

Shire *of* Capel

AGENDA

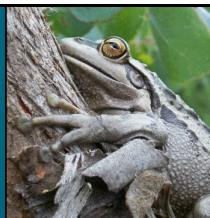
ORDINARY COUNCIL MEETING

Wednesday 16 May 2012

Commencing at 4.30pm in the Council Chambers at
the Shire Offices, Forrest Road, Capel.



Experience the
Shire of Capel



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FINANCIAL INTEREST

(Effective 1 July 1996)

A financial interest occurs where a Councillor, or a person with whom the Councillor is closely associated, has a direct or indirect financial interest in the matter. That is, the person stands to make a financial gain or loss from the decision, either now or at some time in the future.

An indirect financial interest includes a reference to a financial relationship between that person and another person who requires a Local Government decision in relation to the matter.

Councillors should declare an interest:

- a) in a written notice given to the CEO before the meeting; or**
- b) at the meeting immediately before the matter is discussed**

A member who has declared an interest must not:

- * preside at the part of the meeting relating to the matter; or
- * participate in, or be present during any discussion or decision making procedure relating to the matter,

unless the member is allowed to do so under Section 5.68 or 5.69, Local Government Act (1995).

Ref: Local Government Act 1995 Division 6 - Disclosure of Financial Interest.
Specifically Sections 5.60, 5.61, 5.65 and 5.67.

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Any persons or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Capel during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Capel. The Shire of Capel warns that anyone who has an application lodged with the Shire of Capel must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Capel in respect of the application.

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 16TH MAY 2012 COMMENCING AT 4.30PM.

PF Sheedy.

PF Sheedy
CHIEF EXECUTIVE OFFICER

11 May, 2012

AGENDA

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- 1 **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2 **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**
- 3 **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4 **PUBLIC QUESTION TIME**
- 5 **APPLICATIONS FOR LEAVE OF ABSENCE**
- 6 **DECLARATION OF INTEREST**
- 7 **NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**
- 8 **CONFIRMATION OF MINUTES**
- 8.1 Ordinary Council Meeting – 18 April 2012
- 9 **ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION**
- 10 **PETITIONS/DEPUTATIONS/PRESENTATIONS**
- Cr Terry Best from the City of Busselton will give a brief presentation to Council on the new women’s refuge that is being set up in Busselton.
- 11 **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 12 **QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

13 CHIEF EXECUTIVE OFFICER REPORTS

13.1 Local Government Convention 2012

Location: Capel
 Applicant: Western Australian Local Government Association (WALGA)
 File Reference:
 Disclosure of Interest: Nil
 Date: 01.05.12
 Author: Chief Executive Officer, P Sheedy
 Senior Officer: Chief Executive Officer, P Sheedy
 Attachments: Nil

MATTER FOR CONSIDERATION

1. Appointment of voting delegates for the WALGA Annual General Meeting on Wednesday 1 August 2012 at the Perth Convention Centre; and
2. Approval for interested Elected Members, to attend the Local Government Convention from 1 August - 3 August 2012 at the Perth Convention Centre.

BACKGROUND / PROPOSAL

Background

Council is entitled to have a maximum of two voting delegates (excluding observers) at the WALGA Annual General Meeting held during Local Government Convention. This has in the past been the President and Deputy President, unless they do not attend the Local Government Convention, then other Elected Members have been nominated as voting delegates. The Chief Executive Officer can also be nominated as a voting delegate if insufficient Elected Members are attending.

In past years the President and Deputy President have been automatic nominations for attendance at the convention if they choose to attend and then preference has been given to recent elected Councillors and/or Elected Members who have not previously attended.

Proposal

This year sees the introduction of a new format for the annual WA Local Government Convention. Developed from feedback expressed by Members over time, the Convention is now scheduled across two days, Thursday and Friday 2-3 August, with the AGM immediately beforehand on Wednesday afternoon, 1 August 2012.

With an overarching theme of New Opportunities- New Ground the conference program has been shaped around community engagement, leadership, resilience in times of trial, a review of ongoing sector reform and in the lead up to the upcoming State Election the conference will look at the political landscape.

The opening presenter will be Sir Jackie Stewart OBE, a legend of Formula One Racing. Sir Jackie is renowned for his indefatigable leadership in enforcing driver safety standards for this dangerous sport, subsequently saving many lives.

The Trade Exhibition continues to expand and again will showcase the diverse products and services relevant to Local Government including a large range of heavy plant and equipment.

STATUTORY ENVIRONMENT

There are no statutory environment provisions relevant to this item.

POLICY IMPLICATIONS

Policy 12.6 – Conferences, Training and Development Expenses, in various relevant parts indicates that:

1. Conference expenses will only be paid or reimbursed when:
 - Attendance is authorised by Council through a resolution passed at a Council meeting.
 - The attendance and expenses incurred comply with the requirements of this policy.
2. The Council will pay normal registration costs of Elected Members including those related to official luncheons, dinners and tours/inspections, which are relevant to the interests of the Council;
3. The Council will pay reasonable double room or twin share accommodation costs of Elected Members including the night before and/or after the conference where this is necessary because of travel and/or conference timetable;
4. All reasonable travel costs for Councillors/delegates to and from the conference location and venue will be met by the Council;
5. Councillors using private vehicles in accordance with this Policy may claim 'kilometre' allowance at the date of travel as per Clause 5 of Policy No. 12.3 but subject to such cost not exceeding the normal full economy class air fares to and from the particular destination;
6. Costs of vehicle hire, taxi fares, parking and meal expenses which are reasonably required and incurred in attending conferences, will be reimbursed by Council;
7. Council will normally pay registration fees, accommodation costs and airline/train tickets direct to conference organiser/travel agent in advance;
8. The partners of Elected Members are entitled to attend authorised conferences (as outlined in Clause 2 of this Policy) as an accompanying person with Council meeting conference programs and meal expenses, where the conference is within Western Australia. Expenses in relation to partner's tours, sporting activities and other such activities, shall be the responsibility of the Elected Member;
9. Where a Councillor attending an approved conference or training program requiring overnight accommodation, elects to stay with relatives or friends at private accommodation, Council will pay an allowance of \$60 per night (CPI adjusted each quarter as from 30 March 2001), to offset meals and other expenses; and
10. Where Elected Members attend conferences, seminars etc, they shall be entitled to a daily allowance of \$25 for sundry expenses in addition to other expenses allowed under this policy.

FINANCIAL IMPLICATIONS**Budget**

The following details relate to attendance at the Local Government Convention sessions on Wednesday to Friday (1 August – 3 August 2012) and provide approximate costs to be met by

Council for a delegate and partner if they attend all functions (including GST). Single day attendance registration ranges from \$670 to \$725 for a full day.

	\$
Full Registration (Delegate only)	1,250
Accommodation and meals (3 nights)	900
Valet parking	100
Gala Dinner (Councillor & partner)	380
Sundowner (partner)	50
Sundry expenses allowance	75
Reserved parking (Convention Centre Saturday)	28
	2,783

Note: As the Wednesday session does not commence until 12.00pm (lunch, followed by AGM) and the conference concludes at approximately 5.00pm on the Friday, costs have been included for accommodation for three nights and evening meals on the assumption that those attending would stay for the gala dinner on the Friday night.

The 2010/11 budget includes an allocation of \$9,000 for Conferences and Training, which includes the Local Government Convention and Professional Development opportunities and it's expected that a similar amount will be included in the 2012/13 budget unless there is an increase in attendance to previous years.

Should the delegates wish to attend the Australian Local Government Women's Association WA AGM and breakfast (2 August) and/or breakfast with Michael Malthouse (3 August) additional costs of \$55 and \$88 respectively will be incurred.

Travel reimbursement costs of approximately \$296 (400kms @ 74.0 cents/km) per Councillor would also be incurred if claimed. This is funded under a separate budget allocation (Members Allowances - Account 101120).

Professional Development Opportunities for Elected Members are being offered as part of the Convention and this would be an additional cost if Elected Members decide to attend any of these sessions which are \$395 per day.

Long Term

There are no long term financial implications with the item as it is considered on an annual basis.

Whole of Life

As there are no assets being created, Whole of Life costs are not relevant to this item.

SUSTAINABILITY IMPLICATIONS

Attendance at the convention does require attendees to travel by motor vehicle or train to Perth and return.

Attendance by elected members allows them to interact with Elected Members from other local governments and the various convention speakers to discuss a range of issues relevant to local government in Western Australia.

STRATEGIC IMPLICATIONS

The Shire of Capel's Strategic Plan 2009-2020, Key Focus Area: Leadership, Strategy L1, Provide for professional development of councillors and staff in respect to governance responsibilities, has relevance to this item.

CONSULTATION

No consultation with the community or other agencies is required on the matter.

COMMENT

Full details of the Convention program are outlined in the separate attachment, however in summary the relevant parts of Local Government Convention 2012 are:

- Wednesday 1 August – Half day with the AGM, Convention sessions and sundowner.
- Thursday 2 August – – Local Government Women's' Association (WA) AGM and breakfast, Convention sessions and Mayors' and Presidents' evening cocktail reception.
- Friday 3 August – Breakfast with Michael Malthouse, Convention sessions and Gala Dinner.
- Partner's tours and sessions from Thursday to Friday 2-3 August.
- Saturday 4 August - Delegates and partners all day visit to Rottnest Island.

Councillor Attendance

The President has indicated that he may not be available to attend the Local Government Convention in 2012 as he could be away on leave and therefore there would be the opportunity to send the Deputy President and an Elected Member as the delegates or other Elected Members as delegates (if Deputy President does not attend) and/or additional attendees to the convention.

The attendance of three Elected Members and partners at the Local Government Convention sessions (1 to 3 August), including sundowner and gala dinner would incur costs of approximately \$8,349, with additional costs for attendance at the breakfast sessions, Saturday all day tour and travel. If there is any interest from further Elected Members then additional budget allocations will be required in 2012/13 budget.

Annual General Meeting – 1 August 2012

The President and Deputy President, if attending, have in the past been Council's nominated voting delegates and, if not attending, other Elected Members and/or the Chief Executive Officer have been nominated.

If Council has any items/issues it wishes to have included on the AGM agenda, the closing date for lodging these with WALGA is 4 June 2012. Motions should focus on policy matters rather than issues which could be dealt with by the WALGA Zones or State Council direct and due regard should be given to the relevance of the motion to the total membership and to local government in general.

Accommodation and additional costs

Accommodation of three rooms (2 elected members & CEO), based on mid level hotel accommodation close to the Convention Centre (10-15 minute walk) has been booked at the Mercure Hotel, Irwin Street Perth at this time.

Whilst it is not mentioned in the report the Chief Executive Officer will be attending the Local Government Convention also and a separate budget allocation is made for his attendance.

Finally, attendance of partners at any of the partners programs will be at the Elected Member's cost and similarly any expenses incurred for alcohol or use of the mini bar will be charged to the Elected Member after the Convention.

Elected Member Professional Development

As mentioned briefly in the Financial Implications above, as part of the Convention professional development training courses are being provided at the venue, Perth Convention Centre, for Elected Members from Monday 30 July to Saturday 4 August 2012. Councillors are able to attend these on an individual course basis and are encouraged to consider attending.

The one day training sessions are \$395 to \$450 for registration, with additional costs for accommodation and travel (if not attending the Convention).

A copy of the brochure of Professional Development opportunities is included in the separate attachments and a separate Council motion will be required if any Elected Members wish to attend any of these training sessions.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 13.1

STAFF RECOMMENDATION 1

That Council approves the attendance of Councillors _____ at the Local Government Convention on 1 to 3 August 2012 and meets all conference registration, accommodation, travel and other costs as per Policies 12.3 and 12.6.

STAFF RECOMMENDATION 2

That Council nominates Councillors _____ as its voting delegates to attend the WALGA Annual General Meeting on Wednesday 1 August 2012 and meets all conference registration, accommodation, travel and other costs as per Policies 12.3 and 12.6.

13.2 Customer Service Charter

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 02.05.12
Author: Chief Executive Officer, P Sheedy
Senior Officer: Chief Executive Officer, P Sheedy
Attachments: Customer Service Charter (flyer)

MATTER FOR CONSIDERATION

Endorsement by Council of the Shire of Capel 'Customer Service Charter'.

BACKGROUND / PROPOSAL**Background**

September 1996 refers: Council at a special meeting resolved to incorporate customer strategy into the strategic plan and to conduct customer surveys yearly.

October 1996 refers: Council adopted a Customer Service Strategy as a policy (21.8) and following this a Customer Service Charter was developed by the then Chief executive Officer.

November 1996 refers: Council adopted a Customer Service policy (21.7) and a customer service Training policy (21.6).

July 2011 refers: As part of the Chief Executive Officer's annual performance review the Elected members requested the inclusion of a specific action/s relating to customer service and as a result the following Objective and Actions were endorsed by Council in August 2011 (Minute OC0804).

Objective

'Develop and implement initiatives to improve customer service, internal communications, and information sharing and customer service between departments'.

Actions

- Implement a targeted customer service survey
- Benchmark service provisions; report and implement changes as required
- Develop a customer service charter for consideration by Council.

September 2011 refers: The Chief Executive Officer established a Customer Service Charter Working Group from within the organisation to develop a draft Customer Service Charter for consideration by the Executive Management Team and endorsement by Council.

Proposal

A 'Customer Service Charter' pamphlet has been completed that outlines the Council's commitments to its external customers in regards to services and frequent requests and how the customer can help us when they are dealing with Council staff.

STATUTORY ENVIRONMENT

There is no legislation relevant to this item.

POLICY IMPLICATIONS

The current policies 10.9 'Customer Service Strategy', 10.10 'Customer Service', and 10.11 'Customer Service Training' will need to be reviewed and amended or revoked to reflect the new Charter.

FINANCIAL IMPLICATIONS

Budget

Minor additional costs likely to be incurred with the adoption of the Customer Service Charter include the purchase of name badges for staff that currently do not have them, some ongoing customer service training, postage and monitoring of the targeted customer service surveys and the development of a staff recognition reward program. All of these costs can be accommodated within existing budget allocations.

Long Term

Name badges and customer service training for new staff, the continuation of the staff recognition reward and the postage costs and staff time to monitor and assess the customer service surveys are all ongoing long term costs that will be accommodated within annual budget allocations.

Whole of Life

As no assets are being created there is no Whole of Life cost relevant to this item.

SUSTAINABILITY IMPLICATIONS

There are no sustainable implications relevant to this position.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Plan 'Towards 2020- A vision for the Shire of Capel 2009 to 2020' Key focus Area 1 'The Leadership Experience' is relevant to this item and specifically the following.

- Objectives 1.1 'Ensure open, transparent, effective and good governance for the community'
- Objective 1.2 'Achieve effective communication within the organisation and the community'
- Objective 1.3 'ensure continuous improvement of the organisation'
- Strategy L3 'Establish and maintain a Customer Focus program'
- Actions 'Develop, implement and review appropriate organisation wide customer service standards', 'Establish a dedicated customer service team' and 'provide staff training in customer service and conflict resolution'.

CONSULTATION

The Working Group were able to consult with other staff members, local governments and other organisations in developing the draft Charter and no further consultation prior to the adoption of the Charter is required.

COMMENT

The Working Group, lead by the Coordinator Customer Service Anita Scott, have done an excellent job in compiling the draft document which is concise and brief and sets a benchmark on the level of customer service that the organisation wants to achieve.

The Charter identifies the need for a commitment in the areas of face-to-face contact, telephone enquiries, returning telephone calls, responding to correspondence (letters and emails), provision of some services, addressing public safety matters, selection of staff, staff recognition awards, providing and accessing information and dealing with customer complaints. Having identified the need for a commitment in these areas the Charter then outlines the organisation's commitment to its customers on what standards they can expect in these areas.

The Charter also talks about the organisation's staffs commitment to always act in a professional and courteous manner when dealing with customers and assist customers with future enquiries by always wearing name badges, aim to attend to and complete requests when the customer visits the administration office, always be appropriately and professional presented and to take personal responsibility for customer enquiries to reduce the number of calls transferred around the organisation.

It also should be acknowledged that the organisation's staff can only achieve the high level of commitment if the customer also plays their part and in that context the Charter requires the customers to act in a professional manner (no personal abuse, vulgar or obscene language) when dealing with staff and treat staff with the same courtesy and respect that they would expect from staff. Otherwise staff has the right to terminate and telephone calls or refuse to continue to serve the customer. The Charter also provides some helpful hints to the customers when contact staff (i.e. notepad and pen, being clear and concise on what their needs are and making appointments for complex enquiries).

Once the Customer Service Charter has been endorsed by Council the Chief Executive Officer will be undertaking a number of briefings with staff throughout the organisation (administration and library staff, Home and Community Care staff and the outside workforce) to ensure that they clearly understand what our expectations are going forward, how we expect them to treat our customers and what their rights are in regards to difficult customers.

In addition to the Customer Service Charter, which is seen as an external customer document, the Working Group have developed an Internal Customer Service Charter that sets out what is expected of them in dealing with other staff members in such areas as telephone calls from other staff, transferring of calls, attending meetings on time, use of voicemail on their telephones, staff interaction and cooperation and treating each other with respect and courtesy.

Finally with the endorsement of the Customer Service Charter the Chief Executive Officer will be moving forward with the development and introduction of the targeted customer service surveys that will utilise some of the commitments in the Charter to get feedback from the customers on how staff are performing in a number of areas of the organisation. This will also allow for the responses to be measured against some benchmark standards as required in the Chief Executive Officer's annual KRAs.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 13.2

That Council endorses the Shire of Capel 'Customer Service Charter' as detailed in the attachment.

13.3 Regional Priorities Workshop

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 08.05.12
Author: Chief Executive Officer, PF Sheedy
Senior Officer: Chief Executive Officer, PF Sheedy
Attachments: Nil

MATTER FOR CONSIDERATION

The endorsement of the outcomes of the Regional Priorities Workshop held on 30 April 2012 in Bunbury and the top six priorities and support for the Mayor/Presidents and Chief Executive Officers (CEOs) to meet to develop strategies to progress the six priorities.

BACKGROUND / PROPOSAL**Background**

January 2012 refers: The City of Bunbury wrote to the Shires of Capel, Dardanup and Harvey seeking their support for the holding of a regional workshop and inviting the Councils to participate by having their Elected Members and Senior Executive staff attend.

April 2012 refers: the CEOs of the four local governments met to discuss the format for the workshop and to identify regional projects/services in the Shire for inclusion at the workshop for discussion and determination of priorities.

April 2012 refers: The Regional Priorities workshop was held at Sanctuary Golf Resort on Monday 30 April 2012 attended by Elected Members and Senior Executive Staff from the City of Bunbury and Shires of Capel, Dardanup and Harvey.

Proposal

The Workshop concluded with the endorsement of a Regional Vision 'To annually identify opportunities for regional cooperation and resource sharing and to prioritise regional projects, encouraging the participation of State and Federal Government, which will highlight the region as a place of State significance.'

A number of regional projects, which were previously identified by the Chief Executive Officers, were outlined to the workshop and the participants were requested to rank the list to come up with the top six priorities for the region that could be progressed through the State and Federal Governments, SWDC, RDA and BWEA to achieve some suitable outcomes and implementation of the projects

STATUTORY ENVIRONMENT

There is no current statutory environment applicable to this item, but future development of such projects as the Regional Waste Site and Roads to Export would have statutory requirements when they are being implemented.

POLICY IMPLICATIONS

There are no current policies applicable to this item.

FINANCIAL IMPLICATIONS

Budget

With the pending State and Federal elections in 2013 there may be a requirement for the expenditure of funds to lobby politicians on the six top priorities. The 2012/13 draft budget includes a provision of \$5,000 'To investigate resource sharing and partnership opportunities' which could be used to meet any expenses.

Long Term

The development of a Regional Waste site, Regional Bike Path and Tourism Marketing Strategy (including Regional Visitor Centre) will require the allocation of future funds and possibly ongoing funds if they are developed under a regional partnership arrangement.

Whole of Life

Projects like the Regional Waste Site, Regional Bike Path and Regional Visitor Centre being the creation of assets will incur future Whole of Life costs that will only be known once the projects are fully costed.

SUSTAINABILITY IMPLICATIONS

Improved transport opportunities (Millbridge Bridge, Roads to Export, Regional Bike Path and Fast Train) have the potential to have an environmental impact in that they will reduce the amount of trucks and motor vehicles on the roads, whilst they also can have a social impact in that it can lead to improved interaction of the communities with better access and the formation of social groups to enjoy the bike paths.

Reduction of waste going to landfill, via a Regional Waste site, has the potential to have a significant environmental impact in reducing the possible future environmental concerns with ground water contamination and carbon emissions and it also has the potential to reduce the financial impact on local governments which could arise from improved efficiencies by locating the collection and treatment of waste at one site.

Tourism/regional markets has both a social and financial impact in that increased visitor numbers to the region has a positive social impact whilst improving the financial viability of current local businesses and creating the opportunity for the expansion of existing businesses and creation of new ones.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Plan 'Towards 2020 – A Vision for the Shire of Capel', strategy L8 'Participate in regional partnering arrangements with SW local governments', under Key Focus Area 1 'The Leadership Experience is relevant to this item.

CONSULTATION

The implementation of the top six priorities and indeed any of the other priorities in future years would require extensive consultation with State and Federal governments and departments, other local governments and the community.

COMMENT

The holding of the regional workshop was an excellent opportunity for the Elected Members and senior Executive staff of the four local governments to come together to discuss common issues and reach agreement of future regional priorities to show the State Government that there is regional cooperation happening in the South West and that we can work together collaboratively.

The Shire of Capel was represented at the workshop by Councillors Murray Scott, Brian Smith and Peter McCleery and the Executive Management Team.

The general feedback from those participating was that they were pleasantly surprised at the level of cooperation that was displayed at the workshop and the outcome of all agreeing on the regional priorities including the top six priorities was an excellent outcome. A number of participants felt that there was too much time spent on developing the regional vision which was a waste of valuable time that could have been allocated to additional discussion on regional priorities. This resulted in a fairly rushed process at the conclusion of the day by the participants in their groups to identify actions, decisions etc required to progress the top six priorities.

With the identification of the top six priorities across the Greater Bunbury area, some local governments were favoured more than others, but it was pleasing to see that there was not a strong Bunbury centric focus even from the City of Bunbury Elected Members. Whilst the combined efforts of the four local governments will now primarily focus on the top six priorities in the lead up to the State and Federal elections in the next 12-18 months there is a general agreement that there should be ongoing workshops to consider the other regional priorities identified and whether there is an opportunity to progress any of them.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 13.3

That Council endorses:

- 1. The outcomes of the Regional Priorities Workshop, being the creation of a regional vision and the identification of regional priorities;**
- 2. The top six regional priorities being, Millbridge Bridge Treendale, Regional Waste Site, Roads to Export, Regional Bike Path, Fast train/current line upgrades and Tourism/regional marketing (including Regional Visitor Centre);**
- 3. Correspondence being forwarded to the South West Development Commission, Regional Development Australia and Bunbury Wellington Economic Alliance advising them of the top six regional priorities for the Greater Bunbury region; and**
- 4. The Mayor/Presidents and CEOs of the City of Bunbury and the Shires of Capel, Dardanup and Harvey meeting to develop strategies to progress the top six priorities.**

14 HEALTH SERVICES REPORTS**14.1 Contracts for the Collection and Processing of Refuse and Recycling Waste; Consideration to Extend Existing Contract Period**

Location: Capel
 Applicant: Manager Health Services
 File Reference:
 Disclosure of Interest: Nil
 Date: 26.04.12
 Author: Manager Health Services, C Dent
 Senior Officer: Chief Executive Officer, P Sheedy
 Attachments: Nil

MATTER FOR CONSIDERATION

To extend the current tenders for the Supply of Containers, Collection and Acceptance and Disposal of Waste Materials, and the Supply of Containers, Collection Acceptance and Disposal of Recyclable Materials beyond the due expiry date of 30 June 2012 to 30 June 2013.

BACKGROUND / PROPOSAL**Background**

Local Government staff of the Wellington Regional Group commenced preparing for the new contracts in January 2011. In June of 2011, it was decided to utilise the contract resources of Western Australian Local Government Association (WALGA), as this option offered legal, drafting and assessment resources, as well as the flexibility of the "preferred tenderer" process.

It was envisaged that the tender and contract documents would be completed and the contracts awarded by December 2011.

This process has not delivered the anticipated outcomes that staff expected and it is necessary for Council to consider an extension of up to 12 months for each contract to complete the process.

Shire Officers have attended ongoing meetings with Local Governments in the Wellington Waste Working Group (being Donnybrook-Balingup, Capel, Dardanup, Collie, Harvey and Bunbury) especially in regards to the preparation of the new contracts for kerbside waste and recycling services. WALGA was engaged by the Group to arrange the contracts through their development of a preferred supplier process for these services.

Proposal

By extending the current contracts Council will ensure that by working regionally with other members of the Wellington Waste Working Group we will be able to operate a better and more cost effective system from 30 June 2013.

STATUTORY ENVIRONMENT

- **Waste Avoidance and Resource Recovery Act 2007 and Local Government Act 1995:** Allows Council to make contracts for the purpose of collection and processing of refuse and recycling.

- **Combined Tender No 1:** For the Supply Of Containers, Collection, Acceptance and Disposal Of Recycling Materials.
 - Clause 6, sub clause 6.2 allows Council to consider the option to extend the contract past the original contract term.
- **Combined Tender No 2:** For the Supply Of Waste Containers Kerbside Collection And Transport Of Waste Materials To Designated Landfill Sites.
 - Clause 6, sub clause 6.2 allows Council to consider the option to extend the contract past the original contract term.
- **Local Government Act 1995 and Local Government (Functions and General) Regulations 1996:** Tenders for providing goods or services (s. 3.57). Requirement for tender if supply of goods and services is expected to be more than \$100,000.
 - Regulation 11(2)(f), Tenders do not have to be invited if Local Government has good reason to believe that the unique nature of the goods or services or any other reason that it is unlikely that there is more than one potential supplier.

POLICY IMPLICATIONS

There are no policy implications with this matter.

FINANCIAL IMPLICATIONS

Budget

There will not be any financial implications for the 2012/13 financial year apart from the rise in CPI allowed for in the current tenders.

Clause 25.6.2 of Combined Tender No 1 for the Supply Of Containers, Collection, Acceptance and Disposal Of Recycling Materials allows for The Specified Fee for the next twelve (12) months to be adjusted upon application by the Contractor based on any changes to the total number of properties serviced, plus CPI adjustment for the 12 month period ending on the previous March 31.

Clause 23.7.1 of Combined Tender No 2 for the Supply Of Waste Containers Kerbside Collection And Transport Of Waste Materials To Designated Landfill Sites allows for The Specified Fee for the next twelve (12) months to be adjusted upon application by the Contractor based on any changes to the total number of properties serviced, plus CPI adjustment for the 12 month period ending on the previous March 31.

Long Term

There will be long term financial costs with relation to the operation of a domestic waste service.

Whole of Life

Over time with the introduction of new initiatives the costs of the waste service will level out.

SUSTAINABILITY IMPLICATIONS

The introduction of new initiatives, for example the introduction of a third bin for organic collection and the subsequent processing of the organics will both reduce our greenhouse emissions and divert more material from landfill.

STRATEGIC IMPLICATIONS

Strategy En8 review waste management to reduce waste and encourage reuse and recycling.

CONSULTATION

Public consultation was carried out in 2011 regarding waste management and the introduction of a third organic bin. Ongoing consultation has been carried out with the other members of the Wellington Waste Working Group comprising the Bunbury, Capel, Collie, Dardanup, Donnybrook and Harvey councils. Busselton and Margaret River are also involved in the discussions.

COMMENT

Initially WALGA representatives confirmed that the tender process for the development of their preferred supplier panel, for the supply and collection of kerbside waste and recycling bins would not close until early February, 2012. It was anticipated that the panel would not be able to be accessed by the Councils to enter into contract negotiations until April 2012, due to the evaluation process of the tenders. The full process will now not be available until May 2012.

WALGA has also confirmed that the processing aspect of the recycling services will not be covered by the WALGA preferred supplier panel, only the supply of bins and collection. This was not the intention of the Wellington Waste Working Group, as the processing component (dry recyclables, disposal of putrescibles organics for relevant Councils) is the most complex aspect of contracts for these services.

As a result it was agreed by officers at the Wellington Waste Working Group (WWWG) meeting, on 7th December, 2011, that an extension to the existing contracts for kerbside waste and recycling collection is undesirable, but now likely to be necessary. Therefore, the group has proceeded to contact existing contractors to determine the possibility for extension of the existing contracts and establish the implications, particularly financial, for the Councils.

Draft letters expressing this option were distributed to the Shires by the Organics Officer for the Group, prior to the end of December, 2011 for review and acceptance. Subsequently the agreed letter of enquiry was forwarded to the contractors in January, 2012. Letters have been received from both Cleanaway and Green Recycling confirming their willingness to extend the current contracts subject to CPI increases.

In addition, it was agreed by the group that the Manager of Waste Services from the City of Bunbury and the Organics Officer for the Group, would develop a draft contract for the processing component only of dry recyclables (no collection), based on the contract currently in place for the City of Bunbury with Koast Corporation Pty Ltd, trading as Green Recycling.

This contract document could then be used by the Councils in the event that the WALGA preferred supplier panel is able to be accessed within the required timeframe and it is determined by the Councils that it is preferential, compared to extending the existing contracts.

There are positive and negative implications to Council for extending the contracts. A twelve month extension would allow additional time for the WALGA preferred supplier panel to be finalised and accessed by the Councils. A twelve month extension would also align contracts with the City of Bunbury (30th June, 2013), which would be beneficial in terms of further investigation of a regional collection and/or bin service (deliveries & repairs) operated by the group towards decreasing costs and improving efficiency. It is considered important for the Shire to continue to collaborate with the Local Governments in the Wellington Waste Working Group to achieve economies of scale and improve environmental outcomes in waste management.

It is recommended that Council continue to collaborate with other Local Governments in the Wellington Waste Working Group, regarding the arrangements for kerbside domestic waste and recycling services, with a report to be submitted to Council detailing the recommendation in response to the letter of enquiry with the existing contractors, to determine the potential for an extension to the existing contracts.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 14.1

That Council agrees to an extension of:

- a. **Combined Tender No 1: For The Supply of Containers, Collection, Acceptance and Disposal Of Recycling Materials for a period of 12 months beyond the Contract Term, from 1 July 2012 to 30 June 2013, in accordance with all existing contract provisions.**

- b. **Combined Tender No 2: For The Supply of Waste Containers Kerbside Collection and Transport of Waste Materials to Designated Landfill Sites for an extra 12 month period to expire on 30 June 2013 in accordance with all existing contract provisions.**

15 PLANNING AND DEVELOPMENT SERVICES REPORTS**16 TECHNICAL SERVICES REPORTS**

16.1 Capital Works Budget – Roads (2012/2013)

Location:	Capel
Applicant:	Technical Services
File Reference:	
Disclosure of Interest:	Nil
Date:	23 April 2012
Author:	Director Technical Services, Wayne Butler
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	1. Capital Works Program (2012/13) 2. Roads Program Funding (2012/13) 3. Project Carry Overs

MATTER FOR CONSIDERATION

Adoption of the 2012/2013 Capital Works Budget – Roads.

BACKGROUND / PROPOSAL**Background**

Every year the Shire sets out a Capital Works Program that it aims to follow throughout the budget year. The program is formed using the 10 Year Financial Plan; the Shire's Strategic Plan and the 25 Year Road Preservation Plan (RPP). The 25 year RPP, compiled in 2010, covers the reseal/renewal of 4% of the road network each year over a 25 year period. Roads are chosen for renewal based on factors such as, type, condition, age and location. The plan has been broken down for the next five years and each year is split into separate categories depending on the surface and project type. Each of the Shire's roads is split into sections known as straight line kilometres (SLKs) and each of these sections are maintained and renewed at different times depending on the factors that have previously been listed in the Shire of Capel 5 Year Capital Works Plan spreadsheet.

Council has previously endorsed the 5 year Capital Works Program, a document which was prepared by the previous Director Technical Services and, which is the basis for all CLGF funding. This document provides direction based on sound engineering principles and roads inspections for prioritising works on the road network. It splits Council's road network into a number of different categories and allocates funding, based on surface condition, traffic volumes, vehicle types, age of road, etc, which forms the foundation for Council's 2012/13 Capital Works Program

Proposal

The Director Technical Services (DTS) is seeking Council endorsement of the 2012/13 Capital Works Program for Roads.

STATUTORY ENVIRONMENT

Local Government Act 1995

Land Administration Act 1997

POLICY IMPLICATIONS**Risk Management**

The RPP was prepared using principles of reducing risk to road users and financial risk to the Shire. It recognises that poor road condition can lead to increased risk of accidents, also deteriorating roads can cost more to rehabilitate than if they were treated earlier in the roads life cycle.

FINANCIAL IMPLICATIONS**Budget**

The Capital Works Program for 2012/13 proposes a total budget of \$1,784,888.46. Several projects required carry over from Council's 2011/12 program at an estimated cost of \$436,552.96 while newly scheduled projects account for the balance. Of the proposed \$1,784,888.46 expenditure, \$1,240,375.39 will be funded externally with \$544,512.97 being sourced from Council funds. Council, as part of the 2011/12 Capital Works Program, has already committed \$128,131.00 for projects which have not been undertaken and subsequently will be included within the 2012/13 Works program. Therefore, Council's overall additional internal commitment to the 2012/13 Capital Works Program is estimated to be \$416,381.20.

Long Term

The RPP recognised that Council needed to spend in the region of \$1.5M for ten years, increasing to \$2.5M thereafter. Failure to spend this amount of money would likely lead to even greater expenditure in later years due to the increased cost of remedial works and the overall need for more extensive treatment to Council's roads.

Whole of Life

Each asset has a whole of life cost (WoLC), which is based upon the costs incurred during its life cycle. The WoLC is calculated on a m² basis, due to the varying ages and conditions of the SLK seals and was a prime factor in the compilation of the RPP.

SUSTAINABILITY IMPLICATIONS

Materials used in road construction are generally naturally occurring, although asphalt/bitumen production requires some chemical processing. There are significant transportation costs and emissions production due to road construction and maintenance activities. Maintenance of an efficient road network consistently rates highly in community satisfaction surveys. The community expects an improving, functional road system and no longer accepts lower standards of road condition. Preventative maintenance such as repair and renewal of the road network are integral to the efficient use of available resources.

STRATEGIC IMPLICATIONS

Key Focus Area 5 (Infrastructure): Strategy 1 (Plan the provision and maintenance of safe and efficient transportation systems): Action plan 1.1 – Review and implement the five year Road Preservation program.

CONSULTATION

DTS has consulted with Director Corporate Services to ensure that the budget is within agreed financial constraints.

COMMENT

Capital works for roads are allocated based on road condition, safety, vehicle usage and deterioration. This budget would keep the Shire's roads in an acceptable condition using sound engineering principles to determine the priority for road reconstruction and improvements.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 16.1

That Council allocates a sum of \$1,784,888.46 to be included in the draft 2012/13 budget for Capital Works on Roads.

17 CORPORATE SERVICES REPORTS

17.1 Bush Fire Advisory Committee

Location:	Capel
Applicant:	Shire of Capel
File Reference:	4/60/11
Disclosure of Interest:	Nil
Date:	26.04.12
Author:	Governance Officer, D Freeman
Senior Officer:	Director Corporate Services, P Anastasakis
Attachments:	Minutes of the Shire of Capel Bush Fire Advisory Committee meeting held on 23 April 2012

MATTER FOR CONSIDERATION

Council to receive the minutes of the Shire of Capel Bush Fire Advisory Committee meeting held on 23 April 2012 and adopt the recommendations therein.

BACKGROUND / PROPOSAL

Background

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

Proposal

That Council receive the minutes of the Shire of Capel Bush Fire Advisory Committee meeting held on 23 April 2012 and adopt the recommendations therein.

STATUTORY ENVIRONMENT

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

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

POLICY IMPLICATIONS

There are no policy implications associated with this matter.

FINANCIAL IMPLICATIONS

Budget

Costs associated with the printing and distribution of the Annual Bush Fire Order are provided for in the annual budget.

Long Term

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

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

The activities of Bush Fire Brigades, including hazard reduction burning, are an essential safeguard against potentially disastrous fire events and their related impact on the natural environment.

The community gains comfort from the knowledge that fire safety is important to the Council and is being appropriately addressed.

It is considered there are no economic implications associated with this matter.

STRATEGIC IMPLICATIONS

Consideration of this matter is consistent with the Objective 2.4 – Strive to make the Shire a safe place to work, live and visit of Key Focus Area 2 – The Community Experience - of the Shire of Capel Strategic Plan 2009 – 2020.

CONSULTATION

Nil, however membership of the Bush Fire Advisory Committee comprises representatives of all bush fire brigades within the Shire of Capel, a Council delegate and representatives from FESA and Department of Environment and Conservation. Council staff are also present at the meetings to provide advice.

COMMENT

The minutes of the meeting are generally self explanatory however Council's attention is drawn to the following items of significance:

New Member Registration Forms – The Committee has recommended that Council adopt a new member Registration Form. The information collected via the current form is very basic, focussing primarily on contact details. With the view to gaining more details about potential new members and particularly ensuring they are "fit for purpose", it is considered a more detailed application form is warranted as a way of gathering this information.

Annual Bush Fire Order – The Council is required to adopt an Annual Bush Fire order specifying the minimum standards required of land owners to mitigate the risk of bush fire to their property. The Order as recommended by the Committee is essentially unchanged since the 2008/09 fire season with the exception of an amendment to the paragraph dealing with the burning of garden refuse so that the requirements as to whether garden refuse can be burnt and when is clearer.

The Committee has noted that in spite of considerable publicity relating to the release of the Keilty report into the Perth Hills bush fires as well as the proximity and severity of the Margaret River fires, the number of infringement notices issued this season was higher than in previous years. Considerable debate occurred at the meeting about the effectiveness of the Order however in the absence of an alternative strategy, and with the view to continuing to prescribe a minimum standard for fire protection; the Committee has recommended that the current standards be maintained.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 17.1

That Council receives the minutes of the Bush Fire Advisory Committee meeting held on 23 April 2012 and adopts the recommendations contained in item numbers BF0402 to BF0407.

17.2 Application To Keep 3 Dogs – 146 Jules Road, Gelorup

Location: Gelorup
Applicant: Mrs Shirley Raabe
File Reference:
Disclosure of Interest: Nil
Date: 26.04.12
Author: Customer Service Officer, M Blandford
Senior Officer: Director Corporate Services, P Anastasakis
Attachments: Location map

MATTER FOR CONSIDERATION

An application has been received to keep 3 dogs at 146 Jules Road, Gelorup.

BACKGROUND / PROPOSAL**Background**

There are no previous decisions or history relevant to this matter.

Proposal

The applicant seeks Council's approval to keep three dogs at 146 Jules Road, Gelorup.

STATUTORY ENVIRONMENT

Council's Local Laws Relating to Dogs require a person wishing to keep more than two dogs on a property to apply for an approved kennel licence.

The provisions of Section 26 of the Dog Act 1976 however, allow Council to grant permission to keep additional dogs without the requirement of having a licensed kennel establishment.

Specifically, Section 26 (3) states:

“(3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in a specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to the approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption –

- (a) May be made subject to conditions, including a condition that it only applies to the dogs specified therein;*
- (b) Shall not operate to authorise the keeping of more than 6 dogs on those premises; and*
- (c) May be revoked or varied at any time”.*

Pursuant to Section 26 (5) a person who is aggrieved by the conditions imposed by an exemption or the refusal of a local government to grant an exemption, then that person may appeal to the State Administrative Tribunal.

POLICY IMPLICATIONS

There are no current policies applicable to this matter.

FINANCIAL IMPLICATIONS**Budget**

The approval of a third dog will see a minor increase in the annual budget income.

Long Term

No long term financial implications with this application.

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

Social – There is the possibility of barking dog complaints in the future from the number of dogs at the property.

STRATEGIC IMPLICATIONS

The consideration of this matter is consistent with Key Focus Area 2 – The Community Experience, Strategy C6 – Plan for the health and safety of the community in the Shire of Capel Strategic Plan.

CONSULTATION

A letter was sent to the owners of all adjoining land advising of the application and asking whether or not they had any objections to the proposal. A total of 5 letters were sent out with 2 replies received. Of the 2 replies received the responses are as follows:

- 1) Do Not Object
- 2) Do Not Object – We have no objection to the keeping of the dogs. There has never been any dog issues. The Raabes have always been good, responsible dog owners.

COMMENT

The application is to keep the following dogs on the property:

Phantom	8 Years Old	Sterilised Male	Papillion
Trixie	6 Years Old	Sterilised Female	Papillion
Henry	2 Years Old	Sterilised Male	Standard Poodle

Community Rangers have inspected the property and have advised that there are no fencing issues with the property and that the dogs are adequately contained on the premises.

Staff have not had cause to visit the applicant's property to deal with any claims of nuisance behaviour caused by the dogs.

In the application Mrs Raabe states her reason for having more than 2 dogs at the property as being that she re-homed Henry with her family when his previous owner had to move over East into an apartment and couldn't take him. She was asked by the owner to re-home Henry with her family as Mrs Raabe is his dog groomer and is familiar with him. Henry goes to work with Mrs Raabe 6 days a week so isn't at home with the other dogs during the day. It was also noted on the application that Trixie has a medical condition (a liver shunt) and is on constant medication.

Should the application for a permit be declined the applicants have a right of appeal to the State Administrative Tribunal (SAT). The Tribunal has shown in previous dealings that it is

prepared to give the benefit of the doubt to the applicants unless there are specific examples of nuisance behaviour.

As there is no evidence to the effect of nuisance behaviour or complaints with the animals referred to in this application, it is recommended that Council grant approval. It is considered that the provisions contained in the recommendation will be sufficient to control any nuisance behaviour caused by the dogs.

The three dogs are all registered with Council.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 17.2

That Council grants an exemption, in accordance with the provisions of Section 26 (3) of the Dog Act 1976, allowing Mrs Shirley Raabe to keep three dogs at 146 Jules Road, Gelorup, subject to the following conditions:

That the exemption applies only to the following dogs:

Phantom	8 Years Old	Sterilised Male	Papillion
Trixie	6 Years Old	Sterilised Female	Papillion
Henry	2 Years Old	Sterilised Male	Standard Poodle

The exemption only applies to 146 Jules Road, Gelorup.

The exemption may be revoked or varied at any time if the animals, the subject of this exemption, contravene the Dog Act 1976;

The exemption is not transferable;

Should any of the dogs die or be given away, the exemption no longer applies to the property.

17.3 Lease of Portion of Reserve 28825 – Bunbury Horse and Pony Club Incorporated

Location: Capel
Applicant: Bunbury Horse and Pony Club Incorporated
File Reference: Nil
Disclosure of Interest: Nil
Date: 29.04.12
Author: Governance Officer, D Freeman
Senior Officer: Director Corporate Services, P Anastasakis
Attachments: Map showing portion of Reserve 28825 to be leased

MATTER FOR CONSIDERATION

To consider renewing the lease of portion of Reserve 28825 Bussell Highway, Gelorup to the Bunbury Horse and Pony Club.

BACKGROUND / PROPOSAL**Background**

The Bunbury Horse and Pony Club Incorporated have leased portion of Reserve 28825 Bussell Highway, Gelorup from the Shire of Capel since 1 May 1991.

Reserve 28825 is vested in the Shire of Capel for the purposes of "Recreation" with the power to lease for a period not exceeding 21 years subject to the approval of the of the Hon. Minister for Lands being first obtained.

Proposal

Council offer to lease portion of Reserve 28825 Bussell Highway to the Bunbury Horse and Pony Club for a period of 21 years expiring on 30 April 2033.

STATUTORY ENVIRONMENT

Local Government Act 1995 – Section 3.58
Local Government (Functions and General) Regulations 1996

For normal circumstances relating to the disposition, including leasing of land, Section 3.58(2) of the Local Government Act provides that

"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."

As an alternative, Section 3.58(3) and (4) of the Local Government Act provide that

- (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,
 - (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 the proposed disposition that are required by subsection (3)(a)(ii) include –
 - (a) the names of all other parties concerned
 - (b) the consideration to be received by the local government for the disposition and
 - (c) the market value of the disposition as ascertained by a valuation carried out not more than 6 months before the proposed disposition.”

Regulation 30(1) and (2) of the Local Government (Functions and General) Regulations 1996 however provide as follows:

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

POLICY IMPLICATIONS

There are no Policy implications associated with this matter.

FINANCIAL IMPLICATIONS

Budget

By offering the land for lease, Council can expect to receive rental income as well as saving the cost of installing firebreaks and providing weed control on the land.

There are no other financial implications associated with this matter other than determining the rental that is to be paid by Bunbury Horse and Pony Club.

Initially the rental was set at \$50 per year with annual reviews upon the anniversary of the lease. This base rental has then been indexed annually in line with movements in the Consumer Price Index (CPI). The rent charged for the period 1 May 2011 to 30 April 2012 was \$69.39 being the rent for the previous year (\$65.41) plus a CPI increase of 3.4%.

The Club is essentially self supporting, in that the Shire of Capel does not provide any ongoing services to the land, nor has it built any infrastructure on the land. Unless the Council wishes to consider a change in policy whereby community groups leasing land from the Shire should pay a rental more akin to market valuation, it is recommended that the rental for the first year of the renewed lease be rounded off at \$75.00, and be set with annual increases thereafter in accordance with the movement in the Consumer Price Index (All Groups) for Perth for the year ending 30 June previous.

Long Term

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

Whole of Life

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

SUSTAINABILITY IMPLICATIONS**Environmental**

There are no additional environmental implications associated with the granting of this lease. The lease contains clauses requiring the lessee to comply with all statutes and regulations and prohibits the carrying on of offensive acts.

Social

The provision of land for community groups to engage in a variety of recreational pursuits has significant social benefits to our community.

Economic

There are no economic implications associated with this matter.

STRATEGIC IMPLICATIONS

Key Focus Area 2 – The Community Experience, Objective 2 - Provide social, recreational and cultural opportunities for our communities has relevance to this matter.

CONSULTATION

There has been considerable consultation between Shire officers and the Bunbury Horse and Pony Club in the development of this lease. Although the lease has ultimately been prepared by solicitors acting for the Club, the final document has been thoroughly reviewed and amended to ensure that Council's needs are adequately covered.

The lease has also been reviewed by the Department of Regional Development and Lands who have given their "in principle" approval of the lease prior to it being submitted to the Hon. Minister for Lands.

COMMENT

The granting of this lease will enable the activities of the Bunbury Horse and Pony Club to continue on the land for a further 21 years. The new lease agreement does differ from the former lease as Council staff have sought to have the following matters acknowledged and included in the lease:

1. In addition to approval by the Shire of Capel to any development on the leased land approval will be required from the Western Australian Planning Commission in view of the land being included in a Reserve for Regional Open Space under the Greater Bunbury Region Scheme.
2. Include a clause to exclude the payment of compensation in the event of flooding to read: "Without limiting any other clause in this Lease, compensation will not be payable by the Lessor to the Lessee for loss or damage to any person or property of the Lessor to Lessee whatsoever caused by flooding of the Leased Premises."
3. Include a clause to give notice about the likelihood of change to vehicle access arrangements to the lease area to read: "The Lessor has identified that within the lease period the existing vehicle access to Reserve 28825 off Bussell Highway will be closed as a result of a new intersection treatment in the vicinity of the current junction of Hasties Road with Bussell Highway. The Lessor will use its best endeavours to facilitate the provision of a new vehicle access point to a public road for the use of the lessee but the Lessee shall be responsible for the cost of constructing a connection to such access

point and any vehicle parking and manoeuvring areas used by the Lessee within the lease area.”

Council staff also sought to provide for the grant of a non-exclusive licence to the Riding for the Disabled Association (RDA) reflecting the equipment they have supplied on the Bunbury Horse and Pony Club land and for a schedule of rules for the exercise of the rights pursuant to the licence. The Department of Regional Development and Lands however see this effectively as a sub-lease which in itself will require the approval of the Minister for Lands. This matter will be referred to Council once the appropriate documentation has been prepared.

The area of land covered by the lease has been reviewed since the original lease was granted and it has been noted that the activity conducted is limited to an area east of a fence in the vegetated area west of the main fire break and horse walking trails used by the RDA. This appears to be consistent with the western edge of the 7ha portion of Reserve 28825 covered by the current lease. That plan which was prepared in 1991 assumed a substantial road widening would be taken on the Bussell Highway frontage. The widening that was subsequently taken was less than that allowed for and therefore a new plan has been prepared for the new lease to confirm the dimensions and area.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 17.3

That Council:

- 1. Subject to the agreement of the Minister for Lands being obtained, agrees to lease portion of Reserve 28825 Bussell Highway Gelorup to the Bunbury Horse and Pony Club for a period of 21 years commencing from 1 May 2012.**
- 2. Sets the rental for the year commencing 1 May 2012 at \$75.00 with annual reviews in accordance with the movement in the Consumer Price Index (All Groups) for Perth for the year ending 30 June previous.**
- 3. Authorises the President and Chief Executive Officer to affix the Common Seal of the Council and sign the lease document.**

17.4 Corporate Services – Reserve Funds Policy

Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	05.05.12
Author:	Director Corporate Services, P Anastasakis
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Policy 11.12 – Reserve Funds Policy

MATTER FOR CONSIDERATION

Council to consider adopting a new Policy within Corporate Services, relating to Reserve Funds and transfers to and from those reserves.

BACKGROUND / PROPOSAL**Background**

The Local Government Act 1995 states that one of the roles of Council is to determine the local government's policies.

Council has a number of existing cash backed Reserves which provide (in part) for the future financial commitments of Council. These include both capital and operating expenditure requirement and commitments. Some of these Reserves provide for future statutory or legal expenditure requirements, while others have been established as part of sound financial management practices.

Proposal

A Corporate Services policy has been developed to define when cash backed Reserves are created and utilised, when funds may be allocated to a "Carried Over Projects" Reserve, and to reinforce the principle of annually allocating funds to Reserve. This has resulted in a new Policy being created; Policy 11.12 – Reserve Funds.

STATUTORY ENVIRONMENT

The role of Council is defined under section 2.7 of the Local Government Act 1995. Section 2.7(2)(b) states that the Council is to determine the local government's policies.

POLICY IMPLICATIONS

Existing Policy 11.11 – Investment of Funds.

FINANCIAL IMPLICATIONS**Budget**

There are no direct costs associated with this new policy, however resources are required to manage reserve funds.

Long Term

There are no long term resourcing requirements or financial implications related to this Policy.

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

This policy assists in the sound financial and risk management of Council’s facilities and assets. This enables Council to have a positive environmental impact and a direct social benefit for the community.

STRATEGIC IMPLICATIONS

The Strategic Plan 2009 to 2020 includes the following strategy which has relevance:

- Ensure the efficient management of Shire Assets.

CONSULTATION

This policy has received comment and review by relevant staff and through the Executive Management Team meeting.

COMMENT

This new policy provides improved direction and clarity relating to the establishment and operations of Council’s cash back reserves, with particular emphasis on the creation of a carried over projects reserve fund.

VOTING REQUIREMENTS

Simple majority

OFFICER’S RECOMMENDATION – 17.4
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That Council:

- adopts Policy 11.12 – Reserve Fund Transfers, and
- creates a “Carried Over Projects Reserve” in the 2011/12 financial year, for the purpose of preserving for future use unexpended capital or project funds, or unexpended maintenance funds greater than \$5,000.

17.5 Proposed Amendment – Local Government Property Local Law

Location:	Capel
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	03.05.12
Author:	Governance Officer, D Freeman
Senior Officer:	Director Corporate Services, P Anastasakis
Attachments :	<ol style="list-style-type: none"> 1. Draft Shire of Capel Local Government Property Amendment Local Law 2012 2. National Competition Policy – Public Benefit Test 3. Schedule showing the current penalties prescribed under the Shire of Capel Local Government Property Local Law and the proposed penalties

MATTER FOR CONSIDERATION

To amend the Local Government Property Local Law and to:

1. Include that portion of the district of the Shire of Capel between the high and low water marks within the jurisdiction of the Local Law,
2. To correct anomalies within the Local law identified by the Department of Local Government, and
3. To increase penalties for contraventions of the Local Law.

PROPOSAL / BACKGROUND

Background

At the meeting of Council held on 14 December 2011, Council resolved to instigate the process to amend the Shire of Capel Local Government Property Local Law to provide for increased penalties for contraventions of the Local Law.

At the meeting of Council held on 21 March 2012, Council also considered the matter of unauthorised fencing at Forrest Beach and in this process it was identified that due to an anomaly in the wording of the Local Government Property Local law, the area between high and low water marks was excluded from the workings of the Local Law.

Accordingly Council resolved (OC 0306 (4)) to authorise Council staff to examine the development of a local law to regulate and manage foreshore reserves and beaches within the District of Capel through a dedicated Local Law or an amendment to the Property Local Law.

Proposal

That Council adopts the Local Government Property Local Law Amendment Local law as attached to this agenda for the purposes of advertising for public comment in accordance with the requirements of Section 3.12 of the Local Government Act 1995.

STATUTORY ENVIRONMENT

Section 3.5(1) provides that a Local Government may make Local Laws under this Act prescribing all matters that are required to be prescribed by a Local Law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

Section 3.10 provides that a local law made under this Act may provide that contravention of a provision of the local law is an offence, and may provide for the offence to be punishable on conviction by a penalty not exceeding a fine of \$5 000.

Section 3.12 sets out the procedures for making a Local Law.

Section 9.17(3) provides that unless otherwise prescribed by regulation, the modified penalty that a local law may prescribe for an offence is not to exceed 10% of the maximum fine that could be imposed for that offence by a court.

National Competition Policy – All new Local Laws or amendments to an existing Local Law must be subjected to a public benefit test review as required under National Competition Policy.

POLICY IMPLICATIONS

There are no policy implications associated with this matter.

FINANCIAL IMPLICATIONS

Budget

There may be some small positive impact upon Council's financial position as a result of amending the penalties however this is related to the number of infringement notices which may be issued and as such can not be quantified.

Long Term

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

Whole of Life

As an asset is not being created, there are no long term financial implications associated with this matter.

SUSTAINABILITY IMPLICATIONS

There are no direct sustainability implications associated with the making of this Amendment Local Law however there may be environmental benefits if enforcement of the local law results in a reduction of vehicles entering the coastal dune system at beaches within the Shire.

STRATEGIC IMPLICATIONS

Key Focus Area 3 – The Environmental Experience – Objective 3.1 – Protect and promote the natural and built environment – could be seen as having relevance to this matter.

CONSULTATION

A statutory advertising period of 42 days followed the decision of Council to prepare the Local Law. This included making copies of the local law available to the public at the Council offices, libraries and on the website and inviting submissions which must then be considered by Council before the Local Law is adopted.

Arising from this process, one submission was received, objecting to the proposal to increase penalties. The submission considers that signage is often inadequate to advise the public they are committing offences, that the increase in penalties is only a money grab, the majority of people who might break the rules such as motorbikes and midnight hoons are unlikely to be caught by Rangers leaving only the inattentive and relatively innocent person who missed the signs to be caught.

A copy of the draft amendment was also submitted to the Department of Local Government to seek their "in principle" support for the amendment local law.

Through this process, the Department identified two additional areas in the principal Local law areas requiring consideration of amendment as follows:

5. *Principal local law - Clause 5.5*

As this clause is currently worded, parents and guardians are currently unable to take young children of an opposite gender into toilet blocks or change rooms. Doing so would constitute an offence under the local law.

It is suggested that the Shire should consider if this clause accurately represents the Shire's intentions regarding the local law.

The Shire is encouraged to consider clause 5.4 of the City of Melville Local Government Property Local Law 2010 gazetted on 28 March 2011. This provides an example of how other local governments have dealt with the issue in the past.

The Shire should also remember to correct Schedule 1 if any changes are made to this clause.

6. *Principal local law - Clause 8.4*

Clause 8.4(2) of the principal local law has the effect of reversing the onus of proof.

The Delegated Legislation Committee has held that local laws can only be used to reverse the onus of proof when this is clearly authorised by the enacting legislation.

The Committee has previously explored this issue in the local laws of other local governments. In those cases, the Committee held that such a clause was not authorised or contemplated by the Local Government Act. This conclusion is set out in item 5 of the JSCDL 9th report.

The Delegated Legislation Committee did not raise this issue when the local law was originally passed in 2001. However, it is possible that the Committee will raise the issue when considering the proposed amendment.

It is suggested that clause 8.4(2) should be deleted from the principal local law and subclause (3) should be renumbered accordingly.

COMMENT

Other than the anomaly relating to the exclusion of the area between the high and low water marks, there have been no operational difficulties associated with the Shire of Capel Local Government Property Local Law since it was originally adopted by the Council in 2001. As such, it has been considered that by amending the definition of "local government boundary" within the local law, then that area between the high and low water marks will be legally included within the area of operation of the local law.

Currently the Shire of Capel Local Government Property Local Law defines local government property as

"local government property" means anything except a thoroughfare –

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the Land Administration Act 1997; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act.

It is considered that a further clause (d) be added to include the area westward of the high water mark within the definition of “local government property” as follows:

- (d) *along the district’s western boundary, from the high water mark at ordinary spring tides, for a distance of 200 metres seawards towards the Indian Ocean, as approved by the Governor under section 3.19 of the Act per notice published in the Government Gazette, No. 149, on 18 May 2001, page 2411.*

With regard to the additional amendments suggested by the Department of Local Government, clause 5.5 in the Shire of Capel Local Government Property Local Law is as follows:

Only specified gender to use entry of toilet block or change room

5.5 Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by –

- (a) females, then a person of the male gender shall not use that entry of the toilet block or change room; or
- (b) males, then a person of the female gender shall not use that entry of the toilet block or change room.

The suggested wording as provided in the City of Melville Local Government Property Local Law is as follows:

5.4 Only specified gender to use entry of toilet block or change room

(1) Where a sign on a toilet block or change room specifies that a particular entry of the toilet block or change room is to be used by—

- (a) females—then a person of the male gender shall not use that entry of the toilet block or change room;
- (b) males—then a person of the female gender shall not use that entry of the toilet block or change room; or
- (c) families—then, where the toilet block or change room is being used by a family, only an immediate member of that family may use that entry of the toilet block or change room.

(2) Paragraphs (a) and (b) of subclause (1) do not apply to a child, when accompanied by a parent, guardian or caregiver, where the child is—

- (a) under the age of 8 years; or
- (b) otherwise permitted by an authorised person to use the relevant entry.

It is considered this wording is reflective of current standards and as such should be supported.

With regard to the Department’s comments in relation to Clause 8.4 of the Shire of Capel Local Government Property Local law, this clause currently reads:

Liability for damage to local government property

8.4 (1) Where a person unlawfully damages local government property, the local government may by notice in writing to that person require that person within the time required in the notice to, at the option of the local government, pay the costs of –

- (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
- (b) replacing that property.

(2) Unless there is proof to the contrary, a person is to be taken to have damaged local government property within subclause (1) where –

- (a) a vehicle or a boat caused the damage, the person was the person responsible, at the time the damage occurred, for the control of the vehicle or the boat; or
- (b) the damage occurred under a permit, the person is the permit holder in relation to that permit.

Clause 9.4 of the Shire of Capel Local Government Property Local Law appears to use as its basis Section 9.13 of the Local Government Act 1995. This reads as follows:

9.13 Onus of proof in vehicle offences may be shifted

(1) In this section —

authorised person means a person appointed by the local government to be an authorised person for the purposes of this section;

owner, in relation to a vehicle means the person who holds the licence for the vehicle that is required under the *Road Traffic Act 1974* or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to its possession;

prescribed means prescribed by a local law or, if the alleged offence is under a regulation, prescribed by regulations or by a local law;

vehicle offence means an offence against this Act of which the use, driving, parking, standing or leaving of a vehicle is an element.

(2) Where a vehicle offence is alleged to have been committed and the identity of the person committing the alleged offence is not known and cannot immediately be ascertained an authorised person may give the owner of the vehicle a notice under this section.

It appears that the contention of the Joint Standing Committee on Delegated legislation is that infringement notices issued under a Local Government Property Local Law is not a “vehicle offence” rather it is a matter of accessing a prohibited area.

If Council agrees to the removal of Clause 8.4, this will mean that Shire staff will physically have to identify the person in charge of the vehicle before an infringement notice can be issued. As an example, if a vehicle is left unattended in an area where vehicles are prohibited, the Ranger will no longer be able to place an infringement notice on the vehicle, but will instead need to remain on site and identify the person in charge of the vehicle and then serve the notice.

Having noted that the removal of this clause will result in difficulties from the practical aspects of enforcement of the Local Law, it is however suggested that based on the tenor of the Department’s advice, it is unlikely the whole amendment Local Law will be approved by the Joint Standing Committee. This will result in the process needing to be recommenced which will result in the major amendments sought; being the increased penalties and the jurisdiction of the Council extended to include the portion of the beach between the high and low water marks, will not be in place for the start of the 2012 summer.

As such, it is considered that Council has little option but to agree to this amendment.

Section 3.13 of the Local Government Act 1995 provides that if during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed; the local government is to recommence the procedure.

Given that the Amendment Local law first proposed by Council only foreshadowed increases in penalties, but has now been expanded to include the inclusion of the land between the high and low water marks as well as the amendments outlined above required by the Department of local Government, it is considered that the revised amendment is significantly different to that first proposed and as such should be re-advertised for public comment.

In accordance with the requirements of Regulation 3 of the Local Government (Functions and General Regulations) 1996, Council is required to declare the purpose and intent of the Amendment Local Law. The purpose and effect of this amendment is as follows:

Purpose

The purpose of this Amendment Local Law is to

1. Include that portion of the district of the Shire of Capel between the high and low water marks within the jurisdiction of the Local Law,
2. To correct anomalies within the Local Law identified by the Department of Local Government, and
3. To increase penalties increase penalties for contraventions of the Local Law so that the penalties are reflective of current income levels and provide a greater deterrent to breaches of the Local Law.

Effect

The effect of this Amendment Local Law is that the whole of the district of the Shire of Capel will now be covered by the Shire of Capel Local Government Property Local Law and that any persons who commit offences under the Local Law will now incur increased penalties for those offences.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 17.5

That Council give public notice in accordance with the provisions of Section 3.12 of the Local Government Act 1995 of its intention to make the Shire of Capel Local Government Property Local Law Amendment Local Law 2012.

17.6 2012/13 Budget – Elected Member Allowances

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 03.05.12
Author: Director Corporate Services, P Anastasakis
Senior Officer: Chief Executive Officer, P Sheedy
Attachments: Nil

MATTER FOR CONSIDERATION

Council to determine the following elected member's allowances and fees for inclusion in the 2012/13 Draft Budget:

- Annual Attendance Fee for President and Councillors
- President's Allowance
- Deputy President's Allowance
- Telecommunications Allowance
- Information Technology Allowance

BACKGROUND / PROPOSAL**Background**

As part of the budget development process, Elected Members' Allowances are considered for the forthcoming budget. The Local Government Act 1995 requires Council to determine the fees and allowances payable to Elected Members each year.

The 2011/12 Budget allowed a total of \$92,075 broken down into \$62,000 of annual attendance fees, \$10,400 in telecommunications allowances, \$12,000 for the President's allowance, \$2,275 for the Deputy President's allowance and \$5,400 in information technology allowances.

All fees and allowances are to be paid 6 monthly in arrears in December and June, except where members resign or do not seek re-election, when they will be paid their entitlements on their term of office ceasing.

Proposal

The following fees and allowances are proposed to be included in the 2012/13 Budget:

- Annual Attendance Fee for elected members of \$6,210
- Annual Attendance Fee for the President of \$14,000
- Allowance for the President of \$12,420
- Allowance for the Deputy President of \$2,355
- Annual Telecommunications Allowance of \$2,400 for the President and \$1,035 for elected members
- Annual Information Technology Allowance of \$1,000.

The 2012/13 Budget allows a total of \$98,135 broken down into \$63,680 of annual attendance fees, \$10,680 in telecommunications allowances, \$12,420 for the President's allowance, \$2,355 for the Deputy President's allowance and \$9,000 in information technology allowances.

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 requires that each year a local government prepare and adopt an annual budget.

Meeting Attendance Fees – Sections 5.98 and 5.99 of the Local Government Act 1995 and Regulations 30 and 34 of the Local Government (Administration) Regulations 1996. The maximum allowable fee is \$7,000 for a Councillor and \$14,000 for the President.

President's Allowance – Section 5.98 of the Local Government Act 1995 and Regulation 33 of the Local Government (Administration) Regulations 1996. The maximum allowable fee is \$12,000 or .2% of the local government operating revenue up to \$60,000.

Deputy President's Allowance – Section 5.98A of the Local Government Act 1995 and Regulation 33A of the Local Government (Administration) Regulations 1996. The maximum allowable fee is 25% of the President's Allowance.

Telecommunications Allowance – Section 5.99A of the Local Government Act 1995 and Regulation 34A of the Local Government (Administration) Regulations 1996. The maximum allowable allowance is \$2,400.

Information Technology Allowance – Section 5.99A of the Local Government Act 1995 and Regulation 34AA of the Local Government (Administration) Regulations 1996. The maximum allowable allowance is \$1,000.

POLICY IMPLICATIONS

Policy 11.8 – Preparation of Budget has been followed.

FINANCIAL IMPLICATIONS

Budget

Allowances and fees endorsed by Council will be included in the 2012/13 draft Budget.

It is proposed total allowances and fees for elected members be increased to \$98,135 from \$92,075 in 2011/12. This increase is equivalent to 3.5% for all allowances which is based on the forecast Perth CPI, except for the IT Allowance and President's Attendance Fee and Telecommunications Allowance. No increase has being applied to the President's Attendance Fee or Telecommunications Allowance as the maximum permissible allowance is currently paid.

The IT Allowance has been increased to enable Councillors the option of purchasing their own iPad's which can be utilised for Council meetings.

Long Term

Approved expenditure is covered in the budget allocation. There are not considered to be any long term financial implications.

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

The payments to elected members for attending meetings and fulfilling their other commitments as elected members recognises the imposition this role has upon their personal and social lives.

The fees and allowances paid are commensurate with those paid to other elected members in similar sized local governments in the South West. The amounts paid do provide the elected members with some degree of economic sustainability.

STRATEGIC IMPLICATIONS

The Strategic Plan 2009 to 2020 includes the following strategy which has relevance:

- Economic strategy of reviewing financial management practices to ensure best practice.

CONSULTATION

No dedicated consultation has been undertaken other than reference to earlier fee comparisons with adjoining or similar sized Councils.

COMMENT

Fees and allowances payable to elected members in accordance with the Local Government Act 1995 are either entitlements or discretionary.

Entitlements

The Local Government Act outlines the fees, expenses and allowances that an elected member must receive should they request to receive them.

Generally, Council can determine the amount to be paid within minimum and maximum parameters specified by legislation. For example, elected member's attendance fees, the President's allowance and reimbursement of telecommunication equipment rental charges for a phone line and a fax line.

Elected members are entitled to attendance fees and these can be paid per meeting in which case the minimum amount payable is \$60 and the maximum \$140 and the amount paid cannot exceed \$7,000 per year; or it can pay an annual attendance fee ranging from a minimum of \$2,400 to a maximum of \$7,000.

The President is also entitled to attendance fees and on a per meeting basis they can range from \$120 to \$280 with the amount paid not exceeding \$14,000 per year; or an annual attendance fee ranging from \$6,000 to \$14,000 can be paid.

Council has previously agreed to pay an annual attendance fee for the President and elected members in preference to meeting fees.

An allowance in recognition of the additional duties required of the President is entitled to be paid and can range from \$600 to \$12,000 or 0.002 of the local government's operating revenue provided the result does not exceed \$60,000.

Discretionary

The Local Government Act outlines the fees, expenses and allowances that Council has the right to determine whether they should be provided and if so their amount. For example, the Deputy President's allowance, annual telecommunications allowance and the annual information technology allowance.

Should Council decide to continue to pay a Deputy President's allowance the maximum amount of the allowance is 25% of the President's allowance.

Council has previously determined that elected members will be provided a telecommunications allowance rather than reimbursement of telecommunication equipment rental charges. The maximum annual amount allowed is \$2,400 per member.

Council has previously determined that elected members will be paid an Information Technology Allowance rather than be reimbursed for incurring information technology charges. The maximum annual amount allowed is \$1,000 per member.

Suggested Fees for 2012/13

Past practice has been to propose that fees and allowances be increased by a percentage at least equivalent to CPI. For consistency with past years, the suggested fees and allowances have been increased by using forecast Perth CPI for 2012/13 of 3.5%.

A comparison of fees and allowances for the current and past financial years and the fees proposed for 2012/13 are shown in the following table.

	2008/09	2009/10	2010/11	2011/12	2012/13
President – Meeting Attendance Fee	\$11,500	\$12,000	\$14,000	\$14,000	\$14,000
- Allowance	\$8,300	\$8,600	\$8,800	\$12,000	\$12,420
- Telecommunications Allowance	\$2,300	\$2,400	\$2,400	\$2,400	\$2,400
- Information Technology Allowance	\$450	\$500	\$550	\$600	\$1,000
Deputy President – Meeting Attendance Fee	\$4,400	\$4,600	\$5,500	\$6,000	\$6,210
- Allowance	\$2,075	\$2,150	\$2,200	\$2,275	\$2,355
- Telecommunications Allowance	\$850	\$900	\$950	\$1,000	\$1,035
- Information Technology Allowance	\$450	\$500	\$550	\$600	\$1,000
Councillor – Meeting Attendance Fee	\$4,400	\$4,600	\$5,500	\$6,000	\$6,210
- Telecommunications Allowance	\$850	\$900	\$950	\$1,000	\$1,035
- Information Technology Allowance	\$450	\$500	\$550	\$600	\$1,000
Total of all Fees and Allowances	\$81,625	\$85,650	\$83,950	\$92,075	\$98,135
Annual Percentage Increase for Total Fees	6.1%	4.9%	14.0%	9.6%	6.5%
CPI – All Cities (December to December)	3.0%	3.7%	2.1%	2.7%	
CPI – Perth (December to December)(June to June for 2012/13)	3.0%	3.7%	2.1%	2.6%	3.5%

Note: The forecast Perth CPI for 2012/13 of 3.5% includes an estimated 0.7% percentage increase associated with the introduction of the Carbon Tax.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATION – 17.6

That Council:

- 1 Sets an annual attendance fee for elected members of Council of \$6,210 for 2012/13 and that this be paid six (6) monthly in arrears in December and June, except where members resign or do not seek re-election, when they will be paid their entitlements on their term of office ceasing.**
- 2 Sets an annual attendance fee for the President of \$14,000 for 2012/13 and that this be paid six (6) monthly in arrears in December and June, except where the President resigns or does not seek re-election, when the entitlement will be paid on their term of office ceasing.**
- 3 Sets the President's Allowance at \$12,420 for 2012/13 and that this be paid six (6) monthly in arrears in December and June, except where the President resigns or does not seek re-election, when the entitlement will be paid on their term of office ceasing.**
- 4 Sets the Deputy President's Allowance at \$2,355 for 2012/13 and that this be paid six (6) monthly in arrears in December and June, except where the Deputy President resigns or does not seek re-election, when the entitlement will be paid on their term of office ceasing.**
- 5 Instead of reimbursing telephone and facsimile rental and call costs, Council provides an annual telecommunications allowance for 2012/13 of \$2,400 for the President and \$1,035 for Councillors and that this be paid six (6) monthly in arrears in December and June, except where members resign or do not seek re-election, when they will be paid their entitlements on their term of office ceasing.**
- 6 Instead of reimbursing information technology costs, Council provides an annual information technology allowance for 2012/13 of \$1,000 for the President and Councillors and that this be paid six (6) monthly in arrears in December and June, except where members resign or do not seek re-election, when they will be paid their entitlements on their term of office ceasing.**

17.7 2012/13 Budget – Donations to Charitable Organisations

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 03.05.12
Author: Director Corporate Services, P Anastasakis
Senior Officer: Chief Executive Officer, P Sheedy
Attachments: Nil

MATTER FOR CONSIDERATION

Council to review donations to charitable organisations for inclusion in the 2012/13 draft Budget.

BACKGROUND / PROPOSAL**Background**

As part of the budget development process, Elected Members are to consider donations to charitable organisations for the forthcoming budget.

Council Policy 11.1 was amended and approved by Council at its meeting on 14 February 2007 (refer Council minute OC0215). The policy specifies that donations be limited to charitable organisations operating within the Shire of Capel or neighbouring local governments with priority given to those that operate within the Shire. Donations are to be reviewed in April each year and paid after the Budget has been adopted and prior to December.

Proposal

That Council reviews the proposed list of donations to charitable organisations to be included in the 2012/13 Budget.

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 requires that each year a local government prepare and adopt an annual budget.

POLICY IMPLICATIONS

Policy 11.8 – Preparation of Budget has been followed.
Policy 11.1 Donations to Charitable Organisations.

FINANCIAL IMPLICATIONS**Budget**

Any donations approved by Council will be included in the 2012/13 draft Budget. It is proposed total donations be increased to \$13,545 from \$13,340 in 2011/12.

Council in its 2011/12 Budget has included \$7,500 of donations in Account 0222 broken down into discretionary donations of \$1,500, donations to representatives in State/National sports of \$5,000, \$500 for the Lord Mayor of Perth's Distress Relief Fund and \$500 for minor donations of \$100 or lower. A further \$4,340 is included in Account 1602 as donations to community groups and Account 1592 has a \$1,500 donation for St John's Ambulance.

Long Term

Approved expenditure is covered in the budget allocation. There are not considered to be any long term financial implications.

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

Many of the recipients of Council's donations provide a social role within the community and the provision of a donation recognises this largely voluntary role.

Whilst not financially significant, the individual donations provided by Council do provide some of the recipients with a degree of economic sustainability.

STRATEGIC IMPLICATIONS

The Strategic Plan 2009 to 2020 includes the following strategy which has relevance:

- Economic strategy of reviewing financial management practices to ensure best practice.

CONSULTATION

No dedicated consultation has been undertaken other than reference to earlier donations provided by Council.

COMMENT

The donations suggested, compared to the amounts provided in 2011/12 are shown in the following table:

Organisation	2012/13 Donation \$	2011/12 Donation \$	Difference \$	Comment
St John's Ambulance Fund	1,550	1,500	50	Increase of 3.5% - CPI
Capel RSL	725	700	25	Increase of 3.5% - CPI
Boyanup CWA	290	280	10	Increase of 3.5% - CPI
Boyanup Lions Club	290	280	10	Increase of 3.5% - CPI
Boyanup Senior Citizens	290	280	10	Increase of 3.5% - CPI
Capel Senior Citizens	290	280	10	Increase of 3.5% - CPI
Capel Apex Club	290	280	10	Increase of 3.5% - CPI
Capel CWA	290	280	10	Increase of 3.5% - CPI
Capel Girl Guides	290	280	10	Increase of 3.5% - CPI
Capel Lions Club	290	280	10	Increase of 3.5% - CPI
Capel Scout Group	290	280	10	Increase of 3.5% - CPI
Dalyellup Lions Club	290	280	10	Increase of 3.5% - CPI
Dalyellup Over 50s	290	280	10	Increase of 3.5% - CPI
Salvation Army	290	280	10	Increase of 3.5% - CPI Not a local organisation but due to their role, donation is appropriate.
Royal Flying Doctors Service	290	280	10	Increase of 3.5% - CPI Not a local organisation but due to their role, donation is appropriate.
Total	6,045	5,840		

The total value of the proposed donations is \$6,045 is an increase of \$205 compared to the amount included in the 2011/12 Budget, and is equivalent to the forecast Perth CPI increase for 2012/13.

In addition to the above \$7,500 will be allocated in Governance account 0222 for donations to be allocated at Council's discretion. This is the same amount included in the 2011/12 Budget and is proposed to be allocated as follows:

- \$500 will be available to be allocated for the Lord Mayor's Distress Relief Fund
- \$1,500 will be available for donations at Council's discretion.
- \$5,000 will be available for donations to represent in State/National Sport
- \$500 will be available for minor donations less than \$100.

The total amount proposed to be included in the 2012/13 draft Budget as donations is \$13,545 and is a modest increase of \$205 compared to the 2011/12 budget amount of \$13,340.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION – 17.7
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That Council approves donations totalling \$13,545 in the 2012/13 draft Budget and that the donations to specific organisations be those detailed in this report.

17.8 2012/13 Budget – Differential Rates

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 03.05.12
Author: Director Corporate Services, P Anastasakis
Senior Officer: Chief Executive Officer, P Sheedy
Attachments: Nil

MATTER FOR CONSIDERATION

Council to determine the rates in the dollar, minimum rates and the specified area rate for the 2012/13 financial year.

BACKGROUND / PROPOSAL**Background**

Council at its meeting on 21 March 2012 (minute reference OC0320) made the following resolution:

“That Council approves:

1. a rating strategy for the 2012/13 draft Budget that includes a 7% increase to rates in the dollar and a 7% increase to all minimum rates so that the minimum rate for all properties will be \$850.00; and
2. retain the payment on time discount for rates at 2.5%.”

The item outlined Council’s rating strategy and preferred position on differential rating, annual percentage rate increases and minimum rates.

Proposal

That Council determines the rates in the dollar, minimum rates and the specified area rate for the 2012/13 financial year, taking into consideration the approved Rating Strategy and Council resolution OC0320 on the 21 March 2012.

STATUTORY ENVIRONMENT

Section 6.2 of the Local Government Act 1995 requires that each year a local government prepare and adopt an annual budget.

Section 6.32 of the Local Government Act 1995 states that a local government, in order to make up the budget deficiency, is to impose a general rate on rateable land that may be imposed uniformly or differentially.

Section 6.33(1) of the Local Government Act 1995 provides that a local government may impose differential general rates according to a number of characteristics.

Section 6.33(3) of the Local Government Act 1995 states that a local government cannot, without the approval of the Minister, impose a differential general rate that is more than twice the lowest differential general rate imposed.

Section 6.34 of the Local Government Act 1995 states that a local government cannot without the approval of the Minister raise an amount of general rates that exceeds 110% of the budget deficiency or is less than 90% of the budget deficiency.

Section 6.35 of the Local Government Act 1995 states a local government may impose a minimum rate that is greater than the general rate that would be applied for the land and outlines the requirements for this minimum rate.

Section 6.36 of the Local Government Act 1995 requires that a local government before imposing any differential general rates provides at least 21 days local public notice of its intention to do so.

POLICY IMPLICATIONS

Policy 11.8 – Preparation of Budget, outlining the steps and timetable leading to the adoption of the Budget has been followed.

FINANCIAL IMPLICATIONS

Budget

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

For the 2012/13 draft Budget it is proposed a total of \$7,707,362 be raised from property and specified area rates after application of the 2.5% payment on time discount. The expected yield from rates will be sufficient to balance the 2012/13 draft Budget after some adjustments have been made to increase other sources of revenue, reduce operating expenditure and to reduce the amount transferred to or from reserves.

Long Term

The amount of the increase to the rate yield that is proposed is consistent with the forecasts included in the Rating Strategy and the annual rate increase in the Ten Year Financial Plan. However the level of population growth anticipated during 2011/12, 2012/13 and for the next few years is noticeably lower than originally forecast and variable costs will need to be contained where possible. Discretionary expenditure on capital works and other areas service areas will need to be closely managed to ensure the financial sustainability of the Shire is maintained.

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

The levying of property rates has an environmental impact in that over 6,760 rate notices will be distributed in a paper based medium.

Increased property rates have the potential to have a social impact in terms of their affordability. Bearing in mind the anticipated increases in utility charges imposed by the State Government and that property rates also create a financial burden on customers, every effort has been made to minimise the size of the rate increase.

Property rates are the Shire's main area of "own source" revenue and it is therefore essential rate revenue be raised in a timely manner and to such an extent they allow the continued financial operation of the Shire in a sustainable manner.

STRATEGIC IMPLICATIONS

The Strategic Plan 2009 to 2020 includes the following strategy which has relevance:

- Economic strategy of reviewing financial management practices to ensure best practice.

CONSULTATION

The annual differential rating proposal is to be advertised for public comment for a period of 21 days prior to its adoption by Council. Should Council adopt these differential rates, the intention is to advertise the proposed rates in the local papers during the week ending 25 May 2012. Submissions from ratepayers would be invited to be received up to Monday 18 June 2012 and a summary of submissions received would be provided to Council at the Ordinary Meeting on 20 June 2011.

As Council has a differential rate that is more than twice the lowest differential rate imposed, the approval of the Minister for Local Government, Heritage, Citizenship and Multicultural Interests must be obtained before these rates are formally adopted by Council. The approval of the Minister will be sought during the public consultation phase in order to obtain feedback prior to the Ordinary Meeting on 20 June 2012.

COMMENT

Based on Council's adoption of the Rating Strategy for 2012/13, it is proposed that minimum rates and rates in the dollar for all rate categories be increased by 7% in order to achieve an increase in the rate yield for 2012/13 of 9.5%, which includes the rate revenue obtained from the increased number of properties.

Growth in Properties

At the time rates were billed for 2011/12, there were a total of 6,910 properties including 240 non-rateable properties. There are now 7,012 properties of which 252 are non-rateable. The growth in the number of ratable properties for the year is therefore only 90 or 1.35%. Based on growth alone total rates would yield about \$6,767,924 compared to \$6,633,095 raised when rates were billed for 2011/12. The increase of \$134,829 is not sufficient to fund expenditure demands.

It should also be noted that while this growth rate is marginally better than the forecast growth for 2011/12 of 0.1%, it is lower than the growth rate for 2010/11 of 2.6%. These growth rates are all well below the rate of growth of 4% or more experienced in previous years. This reduced rate of growth has impacted recent budgets by reducing potential rate income.

Gross Rental Values

Properties rated on the basis of their gross rental value (GRV) had their valuations updated on 1 July 2010. These valuations will now remain in place until 1 July 2014.

For public advertising purposes a rate in the dollar and a minimum rate for vacant residential properties will be included in the table of rates to be advertised.

The rate model that has been run has applied rates in the dollar that are 7% higher than that used for 2011/12 and minimum rates that are also 7% higher. This rate in the dollar is 6.3005 cents (last year 5.8883 cents) and the minimum rate is now \$850.00 (last year \$795.00). These rates in the dollar and minimum rates have been used for the six residential and commercial rate categories. The same principle has been followed for special rural properties and the new rate in the dollar is 5.5301 cents (last year 5.1683 cents) and their minimum rate is the same as the residential and commercial categories. These rates were

applied against the GRV's and the resultant rate model calculated a rate yield for GRV properties of \$5,946,581 from 5,926 properties.

Unimproved Valuations

Updated valuations for properties rated on the basis of their unimproved value (UV) are provided annually and therefore take effect from 1 July 2011. The updated valuations received show that on average rural property valuations have decreased by 6.07% compared to last year. This is in addition to the previous year's 7% reduction in value. This average decrease means that to achieve an overall increase of 9.5% in the rate yield from the rural sector (which was based on a 7.0% increase in the rate in the dollar), the 2012/13 rate in the dollar will need to be increased by about 13.5%.

After the unimproved valuations were updated into the system, a rate model was run to obtain the target rate yield in accordance with the rate strategy of a 7% increase to 2011/12 rates in the dollar and a minimum rate of \$850. This rate model yielded a rate target of \$1,239,089 from 822 rural properties and \$57,074 from 12 land use commercial UV properties. This yield was based on a rate in the dollar of 0.3262 cents and 0.9285 cents respectively and was a 13.5% increase on the 2011/12 rates in the dollar of 0.2874 cents and 0.8181 cents.

Total Rates

The total rate yield proposed to be included in the draft budget is shown in the following table. \$7,242,743 is proposed to be raised from 6,760 rate assessments. Once expected interim rates, specified area rates and the payment on time discount are included the total amount to be raised increases to \$7,707,362. The detail of rates in the dollar, minimum rates, rate yields and number of assessments from this table are those proposed to be accepted by Council for advertising and public comment.

Table 1: 2012/13 Anticipated Rate Yield (excluding interim rates)

	Rate in \$ or Minimum Rate	Rate Yield	Number of Properties	Average Rate
Calculated Rate:				
- Residential	6.3005 cents	\$3,840,429	3,677	\$1,044.45
- Commercial	6.3005 cents	\$230,779	74	\$3,118.63
- Rural	0.3262 cents	\$957,739	491	\$1,950.59
- Land Use	0.9285 cents	\$57,074	12	\$4,756.16
- Special Rural	6.3005 cents	\$236,572	247	\$958.00
Total		\$5,322,593	4,501	
Minimum Rates:				
- Residential	\$850.00	\$1,465,400	1,724	\$850.00
- Commercial	\$850.00	\$25,500	30	\$850.00
- Rural	\$850.00	\$281,350	331	\$850.00
- Land Use	\$850.00	0	0	0
- Special Rural	\$850.00	\$147,900	174	\$850.00
Total		\$1,920,150	2,259	
Grand Total		\$7,242,743	6,760	

Analysis of the 2012/13 Rates Proposal

The following table compares the rates in the dollar and minimum rates by rate category for 2011/12 and 2012/13.

Table 2: Comparison of Rates in the Dollar and Minimum Rates

Rate Category	Basis	2011/12 Rate	2012/13 Rate	Difference (cents)	2011/12 Minimum	2012/13 Minimum	Difference
Residential Developed	GRV	5.8883	6.3005	0.4122	\$795.00	\$850.00	\$55.00
Residential Undeveloped	GRV	9.3035	9.9547	0.6512	\$795.00	\$850.00	\$55.00
Dalyellup Developed	GRV	5.8883	6.3005	0.4122	\$795.00	\$850.00	\$55.00
Dalyellup Undeveloped	GRV	9.3035	9.9547	0.6512	\$795.00	\$850.00	\$55.00
Commercial Developed	GRV	5.8883	6.3005	0.4122	\$795.00	\$850.00	\$55.00
Commercial Undeveloped	GRV	5.8883	6.3005	0.4122	\$795.00	\$850.00	\$55.00
Land Use Commercial	UV	0.8181	0.9285	0.1104	\$795.00	\$850.00	\$55.00
Rural	UV	0.2874	0.3262	0.0388	\$795.00	\$850.00	\$55.00
Special Rural	GRV	5.1683	5.5301	0.3618	\$795.00	\$850.00	\$55.00

Council has nine differential rating categories and no changes are suggested to this mix for 2012/13. Seven of these categories (Residential, Commercial and Special Rural) are based on the Gross Rental Value (GRV) basis of rates and the Rural and Land Use Commercial categories are Unimproved Value (UV).

In general the gross rental valuations and unimproved values of individual properties are considered to provide sufficient differentiation between each rating category. However, the difference in the level of services available to special rural areas as opposed to residential and commercial areas has been recognised with a lower rate in the dollar.

Table 3: 2011/12 Actual Rate Yield at Rates Billing (i.e. excludes interim rates)

	Rate in \$ or Minimum Rate	Rate Yield	Number of Properties	Average Rate
Calculated Rate:				
- Residential	5.8883 cents	\$3,314,225	3,445	\$962.04
- Commercial	5.8883 cents	\$215,803	73	\$2,956.20
- Rural	0.2874 cents	\$923,482	495	\$1,865.62
- Land Use	0.8181 cents	\$54,068	12	\$4,505.67
- Special Rural	5.1683 cents	\$244,366	274	\$891.85
Total		\$4,751,944	4,299	
Minimum Rates:				
- Residential	\$795.00	\$1,407,945	1,771	\$795.00
- Commercial	\$795.00	\$37,365	47	\$795.00
- Rural	\$795.00	\$261,555	329	\$795.00
- Land Use	\$795.00	0	0	0
- Special Rural	\$795.00	\$159,795	201	\$795.00
Total		\$1,866,660	2,348	
Grand Total		\$6,618,604	6,647	

Comparison of the 2012/13 proposal with actual rates billed for 2011/12 shows the following:

- o The rate yield for every rate category has increased due to the growth in the number of rate assessments and the rate increase that has been applied.
- o The largest increase in the number of rate assessments has occurred for the residential rating categories with assessments increasing by 185 from 5,216 to 5,401 a growth rate of 3.5%.
- o There has been no change in the number of rural assessments with the number of properties remaining at 824.
- o There has been a significant reduction in the number of special rural assessments from 475 to 421.
- o There has been a significant reduction in the number of commercial assessments with the number of properties decreasing from 120 to 104.
- o As a result of the growth in the number of residential assessments the proportion of rates raised from this category is increasing compared to the other categories while the proportion contributed by rural, special rural and commercial ratepayers is decreasing. This is a continuation of the trend of the last few years and reflects the current reliance of the Shire’s rating base on the residential sector.
- o However, the limited growth in the number of properties for the year has not resulted in a major change in the various proportions. As a proportion of total rates, residential rates have increased from 71.3% to 73.2%, commercial rates have decreased from 3.8% to 3.5%, special rural rates have reduced from 6.1% to 5.3%, rural rates have decreased from 17.9% to 17.1%.
- o The rate increase of 7% has not significantly changed the mix of properties being charged a calculated rate compared to a minimum rate. In 2011/12 the mix was 67% (calculated), 33% (minimum) and in 2012/13 this has changed to 65% and 35% respectively. Within each rating category there are no significant shifts from one method to the other with the exception of Special Rural lots.

The following table shows the minimum, maximum, average and median (mid-point) rates for each rating category as well as the modal range (rate range that has the most ratepayers).

Table 4: Rating Statistics for 2012/13 Proposal

	No. of Properties	Minimum	Maximum	Average	Median	Modal Range
Residential-Developed	1,996	\$850.00	\$5,373.07	\$894.70	\$850.00	\$801-\$900
Residential-undeveloped	486	\$850.00	\$17,022.54	\$1,134.43	\$850.00	\$801-\$900
Dalyellup-Developed	2,511	\$850.00	\$65,918.35	\$1,035.89	\$982.88	\$901-\$1,000
Dalyellup-Undeveloped	408	\$850.00	\$12,244.28	\$900.87	\$850.00	\$801-\$900
Commercial-developed	91	\$850.00	\$32,762.60	\$2,609.29	\$1,294.12	\$801-\$900
Commercial-Undeveloped	13	\$850.00	\$6,300.50	\$1,448.77	\$850.00	\$801-\$900
Land Use Commercial	12	\$2,200.55	\$9,173.58	\$4,756.24	\$4,507.87	\$2,701-\$2,800
Rural	822	\$850.00	\$52,192.00	\$1,507.41	\$1,001.43	\$801-\$900
Special Rural	421	\$850.00	\$1,682.26	\$913.24	\$877.07	\$801-\$900
All Properties	7,012		\$65,918.35	\$1,032.91	\$917.35	\$801-\$900

The above statistics show that the majority of ratepayers will be charged a property rate in the range of \$801 to \$900. The major exception is developed properties in Dalyellup which have a higher median and modal range than the other residential categories due to the higher property values in this area.

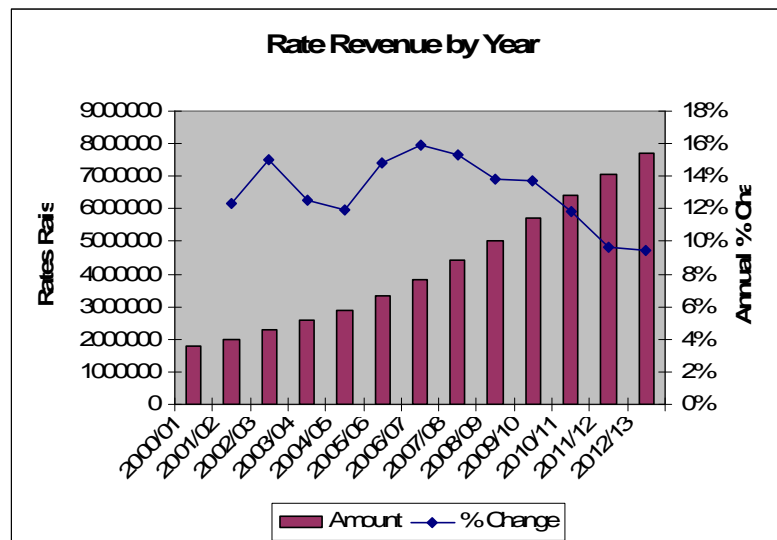
The following table shows the average rates and minimum rates per rating category proposed for 2012/13 compared to those for the past six years. Comparison of averages may be misleading; however it does provide a snapshot of the average increase over time by rate category. The table does show that on average rural rates will increase by about 4.5% or almost \$85.00 and that average rates for residential ratepayers would increase by 8.5% or \$82.41 per annum. The average increase for the majority of ratepayers will be in the range of \$1.00 to \$2.00 per week.

Table 5: Average Rates – 6 Year Comparison

	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
Average Rates (rate in \$)							
- Residential	670.80	710.90	778.91	848.27	905.71	962.04	1,044.45
- Commercial	2,441.63	2,597.72	2,522.66	2,691.31	2,788.88	2,956.20	3,118.63
- Rural	1,298.25	1,405.32	1,530.47	1,684.16	1,766.35	1,865.62	1,950.59
- Rural Land Use	2,510.62	2,532.15	2,759.92	3,850.67	4,250.67	4,505.67	4,756.16
- Special Rural	623.28	664.34	722.48	795.71	813.59	891.85	958.00
Minimum Rates							
- Residential	530.00	565.00	615.00	700.00	750.00	795.00	850.00
- Commercial	530.00	565.00	615.00	700.00	750.00	795.00	850.00
- Rural	575.00	610.00	665.00	750.00	750.00	795.00	850.00
- Special Rural	530.00	565.00	615.00	700.00	750.00	795.00	850.00

If approved, the 2012/13 draft Budget will provide a rates budget of \$7,707,362 including interim rates of \$107,000 and specified area rates of \$462,876 and after the 2.5% discount for payment by the due date. This compares to the 2011/12 expected total actual rates of \$7,039,051.

The following graph compares total actual rates raised, including specified area rates, and after the payment on time discount, by year since 2000/01. The graph also shows the percentage annual increase in total rate revenue for each year. While total rate revenue growth has been strong, it is clearly evident that in recent years the increase in annual rate revenue has reduced. This reduction has coincided with the reduced growth in the number of properties in the Shire.



Specified Area Rates

Council has the one specified area rate for Dalyellup Parks and Reserves Maintenance. This rate has the objective of recovering 50% of the cost of maintaining these facilities in the Dalyellup subdivision as per Council resolution OC0727, 24/7/02 when the 2002/03 Budget was adopted.

The cost of maintaining parks, gardens and reserves in Dalyellup is budgeted to be \$1,043,357 for 2012/13. Half of this cost is to be funded by the specified area rate raised during the year and equates to \$521,678. The rate in the dollar has increased to 4.5434 cents and the maximum rate charged has been increased by 7.0% and would be \$148.20. Previously the maximum rate was \$138.50. Rate modelling has identified that with these parameters 2,926 properties would yield rate income of \$433,236.

With the addition of interim specified area rates of \$29,640 the target of obtaining 50% cost recovery is not achieved and a shortfall of \$58,802 results. To fund half the cost of the budgeted maintenance for the year the maximum specified area rate would need to have been increased to about \$168.00 per property. An increase of over \$29.50 per property, which is equivalent to 21%, was considered to be unacceptable. Particularly, as the Dalyellup SAR Reserve is expected to have a balance of approximately \$380,000 at 30 June 2012.

It is therefore proposed in the draft Budget that the shortfall of \$58,802 be transferred from this reserve. Furthermore, the draft Budget also proposes that an additional amount be transferred from this statutory reserve to assist funding the cost of maintenance budgeted for 2012/13.

Council should note that when the Budget is to be adopted they will be requested to grant a concession to Dalyellup specified area ratepayers so that the maximum specified area rate charged will be \$148.20.

Concluding Comments

For 2012/13 the proposed rate increase, will result in residential ratepayers on the minimum rate being charged \$55.00 more than last year while increases for other ratepayers will vary depending upon their property valuation but on average will be 7% higher than last year.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION – 17.8

That Council advertises its intention in accordance with Section 6.36 of the Local Government Act 1995 to adopt for advertising purposes the following rates in the dollar and minimum rates for the differential and specified area rating categories specified for the 2012/13 financial year.

	Rate in \$	Minimum
Differential Rating :		
- Residential (zone groups 1 & 3 GRV)	6.3005 cents	\$850.00
- Vacant Residential (zone groups 2 & 4 GRV)	9.9547 cents	\$850.00
- Commercial (zone groups 5 – 6 GRV)	6.3005 cents	\$850.00
- Land Use Commercial (zone group 10 – UV)	0.9285 cents	\$850.00
- Rural (zone group 11 – UV)	0.3262 cents	\$850.00
- Special Rural (zone group 12 – GRV)	5.5301 cents	\$850.00
Specified Area Rating:		
- Dalyellup Parks, Reserves Maintenance (GRV) Purpose: Maintenance of Parks and Reserves in Dalyellup	4.5434 cents (to a maximum of \$148.20 per assessment)	Nil

17.9 Accounts Due and Submitted for Authorisation

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 07.05.12
Author: Finance Officer, NJ Thomson
Senior Officer: Manager Finance, A Mattaboni
Attachments: Nil

MATTER FOR CONSIDERATION

Adoption of accounts to be paid.

BACKGROUND / PROPOSAL**Background**

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

Proposal

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

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 (Reg 13(2)).

POLICY IMPLICATIONS

There are no current policies relevant to this matter.

FINANCIAL IMPLICATIONS**Budget**

Payment from Council's Municipal Fund.

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

Long Term

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

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

CONSULTATION

Relevant staff have been consulted and authorised the payments

COMMENT

Accounts due and submitted for authorisation are as follows:

Chq/EFT	Date	Name	Description	Amount
EFT11043	16/05/2012	Auslec	Box Of 300mm Fluoro Lights For Exit Signs.	82.50
EFT11044	16/05/2012	AFAC Ltd	AIIMS Tabard - Public Information Officer	54.50
EFT11045	16/05/2012	Bunbury Machinery	12 Blades, Washers - For Kubota Outfront Mowers	1083.06
EFT11046	16/05/2012	Bunbury Mower Service	Replacement Parts - Chainsaws & Whipper Snippers, Drum Of Chainsaw Oil & Service To Blower	806.10
EFT11047	16/05/2012	Bell Fire Equipment Company	Routine Monthly Servicing Of Fire Indicator Panel	137.50
EFT11048	16/05/2012	Bunnings Building Supplies Pty Ltd	18 X Pairs Of Protective Gloves & Hardware Supplies	360.16
EFT11049	16/05/2012	Blackwoods	4 X Bags Rags	131.82
EFT11050	16/05/2012	Corporate Express Bunbury	Outdoor Display Cases - FESA, Drawers For HR & Stationery Supplies	4447.52
EFT11051	16/05/2012	Chubb Fire	Check And Repair Fire Alarm System Boyanup Community Centre	365.75
EFT11052	16/05/2012	Civi Test Sou West	Sample Stockpile In Jules Road Gelorup And Perform Grading And Plasticity Index	365.75
EFT11053	16/05/2012	Catalyse	Community Perceptions Survey - Fee For Presenting Key Findings	2200.00
EFT11054	16/05/2012	CJD Equipment Pty Ltd	2x Filters For Loader & Globes CP4991	260.22
EFT11055	16/05/2012	Dino's Bulk Haulage	264 Tonne Sand For Haycliff Equestrian Park	2246.64
EFT11056	16/05/2012	Delron Cleaning	Cleaning Capel Hall And Library For April & Public Amenities Cleaning	7933.51
EFT11057	16/05/2012	ERG Electrics	Remove & Isolate Street Light - Corner Kepler Approach & Eclipse Bend, Dalyellup - Hoon Activity	256.03
EFT11058	16/05/2012	FITS Training Service	Chainsaw Training - 4 X Tuesday 3 April 2012	1000.00

EFT11059	16/05/2012	Fennessy's	Vehicle Services – 60CP, 47CP, 45CP	919.74
EFT11060	16/05/2012	Department Of Finance	Inzone Trip To Freo Prison 30 Participants @\$15	450.00
EFT11061	16/05/2012	Gannaways Charter Service	Coach To Amaze'n Margaret River & Bunbury For Movies & Bowling - Inzone	1530.00
EFT11062	16/05/2012	Guardian Tactile Systems Pty Ltd	12 X 400x400 Terracotta Directional Tactiles Dalyellup Bus Shelters	352.50
EFT11063	16/05/2012	South West Isuzu (Formerly Jem Trucks)	Repair Electrical Fault On Maint Truck – CP855	941.73
EFT11064	16/05/2012	State Library Of Western Australia	Recoveries Of Lost & Damaged Books	19.80
EFT11065	16/05/2012	Western Australian Local Government Association	'Meeting Procedures And Debating For Elected Members Training Course Facilitated By Ian Stubbs On Monday 7th May 2012 At Peppermint Grove Beach Community Centre"	4471.24
EFT11066	16/05/2012	Landgate	Identification Of Land Parcels	143.00
EFT11067	16/05/2012	Malatesta Road Paving & Hot Mix	Supply - Spay & Spread Bitumen - Payne Road & Turner Street	24771.64
EFT11068	16/05/2012	Protector Alsafe	1 Pair P/N Boots Fire Fighter Hi-Leg & Personal Protective Equipment	443.05
EFT11069	16/05/2012	Prestige Products-Busselton	Gloves – HACC, Cleaning Products	566.50
EFT11070	16/05/2012	Perth Management Services	Dalyellup Library Rent & Outgoings	1321.07
EFT11071	16/05/2012	Position Partners	Training - Civil Cad - Introduction - Survey - Roads - 16/4/12 To 18/4/12 - Engineering Technical Officer	1485.00
EFT11072	16/05/2012	QEC Distribution	DVD Drawers Inserts & Sleeves - Library	148.94
EFT11073	16/05/2012	Roberts Tilt Tray Service	Emptying E Waste Bin	869.00
EFT11074	16/05/2012	Raeco	Duraseal 30cm, 45cm - Library	215.75
EFT11075	16/05/2012	Records Maintenance & Storage	Costs For Storage & Destruction Of Records	185.13
EFT11076	16/05/2012	Southerns Water Technology	Reticulation Parts & Repairs To Boyanup Community Centre Reticulation	2616.69
EFT11077	16/05/2012	Capel Fresh IGA	Morning & Afternoon Tea Items For Training - Safety For Supervisors 23/4/12	56.89
EFT11078	16/05/2012	Southern Lock & Security	Weekly Alarm Monitoring Till 30/6/2012 & Padlocks Keyed To L1 On Shire System	1852.24
EFT11079	16/05/2012	D & K Thomas Electrical	Replace Security Light Outside The Back Office Door, Repair Fluoro In Dalyellup Community Centre	451.00

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EFT11080	16/05/2012	Trophies West	Plaques For Art Acquisitions	64.50
EFT11081	16/05/2012	Traffic Force	Basic Worksite Traffic Management & Traffic Control - Two Day Full Course X 2	1100.00
EFT11082	16/05/2012	Vogue Furniture	Stationery Cupboard & Bookcase Peppermint Grove Beach Community Centre	486.00
EFT11083	16/05/2012	Vasse Civil & Drainage	Capel Dr Side Entry Pit Lid Adjustment	928.12
EFT11084	16/05/2012	Work Clobber Bunbury	Staff Uniforms	910.86
EFT11085	16/05/2012	Westrac Equipment	20L Engine Oil & Headlight Globes – CP1025	157.16
45672	16/05/2012	Country Framers	Frame Photo Of Council Members 2011 To Match Previous Frames	135.00
				69323.61

OUTSTANDING CREDITORS AS AT 30th April 2012 \$285,416.16

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 16 May 2012 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

P. F. Sheedy.

CHIEF EXECUTIVE OFFICER

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 17.9

That Council authorises the Schedule of Accounts covering vouchers EFT11043 to EFT11085 & 45672 to 45672, a total of \$69,323.61 for payment.

17.10 Accounts Paid During the Month of April 2012

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 07.05.12
Author: Finance Officer, NJ Thomson
Senior Officer: Manager Finance, A Mattaboni
Attachments: Nil

MATTER FOR CONSIDERATION

Authorisation of accounts paid during the month.

BACKGROUND / PROPOSAL**Background**

Accounts paid are required to be submitted each month.

Proposal

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

STATUTORY ENVIRONMENT

Local Government (Financial Management) Regulations 1996 (Reg 13(1)) requires that where the Chief Executive Officer has delegated power to make payments from the Municipal or Trust funds a list of accounts paid is to be prepared each month.

POLICY IMPLICATIONS

There are no current policies relevant to this matter.

FINANCIAL IMPLICATIONS**Budget**

Payment from Council's Municipal Fund.

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

Long Term

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

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

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

CONSULTATION

Relevant staff have been consulted and authorised the payments

COMMENT

Payments made during the month of May 2012 are as follows:

Chq/EFT	Date	Name	Description	Amount
129	05/04/2012	Builders Registration Board Of WA	BRB Levy Collected March 2012	2628.00
130	05/04/2012	Building & Construction Ind Training Fund	BCITF Levy Collected March 2012	14702.89
131	05/04/2012	Shire Of Capel	BRB & BCITF Commission Collected March 2012	672.10
EFT10788	02/04/2012	Shire Of Capel Social Club	Payroll Deductions	192.00
EFT10789	02/04/2012	Child Support Agency	Payroll Deductions	496.31
EFT10790	02/04/2012	Evans Family Superannuation Fund	Superannuation Contributions	409.06
EFT10791	04/04/2012	A & L Printers	5000 Letterheads, 5000 Reply Paid Envelopes & 5000 Dlx Envelopes	2045.00
EFT10792	04/04/2012	Amity Signs	No Vehicles Past This Point & No Horses After 9am Signs	904.20
EFT10793	04/04/2012	All West Building Approvals Pty Ltd	Assisting With The Assessment Of Building Licence Applications	5587.45
EFT10794	04/04/2012	Actual To Ideal	To Facilitate Capel Business Forum On Saturday 25 Feb 2012	1925.00
EFT10795	04/04/2012	Michael Anderson Landscapes	Provide Services As Per Water Corporation Request For "Reset Your Retic" Dalyellup Irrigation Controller Project	220.00
EFT10796	04/04/2012	Aecom Australia Pty Ltd	Audit Dalyellup Waste Site	11000.00
EFT10797	04/04/2012	Busselton Florist	Flowers - Staff Member Birth Of Child	60.00
EFT10798	04/04/2012	Bunbury Tyrepower	Repair Puncture To Tyre Of Ranger's Nissan Utility 40CP	342.00
EFT10799	04/04/2012	Bunbury Toyota	110,000Km Service CP167	222.24
EFT10800	04/04/2012	Blackwoods	Hose Reel	50.25
EFT10801	04/04/2012	Bunbury City Glass	Repair Cracked Window Capel Library	740.82

EFT10802	04/04/2012	Shaun Breden	Assisting With The Assessment Of Building Licence Applications & Planning Consent Approvals	220.00
EFT10803	04/04/2012	Wayne Butler	Reimburse For Purchase Of Mouse & Keyboard	98.63
EFT10804	04/04/2012	Capel Hardware & Farm Supplies	Plants For Main Street Redevelopment & Various Hardware Supplies	2195.48
EFT10805	04/04/2012	Cleanaway	Clear Street & Park Bins	65854.11
EFT10806	04/04/2012	Coastal Hire T/As GCS Security Scaffold	Hire Of Portable Toilet For Capel Cemetery, Hire Of Toilet For Waste Transfer	789.79
EFT10807	04/04/2012	Centrecare Corporate	Annual Provision Of Employee Assistance Program	330.00
EFT10808	04/04/2012	Choice Magazine	Choice Magazine Subscription	129.00
EFT10809	04/04/2012	Corporate Sign Industries	Community Information Sign For Boyanup - Deposit	2293.50
EFT10810	04/04/2012	Capel Vale Wines	Refreshments	202.92
EFT10811	04/04/2012	Dapco	Repair Slow Leak CP5685 - HACC	25.00
EFT10812	04/04/2012	Donald Veal Consultants	Murtin Road, Dalyellup - Review Of Speed Calming Devices	5280.00
EFT10813	04/04/2012	Eaton Hardware	HACC Hardware Supplies - Feb 2012	483.60
EFT10814	04/04/2012	Farmco Boyanup	Tarp	16.90
EFT10815	04/04/2012	Fennessy's	Purchase New 2012 Holden Caprice CPO	1191.80
EFT10816	04/04/2012	Geovet Busselton	Annual Order For Sterilisation Subsidy	300.00
EFT10817	04/04/2012	Harradine & Associates	Annual Order For Animal Sterilisation Subsidy	300.00
EFT10818	04/04/2012	Hi-Tech Ag Solutions	Supply Of Liquid Fertiliser For Capel Oval	594.22
EFT10819	04/04/2012	Green Recycling	Domestic Kerbside Recycling	31057.51
EFT10820	04/04/2012	Western Australian Local Government Association	Advertising - Tender 12/03 Twin Culvert, Advertising Local Property Law, Advertising Amendment No 55 To TPS No 7, Training Introduction To Local Government Act X 3	2555.27
EFT10821	04/04/2012	Local Government Managers Australia	Induction To Local Government - Engineering Technical Officer	214.50
EFT10822	04/04/2012	Margie's Alfresco	Morning Tea For 23 People Attending LGMA Induction Program	161.00
EFT10823	04/04/2012	Marindi Fabrication	1 X 4.5m Bus Shelter	7480.00

EFT10824	04/04/2012	MPM Development Consultants	Design And Estimate To Construct A Right Turn Lane In Ferndale Avenue, Dalyellup	2942.50
EFT10825	04/04/2012	Nightguard Security Service Pty Ltd	3 X Security Patrols Per Night Dalyellup Toilets & Alarm Call Outs - Shire, Depot, Boyanup Library, Capel Sports Pavilion, Capel Hall/Library	1415.88
EFT10826	04/04/2012	Barrie Naylor	Reimburse Cost Of New Keyboard & Mouse	43.95
EFT10827	04/04/2012	Officeworks Superstores Pty Ltd	HP Office Jet Pro – HACC	198.00
EFT10828	04/04/2012	Protector Alsafe	3 Pairs P/N Boots Fire Fighter Hi Leg 35-395 & Barrier Tape.	727.92
EFT10829	04/04/2012	DL & HR Payne	Verge Clearing On Weld Rd [Stump Removal]	442.75
EFT10830	04/04/2012	Prestige Products-Busselton	Cups – HACC	28.16
EFT10831	04/04/2012	Personability	OPQ Assessment For Director Technical Services Position X 3	588.00
EFT10832	04/04/2012	Programmed Integrated Workforce	Labour Hire	1824.90
EFT10833	04/04/2012	Southerns Water Technology	2 Boxes I31 Sprinklers	1440.91
EFT10834	04/04/2012	Capel Fresh IGA	Refreshments - Health On The Move	57.63
EFT10835	04/04/2012	Southern Lock & Security	2 Padlocks Keyed To Mki	181.79
EFT10836	04/04/2012	SOS Office Equipment	Health Printer Replacement Drum	123.20
EFT10837	04/04/2012	Survcon Pty Ltd	West Rd Survey Pickup And Design	638.00
EFT10838	04/04/2012	Spill Station Australia	Bunded Pallet - Mosquito's	544.50
EFT10839	04/04/2012	D & K Thomas Electrical	Check/Repair Lights At Carpark To West Of Playing Fields Dalyellup & Repair Broken Lights At Capel Skate Park	3555.37
EFT10840	04/04/2012	T & V Fencing Contractors	Penn St Boyanup Path Fencing	2138.06
EFT10841	04/04/2012	Transpacific Waste Management	Waste Bins At Tip	13818.14
EFT10842	04/04/2012	Traffic Force	TMP Penn Street	726.00
EFT10843	04/04/2012	Ray Tink Roofing	Replace Guttering At Shire Office	420.00
EFT10844	04/04/2012	Ultimate Paint & Panel	Repairs On Trade CP5172 - HACC	1598.78
EFT10845	04/04/2012	Westrac Equipment	Head Light For 12m Grader	274.84
EFT10846	04/04/2012	O'Brien Windscreens & Automotive Glass	Replace Windscreen CP5676 & CP5685 - HACC	1226.08
EFT10847	04/04/2012	WA Country Builders	Telethon Home 2012 - Refund Of Building Licence Fee	795.46
EFT10848		- EFT10903	Refer Agenda 18.04.12	
EFT10904	11/04/2012	Australia Post	Postage For Month	2381.94

EFT10905	11/04/2012	All West Building Approvals Pty Ltd	Assisting With The Assessment Of Building Licence Applications	1298.00
EFT10906	11/04/2012	Australind Cleaning Service	Cleaning HACC Offices - March 2012	429.66
EFT10907	11/04/2012	AMD Chartered Accountants	Completion Of Financial Management Systems Review As Part Of 2011/12 Interim Audit.	10395.00
EFT10908	11/04/2012	Boyanup Hall Advisory Committee	Hall Cleaning Polishing Floor	210.00
EFT10909	11/04/2012	Epoch Groundwater Concepts	Repairs To Elgin Fire Standpipe And Pump	425.26
EFT10910	11/04/2012	Colroys Country Kitchen	Volunteer Fuel A/C – HACC	106.00
EFT10911	11/04/2012	Gelorup Community Management Committee	Management Fee Gelorup Community Centre 3 Months	105.00
EFT10912	11/04/2012	Donald Veal Consultants	Audit Of East Boyanup Transport Strategy	7040.00
EFT10913	11/04/2012	Earth 2 Ocean Communications	Repairs To External Sienco Speaker On Gelorup 2.4	354.00
EFT10914	11/04/2012	Geographe Ford	Building Services Vehicle – CP41 90,000km Service	318.00
EFT10915	11/04/2012	Western Australian Local Government Association	Job Advertisements - Leading Hand & General Hand Parks, HACC Scheduler, HR/Payroll Officer	2505.27
EFT10916	11/04/2012	Local Government Managers Australia	2011/12 LGMA Membership Subscription - Wayne C Butler - Pro Rata Rate 50% & Training Induction To Local Government - Community Development Officer & Senior Planning Officer	644.00
EFT10917	11/04/2012	Mcleods Barristers & Solicitors	Provide Legal Advice In Relation To Forrest Beach And Public Access Issues	3753.20
EFT10918	11/04/2012	Georgiana Molloy Anglican School	Kevin Hennah Workshop - Library	180.00
EFT10919	11/04/2012	Jodie Riedmann	Reimburse For Purchase Of Coffee	59.96
EFT10920	11/04/2012	SOS Office Equipment	Metrebilling	5567.57
EFT10921	11/04/2012	South West Mapping Services	Calculation Of Rural Street Numbers	412.00
EFT10922	11/04/2012	Total Telephone	Micro USB Charger – HACC	132.00
EFT10923	11/04/2012	Westcare Industries	Label Blank Outward Green - Library	205.92
EFT10924	11/04/2012	Western Australian Treasury Corporation	Loan Payments - Loan 68, 70, 71, 73	116531.44
EFT10925	11/04/2012	Zetta Florence	Freight On Purchase - Library	24.20

EFT10926	13/04/2012	Bendigo Bank Business Credit Card	LGMA - Registration Professional Development Conference - CEO, Uban Café - Refreshments Professional Development Conference CEO. Australian Institute Of Building - Building Act Seminars & Training - Director Planning & Development Service, Building Officers, Senior Administration Officer. Narbil Training - White Card Training X 2	2102.91
EFT10927	21/03/2012	Caltex Australia	1,000L Unleaded & 8,000L Diesel	13038.71
EFT10928	13/04/2012	Caltex Australia	Fleet Fuel - Shire	2807.11
EFT10929	18/04/2012	SAI Global Limited	Building Commission Australia Online/Std's Subscription Renewal 09.03.2012 - 08.03.2013	2048.98
EFT10930	18/04/2012	All West Building Approvals Pty Ltd	Assisting With The Assessment Of Building Licence Applications	499.29
EFT10931	18/04/2012	B & B Street Sweeping	Street Sweeping All Areas December - February 2012	15774.00
EFT10932	18/04/2012	Busselton Pest & Weed Control	Annual Pest Inspection - Bridges	2750.00
EFT10933	18/04/2012	Benchmark Contracting Pty Ltd	Roe Road Path, Capel	21850.40
EFT10934	18/04/2012	Colroys Country Kitchen	Supply Food And Cool Drinks For Bush Fires March 2012, Catering Aiims Workshop, Capel Community Workshop & LGMA Induction To Local Government Act Workshop	1859.50
EFT10935	18/04/2012	Dirt Design	Dalyellup POS Maintenance Contract - Monthly Invoice	10869.77
EFT10936	18/04/2012	LGIS Risk Management	LGISWA Regional Risk Coordination Programme To 15/03/2012	4204.20
EFT10937	18/04/2012	Easifleet Management	Lease On Suzuki Swift Hatchback CEO & Mazda 3 Hatchback HR Manager	1523.98
EFT10938	18/04/2012	Golden West Plumbing & Drainage	Repair BBQ Near Gelorup Skatepark.	187.00
EFT10939	18/04/2012	LD Freeman	Reimburse Costs CWA Esky Replacement & Cutting Boards & Knives For Welfare Boxes	76.66
EFT10940	18/04/2012	Capel Fest	Capel Fest - Artistic Flair Annual Art Prize	1850.00
EFT10941	18/04/2012	Geovet Busselton	Order For Sterilisation Subsidy	559.00

EFT10942	18/04/2012	A Ingram	Reimburse Book Purchases	136.15
EFT10943	18/04/2012	Jackson Mcdonald Lawyers	Jackson Mcdonald Legal Fees Greens Recycling Case	2310.00
EFT10944	18/04/2012	Landscape Development	Dalyellup Pos Maintenance Contract - Monthly Invoice	25884.64
EFT10945	18/04/2012	Australian Library & Information Association	Job Advertisement - 1207 Librarian	440.00
EFT10946	18/04/2012	MPM Development Consultants	Calinup Rd Sandpit - Earthworks Modelling & Road Design	946.00
EFT10947	18/04/2012	Protector Alsafe	1 X Pair P/N Boots Firefighter High Leg 25-395	202.71
EFT10948	18/04/2012	Milton Penny	Reimburse For Cost Of Prescription Glasses	409.00
EFT10949	18/04/2012	Western Power Corporation	Upgrade Streetlighting In Buchanan Road, Capel	9773.00
EFT10950	18/04/2012	Seek	Recruitment - Seek Ads	1848.00
EFT10951	18/04/2012	Thompson McRobert Edgeloe Pty Ltd	Amendments To Jules Road Drainage Drawings	1278.75
EFT10952	18/04/2012	Technology One	Upgrade Dataworks Records Management System To Ecm Version 3.08.04.008	962.50
EFT10953	18/04/2012	Laurel Tate	Reimburse For Purchase Of Specialist Boxes Tape & Holders - Archives Library	139.26
EFT10954	27/04/2012	A & L Printers	5000 Letterheads, 2200 Business Cards & 5,000 Rely Paid Envelopes	1899.00
EFT10955	27/04/2012	Amity Signs	50 Flexi Guide Posts & 50 Blue Guide Posts, Plus Various Signage.	4552.90
EFT10956	27/04/2012	Austral Mercantile Collections P/L	Warrant Costs - Outstanding Rates	3456.83
EFT10957	27/04/2012	All West Building Approvals Pty Ltd	Assisting With The Assessment Of Building Licence Applications	462.00
EFT10958	27/04/2012	Bunbury Taxis Co-Operative Ltd	Transport Wheelchair Clients – HACC	152.20
EFT10959	27/04/2012	Bunbury Mower Service	Replace Missing Blower	449.00
EFT10960	27/04/2012	Bunbury Tyrepower	Replace Rear Tyre On Grader CP1025	2081.00
EFT10961	27/04/2012	Shaun Breden	Assisting With The Assessment Of Building Licences And Planning Approvals	330.00
EFT10962	27/04/2012	Bunbury Windoor Repair Service	Repair Window Lock Shire Offices - Rates Officer Office	140.00
EFT10963	27/04/2012	Korong Vending (BCM Vending)	Vending Machine Supplies – HACC	796.00
EFT10964	27/04/2012	Capel Hardware & Farm Supplies	1x Pallet Rapidset Concrete & Various Hardware Supplies	2702.42
EFT10965	27/04/2012	Cleanaway	Clear Street & Park Bins	39504.36
EFT10966	27/04/2012	Custom Service Leasing Ltd	Fleet Fuel – HACC	2964.32

EFT10967	27/04/2012	Coastal Hire T/As GCS Security Scaffold	Hire Of Site Office & Toilet Waste Transfer Station	464.19
EFT10968	27/04/2012	The Constable Care Child Safety Project	Donation And Merchandise For Constable Care Tour Of Capel 2012	300.00
EFT10969	27/04/2012	Capelberry	Dinners For Monthly Council Meetings	712.50
EFT10970	27/04/2012	Shire Of Capel Social Club	Payroll Deductions	192.00
EFT10971	27/04/2012	Capel Soccer Club	Capel Soccer Club - Kidsport Vouchers	2695.00
EFT10972	27/04/2012	Country Smart Business Solutions	Spraying Liquid Fertiliser Capel Oval	440.00
EFT10973	27/04/2012	Cundall	Architectural Planning And Design For The Administration Building Refurbishment	2200.00
EFT10974	27/04/2012	Gelorup Community Management Committee	Printing Of Shire Snippets For Inserting Into Gazette October 2011- March 2012	2150.00
EFT10975	27/04/2012	Child Support Agency	Payroll Deductions	428.33
EFT10976	27/04/2012	Department Of Premier & Cabinet	Advertising Basis Of Rates	104.00
EFT10977	27/04/2012	Eaton Hardware	HACC Hardware Supplies	110.51
EFT10978	27/04/2012	Evans Family Superannuation Fund	Superannuation Contributions	409.06
EFT10979	27/04/2012	Golden West Plumbing & Drainage	Repairs As Required To BBQ At Ironstone Falls & Repairs To Taps In Toilets Capel Senior Citizens Centre	1613.15
EFT10980	27/04/2012	Hallmark Conferences	Public Sector Recruitment & Retention Conference 8-9 May 2012 - Manager Human Resources	880.00
EFT10981	27/04/2012	Henderson Photographics	Design Of Photo Of Council Members 2011 With Names/Titles	153.00
EFT10982	27/04/2012	Insight CCS Pty Ltd	Call Centre Charges	171.77
EFT10983	27/04/2012	Innovest Construction	Construction Of Dalyellup Sports Pavilion	4290.00
EFT10984	27/04/2012	Jetline Corporation P/L	Spurr Rd Pram Ramps (2)	11110.00
EFT10985	27/04/2012	Green Recycling	Domestic Kerbside Recycling	29768.61
EFT10986	27/04/2012	Denise Montague	Reimburse Cost Of Volunteer Working With Children Check	10.00
EFT10987	27/04/2012	Mainspray	Verge Spraying For Weeds	1861.04
EFT10988	27/04/2012	Motorpass	Fleet Fuel – BFB	433.13
EFT10989	27/04/2012	Purple Pig	Supply Hose Barb For Gelorup 2.4	10.69
EFT10990	27/04/2012	PJ & EV Page	Waxing & Buffing Of Boyanup Hall	70.00
EFT10991	27/04/2012	Redwave Media	Radio Advertising March 2012	851.40
EFT10992	27/04/2012	Regional Trailer Sales	Purchase Of Trailer – HACC	3787.50
EFT10993	27/04/2012	James Reilly	Reimburse Meal Costs Training Course 3 Days	79.95

EFT10994	27/04/2012	South West Tree Safe	Remove Tree From Fence At Rear Of 11 Ecclestone Ct Boyanup & Reduce Tree 17 Hurst Rd Boyanup	2310.00
EFT10995	27/04/2012	Capel Fresh IGA	Refreshments Skate Park Comp At Capelfest	12.21
EFT10996	27/04/2012	SOS Office Equipment	Final Meterbilling Lanier Colour	1073.07
EFT10997	27/04/2012	South West Coach Lines	Two Trips For April 2012. Perth Zoo & Adventure World - Inzone	1460.00
EFT10998	27/04/2012	Scope Business Imaging	Black Toner – HACC	179.30
EFT10999	27/04/2012	Transpacific Waste Management	Waste Bins At Tip	13147.00
EFT11000	27/04/2012	Traffic Force	Capel Dr Path Traffic Management Plan	1452.00
EFT11001	27/04/2012	It Vision	Payroll Essentials Training – HR/Payroll Officer	968.00
EFT11002	27/04/2012	Weathersafe WA	Canopy For Trailer – HACC	1355.00
EFT11003	23/04/2012	Caltex Australia	Fleet Fuel – Shire	3213.81
EFT11004	06/02/2012	Westnet Pty Ltd	Capel Shire & Library ADSL, Boyanup Library ADSL & Static IP Address	254.79
EFT11005	06/02/2012	Westnet Pty Ltd	Dalyellup Library & Static IP Address	74.94
EFT11006	05/03/2012	Westnet Pty Ltd	Dalyellup Library & Static IP Address	74.94
EFT11007	05/03/2012	Westnet Pty Ltd	Capel Shire & Library ADSL, Boyanup Library ADSL & Static IP Address	254.79
EFT11008	04/04/2012	Westnet Pty Ltd	Capel Shire & Library ADSL, Boyanup Library ADSL	254.79
EFT11009	04/04/2012	Westnet Pty Ltd	Dalyellup Library ADSL & Static IP Address	74.94
45612	02/04/2012	Australian Services Union	Payroll Deductions	43.20
45613	02/04/2012	The Australian Workers Union	Payroll Deductions	280.00
45614	02/04/2012	Shire Of Capel	Payroll Deductions	2476.00
45615	02/04/2012	Shire Of Donnybrook/Balingup	Payroll Deductions	130.00
45616	02/04/2012	LGRCEU	Payroll Deductions	34.80
45617	02/04/2012	WALGS Plan	Superannuation Contributions	65034.52
45618	04/04/2012	City Of Bunbury	Remove Graffiti Off Gazebo	599.50
45619	04/04/2012	Boyanup Building And Earthworks Contractors	Remove Tree And Debris And Repair Walk Trail Preston River Walk	3621.20
45620	04/04/2012	Bunbury Ten Pin Bowl & Family Fun Centre	Inzone April 2012 35 Participants	262.50
45621	04/04/2012	Grand Cinemas	Inzone April 2012 Based On 30 Participants	297.50
45622	04/04/2012	Lianne Mccorgray & Daniel Jenkins	49 Crystal Bend Dalyellup - Crossover	300.00
45623	04/04/2012	RJ & ME Pontifex	5 Bay Crescent Peppermint Grove - Crossover	300.00

45624	04/04/2012	Synergy	Electricity	2371.50
45625			Refer Agenda 18.04.12	
45626	11/04/2012	Boyanup Primary School P & C Association	Catering For Community Awards 2012	2750.00
45627	11/04/2012	Courier Australia International	Courier Costs - Health	16.91
45628	11/04/2012	Capel Newsagency	Milk Newspapers	79.73
45629	11/04/2012	Capel Medical Centre	Pre-Employment Medical - (General Hand Parks)	99.00
45630	11/04/2012	Department Of Transport	Vehicle Searches - Feb 12	54.00
45631	11/04/2012	William Roberts	Refund For Dog Sterilisation	28.50
45632	11/04/2012	Synergy	Electricity	414.40
45633	18/04/2012	Courier Australia International	Courier Fees - Health	139.34
45634	18/04/2012	Capel Newsagency	Newspaper Purchases – Library	48.45
45635	18/04/2012	Shire Of Capel	Petty Cash Shire	142.25
45636	18/04/2012	Sonya Miezis	Refund Kerb/Verge Deposit BL6918	300.00
45637	18/04/2012	3 Australia	Brigade Messaging Service	295.70
45638	18/04/2012	The Perth Mint	30 X 2012 Australian Citizenship \$1 Coins	162.80
45639	18/04/2012	K & E Royce	Rates Refund For Assessment A2809 97 Manea Drive Gelorup	51.67
45640	18/04/2012	Synergy	Electricity	2771.95
45641	18/04/2012	Telstra Corporation Ltd	Rent & Calls	2006.19
45642	18/04/2012	Wishing Well Clinic	Pre-Employment Medical	99.00
45643	19/04/2012	Australian Taxation Office	BAS March	107123.00
45644	27/04/2012	Australian Services Union	Payroll Deductions	43.20
45645	27/04/2012	The Australian Workers Union	Payroll Deductions	280.00
45646	27/04/2012	City Of Bunbury	Group Fitness Class And Aquatics Class For 24 Children From Dalyellup College	132.00
45647	27/04/2012	Courier Australia International	Courier Fees - Outdoor Display Cases & Information From FESA	204.81
45648	27/04/2012	Shire Of Capel	Payroll Deductions	2441.00
45649	27/04/2012	Cox DG & LM	Rates Refund For Assessment A1308 Lot 152 DOUNGUP ROAD STIRLING ESTATE 6271	201.18
45650	27/04/2012	Shire Of Donnybrook/Balingup	Payroll Deductions	130.00
45651	27/04/2012	Department Of Transport	12 Months Registration CP2090 Trailer Boyanup Bush Fire Brigade	66.85
45652	27/04/2012	Department Of Transport	Vehicle Searches - March 2012	33.00
45653	27/04/2012	Mr & Mrs D Evans	Rates Refund For Assessment A5661 16 Gilmore Street Dalyellup	50.27
45654	27/04/2012	MA Harkness	Rates Refund For Assessment A2995 97 Ryelands Dr Nth Boyanup	44.13

45655	27/04/2012	Homeswest	Rates Refund For Assessment A8141 Lot 1 Minninup Road Dalyellup	4181.43
45656	27/04/2012	Adriana Lewis	Refund Deceased Dog	6.00
45657	27/04/2012	LGRCEU	Payroll Deductions	38.80
45658	27/04/2012	Bruce Mcdonald	Rates Refund For Assessment A1658 279 Ramsay Road Stratham Lot 224 Hastie Road - Crossover	47.75
45659	27/04/2012	J.J & S Miller		900.00
45660	27/04/2012	RW Marshall	Rates Refund For Assessment A6987 1 Nornt Link Dalyellup 6230	117.02
45661	27/04/2012	Roberts BH	Rates Refund For Assessment A7309 157 Boyanup West Road Stratham 6237	179.35
45662	27/04/2012	Synergy	Electricity	29475.25
45663	27/04/2012	Telstra Corporation Ltd	Mobile Rent & Calls	1562.92
45664	27/04/2012	Water Corporation	Water Usage – HACC & 2 X Hydrant Repairs	2235.60
45665	27/04/2012	WALGS Plan	Superannuation Contributions	63505.06
				928,285.98

10.04.12	SHIRE OF CAPEL PAYROLL PAYMENTS	\$149,130.65
24.04.12	SHIRE OF CAPEL PAYROLL PAYMENTS	\$153,064.40

\$302,195.05

02.04.12	TRANSFER FROM MUNICIPAL ACCOUNT	\$1,020,000.00
11.04.12	TRANSFER TO MUNICIPAL ACCOUNT	\$550,000.00

\$1,570,000.00

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 16 May 2012 have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

P.F. Steady.

CHIEF EXECUTIVE OFFICER

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATIONS – 17.10
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That Council receives:

- 1 The Schedule of Accounts covering vouchers 129 to 131, EFT10788 to EFT10847, EFT10904 to EFT11009, 45612 to 45624, 45626 to 45665 totalling \$928,285.98 paid during the month of April 2012;**
- 2 Payroll payments for the month of April 2012, totalling \$302,195.05; and**
- 3 Transfers to and from investments as listed.**

17.11 Financial Statements for 30 April 2012

Location: Capel
Applicant: Shire of Capel
File Reference:
Disclosure of Interest: Nil
Date: 9.05.12
Author: Manager Finance, A Mattaboni
Senior Officer: Director Corporate Services , P Anastasakis
Attachments: Financial Statements for April 2012

MATTER FOR CONSIDERATION

Council to consider adopting the monthly financial statements for April 2012.

BACKGROUND / PROPOSAL**Background**

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

Proposal

The financial statements provided to Council satisfy the requirements.

STATUTORY ENVIRONMENT

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

Regulation 34 of the Local Government (Financial Management) Regulations 1996 states:

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

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

POLICY IMPLICATIONS

Policy 11.3 – Financial Reports.

FINANCIAL IMPLICATIONS

Budget

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

Long Term

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

Whole of Life

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

SUSTAINABILITY IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The Strategic Plan 2009 to 2020 includes the following strategy which has relevance:

- Economic strategy of reviewing financial management practices to ensure best practice.

CONSULTATION

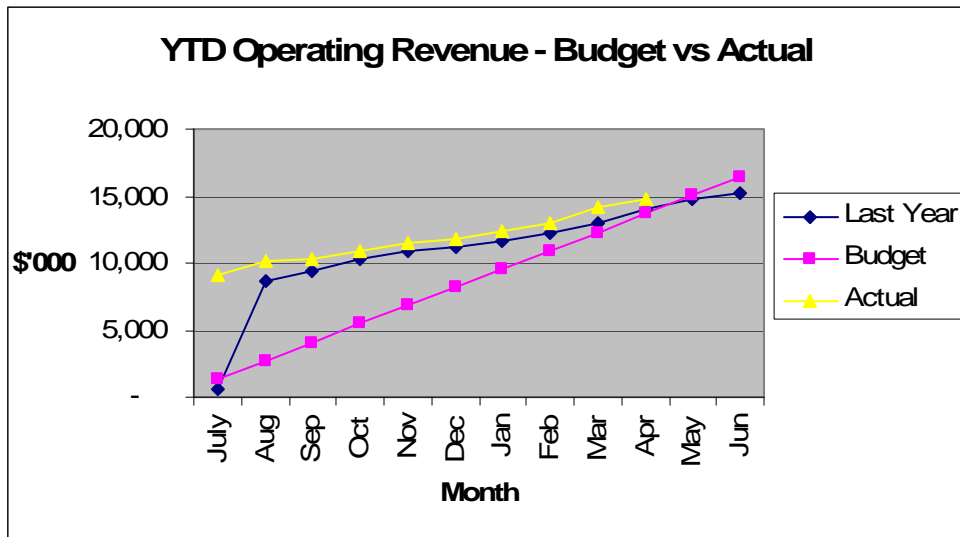
The monthly Financial Statement was developed with the assistance and input of staff who determined expenditure needs and revenue expectations for the remainder of the financial year based upon actual performance compared against budget.

COMMENT

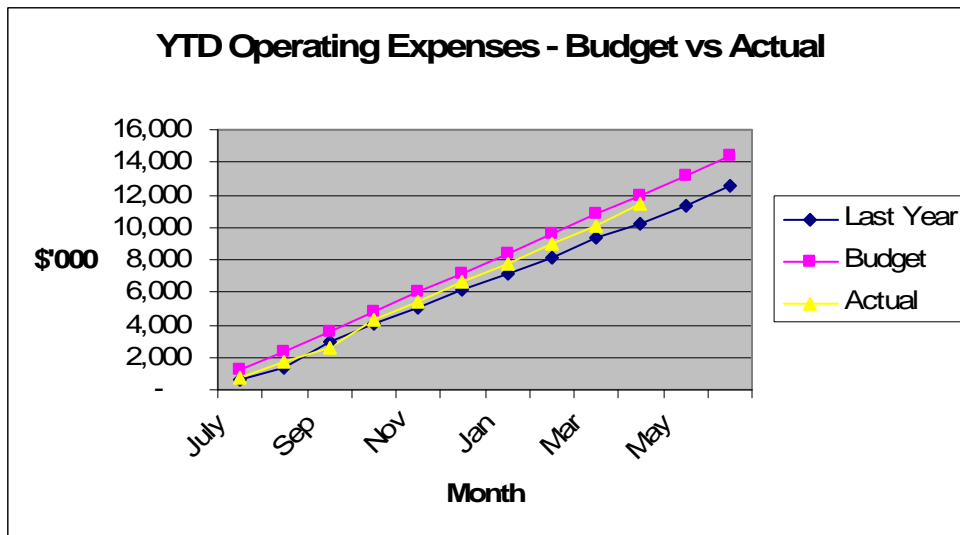
At 30 April 2012, Council's net current assets position was a surplus of \$1,602,387. This is a decrease of \$833,261 from the previous month.

Compared to the annual budget, 85% of Operating Revenue has been invoiced and 79% of the operating expenditure budget has been spent. On a year to date basis total operating revenue is above budget and total operating expenditure is just under budget.

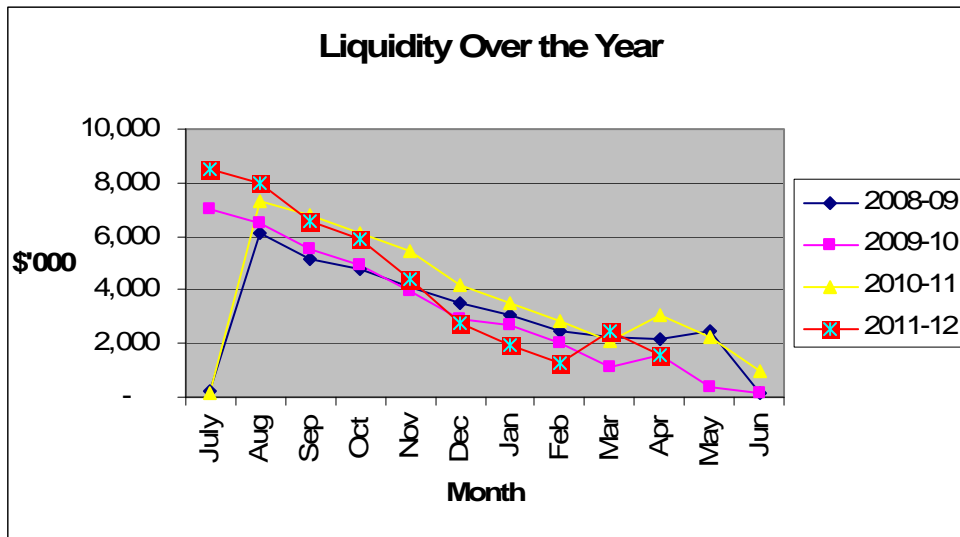
The following graphs compare actual operating revenue and operating expenditure against the approved budget on a year to date basis. Last year's actual is also included for comparative purposes. The year to date operating revenue is above budget and above last year's actual amount. The revenue graph excludes non-cash infrastructure revenue.



Year to date Operating Expenses are slightly below budget and above last year's actual amount. This month's revised end of year financial position is a deficit of \$72,361 which compares to the March position of a deficit of \$9,005. The financial results at an account level show no significant adverse variances.

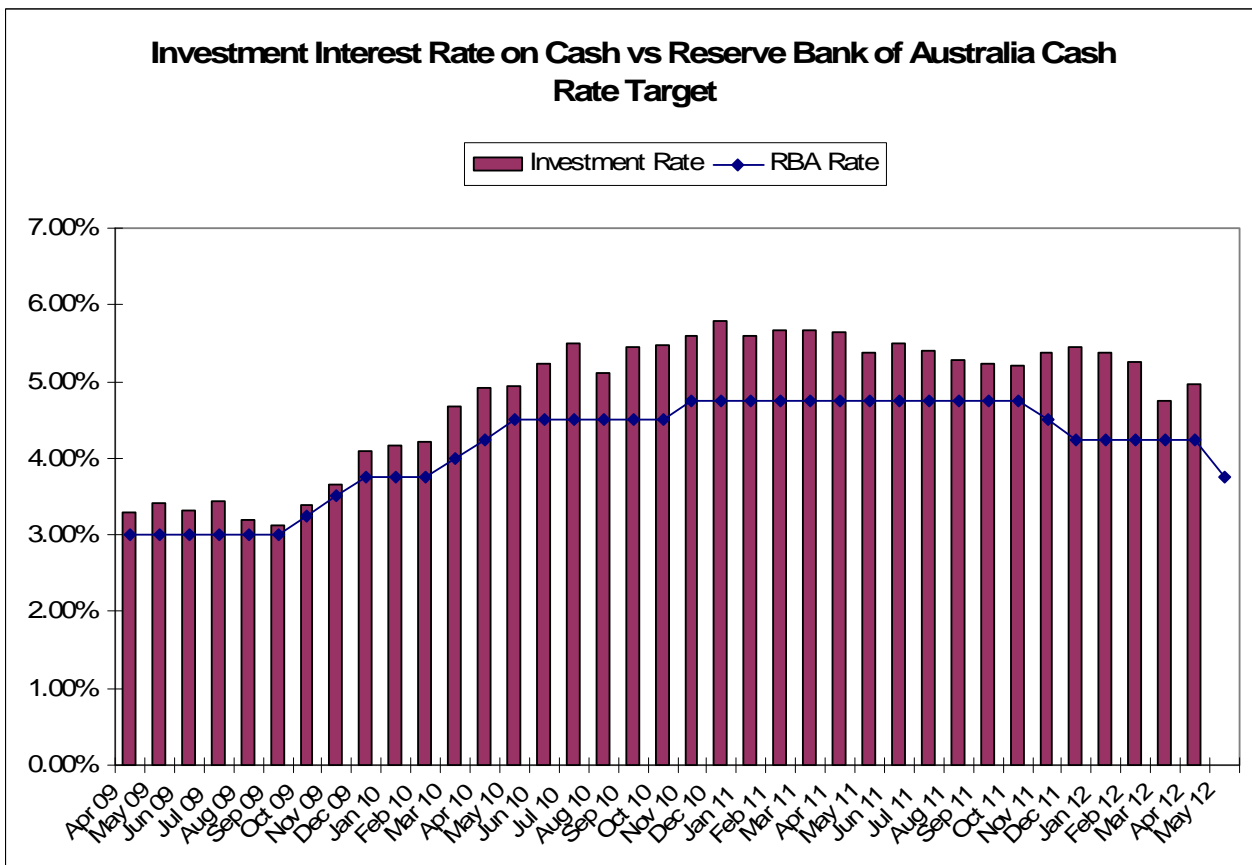


The liquidity graph compares the current year's net current assets position against that of the three previous years. After the peak that coincides with the levying of rates, the net current assets position steadily declines over the year. The following graph shows the July 2011-12 starting point at its peak as the raising of rates occurred in the month of July 2011. The fall in liquidity is then caused by expenditure on capital projects. Reserve transfers for capital purchases have yet to be completed. A detailed explanation of what makes up the Net Current Asset amount can be found at Note 23.



Council's cash and investments position has decreased by \$414,006 compared to last month, with \$11,640,928 available of which \$9,535,887 is restricted for specific purposes. Cash payments during the month were made for salaries, loans and goods & services tax. These payments were offset by cash income from Community Sporting & Recreation Facilities Fund grants, Home & Community Care grants and infrastructure contributions.

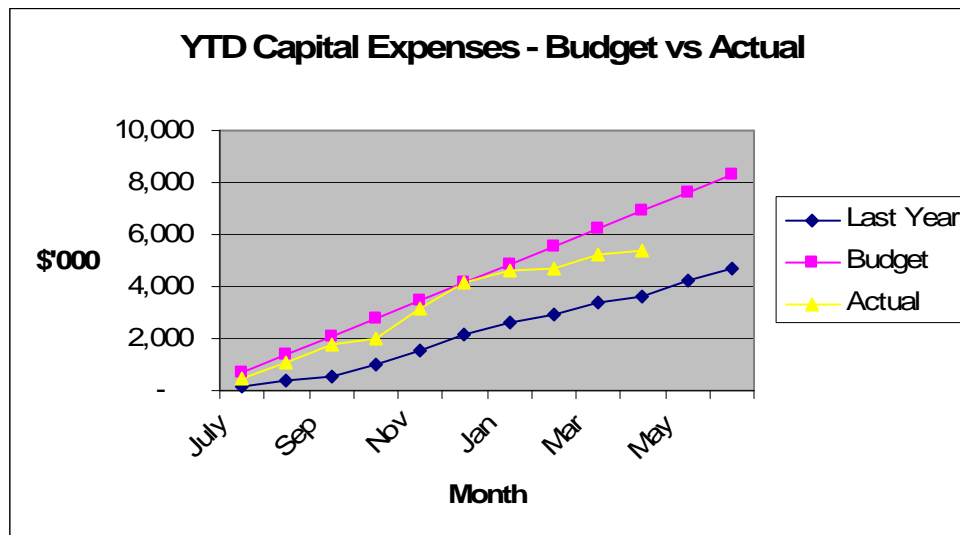
Total interest earned for the year to date of \$476,431 is under the year to date budget of \$497,963. The reason the account is below budget is end of financial year accruals for interest income on investments. The average investment rate of return of 4.97% exceeds the Reserve Bank's cash reference rate of 4.25%. On 2 May 2012 the Reserve Bank reduced their target cash rate by 0.50% to 3.75%. This rate reduction should see a fall in deposit investment rates offered by financial institutions. The following graph compares the Shire's interest rate earned on investments against the Reserve Bank's reference rate.



Capital works expenditure of \$177,547 was incurred during the month of which the major items were:

- \$22,519 on bitumen reseal;
- \$111 on asphalt reseal;
- \$101,739 on a carpark;
- \$2,085 for community information sign;
- \$7,149 for Dalyellup bus shelter;
- \$25,753 for dual use paths;
- \$7,550 for Disability Access and Inclusion plan works;
- \$250 for the Capel Townscape;
- \$382 for Administration Building gutters;
- \$2,000 for Administration Building plans;
- \$3,900 for Dalyellup Sports Pavilion and
- \$4,107 for HACC equipment.

The following graph compares actual capital expenditure against budget on a year to date basis. Last year's actual is included for comparative purposes. The year to date capital program is at 64% expenditure of the total budget and is below the year to date budget.



Council's financial ratios as disclosed in Note 14. The current ratio has decreased from 3.37 to 2.57 due to a reduction in current assets used to pay operating expenses. The untied cash to trade creditor's ratio has decreased from 1.58 to 1.19 for the same reason.

A review of the Statement of Financial Position and the attendant notes indicates there are no adverse trends evident in the year to date financial statements as at 30 April 2012.

VOTING REQUIREMENTS

Simple majority

OFFICER'S RECOMMENDATION – 17.1

That Council adopts the financial statements for the period ending 30 April 2012 as attached.

18 COMMUNITY SERVICES REPORTS**18.1 Contribution – Regional Australia Day Celebrations (City of Bunbury)**

Location:	Capel
Applicant:	City of Bunbury
File Reference:	
Disclosure of Interest:	Nil
Date:	17.04.12
Author:	Director Community Services, M Plume
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Nil

MATTER FOR CONSIDERATION

Council to consider providing a contribution to the City of Bunbury for the Australia Day celebrations.

BACKGROUND / PROPOSAL**Background**

As in previous years a letter has been received from the Chief Executive Officer of the City of Bunbury requesting financial support for regional Australia Day celebrations, which in the past has not been supported.

Council at Council's Ordinary meeting on 25 August 2010 resolved to:

Minute OC0821: That Council not approve a contribution of \$5,000 to the City of Bunbury's Australia Day Event for 2011 as the amount requested exceeds its 2010/11 budget allocation for discretionary donations.

Minute OC0822: That Council does not include a contribution for the City of Bunbury's Australia Day Event for 2012 in the 2011/12 draft budget.

The reason being that the Shire of Capel holds the Capel Fest every year as a significant event for the region but it is not a "regional event". Council would therefore not expect neighbouring shires to contribute financially to support Capel Fest even though visitors to that event come from all over the region, including those neighbouring shires.

Part of the contents of the letter from the City of Bunbury is as follows:

"Every year many local government authorities organise Australia Day activities for their Shire. As you may be aware for the past 23 years the City of Bunbury has organised a major regional Australia Day Celebration comprising a family concert, sideshow alley, market stalls, youth zone and fireworks display. This event regularly attracts more than 40,000 patrons from Bunbury and surrounding south west Shires.

In the past, in addition to grants and corporate sponsorship received, the City of Bunbury has been happy to subsidise the remaining cost of the event. In 2012 the Australia Day event cost \$120,000 to deliver with the City of Bunbury contributing 53% of this amount.

State government grants have always assisted the City to deliver this event, however Healthway funding is no longer available for Australia Day events and Lotterywest are now enforcing a limit of \$20,000 per organisation per financial year for community celebrations. Given that the City also offers a range of other community events, we are unable to apply for

this amount solely for the purpose of Australia Day. We are therefore facing a shortfall of approximately \$15,000”.

Proposal

The letter then goes on to request the following:

“I would like to invite each of the three neighbouring Shires whose residents support and enjoy the regional Australia Day Celebrations to consider contributing \$5,000 each to assist the City of Bunbury to continue to produce this popular event. In return the City of Bunbury would be happy to acknowledge your contribution by including your logo in all promotional material.....”.

STATUTORY ENVIRONMENT

Section 6.8 of the Local Government Act 1995 requires a local government not incur any expenditure that is not included within its annual budget.

POLICY IMPLICATIONS

There are no policy implications for this item.

FINANCIAL IMPLICATIONS

Budget

The amount of \$5,000 has been included in the draft 2012/13 budget.

Long Term

Given that the City of Bunbury has made the request for funding for this event for the last three years, it could be assumed that it is likely that this will remain an ongoing annual contribution with possible minimal increases to match rising costs.

Whole of Life

There are no whole of life implications.

SUSTAINABILITY IMPLICATIONS

The Australia Day event provides an opportunity for residents of Bunbury and surrounding areas and visitors to the area to celebrate this occasion. The event would provide economic benefits to some businesses within the City of Bunbury and would be likely to extend the stay of visitors to the region.

STRATEGIC IMPLICATIONS

The Strategic Plan 2009-2020 Strategy L8 within the Leadership Experience – participate in regional partnering arrangements with SW local governments has some relevance as does Strategy C1 within the Community Experience – promote and encourage festivals, events, arts and celebrate cultural diversity.

CONSULTATION

The three neighbouring Shires have been asked to contribute financially to this event.

COMMENT

To assist Council with their decision, the City of Bunbury provided some evidence of the estimated number of people attending the Australia Day event who are residents of the Shire

of Capel. The evaluation report prepared by Corporate and Regional Enterprise (CARE) Consulting estimated that of the approximate 30,000 attendance 14.9% or 4,470 people advised that their place of residence was Capel, Dalyellup or Gelorup. The same survey estimated that 13.8% or 4,140 people were from the Shire of Dardanup and 14.1% or 4,230 people were from the Shire of Harvey.

Although Council expressed their view that Capel Fest is a regional event although not recognised as one and as such they wouldn't approach neighbouring shires for financial contribution, it must be recognised that the Shire of Capel, although it contributes financially and with staff time, it does not host Capel Fest, nor does it play a major role in developing the festival or seeking funds.

It could be said that the Shire of Capel as an organisation does not celebrate Australia Day given that service clubs at the various locations take on this role.

The City of Bunbury quite rightly states that it does host the Australia Day Celebrations amongst a number of other events during the year.

In the spirit of regional cooperation and resource sharing it is recommended that the amount of \$5,000 remain in the 2012/13 draft budget and that an allowance of \$5,000 be considered as part of future budget deliberations on an annual basis.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATIONS – 18.1

That Council approves a contribution of \$5,000 to the City of Bunbury's Australia Day Event for 2013.

- 19 NEW BUSINESS OF AN URGENT NATURE**
- 20 PUBLIC QUESTION TIME**
- 21 MOTIONS WITHOUT NOTICE (ABSOLUTE MAJORITY BY COUNCIL)**
- 22 NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF THE COUNCIL**
- 23 ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS**
- 24 MEETING CLOSURE**