Plans, which may be used to incorporate the Shire’s Local Public Health Plan.

NOTE: The recommendation for Item 14.1 was discussed prior to the Ordinary Council meeting. The following amendments were made, before the item was tabled, by the Chief Executive Officer, with the consent of the Presiding Person: in Point 2, replace “Considers allocating” with “Allocates” and insert “draft” before “2019/20 budget”.

VOTING REQUIREMENTS

Simple majority

52/2018 OFFICER’S RECOMMENDATION – 14.1/COUNCIL DECISION

Moved Cr Hearne, Seconded Cr J Scott

That Council:

- 1. Receives the Draft Shire of Capel Local Public Health Status Report (2018); and**
- 2. Allocates \$5,000 for preparation of a Shire of Capel Local Public Health Plan in the draft 2019/20 budget.**

Carried 8/0

Cr Bell declared a Proximity Interest in Item 14.2 Program of Works – Roads (2019 – 2029). The nature and extent of his interest is that he owns land on Gavins Road, which is included in the Program.

Cr Kitchen declared a Proximity Interest in Item 14.2 Program of Works – Roads (2019 – 2029). The nature and extent of his interest is that his family owns property in direct proximity to Boyanup West Road, which is included in the Program.

Crs Bell and Kitchen left the Chambers at 4.42pm.

53/2018 (14.2) Program of Works – Roads (2019 – 2029)

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	RO.PL.1
Disclosure of Interest:	Nil
Date:	19.09.18
Author:	Manager Technical Services, K McKeachie
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	1. Program of Works - Roads (2019 – 2029) 2. Roads Program Selection Criteria 3. Roads Program 2019 – 2029 Locality Maps

IN BRIEF

The Council is requested to consider formal adoption of a 10 Year Program of Works – Roads (2019 – 2029), and allocation of funds to the 2019/20 Budget.

RECOMMENDATION

That Council:

- 1. Endorses, in principle, the Program of Works - Roads (2019 - 2029); and**
- 2. Allocates \$1,813,507 in the draft 2019/20 Budget for the roads capital program.**

BACKGROUND / PROPOSAL

Background

21 May 2014 (OC0507)

Council endorsed a 10 Year Road Management Plan (2014/15 to 2023/24), and allocated funds to the 2014/15 budget to implement the first year of that program. Council has adopted similar 10 year programs since 2009/10.

22 April 2015 (OC0405)

Council considered a review of the 10 Year Road Management Plan (2014/15 to 2023/24), which identified several anomalies in proposed project scope, funding arrangements and project sequencing.

Consequently, the Council decided to (OC0405):

- 1. Discontinue the 10 Year Road Management Plan (2014/15 to 2023/24);*
- 2. Endorse the Program of Works – Roads (2015/16), with these changes:*
 - (a) Delete Capel Tutunup Road from the 2015/16 program;*

- (b) *Include additional works to Elgin Road north from Railway Road to Nicholls Road where works are already scheduled, approximately 1km;*
- (c) *Include Boundary Road from Clarke Road south to Lowrie Road, approximately 1km.*
- (d) *To find savings to facilitate these additional works from the program of works 2015/16.*

3. *Allocate \$1,312,646.40 in the draft 2015/16 Budget for roads; and*

4. *Request staff to prepare a draft 4 Year Program of Works – Roads (2016/17 to 2019/20) for consideration in early 2016 with an additional budget allocation to bring program of works up to a minimum of \$1.5 million annually.*

27 April 2016 (OC0409 & OC0410)

A 4 Year Program of Works – Roads (2016/17 to 2019/20) was presented to Council for consideration.

Council decided (OC0409):

That Council:

- 1. *Endorses the Program of Works – Roads (2016 – 2020); and*
- 2. *Allocates \$1,550,383 in the draft 2016/17 Budget for the roads capital program.*
- 3. *Elevate works scheduled for Brookdale Road in 2017/18 to programme of works 2016/17 by altering works scheduled for Norman Road to be split over 2016/17 and 2017/18, with the dollar value allocated for both these roads to remain the same.*

Council further decided (OC0410):

That Council requests a subsequent 4 Year (2017 – 2021) program of works to be developed with consideration being given to completing all works on Elgin Road from Boyanup West Road to the bridge 1.5kms south of Railway Road.

22 March 2017 (OC0306)

A 5 Year Program of Works – Roads (2017 – 2022) was presented to Council for adoption. This Program was based upon a multi-criterion selection procedure developed in consultation with Council.

Council was advised that as part of a planned return to preparation of a 10 Year Program of Works – Roads, in line with the requirements of the WA Integrated Planning and Reporting Framework, future Programs of Works – Roads would be progressively extended to 7 Years in 2018/19 and to 10 Years in 2019/20.

Council decided (OC0306):

That Council:

- 1. *Endorses the Program of Works – Roads (2017 – 2022); and*
- 2. *Allocates \$1,679,720 in the draft 2017/18 Budget for the Roads Capital Program.*

28 February 2018 (OC0207 & OC0208)

A 7 Year Program of Works – Roads (2018 – 2025) was presented to Council for adoption. This Plan continued work in accordance with Council Decision OC0405, based upon objective needs analysis and condition assessment of the asset.

Council decided (OC0207):

That Council approves Unbudgeted Expenditure of \$15,000 in the current (2017/18) budget for interim corrective works of a portion of Calinup Road (SLK 0.24 to SLK 0.54).

Council further decided (OC0208)

That Council:

1. *Endorses the Program of Works Roads (2018 – 2025), noting the following for 2018/19:*
 - a. *Road #189 Ducane Road – The SLK range be corrected to 3.23SLK to 3.49SLK (260m);*
 - b. *Road #331 Dalyellup Boulevard – The reseal is in two parts from Maidment Boulevard to the Norton Promenade roundabout approaches, and from the Norton Promenade roundabout to the Hornibrook Avenue roundabout; and*
2. *Allocates \$1,663,988 in the draft 2018/19 Budget for the Roads Capital Program.*

26 September 2018 (42 / 2018)

A proposal for a potential upgrade of Norman Road to a sealed surface by way of a Commodity Route Funding application was presented to Council for consideration. This road is used by heavy vehicles above the approved classification. The proposal was based on a short term opportunity to minimise future maintenance costs, bring the transport operation into compliance with Council Policy and avoid compromising the economic viability of the affected landholder.

Council decided (42 / 2018):

That Council directs staff to defer this recommendation until such time as they can provide Council with an updated Program of Works – Roads so Council can make an informed decision with all revisions and costs known.

As a result of decision (42 / 2018) the Shire was unable to meet the closing date for applications for the Commodity Route Funds for the next two years. The proposal to progress the upgrade of Norman Road was, therefore, moot.

A Gravel Re-sheet of Norman Road was previously scheduled in the Program of Works – Roads (2018 – 2025) to occur in 2021/22. In order to mitigate the accelerated deterioration of Norman Road over the near term, the proposed Gravel Re-Sheet has been brought forward in this Program of Works – Roads (2019 – 2029) to occur in the 2019/20 financial year and has been expanded to include additional culverts to reduce local drainage issues.

Proposal

To consider adoption of a 10 Year Program of Works – Roads (2019 – 2029), and allocation of funds to the 2019/20 Budget.

STATUTORY ENVIRONMENT

Section 5.56 – Planning for the future, of the Local Government Act 1995 applies:

- (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.*

POLICY IMPLICATIONS

The following Council policies apply:

- Council Policy 2.7: Preparation of Integrated Financial Plan and Budget;
- Council Policy 2.9: Budget Management – Capital Acquisitions and Works;
- Council Policy 2.33: Asset Management
- Council Policy 6.18: Capel Townsite Traffic Strategy;

Council Policy 6.23: Boyanup Transport Infrastructure Strategy;
 Council Policy 7.3: Engineering Specifications (Subdivision Land Development);
 Council Policy 7.6: Roads (seal width); and
 Council Policy 7.7: Roads (verges).

RISK IMPLICATIONS

The overall Risk Implication attached to the Program of Works – Road (2019 – 2029) is medium.

The program represents the continuing progress of the Shire towards contemporary Asset Management on Roads. The Program is intended to deliver a balanced approach to long-term management of the road network. The Program addresses the preservation and upgrade needs of the network, while taking into account the Shire's ability to meet the required capital costs.

Should Council choose not to support the Program, or to specify a reduced quantum of works, then it is likely that some reduction in the overall performance of the network may occur as a result.

FINANCIAL IMPLICATIONS

Budget

The following table provides a summary of the 2018/19 budget arrangements proposed for the Program of Works – Roads (2019 – 2029):

Item	Description	\$
2019/20 Expenditure		
Network Expansion	Asset upgrades	1,263,146
Network Preservation	Asset renewals	550,361
Proposed 2019/20 Program of Works	Total expenditure	1,813,507
2019/20 Funding		
Direct Grant	Unconfirmed (2018 grant assumed)	138,572
Regional Roads Group Projects	LOWRIE ROAD: Reseal to 6.2m (10mm)	26,000
	JULES ROAD NORTH: Widen formation to 9.0m, modify intersection (Hasties Road) ** Pruning at Height Required **	291,863
	MRWA Ref No. (Project or TRIM): (To Be Advised) BOYANUP ROAD WEST: Reconstruction, drainage upgrade & linemarking ** Clearing Permit Required **	277,653
State Blackspot Project (RRG)	LUDLOW NORTH ROAD: Improve and widen intersection (Stirling Road)	12,000
Roads to Recovery	2018/19 allocation	258,984
	Total funding	1,005,072
2019/20 Budget Arrangements		
Proposed 2019/20 Program of Works	Total expenditure	1,813,507
Anticipated funding	Total revenue	-1,005,072
General purpose revenue	Required to achieve proposed program	808,435

Subsequent to adoption by Council of the Program of Works – Roads (2017 – 2022) in March 2017, the State Government announced a \$10M cut in funding for the State Roads Funds to

Local Government pool, (the Direct Grant). This negatively impacted the Shire of Capel by reducing the Shire's Direct Grant revenue from an anticipated \$138,000 to \$75,613.

The Shire was advised by Main Road Western Australia in August 2018 that the level of Direct Grant support from State Roads Funds has now been reverted to its previous levels as of financial year 2018/19. The Shire's approved share of the pool, therefore, increased to \$138,434. Absent further advice, it is assumed that the Shire's share of the pool will remain in line with the 2018/19 allocation, with minor Consumer Price Index (CPI) indexation.

The proposed Program of Works – Roads (2019 – 2029) is within the estimated budget of the current published Long Term Financial Plan (2017) (\$4,238 below allocation), but is slightly above the adopted Program of Works – Roads (2018 – 2025) (\$3,316 above projected budget).

Capital Expenditure					
Year	Published LTFP (2017/32)	Endorsed Plan (PoW 2018/25)	Proposed Plan (PoW 2019/29)	Variance to Published LTFP (2017/32)	Variance to Endorsed Plan (PoW 2018/25)
2019/20	\$1,817,745	\$1,810,191	\$1,813,507	-\$4,238	\$3,316

The proposed Program of Works – Roads (2019 – 2029) assumes external funding of \$1,005,072. This \$20,609 less than the published Long Term Financial Plan (2017), but is \$71,042 higher than the adopted Program of Works – Roads (2018 – 2025).

Grants Income (Estimate)					
Year	Published LTFP (2017/32)	Endorsed Plan (PoW 2018/25)	Proposed Plan (PoW 2019/29)	Variance to Published LTFP (2017/32)	Variance to Endorsed Plan (PoW 2018/25)
2019/20	\$1,025,681	\$934,030	\$1,005,072	-\$20,609	\$71,042

As a combined result of the above revenue and expense variances, Council's Nett Contribution to the proposed program is \$16,371 more than projected in the published Long Term Financial Plan (2017), and \$67,726 less than shown in the adopted Program of Works – Roads (2018 – 2025).

Municipal Funds (Council Nett Contribution)					
Year	Published LTFP (2017/32)	Endorsed Plan (PoW 2018/25)	Proposed Plan (PoW 2019/29)	Variance to Published LTFP (2017/32)	Variance to Endorsed Plan (PoW 2018/25)
2019/20	\$792,064	\$876,161	\$808,435	\$16,371	-\$67,726

Long Term

This report has been structured to deliver a sensible and balanced 10 Year Program of Works – Roads (2019 – 2029). The program includes a number of projects that require on-going funding in future years. However, several projects require further analysis and scoping to more accurately estimate their costs. Further work will be conducted over time to refine these costs in light of prevailing unit rates and will be presented in future Programs of Works – Roads.

A summary of the financial implications for the life of this program are tabled below. This summary included presentation of areas of variance between the proposed Program of Works (2019 – 2029), the currently endorsed Long Term Financial Plan (2017 – 2032) and the previously Endorsed Program of Works (2018 – 2025):

Capital Expenditure					
Year	Published LTFP (2017/32)	Endorsed Plan (PoW 2018/25)	Proposed Plan (PoW 2019/29)	Variance to Published LTFP (2017/32)	Variance to Endorsed Plan (PoW 2018/25)
2019/20	\$1,817,745	\$1,810,191	\$1,813,507	-\$4,238	\$3,316
2020/21	\$1,902,405	\$1,877,945	\$1,878,293	-\$24,112	\$348
2021/22	\$2,044,368	\$1,991,783	\$1,985,630	-\$58,738	-\$6,153
2022/23	\$2,161,104	\$2,121,183	\$2,115,970	-\$45,134	-\$5,213
2023/24	\$2,284,712	\$2,251,805	\$2,253,373	-\$31,339	\$1,568
2024/25	\$2,415,610	\$2,302,653	\$2,301,031	-\$114,579	-\$1,622
2025/26	\$2,554,242	\$0	\$2,424,993	-\$129,249	\$2,424,993
2026/27	\$2,701,079	\$0	\$2,599,855	-\$101,224	\$2,599,855
2027/28	\$2,856,622	\$0	\$2,765,713	-\$90,909	\$2,765,713
2028/29	\$3,021,404	\$0	\$3,009,188	-\$12,216	\$3,009,188

Grants Income (Estimate)					
Year	Published LTFP (2017/32)	Endorsed Plan (PoW 2018/25)	Proposed Plan (PoW 2019/29)	Variance to Published LTFP (2017/32)	Variance to Endorsed Plan (PoW 2018/25)
2019/20	\$1,025,681	\$934,030	\$1,005,072	-\$20,609	\$71,042
2020/21	\$714,211	\$628,905	\$672,161	-\$42,050	\$43,256
2021/22	\$835,525	\$736,086	\$777,040	-\$58,485	\$40,954
2022/23	\$736,600	\$811,854	\$810,847	\$74,247	-\$1,007
2023/24	\$758,698	\$1,077,893	\$1,096,940	\$338,242	\$19,047
2024/25	\$781,459	\$1,115,786	\$1,341,431	\$559,972	\$225,645
2025/26	\$804,902	\$0	\$1,518,522	\$713,620	\$1,518,522
2026/27	\$1,194,450	\$0	\$1,294,714	\$100,264	\$1,294,714
2027/28	\$853,921	\$0	\$1,594,599	\$740,678	\$1,594,599
2028/29	\$879,539	\$0	\$1,560,613	\$681,074	\$1,560,613

Municipal Funds (Council Nett Contribution)					
Year	Published LTFP (2017/32)	Endorsed Plan (PoW 2018/25)	Proposed Plan (PoW 2019/29)	Variance to Published LTFP (2017/32)	Variance to Endorsed Plan (PoW 2018/25)
2019/20	\$792,064	\$876,161	\$808,435	\$16,371	-\$67,726
2020/21	\$1,188,194	\$1,249,040	\$1,206,132	\$17,938	-\$42,908
2021/22	\$1,208,843	\$1,255,697	\$1,208,590	-\$253	-\$47,107
2022/23	\$1,424,504	\$1,309,329	\$1,305,123	-\$119,381	-\$4,206
2023/24	\$1,526,014	\$1,173,912	\$1,156,433	-\$369,581	-\$17,479
2024/25	\$1,634,151	\$1,186,867	\$959,600	-\$674,551	-\$227,267
2025/26	\$1,749,340	\$0	\$906,471	-\$842,869	\$906,471
2026/27	\$1,506,629	\$0	\$1,305,141	-\$201,488	\$1,305,141
2027/28	\$2,002,701	\$0	\$1,171,114	-\$831,587	\$1,171,114
2028/29	\$2,141,865	\$0	\$1,448,575	-\$693,290	\$1,448,575

This Program of Works- Roads (2019 – 2029) has been prepared on the basis that no assumptions can be made at this time related to any potential future impacts of the proposed Bunbury Outer Ring Road (BORR). At the time of writing, Main Roads Western Australia are proceeding with the preparation of final alignment selection and environmental impact reports for this major infrastructure development project. Depending upon the outcomes of those reports and the timing of their release, works scheduled within this Program of Works for Hasties Road (2026) and Lillydale Road (2023 through 2027) may be impacted (positively or negatively).

A review of any such impacts will be made once an announcement of the final route selection has been made by Main Roads Western Australia.

Allowances for future Sources and Uses of Funds have been determined as follows:

Sources of Funds (Proposed Plan)						Use of Funds	
Year	RRG	Blackspot	RTR	Direct Grant	Council Contribution (Revenue & Reserves)	Renewal Costs	Upgrade Costs
2019/20	\$595,516	\$12,000	\$258,984	\$138,572	\$808,435	\$521,151	\$1,167,031
2020/21	\$274,466		\$258,984	\$138,711	\$1,206,132	\$368,710	\$1,384,158
2021/22	\$379,206		\$258,984	\$138,850	\$1,208,590	\$173,705	\$1,714,330
2022/23	\$412,874		\$258,984	\$138,989	\$1,305,123	\$691,142	\$1,324,198
2023/24	\$698,828		\$258,984	\$139,128	\$1,156,433	\$1,130,583	\$1,073,050
2024/25	\$943,180		\$258,984	\$139,267	\$959,600	\$657,558	\$1,541,098
2025/26	\$1,120,132		\$258,984	\$139,406	\$906,471	\$918,633	\$1,487,890
2026/27	\$896,185		\$258,984	\$139,545	\$1,305,141	\$1,265,575	\$1,298,280
2027/28	\$1,195,930		\$258,984	\$139,685	\$1,171,114	\$936,000	\$1,793,898
2028/29	\$1,161,804		\$258,984	\$139,825	\$1,448,575	\$347,500	\$2,642,708

Notes to Sources of Funds Allocations:

- (1) *The current Federal Roads to Recovery Program (Green Highlight in above table) is projected to 2018/19 only. Any subsequent funding in 2019/20 and beyond is subject to a new funding arrangement. In the absence of further information, and for the purposes of preparation of this Program, it has been assumed that the present level of funding (\$259k per annum) will continue.*
- (2) *Regional Road Group funding is approved annually, subject to the State Roads Funds to Local Government agreement. Except for approved 'ongoing' projects (e.g. Boyanup West Road Upgrade) future funding is not guaranteed and will be subject to competitive application.*
- (3) *Federal Government and State Blackspot funding are approved annually, subject to crash criteria, Road Safety Audit recommendations and funding availability.*
- (4) *The Direct Grant (Yellow Highlight in table above) has been assumed based upon the confirmed allocation by the State Government in 2018//19. Future year allocations have been estimated based upon a very conservative (1%) escalation.*
- (5) *Allowance has been made for Preliminary Investigation of a potential road realignment in relation to a future replacement of Bridge 3405a (Hurst Road). Actual costs for investigation may vary depending on practicality and scope of any road geometry correction. Future costs for any realignment may be identified and will need to be included in future Programs of Works – Roads.*
- (6) *The total program value may vary pending confirmation of notes (1) to (5).*

SUSTAINABILITY IMPLICATIONS

The proposed Program of Works – Roads (2019 - 2029) addresses sustainability criteria in the following ways:

Social: Community expectations are managed by improving the connectivity of the road network, improved road safety outcomes and improved access to communities.

Economic: The economy benefits by improved traffic management, improved access to industry and procurement of local goods and services.

Environment: A neutral environmental outcome is expected, with vegetation clearing offset by improved drainage management. Improvements to road surfaces provide increased motoring efficiencies, however these are offset by the production and consumption of road building materials.

In recognition of increased public scrutiny of decision making with respect to vegetation clearing impacts of road building and maintenance, Council has requested that specific identification of the level and cost of such activities are identified.

Asset: The Asset Management Strategy Revision 2 (June, 2018) established achievement of a reduced Sustainability Ratio range on Capital Works of 0.7 to 0.9 as a primary Key Performance Indicator.

KPI	Measure	Source	Rationale	Target Range
Sustainability Ratio	(CAPEX on Renewals) divided by (Annual Depreciation Expense)	Long Term Financial Plan	A measure of the Shire's ability to maintain its asset portfolio for the long term.	0.7 to 0.9

As shown in the table below, calculation of the projected sustainability ratios to be delivered under the proposed Program of Works – Roads (2019 – 2029) fall below the minimum indicated in the Asset Management Strategy Revision 2 (June, 2018), due in part to the ongoing demand to upgrade the network to contemporary standards and community expectations.

The less than optimal Sustainability Ratios in the early years of the program have been reported in all Programs of Works – Roads since 2016.

Sustainability Ratio								
Year	Total Program Cost (\$k)	Renewal Costs (\$k)	Upgrade Costs (\$k)	Renewal & Replacement Expenditure*	Depreciation	Sustainability Ratio % Endorsed Plan (2018/25) (Renewal & Replacement/Depreciation)	Sustainability Ratio % (Renewal & Replacement/Depreciation)	Variance to Endorsed Plan (PoW 2018/25) (\$k)
2019/20	\$1,814	\$521	\$1,167	\$813	\$1,961	0.40	0.41	0.01
2020/21	\$1,878	\$369	\$1,384	\$715	\$1,961	0.35	0.36	0.01
2021/22	\$1,986	\$174	\$1,714	\$603	\$1,961	0.58	0.31	-0.27
2022/23	\$2,116	\$691	\$1,324	\$1,022	\$1,961	0.62	0.52	-0.10
2023/24	\$2,253	\$1,131	\$1,073	\$1,399	\$1,961	0.93	0.71	-0.22
2024/25	\$2,301	\$658	\$1,541	\$1,043	\$1,961	0.85	0.53	-0.32
2025/26	\$2,425	\$919	\$1,488	\$1,291	\$1,961	0.00	0.66	0.66
2026/27	\$2,600	\$1,266	\$1,298	\$1,591	\$1,961	0.00	0.81	0.81
2027/28	\$2,766	\$936	\$1,794	\$1,385	\$1,961	0.00	0.71	0.71
2028/29	\$3,009	\$348	\$2,643	\$1,009	\$1,961	1.00	0.51	-0.49

* Note: Consistent with previous Programs of Works – Roads, 25% of Upgrade costs have been adopted as a conservative estimate of the Renewal value of Capital projects for the purposes of projection of the probable future Sustainability Ratios.

The Sustainability Ratio achieved out to 2024/25 has been further reduced by comparison to the prior Program of Works - Roads as a result of an increase in the Shire's Depreciation Expense for Roads due to acquisition of additional assets through sub-division since the previous AASB 13 (Fair Value) valuation (2016).

This effect is likely to continue into the future whilst the Shire continues to grow and will not stabilise until existing and planned large-scale development areas (e.g. Dalyellup, East Boyanup etc.) are completed.

In order to mitigate the impact of additional road asset acquisitions that are delivered outside of the Program of Works (i.e. Non-Cash Contributions) upon the Sustainability Ratio of the Shire's future Programs of Works – Roads the Shire is progressively aligning its in-house delivered Programs of Works – Roads towards Renewals to offset externally driven expansion of the network.

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.
- 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.
- 2.4 Community safety is recognised as paramount

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

Community Objectives:

- 5.3 Working together to meet the needs of changing infrastructure requirements.
- 5.4 Community needs a safe and efficient transport network, including public transport.

CONSULTATION

Ongoing consultation has been conducted with a variety of interested stakeholders including:

- Councillors and Executive;
- Management and staff;
- Grader drivers and operators;
- Main Roads WA – South West Region;
- Regional Road Group Technical Committee;
- Consultants and contractors;
- Customer requests for road works;
- Developers;
- WA Police; and
- Capel Land Conservation District Committee (LCDC)

COMMENT

The following commentary is structured around the four recommended stages to progress road programming to a more sustainable position as discussed at the 22 April 2015 meeting:

PART 1 – Discontinue the existing 10 Year Road Management Plan (2014/15 - 2023/24)

This was completed as part of Council Decision OC0405 and requires no further commentary.

PART 2 – Develop a one year Program of Works – Roads (2015/16)

This was completed as part of Council Decision OC0405 and requires no further commentary.

PART 3 – Develop a suitable 4 Year Program of Works for consideration in early 2016

This was completed as part of Council Decision OC0405 and requires no further commentary.

PART 4 - Develop a provisional 10 year Program of Works for subsequent consideration

This Program of Works – Roads (2019 – 2029) represents the Shire's delivery of Part 4. Future 10 Year Programs of Works – Roads will build upon this Program of Works – Roads (2019 – 2029) with refinement and review as necessary to meet changing circumstances over time.

The 22 April 2015 agenda report identified the following assessment criteria, required to properly scope and prioritise projects:

- Review of the adopted 4 Year Program of Works as an initial benchmark;
- Further review of the previously adopted 10 Year Program of Works to identify projects of merit;
- Review of more recent customer requests to identify future projects of merit;
- Provision of reliable asset condition data to determine asset need, increasing the focus from seals to other features including pavements, drainage and kerbing;
- Projection of external funding opportunities to determine future revenue profiles;
- Identification of internal reserve funds held to address road deterioration impacts from development (e.g. Extractive Industry Licence bonds);
- Introduction of a road network hierarchy to assist with road programming prioritisation;
- Refinement of road project assessment criteria to assist with road programming prioritisation;
- Trend mapping for prospective road safety and Blackspot projects;
- Align road projects with drainage projects and / or path projects to optimise outcomes;
- Reducing repeat maintenance effort at identified sites; and
- Aligning road network development with urban growth to address foreseeable future need.

These remain valid and can be enhanced through the formalisation of a road management strategy and associated project management framework.

The Road Prioritisation Criterion and treatment selection methodology introduced to Councillors during the workshop of 23 November 2016 has aided in this effort. By identifying areas of need, ranked by clearly defined and agreed priorities, deserving projects have been identified for the life of the proposed program.

Concluding Comment

The Program of Works – Roads (2019 - 2029) continues work in accordance with Council Decision OC0405 and builds upon a successful 2018/19 capital works campaign.

The program focusses upon pragmatic preservation of the asset now, and development of the road network for the future. Unfortunately, the program continues to be constrained by both internal and external funding and resource capacity.

This program is consistent with the objectives of the Strategic Community Plan (2018 – 2028) and the Asset Management Strategy Revision 2 (June, 2018).

NOTE: The recommendation for Item 14.2 was discussed prior to the Ordinary Council meeting. The following amendments were made, before the item was tabled, by the Chief Executive Officer with the consent of the Presiding Person: that the words “, in principle,” were to be inserted into Point 1 after “Endorses”, and the words “Considers allocating” be replaced with “Allocates” in Point 2.

VOTING REQUIREMENTS

Simple majority

53/2018 OFFICER’S RECOMMENDATION – 14.2/COUNCIL DECISION

Moved Cr J Scott, Seconded Hearne

That Council:

- 1. Endorses, in principle, the Program of Works - Roads (2019 - 2029); and**
- 2. Allocates \$1,813,507 in the draft 2019/20 Budget for the roads capital program.**

Carried 6/0

Ms Stevenson collected Crs Bell and Kitchen back into the Chambers at 4.53pm.

54/2018 (14.3) Boyanup and Capel Main Streets – 40km/h Speed Zoning

Location:	Capel and Boyanup
Applicant:	Shire of Capel
File Reference:	RO.LI.5 and RO.LI.6
Disclosure of Interest:	Nil
Date:	03.10.18
Author:	Executive Manager Engineering & Development Services, J Gick
Senior Officer:	Chief Executive Officer, I McCabe
Attachments:	<ol style="list-style-type: none"> 1. Letter to Main Roads WA dated 30 January 2018; 2. Letter from Main Roads WA dated 16 March 2018; 3. Letter to Mr D Clews dated 13 June 2018; and 4. Letter from Shire of Donnybrook Balingup dated 13 July 2018

IN BRIEF

Council is requested to support a further application to Main Roads WA (MRWA) to reduce the speed zoning on South Western Highway through Boyanup and Forrest Road through Capel from 50km/h to 40km/h.

RECOMMENDATION

That Council endorses an application to Main Roads WA to reduce the speed zoning on South Western Highway through Boyanup, and Forrest Road through Capel, from 50km/h to 40km/h.

BACKGROUND / PROPOSAL**Background**

The Shire has received several queries on speed zoning and truck traffic management along South Western Highway, Boyanup and Forrest Road, Capel.

South Western Highway is the major regional highway from Bunbury to the south coast, passing through Boyanup, Donnybrook, Balingup, Bridgetown and Manjimup. It carries approximately 7,500 vehicles per day (vpd) (AADT) including about 1,600 (22%) heavy vehicles per day (rigid body trucks or larger).

Forrest Road is part of a minor regional main road, connecting Bussell Highway at Capel to South Western Highway at Donnybrook. It carries approximately 2,000 vpd (AADT) including about 190 (9%) heavy vehicles.

AADT is the Annual Average Daily Traffic, averaged over the whole year to moderate seasonal or event based fluctuations in counts.

Both roads form the spine of the town centres, as land settlement typically has depended on road access to develop land. Recently, road and land use conflict has become an issue of contention, particularly in Boyanup.

The following chronology shows a summary of recent activity.

24 June 2017 – Minutes of the Boyanup Progress Association (BPA) raise concerns about truck generated noise and speeding in early hours through Boyanup.

24 June 2017 – Subsequent to the meeting, the Chair of the BPA, Mr John Saunders, emailed MRWA raising concern over vehicles speeding through Boyanup. The email seeks to discuss the option of establishing a 40km/h limit through town.

9 August 2017 – The BPA responds to a MRWA response, which seeks to meet with both MRWA and the Shire of Capel.

10 August 2017 – Shire staff meet with MRWA in Boyanup to discuss options to address concerns with traffic on the main street. MRWA is requested to provide an alignment strip plan of South Western Highway for future concept planning.

20 August 2017 – The BPA responds to MRWA email seeking meeting to discuss issues with MRWA.

11 December 2017 – MRWA provides the Shire with an alignment strip plan for the section of South Western Highway between Payne Street and south of Trigwell Road, Boyanup.

3 January 2018 – MRWA responds to Kathleen Pinkerton advising that it does not support a speed reduction of Goodwood Road in Capel.

Mid-January 2018 – Email communication between Kathleen Pinkerton and Shire staff outlining traffic data interpretation.

24 January 2018 – The issue of speed limit reduction for Boyanup was discussed at the Council Roundtable meeting, with general agreement to reduce the speed zoning to 40km/h.

30 January 2018 – Shire of Capel wrote to Main Roads WA requesting the 50km/h speed zones through Boyanup and Capel be reduced to 40km/h. The letter is copied to Hon Rita Saffioti MLA, Minister for Transport, Planning and Lands, and the Hon Mick Murray MLA, Member for Collie Preston, and is attached (Attachment 1).

16 March 2018 – Main Roads WA response, on behalf of the Minister, advises that a speed reduction is not supported, as attached (Attachment 2).

13 June 2018 – Letter to Mr D Clews providing a written response to a question posed at the 11 June 2018 Special Council Meeting. The letter is attached (Attachment 3).

13 July 2018 – Letter from Shire of Donnybrook Balingup to the Hon Mick Murray MLA, Member for Collie Preston, is attached (Attachment 4).

July 2018 – Email and phone communication between Shire of Donnybrook-Balingup and Shire of Capel CEOs and Executive discussing the Shire of Donnybrook-Balingup 23 May 2018 Council Decision.

13 September 2018 – Meeting with MRWA to discuss (amongst other things) the approach to developing a main street concept plan for Boyanup. MRWA committed to assisting with some design resource for concept planning.

20 September 2018 – Meeting with BPA members to discuss main street concept design aspirations, including speed zoning, heavy vehicle traffic management and pedestrian safety.

Proposal

The proposal of this agenda item is to formally support a further application to MRWA to reduce the speed zoning on South Western Highway through Boyanup, and Forrest Road through Capel, from 50km/h to 40km/h.

STATUTORY ENVIRONMENT

Road Traffic Code 2000

Regulation r297 – Power to erect traffic-control signals and road signs, of the Road Traffic Code 2000, assigns authority to the Commissioner of Main Roads to erect, establish, display, alter or take down traffic control devices, including speed signage.

Part 3 – Speed restrictions, of the Road Traffic Code 2000, prescribes rules and associated penalties for vehicle speeds in speed zones.

Road Traffic Act 1974

Part V – regulation of traffic, of the Road Traffic Act 1974 makes provision for road traffic offences, including speeding vehicles.

POLICY IMPLICATIONS

There are no Council Policies relevant to this proposal.

FINANCIAL IMPLICATIONS

Budget

There are no implications to Council's budget.

Long Term

There are no long-term financial implications.

SUSTAINABILITY IMPLICATIONS

The following environmental, social and economic implications apply:

Environmental implications:

- Reduced vehicle emissions;
- Vehicle noise should reduce unless trucks rev down gears within the townsites;

Social implications:

- Improved road safety environment;
- Impact on on-street parking.
- Gentler feel to the road environment; and
- Difficult compliance arrangements.

Economic implications:

- Increased freight travel times;

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.
- 1.4 Build a culture of collaboration and a stronger, safer and happier 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 Objectives:

2.4 Community safety is recognised as paramount.

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.

5.4 Community needs a safe and efficient transport network including public transport.

CONSULTATION

The chronology of events above shows that the Shire has been engaged with the BPA and MRWA for over a year. Conversations typically revolve around road safety and public enjoyment of the main street space. The issue of reducing the speed through Boyanup has been raised numerous times with both groups.

The Shire has communicated separately with Mr David Clews and Ms Kathleen Pinkerton about traffic on Forrest Road and Goodwood Road in Capel.

The matter has been discussed at the 24 January 2018 Council Roundtable and there has been a follow up conversation between the Shire President and the Chief Executive Officer, leading to this report.

COMMENT

This report has been prepared to establish a formal position of Council. Whilst the 30 January 2018 letter to MRWA was written following a Council Roundtable meeting, it was not supported by a formal position of the Council.

There is no guarantee that a formal position of Council will necessarily influence MRWA to soften its position. The Shire of Donnybrook-Balingup has taken this position, which has not, at this time, been met with support. Nonetheless, a formal position of the Council can be established and used for any future negotiations going forward. This is particularly important in preparing for discussions around truck traffic management, which is forecast to grow on South Western Highway.

Development of a major Lithium mine at Greenbushes is underway, and mineral ore is planned to be carted by road to processing plants in Kemerton and Kwinana, necessarily passing through Boyanup. Forecasts provided by the miner at project briefing sessions, and material in the press, indicate that at full production, there may be up to 520,000 tonnes a year of chemical-grade lithium concentrate produced.

The Shire does not have any information on how this translates to truck volumes, however, MRWA has advised that it has received the following information from the miner, relating to truck movement increases:

- Current - 10,000 trucks per annum (28 trucks per day)
- From 2019 - 18,000 trucks per annum (50 trucks per day)

These figures need to be doubled to reflect truck movements on South Western Highway to and from the mine. That is, from 2019, there is expected to be an additional 100 truck movements per day, bringing the total truck movements to 1,700 vpd.

Feedback from the BPA indicates that one of its major concerns with the current main street is the perceived unsafe road environment. Reducing the speed limit through the town would give

some comfort to residents, but will not necessarily stop speeding drivers from offending. This will require Police intervention.

The issue of compliance has been raised by MRWA, which has been countered with comments about the precedent set in Collie. The speed reduction along Throssell Street, Collie was supported politically which caused the change. There are other examples of 40km/h speed zoning in Parade Street, Pingelly and Tudhoe Street, Wagin.

Reducing the speed limit in Boyanup and Capel will contribute to a safer main street environment, give the community some comfort and reduce potential conflicts with large vehicles. It is recommended that Council supports another formal application to reduce the speed limit along South Western Highway, Boyanup and Forrest Road, Capel.

VOTING REQUIREMENTS

Simple majority

54/2018 OFFICER'S RECOMMENDATIONS – 14.3/COUNCIL DECISION
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Moved Cr Kitchen, Seconded Cr J Scott

That Council endorses an application to Main Roads WA to reduce the speed zoning on South Western Highway through Boyanup, and Forrest Road through Capel, from 50km/h to 40km/h.

Carried 7/1

Crs Hearne and Kitchen declared an Impartiality Interest in Item 14.4 Draft Memorandum of Understanding – Capel Land Conservation District Committee (LCDC). The nature and extent of their interest is that they are Council representatives to the LCDC.

55/2018 (14.4) Draft Memorandum of Understanding – Capel Land Conservation District Committee

Location:	Capel
Applicant:	Shire of Capel
File Reference:	EM.LI.3
Disclosure of Interest:	Nil
Date:	17.09.18
Author:	Manager Technical Services, K McKeachie
Senior Officer:	Executive Manager Engineering and Development Services, J Gick
Attachments:	Draft Memorandum of Understanding SoC/Capel LCDC

IN BRIEF

Discussions between the Shire of Capel and the Capel Land Conservation District Committee (LCDC) have resulted in the preparation of a draft Memorandum of Understanding to set out the arrangements by which management and overall delivery of specific projects, which the Shire has wholly or partly funded, will be managed.

These negotiations have now reached a phase at which it is appropriate for both parties to formally recognise and adopt the Memorandum of Understanding.

RECOMMENDATION

That Council endorses the Memorandum of Understanding (MOU) between the Capel Land Conservation District Council (LCDC) and the Shire of Capel, and authorises the President and the Chief Executive Officer to sign the MOU on behalf of the Shire.

BACKGROUND / PROPOSAL

Background

No previous Decisions of Council are directly relevant to this item.

Proposal

Initial development of the attached Memorandum of Understanding (MOU) has been carried out at the request of the Capel LCDC. The Shire has entered into consultation with the Capel LCDC in order to ensure that the MOU meets the objectives of all stakeholders. The MOU has reached a sufficiently complete state that consideration for implementation is now appropriate.

Council is requested to endorse the MOU and approve the President and Chief Executive Officer as signatories on behalf of the Council.

Once implemented, the operation of the MOU will be monitored to ensure satisfactory outcomes for both parties. If necessary, and by mutual agreement, minor modification will be possible, with major modifications of the MOU being carried out as part of triennial reviews.

STATUTORY ENVIRONMENT

Soil and Land Conservation Act 1945, Part 3 applies.

POLICY IMPLICATIONS

Council Policy 2.5 “Donations” applies.

Council Policy 2.7 “Preparation of Integrated Financial Plan & Budget” applies.

Council Policy 2.8 “Purchasing” applies.

RISK IMPLICATIONS

The risk profile of the MOU is low.

The MOU seeks to clarify the responsibilities of all parties, ensure that projects are managed by the most appropriate resource, and to ensure that management and expenditure of funds adhere to all financial and regulatory controls.

FINANCIAL IMPLICATIONS

Budget

All costs for services and projects to be undertaken by the LCDC in the 2018/19 year have already been considered and included in the current year budget. As such, there are no additional financial implications relevant to this matter.

These include:

- | | | |
|---------------------|---|---------|
| • Account 120720.02 | Land Care Projects – Council Project Contribution | \$6,000 |
| • Account 120720.02 | Land Care Projects – Fencing & Gates, M. Tichbon Park | \$6,000 |
| • Account 120720.02 | Land Care Projects – Bussell Hwy reserve Signs | \$3,500 |
| • Account 120720.10 | Weed control for reserves and verges | \$4,000 |
| • Account 120720.02 | Pest (e.g. fox) control for reserves and verges | \$1,000 |

Long Term

It is possible that future projects to be undertaken in accordance with this MOU will produce long term capital assets on behalf of the Shire, (e.g. vandal proof fences). As these projects have not yet been fully defined the cost of their cost and potential impact upon future budgets is unknown.

SUSTAINABILITY IMPLICATIONS

This proposal delivers the following benefits:

- Social
 - Close cooperation between the Shire of Capel and the Capel LCDC ensures that projects undertaken will have wide public benefit.
 - Mutual recognition and respect for the efforts of all parties improves the public perceptions of all involved.
- Economic
 - Delivery of local projects, using local providers and overseen by local personnel helps to foster economic activity within the Shire.
- Environmental
 - Improved management of reserves and remnant bush land to meet community expectations.

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.
- 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.
- 2.2 Celebrates the community's diversity of residents and visitors including their contribution to cultural and economic sustainability.

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

Community Objective:

- 3.5 Activities, new business and developments are encouraged.

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

Community Objectives:

- 5.1 Urban development to be sustainably integrated with our unique natural environment, heritage and character.
- 5.3 Working together to meet the needs of changing infrastructure requirements.
- 5.4 Community needs a safe and efficient transport network, including public transport.

CONSULTATION

Development of this MOU has involved consultation with:

- Executive Manager, Engineering and Development Services;
- The Chair and Secretary of the Capel LCDC;
- Shire Officers including Manager Technical Services and Engineering Environmental Officer; and
- The Shire of Capel is represented by two Councillors on the Capel LCDC, Councillors Hearne and Kitchen.

Following is a register of meetings held in relation to this matter:

Date	Purpose	Attendees
01 February 2018	'In House' Shire of Capel meeting to discuss Draft MOU received from LCDC	J. Gick R. McPherson
22 February 2018	Advice to LCDC that the Shire of Capel is open to discussions in relation to the preparation of an appropriate MOU.	R. McPherson (SoC) S. Manley (LCDC)
10 May 2018	Shire of Capel response to draft MOU with suggestions for improvement	J. Gick (SoC) K. McKeachie (SoC) R. McPherson (SoC) S. Manley (LCDC)
04 October 2018	Confirmation of final draft MOU from Capel LCDC	R. McPherson (SoC) S. Manley (LCDC)

COMMENT

Changes to Local Government procurement regulations over time, and a desire on the part of the Shire of Capel to improve the outcomes achieved on behalf of the community have made it necessary to introduce greater rigour in the management of projects and funds. Managerial arrangements between the Shire and the Capel LCDC strengthen the existing relationship by introducing certainty.

Under prior arrangements with the Capel LCDC, funds were provided for activities such as weed spraying, eradication of pest species and infrastructure developments (such as fencing of reserves). Reporting of completion of these activities to the Shire by the Capel LCDC was of an informal nature and did not necessarily align with the Shire’s financial reporting obligations.

With the introduction of legislative requirements such as the Integrated Planning Framework that requires the Shire to prepare an integrated Long Term Financial Plan, it has become necessary for the Shire to have a much greater understanding of its long-term commitments than had previously been the case. These commitments include making allowance for both Capital Projects and Operational Expenditure, taking into account all of the activities that the Shire supports in collaboration with the Capel LCDC.

The need to understand (at least in outline) the future potential needs of the Capel LCDC means that the Shire must place greater restriction upon when, where and how Shire funds can be accessed by the Cape LCDC for various activities. The need for these procedural changes have been explained to the Capel LCDC, but some concern as to the intentions of the Shire have been raised by the Capel LCDC.

In an effort order to normalise the arrangement with the Capel LCDC, while reaffirming the Shire’s commitment to ongoing cooperation and funding support for the LCDC, a draft Memorandum of Understanding has been prepared. The MOU was developed in consultation with senior Capel LCDC Committee members and is designed to ensure that all parties understand and agree on the intent, extent and limitations of the collaboration between the organisations.

Among other things, the MOU defines:

- Responsibility for management and reporting of projects to which the Shire of Capel contributes;
- Mechanisms by which the LCDC can nominate and apply for grants for projects to both the Shire and external parties (where the Shire’s contribution can be used to supplement co-contribution amounts to third parties);
- Streamlined means by which routine operational funds for activities such as weed spraying can be directed to the LCDC; and
- Agreement on liaison and intent to cooperate for the benefit of the community.

This MOU provides a framework under which both parties can cooperate to meet their respective legislated requirements, within the requirements of the Shire of Capel’s procurement Policy and Long Term Financial Planning framework.

The MOU will facilitate clarity of roles, and improved understanding of the needs of both parties.

VOTING REQUIREMENTS

Simple majority

55/2018 OFFICER'S RECOMMENDATION – 14.4/COUNCIL DECISION

Moved Cr Hearne, Seconded Cr Kitchen

That Council endorses the Memorandum of Understanding (MOU) between the Capel LCDC and the Shire of Capel, and authorises the President and the Chief Executive Officer to sign the MOU on behalf of the Shire.

Carried 8/0

CORPORATE SERVICES REPORTS

56/2018 (15.1) Cardinals Junior Football Club Inc. – Lease of Boyanup Recreation Ground Clubrooms

Location:	Boyanup
Applicant:	Shire of Capel
File Reference:	DW231449
Disclosure of Interest:	Nil
Date:	09.10.18
Author:	Executive Manager Corporate Services, S Stevenson
Senior Officer:	Chief Executive Officer, I McCabe
Attachments:	Draft Lease Agreement for Boyanup Recreation Ground Clubrooms

IN BRIEF

Council is requested to approve the lease of Boyanup Recreation Ground Clubrooms to Cardinals Junior Football Club Inc.

RECOMMENDATION

That Council:

- 1. Leases the Boyanup Recreation Ground Clubrooms to the Cardinals Junior Football Club Inc. at a cost of \$127.60 (incl. GST) per annum for a period of one year and six months commencing 01 January 2019 and expiring 30 June 2020; and**
- 2. Approves the affixation of the Common Seal of the Shire of Capel to the said Lease Agreement in the presence of the President and the Chief Executive Officer of the Shire of Capel, each whom shall sign the document to attest the affixation of the common seal.**

BACKGROUND / PROPOSAL

Background

The Cardinals Junior Football Club Inc. has leased the clubrooms at Boyanup Recreation Ground since September 2000. The previous lease from 01 January 2014 to 31 December 2016 with an option of a further two (2) years extension was approved by Council in January 2014 (OC0105). The option to extend was exercised and the lease was extended from 01 January 2017 to 31 December 2018. A new lease commencing 01 January 2019 is now required.

Proposal

That Council lease the Boyanup Recreation Ground Clubrooms to the Cardinals Junior Football Club Inc. for a period of one year and six months commencing 01 January 2019 and expiring 30 June 2020.

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.58(1) and (2).

3.58 Disposing of Property

3.58(1) In this section –

Dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not.

- 3.58(2) Except as stated in this section, a Local Government can only dispose of property to:
- (a) The highest bidder at a public auction; or
 - (b) The person who at a public tender called by the Local Government makes what is, in the opinion of the Local Government, the most acceptable tender, whether or not it is the highest tender.

Local Government (Functions and General Regulations) 1996, Regulation 30 (1) and (2).

30 Dispositions of Property to which section 3.58 of Act does not apply

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of Section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if -
 - a. the land is disposed of to a body, whether incorporated or not –
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions.

POLICY IMPLICATIONS

There are no policy implications relevant to this matter.

RISK IMPLICATIONS

The risk attributed to this item is low as this relates to an established agreement with no previous issues.

FINANCIAL IMPLICATIONS

Budget

By offering the clubrooms for lease, Council can expect to receive annual rental income. The rent set three (3) years ago in the previous lease was \$121 (inc. GST) per annum. This has been increased to \$127.60 (inc. GST) taking account of CPI changes over the period.

Long Term

There are no long-term financial implications associated with this matter. The Club is responsible for general repairs and maintenance in accordance with the terms laid out in Schedule 1 of the draft Lease Agreement (refer to Draft Lease Agreement attached).

SUSTAINABILITY IMPLICATIONS

A modest lease fee will help maintain the economic viability of the Club and decrease its need to charge high annual fees to players. This will potentially increase the rate of player participation in a team sport that promotes a healthy lifestyle and community cohesion.

STRATEGIC IMPLICATIONS

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

Community Objectives:

- 1.1 Community works collaboratively to strengthen its 'network of networks'.
- 1.3 Creating a more connected community.
- 1.4 Building a culture of collaboration and a stronger, safer and happier 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 Objectives:

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 Objectives:

5.2 As a community, we work to ensure our ongoing enjoyment of our quality of life.

CONSULTATION

Council staff have been consulted in relation to operational matters such as the Lessee's compliance with previous leases and future planning for the Boyanup Memorial Park precinct. The extension to the lease has been discussed by the Executive management Team (EMT).

COMMENT

As with previous leases, while the draft lease maintains the status of the Cardinals Junior Football Club Inc. as the Lessee, it continues to maintain Council's expectation that the building will be made available to other clubs and members of the public at a reasonable fee. This fee must reflect only the recovery of actual costs of servicing, maintaining and promoting the hall plus an amount for administration.

The proposed new lease agreement is based on the general terms and conditions of the current lease agreement. The new lease period will provide security of tenancy for the Club whilst allowing Council a reasonable time frame to complete the Master Plan for the development of the Boyanup Memorial Park precinct.

VOTING REQUIREMENTS

Simple majority

56/2018 OFFICER'S RECOMMENDATION – 15.1/COUNCIL DECISION

Moved Cr Radisich, Seconded Cr J Scott

That Council:

- 1. Leases the Boyanup Recreation Ground Clubrooms to the Cardinals Junior Football Club Inc. at a cost of \$127.60 (incl. GST) per annum for a period of one year and six months commencing 01 January 2019 and expiring 30 June 2020; and**
- 2. Approves the affixation of the Common Seal of the Shire of Capel to the said Lease Agreement in the presence of the President and the Chief Executive Officer of the Shire of Capel, each whom shall sign the document to attest the affixation of the common seal.**

Carried 8/0

57/2018 (15.2) Accounts Paid During the Month of September 2018

Location: Capel
Applicant: Shire of Capel
File Reference: N/A
Disclosure of Interest: Nil
Date: 10.10.18
Author: Finance & Accounts Payable Officer, S Searle
Senior Officer: Executive Manager Corporate Services, S Stevenson
Attachments: Nil

IN BRIEF

Authorisation of accounts paid during the month.

RECOMMENDATION

That Council receives:

- 1 The Schedule of Accounts covering vouchers 968-978, EFT28051 to EFT28279, CHQ48965 to CHQ48985 totalling \$1,075,860.41 during the month of September 2018;**
- 2 Payroll payments for the month September 2018, totalling \$350,822.88; 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-
 - (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.'*

Community 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. Document have been reviewed by Manager Finance, A Mattaboni.

COMMENT

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

EFT28051	03/09/2018	IINET	DALYELLUP LIBRARY NBN – MONTHLY INC. INITIAL ONE OFF SET UP FEE	572.24
EFT28052	03/09/2018	WESTNET PTY LTD	CAPEL ADMIN BUILDING NBN - MONTHLY	280.48
EFT28053	03/09/2018	FINES ENFORCEMENT REGISTRY	INFRINGEMENT FEES	1,778.00
EFT28054	04/09/2018	FINES ENFORCEMENT REGISTRY	INFRINGEMENT FEES	1,778.00
EFT28055	04/09/2018	DE LAGE LANDEN PTY LIMITED	PHOTOCOPIERS RENTAL AND SERVICE	1,549.90
EFT28056	05/09/2018	AMITY SIGNS	ROAD STICKERS AND SIGNS	716.21
EFT28057	05/09/2018	AW ROADWORKS PTY LTD	TRAFFIC CONTROL	1,868.35
EFT28058	05/09/2018	BUNBURY MACHINERY	MACHINERY PARTS FOR MOWER	604.92
EFT28059	05/09/2018	BUNBURY MOWER SERVICE	CHAINSaws, WHIPPER SNIPPER, HEDGE CLIPPER AND BLOWER SERVICING	3,677.00
EFT28060	05/09/2018	BUNBURY TYREPOWER	TYRE	140.00
EFT28061	05/09/2018	BUNBURY AUTO ONE	POWER INVERTER	67.90
EFT28062	05/09/2018	BUNNINGS BUILDING SUPPLIES PTY LTD	SECATEURS AND RAKES	258.05
EFT28063	05/09/2018	BRANDICOOT	ANNUAL WEBSITE SUBSCRIPTION	560.44
EFT28064	05/09/2018	BUNBURY PLUMBING SERVICES	SEPTIC TANKS PUMP OUT	681.40
EFT28065	05/09/2018	WINC AUSTRALIA PTY LTD	STATIONERY	782.60
EFT28066	05/09/2018	CHEMCENTRE	ANALYSIS OF DRINKING WATER FOR SHIRE OF CAPEL ADMINISTRATION AND COMMUNITY HALL	308.00
EFT28067	05/09/2018	CAPEL NEWSAGENCY	STATIONERY	142.32
EFT28068	05/09/2018	DATA #3	MICROSOFT ANNUAL LICENCE	26,266.37
EFT28069	05/09/2018	DIESEL FORCE	TRUCK REPAIRS	2,148.84
EFT28070	05/09/2018	DELL AUSTRALIA PTY LTD	TWO COMPUTERS	5,137.00
EFT28071	05/09/2018	ELGIN HALL COMMITTEE	REIMBURSEMENT FOR ELECTRICITY CONSUMPTION AT ELGIN HALL	33.26
EFT28072	05/09/2018	EATON LASER ENGRAVING	NAMEPLATES	36.08
EFT28073	05/09/2018	THE FAT BIRDIE	CATERING	438.00
EFT28074	05/09/2018	GHD PTY LTD	LANDFILL GAS AND GROUNDWATER MONITORING INCLUDING DSI REPORT	4,430.80
EFT28075	05/09/2018	GKR KARATE WA INCORPORATED	KIDSPORT REGISTRATION	65.00
EFT28076	05/09/2018	HILLSIDE EARTHWORKS	LOADER HIRE	2,000.00

EFT28077	05/09/2018	JR & A HERSEY PTY LTD	PPE	520.85
EFT28078	05/09/2018	STATE LIBRARY OF WESTERN AUSTRALIA	BETTER BEGINNINGS PROGRAMME	1,094.50
EFT28079	05/09/2018	LEASE EQUITY TRUST ACCOUNT	RENT OUTGOINGS DALYELLUP PUBLIC LIBRARY - AUGUST AND SEPTEMBER	14,654.73
EFT28080	05/09/2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	IGNITE MANAGEMENT PROGRAM REGISTRATION	2,420.00
EFT28081	05/09/2018	MALATESTA ROAD PAVING & HOT MIX	EMULSION ASPHALT	932.00
EFT28082	05/09/2018	MCLEODS BARRISTERS AND SOLICITORS	SAT REVIEW – EIL – REFER MINUTE REFERENCE OCO609	15,801.50
EFT28083	05/09/2018	MCDONALD FENCING	REPAIR PLAYGROUND AT FENCE	409.75
EFT28084	05/09/2018	OFFICEWORKS SUPERSTORES PTY LTD	WATER SUPPLY FOR OFFICE	658.75
EFT28085	05/09/2018	PRESTIGE PRODUCTS-BUSSELTON	BIN LINERS, PAPER TOWELS, TOILET ROLLS AND DISHWASHING DETERGENT	353.98
EFT28086	05/09/2018	PROFESSIONAL CABLING	FIBRE AND COPPER INSTALLATION CAPEL CIVIC PRECINCT	10,505.00
EFT28087	05/09/2018	PRIME INDUSTRIAL PRODUCTS	TOOLS AND PPE	1,009.14
EFT28088	05/09/2018	REDWAVE MEDIA PTY LTD	JULY RADIO ADVERTISING	836.00
EFT28089	05/09/2018	SOUTHERN LOCK & SECURITY	REPLACE LOCKS X 3	222.90
EFT28090	05/09/2018	STRATHAM BOBCAT HIRE	SPREAD LIMESTONE	888.25
EFT28091	05/09/2018	SPRAYMOW SERVICES	GUILDFORD GRASS CONTROL - BOYANUP OVAL AND CAPEL OVAL	2,277.00
EFT28092	05/09/2018	MARC SHADDICK CEILINGS	REPLACE CEILING IN ELGIN HALL KITCHEN	4,300.00
EFT28093	05/09/2018	SONIC HEALTHPLUS PTY LTD	PRE EMPLOYMENT MEDICALS	689.04
EFT28094	05/09/2018	SOUTH BUNBURY JUNIOR FOOTBALL CLUB	KIDSPORT REGISTRATION	140.00
EFT28095	05/09/2018	TOTALLY WORKWEAR	UNIFORM	90.20
EFT28096	05/09/2018	WORK CLOBBER BUNBURY	PPE	837.41
EFT28097	05/09/2018	PHIL WOOLHOUSE HYDRAULICS PTY LTD	REPLACE CEILING IN ELGIN HALL KITCHEN	5,940.00
EFT28098	05/09/2018	ZARBELLIKA	GIS CONSULTING	7,363.13
EFT28099		TO EFT28125	PAYMENT ALREADY APPROVED BY COUNCIL, REFER MINUTE REFERENCE 47 / 2018	-
EFT28126	12/09/2018	AW ROADWORKS PTY LTD	TRAFFIC MANAGEMENT	2,579.50

EFT28127	12/09/2018	CR BARRY BELL	COUNCILLOR ALLOWANCE	2,904.50
EFT28128	12/09/2018	BUNBURY HOLDEN	TYRES	1,196.01
EFT28129	12/09/2018	BLACKWOODS	RANGERS PPE	154.00
EFT28130	12/09/2018	BENDIGO BANK BUSINESS CREDIT CARD	AUGUST CREDIT CARD TRANSACTIONS: 3.8.18 - SFS PCEC - \$4.50 - WALGA CONVENTION REFRESHMENT 3.8.18 - ALH GROUP - \$151.70 - WALGA CONVENTION MEALS 3.8.18 - TRINITY - \$220.00 - ACCOMMODATION FOR IGNITE MANAGEMENT PROGRAM 4.8.18 - CITY OF PERTH - \$23.22 - EXPENSE FOR IGNITE MANAGEMENT PROGRAM 4.8.18 - HILTON PARMELIA - \$147.10 - WALGA CONVENTION MEALS 5.8.18 - DELISIO - \$10.00 - WALGA CONVENTION MEAL 7.8.18 - SFS PCEC - \$4.50 - WALGA CONVENTION REFRESHMENT 14.8.18 - TRIP.COM - \$408.34 - WASTE CONFERENCE ACCOMMODATION 18.8.18 - ATA CONNECTIONS - \$60.50 - CASH DRAWER INSERT FOR DALYELLUP LIBRARY CUSTOMER SERVICE 21.8.18 - TRIP.COM - \$204.17 - WASTE CONFERENCE ACCOMMODATION 25.8.18 - PREMIER OFFICE NATIO - \$1482.00 - PAPER FOLDING MACHINE 30.8.18 - CITY OF PERTH - \$12.12 - PERTH MEETING PARKING EXPENSE 30.8.18 - CARD FEE - \$4.00	2,732.15
EFT28131	12/09/2018	BUSSELTON FLORIST	FRUIT BASKET DELIVERED	100.00
EFT28132	12/09/2018	BP AUSTRALIA	DISTILLATE	4,743.76
EFT28133	12/09/2018	WINC AUSTRALIA PTY LTD	STATIONERY	261.59
EFT28134	12/09/2018	CR MURRAY SCOTT	PRESIDENT'S ALLOWANCE	10,392.50
EFT28135	12/09/2018	DALYELLUP BEACH CRICKET CLUB	KIDSPORT REGISTRATION	165.00
EFT28136	12/09/2018	DALYELLUP PRIMARY SCHOOL	SPONSORSHIP OF SCHOOL AWARDS	100.00

EFT28137	12/09/2018	DIESEL FORCE	SERVICE TRAILER AND GENERATOR	6,373.93
EFT28138	12/09/2018	DMC CLEANING	CLEANING OF SHIRE BUILDINGS AND PUBLIC AMENITIES	10,367.50
EFT28139	12/09/2018	DIRT DESIGN	REMOVAL OF EXCESS BEACH SAND AND LEVELLING OF SOFTFALL SAND	1,485.00
EFT28140	12/09/2018	ENVIRONMENTAL HEALTH AUSTRALIA	EHA MASTER CLASS-FOOD ENFORCEMENT	830.00
EFT28141	12/09/2018	GOLDEN WEST PLUMBING & DRAINAGE	REPAIR OF HOT WATER SYSTEM	374.00
EFT28142	12/09/2018	FIT 2 WORK.COM.AU	POLICE CHECKS	81.18
EFT28143	12/09/2018	CR BRIAN HEARNE	DEPUTY ALLOWANCE	4,094.25
EFT28144	12/09/2018	JTAGZ PTY LTD	DOG REGISTRATION TAGS	385.00
EFT28145	12/09/2018	JOHN LANE EMERGENCY MANAGEMENT SERVICES	EMERGENCY MANAGEMENT SERVICES SUBSCRIPTION	3,500.00
EFT28146	12/09/2018	CR DOUG KITCHEN	COUNCILLOR ALLOWANCE	2,904.50
EFT28147	12/09/2018	STATE LIBRARY OF WESTERN AUSTRALIA	LOST AND DAMAGED BOOKS	550.00
EFT28148	12/09/2018	MALATESTA ROAD PAVING & HOT MIX	EMULSION ASPHALT	504.00
EFT28149	12/09/2018	CR P McCLEERY	COUNCILLOR ALLOWANCE	2,904.50
EFT28150	12/09/2018	MCDONALD FENCING	REMOVE FENCING MATERIALS FALLEN DURING STORMS	871.20
EFT28151	12/09/2018	OFFICEWORKS SUPERSTORES PTY LTD	DIGITAL SAFE	39.97
EFT28152	12/09/2018	FULTON HOGAN INDUSTRIES PTY LTD	PALLET EZSTREET	3,590.40
EFT28153	12/09/2018	THE PERTH MINT	AUSTRALIAN CITIZENSHIP \$1 COINS	196.90
EFT28154	12/09/2018	PERON NATURALISTE PARTNERSHIP	PERON NATURALISTE PARTNERSHIP CONTRIBUTION	13,955.19
EFT28155	12/09/2018	AUSTRALIA TAXATION OFFICE	PAYG WITHHOLDING	54,090.00
EFT28156	12/09/2018	RENT A FENCE PTY LTD	MESH FENCING AND CLAMPS	171.88
EFT28157	12/09/2018	CR DEBBIE RADISICH	COUNCILLOR ALLOWANCE	2,904.50
EFT28158	12/09/2018	RALPH BEATTIE BOSWORTH PTY LTD	QUANTITY SURVEYING SERVICES CAPEL CIVIC PRECINCT STAGE 4	2,200.00
EFT28159	12/09/2018	REEVES TRANSPORT & REMOVALS	DALYELLUP LIBRARY TRANSFER	3,300.00
EFT28160	12/09/2018	CAPEL FRESH IGA	REFRESHMENT EXPENSES	517.20
EFT28161	12/09/2018	STEWART & HEATON CLOTHING CO PTY LTD	BUSH FIRE BRIGADE PPE	175.90

EFT28162	12/09/2018	SOUTHERN LOCK & SECURITY	SUPPLY AND INSTALL TWO CYLINDERS KEYS TO SHIRE	325.00
EFT28163	12/09/2018	SOS OFFICE EQUIPMENT	PHOTOCOPIERS METERBILLING	5,998.44
EFT28164	12/09/2018	SOUTHERN ATU SERVICES	AEROBIC TREATMENT UNIT MAINTENANCE	280.80
EFT28165	12/09/2018	CR JENNIFER SCOTT	COUNCILLOR ALLOWANCE	2,904.50
EFT28166	12/09/2018	STRATHAM BOBCAT HIRE	BOBCAT HIRE	888.25
EFT28167	12/09/2018	SPRAYMOW SERVICES	SPRAY ARRUM LILIES	3,256.00
EFT28168	12/09/2018	CR SEBASTIAN SCHIANO	COUNCILLOR ALLOWANCE	2,904.50
EFT28169	12/09/2018	CR MICHAEL SOUTHWELL	COUNCILLOR ALLOWANCE	2,904.50
EFT28170	12/09/2018	THOMPSON SURVEYING CONSULTANTS	LAND SWAP APPLICATION FEE	3,835.70
EFT28171	12/09/2018	TOTALLY WORKWEAR	UNIFORM ALLOWANCE	283.80
EFT28172	12/09/2018	TECHNOLOGY ONE	INTRAMAPS LICENCE FEE	2,293.60
EFT28173	12/09/2018	RAY TINK ROOFING	REPAIR OF THE LEAK IN THE BOYANUP HALL	275.00
EFT28174	12/09/2018	WYE ELECTRICAL	EMERGENCY MANAGEMENT GENERATOR SUPPORT AND REPAIR HAND DRYER	4,054.90
EFT28175	12/09/2018	YOHO PIZZA	SENIORS' TOUR FOR 20 PEOPLE	850.00
EFT28176	12/09/2018	DONNYBROOK FOOTBALL AND SPORTING CLUB	KIDSPORT REGISTRATION	462.00
EFT28177	12/09/2018	THINK WATER BUNBURY	SPRINKLERS	2,253.25
EFT28178	13/09/2018	ARTISAN - IMAGEPAK	FIGHT THE BITE COFFEE KEEP CUPS	1,897.50
EFT28179	13/09/2018	CAPEL MUNCH BAR	CATERING	240.00
EFT28180	17/09/2018	TOOLMART AUSTRALIA PTY LTD	COMPRESSOR	1,249.00
EFT28181	19/09/2018	TELSTRA CORPORATION LTD	INTERNET CONNECTION - DALYELLUP SPORTS PAVILION	70.00
EFT28182	19/09/2018	AMITY SIGNS	ROAD SIGNS AND STICKERS	7,524.00
EFT28183	19/09/2018	AUSTRALIA POST	POSTAGE	1,681.94
EFT28184	19/09/2018	ASTRAL SIGNS	VINYL STICKERS	66.00
EFT28185	19/09/2018	AW ROADWORKS PTY LTD	TRAFFIC CONTROL	898.70
EFT28186	19/09/2018	ADAM DAVEY CONSULTING	ORGANIC FERTILISER/MICROBIAL AND CARBON SOIL CONDITIONER INCLUDING DELIVERY	3,979.80
EFT28187	19/09/2018	BUNBURY MOWER SERVICE	REPAIR AND SERVICE BRUSH CUTTER	379.50

EFT28188	19/09/2018	BELL FIRE EQUIPMENT COMPANY	TWO LOCKABLE CAMLOCKS FOR STANDPIPES	77.00
EFT28189	19/09/2018	BUNBURY TYREPOWER	REPAIR/REPLACE TYRE	220.00
EFT28190	19/09/2018	BULLIVANTS PTY LTD	GATIC KEY	277.41
EFT28191	19/09/2018	BUNBURY BASKETBALL ASSOCIATION	KIDSPORT REGISTRATION	165.00
EFT28192	19/09/2018	BOYLES PLUMBING & GAS	REPAIR BROKEN WATER METER PIPE	175.45
EFT28193	19/09/2018	BONDO'S LAWN CARE	SLASH LONG GRASS FOR CLEARANCE OF WALKWAY	800.00
EFT28194	19/09/2018	PUBLIC OUTDOOR PTY LTD	TABLE TENNIS BATS AND BALLS FOR NEW OUTDOOR PING PONG TABLE	79.75
EFT28195	19/09/2018	BP AUSTRALIA	DISTILLATE	6,465.29
EFT28196	19/09/2018	WINC AUSTRALIA PTY LTD	STATIONERY	361.87
EFT28197	19/09/2018	COATES HIRE SERVICE	HIRE - FLEXI DRIVE MOTOR AND HOSE	84.00
EFT28198	19/09/2018	C.E.M ALLIANCE PTY LTD CEM	REPAIR/REPLACE DOORS AND FRAMES ON TOILETS AND CLEAN BORE STAINS	2,986.50
EFT28199	19/09/2018	CB TRAFFIC SOLUTIONS PTY LTD	TRAFFIC CONTROL	887.15
EFT28200	19/09/2018	CORNERSTONE CHRISTIAN COLLEGE LTD	KIDSPORT REGISTRATION	121.00
EFT28201	19/09/2018	DALYELLUP BEACH CRICKET CLUB	KIDSPORT REGISTRATION	165.00
EFT28202	19/09/2018	DEPARTMENT OF PREMIER & CABINET	GAZETTAL DOG AND CAT AMENDMENT LOCAL LAW	329.67
EFT28203	19/09/2018	DIESEL FORCE	SERVICE FOR GRADER	2,910.70
EFT28204	19/09/2018	GOLDEN WEST PLUMBING & DRAINAGE	REPAIR TOILETS	1,791.35
EFT28205	19/09/2018	DEPT OF FIRE AND SERVICES (DFES).	FIRST QTR ESL AND UNSPENT GRANT FUNDS	333,727.14
EFT28206	19/09/2018	FLEURS OF BUNBURY	SYMPATHY FLOWERS	82.00
EFT28207	19/09/2018	GRANTS EMPIRE	GRANT APPLICATION FOR DEVELOPMENT OF COMMUNITY SPORT INFRASTRUCTURE	2,178.00
EFT28208	19/09/2018	A INGRAM	BOOKSTOCK	392.98
EFT28209	19/09/2018	LESLEY JACKES	REIMBURSEMENT CONFERENCE EXPENSES	455.60
EFT28210	19/09/2018	JULIES LAWNMOWING	MOWING	160.00
EFT28211	19/09/2018	CR DOUG KITCHEN	REFUND	80.00
EFT28212	19/09/2018	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	REGISTRATION FOR 2018 LOCAL GOVT CONVENTION (CEO & 3 X COUNCILLORS)	6,188.00
EFT28213	19/09/2018	LD TOTAL	REMOVE DEAD TUART	434.50

EFT28214	19/09/2018	LEIGH BARRETT HERITAGE ADVISORY SERVICES	HERITAGE SURVEY REVIEW	4,554.00
EFT28215	19/09/2018	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	COMMS NETWORK EVENT	55.00
EFT28216	19/09/2018	JUST YOUNGER CATERING	CATERING	784.00
EFT28217	19/09/2018	MCDONALD FENCING	PATCH AND REPAIR SECURITY FENCE	577.50
EFT28218	19/09/2018	OFFICEWORKS SUPERSTORES PTY LTD	ANNUAL	64.75
EFT28219	19/09/2018	PERKINS (WA) PTY LTD	CAPEL CIVIC PRECINCT STAGE 3	61,968.18
EFT28220	19/09/2018	MICHELLE PLUME	REIMBURSEMENT	123.45
EFT28221	19/09/2018	PJ & EV PAGE	MONTHLY WAX AND POLISH BOYANUP HALL	70.00
EFT28222	19/09/2018	PERTH THEATRE TRUST	EXCURSION TO PERTH FOR YOUTH	338.95
EFT28223	19/09/2018	PETITE & OH SO SWEET	R U OK MORNING TEA	240.00
EFT28224	19/09/2018	PINJARRA RESORT	ACCOMMODATION & MEALS FOR TRAINING	182.00
EFT28225	19/09/2018	PRIME INDUSTRIAL PRODUCTS	DRUM LIFTER FOR MOSQUITO TREATMENTS	179.63
EFT28226	19/09/2018	AUSTRALIA TAXATION OFFICE	PAYG WITHHOLDING-	734.00
EFT28227	19/09/2018	RTW STEEL FABRICATION	REPAIR INTERNAL PAD BOLT	121.00
EFT28228	19/09/2018	RALPH BEATTIE BOSWORTH PTY LTD	SURVEYING CAPEL CIVIC PRECINCT STAGE 4	6,259.00
EFT28229	19/09/2018	RAECO	BOOK COVERING	67.19
EFT28230	19/09/2018	SOUTH WEST TREE SAFE	PRUNING OF REDGUM	440.00
EFT28231	19/09/2018	SOUTHERN LOCK & SECURITY	SERVICE CALL AND REPLACEMENT BATTERY, EXTRA RESTRICTED KEY CUTS AND INSTALL HIGH GAIN ANTENNA	351.25
EFT28232	19/09/2018	SOUTHERN ATU SERVICES	AEROBIC TREATMENT UNIT MAINTENANCE	154.40
EFT28233	19/09/2018	D & K THOMAS ELECTRICAL	DISCONNECT TWO FLUORO LIGHTS, FAN AND SMOKE ALARM AND REPLACE DAMAGED FLUORO	1,368.40
EFT28234	19/09/2018	TRADE HIRE	ROLLER HIRE	528.00
EFT28235	19/09/2018	THINK WATER BUNBURY	MISCELLANEOUS RETIC PARTS	111.95
EFT28236	19/09/2018	TALL TIMBERS MANJIMUP	SENIORS' TOUR	406.00
EFT28237	19/09/2018	UNDERSTORY ART & NATURE TRAIL	SENIORS' TOUR	153.00

EFT28238	19/09/2018	WORK CLOBBER BUNBURY	UNIFORMS AND PPE	327.44
EFT28239	19/09/2018	WML CONSULTANTS	JAMIESON ROAD BOARDWALK CONCEPT INVESTIGATION AND DESIGN	3,102.00
EFT28240	19/09/2018	LANDMARK OPERATIONS LIMITED	DISPOSABLE GLOVES	29.48
EFT28241	19/09/2018	TRACIE WALSH	ART WORKSHOPS FOR YOUTH	450.00
EFT28242	19/09/2018	YOUTHCARE	CONTRIBUTION TO CHAPLAINCY TO 4 X SCHOOLS	19,800.00
EFT28243	19/09/2018	ARBORCARBON PTY LTD	SAT CASE EXPERT WITNESS REPORT	6,600.00
EFT28244	19/09/2018	ADAM SHEEN	REIMBURSEMENT	41.80
EFT28245	21/09/2018	CALTEX AUSTRALIA	FLEET FUEL	4,541.47
EFT28246	26/09/2018	AUSQ TRAINING	BASIC WORKSITE TRAFFIC MANAGEMENT (BWTM) & TRAFFIC CONTROLLER (TC)	678.00
EFT28247	26/09/2018	B & B STREET SWEEPING	EMPTY GPTS	4,610.65
EFT28248	26/09/2018	BUNBURY & BUSSELTON TOWING	TOW ABANDON VEHICLE	132.00
EFT28249	26/09/2018	WINC AUSTRALIA PTY LTD	STATIONERY	15.39
EFT28250	26/09/2018	CRANEFORD PLUMBING	SERVICE WASTE WATER TREATMENT SYSTEM	580.80
EFT28251	26/09/2018	CLEANWAYXTRA	SERVICE OF WATERLESS URINALS	2,159.70
EFT28252	26/09/2018	CB TRAFFIC SOLUTIONS PTY LTD	STORM DAMAGE CLEAN UP	887.15
EFT28253	26/09/2018	THE CIDERY	SENIORS' TOUR	412.01
EFT28254	26/09/2018	CAPEL MUNCH BAR	LUNCH FOR MEETING	300.00
EFT28255	26/09/2018	DIESEL FORCE	ELECTRICAL REPAIR	367.63
EFT28256	26/09/2018	DMC CLEANING	CLEANING OF TOILET BLOCK 3 TIMES WEEKLY	717.00
EFT28257	26/09/2018	DIRT DESIGN	REPLANT, REPLANT AND MULCH ESTATE ENTRANCE	8,635.00
EFT28258	26/09/2018	DONNYBROOK FARM SERVICE	POLY WATER TANK	1,516.90
EFT28259	26/09/2018	ENVIRONMENTAL HEALTH AUSTRALIA	ANNUAL PROFESSIONAL MEMBERSHIP	340.00
EFT28260	26/09/2018	GOLDEN WEST PLUMBING & DRAINAGE	REPAIR BORE PUMP	445.50
EFT28261	26/09/2018	CONNECT CALL CENTRE SERVICES	AFTERHOURS CALL CENTRE SERVICES	516.23
EFT28262	26/09/2018	JUST PROPERTY MANAGEMENT	REFUND	582.38

EFT28263	26/09/2018	LONSDALE CATERING & PARTY HIRE	HIRE FOR COUNCIL MEETING IN CAPEL COMMUNITY CENTRE	152.00
EFT28264	26/09/2018	LD TOTAL	REPLACE DECODER AND REPLACE WORN SOLENOID COIL AND WORN POP UP SPRINKLERS	664.51
EFT28265	26/09/2018	LOTTERIES WA	REFUND OF LOTTERYWEST CAPTIVATE CAPEL GRANT	207.80
EFT28266	26/09/2018	LANDGATE	GRV INTERIM VALS AND RURAL UV CHARGES	1,530.37
EFT28267	26/09/2018	MICHELLE MCGOVERN	REIMBURSEMENT OF COURSE FEES	533.00
EFT28268	26/09/2018	MCLEODS BARRISTERS AND SOLICITORS	SAT REVIEW AND STORAGE OF USED VEHICLES	16,114.42
EFT28269	26/09/2018	VODAFONE HUTCHISON AUSTRALIA PTY LTD	MESSAGING FOR BUSH FIRE BRIGADES	130.35
EFT28270	26/09/2018	AUSTRALIA TAXATION OFFICE	PAYG WITHHOLDING	52,395.00
EFT28271	26/09/2018	SOUTH WEST TREE SAFE	TREE REMOVAL	1,100.00
EFT28272	26/09/2018	SOUTHERN LOCK & SECURITY	PADLOCKS	700.00
EFT28273	26/09/2018	SELECTUS	PAYROLL DEDUCTIONS	2,341.84
EFT28274	26/09/2018	DONNA SIMS	REIMBURSEMENT	549.50
EFT28275	26/09/2018	SOUTH WEST ACADEMY OF SPORT	LOCAL GOVERNMENT SPONSORSHIP	8,800.00
EFT28276	26/09/2018	D & K THOMAS ELECTRICAL	REPAIR OF BBQ'S (4), WALL LIGHTS INSIDE HALL AND GPO IN KITCHEN	2,649.19
EFT28277	26/09/2018	TOTALLY SOUND	SOUND EQUIPMENT HIRE	1,239.70
EFT28278	26/09/2018	WESTERN AUSTRALIAN TREASURY CORPORATION	PAYMENTS OF LOANS	106,902.09
EFT28279	26/09/2018	SHIRE OF WAGIN	PAYROLL DEDUCTIONS	40.00
48965	05/09/2018	ALINTA GAS	GAS	85.55
48966	05/09/2018	COURIER AUSTRALIA INTERNATIONAL	FREIGHT	11.94
48967	05/09/2018	SYNERGY	ELECTRICITY	4,899.55
48968	05/09/2018	TELSTRA CORPORATION LTD	MOBILE ACCOUNT	2,079.38
48969	12/09/2018	CITY OF BUNBURY	IMPOUND FEES FOR CATS	306.00
48970	12/09/2018	SHIRE OF CAPEL	PETTY CASH	34.60
48971	12/09/2018	DOWNES WL	REFUND	253.92
48972	12/09/2018	SYNERGY	ELECTRICITY	1,361.95
48973	12/09/2018	TELSTRA CORPORATION LTD	LANDLINE ACCOUNT	1,665.16
48974	12/09/2018	KAREN WOOD	REFUND	150.00

48975	12/09/2018	WESTERN POWER	ISOLATE CUSTOMER'S SUPPLY AND REPLACE THE CT METER IN NEW SITE MAIN SWITCH BOARD	4,173.51
48976	12/09/2018	COURIER AUSTRALIA INTERNATIONAL	FREIGHT	31.96
48977	19/09/2018	COURIER AUSTRALIA INTERNATIONAL	FREIGHT	22.28
48978	19/09/2018	SHIRE OF CAPEL	PETTY CASH	512.05
48979	19/09/2018	SYNERGY	STREETLIGHTS	31,909.05
48980	26/09/2018	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	51.80
48981	26/09/2018	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS	72.00
48982	26/09/2018	SHIRE OF CAPEL	PAYROLL DEDUCTIONS	68.00
48983	26/09/2018	LGRCEU	PAYROLL DEDUCTIONS	143.52
48984	26/09/2018	SYNERGY	ELECTRICITY	4,097.75
48985	26/09/2018	SHIRE OF CAPEL	PETTY CASH	35.50
968	05/09/2018	BOYANUP ANTIQUE COLLECTORS GROUP	BOND REFUND	150.00
969	05/09/2018	SHIRE OF CAPEL	CLEANING	132.00
970	05/09/2018	TRENT READ	BOND REFUND	368.00
971	12/09/2018	BUILDING & CONSTRUCTION IND TRAINING FUND	BCITF LEVY	905.07
972	12/09/2018	DEPARTMENT OF COMMERCE - BUILDING COMMISSION	BSL LEVY	3,730.18
973	12/09/2018	SHIRE OF CAPEL	BSL COMMISSION	184.75
974	12/09/2018	LEE PATTERSON	REFUND	61.65
975	13/09/2018	JODIE ACKINCLOSE	REFUND	150.00
976	13/09/2018	CRAIG FIELD	BOND REFUND	1,000.00
977	19/09/2018	SHIRE OF CAPEL	REFUND	80.00
978	26/09/2018	NEIL CROMBIE	BOND REFUND	150.00
				1,075,860.41

OUTSTANDING CREDITORS AS AT 30 September 2018: \$347,633.60

04.09.18	SHIRE OF CAPEL PAYROLL PAYMENTS	\$178,791.44
11.09.2018	SHIRE OF CAPEL PAYROLL PAYMENTS	\$1,222.26
18.09.18	SHIRE OF CAPEL PAYROLL PAYMENTS	\$170,809.18

\$350,822.88

06.09.2018	TRANSFER from MUNICIPAL ACCOUNT	-\$1,000,000.00
13.09.2018	TRANSFER from MUNICIPAL ACCOUNT	-\$1,100,000.00
26.09.2018	TRANSFER from MUNICIPAL ACCOUNT	-\$1,000,000.00

-\$3,100,000.00

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 24 October 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

57/2018 OFFICER'S RECOMMENDATIONS – 15.2/COUNCIL DECISION
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Moved Cr Bell, Seconded Cr J Scott

That Council receives:

- 1 The Schedule of Accounts covering vouchers 968-978, EFT28051 to EFT28279, CHQ48965 to CHQ48985 totalling \$1,075,860.41 during the month of September 2018;**
- 2 Payroll payments for the month of September 2018, totalling \$350,822.88; and**
- 3 Transfers to and from investments as listed.**

Carried 8/0

58/2018 (15.3) Financial Statements for 30 September 2018

Location: Capel
Applicant: Shire of Capel
File Reference: N/A
Disclosure of Interest: Nil
Date: 10.10.18
Author: Manager Finance, A Mattaboni
Senior Officer: Executive Manager Corporate Services, S Stevenson
Attachments: Financial Statements for September 2018

IN BRIEF

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

RECOMMENDATION

That Council adopts the financial statements for the period ending 30 September 2018 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 30 September 2018, Council's net current asset position is a surplus of \$13,139,913. The forecast 2018/19 year end net current asset position is a surplus of \$18,637.

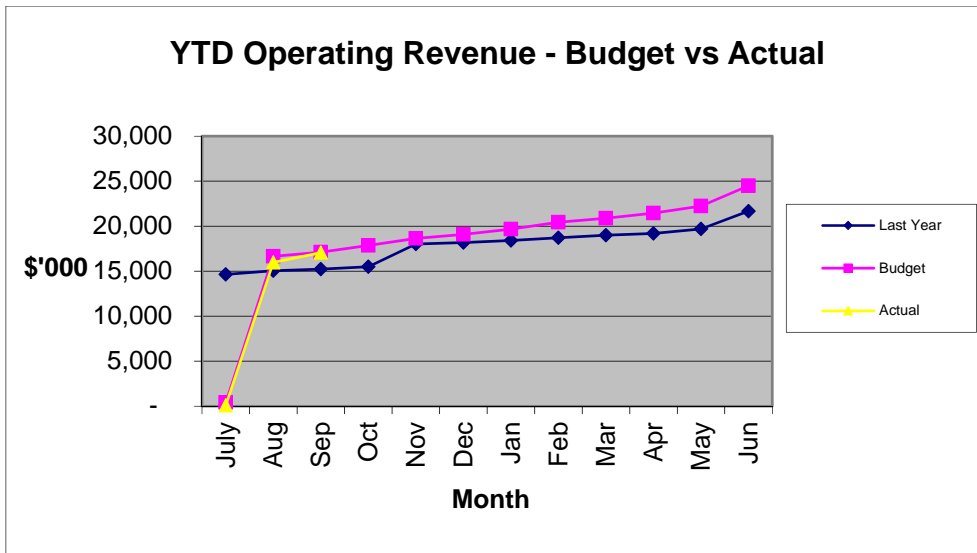
The 2017/18 year end net current asset position is a surplus of \$56,843. This amount will vary to the final surplus/(deficit) as accounts are finalised for the 2018 year. The 2017/18 forecast net current asset position used for the 2018/19 budget was a surplus of \$31,771.

Compared to the annual budget approximately 88% of Operating Revenue has been invoiced and 22% of the Operating Expenditure budget has been spent. The monthly budget of income and expenditure has been adjusted to reflect the expected timing of actual income and expenditure throughout the financial year.

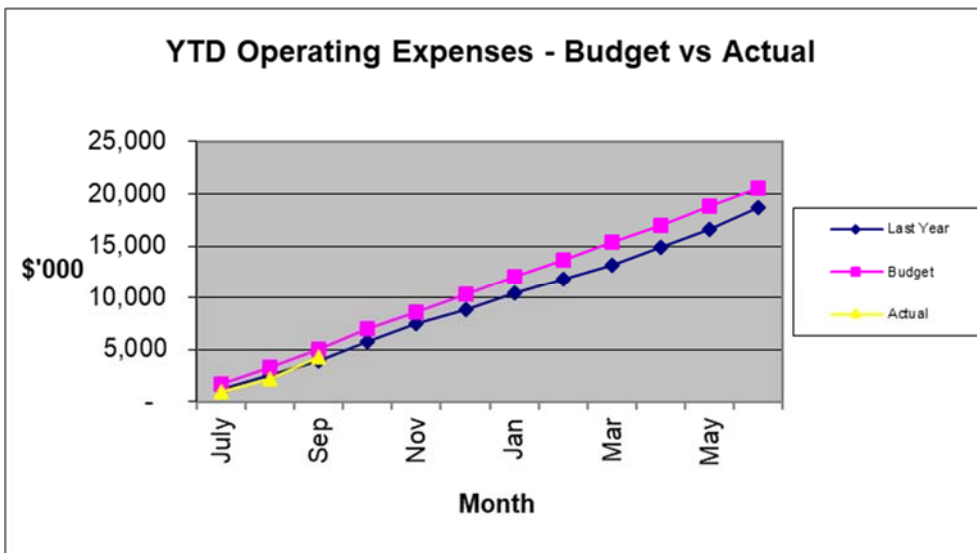
Rates have been assessed for the 2018/19 financial year with income raised in August 2018. The Statement of Comprehensive Income by Nature and Type shows 99% of rates income has been received year to date compared to the annual budget. Fees and Charges income includes \$2,333,120 for household refuse fees which is included in the rates billing process. Approximately 78% of Fees and Charges income has been received year to date compared to the annual budget.

Fixed asset depreciation has been calculated for the months up to and including September 2018 using the updated fair value of all infrastructure assets as at 30 June 2018.

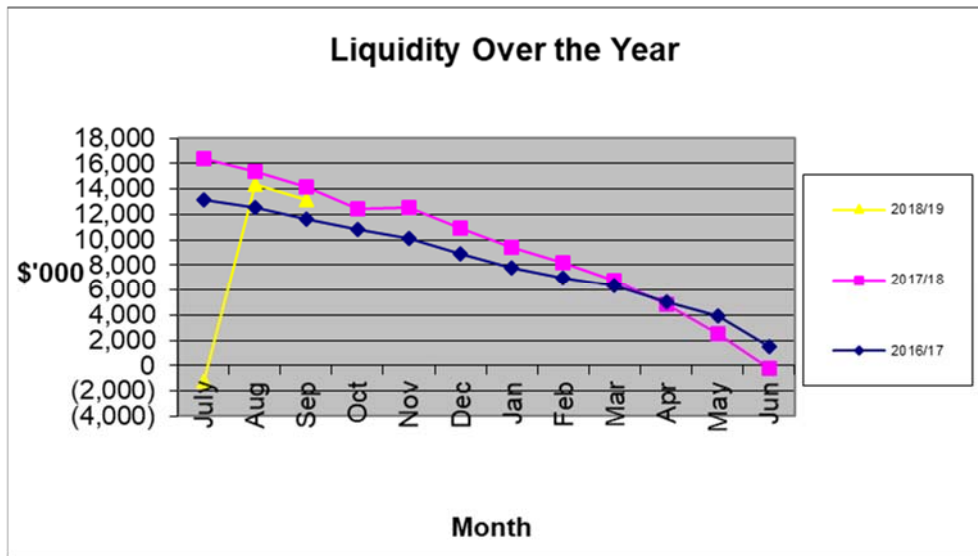
The following graphs compare actual Operating Revenue and Operating Expenditure against the 2018/19 budget on a year to date basis.



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

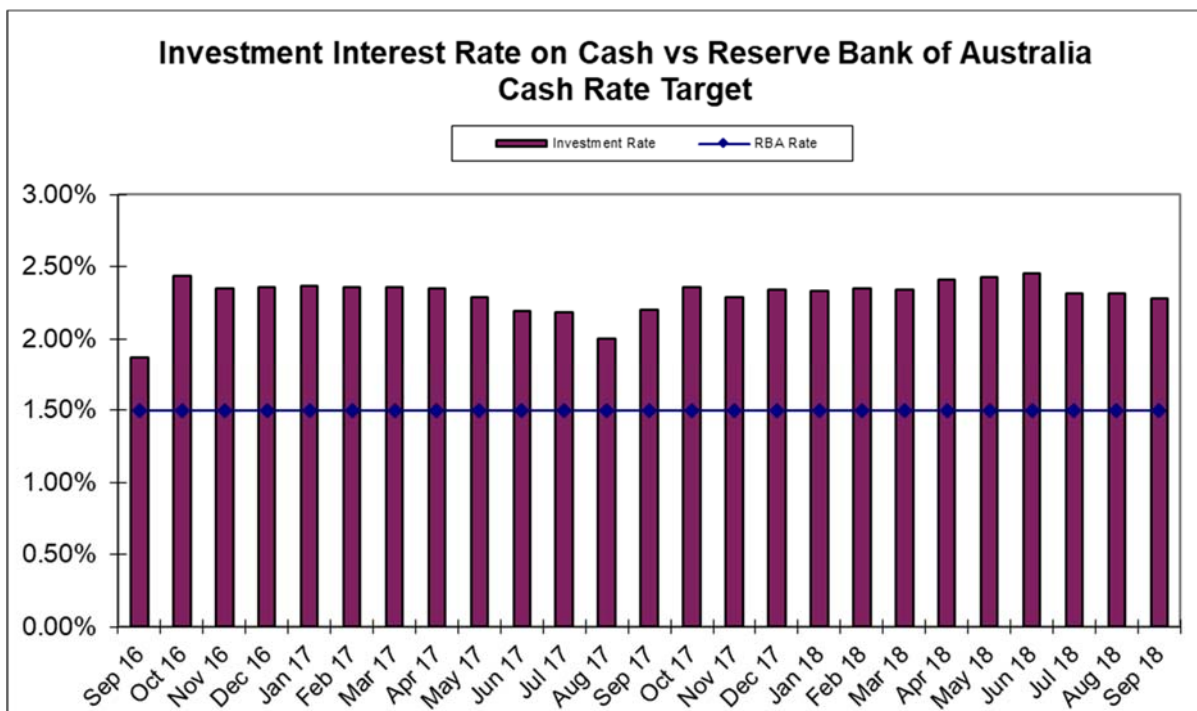


The liquidity graph compares the current year’s net current assets position against that of the two previous years.



Council’s municipal cash and investments position has increased by \$4,130,683 compared to August 2018. The Municipal cash position is an amount of \$16,207,054 of which \$13,448,211 is restricted for specific purposes as shown at Note 3. The actual reserve transfers for 2017/18 are complete. 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.

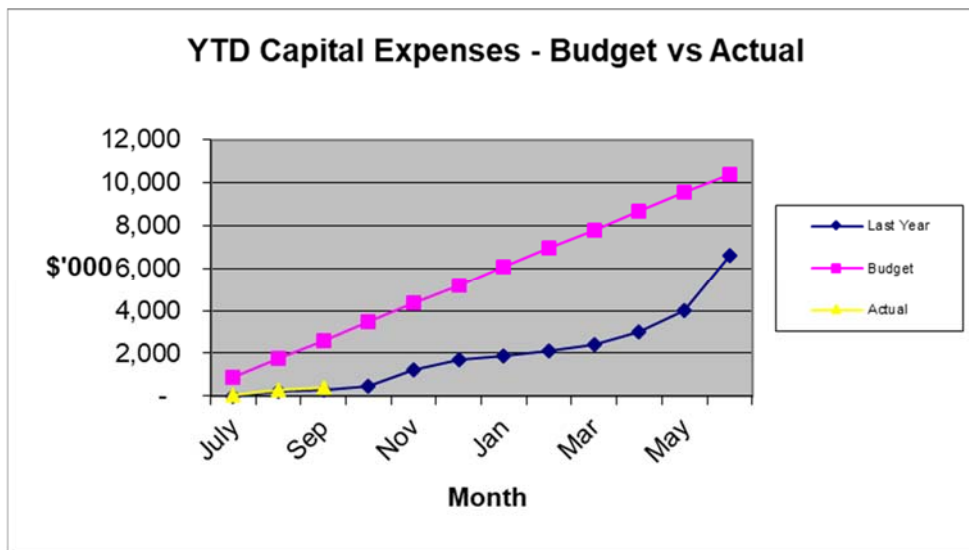
Total interest earned year to date is \$59,743 which is slightly below the current year to date budget of \$66,830. The average investment rate of return has remained steady at 2.28%, which exceeds the Reserve Bank’s cash reference rate of 1.50%. The Reserve Bank Board on 2 October 2018 made no change to their target cash rate of 1.50%. The Shire has term deposits maturing from October 2018 to March 2019, investment terms ranging from 91 days to 280 days and interest rates from 2.58% to 2.70%.



Capital works expenditure of \$96,478 occurred during the month on:

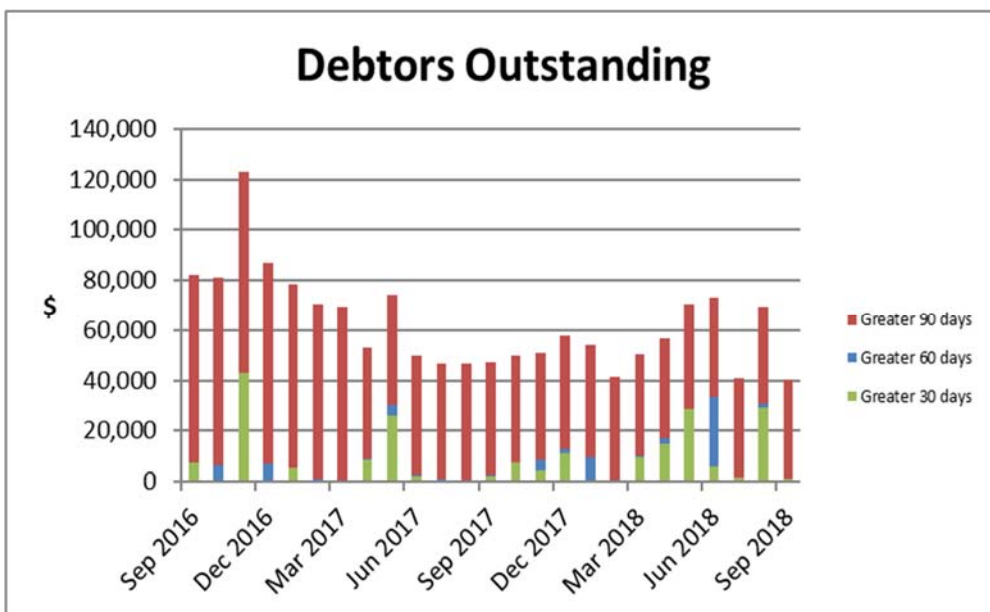
\$	70,171	Capel Civic Precinct - Stage 3 & 3A
\$	9,375	Boyanup Lions Park
\$	6,220	Boyanup Recreation Facilities
\$	5,418	Trailer
\$	2,820	Jamieson road Boardwalk
\$	1,111	Entry Statements Capel Townscape
\$	1,379	Elgin Fire Brigade Works
\$	(16)	Capel Civic Precinct - Stage 4 Multi Use Building Design

The following graph compares actual capital expenditure against the 2018/19 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.

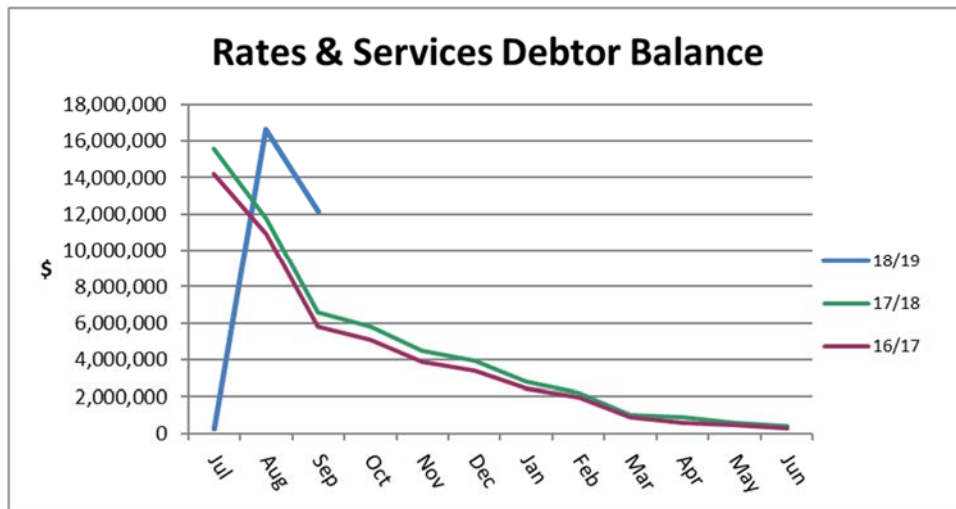


Council's financial ratios are disclosed in Note 14. The Debt Service Coverage Ratio is at a high level due to the recognition of rating income. The increase in operating expenditure during the financial year will see this ratio move in line with previous years.

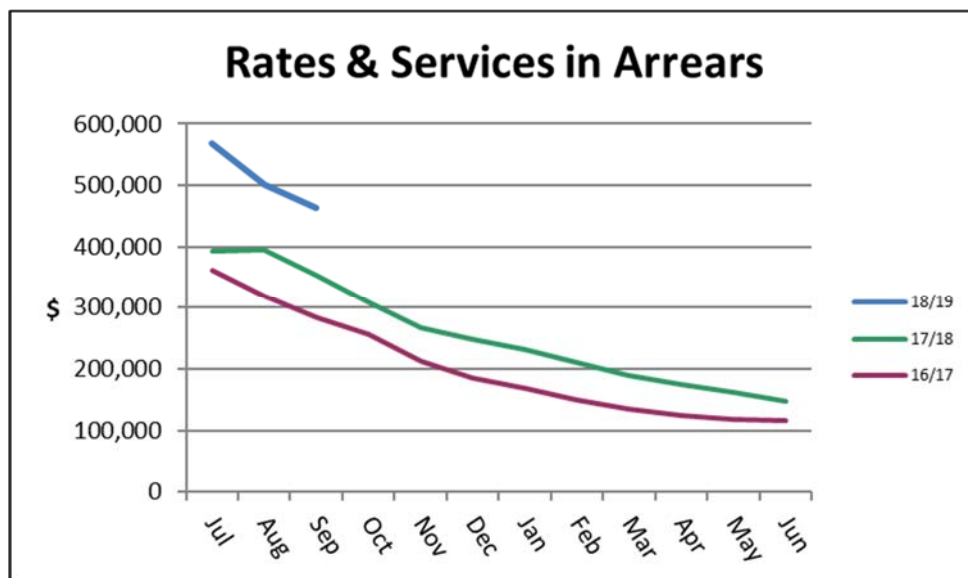
The following graph illustrates Council's current level of general Debt recovery for 31-60 days, 61-90 days and greater than 90 days.



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 for 2018/19 shows rates have been raised for this financial years billing cycle in the month of August 2018.



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 3.00%, 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 30 September 2018.

VOTING REQUIREMENTS

Simple majority

58/2018 OFFICER’S RECOMMENDATION – 15.3/COUNCIL DECISION

Moved Cr Kitchen, Seconded Cr Bell

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

Carried 8/0

COMMUNITY SERVICES REPORTS

59/2018 (16.1) Dog Exercise Area Review - 2018

Location:	Whole of Shire
Applicant:	Shire of Capel
File Reference:	RS.DOG.9
Disclosure of Interest:	Nil
Date:	10.10.18
Author:	Manager Emergency & Ranger Services, D Freeman
Senior Officer:	Executive Manager Community Services, M Plume
Attachments:	<ol style="list-style-type: none"> 1. Map – Proposed Dog Exercise Areas – Boyanup 2. Map – Proposed Dog Exercise Areas – Capel 3. Map – Proposed Dog Exercise Areas – Dalyellup 4. Map – Proposed Dog Exercise Areas – Forrest Beach 5. Map – Proposed Dog Exercise Areas – Gelorup 6. Table of Submissions – Community Survey (Separate attachment) 7. Table of Submissions – Community Forums (Separate attachment) 8. Table of Submissions – Final Community Consultation (Separate attachment)

IN BRIEF

To consider the outcomes of the 2018 review of Dog Exercise Areas (DEA) within the Shire of Capel and adopt the areas, including seasonal arrangements identified.

RECOMMENDATION

1. **That Council, in accordance with the Dog Act 1976:**
 - a) **Adopts the Dog Exercise Areas as depicted in the attachments to this report:**
 - i. **Map – Proposed Dog Exercise Areas – Boyanup;**
 - ii. **Map – Proposed Dog Exercise Areas – Capel;**
 - iii. **Map – Proposed Dog Exercise Areas – Dalyellup;**
 - iv. **Map – Proposed Dog Exercise Areas – Forrest Beach; and**
 - v. **Map – Proposed Dog Exercise Areas – Gelorup.**
 - b) **Gives local public notice that the areas so determined shall come into effect as designated Dog Exercise Areas as from 1 December 2018, on the understanding that facilities and maintenance of these areas will be subject to annual budget constraints.**
2. **A review of the Dog Exercise Areas and seasonal restrictions as proposed be undertaken after 12 months to ascertain effectiveness, and acceptance by the community.**

BACKGROUND / PROPOSAL

Background

October 2016 (OC1013) Council declared the following locations as 'Dog Prohibited Areas' (with the exception of *bona fide* 'Assistance Dogs' as defined by the *Disability Discrimination Act 1992* [Cth]):

At all times

Any building under the care, control or management of the Shire of Capel that is open to or used by the public.

01 November to 30 April each year

Beach foreshore areas as specified below:

- (a) Dalyellup Beach – Southwest from the prolongation of Norton Promenade to the prolongation of Dalyellup Boulevard;
- (b) Minninup Beach, Stratham - Northeast from the prolongation of Rich Road for a distance of 300 metres;
- (c) Peppermint Grove Beach – Southwest from the prolongation of Wave Walk to the prolongation of Peppermint Grove Road; and
- (d) Forrest Beach – Southwest from the prolongation of the northern edge of the gravel car park at Forrest Beach Road for a distance of 300 metres (adjacent to R 25427).

Jan 2017 (OC0115) That Council authorises the Chief Executive Officer to provide local public notice for at least 28 days as required under s31(3C) of the *Dog Act 1976* of its intention to declare the portions of beach described in Attachments 1 and 2 as 'Dog Off Lead Exercise Areas' with an amendment to Attachment 1 Maps 1 through 4 be amended in the red areas where dogs are prohibited, to read "Dogs on leads all year".

Proposal

The Dog Exercise Areas and seasonal arrangements at beaches as proposed in the maps attached to the agenda be adopted.

STATUTORY ENVIRONMENT

Dog Act 1976

31 (3A) A local government may, by absolute majority, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.

(5) A local government must specify such dog exercise areas as are, in the opinion of the local government, sufficient in number, and suitable, for the exercising of dogs in the district.

31 (3C) At least 28 days before specifying a place to be —
 (b) a dog exercise area under subsection (3A);
 a local government must give local public notice as defined in the Local Government Act 1995 section 1.7 of its intention to so specify.

Local Government Act 1995

1.7. Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
- (a) published in a newspaper circulating generally throughout the district; and
 - (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.

POLICY IMPLICATIONS

There are no Policies of Council relevant to this item.

FINANCIAL IMPLICATIONS

Budget

Whilst there are no budget implications in regards to the review, in adopting the recommendations there will be a requirement to provide additional infrastructure e.g. signage, poop bags and bins from current budgeted line items. There will also be a need for some works to prepare the new areas and therefore Reserve Management Plans will need to be developed and costed.

Long Term

As management plans are developed for each reserve, there will be a need to allocate annual funding for their on-going maintenance.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

STRATEGIC IMPLICATIONS

Consideration of this matter is consistent with the following aspirations of the Shire of Capel Strategic Community Plan 2018-2028:

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

Community Objective:

1.4 building a culture of collaboration and a stronger safer and happier 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 Objective:

3.1 The community capitalises on its unique attributes and location.

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:

5.2 As a community, we work to ensure our ongoing enjoyment of our quality of life.

CONSULTATION

There has been extensive consultation with the community on this matter since the review commenced in March 2018. Community consultation has taken the form of:

- Online community survey – of the suitability of current Dog Exercise Areas, identification of potential additional areas, facilities that would enhance Dog Exercise Areas and the distribution of Dog Exercise Areas across the community. The survey was open from 12 March – 9 April 2018 and resulted in 352 responses being received.
- Community Forums – maps depicting the current and proposed Dog Exercise Areas identified from the online survey, with radii of acceptable travel distances were made available for consideration/feedback. The concept of “seasonal” Dog Exercise Area restrictions was also canvased.
Forums were held as follows:

Boyanup Thursday 14 June @ 5.00pm
Dalyellup – Saturday 16 June @ 10.00am
PGB – Tuesday 19 June @ 5.00pm
Capel – Saturday 23 June @ 10.00am, and
Gelorup - Tuesday 26 June at 5.00pm

- Public Review/Comment – on opportunity for online review of the staff interpretation of the input from the Community Forums. This opportunity to comment was open from 1 to 28 August 2018.

Local Public Notice as required under the Local Government Act 1995 will also be given on the areas adopted by Council.

COMMENT

There are currently 3,253 dogs registered across 2,415 households. As the community grows with further subdivisions proposed, there will need to be further areas set aside to meet the needs of the community.

There is a basic principle enshrined in the Dog Act 1976, that unless an area is declared as an “off lead exercise area” (or engaged in an approved activity), all dogs when out in the public domain must be on a lead.

The Review of Dog Exercise Areas was initiated by staff having regard for:

- The responsibilities of Local Government under the Dog Act,
- The last reviewed in 2016 only focused on beaches
- Limited public consultation as part of that review,
- The resolution of Council was not well articulated to wider community,
- Signs reflecting the decision of Council were not put up until some 9 months later. This led to the community forming the opinion that the changes implemented were done without appropriate community consultation.

The review has also considered the need for places where people can go without the possibility of being approached by “free ranging” dogs.

From the review, the following new exercise areas have been identified and are proposed:

Boyanup	Old Pony Club Grounds at Boyanup Memorial Park Precinct Penn Street (between Ray Street and Boyona Place)
Capel	Old Hockey grounds corner Goodwood Road and Spurr Street Hannaby Park -West Road
Dalyellup	Bibra Loop/Guttman Parkway Crystal Bend (eastern portion of North Dalyellup sports reserve) Reserve abutting Edwinstone Close/Harewoods Road
Gelorup	Corner Jules Road and Frances Road

These areas are intended to provide a better distribution of Dog Exercise Areas across the whole of the community and will hopefully lead to less overcrowding of facilities and in turn, greater use by the community.

The most contentious area of the review process has been related to beaches. The review has identified a variety of differing interests, ranging from a belief that dogs should be able to be exercised off leash all year round to an expectation from non-dog owners of being able to enjoy going to the beach without being harassed by unrestrained dogs.

In this regard, respondents from Peppermint Grove Beach in particular have been very vocal in support of their respective positions. Proposals in respect to Peppermint Grove Beach and Minnipup Beach Stratham are presented to Council as an additional item in this agenda.

As a potential compromise, staff have considered that seasonal restrictions could be applied. Seasonal restrictions are in place at our adjoining local governments of Bunbury and Busselton and appear to be well accepted by their communities.

The objective of the seasonal restrictions is to enable dog owners to be able to exercise their dogs off leash all year round, but provide a time during peak swimming periods where dogs, while still permitted, must be restrained on a leash. The season proposed is 6 months – 1 November to 30th April in the following year. It is considered that this period reflects the warmer months and contains the peak holiday period through to Easter.

As a comparison with neighbouring local governments, the seasonal arrangements at the City of Busselton apply for the summer months only – 1 December until 28 February in the year following, but the restrictions are for that full period; there is no allowance for dogs off leash at the beginning or end of the day. Similarly, at Bunbury, dogs are prohibited at all times at the Back Beach and Koombana Beach from 1 October until 30th April in the following year.

In areas identified as “seasonal”; it was suggested, for the final round of consultation, that dogs could be exercised off leash before 8.00am, and after 5.00pm. Between 8.00am and 5.00pm dogs would be permitted, but must be restrained by a leash at all times.

While many submissions were supportive of these arrangements as a good compromise, there was a theme that they could be made more acceptable if the “daily restraint start time” was delayed to 9.00am. It is considered that this would not compromise the overall intended outcome and contribute to greater acceptance of the arrangements by the community.

The review has highlighted the differing views within the community on the exercising of dogs at beaches. The review has tried to make sure that there were as many opportunities as possible for residents to contribute to the review and see how their issues were being considered.

Ultimately, there will still be some members of the community, both for and against the regulation of Dog Exercise Areas. The powers given to Council under the Dog Act 1976 do however make for a relatively simple process through which amendments to Dog Exercise Areas can be made.

As such, Council may wish to adopt the areas and seasonal restrictions as identified in the maps attached to this agenda, but further seek a review of the arrangements in 12 months’ time.

VOTING REQUIREMENTS

Absolute majority

59/2018 OFFICER'S RECOMMENDATION – 16.1/COUNCIL MOTION

Moved Cr Hearne, Seconded Cr J Scott

1. That Council, in accordance with the Dog Act 1976:
 - a) Adopts the Dog Exercise Areas as depicted in the attachments to this report:
 - i. Map – Proposed Dog Exercise Areas – Boyanup;
 - ii. Map – Proposed Dog Exercise Areas – Capel;
 - iii. Map – Proposed Dog Exercise Areas – Dalyellup;
 - iv. Map – Proposed Dog Exercise Areas – Forrest Beach; and
 - v. Map – Proposed Dog Exercise Areas – Gelorup.
 - b) Gives local public notice that the areas so determined shall come into effect as designated Dog Exercise Areas as from 1 December 2018, on the understanding that facilities and maintenance of these areas will be subject to annual budget constraints.
2. A review of the Dog Exercise Areas and seasonal restrictions as proposed be undertaken after 12 months to ascertain effectiveness, and acceptance by the community.

60/2018 AMENDMENT

Moved Cr Hearne, Seconded Cr J Scott

1. That Council, in accordance with the Dog Act 1976:
 - a) Adopts the Dog Exercise Areas as depicted in the attachments to this report:
 - i. Map – Proposed Dog Exercise Areas – Boyanup;
 - ii. Map – Proposed Dog Exercise Areas – Capel;
 - iii. Map – Proposed Dog Exercise Areas – Dalyellup; and
 - iv. Map – Proposed Dog Exercise Areas – Gelorup.
 - b) Adopts the Dog Exercise Areas as depicted in the attachment to this report for Forrest Beach replacing the “off lead area” between the carparks, with an “on lead area”.
 - c) Gives local public notice that the areas so determined shall come into effect as designated Dog Exercise Areas as from 1 December 2018, on the understanding that facilities and maintenance of these areas will be subject to annual budget constraints.
2. A review of the Dog Exercise Areas and seasonal restrictions as proposed be undertaken after 12 months to ascertain effectiveness, and acceptance by the community.

The Amendment was Carried 7/1

The Amendment became the Motion and was Carried with an Absolute majority 8/0

REASON: Dogs and horses don't mix well (on the beach) and Forrest Beach is a heavily used beach.

61/2018 (16.2) Dog Exercise Area Review – 2018 – Peppermint Grove Beach and Minninup Beach

Location: Peppermint Grove Beach and Stratham
Applicant: Shire of Capel
File Reference: RS.DOG.9
Disclosure of Interest: Nil
Date: 10.10.18
Author: Manager Emergency & Ranger Services, D Freeman
Senior Officer: Executive Manager Community Services, M Plume
Attachments: Draft Survey – Explanation and Questions including Maps

IN BRIEF

To consider the outcomes of the 2018 review of Dog Exercise Areas (DEA) within Peppermint Grove Beach and Minninup Beach and to endorse alternative arrangements for the purpose of further public consultation.

RECOMMENDATION

That Council:

- 1. Endorses for the purposes of public consultation only, the proposed dog exercise areas for Peppermint Grove Beach and Minninup Beach as contained in the maps on pages 2-5 attached to this agenda.**
- 2. Endorses the explanations and questions for the on-line Community Survey as contained in the attachment to this agenda and the community consultation period of a minimum of 14 days.**
- 3. Delegates to the Chief Executive Officer authority to give public notice of, and implement the Dog Exercise Areas in line with the results of the survey.**

BACKGROUND / PROPOSAL

Background

October 2016 (OC1013) Council declared the following locations as 'Dog Prohibited Areas' (with the exception of *bona fide* 'Assistance Dogs' as defined by the *Disability Discrimination Act 1992* [Cth]):

At all times

Any building under the care, control or management of the Shire of Capel that is open to or used by the public.

01 November to 30 April each year

Beach foreshore areas as specified below:

- Dalyellup Beach – Southwest from the prolongation of Norton Promenade to the prolongation of Dalyellup Boulevard;
- Minninup Beach, Stratham - Northeast from the prolongation of Rich Road for a distance of 300 metres;
- Peppermint Grove Beach – Southwest from the prolongation of Wave Walk to the prolongation of Peppermint Grove Road; and
- Forrest Beach – Southwest from the prolongation of the northern edge of the gravel car park at Forrest Beach Road for a distance of 300 metres (adjacent to R 25427).

Jan 2017 (OC0115) That Council authorises the Chief Executive Officer to provide local public notice for at least 28 days as required under s31(3C) of the *Dog Act 1976* of its intention to declare the portions of beach described in Attachments 1 and 2 as 'Dog Off Lead Exercise Areas' with an amendment to Attachment 1 Maps 1 through 4 be amended in the red areas where dogs are prohibited, to read "Dogs on leads all year".

Proposal

Council conducts further consultation with the community regarding possible Dog Exercise Areas at Peppermint Grove beach and Minninup Beach.

STATUTORY ENVIRONMENT

Dog Act 1976

- 31 (3A) A local government may, by absolute majority, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.
- (5) A local government must specify such dog exercise areas as are, in the opinion of the local government, sufficient in number, and suitable, for the exercising of dogs in the district.
- 31 (3C) At least 28 days before specifying a place to be —
- (b) a dog exercise area under subsection (3A);
- a local government must give local public notice as defined in the Local Government Act 1995 section 1.7 of its intention to so specify.

Local Government Act 1995

1.7. Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
- (a) published in a newspaper circulating generally throughout the district; and
 - (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.

POLICY IMPLICATIONS

There are no Policies of Council relevant to this item.

FINANCIAL IMPLICATIONS

Budget

There are no budget implications in regards to the proposed public consultation process.

Long Term

As management plans are developed for each reserve, there will be a need to allocate annual funding for their on going maintenance.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

STRATEGIC IMPLICATIONS

Consideration of this matter is consistent with the following aspirations of the Shire of Capel Strategic Community Plan 2018-2028:

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

Community Objective:

1.4 building a culture of collaboration and a stronger safer and happier 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 Objective:

3.1 The community capitalises on its unique attributes and location.

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:

5.2 As a community, we work to ensure our ongoing enjoyment of our quality of life.

CONSULTATION

There has been extensive consultation with the community on the matter of Dog Exercise Areas across the whole of the Shire since the review commenced in March 2018. Community consultation has taken the form of:

- Online community survey – of the suitability of current Dog Exercise Areas, identification of potential additional areas, facilities that would enhance Dog Exercise Areas and the distribution of Dog Exercise Areas across the community. The survey was open from 12 March – 9 April 2018 and resulted in 352 responses being received.
- Community Forums – maps depicting the current and proposed Dog Exercise Areas identified from the online survey, with radii of acceptable travel distances were made available for consideration/feedback. The concept of "seasonal" Dog Exercise Area restrictions was also canvassed.

Forums were held as follows:

Boyanup - Thursday 14 June @ 5.00pm
Dalyellup – Saturday 16 June @ 10.00am
Peppermint Grove Beach – Tuesday 19 June @ 5.00pm
Capel – Saturday 23 June @ 10.00am, and
Gelorup - Tuesday 26 June at 5.00pm.

- Public Review/Comment – an opportunity for online review of the staff interpretation of the input from the Community Forums. This opportunity to comment was open from 1 to 28 August 2018.

It is considered that to be consistent with the public consultation process undertaken so far, any proposals to vary the proposed dog exercise areas which have already been put out to the public should also be offered for public comment in order that the community involvement in this process to date is maintained.

Local Public Notice as required under the Local Government Act 1995 will also be given on the areas adopted by Council.

COMMENT

There is a basic principle enshrined in the Dog Act 1976, that unless an area is declared as an “off lead exercise area” (or engaged in an approved activity), all dogs when out in the public domain must be on a lead.

The Review of Dog Exercise Areas was initiated by staff having regard for:

- The responsibilities of Local Government under the Dog Act,
- The last reviewed in 2016 only focused on beaches
- Limited public consultation as part of that review,
- The resolution of Council was not well articulated to wider community,
- Signs reflecting the decision of Council were not put up until some 9 months later. This led to the community forming the opinion that the changes implemented were done without appropriate community consultation.

The review has also considered the need for places where people can go without the possibility of being approached by “free ranging” dogs.

The goal of the review was to provide sufficient, and a better distribution of Dog Exercise Areas across the whole of the community and will hopefully lead to less overcrowding of facilities and in turn, greater use by the community.

Elsewhere in this agenda, there is an item dealing with the determination of Dog Exercise Areas at Boyanup, Capel, Dalyellup, Forrest Beach and Gelorup. This just leaves Peppermint Grove Beach and Minninup Beach Stratham to be finalised.

The most contentious area of the review process has been related to beaches. The review has identified a variety of differing interests, ranging from a belief that dogs should be able to be exercised off leash all year round to an expectation from non dog owners of being able to enjoy going to the beach without being harassed by unrestrained dogs.

Originally, and as an outcome of the community consultation undertaken, staff proposed seasonal arrangements at both Peppermint Grove Beach and Minninup Beach that were intended to provide a balance of areas for dog/human activity.

Proposals received after the last round of consultation commenced, and as such not canvassed in any of the consultation undertaken to date were that of an “all year round” Dog Exercise Area at Peppermint Grove Beach, and that dogs be permitted on lead south of the Minninup Beach access only, and that north of this access, dogs must be on lead at all times.

The Peppermint Grove Beach proposal is that a stretch of the beach of approximately one kilometre from Wave Walk to Barndi Walk, be set aside as a Dog Exercise Area all year round, but that all dogs elsewhere must be restrained by a lead at all times.

The proposal has merit in that it provides for dogs to be restrained by a lead in the areas south of the Hardey Terrace beach access and north of the Barndi Walk access, where vehicles are

allowed to be driven on the beach. The proposal is also easy to interpret from the perspective of the public which will aid education and ultimately enforcement.

The proposal does however restrict dogs on the beach outside of the area between Barndi Walk and Wave Walk to being on lead all year round, including the winter months when there is evidence of very little use of the beach.

Conversely, the proposal does however mean that persons who would prefer to be able to walk along this section of the beach would not have any time where dogs would be restrained.

With regard to Minnipup Beach, historically, there has always been a “dog free zone” for 300 metres north of the beach access. Council has previously considered that this area was very popular as a swimming beach and as such, dogs should be precluded.

The original proposal from staff and submitted for public consultation would involve the use of seasonal arrangements whereby dogs could be walked through this area and then allowed off lead in the less popular area.

The proposal that this area north of the Minnipup Beach should be “dog on lead” all year round will also include the cooler months when the beach is rarely used, indeed is often not accessible due to erosion.

The Council will also need to determine an “end point” for the dogs being on lead as this area transitions into the dog exercise area extending south from Dalyellup Beach. It is recommended that for the purposes of public consultation and ease of enforcement, the extent of the dog on lead portion of Minnipup Beach be the same point at which the southern Dalyellup beach off lead area finishes.

A further consideration on this matter is the ability to finalise these arrangements as soon as possible to end community uncertainty on the restrictions relating to dog exercise areas. This will also enable the necessary statutory processes to be completed, signage installed and “on the ground” community education to commence.

Council is asked to agree to a position on the numbers of responses to be received in favour of the **alternative proposals** as contained in **pages 3 and 5** of the attachment, which will warrant bringing this matter back to the Council for decision.

It is acknowledged that the beaches involved are used by residents from across the whole of the Shire and not just the immediate local residents. When conducting the original on line survey, the Shire received 352 submissions. Of these, 90 identified their location as Peppermint Grove Beach, and 15 as Stratham – 105 in total or 30% of the total submissions. In addition to publishing the survey online via the Shire’s website and social media, those persons who have registered their details with the Shire will have the link to the survey emailed directly to them.

It is recommended that for the purpose of establishing the threshold at which the **original proposals** as contained in **pages 2 and 4** of the attachment should be adopted, a simple majority (greater than 50%) of the submissions received should be the benchmark.

It is also recommended that Council adopt a period of 14 days for the receipt of public submissions on the proposal as this is considered sufficient given the consultation will be undertaken on-line and not subject to delays due to postage or the periodic delivery of printed media.

Ms Stevenson left the Chambers at 5.33pm and returned at 5.36pm.

VOTING REQUIREMENTS

Absolute majority

61/2018 OFFICER'S RECOMMENDATION – 16.2/COUNCIL MOTION

Moved Cr Hearne, Seconded Cr J Scott

That Council:

1. **Endorses for the purposes of public consultation only, the proposed dog exercise areas for Peppermint Grove Beach and Minninup Beach as per the revised maps on pages 2-5 attached to this agenda.**
2. **Endorses the explanations and questions for the on-line Community Survey as contained in the attachment to this agenda and the community consultation period of a minimum of 14 days.**
3. **Delegates to the Chief Executive Officer authority to give public notice of, and implement the Dog Exercise Areas in line with the results of the survey.**

Mr Gick left the Chambers at 5.47pm and returned at 5.49pm.

Cr Kitchen left the Chambers at 5.50pm and returned at 5.51pm.

62/2018 AMENDMENT

Moved Cr Hearne, Seconded Cr Bell

That Council:

1. **Endorses for the purposes of public consultation only, the proposed dog exercise areas for Peppermint Grove Beach and Minninup Beach as per the revised maps on pages 2-5 attached to this agenda.**
2. **Endorses the explanations and questions for the on-line Community Survey as contained in the attachment to this agenda and the community consultation period of a minimum of 14 days.**
3. **Delegates to the Chief Executive Officer authority to give public notice of, and implement the Dog Exercise Areas in line with the results of the survey.**
4. **Where there is material public opposition reflected in the survey results to Council's decision, the item will be returned to Council for reconsideration.**

The Amendment was Carried 8/0

Cr Schiano left the Chambers at 5.54pm and returned at 5.56pm.

63/2018 AMENDMENT

Moved Cr Kitchen, Seconded Cr Southwell

That Council:

- 1. Endorses for the purposes of public consultation only, the proposed dog exercise areas for Peppermint Grove Beach and Minninup Beach as per the revised maps on pages 2-5 attached to this agenda.**
- 2. Includes a third option, being the exact same as Option 2, however, makes Hardey Terrace beach access south to the private property a dog off lead area, all year.**
- 3. Endorses the explanations and questions for the on-line Community Survey as contained in the attachment to this agenda and the community consultation period of a minimum of 14 days.**
- 4. Delegates to the Chief Executive Officer authority to give public notice of, and implement the Dog Exercise Areas in line with the results of the survey.**
- 5. Where there is material public opposition reflected in the survey results to Council's decision, the item will be returned to Council for reconsideration.**

The Amendment was Lost 2/6

The previous Amendment became the Motion and was Carried with an Absolute majority 8/0

64/2018 (16.3) Local Emergency Management Committee Minutes

Location: Capel
Applicant: Shire of Capel
File Reference: EM.LEMC.1
Disclosure of Interest: Nil
Date: 10.10.18
Author: Manager Emergency & Ranger Services, D Freeman
Senior Officer: Executive Manager Community Services, M Plume
Attachments: Local Emergency Management Committee Minutes 18.09.18

IN BRIEF

To consider the minutes of the meeting of the Shire of Capel Local Emergency Management Committee held on 18 September 2018.

RECOMMENDATION

That Council receives the minutes of the Local Emergency Management Committee meeting held on 18 September 2018 as a true and correct record of proceedings.

BACKGROUND / PROPOSAL

Background

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

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

Part of the functions of the LEMC is to review the Local Emergency Management Arrangements which also includes a Local Recovery Plan to guide the management of community driven recovery following an emergency incident.

Proposal

That the minutes of the meeting of the Shire of Capel Local Emergency Management Committee held on 18 September 2018 be received.

STATUTORY ENVIRONMENT

Emergency Management Act 2005

Sections 36, 38 and 41

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

Local Government Act 1995

Section 5.22

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

POLICY IMPLICATIONS

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

State Emergency Management Committee Policy 2.5 – Emergency Management in Local Government Districts provides local governments are required to ensure that local emergency management arrangements are prepared for their districts. Local Emergency Management Arrangements should reflect the emergency management capabilities and responsibilities of the agencies and industries involved and recognise and comply with any of their statutory responsibilities.

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

RISK IMPLICATIONS

It is considered there are no risks associated with this matter.

FINANCIAL IMPLICATIONS

Budget

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

Long Term

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

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this matter.

STRATEGIC IMPLICATIONS

Shire of Capel Community Strategic Plan 2018 – 2028

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:

2.4 Community Safety is recognised as paramount.

CONSULTATION

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

COMMENT

The Minutes provided as an attachment to this item are a true and correct record of proceedings. There are no specific items requiring a resolution of Council.

At the completion of the meeting, a workshop was held to consider the impact of a significant bush fire occurring within the Shire. The workshop was based around a credible scenario based on fuel levels, Fire Danger Index considerations and wind directions, developed by the Department of Fire and Emergency Services that demonstrated a likely rate of spread and area of impact. This then enabled the LEMC members to give consideration to the various assets that could be at risk within the fire zone and the consequences/impact on the community of the possible loss of those assets.

The objectives of these workshops, by identifying assets and services that are critical to the community, is to then develop strategies to mitigate the loss of that asset/service.

This workshop will also satisfy the requirements of the LEMC to conduct at least once a year an exercise which tests a component of the Shire's Local Emergency Management Arrangements.

VOTING REQUIREMENTS

Simple majority

64/2018 OFFICER'S RECOMMENDATION – 16.3/COUNCIL DECISION

Moved Cr J Scott, Seconded Cr Bell

That Council receives the Minutes of the Local Emergency Management Committee meeting held on 18 September 2018 as a true and correct record of proceedings.

Carried 8/0

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

The meeting closed at 6.00pm.

These Minutes were confirmed at an Ordinary Council meeting on 28 November 2018.

Signed

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

Date