



Ordinary Council Meeting Minutes
Wednesday 30 August 2023



GORDON MACMILE
CHIEF EXECUTIVE OFFICER

Acknowledgement of Country

We wish to acknowledge the traditional custodians of the land we are meeting on, the Wadandi people. We wish to acknowledge and respect their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their culture; and to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

Our Vision

A future focused and resilient community that benefits from good governance, responsive services and appropriate facilities to deliver positive social, environmental and economic outcomes for everyone.

Our Values

Respect

We are respectful in all that we do, and all interactions we have, while being inclusive and mindful of differences.



Honesty

We are truthful, trustworthy and genuine in all that we say and do.



Teamwork

We are cooperative, collaborative and united while working towards common goals of our Shire.



Accountability

We are transparent in all that we do, and stay true to our word by taking responsibility for our actions.



Empathy

We are kind and show understanding of people's circumstances, perspectives and differences.





TABLE OF CONTENTS

1. Declaration of Opening/Announcement of Visitors	5
2. Record of Attendance/Apologies/Leave of Absence (Previously Approved)	5
3. Response to Previous Public Questions Taken on Notice	5
4. Public Question Time	8
5. Application for Leave of Absence.....	13
6. Declarations of Interest	13
7. Notice of Items to be Discussed Behind Closed Doors.....	13
8. Confirmation of Minutes.....	13
8.1. Ordinary Meeting of Council - 2 August 2023 (Rescheduled from 26 July 2023).....	13
9. Announcements by Person Presiding Without Discussion	14
10. Petitions/Deputations/Presentations	15
11. Motions of Which Previous Notice has Been Given	15
12. Questions of Which Previous Notice has Been Given	16
13. Chief Executive Officer Reports	17
13.1. Committees of Council - Minutes.....	17
13.2. Adoption of Shire of Capel Corporate Business Plan 2023 to 2027	21
14. Infrastructure and Development Reports.....	31
14.1. Project Variation Capel Offset Planting Project Site 2.....	31
14.2. Single Dwelling & Building Envelope Nomination - Lot 4002 (5) Kruse Lane, Capel.....	36
14.3. Local Planning Policy 6.13: Tiny Houses - Consideration of Submissions and Final Adoption	46
14.4. Appointment of Deputy Chief Bush Fire Control Officers	51
15. Community and Corporate Reports	57
15.1. New Council Policy - Child Safety.....	57
15.2. New Council Policy - Library Collection Development	66
15.3. Community Sport and Recreation Facilities Fund Small Grants Round Application	85
15.4. Dalyellup Muiltpurpose Community Youth Centre - Proposed Funding	91
15.5. RTF 23-07 Disposal of Asset - Lot 39 Illmenite Crescent, Capel.....	101
15.6. Financial Reports 30 June 2023	109
15.7. Accounts paid during the month of July 2023	119
16. New Business of an Urgent Nature.....	140
17. Public Question Time	140
18. Motions Without Notice (Absolute Majority by Council)	141
19. Notices of Motion for Consideration at the Next Ordinary Meeting of the Council.....	141



MINUTES - Ordinary Council Meeting - 30 August 2023

20. Items for Consideration Behind Closed Doors141
21. Meeting Closure141



1. Declaration of Opening/Announcement of Visitors

The Presiding Member opened the meeting at 6:00pm and made the following Acknowledgement of Country and statement:

'We wish to acknowledge the traditional custodians of the land we are meeting on, the Wadandi people. We wish to acknowledge and respect their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders, past, present and emerging.'

2. Record of Attendance/Apologies/Leave of Absence (Previously Approved)

Cr Christine Terrantroy has a previously approved leave of absence for the 30 August 2023 Ordinary Meeting of Council (OC/2023/117).

PRESENT:

Councillor - Shire President	D Kitchen
Councillor - Deputy President	S Schiano
Councillor	K Andrew
Councillor	A Dillon
Councillor	P McCleery
Councillor	K Noonan
Councillor	C Terrantroy
Chief Executive Officer	G MacMile
Director of Community and Corporate	S Chamberlain
Director of Infrastructure and Development	T Gillett
Strategic Governance and Risk Coordinator	T Shipley

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Councillor	R Mogg
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MEMBERS OF PUBLIC - Gallery:

8

3. Response to Previous Public Questions Taken on Notice

The following Questions were received at the 2 August 2023 Ordinary Meeting of Council (Previously rescheduled from 26 July 2023).



B Hearne – Peppermint Grove Beach

Question 1:

From the amount collected in 2023/24 how much \$ will be transferred to reserves? How much has been allocated to capital expenditure? How much will be provided to supply the weekly collection service to the ratepayers?

Response:

At the Ordinary Council Meeting on 2 August 2023, the Council adopted a revised 2023-24 Fees and Charges Schedule representing a waste cost recovery rate at 30.00% of the full cost to run the waste service's contract.

Given the loss in waste levy collection, there is no capacity to transfer cash to reserves or invest in waste capital infrastructure plans for 2023-24.

Question 2:

Based on my understanding (and please accept I may have misread the figures) of the Shires finances why is the Shire budgeting for a surplus of \$135628 in Schedule 10 rubbish and sanitation services? That is expenditure \$4203411 less revenue \$4339039.

Response:

In light of the adopted 2023-24 Fees and Charges Schedule. Schedule 10 of the Shire's Annual Budget no longer forecasts a surplus variance of \$135,628.00 given only 30.00% of waste levy recovery is forecast to be collected during 2023-24.

Question 3:

It would appear that \$147630 has been allocated for remediation of contaminated sites. Why not meet these charges out of the rubbish reserve?

Response:

The 2023-24 Annual Budget forecasts a transfer from the Waste Management Reserve of \$655,220.00 to subsidise the loss in recovery from the Waste Levy. An additional financial burden on this reserve to support expenditure in other areas would negatively impact the Reserve's financial sustainability.

Question 4:

Can you provide a breakdown of the \$123055 allocated to General Tip Maintenance as Overheads-OPS?

Response:

Schedule 14 Other Property and Services is used to monitor and control operating accounts. It collects costs and allocates for the overheads; Administration Overheads and Public Works Overheads. Overhead-OPS is an allocation of costs from Schedule 14 Other Property and Services – Public Works Overheads (PWO).



A percentage breakdown of the costs allocated are; salary 53%, superannuation 14%, leave 11%, personal leave 6%, vehicles expense 5%, insurance 5%, personal protective equipment 2%, training 3%, other office expenses 1%.

Question 5:

Given that \$274,600 in direct employee costs have been allocated to Schedule 12 what is the justification for allocating a further \$788,924 as an Administrative Allocation? Although I agree there is a need for an Admin Allocation to justify full cost recovery the amount seems excessive.

Response:

Direct employee costs are costed to the schedule/program to which they are tasked. Administration Allocation costs are separate from direct employee costs. They are a Schedule 14 general administration overhead cost that are allocated to the schedules/programs based on an allocation model that allocates actual costs collected.

Question 6:

While I agree there should be some Administration Allocation charge, can you provide a breakdown of the items that make up the \$788,924?

Response:

A percentage breakdown of the costs allocated are; employee costs 70%, building costs 10%, office expenses 2%, information technology 11%, postage 1%, human resources 2%, records and other 4%.

Question 7:

Given the \$ amount in the rubbish reserve why not allocate \$1 million out of the reserve over 3 years to soften the burden of a 70% increase?

Response:

The amount of \$655,220.00 is forecast to be transferred from the Waste Management Reserve for this financial year to reduce the burden on ratepayers.

The continuation of a reduced waste recovery rate in future financial years is the decision of the Council and will be discussed during the property rates and waste levy setting in early 2024.

Question 8:

Without the benefit of details of the contract, let's assume 5 year deal with CPI increments of approximately 4%, can I suggest consideration be given to increasing rates this fiscal by say 20% with annual increments for years 2-5 of 15%. Is this feasible and with a good narrative for ratepayers to understand it would soften the blow for ratepayers and lead to full cost recovery by year 5?



Response:

At the Ordinary Council Meeting on 2 August 2023, item **OC/2023/140** - Additional Officer's Recommendation 10 references a comprehensive review of the Waste Services including financial and cost recovery data. The findings from this review will support the Council in determining future waste levy requirements based on the agreed service level requirements.

Question 9:

While I accept officer's comments relating to questionable decisions made in the past it is time to move on from that regrettable saga and accept the position that we are now faced with.

Response:

No question to answer in the above statement.

4. Public Question Time

Public Question Time began at 6:01pm.

B HORSFALL – BOYANUP

Question 1:

The dust management plan in the Ken Bell Rd EIL application does not have sufficient detail about how the dust on the public road will be managed. Can you please explain the dust complaints system that is proposed in the Ken Bell Rd EIL?

CEO Response:

Thank you Mr. Horsfall for your question. The Shire's Environmental Health Officers have reviewed the documentation that accompanied the development application and has deemed the dust management plan to be sufficient for the purpose of complying with the relevant regulations.

A condition of approval has been included to ensure the actions are undertaken in accordance with this plan provided to the Shire. Furthermore, the speed limits have been reduced in an attempt to create a safer road network and reduce the amount of unsettled dust.

Question 2:

How will the shire be informed of any complaints?

Shire President Response:

Complaints are typically directed to the Infrastructure and Development Directorate for the purpose of updating and monitoring the compliance register. We encourage any concerns regarding non-compliance to be communicated with the Shire for the purpose of upholding relevant conditions of approval.



Question 3:

What involvement will the shire have in policing the applicant's response to these complaints?

CEO Response:

The Shire may undertake further investigations on any concerns raised by the community and has the authority to either request that operations cease or enforce infringements upon the operator in the event of a compliance breach. However, these are generally decided on a case-by-case basis.

P DAVID – BOYANUP

Question 1:

Could Council please confirm that all councillors and decision makers at Council are aware that a previous application was made by this applicant in 2016 and the Applicant took it to the State Administrative Tribunal following which Council approved the exact same operation, undertaken by the same applicant with the following conditions:

- (e) The maximum number of trucks leaving the site is not to exceed 4 per day without prior Council approval;
- (f) The submission of a quarterly truck movement report to verify compliance of condition (e);
- (g) The applicant to ensure that trucks do not exceed 60km/h along Brookdale Road at any time;
- (h) The applicant to utilise a commercially available electronic vehicle speed recording device to enable verification of compliance with condition (g) upon the Shire's request;
- (i) The applicant is to supply and operate a dedicated water truck to apply water to portions of Brookdale Road where residences are located within 50m of the road, during dusty conditions;
- (j) If required, the applicant will apply a commercially available polymer to portions of Brookdale Road where residences are located within 50m of the road, during dusty conditions;
- (k) The applicant will provide temporary signage on Brookdale Road indicating the proposed times for daily truck movements;
- (l) The verges to be pruned 2.0m from the edge of the road to a height of 5.5m at the applicant's cost;
- (o) The applicant to install the appropriate truck warning signage, curve warning signage, crest warning signage, advanced warning signage for the Fowler Road intersection and appropriate chevrons on Brookdale Road;
- (p) Truck movements are prohibited on Brookdale Road for the period 1 hour after sunrise and 1 hour before sunset.
- (q) Headlights must be switched on at all times.

Brookdale road is 6km long fragile gravel road, whose width varies from 5.6m to 7m. Its subject to large potholes in winter, and bad rutting in summer.



The Western end has no gravel, and the grader just cuts off the corrugations when it is too unsafe. Part of the eastern section of the road has been resheeted and the crest and 3 curves widened slightly, but the road conditions are materially the same as when the application went in to council in 2016. The applicant proposes 12 truck movements – both semis and tandem tippers and has not adopted any of council's previous requirements in their submission.

I would like to know if Council will impose the same restrictions as deemed fit in the previous approval in 2016, and if not, please could you explain why not. I would like a response to each of the points mentioned above please (e, f, g, h, i, j, k, l, o, p and q).

I apologise for this being a boring long winded request but these restrictions are equally relevant and were a really great outcome from the Council in 2016.

Shire President Response:

Thank you Mrs. David for the question. Rather than covering each condition individually, we can explain the overall process which should address your query.

Extractive Industry licenses and any associated conditions reflect the specifics of the operation at the time including a variety of considerations such as location, ground conditions, soil types, proximity to boundaries / neighbours etc.

The license and conditions applied to the 2016 approval would have been specific to the operations at that time and location.

The current application, 7 years on will be assessed in the same manner and any conditions that would be relevant to the current and planned operations would be recommended to apply.

Since 2016 the Shire has focused significant effort on the assessment of Extractive Industry applications, with the imposition of more comprehensive and tighter conditions, as well as improved rehabilitation controls.

The Shire's new assessment framework is significantly more comprehensive than may have been the case in the past, this is highlighted by the recent adoption of Local Planning Policy 6.2 for Extractive Industry operations.

The Shire has also made significant effort to ensure that any potential road deterioration is understood and factored into conditions that include bonds and fees from operators.

Question 2:

Are we going to get an answer to each Individual requirement?

Shire President Response:

We can take that on notice and supply you with answers, however as mentioned that was specific to the application at the time. Going forward it would be captured under our newer and more updated planning policy.



Question 3:

My Questions mainly revolve around the condition of Brookdale Road, so a lot of the application focuses on the site. So my questions were very specific about Brookdale Road, which is materially the same as it what it was seven years ago other than there's been a bit of crest Improvement and widening on three of the bends, so it's still a gravel road. It's been resheeted at one end and the Western end hasn't been resheeted at all. So the grader comes at great cost to council who cuts the corrugations off in the in the summertime and fills the potholes in the wintertime.

It's exactly the same road, which should have exactly the same conditions imposed on the applicant as before. So it doesn't really matter if the legislation or whatever your stuff has changed what I wanted to know is these are these items going to be imposed on the applicant?

Shire President Response:

That'll be determined as part of the evaluation process they might not be exactly the same, so we will take those specifics on notice. I understand your concerns about Brookdale Road and we have changed some of our maintenance practices in that area and that road is now graded every 8 weeks.

K THOMSON – BOYANUP

Question 1:

Historically the Council has rejected EIL applications applying to use the fragile road systems of Brookdale/Fowler/Kilpatrick Roads in the North Boyanup area as haulage routes. However, if this current application to re-license Lot 141 Ken Bell Road were to be successful, who will pay for the reconstruction of these roads, which will surely deteriorate with the addition of heavy haulage trucks (an estimated up to 6,000 haulage truck movements, workers vehicles, maintenance and fuel trucks and possibly water trucks?)

Shire President Response:

Thank you Mrs. Thomson for your question.

Since the introduction of Local Planning Policy 6.2, the Shire has reconsidered the approach to such situations and believe it has the necessary processes in place internally to enforce road condition monitoring.

As part of the approach of road condition monitoring, the Shire has reviewed how it can better resource such checks, and as such, generally include a condition for a road deterioration co-contribution to be provided by the applicant, or alternatively, seek to impose a condition that requires the applicant to upkeep the road network to the satisfaction of the Shire.



Question 2:

So recently in the Skippings Road application there was no detail about that except that the Shire Staff were happy for the applicant to look after the road. There was and that's a big open-ended question who what do you have to do take them to court to get money to pay for the road reconstruction as well with the upgrade of the extracted Industries license there one right in particular and the May Shire Council I was here and there was someone complaining that the Shire had put in that extractive industry's license no money to come in to help that road be maintained so I want the Shire to understand that wright-payers can't be the ones who pick up the bill all the time for other people to uh to make money

Shire President Response:

Shire has noticed that in part of this new policy we have in place in past there has been pretty loose conditions even regarding truck movements the Shire is certainly improved its conditions process in reviewing applications around those sorts of things so there were some extractive Industries which had quite a high number of truck movements per day simply because conditions weren't properly considered at the time.

Question 3:

The 10 year Capital Works Program does not include funds to upgrade these roads. Presuming the Shire will take care not to burden the ratepayer with the cost of extra maintenance, gravel re-sheeting and road re-construction that will be required, how will the Shire calculate the amount of funding required from the applicant, when would the applicant be required to pay and will these conditions be clearly stated prior to the application coming to Council?

Shire President Response:

The Shire uses strategies such as site weighbridges to gather data on the tonnage and number of vehicle movements to inform the potential impact on access roads and how much the operator should contribute to maintaining the road network/local road capacity.

As mentioned in the previous answer, the Shire may also require the operator to maintain the road network to our satisfaction, as an alternative approach. In terms of road deterioration funding the multiplying cost is set by the state government and we work it out based on the information that I just mentioned then we have in the Shire has recently in the past written to the state requesting an increase in that road deterioration multiplier given that it hasn't increased for some time.

Question 4:

I ask for an independent audit of the state of Brookdale Road prior to the trucks going on the road so that it can be actually measured the truck movements could be measured now that was rejected so as far as I understand no one has ever been out on Brookdale Road and worked out exactly the truck movements.

Shire President Response:

I understand what you're saying I can have we can have a look into when that road was last assessed because we do have regular traffic counting along our roads so we can have a look into when that road was last counted and traffic counters on it.



5. Application for Leave of Absence

Nil

6. Declarations of Interest

Cr Kitchen declared an Indirect Financial Interest in item 11.1 - Notice of Motion, the nature of the interest is that he is a dairy farmer.

Cr Schiano declared an Impartiality Interest in item 11.1 - Notice of Motion point (c), the nature of the interest is that the motion refers to the position of Deputy Shire President.

7. Notice of Items to be Discussed Behind Closed Doors

Item 20.1 Motion with Notice has been withdrawn from the Agenda.

8. Confirmation of Minutes

8.1. Ordinary Meeting of Council - 2 August 2023 (Rescheduled from 26 July 2023)

Voting Requirements

Simple Majority

OC/2023/141 - Officer's Recommendation / Council Decision - 8.1

Moved Cr McCleery, Seconded Cr Terrantry.

That the Minutes of the Ordinary Meeting of Council - 2 August 2023 (Rescheduled from 26 July 2023) be confirmed as a true and correct record.

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantry

Against - Nil



9. Announcements by Person Presiding Without Discussion

9.1 – Shire President Activity Report

Please see attached the *Shire President Activity Report* for the June-August period.

Event:	19/06/2023 – Townhall Budget Series (Dalyellup)
Report:	Community information session on the draft 2023-24 Budget
Event:	20/06/2023 – Townhall Budget Series (Capel)
Report:	
Event:	27/06/2023 – SW WALGA Zone Meeting - Busselton
Report:	Discussion on regional initiatives. Main topics focused on Strategic Waste Management, ACH Legislation and BAM Act 2007 review.
Event:	10/07/2023 – Bushfire Advisory Committee
Report:	Review and recommendation to Council on new DCBFCO and Bushfire Mitigation Notice.
Event:	13/07/2023 – Meeting Don Punch MLA
Report:	Update on local matters.
Event:	19/07/2023 – Bunbury Geographe Economic Alliance
Report:	Meeting with BGEA, Mayor/Presidents of Bunbury, Harvey and Dardanup to discuss regional matters and opportunities
Event:	28/07/2023 – NAIDOC Week celebrations – Dalyellup Primary School
Report:	Unveiling the new addition to the Shire's uniform, developed in partnership with the Dalyellup Primary School.
Event:	09/08/2023 – Malaysian Trade Delegation Visit
Report:	Representatives from the Sabah State Government of Malaysia visited the Shire of Capel to discuss opportunities and sample local produce.
Event:	11/08/2023 – Dalyellup Pump Track Opening
Report:	Completion of the next stage of the Dalyellup Youth Precinct.
Event:	16/08/2023 – New Website Launch
Report:	Launch of the new website for the Shire.
Event:	18/08/2023 – SW Vietnam Veterans Commemoration Service
Report:	Commemorative service held by the Capel RSL.

Malaysian Trade Delegation

On 9/8, the Shire hosted thirteen delegates from Malaysia on behalf of the Sabah State Government. Arranged by the Future Food Network, the delegation had a taste of the fine produce we have available in the District. Following a presentation at the Shire, the delegates were treated to a tour of the facilities at the Capel Marron Farm, where they also sampled some of the produce.

Following the Marron farm, the tour moved to a Local Dairy Farm. Hosted by Darren Merritt of Elgin Dairies, insight was given into the high standards of animal welfare, breeding and production we have in our local farmers.

It was a privilege to welcome the delegation to the Shire of Capel and showcase a small slice of the fantastic offering we have.



Briefings and Workshops	
Date	Session
07/06/2023	SW Gateway Alliance Briefing to Council
07/06/2023	Draft Annual Budget & Rating Strategy Workshop
21/06/2023	Ordinary Council Meeting Briefing
19/07/2023	2023/24 Waste Services Briefing
19/07/2023	Bunbury Geographe Economic Alliance Briefing to Council
19/07/2023	Ordinary Council Meeting Briefing

10. Petitions/Deputations/Presentations

Nil

11. Motions of Which Previous Notice has Been Given

Cr Kitchen declared an Indirect Financial Interest in item 11.1 - Notice of Motion, the nature of the interest is that he is a dairy farmer.

Cr Schiano declared an Impartiality Interest in item 11.1 - Notice of Motion point (c), the nature of the interest is that the motion refers to the position of Deputy Shire President.

Cr Kitchen left room 6:23pm and Cr Schiano assumed the Chair.

11.1 Notice of Motion

Cr Kaara Andrew has given notice that they intend to move the following motion:

Motion

- a. That the CEO write to WALSA and advise that the Capital Upgrade Plan does not comply with section 12 of the Boyanup Saleyards Lease or Council Decision OC004/2022 and that they are required to provide planned timings as stipulated in section 12.1 (2)(b) for the Capital Upgrade Plan within fourteen (14) days of receipt of the letter.
- b. The CEO is to do all that is necessary, and if required reacquiring Ministerial Approval and re-execution of the Lease, to incorporate the corrected Capital Upgrade Works Plan as a legally binding addendum to the Lease.
- c. Rescind Council Decision OC004/2022. The CEO and Shire officers are no longer permitted to negotiate the details nor authorise the amendment of the Capital Upgrade Plan on behalf of the Shire. All future negotiations are to be undertaken and any amendments to the Capital Upgrade Plan are to be undertaken and agreed to by the President and Deputy Shire President.

Voting Requirements

Simple Majority



OC/2023/142 – Motion (Part 1) / Council Decision - 11.1

Moved Cr Andrew, Seconded Cr Noonan.

- a. That the CEO write to WALSA and advise that the Capital Upgrade Plan does not comply with section 12 of the Boyanup Saleyards Lease or Council Decision OC004/2022 and that they are required to provide planned timings as stipulated in section 12.1 (2)(b) for the Capital Upgrade Plan within fourteen (14) days of receipt of the letter.**
- b. The CEO is to do all that is necessary, and if required reacquiring Ministerial Approval and re-execution of the Lease, to incorporate the corrected Capital Upgrade Works Plan as a legally binding addendum to the Lease.**

Lost 2 / 4

For - Cr Andrew and Cr Noonan

Against - Cr Dillon, Cr McCleery, Cr Schiano and Cr Terrantroy

Motion (Part 2)

Moved Cr Andrew, seconded Cr Noonan.

- c. Rescind Council Decision OC004/2022. The CEO and Shire officers are no longer permitted to negotiate the details nor authorise the amendment of the Capital Upgrade Plan on behalf of the Shire. All future negotiations are to be undertaken and any amendments to the Capital Upgrade Plan are to be undertaken and agreed to by the President and Deputy Shire President.**

The motion lapsed for want of a further supporter in accordance with the Local Government (Administration) Regulations 1996, Section 10 (1)(b).

Cr Andrew provided a second and separate Motion with previous notice, in accordance with the Shire of Capel Standing Orders Local Law 2016, 12.1(g) as the matter relates to an employee and the personal affairs of a person, the second motion is CONFIDENTIAL and was included under Section 20 Items for consideration behind closed doors.

Cr Kitchen returned to the room as assumed the chair 6:52pm.

12. Questions of Which Previous Notice has Been Given

Nil



13. Chief Executive Officer Reports

13.1 Committees of Council - Minutes

Author	Governance Support Officer, Belinda Facey
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Review
Attachments	<ol style="list-style-type: none">220921 - Minutes [13.1.1 - 10 pages]EDAC Minutes - 14 December 2022 [13.1.2 - 7 pages]230412 Minutes BFAC - Amended [13.1.3 - 13 pages]Audit and Risk Minutes - 22 February 2023 [13.1.4 - 52 pages]Special Audit and Risk Minutes - 15 March 2023 [13.1.5 - 9 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Note the confirmed Minutes from the previous meetings of the Committees of Council, allowing for all Councillors and the broader community to be informed of the matters being considered.

Officer's Recommendation

That the Council notes the following confirmed minutes:

1. Bush Fire Advisory Committee meeting held on the 21 September 2022;
2. Economic Development Advisory Committee meeting held on the 14 December 2022;
3. Bush Fire Advisory Committee meeting held on the 12 April 2023;
4. Audit and Risk Committee meeting held on 27 February 2023; and
5. Special Audit and Risk Committee meeting held on 15 March 2023.

Background

The Ordinary Meeting of Council on 27 October 2021 resolved the following:

- OC214/2021 - 'That Council appoint Cr Andrew, Cr Kitchen, Cr Mogg, Cr Noonan and Cr Terrantroy to the Audit Committee for a period ending on the ordinary election day in October 2023'.
- OC217/2021 - 'That Council appoint Cr Clews, Cr McCleery, Cr Mogg, Cr Schiano and Cr Terrantroy to the Climate Adaptation and Sustainability Committee for a period ending on the ordinary election day in October 2023'.
- OC220/2021 - 'That Council appoint Cr Kitchen as the Member and Cr Dillon as the Deputy to the Bush Fire Advisory Committee for a period ending on the ordinary election day in October 2023'.



The Ordinary Meeting of Council on 24 November 2021 resolved the following:

- OC247/2021 - 'That Council appoints Cr Noonan (Chair), Cr Mogg (Deputy Chair), Cr Terrantroy (Member) and Cr Andrew (as Proxy) to the Capel Economic Development Advisory Committee for a period ending on the ordinary election day in October 2023'.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction1 - Strengthen and enhance the well-being of our community.

1.1 A more engaged community

Direction 4 - Deliver good leadership, governance and decision-making.

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

Corporate Business Plan 2022-2026

ESRV (Executive Services) 6 - Production and distribution of meeting agendas and minutes for council, committee and internal meetings.

Statutory Framework

The Committees of the Council are managed in accordance with the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996*.

Policy Framework

There are no Council policies relevant to this item.

Implications

This item is an administrative matter with no risk, financial or sustainability implications relevant.

Summary

Each of the Committees can make specific and individual recommendations referred to and later considered by the Council.

Providing the Minutes for noting allows all Councillors (that are not appointed representatives or in attendance) and the broader community, to remain informed of the general business undertaken by each of the Committees of Council.

Accordingly, the confirmed Minutes of the Committees are presented to the Council on a periodical basis as required, to allow for timely information processes.



Voting Requirements

Simple Majority

Officer's Recommendation – 13.1

Moved Cr Terrantroy, Seconded Cr Dillon.

That the Council notes the following confirmed minutes:

- 1. Bush Fire Advisory Committee meeting held on the 21 September 2022;**
- 2. Economic Development Advisory Committee meeting held on the 14 December 2022;**
- 3. Bush Fire Advisory Committee meeting held on the 12 April 2023;**
- 4. Audit and Risk Committee meeting held on 27 February 2023; and**
- 5. Special Audit and Risk Committee meeting held on 15 March 2023.**

OC/2023/143 - Amendment / Council Decision - 13.1

Moved Cr Kitchen, Seconded Cr Terrantroy.

To note Cr Kitchen's presence at the 21 September 2022 Bush Fire Advisory Committee Meeting.

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



OC/2023/144 - Amended Recommendation / Council Decision - 13.1

Moved Cr Terrantroy, Seconded Cr Dillon.

That the Council notes the following confirmed minutes:

- 1. Bush Fire Advisory Committee meeting held on the 21 September 2022; Noting the presence of Cr Kitchen at the meeting.**
- 2. Economic Development Advisory Committee meeting held on the 14 December 2022;**
- 3. Bush Fire Advisory Committee meeting held on the 12 April 2023;**
- 4. Audit and Risk Committee meeting held on 27 February 2023; and**
- 5. Special Audit and Risk Committee meeting held on 15 March 2023.**

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



13.2. Adoption of Shire of Capel Corporate Business Plan 2023 to 2027

Author	CEO, Gordon MacMile
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic
Attachments	1. Attachment 13.2.1 - Draft Corporate Business Plan - 2023 to 2027 (Strategic Initiatives and Core Business Ac [13.2.1 - 6 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Gain endorsement and allow for publication of the Shire of Capel's Corporate Business Plan 2023 to 2027, containing a range of strategic initiatives and core-business actions, linked to the Strategic Community Plan 2021 to 2031.

Officer's Recommendation

That Council:

1. Endorses the Shire of Capel Corporate Business Plan 2023 to 2027 – Service Area Strategic Initiatives and Core Business Actions as per Attachment 13.2.1
2. Approves immediate commencement and / or continuation of all necessary initiatives and actions for implementation of the Corporate Business Plan 2023 to 2027.
3. Notes that quarterly reporting will continue throughout 2023/24 to monitor progress and achievement.
4. Notes that the final published version of the Corporate Business Plan 2023 to 2027, will align to the Strategic Community Plan 2021 to 2031, include the endorsed Service Area Initiatives and Core Business Actions, and be graphically designed and illustrated to a standard suitable for public presentation.

Background

The IPRF is designed to improve the sustainability of local governments, through stronger engagement with the community and integrated forward planning. The Corporate Business Plan 2023 to 2027 has been prepared to align closely with the Future Directions outlined in the adopted Strategic Community Plan 2021 to 2031 being:

1. Strengthen and enhance the well-being of our community.
2. Manage and protect our environment.
3. Foster a dynamic, diverse and strong local economy.
4. Deliver good leadership, governance and decision making.
5. Provide and maintain suitable infrastructure and facilities; and
6. Effective communication, engagement and relationship development.



Each of these Future Directions have strong sustainability implications across the spectrum of financial, environmental, social and asset management considerations.

Previous Council Decisions

- July 2016 – The Council was requested to consider an updated four (4) year Corporate Business Plan 2016-2020 for the Shire of Capel, incorporating the ten (10) year Long Term Financial Plan, Workforce Plan, Asset Management Plans and various informing Services Strategies and Plans. The Council endorsed (OC0704) the modified Corporate Business Plan 2016-2020, detailed in the attachment to the report.
- June 2018 – The Council endorsed (OC0608) the Corporate Business Plan 2018-2022 as detailed in the attachment, including the revised 'Vision, Mission, Values' page and the revised 'Vision, Mission, Values' page be updated in the current Strategic Community Plan 2018-2028.
- August 2021 – The Council adopted (OC172/2021) the Shire of Capel Strategic Community Plan (SCP) 2021 – 2031. The SCP is the cornerstone of Capel's long-term planning, articulates the community's vision for the Shire and enables the development of key delivery plans including the Corporate Business Plan.
- November 2021 – The Council endorsed (OC237/2021) the Shire of Capel Corporate Business Plan 2021 – 2025 and approved the immediate commencement and / or continuation of all necessary actions for the implementation of the Plan.
- November 2021 – Council endorsed (OC238/2021) the development of an Advocacy Prospectus that articulates the key priorities for the Shire of Capel for 2021/ 22 and beyond, in line with the Corporate Business Plan 2021 to 2025. Council further authorised the Chief Executive Officer to submit funding applications for priorities should the opportunity arise.
- July 2022 – The Council noted (OC/2022/109) the 2021/22 completion report of the Shire of Capel's Corporate Business Plan 2021 to 2025 for the period 1 July 2021 to 30 June 2022. This report detailed a 93% completion of required actions and initiatives.
- August 2022 – Council endorsed (OC/2022/153) the Shire of Capel Corporate Business Plan 2022 to 2026 – Service Area Action Plan. Council further approved the immediate commencement and / or continuation of all necessary actions for implementation of the Corporate Business Plan 2022 to 2026.
- July 2023 - The Council noted the final quarterly progress report (1 April to 30 June 2023) and the outcome / achievement summary for 2022/23 of the Shire of Capel's Corporate Business Plan 2022 to 2026. This report detailed a 95% completion of actions in accordance with the CBP for the reporting period 1 July 2022 to 30 June 2023.



Decision Framework

Shire of Capel Strategic Community Plan 2021 to 2031

Direction 1 - Strengthen and enhance the well-being of our community

- 1.1 A more engaged community
- 1.2 A capable community that drives community activation and participation
- 1.3 An inclusive community
- 1.4 A safe and prepared community
- 1.5 A healthy and active community

Direction 2 - Manage and protect our environment

- 2.1 Improved management of our natural environment assets and attractions
- 2.3 A Shire committed to sustainable practices
- 2.5 Improved connection and access to natural assets of the forest and coastal environment
- 2.6 Increased opportunities for better waste management and reduction
- 2.7 Urban planning that supports sustainable development

Direction 3 - Foster a dynamic, diverse and strong local economy

- 3.1 Increased support and advocacy to stimulate greater local business success, investment and diversity
- 3.2 Effective promotion of the Shire and its towns
- 3.4 Continued improvement in town centre vibrancy

Direction 4 - Deliver good leadership, governance and decision-making

- 4.1 Effective and compliant governance
- 4.2 Informed and transparent decision making
- 4.3 Contemporary planning and local development
- 4.4 Increased attraction and retention of high quality staff to deliver optimal services to the community
- 4.5 Improved customer engagement

Direction 5 - Provide and maintain suitable infrastructure and facilities

- 5.1 Appropriate community facilities, that meet the communities' needs
- 5.3 Better and safer roads
- 5.4 Improved beach infrastructure to support a healthy beach lifestyle

Direction 6 - Effective communication, engagement and relationship development

- 6.1 Greater trust and the development of positive relationships within the Shire and with the community
- 6.2 Improved cross sector relationships and collaboration

Corporate Business Plan 2022 to 2026

CEO 9 - Ensure Community Strategic Plan, Corporate Plan, Long Term Financial Plan, Asset Management Plan, Risk Management Plan, Workforce Plan, and all supporting sub-plans are adopted in the 2022/23 financial year, with quarterly reporting to the Council and subsequently maintained in accordance with the WA Integrated Planning Framework.



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995, Section 5.56

6.56 Planning for the Future

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

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

Division 3 –Planning for the future

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

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

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



Additionally (proposed) Local Government Reform - Theme 6: Improved Financial Management and Reporting is expected to consider:

- 6.2 Simplify Strategic and Financial Reporting
 - Current Requirements
 - Requirements for plans are outlined in the Local Government Financial Management and Administration Regulations.
 - There is also the Integrated Planning and Reporting (IPR) framework.
 - While many councils successfully apply IPR to their budgeting and reporting, IPR may seem complicated or difficult, especially for smaller local governments.
 - Proposed Reforms - It is proposed that the plans that are required are:
 - Simplified **Council Plans** replace existing Strategic Community Plans and set high-level objectives, with a new plan required at least every eight years.
 - Simplified **Long Term Financial Plans** will outline any long term financial management and sustainability issues, and any investments and debts. These plans will be required to be reviewed in detail at least every four years
 - These will become **Service Plans** and **Project Plans** added to the yearly budget if approved by council. This provides clear transparency for what the functions and initiatives of the local government cost to deliver.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Preparation of Integrated Plan and Budget

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Possible	Major	Effective development, alignment, integration and reporting on all strategic and corporate planning.
Risk Description: Failure to effectively align the individual projects, core-business actions, and associated costs with annual budgets and long term financial planning			
Risk 2 Infrastructure / Systems / Utilities Rating: Medium	Likely	Moderate	Effective community planning and understanding of current and future needs. Effective asset sustainability strategies and available expenditure.
Risk Description: Failure to effectively understand current and future community infrastructure needs and to ensure that infrastructure is well maintained and fit-for-purpose.			



Risk	Likelihood	Consequence	Mitigation
Risk 3 Service Delivery Rating: High	Likely	Major	Effective community planning and understanding of current and future needs. Effective organisational and workforce planning.
Risk Description: Failure to effectively understand current and future community service needs and ensure that organisation is appropriately structured and resourced to deliver.			
Opportunity: Integrated planning that ensures detailed and up-to-date understanding of community needs, aligned to effective organisational, infrastructure and workforce planning to deliver and maintain service levels.			

Financial Implications

Budget

The Corporate Business Plan 2023 to 2027 has been prepared ensuring that the Year One (2023/24) cost of all proposed initiatives and actions are included in the adopted 2023/24 Annual Budget.

There are therefore no additional cost implications of this proposal in the current 2023/24 financial year.

Long Term

Future annual reviews of the Corporate Business Plan, in line with the Long Term Financial Plan and annual budgets will need to be aligned to account for all future costs.

Dependent on a range of factors (such as the Shire's Rate's Policy and Strategy, future rating decisions, attraction of grant funding or organic growth in external revenue of the Shire) it is possible that some proposed actions may need to be revised, added to, deferred or removed from the Corporate Business Plan in order to ensure the ongoing financial affordability of the Plan and sustainability of the Shire.

Periodical reviews of the Strategic Community Plan 2021 to 2031 and the Long Term Financial Plan will also inform this process.

Whole of Life

Any whole of life implications will be considered separately, as appropriate, with any individual project proposal or progression.

Sustainability Implications

Climate Change and Environmental

The proposed Corporate Business Plan 2023 to 2027 contains climate change and environmental initiatives, with any future implications considered separately at the time.



Social

The proposed Corporate Business Plan 2023 to 2027 contains a range of social initiatives. Any future social impacts will be considered separately and reported if relevant at the time of implementation.

Economic

The proposed Corporate Business Plan 2023 to 2027 contains economic development initiatives, with any future implications considered separately at the time.

Asset

The proposed Corporate Business Plan 2023 to 2027 contains a range of capital works, asset upgrades and development initiatives. Any additional or amended assets circumstances that result from the delivery of the Corporate Business Plan will be assessed separately at the time and included in future consideration of the Asset Management Strategy and Programs of Works.

Consultation/Engagement

External Consultation

Significant consultation community and stakeholder consultation occurred in the development of the Shire of Capel Strategic Community Plan 2021 to 2031. Future proposed modifications to the Strategic Community Plan will be informed by the extensive community engagement process undertaken in the development of the Shires' inaugural Place Plan. A report considering potential updates to the Strategic Community Plan will be presented to Council for consideration in September 2023.

Internal Consultation

Consultation carried out during the preparation of the Draft Corporate Business Plan 2023 to 2027 has included:

- Management briefings and 'Bottom up' input of Action Plans for each Service Area;
- Challenge Reviews (2x) to critique proposed Actions and revise priorities;
- Alignment with the 2023/24 Annual Budget.
- Internal review and cost estimation with Director of Community and Corporate to align Draft Plan to LTFP; and
- Workshop (8 May 2023) with Councillors to present findings and receive feedback on proposed Service Area Initiatives and Actions.

A Draft Corporate Business Plan 2023 to 2027 was provided to Councillors in mid-May 2023 to enable early review, feedback, and queries.

Officer Comment

There is a statutory requirement for the Council to undertake an annual review of the four (4) year Corporate Business Plan to ensure alignment with other informing strategies, such as the Long Term Financial Plan, Workforce Plan and others forming part of this Plan.



This annual review process is required under the *Local Government (Administration) Regulations 1996*, specifically Regulation 19DA.

Corporate Business Plans are reviewed annually, and an additional year added onto the Plan. This ensures continued legislative compliance but also enables the Plan to be reviewed, resulting in assumptions and projections being reassessed and tightened, and time limits adjusted for projects if circumstances or the priorities of the Council or community change.

All staff and Councillors, as a collective group have been included throughout the development and finalisation of the Corporate Business Plan 2023 to 2027. A workshop with Councillors was conducted to ensure that all were able to have input into and ownership of the presented Plan.

The detailed list of Initiatives and Actions in the document to achieve the Communities' Aspirations and Objectives has been developed and driven by the front-line staff in collaboration with their Managers. This process has enabled high staff ownership of the Plan and will ensure the same accountability for outcome delivery.

Initiatives and Actions detailed in the adopted Corporate Business Plan 2023 to 2027 will be included in Organisational Service Area Annual Delivery Plans, staff annual performance plans and subsequent monitoring / reviews / reporting to ensure achievement of outcomes within time limits and budgets.

Corporate Business Plan Structure and Monitoring / Reporting Functionality

The Shire's first Corporate Business Plan aligning to the legislated Integrated Planning and Reporting Framework was developed before 2016 and has remained consistent in content and format since then.

The current format, however, whilst legislatively compliant, is repetitive (with the SCP) and does not appear to be functionally optimal in terms of planning, annual delivery, monitoring and reporting.

Several situations arose throughout 2021/22 and 2022/23 where the structure of the Corporate Business Plan has not allowed Service Areas to effectively plan for delivery (particularly with capital works), nor monitor and report on delays to the Council and the community.

Should Council adopt the Corporate Business Plan 2023 to 2027, the Service Area Initiatives and Actions will be locked in (as aligned to the adopted 2023/24 Annual Budget).

A proposal will be presented to Council in September 2023 however to reconsider the interface differently between the Strategic Community Plan, the Corporate Business Plan and the organisation's Annual Delivery Plans.

Proposed changes to this interface will be designed to:

- Better present, more easily understandable strategic planning to the Council and the community.
- Allow the Council and the community to better understand the direct relationship between how actions and initiatives in the Corporate Business Plan deliver on and achieve higher-level strategies contained in the Strategic Community Plan.
- Allow for the Shire's Service Areas to better plan, implement, monitor and report on key annual deliverables and budget, allocation resources effectively.
- Prepare in advance for the eventual change expected to Integrated Planning and Reporting as part of Tranche Two of the LG Reform Agenda.



Future Update Strategic Community Plan and Alignment with the Corporate Business Plan

The Shire's inaugural Strategic Community Plan (2021 to 2031) was adopted in 2021 based on consultation processes that occurred in 2020/2021 and under legislative requirements requires periodical review, at least once every four years (r19C (4)).

Regulation 19C (7) allows a council is consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine whether or not to adopt the plan or the modifications.

Further, under regulation 19C (9), a local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

Summary

The proposed Corporate Business Plan 2023 to 2027 has been developed from the Strategic Community Plan Community Aspirations and Objectives under the Six (6) Future Directions and includes information from the Long Term Financial Plan, Workforce Plan, Asset Management Plans and various informing Services Strategies and Plans.

The recent and extensive engagement conducted in the development of the Shire's inaugural Place Plan 2023 to 2027 and the earlier Community Perceptions Survey (Oct 2022), provides an ideal opportunity to review whether the needs and aspirations of the community have changed since the SCP consultation held in 2021, and to inform any modifications that may be considered appropriate.

Reviewing the Strategic Community Plan also provides the opportunity restructure the interface between this plan and the Corporate Business Plan, as well as how the organisation goes about using the allocated resources (financial and human / workforce), planning, and delivering initiatives and monitoring / reporting on progress.

Any modifications agreed at the September 2023 Council meeting to the SCP and CBP will not change the content, initiatives and actions being considered and recommended within this agenda report on the Corporate Business Plan 203 to 2027 Service Areas Initiatives and Actions.

Any modifications endorsed by the Council at the time will simply modify the manner that the information is presented and interfaces with other key plans.

Voting Requirements

Absolute Majority



Officer's Recommendation – 13.2.

OC/2023/145 - Officer's Recommendation / Council Decision - 13.2

Moved Cr McCleery, Seconded Cr Dillon.

That Council:

- 1. Accepts the proposed modifications and endorses the Shire of Capel Corporate Business Plan 2023 to 2027 – Service Area Strategic Initiatives and Core Business Actions as per Attachment 13.2.1**
- 2. Approves immediate commencement and / or continuation of all necessary initiatives and actions for implementation of the Corporate Business Plan 2023 to 2027.**
- 3. Notes that quarterly reporting will continue throughout 2023/24 to monitor progress and achievement.**
- 4. Notes that the final published version of the Corporate Business Plan 2023 to 2027, will align to the Strategic Community Plan 2021 to 2031, include the endorsed Service Area Initiatives and Core Business Actions, and be graphically designed and illustrated to a standard suitable for public presentation.**

Carried 7 / 0 with an Absolute Majority.

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



14. Infrastructure and Development Reports

14.1 Project Variation Capel Offset Planting Project Site 2

Author	Natural Resource Management Officer, Rae McPherson
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Contractual
Attachments	14.1.1 - MOU: Tender 22-13 – Capel Offset Planting Project Site 2 Kemerton (Confidential)
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Approve a Memorandum of Understanding between the Shire of Capel and Tranen to account for the project scope changes to the delivery of Tender 22-13 – Capel Offset Planting Project Site 2 Kemerton, including revised offset planting species and additional weed control requirements.

Officer's Recommendation

That Council:

1. Approves the Memorandum of Understanding between the Shire of Capel and Tranen Re: Tender 22-13 – Capel Offset Planting Project Site 2 Kemerton; and
2. Authorises the Chief Executive Officer to execute the Memorandum of Understanding between the Shire of Capel and Tranen Re: Tender 22-13 – Capel Offset Planting Project Site 2 Kemerton.

Background

The Shire of Capel has an existing contract with Tranen established on 4th January 2023, for offset planting at Site 2 Kemerton, resulting from clearing activities conducted on Weld Road and Payne Street as part of Shire of Capel's capital road program.

Previous Council Decisions

- December 2022 (OC2022/251) Alternative Motion / Council Decision – 14.1 Council accepts the tender from Tranen Revegetation Systems for both:
 1. \$172,682.69 (ex GST) as detailed in Tender 22-13 Part A for the Offset Planting Project Site 2 (Kemerton); and
 2. \$7,350 (ex GST) as detailed in Tender 22-13 Part B – Separable Portion for the Offset Planting Project Site 2 (Kemerton)



Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 2 - Manage and protect our environment
2.3 A Shire committed to sustainable practices

Direction 5 - Provide and maintain suitable infrastructure and facilities
5.3 Better and safer roads

Corporate Business Plan 2022 to 2026

FIN 4 - Ensure financial systems remain compliant with all relevant legislation.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Biodiversity and Conservation Act 2016; Section 3.57 of the *Local Government Act 1995* applies

Federal Framework

Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Policy Framework

The following Shire Policies apply:

- Authorisation of Payments
- Legislative Compliance
- Purchasing

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: High	Possible	Moderate	The successful implementation of the offset planting project to comply with completion criteria will enable compliance with approved clearing permits.
Risk Description: DWER have set completion criteria to assess the level of success with the revegetation for the offset planting. This includes the density of weed cover and specific native plant species. If these parameters are not met, then more weeding and planting will likely be required. The cost of doing weed control at the end of the project is more difficult and expensive compared to at the beginning of the project when the area is not planted.			



Risk	Likelihood	Consequence	Mitigation
Risk 2 Financial Rating: High	Possible	Moderate	Allocating funds to do 2 extra weed control treatments will allow a more thorough control before planting in 2024. This will ensure a better result in the long term.
Increase costs associated with weed control after planting has occurred.			
Preparing the ground with adequate weed control prior to offset planting will increase the survival of the native plant species and decrease the density of weed cover and required weed treatments after planting has occurred.			

Financial Implications

Budget

The costs associated with providing the extra two weed treatments of the area and the purchase and planting of the offset area with a revised species list has resulted in additional expenses of \$10,141.30. These additional can be funded from Shire’s Infrastructure Asset Reserve.

The total cost of this contract, including this variation, exceeds the Shire Chief Executive Officer’s delegated authority and as such the MOU and resultant contract variation, is required to be approved through Council.

Sustainability Implications

Climate Change and Environmental

The offset area to be planted is required due to the clearing permit approved for the construction of Weld Road and Payne Street capital works. As they grow, these plants will provide fauna habitat to degraded land and improved environmental outcomes for the Kemerton area.

Social

There are no relevant social implications relevant to this item.

Economic

There are no economic implications relevant to this item,

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

DBCA manages the land on which the offset planting is being implemented under clearing permits CPS 8933/1 and CPS 8932/1.



DBCA's botanist, Andrew Webb, conducted a site visit to assess the weeds and ground conditions on site, enabling him to recommend the inclusion of additional weed control measures before planting. The implementation of the two extra weed control treatments will enhance the overall outcome of the planting process.

Tranen was actively involved and consulted throughout the process of developing the MOU and amended completion criteria.

Internal Consultation

- Director - Community and Corporate
- Director - Infrastructure and Development
- Manager – Sustainability and Environment
- NRM Officer
- Procurement Officer

Officer Comment

Previous planting efforts at an adjacent Shire of Capel offset Site 1 at Kemerton were undertaken by Natural Area consultants and faced significant plant failure in 2022, prompting an investigation of the planting schedule by the Department of Biodiversity, Conservation and Attractions (DBCA).

Through this review, DBCA developed a revised plant species list that included plants deemed more likely to survive and thrive in the area.

Following the development of the revised species list, the Shire of Capel lodged a request with the Department of Water and Environmental Regulation (DWER) to amend the completion criteria for the current Clearing Permits relating to the Kemerton Offset Sites 1 and 2. The aim was to reduce the number of recommended plant species and completion criteria to better suit the harsh growing conditions at the site. This amendment process and confirmation of a new species list has delayed the planting project resulting in Tranen being unable to order and obtain the 37,600 approved plants required for Site 2 in time for the winter 2023 planting season.

Shire Officers decided to delay the planting at Site 2 until the 2024 season as a solution, allowing ample time for completion of DBCA's species review process and ordering and growing of the required plants. Consequently, Tranen and the Shire of Capel have negotiated an MOU to account for the project scope changes.

The purpose of this MOU is to formalise an agreement between Tranen and the Shire of Capel regarding variation to the original commencement date and pricing schedule stated in the original contract.

The MOU costings reflect expected CPI increases resulting from the delay. Furthermore, Tranen identified an opportunity to implement a more thorough weed control program which has been evaluated by DBCA.

Following this evaluation, DBCA has recommended two extra weed control treatments before the 2024 planting season in order to provide the best chance of success for this revegetation project.

The MOU has been developed to also include the additional costs for these weed control events.



Summary

The Shire of Capel Offset Planting at Site 2 in Kemerton has experienced delays due to the requirement to amend the plant species list and weed treatments to ensure appropriate survival rates. As such, an MOU between Tranen and the Shire of Capel is required to account for the associated increased costs, new plant species list and modified project delivery timeframes.

This delay has provided an opportunity to implement a more thorough weed control program prior to more planting and is likely to greatly improve the project's long-term success.

Voting Requirements

Simple Majority

Officer's Recommendation – 14.1

OC/2023/146 - Officer's Recommendation / Council Decision - 14.1

Moved Cr Andrew, Seconded Cr Schiano.

That Council:

- 1. Approves a contract variation to the value of \$10,141.30 for Tender 22-13 – Capel Offset Planting Project Site 2 Kemerton between the Shire of Capel and Tranen.**
- 2. Approves the Memorandum of Understanding between the Shire of Capel and Tranen Re: Tender 22-13 – Capel Offset Planting Project Site 2 Kemerton that reflects the negotiated contract variation.**
- 3. Authorises the Chief Executive Officer to execute the Memorandum of Understanding between the Shire of Capel and Tranen Re: Tender 22-13 – Capel Offset Planting Project Site 2 Kemerton.**

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



14.2 Single Dwelling & Building Envelope Nomination - Lot 4002 (5) Kruse Lane, Capel

Location	Lot 4002 (5) Kruse Lane, Capel
File Reference	PA104/2023
Applicant	WA Country Builders
Owner	Andrew F. James & Jenna C. Wright
Author	Planning Assistant, Nat Morys
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Legislative
Attachments	14.2.1 - Development Plans and Accompanying Documentation 14.2.2 - Location Plan with Overlapping Proposed Site Plan
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Support an application for Development Approval for a Single Dwelling and Building Envelope Nomination with a reduced side lot boundary, to both side boundaries. The variations are as follows:

- The eastern lot boundary setback is 2 metres in lieu of 6 metres; and
- The western lot boundary setback is 4.07 metres in lieu of 6 metres.

As per 'Delegation 166 - Planning,' the application is being put to Council for determination because the proposal has received an objection on planning grounds.

Officer's Recommendation

That Council grants Development Approval pursuant to Clause 68 (2) (b) of the Deemed Provisions for Local Planning Schemes within the *Planning and Development Local Planning Schemes Regulations 2015*, for a Single Dwelling and Building Envelope Nomination on Lot 4002 (No. 5) Kruse Lane, Capel subject to the following conditions:

1. The development is to be carried out in accordance with the approved plans, drawings and documentation included with the application for development approval. The development shall be substantially commenced within two (2) years of the date of this decision. Should the development not be substantially commenced within this time, approval shall lapse and be of no further effect.
2. The building envelope being located in accordance with the attached plan(s) date received 21 February 2023 (Attachment 14.2.1).
3. All development being in accordance with the Approved Development Plan(s) dated 30 August 2023.
4. All stormwater and roof run-off disposal including driveway drainage must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Capel.



5. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street, secondary street to the satisfaction of the Shire of Capel.

Advice Notes:

Note 1: Please be advised of the need to comply with the following requirements of other legislation:

- a. Vegetation outside the building envelope is protected in accordance with the Shire's Town Planning Scheme No.8. No clearing of vegetation is permitted outside of the approved building envelope except to provide site access and to fulfil bushfire compliance requirements.

Additionally, this planning approval does not remove or affect any statutory responsibility or obligation the owner may have in obtaining a vegetation clearing permit in accordance with the Environment Protection Act 1986 as amended. Further information can be obtained from the Department of Water and Environmental Regulation on (08) 9725 4300 or at www.dwer.wa.gov.au.

- b. The lot is within a designated bush fire prone area and a Bushfire Attack Level Assessment may need to be completed by an accredited BAL assessor.

Note 2: Where an approval has lapsed, no development is to be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Note 4: A crossover permit must be obtained from the Shire of Capel. Construction and maintenance of the crossover shall be in accordance with the crossover permit.

Note 5: In relation to condition (5), the exterior fixture associated with any air-conditioning unit or hot water system is considered an appropriate location where it is positioned:

- outside of balcony/verandah areas (if applicable); and
- below the height of a standard dividing fence within a side or rear setback area; or
- within a screened rooftop plant area or nook.

Note 6: All future development on the lot with the exception of driveways is to be contained within the specified building envelope.

Note 7: All buildings and incidental development including outbuildings shall be accommodated within the approved Building Envelope.



- Note 8: Without written approval from the Shire of Capel, no development is permitted outside of the designated building envelope, except for—
- (a) Provision of a suitable access way to the building envelope;
 - (b) Provision of suitable boundary fencing as approved by the local government; and
 - (c) Development related to the implementation of an approved bushfire management plan or any other general bushfire requirements.

Background

Land / Title Information:	Lot 4002 (5) Kruse Lane, Capel
Development Description:	Single Dwelling & Building Envelope Nomination on a Residential Lot
Land Area:	2148m ²
Existing Land Use	Vacant Lot
Local Planning Scheme zone:	Residential R5
Greater Bunbury Region Scheme zone:	Urban
Bushfire Prone Area:	Yes
Heritage Listing:	No
Application Received Date:	08/06/2023
Application Process Days:	83 days

Previous Council Decisions

The lot in question was part of the Lot 4422 Weld Road, Capel Subdivision and is subject to the Lot 4422 Weld Road, Capel Structure Plan which was approved by resolution of the Western Australian Planning Commission on 14 February 2019.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 4 - Deliver good leadership, governance and decision-making

- 4.1 Effective and compliant governance
- 4.2 Informed and transparent decision making
- 4.3 Contemporary planning and local development
- 4.5 Improved customer engagement

Corporate Business Plan 2022 to 2026

- DEVS 12 - Process and determine development applications in accordance with the local planning framework.



Statutory Framework

Local Framework

Shire of Capel

- Shire of Capel Local Planning Scheme No.8 (LPS8);
- Lot 4422 Weld Road, Capel Structure Plan.

State Framework

- *Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2, Part 7 (the regulations)*
 - Clause 60(a) - requires the development approval of the local government prior to the commencement of development.
- State Planning Policy 3.7 - Planning in Bushfire Prone Areas; and
- State Planning Policy 7.3 - Residential Design Codes Volume 1

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

There are no Council policies relevant to this item.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Low	Possible	Insignificant	Deciding on relevant and valid planning grounds.
Risk Description: The land use is a 'P' Permitted Use in LPS8. Should the matter be refused based on land use permissibility, the Applicant may seek to exercise their review right in the State Administrative Tribunal.			
Risk 2 Reputation Rating: Low	Possible	Insignificant	The Council exercises its discretionary authority to grant approval.
Risk Description: The Shire's reputation could be compromised if the Council uses its discretion to refuse the development application, contrary to the Officer's Recommendation.			
Opportunity: The proposal will help meet Shire objectives to provide for a range of housing and to facilitate and encourage high quality design, built form and streetscapes throughout residential areas.			



Financial Implications

Budget

There are no financial implications currently, however this could significantly change, should the decision of the Council result in an appeal with the State Administrative Tribunal. This would involve legal representation and ongoing costs associated with defending a decision that may be contrary to the Officer's recommendation.

Sustainability Implications

Climate Change and Environmental

There are no relevant climate change and environmental implications relevant to this item.

Social

The development will assist with the Shire's ambitions of contributing to a growing community within the townsite and surrounding areas of Capel.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

In accordance with *Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2, Part 8 clause 64 (4)(b)*, the proposal was advertised to surrounding landowners for a period of 14 days. One comment was received, objecting to the proposal. The objection stated that the proposed setback was too close to the lot boundary.

Delegation 166 – Planning states under the Exclusions to Delegated Authority that:

'This power of delegation does not extend to approving applications for development approval in the following categories:

- b) Applications where objections have been received on valid planning grounds which cannot be reasonably addressed by negotiated minor variations to the application and/or conditions of approval.'*

It is considered that the objections raised for the reduced setback to the lot boundary cannot be addressed via the imposition of planning conditions or solutions.

In response to the objection, the Shire asked that the applicant increase the lot boundary setbacks to comply and address the objection. However, the applicant did not want to renegotiate this design and for that reason the development would need to be determined by Council.



Officer Comment

Local Planning Scheme No.8 Assessment

Schedule 4 – Additional site and development requirements by zone:

Schedule 4 in LPS8 has additional site and development requirements by zone. For the Residential zone, it is outlined that all site and development requirements are to be in accordance with the R-Codes for residential and non-residential development, and other provisions within the scheme.

The Shire's LPS8 requires that lots coded Residential R2.5 and R5 contain a minimum setback from side boundaries of 6 metres (Clause 26(4)). The setback distances outlined in Cl26(4) replace the Deemed-to-Comply criteria of the R-Codes for Design Element 5.1.3 - Lot Boundary Setbacks. It is however acknowledged that Clause 36 of LPS8 enables the Shire to consider variations to the site and development requirements outlined in Schedule 4 and Clause 26.

The assessment must have regard to the following of Clause 36 for the Shire to consider these variations.

- (5) *The local government may only approve an application for development approval under this clause if the local government is satisfied that -*
- a) *Approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67(2) of the deemed provisions; and*
 - b) *The non-compliance with the additional site and development requirement will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.*

The proposal is considered to meet the provisions of Clause 36(5) in the following ways:

- The proposal meets the requirements as set out in clause 67(2) of the deemed provisions.
- The proposal and reduction in the side boundary setbacks will enable the owners of the property to make better use of available land on the lot.
- Approval of the proposal is not deemed to have any adverse effect on the inhabitants of the locality.
- Approval of the proposal is not deemed to affect the locality's future development.

The lot in question is wedge shaped with the narrow end facing the primary street. The configuration of the lot and the 'funneled' narrowing of the lot towards the street creates difficulty in maintaining the required 6m side boundary setbacks. The reduction of the eastern side setback to 2m is to accommodate a 4m setback on the western side (also a reduction of the 6m required), facilitating side access to the rear of the lot for emergency fire services. The lot also has significant drainage easements to the rear of the lot which further inhibits the ability to make appropriate use of the space and forces the dwelling to be located towards the front half of the lot and closer to the street.

The proposed dwelling is a single-story, contemporary 'country style homestead' which is a design style that is in keeping with the rural character of the street and locality. The eastern wall of the dwelling which is seeking a reduced setback of 2m has a length of 9.5m which is only 21.2% of the total length of the boundary. This wall is blank for most of its length with two small windows which have frosted glass as they are to service a bathroom in the dwelling, the two rooms that back onto this wall are considered non-habitable rooms and therefore the residents are not predicted to spend as much time in these rooms as they would a habitable room.



It's considered that through this design consideration, overlooking impacts to sensitive areas of the neighbouring property would be minimal.

The proposed dwelling's outdoor living area is setback from the eastern side boundary by 9.3m with a proposed water tank between the outdoor living area and the side boundary fence, meaning that as much effort as possible has been made to maintain the privacy for both properties.

Whilst the proposed setback variations could be considered significant, the size of the lots in this subdivision having an average lot size of 2725.8m² means that it is unlikely that the proposed dwelling will impact on adjoining properties or the street in terms of building bulk. Again, due to the lot sizes on Kruse Lane there will be no impact on direct sun and ventilation to the building or neighbouring properties. Open space to the lot and adjoining properties will also be unaffected and is more than required. Due to the orientation of the lots no overshadowing is predicted and solar access to the adjoining properties is to be also unaffected.

Furthermore, the proposed wall faces the neighbouring property's garage which is setback from the boundary by 9.1m at its closest point, as can be seen by the attached aerial plan (Attachment 14.2.2).

Building Envelope Nomination

A Building Envelope is an area of land on a residential lot within which all buildings and effluent disposal facilities on the lot must be contained. A Building Envelope is required for many reasons, but predominantly to ensure that existing vegetation is protected and not cleared unnecessarily. According to LPS8 all lots zoned R2.5, R5 and Rural Residential require a Building Envelope and where a Building Envelope has not been designated, one must be nominated to the satisfaction of the local government.

As per DR2 of Schedule 3 of LPS8, the nominated building envelope must comply with the minimum setbacks of the R-Codes or any scheme provisions that vary this figure. As the proposal seeks to reduce the minimum 6m setbacks, an assessment against DR2(4) - Schedule 3 of LPS8 is required.

The proposed reduction in setback is not considered to compromise the development's ability to meet the objectives of the Residential Zone and is considered to assist in the facilitation of appropriate residential development on a difficult site to reach compliance.

The visual amenity and rural character of the area is not compromised by the reduced setbacks to the lot boundaries. The lot has been cleared of all vegetation, and the dwelling is therefore visible from the street regardless of whether the setback is compliant at 6m or at the proposed setback. An appropriate separation corridor will remain between the existing dwelling to the east, and the proposed dwelling (approximately 11 metres separation). This is due to the neighbouring property exhibiting a setback to the shared lot boundary of approximately 9 metres.

The development seeks setback reductions on both sides of the dwelling due to the unique shape and tapering of the lot's width towards the front of the site. This causes difficulty in complying with both side setbacks. The applicant has made a conscious decision to reduce the eastern setback in the attempt of providing a setback to the western lot boundary that enables emergency services access to the rear of the lot. The design is considered to account for potential bushfire risks and seeks to retain accessibility to the rear for firefighters and associated vehicles.

Lastly, the proposed building envelope is considered to account for all appurtenant structures and associated fixtures which typically associate with rural lots, such as water tanks etc.



For these reasons, the building envelope identified for the site is recommended for support.

Summary

Although the proposal is seeking two side boundary setback variations, the proposed development is considered supportable due to the negligible impacts on the character of the area and consistency with adjoining residents. On this basis, the proposal is recommended for approval, subject to conditions.

Voting Requirements

Simple Majority

Officer's Recommendation – 14.2

OC/2023/147 - Officer's Recommendation / Council Decision - 14.2

Moved Cr Schiano, Seconded Cr Dillon.

That Council grants Development Approval pursuant to Clause 68 (2) (b) of the Deemed Provisions for Local Planning Schemes within the *Planning and Development Local Planning Schemes) Regulations 2015*, for a Single Dwelling and Building Envelope Nomination on Lot 4002 (No. 5) Kruse Lane, Capel subject to the following conditions:

- 1. The development is to be carried out in accordance with the approved plans, drawings and documentation included with the application for development approval. The development shall be substantially commenced within two (2) years of the date of this decision. Should the development not be substantially commenced within this time, approval shall lapse and be of no further effect.**
- 2. The building envelope being located in accordance with the attached plan(s) date received 21 February 2023 (Attachment 14.2.1).**
- 3. All development being in accordance with the Approved Development Plan(s) dated 30 August 2023.**
- 4. All stormwater and roof run-off disposal including driveway drainage must be contained and disposed of on-site at all times, to the satisfaction of the Shire of Capel.**
- 5. Prior to occupation of the development, all external fixtures including, but not limited to TV and radio antennae, satellite dishes, plumbing vents and pipes, solar panels, air conditioners and hot water systems shall be integrated into the design of the building and not be visible from the primary street, secondary street to the satisfaction of the Shire of Capel.**



Advice Notes:

Note 1: Please be advised of the need to comply with the following requirements of other legislation:

- a. Vegetation outside the building envelope is protected in accordance with the Shires Town Planning Scheme No.7. No clearing of vegetation is permitted outside of the approved building envelope except to provide site access and to fulfil bushfire compliance requirements.

Additionally, this planning approval does not remove or affect any statutory responsibility or obligation the owner may have in obtaining a vegetation clearing permit in accordance with the *Environment Protection Act 1986* as amended. Further information can be obtained from the Department of Water and Environmental Regulation on (08) 9725 4300 or at www.dwer.wa.gov.au.

- b. The lot is within a designated bush fire prone area and a Bushfire Attack Level Assessment may need to be completed by an accredited BAL assessor.

Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

Note 4: A crossover permit must be obtained from the Shire of Capel. Construction and maintenance of the crossover shall be in accordance with the crossover permit.

Note 5: In relation to condition (5), the exterior fixture associated with any air-conditioning unit or hot water system is considered an appropriate location where it is positioned:

- outside of balcony/verandah areas (if applicable); and
- below the height of a standard dividing fence within a side or rear setback area; or
- within a screened rooftop plant area or nook.

Note 6: All future development on the lot with the exception of driveways is to be contained within the specified building envelope.

Note 7: All buildings and incidental development including outbuildings shall be accommodated within the approved Building Envelope.

Note 8: Without written approval from the Shire of Capel, no development is permitted outside of the designated building envelope, except for—

- (a) Provision of a suitable access way to the building envelope;
- (b) Provision of suitable boundary fencing as approved by the local government; and
- (c) Development related to the implementation of an approved bushfire management plan or any other general bushfire requirements.



Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



14.3 Local Planning Policy 6.13: Tiny Houses - Consideration of Submissions and Final Adoption

Location	Shire of Capel
File Reference	LP.PCY.1
Author	Planning Officer, Wenqian Tu
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Legislative
Attachments	14.3.1. LPP6.13 - Tiny Houses. 14.3.2. Schedule of Submissions. 14.3.3. Schedule of Modifications.
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

The Shire has prepared a series of local planning policies which will assist in the implementation of a robust local planning framework, alongside the gazettal of the Shire's Local Planning Scheme No. 8 (LPS8).

Following the closure of the public consultation / advertising period, Local Planning Policy 6.13 - Tiny Houses is being presented for final consideration and approval.

Recommendation

That Council:

1. In accordance with the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - a. Adopts Local Planning Policy 6.13 - Tiny Houses policy (Attachment 14.3.1) as part of the Local Planning Framework for the Shire of Capel.
 - b. Publishes notice of the policy and ensures that an up-to-date copy of the policy is published in accordance with Schedule 2, Part 12, Clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Background

A suite of draft Local Planning Policies has been identified as being critical to complementing the Shire's existing and future planning framework. The LPPs form part of the Shire's local planning framework and support the gazettal of LPS8. By introducing several planning provisions in the form of policies, it enables the Shire to consider future amendments and updates without the need to apply for a scheme amendment.



Previous Council Decisions

- OC/2023/0329 - The policy LPP6.13 - Tiny Houses was reviewed and endorsed in draft form for public consultation by Council in March 2023.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 4 - Deliver good leadership, governance and decision-making

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

4.3 Contemporary planning and local development

4.5 Improved customer engagement

Corporate Business Plan 2022-2026

DEVS 3 - Review and prepare new local planning policies to support implementation of *Local Planning Scheme No.8*.

DEV 12 - Process and determine development applications in accordance with the local planning framework.

DEVS 25 - Review and prepare new planning registers in accordance with planning legislation and Scheme 8.

Statutory Framework

Local Framework

Shire of Capel Local Planning Scheme No.8.

State Framework

Clauses 4(3) to 4(7) inclusive of *Planning and Development (Local Planning Schemes) Regulations 2015* - Schedule 2 – Deemed provisions for local planning schemes.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

A planning policy does not form part of a Scheme and cannot bind the decision maker in respect of an application or planning matter. However, the decision maker is required to have due regard to the provisions and objectives of the policy in its decision making.

The Shire can adopt local planning policies relating to matters of local development under Part 2, Division 2 of the Deemed Provisions. These policies have been made pursuant to this legislation.



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Low	Unlikely	Moderate	Adopt the Local Planning Policies for the purposes of enforcing the Shire’s Local Planning Framework, and ability to consider and determine development proposals
Risk Description: Failure to adopt new local planning policies will result in no development controls for future development to support Local Planning Scheme No. 8. This can potentially lead to several development applications being lodged with no statutory ability for the Local Government to assess or determine.			
Opportunity: Application of policies which could contain clearer and more comprehensive provisions to achieve the intent and objectives of the local planning framework more effectively.			

Financial Implications

Budget

Costs related to the adoption of the Local Planning Policy will be met through the Shire’s existing budget.

Long Term

As no assets/infrastructure are being created, there are no long-term financial implications relevant to this proposal.

Sustainability Implications

Climate Change and Environmental

The Local Planning Policy conforms with sustainable development principles.

Social

The Local Planning Policy will support positive community outcomes by encouraging community engagement and promoting the development of tiny houses.

Economic

The Local Planning Policy will support economic development through the increase in construction opportunities for tiny houses and increased residential catchments for local businesses.

Asset

The Local Planning Policy may impact Shire assets, such as those forming part of the urban landscape.



Consultation/Engagement

External Consultation

The draft policy was required to be advertised for a period of at least twenty-one (21) days in accordance with clauses 4(1) and 4(2) of the Deemed Provisions. Notices were placed in the local newspaper circulating within the Shire and uploaded to the Shire's website.

The Shire received two submissions (Attachment 14.3.2) on the Local Planning Policy at the conclusion of the public consultation period (15 June 2023), one from Department of Water and Environmental Regulation (DWER) and one from Main Roads WA (MRWA).

Through the preparation of the Local Planning Policies, the Shire received extensive advice from the Department of Planning, Lands and Heritage (DPLH) (Attachment 14.3.3) which provided guidance to the Local Planning Policy. Council should be aware that the advice provided by the Department of Planning, Lands, and Heritage (DPLH) was informal and could not be recorded as a formal submission on the policy.

No submissions from community members were received within the public consultation period. Australian Tiny House Association contacted the Shire on 24 July 2023 and suggested one modification to the Local Planning Policy. The suggestion received included modifying f), 1.3-Single Tiny House on a Single Lot by reducing the required water supply from minimum 135,000 litres to minimum 10,000 litres. Council should be aware that the suggestion provided was not within the public consultation period and could not be recorded as a formal submission on the policy.

Should Council be of the opinion that the minimum water supply for Single Tiny Houses on a Single lot without potable water should be 10,000 litres, a motion should be made to carry out the modification to the policy as such. However, it should be noted that such a modification would be inconsistent with the provisions of the Shire's LPS8.

Officer Comment

A local planning policy provides additional criteria for development assessment not otherwise appropriately contained in a planning scheme. The policy has been prepared to add additional objectives, development criteria and guidance on the application of provisions of LPS8. Due regard is to be given to the provisions of the policy in assessing any relevant new development proposals.

Having these provisions controlled through a local planning policy will enable the Shire to respond to any changes or update provisions without seeking a scheme amendment, which would occur if the majority of controls were instead forming part of LPS8.

The primary matters set out in the draft policy and any proposed modifications resulting from the advertising are summarised below.

Local Planning Policy 6.13 - Tiny Houses

This Policy establishes the Shire's position on Tiny-Houses-On-Wheels in residential and non-residential areas of the Shire. The policy establishes the approach of the Shire to consider such structures for consideration under the *Planning & Development Act 2005* and delineates factors that would remove such structures from being considered as matters needing to comply under the *Caravan Parks and Camping Grounds Act 1995*.



This Policy also provides guidance on Tiny House Community development (comprising two or more Tiny Houses on a single Lot) and the use of Tiny Houses for short term tourism accommodation.

Minor changes were made to ensure consistency of wording, clarifying the reference of legislation, and clarifying the situation where visitors can bring their own Tiny House to a Tiny House Community.

Voting Requirements

Simple Majority

Officer's Recommendation – 14.3.

OC/2023/148 - Officer's Recommendation / Council Decision - 14.3

Moved Cr Terrantroy, Seconded Cr Schiano.

That Council:

1. In accordance with the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - a. Adopts Local Planning Policy 6.13 - Tiny Houses policy (Attachment 14.3.1) as part of the Local Planning Framework for the Shire of Capel.
 - b. Publishes notice of the policy and ensures that an up-to-date copy of the policy is published in accordance with Schedule 2, Part 12, Clause 87 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



14.4 Appointment of Deputy Chief Bush Fire Control Officers

Author	Emergency Services Coordinator, Andriena Ciric
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Legislative
Attachments	14.4.1 - Unconfirmed BFAC minutes – 12 th July 2023 14.4.2 - Attachment 4.1.1
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Following the resignation of Mr. Murray Scott as Deputy Chief Bush Fire Control Officer (DCBFCO), the Bushfire Advisory Committee was requested to consider nominations for the role of Deputy Chief Bush Fire Control Officer and consider whether the Shire should appoint more than one deputy.

The Council is requested to consider the recommendations of the Bushfire Advisory Committee.

Officer's Recommendation

That Council:

1. Appoints four nominations to the position of Deputy Chief Bush Fire Control Officer.
2. Divides the district into four zones (as per the Attachment 14.4.2) on the basis of the existing Brigade areas and allocates an area to an individual Deputy Chief Bush Fire Control Officer as an area of primary responsibility.
3. During a period of absence, the absent Deputy Chief Bush Fire Control Officer will ensure that another Deputy Chief Bush Fire Control Officer is allocated to their zone and the Chief Bush Fire Control Officer is notified of that change.
4. Appoints each Deputy Chief Bush Fire Control Officer for a period of four years at which time positions become vacant.
5. The Stirling and Capel areas will be combined into one zone for one Deputy Chief Bush Fire Control Officer.

Background

An expression of interest to nominate for the position of DCBCO was circulated to Bush Fire Brigade Fire Control Officers (FCOs) and Captains on the 31 May 2023 with a closing date of 30 June 2023.

Four nominations were received with all nominations meeting the required skills and experience required for the role of Deputy Chief Bush Fire Control Officer.



Nominations were received from - Daniel Tait, Mark Roberts, Jeff McDougall, and Barry Bell.

Previous Council Decisions

No previous Council Decisions apply to the appointment of a Deputy Chief Bush Fire Control Officer in the past 23 years.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 1 - Strengthen and enhance the well-being of our community
1.4 A safe and prepared community

Direction 4 - Deliver good leadership, governance and decision-making
4.1 Effective and compliant governance

Corporate Business Plan 2022 to 2026

SENV 20 - Establish, maintain and equip bush fire brigades (and their volunteers) and undertake response to fires outside the gazetted fire district in accordance with s42 Bush Fire Brigades Act 1954.

Statutory Framework

Local Framework

Division 4 of the *Bush Fire Brigades Local Law 2016* provides for the Bush Fire Advisory Committee to nominate Bush Fire Control Officers and the Local Government is to have regard to those persons nominated by the Bush Fire Advisory Committee but is not bound to appoint the persons nominated.

State Framework

- Section 67 of the *Bush Fires Act 1954* provides the function of the Bush Fire Advisory Committee to make recommendations to the Council.
- Section 38 of the *Bush Fires Act 1954* provides the authority for the local government to appoint Deputy Chief Bush Fire Control Officers.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Authority of the Chief and Deputy Chief Bush Fire Control Officer
- Bush Fire Control Officer appointments
- Payment to the Chief and Deputy Chief Bush Fire Control Officer



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: High	Likely	Moderate	Appointing 4 DCBFCOs allows the district to be split into 4 categories and provides a choice of 3 for each proxy during a time of absence. This also allows 4 proxies for the CBFCO at any time of absence.
Risk Description: Unable to cover the role of Chief or Deputy Chief Bush Fire Control Officer through a proxy should either be absent from the district or unable to perform their duties			
Opportunity: Senior members of the bush fire brigades being well supported and able to respond to incidents in a timely and orderly manner			

Financial Implications

Budget

The financial implications relevant to this proposal are outlined below.

The Chief and Deputy Chief Bush Fire Control Officer Policy provides an annual honorarium payment to both the Chief and Deputy Chief Bush Fire Control Officer.

Appointing four Deputy Bush Fire Control Officers will require an additional amount to be included in the annual budget, providing \$1100 per DCBFCO per annum.

Long Term

As no assets/infrastructure are being created, there are no long-term financial implications relevant to this proposal.

Sustainability Implications

Climate Change and Environmental

Emergency service functions can incur impacts on the environment as they focus on the preservation of human life and property. The appointment of adequately trained and experienced fire control officers to take the measures considered necessary during firefighting activities and the prevention of bushfires assists to reduce the destruction that wildfires can cause to the environment.

Social

The establishment and enforcement of measures that mitigate the risk of bush fire is an important function in the wellbeing and safety of the Community.

Economic

There are no relevant economic implications relevant to this item.



Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

The Bush Fire Advisory Committee (BFAC) considered the appointment of the Deputy Chief Bush Fire Control Officers at a meeting held on the 12 July 2023. BFAC supported the recommendation contained in this agenda report.

Membership of the BFAC comprises representatives of the Boyanup, Capel, Elgin, Gelorup and Stirling Bush Fire Brigades, Department of Biodiversity Conservation and Attractions (DBCA), Department of Fire and Emergency Services (DFES), a Council delegate and the Shire of Capel's Director of Infrastructure and Development Services and Emergency Services Coordinator.

Internal Consultation

No internal consultation was undertaken.

Officer Comment

Membership of volunteer bush fire brigades are in general, declining, with increased difficulty being experienced in filling both operational and authority roles. Additionally, volunteers who are prepared to contribute their time, are increasingly less available than in the past.

Work rosters, including FIFO and shift work and family responsibilities exacerbate time limitations on volunteers.

The Shire must take a flexible and progressive approach to making volunteer positions as easy to be filled as possible.

There is significant value in appointing multiple DCBFCOs for the following reasons:

- Clearly details zones of responsibility throughout the district.
- Provides for greater overall capacity throughout the district.
- Provides for automatic and understood coverage in the absence of the CBFCO and any individual DCBFCO.
- Ensures that coverage in any absence is provided by a formally recognised DCBFCO.

One of the nominees works FIFO but is still committed to fulfilling this important role, with the proposed 'coverage' mechanism making this realisable. Another nominee is interested in being a DCBFCO but would not take on the role if required to cover the entire Capel District.

This group of DCBFCOs if appointed by Council, is likely to provide the next logical successor for the eventual transition to a new CBFCO over time. Through this appointment, this transition can occur without substantially diminishing the overall capacity of the group.



Summary

The appointment of the Deputy Chief Bush Fire Control Officers maintains the Shires legislative requirements to appoint a Deputy Chief Bush Fire Control Officer(s).

The recommendation to appoint four Deputy Chief Bush Fire Control Officers will also provide for the longer-term succession planning for the senior roles of Chief and Deputy Chief Bush Fire Control Officers and allow for the current Chief Bush Fire Control Officer to mentor the deputies in the requirements of the roles over the coming fire season.

Voting Requirements

Simple Majority

Officer's Recommendation – 14.4

Moved Cr McCleery, Seconded Cr Noonan.

That Council:

- 1. Appoints four nominations to the position of Deputy Chief Bush Fire Control Officer.**
- 2. Divides the district into four zones (as per the Attachment 14.4.2) on the basis of the existing Brigade areas and allocates an area to an individual Deputy Chief Bush Fire Control Officer as an area of primary responsibility.**
- 3. During a period of absence, the absent Deputy Chief Bush Fire Control Officer will ensure that another Deputy Chief Bush Fire Control Officer is allocated to their zone and the Chief Bush Fire Control Officer is notified of that change.**
- 4. Appoints each Deputy Chief Bush Fire Control Officer for a period of four years at which time positions become vacant.**
- 5. The Stirling and Capel areas will be combined into one zone for one Deputy Chief Bush Fire Control Officer.**



OC/2023/149 - Amendment / Council Decision - 14.4

Moved Cr Kitchen, Seconded Cr Dillon.

To change the following points as follows:

2. **Divides the district into four zones (as per the Attachment 14.4.2) on the basis of the existing Brigade areas and allocates the following areas to the individual Deputy Chief Bush Fire Control Officers, as an area of primary responsibility:**
 - a. **Gelorup -Jeff McDougall**
 - b. **Elgin – Barry Bell**
 - c. **Stirling and Capel – Mark Roberts**
 - d. **Boyanup – Daniel Tait**

And to amend point 4 to read 'two years' instead of 'four years'.

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil

OC/2023/150 - Amended Recommendation / Council Decision - 14.4

Moved Cr McCleery, Seconded Cr Noonan.

That Council:

1. **Appoints four nominations to the position of Deputy Chief Bush Fire Control Officer.**
2. **Divides the district into four zones (as per the Attachment 14.4.2) on the basis of the existing Brigade areas and allocates the following areas to the individual Deputy Chief Bush Fire Control Officers, as an area of primary responsibility:**
 - a. **Gelorup -Jeff McDougall**
 - b. **Elgin – Barry Bell**
 - c. **Stirling and Capel – Mark Roberts**
 - d. **Boyanup – Daniel Tait**
3. **During a period of absence, the absent Deputy Chief Bush Fire Control Officer will ensure that another Deputy Chief Bush Fire Control Officer is allocated to their zone and the Chief Bush Fire Control Officer is notified of that change.**
4. **Appoints each Deputy Chief Bush Fire Control Officer for a period of two years at which time positions become vacant.**
5. **The Stirling and Capel areas will be combined into one zone for one Deputy Chief Bush Fire Control Officer.**

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy
Against - Nil



15. Community and Corporate Reports

15.1 Child Safe Awareness Policy

Author	Community Development Officer, Rebecca McLevie
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Legislative
Attachments	Not applicable
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Review and adopt a new Shire policy - Child Safe Awareness Policy (the Policy).

Officer's Recommendation

That the Council approves the Child Safe Awareness Policy as follows:

'Introduction

The Shire of Capel (the Shire) supports and values all children and young people. The Shire makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. The Policy is one of the ways the Shire demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.

Purpose

The Policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. The Shire is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.

The Policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Policy recognises that the Shire is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. The Shire will promote the safety and wellbeing of children across the community.

Consistent with the National Principles for Child Safe Organisations and Commonwealth Child Safe Framework, the Policy provides a framework that outlines the role of the Shire in supporting local organisations to be child safe through access to resources, awareness, and raising and sharing relevant information.

The safety and wellbeing of children is everyone's responsibility. The Policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire, regardless of their work related to children or young people. It applies to occupants of the Shire's facilities and venues, including visitors, contractors, and suppliers.



Policy Statement

Definitions:

- a. Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional, and sexual abuse, and neglect.
- b. Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who appears to be under 18 years of age.
- c. Child Safe Organisation: is defined in the Royal Commission Final Report as one that:
 - Creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions.
 - Places emphasis on genuine engagement with and valuing of children and young people.
 - Creates conditions that reduce the likelihood of harm to children and young people.
 - Creates conditions that increase the likelihood of identifying any harm, and responds to any concerns, disclosures, allegations, or suspicions of harm.

Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA (Western Australian) Police to respond as appropriate. Implementation of the National Principles for Child Safe Organisations give effect to the above.

- d. Child safe: For this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.
- e. Harm: Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.
- f. Wellbeing: Wellbeing of children and young people includes the care, development, education, health and safety of children and young people.

The Shire shall seek to foster the safety and wellbeing of children and young people undertaking the following actions:

1. The rights of children and young people are upheld.
2. Children and young people are respected, listened to, and informed about their rights.
3. Children and young people have the fundamental right to be safe and cared for.
4. Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
5. The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
6. Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
7. Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
8. Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.



9. The Shire will ensure the following functions of this policy are resourced and assigned to the relevant Officers for implementation:
 - Developing a process to deliver child safe messages (for example at the Shire's venues, grounds and facilities or events).
 - Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).
10. The Shire has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices. Although the Shire is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise the Shire's facilities to operate in alignment with the Policy.
11. The Shire will determine which roles across the organisation will directly support the implementation of the Policy.

Application

1. The Policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire, regardless of their work related to children or young people. It applies to occupants of the Shire's facilities and venues, including visitors, contractors, and suppliers.
2. It will be reviewed every two years or upon the introduction of other relevant policy or legislation related to the safety and wellbeing of children and young people.'

Background

The Policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Policy recognises that the Shire is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. The Shire will promote the safety and wellbeing of children across the community.

Consistent with the National Principles for Child Safe Organisations and Commonwealth Child Safe Framework, the Policy provides a framework that outlines the role of the Shire in supporting local organisations to be child safe through access to resources, awareness raising and sharing relevant information.

The safety and wellbeing of children is everyone's responsibility.

The Policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire, regardless of their work related to children or young people. It applies to occupants of the Shire's facilities and venues, including visitors, contractors, and suppliers.

Previous Council Decisions

There are no previous Council decisions relevant to the Policy.



Decision Framework

Shire Strategic Community Plan 2021-2031

Direction 1 - Strengthen and enhance the well-being of our community

1.1 A more engaged community.

1.3 An inclusive community.

1.4 A safe and prepared community.

1.5 A healthy and active community.

Corporate Business Plan 2022-2026

CDVS 3 - Public Health Plan Implementation and Integration. Integrate Public Health Plan into all Shire of Capel operational Plans, Policies and Strategies.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

The following State Frameworks apply:

- *Child Care Services Act 2007.*
- *Children and Community Services Act 2004.*
- *Civil Liability Act 2002.*
- *Corruption, Crime and Misconduct Act 2003.*
- *Equal Opportunity Act 1984.*
- *Freedom of Information Act 1997.*
- *Local Government Act 1995.*
- *Parliamentary Commissioner Act 1971.*
- *Public Interest Disclosure Act 2003.*
- *Public Sector Management Act 1994.*
- *Work Health and Safety Act 2020.*
- *Working with Children (Criminal Record Checking) Act 2004.*

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- 8.5 Community Engagement.
- Risk Management Framework.
- 2.18 Volunteers.
- 1.14 Attendance at Events.
- Event Management.



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Health and Safety Rating: Medium	Unlikely	Severe	The adoption of the Policy provides a framework to ensure the safety and rights of children are upheld from a workplace health and safety perspective.
Risk 2 Service Delivery Rating: Medium	Rare	Major	The framework provided by the Policy ensures the Shire's service delivery is child safe.
Risk 3 Reputation Rating: Medium	Unlikely	Severe	The Policy gives a structure to uphold the safety and rights of children, which prevents negative reputational consequences.

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

As no assets/infrastructure are being created, there are no long-term financial implications relevant to this proposal.

Sustainability Implications

Climate Change and Environmental

There are no relevant climate change and environmental implications relevant to this item.

Social

The adoption and implementation of a Child Safety Awareness Policy provides a social framework for the Shire to operate within. It provides a mechanism for the identification, reporting and implementation of child safety awareness initiatives.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.



Consultation/Engagement

External Consultation

The Shire's Community Development Officer – Youth, attended a series of Code of Ethics, Child Safety, and Working with Children Check (WWCC) Legislative requirement changes workshops.

The development of the Policy was guided by the 'Child Safety Awareness Policy – Template for Local Governments' document provided by the State Government of WA's Department of Local Government, Sport, and Cultural Industries.

Internal Consultation

The Shire's Community Development Officer – Youth, briefed the Shire's Executive and Management teams on the Shire's roles and responsibilities and potential timelines for implementation.

Officer's Comment

The development and implementation of the Policy is the Shire's first step in responding to the Royal Commission's recommendation 6.12 and as part of the broader work to implement the National Principles for Child Safe Organisations.

The implementation of the Policy, and fulfilment of Policy Functions, demonstrates leadership, commitment, and as first step towards building child safe environments in our local community.

Giving effect to the Policy will be achieved through various means including but not limited to recruitment (mandatory checks – WWCC et al), inductions (staff, contractors and volunteers), education (around child safety and reporting), management practices (particularly around reporting), review and evaluation.

Voting Requirements

Simple Majority.



Officer's Recommendation – 15.1

OC/2023/151 - Officer's Recommendation / Council Decision - 15.1

Moved Cr McCleery, Seconded Cr Schiano.

That the Council approves the Child Safe Awareness Policy as follows:

Introduction

The Shire of Capel (the Shire) supports and values all children and young people. The Shire makes a commitment to support the safety and wellbeing of all children and young people, including protection from abuse. The Policy is one of the ways the Shire demonstrates its commitment to being child safe and a zero-tolerance approach to child abuse.

Purpose

The Policy aims to reduce the risk of harm and child sexual abuse in our communities by encouraging child safe environments to be created and maintained. The Shire is committed to encouraging local organisations to be child safe and ensure children are safe and empowered.

The Policy has been developed in response to recommendation 6.12 of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Policy recognises that the Shire is uniquely placed within the local community to demonstrate leadership by supporting organisations to be child safe and to protect children and young people from harm and/or abuse. The Shire will promote the safety and wellbeing of children across the community.

Consistent with the National Principles for Child Safe Organisations and Commonwealth Child Safe Framework, the Policy provides a framework that outlines the role of the Shire in supporting local organisations to be child safe through access to resources, awareness, and raising and sharing relevant information.

The safety and wellbeing of children is everyone's responsibility. The Policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire, regardless of their work related to children or young people. It applies to occupants of the Shire's facilities and venues, including visitors, contractors, and suppliers.

Policy statement

Definitions:

- a. Abuse: Abuse is an act, or a failure to act, towards or on behalf of a child that may result in harm. It can occur on one occasion or multiple occasions. Sometimes the impact of multiple events leads to harm that becomes cumulative in nature. Types of abuse include physical, emotional, and sexual abuse, and neglect.**
- b. Child/Children: Means a person under 18 years of age, and in the absence of positive evidence as to age, means a person who is under 18 years of age.**

- c. Child Safe Organisation:** is defined in the Royal Commission Final Report as one that:
- Creates an environment where children's safety and wellbeing are at the centre of thought, values, and actions.
 - Places emphasis on genuine engagement with and valuing of children and young people.
 - Creates conditions that reduce the likelihood of harm to children and young people.
 - Creates conditions that increase the likelihood of identifying any harm, and responds to any concerns, disclosures, allegations, or suspicions of harm.

Note: in the context of local governments, this would involve referring concerns to the Department of Communities or WA Police to respond as appropriate. Implementation of the National Principles for Child Safe Organisations give effect to the above.

- d. Child safe:** For this policy, child safe means protecting the rights of children and young people to be safe by taking actions that can help prevent harm and abuse.
- e. Harm:** Harm, in relation to a child, means any detrimental effect of a significant nature on the child's wellbeing, whether caused by a single act, omission or circumstance; or a series or combination of acts, omissions or circumstances.
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4. Children and young people have the right to speak up, be heard and taken seriously without the threat of negative consequences.
5. The safety and best interests of children and young people are a primary consideration when making decisions that concern them.
6. Access to trusted and reliable information, including the National Principles for Child Safe Organisations, helps support organisations to understand what they must do to help reduce the risk of harm and abuse.
7. Communities are informed and involved in promoting the safety and wellbeing of children and young people including protection from harm.
8. Collaboration with the community and our partners promotes the safety, participation and empowerment of all children and young people.
9. The Shire will ensure the following functions of this policy are resourced and assigned to the relevant Officers for implementation:
 - Developing a process to deliver child safe messages (for example at the Shire's venues, grounds and facilities or events).
 - Connecting and supporting local community groups, organisations, and stakeholders to child safe resources (including culturally safe and inclusive resources).
10. The Shire has a leadership role in our community to support relevant organisations to be child safe and promote child safe practices. Although the Shire is not legally responsible for providing oversight of compliance with child safe practices, it will take any reasonable steps to engage with persons who utilise the Shire's facilities to operate in alignment with the Policy.
11. The Shire will determine which roles across the organisation will directly support the implementation of the Policy.



Application

- 1. The Policy applies to all, employees, volunteers, trainees, work experience students, interns, and anyone else who undertakes work on behalf of the Shire, regardless of their work related to children or young people. It applies to occupants of the Shire's facilities and venues, including visitors, contractors, and suppliers.**
- 2. It will be reviewed every two years or upon the introduction of other relevant policy or legislation related to the safety and wellbeing of children and young people.'**

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



15.2 New Council Policy - Library Collection Development

Author	Manager Customer Relations and Libraries, Brioney McLean
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Executive/Strategic
Attachments	1. Library Collection Development Policy (2) [15.2.1 - 5 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Review and adopt a new Shire policy - Library Collection Development Policy (the Policy).

Officer's Recommendation

That the Council adopts the Library Collection Development Policy as follows:

'Library Collection Development Policy

Objective

The Collection Development Policy provides staff and the community with a framework for the selection, acquisition, evaluation and deaccession of items for the Shire of Capel Library (Library) collection.

The Policy will:

- Guide development and provision of a balanced collection in a range of formats that meets the diverse recreation, information, and cultural needs of the community.
- Facilitate community participation in the selection of items for the collection.
- Aid in maintaining the integrity of the total collection.
- Provide accountability within budget expenditure.
- Establish priorities and parameters for selection.

Policy statement

The library is committed to building an informed, creative, and connected community by providing free, impartial, and equitable access to a large collection of resources, programs, events, and services.

We strive to develop and maintain a collection that:

- Provides a balanced range of resources including popular, bestselling material as well as enduring works in both physical and electronic format.
- Inspires people to connect, learn and grow.
- Promotes literacy and lifelong learning.
- Reflects the diverse communities within the Shire.
- Supports and reflects the changing needs, interests of the community, and preserves cultural heritage and history.



The library branches in Capel, Dalyellup and Boyanup primarily service our local communities with the wider community benefitting from the sharing of resources as a participating library of the One Library South West consortia.

The State Government has primary responsibility for providing items to all Western Australian public libraries in accordance with the Library Board Act. This represents approximately 75% of Library items. The Shire of Capel purchase the balance of items.

Responsibility for selection

The Library Coordinator and Senior Library Officer are responsible for the development, procurement, and management of collection items. The community is encouraged to contribute to selections through requests.

Selection

- Supplier selection is informed by branch profiles which are based on the understanding of the local demographic and user base. Selections are also founded on analysis of statistical data provided by the Library Management System.
- Community-led selection is encouraged through customer requests. This proactive approach is a key aspect of collection development.

Criteria for selection

Items are selected in the most appropriate format for library use. Although much of the collection is offered in the traditional print format, valuable information is increasingly available in audio-visual and electronic formats.

Criteria considered in the selection of new items include:

- Cost.
- Literary merit.
- Relevance and suitability.
- Currency and accuracy of content.
- Authority and reputation of author, publisher, producer, or illustrator.
- Quality of presentation.
- Durability of format for loan and storage.
- Language (materials in languages other than English are acquired according to community needs).

Additional selection criteria may be considered when selecting audio-visual and electronic items:

- Vendor support.
- Technical considerations.
- Download speed.
- Ease of use.
- Availability of usage statistics.
- Content availability and coverage (Australian sources).
- Platform.
- Contract provisions (limitations of subscriptions).



Purchasing

State Library Western Australia (SLWA) items are selected by preferred suppliers using the SLWA allocation through the Supplier Selection arrangement, on behalf of each Local Government public library.

Local stock purchased by the Shire of Capel and may be sourced from preferred suppliers, retail outlets and subscription agencies.

Evaluation and assessment

The Collection is continuously evaluated to ensure that the library is fulfilling its objective to provide resources in a timely manner to meet patrons' interests and needs within budgetary constraints.

Statistical tools such as circulation/usage reports, collection turnover reports, in addition to community input via surveys, informal feedback, and requests for titles are essential in evaluating the collection.

Discarding

An up-to-date, attractive, and useful collection is maintained through a continuous discarding and replacement process. Replacement of worn resources is dependent on current demand, usefulness, more recent acquisitions meeting the same needs and the availability of later editions.

The criteria for the discarding of items include:

- Factually inaccurate or obsolete.
- Worn beyond repair.
- In an unappealing physical condition.
- Irrelevant to the needs of the community served.
- Not circulated in a five-year period.
- Non-fiction items published more than 10 years ago.
- Superseded by a newer edition.
- Of no discernible literary or topical merit.
- Obsolete format due to technological advances and market availability.
- Available elsewhere through interlibrary loan and have specialised appeal.

See Appendix 1 – Weeding and Discarding

Scope of collection

The library collection is divided into categories. The number and content of each category will vary at each library, depending on community needs, space, and budgetary considerations. Items may be in print or electronic format.

Adult fiction

Aims to provide the community with the broadest possible selection of popular and contemporary fiction and literary classics. This may include Australian fiction, translations of major non-English speaking authors, best-sellers, classics, short-listed and award-winning titles, and emerging writers. Some fiction titles are available as e-books or e-audio via subscribed electronic platforms.



Adult non-fiction

Aims to encourage life-long learning and satisfy the informational, recreational, and cultural needs of the community. This includes items covering a wide range of subjects and interest levels. As per SLWA guidelines we do not collect textbooks / TAFE / university course material. There is a focus on up-to date information and Australian content is given priority. Physical items are supplemented by online databases subscribed to through SLWA and available via the library platforms.

Magazines and newspapers

Aims to provide popular titles that reflect the current information needs and recreational interests of the community. The items available are based on interest and demand, with Magazine titles are available via a subscribed electronic platform.

Online databases

Aims to provide current information that supports life-long learning and the informational and educational needs of the community, including the virtual community.

Young people

Aims to provide the widest choice of items that will support young people's informational, educational, recreational, and cultural needs. Young people are defined as community members who are aged from 0 – 18 years of age. In conjunction with specific services (e.g., Storytime), the collection aims to contribute to the development of literacy and, through a broad range of formats, supports different learning styles and needs.

The collection provides access for three different age groups:

Junior Kindergarten (0 – 6 years)

The collection contains a wide variety of picture books such as board books, concept books, nursery rhymes and some simple non-fiction suitable for this age group. Other appropriate formats are also included. There is a preference for Australian content.

Junior (6 – 12 years)

The collection contains both fiction and non-fiction items in a variety of formats suitable for this age group. It may provide classics, award-winners, and popular fiction. The collection offers support items to the education curriculum and the preference is for Australian content.

Young Adult (13-18 years)

The collection contains a range of fiction, non-fiction, and graphical items in a variety of formats suitable for this age group. Consideration is given to paperback fiction books. The collection also offers support items to the education curriculum, and recreational reading needs of this age group.

Large print

The collection includes a wide range of available titles, covering both fiction and non-fiction. Australian content, current interests and popular authors are included. It may be appropriate to include the same title as is already available in other formats.



Audio and audio-visual

Aims to provide recreational viewing, listening and /or instructional material to complement and/or enhance the print collection. A wide range of formats is included. New emerging formats may be considered upon assessment of their suitability. Currently this includes DVDs and audiobooks in physical format, and movies and e-audiobooks via subscribed electronic platforms. It may be appropriate to provide the same title in more than one format; however, a wide selection of titles is preferred. Preference will be given to titles which are less likely to be found at commercial locations. Consideration is given to the hardware and software capabilities of clients; therefore, preference is given to the current predominant technologies.

Comics and graphic novels

Aims to provide a selection of mainstream and popular culture publications which will stimulate and encourage visual learners and unmotivated readers to explore other literature. Preference will be given to the selection of age-appropriate material, with care taken to clearly identify as adult resources, publications which contain mature language and situations.

Local history

Aims to collect, preserve, and make accessible a permanent collection of current and retrospective materials in a variety of formats relating to the study of all aspects of the Shire of Capel.
See Appendix 2 – Local History Collection Policy

Series

Due to budgetary considerations and wear and tear, it is not possible to comprehensively collect or replace all titles in a series - whether in print or audio-visual material such as DVDs. The purchase of titles in a series must meet the same Criteria for Selection as any other title.

Gifts, Donations and Unsolicited Material

Gifts and donations will only be considered where the item:

- meets the basic criteria for selection.
- be published material in demand.
- be in an appropriate format for public library usage.
- be in a robust condition ready for loan.

Library staff may choose not to accept donations or accept them while making clear to the donor that the library reserves the right to dispose of them as they see fit (e.g., book sales, charity shops etc.).

Application

This Collection Development Policy applies to all Library collections.

Appendix 1

Library Guidelines - Weeding and Discarding.docx

Appendix 2

8.2 Local Studies Collection Policy'



Background

In response to increased freight costs and sustainability concerns, the State Library of Western Australia announced changes to the Inter-Library Loan service that affect public libraries and the way the Shire purchases items for the various collections.

The inter-library loan service was established many decades ago when books and other materials were not so readily available at low cost, and borrowing between libraries provided a viable method for Western Australians to access library items that were not available locally. Restrictions were introduced from 1 July 2023 which required libraries to consider electronic formats and purchasing of items to meet their community needs before requesting an inter-library loan.

The Library Collection Development Policy outlines the guiding principles for building and maintaining the Shire of Capel Library collection. It will serve as a roadmap for library staff to make informed decision about the selection, acquisition, evaluation and deaccession of library items.

Previous Council Decisions

There are no previous Council decisions relating to this item.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 1 - Strengthen and enhance the well-being of our community:

- 1.1 A more engaged community.
- 1.3 An inclusive community.

Direction 5 - Provide and maintain suitable infrastructure and facilities:

- 5.1 Appropriate community facilities, that meet the communities' needs.

Direction 6 - Effective communication, engagement, and relationship development:

- 6.1 Greater trust and the development of positive relationships within the Shire and with the community.

Corporate Business Plan 2022-2026

CRL12 - Provide a contemporary Tier 1 library service in Capel, Dalyellup and Boyanup.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Library Board of Western Australia Act 1951.

Library Board (Registered Public Libraries) Regulations 1985.

Library Board (State Library) Regulations 1956.

Library Board (Conduct of Proceedings) Regulations 1955.



Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- There are no Council policies relevant to this item.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Low	Possible	Minor	A consistent approach to the purchasing of library items will result in less ad-hoc purchasing and better budgetary control.
Risk Description: The purchasing of items for the library collection on an ad-hoc basis.			
Opportunity: The introduction of the Library Development Collection Policy reduces the risk of inconsistent decision making relating to the purchasing of library items that may not meet the needs of our diverse community.			

Financial Implications

Budget

There are no financial implications relating to this item.

Long Term

There are no long-term financial implications relating to this item.

Sustainability Implications

Climate Change and Environmental

There are no relevant climate change and environmental implications relevant to this item.

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.



Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

Internal Consultation

The Library Collection Development Policy was developed by the Manager Customer Relations and Libraries in consultation with the Library Coordinator and Senior Library Officer.

Officer's Comment

The Shire of Capel Library is committed to building an informed, creative, and connected community by providing free, impartial, and equitable access to a large collection of resources, programs, events, and services.

The Library Service strives to develop and maintain a collection that:

- Provides a balanced range of resources including popular, bestselling material as well as enduring works in both physical and electronic format.
- Inspires people to connect, learn and grow.
- Promotes literacy and lifelong learning.
- Reflects the diverse communities within the Shire.
- Supports and reflects the changing needs, interests of the community, and preserves cultural heritage and history.

The introduction of the Library Development Collection Policy reflects the need for considered and consistent decision making relating to the purchasing of library items that meet the needs of our diverse community.

Summary

The Library Collection Development Policy is commended to the Council for review and adoption.

Voting Requirements

Simple Majority.



Officer's Recommendation – 15.2

Moved Cr Dillon, Seconded Cr Schiano.

That the Council adopt the Library Collection Development Policy as follows:

'Library Collection Development Policy

Objective

The Collection Development Policy provides staff and the community with a framework for the selection, acquisition, evaluation and deaccession of items for the Shire of Capel Library (Library) collection.

The Policy will:

- Guide development and provision of a balanced collection in a range of formats that meets the diverse recreation, information, and cultural needs of the community.
- Facilitate community participation in the selection of items for the collection.
- Aid in maintaining the integrity of the total collection.
- Provide accountability within budget expenditure.
- Establish priorities and parameters for selection.

Policy statement

The library is committed to building an informed, creative, and connected community by providing free, impartial, and equitable access to a large collection of resources, programs, events, and services.

We strive to develop and maintain a collection that:

- Provides a balanced range of resources including popular, bestselling material as well as enduring works in both physical and electronic format.
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The library branches in Capel, Dalyellup and Boyanup primarily service our local communities with the wider community benefitting from the sharing of resources as a participating library of the One Library South West consortia.

The State Government has primary responsibility for providing items to all Western Australian public libraries in accordance with the Library Board Act. This represents approximately 75% of Library items. The balance of items is purchased by the Shire of Capel.

Responsibility for selection

The Library Coordinator and Senior Library Officer are responsible for the development, procurement, and management of collection items. The community is encouraged to contribute to selections through requests.



Selection

- Supplier selection is informed by branch profiles which are based on the understanding of the local demographic and user base. Selections are also founded on analysis of statistical data provided by the Library Management System.
- Community-led selection is encouraged through customer requests. This proactive approach is a key aspect of collection development.

Criteria for selection

Items are selected in the most appropriate format for library use. Although much of the collection is offered in the traditional print format, valuable information is increasingly available in audio-visual and electronic formats.

Criteria considered in the selection of new items include:

- Cost.
- Literary merit.
- Relevance and suitability.
- Currency and accuracy of content.
- Authority and reputation of author, publisher, producer, or illustrator.
- Quality of presentation.
- Durability of format for loan and storage.
- Language (materials in languages other than English are acquired according to community needs).

Additional selection criteria may be considered when selecting audio-visual and electronic items:

- Vendor support.
- Technical considerations.
- Download speed.
- Ease of use.
- Availability of usage statistics.
- Content availability and coverage (Australian sources).
- Platform.
- Contract provisions (limitations of subscriptions).

Purchasing

State Library Western Australia (SLWA) items are selected by preferred suppliers using the SLWA allocation through the Supplier Selection arrangement, on behalf of each Local Government public library.

Local stock purchased by the Shire of Capel and may be sourced from preferred suppliers, retail outlets and subscription agencies.

Evaluation and Assessment

The Collection is continuously evaluated to ensure that the library is fulfilling its objective to provide resources in a timely manner to meet patrons' interests and needs within budgetary constraints.



Statistical tools such as circulation/usage reports, collection turnover reports, in addition to community input via surveys, informal feedback, and requests for titles are essential in evaluating the collection.

Discarding

An up-to-date, attractive, and useful collection is maintained through a continuous discarding and replacement process. Replacement of worn resources is dependent on current demand, usefulness, more recent acquisitions meeting the same needs and the availability of later editions.

The criteria for the discarding of items include:

- Factually inaccurate or obsolete.
- Worn beyond repair.
- In an unappealing physical condition.
- Irrelevant to the needs of the community served.
- Not circulated in a five-year period.
- Non-fiction items published more than 10 years ago.
- Superseded by a newer edition.
- Of no discernible literary or topical merit.
- Obsolete format due to technological advances and market availability.
- Available elsewhere through interlibrary loan and have specialised appeal.

See Appendix 1 – Weeding and Discarding

Scope of collection

The library collection is divided into categories. The number and content of each category will vary at each library, depending on community needs, space, and budgetary considerations. Items may be in print or electronic format.

Adult fiction

Aims to provide the community with the broadest possible selection of popular and contemporary fiction and literary classics. This may include Australian fiction, translations of major non-English speaking authors, best-sellers, classics, short-listed and award-winning titles, and emerging writers. Some fiction titles are available as e-books or e-audio via subscribed electronic platforms.

Adult non-fiction

Aims to encourage life-long learning and satisfy the informational, recreational, and cultural needs of the community. This includes items covering a wide range of subjects and interest levels. As per SLWA guidelines we do not collect textbooks / TAFE / university course material. There is a focus on up-to date information and Australian content is given priority. Physical items are supplemented by online databases subscribed to through SLWA and available via the library platforms.



Magazines and newspapers

Aims to provide popular titles that reflect the current information needs and recreational interests of the community. The items available are based on interest and demand, with Magazine titles are available via a subscribed electronic platform.

Online databases

Aims to provide current information that supports life-long learning and the informational and educational needs of the community, including the virtual community.

Young people

Aims to provide the widest choice of items that will support young people's informational, educational, recreational, and cultural needs. Young people are defined as community members who are aged from 0 – 18 years of age. In conjunction with specific services (e.g., Storytime), the collection aims to contribute to the development of literacy and, through a broad range of formats, supports different learning styles and needs.

The collection provides access for three different age groups:

Junior Kindergarten (0 – 6 years)

The collection contains a wide variety of picture books such as board books, concept books, nursery rhymes and some simple non-fiction suitable for this age group. Other appropriate formats are also included. There is a preference for Australian content.

Junior (6 – 12 years)

The collection contains both fiction and non-fiction items in a variety of formats suitable for this age group. It may provide classics, award-winners, and popular fiction. The collection offers support items to the education curriculum and the preference is for Australian content.

Young Adult (13-18 years)

The collection contains a range of fiction, non-fiction, and graphical items in a variety of formats suitable for this age group. Consideration is given to paperback fiction books. The collection also offers support items to the education curriculum, and recreational reading needs of this age group.

Large print

The collection includes a wide range of available titles, covering both fiction and non-fiction. Australian content, current interests and popular authors are included. It may be appropriate to include the same title as is already available in other formats.

Audio and audio-visual

Aims to provide recreational viewing, listening and /or instructional material to complement and/or enhance the print collection. A wide range of formats is included. New emerging formats may be considered upon assessment of their suitability. Currently this includes DVDs and audiobooks in physical format, and movies and e-audiobooks via subscribed electronic platforms. It may be appropriate to provide the same title in more than one format; however, a wide selection of titles is preferred.



Preference will be given to titles which are less likely to be found at commercial locations. Consideration is given to the hardware and software capabilities of clients; therefore, preference is given to the current predominant technologies.

Comics and graphic novels

Aims to provide a selection of mainstream and popular culture publications which will stimulate and encourage visual learners and unmotivated readers to explore other literature. Preference will be given to the selection of age-appropriate material, with care taken to clearly identify as adult resources, publications which contain mature language and situations.

Local history

Aims to collect, preserve, and make accessible a permanent collection of current and retrospective materials in a variety of formats relating to the study of all aspects of the Shire of Capel.

See Appendix 2 – Local History Collection Policy

Series

Due to budgetary considerations and wear and tear, it is not possible to comprehensively collect or replace all titles in a series - whether in print or audio-visual material such as DVDs. The purchase of titles in a series must meet the same Criteria for Selection as any other title.

Gifts, Donations and Unsolicited Material

Gifts and donations will only be considered where the item:

- meets the basic criteria for selection.
- be published material in demand.
- be in an appropriate format for public library usage.
- be in a robust condition ready for loan.

Library staff may choose not to accept donations or accept them while making clear to the donor that the library reserves the right to dispose of them as they see fit (e.g., book sales, charity shops etc.).

Application

This Collection Development Policy applies to all Library collections.

Appendix 1

Library Guidelines - Weeding and Discarding.docx

Appendix 2

8.2 Local Studies Collection Policy'



OC/2023/152 - Amendment / Council Decision - 15.2

Moved Cr Andrew, Seconded Cr Dillon.

To remove 'Non-fiction items published more than 10 years ago.' Under Section 'Discarding, The criteria for the discarding of items include:' and remove it from Appendix 1.

Carried 6 / 1

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Cr McCleery

OC/2023/153 - Amended Recommendation / Council Decision - 15.2

Moved Cr Dillon, Seconded Cr Schiano.

That the Council adopt the Library Collection Development Policy as follows:

'Library Collection Development Policy

Objective

The Collection Development Policy provides staff and the community with a framework for the selection, acquisition, evaluation and deaccession of items for the Shire of Capel Library (Library) collection.

The Policy will:

- **Guide development and provision of a balanced collection in a range of formats that meets the diverse recreation, information, and cultural needs of the community.**
- **Facilitate community participation in the selection of items for the collection.**
- **Aid in maintaining the integrity of the total collection.**
- **Provide accountability within budget expenditure.**
- **Establish priorities and parameters for selection.**

Policy statement

The library is committed to building an informed, creative, and connected community by providing free, impartial, and equitable access to a large collection of resources, programs, events, and services.

We strive to develop and maintain a collection that:

- **Provides a balanced range of resources including popular, bestselling material as well as enduring works in both physical and electronic format.**
- **Inspires people to connect, learn and grow.**
- **Promotes literacy and lifelong learning.**
- **Reflects the diverse communities within the Shire.**
- **Supports and reflects the changing needs and interests of the community and preserves cultural heritage and history.**



The library branches in Capel, Dalyellup and Boyanup primarily service our local communities with the wider community benefitting from the sharing of resources as a participating library of the One Library South West consortia.

The State Government has primary responsibility for providing items to all Western Australian public libraries in accordance with the Library Board Act. This represents approximately 75% of Library items. The balance of items is purchased by the Shire of Capel.

Responsibility for selection

The Library Coordinator and Senior Library Officer are responsible for the development, procurement, and management of collection items. The community is encouraged to contribute to selections through requests.

Selection

- Supplier selection is informed by branch profiles which are based on the understanding of the local demographic and user base. Selections are also founded on analysis of statistical data provided by the Library Management System.
- Community-led selection is encouraged through customer requests. This proactive approach is a key aspect of collection development.

Criteria for selection

Items are selected in the most appropriate format for library use. Although much of the collection is offered in the traditional print format, valuable information is increasingly available in audio-visual and electronic formats.

Criteria considered in the selection of new items include:

- Cost.
- Literary merit.
- Relevance and suitability.
- Currency and accuracy of content.
- Authority and reputation of author, publisher, producer, or illustrator.
- Quality of presentation.
- Durability of format for loan and storage.
- Language (materials in languages other than English are acquired according to community needs).

Additional selection criteria may be considered when selecting audio-visual and electronic items:

- Vendor support.
- Technical considerations.
- Download speed.
- Ease of use.
- Availability of usage statistics.
- Content availability and coverage (Australian sources).
- Platform.
- Contract provisions (limitations of subscriptions).



Purchasing

State Library Western Australia (SLWA) items are selected by preferred suppliers using the SLWA allocation through the Supplier Selection arrangement, on behalf of each Local Government public library.

Local stock purchased by the Shire of Capel and may be sourced from preferred suppliers, retail outlets and subscription agencies.

Evaluation and Assessment

The Collection is continuously evaluated to ensure that the library is fulfilling its objective to provide resources in a timely manner to meet patrons' interests and needs within budgetary constraints.

Statistical tools such as circulation/usage reports, collection turnover reports, in addition to community input via surveys, informal feedback, and requests for titles are essential in evaluating the collection.

Discarding

An up-to-date, attractive, and useful collection is maintained through a continuous discarding and replacement process. Replacement of worn resources is dependent on current demand, usefulness, more recent acquisitions meeting the same needs and the availability of later editions.

The criteria for the discarding of items include:

- Factually inaccurate or obsolete.
- Worn beyond repair.
- In an unappealing physical condition.
- Irrelevant to the needs of the community served.
- Not circulated in a five-year period.
- Superseded by a newer edition.
- Of no discernible literary or topical merit.
- Obsolete format due to technological advances and market availability.
- Available elsewhere through interlibrary loan and have specialised appeal.

See Appendix 1 – Weeding and Discarding

Scope of collection

The library collection is divided into categories. The number and content of each category will vary at each library, depending on community needs, space, and budgetary considerations. Items may be in print or electronic format.

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See Appendix 2 – Local History Collection Policy

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- be in an appropriate format for public library usage.
- be in a robust condition ready for loan.

Library staff may choose not to accept donations or accept them while making clear to the donor that the library reserves the right to dispose of them as they see fit (e.g., book sales, charity shops etc.).



Application

This Collection Development Policy applies to all Library collections.

Appendix 1

Library Guidelines - Weeding and Discarding.docx

Appendix 2

8.2 Local Studies Collection Policy'

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil

The Shire President adjourned for 10 minutes 7:48pm.

All members of the public and Council returned to the room 7:58pm and the meeting resumed.



15.3 Community Sport and Recreation Facilities Fund Small Grants Round Application

- Author** Manager Community Services, Jeremy O'Neill
- Authorising Officer** Director Community and Corporate Services, Samantha Chamberlain
- Nature of the Decision** Executive/Strategic
- Attachments** 1. CSRFF Application - Capel Bowls Club All Weather Shelter 24.07.2023 [15.3.1 - 28 pages]
- Confidential Status** *This item is not a confidential matter.*

Proposal

Consider a small grant application by the Capel Bowls Club for funding to the Department of Local Government, Sport & Cultural Industries (DLGSC) under the Community Sport and Recreation Facilities Fund (CSRFF) for the construction of a new all-weather Shelter at the Capel Country Club.

Officer's Recommendation

That the Council:

1. Endorses the Capel Bowls Club's CSRFF grant application of \$9,470.50 (ex. GST) for a new all-weather Shelter at the Capel Country Club.
2. Rates the Capel Bowls Club's application as 'A – Well planned and needed by municipality.'

Background

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

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

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

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

Submissions for the current funding round closed on or before Monday, 31 July 2023. Following this date, each Local Government Authority is required to assess and prioritise the applications before forwarding all documentation to the Southwest Office of the DLGSC no later than 31 August 2023.



Applications will be evaluated and ranked by relevant State Sporting Associations and the CSRFF Assessment Panel, prior to the outcome being announced by the Minister for Sport and Recreation. Funds for successful applications will become available in the third quarter of the 2023/24 financial year.

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

1. Capel Bowls Club (Inc) – new all-weather Shelter (total project cost \$34,703.00).

This application is a 're-submission' of a previous CSRFF application to the 2023 February Small Grants round that was deemed unsuccessful. In response, the Capel Bowls Club Executive Team requested feedback from DLGSC on what, if anything, was missing from the original application.

The feedback was as follows:

"Whilst the project is eligible and there is no glaring omission on the club's application, there were higher priorities in the round. There was another application in the same round for installation of shelters at another bowling club which was also unsuccessful. For all applicants wishing to re-apply, the panel would take a similar view, although in saying that, with the increase in the overall funding budget, there may be capacity to fund some projects that ordinarily could not be funded."

The projects that were funded were ranked higher when assessed against the CSRFF priority considerations. CSRFF priority considerations include:

- Projects that will directly lead to an increase in physical activity or participation.
- Projects that lead to facility sharing between clubs, or rationalisation of existing facilities to increase sustainability.
- Projects to upgrade facilities to make them more accessible for female participants (e.g., changerooms with lockable showers and no urinals).
- Projects in a location with a significant Aboriginal population that will increase participation or physical activity.

The Capel Bowls Club have taken onboard the DLGSC's feedback and have decided to reframe the original application to include additional aspects that lead to an increase in overall bowling participation. Specifically, the increase in electrical infrastructure created by the new all-weather Shelter, and the positive increase in physical activity this will create for the club's key new participation initiative; Glow Bowls.

Proposal

The current old middle shelter between 'A' and 'B' Bowling Greens at the Capel Country Club is a metal tubular frame which only has shade cloth over the roof structure during summer. The structure was built four (4) decades ago; is uncomfortable to stand under during summer, not waterproof during winter and does not extend the full width of the green.

The proposal is for the Capel Bowls Club to construct a new Colourbond structure with a fixed skillion roof, to replace the existing structure which is no longer fit-for-purpose during bowling events. The current structure no longer provides sufficient sun smart protection and is not waterproof in winter.

In addition to the increased playing amenity (and duration) due to reduced weather exposure, the structure will provide a significant increase in the availability of 240-volt (mains power) general purpose outlets for installation of additional Ultraviolet lighting fittings for Glow Bowls. Glow Bowls



in an initiative that attracts new people, including families, to participate in bowls on summer evenings in non-traditional bowling days and timeslots.

Previous Council Decisions

OC/2023/49

The Council is requested to:

1. Endorse the Capel Bowls Club's CSRFF grant application seeking \$9,470.50 (ex. GST) for a new all-weather Shelter at the Capel Country Club.
2. Rates the Capel Bowls Club's application as 'A – Well planned and needed by Municipality.'
3. Endorse the inclusion in the 2023-24 Draft Annual Budget of \$10,417.56 for the Capel Bowls Club's new all-weather Shelter at the Capel Country Club.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 1 - Strengthen and enhance the well-being of our community:

- 1.1 A more engaged community.
- 1.3 An inclusive community.
- 1.5 A healthy and active community.

Direction 5 - Provide and maintain suitable infrastructure and facilities:

- 5.1 Appropriate community facilities that meet the communities' needs.

Corporate Business Plan 2022-2026

- CDVS 13 - Act as Sponsor in the planning and delivery of major community projects. Provide the key community interface for internal and external operational guidance, support, and solutions in these projects.
- CDVS 19 - Create capacity for local community groups to undertake localized initiatives, projects, and programs within each of their localities.
- CDVS 22 - Provide both a minor and major community grants scheme mechanism each financial year.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

There are no state frameworks relevant to this item.



Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

There is no Council policy framework relevant to this item.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Service Delivery Rating: Medium	Possible	Moderate	The modernisation of the shade structure facilities at the Capel Country Club's Bowling Greens provides better facilities. This enables an increase in physical activity and scheduling opportunities.
Risk Description:			
Risk 2 Infrastructure / Systems / Utilities Rating: Low	Possible	Minor	The renewal of the shade structure facilities at the Capel Country Club ensures that bowling facilities remain contemporary and fit-for-purpose.

Financial Implications

Budget

Council endorsed the Shire's 2023-24 Annual Budget at the Ordinary Council meeting of 2 August 2023, which includes a commitment to this project of \$10,417.56 for the Capel Bowls Club's new all-weather Shelter at the Capel Country Club.

Long Term

The Capel Bowls Club's CSRFF grant applications is for the renewal (or increased serviceability) of a Shire leased asset. This project, if funded and implemented, will improve the long-term sustainability and use of these facilities.

Sustainability Implications

Social

The new all-weather Shelter project will have a positive net social impact, resulting in the Capel Bowls Club having increased scheduling options for both competition and practice.

Asset

The new all-weather Shelter project will ensure the renewal of an existing asset that has reached the end of its useful life and is no longer 'fit-for-purpose'.



Consultation/Engagement

External Consultation

Consultation regarding the all-weather Shelter project has occurred between Shire Officers, Capel Bowls Club Executive and the DLGSC's CSRFF Regional Manager (Southwest). As the Lessee, the Capel Country Club's Executive Committee have been consulted and their approval has been sought.

Officer's Comment

The purpose of the CSRFF grant funding program is to provide financial assistance to community groups and local governments to develop basic infrastructure for sport and recreation.

The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of excellent quality, well-designed and well-utilised facilities.

The opportunity for the club to have a new all-weather shelter has several positive outcomes:

1. Opportunity to attract and retain more club members due to enhanced playing facilities.
2. Increased scope to host competitions due to better visitor facilities.
3. Able to schedule longer matches due to having an all-weather protection area.
4. Keeping our community Bowlers safe from direct sun exposure.
5. The shelter will provide a significant increase in the availability of 240-volt (mains power) general purpose outlets for installation of additional Ultraviolet lighting fittings for Glow Bowls.

Summary

The revised application from the Capel Bowls Club for a new all-weather Shelter meets all the required project aims. As this is a resubmission of a previous application to the Small Grants Round, the club have increased their focus on physical activity participation outcomes of the new installation. Their application is commended to the Council for review and consideration.

Voting Requirements

Simple Majority.



Officer's Recommendation – 15.3

OC/2023/154 - Officer's Recommendation / Council Decision - 15.3

Moved Cr Schiano, Seconded Cr Dillon.

That the Council:

- 1. Endorse the Capel Bowls Club's CSRFF grant application seeking \$9,470.50 (ex. GST) for a new all-weather Shelter at the Capel Country Club.**
- 2. Rates the Capel Bowls Club's application as 'A – Well planned and needed by municipality.'**

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



15.4 Dalyellup Multipurpose Community Youth Centre - Proposed Funding

Author	CEO, Gordon MacMile
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic
Attachments	1. 221017 DMCYC PTE Cost Report (R 1) [15.4.1 - 113 pages] 2. 22122 DMYC - DD Report DRAFT cc 2022 no appendix [15.4.2 - 38 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse a Shire of Capel capital contribution of \$500,000.00 to the development of the Dalyellup Multipurpose Community and Youth Centre (DMCYC) and supports the inclusion of this capital allocation through the Shire's Draft Long Term Financial Plan 2023 – 2033.

Officer's Recommendation

That the Council:

1. Endorses a Shire of Capel capital contribution of \$500,000.00 towards the development of the Dalyellup Multipurpose Community and Youth Centre (DMCYC).
2. Notes that the contribution funding will be drawn from the Dalyellup Community Facilities Reserve.

Background

DMCYC Vision, Concept and Original Design

Borne out of engagement with the local community and developed jointly between the Shire, the Project Steering Group and in discussions with the Member for Bunbury, the vision for the facility is to become an 'innovative community focal point promoting a sense of community and place in Dalyellup; and a digital / technology hub that services Capel and the Southwest.'

The completed DMCYC aims to provide numerous benefits to local Capel and regional Southwest communities including:

- Creation of a regionally significant digital and creative hub.
- Contemporary library and learning centre.
- Improved community health (mental and physical) and connectedness using quality infrastructure, open space, and active recreation / play.
- Provision of a high quality location to host indoor and outdoor events, functions, and celebrations.
- Employment opportunities through staffing requirements for current and new services.
- A foundation anchor that connects the Dalyellup Town Square, recently opened Skate Park, future Pump Track and Nature Play public open space.



Background and Community Engagement

The WA Recovery Plan funding (totalling \$8 million) included \$500,000.00 for Stage 1 (Visioning, Planning, Community Engagement, Detailed Design and Costing) and \$7.5 million for Stage 2 (Construction) on a facility anticipated (then) to be approximately 1,950m² in total (internal) floor area.

Under the leadership and auspices of Site Architecture and to fully gather and understand the essential community needs, community engagement consultancy Element Advisory was engaged to verify the business case and project vision/scope.

Element Advisory delivered a tailored and comprehensive engagement campaign to understand the needs of the community and stakeholders for the future use of Dalyellup Multipurpose Community and Youth Centre.

Key findings that were uncovered during this phase of engagement:

- An innovative, leading technology digital hub with multiple offerings was strongly voiced by the community.
- The new facility needs to provide a conscious balance of catering towards a targeted youth focus and welcoming the broader community to take advantage of spaces, programming and services.
- Providing an inclusive, welcoming space is highly valued by the community.
- Grasping the opportunity to tap into the energy of existing community groups, sporting clubs and services, but not replicating or competing with these offerings.
- The new facility needs to have emotionally and physically safe spaces for young people, particularly teenagers, who are navigating peer groups and exploring new interests and independence.
- The community supports a contemporary building design that reflects the natural environment and the incorporation/celebration of local Aboriginal cultural heritage.
- The new facility should house a reliable mental health service, particularly to address the needs of young people.
- Local Dalyellup residents were more overtly in favour of a local community and youth centre, rather than it becomes a busy destination.

Site Architecture commenced a project definition/concept design process in August 2021 outlining the DMCYC vision, which captured the outputs from the community engagement to best meet the current and future needs of the Dalyellup/Capel community and the broader Southwest region.

Key spaces identified during concept development/schematic design included:

- Cutting-edge Digital and Creative Hub – computers, recording studio, digital art, coding, gaming and robotics.
- Performance and rehearsal spaces.
- Innovative library and learning centre where communities gather, explore, discover, connect, and collaborate.
- Outdoor meeting and event space.
- Flexible, chill out youth zones.
- Hot office/desk facilities for hosting mental health and family services.
- Single location for the Shire and visitor services.



The completed concept design process detailed a facility that had reduced marginally to a total (internal) floor area of 1,890m², with a (then early 2021) forecast cost estimate of \$9.462 million (including escalation) and based on a low to medium range of fit-out and level of servicing.

Design and Costing Development

Between Project Definition and Detailed Schematic Design phases, the m² rate was affected by a general increase in construction costs of circa 12.00% and an increase of over 50.00% on structural steel, masonry and electrical components that remains today and is forecast to continue.

A full understanding of the required specification level for audio visual, library technologies and external site services including the electrical substation has resulted in a significant escalation and increase in the original budget's costs.

The completed Schematic Design phase detailed a facility that had a minimally increased total (internal) floor area of 1,912m², with a forecast cost estimate (December 2021) of \$11.08 million (including escalation).

Investigation of a Staged Development Approach

Given the outcome of the Design and Costing Development described above (reduction in total floor area vs cost escalation), the Shire and Site Architecture investigated a stage development approach to realising the project delivery.

This resulted in a revised Design Development Report (August 2022) that considered:

The floor plan is a refinement and resolution of the spatial relationships developed with the Shire and consultants through previous stages. At the end of the Schematic Design phase, due to the costs being over the allocated budget some significant layout changes were considered to allow for the potential of constructing the project in up to 3 stages if additional funding was not secured.

To comply with the original funding agreement, the Library and Digital Hub were identified as being the highest priority and must have in a first stage, with the community wing and youth hub being feasible to be constructed in the future, either as a combined 2nd stage or as individual 2nd and 3rd stages.

To allow for the potential staging the following changes were made from the original Schematic Design layouts:

1. Digital Hub and Youth Hub flipped to place the digital hub to the north of the building, fronting onto Tiffany Centre. This allows for an easier connection to a future stage at the rear of the building.
2. Additional Comms and switchboards located within the building to allow electrical services to be independent between stages, limiting the need to re-run cabling through existing ceiling during a second stage.
3. Relocation of cleaners' store into Stage 1 Digital Hub.
4. Minor re-design of entries and facades to suit the revised functions within the building.
5. Major changes to the mechanical services (air conditioning and ventilation) to include separate plant room zones.
6. Redesign of the building structure for Stage 1 to suit later additions (stage 2, 3).
7. Review and redesign of the accessibility and escape provisions to suit staging.



This staged-development investigation ultimately concluded:

- Temporary works and elements were required for any staged development.
- For an undetermined time period, the internal built spaces, and elements of the DMCYC would not satisfactorily relate to and function with the external spaces and facilities of the surrounding areas.
- Any staged development would result in a misalignment between the community's and State Government's (funded) priorities.

The Shire in consultation with the local Member, accordingly, agreed that a staged development approach was not desirable, with detailed design and documentation proceeding on a full scope basis, while additional funding avenues were explored.

Development Contribution Plan

The following overview of the DCP is provided:

- Council adopted (initiated) Scheme Amendment 65 and a revised DCP in April 2018.
- The WAPC considered the Scheme amendment and DCP in January 2020 and the Minister required a range of modifications including the land component for two Community Purpose (CP) sites being the Multi-Purpose Community Resource Centre (the subject of this report) and the Beach Multi-Purpose Community Recreation Centre being funded from contributions. This means that the contribution rate for Dalyellup that is payable to the Shire is required to reflect an additional separate amount for the land component for the CP sites that are to be returned to the current landowner of the sites; and
- Following finalisation of required modifications, the Scheme Amendment was gazetted on 14 August 2020 that has allowed the Shire to collect per lot/dwelling contributions upon subdivision or development.

Previous Council Decisions

- April 2012 - Council adopted the Dalyellup District Centre Outline Development Plan (Ordinary Council meeting Minutes Minute OC0406). The WAPC subsequently endorsed the ODP on 18.07.12.
- July 2013 - Shire of Capel Community Facilities and Services Plan recommended the following community facilities at the Dalyellup District Centre Outline Development Plan
 - DY_2.0 Multipurpose Community Centre Building (MCCB)
 - DY_3.0 Multi-functional Branch Library
 - DY_4.0 Youth Centre - Youth Space including Skate Park
- October 2015 - Subdivision Application WAPC Ref 152247 for Lot 9028 (now Lot 9039) Norton Promenade to create a range of residential lots and a 1.0ha Community Purposes Site (proposed to now contain the skate park) approved south of Tiffany Centre. The subdivision approval requires the Community Purposes Site to be ceded free of cost in a service state. This subdivision has not proceeded, and approval expired on 02 October 2019. November 2022 – Council granted (OOC/2022/22) Development Approval for the Multipurpose Community Centre, Library & Digital Hub at Lot 6059 (No. 101) Tiffany Centre, Dalyellup.
- August 2020 – The Local Member, Hon Don Punch, MLA, briefed the Acting CEO, who then briefed Council on the prospect of the Dalyellup Multipurpose Community and Youth Centre being nominated as a State Government initiated COVID 19 economic stimulus project. The project required a supporting Business Case, which was submitted on 21 August 2020.



- August 2020 – The Premier, Hon Mark McGowan, released a media statement announcing “\$8 million Dalyellup multipurpose community and youth centre”, which defined the project scope of the project “includes components such as a multifunctional library and technology hub, a youth space including a digital hub space and media facilities, small performance spaces, activity and business start-up rooms, and a seniors' citizens club space.”.
- October 2020 – Council accepted (OC194/2020) the offer from the Department of Local Government, Sport and Cultural Industries for \$500,000 for the planning, consultation and design of the Dalyellup Multipurpose Community and Youth Centre; and delegate authority to the Acting CEO to sign the Financial Assistance Agreement on behalf of Council.
- October 2020 – Council established (195/202) Project Working Group for the Dalyellup Multipurpose Community and Youth Centre and the Dalyellup Skate Park, to integrate and guide project scope, including concept planning, community and stakeholder consultation and draft design.
- November 2022 – Council granted Development Approval for a Multipurpose Community Centre, Library & Digital Hub at Lot 6059 (No. 101) Tiffany Centre, Dalyellup.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 1 - Strengthen and enhance the well-being of our community:

- 1.1 A more engaged community.
- 1.2 A capable community that drives community activation and participation.
- 1.3 An inclusive community.
- 1.5 A healthy and active community.

Direction 3 - Foster a dynamic, diverse and strong local economy:

- 3.2 Effective promotion of the Shire and its towns.
- 3.4 Continued improvement in town centre vibrancy.

Direction 4 - Deliver good leadership, governance and decision-making:

- 4.2 Informed and transparent decision making.
- 4.4 Increased attraction and retention of high quality staff to deliver optimal services to the community.
- 4.5 Improved customer engagement.

Direction 5 - Provide and maintain suitable infrastructure and facilities:

- 5.1 Appropriate community facilities, that meet the communities' needs.

Direction 6 - Effective communication, engagement and relationship development:

- 6.1 Greater trust and the development of positive relationships within the Shire and with the community.

Corporate Business Plan 2022-2026

- CEO 5 - Develop an Advocacy / Lobbying / Plan / Prospectus to attract funding, investment and alternative revenue sources from government, industry and commercial organisations.
- CRL 21 - Provide a contemporary Tier 1 library service in Capel, Dalyellup and Boyanup.



- CDVS 22 - Act as Sponsor in the planning and delivery of major community projects. Provide the key community interface for internal and external operational guidance, support, and solutions in these projects.
- DEV 6 - Commence review of draft Development Contribution Plan to reflect current requirements.
- ETS1.4 - Dalyellup Multipurpose Centre - Design and construct new building in Dalyellup to meet community expectations.

Statutory Framework

There are no statutory frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Budget Management - Capital Acquisitions and Works.
- Preparation of Integrated Plan and Budget.
- Asset Management.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Possible	Moderate	The implementation and success of this project rests on the Shire's ability to raise sufficient funds to cover the total project cost. Given the current project funding gap is \$1,517,470.00, the opportunity for the Council to endorse a Shire financial commitment reduces the funding gap and attracts further investment from other sources who require a Shire financial commitment towards its own project as a driver for them to invest.
Risk Description: The Council agreeing a capital contribution to the DMCYC project to show a Shire commitment to the project.			
Risk 2 Infrastructure / Services / Utilities Rating: Medium	Possible	Moderate	Through community consultation delivered during the inception of the project, there is a level of confidence in the community that the DMCYC will happen and complement the leisure/community facilities the Shire has already invested in and developed on the proposed site.
Risk Description: The Shire fails to meet community facility expectations post consultation whilst being awarded significant capital investment from other sources.			



Risk	Likelihood	Consequence	Mitigation
Risk 3 Service Delivery Rating: Medium	Possible	Moderate	The Dalyellup Library Service is outgrowing its current leased facility due to the increased community events the service is offering to the Dalyellup community. Shire staff and the community are looking forward to the opportunities a new facility can offer, overcoming some of the event programming constraints.
Risk Description: The Shire fails to meet service delivery expectations through the lack of community based facilities in the Dalyellup townsite.			

Financial Implications

Budget

As detailed in the background commentary, the project budget allocation from the State Government is for \$500,000.00 to undertake the planning, consultation, and design, with the balance of \$7.5M (to be confirmed) allocated for the development and delivery phases.

Project scope and definition is necessary to ensure the project specifications, drawings and tender documentation provides tenderers with accurate and detailed information on which to make a bid. Inaccurate or poorly documented specifications, drawings and tender documentation exposes the project to scope creep risk and contractual variations.

Between October 2022 and late April 2023, the Shire worked with Lotterywest to develop and consider an application under the Grassroots and Community Initiatives Scheme.

The Shire received advice (27 April 2023) from Lotterywest that a grant of \$1.9m had been approved.

Detailed below is a financial summary of the current project status, based on the total project pre-tender cost estimate and the funding secured to date:

Total Project (Based on Pre-Tender Cost Estimate – Oct 2022)	\$ 11,417,470.00
• Less completed works to date (fees, design, tender docs)	<u>\$ 502,000.00</u>

Balance of total project to be completed **\$ 10,915,470.00**

Confirmed Funding	
• WA Recovery Plan	\$ 8,000,000.00
o Less funds expended	\$ 502,000.00
• Lotterywest (Grassroots and Community Scheme)	<u>\$ 1,900,000.00</u>

Total funding available **\$ 9,398,000.00**

Remaining Funding Required for Total Project **\$ 1,517,470.00**



Federal Government Funding

The Shire is currently investigating other funding sources and has recently submitted an Expression of Interest (EOI) to the Federal Government's Growing Regions Program (Round 1). We anticipate advice later in 2023 whether the application will proceed to the detailed funding application stage, but with no guarantee the application will be successful.

To further support the above process, a REMPLAN Economic Benefit Report for the DMCYC was included in the EOI submission and highlights the projects significant value.

At this point in the project and given considerable time has been invested in seeking additional funds from external sources, the opportunity for the Council to invest in its own project, will be advantageous in attracting further funding from sources who require surety that the Council are committed to this project.

The outcome of the Shire's application to the Federal Government's Growing Regions Program (Round 1) once known, will provide an opportunity for Council to re-examine the funding mix to achieve the project's delivery.

Way Forward for the Shire's Capital Contribution

Dalyellup Development Contribution Plan Review

The Shire is currently in the preliminary stages of a review of the Development Contribution Plan (DCP) for the Dalyellup Development Contribution Area (DCA2).

The current DCP for Dalyellup is being updated to reflect the change in funding arrangements for the Dalyellup Multipurpose Community and Youth Centre and will include updates to the state planning framework and potential changes in community infrastructure needs in the Locality.

This review will also include the potential to include the future Dalyellup District Sporting Space.

Once the review has progressed, the Council will be asked to consider an Amendment to Local Planning Scheme 8 to amend the provisions for the Dalyellup Development Contribution Area (DCA2).

The current DCP for Dalyellup identifies a community multipurpose facility where contributions collected from Developers can be allocated, and this is also identified in the new local planning scheme.

The collection of the contributions received from Developers is allocated to the Dalyellup Community Facilities Reserve which has a current balance of \$1,177,087.00. The parameters around the utilisation of these funds suit the scope of this project, enabling the current funding gap to be reduced.

Long Term

With Council's support and through the review of the DCP for Dalyellup, the Long Term Financial plan will allocate a Shire financial contribution of \$500,000.00 towards the remaining funds required to secure the Dalyellup Multipurpose Community and Youth Centre project. These funds will be allocated from the Dalyellup Community Facilities Reserve which currently holds a balance of \$1,177,087.00 and is linked to the current Developer Contribution Plan for Dalyellup.



Further long term planning considerations for this project will take into consideration life cycle costings, depreciation, and annual operational costs.

Given the proposed building will incorporate the new location of the Dalyellup Library Service, all operating and leasing costs apportioned to running and maintaining this current service will be re-allocated to this new provision.

Other future cost considerations will be identified through the formulation of a Building and Site Management Plan, Future Operational Management (staffing, resourcing etc) and further reflected in the Shire's long term financial forecasting and future Council decisions.

Sustainability Implications

Social

The opportunity for the Shire to endorse a capital funding allocation to this project promotes the Council's commitment in ensuring the project is delivered to the community.

Consultation/Engagement

External Consultation

The need and demand for the Dalyellup Multipurpose Community Youth Centre was strongly demonstrated throughout the extensive consultation undertaken in 2021.

Internal Consultation

Internal consultation and engagement have occurred across the following departments:

- Executive.
- Finance.
- Planning.

Officer's Comment

Current Project Status

Stage 1 (Visioning, Planning, Community Engagement, Detailed Design, Documentation and Costing, Development Approval) is now 100% complete and ready for construction tendering, subject to the finalisation of funding.

The external funding received and committed to date to secure the project build is at 82.00%.

Through the DCP review, we have identified an opportunity for the Council to commit a capital contribution of \$500,000.00 which increases the funding percentage to 87.00% and communicates to the community and prospective investors that the Shire is dedicated to making this project happen.

Funds to support this commitment has been identified within the current balance held in the Dalyellup Community Facilities Reserve and with the Council's endorsement, will be detailed in the 2023-2033 Long Term Financial Plan and presented to the Council at the September 2023 Ordinary Council Meeting.



The opportunity for the Council to invest in its own project, will be advantageous in attracting further funding from sources who require surety that the Council are committed to this project. The outcome of the Shire's application to the Federal Government's Growing Regions Program (Round 1) once known, will provide an opportunity for Council to re-examine the funding mix to achieve the project's delivery.

Summary

The Council is requested to endorse a Shire capital contribution of \$500,000.00 to the development of the Dalyellup Multipurpose Community and Youth Centre (DMCYC) and supports the inclusion of this capital allocation through the Shire's Long Term Financial Plan 2023 – 2033.

Voting Requirements

Absolute Majority.

Officer's Recommendation – 15.4

OC/2023/155 - Officer's Recommendation / Council Decision - 15.4

Moved Cr Schiano, Seconded Cr McCleery.

That the Council:

- 1. Endorses a Shire of Capel capital contribution of \$500,000.00 towards the development of the Dalyellup Multipurpose Community and Youth Centre (DMCYC).**
- 2. Notes that contribution funding will be drawn from the Dalyellup Community Facilities Reserve.**

Carried 6 / 1 with an absolute majority.

For - Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Cr Andrew



15.5 RTF 23-07 Disposal of Asset - Lot 39 Ilmenite Crescent, Capel

Author	Strategic Governance and Risk Coordinator, Tahlia Shipley
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Executive/Strategic
Attachments	<ol style="list-style-type: none">1. RFT 23-07 Sale of Industrial Lots in Capel LIA [15.5.1 - 18 pages]2. Expression of Interest (EOI) - Lease of Industrial Lots in Capel Light Industrial Area [15.5.2 - 13 pages]3. CONFIDENTIAL REDACTED - RFT 23-07 Sale of Industrial Lots in Capel LIA - Submission of Offer [15.5.3 - 4 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Consider the approval of the disposal by sale of Lot 39, (23) Ilmenite Crescent Capel and approve the continued advertising of Lot 36 (170) Ilmenite Crescent, Capel for future disposal through sale or lease purposes.

Officer's Recommendation

That the Council:

1. Accepts the tender submission for the purchase of Lot 39 (23) Ilmenite Crescent, Capel from Blu State Pty Ltd for the offer of \$255,000.00.
2. Declares that the valuation carried out more than 6 months before the proposed disposition is believed to be a true indication of the value at the time of disposition.
3. Approves the Chief Executive Officer to proceed with the necessary sale of property processes.
4. Approves the continued advertising of Lot 36 (17) Ilmenite Crescent, Capel for future disposal through sale or lease purposes.

Background

The Shire purchased Lot 1 Ilmenite Crescent, Capel for the purpose of future development. Through the assistance of grant funding, subdivision approval was granted in 1986 for Stage 1 of the site, at this time the Shire commenced disposal of assets through sale of the lots.

Stage 2 commenced in 1993, and then followed Stage 3 in 2006. It was Stage 3 that the two relevant lots (39 & 36) were developed.

All lots relating to the subdivision were disposed through sale, with only lots 36 & 39 Ilmenite Crescent remaining due to no interest.



Recently, the Shire received correspondence from a member of the community enquiring about available land in the Capel light industrial area (LIA).

From this initial enquiry, Officers commenced internal discussions on the appetite and timing to consider disposal of the two vacant blocks of land owned by the Shire in the LIA.

Public advertising for sale by tender of both properties was previously undertaken in 2018 with no submissions received during the advertising period.

Due to the recent enquiry, the valuation of both properties was updated on 6 February 2023 by an external contractor.

Valuations for both properties were received on 13 February 2023 to the Shire.

Following the valuation's, a report was provided to the Council for a proposed disposal via purchase through tender or expressions of interest for a lease of land.

The Shire advertised the local public notice for a period of 6 weeks, closing on 21 June 2023. One tender submission was received for the purchase of Lot 39, (23) Ilmenite Crescent Capel and no expressions of interest for a lease.

No submissions were received for Lot 36 (17) Ilmenite Crescent, Capel.

With the tender process now finalised, the Council have the opportunity to dispose by sale of Lot 39, (23) Ilmenite Crescent Capel.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 3 - Foster a dynamic, diverse and strong local economy -

3.1 Increased support and advocacy to stimulate greater local business success, investment and diversity.

3.2 Effective promotion of the Shire and its towns.

Direction 4 - Deliver good leadership, governance and decision-making -

4.1 Effective and compliant governance.

4.2 Informed and transparent decision making.

4.3 Contemporary planning and local development.

Direction 6 - Effective communication, engagement and relationship development -

6.1 Greater trust and the development of positive relationships within the Shire and with the community.

Corporate Business Plan 2022-2026

FIN 42 - Provide oversight and coordinate the execution of legal instruments including leases, licenses and deeds relating to the management of land.



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995

3.58. Disposing of property

(1) In this section –

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to –

(b) the person who at 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.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –

(a) it gives local public notice of the proposed disposition –

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include –

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition –

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition

Local Public Notice

Local Government Act 1995 – s 1.7



Local Government Administration Regulations 2016

3A. Requirements for local public notice (Act s. 1.7)

- 1) For the purposes of section 1.7(a), notice of a matter must be published on the local government's official website for –
 - a) the period specified in or under the Act in relation to the notice; or
 - b) if no period is specified in relation to the notice – a period of not less than 7 days.

- 2) For the purposes of section 1.7(b), each of the following ways of giving notice of a matter is prescribed –
 - a) publication in a newspaper circulating generally in the State;
 - b) publication in a newspaper circulating generally in the district;
 - c) publication in 1 or more newsletters circulating generally in the district;
 - d) publication on the official website of the Department or another State agency, as appropriate having regard to the nature of the matter and the persons likely to be affected by it, for –
 - i. the period specified in or under the Act in relation to the notice; or
 - ii. if no period is specified in relation to the notice – a period of not less than 7 days;
 - e) circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;
 - f) exhibition on a notice board at the local government offices and each local government library in the district for –
 - i. the period specified in or under the Act in relation to the notice; or
 - ii. if no period is specified in relation to the notice – a period of not less than 7 days;
 - g) posting on a social media account administered by the local government for –
 - i. the period specified in or under the Act in relation to the notice; or
 - ii. if no period is specified in relation to the notice – a period of not less than 7 days.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Asset Management.
- Fair Value of Assets.



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Low	Unlikely	Minor	Manage the process of the disposal in a compliant and accountable process.
Risk Description: Failure to comply with the administrative requirements of a disposal of asset.			
Risk 2 Financial Rating: Low	Unlikely	Minor	Disposing of the assets will provide an ongoing income through rate revenue due to the sale of the property.
Risk Description: Failure for the assets to be utilised in a financially sustainable way.			
Opportunity: The disposal of Lot 39 (23) Ilmenite Crescent, Capel for future business and employment opportunities.			

Financial Implications

Budget

The valuation for both land parcels was updated on 6 February 2023 as per below:

17 Ilmenite Crescent, Capel

- Resultant value of \$271,810.00 (\$110.00 per square metre) with an adopted value of \$270,000.00.
- Market rental value of \$11,120.00 per annum plus GST with outgoings.

23 Ilmenite Crescent, Capel

- Resultant value of \$258,175.00 (\$114.00 per square metre) with an adopted value of \$255,000.00.
- Market rental value of \$10,102.00 per annum plus GST and outgoings.

Should the Council agree with the disposal by sale of Lot 39, (23) Ilmenite Crescent Capel, the revenue received from the land sale will be managed in accordance with the Australian Accounting Standards (AAS), seeing the initial cash deposit recognised in the Shire's Municipal Fund in the current financial year and included in the Shire's term deposit investment program.

Long Term

Through the Mid-Year Budget Review process, the revenue received from this sale can be re-distributed to offset a material variation on expenditure or invested into the Strategic Initiatives financial reserve to support with financing projects detailed within the Shire's Long term Financial Plan.

There are no long-term financial implications from the advertising for the disposal of these properties.



Further advertising may promote interest in the second available Lot, with the opportunity for sale or lease.

Sustainability Implications

Climate Change and Environmental

There are no relevant climate change and environmental implications relevant to this item.

Social

There are limited light industrial lots available in the Shire, providing more opportunity for businesses has the potential to provide the community with more convenience for resources.

Economic

The disposal of the asset could provide an economic opportunity to the community for a new business to reside in the Shire of Capel. This could help boost local growth and benefit the Shire.

New business to the Shire also provides employment opportunities.

Asset

The potential owner or lessee of the assets would be responsible for the development and maintenance of any asset on the properties.

Consultation/Engagement

External Consultation

Engagement with an external consultant was engaged to provide an accredited valuation of both properties.

Internal Consultation

The tender assessment panel included the Chief Executive Officer, Director of Community and Corporate, Strategic Governance and Risk Coordinator and the Manager of Projects, Engineering and Assets. The Procurement Officer assisted throughout the procurement process.

Officer's Comment

Recent community interest has identified an opportunity for the disposal of the properties located at Lot 36 and Lot 39 Ilmenite Crescent, Capel.

Since the last advertising period of the land in 2018, the property market has gained momentum seeing commercial interest in these Lots. The lack of submissions previously received resembled the property market trend at that time.

The vacant land on both Lot 36 and Lot 39 is currently underutilised and could provide opportunity for new businesses and residents to reside in the Shire, stimulating further activity in the LIA.



MINUTES - Ordinary Council Meeting - 30 August 2023

Through the recent public tender process, the Council have the opportunity to disposal by sale of Lot 39, (23) Ilmenite Crescent Capel, for the resultant value of the land as detailed in the Officer's Recommendation.

The tender submission had met all the compliance criteria and the market value of the property.

In accordance with section 3.58(4)(ii) of the *Local Government Act 1995*, the Officer's Recommendation includes the provision of the Council to consider the valuation to be a true indication of the value at the time of the disposition. Given that the independent valuation is 17 days past the 6 month time period, at the date of the proposed decision, officers believe the valuation would not be subject to a significant increase.

If the Council support the additional advertising of Lot 36 (17) Ilmenite Crescent, the intention would be to advertise through expressions of interest on Invest Southwest for future disposal through sale or lease purposes. If there were interest in the site, an updated valuation would be done at the time. Council will be notified through the Chief Executive Officer if any interest would arise, and a report would be presented to Council for a deliberation.

The advertising was undertaken in accordance with the *Local Government Act 1995*, Local Public Notice Requirements.

Summary

The disposal will result in Lot 39 (23) Ilmenite Crescent, Capel being utilised for further economic growth in the Capel townsite and surrounding community.

Voting Requirements

Absolute Majority.



Officer's Recommendation – 15.5

OC/2023/156 - Officer's Recommendation / Council Decision - 15.5

Moved Cr McCleery, Seconded Cr Dillon.

That the Council:

- 1. Accepts the tender submission for the purchase of Lot 39 (23) Ilmenite Crescent, Capel from Blu State Pty Ltd for the offer of \$255,000.00.**
- 2. Declares that the valuation carried out more than 6 months before the proposed disposition is believed to be a true indication of the value at the time of disposition.**
- 3. Approves the Chief Executive Officer to proceed with the necessary sale of property processes.**
- 4. Approves the continued advertising of Lot 36 (17) Ilmenite Crescent, Capel for future disposal through sale or lease purposes.**

Carried 7 / 0 with an absolute majority.

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



15.6 Financial Reports 30 June 2023

Author	Manager Finance, Andrew Mataboni
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Legislative
Attachments	1. Financial Report 2306 New Chart [15.6.1 - 44 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Provide the monthly financial statements for the period ending on 30 June 2023.

Officer's Recommendation

That the Council receives the monthly financial statements for the period ending on 30 June 2023.

Background

The *Local Government (Financial Management) Regulations 1996* prescribe the requirement to prepare financial reports monthly and prescribe the content and format.

Previous Council Decisions

Financial Statement for month ending 31 May 2023 (2 August 2023 Ordinary Council Meeting).

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 4 - Deliver good leadership, governance and decision-making:

- 4.1 Effective and compliant governance.
- 4.2 Informed and transparent decision making.

Direction 6 - Effective communication, engagement and relationship development:

- 6.1 Greater trust and the development of positive relationships within the Shire and with the community.

Corporate Business Plan 2022-2026

FIN 1 - Statutory reporting of income and expenditures to the Council and regulatory authorities.



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government (Financial Management) Regulations 1996 r34.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Budget Management - Capital Acquisitions and Works.
- Financial Reports.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Unlikely	Moderate	Report financials monthly
Risk Description: Monetary loss that may or may not be managed within existing budget or may not impact a program or service.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

As no assets/infrastructure are being created, there are no long term financial implications relevant to this proposal.



Consultation/Engagement

External Consultation

There has been no external consultation.

Internal Consultation

There has been no external consultation.

Officer's Comment

The financial monitoring for the month of June 2023 has been completed, analysing income and expenditure trends through the following financial mechanisms:

1. Assessed Rate Levy and Debtor balances which has been brought to account.
2. The Depreciation calculation year to date.
3. Annual comparison of Operating Revenue
4. Annual comparison of Operating Expenditure.
5. Liquidity year to date.
6. Rate of return-on-investment position.
7. Capital spends year to date.

The attached financial statements provide the granular data for the following analysis on the Shire's financial performance for June 2023. The attachments consist of:

1. Statement of Financial Activity.
2. Statement of Financial Position.
3. Notes to and Forming Part of the Financial Report.
4. Year to Date Variance Analysis.
5. Capital Works Program.
6. Cash on Hand and Investments.

The Statement of Financial Activity shows operating revenue and expenditure by statutory program and by nature and type, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget and the year-to-date revised budget. For trend analysis purposes, the previous year's annual results and current year forecasts are also presented in the graphs.

June 2023 Financial Analysis Summary

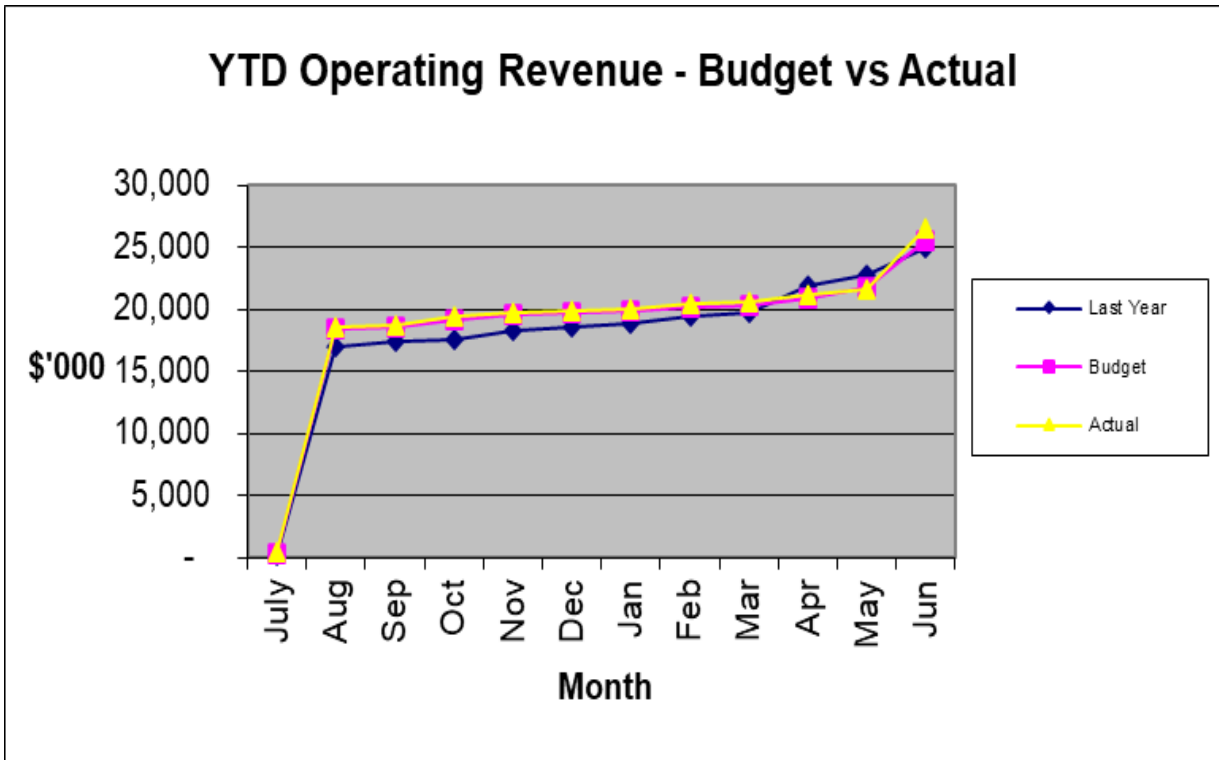
It should be noted that Local Government (Financial Management) Regulations 1996 34(4)(a) require a statement of financial activity be presented at an ordinary meeting of the council within 2 months after the end of the relevant month. There are still transactions being processed into the 2022/23 financial year. Creditor invoices are still being posted. The reserve transfers are to be finalised along with the revaluation of infrastructure assets entries.

Compared to the 2022/23 Annual Budget, approximately 103.80% of Operating Revenue has been brought to account and 94.25% of the Operating Expenditure has been spent. The 2022/23 Annual Budget was adopted by the Council on 3 August 2022 with rates levied during the month of August 2022. The following graphs compare actual Operating Revenue and Operating Expenditure against the 2022/23 Annual Budget on a year-to-date basis.



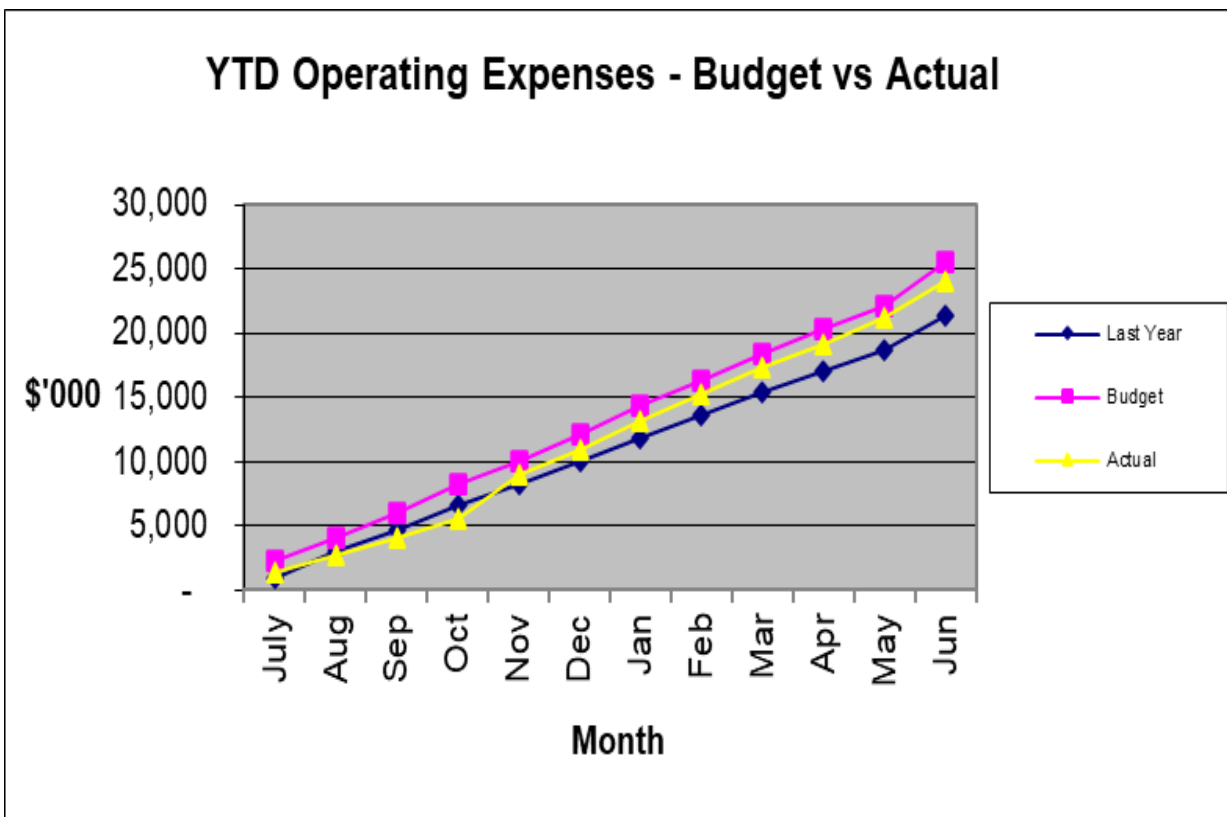
Year to date actual revenue compared to budget and last year.

Graph 1.



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

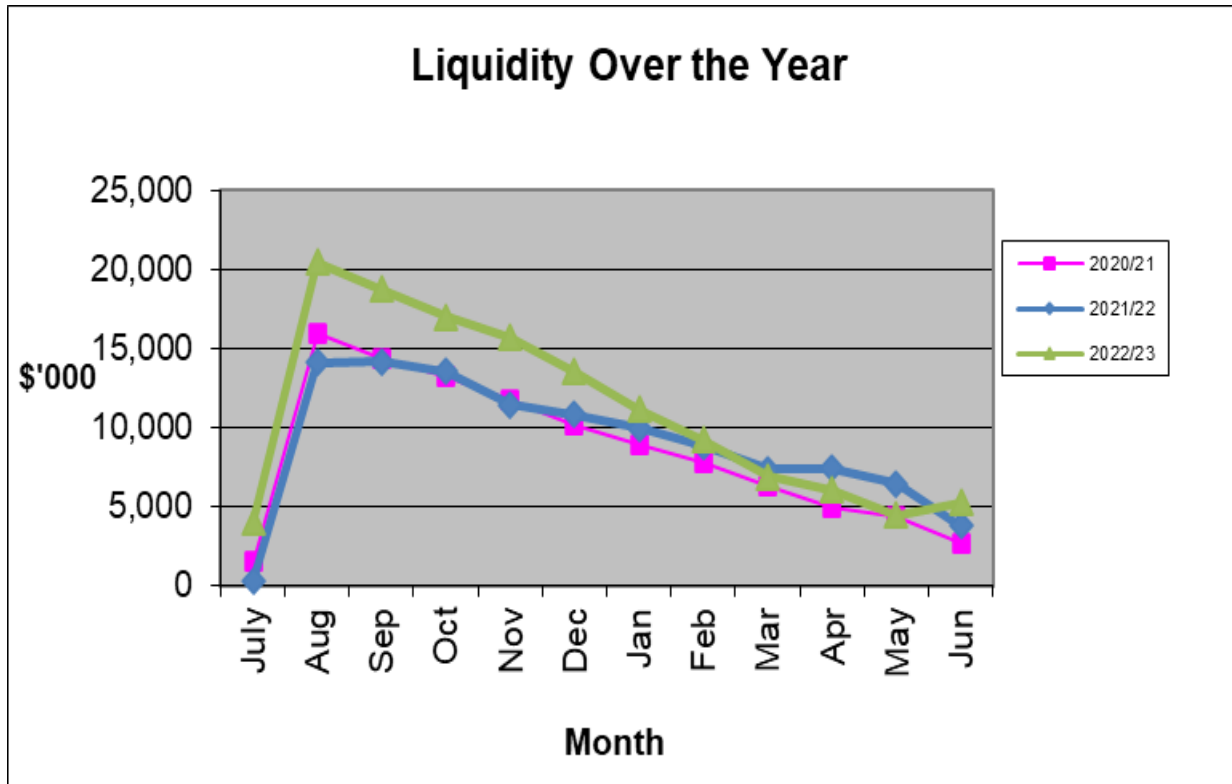
Graph 2.





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

Graph 3.



Overview of above analysis

The Shire's municipal cash and investments position for the month of June 2023 has increased by \$1,587,950.00 compared to May 2023.

The municipal cash position is an amount of \$23,377,889.00 of which \$18,176,686.00 is restricted for specific purposes as shown at Note 3 in the attachments.

The increase in the cash position was due to the receipt of the Financial Assistance Grant advance payment and the maturity of term deposits with interest being recognised. This was offset contractor payments and the return of bonds.

Total interest earned year-to-date is \$754,427.00 which is above the year end budget of \$94,282. Interest rates have increased during the year in relation to the budgeted amount. The amount of cash held at year end is above the budgeted amount of \$15,614,478. The interest earned recognises the accrued amount from deposits that will mature in 2023/24. The accrual amount has been increased by the higher interest rates and the amount of deposits due to a higher level of cash held.

The yield return on major bank term deposit investments continues to increase in line with recent Reserve Bank decisions to raise interest rates. This trend is expected to continue as the inflation outlook is revised.

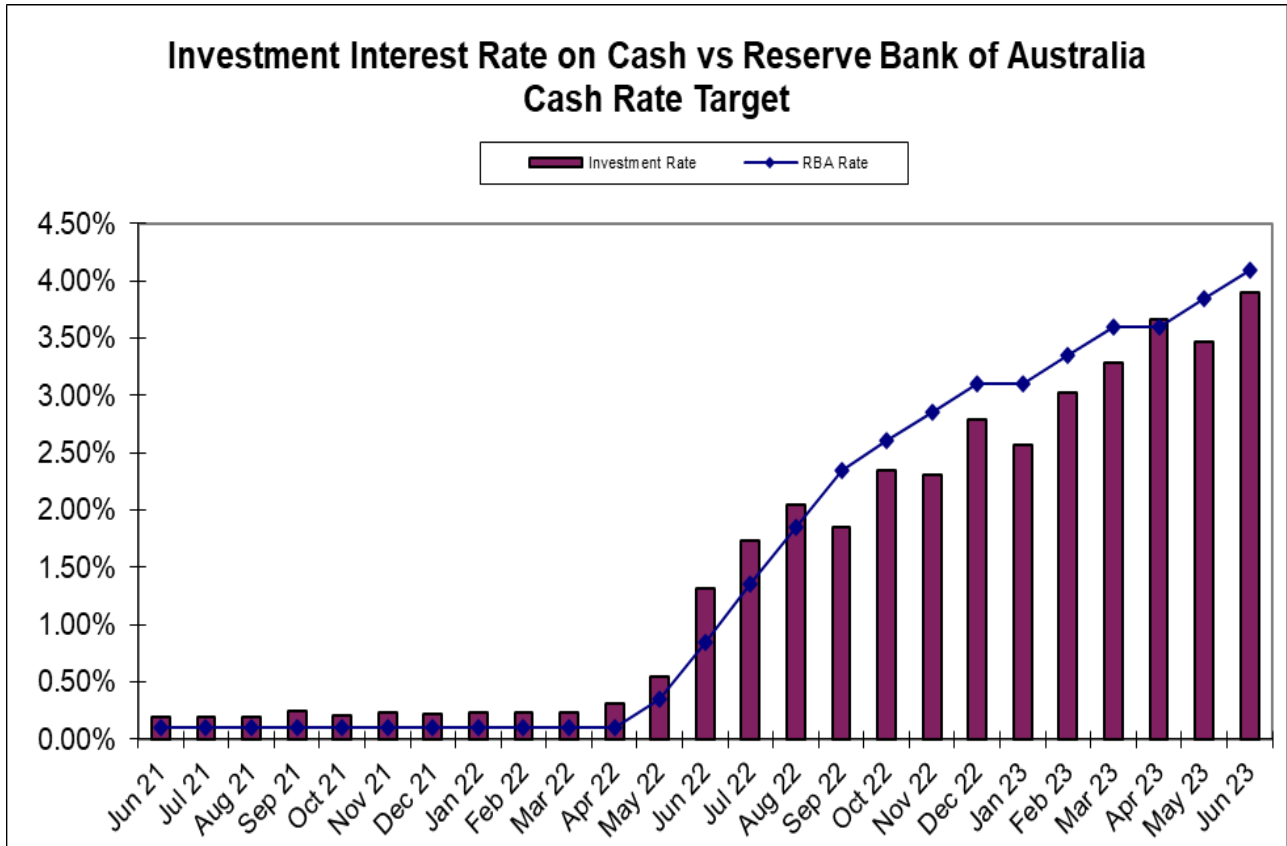
At present, the average investment rate of return is 3.90%. This is below the June 2023 RBA cash rate of 4.10%. As term deposits are reinvested, they are moving to a higher investment rate. There was no change in the Reserve Bank's cash rate target of 4.10% as of 5 July 2023.



The Shire has term deposits maturing from July 2023 to September 2023 with investment terms of 91 days and interest rates from 4.33% to 5.03%.

The below analysis charts the movement in investment and applied interest rates.

Graph 4.



The June review of main capital expenditure items totalled \$1,260,472.00 and was distributed across the following projects/purchases:

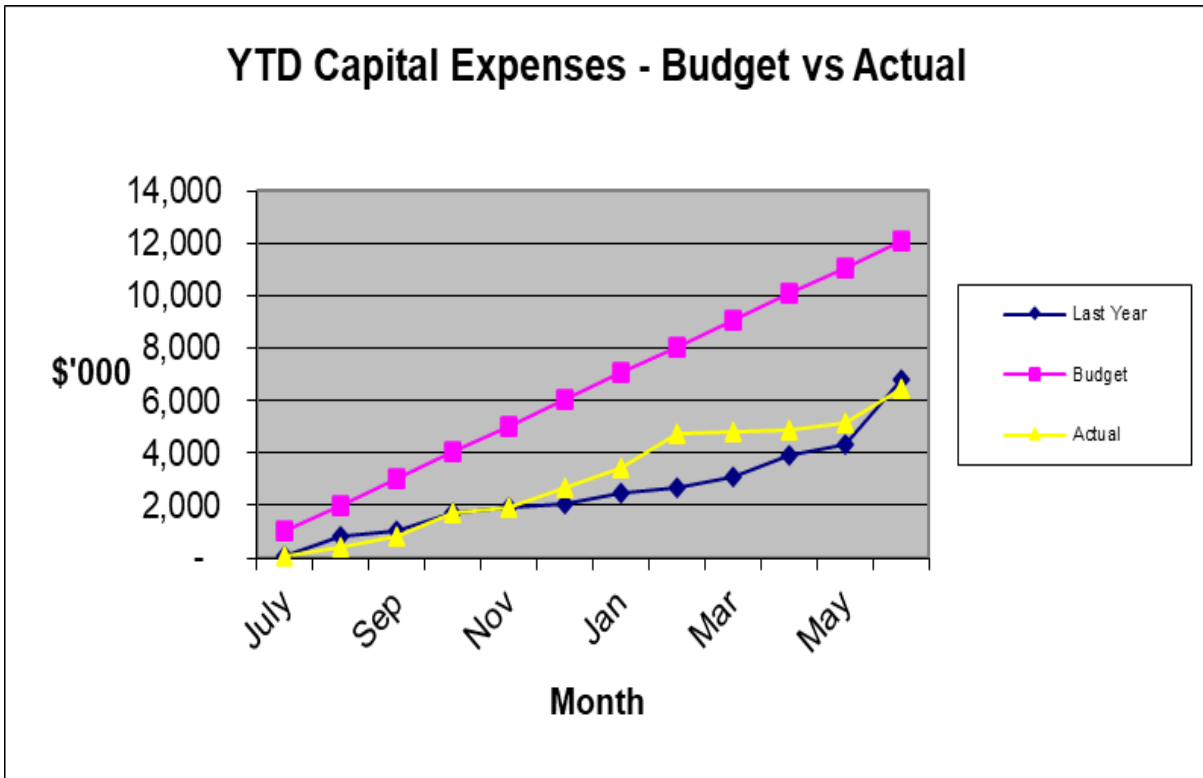
- \$ 549,822.00 Roads construction.
- \$ 84,869.00 Carpark construction.
- \$ 79,312.00 Drainage construction.
- \$ 132,963.00 Paths construction.
- \$ 183,177.00 Other infrastructure.
- \$ 286,425.00 Buildings.
- \$ 2,560.00 IT Equipment.
- \$ 26,213.00 Book stock.

The following graph compares the actual capital expenditure against the 2022/23 budget on a year-to-date basis and includes the prior year actual for comparative purposes.

The overall spend continues to track below budget. The total spend includes the recognition of \$533,822.00 non-cash subdivision roads, \$164,181.00 non-cash subdivision drainage and \$132,963.00 non-cash subdivision footpaths.

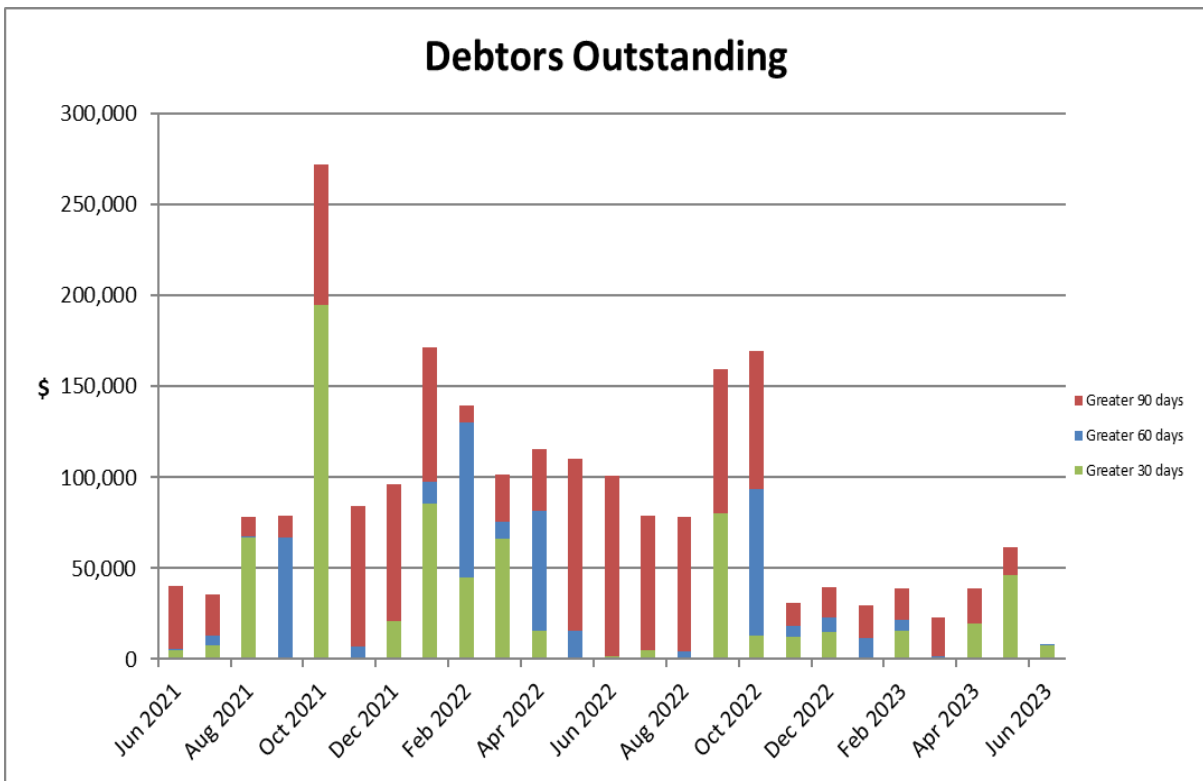


Graph 5.



The following graph illustrates the Council’s current level of general debt recovery for 30-60 days, 61-90 days and greater than 90 days.

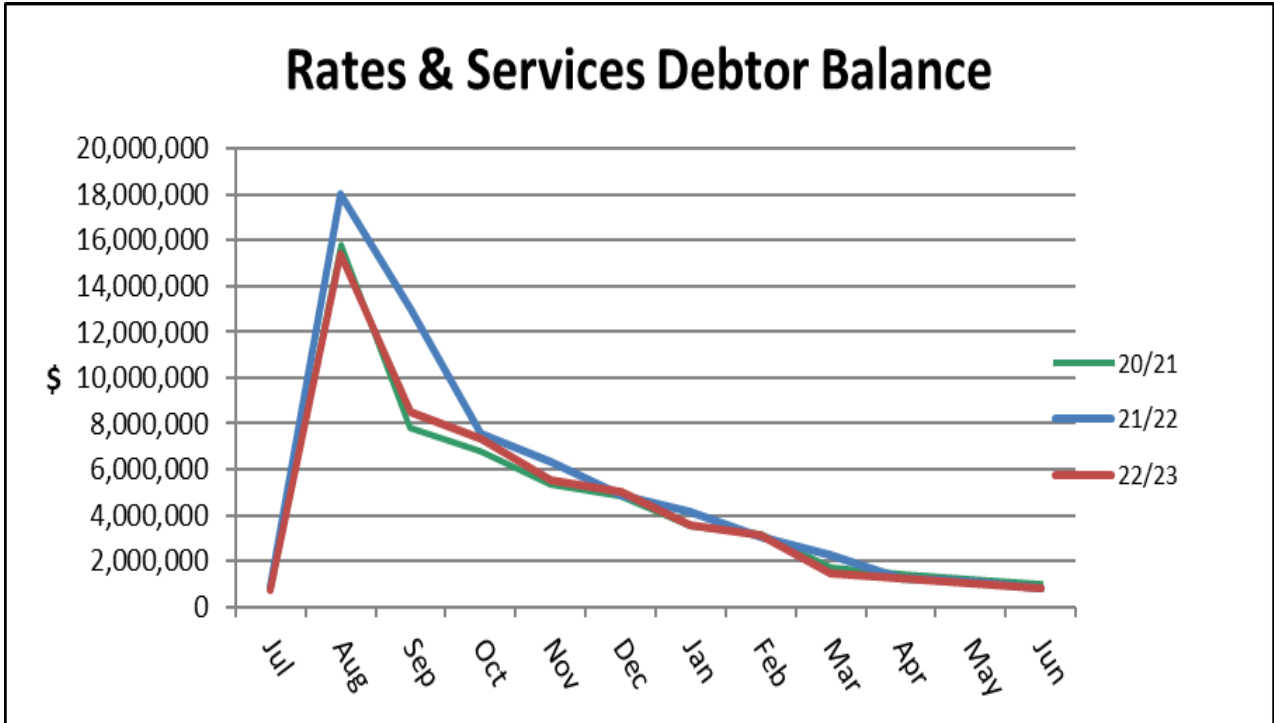
Graph 6.





The following graph illustrates the Council’s current level of rate debtors’ recovery and compares this with previous years. The amount includes both current and in arrears rates and services debtor balance.

Graph 7.



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: 2022/23 3.51%, 2021/22 4.22% and 2020/21 4.71%.

The percentage analysis indicates that rates in arrears balances continues to decrease from financial year 2021/22 onwards and was a direct result of the re-application of interest and instalment fee charges to outstanding rate debtors.

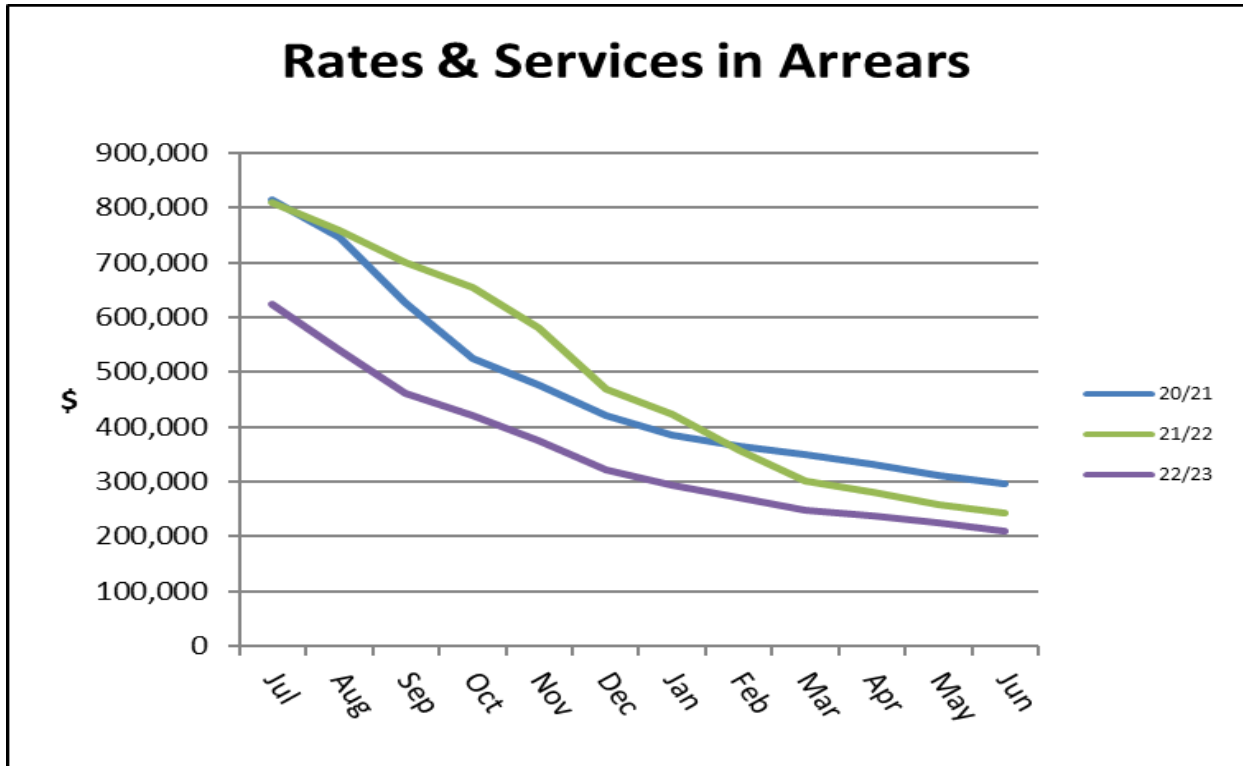
Given the Council’s decision to not charge interest and instalment fee charges for financial year 2022/23, regular monitoring of rate debtor balances is crucial going forward to ensure the Shire’s ongoing cash flow position is sustainable and will support the financial commitments adopted by the Council through the Annual Budget.

The Shire operates a rate collection and debt recovery process which is in the main, managed internally. However, when internal recovery processes fail to collect outstanding rate debt, the Shire contracts a Debt Collection Agency to recoup this debt on the Shire’s behalf.

For this financial year, a total of 76 rate assessments with a cumulative outstanding rate debt balance of \$421,344.46 will be managed by the Debt Collection Agency. This outstanding balance equates to 2.80% of rate revenue.

In line with the Shire’s Financial Hardship Policy, Shire Officers do make every effort to contact residents who have outstanding debt with the Shire and offer a payment plan arrangement or financial assistance advice where able, prior to any recover action being taken.

Graph 8.



The Council's financial ratios are disclosed in Note 19 of the attached Financial Statements. The year-to-date Debt Service Coverage Ratio and Current Ratio reflect rate revenue recognised to the February period.

Summary

This report monitors the Shire's financial position for the month of June 2023 and tracks the progress against the budget set at the start of the 2022/23 financial year.

A determination of the Shire's June 2023 financial position has been analysed comparing year to date actual and budget, with variances explained as:

- 1) Operating revenue increases (Planning application fees and subdivision clearances).
- 2) Operating expenditure decrease (Timing of expenditure on contractors and depreciation).
- 3) Non-cash exclusions (Depreciation).
- 4) Capital expenditure below budget (Timing of expenditure).
- 5) Asset disposal below budget (Timing of disposals).

The June financial statements show the revised forecast year end 2022/23 Net Current Asset position of \$5,223,717.00.

This is an increase to the budgeted amount of \$1,198.00 and the variance between the Shire's budgeted position and forecast year end position is due to the pre-payment of the 2023/24 Financial Assistance Grant required to be recognised as general income in the 2022/23 financial year.

Through the drafting of the Shire's 2023/24 Annual Budget, these funds have been allocated across capital and operational expenses and as such, are not surplus to requirements.



The final 2023/24 Annual Budget report to the Council provided further detail relating to the 2022/23 year end surplus variance and where these funds were derived from.

Voting Requirements

Simple Majority.

Officer's Recommendation – 15.6
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OC/2023/157 - Officer's Recommendation / Council Decision - 15.6

Moved Cr Schiano, Seconded Cr Terrantroy.

That the Council receive the monthly financial statements for the period ending on 30 June 2023.

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



15.7 Accounts paid during the month of July 2023

Author	Finance Officer, Susan Searle
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Executive/Strategic
Attachments	Nil
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Accounts paid during July 2023 are submitted for the endorsement of the Council.

Officer's Recommendation

That in accordance with Regulation 13(11) of the *Local Government (Financial Management) Regulations 1996*, the list of payments made under delegated authority for the month of July 2023 be received and recorded in the minutes of the Council, the summary of which follows:

- 1 The Schedule of Accounts covering EFT43132 to EF43370, CHQ50719 to CHQ50728 totalling \$1,801,209.42 during the month of July 2023.
- 2 Payroll payments for the month July 2023, totalling \$468,679.87.
- 3 Transfers to and from investments as listed.

Background

Accounts paid are required to be submitted each month.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

Direction 4 - Deliver good leadership, governance and decision-making.

4.1 Effective and compliant governance.

4.2 Informed and transparent decision making.

Corporate Business Plan 2022-2026

FIN 1 - Statutory reporting of income and expenditures to the Council and regulatory authorities.

FIN 10 - Manage debtors and creditors to maintain optimum cash flow.



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995, section 6.10

6.10. Financial management regulations

1. The general management of, and the authorisation of payments out of- the municipal fund; and 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.
 - e.
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-
 1. The payee's name.
 2. The amount of the payment; and
 3. sufficient information to identify the transaction;
 4. and
 - b. the date of the meeting of the council to which the list is to be presented.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Financial Reports.
- Legislative Compliance.
- Purchasing.



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Low	Unlikely	Minor	Monthly reporting of accounts paid.
Risk Description: Additional checks and balances of accounts paid by the Shire.			
Risk 2 Legislative Compliance Rating: Low	Unlikely	Minor	Monthly reporting of accounts paid.
Risk Description: Meeting legislative requirement of financial reporting to the Council			
Opportunity: Compliant and accountable procurement in the Shire of Capel's accounting practices.			

Financial Implications

Budget

Credit payment from Council's Municipal Fund.

Long Term

As no assets/infrastructure are being created, there are no long term financial implications relevant to this proposal.

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.

Consultation/Engagement

External Consultation

There is no external consultation required.

Internal Consultation

Relevant staff have been consulted and authorised the payments. Documented review by Manager Finance and Director Community and Corporate.

**Officer's Comment**

Payments made during the month of July 2023 are as follows:

EFT43132	04/07/2023	DE LAGE LANDEN PTY LIMITED	PHOTOCOPIER LEASE - MONTHLY BILL	155.21
EFT43133	04/07/2023	PRECISION ADMINISTRATION SERVICES PTY LTD	JUNE 2023 SUPERANNUATION	85,949.39
EFT43134	03/07/2023	IINET	DALYELLUP LIBRARY INTERNET - BILLED MONTHLY	119.94
EFT43135	03/07/2023	WESTNET PTY LTD	CAPEL SHIRE AND CAPEL LIBRARY INTERNET - BILLED MONTHLY	219.98
EFT43136	05/07/2023	4PARK PTY LTD T/A FORPARK AUSTRALIA	ERLE SCOTT PLAYGROUND TRAMPOLINE REPLACEMENT SUPPLY AND INSTALL	20,911.00
EFT43137	05/07/2023	AMPAC DEBT RECOVERY	DEBT RECOVERY FEES	2,570.10
EFT43138	05/07/2023	AMITY SIGNS	RURAL STREET NUMBER PLATE	32.45
EFT43139	05/07/2023	BUNBURY MOWER SERVICE	SMALL PLANT CONSUMABLES AND MAINTENANCE	976.50
EFT43140	05/07/2023	BUNBURY BATTERIES AND RADIATORS	FLEET VEHICLE BATTERY	385.00
EFT43141	05/07/2023	CAPEL PRIMARY SCHOOL PARENTS & CITIZENS	MINOR COMMUNITY GRANT ROUND 2	775.50
EFT43142	05/07/2023	CLEANWAY XTRA CLEANING SERVICES	CLEANING OF SHIRE BBQ'S	4,118.40
EFT43143	05/07/2023	COUNTRY LANDSCAPING PTY LTD	VALVE REPAIRS AND CABLE PIT REPLACING AT WONIL PARK	3,564.99
EFT43144	05/07/2023	CAPEL NEWSAGENCY	STATIONERY AND NEWSPAPERS	26.85
EFT43145	05/07/2023	MARK COPPENDALE	REFUND	61.65
EFT43146	05/07/2023	SUZANNE CREWS	REFUND	125.00
EFT43147	05/07/2023	COLROYS COUNTRY KITCHEN	CATERING FOR OCM	222.00



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43148	05/07/2023	DEPARTMENT OF PREMIER & CABINET	ADVERTISING APPOINTMENT OF BUSH FIRE CONTROL OFFICERS IN THE GOVERNMENT GAZETTE	93.60
EFT43149	05/07/2023	EASIFLEET MANAGEMENT	VEHICLE PAYROLL DEDUCTIONS	3,409.27
EFT43150	05/07/2023	GOLDEN WEST PLUMBING & DRAINAGE	WORKS AT DALYELLUP SPORTS PAVILIONS	522.50
EFT43151	05/07/2023	FRONTLINE FIRE AND RESCUE EQUIPMENT	BFB EXPENSES	1,234.20
EFT43152	05/07/2023	GRANTS EMPIRE	YOUTH GRANT APPLICATION	330.00
EFT43153	05/07/2023	GPS GEO GUARD	GPS GEO GUARD DEVICE QUARTERLY MONITORING FEES	132.00
EFT43154	05/07/2023	HYNES CONTRACTING	HIRE OF MACHINERY TO MOVE LOG OVER PATH	240.00
EFT43155	05/07/2023	KEEN'S TRUCK DRIVING TRAINING	HR TRAINING	970.00
EFT43156	05/07/2023	LOCUS GLOBAL (AUSTRALIA) PTY LTD	LOCAL GOVERNMENT SUBSCRIPTION YEAR 1	9,350.00
EFT43157	05/07/2023	CAPEL MENS SHEDS INC	MINOR COMMUNITY GRANT ROUND 2	1,000.00
EFT43158	05/07/2023	MCDONALD FENCING	MODIFICATION OF CARAVAN DUMP POINT AND REMOVAL OF FENCE AND RE-INSTAL WITH VERTICAL TIMBER SLAT SCREENED FENCE	14,998.50
EFT43159	05/07/2023	Martins Environmental Services Pty Ltd	FIRE ACCESS WAY HAREWOOD RESERVE	19,976.00
EFT43160	05/07/2023	NATURAL AREA HOLDINGS PTY LTD	KEMERTON SEPARABLE PORTION - WATERING	3,960.00
EFT43161	05/07/2023	NATURALISTE TURF	TURF MAINTENANCE ON CAPEL OVALS	7,896.70
EFT43162	05/07/2023	Outback Imaging Pty Ltd	SOFTWARE RENEWAL FOR EZESCAN	970.20
EFT43163	05/07/2023	OPTUS BILLING SERVICES PTY LTD	OPTUS FIXED LINE AND MOBILE ACCOUNTS	1,646.15
EFT43164	05/07/2023	PICTON TYRE CENTRE PTY LTD	REPAIR ON LOADER TYRE	616.00
EFT43165	05/07/2023	PRIME INDUSTRIAL PRODUCTS	PPE AND INCIDENT FLAGGING TAPE	332.28



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43166	05/07/2023	RECRUITWEST PTY LTD	LABOUR HIRE	1,866.08
EFT43167	05/07/2023	SYNERGY	ELECTRICITY	6,530.83
EFT43168	05/07/2023	SOUTH WEST CHAUFFEURED ESCAPES	YOUTH BUS CHARTER	1,485.00
EFT43169	05/07/2023	SLMC PROPERTY AUSTRALIA	MONTHLY LEASE FEE FOR DALYELLUP PUBLIC LIBRARY	7,767.45
EFT43170	05/07/2023	TOTALLY WORKWEAR	STAFF UNIFORM ALLOWANCES AND BFB PPE	697.40
EFT43171	05/07/2023	TYREPOWER CAPEL	FLEET VEHICLE REPAIRS	65.00
EFT43172	05/07/2023	TRANEN REVEGETATION SOUTHWEST	CHEMICAL SPRAY IN MOONDAR PARK AND SHERWOOD PARK	10,929.60
EFT43173	05/07/2023	TALIS CONSULTANTS PTY LTD	GROUNDWATER MONITORING DALYELLUP ESTATE	3,395.55
EFT43174	05/07/2023	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT	15.69
EFT43175	05/07/2023	UNITING GLOBAL	CLEANING OF ALL SHIRE'S PUBLIC TOILETS	13,854.59
EFT43176	05/07/2023	VEOLIA ENVIRONMENTAL SERVICES	STREET SWEEPING AND DRAIN CLEANING	9,984.00
EFT43177	05/07/2023	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 89 RE-PAYMENT	72,089.62
EFT43178	05/07/2023	THE PRINT SHOP	PLACE PLAN SURVEY MAIL OUT	5,483.50
EFT43179	05/07/2023	WORKPAC GROUP	LABOUR HIRE	3,845.91
EFT43180	05/07/2023	WESTSIDE TILT TRAY SERVICES	IMPOUNDED VEHICLE TOWING	165.00
EFT43181	06/07/2023	ARROW BRONZE	CAST BRONZE PLAQUE	374.57



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43182	06/07/2023	BENDIGO BANK BUSINESS CREDIT CARD	<p>JUNE CREDIT CARD TRANSACTIONS:</p> <p>6.6.2023 - OK ALONE - MOBILE APPLICATION SUBSCRIPTION - \$304.63 - CARD 442 - DCC</p> <p>6.6.2023 - INTERNATIONAL TRANSACTION FEE FOR ABOVE - \$9.14</p> <p>7.6.2023 - ZOOM - \$24.63 - ZOOM PRO AND WEBINAR SUBSCRIPTION CARD 442 - DCC</p> <p>7.6.2023 - INTERNATIONAL TRANSACTION FEE FOR ABOVE - \$.74</p> <p>17.6.2023 - SURVEYMONKEY - \$99.00 - SURVEY SUBSCRIPTION- CARD 261 - MFIN</p> <p>21.6.2023 - HARVEY NORMAN - \$388.00 - 2 X HEATERS FOR CAPEL LIBRARY- CARD 261 - MFIN</p> <p>21.6.2023 - NAME CHEAP - RENEWAL OF CAPEL.WA.GOV.AU CERTIFICATE - \$921.10 - CARD 442 - DCC</p> <p>24.6.2023 - FAT BIRDIE - COG TEAM MEETING - \$49.00 - CARD 261 - MFIN</p> <p>24.6.2023 - TICKETS TEDX - \$300.00 - YOUTH EXCURSION- CARD 261 - MFIN</p> <p>24.6.2023 - TICKETS TEDX - \$60.00 - YOUTH EXCURSION- CARD 261 - MFIN</p> <p>28.6.2023 - THE MASTER BUILDERS - \$513.99- NCC HOUSING PROVISIONS COMBO - CARD 442 - DCC</p> <p>28.6.2023 - SQ BUSSELTON FLORIST - \$90.00 - CONDOLENCE FLOWERS- CARD 442 - DCC</p> <p>29.6.2023 - CAPEL NEWSAGENCY - \$6.90 - REPLACE BATTERY IN ALARM KEY - CARD 253 - CEO</p>	2,810.76
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MINUTES - Ordinary Council Meeting - 30 August 2023

			29.6.2023 - CARD FEE X 4 - \$16.00	
EFT43183	06/07/2023	BOYANUP GENERAL STORE & NEWSAGENCY	NEWSPAPER AND MILK PURCHASES BOYANUP LIBRARY	29.60
EFT43184	06/07/2023	DEPARTMENT OF MINES, INDUSTRY REGULATION & SAFETY	T5723 JUNE 2023 BSL REMITTANCE	5,641.87
EFT43185	06/07/2023	DIESEL TORQUE MECHANICAL SERVICES	BFB ANNUAL APPLIANCE SERVICE GELORUP 2.4	2,118.16
EFT43186	06/07/2023	EDGE LANDWORKS	HAMPSTEAD RESERVE AND WAKE DR RESERVE – PARKLAND CLEAR AND PERIMETER 2M TRACK	41,000.00
EFT43187	06/07/2023	KMART AUSTRALIA LIMITED	KMART YOUTH MATERIALS	85.50
EFT43188	06/07/2023	SYNERGY	ELECTRICITY	485.87
EFT43189	11/07/2023	MINISTRY OF JUSTICE- SHERIFF' OFFICE	FER ONGOING REFERRAL FEES	81.00



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43190	12/07/2023	AUSTRALIA POST	POSTAGE	2,554.37
EFT43191	12/07/2023	AUSQ TRAINING	STAFF TRAINING	766.00
EFT43192	12/07/2023	AMPAC DEBT RECOVERY	DEPT COLLECTION FEES FOR RECOVERING DEBT	245.21
EFT43193	12/07/2023	CITY OF BUSSELTON	DISPOSAL OF DOLPHIN AND PIG CARCASSES	500.00
EFT43194	12/07/2023	BOYANUP FOUNDATION INC	BOYANUP FOUNDATION INC ANNUAL MEMBERSHIP	77.00
EFT43195	12/07/2023	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	279.34
EFT43196	12/07/2023	BUDGET CAR & TRUCK RENTALS	HIRE OF 4X4 DUAL CAB ALUMINIUM TRAY UTILITY	2,433.20
EFT43197	12/07/2023	BENARA NURSERIES	REPLACEMENT PLANTS FOR MAIDMENT PARADE	11,238.80
EFT43198	12/07/2023	BOYLES PLUMBING & GAS	SERVICING OF WATERLESS URINALS IN SHIRE AND UV FILTER SERVICING	3,114.47
EFT43199	12/07/2023	JK BALLANTYNE	RATES REFUND	2,047.71
EFT43200	12/07/2023	CAPEL HARDWARE & FARM SUPPLIES	VARIOUS HARDWARE EXPENSES	308.71
EFT43201	12/07/2023	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	599.94
EFT43202	12/07/2023	DORMAKABA AUSTRALIA PTY LTD	SERVICE AUTOMATIC DOORS AT SHIRE OFFICES, BOYANUP COMMUNITY CENTRE AND CAPEL LIBRARY	528.00
EFT43203	12/07/2023	DALYELLUP COLLECTIVE INC	MINOR COMMUNITY GRANT ROUND 2	962.00
EFT43204	12/07/2023	DALYELLUP NEWS & LOTTERIES	NEWSPAPER PURCHASES - DALYELLUP LIBRARY	61.10
EFT43205	12/07/2023	DYENAMIC SUBLIMATION WA PTY LTD	SAMPLE OF PRINTED POLO SHIRTS WITH ABORIGINAL DESIGN (PARTNERSHIP WITH DALYELLUP PRIMARY SCHOOL)	841.50
EFT43206	12/07/2023	ENVIRONMENTAL HEALTH AUSTRALIA	FOODSAFE ONLINE ANNUAL SUBSCRIPTION	550.00
EFT43207	12/07/2023	FLEET NETWORK	VEHICLE PAYROLL DEDUCTION	590.98
EFT43208	12/07/2023	PHILIP GIBAUT	SPORTS PARTICIPATION	200.00



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43209	12/07/2023	GEOVET CAPEL	DISPOSAL AND CREMATION OF DOGS	802.40
EFT43210	12/07/2023	GRACE RECORDS MANAGEMENT	MONTHLY ACCESS FEES AND STORAGE AND DESTRUCTION	221.98
EFT43211	12/07/2023	PAUL GRAYSON	STUDY FEES	2,000.00
EFT43212	12/07/2023	MARKET CREATIONS AGENCY	WEBSITE REDEVELOPMENT	39,536.34
EFT43213	12/07/2023	REBECCA MCLEVIE	NAIDOC THANK YOU GIFT	50.00
EFT43214	12/07/2023	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY	260.28
EFT43215	12/07/2023	AUSTRALIAN TAXATION OFFICE	PAYG WITHHOLDING	74,619.00
EFT43216	12/07/2023	QUADRIO MA	RATES REFUND	1,300.00
EFT43217	12/07/2023	RECRUITWEST PTY LTD	LABOUR HIRE	3,811.20
EFT43218	12/07/2023	R RISDON & A DONOHOE	RATES REFUND	1,924.51
EFT43219	12/07/2023	SOUTHERN LOCK & SECURITY	PROVIDE QUARTERLY ALARM MONITORING SERVICES	1,029.00
EFT43220	12/07/2023	SOS OFFICE EQUIPMENT	COPIER METER BILLING	4,157.61
EFT43221	12/07/2023	SATTERLEY PROPERTY GROUP PTY LTD	DALYELLUP PUMP TRACK SHIRE OF CAPEL CONSTRUCTION CO-FUNDING CONTRIBUTION	173,268.70
EFT43222	12/07/2023	SYNERGY	ELECTRICITY	6,947.42
EFT43223	12/07/2023	DONNA SIMS	NAIDOC WEEK EXPENSES	107.92
EFT43224	12/07/2023	SDH PAINTING & DECORATING	MAINTENANCE AND PAINTING OF SHIRE BUILDINGS	22,870.10
EFT43225	12/07/2023	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICALS	611.60
EFT43226	12/07/2023	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	1,821.53
EFT43227	12/07/2023	TOTALLY WORKWEAR	STAFF UNIFORM ALLOWANCES	1,863.05



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43228	12/07/2023	TJS FAMILY BUTCHERS	VOUCHERS FOR PARTICIPANTS WHO ATTENDED 2 ACCESS & INCLUSION WORKSHOPS	150.00
EFT43229	12/07/2023	TYREPOWER CAPEL	FLEET VEHICLE TYRE REPAIRS	85.00
EFT43230	12/07/2023	VEOLIA ENVIRONMENTAL SERVICES	STREET SWEEPING AND DRAIN CLEANING	2,496.00
EFT43231	12/07/2023	WORKPAC GROUP	LABOUR HIRE	1,427.18
EFT43232	12/07/2023	WOOLWORTHS LIMITED (WA)	YOUTH CATERING FOR PROGRAMS AND EVENTS	87.30
EFT43233	17/07/2023	TELSTRA CORPORATION LTD	TELSTRA MOBILE CHARGES - BILLED MONTHLY	877.88
EFT43234	17/07/2023	TELSTRA CORPORATION LTD	TELSTRA LANDLINES - BILLED MONTHLY	338.92
EFT43235	17/07/2023	IINET	INTERNET ACCESS FOR DEPOT - MONTHLY	109.99
EFT43236	19/07/2023	ABN RESIDENTIAL WA PTY LTD	REFUND	61.65
EFT43237	19/07/2023	AMITY SIGNS	GROUND SPIKES FOR NEW SIGNS	429.00
EFT43238	19/07/2023	ALTRUM PTY LTD	DALYELLUP SPORTS PAVILION - WASTEWATER SYSTEM CHANGEOVER	5,933.40
EFT43239	19/07/2023	ARBORGUY	TREE PRUNING ALONG CAPEL FORREST ROAD CAPEL	2,387.00
EFT43240	19/07/2023	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	180.64
EFT43241	19/07/2023	BATTERY WORLD BUNBURY	NEW BATTERIES FOR FLEET VEHICLES	748.00
EFT43242	19/07/2023	TAHLIA BENNELL	ACKNOWLEDGEMENT OF COUNTRY POLO SHIRT DESIGN PARTNERSHIP WITH DALYELLUP PRIMARY SCHOOL	4,250.00
EFT43243	19/07/2023	BP AUSTRALIA	DIESEL FUEL SUPPLY AND DELIVERY TO DEPOT	17,237.71
EFT43244	19/07/2023	COATES HIRE SERVICE	2 X LIGHTING TOWERS HIRE FOR LUTHERAN COLLEGE PLAYING FIELDS	4,212.05
EFT43245	19/07/2023	DM & S CURTIN	SERVICE AIR CONDITIONERS AT CAPEL WASTE TRANSFER STATION	332.40



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43246	19/07/2023	CAPEL FRESH IGA	IGA PURCHASES	399.39
EFT43247	19/07/2023	COLROYS COUNTRY KITCHEN	CITIZENSHIP CEREMONY CATERING AND BFAC MEETING	325.00
EFT43248	19/07/2023	DEPARTMENT OF TRANSPORT	DISCLOSURE OF INFORMATION FEE	4.10
EFT43249	19/07/2023	KYLIE DAY	PINUP BOARD AND SHELVES	171.67
EFT43250	19/07/2023	ELMO SOFTWARE LTD	ADDITIONAL 5 USER LICENCES	185.65
EFT43251	19/07/2023	GOLDEN WEST PLUMBING & DRAINAGE	UNBLOCKING OF TOILET AND REPAIRS TO TOILET SEATS AT DALYELLUP SKATEPARK AND CAPEL SPORTS PAVILION	522.50
EFT43252	19/07/2023	FLEET NETWORK	VEHICLE PAYROLL DEDUCTION	590.98
EFT43253	19/07/2023	GHD PTY LTD	CONTAMINATED SITE FURTHER INVESTIGATION	19,834.82
EFT43254	19/07/2023	GRACE RECORDS MANAGEMENT	RECORDS STORAGE AND DESTRUCTION	730.57
EFT43255	19/07/2023	GRANITE NETWORKS PTY LTD	INSTALL WILDCARD CERTIFICATE ON MITEL PHONE SYSTEM INVESTIGATE AND RESOLVE ISSUES	352.00
EFT43256	19/07/2023	GEOGRAPHE FORD	FLEET VEHICLE SERVICE	945.00
EFT43257	19/07/2023	AE HOSKINS BUILDING SERVICES	MAINTENANCE ON WENTWORTH PARK SHELTER AND GAZEBO, REPAIR OF WALL AT ELGIN HALL AND REPLACE DOOR AT DALYELLUP CENTRAL PARK TOILETS	3,621.85
EFT43258	19/07/2023	INTERFIRE AGENCIES PTY LTD	BFB PPE	5,742.00
EFT43259	19/07/2023	KLEENIT	ADMINISTRATION BUILDING MONTHLY GUTTER CLEAN	2,783.00
EFT43260	19/07/2023	LANDGATE	LAND VALUATIONS	926.30
EFT43261	19/07/2023	MUIR'S MANJIMUP	REPAIR HEATER IN FLEET VEHICLE	107.80
EFT43262	19/07/2023	MAINSPRAY	WEED CONTROL THROUGHOUT MOONDAR AND MCMILLAN POS	2,370.50



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43263	19/07/2023	MCLEODS BARRISTERS AND SOLICITORS	LEGAL ADVICE	1,588.35
EFT43264	19/07/2023	GORDON MACMILE	INTERNET REIMBURSEMENTS	190.00
EFT43265	19/07/2023	NETSIGHT CONSULTING PTY LTD	MYOSH SUBSCRIPTION FOR JULY	1,415.70
EFT43266	19/07/2023	THE NIGHTGUARD SECURITY SERVICES (WA) PTY LTD	SECURITY PATROLS ON SHIRE PREMISES	3,607.72
EFT43267	19/07/2023	OFFICEWORKS SUPERSTORES PTY LTD	PAPER TOWELS	10.98
EFT43268	19/07/2023	PICTON TYRE CENTRE PTY LTD	REPAIR OF TYRE ON ROLLER	557.00
EFT43269	19/07/2023	PICTON TRAILER HIRE	HIRE OF CAGE TRAILER	1,500.00
EFT43270	19/07/2023	REFACE INDUSTRIES	LIBRARY DISC CLEANER CONSUMABLES	341.17
EFT43271	19/07/2023	THINKPROJECT AUSTRALIA PTY LTD	SOFTWARE LICENCES AND MAINTENANCE FEE	11,490.93
EFT43272	19/07/2023	RECRUITWEST PTY LTD	LABOUR HIRE	5,614.24
EFT43273	19/07/2023	RAECO	BOOK COVERING SUPPLIES & FREIGHT	216.65
EFT43274	19/07/2023	SYNERGY	ELECTRICITY	35,438.92
EFT43275	19/07/2023	SDH PAINTING & DECORATING	REMOVAL OF GRAFFITI TO BUS SHELTER BOYANUP	253.00
EFT43276	19/07/2023	SOILS AINT SOILS	SAND FOR TOPDRESSING	69.00
EFT43277	19/07/2023	SIRSIDYNIX	ANNUAL SUBSCRIPTION FOR ACCESS TO CONSORTIA LMS	15,575.11
EFT43278	19/07/2023	SOUTH WEST COMPRESSORS	DEPOT COMPRESSORS NEED FIXING OR REPLACING	2,927.19
EFT43279	19/07/2023	SOUTHWEST CIRCUS	LIBRARY - SCHOOL HOLIDAY CIRCUS WORKSHOPS	600.00



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43280	19/07/2023	D & K THOMAS ELECTRICAL	REPLACEMENT OF EXIT LIGHT IN BOYANUP HALL, MAINTENANCE WORKS AT DALYELLUP COMMUNITY CENTRE AND FERNDAL PAVILIONS AND INVESTIGATE POWER FOR HOT WATER SYSTEM - DALYELLUP PAVILION	2,002.95
EFT43281	19/07/2023	TOTAL GREEN RECYCLING PTY LTD	COLLECTION AND PROCESSING OF E-WASTE FROM SHIRE OF CAPEL WASTE TRANSFER STATION	2,214.01
EFT43282	19/07/2023	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT	116.86
EFT43283	19/07/2023	VEOLIA ENVIRONMENTAL SERVICES	STREET SWEEPING AND DRAIN CLEANING	2,496.00
EFT43284	19/07/2023	WORK CLOBBER BUNBURY	PPE	180.00
EFT43285	19/07/2023	WA SKILLS TRAINING	STAFF TRAINING	240.00
EFT43286	19/07/2023	WORKPAC GROUP	LABOUR HIRE	1,881.84
EFT43287	19/07/2023	TELSTRA CORPORATION LTD	DALYELLUP SPORTS PAVILION MONTHLY INTERNET	90.00
EFT43288	21/07/2023	AMPOL	FLEET FUEL - BILLED MONTHLY	6,854.32
EFT43289	24/07/2023	MINISTRY OF JUSTICE- SHERIFF' OFFICE	FER ONGOING REFERRAL FEES	81.00
EFT43290	26/07/2023	ABN RESIDENTIAL WA PTY LTD	REFUND	61.65
EFT43291	26/07/2023	ARMSTRONG SHINE GROUP PTY LTD	CARRY OUT INTERNAL AND EXTERNAL WINDOW CLEAN AT SHIRE BUILDINGS	6,600.00
EFT43292	26/07/2023	ARBORGUY	PRUNING AND REMOVAL OF TREES IN WONGIN ROAD, ANDERSON ROAD CAPEL AND WOODS ROAD	5,438.40
EFT43293	26/07/2023	BUNBURY MACHINERY	SERVICE TRACTOR	2,935.84
EFT43294	26/07/2023	BUNBURY MOWER SERVICE	HEDGE TRIMMER MAINTENANCE AND CONSUMABLES	282.80
EFT43295	26/07/2023	B & B STREET SWEEPING	CAPEL CIVIL PRECINCT SWEEPING	5,838.80



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43296	26/07/2023	BUNNINGS BUILDING SUPPLIES PTY LTD	HARDWARE EXPENSES	932.66
EFT43297	26/07/2023	WINC AUSTRALIA PTY LTD	STATIONERY	387.90
EFT43298	26/07/2023	COATES HIRE SERVICE	HIRE OF LIGHTING TOWERS AT LUTHERAN COLLEGE PLAYING FIELDS	4,056.05
EFT43299	26/07/2023	CLEANAWAY	DISPOSAL OF KERBSIDE GENERAL WASTE, TRANSPORTATION OF WASTE INCLUDING BIN HIRE AND DISPOSAL, RECYCLING OF ORGANICS, STREET BIN, PARKS AND GARDENS COLLECTION AND BIN MAINTENANCE	102,633.47
EFT43300	26/07/2023	CLEANWAY XTRA CLEANING SERVICES	SHIRE BBQ MONTHLY CLEANING	4,118.40
EFT43301	26/07/2023	ROBERT BRIAN CLIFTON	CAT TRAP REFUND	150.00
EFT43302	26/07/2023	CARBONE BROS PTY LTD	SUPPLY OF GRAVEL	10,582.00
EFT43303	26/07/2023	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTI ONS	599.94
EFT43304	26/07/2023	ERG ELECTRICS PTY LTD	SHIRE OF CAPEL LIGHTING MAINTENANCE CONTRACT	4,052.40
EFT43305	26/07/2023	ELEMENT ADVISORY PTY LTD	PLACE PLAN COSTS	4,313.80
EFT43306	26/07/2023	DANNY ATTWOOD	REFUND	40.00
EFT43307	26/07/2023	AE HOSKINS BUILDING SERVICES	REFURBISH CAPEL BUSHFIRE BRIGADE TO MAKE WET AREA FUNCTIONAL INCLUDING: REMOVAL OF EXISTING SHOWER, SUPPLY, INSTALL AND PAINT NEW WALL AND CEILING, INSTALL NEW TILES, SHIFT WASHING MACHINE TAP DOWN AND REMOVAL AND DISPOSAL OF WASTE FROM WORK ABOVE	8,273.38
EFT43308	26/07/2023	GEOFFREY JOHN HOWLETT	REFUND	147.00



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43309	26/07/2023	CONNECT CALL CENTRE SERVICES	AFTER HOURS CALL ANSWERING AND RE-DIRECTION	230.95
EFT43310	26/07/2023	QUEST INNALOO	ACCOMMODATION FOR TRAINING	186.00
EFT43311	26/07/2023	JETLINE KERBING CONTRACTORS	CONCRETE INFILL TO MEDIAN FOOTPATH ON HASTIES RD, INSTALLATION OF SOAK WELL PEPPERMINT GROVE TERRACE AND TRAFFIC MANAGEMENT	31,007.90
EFT43312	26/07/2023	LANDGATE	MINING TENEMENTS	42.50
EFT43313	26/07/2023	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	MEMBERSHIPS	2,685.00
EFT43314	26/07/2023	MARKETFORCE	ADVERTISING	3,600.00
EFT43315	26/07/2023	MCDONALD FENCING	TWO STEEL FIRE ACCESS GATES, FENCING BOLLARDS OFF HARWWOD RESERVE AND FIRE ACCESS GATES FOR HAMPSTEAD RESERVE	16,351.50
EFT43316	26/07/2023	MARKET CREATIONS AGENCY	WEBSITE REDEVELOPMENT	49,420.43
EFT43317	26/07/2023	MONADELPHOUS ENGINEERING ASSOCIATES PTY LTD	REPAIR TAILGATE ON TRUCK	1,182.50
EFT43318	26/07/2023	NATURAL AREA HOLDINGS PTY LTD	PROJECT VARIATION FOR REPLANTING FOLLOWING PLANTING FAILURE AND SEPARABLE WATERING PORTION	13,640.00
EFT43319	26/07/2023	NOISENET OPERATIONS PTY LTD	NUISANCE DOG NOISE MONITORING DEVICE	3,850.00
EFT43320	26/07/2023	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY	469.70
EFT43321	26/07/2023	ONSITE RENTAL GROUP	MONTHLY RENTAL FOR TOILET BLOCK AT DALYELLUP SKATEPARK	1,280.77
EFT43322	26/07/2023	OPTUS BILLING SERVICES PTY LTD	MONTHLY SHIRE INTERNET	200.00



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43323	26/07/2023	FULTON HOGAN INDUSTRIES PTY LTD	2X PALLETS OF EZ STREET POTHOLE REPAIR	885.50
EFT43324	26/07/2023	PROTECTOR FIRE SERVICES	CAPEL LIBRARY AND BOYANUP COMMUNITY CENTRE FIRE PANEL SERVICING SERVICE	247.50
EFT43325	26/07/2023	PETSTOCK BUNBURY PTY LTD	RANGER CONSUMABLES	98.97
EFT43326	26/07/2023	PRIME INDUSTRIAL PRODUCTS	PARTS TO BUILD NEW NURSERY AT DEPOT FOR FUTURE PLANT ORDERS	929.72
EFT43327	26/07/2023	HARCHER PRESTIGE BUSSELTON	TOILETRY AND CLEANING PRODUCTS	1,436.15
EFT43328	26/07/2023	AUSTRALIAN TAXATION OFFICE	PAYG	69,343.50
EFT43329	26/07/2023	SPENCER SIGNS	4 CORFLUTE SIGNS	184.80
EFT43330	26/07/2023	SOUTHERN LOCK & SECURITY	SERVICING OF ALARM SYSTEMS	1,182.49
EFT43331	26/07/2023	SYNERGY	ELECTRICITY	180.05
EFT43332	26/07/2023	DONNA SIMS	RECOGNITION VOUCHER	50.00
EFT43333	26/07/2023	SOUTH REGIONAL TAFE	TRAINING	163.40
EFT43334	26/07/2023	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS AND OUTSTANDING GST PAYMENT	1,994.22
EFT43335	26/07/2023	SOUTH WEST OFFICE NATIONAL	WORK STATION	6.63
EFT43336	26/07/2023	STRATEGIC DIRECTIONS	ERP SOLUTION ADVISORY SERVICE	2,178.00
EFT43337	26/07/2023	TOTALLY WORKWEAR	STAFF UNIFORM ALLOWANCE	357.05
EFT43338	26/07/2023	TRAFFIC FORCE	TRAFFIC CONTROL	899.10
EFT43339	26/07/2023	TENDERLINK	ADVERTISING RFQ AND RFT	360.80
EFT43340	26/07/2023	TUTT BRYANT HIRE	MACHINERY HIRE	9,443.12
EFT43341	26/07/2023	TYREPOWER CAPEL	BFB VEHICLE BATTERIES	494.00
EFT43342	26/07/2023	TALIS CONSULTANTS PTY LTD	GROUNDWATER MONITORING DALYELLUP ESTATE	2,417.25



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43343	26/07/2023	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT	15.69
EFT43344	26/07/2023	TRANSOFT SOLUTIONS (AUSTRALIA) PTY LTD	ANNUAL AUTOTURN USER SUBSCRIPTION BASE LICENSE	1,617.00
EFT43345	26/07/2023	UNDALUP ASSOCIATION INC	CULTURAL YARN FOR NAIDOC WEEK	3,585.74
EFT43346	26/07/2023	IT VISION	ANNUAL LICENSE FEE FOR 42 USERS	127,770.19
EFT43347	26/07/2023	VERAISON PTY LTD	ASSESSMENT AND COACHING & CULTURAL OPTIMISATION PROGRAM	22,475.75
EFT43348	26/07/2023	VEOLIA RECYCLING & RECOVERY PTY LTD	PROCESSING OF RECYCLABLE MATERIALS FROM KERBSIDE COLLECTION	9,112.58
EFT43349	26/07/2023	WORK CLOBBER BUNBURY	STAFF PPE	2,159.50
EFT43350	26/07/2023	WESTRAC EQUIPMENT	SERVICE ON EXCAVATOR	1,110.26
EFT43351	26/07/2023	WREN OIL	COLLECT AND PROCESS OIL FROM CAPEL WASTE TRANSFER STATION	16.50
EFT43352	26/07/2023	WORKPAC GROUP	LABOUR HIRE	2,238.72
EFT43353	26/07/2023	WOOLWORTHS LIMITED (WA)	YOUTH CATERING FOR PROGRAMS AND EVENTS	49.14
EFT43354	27/07/2023	BUNBURY CITY GLASS	CALL OUT ON SATURDAY TO BOARD UP BROKEN WINDOW AND REPLACE ON MONDAY AT BOYANUP FOOTBALL CLUBROOMS	692.30
EFT43355	27/07/2023	GEORGIA CARTER	LIBRARY BOOKS AND CRAFT	63.00
EFT43356	27/07/2023	COLROYS COUNTRY KITCHEN	HELICOPTER TRAINING CATERING	169.00
EFT43357	27/07/2023	GOLDEN WEST PLUMBING & DRAINAGE	UNBLOCKING OF MALE TOILET AT DALYELLUP SOUTH PARK	156.75
EFT43358	27/07/2023	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA	TRAINING	1,300.00
EFT43359	27/07/2023	LOCAL HEALTH AUTHORITIES ANALYTICAL COMMITTEE	ANNUAL ANALYTICAL SERVICES	4,481.81



MINUTES - Ordinary Council Meeting - 30 August 2023

EFT43360	27/07/2023	LGISWA	INSURANCES 23 24 FY	301,057.82
EFT43361	27/07/2023	LGIS INSURANCE BROKING	MARINE CARGO AND MARINE HULL COMMERCIAL - PGB PONTOON INSURANCE	751.34
EFT43362	27/07/2023	MOSHI MOSHI MARKETING	JUNE - AUGUST HOSTING SUBSCRIPTION FOR LIBRARY AND PRIMARY WEBSITES	420.00
EFT43363	27/07/2023	RECRUITWEST PTY LTD	LABOUR HIRE	2,328.83
EFT43364	27/07/2023	D & K THOMAS ELECTRICAL	REPLACE GPO IN THE KITCHEN AT CAPEL SPORTS PAVILION	128.04
EFT43365	27/07/2023	WESTRAC EQUIPMENT	SERVICE OF ROLLER	3,332.70
EFT43366	27/07/2023	LIZ WATKINS	SPORTS PARTICIPATION	200.00
EFT43367	27/07/2023	ANITA SCOTT	SPORTS PARTICIPATION	200.00
EFT43368	27/07/2023	WOOLWORTHS LIMITED (WA)	LIBRARY GAMES NIGHT CATERING	118.25
EFT43369	28/07/2023	DE LAGE LANDEN PTY LIMITED	LEASE OF GROUNDMASTER MOWER	2,515.08
EFT43370	31/07/2023	MINISTRY OF JUSTICE- SHERIFF' OFFICE	ONGOING FER FEES	83.50
50719	05/07/2023	SHIRE OF AUGUSTA-MARGARET RIVER	LSL CONTRIBUTION	2,994.37
		CANCELLED CHEQUES 50720-50723	CHEQUES POSTED IN PREVIOUS FINANCIAL YEAR	-
50724	12/07/2023	DEPARTMENT OF TRANSPORT - VEHICLE LICENSING	SPECIAL PLATE LICENCE	200.00
50725	12/07/2023	CITY OF BUNBURY	LSL LIABILITY	8,595.40
50726	12/07/2023	SHIRE OF CAPEL	T5723 JUNE 2023 BSL COMMISSION	220.00
50727	12/07/2023	DEPARTMENT OF TRANSPORT - VEHICLE LICENSING	SPECIAL PLATE LICENCE	200.00
50728	19/07/2023	COMMISSIONER OF STATE REVENUE	RATES REFUND	101.10
				1,801,209.42

02.07.2023 SHIRE OF CAPEL PAYROLL PAYMENTS

\$238,857.01



MINUTES - Ordinary Council Meeting - 30 August 2023

16.07.2023	SHIRE OF CAPEL PAYROLL PAYMENTS	\$229,822.86
		\$468,679.87
06.07.2023	NAB TERM DEPOSIT REDEMPTION	-\$1,033,891.40
06.07.2023	NAB TERM DEPOSIT	\$1,045,104.15
20.07.2023	NAB TERM DEPOSIT REDEMPTION	-\$2,058,445.62
20.07.2023	NAB TERM DEPOSIT	\$2,080,667.25
20.07.2023	MACQUARIE TERM DEPOSIT REDEMPTION	-\$1,000,000.00
20.07.2023	MACQUARIE TERM DEPOSIT	\$1000,000.00
		\$33,434.38

Summary

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed 16 August 2023 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.

Voting Requirements

Simple Majority.



Officer's Recommendation – 15.7

OC/2023/158 - Officer's Recommendation / Council Decision - 15.7

Moved Cr Dillon, Seconded Cr Terrantroy.

That in accordance with Regulation 13(11) of the *Local Government (Financial Management) Regulations 1996*, the list of payments made under delegated authority for the month of July 2023 be received and recorded in the minutes of the Council, the summary of which follows:

- 1 The Schedule of Accounts covering EFT43132 to EFT43370, CHQ50719 to CHQ50728 totaling \$1,801,209.42 during the month of July 2023.**
- 2 Payroll payments for the month of July 2023, totaling \$468,679.87.**
- 3 Transfers to and from investments as listed.**

Carried 6 / 1

For - Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Cr Andrew



16. New Business of an Urgent Nature

Nil

17. Public Question Time

Public Question Time began at 8:31pm

S Cucurny - Dalyellup

Question 1:

At one point you mentioned Council will need to talk about the Millennium site facilities in Dalyellup, do you mind explaining?

Shire President Response:

The Shire has its long-term financial plan which we project our projects in the future as part of that was identified the Millennium sports field which was included as the master plan for that part of the Dalyellup Estate.

Given some of the issues around there being contamination and an apparent lack of appetite to proceed with that there just needs to be a decision about how that continues as part of remaining on the Shire's long-term financial plan or whether the project is removed.

Question 2:

The project of having sport fields on top of the site, is that what you're talking about?

Shire President Response:

Yes, there was originally a structure plan that sporting fields would be placed on top of the Millennium dumping site up the back of the green patch.

Question 3:

But now it's not happening, no?

Shire President Response:

It's still included in the Shire's long-term financial plan so as part of us reviewing that plan discussions would need to be had as whether that's remains. Given light of the report and the conditions around that site.

It's there and Council has a position that was opposed to the Greenpatch development because of some issues around contamination and part of that includes the future sporting precinct that was located there. So Council needs to know formally recognise whether it wants to proceed or not, it can continue with just keeping it in the plan and budgeting for something that it may or may not be built or it can decide to no longer plan for that project and also have it removed from the developer contribution plan.



Question 4:

And then find somewhere else?

Shire President Response:

Yes, so the Shire has identified requirement for sporting facilities particularly in the Dalyellup area it's in those it's in that process right now of reviewing sites right now and moving forward with that.

Public Question Time concluded at 8:33pm.

18. Motions Without Notice (Absolute Majority by Council)

Nil.

19. Notices of Motion for Consideration at the Next Ordinary Meeting of the Council

Nil.

20. Items for Consideration Behind Closed Doors

Item 20.1 Motion with Notice (Cr Andrew) was withdrawn from the Agenda.

21. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 8:34pm.