



Ordinary Council Meeting Minutes  
Wednesday, 28 February 2024



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 lifestyle of choice; connecting community, culture and country.*

## Our Values



**H** Honesty

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



**E** Empathy

We are kind and show understanding of peoples circumstances, perspectives and differences.



**A** Accountability

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



**R** Respect

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



**T** Teamwork

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



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MINUTES - Ordinary Council Meeting - 28 February 2024

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## 1. Declaration of Opening/Announcement of Visitors

The Deputy Shire President as the Presiding Member opened the meeting at 6:01pm 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 culture; and to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.'*

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

### PRESENT:

Presiding Member, Deputy President	S Schiano
Councillor	A Dillon
Councillor	J Fergusson
Councillor	P McCleery
Councillor	R Mogg
Councillor	K Noonan
Councillor	T Sharp
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, Shire President D Kitchen

MEMBERS OF PUBLIC - Gallery: 2

## 3. Response to Previous Public Questions Taken on Notice

Nil



#### 4. Public Question Time

*Public Question Time began at 6:02pm.*

***The following questions were asked at the Ordinary Council Meeting Agenda Briefing on Wednesday 21 February 2024. The questions and answers read out at the Ordinary Council Meeting by the Presiding Member.***

#### **B Hearne – Peppermint Grove Beach – Customer Relationship Management and Reporting**

##### **Question 1:**

The report indicates among other matters that improved management and reporting is reliant on improvements to Synergysoft CRM. Little mention is made in item 15.6 relating to the accuracy of information provided to ratepayers and staff particularly in relation to phone and verbal requests for information, and information that is displayed on the Shire web and Facebook pages. Can the Customer Relationship Management and Reporting policy be improved to reflect how verbal requests and the accuracy of information via the shire social media streams in particular can be improved? Can this additional information be provided in the reporting system in line with the Customer Service Charter?

##### **CEO Response:**

Thank you for the question Mr Hearne. There are 2 elements to the Shires' Customer Relationship process, one is the Customer Service Charter that outlines the performance and response standards and the IT system itself, that manages individual community requests.

The planned review of the Shire's existing Customer Relationship Management (CRM) system is to identify ways to improving the internal management processes of external communications and requests in line with the adopted Customer Service Charter. The Shire's current CRM was installed in 2008 and does not have the full functionality and capability that the Shire would like in a modern customer relationship system.

However the review has determined that some modifications can be made to the existing system to better align to the standards and requirements in our Customer Services Charter. There will be an escalation process where standards and responses are not adhered to.

This updated current system and process will be in place by 30 June.

The introduction of a new Enterprise Resourcing Platform (ERP) over the next couple of years will see a modern CRM as essential and a main prerequisite in determining which ERP solution will be implemented across the organisation.

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#### **B Hearne – Peppermint Grove Beach – Employee Leave Reserve**

##### **Question 2:**

I note that the employee leave reserve fund has a current balance of \$775k. In notes to the accounts the current employee annual leave provision is estimated at \$662K while the current and non-current long service leave provision is estimated at \$815k.



Given that the Shire leave liability stands at \$1.477 million should consideration be given to increasing the employee leave reserve provision this financial year given the mid-year review identified a potential opportunity to do so with an expected salary budget surplus of \$921k?

**CEO Response:**

Leave reserve is used to fund leave entitlements for redundancy, retirement, leave transfers to other local governments and leave entitlements paid each year. The balance of the leave reserve as at 30/06/2023 was \$760,645.

Current liabilities include the current employee provisions. On this basis, an increase in the Leave Reserve is not planned, however, may be required in future budget and workforce planning.

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**B Hearne – Peppermint Grove Beach – Salary Budget**

**Question 3:**

The Shires salary budget for 23/24 was \$11.718 million with an expected outturn/financial result of \$10.896 million in other words a surplus of \$826k. In calculating the salaries budget the Shire appears to allow for the salary of each individual employee including their 23/24 annual leave entitlements. Does the annual budget make an allowance to replace staff on leave with contract staff? If so how is this provision calculated in the salaries budget? Given my earlier question how does the Shire manage transfers to and from the leave reserve other than for the obvious liabilities associated with staff resigning and or transferring to another Local Government authority?

**CEO Response:**

The Shire very rarely backfills leave vacancies with contract staff and therefore does not budget for any replacement. This may only occur if the absence is expected to be very prolonged, not normal leave circumstances.

There is not a provision within the budget or the leave reserve to cover all staff while on leave. Frontline and customer contact staff such as rangers, libraries and customer service officers are budgeted for full staff to cover a full year. Other staff have their salary at 48 weeks salary and 4 weeks as a leave expense.

Transfers from the leave reserve are used for amounts not included in the budget process. An example of a transfer from the leave reserve; a payment to an employee that is covered by leave reserve definition that has been approved by council but not included in the budget.

**Question 4:**

Looking at the salaries budget for 2024/25. Is the base budget provision for 23/24 of \$11.718 million likely to increase substantially due to approved pay increases in 23/24, new staff positions already approved, and increased salaries required to attract key staff? If so by how much is the 24/25 budget likely to increase above the 23/24 budget provision? Will the 24/25 budget reflect saving due to delays in filling vacant positions? The reason I ask this question is that historically there always appears to be substantial savings/surplus in the salaries budget that could otherwise be used to either offset rate increases or alternatively improve facilities within the Shire.



**CEO Response:**

The Shire is in the process of reviewing and updating the adopted 2023-2027 Workforce Plan that will include a review of vacancies, recruitment, retention and expenditure for 2023/24. Work has also commenced our workforce planning for 2024/25 and beyond.

The 2024-28 Workforce Plan is due to be presented to the Council at the April OCM. The 2024-25 draft annual budget will reflect the increase to the salaries provision considering the new positions recommended and supported by the Council in the Workforce Plan.

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**B Hearne – Peppermint Grove Beach – Waste Management**

**Question 5:**

I ask this question because 14 pages of usual financial information was left out of the February financial report reporting financial results to December 31, 2023. This deleted information would in normal circumstance allow me to answer my own questions. With the expectation in the mid-year report that waste management revenue will decrease by \$32k and waste management expenditure will also decrease by \$227k by June 30, 2024 why does the mid-year review report note in the waste management reserve show an increase in transfer from the waste reserve of \$252k presumably to meet increased costs?

It may well be a typo and in fact should be shown as a decrease. Whichever clarification would be useful? This question is relevant given the shires stated intention of moving to full cost recovery for waste services. With the Shires intention of moving to full cost recovery for waste services, together with savings identified in the 23/24 mid-year budget review what progress has been made in identifying that actual/real cost of shire waste services without the included impost of some \$800k of administrative overheads?

**Deputy Shire President Response:**

The reporting of the waste reserve performance through the mid-year budget review process should note a 'decrease' in the net transfer from reserve and not an 'increase'. This wording is incorrect. The MRBR still forecasts a transfer from the waste reserve but at a reduced amount compared to what was originally budgeted. However, forecast income is in line with budget and forecast expense below budget, hence the reduction in the transfer from the reserve.

Administrative overheads are real costs that are applied to all Shire operations and officers are looking at the existing model as part of the 2024/25 budget process, to ensure the application of overheads continue to be applied correctly.

The Shire is currently undertaking a full review of our overhead and oncost allocations.

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**B Hearne – Peppermint Grove Beach – Ironstone Gully Falls**

**Question 6:**

The mid-year budget report indicates a contract for \$39,360 (some \$10,500 over budget) was let on 1 December 2023 to implement improvements at the falls.





**CEO Response:**

What improvements are planned?

In August 2022 Council endorsed "Ironstone Gully Falls as a 'day-use' area for cultural, environmental, and heritage interpretation, and as a key site for eco-based tourism and recreation experiences. It supported the development of a Reserve Management and Upgrade Plan to enable understanding and consideration of future budgetary and management implications of maximising the tourism attraction value of Ironstone Gully Falls." Council did not endorse the cessation of camping activities at the reserve.

This contract is with a suitably qualified consultant to develop the management and upgrade plan for the reserve. As per the Council decision, this management plan considers cultural, environmental, and heritage interpretation, and as a key site for eco-based tourism and recreation experiences and is proposed to include an expansion of the day use activities (including the Ironstone Gully Falls walk and interpretative trail), as well as improving opportunities for low impact camping.

Has indigenous collaboration been sort on the works to be implemented?

Undalup Association (Inc) are contracted to complete the Ironstone Gully Falls walk and interpretative trail and are on track to have finalized the stories and designs for this trail by the end of April 2024.

Is the project still on track to be completed by April 2024?

Should Council endorse the proposed mid-year budget review amendments, then this will release the necessary funds to complete Stage 2 of the development of a Reserve Management and Upgrade Plan.

Is this project part of the trails master plan?

The Ironstone Gully Falls Walk and Interpretative trail is a component of the Shire's endorsed Trails Master Plan. The draft Reserve Management and Upgrade Plan incorporates this trail, as well as taking a more strategic and holistic review of the use of the reserve (as mentioned) above.

What is the current status of trails master plan?

Shire seeking funding to update Trails Masterplan, with an addition of the Bunbury Capel Busselton trail.

When was it last updated and is it available to be viewed on the Shires web page?

Completed in 2008 and is largely still relevant, except for addition of the Bunbury Capel Busselton trail.

*Public question time finished at 6:13pm.*



## 5. Application for Leave of Absence

*Cr Terrantroy raised a request for a leave of absence for the September Ordinary Meeting of Council.*

*Cr McCleery raised a request for a leave of absence for the March, April and May Ordinary Meetings of Council.*

### **OC/2024/26 - Motion / Council Decision**

*Moved Cr Dillon, Seconded Cr Noonan.*

**That Council approve the leave of absence request from Cr Terrantroy for the September Ordinary Meeting of Council and Cr McCleery for the March, April and May Ordinary Meetings of Council.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*

## 6. Declarations of Interest

*Cr Noonan declared an Impartiality Interest in item 14.1 Bunbury Outer Ring Road - Extension of Closures the nature of the interest is that he is an Ordinary Member of the Friends of Gelorup Corridor.*

*Cr Sharp declared an Impartiality Interest in item 14.1 Bunbury Outer Ring Road - Extension of Closures the nature of the interest is that she has previously spoken out against this project.*

*Cr Mogg declared an Impartiality Interest in item 15.4 Minor Community Grants Scheme Round 2 the nature of the interest is that Gelorup Community Inc is a beneficiary recipient and she is a member of the Gelorup Community Inc.*

*Cr Sharp declared an Impartiality Interest in item 15.4 Minor Community Grants Scheme Round 2 the nature of the interest is that Gelorup Community Inc is a beneficiary recipient and she is the editor of the community newsletter.*

## 7. Notice of Items to be Discussed Behind Closed Doors

Nil



## 8. Confirmation of Minutes

### 8.1. Ordinary Meeting of Council - 31 January 2024

#### Voting Requirements

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Simple Majority

<b>Officer's Recommendation – 8.1.</b>
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That the Minutes of the Ordinary Meeting of Council - 31 January 2024 be confirmed as a true and correct record.

<b>OC/2024/27 - Alternative Recommendation / Council Decision - 8.1</b>
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*Moved Cr McCleery, Seconded Cr Fergusson.*

**That the Minutes of the Ordinary Meeting of Council - 31 January 2024 be confirmed as a true and correct record, noting an amendment to the Minutes is to be made to the recording of the vote on Item 14.1 Advertisement of Draft Local Planning Policies, Council Decision OC/2024/7, that Cr Schiano voted against the amendment.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*

## 9. Announcements by Person Presiding Without Discussion

Please see attached the *Shire President Activity Report* for the December-February period.

On January 26<sup>th</sup>, we held our Australia Day Citizenship Ceremony and Community Awards. It was a pleasure to welcome 24 new citizens to the District, with conferees coming from 10 countries from all over the globe.

We had strong nominations for all community award categories with ten nominations for our Young Citizen category, two nominations for our Community Citizen category, four nominations for our Senior Community Citizen category, and five nominations for our Community Group of the year.

The Shire of Capel appreciates all work volunteers undertake to make this place the vibrant and diverse place it is. Together, we make this District the *Lifestyle of Choice*. Well done to all involved.



MINUTES - Ordinary Council Meeting - 28 February 2024

Event:	15/12/2023 – Gelorup Bushfire Brigade Facility Official Opening
Report:	
Event:	15/12/2023 – Meeting with Minister Dawson MLC
Report:	Updating the Minister on matters in the Shire of Capel
Event:	20/12/2023 – Meeting with Water Corp
Report:	Meeting to discuss essential infrastructure constraints in the District
Event:	21/12/2023 – Meeting with WALGA
Report:	Discussion with WALGA CEO and President
Event:	03/01/2024 – Meeting with Steve Thomas MLC
Report:	Updating Steve on matters in the Shire of Capel
Event:	17/01/2024 – Meeting with Minister Carey MLA
Report:	Discussion with Minister on essential infrastructure constraints
Event:	17/01/2024 – Meeting with Minister McGurk MLA
Report:	Discussion with Minister on essential infrastructure constraints
Event:	18/01/2024 – Meeting with Minister Jarvis MLA
Report:	Discussion with the Minister on the Boyanup Saleyards and future Agribusiness Precinct
Event:	23/01/2024 – Bunbury Geographe Economic Alliance
Report:	Meeting with BGEA, Mayor/Presidents of Bunbury, Harvey and Dardanup to discuss regional matters and opportunities
Event:	23/01/2024 – Meeting with DFES
Report:	Discussion on capacity
Event:	24/01/2024 – Meeting with SWGA and DWER
Report:	Meeting with the Gateway Alliance and Department of Water to discuss bore issues in Gelorup
Event:	26/01/2024 – Australia Day Citizenship Ceremony and Community Awards
Report:	
Event:	30/01/2024 – Meeting with Nola Marino MP
Report:	Discussion on matters in the Shire of Capel
Event:	15/01/2024 – Bunbury Geographe Economic Alliance
Report:	Board meeting

Date	Briefing
20/12/2023	CHRMAP Briefing
17/01/2024	BORR update
	FieldForce4 update
	Place Plan Briefing
24/01/2024	Enterprise Resource Planning Tool Briefing
	Major Projects & Program of Works Update
	Iluka Presentation and Update
14/01/2024	Mid-Year Budget Review Workshop



## 10. Petitions/Deputations/Presentations

### 10.1 PRESENTATION - Andrew O'Brien, SLR Consulting

- Item 16.2 Boyanup Saleyards - Interim Wastewater Infrastructure - Lots 202 and 203 (No. 31), and Lot 146 (No. 22) Salter Road, Boyanup.
- Item 16.1 Saleyard Roof Covering - Lot 202 and 203 (No. 31) Salter Road, Boyanup.

## 11. Motions of Which Previous Notice has Been Given

Nil

## 12. Questions of Which Previous Notice has Been Given

Nil

### **OC/2024/28 - Procedural Motion / Council Decision - 12.1**

*Moved Cr Schiano, Seconded Cr Fergusson.*

**That the order of business be altered to allow Item 16.1 and 16.2 to be heard at this point in the Meeting in accordance with Section 4.3.1 of the Shire of Capel Standing Orders Local Law 2016.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*



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## 16.1. Saleyard Roof Covering - Lot 202 and 203 (No. 31) Salter Road, Boyanup

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<b>Location</b>	Lot 202 and 203 (No. 31) Salter Road, Boyanup
<b>File Reference</b>	PA265/2023
<b>Applicant</b>	Rowe Group
<b>Owner</b>	WA Livestock Salesman's Association
<b>Author</b>	Manager Development Services, Scott Price
<b>Authorising Officer</b>	Director Infrastructure Development, Tanya Gillett
<b>Nature of the Decision</b>	Legislative 16.1.1 Development Application
<b>Attachments</b>	16.1.2 PA265 Public Submissions 16.1.3 PA265 Agencies Submissions
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

### Proposal

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Support an application for Development Approval for a semi-permanent roof covering to be installed above the existing Boyanup Saleyard (BSY) at Lots 202 and 203 (No. 31) Salter Road, Boyanup.

The shading structure is of a sawtooth design and can be disassembled for repurposing at the eventual expiration of the BSY lease. The location of the structure will be directly above the saleyard element of the lots and will provide necessary shading to protect the welfare of animals, particularly in the harsh summer conditions that are often prevalent during the hours of sale.

Applications which are greater than \$1.5 million in estimated cost of construction are required to be determined by Council. With an estimated value of \$4 million this proposal is presented for consideration.

### Officers Recommendation

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That Council in accordance with Clause 68(2)(c) in Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves development application for a Roof Covering to the existing Boyanup Saleyard at Lots 202 and 203 (No.31) Salter Road, Boyanup, subject to compliance with the following condition(s):

1. The development is to be carried out in accordance with the plans, drawings and documentation included with the application for development approval. The development shall be completed within twelve months from the date of this decision and the receipt of the subsequent Approval Notice (in accordance with c12.2 and c12.4 of the Lease).
2. Prior to the lodgement of the Building Permit Application, a detailed Engineering design plan of the stormwater disposal system shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.



3. Prior to the lodgement of the Building Permit Application, a report must be prepared by a qualified acoustic engineer, who is a member of the Australian Acoustical Society, detailing the possible noise emissions from the subject development and comparing them to relevant noise criteria.

Should the predicted / measured results not comply with the criteria, the report must detail appropriate actions and mitigation measures in the form of a noise management plan to be undertaken to ensure that noise emissions do not contravene the provisions of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997.

The report will be at the full cost of the owner/applicant and must be submitted for the endorsement of the Shire of Capel Environmental Health Team. Any endorsed report / management plan will be used in the assessment and determination of the development application.

4. Prior to the lodgement of a building permit, a Construction Management Plan shall be submitted to the satisfaction of the Shire of Capel. This plan is to address the following matters:

- noise – construction work and deliveries;
- hours of construction;
- traffic management;
- parking management;
- access management;
- management of loading and unloading of vehicles;
- heavy vehicle access;
- dust management;
- waste management
- protection of infrastructure and street trees within the road reserve;
- the need for a dilapidation report of adjoining properties; and
- any other relevant matters.

The approved Construction Management Plan shall be observed at all times throughout the construction process to the satisfaction of the Shire of Capel.

5. Drainage from the new roof shall be contained on site and not flow into the Corridor.
6. All construction works must be contained within the lot boundary and as such management protocols must be in place for all construction methods to ensure no material is placed within the rail corridor boundary.
7. No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground.
8. No parking of construction equipment, such as front-end loaders, excavators, dozers, dump trucks, bobcats, utility vehicles and any other equipment are permitted on rail corridor land at any time during the performance of the construction works.
9. Dust suppression methods must be used during the performance of any construction works.
10. No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land and as such all-water runoff must be contained on the site.



11. No clearing of native vegetation is permitted in the rail corridor.
12. Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land.
13. Once all works are completed, the tenant is to provide written compliance and certificate of completion of works from their nominated contractor to the satisfaction of the local shire.
14. To ensure current insurance is updated to reflect addition to improvements (if applicable).
15. To ensure all requirements issued by Arc Infrastructure are acknowledged and adhered to in full.
16. No infrastructure, including the boundary wall, should be allowed to come closer to 10 m from the nearest rail.
17. The height of the highest structure must not exceed 9m.
18. If the land is required for the operation of the trains to Greenbushes, the land should be vacated at the cost of the lessee.

## Background

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<b>Land / Title Information:</b>	Lots 202 and 203 (No. 31) Salter Road, Boyanup
<b>Development Description:</b>	Roof covering of Saleyard
<b>Land Area:</b>	46,700m <sup>2</sup>
<b>Existing Land Use</b>	Existing Animal Establishment
<b>Local Planning Scheme zone:</b>	Public Purposes Reserve
<b>Greater Bunbury Region Scheme zone:</b>	Urban Zone
<b>Bushfire Prone Area:</b>	Yes
<b>Heritage Listing:</b>	Heritage Survey Listing – Category C (Site 95)
<b>Application Received Date:</b>	18 December 2023
<b>Application Process Days:</b>	72 days

While no major Council development decision apply previously to the site, it should be acknowledged in the background section of this report that a significant level of negotiation between the Shire and WA Livestock Salesman's Association (WALSA) has occurred to ensure better conditions for animals within the saleyard prior to the lease being extended.





A development application was anticipated to be lodged with the Shire in early 2023 in a bid to erect shading for the remaining parts of the summer period, however the application process was delayed through the complexities of the site constraints, which included the requirement of state government agencies to consent to development for portions that encroached their land holdings.

Council will also consider a Development Application at the February 2024 OCM meeting for the interim wastewater infrastructure (PA264/2023) which will be used for the purpose of transporting wastewater offsite and impede its ability to infiltrate into the groundwater, reducing the risk of contamination.

### Previous Council Decisions

- January 2022 (OC004/2022) – Council approved the leasing of the land known as the Boyanup Cattle Saleyards situated on Reserve 27193 and Reserve 27194 Boyanup to Elders Rural Services Limited and Nutrien Ag Solutions Limited (WALSA) on the following essential terms:
  - a. *An initial term of 10 years;*
  - b. *A further term of 10 years by mutual agreement;*
  - c. *Annual gross rent at the commencement of the lease (not including current and separate Council rate's charges) being set at \$81,000 plus GST;*
  - d. *Rent to be reviewed annually on the anniversary of the commencement date by CPI.*

*That above is subject to the negotiation of a management order with WALSA that includes but is not limited to:*

- i. Animal welfare legislation, regulations and standards;*
- ii. WHS standards, worker qualifications and incident response plans;*
- iii. Environmental matters including, waste and effluent management, odour, noise and dust;*
- iv. Operating standards, security and times;*
- v. Public access, vehicular movement and management, parking and conditions of entry;*
- vi. Access for people living with a disability;*
- vii. Facility standards, amenity and maintenance.*
- viii. The installation either shade sails or solid roof over all cattle pens.*

*To the satisfaction of Shire Officers.*

- That the Capital Upgrade Plan and Management Plan be appendices to the lease above and conditions of lease of the Boyanup Cattle Saleyards.

### Decision Framework

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#### **Shire of Capel Strategic Community Plan 2023-2033**

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

4.2 Informed and transparent decision making



## Corporate Business Plan 2023-2027

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

### Boyanup Saleyards Lease

The executed Boyanup Saleyards lease contains the following relevant clauses and details:

#### 12.2 Approval of Capital Upgrade Plan

- (1) The Lessee must not commence the Capital Upgrade Works until the Lessor has given the Lessee written notice to the Lessee that the Capital Upgrade Plan is acceptable to the Lessor (Approval Notice).
- (3) Once the Capital Upgrade Plan has been agreed by the Lessor and the Lessee, the Lessor must give the Lessee an Approval Notice with respect to the amended Capital Upgrade Plan.

#### 12.4 Capital Upgrade Works

- (1) Following receipt of the Approval Notice, the Lessee must:
  - (a) perform those parts of the Capital Upgrade Works which do not require an approval from an Authority within 6 months of the Approval Notice;
  - (c) complete the remaining Capital Upgrade Works within 12 months of receiving the approvals referred to in paragraph (b) above;
- (3) The Lessee must provide the Lessor with written notice as soon as practicable following completion of the Capital Upgrade Works advising the Lessor that the Capital Upgrade Works have been completed.
- (4) If the Lessee is unable to:
  - (a) complete the Capital Upgrade Works (or parts thereof) within the timeframes specified in clause 12.4(1); or
  - (b) submit an application to an Authority for approval to the balance of the Capital Upgrade Works within 6 months of the Approval Notice,

due to an event of Force Majeure, then the relevant date shall be extended by the period of time that the Lessee is delayed by such event.

## **Statutory Framework**

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### **Local Framework**

- Shire of Capel Local Planning Strategy;
- Shire of Capel Local Planning Scheme No. 8;
- Local Planning Policy 6.5 - Heritage Protected Places; and
- Local Planning Policy 6.7 - Community Engagement.

### **State Framework**

- *Planning & Development Act 2005*;
- *Planning & Development (Local Planning Schemes) Regulations 2015*;
- State Planning Policy 3.7 - Planning in Bushfire Prone Areas;
- State Planning Policy 5.4 - Road and Rail Noise; and
- Greater Bunbury Region Scheme (GBRS).



## Federal Framework

There are no federal frameworks relevant to this item.

## Policy Framework

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There are no Council policies relevant to this item.

## Implications

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### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Reputation  <b>Rating: Medium</b>	Possible	Moderate	Support the proposal as per the Officer's recommendation.
<b>Risk Description: Community Dissatisfaction</b> - There has been a significant community desire to see a greater emphasis on animal welfare at the current saleyard. The Shire has been seeking a development application to be lodged by WALSA to address the lack of shade for cattle in summer periods. Refusing the Development Application would not alleviate such welfare issues.			
<b>Opportunity: Upgrading the Existing facilities</b> - The competitive advantage of providing greater animal welfare to such facilities would likely mean cattle sales people choosing the Boyanup Saleyard to conduct their business, thus resulting in money exchanging hands within the local economy.			

### Financial Implications

#### Budget

The proposal results in minor budget implications, largely through the expenditure associated with community consultation and the various letters sent out to adjoining and nearby landowners inviting comments.

It is however acknowledged that due to the proposal being submitted for the Shire's determination rather than the JDAP, the fee paid to the Shire that is associated with the \$4 million estimated cost of construction is \$10,251.

### Sustainability Implications

#### Climate Change and Environmental

- The sawtooth design and carefully thought-out wastewater system that is being considered with this application should reduce the runoff and potential contamination of the groundwater that occurs when sensitive uses are proposed in low lying areas without appropriate drainage.



Social

The covering of the Boyanup saleyards will bring the existing facilities into alignment with other saleyards throughout the state, who have made the necessary modifications to promote animal welfare.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

**Consultation/Engagement**

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**External Consultation**

The following agencies were consulted as part of the Shire’s referral process:

- Department of Planning, Lands and Heritage (DPLH);
- Department of Water and Environmental Regulation (DWER);
- Department of Mining, Industry Regulation and Safety (DMIRS);
- Department of Primary Industries and Regional Development (DPIRD);
- Department of Health (DoH);
- Water Corporation (WC); and
- Public Transport Authority (PTA).

A summary of the feedback received can be found in **Table 1** below.

<b>Table 1: External Referral Comments</b>		
<b>Agency</b>	<b>Comments</b>	<b>Officer Response</b>
DPLH	<p>In relation to the Greater Bunbury Region Scheme (GBRS), the land impacted by the development application is partly zoned Urban, abutting a Railways reserve and partly reserved for Railways.</p> <p>On land zoned Urban abutting the Railways reserve, approval is required under the GBRS, pursuant to Schedule 1, point 4 of the <a href="#">WAPC's GBRS Clause 27 Resolution</a>. This decision is delegated to the Shire if it accepts the recommendation of the public authority responsible for the reserved land or chooses to refuse the application, pursuant to Schedule 2, point 4 of the <a href="#">GBRS Delegation Powers of Local Governments</a>.</p> <p>On land reserved for Railways under the GBRS, approval is required under the GBRS and the decision is delegated to the local government if the criteria is met under Schedule 1, point 3 of the <a href="#">GBRS Delegation Powers of Local Governments</a>.</p>	<p>Noted.</p> <p>It is recognised that the Shire will have delegation to determine the proposal on the basis that the recommendation/decision reflects the advice of relevant authorities.</p> <p>It is also noted that the various land ownerships have resulted in an updated application provided by the proponent which includes signatures from delegated parties of DPLH and PTA.</p>



<p>DWER</p>	<p>Licensing under the Environmental Protection Act 1986 (EP Act). The proposed roof structure is considered a control to minimise the volume of rainfall falling on the pen floors (that would otherwise generate contaminated overland flow that would need to be managed).</p> <p>Its construction will be subject to a works approval under the EP Act, and it will be added to the licence as a control for stormwater management. However, the disposal of clean stormwater that is captured from the roof will not be regulated under the licence, as this falls outside the scope of Part V of the EP Act.</p> <p>Proposed stormwater management statements from referral documentation. The proposed shelter will result in an increase in impermeable surfaces, which would likely result in increased volumes of clean roof stormwater that requires appropriate management.</p> <p>DWER notes the following proposed changes to management of stormwater as per the following referral statements:</p> <p>“The wastewater infrastructure (as proposed in DA1) will be retained but be repurposed as part of this Application, to be utilised for wastewater (effluent) management. The existing sedimentation system (‘SST’) will also be repurposed as a stormwater detention area as part of this Application, to operate as part of the upgraded stormwater management arrangements.”</p> <p>“The Stage 2 Development Application ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water.”</p> <p>“The proposed development ensures that the majority of stormwater, particularly roof water runoff, is managed independently from saleyard washdown water. The roof water will be gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event, featuring a storage volume of 106m<sup>3</sup>, as specified by the Shire. Subsequently, the roof water is conveyed through a stormwater system sized for a 1 in 5-year event, before being discharged to the existing drain to the northeast of the subject site.”</p> <p>“If needed to meet the Licence conditions, stormwater treatment and detention will be incorporated, utilising the SST as proposed. Additionally, during saleyard washdowns, effluent is directed to the effluent buffer tank in accordance with the Licence conditions”.</p> <p>The Stage 2 Development Application includes switching the effluent and stormwater management systems, as</p>	<p>Noted. All relevant advice notes have been incorporated into the Shire’s recommendation.</p> <p>It will be the responsibility of the proponent to acquire the relevant approvals from State Government agencies once any planning decision has been made.</p>
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proposed by the Stage 1 DA (the rainwater, storage tank now becomes the effluent management system), and the effluent/sludge management within the SST becomes part of the final infrastructure to manage roof water flows).

Advice

In view of the above and DWER's review of the referral material, the following is advised:

The separation of clean roof stormwater from the contaminated water from the pen operations is supported on the basis of reduced contaminants in the stormwater entering the proposed soakwells and the existing drain to the northeast of the subject site. Management of stormwater should be in accordance with the Decision process for stormwater management in WA (DWER 2017) and the Stormwater Management Manual for Western Australia (DoW 2004–2007)

To ensure effective operation of the proposed soakwells in attenuating clean stormwater (for the 1-hour duration event), the highest groundwater should be determined so the soakwell system can be designed accordingly.

Confirmation of the shed roof size, as the Shire referral letter states an area of ~6,100m<sup>2</sup> compared to ~7,000m<sup>2</sup> in the letter provided in the referral by SLR Consulting Australia (SLR Ref No.: 675.64443.00000-L02-v0.1, dated: 13 December 2023).

Clarification with the Shire is required as the above referral statements are inconsistent with the Stormwater Catchment Plan (Drawing 675.64443-CI-2110, Rev B, draft, dated: 28/11/2023), which states:

*"Roof Water Collected And Diverted Through Soakwells Sized For A 1 In 1 Year Event (1 Hour Duration) ~80m<sup>3</sup> of Storage" (i.e. the referral states a storage volume of 106m<sup>3</sup>) "SST TO DETAIN 1:10 YEAR STORM EVENT, PRIOR TO DISCHARGING TO EXISTING DRAIN" (i.e. the referral states a 1 in 5-year event, before being discharged to the existing drain).*

For the shed structures and the inquiries on the proposed changes to the use of the existing sedimentation system ('SST'), the proponent is advised to contact DWER's Environmental Licensing Section (regarding works approvals and licenses under Part V of the EP) at [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au) or 6364 7000.

General

Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses and/or approvals.



	<p>In the event that the applicant determines that a works approval or licence application is required under Part V of the Environmental Protection Act 1986 (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process.</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	
DMIRS	Nil.	
DPIRD	<p>The Department of Primary Industries and Regional Development (DPIRD) does not object to the proposed addition of a shelter to the existing Boyanup Sale Yards. The construction of a roof over most of the facility and the associated management of stormwater will reduce the amount of contaminated water. The reduction of contaminated water will lead to a significant improvement in the environmental outcomes at the site.</p>	Noted.
DoH	Nil.	Noted.



<b>Table 1: External Referral Comments</b>		
<b>Agency</b>	<b>Comments</b>	<b>Officer Response</b>
WC	<p><u>Water</u> Reticulated water is currently available to the subject area. All water main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice. The developer may be required to fund upgrading of existing works and protection of all works.</p> <p><u>Wastewater</u> Reticulated sewerage is not immediately available to serve the subject area. All sewer main extensions required for the development site should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p> <p><u>General Comments</u> This proposal will require approval by our Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.</p> <p>The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.</p>	<p>All shortcomings of the documentation or proposed infrastructure will look to be addressed at the point in time when the proponent applies for approval by the Water Corporation Building Services division.</p> <p>It is noted that an advice note is included to ensure the proponent remains aware of this requirement prior to the commencement of development.</p>
PTA	<p>The PTA provided comments on the proposal on the 23<sup>rd</sup> February 2024. The recommendation was to support the proposal on the basis that a series of conditions and advice notes were accompanying the Officer's Recommendation.</p>	<p>Conditions and Advice Notes included in recommendation.</p>

Further to the invitation for government agencies to comment on the proposal, the Shire sent letters to 194 nearby landowners and occupiers, which was in accordance with the Shire's Local Planning Policy 6.7- Community Engagement.

The application was advertised for a period of 28 days, with 7 submissions being received.





The main points raised as part of the community consultation are summarised in **Table 2** below.

<b>Table 2: Community Consultation Comments</b>	
<b>Comments</b>	<b>Officer Response</b>
<p>Why would W.A.L.S.A. want to spend upwards of 5 million dollars on a 60 year old, out dated facility in the middle of Residential Area, with a major part of the facility situated on leased railway land (leased until 2028).</p> <p>W.A.L.S.A. use Lot 146 nearly every day to run cattle on. This is Zoned R30 which makes it Non-Compliant for this purpose.</p> <p>Lot 146 has a proposal to have a new bore or an upgrade done on the existing bore (bore Licence #175973, bore Licence Allocation 4500KL).</p> <p>The amount of water allocation that they have is not even close to what would be required to do wash outs after each sale event.</p> <p>Lot 146 bore, if a larger Allocation of water were to be purchased for hosing purposes, it would become a Commercial bore. Can a Commercial bore be installed on a R30 Zoned block.</p> <p>Lot 146, when used for cattle holding purposes, has a problem with containing the dust within its boundaries, generated by cattle movement. This dust which can contain many Zoonotic Diseases i.e.: Q FEVER is then blown over the Residential Area houses, some of which use rainwater catchment as their sole water supply. Is the Shire and the Farming community aware that the whole complex would have to be shut down for a period of time as it would become a Construction site, which would have limited access.</p> <p>Access for machinery into the yards for construction purposes would be extremely limited, (narrow laneways overhead catwalks). This all makes Construction time so much slower.</p> <p>Welding or fixing Roof Support Columns to the existing yard panels is NOT an option as many of the posts are rusted off at ground level and just look solid because of caked on manure.</p> <p>The concrete floor of the yards is extremely slippery for both man and beast. This has</p>	<p>The upgrading of the infrastructure was part of the leasing agreement between the Shire and WALSA. The current conditions of the site are not conducive to upholding adequate or acceptable levels of animal welfare. As such, it was requested that the shelter be installed if the lease was to be renewed for the site.</p> <p>The cattle saleyards and Lot 146 contains existing non-conforming use rights. LPS8 enables such uses to continue to run with the land up until the point in which activity ceases.</p> <p>Comment to be addressed in the relevant application (PA264/2023 pertains to Lot 146).</p> <p>Comment to be addressed in the relevant application (PA264/2023 pertains to Lot 146).</p> <p>The proponent is aware that such developments may require a construction management plan as part of their application, which includes specific information relating to dust suppression to be provided to the Shire for review prior to commencement of development.</p> <p>This is not a relevant planning matter.</p> <p>This is not a relevant planning matter. Materials and structural details of the shelter will be assessed and scrutinised at the Building Permit stage.</p> <p>This element of development has been assessed by the Shire’s Environmental Health Department</p>



<p>been caused by years of cattle and machinery polishing the surface. (This has caused injury on a number of occasions to workers and cattle). A soft floor (Razed rubber profile) is planned to put over the existing floor, but this will cause a major cleaning problem. Hosing is the only option, but the contours (levels-falls) of the floor were never designed for this and go in all directions, not to graded low area. I also believe that a new Effluent catchment system will not be able to handle the under estimated volume of water required for each washout which is required after each sale event. (As required by the DWER licence).</p> <p>The Roof concept is a fantastic idea for Cattle Welfare, Comfort of Workers, Buyers and Sellers. However, the present location of the yards is no longer a practical option in the middle of a Town.</p> <p>The idea of the Shire setting up an all new Selling Precinct on a hundred acres is a great idea, which would enable the yards to continue as it is for the next couple of years, whilst the new facility is being built and then it would be a straight transition from old to new.</p>	<p>and not considered to be a concern. The estimated effluent catchment has been assessed by DWER and the Shire's Environmental Health Department and deemed to be an appropriately sized system for the shelter. Further commentary on this can be found in the report put to Council in February 2024 for PA264/2023.</p> <p>The nature of the structure is temporary, and the intention is to deconstruct the shelter once the lease expires and re-sell the infrastructure. This shelter is not intended to exist within the townsite for several decades.</p> <p>Noted.</p>
<p><b><u>Installation of a roof (7000-7200m<sup>2</sup>)</u></b>  <b>Question:</b> Night-time noise from cattle already necessitates closure of windows some nights. The hard roof structure will result in increased lateral transmission of noise. Will the proponents be required to commission a noise consultant to provide advice on noise attenuation and will the recommendations be included as a condition of approval?</p> <p><b>Question:</b> The area under the structure will be dry. The existing dust problem will be exacerbated. Table 7 states that dust will be monitored, and action will be taken. What dust monitoring program will be implemented and what are the management actions that will be taken in the event of high levels of dust? Dust and reduced road conditions from the extra traffic associated with liquid waste transport will also occur. Will Salter Road be widened and resealed to mitigate these impacts?</p>	<p>WALSA notes the comments raised in regard to environmental noise risks and commits to ensuring ongoing compliance with the Environmental Protection (Noise) Regulations 1997, where applicable.</p> <p>WALSA also commits to responding to any complaints as they arise and implementing measures at minimising noise impacts as far as is practicable to do so. Current contact details for lodging complaints are contained within the SBMP.</p> <p>The yards are predominantly concrete floored (with some sand yards around the fringe of the saleyard) and drain to the sumps. The management of dust from these yards can therefore be managed through regular washdowns. In contrast, all access areas and roads are unsealed and have potential to become a source of dust in dry, windy conditions or during truck movements, however construction of the proposed roof would not affect the potential for dust emissions from these areas.</p> <p>WALSA are proposing to upgrade their bore onsite and have increased their water allocation, which</p>



<p><b>Question:</b> Are the soak wells adequate for the roof area? The application states that “the roof water will be gathered and directed through soak wells sized for up to a 1 in 1-year (1-hour duration) event (~18.2mm), featuring a storage volume of 106m<sup>3</sup>, as specified by the Shire, but the SLR Plan B indicates the storage will be ~80m<sup>3</sup>. An 18.2mm rain event in 1 hour x 7000m<sup>2</sup> = 127m<sup>3</sup> or 131m<sup>3</sup> if the roof area is 7200m<sup>2</sup>.</p>	<p>will provide additional water for wash downs of sealed areas and to provide dust suppression on unsealed areas. Vegetation along the eastern boundary of the site, between the sales yard and the nearest residences will be retained, which will also assist in screening and filtering dust emissions.</p> <p>With these mitigation measures in place, Table 7 refers to ongoing visual inspections by site staff of on-site dust levels and any dust seen travelling off-site. No on or off-site dust monitoring using instrumental methods are currently proposed.</p> <p>In the event that dust emissions are observed travelling off-site, or complaints are received regarding dust levels, hoses and water sprays will be used to wet down dusty surfaces and suppress any dust lift-off, with washdowns performed as soon as practicable to remove material from sealed surfaces that could later dry out and become airborne.</p> <p>The only additional traffic generated by the upgrades in DA 1 &amp; DA 2 are the contractors trucks used for pump out of the SST (effluent storage basin). The trucks would be travelling on-site at very low speeds, limiting the emission of wheel-generated dust. This is a minor increase and is not anticipated to result in significant dust emissions that cannot be appropriately managed through the use of water sprays.</p> <p>The soakwells have been designed and modelled to cater for a 1 in 1 year event of 1 hour duration and, the area of the soakwell has been confirmed at 80m<sup>3</sup>, based on a revised roof area of 4,900m<sup>2</sup> in accordance with SLR’s RFI response to Council dated 15th January.</p>
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<p><b><u>Switching the effluent and stormwater management systems</u></b></p> <p><b>Question:</b> Will there be any spot samples of the 'clean' water in the SST to check there has been no ingress of contaminated water from other areas? (i.e., overflow from the repurposed rainwater tank).</p> <p><b>Question:</b> As the 300,000L tank will be repurposed for wastewater, how will odour and pests be managed in the tank?</p> <p><b>Question:</b> has there been any assessment of whether the rainwater tank will be adequately sized if it is repurposed as a wastewater tank? DA 1 indicates that washdowns will increase with installation of soft flooring.</p>	<p>Subject to the conditions imposed by Council for DA 2 and, the potential conditions imposed by DWER for the Works Approval, it is envisaged that a similar sampling regime will be required for the SST as is required for the proposed buffer tank under WALSA's current Licence.</p> <p>It is assumed that because the buffer tank is a closed system, odour will be adequately managed.</p> <p>The buffer tank has sufficient capacity to act as an effluent storage tank, prior to pump out and disposal offsite.</p>
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<b>Table 2: Community Consultation Comments</b>	
<b>Comments</b>	<b>Officer Response</b>
<p>Animals' Angels is nationally respected as a key stakeholder in the saleyard and transport industries. Our charter in Australia is to monitor animal congregation points for both short and long-distance transport. We are the only non-government organisation in Australia that actively and routinely monitors the industries nation-wide. Over the last 20 years, we have comprehensively and professionally observed and reported, to the appropriate authorities and industry, non-compliance with relevant legislation and applicable Australian Animal Welfare Standards and Guidelines. Our work has included multiple visits to, and formal reports about, the Boyanup Saleyards.</p> <p>Consistent in our assessments is that the welfare of animals held at Boyanup Saleyards has been compromised. There have been many instances where, in our view, there have been breaches of animal welfare legislation and regulations.</p> <p>These breaches are detailed in our reports which have all been sent to the Capel Shire at the relevant time but are available upon request.</p>	<p>Noted. The Shire is progressing plans to eventually relocate the saleyards out of Boyanup Townsite, but the shelter will act as an interim measure to promote animal welfare at the current site until any alternative arrangements are tabled.</p>



<p>Key problem areas identified by us are heat stress and the supply of suitable water. Heat stress should be addressed, at least in part, by the installation of a solid roof across the saleyard.</p> <p>The regulatory requirement to supply suitable water will not be addressed by the addition of a roof but it is a key infrastructure improvement that is required if the Boyanup Saleyard is to be made fit for purpose and compliant with animal welfare regulations. Shortcomings identified by us are described in detail in our reports.</p> <p>In addition to the infrastructure required to deliver water around the saleyard, there is a need for training of staff and constant monitoring of cattle held there to ensure that all animals have access to water in compliance with the animal welfare regulations.</p> <p>This would include addressing the over-stocking of pens which is consistently described as an issue in our reports.</p>	
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<p>I am sure the cattle will be happy and more comfortable to have covered shelter at the stock yards but how about you make life better for the residents do something about the extreme number of flies attracted to the area by the cattle yards.</p> <p>I think a better idea would be to move the stock yards out of the middle of town and into an area where there are no houses where the flies would not be an annoyance for anybody.</p>	
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<p>After reading the documents provided with the DA from SLR Consulting Australia I wish to make the following comments and request further information.</p> <ol style="list-style-type: none"> <li>1. What is the total cost of this upgrade?</li> <li>2. What is planned as far as cattle sales whilst the site becomes a construction site?</li> </ol>	<p>Cost can be found in this report.</p> <p>This is an operational and commercial matter for WALSA and will be determined prior to construction.</p>
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<p>3. A noise management plan be provided as to the increase acoustics being generated by the addition of a steel roof over the entire yard complex. The question is: Will the roof addition increase noise from cattle as it is quite audible now without a roof?</p>	<p>WALSA notes the comments raised in regard to environmental noise risks and commits to ensuring ongoing compliance with the Environmental Protection (Noise) Regulations 1997, where applicable.</p> <p>WALSA also commits to responding to any complaints as they arise and implementing measures at minimising noise impacts as far as is practicable to do so. Current contact details for lodging complaints are contained within the SBMP.</p>
<p>4. The total stormwater catchment from the roof and uncovered areas is quoted as being "discharged to the existing drain to the northeast of the site" <b>however it is stated that</b> "if needed to meet the Licence Conditions, storm water treatment and detention will be incorporated" My question is what and how is this volume of water planned to be treated and disposed of should it not meet the Licence Conditions?</p>	<p>It is not envisaged that detention and treatment will be required however, this is a matter for Council in assessing the DA, it may be used as detention to control stormwater flow, or it may be treatment and detention.</p>
<p>5. In Attachment A of the report on drawing title "Stormwater Catchment Plan stage 2" it shows the roof water directed stage 1 stormwater network after travelling through a new set of soak wells with a total capacity of 80 cubic metres and the plan shows the stormwater being directed into the existing SST, my concern is with the huge catchment area 7500 square metres this system will not be able to handle the volume and furthermore it should not be diverted to the SST if it is not polluted with animal effluent, after all this is what the total upgrade is designed to prevent. Refer to the amended DWER conditions of the licence.</p>	<p>The soakwells have been designed and modelled to cater for a 1 in 1 year event of 1 hour duration and, the area of the soakwell has been confirmed at 80m<sup>3</sup>, based on a revised roof area of 4,900m<sup>2</sup> in accordance with SLR's RFI response to Council dated 15th January.</p>
<p>6. The subject site includes a portion of unused rail reserve to the east which is subject to a Lease between the Public Transport Authority ('PTA') and the Lessees, known as Lease Area L2992. The PTA land is currently leased until May 2028. My question is with the highly likely upgrade of the railway system between the mine at Greenbushes and the Lithium refinery located in the Pemberton area is the PTA about to approve a mayor upgrade development on their land given the likelihood of an upgraded rail system being planned?</p>	<p>The application has been referred to the PTA for their comment, specifically regarding the encroaching documentation and its potential impact</p>



I have only recently become aware of the ability of the public to comment on the changes proposed by WALSA at the Boyanup saleyards. I am a truck driver, there has been zero consideration of 1/3 of the users of the yards despite the loading, unloading and personal safety issues caused by this extremely dysfunctional section of the yards, the proposed roof doesn't even cover these pens that are sometimes used to sell cattle.

All loading pens have 90' and 60' corners causing cattle to be confused back up turn become confused and stressed interrupting loading making cattle already loaded to come of the truck etc. this causes a lot of stress on both cattle and humans.

With the simple addition of small gates in the force pen creating a "bugle" would remove 90% of the stress and danger. Ideally corners are not sharper than 120 degrees.

Access to the loading pens from the lane way is very poor as most pens are only accessible from one direction due to the lack of gates in appropriate places and gate sizes.

Stock carriers by necessity regularly load on our own. Assistance can be hours away.

None of us want to go to a mine site level of safety overkill. With simple improvements we can improve the safety of the yards from what was acceptable 60 years ago.

There is a woeful lack of space in front of the ramps to get trucks backed on to the ramps. It is a regular event watching trucks take half an hour to get onto the ramp. If other trucks aren't blocking access to ramps 4,5 a pocket road train often drops its steer tyres of the gravel to get straight enough to then reverse. Diff locks are often required to reverse! The other ramps are not suitable for pocket road trains as you have to be lucky to get it perfectly in line on the first attempt which must be a radical piece of guesswork as the ramp and reference points are not visible from the moment you turn in front of the next ramp swing back guess at the line and stop in front of the kerb that shouldn't be there. Get it wrong and you have to do a lap around the canteen and office!

The matters raised are not land use matters relevant to this DA but, WALSA will review comments regarding operations at site and, may make contact if required.



<p>Removal of all trees and compacted gravel in its place is twenty years overdue.</p> <p>A twenty-degree angle on the ramp face would be beneficial (not more than twenty degrees) and thick paint lines that don't scrub off both sides of the truck parked on the ramp also are very beneficial. Ramps 1 and 2 could easily be made suitable for side loading / unloading.</p> <p>I have intentionally not mentioned other areas of the yards as there are others who will have valid opinions as they work there.</p>	
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For a comprehensive set of comments provided by each submitter, please refer to **Attachment 14.2.3**.

**Internal Consultation**

The application was circulated internally to the following relevant departments for review and comments:

- Environmental Health;
- Building Services;
- Finance;
- Projects, Engineering and Assets;
- Emergency Management;
- Natural Resource Management; and
- Operations.

A summary of the feedback received can be found in **Table 3** below.

<b>Table 3: Internal Referral Comments</b>	
<b>Departmental Comments</b>	<b>Officer Response</b>
<p><u>Environmental Health</u></p> <p>Nil.</p>	<p>Noted.</p>
<p><u>Building Services</u></p> <p>An application for building permit will be required for the proposed buildings, the structures must comply with the Building Act 2011, Building Regulations 2012, National Construction Code, Building Code of Australia, and associated reference documents. Advice should be sought from a registered building surveyor contractor in order to obtain the appropriate certificates for building permit.</p>	<p>Advice notes to be included.</p>
<p><u>Finance</u></p> <p>No impact on rates levies.</p>	<p>Noted.</p>
<p><u>Projects, Engineering and Assets</u></p> <p>This is a high level document that will require detail design of all elements that need to be issued to the Shire for detail review and comment.</p>	<p>Advice notes to be included.</p>



<p><u>Emergency Management</u></p> <p>Nil.</p>	<p>Noted.</p>
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**Officer Comment**

The proposal is seeking a sawtooth roofed shelter above the existing cattle yard at the subject site. Reasons for the sawtooth design is to enable ease when disassembling, with the intent to re-sell the structure once the Lease expires. Furthermore, the design will also provide weather protection, mitigating the impact of adverse weather conditions on the cattle and the overall operation of the Saleyards.

The shelter will have a saw tooth roof design, will be approximately 5.7m in maximum height, and occupy a total area of approximately 6,100m<sup>2</sup>. The shelter will cover the entire saleyards pen, which does have elements of infrastructure that extend beyond the lot boundary and partially encroaches the PTA reserve to the east (as discussed below). Refer to **Figure 1** below for encroachment outside of the lot boundary.



**Figure 1: Site Plan Demonstrating Partial Encroachment.**

**Local Planning Scheme No. 8 (LPS8)**

Objectives of the Reserve

The subject site is reserved 'Public Purposes' under LPS8 and has been a saleyard for a significant period of time (refer to Heritage Survey assessment below). Whilst the addition of the shelter does not materially impact the overall use of the site, an assessment against the reserve's objectives is still required.



The objective of the 'Public Purposes' reserve is to 'provide for a range of essential physical and community infrastructure.' The overall use of the site has been to facilitate a long-standing tradition of cattle sales, which was centrally located to several agricultural communities. It is anticipated that by securing a shelter above the existing yards, the overall facility will be brought into consistency with other saleyards in Western Australia and will provide greater competitiveness for the region, largely due to the promotion of animal welfare.

In isolation, the shelter above the saleyard would be considered as appropriate infrastructure upgrades within the precinct and as such would be consistent with the objectives of the reserve.

### Built Form

There are minor aspects of development that encroach the adjacent railway reserve, and the unmade portion of the Salter Road reserve. The subject site includes a portion of unused rail reserve to the east which is subject to a Lease between the Public Transport Authority, ending in 2028.

The subject site also includes an unmade portion of the Salter Road reserve to the south. At the Ordinary Council Meeting held on 31 August 2022, Council granted approval for the temporary closure of the unmade portion of Salter Road for the term of the Saleyard Lease (until 2042). Amongst other matters, the temporary road closure will enable WALSA to implement the required safety controls to manage internal traffic and parking in accordance with the requirements of the Lease.

As discussed below, the Shire's planning framework does not contain provisions specific to primary controls for development within reserved land. Therefore, an assessment against the Matters to be Considered under Clause 67 of the Planning & Development Regulations 2015 will be conducted below.

### **Local Planning Policy 6.5 - Heritage Protected Places (LPP6.5)**

#### Heritage Survey

The site is classified as a Category C site on the Shire's Heritage Survey 2018. As per LPP6.5, Category C are places of moderate significance that contribute to the heritage of the locality, but do not form part of the Shire's Heritage List.

The Shire's Heritage Survey encourages conservation of a Category C heritage place, and states its significance as originally being the largest sales site of stock outside of Midland. The excerpt from the Heritage Survey goes on to state:

*'By 1961, Boyanup had emerged as the main sales centre and the Turner Street yards were no longer suitable. A meeting between Elders Smith Co, Goldsborough Mort & Co, Dalgety & Co, and Capel Shire. It was agreed that the agents would construct steel and concrete yards subject to a suitable location close to the railways (the transport to markets) being provided. The former recreation ground was no longer in use, so the Council made these available. The new yards were opened in 1964. These yards have continued to operate on this site.'*

Given the proposed development will contribute further infrastructure to the site and will result in an enhancement of the existing cattle sales use, the development would be considered an appropriate response to the heritage significance of the site.



**State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)**

The site is partially located within a bushfire prone area, as designated by the Department of Fire and Emergency Services (DFES). In accordance with the provisions of SPP 3.7 (Clause 6.5) and accompanying Guidelines for Planning in Bushfire Prone Areas (Clause 2.6), the proposed roof structure would be an ancillary development which will not intensify the existing land use.

Furthermore, the development is not likely to result in a greater patronage of sellers on the site, thus meaning that the current threat of bushfire and risk of people being onsite remains consistent.

Based upon the above, an assessment against the provisions of SPP3.7 is not required.

**Greater Bunbury Region Scheme (GBRS)**

In accordance with the Resolution Under Clause 27 of the GBRS RES2014/03, as the proposed patio is proposed to be located on land that abuts a railway reserve, approval under the Greater Bunbury Region Scheme is required, in addition to approval under the Shire of Capel Local Planning Scheme No.8.

The proposal was referred to DPLH for assessment and consideration. Appropriate comments regarding the GBRS elements to the land tenure and ownership have been outlined in **Table 1** above.

**Planning & Development Regulations 2015 – Clause 67 Matters to be Considered**

The development will need to have due regard to the matters to be considered as part of any assessment. Given the subject site and the Public Purposes reserve does not have any primary controls (maximum building heights, minimum lot boundary setbacks), it would be for the Shire Officers to determine the appropriateness of what is proposed and the scale of which it is proposed at.

Clause 67 of the *Planning & Development Regulations 2015* requires an assessment from Shire Officers to consider the bulk and scale of the proposal, as well as various other factors around environmental impacts, local residential amenity, and feedback from state government agencies.

**Table 4** below contains a comprehensive assessment against the Matters to be Considered.

<b>Table 4: Clause 67(2) - Matters to be Considered</b>		
<b>Clause</b>	<b>Matter to be Considered</b>	<b>Officer Comment</b>
(c)	any approved State planning policy	The applicable State Planning Policy (SPP3.7) has been considered as part of the proposal and is considered exempt from assessment due to the non-residential nature of the development.
(j)	in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	As demonstrated above, the development is considered to enhance the current operations and does not materially impact the overall use of the site, nor its compatibility with the objectives of the Public Purposes reserve.
(k)	the built heritage conservation of any place that is of cultural significance	As demonstrated above, Category C on the Shire's Heritage Survey are considered of limited significance. The proposal is not considered to



		compromise the overall value of the site, which is largely linked to its historical use rather than built environment.
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**Table 4: Clause 67(2) - Matters to be Considered**

<b>Clause</b>	<b>Matter to be Considered</b>	<b>Officer Comment</b>
(m)	<p>the compatibility of the development with its setting, including –</p> <ul style="list-style-type: none"> <li>(i) the compatibility of the development with the desired future character of its setting; and</li> <li>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development</li> </ul>	<p>The development is considered very compatible in its setting, as the industrial style of shelter is to aid the existing saleyard.</p> <p>Given the significant level of mature vegetation flanking the site, and the separation of the site to the eastern town centre via a railway line, the structure is relatively separated and screened from the view of the public domain.</p> <p>It is acknowledged that the subject site is surrounded by a transitioning urban environment, as most of the sites to the south and west have been rezoned R30 Residential as part of the recently gazetted LPS8. Whilst it would not be considered a positive outcome to have such infrastructure established at the site for a significant period of time (as it would not reflect the desired future character of the locality), it's acknowledged that the future relocation of the Boyanup Saleyard and the semi-temporary nature of the structure will not jeopardise the future character of the area, which will predominantly be medium density residential.</p> <p>Furthermore, the height, scale and location of the shelter is considered appropriate in the context of the site's use and size. The location of the shelter is predominantly contained to the portion of the lot that is furthest from abutting residential development. Due to the orientation of the lot and the positioning of the shelter, the shadow cast from the structure in morning periods would not extend beyond the western boundary of the property to impact the adjoining residential lots.</p>



**Table 4: Clause 67(2) - Matters to be Considered**

Clause	Matter to be Considered	Officer Comment
(n)	<p>the amenity of the locality including the following –</p> <ul style="list-style-type: none"> <li>(i) environmental impacts of the development;</li> <li>(ii) the character of the locality;</li> <li>(iii) social impacts of the development;</li> </ul>	<p>The proposal and the concurrent Development Application for the wastewater disposal has been assessed by the Shire’s Environmental Health Officers, Natural Resource Management Officer, and the Department of Water and Environmental Regulation.</p> <p>Whilst the Shire’s internal EH and NRM Departments had no comments on the proposal, DWER provided numerous advice notes which will be incorporated into the recommendation for the purpose of addressing any environmental impacts or considerations.</p> <p>In terms of the character of the area, the overall use of the site remains the same and the simple erection of a shelter will continue the site’s use as a Saleyard. The character of the area being predominantly a rural townsite (albeit the site being surrounded by Residential Zone) is not considered to be compromised, as the shelter design is not deviating from similar agricultural infrastructure designed in the local area.</p> <p>Lastly, the social impacts of the shelter are considered negligible. Noise from the development will be monitored and controlled through the imposition of a planning condition, aimed at ensuring compliance with the <i>Environmental (Noise) Regulations 1997</i> is upheld.</p>
(o)	<p>the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource</p>	<p>The application is accompanied by a separate DA to upgrade the wastewater management on the site. This will provide modern day practice to avoid any potential contamination etc.</p>
(q)	<p>the suitability of the land for the development considering the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk</p>	<p>The bushfire risk was assessed above and deemed to be exempt from the provisions of SPP3.7.</p> <p>Furthermore, the structure is accompanied by a Development Application for a comprehensive wastewater discharge system that will mitigate any contamination of groundwater.</p>
(y)	<p>any submissions received on the application</p>	<p>Responses to the submissions received can be found in <b>Table 2</b> of this report.</p>
(za)	<p>the comments or submissions received from any authority consulted under clause 66</p>	<p>Responses to the submissions by external authorities can be found in <b>Table 1</b> of this report.</p>



## Summary

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Council are being asked to consider the appropriateness of a roof shelter addition above the existing Boyanup Saleyard pens. This is considered a Development Application that has been forthcoming for some time, but has been lodged as part of responding to community and Council concern around animal welfare.

As such, it is encouraged that the Council endorses the Officer's Recommendation for conditional approval.

## Voting Requirements

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Simple Majority

### Officer's Recommendation – 16.1

#### OC/2024/29 - Officer's Recommendation / Council Decision - 16.1

*Moved Cr McCleery, Seconded Cr Terrantry.*

**That Council in accordance with Clause 68(2)(c) in Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves development application for a Roof Covering to the existing Boyanup Saleyard at Lots 202 and 203 (No.31) Salter Road, Boyanup, subject to compliance with the following condition(s):**

- 1. The development is to be carried out in accordance with the plans, drawings and documentation included with the application for development approval. The development shall be completed within twelve months from the date of this decision and the receipt of the subsequent Approval Notice (in accordance with c12.2 and c12.4 of the Lease).**
- 2. Prior to the lodgement of the Building Permit Application, a detailed Engineering design plan of the stormwater disposal system shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.**
- 3. Prior to the lodgement of the Building Permit Application, a report must be prepared by a qualified acoustic engineer, who is a member of the Australian Acoustical Society, detailing the possible noise emissions from the subject development and comparing them to relevant noise criteria.**

**Should the predicted / measured results not comply with the criteria, the report must detail appropriate actions and mitigation measures in the form of a noise management plan to be undertaken to ensure that noise emissions do not contravene the provisions of the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997.**

The report will be at the full cost of the owner/applicant and must be submitted for the endorsement of the Shire of Capel Environmental Health Team. Any endorsed report / management plan will be used in the assessment and determination of the development application.

4. Prior to the lodgement of a building permit, a Construction Management Plan shall be submitted to the satisfaction of the Shire of Capel. This plan is to address the following matters:
- noise – construction work and deliveries;
  - hours of construction;
  - traffic management;
  - parking management;
  - access management;
  - management of loading and unloading of vehicles;
  - heavy vehicle access;
  - dust management;
  - waste management
  - protection of infrastructure and street trees within the road reserve;
  - the need for a dilapidation report of adjoining properties; and
  - any other relevant matters.

The approved Construction Management Plan shall be observed at all times throughout the construction process to the satisfaction of the Shire of Capel.

5. Drainage from the new roof shall be contained on site and not flow into the Corridor.
6. All construction works must be contained within the lot boundary and as such management protocols must be in place for all construction methods to ensure no material is placed within the rail corridor boundary.
7. No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground.
8. No parking of construction equipment, such as front-end loaders, excavators, dozers, dump trucks, bobcats, utility vehicles and any other equipment are permitted on rail corridor land at any time during the performance of the construction works.
9. Dust suppression methods must be used during the performance of any construction works.
10. No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land and as such all-water runoff must be contained on the site.
11. No clearing of native vegetation is permitted in the rail corridor.
12. Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land.
13. Once all works are completed, the tenant is to provide written compliance and certificate of completion of works from their nominated contractor to the satisfaction of the local shire.



14. To ensure current insurance is updated to reflect addition to improvements (if applicable).
15. To ensure all requirements issued by Arc Infrastructure are acknowledged and adhered to in full.
16. No infrastructure, including the boundary wall, should be allowed to come closer to 10 m from the nearest rail.
17. The height of the highest structure must not exceed 9m.
18. If the land is required for the operation of the trains to Greenbushes, the land should be vacated at the cost of the lessee.

**Advice Note(s):**

- a) An application for building permit will be required for the proposed buildings, the structures must comply with the Building Act 2011, Building Regulations 2012, National Construction Code, Building Code of Australia, and associated reference documents. Advice should be sought from a registered building surveyor contractor in order to obtain the appropriate certificates for building permit.
- b) The separation of clean roof stormwater from the contaminated water from the pen operations is supported on the basis of reduced contaminants in the stormwater entering the proposed soakwells and the existing drain to the northeast of the subject site. Management of stormwater should be in accordance with the Decision process for stormwater management in WA (DWER 2017) and the Stormwater Management Manual for Western Australia (DoW 2004–2007). To ensure effective operation of the proposed soakwells in attenuating clean stormwater (for the 1-hour duration event), the highest groundwater should be determined so the soakwell system can be designed accordingly.
- c) For the shed structures and the inquiries on the proposed changes to the use of the existing sedimentation system ('SST'), the proponent is advised to contact DWER's Environmental Licensing Section (regarding works approvals and licenses under Part V of the EP) at [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au) or 6364 7000.
- d) Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses and/or approvals. In the event that the applicant determines that a works approval or licence application is required under Part V of the Environmental Protection Act 1986 (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process. In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.
- e) This proposal will require approval by the Water Corporation Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.





- f) The railway is currently undergoing a feasibility study to determine suitability and requirements to reopen the Picton-Greenbushes railway. This feasibility stage will run for most of 2024 and may require existing lease areas to be altered in the event of the railway reopening. Having said that, provided the existing infrastructure footprint is not growing, it is unlikely (albeit not certain) this area will be impacted.**
- g) In the instance where the developer requires access to, or across, the rail corridor to enable construction works, a separate application must be submitted to Arc's Third-Party Projects for review.**
- h) The certificate of completion shall be provided for PTA's records as documentation of compliance of structures within the rail corridor.**
- i) The proposed future rail operations for the Picton-Greenbushes railway, if rail operations recommence, will generate noise which cannot be mitigated to lots affected by this proposed development.**
- j) The clearance is granted for the duration of the corridor land lease.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*



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**16.2 Boyanup Saleyards - Interim Wastewater Infrastructure - Lots 202 and 203 (No. 31), and Lot 146 (No. 22) Salter Road, Boyanup**

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<b>Location</b>	Lots 202 and 203 (No. 31) and Lot 146 (No. 22) Salter Road, Boyanup
<b>File Reference</b>	PA264/2023
<b>Applicant</b>	Rowe Group
<b>Owner</b>	WA Livestock Salesman's Association
<b>Author</b>	Manager Development Services, Scott Price
<b>Authorising Officer</b>	Director Infrastructure Development, Tanya Gillett
<b>Nature of the Decision</b>	Legislative 16.2.1 D A's 1 & 2 RFI Response
<b>Attachments</b>	16.2.2 PA264 Agencies Submissions 16.2.3 PA264 Public Submissions
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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**Proposal**

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Support an application for Development Approval for a partial change of use and installation of interim wastewater infrastructure at Lots 202 and 203 (No. 31), and Lot 146 (No. 22) Salter Road, Boyanup (subject site).

The applicants have proposed to construct the interim wastewater infrastructure to support the existing use of the subject site (saleyard). The proposed development will involve the installation of a 300,000L rainwater buffer tank (primarily within Lease Area L2992), installation of a new bore (on Lot 146), associated pipework and concrete bunding for the purpose of achieving improved wastewater management in accordance with the Department of Water and Environmental Regulation ('DWER') License.

Due to the interest in the Boyanup Saleyard upgrades within the community, Council is being asked to consider the Development Application for the interim wastewater infrastructure.

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**Recommendation**

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That Council in accordance with Clause 68(2)(c) in Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves development application for an Interim Wastewater Disposal Infrastructure installation to the existing Boyanup Saleyard at Lots 202 and 203 (No.31), and Lot 146 (No. 22) Salter Road, Boyanup, subject to compliance with the following condition(s):

1. The development is to be carried out in accordance with the plans, drawings and documentation included with the application for development approval. The development shall be completed within twelve months from the date of this decision and the receipt of the subsequent Approval Notice (in accordance with c12.2 and c12.4 of the Lease).
2. Stormwater and roof run-off disposal including driveway drainage shall be contained on site (Lot 146, 202 and 203 Salter Road, Boyanup).



3. Prior to the lodgement of the Building Permit Application, a detailed Engineering design plan of the stormwater disposal system shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.
4. Drainage from the new roof shall be contained on site and not flow into the Corridor.
5. All construction works must be contained within the lot boundary and as such management protocols must be in place for all construction methods to ensure no material is placed within the rail corridor boundary.
6. No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground.
7. No parking of construction equipment, such as front-end loaders, excavators, dozers, dump trucks, bobcats, utility vehicles and any other equipment are permitted on rail corridor land at any time during the performance of the construction works.
8. Dust suppression methods must be used during the performance of any construction works.
9. No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land and as such all-water runoff must be contained on the site.
10. No clearing of native vegetation is permitted in the rail corridor.
11. Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land.
12. Once all works are completed, the tenant is to provide written compliance and certificate of completion of works from their nominated contractor to the satisfaction of the local shire.
13. To ensure current insurance is updated to reflect addition to improvements (if applicable).
14. To ensure all requirements issued by Arc Infrastructure are acknowledged and adhered to in full.
15. No infrastructure, including the boundary wall, should be allowed to come closer to 10 m from the nearest rail.
16. The height of the highest structure must not exceed 9m.
17. If the land is required for the operation of the trains to Greenbushes, the land should be vacated at the cost of the lessee.



## Background

<b>Land / Title Information:</b>	Lots 202 and 203 (No. 31), and Lot 146 (No. 22) Salter Road, Boyanup
<b>Development Description:</b>	Wastewater treatment, disposal and associated infrastructure (subsidiary to the primary use of the sites)
<b>Land Area:</b>	58,217m <sup>2</sup>
<b>Existing Land Use</b>	Existing Animal Establishment
<b>Local Planning Scheme zone:</b>	Lots 202 and 203 (No. 31) Salter Road: Public Purposes Reserve; and Lot 146 (No. 22) Salter Road: Residential Zone
<b>Greater Bunbury Region Scheme zone:</b>	Urban Zone
<b>Bushfire Prone Area:</b>	Yes
<b>Heritage Listing:</b>	Heritage Survey Listing – Category C (Site 95)
<b>Application Received Date:</b>	18 December 2023
<b>Application Process Days:</b>	72 days

Whilst no previous Council development decision apply to the site, it should be acknowledged in the background section of this report that a significant level of negotiation between the Shire and WA Livestock Salesman's Association (WALSA) has occurred to ensure better conditions for animals within the saleyard prior to the lease being extended.

A development application was anticipated to be lodged with the Shire in early 2023 in a bid to erect shading for the remaining parts of the summer period, however the application process was held up through the complexities of the site constraints, which included the requirement of state government agencies to consent to development for portions that encroached their land holdings.

Council is also being asked to consider a roof covering to the existing saleyard pens at the February 2024 OCM (PA265/2023) of which will run concurrently with the approval process of this Development Application. This wastewater treatment system is proposed to accommodate the significant stormwater runoff and associated waste that will be generated by the roof area. This importance of this application is significant, as it will ensure wastewater is appropriately disposed of without allow it to penetrate the water table, potentially resulting in contamination.

### Previous Council Decisions

- January 2022 (OC004/2022) – Council approved the leasing of the land known as the Boyanup Cattle Saleyards situated on Reserve 27193 and Reserve 27194 Boyanup to Elders Rural Services Limited and Nutrien Ag Solutions Limited (WALSA) on the following essential terms:
  - a. An initial term of 10 years;*
  - b. A further term of 10 years by mutual agreement;*
  - c. Annual gross rent at the commencement of the lease (not including current and separate Council rate's charges) being set at \$81,000 plus GST;*
  - d. Rent to be reviewed annually on the anniversary of the commencement date by CPI.*



*That above is subject to the negotiation of a management order with WALSA that includes but is not limited to:*

- i. Animal welfare legislation, regulations and standards;*
- ii. WHS standards, worker qualifications and incident response plans;*
- iii. Environmental matters including, waste and effluent management, odour, noise and dust;*
- iv. Operating standards, security and times;*
- v. Public access, vehicular movement and management, parking and conditions of entry;*
- vi. Access for people living with a disability;*
- vii. Facility standards, amenity and maintenance.*
- viii. The installation either shade sails or solid roof over all cattle pens.*

*To the satisfaction of Shire Officers.*

- That the Capital Upgrade Plan and Management Plan be appendices to the lease above and conditions of lease of the Boyanup Cattle Saleyards.

## **Decision Framework**

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### **Shire of Capel Strategic Community Plan 2023-2033**

Direction 2 - Manage and protect our environment

2.6 Increased opportunities for better waste management and reduction

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

4.2 Informed and transparent decision making

### **Corporate Business Plan 2023-2027**

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

### Boyanup Saleyards Lease

The executed Boyanup Saleyards lease contains the following relevant clauses and details:

#### 12.2 Approval of Capital Upgrade Plan

- (1) The Lessee must not commence the Capital Upgrade Works until the Lessor has given the Lessee written notice to the Lessee that the Capital Upgrade Plan is acceptable to the Lessor (Approval Notice).
- (3) Once the Capital Upgrade Plan has been agreed by the Lessor and the Lessee, the Lessor must give the Lessee an Approval Notice with respect to the amended Capital Upgrade Plan.

#### 12.4 Capital Upgrade Works

- (1) Following receipt of the Approval Notice, the Lessee must:
  - (a) perform those parts of the Capital Upgrade Works which do not require an approval from an Authority within 6 months of the Approval Notice;
  - (c) complete the remaining Capital Upgrade Works within 12 months of receiving the approvals referred to in paragraph (b) above;
- (3) The Lessee must provide the Lessor with written notice as soon as practicable following completion of the Capital Upgrade Works advising the Lessor that the Capital Upgrade Works have been completed.



- (4) If the Lessee is unable to:
- (a) complete the Capital Upgrade Works (or parts thereof) within the timeframes specified in **clause 12.4(1)**; or
  - (b) submit an application to an Authority for approval to the balance of the Capital Upgrade Works within 6 months of the Approval Notice, due to an event of Force Majeure, then the relevant date shall be extended by the period of time that the Lessee is delayed by such event.

### Statutory Framework

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#### Local Framework

- Shire of Capel Local Planning Strategy;
- Shire of Capel Local Planning Scheme No. 8;
- Local Planning Policy 6.5 - Heritage Protected Places; and
- Local Planning Policy 6.7 - Community Engagement.

#### State Framework

- *Planning & Development Act 2005*;
- *Planning & Development (Local Planning Schemes) Regulations 2015*;
- State Planning Policy 3.7 - Planning in Bushfire Prone Areas;
- State Planning Policy 5.4 - Road and Rail Noise; and
- Greater Bunbury Region Scheme (GBRS).

#### Federal Framework

There are no federal frameworks relevant to this item.

### Policy Framework

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There are no Council policies relevant to this item.

### Implications

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#### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Environmental  <b>Rating: Medium</b>	Possible	Moderate	Support the proposal as per the Officer's recommendation.
<b>Risk Description: Potential Contamination of Groundwater</b> - Without a robust wastewater disposal treatment system, the roofing of the saleyard will create an unduly amount of rain runoff and likely result in mixture with the cow manure of the yards. This will eventually seep into the ground and potentially contaminate the water table.			



<b>Risk 2</b> Reputation  <b>Rating: Medium</b>	Possible	Moderate	Support the proposal as per the Officer's recommendation.
<b>Risk Description: Community Dissatisfaction</b> - There has been significant community pressure to see a greater emphasis on animal welfare at the current saleyard. The Shire has been seeking a development application to be lodged by WALSA to address the lack of shade for cattle in summer periods. The roof covering's success is largely dependent upon an adequate wastewater disposal system to connect to. Refusing the Development Application would not alleviate such welfare issues.			
<b>Opportunity: Upgrading the Existing facilities</b> - The competitive advantage of providing a greater animal welfare to such facilities would likely mean cattle salesman choosing the Boyanup Saleyard to conduct business at, thus resulting in money exchanging hands within the local economy.			

### Financial Implications

#### Budget

The proposal results in minor budget implications, largely through the expenditure associated with community consultation and the various letters sent out to adjoining and nearby landowners inviting comments.

### Sustainability Implications

#### Climate Change and Environmental

The sawtooth design and carefully thought-out wastewater system that is being considered with this application should reduce the runoff and potential contamination of the groundwater that occurs when sensitive uses are proposed in low lying areas without appropriate drainage.

#### Social

The covering of the Boyanup saleyards will bring the existing facilities into alignment with other saleyards throughout the state, who have made the necessary modifications to promote animal welfare.

#### 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 following agencies were consulted as part of the Shire’s referral process:

- Department of Planning, Lands and Heritage (DPLH);
- Department of Water and Environmental Regulation (DWER);
- Department of Mining, Industry Regulation and Safety (DMIRS);
- Department of Primary Industries and Regional Development (DPIRD);
- Department of Health (DoH);
- Water Corporation WC); and
- Public Transport Authority (PTA).

A summary of the feedback received can be found in **Table 1** below.

<b>Table 1: External Referral Comments</b>		
<b>Agency</b>	<b>Comments</b>	<b>Officer Response</b>
DPLH	<p>Under the provisions of the Greater Bunbury Region Scheme (‘GBRS’), Lots 202 and 203, Lot 146 and the unmade portion of Salter Road are zoned ‘Urban’. The railway corridor land L2992 is reserved as ‘Railways’. The subject lots also abut the Railways Reservation.</p> <p>The Department’s Land Use Planning Team does not have any objection to the proposed development in principle and would like to make the following comments:</p> <ul style="list-style-type: none"> <li>• The application has been assessed in accordance with the provisions of the Greater Bunbury Region Scheme (GBRS) with particular reference to the Notice of Resolution (RES2014/03) made under Clause 27, and the Instrument of Delegation (DEL-2014/01).</li> <li>• On land zoned Urban abutting the Railways reserve, approval is required under the GBRS, pursuant to Schedule 1, point 4 of the <a href="#">WAPC’s GBRS Clause 27 Resolution</a>. This decision is delegated to the Shire if it accepts the recommendation of the public authority responsible for the reserved land or chooses to refuse the application, pursuant to Schedule 2, point 4 of the <a href="#">GBRS Delegation Powers of Local Governments</a>.</li> <li>• On land reserved for Railways under the GBRS, approval is required under the GBRS and the decision is delegated to the local government if the criteria is met under Schedule 1, point 3 of the <a href="#">GBRS Delegation Powers of Local Governments</a>.</li> </ul>	<p>Noted.</p> <p>It is recognised that the Shire will have delegation to determine the proposal on the basis that the recommendation/decision reflects the advice of relevant authorities.</p> <p>It is also noted that the various land ownerships have resulted in an updated application provided by the proponent which includes signatures from delegated parties of DPLH and PTA.</p>





	<p><i>General Advice</i>  The <a href="#">Greater Bunbury Region Scheme</a> (GBRS), <a href="#">Resolution 2014/03</a> and <a href="#">Delegation 2014/01</a> detail the situations where a GBRS application will be required, and whether that decision is delegated to the local government. If after referral and assessment the local government believes a GBRS application is required to be determined by the Western Australian Planning Commission, or has any other queries relating to the GBRS, please contact the office to discuss on 9791 0577.</p>	
Table 1: External Referral Comments		
Agency	Comments	Officer Response
DWER	<p>As stated in the referral, this proposal is for “the installation of a 300,000L rainwater buffer tank (primarily within Lease Area L2992), installation of a new bore (on Lot 146), associated pipework and concrete bunding for the purpose of achieving improved wastewater management in accordance with the Department of Water and Environmental Regulation (‘DWER’) License L9123/2018/2”.</p> <p><u>Licensing under the <i>Environmental Protection Act 1986</i></u></p> <p>DWER has reviewed this proposal and supports this DA as it will facilitate the improvements/upgrades recently imposed on their licence L9123/2018/2 specifically to address (short term) effluent/stormwater management issues at the site.</p> <p><u>Licensing under the <i>Rights in Water and Irrigation Act 1914</i></u></p> <p>DWER notes that the cattle saleyard activity occurs on Lot 202 and Lot 203 (see Screenshot 5 &amp; 6 below), and water is to be drawn across a road reserve (Screenshot 7) from a proposed new bore at Lot 146 (Screenshot 8).</p> <p>The current use on Lot 146 Salter Road is for stock water only under groundwater licence GWL175973 (2), where the current Annual Water Entitlement is 4,500kL (DWER ref: DWERDT672625 &amp; DWERDT877694).</p> <p>Other than the statement “new groundwater bore with 3L/s pump to supply washdown”, no details have been provided with regards to the required annual water demand from this bore in the referral.</p>	<p>Noted. All relevant advice notes have been incorporated into the Shire’s recommendation.</p> <p>It will be the responsibility of the proponent to acquire the relevant approvals from State Government agencies once any planning decision has been made.</p>



	<p>It is further noted that DWER water licensing assessment 057753 is currently underway which involves a trade/transfer of 10,000KL to support the proposed activities at Lots 146, 202 &amp; 203 (DWER ref: DWERDT887275).</p> <p>As such, the proponent is advised to quantify their water use requirements for this proposal and amend their license to cover the use at Lot 202 and Lot 203, including completion of DWER water licensing assessment 057753.</p> <p>For further information and progress of the license amendment, the Shire is advised to contact DWER's Bunbury water licensing branch at 9726 4111.</p> <p><u>General</u></p> <p>Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses and/or approvals.</p> <p>In the event that the applicant determines that a works approval or licence application is required under Part V of the <i>Environmental Protection Act 1986</i> (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process.</p> <p>In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	
DMIRS	No comment.	Noted.
DPIRD	The Department of Primary Industries and Regional Development (DPIRD) does not object to the improvement of the wastewater infrastructure at the Boyanup Sale Yards.	Noted.
DoH	No comment.	Noted.
WC	<p><u>Water</u></p> <p>Reticulated water is currently available to the subject area. All water main extensions, if required for the development site, must be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice. The developer may be required to fund upgrading of existing works and protection of all works.</p>	All shortcomings of the documentation or proposed infrastructure will look to be addressed at the point in time when the proponent applies for approval by the Water Corporation Building Services division.



	<p><u>Wastewater</u> Reticulated sewerage is not immediately available to serve the subject area. All sewer main extensions required for the development site should be laid within the existing and proposed road reserves, on the correct alignment and in accordance with the Utility Providers Code of Practice.</p> <p><u>General Comments</u> This proposal will require approval by our Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.</p> <p>The information provided above is subject to review and may change. If the proposal has not proceeded within the next 6 months, please contact us to confirm that this information is still valid.</p>	<p>It is noted that an advice note is included to ensure the proponent remains aware of this requirement prior to the commencement of development.</p>
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**Table 1: External Referral Comments**

Agency	Comments	Officer Response
PTA	The PTA provided comments on the proposal on the 23 <sup>rd</sup> February 2024. The recommendation was to support the proposal on the basis that a series of conditions and advice notes were accompanying the Officer’s Recommendation.	Conditions and Advice Notes included in recommendation.

Further to the invitation for government agencies to comment on the proposal, the Shire sent letters to 194 nearby landowners and occupiers, which was in accordance with the Shire’s Local Planning Policy 6.7- Community Engagement. The application was advertised for a period of 28 days, with 2 submissions being received. The main points raised as part of the community consultation are summarised in **Table 2** below.

**Table 2: Community Consultation Comments**

Comments	Officer Response
We note that the Site Based Management Plan (SBMP) attached to the application is still in Draft. Will we be provided with a final version of the document? Table 4 indicates that the current operation involves effluent being irrigated on site. Is this incorrect as this is not permitted according to the environmental licence. Table 7 refers to odour from a sewage treatment plant (STP). Is an STP proposed for the site?	<p>The Site Based Management Plan (SBMP) will remain as a draft until the Development Application is approved and, any conditions that triggered amendments to the SBMP, have been incorporated into the document.</p> <p>Table 4 of the SBMP was developed to inform DWER of approx. pump out volumes from the SST and truck numbers required to dispose of this effluent offsite under the 3 upgrade scenarios for the saleyards. Due to Amendments to WALSA’s Licence in 2023, all liquid and solid waste is disposed of offsite at a regulated facility. Onsite irrigation no longer occurs.</p>



<p><b><u>Installation of a 300,000L rainwater buffer tank</u></b></p> <p><b>Question:</b> There is already a very high volume of cattle trucks using Salter Road, has the Shire considered the impact on the road condition, traffic management impacts on residents with the numbers of tankers in and out of the site?</p> <p>Table 4 indicates that the installation of the 300,000L tank will reduce the number of trucks initially, but the reduction is yet to be proven until the 'potentially contaminated' stormwater is tested against the DWER licence criteria. Table 4 shows that the final stage of development (soft floor installation) actually increases the number of trucks from 55 trucks/month to 56 truck/month so the impact of increased traffic will continue to be a problem long term.</p> <p><b>Question:</b> Is the rainwater buffer tank adequately sized to contain potentially contaminated rain water? If the cattle yards are 7200m<sup>2</sup>, a 40mm rain event will fill the 300,000L tank. Rainfall records show that daily rainfall can exceed 43mm two or three times each year. Further, the DWER licence requires stormwater in the tank to be tested and comply with limits, prior to discharge, including analysis for Biological Oxygen Demand (BOD), which takes at least 5 days for analysis. This means that the tank would need to be able to contain at least 5 days of rainfall as an absolute minimum.</p> <p><b>Question:</b> The drawings indicate that the rainwater buffer tank will overflow to the SST. Is the SST adequately sized to contain contaminated water as well as potentially contaminated water from the rainwater tank overflow? The drawing in the licence (Schedule 1: Maps) states the "assumed" depth of the SST is 2m depth which conflicts with the SLR Plan A which states "assumed" max. depth of the SST is 1.5m. Should the SST be accurately surveyed to confirm the storage volume to ensure it is adequate?</p>	<p>Table 7 of the SBMP refer to an STP, it should say SST and will be amended in the subsequent version of the SBMP.</p> <p>Dilapidation of the road infrastructure and subsequent remediation by the proponent may be considered as part of the conditioned Construction Management Plan.</p> <p>The installation of soft flooring recognises the increase in washdown water required to satisfactorily clean the yards post sale and assumes limited onsite buffering of effluent to manage flow rates with effluent discharged directly into the sewer network as authorised Trade Waste.</p> <p>The interim wastewater design (DA 1) utilises the SST for temporary storage of dirty water, the buffer tank's principal role is to provide additional temporary storage of saleyard washdown water (clean water) and, allow release of this water to the swale drain if water quality discharge criteria are achieved. There is sufficient capacity within the buffer tank to allow for water quality discharge criteria analysis to be undertaken. The system has also been designed to overtop into the SST for pump out (if needed). WALSA is to manage the SST in accordance with DWER licence conditions. Regarding the 5 BOD analysis, we will utilise an installed online analyser to continually run BOD trends including providing calculation summary on the 5-day BOD.</p> <p>As above.</p>
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The catchment area of the cattle yards and SST are collectively 7540m<sup>2</sup> so a 25mm rainfall event will generate approximately 188m<sup>3</sup> of water. If the max. depth is 1.5m (assume an average depth of 0.75m) then the SST (250m<sup>2</sup>) may have an approximate storage volume of 187m<sup>3</sup>. If this SST volume is correct then there would be no freeboard and contaminated wastewater would overflow to the environment every time there is more than 25mm, during sales or before the concrete areas are clean. This also assumes the SST is empty and allows for no washdown water or overflow water from the rainwater buffer tank.

**Installation of a production bore**

**Question:** Why is the proponent proposing to use groundwater (via a bore) for washdown water when rainwater collected in the 300,000L tank could be used? Even prior to testing this water it could be used for an initial washdown and then, a smaller volume of high-pressure clean water could be used. This could reduce the overall volume of wastewater generated at the site, especially as the Site Based Management Plan (SBMP) describes the washdowns as 'high volume flow'. Have the additional volumes of groundwater from washdown been included in the contaminated and potentially contaminated water storage calculations?

**Question:** Will the Shire require installation of groundwater monitoring bores to identify potential groundwater contamination? Given there have been incidents of discharge of untreated wastewater at the site this should be required to determine if there has been any on-site and off-site groundwater contamination. Aging infrastructure such as the SST may also be leaking and contribute to groundwater contamination.

There are two overflows built into the interim wastewater design (DA 1) and, it is recognised by WALSA & DWER that the SST has limited storage capacity should either of these overflow mechanisms be triggered. Under the DWER Licence, WALSA has a number of conditions that require them to:

- Monitor weather forecasts for the Saleyards weekly and daily;
- Undertake visual inspections of the SST prior to sales, following sales, prior to rain and immediately following rain;
- Maintain a freeboard in the SST of 300mm; and
- Pump out the SST, as required.

The upgrade to the groundwater bore and additional water allocation will provide sufficient water volume for saleyard washdown following installation of soft flooring within the yards, to improve animal welfare and animal presentation.

The purpose of the 300KL tank is not water reuse, its principal role is to provide additional temporary storage of saleyard washdown water and, allow release of this water to the swale drain if water quality standards are achieved. This interim wastewater design separates clean and dirty water onsite and provides additional temporary water storage capacity, in addition to the SST. Following a sale as per the SBMP and DWER licence conditions, washdown and adequate disinfection is required before diverting the clean runoff into the tank for future release. If quality conditions are not achieved within the 300kL tank then truck pump out and offsite disposal is required.

This will be the responsibility of DWER who regulate groundwater purity.



<p><b><u>Pipework and bunding to achieve improved wastewater management</u></b></p> <p><b>QUESTION:</b> The proposal description refers to a specially designed filtration and separation system but there are no details provided in the supporting documentation. Will this information be provided to us at some point in the future?</p> <p><b>QUESTION:</b> Do the proposed changes include design elements or controls to prevent mosquitos, flies and other pests breeding in the SST and effluent sumps/pits? Do the effluent sumps/pits empty completely (become dry after washdown), or do they hold stagnant water that may breed pests?</p> <p><b>QUESTION:</b> What controls will be put in place to prevent odour from the wastewater management areas (SST and effluent sumps/pits)?</p>	<p>The details of the infrastructure including pipe sizes are shown on the Interim Wastewater Design.</p> <p>As indicated in the Interim Wastewater Design and the SBMP, following removal of solids, the saleyard floor will be washed down with high volume flow, and then pressure washed if required. If needed, liquid chlorine could be used to assist with disinfection, though if washdown is carried out adequately, it is believed chlorine won't be required as a disinfectant. All washdown water will be drained to SST for future pump out operations. It is envisaged that this regular washdown and disinfection (if required) will assist with preventing odour from the SST and sumps.</p> <p>As previously indicated, WALSA &amp; DWER recognise that the SST has limited storage capacity, as a result, the DWER Licence requires WALSA to monitor the SST as follows:          Monitor weather forecasts for the Saleyards weekly and daily;          Undertake visual inspections of the SST prior to sales, following sales, prior to rain and immediately following rain;          Maintain a freeboard in the SST of 300mm; and          Pump out the SST, as required.          It is envisaged that this enhanced management of the SST and associated infrastructure will assist in the management of odours.</p>
<p><b>QUESTION;</b> What treatment is planned for that water should it not meet the stated quality and what control is in place to guarantee that the sample taken is from that tank?</p> <p><b>QUESTION:</b> Are there any ground water monitoring bores planned to identify potential ground water contamination?</p> <p><b>QUESTION:</b> Is the rain water buffer tank adequately sized to contain rainwater collected from a 7200 square metre roof?</p>	<p>Nil, if water in the buffer tank fails to meet water quality discharge criteria, it will be pumped out and disposed of offsite.</p> <p>No.</p> <p>The buffer tank will not receive rainwater from the saleyard roof, rainwater (stormwater) will be directed to the SST under DA 2. The SST will operate as a stormwater detention basin. Further confirmation of throughput volume,</p>



<p><b>QUESTION:</b> Is the Secondary sedimentation tank (SST) adequately sized to hold the wash down water and contaminated storm water?</p> <p><b>QUESTION:</b> Has the cost of removing contaminated water/ effluent (coded K100) as a controlled waste from the complex been estimated?</p> <p><b>QUESTION:</b> A new groundwater bore is proposed to be located on Lot 146 (Zoned R30) The existing groundwater water bore licence No 175973 with an allocation of 4500KI is located on the same lot. Has the applicant got approval to construct another bore and has the applicant got approval for additional water volume as the ground water sub area (Bunbury East) is fully allocated?</p> <p><b>QUESTION;</b> DWER amended licence quotes the "Licence Holder "as the person responsible however the Site Based Management Plan (SBMP) refers to the sale yard manager as responsible for the day-to-day operations to comply with the conditions set out in the amended licence. This facility is operated by 2 different companies with 2 different management structures so who is the Sale yard manager?</p> <p><b>QUESTION;</b> Mortalities and manure disposal needs to be inspected for compliance with the DWER licence, at this point of time the manure is bagged and sold on the side of Trigwell Rd. Who is responsible to carry out compliance?</p>	<p>water quality modelling will be completed during development of operational works.</p> <p>The SST will receive and hold either washdown water under DA 1 and roof water (stormwater) under DA 2. Under DA 1 the SST will be regularly pumped out and under DA 2, stormwater (roof water) will be discharged to the SST via the soakwell, will retain a 1:10 year storm event and, will ultimately discharge to the swale drain.</p> <p>Yes, WALSA has a contract with a Licensed Contractor to remove liquid and solid waste from the Saleyards.</p> <p>WALSA are proposing to upgrade their bore onsite (via DA 2 with Council and a Works approval with DWER) and have increased their water allocation, which will provide additional water for wash downs of sealed areas and to provide dust suppression on unsealed areas.</p> <p>WALSA manages the Boyanup Saleyards and day to day management is currently the responsibility of Nutrien.</p> <p>Carcass and solid waste management is undertaken in accordance with the current WALSA Licence.</p>
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<p><b>QUESTION:</b> The SBMP in section 6 quotes "All monitoring is to be undertaken by a suitably qualified and experienced person as per the relevant guidelines and license conditions." Who will person be and what does suitable mean?</p>	<p>Monitoring activities and inspections in Table 9 of the SBMP clarify the responsibilities for all identified activities.</p>
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For a comprehensive set of comments provided by each submitter, please refer to **Attachment 14.2.3**.

**Internal Consultation**

The application was circulated internally to the following relevant departments for review and comments:

- Environmental Health;
- Building Services;
- Finance;
- Projects, Engineering and Assets;
- Emergency Management;
- Natural Resource Management; and
- Operations.

A summary of the feedback received can be found in **Table 3** below.

Table 3: Internal Referral Comments	
Departmental Comments	Officer Response
<p><u>Environmental Health</u></p> <p>Nil.</p>	<p>Noted.</p>
<p><u>Building Services</u></p> <p>An application for building permit will be required for the proposed buildings, the structures must comply with the Building Act 2011, Building Regulations 2012, National Construction Code, Building Code of Australia, and associated reference documents.</p> <p>Advice should be sought from a registered building surveyor contractor in order to obtain the appropriate certificates for building permit.</p>	<p>Noted.</p> <p>Advice notes to be included.</p>
<p><u>Finance</u></p> <p>No impact on rates levies.</p>	<p>Noted.</p>





<u>Projects, Engineering and Assets</u>  The wastewater design will need to be third party reviewed to ensure compliance is achieved for the nature of works and waste management on this site.	Noted.  Advice notes to be included.
<u>Emergency Management</u>  Nil.	Noted.
<u>Natural Resource Management</u>  Nil.	Noted.
<u>Operations</u>  Nil.	Noted.

### Officer Comment

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The proposal is seeking to install a 300,000L rainwater buffer tank, install a new bore, and associated pipework and concrete bunding to dispose of wastewater and runoff from the soon-to-be covered saleyard pens.

The proposed development will allow the wastewater generated at the Saleyards to be directed to a specially designed filtration and separation system. The catchment areas encompass the existing saleyards and the sedimentation system ('SST'). Each catchment is enclosed by bunding to mitigate inflow from the surrounding overland flow path, adhering to the requirements outlined in the Licence conditions for a Controlled Drainage Area.

The wastewater will be collected in the existing eastward sumps and will be transported via gravity to the storage system through piping calibrated for a 1 in 5-year (5-minute duration) storm event.

The stormwater collection system diverts dirty water during saleyard washdowns, directing the runoff to the existing SST basin, functioning as an effluent collection system. At other times, following the decontamination of the saleyard floor through appropriate wash-down practices, stormwater is manually diverted to the buffer tank. After confirmation that the water is an acceptable quality, the stormwater is released in a controlled manner into the existing swale drain to the northeast of the site.

Refer to **Figure 1** below for a demonstration on the various locations that the infrastructure is located in, and the partial location of piping in Lot 146 Salter Road (Residential Zone).



**Figure 1:** Location of Associated Works.

Further to the figure above, the application’s documentation was revised for the benefit of the reader to include appendices that demonstrated above-ground infrastructure, and below-ground infrastructure (refer to **Attachment 14.2.1**).

**Local Planning Scheme No. 8 (LPS8)**

Land Use Permissibility

The Shire’s LPS8 contains provisions relating to the appropriateness of uses within certain Zones and reserves. There can be considerations for development to be classified as a sole use, or considered subsidiary to the main use of the site if there are multiple elements involved.

In this case, the infrastructure being installed when viewed in isolation would typically be considered a Waste Disposal Facility which is classified as an ‘X’ use (non-conforming) in Lot 146 Salter Road. However, it is acknowledged that the intent of the development is to facilitate a suitable wastewater disposal solution to the existing use of the site at Lot 202 and 203 Salter Road, being the Boyanup Saleyard.

Due to the nature of the infrastructure upgrade, and the semi-temporary lifespan of the shelter, Shire Officers will consider the wastewater disposal infrastructure as subsidiary to the main use of the sites, which is the ‘Animal Establishment’ use under LPS8.



### Objectives of the Residential Zone

As stated above, Lot 146 is zoned 'Residential' under LPS8. Notwithstanding the Residential zoning of Lot 146, the proposed works are minor in nature and ancillary to the existing Saleyards development and will not result in any change of land use. In any event, it is intended that the proposed works will improve the operation and management of the existing Saleyards.

The only 'above-ground' infrastructure looking to be proposed on Lot 146 is the concrete slab and bore, which is minimal in terms of area occupied for the overall site. The piping is contained all beneath the ground and cannot be seen.

For this reason, it would be considered that the development would not require an assessment against the Objectives of the Residential Zone.

### Objectives of the Public Purposes Reserve

The objectives of the Public Purposes Reserve under LPS8 are as follows:

- To set aside areas for public open space, particularly those established under the Planning and Development Act 2005 s.152; and
- To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.

While the development occurring on the site through this potential development may be perceived as consolidating the overall use, the infrastructure is only being proposed to support the temporary shelter until a point in time where the alternative location to the saleyards is facilitated.

The development is considered questionable when being assessed against the objectives, however the proposal should be supported on the basis that the works are temporary and will eventually result in the existing use of the land being relocated and reverted to a state that can better facilitate activity in alignment to a Public Purposes Reserve.

Given the use of the land will remain consistent, and the temporary nature of the development will not jeopardise future use of the land for Public Purposes activity, the proposal should be broadly supported against the above objectives.

### **Local Planning Policy 6.5 - Heritage Protected Places (LPP6.5)**

#### Heritage Survey

The site is classified as a Category C site on the Shire's Heritage Survey 2018. As per LPP6.5, Category C are places of moderate significance that contribute to the heritage of the locality, but do not form part of the Shire's Heritage List.

The Shire's Heritage Survey encourages conservation of a Category C heritage place, and states its significance as originally being the largest sales site of stock outside of Midland. The excerpt from the Heritage Survey goes on to state:

*'By 1961, Boyanup had emerged as the main sales centre and the Turner Street yards were no longer suitable. A meeting between Elders Smith Co, Goldsborough Mort & Co, Dalgety & Co, and Capel Shire. It was agreed that the agents would construct steel and concrete yards subject to a suitable location close to the railways (the transport to markets) being provided.*

*The former recreation ground was no longer in use, so the Council made these available. The new yards were opened in 1964. These yards have continued to operate on this site.'*



Given the proposed development will contribute further infrastructure to the site and will result in an enhancement of the existing cattle sales use, the development would be considered an appropriate response to the heritage significance of the site.

### **State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP3.7)**

The site is partially located within a bushfire prone area, as designated by the Department of Fire and Emergency Services (DFES). In accordance with the provisions of SPP 3.7 (Clause 6.5) and accompanying Guidelines for Planning in Bushfire Prone Areas (Clause 2.6), the proposed wastewater disposal infrastructure would be an ancillary development which will not intensify the existing land use.

Furthermore, the development is not likely to result in greater patronage on the site, thus meaning that the current threat of bushfire and risk of people being onsite remains consistent.

Based upon the above, an assessment against the provisions of SPP3.7 is not required.

### **Greater Bunbury Region Scheme (GBRS)**

In accordance with the Resolution Under Clause 27 of the GBRS RES2014/03, as the proposed patio is proposed to be located on land that abuts a railway reserve, approval under the Greater Bunbury Region Scheme is required, in addition to approval under the Shire of Capel Local Planning Scheme No.8.

The proposal was referred to DPLH for assessment and consideration. Appropriate comments regarding the GBRS elements to the land tenure and ownership have been outlined in **Table 1** above.

### **Planning & Development Regulations 2015 – Clause 67 Matters to be Considered**

The development will need to have due regard to the matters to be considered as part of any assessment. Given portions of the subject site (Lot 202 and 203) and the Public Purposes reserve does not have any primary controls (maximum building heights, minimum lot boundary setbacks), it would be for the Shire Officers to determine the appropriateness of what is proposed and the scale of which it is proposed at.

Clause 67 of the *Planning & Development Regulations 2015* requires an assessment from Shire Officers to consider the bulk and scale of the proposal, as well as various other factors around environmental impacts, local residential amenity, and feedback from state government agencies.



**Table 4** below contains a comprehensive assessment against the Matters to be Considered.

<b>Table 4: Clause 67(2) - Matters to be Considered</b>		
<b>Clause</b>	<b>Matter to be Considered</b>	<b>Officer Comment</b>
(c)	any approved State planning policy	The applicable State Planning Policy (SPP3.7) has been considered as part of the proposal and is considered exempt from assessment due to the non-residential nature of the development.
(j)	in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve	As demonstrated above, the development is considered to enhance the current operations and does not materially impact the overall use of the site, nor its compatibility with the objectives of the Public Purposes reserve.
(k)	the built heritage conservation of any place that is of cultural significance	As demonstrated above, Category C on the Shire's Heritage Survey are considered of limited significance. The proposal is not considered to compromise the overall value of the site, which is largely linked to its historical use rather than built environment.
(m)	<p>the compatibility of the development with its setting, including –</p> <ul style="list-style-type: none"> <li>(i) the compatibility of the development with the desired future character of its setting; and</li> <li>(ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development</li> </ul>	<p>The proposal would result in development located within land Zoned Residential and a Public Purposes Reserve.</p> <p>Given the development is considered temporary up until the point in which the WALSA lease ceases, the proposals for both applications presented to the February 2024 OCM are considered compatible with the existing use of the land, albeit it being contrary to the desired future character of the location.</p> <p>Should the intentions of WALSA been to have the Saleyards permanently consolidated at the site, the response to the appropriateness of the development within the setting would likely be different.</p>
(n)	<p>the amenity of the locality including the following –</p> <ul style="list-style-type: none"> <li>(i) environmental impacts of the development;</li> <li>(ii) the character of the locality;</li> <li>(iii) social impacts of the development;</li> </ul>	<p>The amenity of the locality is considered enhanced by virtue of the wastewater treatment being installed. The implementation of a proper treatment will assist in the removal of odorous wastes on site and alleviate the current shortcomings of the existing saleyard site.</p> <p>Implementation of such a system will aim to reduce the environmental impacts on the groundwater and possible contaminations that could arise from current practices onsite.</p>



		Lastly, the development supports the current agricultural function of the site and is not considered out-of-character when comparing to other saleyards.
(o)	the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource	The proposal seeks to assist with the potential contamination issues that could arise from a shelter above the saleyard and the additional run off that could cause cattle manure to mix in with the ground water. The development is not considered to be detrimental to the natural resource of groundwater but will instead protect it.
(q)	the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk	<p>The site is consistent with a series of lots in and around the Boyanup/Elgin area that was low lying and contain surface levels close to the water table. With the reduced separation to the water tables occurring for agricultural uses, it can often result in inundation and potential cattle faeces to contaminate the water source.</p> <p>The suitability of the land for the existing use of an Animal Establishment would be considered far more enhanced by the suitable methodology in which is being proposed to dispose of wastewater.</p> <p>Furthermore, the suitability of the wastewater disposal system would not be detrimentally impacted by the location within a bushfire prone area, as discussed above in the SPP3.7 assessment.</p>
(y)	any submissions received on the application	Responses to the submissions received can be found in <b>Table 2</b> of this report.
(za)	the comments or submissions received from any authority consulted under clause 66	Responses to the submissions by external authorities can be found in <b>Table 1</b> of this report.

## Summary

Council are asked to consider a roof shelter at the Boyanup Saleyard pens, and the associated wastewater disposal infrastructure that this application entails. This is considered a Development Application that has been forthcoming for some time but has been lodged as part of responding to community and Council concerns around animal welfare.

As such, it is encouraged that the Council endorses the Officer's Recommendation for conditional approval.

## Voting Requirements

Simple Majority



**Officer's Recommendation – 16.2**

**OC/2024/30 - Officer's Recommendation / Council Decision - 16.2**

*Moved Cr McCleery, Seconded Cr Fergusson.*

**That Council in accordance with Clause 68(2)(c) in Schedule 2 Part 9 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, approves development application for an Interim Wastewater Disposal Infrastructure installation to the existing Boyanup Saleyard at Lots 202 and 203 (No.31), and Lot 146 (No. 22) Salter Road, Boyanup, subject to compliance with the following condition(s):**

- 1. The development is to be carried out in accordance with the plans, drawings and documentation included with the application for development approval. The development shall be completed within twelve months from the date of this decision and the receipt of the subsequent Approval Notice (in accordance with c12.2 and c12.4 of the Lease).**
- 2. Stormwater and roof run-off disposal including driveway drainage shall be contained on site (Lot 146, 202 and 203 Salter Road, Boyanup).**
- 3. Prior to the lodgement of the Building Permit Application, a detailed Engineering design plan of the stormwater disposal system shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.**
- 4. Drainage from the new roof shall be contained on site and not flow into the Corridor.**
- 5. All construction works must be contained within the lot boundary and as such management protocols must be in place for all construction methods to ensure no material is placed within the rail corridor boundary.**
- 6. No services including water, electricity, fibre optic, gas and any other services running to and from the site can run across the rail corridor, either above or below ground.**
- 7. No parking of construction equipment, such as front-end loaders, excavators, dozers, dump trucks, bobcats, utility vehicles and any other equipment are permitted on rail corridor land at any time during the performance of the construction works.**
- 8. Dust suppression methods must be used during the performance of any construction works.**
- 9. No drainage, water runoff or erosion from construction works is permitted to run onto rail corridor land and as such all-water runoff must be contained on the site.**
- 10. No clearing of native vegetation is permitted in the rail corridor.**
- 11. Effective hygiene and biosecurity management must be in place to ensure there is no spread of weeds or diseases into rail corridor land.**



12. Once all works are completed, the tenant is to provide written compliance and certificate of completion of works from their nominated contractor to the satisfaction of the local shire.
13. To ensure current insurance is updated to reflect addition to improvements (if applicable).
14. To ensure all requirements issued by Arc Infrastructure are acknowledged and adhered to in full.
15. No infrastructure, including the boundary wall, should be allowed to come closer to 10 m from the nearest rail.
16. The height of the highest structure must not exceed 9m.
17. If the land is required for the operation of the trains to Greenbushes, the land should be vacated at the cost of the lessee.

**Advice Note(s):**

- a) An application for building permit will be required for the proposed buildings, the structures must comply with the Building Act 2011, Building Regulations 2012, National Construction Code, Building Code of Australia, and associated reference documents. Advice should be sought from a registered building surveyor contractor in order to obtain the appropriate certificates for building permit.
- b) The separation of clean roof stormwater from the contaminated water from the pen operations is supported on the basis of reduced contaminants in the stormwater entering the proposed soakwells and the existing drain to the northeast of the subject site. Management of stormwater should be in accordance with the Decision process for stormwater management in WA (DWER 2017) and the Stormwater Management Manual for Western Australia (DoW 2004–2007). To ensure effective operation of the proposed soakwells in attenuating clean stormwater (for the 1-hour duration event), the highest groundwater should be determined so the soakwell system can be designed accordingly.
- c) For the shed structures and the inquiries on the proposed changes to the use of the existing sedimentation system ('SST'), the proponent is advised to contact DWER's Environmental Licensing Section (regarding works approvals and licences under Part V of the EP) at [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au) or 6364 7000.
- d) Where the Department has a statutory role, planning applications should be considered prior to the Department issuing any relevant permits, licenses and/or approvals. In the event that the applicant determines that a works approval or licence application is required under Part V of the Environmental Protection Act 1986 (EP Act), the advice provided in this communication does not prejudice and must not be considered to infer the outcome of the EP Act licence and works approval process. In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.





- e) **This proposal will require approval by the Water Corporation Building Services section prior to commencement of works. Infrastructure contributions and fees may be required to be paid prior to approval being issued.**
- f) **The railway is currently undergoing a feasibility study to determine suitability and requirements to reopen the Picton-Greenbushes railway. This feasibility stage will run for most of 2024 and may require existing lease areas to be altered in the event of the railway reopening. Having said that, provided the existing infrastructure footprint is not growing, it is unlikely (albeit not certain) this area will be impacted.**
- g) **In the instance where the developer requires access to, or across, the rail corridor to enable construction works, a separate application must be submitted to Arc's Third-Party Projects for review.**
- h) **The certificate of completion shall be provided for PTA's records as documentation of compliance of structures within the rail corridor.**
- i) **The proposed future rail operations for the Picton-Greenbushes railway, if rail operations recommence, will generate noise which cannot be mitigated to lots affected by this proposed development.**
- j) **The clearance is granted for the duration of the corridor land lease.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*

*2 Members of the public left the room and did not return.*

*The Order of Business resumed.*



## 13. Chief Executive Officer Reports

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### 13.1. Chief Executive Officer's - Mid Year Performance Review 2023 to 2024

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<b>Author</b>	CEO, Gordon MacMile
<b>Authorising Officer</b>	Chief Executive Officer, Gordon MacMile Executive/Strategic
<b>Nature of the Decision</b>	Legislative Review
<b>Attachments</b>	<ol style="list-style-type: none"><li>Attachment 13.2.1 CEO Performance and Remuneration Review Policy - Updated and Endorsed August 2023 [13.1.1 - 20 pages]</li><li>Attachment 13.2.2 - CEO Performance Agreement 2023 24 Capel FINAL - Council Adopted (Sept 2023) - M [13.1.2 - 5 pages]</li><li>CONFIDENTIAL REDACTED - Scope of Work and Quote - (Independent Consultant) - CEO Performance Review Shire of Capel 2022-23 [13.1.3 - 14 pages]</li><li>CEO Perform and Rem Panel Meeting #1 - 31 January 2024 - Minutes FINAL [13.1.4 - 10 pages]</li></ol>
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>
<b>Disclosure of Interest</b>	The author (Manager Organisational Development) and Authorising Officer (Chief Executive Officer - CEO) have an Interest under s5.70, in that the Report refers to the CEO Performance Review Process and involves an indirect reporting relationship within the Shire's organisational structure.

### Proposal

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Complete the Mid-Year Review of progress against the Chief Executive Officer's Performance Agreement 2023 to 2024.

### Officer's Recommendation

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That Council notes the recommendations from the CEO Performance and Remuneration Panel meeting and:

- Endorses the 2023/24 Mid-Year review of the Chief Executive Officer's progress against the 2023/24 Performance Agreement as per Attachment 13.1.2
- Supports the scope of work (as per Confidential Attachment 13.1.3) for the engagement of an Independent Consultant to facilitate the Chief Executive Officer's Annual Review in September 2024.
- Notes the seeking of a potential independent consultant on a 3 year contract with an option of an annual renewal.



4. Notes the planned attendance of Panel members at CEO Performance Review training before the Annual Review process in September 2024.
5. Endorses the amendment of the CEO Performance Agreement FY 2023/24 as follows:

*KPI 3.2 Develop a reporting system in line with the Customer Service Charter – SMART Outcome*

- *Report on new reporting system by the February 2024 OCM*
- *Report quarterly to Council, with the goal that:*
  - *98% of enquiries responded to within 10 business days.*
  - *90% of enquiries resolved or commenced resolution within 10 business days.*

## **Background**

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The CEO commenced employment with the Shire of Capel on the 16 August 2021. The Council and the CEO negotiated, determined and signed Shire of Capel CEO Employment Contract (c3.3 Performance Review) in accordance with the CEO Model Standards including:

- a) any additional performance criteria; and
- b) the process by which the CEO performance will be reviewed.

### Extract from CEO Performance and Salary Review – Policy Statement

*“The Council of the Shire of Capel will review the performance and remuneration of the Chief Executive Officer (CEO) if the CEO is employed for a period of more than 1 year in accordance with section 5.38 of the Local Government Act 1995 (the Act). The Council is recommended to engage in regular discussions (twice annually, every six months) with the CEO regarding their performance against the performance criteria, including progress and the ways that the CEO can be supported”.*

The Policy (see Attachment 13.1.1) is a contemporary approach that provides a formal, consistent and established process for reviewing performance that transcends CEOs and Council. The Policy and Review process is undertaken by a five-member Review Panel, undertaking an objective, fair and impartial process with the assistance of an external facilitator. The Panel leads the Review process and reports to the Council.

The CEO Performance and Remuneration Panel met on 31 January 2024 (Minutes - Attachment 13.1.4) and (CEO/2024/002):

1. Considered and noted the 2023/24 Mid-Year progress report as per Attachment 3.2.2; and
2. Requested the Chief Executive Officer provides a report to the February 2024 Ordinary Council Meeting, detailing progress of achievements and progress against the CEO Performance Agreement 2023 to 2024.

The Panel further:

- a. Reviewed and amended, if necessary, the scope of work, if necessary, for the 2023/24 Annual CEO Performance and Remuneration Review.
- b. Endorsed the scope of work, assessment criteria specifics, process and timelines of the Annual 2023/24 CEO Performance and Remuneration Review (Confidential Attachment 13.1.3).
- c. Supported the seeking of a potential independent consultant on a 3 year contract with an option of an annual renewal.



- d. Endorsed 2023/24 CEO Performance and Remuneration Review panel member/s to attend CEO Performance Training:
- o Cr John Fergusson and Cr Christine Terrantroy – March 2024
  - o Cr Peter McCleery and Cr Sebastian Schiano – July 2024

Previous Council Decisions

- November 2021 - The Ordinary Council Meeting on 24 November 2021, endorsed the:
    - o CEO Performance Agreement (OC248/2021).
    - o Shire of Capel – CEO Performance and Remuneration Review Policy (OC249/2021); and
    - o CEO Performance and Remuneration Review Panel (OC252/2021).
- February 2022 – The Ordinary Council Meeting of 24 February 2022 endorsed (OC036/2022) the -
1. HR Consultant’s report in Attachment 1 as the review undertaken through the CEO Performance Review Panel; and
  2. Endorses the recommendations contained in the Probationary Review of the Chief Executive Officer.
- August 2022 – The Ordinary Council Meeting of 31 August 2022 endorsed (OC/2022/153) the Shire of Capel Corporate Business Plan 2022 to 2026 – Service Area Action Plan.
  - September 2022 – Council endorsed (OC/2022/188)
    1. the CEO Performance Review Panel’s recommendation in CONFIDENTIAL Attachment 20.1.2 as the review of the Shire of Capel’s Chief Executive Officer’s 2022/23 Performance.
    2. Endorses the Chief Executive Officer’s 2022/23 Key Performance Indicators as detailed in Attachment 20.1.1 – CEO Performance Agreement 2022/23; and
    3. Approves that the CEO Performance Agreement 2022/23 as detailed in Attachment 20.1.1 be signed and executed by the Shire President and the CEO.
  - April 2023 Council noted (OC/2023/64) the Chief Executive Officer’s Mid-Year Performance Agreement 2022 to 2023 Review as outlined in Attachment 13.1.2, including the amended timelines to a small number of KPIs as detailed
  - November 2023 Council appointed (OC/2023/202) five (5) representative Councillors to the Chief Executive Officer Performance and Remuneration Review Panel for a period ending on the ordinary election day in October 2025, being:
    - Shire President, Cr Douglas Kitchen (Chair)
    - Cr Peter McCleery
    - Cr John Fergusson
    - Cr Sebastian Schiano
    - Cr Christine Terrantroy



## Decision Framework

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### Shire of Capel Strategic Community Plan 2023-2033

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

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

4.4 Increased attraction and retention of high quality staff to deliver optimal services to the community

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 2023-2027

CEO 6 - **Organisational Outcomes** - Develop a holistic organisational improvement plan through a best practice (efficiency and effectiveness) framework that enhances service results, values, innovation, efficiency and sustainability through implementation of service reviews.

CEO 10 - **Organisational Structure** - Continue to implement an organisational structure and resource allocation via the Workforce Plan and Annual Budget that achieves organisational outcomes in the Strategic Community Plan, Corporate Business Plan and relevant informing (LTFP, asset).

## Statutory Framework

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*Local Government Act 1995, section 5.41*

### 5.41. Functions of CEO

The CEO's functions are to –

- a) advise the council in relation to the functions of a local government under this Act and other written laws; and
- b) ensure that advice and information is available to the council so that informed decisions can be made; and
- c) cause council decisions to be implemented; and
- d) manage the day-to-day operations of the local government; and
- e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- f) speak on behalf of the local government if the mayor or president agrees; and
- g) be responsible for the employment, management supervision, direction, and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

*Local Government Act 1995, Division 4 – Local Government Employees*

### 5.39. Contracts for CEO and senior employees



- (1) Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.
- (7) A CEO is to be paid or provided with such remuneration as is determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7A.
- (8) A local government is to ensure that subsection (7) is complied with in entering into, or renewing, a contract of employment with a CEO.

#### Schedule 2 – Model Standards for CEO Recruitment, Performance and Termination

##### **16. Performance review process to be agreed between local government and CEO**

- (1) The local government and the CEO must agree on –
  - (a) the process by which the CEO's performance will be reviewed; and
  - (b) any performance criteria to be met by the CEO that are in addition to the contractual performance criteria.

The local government and the CEO must agree on –

- (2) Without limiting subclause (1), the process agreed under subclause (1)(a) must be consistent with clauses 17, 18 and 19.
- (3) The matters referred to in subclause (1) must be set out in a written document.

##### **Clause 17. Carrying out a performance review**

A review of the performance of the CEO by the local government must be carried out in an impartial and transparent manner.

- (1) The local government must –
  - (a) collect evidence regarding the CEO's performance in respect of the contractual performance criteria and any additional performance criteria in a thorough and comprehensive manner; and
  - (b) review the CEO's performance against the contractual performance criteria and any additional performance criteria, based on that evidence.

##### **Clause 18. Endorsement of performance review by local government**

Following a review of the performance of the CEO, the local government must, by resolution of an absolute majority of the Council, endorse the review.

##### **Clause 19. CEO to be notified of results of performance review**

After the local government has endorsed a review of the performance of the CEO under clause 18, the local government must inform the CEO in writing of –

- (a) the results of the review; and
- (b) if the review identifies any issues about the performance of the CEO – how the local government proposes to address and manage those issues.



**Policy Framework**

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The following Shire Policies apply:

- CEO Performance and Salary Review (see Attachment 13.1.1)

**Implications**

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**Risk Implications**

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Legislative Compliance  <b>Rating: Medium</b>	Possible	Moderate	Effectively following the CEO Performance Review Policy adopted by Council.
<b>Risk Description:</b> If the CEO Performance Review process is not in accordance with Schedule 2 – Model Standards for CEO Recruitment, Performance and Termination, the Shire may risk breaching the Act and the CEO Employment Contract			

Risk	Likelihood	Consequence	Mitigation
<b>Risk 2</b> Reputation  <b>Rating: Medium</b>	Possible	Moderate	Effectively following the CEO Performance Review Policy adopted by Council.
<b>Risk Description:</b> Damage to the reputation of the Shire within the local government sector and community through the poor handling of employment and performance matters.			

**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

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**

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### **External Consultation**

There was no external consultation undertaken.

### **Internal Consultation**

Consultation occurred internally between the Executive Management Team regarding the status update of progress against the CEO Performance Agreement 2023 to 2024.

## **Officers Comment**

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### CEO Key Performance Criteria / Indicators and Agreement

Schedule 1 of the CEO Employment Contract details the Position Description and contains six (6) duties and responsibility areas, with detailed descriptions and performance criteria for each. These duties and responsibility areas are:

1. Leadership and Planning.
2. Financial, Operational and Service Management.
3. Community Development and Stakeholder Relations.
4. Workforce Capability.
5. Risk and Compliance.
6. Governance and Report to Council.

Additionally, s3.3(b)(i) of the CEO's Employment Contract allows for the negotiation of any additional performance criteria which, in discussions with the Council, are intentionally detailed in the CEO section of the Shire's Corporate Business Plan 2023 – 2027.

To finalise the CEO key performance criteria / indicators the 2 KPI sets above are detailed in the 2023/24 Performance Agreement executed between the CEO and the Shire President with the authority of the Council. The Performance Agreement also provides the opportunity for professional development areas to be noted as identified throughout the Review process.

Attachment 13.1.2 is a summary of mid-year progress against the SMART outcomes and KPIs detailed in the CEO Performance Agreement 2023 to 2024.

The summary of progress (Attachment 13.1.2) details against KPIs / outcomes includes:

- Strategic Outcomes
- Performance Criteria specific to the responsibilities of the Chief Executive Officer
- Progress / Status Update (as of January 2024)
- Additional commentary on progress, achievement or otherwise.





Progress / Status is highlighted by a traffic light system including:

- Complete (Blue) – KPI achieved in accordance with the Target / Outcome and Timeframe.
  - 6 complete to date
- On Track (Green) – KPI on track to be achieved in accordance with the Target / Outcome and Timeframe.
  - 24 On Track for completion in line with outcomes and targets.
- Overdue (Amber) or At Risk (Red) – KPI not currently on track to be achieved in accordance with the Target / Outcome and Timeframe. Overdue indicates that KPI will be achieved but not within agreed time period. At Risk indicates that KPI is not expected to be achieved.
  - 2 Overdue – Capital works program and Customer Service Charter
  - 2 At Risk – Program of Works and budget expenditure on Program of Works.

Principal areas of Overdue or At Risk KPIs includes:

1. Customer Service Charter – development a reporting system / monitor response and resolution rates (report by 30 December 2023).

Review of Customer Request reporting system in Synergysoft involved an analysis of the original system installation and categorisation structure in 2008. System implementation was less than optimal and has resulted in diminished functionality including response timeline setting (in line with Customer Service Charter), setting of response deadlines, non-activity / completion escalation and meaningful reporting.

Synergysoft re-installation is feasible and will significantly increase functionality and allow for reporting in accordance with KPI.

Review report and way forward to be reported to Council in February 2024 OCM.

2. Financial, Operational and Service Management
  - a. Annual Budget – underspend because of non-complete Program of Works
  - b. Works Program – non-complete Program of Works
3. Capital Works Program – delivery on funded CBP outcomes against agreed time periods and budgets

Significant and ongoing challenges with recruitment and resourcing in the infrastructure and Development Directorate has and will result in a 25% non-completion of 2023/24 Program of Works and resultant under expenditure.

Resourcing shortages are being experienced in both planning and design of works (capital and maintenance) and well as delivery (construction and maintenance).

Efforts have occurred to backfill / supplement resource shortages with consultants, contractors and design panels.

#### Proposed Amendment to Endorsed CEO Performance Agreement

Though the process of reviewing the current Customer Request System it has been identified that a part of the SMART outcome attached to Key Focus Area 3.2 may be outside of the control of the Chief Executive Officer and the Administration.



Key Focus Area 3.2 has a SMART outcome of

- Report on new reporting system by the February 2024 OCM
- Report quarterly to Council, with the goal that:
  - 98% of enquiries responded to within 10 business days
  - 90% of enquiries resolved within 10 business days

The second sub part of the outcome being '90% of enquiries resolved within 10 business days' is entirely dependent on the nature of the enquiry and / or request, and outside of control for achievement.

Accordingly, this sub part of the outcome is proposed to be amended to '90% of enquiries resolved or commenced resolution within 10 business days'.

### **Summary**

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The CEO Mid-Year Performance Agreement 2023 to 2024 Review demonstrates reasonable progress towards the achievement of KPIs.

A small number of key KPIs will not be met because of recruitment challenges and ongoing resource shortages.

### **Voting Requirements**

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Simple Majority



**Officer's Recommendation – 13.1.**

**OC/2024/31 - Officer's Recommendation / Council Decision - 13.1**

*Moved Cr Fergusson, Seconded Cr Terrantroy.*

**That Council notes the recommendations from the CEO Performance and Remuneration Panel meeting and:**

- 1. Endorses the 2023/24 Mid-Year review of the Chief Executive Officer's progress against the 2023/24 Performance Agreement as per Attachment 13.1.2**
- 2. Supports the scope of work (as per Confidential Attachment 13.1.3) for the engagement of an Independent Consultant to facilitate the Chief Executive Officer's Annual Review in September 2024.**
- 3. Notes the seeking of a potential independent consultant on a 3 year contract with an option of an annual renewal.**
- 4. Notes the planned attendance of Panel members at CEO Performance Review training before the Annual Review process in September 2024.**
- 5. Endorses the amendment of the CEO Performance Agreement FY 2023/24 as follows:**

***KPI 3.2 Develop a reporting system in line with the Customer Service Charter – SMART Outcome***

- Report on new reporting system by the February 2024 OCM***
- Report quarterly to Council, with the goal that:***
  - 98% of enquiries responded to within 10 business days.***
  - 90% of enquiries resolved or commenced resolution within 10 business days.***

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy.*

*Against - Nil*



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## 13.2. Bunbury Geographe Economic Alliance (BGEA) - Advocacy Prospectus

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<b>Author</b>	CEO, Gordon MacMile
<b>Authorising Officer</b>	Chief Executive Officer, Gordon MacMile
<b>Nature of the Decision</b>	Advocacy Executive/Strategic
<b>Attachments</b>	1. Shire of Capel Investment Prospectus request 30 1 24 [13.2.1 - 1 page] 2. I X 98 - BGEA - Investment Prospectus PROOF v 15 FINAL [13.2.2 - 12 pages]
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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### Proposal

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Consider and endorse the Bunbury Geographe Economic Alliance (BGEA) Investment Prospectus for aligned key messaging.

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### Officer's Recommendation

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That Council:

1. Notes the request by the Bunbury Geographe Economic Alliance (BGEA) contained in correspondence (dated 30 January 2024 – Attachment 13.2.1); and
2. Endorses the Bunbury Geographe Economic Alliance Investment Prospectus (Attachment 13.2.2) to ensure the alignment of key messaging and advocacy.

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### Background

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#### Bunbury Geographe Economic Alliance

The Bunbury Geographe Economic Alliance (BGEA) is a partnership encompassing community leadership through four local governments of the Bunbury Geographe sub-region, industry leadership in the resources, energy, transport, engineering, construction, water supply, timber processing, telecommunications, education, consulting, and accounting sectors.

BGEA background:

- Works on behalf of our members to promote economic growth and development.
- Our mantra is to help make the Bunbury Geographe area a preferred location to live, work and invest.
- We advocate for investment by government enabling infrastructure and services, to foster growth in existing enterprises, and to attract new investment.
- We are an incorporated not-for-profit member-focused organisation.

The BGEA covers the local governments of Bunbury, Capel, Dardanup and Harvey. The Shire of Capel is a member of the BGEA and pays an annual fee.



## Shire of Capel Advocacy

Many local governments have, in recent years, have increased their advocacy efforts with both State and Federal Governments to deliver on their priorities, particularly for infrastructure funding.

The advocacy landscape however is an increasingly crowded and competitive market, as more local governments are advocating for the needs of their community. Collaboration and alignment between local governments and regional organisations in the region and sub-region is essential.

### Previous Council Decisions

- Advocacy Prospects 2021/22 – Council endorsed (OC208/2021): 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 - 2025; and
- Endorses the order of advocacy priority to appear on the Prospectus as:
  - Bunbury - Capel - Busselton Cycle Link.
  - Kaatijinup Biodiversity Park.
  - Bridge Infrastructure (Mallokup and Minninup).
  - Dalyellup Surf Lifesaving Club and Community Amenities.
  - Boyanup Heritage Precinct.
- Notes that the following other key initiatives will be included in the Prospectus as part of longer-term advocacy:
  - Future Sporting fields and facilities.
  - Essential Infrastructure (power, water, sewage).
  - Industrial Remediation (Government advocacy / pressure on industry to fast track the clean-up and remediation of strategically located sites with development potential).
  - Lifestyle impacts (advocacy for increased action / expenditure on circumstances affecting the quality of life and wellbeing in the community- i.e., mosquito management and control); and
  - Rapid Rail Link - Perth to Busselton (subject to inclusion in State Infrastructure Strategy).
- Endorses the Chief Executive Officer to submit funding applications for priorities detailed in 2. and 3. above should the opportunity arise.

September 2023 - OC/2023/174 - Council:

1. Endorses the Shire of Capel's Long Term Financial Plan (LTFP) 2024-2034 as part of the Shire's Integrated Planning and Reporting (IPR) Framework.
2. Endorses the Chief Executive Officer to make revisions and inclusions to the Shire's 'Advocacy Prospectus 2023 and Beyond' document, ensuring its alignment with the Shire's LTFP.
3. Endorses the Chief Executive Officer to submit funding applications for priorities detailed in the Advocacy Prospectus as the opportunities arise.  
'Advocacy Prospectus 2023 & Beyond' Priorities
  1. Dalyellup Multipurpose Community and Youth Centre (DMCYC).
  2. Bunbury – Capel – Busselton Cycle Link.
  3. Agribusiness Precinct.
  4. Bridge Infrastructure – Mallokup Bridge.
  5. Essential Infrastructure (power, water, sewerage).
  6. Industrial Remediation (advocacy / pressure on industry to fast track the clean-up and remediation of strategically located sites with development potential).



## Decision Framework

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### Shire of Capel Strategic Community Plan 2023-2033

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 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 2023-2027

**CEO 2 - Local Economy** - Implement the adopted Economic Development Framework that supports and advocates for greater local business success, investment, and diversity, via annual actions in the CBP

**CEO 11 - Regional Outcomes** - Develop and maintain positive regional collaboration with other local authorities, government departments, commercial organisations and businesses to achieve individual Shire and regional outcomes.

## Statutory Framework

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### Local Framework

There are no local frameworks relevant to this item.

### State Framework

*Local Government Act 1995, Section 5.56*

5.56 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.

The Integrated Planning and Reporting Framework and associated guidelines were introduced in Western Australia during 2013-14 as part of the State Government's Local Government Reform Program. Integrated planning is the development and delivery of a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP).

All local governments in Western Australia are required to produce a 'Plan for the Future' for their district under S5.56(1) of the *Local Government Act 1995*.

Local Government (Administration) Regulations 1996 now prescribe the requirement to prepare a Strategic Community Plan and Corporate Business Plan as part of the 'Plan for the Future'.



These plans are designed to deliver the following outcomes:

- A long term strategic plan that clearly links the community’s aspirations with the Council’s vision and long term strategy.
- A corporate business plan that integrates resourcing plans and specific Council plans with the strategic plan.
- A clearly stated vision for the future viability of the local government area.

### Federal Framework

There are no federal frameworks relevant to this item.

### Policy Framework

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The following Shire Policies apply:

- Preparation of an Integrated Plan and Budget.

### Implications

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#### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Reputation <b>Rating: Medium</b>	Possible	Moderate	Professionally and succinctly present Capel’s strategic priorities to such investors/agencies and secure funding.
<b>Risk Description: Failure to present the Shire professionally to Government, stakeholders, funding bodies and the community.</b>			
<b>Risk 2</b> Service Delivery <b>Rating: Medium</b>	Possible	Moderate	Development of an integrated Plan for the Future supported in delivery by a strategic advocacy approach to secure necessary funding.
<b>Risk Description: Failure to secure required funding to provide essential facilities and service; increasing reliance on rates-driven revenue.</b>			
<b>Opportunity: Preparation and presentation of a professional advocacy prospectus and campaign, strengthens the Shire’s reputation with stakeholders and delivers facilities and services to the community.</b>			

#### 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

There are no relevant social implications relevant to this item.

### Economic

Collaboration and alignment between local governments and regional organisations in the region and sub-region is essential.

### Asset

There are no relevant asset implications relevant to this item.

## **Consultation/Engagement**

---

### **External Consultation**

Shire President is a recently added member of the BGEA Board and involved in the development of the Investment Prospectus at a strategic level.

### **Internal Consultation**

Through the representation on the BGEA Board of the Shire President, the Capel Shire Administration has had the opportunity to review drafts of the Investment Prospectus during the development, provide feedback and input, and to ensure alignment with the Shire's adopted Advocacy Prospectus 2032 and beyond.

## **Officer Comment**

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The Bunbury Geographe Economic Alliance has been working with their Local Government partners (through the BGEA Local Government Executive Committee) including the Shire of Capel to encourage State and Federal Governments to consider the next phase of major investment to drive economic development in the Region.

This has culminated in the preparation of the attached Investment Prospectus, with the BGEA writing to the Shire (Dated 30 January 2024 – Attachment 13.2.1) seeking Council endorsement, prior to public release.

The BGEA Investment Prospectus includes:

- Organisational Background.
- Regional Overview.
- Strategic Competitive Advantage and Economic Snapshot.
- Priority Projects.





Priority Projects identified in the Investment Prospectus includes:

- Kemerton Strategic Industrial Area.
- Agribusiness Precinct – aligning to the work currently being undertaken by the Shire.
- Port Expansion
- AMTECH – Advanced Manufacturing and Technology Hub.
- Intermodal Terminal.

## Summary

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The BGEA Investment Prospectus has been developed and presented for Council's consideration and proposed endorsement. The Prospectus is aligned and may contribute to the outcomes being sought by the Shire of Capel, as detailed in our own Advocacy Prospectus.

## Voting Requirements

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Simple Majority

### Officer's Recommendation – 13.2.

#### OC/2024/32 - Officer's Recommendation / Council Decision - 13.2

*Moved Cr Dillon, Seconded Cr McCleery.*

#### That Council:

1. **Notes the request by the Bunbury Geographe Economic Alliance (BGEA) contained in correspondence (dated 30 January 2024 – Attachment 13.2.1); and**
2. **Endorses the Bunbury Geographe Economic Alliance Investment Prospectus (Attachment 13.2.2) to ensure the alignment of key messaging and advocacy.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy.*

*Against - Nil*



## 14. Infrastructure and Development Reports

*Cr Noonan declared an Impartiality Interest in item 14.1 Bunbury Outer Ring Road - Extension of Closures the nature of the interest is that he is an Ordinary Member of the Friends of Gelorup Corridor.*

*Cr Sharp declared an Impartiality Interest in item 14.1 Bunbury Outer Ring Road - Extension of Closures the nature of the interest is that she has previously spoken out against this project, prior to being elected as a Councillor.*

---

### 14.1. Bunbury Outer Ring Road - Extension of Road Closures

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<b>Author</b>	Manager Projects, Engineering & Assets, Shawn Lombard
<b>Authorising Officer</b>	Director Infrastructure Development, Tanya Gillett
<b>Nature of the Decision</b>	Legislative
<b>Attachments</b>	1. Request for closure extensions [14.1.1 - 2 pages]
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

#### Proposal

---

Approve an extension of the temporary closures for four (4) road segments as requested by Main Roads Western Australia (MRWA).

#### Officer's Recommendation

---

That Council endorse the extension of temporary closures of four (4) road segments being portions of Woods Road, Yalinda Drive, Lillydale Road and Eucalypt Drive as presented in Attachment 14.1.1 until December 2024.

#### Background

---

South West Gateway Alliance contacted the Shire on 18 January 2024 to request an extension of temporary road closures for the road segments of Woods Road, Yalinda Drive, Lillydale Road and Eucalypt Drive.

Through the consideration of the request and communication with MRWA, it was then identified that the closure would be required until October 2024.

#### Previous Decisions of Council

OCM 22 February 2023 – Council endorsed the temporary road closure segments being portions of Woods Road, Yalinda Drive, Eucalypt Drive and Lillydale Road. The approved maps stated that the temporary closures were required until February 2024.



## Decision Framework

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### Shire of Capel Strategic Community Plan 2023-2033

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

1.4 A safe and prepared community

Direction 2 - Manage and protect our environment

2.7 Urban planning that supports sustainable development

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

4.2 Informed and transparent decision making

4.3 Contemporary planning and local development

Direction 5 - Provide and maintain suitable infrastructure and facilities

5.3 Better and safer roads.

### Corporate Business Plan 2024-2027

ATS 7 - Oversee Statutory administration of relevant Acts for roads:

- Road Closures
  - Assess and Audit Traffic Management Plans
  - Works by Others
  - Alterations to speed zoning
  - Road naming
  - Etc.

ATS 12 - Review and respond to requests for information related to other State and Federal agencies e.g. PTA bus stops, BORR etc.

## Statutory Framework

---

### Local Framework

There are no local frameworks relevant to this item.

### State Framework

The following Legislative framework applies:

*Local Government Act 1995;*

Subdivision 5 – Certain provisions about thoroughfares

#### 3.50. Closing certain thoroughfares to vehicles

(1) A local government may close any thoroughfare that it manages to the passage of vehicles, wholly or partially, for a period not exceeding 4 weeks.

(1a) A local government may, by local public notice, order that a thoroughfare that it manages is wholly or partially closed to the passage of vehicles for a period exceeding 4 weeks.



(2) The order may limit the closure to vehicles of any class, to particular times, or to such other case or class of case as may be specified in the order and may contain exceptions.

[(3) deleted]

(4) Before it makes an order wholly or partially closing a thoroughfare to the passage of vehicles for a period exceeding 4 weeks or continuing the closure of a thoroughfare, the local government is to –

- (a) give local public notice of the proposed order giving details of the proposal, including the location of the thoroughfare and where, when, and why it would be closed, and inviting submissions from any person who wishes to make a submission; and
- (b) give written notice to each person who –
  - (i) is prescribed for the purposes of this section; or
  - (ii) owns land that is prescribed for the purposes of this section; and
- (c) allow a reasonable time for submissions to be made and consider any submissions made.

(5) The local government is to send to the Commissioner of Main Roads appointed under the Main Roads Act 1930 a copy of the contents of the notice required by subsection (4)(a).

(6) An order under this section has effect according to its terms, but may be revoked by the local government, or by the Minister, by order of which local public notice is given.

[(7) deleted]

(8) If, under subsection (1), a thoroughfare is closed without giving local public notice, the local government is to give local public notice of the closure as soon as practicable after the thoroughfare is closed.

(9) The requirement in subsection (8) ceases to apply if the thoroughfare is reopened.

*Land Administration Act 1997, Part 2 – General administration,*

- Division 3 – General;
  - Section 26. Constitution, etc. of land districts and townsites;
  - Section 26A. Names of roads and areas in new subdivisions.
- Part 5, Division 1- Conventional Roads
  - Section 56 Dedication of land as road
  - Section 58 Closing roads
- *Land Information Authority Regulations 2007*
- Australian Standard AS/NZS 4819:2011 Rural and urban addressing

## **Federal Framework**

There are no federal frameworks relevant to this item.

## **Policy Framework**

---

The following Shire Policies apply:

- Asset Management
- Risk Management Framework



**Implications**

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**Risk Implications**

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Reputation  <b>Rating: High</b>	Likely	Moderate	Assisting the South West Gateway Alliance with the relevant approvals to reduce further delays.
<b>Risk Description: Impact of potential delays of the project, resulting in extended interference with the community.</b>			
<b>Opportunity:</b> The opportunity for the Shire is that all legislative processes required for the BORR road closures are completed.			

**Financial Implications**

Budget

There are no financial implications relevant to this proposal. Road closure fee under the Shire’s adopted fees and charges may apply.

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 approval of the extension will allow for project to continue operation, failure to do this could cause further social implications as the project timeline will be extended out. The Shire supports the project being completed in a timely manner to allow the community to operate without the disruption of the works.

Economic

There are no relevant economic implications relevant to this item.

Asset

The road closures have already been under a temporary closure, the additional 8-month extension should not cause any major implication for the asset.



## Consultation/Engagement

---

### External Consultation

Consultation was undertaken for the requirements around the closure request with South West Gateway Alliance following the initial request.

All affected landowners were individually consulted via correspondence regarding the originally proposed temporary road closures.

Further, public notice has been published in the Bunbury Herald dated Tuesday, 20 February 2024.

Submissions will be open to the public until Tuesday, 27 February 2024 to allow the community as much time under the period as possible. A late attachment will be provided to the Councillors prior to the meeting with the submissions received.

### Internal Consultation

Consultation was undertaken between the Projects, Engineering and Assets Team and the Governance Team.

## Officer Comment

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The closure of the four (4) road segments relating to this item were approved in February 2023. Following a letter of request being received from South West Gateway Alliance, Shire Officers have tried to ensure a transparent and compliant process still be undertaken with little disruption to the project.

The Council Recommendation reflects an approval date of December 2024, for any additional contingencies that may be required, however the approval provided to South West Gateway Alliance will be to October 2024.

The Shire understands the disruption that will be caused to the community, however, note that as the works are already partially completed, the refusal of the item may cause extended delays of the project.

Should Council not support the Officer Recommendation to support the extended closure of these roads due to resident concerns, the MRWA request will then become one of Ministerial intervention and approval, should the road closures be required for the BORR project to be carried through within the Gelorup community.

It is noted that request from the Shire will be made to South West Gateway Alliance for extended notice periods to allow the Shire enough time to undertake consultation and communication to the community.

## Summary

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The Council is requested to approve the proposed extension of closures to ensure that the Bunbury Outer Ring Project can continue to proceed without additional delays. Ensuring that the community have been advised with as much notice as possible.



## Voting Requirements

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Simple Majority

### Officer's Recommendation – 14.1.

#### OC/2024/33 - Officer's Recommendation / Council Decision - 14.1

*Moved Cr McCleery, Seconded Cr Dillon.*

**That Council endorse the extension of temporary closures of four (4) road segments being portions of Woods Road, Yalinda Drive, Lillydale Road and Eucalypt Drive as presented in Attachment 14.1.1 until December 2024.**

**Carried 7 / 1**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Cr Mogg*



## 15. Community and Corporate Reports

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### 15.1. Financial Reports 31 December 2023

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<b>Author</b>	Accountant, Jonathan Kosareff
<b>Authorising Officer</b>	Director Community and Corporate Services, Samantha Chamberlain
<b>Nature of the Decision</b>	Legislative
<b>Attachments</b>	1. Financial Report 2312 [15.1.1 - 30 pages]
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

#### Proposal

---

Provide the monthly financial statements for the period ending on 31 December 2023.

#### Officer's Recommendation

---

That the Council receives the monthly financial statements for the period ending on 31 December 2023.

#### Background

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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 30 November 2023 (31 January Ordinary Council Meeting).

#### Decision Framework

---

#### Shire of Capel Strategic Community Plan 2023-2033

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 2023-2027

FIN 9 - **Annual and Monthly Financial Reporting** - Statutory reporting of income and expenditures to the Council and regulatory authorities.





**Statutory Framework**

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**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**

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The following Shire Policies apply:

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

**Implications**

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**Risk Implications**

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Financial  <b>Rating: Medium</b>	Unlikely	Moderate	Report financials monthly
<b>Risk Description:</b> 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.



## Officer's Comment

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The financial monitoring for the month of December 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 December 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. Cash on Hand and Investments.
5. Capital Works Program - includes commentary on capital expenses progress to date.

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.

### December 2023 Financial Analysis Summary

The *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.

The audit process for the 2022/23 financial year is now complete. The Final Audit Report from the Office of the Auditor General (OAG) was received in December 2023 and is published in the 2022/23 Annual Report.

The issuing of rates for 2023/24 was completed in the August 2023 month. The first rates instalment and due date for a single full payment occurred on 15 September 2023. The second rates instalment due date occurred on 15 November 2023, with the third instalment due date occurring on 15 February 2023. The final and fourth instalment due date is 15 April 2024.

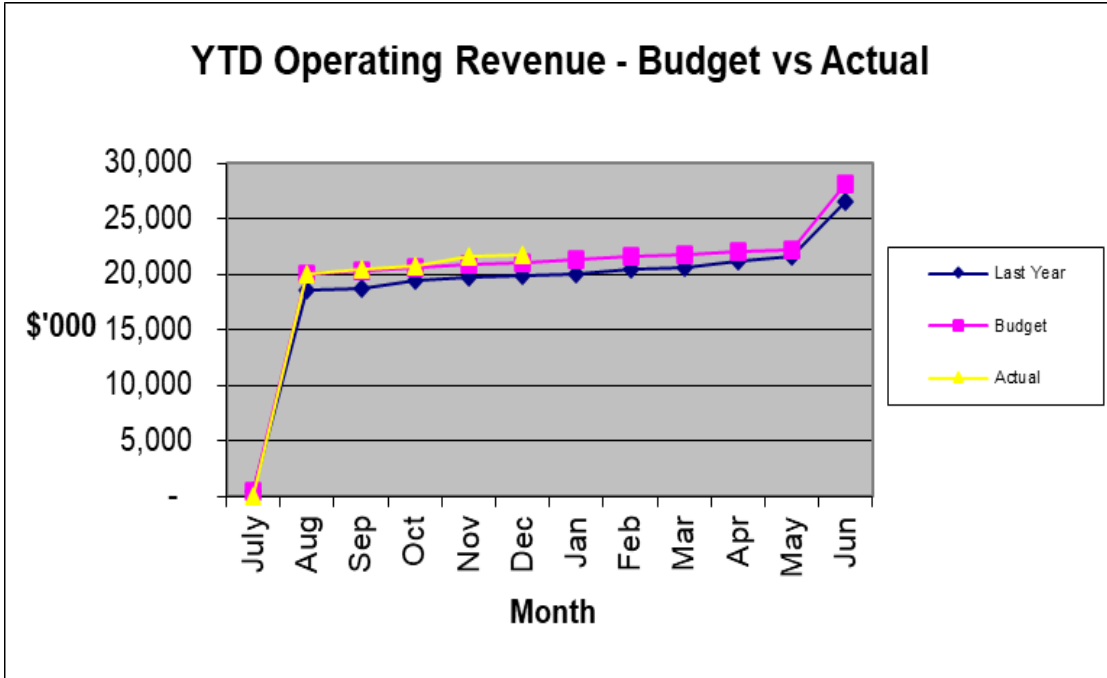
The 2023/24 forecasts have been updated with a forecast year end net current asset position of \$649,595 compared to the budgeted position of \$0. There is a more detailed discussion of the amount in the mid-year budget review agenda item.

Compared to the 2023/24 Annual Budget, approximately 77.46% of Operating Revenue has been brought to account and 42.84% of the Operating Expenditure has been spent.



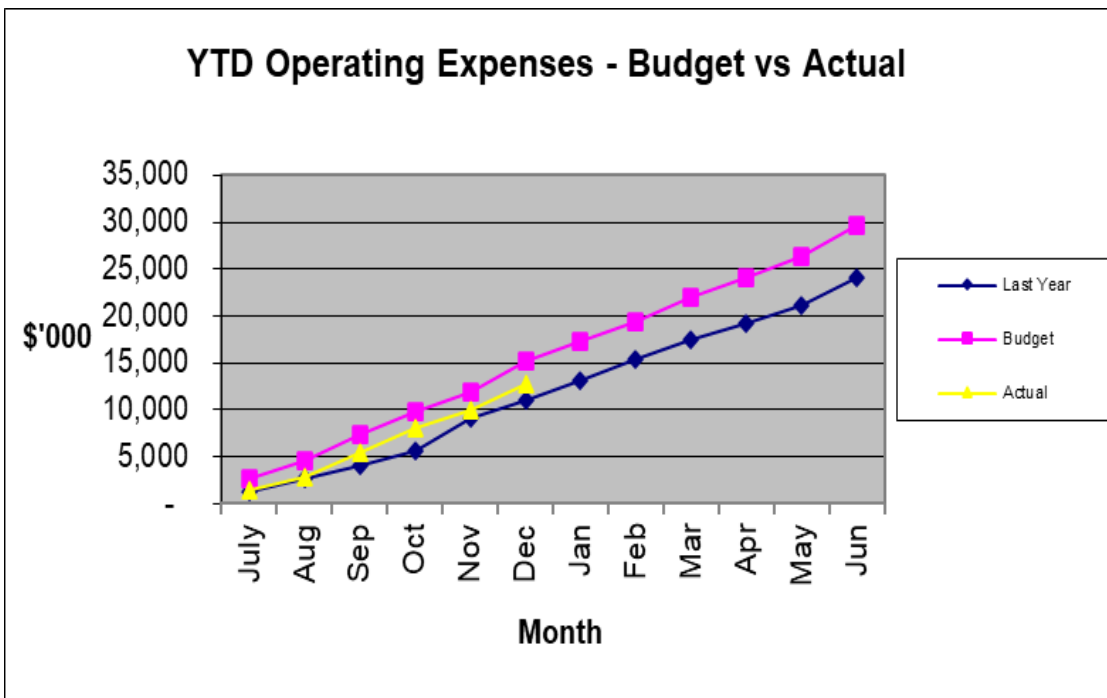
The following graphs compare actual Operating Revenue and Operating Expenditure against the 2023/24 Annual Budget on a year-to-date basis.

Graph 1.



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

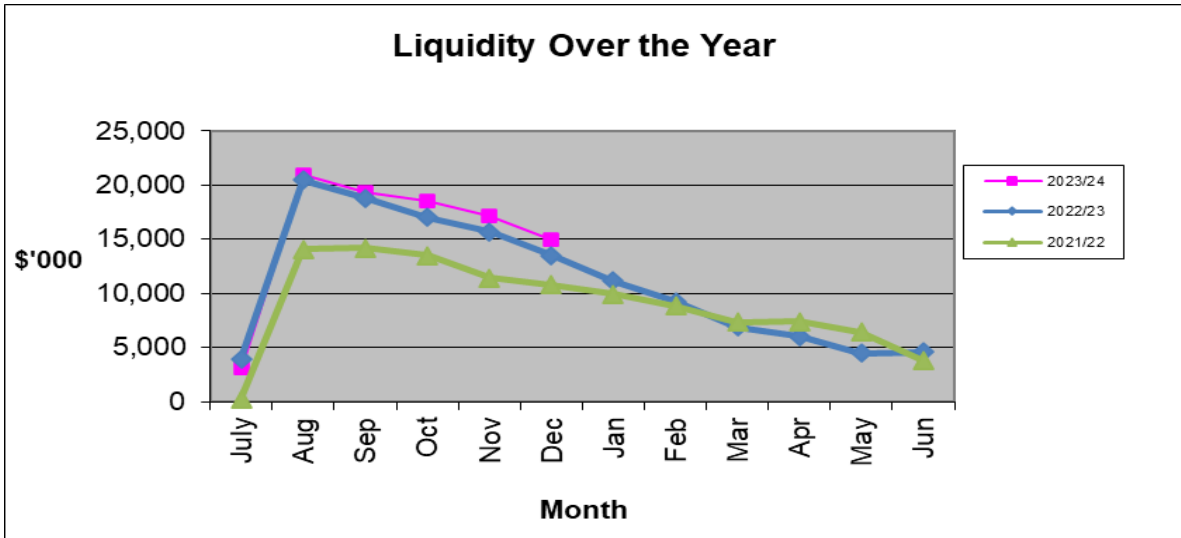
Graph 2.



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



Graph 3.



Overview of above analysis

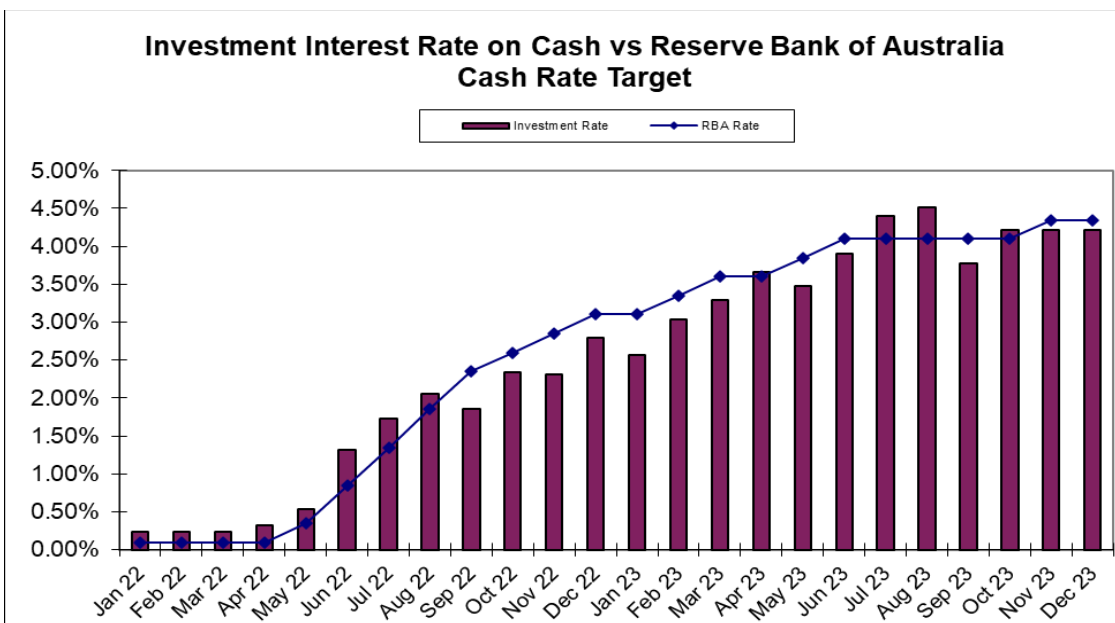
The Shire’s municipal cash and investments position for the month of December 2023 has decreased by \$1,684,292 compared to November 2023.

The municipal cash position is an amount of \$26,495,038 of which \$16,579,308 is restricted for specific purposes as shown at Note 3 in the attachments. The decrease in the cash position was due to the payment of contractors.

The amount of interest income received is \$373,287 which is above the year-to-date budget due to the timing of term deposit renewals and continued high interest rates.

At present, the average investment rate of return is 4.21%. This is slightly below the December 2023 RBA cash rate of 4.35%. The Reserve Bank’s cash rate target remains at 4.35% as of 6<sup>th</sup> December 2023. The following Graph 4 details an analysis chart which maps the movement in investment and applied interest rates.

Graph 4.



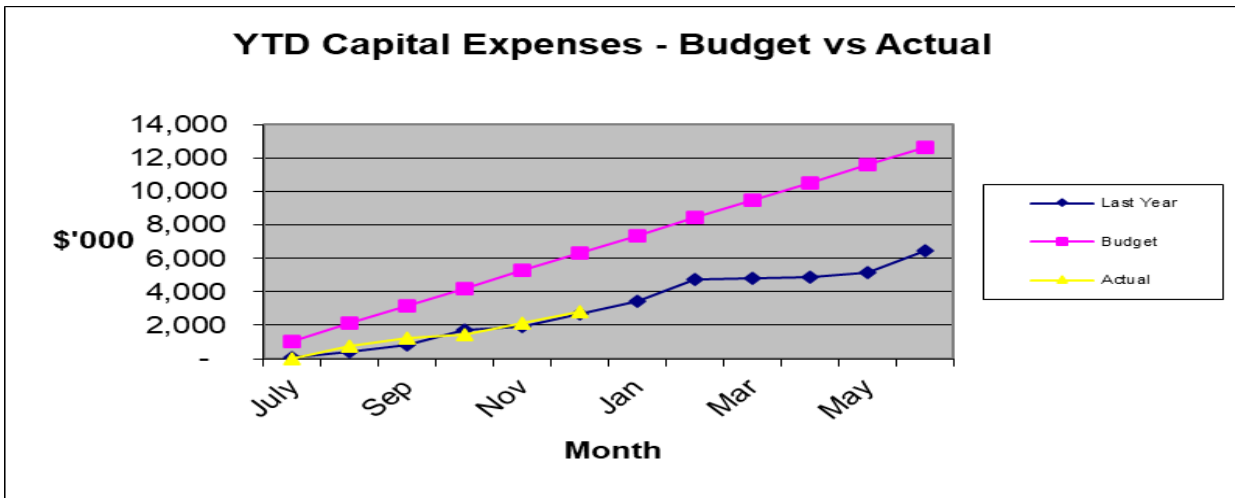


Capital expenditure in December totalled \$636,578 and was distributed across the following projects/purchases:

- \$345,883 Roads.
- \$ 3,750 Paths.
- \$295,293 Gelorup Bush Fire Brigade Facility.
- \$ 47,150 Motor Vehicles.

The following graph compares the actual capital expenditure against the 2023/24 budget on a year-to-date basis and includes the prior year actual for comparative purposes.

Graph 5.



Committed Capital Expenditure (not reported in above analysis)

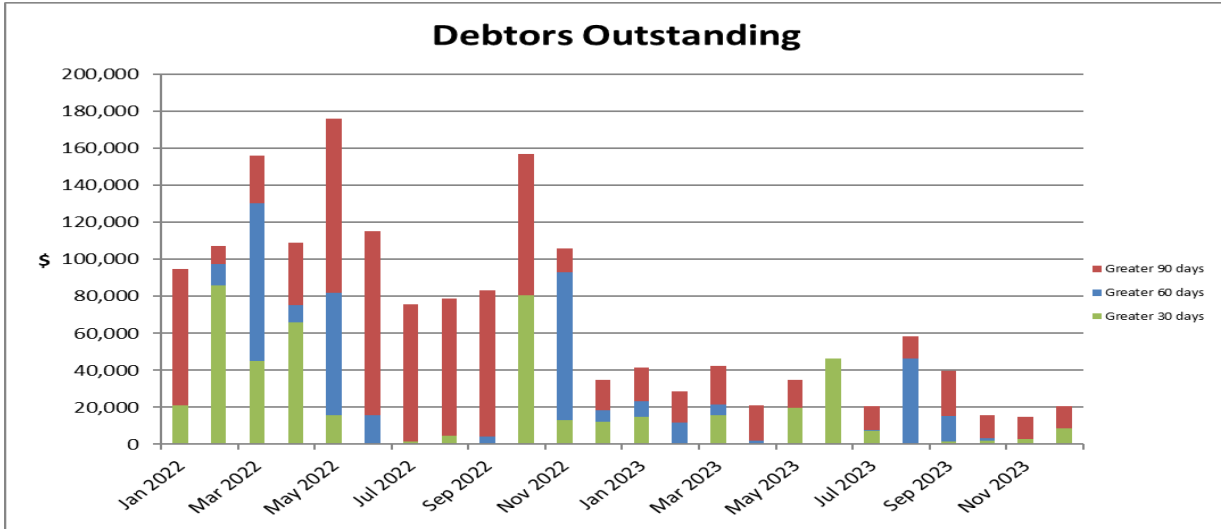
There is currently \$2,284,767 of infrastructure and building capital expenditure purchase orders issued to suppliers. These are made up of \$632,256 roads infrastructure, \$15,789 carpark infrastructure, \$34,600 paths infrastructure, \$185,174 parks infrastructure and \$1,416,948 building projects.

Based on the above committed capital expenditure, trend analysis will be reported through the remaining periods.

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.

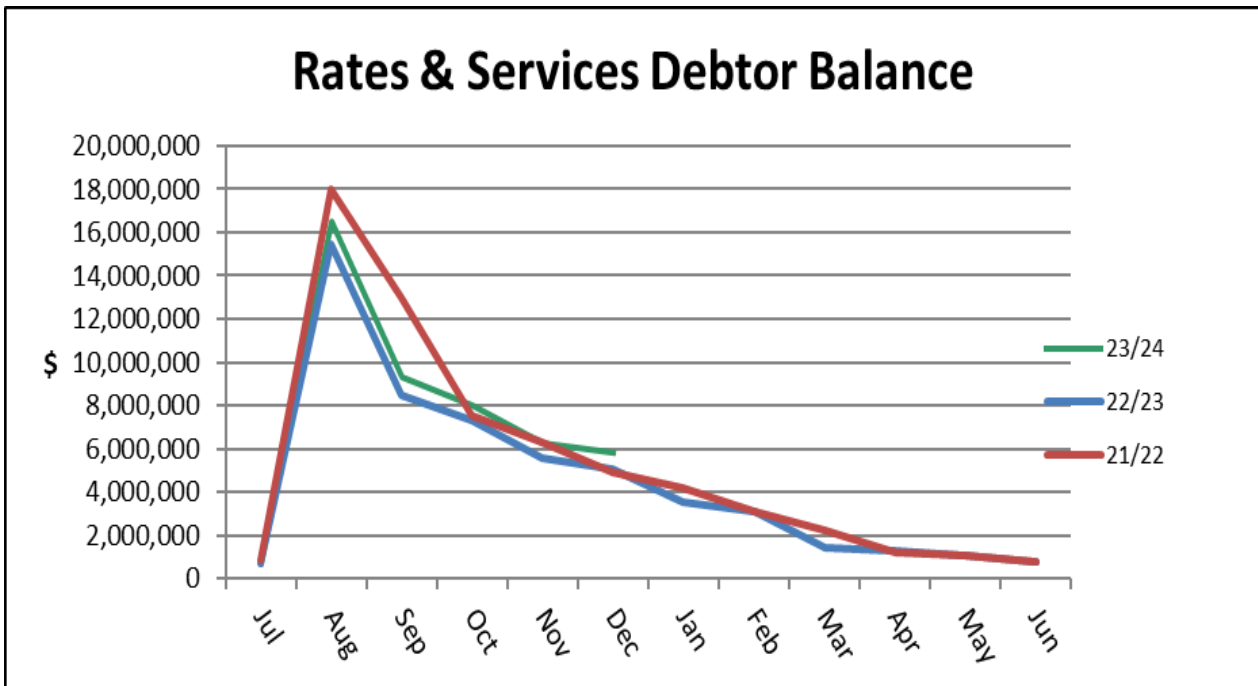


Graph 6.



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. The second rates instalment was due 15/11/2023 with the next instalment due 15/02/2024 which is an extension of one month compared to the previous year.

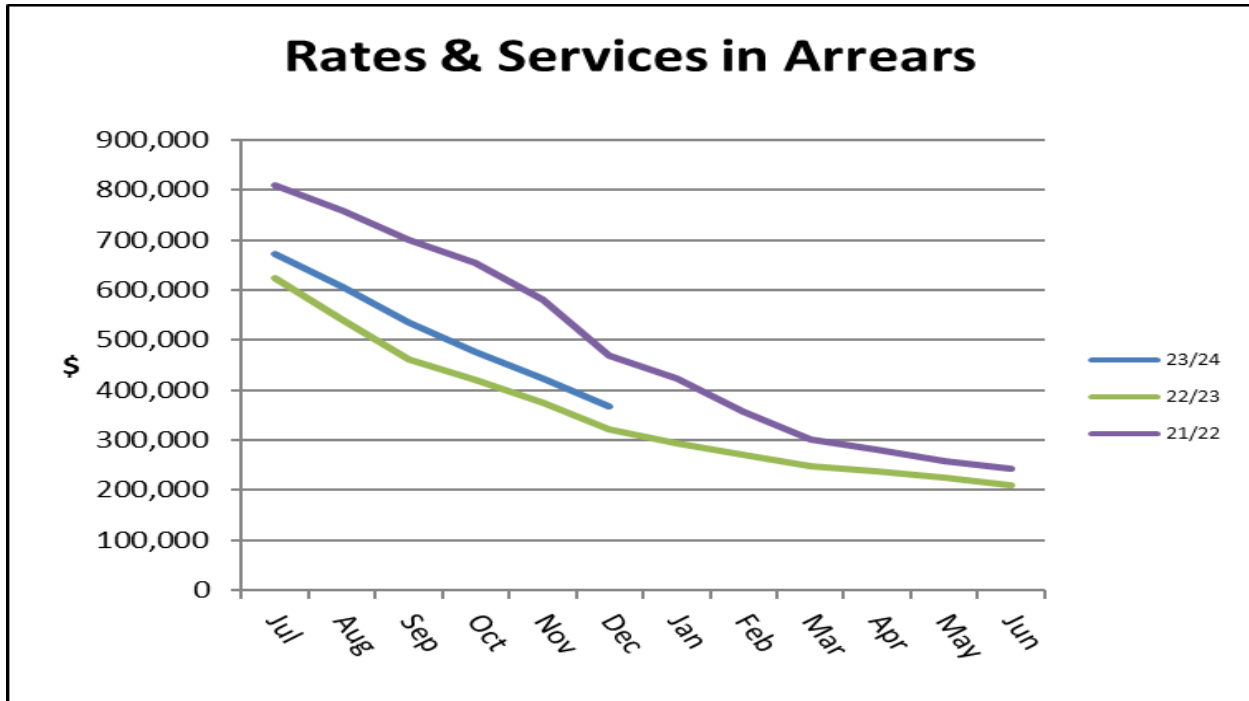
Graph 7.



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: 2023/24 3.68%, 2022/23 3.51% and 2021/22 4.22%.



Graph 8.



The Council's financial ratios are disclosed in Note 19 of the attached Financial Statements.

### Summary

This report monitors the Shire's financial position for the month of December 2023 and tracks the progress against the budget set at the start of the 2023/24 financial year.

Commentary relating to the progress of capital expenses has been included where work has commenced against individual capital projects. This level of reporting will continue in future financial statements and broadened in detail where required.

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

1. Operating revenue decreases (Timing of interim rates and service charges).
2. Operating expenditure decrease (Employee recruitment and timing of expenditure on contractors).
3. Capital expenditure below budget (Timing of expenditure).
4. Asset disposal below budget (Timing of disposals).

The December financial statements show the forecast year end 2023/24 Net Current Asset position of \$649,595.00. This is an increase to the budgeted amount of \$0.00.

Variation to the year-end projected balance will be reported to the Council through the Mid-Year Budget Review process and subsequent report to the Council.



## Voting Requirements

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Simple Majority.

**Officer's Recommendation – 15.1.**

**OC/2024/34 - Officer's Recommendation / Council Decision - 15.1**

*Moved Cr Fergusson, Seconded Cr McCleery.*

**That the Council receive the monthly financial statements for the period ending on 31 December 2023.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*





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## 15.2. Accounts Paid During the Month of January 2024

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<b>Author</b>	Finance Officer, Susan Searle
<b>Authorising Officer</b>	Director Community and Corporate Services, Samantha Chamberlain
<b>Nature of the Decision</b>	Executive/Strategic
<b>Attachments</b>	1. Fuel Statement [15.2.1 - 7 pages]
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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### Proposal

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Accounts paid during January 2024 are submitted for the endorsement of the Council.

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### Officer's Recommendation

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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 January 2024 be received by the Council and recorded in the minutes of the Council, the summary of which follows:

- 1 The Schedule of Accounts covering EFT44670 to EFT44912, CHQ50775 to CHQ50793 equated to \$1,237,889.90 during the month of January 2024.
- 2 Payroll payments for the month January 2024, equated to \$499,063.18.
- 3 Transfers to and from investments as listed.

---

### Background

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Accounts paid are required to be submitted each month.

Decision Framework

#### Shire of Capel Strategic Community Plan 2023-2033

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 2023-2027

FIN 9 – **Annual and Monthly Financial Reporting** - Statutory reporting of income and expenditures to the Council and regulatory authorities.

FIN 18 – **Debtor and Creditor Management** - 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.
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;  
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

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The following Shire Policies apply:

- Financial Reports.
- Legislative Compliance.
- Purchasing.



**Implications**

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**Risk Implications**

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Mitigation</b>
<b>Risk 1</b> Financial  Rating: <a href="#">Low</a>	Unlikely	Minor	Monthly reporting of accounts paid.
<b>Risk Description:</b> Additional checks and balances of accounts paid by the Shire.			
<b>Risk 2</b> Legislative Compliance  Rating: <a href="#">Low</a>	Unlikely	Minor	Monthly reporting of accounts paid.
<b>Risk Description:</b> Meeting legislative requirement of financial reporting to the Council.			
<b>Opportunity:</b> Compliant and accountable procurement in the Shire of Capel’s accounting practices.			

**Financial Implications**

Budget

Creditor payments are made from the 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**

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**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**

EFT44670	02/01/2024	IINET	DALYELLUP LIBRARY MONTHLY INTERNET	119.94
EFT44671	02/01/2024	WESTNET PTY LTD	CAPEL SHIRE AND CAPEL LIBRARY MONTHLY INTERNET	219.98
EFT44672	04/01/2024	ADVENTURE WORLD	INZONE YOUTH PROGRAM	1,329.50
EFT44673	04/01/2024	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	168.00
EFT44674	04/01/2024	BUNBURY MACHINERY	MOWER REPAIRS AND PARTS	4,511.23
EFT44675	04/01/2024	BUNBURY MOWER SERVICE	CHAINSAW AND WHIPPER SNIPPER REPAIRS AND PARTS	1,510.00
EFT44676	04/01/2024	HEATLEYS SAFETY & INDUSTRIAL	PPE	242.74
EFT44677	04/01/2024	MARINE RESCUE BUNBURY	DONATION	340.00
EFT44678	04/01/2024	BUDGET CAR & TRUCK RENTALS	TOYOTA 4X4 DUAL CAB RENTAL HIRE	2,433.20
EFT44679	04/01/2024	BENDIGO BANK BUSINESS CREDIT CARD	<p>DECEMBER 2023 CREDIT CARD TRANSACTIONS:</p> <p>1 DEC - CPP COUNCIL HOUSE - \$5.55 - PARKING FOR MEETING - CARD 253</p> <p>1 DEC - FLORIST GUMP - \$100.00 -CONDOLENCE FLOWERS FOR STAFF - CARD 253</p> <p>1 DEC - STANDARDS AUST - \$644.38 - CONTRACT STANDARDS - CARD 261</p> <p>1 DEC - WOOLWORTHS - \$45.00 - STAFF CHRISTMAS AWARDS - CARD 442</p> <p>4 DEC - AMAZON - \$10.39 - CYBERSECURITY METHODS - CARD 442</p> <p>DEC 5 - ATLISSIAN - \$147.06 - HELPDESK INCREASE - CARD 442</p> <p>DEC 5 - INTERNATIONAL TRANSACTION FEE FOR ABOVE - \$4.41</p> <p>6 DEC - OK ALONE - \$363.79 - LONE WORKER APP - CARD 4426</p> <p>DEC 6 - INTERNATIONAL TRANSACTION FEE FOR ABOVE - \$10.91</p> <p>DEC 9 - DIGITAL CAMERA - \$98.00 -BATTERY AND LIGHTING EQUIPMENT - CARD</p>	1,974.87



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			<p>253</p> <p>9 DEC - FLORIST GUMP - \$95.00 - STAFF CONDOLENCES - CARD 253</p> <p>15 DEC - JITTER BUG COFFEE - \$433.00 - STAFF CHRISTMAS BREAKFAST - CARD 253</p> <p>16 DEC - SAI GLOBAL - \$451.38 - RECORDS TO ENSURE COMPLIANCE IN EDRMS - CARD 442</p> <p>DEC 17 - UNDALUP ASSOC - \$-750.00 - REFUND FOR NOVEMBER TRANSACTION - CARD 253</p> <p>21 DEC - MRBTA - \$300.00 - YOUTH INZONE PROGRAM EXCURSION - CARD 261</p> <p>30 DEC - CARD FEE X 4 - \$16.00</p>	
EFT44680	04/01/2024	BENDIGO BANK EMERGENCY SERVICES DEBIT CARD	KITCHEN ITEMS FOR GELORUP BFB OPENING	44.50
EFT44681	04/01/2024	BOYLES PLUMBING & GAS	WATER FOUNTAIN BUTTON AND SHOWER BUTTON WORKS FOR ERLE SCOTT AND PEPPERMINT GROVE BEACH	202.13
EFT44682	04/01/2024	BOYANUP GENERAL STORE & NEWSAGENCY	OFFICE EXPENSES FOR BOYANUP LIBRARY	80.60
EFT44683	04/01/2024	BEYOND SAFETY	PPE	620.10
EFT44684	04/01/2024	BLUESALT CONSULTING	PROJECT FEE - QUALITATIVE GRANT CONTENT DEVELOPMENT + ENGAGEMENT	7,550.00
EFT44685	04/01/2024	CROSS SECURITY SERVICES	CHECK FAULT WITH ADMIN BUILDING ALARM SYSTEM	360.80
EFT44686	04/01/2024		CANCELLED	0.00



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EFT44687	04/01/2024	CB TRAFFIC SOLUTIONS	SUPPLY ONE TRAFFIC CONTROLLER AND ONE VEHICLE	563.20
EFT44688	04/01/2024	CARBONE BROS PTY LTD	SUPPLY AND DELIVER GRAVEL TO WELD ROAD LAYDOWN AREA	34,171.16
EFT44689	04/01/2024	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	762.38
EFT44690	04/01/2024	DARE ADVENTURES	YOUTH LEADERSHIP CAMP	12,880.00
EFT44691	04/01/2024	EFTSURE PTY LTD	EFTSURE SOFTWARE	4,881.39
EFT44692	04/01/2024	GOLDEN WEST PLUMBING & DRAINAGE - NEW OWNERS AS OF 30 JAN	REPLACEMENT OF TOILET PAN AT DALYELLUP SKATE PARK TOILETS AND ANTI VANDAL TAP AT CAPEL CARAVAN DUMP POINT	511.50
EFT44693	04/01/2024	HENDERSON PHOTOGRAPHICS	DESIGN PRINTING & FRAMING OF SHIRE EMT & COUNCILLORS	676.50
EFT44694	04/01/2024	HITACHI CONSTRUCTION MACHINERY (AUST) PTY LTD	MAINTENANCE AND PARTS ON LOADER	1,257.16
EFT44695	04/01/2024	SOUTHWEST ISUZU	FLEET VEHICLE SERVICE - SHIRE TRUCK	1,313.73
EFT44696	04/01/2024	LONSDALE PARTY HIRE	2024 AUSTRALIA DAY CELEBRATIONS - HIRE OF GLASSES AND TABLECLOTHS	405.00
EFT44697	04/01/2024	LOCAL GOVERNMENT RACING AND CEMETERIES EMPLOYEES' UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	99.00
EFT44698	04/01/2024	MONADELPHOUS ENGINEERING ASSOCIATES PTY LTD	REPAIR TO HIRE WATER TRUCK	385.00
EFT44699	04/01/2024	MERCHANT WAREHOUSE AND CAFE	STAFF/COUNCIL CHRISTMAS CATERING	1,617.00
EFT44700	04/01/2024	NATURALISTE TURF	TURF MAINTENANCE TO SHIRE PUBLIC RECREATION GROUNDS	6,740.35
EFT44701	04/01/2024	NQPETRO PTY LTD	REPAIRS TO FUEL TANK	1,345.05
EFT44702	04/01/2024	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY AND CHAIRS GELORUP BFB	1,844.95
EFT44703	04/01/2024	PROTECTOR FIRE SERVICES	SUPPLY REPLACEMENT 2 X FIRE DETECTION AND ALARM SYSTEM LOGBOOK CAPEL LIBRARY/ COMMUNITY CENTRE	191.40
EFT44704	04/01/2024	PICTON CIVIL PTY	REMOVE & DISPOSE OF ASBESTOS MATERIAL FROM PEACOCKS LANE	660.00



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EFT44705	04/01/2024	PRIME INDUSTRIAL PRODUCTS	PPE	13.20
EFT44706	04/01/2024	AUSTRALIAN TAXATION OFFICE	PAYG WITHHOLDING	146,417.00
EFT44707	04/01/2024	ROYAL FLYING DOCTORS SERVICE	DONATION	330.00
EFT44708	04/01/2024	SYNERGY	ELECTRICITY	5,190.49
EFT44709	04/01/2024	SEEK	SEEK - ADDITIONAL ADS FOR EMPLOYMENT	1,365.38
EFT44710	04/01/2024	SDH PAINTING & DECORATING	REMOVE GRAFFITI INSIDE DALYELLUP SKATE PARK TOILETS	264.00
EFT44711	04/01/2024	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICAL CHECKS	469.70
EFT44712	04/01/2024	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	1,022.52
EFT44713	04/01/2024	SOUTHWEST CHAUFFEURED ESCAPES	BUS HIRE INZONE TRIP TO MARGARET RIVER CAVES - YOUTH SERVICES	440.00
EFT44714	04/01/2024	SPARE PARTS PUPPET THEATRE	PRESENTATION OF PUPPET STORY TIME AT LAKES PARK	165.00
EFT44715	04/01/2024	TOTALLY WORKWEAR	PPE	209.00
EFT44716	04/01/2024	TYREPOWER CAPEL	TYRES AND SERVICING FOR FLEET VEHICLES	1,765.00
EFT44717	04/01/2024	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT	71.85
EFT44718	04/01/2024	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 89 REPAYMENT	72,089.62
EFT44719	04/01/2024	WIGHT & EMMETT	2 X ROLLS OF HAY - FEED FOR SEIZED CATTLE	165.00
EFT44720	04/01/2024	SHIRE OF WAGIN	PAYROLL DEDUCTIONS/CONTRIBUTIONS	240.00
EFT44721	04/01/2024	WORKPAC GROUP	LABOUR HIRE	4,384.66
EFT44722	04/01/2024	WESTSIDE TILT TRAY SERVICES	TOW VEHICLE	165.00
EFT44723	04/01/2024	WOOLWORTHS LIMITED (WA)	LIBRARY SUPPLIES	45.25
EFT44724	05/01/2024	AMITY SIGNS	VARIOUS SIGNS	17,319.50
EFT44725	05/01/2024	CONSTRUCTION TRAINING FUND	DECEMBER BCITF REMITTANCE	229.25
EFT44726	05/01/2024	LOUISA BATEMAN	DEPOT SURFACE SPRAY	43.00
EFT44727	05/01/2024	AMY CUTTS	RATES REFUND	917.40
EFT44728	05/01/2024	DEPARTMENT OF MINES, INDUSTRY REGULATION & SAFETY	DECEMBER BSL REMITTANCE	4,871.31



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EFT44729	05/01/2024	GRANTS EMPIRE	DEVELOPMENT OF FULL APPLICATION AND BUSINESS CASE FOR GROWING REGIONS FUNDING DMCYC	3,894.00
EFT44730	05/01/2024	BUNBURY CATHEDRAL GRAMMAR SCHOOL	REFUND FOR OVERPAYMENT OF DEBTOR ACCOUNT	114.00
EFT44731	05/01/2024	JB HI FI GROUP PTY LTD	DRONE	507.99
EFT44732	05/01/2024	PROMOTE YOU	EMBROIDERY FOR 5 PICNIC BLANKETS	60.50
EFT44733	05/01/2024	RECRUITWEST PTY LTD	LABOUR HIRE	2,493.65
EFT44734	05/01/2024	SEEK	SEEK - ADDITIONAL ADS FOR EMPLOYMENT	1,617.00
EFT44735	05/01/2024	TARVIA	REPLACE WEATHERED BOARDS AND SPLIT BEARERS CENTRAL LAKES GAZEBO	2,447.50
EFT44736	05/01/2024	G & M WAKE	RATES REFUND	454.01
EFT44737	10/01/2024	ADELPHI APPAREL	RANGER PPE / UNIFORMS	874.50
EFT44738	10/01/2024	AUDIKA AUSTRALIA PTY LTD	FULL AUDIO LOGICAL ASSESSMENT AS PER WORKCOVER REQUIREMENTS	204.05
EFT44739	10/01/2024	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	889.76
EFT44740	10/01/2024	CAPEL FRESH IGA	REFRESHMENTS	730.76
EFT44741	10/01/2024	CRAYON AUSTRALIA PTY LTD	MICROSOFT 365 LICENCES	83,558.00
EFT44742	10/01/2024	DALYELLUP NEWS & LOTTERIES	NEWSPAPER PURCHASES DALYELLUP	67.50
EFT44743	10/01/2024	ECOANGLE DESIGN & DRAFTING	DESIGN FOR SITE PLAN OF THE CAPEL SHIRE DEPOT	2,000.00
EFT44744	10/01/2024	GOLDEN WEST PLUMBING & DRAINAGE - NEW OWNERS AS OF 30 JAN	REPAIR OF FLUSH MECHANISM FERNDALE PAVILION	261.25
EFT44745	10/01/2024	DEPARTMENT OF COMMUNITIES	FREEDOM OF INFORMATION FEE	127.50
EFT44746	10/01/2024	BRIAN FISHER FABRICATION	GAS BOTTLES DELIVERED GELORUP BFB	380.00
EFT44747	10/01/2024	FLEET NETWORK	VEHICLE PAYROLL DEDUCTION	590.98
EFT44748	10/01/2024	GRACE RECORDS MANAGEMENT	DATA STORAGE AND HARD COPY RECORDS STORAGE AND DESTRUCTION	1,014.37
EFT44749	10/01/2024	GANNAWAYS CHARTERS AND TOURS	BUS HIRE ADVENTURE WORLD INZONE YOUTH SERVICES	2,178.00





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EFT44750	10/01/2024	AE HOSKINS BUILDING SERVICES	SUPPLY AND INSTALL 2 WHIRLY-BIRDS CAPEL DOG POUND AND SUPPLY AND INSTALL DOOR CLOSER FOR MINNINUP BEACH TOILETS	3,523.85
EFT44751	10/01/2024	HOST CORPORATION	CROCKERY FOR BFB	159.39
EFT44752	10/01/2024	LANDGATE	LAND VALUATIONS	1,766.09
EFT44753	10/01/2024	LITTLE RIPPERS	COMPOSTABLE DOG BAGS	6,762.69
EFT44754	10/01/2024	THE NIGHTGUARD SECURITY SERVICES (WA) PTY LTD	SECURITY PATROLS FOR SHIRE PROPERTIES	4,442.50
EFT44755	10/01/2024	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY	558.24
EFT44756	10/01/2024	OFFICE OF THE AUDITOR GENERAL	FEE AUDIT FINANCIAL YEAR 2022/2023	47,399.00
EFT44757	10/01/2024	THE PERTH MINT	100 X AUSTRALIAN CITIZENSHIP COINS	511.50
EFT44758	10/01/2024	PROTECTOR FIRE SERVICES	CAPEL LIBRARY AND BOYANUP COMMUNITY CENTRE FIRE PANEL MONTHLY INSPECTION AND SERVICE	247.50
EFT44759	10/01/2024	SOUTHERN LOCK & SECURITY	PROVIDE QUARTERLY ALARM MONITORING SERVICE	1,029.00
EFT44760	10/01/2024	SOS OFFICE EQUIPMENT	COPIER METER BILLING	157.26
EFT44761	10/01/2024	SYNERGY	ELECTRICITY	4,987.05
EFT44762	10/01/2024	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICAL CHECKS	315.70
EFT44763	10/01/2024	SURVEYING SOUTH	SURVEYING ON WELD ROAD	9,350.00
EFT44764	10/01/2024	SYKES ENGINEERING PTY LTD T/A SOUTHWEST ELECTRICAL & COMMUNICATION	LINE 2 - SUPPLY & INSTALL SKIRTING DUCT (20M) TO WRAP TRANSPORTABLE OFFICE DESK AREA, INSTALL 5 X DOUBLE CAT6 OUTLETS, 5 X DOUBLE10A GPO'S	9,593.10
EFT44765	10/01/2024	T-QUIP	MOWER CONSUMABLES	1,195.75
EFT44766	10/01/2024	TYREPOWER CAPEL	FLEET VEHICLE SERVICE	600.00
EFT44767	10/01/2024	URBIS PTY LTD	FUTURE LAND HOUSING AND ACCOMMODATION BUSINESS CASE	22,616.00
EFT44768	10/01/2024	VEOLIA ENVIRONMENTAL SERVICES	ROAD SWEEPER FOR GELORUP COMMUNITY CENTRE CARPARK	547.67
EFT44769	10/01/2024	WORK CLOBBER BUNBURY	RANGER PPE / UNIFORMS	106.10
EFT44770	10/01/2024	WESTRAC EQUIPMENT	GRADER PARTS	2,353.47
EFT44771	10/01/2024	WORKPAC GROUP	LABOUR HIRE	3,904.56



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EFT44772	10/01/2024	WOOLWORTHS LIMITED (WA)	CATERING YOUTH PROGRAMMING 2023/24	159.65
EFT44773	12/01/2024	BOYLES PLUMBING & GAS	CARRY OUT QUARTERLY SERVICE OF WATERLESS URINALS AT CAPEL SHIRE OFFICES, BOYANUP COMMUNITY CENTRE, CAPEL HALL AND DALYELLUP PAVILION	1,352.56
EFT44774	12/01/2024	CAPEL NEWSAGENCY	NEWSPAPER PURCHASES CAPEL LIBRARY	73.60
EFT44775	12/01/2024	FUNDAY INVESTMENTS PTY LTD T/A OUTBACK SPLASH	YOUTH SERVICES EVENT	1,163.00
EFT44776	12/01/2024	MELIORA BUSINESS GROUP	CATERING FOR GELORUP BUSH FIRE BRIGADE FACILITY OFFICIAL OPENING	1,125.00
EFT44777	12/01/2024	VOICEX COMMUNICATION PTY LTD	PHILLIPS PROFESSIONAL TRANSCRIPTION KIT FOR LIBRARY LOCAL HISTORY PROJECT	1,660.00
EFT44778	17/01/2024	AUSTRALIA POST	POSTAGE	1,108.32
EFT44779	17/01/2024	BPS	FILL WATER TANK AT DALYELLUP BEACH PARK TOILETS	1,110.00
EFT44780	17/01/2024	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	508.16
EFT44781	17/01/2024	BUSSELTON-DUNSBOROUGH ENVIRONMENT CENTRE	CITIZENSHIP CEREMONY - TUART BOOKS	550.00
EFT44782	17/01/2024	BUNBURY PLUMBING SERVICES	PUMP OUT GREASE TRAP BOYANUP HALL	186.75
EFT44783	17/01/2024	BOYANUP GENERAL STORE & NEWSAGENCY	NEWSPAPER EXPENSES FOR BOYANUP LIBRARY	43.30
EFT44784	17/01/2024	BP AUSTRALIA	DIESEL FUEL SUPPLY & DELIVERY TO DEPOT	16,893.43
EFT44785	17/01/2024	CLEANWAY XTRA CLEANING SERVICES	SHIRE BBQ CLEANING	4,118.40
EFT44786	17/01/2024	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	388.78
EFT44787	17/01/2024	ERG ELECTRICS PTY LTD	LIGHTING MAINTENANCE OCTOBER TO DECEMBER 2023	24,579.50
EFT44788	17/01/2024	ELLIOTTS FILTRATION	IRON FILTRATION SERVICES FOR ERLE SCOTT RESERVE AND THE GROVE	602.80



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EFT44789	17/01/2024	GOLDEN WEST PLUMBING & DRAINAGE - NEW OWNERS AS OF 30 JAN	BACKFLOW DEVICE TESTING AND REPLACE PEA TRAP LADIES' TOILET HAND BASIN LIONS PARK BOYANUP	574.75
EFT44790	17/01/2024	FOOST	FENDER BLENDER, ROCK THE BIKE PROFESSIONAL BLENDER BIKE	5,555.00
EFT44791	17/01/2024	FUR LIFE VET	EUTHANASIA AND DISPOSAL ANIMAL	40.00
EFT44792	17/01/2024	FIELDFORCE4	BEST PRACTICE REVIEW	36,593.26
EFT44793	17/01/2024	GHD PTY LTD	CONTAMINATED SITE FURTHER INVESTIGATION	8,728.50
EFT44794	17/01/2024	CRAIG GRAY	RATES REFUND	100.00
EFT44795	17/01/2024	MOORE AUSTRALIA (WA) PTY LTD	MANAGEMENT REPORTING TEMPLATE AND DOCUMENTATION	979.00
EFT44796	17/01/2024	SOUTHWEST ISUZU	FLEET VEHICLE SERVICE AND MAINTENANCE - TRUCK	1,806.00
EFT44797	17/01/2024	JS CONSULTING	BACK FILL CONSULTANCY FOR ENGINEERING TECHNICAL SERVICES	1,057.50
EFT44798	17/01/2024	KELLY-BRAE	ANIMAL TRESPASS IMPOUNDMENT OF CATTLE	17,567.00
EFT44799	17/01/2024	LANDGATE	LAND VALUATIONS	74.15
EFT44800	17/01/2024	LESCHENAULT COMMUNITY NURSERY INC	2024 AUSTRALIA DAY - FLORAL ARRANGEMENTS	342.50
EFT44801	17/01/2024	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	IGNITE LEADERSHIP PROGRAM	6,140.00
EFT44802	17/01/2024	JAMES MEAKES	FUEL REIMBURSEMENT	44.72
EFT44803	17/01/2024	MALATESTA ROAD PAVING AND HOTMIX	EMULSION FOR SEAL PATCHING	1,002.00
EFT44804	17/01/2024	MARCHESE ENTERPRISES PTY LTD T/A MJ GOODS	WRITE OFF SENSITIVE FOR GRAFFITI REMOVAL	220.00
EFT44805	17/01/2024	M and M Family Trust trading as CCS Strategic	OPERATION AND MANAGEMENT PLAN FOR DMCYC YOUTH CENTRE	19,578.33
EFT44806	17/01/2024	NETSIGHT CONSULTING PTY LTD	MYOSH SUBSCRIPTION	1,136.30
EFT44807	17/01/2024	OPTUS BILLING SERVICES PTY LTD	MOBILE MONTHLY BILL	960.17
EFT44808	17/01/2024	PICTON TYRE CENTRE PTY LTD	CALLOUT MAINTENANCE ON CATERPILLAR EARTHMOVER	378.75
EFT44809	17/01/2024	PHOENIX PETROLEUM	FUEL BFB	160.79
EFT44810	17/01/2024	AUSTRALIAN TAXATION OFFICE	PAYG WITHHOLDING	918.00



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EFT44811	17/01/2024	SYNERGY	ELECTRICITY	7,211.65
EFT44812	17/01/2024	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICAL CHECKS	631.40
EFT44813	17/01/2024	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	511.26
EFT44814	17/01/2024	SOUTHWEST OFFICE NATIONAL	FURNITURE FOR SHIRE ADMIN BUILDING	206.52
EFT44815	17/01/2024	SCOPE ELECTRICAL CONTRACTING PTY LTD	PRE-TENDER FEASIBILITY WORKS FOR BOYANUP OVAL LIGHTING UPGRADE	11,389.99
EFT44816	17/01/2024	UNITING GLOBAL	CARRY OUT CLEANING OF ALL SHIRE EXTERNAL PUBLIC TOILETS	13,854.59
EFT44817	17/01/2024	WORKPAC GROUP	LABOUR HIRE	2,451.46
EFT44818	17/01/2024	JANET SUSAN WALKERDEN	RATES REFUND	1,810.00
EFT44819	24/01/2024	AUSSIE FUEL FIXER	DRAIN CONTAMINATED FUEL FROM FLEET VEHICLE	544.50
EFT44820	24/01/2024	ARBORGUY	PRUNING EWP STIRLING ROAD CAPEL	7,040.00
EFT44821	24/01/2024	HEATLEYS SAFETY & INDUSTRIAL	PPE	86.79
EFT44822	24/01/2024	THE CHILDRENS BOOK COUNCIL OF AUSTRALIA	CHILDREN'S BOOK COUNCIL OF AUSTRALIA WA BRANCH - INSTITUTIONAL 2024	75.00
EFT44823	24/01/2024	COMBINED TEAM SERVICES PTY LTD	5 DAY HEALTH AND SAFETY REPRESENTATIVE COURSE	995.00
EFT44824	24/01/2024	COUNTRY WATER SOLUTIONS	KIT REPAIRS NAROON DRIVE POS, IRRIGATION REPAIRS ON VARIOUS POS, BOYANUP CEMETERY MAINTENANCE AND DALYELLUP BORE FIELD MAINTENANCE AND PARTS	12,993.55
EFT44825	24/01/2024	CAPE TRAINING AND ASSESSING	OPERATE & MAINTAIN CHAINSAWS TRAINING	1,400.00
EFT44826	24/01/2024	DATA #3	DELL 5340 LAPTOPS	4,165.96
EFT44827	24/01/2024	EARTH 2 OCEAN COMMUNICATIONS	2 HANDHELD RADIOS FOR DEPOT	159.00
EFT44828	24/01/2024	GOLDEN WEST PLUMBING & DRAINAGE - NEW OWNERS AS OF 30 JAN	REPAIR LEAK IN HAND BASIN SOUTH LAKES TOILET BLOCK	209.00
EFT44829	24/01/2024	FOOST	REPAYMENT OF RETURNED FUNDS	5,555.00
EFT44830	24/01/2024	CR JOHN FERGUSSON	MEMBER REMUNERATION DEC 2023	4,356.75



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EFT44831	24/01/2024	GRACE RECORDS MANAGEMENT	DIGITISATION OF ROADS AND STREETS FILES AND BUILDING PERMIT FILES	8,951.25
EFT44832	24/01/2024	GEOGRAPHE FORD	FLEET VEHICLE SERVICE	415.00
EFT44833	24/01/2024	GROUNDWATER DEVELOPMENT SERVICES	PROVIDE HYDROGEOLOGICAL CONSULTING SERVICES FOR DALYELLUP INTEGRATED LAKE WATER MANAGEMENT STRATEGY	3,300.00
EFT44834	24/01/2024	HARRADINE & ASSOCIATES	EUTHANASIA AND DISPOSAL ANIMAL	215.00
EFT44835	24/01/2024	MOORE AUSTRALIA (WA) PTY LTD	ACQUITTAL DEFERRED PENSIONER RATE 2022	660.00
EFT44836	24/01/2024	A INGRAM	BOOK STOCK RESOURCES	371.90
EFT44837	24/01/2024	MUIR'S MANJIMUP	FLEET VEHICLE SERVICE	843.37
EFT44838	24/01/2024	MARCHESE ENTERPRISES PTY LTD T/A MJ GOODS	GRAFFITI REMOVER	220.00
EFT44839	24/01/2024	MARRIWOOD CONTRACTING	TRANSPORT IMPOUNDED CATTLE	792.00
EFT44840	24/01/2024	OFFICEWORKS SUPERSTORES PTY LTD	GELORUP GAZETTE - PRINTING SUPPLIES	502.95
EFT44841	24/01/2024	RECRUITWEST PTY LTD	LABOUR HIRE	11,650.58
EFT44842	24/01/2024	SACRED EARTH PANTRY, THE	CAPTIVATE CAPEL WORKSHOPS AND DEMONSTRATION	1,500.00
EFT44843	24/01/2024	TOTALLY WORKWEAR	STAFF UNIFORM ALLOWANCE	324.50
EFT44844	24/01/2024	TRAFFIC FORCE	TRAFFIC CONTROL	633.60
EFT44845	24/01/2024	STEPHANIE TUCKER	FUEL REIMBURSEMENT	168.03
EFT44846	24/01/2024	WORKPAC GROUP	LABOUR HIRE	3,416.49
EFT44847	11/01/2024	PRECISION ADMINISTRATION SERVICES PTY LTD	DECEMBER 2023 SUPER PAYMENT	132,933.83
EFT44848	15/01/2024	WA FUEL SUPPLIES PTY LTD	BFB FUEL	331.83
EFT44849	15/01/2024	IINET	IINET INTERNET ACCESS FOR DEPOT - MONTHLY	109.99
EFT44850	16/01/2024	TELSTRA CORPORATION LTD	LANDLINES MONTHLY BILL	335.27
EFT44851	18/01/2024	TELSTRA CORPORATION LTD	MOBILES MONTHLY BILL	475.41
EFT44852	22/01/2024	AMPOL	AMPOL FUEL CARD EXPENSES	7,861.10
EFT44853	30/01/2024	DE LAGE LANDEN PTY LIMITED	26 MONTH LEASE OF TORO GROUNDMASTER 4000D MOWER	2,515.08



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EFT44854	31/01/2024	AUSTRALIA DAY COUNCIL OF WA (INC)	AMBASSADOR MILEAGE & ACCOMMODATION ON NIGHT OF THURSDAY 25TH JANUARY 2024	889.25
EFT44855	31/01/2024	BUNBURY MACHINERY	MACHINERY HIRE FOR PEPPERMINT GROVE BEACH PLAYGROUND	299.99
EFT44856	31/01/2024	B & B STREET SWEEPING	CAPEL CIVIC CENTRE PRECINCT STREET SWEEPING	1,537.80
EFT44857	31/01/2024	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	287.64
EFT44858	31/01/2024	BUDGET CAR & TRUCK RENTALS	TOYOTA 4X4 DUAL CAB RENTAL HIRE	1,070.22
EFT44859	31/01/2024	BENDIGO BANK EMERGENCY SERVICES DEBIT CARD	BFB BATTERIES FOR HELMET TORCHES	223.35
EFT44860	31/01/2024	BOYLES PLUMBING & GAS	CARRY OUT 6 MONTHLY SERVICING OF GELORUP COMMUNITY CENTRE, CAPEL HALL, CAPEL WASTE TRANSFER STATION AND ELGIN HALL UV FILTERS INCLUDING O-RING AND UV LAMP REPLACEMENT	1,761.91
EFT44861	31/01/2024	WINC AUSTRALIA PTY LTD	STATIONERY	367.24
EFT44862	31/01/2024	CLEANAWAY	GENERAL WASTE DISPOSAL	20,891.42
EFT44863	31/01/2024	CAPEL CLEANING	CARRY OUT TWICE WEEKLY CLEANING CAPEL HALL AND LIBRARY	1,799.96
EFT44864	31/01/2024	CB TRAFFIC SOLUTIONS	TRAFFIC CONTROL FOR WELD ROAD WORKS	12,166.55
EFT44866	31/01/2024	COUNTRY WATER SOLUTIONS	MURTIN PARK, STARLITE PARK AND DALYELLUP BEACH CAR PARK IRRIGATION REPAIRS,	6,000.92
EFT44867	31/01/2024	CHLOE BROWN	COMMUNITY AWARD RESOURCES	77.61
EFT44868	31/01/2024	CJ CIVIL SOLUTIONS	INSTALLATION OF DRAINAGE PITS ALONG HASTIES ROAD	11,335.50
EFT44869	31/01/2024	DEPARTMENT OF TRANSPORT	DISCLOSURE OF INFORMATION FEES ANNUAL	41.85
EFT44870	31/01/2024	DALYELLUP NEWS & LOTTERIES	NEWSPAPER PURCHASES DALYELLUP LIBRARY	57.60
EFT44871	31/01/2024	GOLDEN WEST PLUMBING & DRAINAGE - NEW OWNERS AS OF 30 JAN	REPLACEMENT OF TIMER TAP AND REPAIR TAP ON SHOWER AT PEPPERMINT GROVE FORESHORE TOILETS	863.50
EFT44872	31/01/2024	FIT 2 WORK.COM.AU	POLICE CHECKS	284.13



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EFT44873	31/01/2024	FRONTLINE FIRE AND RESCUE EQUIPMENT	BOYANUP BFB FAULTS AND REPAIRS WITH FOAM FILL PUMP	7,096.84
EFT44874	31/01/2024	FLEET NETWORK	VEHICLE PAYROLL DEDUCTION	590.98
EFT44875	31/01/2024	FLICK ANTICIMEX PTY LTD	SUPPLY & SERVICE SANITARY BINS	279.98
EFT44876	31/01/2024	GRANTS EMPIRE	GRANT SUBMISSION FOR DEVELOPMENT OF YOUTH ENGAGEMENT PROGRAM	330.00
EFT44877	31/01/2024	GEOGRAPHE FORD	FLEET VEHICLE SERVICE	330.00
EFT44878	31/01/2024	AE HOSKINS BUILDING SERVICES	REPLACE DAMAGED DOOR EAST DALYELLUP PAVILION EXTERNAL TOILET, REPAIR DOOR AT CAPEL DOG POUND AND INSTALL TV MOUNT AT GELORUP BFB	6,169.18
EFT44879	31/01/2024	H + H ARCHITECTURE PTY LTD	FINAL DESIGN AND CONSTRUCTION SUPERVISION - GELORUP BUSH FIRE BRIGADE FACILITY	3,245.00
EFT44880	31/01/2024	CONNECT CALL CENTRE SERVICES	AFTER HOURS CALL ANSWERING AND RE-DIRECTION SERVICE	769.34
EFT44881	31/01/2024	JETLINE KERBING CONTRACTORS	REPAIRS TO PAVERS AT MIDDLE LAKE AND SOUTH PARK, REPAIR BASKETBALL HOOP AT SOUTH PARK, SUPPLY CONCRETE AND ASPHALT PATH SOUTHWEST HWY BOYANUP AND TRAFFIC MANAGEMENT FOR CLOVERDALE ROAD WORKS	86,948.95
EFT44882	31/01/2024	KLEENHEAT GAS	EQUIPMENT SERVICE CHARGE	50.05
EFT44883	31/01/2024	KMART AUSTRALIA LIMITED	YOUTH ROOM SUPPLIES	112.00
EFT44884	31/01/2024	MUIR'S MANJIMUP	FLEET VEHICLE MAINTENANCE	511.14
EFT44885	31/01/2024	GORDON MACMILE	REIMBURSE MONTHLY INTERNET EXPENSE	100.00
EFT44886	31/01/2024	MARCHESE ENTERPRISES PTY LTD T/A MJ GOODS	CLEANING AND TOILETRY SUPPLIES	956.50
EFT44887	31/01/2024	OFFICEWORKS SUPERSTORES PTY LTD	FESTIVAL EVENT PRODUCTS	129.25



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EFT44888	31/01/2024	ONSITE RENTAL GROUP	MONTHLY RENTAL FOR 6.0 X 3.0 TOILET BLOCK, 4000L TANK AND STEPS PLUS WEEKLY PUMP OF TANK AT DALYELLUP SKATE PARK	1,323.45
EFT44889	31/01/2024	OMNICOM MEDIA GROUP PTY LTD	ADVERTISING	431.39
EFT44890	31/01/2024	PROTECTOR FIRE SERVICES	CAPEL LIBRARY AND BOYANUP COMMUNITY CENTRE FIRE PANEL MONTHLY INSPECTION AND SERVICE	247.50
EFT44891	31/01/2024	SCOTT PEARCE	ENTERTAINMENT FOR AUSTRALIA DAY CITIZENSHIP CEREMONY AND COMMUNITY AWARDS	660.00
EFT44892	31/01/2024	PETSTOCK BUNBURY PTY LTD	2 X DOG MUZZLES	26.98
EFT44893	31/01/2024	GARY LESLIE JEISMAN	REFUND PERMIT FEE	480.00
EFT44894	31/01/2024	PHOENIX PETROLEUM	BFB FUEL	59.60
EFT44895	31/01/2024	PRIME INDUSTRIAL PRODUCTS	WORKSHOP CONSUMABLES	107.25
EFT44896	31/01/2024	REGIONAL DEVELOPMENT AUSTRALIA SOUTHWEST	REMPAN 2024 - CONTRIBUTION TOWARD THE PROVISION OF ECONOMIC AND COMMUNITY PROFILING FOR THE WHOLE SOUTHWEST	687.50
EFT44897	31/01/2024	REDFISH TECHNOLOGIES PTY LTD	TO COVER SERVICE AND SUPPORT FOR CHAMBERS AV STREAMING SYSTEM	2,178.00
EFT44898	31/01/2024	RECRUITWEST PTY LTD	LABOUR HIRE	6,310.82
EFT44899	31/01/2024	ST JOHN AMBULANCE ASSOCIATION - CAPEL	DONATION	1,800.00
EFT44900	31/01/2024	SYNERGY	ELECTRICITY	310.44
EFT44901	31/01/2024	SDH PAINTING & DECORATING	REPAINT OF SHIRE PUBLIC TOILETS	17,699.00
EFT44902	31/01/2024	SOUTHWEST OFFICE NATIONAL	INITIATIVE SNAP FRAME WALL MOUNTS	1,079.58
EFT44903	31/01/2024	SLMC PROPERTY AUSTRALIA	MONTHLY LEASE FEE - DALYELLUP PUBLIC LIBRARY	8,075.70
EFT44904	31/01/2024	SLR CONSULTING AUSTRALIA PTY LTD	ANNUAL WATER MONITORING REQUIREMENT FOR CAPEL TRANSFER STATION	6,893.70
EFT44905	31/01/2024	TOTALLY WORKWEAR	BFB PPE	327.80
EFT44906	31/01/2024	TENDERLINK	ADVERTISING	180.40
EFT44907	31/01/2024	STEPHANIE TUCKER	FUEL REIMBURSEMENT	88.01





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EFT44908	31/01/2024	TALIS CONSULTANTS PTY LTD	ASSET REVIEW	2,093.60
EFT44909	31/01/2024	VILLAGE CARPET CARE	CARRY OUT CARPET CLEANING SHIRE ADMIN BUILDING	5,253.00
EFT44910	31/01/2024	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 76 PAYMENT	14,198.48
EFT44911	31/01/2024	WEST COAST SHADE	REPAIRS TO SHADE SAILS CAPEL RECREATION GROUNDS, PARDALUP POS AND DALYELLUP COMMUNITY CENTRE	1,848.00
EFT44912	31/01/2024	WOOLWORTHS LIMITED (WA)	PET SUPPLIES	92.40
50775	05/01/2024	SHIRE OF CAPEL	BSL DEC COMMISSION	204.75
50776	05/01/2024	SALVATION ARMY	DONATION	330.00
50777	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	500.00
50778	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	300.00
50779	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	400.00
50780	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	175.00
50781	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	175.00
50782	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	340.00
50783	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	400.00
50784	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	500.00
50785	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	400.00
50786	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	500.00
50787	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	500.00
50788	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	500.00
50789	17/01/2024	SHIRE OF CAPEL	VOLUNTEER HONORARIUM	400.00
50790	17/01/2024	ELGIN COMMUNITY HALL INC	COMMUNITY GROUP AWARD WINNER 2024	1,000.00
50791	31/01/2024	DEPARTMENT OF TRANSPORT - VEHICLE LICENSING	SPECIAL PLATES	400.00



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50792	31/01/2024	DEPARTMENT OF TRANSPORT	JETTY LICENCE	45.10
50793	31/01/2024	WA COUNTRY HEALTH SERVICE	REFUND FOR INCORRECT CHARGE THROUGH SPACETOCO	240.00
				<b>1,237,889.90</b>



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Payments made during the month of January 2024 are as follows:

### Payroll Transactions:

28.01.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$249,752.90
14.01.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$1,931.62
14.01.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$245,953.34
31.01.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$1,425.32
		<hr/> <b>\$4,99,063.18</b> <hr/>

### Term Deposit Transactions:

18.01.2024	NAB TERM DEPOSIT REDEMPTION	-\$2,132,392.01
18.01.2024	NAB TERM DEPOSIT	\$2,132,392.01
18.01.2024	MACQUARIE TERM DEPOSIT REDEMPTION	-\$1,012,291.23
18.01.2024	MACQUARIE TERM DEPOSIT	\$1,000,000.00
		<hr/> <b>-\$12,291.23</b> <hr/>

### Summary

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CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed 14 February 2024 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

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Simple Majority.



**Officer's Recommendation – 15.2.**

**OC/2024/35 – Officer's Recommendation / Council Decision - 15.2**

*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 January 2024 be received by the Council and recorded in the minutes of the Council, the summary of which follows:**

- 1 The Schedule of Accounts covering EFT44670 to EFT44912, CHQ50775 to CHQ50793 equated to \$4,271,171.07 during the month of January 2024.**
- 2 Payroll payments for the month of January 2024, equated to \$499,063.18.**
- 3 Transfers to and from investments as listed.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*

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**15.3. Crown Reserve 12211 Management - Cnr Goodwood and Doyle Roads**

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<b>Author</b>	Governance Officer, Amanda Lorrimar
<b>Authorising Officer</b>	Director Community and Corporate Services, Samantha Chamberlain
<b>Nature of the Decision</b>	N/a
<b>Attachments</b>	Nil
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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**Proposal**

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Endorse the Shire taking formal management of Crown Reserve 12211 (Corner of Goodwood and Doyle Roads, Capel).

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**Officer's Recommendation**

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That the Council support the ongoing conservation of Crown Reserve 1221 by agreeing to offer to formally undertake the management of this land.

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**Background**

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Crown Reserve 12211 (the reserve) is currently an unmanaged reserve located in the Shire of Capel (the Shire). The reserve is purposed for 'gravel' and is situated on the corner of Goodwood and Doyle Roads, Capel.





Following a proposal by an adjoining landholder to purchase the reserve, the Department of Planning Lands and Heritage (DPLH) commenced an investigation into future management options for the reserve.

The Shire was contacted through the DPLH investigation consultation process in September 2023, and asked if there may be interest from the Shire in undertaking the management of the reserve.

#### Previous Council Decisions

Delegation 1.2.32 Reserve Management OC/2023/116; 28/06/2023.

### **Decision Framework**

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#### **Shire of Capel Strategic Community Plan 2023-2033**

Direction 2 - Manage and protect our environment:

2.1 Improved management of our natural environment assets and attractions.

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

4.2 Informed and transparent decision making.

#### **Corporate Business Plan 2023-2027**

GOV 22 - **Land Management** - Provide oversight and coordinate the execution of legal instruments including leases, licenses and deeds relating to the management of land.

### **Statutory Framework**

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#### **Local Framework**

There are no local frameworks relevant to this item.

#### **State Framework**

Local Government Act 1995: 3.54.

Land Administration Act s46 (1), Care control and management of reserves.

#### **Federal Framework**

There are no federal frameworks relevant to this item.

### **Policy Framework**

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The following Shire Policies apply:

- There are no Council policies relevant to this item.



**Implications**

**Risk Implications**

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Mitigation</b>
<b>Risk 1</b> Environmental  Rating: <b>Medium</b>	Possible	Moderate	Management, control, and conservation of the land.
<b>Risk Description:</b> Loss of high value habitat			
<b>Risk 2</b> Financial  Rating: <b>Low</b>	Possible	Moderate	Weed eradication, bushfire mitigation and conservation.
<b>Risk Description:</b> Loss of resource			
<b>Risk 3</b> Reputation  Rating: <b>Medium</b>	Unlikely	Moderate	Ongoing management and care.
<b>Risk Description:</b> Loss of flora and fauna through inaction.			
<b>Opportunity:</b> Preservation of an area that has high conservation values.			

**Financial Implications**

Budget

There are no financial implications relevant to this proposal.

Long Term

The future financial implications of this proposal are outlined below.

**Whole of Life**

<b>Potential future Shire assets</b>	<b>Basic description</b>
Ongoing weed control and bushfire mitigation activities	Minimal budgetary impact as weed controls and bushfire mitigation for this land is currently included as part of the Shire control and mitigation strategies.

**Sustainability Implications**

Climate Change and Environmental

Conservation of high value remnant vegetation that is considered habitat for endangered species.



### 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**

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### **External Consultation**

Department of Planning, Lands and Heritage, Department of Biodiversity, Conservation and Attractions.

### **Internal Consultation**

Internal consultation was undertaken with the Chief Executive Officer and Natural Resource Management Officer.

## **Officer's Comment**

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Following contact from DPLH, an inspection of the site showed that while there has been some impact from past clearing and extraction, the remnant Marri and Jarrah vegetation is in excellent condition with high conservation value. The largest trees on the reserve may also be providing breeding habitat for Black Cockatoos.

Noting the high conservation values, Shire Officers confirmed preliminary interest in the management of the reserve in their initial responses to DPLH, and with support from the Department of Biodiversity, Conservation and Attractions (DBCA), suggested that the reserve purpose may also be changed from 'gravel' to 'conservation and protection of flora and fauna.'

This proposal to repurpose the reserve was rejected following objection from the Department of Energy, Mines and Industry Regulation and Safety (DEMIRS), on the grounds that the gravel resources are still present within the reserve. However, DEMIRS along with DBCA, have both expressed their support for the management of the reserve being granted to the Shire.

The reserve is fully fenced and although not currently under Shire of Capel management, it has previously been included in the Capel Land Conservation District Committee weed control program funded by the Shire.

Often, matters concerning the Shire's reserves are dealt with by the Chief Executive Officer under Delegation 1.2.32 Reserve Management, however, as this reserve is not currently managed by the Shire, a decision of Council is required.

The scheduled review of the Delegation's Register in May 2024 may include an amendment to Delegation 1.2.32 to include future issues of a similar nature.





## Summary

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The Shire is committed to the ongoing preservation of remnant vegetation wherever possible and the opportunity to manage Reserve 12211 will help to ensure the continued recovery and protection of this area.

## Voting Requirements

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Simple Majority.

### Officer's Recommendation – 15.3.

*Moved Cr McCleery, Seconded Cr Fergusson.*

**That the Council support the ongoing conservation of Crown Reserve 12211, Cnr Goodwood and Doyle Roads, Capel by agreeing to offer to formally undertake the management of this land.**

### OC/2024/36 - Amendment / Council Decision - 15.3

*Moved Cr Mogg, Seconded Cr Noonan.*

**To add point 2 to the recommendation 'That Council request the CEO and staff to seek for this site to be nominated for an offset location when the opportunity arises.'**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*

*The Amendment became the substantive motion.*

### OC/2024/37 - Amendment - 15.3

*Moved Cr Terrantroy, Seconded Cr Noonan.*

**That point 2 be amended to read 'That Council request the CEO and staff within the next 3 months, to seek for this site to be nominated for an offset location.'**

**Lost 0 / 8**

*For - Nil*

*Against - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*



**OC/2024/38 – Amended Recommendation / Council Decision - 15.3**

*Moved Cr McCleery, Seconded Cr Fergusson.*

- 1. That the Council support the ongoing conservation of Crown Reserve 12211, Cnr Goodwood and Doyle Roads, Capel by agreeing to offer to formally undertake the management of this land.**
- 2. That Council request the CEO and staff to seek for this site to be nominated for an offset location when the opportunity arises.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*



*Cr Mogg declared an Impartiality Interest in item 15.4 Minor Community Grants Scheme Round 2 the nature of the interest is that Gelorup Community Inc is a beneficiary recipient and she is a member of the Gelorup Community Inc.*

*Cr Sharp declared an Impartiality Interest in item 15.4 Minor Community Grants Scheme Round 2 the nature of the interest is that Gelorup Community Inc is a beneficiary recipient and she is the editor of the community newsletter.*

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#### **15.4. Minor Community Grants Scheme Round Two**

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<b>Author</b>	Community Development Officer, Chloe Brown
<b>Authorising Officer</b>	Director Community and Corporate Services, Samantha Chamberlain
<b>Nature of the Decision</b>	Executive/Strategic
<b>Attachments</b>	{Nil}
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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#### **Proposal**

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Support delivery of community-based projects as outlined in this report through the 2023/24 Minor Community Grants Scheme.

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#### **Officer's Recommendation**

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That the Council:

1. Approves funding of \$4,993 towards the four (4) Minor Community Grant applications received (in line with scheme guidelines) as per Table 1 – Summary of Applications contained in this report.
2. Endorses the inclusion in the 2024/25 Draft Annual Budget of \$5,869 as an additional amount to the Annual Budget allocation for the Minor Community Grants Scheme.

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#### **Background**

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The Minor Community Grants Scheme Policy 8.3 provides strategic direction to the Council to consider requests for grants from local sporting clubs and community organisations for the purpose of supporting projects, activities, purchases of durable equipment, and/or improved facilities or services which benefit the community.

The Minor Community Grants Scheme which includes grants for projects up to \$2,000, and grants for projects from \$2,000 to \$10,000. Key financial parameters identified in the scheme guidelines are as follows:

- Projects under \$2,000 Council may make available minor grants to a maximum of \$1,000.
  - Projects \$2,000 up to \$10,000 Council may make available grants to a maximum of 1/3 of the total project cost to a maximum of \$3,333.
  - The applicant's contribution to the proposed project may come from one or more of the following sources (a) Cash contribution from the applying organisation (b) Donations of materials or resources (c) Other funding bodies (d) Voluntary labour.
-



The Shire's Minor Community Grants Scheme 2023/24 (Round 2) was promoted to local community groups and sporting clubs through the Shire's online news, website, and Facebook pages and via a direct email to a database of recognised community groups and sporting clubs.

Grant applications closed Friday 29 December 2023, with four applications for minor community grants being received across the Shire.

Each eligible application has been reviewed and assessed, with recommendations for funding outlined in the comment's section of this report for the Council's consideration.

#### Previous Council Decisions

(OC/2023/176) That Council:

1. Approves funding of \$17,268 for the ten (10) Minor Community Grant applications as per Table 1 – Summary of Applications contained in this report.
2. Notes the second round of Minor Community Grants for the remaining funds of \$10,862 will be promoted to the community in December 2023.

#### **Decision Framework**

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##### **Shire of Capel Strategic Community Plan 2023-2033**

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.
- 1.5 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 2023-2027**

CDVS 28 - **Minor Community Grants Policy implementation** - Provide both a minor and major community grants scheme mechanism each financial year.

#### **Statutory Framework**

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##### **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

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The following Shire Policies apply:

- Minor Community Grants Scheme.

## Implications

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### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Financial  <b>Rating: Low</b>	Rare	Insignificant	The proposal to approve all the applications is considered low. All applications have been discussed in detail with the report's author, risks identified and mitigated prior to application submission.

### Financial Implications

#### Budget

The Council endorsed (OC/2023/129) 2023/24 Annual budget has an allocation of \$28,130 for Minor Community Grants. The amount recommended for funding the second round of community grants is \$4, 993, which leaves \$5,869 in the approved budget.

There is no consideration in the Minor Community Grant Scheme Policy (and Guidelines) for the Shire to either commission a third round of applications or to provide full project funding to the current round of applications.

As such, the officer recommendation provides a mechanism whereby the Shire can quarantine additional funds for Round 1 the Minor Community Grants Scheme for the 2024-25 financial year.

Additionally, increasing the proportion of funding provided to applicants in this round, would unfairly disadvantage the recipients in Round 1 2023/24, who were evaluated and funded in the same manner.

#### Long Term

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

### Whole of Life

There is no whole of life costs for this proposal.



## **Sustainability Implications**

### Climate Change and Environmental

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

### Social

From a social perspective, community groups play a crucial role in enhancing the welfare of our residents. Community groups offer opportunities for individuals to connect with others who share similar interests, acquire new skills, contribute to the integration of community members, and often span across different generations.

However, community groups often encounter challenges in securing funds for their development and projects. Without adequate support, these groups are at a higher risk of facing sustainability issues.

### Economic

Initiatives led by community groups can boost visitor numbers to the region, generating additional economic value.

### Asset

There are no relevant asset implications relevant to this item.

## **Consultation/Engagement**

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### **External Consultation**

The Minor Community Grants Scheme was advertised in December 2023 on the Shire's online news, Facebook pages, Shire website and via a direct email to a database of recognised community groups and sporting clubs.

All potential applicants were strongly encouraged to contact the Community Development Team prior to submitting their application to ensure the guidelines were followed and to ensure the applicant provided the required information.

### **Internal Consultation**

The applications have been discussed internally with relevant Shire staff as part of an internal review and assessment process.

## **Officer's Comment**

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The Minor Community Grants Scheme provides a chance to actively support projects initiated by the community, highlighting the diversity of initiatives undertaken by local groups and clubs for residents and visitors.



The scheme's popularity grows annually, and smaller sporting and community associations appreciate the chance to apply for grants that can significantly enhance their capacity to achieve positive outcomes for the community.

Details of each organisation's project needs, funding amount, and community benefits are succinctly outlined in the summary of applications on the subsequent page.

**Table 1 – Summary of Applications**

Organisation	Project	Description & Benefits	Total Project Cost	Amount Requested	Officer's Comment	Officer's Recommendation
Capel Playgroup	Cubby House Upgrades	The project will include a cubby house upgrade and minor resource update, which will reinvigorate the play space for children afterschool. This will result in the children developing social and academic skills from a play-based approach.	\$1,970	\$985	The request is for durable equipment, which is in line with Scheme guidelines.	Approve funding for \$985.  No conditions apply.
Swan River Horse Trails	Cross Country Bank Improvements	The project would address persistent water retention issues on the course by improving the course drainage. It would enable improved rider safety by providing a more flexible course where organiser could utilise portable jumps that a better suited for the rider's ability. Continued improvements to equestrian offerings retain members of the club and entice new members of the community.	\$5,000	\$3,333	The request is for minor facility improvements, which is in line with Scheme guidelines.	Approve funding for \$1,667.  No conditions apply.
Gelorup Community Incorporation (GCI)	Gazette Community Printer Part	The project will replace a broken compartment on the GCI's Printer. The printer is a crucial resource to keep the Gelorup Gazette operating and hand printed periodically. The printer Gazette is hand delivered to subscribers in Dalyellup, Stratham, Boyanup, Gelorup and Capel, that keeps the community informed on events, shire news and services in the area.	\$1,000	\$500	The request is for repairs to durable equipment, which is in line with Scheme guidelines.	Approve funding for \$500.  No conditions apply.



Organisation	Project	Description & Benefits	Total Project Cost	Amount Requested	Officer's Comment	Officer's Recommendation
Woolkabunning Kiaka Aboriginal Corporation	Junior Rangers Facilities Project	The project will assist to facilitate a group of First Nations Junior Rangers from the Dalyellup community. The broader project includes a National Indigenous Australians Agency (NIAA) funded Junior Rangers Program to plan and implement a capacity building project at Roeland's Village. The Shire's funding will go towards the purchase of new kitchen appliances and equipment. The junior rangers will use the project as a learning experience, with the student's involved in project scoping and budget management. Additionally, the equipment will service the program to provide equipment to make morning snacks, lunch, and refreshments for participants.	\$5,523	\$1,841	The request is for minor facility improvements, which is in line with Scheme guidelines.	Approve Funding for \$1,841  No conditions apply

**Summary**

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Approving the requested amount of \$4,993.00 towards four applications outlined in this report will improve community facilities in the Shire, or facilities used by Shire of Capel residents, and provide numerous benefits to the broader community.

**Voting Requirements**

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Absolute Majority.





**Officer's Recommendation – 15.4.**

**OC/2024/39 - Officer's Recommendation / Council Decision - 15.4**

*Moved Cr Mogg, Seconded Cr Sharp.*

**That Council:**

- 1. Approves funding of \$4,993 towards the four (4) Minor Community Grant applications received (in line with scheme guidelines) as per Table 1 – Summary of Applications contained in this report.**
- 2. Endorses the inclusion in the 2024/25 Draft Annual Budget of \$5,869 as an additional amount to the Annual Budget allocation for the Minor Community Grants Scheme.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy.*

*Against - Nil*



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## 15.5. New Council Policy - Disposal of Assets

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<b>Author</b>	Procurement Officer, John Lucas
<b>Authorising Officer</b>	Director Community and Corporate Services, Samantha Chamberlain
<b>Nature of the Decision</b>	Legislative
<b>Attachments</b>	1. New Policy - Disposal of Assets [15.5.1 - 3 pages]
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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### Proposal

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Review and endorse the new policy Disposal of Assets for the ongoing management of disposals.

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### Officer's Recommendation

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That Council endorse the new policy Disposal of Assets as per Attachment 15.5.1.

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### Background

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Through the establishment of a procurement framework with the Shire, the requirement for a Disposal of Asset Policy has been identified. While the disposal process is simplistic in nature and well-regulated by legislation, it can be difficult to navigate the correct steps to be taken in a timely manner to ensure compliance and best outcomes are achieved. The Shire is also reliant on its extensive asset portfolio to facilitate the provision of services to the community.

The Shire must ensure that assets used to support service delivery are reviewed on a regular basis in line with the Asset Management Framework, and disposed of appropriately when they reach their end of life, to support the continued commitment to the delivery of these services.

If adopted this policy will provide Shire officers with clear direction for the Disposal of Assets and in doing so:

- Promote fair and effective competition to the greatest possible extent;
- Ensure any potential community benefits are considered;
- Ensure best 'value for money' outcomes are achieved; and
- Assist with establishing a transparent process that is compliant with the relevant legislation.

It should be noted that this policy does not make provision for or apply to the disposal of land which is covered separately under the *Local Government Act (1995) s.3.59 Commercial Enterprises by Local Governments*).

### Previous Council Decisions

There are no previous Council decisions relating to this item.



## Decision Framework

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### Shire of Capel Strategic Community Plan 2023-2033

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 2023-2027

GOV 15 - **Policies and Procedures** - Maintain organisation-wide policies and procedures.

## Statutory Framework

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### 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 –

(a) the highest bidder at public auction; or

(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

(5) This section does not apply to –

- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
- (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
- (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
- (d) any other disposition that is excluded by regulations from the application of this section.

### Federal Framework

There are no federal frameworks relevant to this item.

### Policy Framework

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The following Shire Policies apply:

- Asset Management
- Fair Value of Assets
- Fleet & Plant - Procurement
- Purchasing

### Implications

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#### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Financial  <b>Rating: Low</b>	Unlikely	Minor	Disposing of the assets will provide income through the sale of property and offset the purchase of new assets and the depreciation of existing ones.
<b>Risk Description:</b> Failure to dispose of assets in a timely manner leading to further depreciation, potential ongoing maintenance costs and deficits in Shire funds to replace with new assets.			
<b>Opportunity:</b> Disposing of assets in a timely manner to maximise the financial return for the Shire.			



Risk	Likelihood	Consequence	Mitigation
<b>Risk 2</b> Legislative Compliance  <b>Rating: Low</b>	Unlikely	Minor	Manage the process for the disposal of assets in a compliant and accountable way.
<b>Risk Description:</b> Failure to dispose of Assets in accordance with the relevant legislation and without clearly defined policies and oversight.			
<b>Opportunity:</b> Application of this policy by Shire Officers in a compliant and consistent manner that drives accountability, fairness and transparency while avoiding conflicts of interest.			

### 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

This policy will assist with the disposal of assets in a timely manner whilst presenting a variety of methods that discourage adding to landfill where possible.

#### Social

This policy will help with continued delivery of services to the community by ensuring assets are disposed of and replaced promptly to avoid interruptions.

#### Economic

This new policy will assist in the sound management of the Shire's financial resources and accounting records.

#### Asset

This policy will impact all Shire assets, excluding land, at their end of life by ensuring they are disposed of in a timely manner to achieve best value for money outcomes and avoid further depreciation and/or ongoing maintenance costs.



## Consultation/Engagement

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### External Consultation

External consultation was undertaken with the WALGA Governance team and members of other Local Governments in the Southwest region.

### Internal Consultation

Internal consultation was undertaken with Shire Officers from the Governance, Finance and Projects, Engineering & Assets teams.

## Officer Comment

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The Shire of Capel is committed to ensuring an open, transparent, fair and systematic basis for the disposal of assets. The introduction of this Policy reflects the need for clear, considered and consistent decision making to ensure we are disposing of assets in a compliant manner whilst achieving best value for money outcomes for the Shire.

## Summary

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Adoption of this policy will provide Shire officers with clear direction on how to dispose of assets in a compliant and timely manner leading to economic, social and environmental benefits for the Shire.

## Voting Requirements

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Simple Majority

### Officer's Recommendation – 15.5.

#### **OC/2024/40 - Officer's Recommendation / Council Decision - 15.5**

*Moved Cr Mogg, Seconded Cr Noonan.*

**That Council endorse the new policy Disposal of Assets as per Attachment 15.5.1.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*



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## 15.6. Customer Relationship Management and Reporting

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<b>Author</b>	Manager Customer Relations and Libraries, Brioney McLean
<b>Authorising Officer</b>	Chief Executive Officer, Gordon MacMile
<b>Nature of the Decision</b>	Review
<b>Attachments</b>	Nil
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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### Proposal

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Outline the planned review of the Shire's existing Customer Relationship Management (CRM) system, with a view to improving the internal management processes of all external communications and requests in line with the adopted Customer Service Charter.

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### Officer's Recommendation

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That Council:

1. Notes the update on the Shire's Customer Reporting System with reference the Chief Executive Officer's Key Focus Area (3.2) contained in the Performance Agreement FY 2023/24; and
2. Supports the proposed implementation and timeline of improvements to the existing Synergysoft Customer Relationship Management (CRM) system, as stated in the Chief Executive Officer's Performance Agreement FY2023/24 Performance Criteria 3.2 - Develop a reporting system in line with the Customer Service Charter.

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### Background

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In an increasingly digital and customer-centric environment, enhancing CRM capabilities is essential for providing efficient services, fostering stronger relationships with the community, and optimising internal processes.

This report presents the rationale, objectives, scope, timeline, and potential benefits of CRM enhancements for the Shire of Capel.

The Shire of Capel is committed to receiving and sharing essential communications from residents and visitors of the Shire, ensuring the management of day-to-day communications on service delivery functions, the completion of capital works and infrastructure projects is treated in accordance with the Shire's Customer Service Charter.

As the demands and expectations of the community evolve, it is critical that the Shire's CRM system and reporting functionality is reviewed to ensure any external communications platform is effective, efficient and consistent in its method of receiving, monitoring and subsequent delivery of any communication and messaging service.



An effective CRM facilitates better communication, streamlines service delivery and enables data-driven decision making through meaningful reporting.

The Customer Service Charter serves as a guiding framework for the Shire's commitment to delivering high quality services to the community. It outlines our commitment to providing accessible, responsive and equitable services while prioritising customer satisfaction and engagement.

Currently, the Shire is operating at less than optimum levels due to an outdated Enterprise Resource Planning system (ERP), which is in the process of being replaced. As a short to medium-term measure, the Shire will refine the existing CRM system – SynergySoft.

Through a review of the current CRM functionality, the Shire aims to streamline customer interactions and requests, improve data management and enhance overall efficiency for community members and Shire Officers.

#### Previous Council Decisions

There were no previous decisions relating to this item.

### **Decision Framework**

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#### **Shire of Capel Strategic Community Plan 2023-2033**

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

4.2 Informed and transparent decision making.

4.5 Improved customer engagement.

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 2023-2027**

- CEO 6 - **Organisational Outcomes** - Develop a holistic organisational improvement plan through a best practice (efficiency and effectiveness) framework that enhances service results, values, innovation, efficiency and sustainability through implementation of service reviews.
- CEO 10 - **Organisational Structure** - Continue to implement an organisational structure and resource allocation via the Workforce Plan and Annual Budget that achieves organisational outcomes in the Strategic Community Plan, Corporate Business Plan and relevant informing (LTFP, asset).
- CEO 12 - **Strategic Planning** - Continue progression of the 'Council Plan' integrating SCP, CBP, LTFP, AMP, RMP, WFP 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

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### Local Framework

- Shire of Capel - Customer Service Charter.
- Chief Executive Officer's Performance Agreement FY 2023/24

### State Framework

There are no state frameworks relevant to this item.

### Federal Framework

There are no federal frameworks relevant to this item.

## Policy Framework

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The following Shire Policies apply:

- Customer Service Policy.

## Implications

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### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Service Delivery <b>Rating: Medium</b>	Possible	Minor	Utilising the test environment and the phased approach to implementation allows for the ability to identify and remedy any areas of concern promptly.
<b>Risk 2</b> Reputation <b>Rating: Medium</b>	Possible	Moderate	Insert a description of the controls and treatment options (including effectiveness) available to minimize losses.
<b>Risk Description:</b> Failure to maintain a fit-for-purpose Customer Reporting System has the potential to provide a lower level of service than desired by the community and not in accordance with the Shire's published Customer Service Charter.			
<b>Opportunity:</b> Timely, responsive and professional dealing with requests has the potential to enhance the Shire's reputation within the community. Reliable reporting can provide critical data for the Shire in planned budgeting and resource allocation.			

### 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**

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### **External Consultation**

Data and feedback received to date from residents, visitors and Councillors.

### **Internal Consultation**

Following discussions with the Chief Executive Officer, it was evident that a review of the current CRM system is required as an interim solution prior the rollout of the new ERP. In addition to enhancing the current system, this initiative will contribute to the development of workflows for the future ERP implementation.

Analysis of the current system has unveiled several opportunities to streamline operations with minimal disturbance to the organisation.

The project's early and subsequent stages will involve collaborating with the Operations, Rangers and Development Services Teams to identify their reporting needs, service benchmarks, and escalation protocols.

## **Officer's Comment**

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Through a review of the current CRM functionality, the Shire aims to streamline customer interactions, bolster data management and enhance overall efficiency.

The following drivers will be considered through the review:

### **Objective**

- Enhance user experience for both customers and internal stakeholders.
- Improve data accuracy and integrity within the CRM system.
- Increase efficiency in managing customer interactions and information.
- Strengthen customer engagement and satisfaction.

### **Scope**

- Audit existing CRM functionality to identify areas for improvement.
- Collaborate with specific departments to identify relevant reporting requirements.
- Revise the CRM categories and subcategories in SynergySoft to enable more effective data capture and accurate reporting.
- Implement automation where feasible to streamline processes.
- Conduct user training sessions to ensure smooth adoption of revised processes.

### **Timeline**

Phase 1: Planning and Analysis (4 weeks)

- Conduct stakeholder meetings to gather requirements.
- Analyse current CRM system capabilities and limitations.



- Identify key performance indicators (KPIs) for measuring success.

Phase 2: Design and Development (2 weeks)

- Customise CRM configurations according to requirements.
- Create and test functionalities in the Play account.

Phase 3: Implementation and Training (4 weeks)

- Install CRM enhancements in a phased manner to minimise disruptions.
- Conduct user training sessions for impacted internal users.
- Provide documentation and support resources for reference.
- Monitor system performance and promptly address any post-installation issues.

Phase 4: Evaluation and Optimisation (2 weeks)

- Collect feedback from users regarding system improvements.
- Analyse performance metrics against predefined KPIs.
- Identify areas for further optimisation and fine-tuning.

This project is intended to be finalised by 30 June 2024 with the desired outcomes reported to the Council through the CEO's quarterly performance reviews.

## Summary

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The CRM Customer Improvements project is designed to enhance the Shire's customer relationship management capabilities, ultimately leading to improved customer satisfaction and retention.

By adhering to the outlined plan and leveraging the necessary resources, we are confident in achieving the objectives and delivering a CRM system that aligns with the evolving needs of the organisation and residents.

## Voting Requirements

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Simple Majority.



**Officer's Recommendation – 15.6.**

**OC/2024/41 - Officer's Recommendation / Council Decision - 15.6**

*Moved Cr McCleery, Seconded Cr Terrantroy.*

**That Council:**

- 1. Notes the update on the Shire's Customer Reporting System with reference the Chief Executive Officer's Key Focus Area (3.2) contained in the Performance Agreement FY 2023/24; and**
- 2. Supports the proposed implementation and timeline of improvements to the existing Synergysoft Customer Relationship Management (CRM) system, as stated in the Chief Executive Officer's Performance Agreement FY2023/24 Performance Criteria 3.2 - Develop a reporting system in line with the Customer Service Charter.**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*



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## 15.7. Tender - Boyanup AFL Sports Ground LED Lighting upgrade.

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<b>Author</b>	Manager Community Development and Safety, Jeremy O'Neill -
<b>Authorising Officer</b>	Director Community and Corporate Services, Samantha Chamberlain
<b>Nature of the Decision</b>	Contractual
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. RFQ 24-05 Boyanup AFL Oval LED Lighting Upgrade [<b>15.7.1</b> - 49 pages]</li><li>2. CONFIDENTIAL REDACTED - RFQ 24-05 Evaluation Summary &amp; Price Schedule Comparison [<b>15.7.2</b> - 5 pages]</li></ol>
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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### Proposal

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Review and accept the Request for Quotation (RFQ) 24-05 submission provided by Scope Electrical Contracting Pty Ltd for:

- The LED (Light Emitting Diode) floodlighting upgrade program at the Boyanup Memorial Park AFL Ground (Separable Portion 1) for \$261,260.00 (excluding GST), and;
- Community and Amenity Electrical and Lighting Safety Upgrades (Separable Portion 2) for \$37,540.00 (excluding GST).

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### Officer's Recommendation

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That Council accepts the Request for Quotation (RFQ) 24-05 submission provided by Scope Electrical Contracting Pty Ltd for:

1. The LED floodlighting upgrade program at the Boyanup Memorial Park AFL Ground (Separable Portion 1) for \$261,260.00 (excluding GST), and;
2. Community and Amenity Electrical and Lighting Safety Upgrades (Separable Portion 2) for \$37,540.00 (excluding GST).

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### Background

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Initially installed in 2008/9, the Shire's sports lighting infrastructure at the Boyanup Memorial Park AFL Grounds is no longer fit-for-purpose. The current external lighting to the AFL clubrooms is non-compliant and the car park lighting to the adjacent car park is non-existent.

In the 2023 winter seasonal tenancy period the in-situ halogen light fittings started to fail, providing deficiencies in lighting spill required to provide a consistently safe training venue. In addition, the Shire has been informed that these fittings are being phased out into obsolescence.

The upgrade of the existing light fittings to the new specification (LED) is necessary for the ongoing growth and sustainability of the current facility users, including the Boyanup Cardinals Junior Football Club, the Preston Thunder, and the Boyanup Boars Football Club.



In the lead up to the 2023-24 Financial Year the Council supported both a draft budget submission and grant application to the Department of Local Government, Sport & Cultural Industries (DLGSC) Club Night Lights Program (CLNP) to rectify the sports lighting service levels in Boyanup. The Shire was successful in receiving \$65,326.

Separable portion 2 pertains to the on-going security and safety concerns at the Boyanup AFL Club rooms (adjacent to the sporting oval and skate park) and the car park that services both the AFL precinct and the Jack and Mary Community Centre and the Boyanup Public Library.

### Previous Council Decisions

OC/2023/50 - That Council (in part):

1. Endorsed the Shire of Capel's Club Night Lights grant application seeking \$65,325 (ex. GST) for LED floodlighting upgrade program at the Boyanup Memorial Park AFL Ground.
3. Rated the Shire of Capel's application as 'A – Well planned and needed by municipality.' and ranks the application 1 of 2 received.
5. Endorsed the inclusion in the 2023/24 Draft Annual Budget of \$195,977.10 (ex. GST) for the Shire of Capel's LED floodlighting upgrade program at the Boyanup Memorial Park AFL Ground.

### Decision Framework

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#### **Shire of Capel Strategic Community Plan 2023 -2033**

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
- 1.5 A healthy and active community

Direction 5 - Provide and maintain suitable infrastructure and facilities

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

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 2023-2027**

- **CDVS 9 - Sponsor Major Facilities and Projects** - 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 18 - Facility Hire** - Implement an orderly fair and equitable facility hire process for Sporting Clubs that utilise Shire managed facilities
- **CDVS 28 - Minor Community Grants Policy implementation** - Provide both a minor and major community grants scheme mechanism each financial year
- **FAC 1 - Capital Works (Renewals) Program** - Annual Capital works from LTFP and Council Decisions



## Statutory Framework

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### Local Framework

There are no local frameworks relevant to this item.

### State Framework

Section 3.57 of the *Local Government Act 1995* applies.

3.57. Tenders for providing goods or services.

(1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

(2) Regulations may make provision about tenders.

### Federal Framework

There are no federal frameworks relevant to this item.

## Policy Framework

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The following Shire Policies apply:

- Asset Management
- Budget Management - Capital Acquisitions and Works
- Compliance
- Legislative Compliance
- Risk Management Framework
- Purchasing

## Implications

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### Risk Implications

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Financial <b>Rating: Medium</b>	Likely	Moderate	The renewal of sporting facility assets such as lighting infrastructure before complete asset failure reduces the likelihood of an even more significant financial impost on the Shire in the future.
<b>Risk Description:</b> Failure to identify sufficient project funds through grants and the Shire's own funding mechanisms jeopardizes the continuation of the project.			



Risk	Likelihood	Consequence	Mitigation
<b>Risk 2</b> Infrastructure/ Systems / Utilities  <b>Rating: Medium</b>	Likely	Moderate	Ensures Shire facilities are compliant with Australian Standards for the provision of sports lighting and fit for purpose for the club's sporting pursuits. The upgrade of all existing floodlighting installations to LED will significantly reduce on-going maintenance costs currently experienced in terms of globe replacement and system failure.
<b>Risk Description:</b> The provision of community facilities such as sporting and recreational facilities is a core infrastructure function of local government authorities.			
<b>Risk 3</b> Reputation  <b>Rating: High</b>	Likely	Moderate	A reduction in local government service delivery can directly impact local communities in social, physical, and emotional development.
<b>Risk Description:</b> Acknowledging the Shire is committed to supporting local community groups in providing sport and recreation facilities.			
<b>Opportunity:</b> The opportunity to upgrade the facilities to a 100 Lux (community club competition standard) at an LED specification has several important opportunities for the Shire. This includes the opportunity to introduce a night competition in Boyanup and gain improved environmental and financial sustainability objectives.			

## Financial Implications

### Budget

The 2023-24 Annual Budget has a project allocation of \$146,095 for the sports lighting (Separable portion 1), which is offset by a grant contribution through DLGSC's Club Night Lights to the value of \$65,326. The amount budgeted was a miscalculation from the preliminary budget estimate adopted by the Council (OC/2023/50) of \$195,977.10.

Prior to a formal Request for Quotation process being released, project preliminary investigations were undertaken by Shire staff to investigate feasibilities for the sports lighting such as the existing power supply, review the lighting design, and certify lighting tower structural integrity. In addition, the Shire has had on going concerns from the users of the precinct of anti-social activity at the precinct, as well as damage, vandalism, and theft from the club room building after hours.

Feasibility reports indicated that the Shire of Capel could improve sports lighting efficiency by moving away from the existing halogen light fittings to LED fittings, but also increase the intensity and consistency of the Lux (average luminescence) from 50 to 100 Lux, while using the existing towers. This represented a significant financial saving in terms of not having to replace and reinstall new lighting towers.





Funds saved from not having to replace the lighting towers could be used to pay for the additional light fittings, which represented 12 in total (3 per pole). 100 Lux luminescence would enable the Boyanup AFL clubs to increase their scheduling capacity to include night games, increasing scheduling capacity and representing an opportunity for increased revenue generation from night games.

Initial financial estimates indicated that Separable Portion 1 (Sports Lighting) could be awarded through a formal quotation process, but due to increased cost escalations i.e. material and labour costs, increased complexities such as improved management control measures i.e. ability to turn one or several lights off, and accurate cost recovery measures (direct billing opportunities) has increased the cost of the project to be awarded as a tender under tender provisions within the Local Government Act. It must be noted that, whilst this project did not commence as a tender, all aspects from advertising to site visitation and panel process followed a formal tender process.

A separate agenda item outlining the mid-year budget provisions, including financial variations from the initial project estimate of \$195,977.10 for Separable Portion 1, provides the mechanism for Council to award this quotation for both portions as per the Officer recommendation in this report.

### Long Term

The upgrade and renewal of these Sporting and community amenity facilities are well overdue, with the current sports lighting asset infrastructure now being over 16 years old and the AFL club room building significantly older than that. The renewal of sporting facility assets such as lighting infrastructure (before complete asset failure) reduces the likelihood of an even more significant financial impost on the Shire in the future.

### **Sustainability Implications**

#### Climate Change and Environmental

New LED floodlighting will provide a climate change and environmental sustainability benefit in terms of reduced electricity generation and expense to the Shire of Capel, whilst delivering an increased light intensity outcome for the Shire and its sporting users.

#### Social

The three Boyanup AFL clubs (previously identified) and a regional training squad having access to suitably maintained Shire infrastructure, allows for additional growth opportunities to be considered by each community group.

Separable Portion 2 (External Club and car park lighting) will significantly enhance the safety and amenity of the broader precinct after hours, thereby providing a significant social benefit to the Boyanup community. This would include activation of both the AFL Club rooms and the Jack and Mary Community Centre and the Boyanup Public Library after-hours.

#### Economic

New LED floodlighting will significantly reduce the operational costs of electricity, which provides a sustainability benefit in terms of reduced electricity generation and expense to the Shire. As mentioned previously, 100 Lux luminescence would enable the Boyanup AFL clubs to increase their scheduling capacity to include night games and represent the economic opportunity for clubs to be able to generate revenue through their canteen and ancillary facilities at these games.



## Asset

The upgrade and renewal of these Sporting facilities are well overdue, with the current asset sports lighting infrastructure now being over 16 years old. The ability to reuse the existing tower infrastructure and incorporate improved lighting efficiency, intensity, cost recovery and management flexibility provides long-term financial and asset sustainability.

Increased lighting at the external perimeter of the Boyanup AFL Club rooms and the adjacent car park will, under the guiding principles of Crime Prevention through Environmental Design (CPTED), have the dual effect of improving the perception of and actual community safety at the precinct and serve as an asset protection tool.

## **Consultation/Engagement**

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Consultation relating to the CLNP project funding agreement has occurred between Shire Officers and the DLGSC's Regional Manager (Southwest).

Consultation relating to the upgrade of the sporting lighting infrastructure for end-user improvements has included the following organisations:

1. Cardinals Junior Football (AFL) Club. (Auskick and Years 3-7).
2. Preston Thunder. Years 8-12 (Donnybrook Football Club and Cardinals Football Club pathway collaboration).
3. Boyanup Boars Masters AFL Club.
4. Western Australian Football Commission – Regional Squad training.

## **Internal Consultation**

Internal consultation has occurred between the CEO, Directors, Manager of Projects, Engineering and Assets, Manager of Community Development and Safety, Community Development Officer (Sport and Recreation) and Procurement Officer.

## **Officer's Comment**

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A 'Request for Quotation' 24-05 AFL oval LED floodlighting upgrade program at the Boyanup Memorial Park AFL Ground (Separable Portion 1) and Community and Amenity Electrical and Lighting Safety Upgrades (Separable Portion 2) was advertised on 22 January 2024 through to 09 February 2024 and resulted in four submissions being received.

The tender process included a comprehensive evaluation process based on the review of submitted compliance criteria and weighted qualitative criteria that included the respondents Relevant Experience, Key Personnel Skills and Experience, Tenderer's Resources and Demonstrated Understanding in relation to the project.

Of the four submissions received, three were deemed compliant and one non-compliant. The results of the weighted qualitative scoring for the compliant submissions were combined with the application of the weighted price method and local purchasing preference (where applicable) for the tendered lump sums with a total ranking for tenderers achieved.

An evaluation panel meeting was held on 14 February 2024, with all panel members being unanimous in their decision to recommend Scope Electrical Contracting Pty Ltd as the successful respondent for this project.



## Summary

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The Council is presented with the outcomes of a Request for Quotation process for Separable Portions 1 and 2 at the Boyanup Memorial Park AFL Ground. The process resulted in three compliant submissions (out of the four) received, with Scope Electrical Contracting Pty Ltd being recommended by the quotation panel to complete the project. One of the four submissions was non-compliant as it quoted a different lighting design configuration (4 x 30 m towers) from the package of information provided.

## Voting Requirements

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Absolute Majority.

### Officer's Recommendation – 15.7.

#### OC/2024/42 - Officer's Recommendation / Council Decision - 15.7

*Moved Cr Fergusson, Seconded Cr Dillon.*

**That Council accepts the Request for Quotation (RFQ) 24-05 submission provided by Scope Electrical Contracting Pty Ltd for:**

- 1. The LED floodlighting upgrade program at the Boyanup Memorial Park AFL Ground (Separable Portion 1) for \$261,260.00 (excluding GST), and;**
- 2. Community and Amenity Electrical and Lighting Safety Upgrades (Separable Portion 2) for \$37,540.00 (excluding GST).**

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*



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## 15.8. 2023/24 Mid-Year Budget Review

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<b>Author</b>	Manager Finance, Andrew Mataboni
<b>Authorising Officer</b>	Director Community and Corporate, Samantha Chamberlain
<b>Nature of the Decision</b>	Legislative
<b>Attachments</b>	Nil
<b>Confidential Status</b>	<i>This item is not a confidential matter.</i>

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### Proposal

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Adopt the Mid-Year Budget Review for the financial year 2023-24.

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### Officer's Recommendation

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That Council:

- Adopts the budget review of actual financial performance compared to the 2023-24 Budget and anticipated end of year financial result.
- Approves the following expenditure from municipal funds not included in 2023-24 annual budget:
  - Peppermint Grove Road Capital - \$20,000.
  - Norton Promenade Road Capital - \$30,000.
  - Hutton Road Capital - \$30,000.
  - Prowse Road Capital - \$10,000.
  - Bryce Road Capital - \$5,000.
  - West Road Drainage Capital - \$100,000.
  - Bussell Highway footpath feasibility study - \$50,000.
  - Capel Parklet Forrest Road - \$15,000.
  - Erle Scott Concrete Works Rectification - \$40,000.
  - Minninup Beach Toilets Building Capital - \$15,000.
- Adopts the following forecast budget amendments to the 2023-24 annual budget:

Operating Revenue	Rates	Increase provision	\$1,595.
Operating Revenue	Operating grants	Increase provision	\$100,410.
Operating Revenue	Fees and charges	Decrease provision	(\$137,694).
Operating Revenue	Interest Earnings	Increase provision	\$882,091.
Operating Revenue	Other Revenue	Decrease provision	(\$127,868).
Operating Expenditure	Employee Costs	Decrease provision	\$821,559.
Operating Expenditure	Materials & Contracts	Increase provision	(\$785,876).
Operating Expenditure	Utility charges	Decrease provision	\$102,586.
Operating Expenditure	Depreciation	Increase provision	(\$1,237,270).
Operating Expenditure	Finance costs	Decrease provision	\$27,783.



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Operating Expenditure	Insurance expenses	Decrease provision	\$59,308.
Operating Expenditure	Other Expenditure	Decrease provision	\$21,815.
Capital Revenue	Grants	Increase provision	\$400,055.
Capital Expenditure	Land and buildings	Increase provision	(\$213,754).
Capital Expenditure	Furniture	Increase provision	(\$8,114).
Capital Expenditure	Plant	Decrease provision	\$60,045.
Capital Expenditure	Infrastructure	Decrease provision	\$1,881,462.
Capital Revenue	Asset disposal	Decrease provision	(\$16,450).
Finance Revenue	New Borrowings	Decrease provision	(\$1,223,930).
Reserves	Transfer to	Increase provision	(\$165,753).
Reserves	Transfer from	Increase provision	(\$880,686).
Brought forward		Decrease provision	(\$148,989).
Carried Forward		Increase provision	\$649,595.

### Background

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The *Local Government (Financial Management) Regulations 1996* require local governments to conduct a budget review between 1 January and 28/29 February each year and to report the results of the review to Council.

After Council has made their determination, a copy is to be provided to the Department of Local Government, Sport, and Cultural Industries.

#### Previous Council Decisions

- 29 March 2023 - 2022/23 Mid-Year Budget Review – OC/2023/54.

### Decision Framework

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#### **Shire of Capel Strategic Community Plan 2023-2033**

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 2023-2027**

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

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

### Statutory Framework

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#### **Local Framework**

There are no local frameworks relevant to this item.



**State Framework**

Local Government (Financial Management) Regulations 1996. Regulation 33A.

33A Review of Budget

1. Between 1 January and 28/29 February in each financial year a local government is to carry out a review of its annual budget for that year.
2. The review of an annual budget for a financial year must –
  1. Consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
  2. Consider the local government’s financial position as at the date of the review; and
  3. Review the outcomes for the end of that financial year that are forecast in the budget.
3. Within 30 days of a review of a local government’s annual budget, it is to be submitted to the Council.
4. A Council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
5. Within 30 days after the Council has made a determination, a copy of the review and determination is to be provided to the Department.

\* Absolute majority.

**Federal Framework**

There are no federal frameworks relevant to this item.

**Policy Framework**

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The following Shire Policies apply:

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

**Implications**

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**Risk Implications**

Risk	Likelihood	Consequence	Mitigation
<b>Risk 1</b> Financial  <b>Rating: Low</b>	Unlikely	Minor	The Council has the option to defer or seek alternative funding arrangements. Any changes to the adopted plan require the Council’s consideration under the Local Government Act and Regulations, which ensures that the impact on the Council can be managed at minimal risk.
<b>Risk Description:</b> If funding is not forthcoming.			



## **Financial Implications**

### Budget

The Mid-Year Budget Review process analyses year to date financial performance and monitoring of actual expenditure, revenue, and overall results against budget targets. The review also identifies the forecast expenditure to the end of the financial year allowing adjustments to the budget set as required.

### Long Term

Expenditure is covered in the current annual budget allocation or is identified as unbudgeted expenditure or over expenditure. Where unbudgeted or overbudgeted expenditure has occurred, forecast savings have been identified where possible to assist in offsetting these additional costs. This will therefore minimise any long-term financial implications.

## **Consultation/Engagement**

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### **External Consultation**

There has been no external consultation.

### **Internal Consultation**

The budget review was conducted with the assistance and input of finance staff, Directors and Managers who determined expenditure needs and revenue expectations for the remainder of the financial year based upon actual performance compared against budget.

A Mid-Year Budget Review Workshop was held with Councillors on 14 February 2024. Information detailed in this report was shared at the workshop.

## **Officer's Comment**

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The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

The Council adopted a plus or minus 10% for the reporting of variances of actual expenditure and revenue against budgeted expenditure and revenue in the monthly report of financial activity, which is the basis of reporting for the Mid-Year Budget Review.

The results of the Mid-Year Budget Review are also included in the format of the monthly financial statements for January 2024.

The format of the Mid-Year Budget Review report provided to the Council shows forward estimates for each nature and type program, which are included in the column 'Year end forecast.' This can be compared against the 'Original Budget' and 'Amended Budget' columns, with variance percentages highlighted in the 'Variances Budget to Actual YTD %' column.

Budget variances greater than 10% and account balances of particular interest (nature and type) have been highlighted and comments provided by the relevant Manager or Officer.



The 'Year end forecast' balances also include those items of unbudgeted expenditure, which are identified in the 'Officer's Recommendation' section, item 2 of this report.

To summarise some of the key financial variations:

- The below budget forecast for employee costs projects an underspend of \$821,559.00 and remains consistent with continued recruitment and resourcing challenges.
- The main increase in operating expenses (increase by \$1,237,270.00) relates to depreciation costs post asset revaluations, identifying the increase in the value of the Shire's asset base.
- The main increase in revenue is due to higher returns on investment interest rates and higher principal deposits invested for extended periods. Also, the Shire commenced cash transfers to the Western Australian Treasury Corp (WATC) overnight cash deposit facility accruing additional revenue on transferred balances.
- Forecast carry forward capital works costs equate to \$1,928,314.00 (data as at Jan 2024 and is subject to change.) Of this amount, an estimated \$1.2m will be transferred to financial reserves to fund those carried forward projects identified for completion in the 2024-25 Capital Works Schedules.

The remainder of this balance will be re-invested in the design and rescoping of specific projects deferred from the 2023-24 program of works and will be reintroduced into the capital schedules from 2024-25 onwards.

Through the 2024-25 draft budget process, Officers will continue to identify capital works required to be carried forward and included in the 2024-25 Program of Works Schedules. Surplus variances/underspends from the 2023-24 capital program, will be ringfenced and carried forward to offset the capital works programs for 2024-25 onwards.

Overall, the 2023-24 Mid-Year Budget Review process, currently forecasts an end of year surplus balance of \$649,595 which is above the annual budget figure set of \$0.00.

The current projected surplus is intended to be used for future capital work's design and construction and reallocated in the 2024-25 draft annual budget to fund the 2024-25 Program of Works Schedules and other future capital priorities.

Furthermore, through the drafting of the 2024-25 Annual Budget, there will be an emphasis on responsible financial planning for:

- Investment in financial reserves.
- Continued development and valuation of the Shire's entire asset portfolio.
- Reallocation of funds to secure 2024-25 and beyond capital priorities.

The Shire's forecasts for revenue and expenditure balances will be adjusted for changes and reported as part of the monthly financial reporting as we continue through the remainder of the financial year.

The continued adjustments to forecasts across the schedules will reflect changes in operations and will be used as a benchmark to support the 2024-25 Draft Annual Budget process.





**Summary of Key Financial Results**

**Table 1.**

	<b>Budget</b>	<b>Forecast</b>	<b>Difference</b>
Operating Revenue	22,542,723	23,261,257	718,534
Operating Expenses	(29,374,818)	(30,364,913)	(990,095)
Non-operating Grants, Subsidies and Contributions	5,534,997	5,935,052	400,095
<b>Net Operating Result</b>	<b>(1,432,011)</b>	<b>(1,303,517)</b>	<b>128,494</b>
<b>Adjustments for Cash Budget Requirements:</b>			
(Profit)/Loss on Asset Disposals	134,913	134,913	0
Capital Expenditure	(11,888,695)	(10,169,056)	1,719,639
Non-cash Infrastructure	(775,005)	(775,005)	0
Depreciation	5,036,184	6,273,454	(1,237,270)
Proceeds from disposal of assets	508,267	491,817	(16,450)
Repayment of Borrowings	(410,797)	(410,797)	0
Principal repayment of leases	(94,362)	(94,362)	0
Transfers (to)/from cash backed reserves	3,137,431	2,090,992	(1,046,439)
Add Surplus/(Deficit) July 1 B/Fwd.	4,560,145	4,411,156	(148,989)
<b>Net Current Asset Position</b>	<b>0</b>	<b>649,595</b>	<b>649,595</b>



**Income and Expenditure Change Explanation**

**General Purpose Funding**

**Table 2.**

	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Revenue</b>	(16,852,743)	(17,867,275)	(1,014,532)	6.02	General Purpose Grant	(76,743)
					Formula Local Road Grant	(38,761)
					Interest Earned - Municipal Funds	(328,000)
					Interest Earned - Reserve Funds	(569,994)
					Rates - Instalment Interest Received	(10,855)
<b>Operating Expenditure</b>	849,499	850,193	694	0.08		

Operating Revenue

- Financial Assistance Grant (FAG) allocation above estimate. The original budget was zero as the 2023/24 FAG's grant was received in 2022/23. The advance payment was based on an estimate by LGGC. The final grant calculation for 2023/24 was above the estimate and the adjusting balance will be paid this financial year.
- Interest rates and amounts invested higher than expected.
- Installment interest is tracking above budget.

**Governance**

**Table 3.**

	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Revenue</b>	(350)	(350)	0	0.00	N/A	
<b>Operating Expenditure</b>	1,610,463	1,497,255	(113,208)	(7.03)	Employee costs	(48,516)
					Members - Election Expenses	(36,000)
					Members - Training & Development	(15,000)

Operating Expenditure

- Delay in filing a position.
- Election expenses charged below the budgeted amount.
- Training tracking below estimates.



**Law, Order, Public Safety**

**Table 4.**

	Original Budget \$	Forecast EOY \$	Change \$	Change %	Explanation	\$
<b>Operating Revenue</b>	(935,947)	(773,577)	162,370	(17.35)	FIRE - Self Supporting Loan Interest Received	140,713
					OLOPS - Reimbursements	9,896
<b>Capital Revenue</b>	(1,136,525)	(2,360,455)	(1,223,930)	107.69	Loan funding replaced by grant	(1,223,930)
<b>Operating Expenditure</b>	2,179,036	2,212,318	33,282	1.53	Loan Interest Repayments	(32,067)
					Animal Pound Maintenance	36,464
<b>Capital Expenditure</b>	2,360,455	2,380,870	20,415	0.86		

Operating Revenue

- Reduced revenue due to self-supporting loan interest. Replacement of loan by project now being funded through a DFES grant.
- Forecast reimbursements are below budget.
- Additional capital revenue due to replacement of self-supporting loan by a DFES grant.

Operating Expenditure

- Operational expenditure reduced by loan interest as loan replaced by grant funding.
- Increased expenditure at pound due to maintenance costs. Costs may require capitalisation.

**Health**

**Table 5.**

	Original Budget \$	Forecast EOY \$	Change \$	Change %	Explanation	\$
<b>Operating Revenue</b>	(31,569)	(34,523)	(2,954)	9.36	Health Licenses	(2,954)
<b>Operating Expenditure</b>	684,155	651,925	(32,230)	(4.71)	Health Employee Costs (Salaries and Superannuation)	(48,309)

Operating Revenue

- Revenue for health licenses is above budget.

Operating Expenditure

- Salaries and superannuation under budget due to the timing of staff appointment.



**Education and Welfare**

**Table 6.**

	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Revenue</b>	(41,370)	(44,500)	(3,130)	7.57	WELFARE - Other Income	(7,805)
<b>Operating Expenditure</b>	403,824	415,816	11,992	2.97	WELFARE - Youth Services	3,280

Operating Revenue

- Increase in youth participation fees.

Operating Expenditure

- Increase in costs for Youth Program.

**Community Amenities**

**Table 7.**

	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Revenue</b>	(3,577,577)	(3,545,449)	32,128	(0.90)	Domestic Refuse Collection Charges	(45,084)
					Domestic Tipping Fees	53,977
					Planning Application Fees	26,200
<b>Operating Expenditure</b>	6,026,448	5,798,640	(227,808)	(3.78)	Waste Collection	(69,814)
					Waste Disposal	(37,595)
					General Tip Maintenance	183,810
					General tip Building Operations	(338,581)
					Town planning employee costs	(58,302)
					Planning consultant	72,595

Operating Revenue

- Above budget fees for refuse collection offset by below budget tipping fees.
- Planning fees are below budget.

Operating Expenditure



- Waste collection and disposal forecast to be below budget.
- General tip operations are below budget.
- Town Planning employee costs are below budget but offset by increased consultation costs.

**Recreation & Culture**

**Table 8.**

	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Revenue</b>	(268,801)	(255,393)	13,408	(4.99)	LIBRARY - Fees & Charges	11,968
					HERITAGE - Fees & Charges	1,440
<b>Capital Revenue</b>	(1,187,509)	(1,187,509)	0	0.00	N/A	0
	<b>Budget \$</b>	<b>Forecast \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Expenditure</b>	8,470,875	7,964,338	(506,537)	(5.98)	HALLS - Town Halls and Public Building	144,190
					REC - Parks & Gardens Maintenance/Operations Salary and wages	(91,843)
					REC - Parks & Gardens Maintenance/Operations Service contracts	91,572
					REC - Parks & Gardens Maintenance/Operations Electricity and water	(100,879)
					REC - Parks & Gardens Maintenance/Operations Insurance	(12,484)
					REC - Parks & Gardens Maintenance/Operations Labour overhead	(339,979)
					LIBRARY - Employee Costs	(140,076)
					OTH CUL - Employee Costs	(18,934)



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					OTH CUL - Festival & Events	23,948
	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Capital Expenditure</b>	2,605,881	2,907,460	301,579	11.57	<b>REC - Infrastructure Parks &amp; Gardens (Capital)</b>	
					Replacement Fountain/Rehydration Station - Central Lakes Park	7,000
					Boyanup Memorial Park AFL Ground - LED floodlighting upgrade program	173,905
					Shade sails	(118,250)
					Playground Replacement Program-Wentworth POS Dalyellup	50,000
					Whole of Shire POS - Parks Signage, Entry Statements	(20,000)
					Implementation of recommendations from reviewed Dalyellup Integrated Lake Water Management Strategy (Stage 1)	(50,000)
					Trails Master Plan-Ironstone Gully Falls Trail	10,535
					Capel parklet Forrest Road	15,000
					Erle Scott concrete works	40,000
					Toilets program	3,140
					Capel Regional Equestrian Park (CREP) Clubhouse Redevelopment	190,199

Operating Revenue

- Fees and charges are below budget for libraries and heritage.

Operating Expenditure

- The building maintenance budget is insufficient.
- Parks and gardens are tracking below budget. Allocations of costs via jobs to be checked. Salary and wages costs replaced by contracted labour. Electricity and water costs are below budget. Insurance premiums lower than expected.
- Reserve foreshore fencing maintenance expected to be higher. Costs may require capitalisation.
- Library salaries are below budget due to unfilled positions.



Capital Expenditure

- Shade sail underspend used for increased cost for playground replacement.
- Boyanup Memorial Park AFL ground floodlighting costs above budget with issuing of request for quotation. A separate Council agenda item is included in this month's OCM reports.
- Trails Master Plan above the budget expenditure and expected to be completed by year end.
- Capel Regional Equestrian Park clubhouse redevelopment costs above budget with completion expected just after financial year end.

Transport

**Table 9.**

	Original Budget \$	Forecast EOY \$	Change \$	Change %	Explanation	\$
<b>Operating Revenue</b>	(289,834)	(320,262)	(30,428)	10.50	ROADM - Direct Road Grant (MRWA)	(30,102)
<b>Capital Revenue</b>	(3,210,963)	(2,387,088)	823,875	(25.66)	ROADC - Regional Road Group Grants (MRWA)	825,875
<b>Operating Expenditure</b>	8,014,297	9,814,136	1,799,839	22.46	ROADM - Bridge Maintenance	(40,821)
					ROADM - Road Maintenance	530,527
					ROADM - Street Sweeping/Cleaning	64,771
					ROADM - Depreciation	1,183,102
<b>Capital Expenditure</b>	6,203,502	4,125,450	(2,078,052)	(33.50)	<b>Road Infrastructure Under/Over Budget Estimate</b>	
					Salter Road Boyanup 0.00-0.63 Design for: Rehabilitation (Bitumen)	(16,470)
					Murtin Road Dalyellup 0.00-0.54 Reseal (Asphalt) & Kerb Repairs	(327,750)
					Forrest Road Capel 0.06-013 Design for Rehabilitation (Bitumen)	(5,873)
					Peppermint Grove Road - Road Capital	20,000
					Norton Promenade - Road Capital	30,000
					Hutton Road (Capel) - Road Capital	30,000
					Prowse Road - Road Capital	10,000
					Lakes Road Stratham 1.00-1.43 Design for: Rehabilitation (Bitumen)	(12,690)



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					Elgin Road Elgin 4.00-5.57 2nd Coat Seal (10mm)	(9,989)
					Mallokup Road Capel 1.08-1.91 Design for Rehabilitation (Bitumen)	2,842
					Bryce Road - Road Capital	5,000
					Gavins Road Capel 0.00-11.08 Design for: Reconstruct & Widen Formation to 6.2m Bitumen	(556,538)
					Boyanup Road West Boyanup 1.42-3.20 Reconstruction, drainage upgrade & line marking "Clearing Permit Required"	(955,860)
					Weld Road Capel River 7.50-10.50 Gravel Re-sheeting	(83,821)
					Weld Road Capel River 10.50-13.50 Gravel Re-sheeting (Inhouse)	1,064
					Queelup Road North Boyanup 1.45-3.08 Reseal (Bitumen)	(74,250)
					Roberts Road Stirling Estate 0.00-1.13 Rehabilitation (Bitumen)	61,495
					<b>Carpark Infrastructure</b>	
					Capel Infant Health Centre Carpark - pavement repairs, reseal, kerb repairs	(9,825)
					Access Road Capel Hard Courts off Spurr Street - unsealed pavement repairs, gravel overlay	(15,750)
					Access Road Capel Hard Courts off Berkshire Street - unsealed pavement repairs, gravel overlay	(18,600)
					<b>Drainage Infrastructure</b>	
					Skippings Road Boyanup Replace existing culvert and headwalls	(17,500)
					Gavins Road Elgin Replace existing culvert and headwalls	(30,000)
					Design recommendations from Gelorup Flood Modelling Report (TPS3)	(30,000)





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					Capel Oval Reserve Remove typha and re-establish invert level of open drain/basins along western edge of reserve (Management Plan to be implemented due to contaminated site).	(18,000)
					Waddington Loop Drainage Reserve Capel Install sub soil bypass pipe around basin.	(37,500)
					Capel Oval Reserve Replace subsoil outlet pipe and redirect to basin in northwest corner, provide subsoil through open drain adjacent to RV Stop Spot and backfill drain with clean fill (100m³).	(49,500)
					Southwestern Highway Boyanup Remove silt from blocked headwall H009/HW191 north of Eileen Crt intersection.	(4,500)
					Southwestern Highway Boyanup Remove silt from blocked headwall H009/HW191 north of Eileen Court intersection.	22,276
					West Road - Drainage Capital	100,000
					<b>Paths</b>	
					Southwestern Highway Meadowbrook Reinstatement Boyanup.	(5,400)
					Trigwell Road - Bridge Street to Southwest Highway Boyanup. Requires further discussion with MRWA.	(73,458)
					Sleaford Park Gelorup (Parking Path)	(10,650)
					Weld Road - Capel Drive to Payne Road Capel (various sections)	(12,130)
					Bussell Highway (Don Punch feasibility study for foot path)	50,000



Operating Revenue

- Direct Road Grant received is above budget.

Capital Revenue

- Regional Road Group grant funds reduced as projects attached to these funds are not proceeding until FY2024-25 and beyond. These grant funds will be reallocated to the Shire once the project is re-scheduled for completion.

Operating Expenditure

- Road maintenance allocations are above budget. Overhead allocations to jobs to be checked.
- Depreciation expenses are higher than budgeted as revaluation of infrastructure assets in 2022-23 resulted in higher than expected values.

Capital Expenditure

- Project deferral, rescope and additional design work of road, path, and drainage infrastructure required on some capital projects.

**Economic Services**

**Table 10.**

	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Revenue</b>	(418,906)	(299,262)	119,644	(28.56)	BUILD - Fees & Charges (Licenses)	8,991
					OTH ECON - Other Fees & Charges	61,310
					OTH ECON - Other Income	44,710
<b>Operating Expenditure</b>	999,105	978,357	(20,748)	(2.08)	TOUR - Public Relations & Area Promotion	(20,000)

Operating Revenue

- Below budget for fees and charges.

Operating Expenditure

- Reduction in expenditure due to several projects yet to be started.



**Other Property and Services**

**Table 11.**

	<b>Original Budget \$</b>	<b>Forecast EOY \$</b>	<b>Change \$</b>	<b>Change %</b>	<b>Explanation</b>	<b>\$</b>
<b>Operating Revenue</b>	(203,533)	(198,573)	4,960	(2.44)	PWO - Other Income	2,947
<b>Capital Revenue</b>	(508,267)	(491,817)	16,450	(3.24)	Proceeds from sale of plant and equipment	
<b>Operating Expenditure</b>	349,936	394,755	44,819	12.81	ADMIN - Employee Costs	135,260
					ADMIN - Information Technology	(135,000)
					PWO - Employee Costs	(332,878)
					POC - Fuels and Oils	54,393
					POC - External Parts & Repairs	264,361
					POC - Depreciation	54,169
<b>Capital Expenditure</b>	1,934,154	1,883,769	(50,385)	(2.61)	Plant and Equipment Replacement Program	

Operating Revenue

- Other income is below budget due to lower supervision fees.

Capital Revenue

- The Plant and Equipment Replacement Program only slightly below budget. The full program is expected to be delivered for 2023-24.

Operating Expenditure

- The Information Technology budget sees a transfer in operating costs from contractual works to fund a fixed term, backfill position linked to the Enterprise Resourcing Platform (ERP) project.
- Public works employee costs are below budget due to staff vacancies.
- Fuel expenses are above budget.
- External parts and repairs costs are higher than budget due to the change in allocation of pump repair costs.



**Transfer to and from Reserves**

**Table 12.**

Reserve	Net Transfer (to)/from			Explanation
	Budget	Forecast Transfer (to)/from	Change	
	\$	\$	\$	
Leave Reserve	(28,143)	(28,143)	0	
Specified Area Rate Dalyellup Reserve	155,511	(161,724)	(317,235)	Increase in net transfer to reserve due to reduction in forecast expenditure.
Waste Management Reserve	655,220	402,865	(252,355)	Increase in net transfer from reserve due to a decrease in fees charged for annual service.
Plant Reserve	510,775	292,927	(217,848)	Increase in forecast depreciation has reduced the net transfer from the plant reserve. Plant capital program is as per expected budget.
Infrastructure Asset Reserve	175,349	(87,128)	(262,477)	Decrease in transfer from reserve due to the reduced capital expenditure associated with infrastructure assets.
Building Reserve	220,886	192,652	(28,234)	Decrease in net transfer due to forecast asset purchase cost decreasing.
Furniture and Equipment Reserve	161,537	161,537	0	
Dalyellup Community Facilities Reserve	0	0	0	
Dalyellup Infrastructure (Millennium) Reserve	0	0	0	
Property Value Revaluations Reserve	109,829	109,829	0	
Mosquito Management Reserve	(1,566)	(1,566)	0	
Climate Change, Adaption and Sustainability	(25,000)	(25,000)	0	
Capel Community Facilities Reserve	0	0	0	
Carried Over Projects Reserve	1,232,198	1,232,198	(0)	
Town Planning Scheme No 3 Reserve	29,000	(1,000)	(30,000)	Decrease in net transfer from reserve due to the reduced capital expenditure associated with infrastructure assets.
Infrastructure Development Reserve	(100,648)	(38,938)	61,710	Decrease in transfer to due to reduced contribution income.
Strategic Initiatives Reserve	128,874	128,874	(0)	
Contaminated Sites Reserve	(86,391)	(86,391)	0	
Balance transfer (to) from	3,137,431	2,090,992	(1,046,439)	
<b>Transfer from</b>	<b>5,287,662</b>	<b>4,406,976</b>		
<b>Transfer (to)</b>	<b>(2,150,231)</b>	<b>(2,315,984)</b>		
<b>Balance transfer (to) from</b>	<b>3,137,431</b>	<b>2,090,992</b>	<b>(1,046,439)</b>	

The 2023-24 Annual Budget planned for a net transfer from reserves of \$3,137,431.00, reducing the year-end total reserve balance. The current forecast expects a reduction in the year-end total reserves balance but at a reduced amount of \$2,090,992.00, which is due to the deferral of some capital works.

**Summary**



As we continue through the remaining financial year, the Shire’s forecasts for revenue and expenditure balances will be adjusted for any changes and reported as part of the monthly financial reporting.

The continued adjustments to forecasts across the schedules will reflect changes in operations and will be used as a benchmark to support the 2024-25 Draft Annual Budget process, with the projected surplus variance reinvested to fund 2024-25 and future capital priorities.

**Voting Requirements**

Absolute Majority.

**Officer’s Recommendation – 15.8.**

**OC/2024/43 - Officer's Recommendation / Council Decision - 15.8**

*Moved Cr Terrantroy, Seconded Cr McCleery.*

**That Council:**

- 1. Adopt the budget review of actual financial performance compared to the 2023-24 Budget and anticipated end of year financial result.**
- 2. Approves the following expenditure from municipal funds not included in 2023-24 annual budget:**
  - a. **Peppermint Grove Road Capital - \$20,000.**
  - b. **Norton Promenade Road Capital - \$30,000.**
  - c. **Hutton Road Capital - \$30,000.**
  - d. **Prowse Road Capital - \$10,000.**
  - e. **Bryce Road Capital - \$5,000.**
  - f. **West Road Drainage Capital - \$100,000.**
  - g. **Bussell Highway footpath feasibility study - \$50,000.**
  - h. **Capel Parklet Forrest Road - \$15,000.**
  - i. **Erle Scott Concrete Works Rectification - \$40,000.**
  - j. **Minninup Beach Toilets Building Capital - \$15,000.**
- 3. Adopts the following forecast budget amendments to the 2023-24 annual budget:**

Operating Revenue	Rates	Increase provision	\$1,595.
Operating Revenue	Operating grants	Increase provision	\$100,410.
Operating Revenue	Fees and charges	Decrease provision	(\$137,694).
Operating Revenue	Interest Earnings	Increase provision	\$882,091.
Operating Revenue	Other Revenue	Decrease provision	(\$127,868).
Operating Expenditure	Employee Costs	Decrease provision	\$821,559.
Operating Expenditure	Materials & Contracts	Increase provision	(\$785,876).
Operating Expenditure	Utility charges	Decrease provision	\$102,586.
Operating Expenditure	Depreciation	Increase provision	(\$1,237,270).
Operating Expenditure	Finance costs	Decrease provision	\$27,783.
Operating Expenditure	Insurance expenses	Decrease provision	\$59,308.



<b>Operating Expenditure</b>	<b>Other Expenditure</b>	<b>Decrease provision</b>	<b>\$21,815.</b>
<b>Capital Revenue</b>	<b>Grants</b>	<b>Increase provision</b>	<b>\$400,055.</b>
<b>Capital Expenditure</b>	<b>Land and buildings</b>	<b>Increase provision</b>	<b>(\$213,754).</b>
<b>Capital Expenditure</b>	<b>Furniture</b>	<b>Increase provision</b>	<b>(\$8,114).</b>
<b>Capital Expenditure</b>	<b>Plant</b>	<b>Decrease provision</b>	<b>\$60,045.</b>
<b>Capital Expenditure</b>	<b>Infrastructure</b>	<b>Decrease provision</b>	<b>\$1,881,462.</b>
<b>Capital Revenue</b>	<b>Asset disposal</b>	<b>Decrease provision</b>	<b>(\$16,450).</b>
<b>Finance Revenue</b>	<b>New Borrowings</b>	<b>Decrease provision</b>	<b>(\$1,223,930).</b>
<b>Reserves</b>	<b>Transfer to</b>	<b>Increase provision</b>	<b>(\$165,753).</b>
<b>Reserves</b>	<b>Transfer from</b>	<b>Increase provision</b>	<b>(\$880,686).</b>
<b>Brought forward</b>		<b>Decrease provision</b>	<b>(\$148,989).</b>
<b>Carried Forward</b>		<b>Increase provision</b>	<b>\$649,595.</b>

**Carried 8 / 0**

*For - Cr Dillon, Cr Fergusson, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano, Cr Sharp and Cr Terrantroy*

*Against - Nil*



## **16. New Business of an Urgent Nature**

The Order of Business was altered following Item 12 Questions of which previous notice has been given to allow items:

- 16.1 Saleyard Roof Covering - Lot 202 and 203 (No. 31) Salter Road, Boyanup.
- 16.2 Boyanup Saleyards - Interim Wastewater Infrastructure - Lots 202 and 203 (No. 31), and Lot 146 (No. 22) Salter Road, Boyanup.

To be dealt with accordance with Section 4.3.1 of the Shire of Capel Standing Orders Local Law 2016.

## **17. Public Question Time**

Nil

## **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**

Nil

## **21. Meeting Closure**

*There being no further business, the Presiding Member declared the meeting closed at 7:55pm.*