

# Shire *of* Capel

## MINUTES

ORDINARY COUNCIL MEETING  
Wednesday, 18 April 2012



*Experience the*  
Shire of Capel



Forrest Road, Capel  
PO Box 369, Capel

T 9727 0222  
F 9727 0223

[info@capel.wa.gov.au](mailto:info@capel.wa.gov.au)  
[www.capel.wa.gov.au](http://www.capel.wa.gov.au)



**SHIRE OF CAPEL**  
**ORDINARY COUNCIL MEETING – 18.04.12**  
**TABLE OF CONTENTS**

<b>RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....</b>	<b>3</b>
<b>PUBLIC QUESTION TIME .....</b>	<b>5</b>
<b>OC0401 APPLICATIONS FOR LEAVE OF ABSENCE .....</b>	<b>5</b>
<b>DECLARATIONS OF INTEREST .....</b>	<b>5</b>
<b>NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS .....</b>	<b>5</b>
<b>OC0402 CONFIRMATION OF MINUTES – 21.03.12 .....</b>	<b>5</b>
<b>ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION .....</b>	<b>5</b>
<b>PETITIONS/DEPUTATIONS/PRESENTATIONS .....</b>	<b>5</b>
<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>5</b>
<b>QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....</b>	<b>5</b>
<b>CHIEF EXECUTIVE OFFICER REPORTS.....</b>	<b>6</b>
OC0403 (13.1) Delegations – Annual Review .....	6
<b>HEALTH SERVICES REPORTS .....</b>	<b>12</b>
OC0404 (14.1) Health Services – Policy Updates .....	12
OC0405 (14.2) Energy Audits for Shire of Capel Community Buildings – Unbudgeted Expenditure.....	14
<b>PLANNING AND DEVELOPMENT SERVICES REPORTS .....</b>	<b>17</b>
OC0406 (15.1) Dalyellup District Centre Outline Development Plan Adoption .....	17
<b>TECHNICAL SERVICES REPORTS .....</b>	<b>27</b>
<b>CORPORATE SERVICES REPORTS.....</b>	<b>27</b>
OC0407 (17.1) 2012/13 Budget Requests – Councillors and Community .....	27
OC0408 (17.2) Fees and Charges for 2012/13 .....	30
OC0409 (17.3) Corporate Services – Council Facilities Hire and Usage Policy .....	35
OC0410 (17.4) Financial Statements for 31 March 2012.....	38
OC0411 (17.5) Accounts Due and Submitted for Authorisation.....	44
OC0412 (17.6) Accounts Paid During the Month of March 2012.....	49
<b>COMMUNITY SERVICES REPORTS .....</b>	<b>59</b>
<b>NEW BUSINESS OF AN URGENT NATURE .....</b>	<b>59</b>
<b>PUBLIC QUESTION TIME .....</b>	<b>59</b>
<b>MOTIONS WITHOUT NOTICE (ABSOLUTE MAJORITY BY COUNCIL) .....</b>	<b>59</b>

**NOTICES OF MOTION FOR CONSIDERATION AT THE NEXT ORDINARY MEETING OF THE COUNCIL ..... 59**

**ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS ..... 59**

**MEETING CLOSURE ..... 59**

## SHIRE OF CAPEL

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 18 APRIL 2012 COMMENCING AT 4.35PM.

PRESENT:	President	MT Scott
	Deputy President	GJ Norton
	Councillors	BW Bell
		SC Manley
		PK McCleery
		JA Scott
		BH Smith
	Chief Executive Officer	PF Sheedy
	Director Corporate Services	PJ Anastasakis
	Director Technical Services	WC Butler
	Director Planning & Development Services	CM Burwood
	Director Community Services	MI Plume
	Manager Health Services	CR Dent
	Strategic Planning Officer - Strategic	G Bishop
	Environmental Health Officer	C Webster
	Minute Secretary	AD Evans
LEAVE OF ABSENCE:		BW Hearne (OC0302)
APOLOGY:		KD Gibson

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

Mr Tim Houweling, Cornerstone Lawyers raised the following questions regarding the privately owned land at Forrest Beach at the Ordinary Council meeting on Wednesday 21 March 2012. The CEO, Mr Paul Sheedy has provided the following responses:

Mr Houweling: Clause 5 of the Schedule. Is Council prepared to adhere to its obligations in that regard?

CEO: I consider that Council is adhering to its obligations under the lease as the intention of leasing the carpark and portion of the beach was to allow the public, including vehicles access to that portion of the beach on private property, part of Lot 806.

Mr Houweling: With reference to the previous minutes of Council dated 18 January 2012, does the Council accept that the proposed determination the subject of late Item 17.9 on 21 March 2012 constitutes an amendment of the previous proposed determination?

CEO: The Officer's Recommendations on Page 16 of the Minutes of the Council meeting of 21 March 2012 is not an amendment to the previous proposed determination. Part 1 recommends that Council not proceed with the proposed Determination which is allowed under Clause 2.2(4)(b)(ii) of the Local Government Property Local Law.

Mr Houweling: If the Council accepts that the proposed determination the subject of late Item 17.9 is an amendment, does the Council further accept that it did not comply with the notice provisions as provided for in the Shire of Capel Local Laws?

CEO: As the proposed Determination the subject of item 17.9 is not an amendment, no response is required.

Mr Houweling: Does the Council accept that the fence constructed by the Forrest family on the beach is a dividing fence?

CEO: The fence constructed by the Forrest family on their southern property boundary is a dividing fence, however the section of constructed fence on unallocated Crown Land does not appear to be a dividing fence. The Dividing Fences Act in part defines a dividing fence to mean "a fence that separates the lands of different owners". The land between the high and low water marks that adjoins the Forrest family property and the reserve land to the south is all Crown land even though the reserve is vested in the Shire of Capel, it has the same landowner being the Crown.

Mr Houweling: Does the Council accept that a boundary fence is a permitted development under the Greater Bunbury Region Scheme and does therefore not require development approval pursuant to the provisions of that Scheme?

CEO: Council understands that the Department of Planning has written to the landowner (Forrests) advising that a planning approval under the Greater Bunbury Region Scheme is required to that part of the fence erected on Unallocated Crown Land.

Mr Houweling: Does the Council accept that the term "building" as defined by the R-Codes contained in State Planning Policy No. 3.1 expressly exclude dividing fences and therefore a building licence is not required?

CEO: State Planning Policy 3.1 Residential Design Codes only relates to areas of land zoned Residential and as the privately owned land and Unallocated Crown Land at Forrest Beach is zoned as Regional Open Space under the Greater Bunbury Region Scheme and the Shire of Capel Town Planning Scheme No. 7, State Planning Policy 3.1 is not relevant in this situation. Therefore the dividing fence is not expressly excluded.

Mr Houweling: Does the Council accept that that portion of the fence (if any) which extends beyond the boundary of the Forrest's property is outside the jurisdiction of the Shire?

CEO: Whilst that portion of the fence that extends beyond the boundary of the Forrest's property is not covered by the Shire of Capel Local Government Property Local Law as the Local Law does not apply to Unallocated Crown Land, however, Council's legal advice is that its Town Planning Scheme No. 7 provides that the Scheme Area comprises the whole of the land within the district of the Shire and the district extends to the low water mark. As the fence has been erected between the high water mark and the low water mark, it follows that the fence has been erected within the Scheme area and is subject to the provisions of the Scheme.

Mr Houweling: If the answer to the above question is yes, does the Council accept that it has no power to issue a notice or attempt to compel the Forrest family to take any action in respect of that portion of the fence which lies beyond the boundaries of their property (if any)?

CEO: As Council's legal advice is that it does have jurisdiction over the fence, it follows that it has the power to issue a notice and compel the Forrest family to take action in respect to that portion of the fence which lies beyond the boundaries of their property.

The above responses were forwarded to Mr Houweling on 30 March 2012.

**PUBLIC QUESTION TIME** Nil

**OC0401 APPLICATIONS FOR LEAVE OF ABSENCE**

**Moved Cr Smith, Seconded Cr McCleery**

**That Cr G Norton be granted Leave of Absence for the Council meeting on 16<sup>th</sup> May 2012.**

Carried 7/0

**VOTING REQUIREMENTS**

Simple majority

**DECLARATIONS OF INTEREST** Nil

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

**OC0402 CONFIRMATION OF MINUTES – 21.03.12**

**Moved Cr J Scott, Seconded Cr Norton**

**That the minutes of the Ordinary Council meeting held on 21 March 2012 be confirmed as printed.**

Carried 7/0

**VOTING REQUIREMENTS**

Simple majority

**ANNOUNCEMENTS BY PERSON PRESIDING WITHOUT DISCUSSION**

The President advised members that he and the Chief Executive Officer had met earlier today with Superintendent Lyle Cabbage of the WA Police regarding policing needs in Capel. Superintendent Cabbage had said that they were aware of the public meeting held in Capel last Monday evening, but they do not attend political meetings.

**PETITIONS/DEPUTATIONS/PRESENTATIONS**

Colin Dent, Manager Health Services and Carla Webster, Environmental Health Officer, provided Council with a presentation on the recent Mark Recapture Project which was run with the assistance of the Department of Health. Colin outlined the reasons the project was undertaken and Carla provided the details of how the mosquitoes were captured, marked with fluorescent dust, released and then recaptured at designated transect points.

The President thanked Mr Dent and Mrs Webster for their very interesting presentation.

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

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

## **CHIEF EXECUTIVE OFFICER REPORTS**

### **OC0403 (13.1) Delegations – Annual Review**

Location:	Capel
Applicant:	Shire of Capel
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	29.02.12
Author:	Chief Executive Officer, P Sheedy
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Delegations 109, 128, 131, 148, 149 and 150

### **MATTER FOR CONSIDERATION**

The review, reaffirming and amending of delegations to the Chief Executive Officer (CEO), Other Officers/Persons, and Committees, made under the Local Government Act 1995 and various other legislation.

### **BACKGROUND / PROPOSAL**

#### **Background**

Council conducted an extensive review of all policies and delegations in January 1999, and as required by the Local Government Act 1995, is required to conduct an annual review of delegations in each year. It is again necessary to review the delegations currently existing in accordance with Local Government Act requirements.

There are currently a total of fifty eight delegations in place with the breakup being:

1. Direct to the Chief Executive Officer, 41 delegations, 100–157 (some have previously been revoked), who in turn delegates a number to other Officers.
2. Direct to Other Officers, 16 delegations (200–216); and
3. Direct to Council Committees, 1 delegation (402).

Delegations 100–157 and 402 are made under the Local Government Act 1995, whilst Delegation 202 – Building Licences, is a delegation made direct to the Building Surveyor, under the Local Government (Miscellaneous Provisions) Act 1960. The remaining delegations (200-216) are made under the various other Acts indicated under the Statutory Environment heading.

Whilst Delegations 200-216 do not have to be reviewed each year they are included for the sake of consistency.

Delegation 104 (Creditors – Payment) is still the most widely used delegation, followed by the likes of Delegation 105 (Crossovers), Delegation 114 (Investments), Delegation 202 (Building Permits) and Delegation 146 (Waive or Grant Concessions) and Delegations 135–138 and 149 (local laws enforced by the Community Rangers).

Many of the others are only used occasionally and reflect the administrative procedural nature of some actions as against referring the matter to Council for a decision. Usage of the delegations varies considerably according to the nature of the delegation itself.

## **Proposal**

As indicated under the Statutory Implications an annual review of the Council delegations to the CEO other officers/persons and committees is required. A number of delegations require minor amendments, due to a change of staff and the proposed introduction of the new Building Act that will deal with private certification of building plans etc and there is also a recommended revoking of a delegation due to a similar one already existing.

Details of the suggested changes are outlined under the Comment section of this report.

## **STATUTORY ENVIRONMENT**

Section 5.46(2) of the Local Government Act 1995 provides that at least once in each financial year delegations are to be reviewed by the delegator (Council).

Section 5.18 of the Local Government Act provides that a local government is to keep a register of delegations and review the delegations once every financial year.

Town Planning Scheme No 7, Health Act, Strata Titles Act and Bush Fires Act 1954 are also applicable in relation to delegations 200 – 216.

## **POLICY IMPLICATIONS**

There are no direct implications on any current policies however a number of the delegations are linked to Council policies.

## **FINANCIAL IMPLICATIONS**

### **Budget**

The delegations allow for staff to authorise expenditure, raise income, write off monies and issue infringements in regards to various areas of operations. These decisions are accommodated within the current annual budget.

### **Long Term**

In the long term the annual budgets will include allocations in the operating expenditure to allow for these decisions to be made many of which are daily operational matters.

### **Whole of Life**

Other than the acceptance of tenders (delegation 131) no assets are being created and therefore no whole of life costs are being incurred.

In regards to assets created under acceptance of tenders operating expenditure allocations are made in the following years for new assets.

## **SUSTAINABILITY IMPLICATIONS**

A number of the delegations allow staff to make decisions based on possible environmental impacts both positive and negative, such as collection of native seed, timber disposal, notice to owners and local laws.

Delegations in relation to approving events on roads, waiving of fees, swimming pool inspections and enforcing local laws will have positive effects on the community.

Delegations allowing for the approval of accounts for payment, timber disposal, extractive industries, determination of mining tenements and exploration licences, without referral to

Council can have a positive economic benefit in that they provide faster approvals to businesses and improved cash flow.

### **STRATEGIC IMPLICATIONS**

Key Focus Area 1 'Leadership Experience' of the Strategic Plan 'Towards 2020 – A Vision for the Shire of Capel' is relevant to this item and Objective 1.3 'Ensure continuous improvement of the organisation' and strategy L5 'Establish and maintain best practice principles in decision-making and business processes' has a direction relationship to this item.

### **CONSULTATION**

No public consultation is required on this matter. Appropriate staff has been consulted as to the relevance and/or updating of the existing delegations.

### **COMMENT**

Of the forty one delegations to the CEO, twenty seven have been delegated to various employees, either completely or in part. Part of the review process for delegations also includes a requirement for the CEO to review delegations made by him. The following details the list of delegations currently authorised to the CEO, other Officers/Persons and Committees.

#### Delegations to the CEO

100	Approval of Signage Requiring a Licence under the Shire of Capel Local Laws Relating To Signs, Hoardings and Bill Posting
101	Buildings – Issue of Section 401 Notices
102	Bus Shelters – Location and Installation
103	Contract Variations
104	Creditors, Payment Of
105	Crossovers
106	Demolition Licences
107	Enforcement and Legal proceedings
108	Events on Roads
109	Fencing Repairs – Stock on Roads
110	Revoked in 2005
111	Impounding Goods – Authorised Employee
112	Revoked in 2007
113	Insurance Claims
114	Revoked in 2009
115	Revoked in 2009
116	Revoked in 2010
117	Rate Book
118	Road Closures
119	Revoked in 2000
120	Sale of Impounded/Seized/Confiscated Vehicles, Animals or Goods
121	Seed Collection
122	Revoked in 2009
123	Revoked in 2007
124	Revoked in 2009
125	Revoked in 2009
126	Revoked in 2007
127	Surplus Equipment, Materials, Tools, etc
128	Swimming Pool Inspections
129	Revoked in 2009
130	Temporary Road Closures
131	Tenders
132	Timber Disposal
133	Revoked in 2009

134	Works, Unlawful
135	Local Laws Relating To the Capel and Boyanup Public Cemeteries
136	Activities on Thoroughfares and Trading In Thoroughfares and Public Places Local Law
137	Local Laws Relating To Property
138	Parking and Parking Facilities Local Law
139	Extractive Industries Local Law
140	Applications for Mining Tenements and Exploration Licences
141	Revoked in 2005
142	Revoked in 2006
143	Revoked in 2003
144	Road Names
145	Withdrawal of Infringement Notices
146	Waive or Grant Concessions
147	Revoked in 2009
148	Notice Requiring Action by Owner of Land
149	Local Laws Relating To the Keeping and Welfare of Cats 2004
150	Appointment of Authorised Officers – Town Planning Scheme No. 7
151	Bush Fires Act Functions
152	Licence to Deposit Materials on or Excavate Adjacent to a Street
153	Certificates of Classification
154	Buildings, Removal of Neglected and Dilapidated
155	Building Licences, Special
156	Approval for Transport of Overwidth Grape Harvesters between Sunset and Sunrise
157	Health Authorised Officers

Delegations to other Officers – By Council for other Acts

200	Approval of Building Envelopes & Relocation of Building Envelopes
201	Approval Of Home Business Activities (not being Home Occupations)
202	Building Licences
203	Capel Light Industry Zone
204	Health Act – (Deputy)
205	Processing Applications for Planning Consent
206	Revoked in 2004
207	Responses on Appeals Against Subdivision Decisions Or Conditions
208	Strata Title Clearances
209	Subdivision Clearances
210	Minor Modifications
211	Variation of Prohibited and Restricted Burning Times
212	Subdivision Applications that comply with Adopted Subdivision Guide Plans
213	Residential Subdivision and Residential Amalgamation Applications (No Adopted Subdivision Guide Plan)
214	Rural Subdivision and Amalgamation Applications
215	Approval of Licences - Town Planning Scheme No 7 (Clause 8.11)
216	Building Approval Certificate for Unauthorised Building Work

Delegations to Committees

400	Revoked in 2004
401	Revoked in 2009
402	Powers and Duties of Audit Committee

As part of the review, all of the delegations have been examined to ensure that they are still relevant and the wording of each one is correct. As a result of this review it has been determined that consideration should be given to making the following changes.

With the full introduction of the Building Act 2011, several delegations will become redundant in that the head of power will shift from the Local Government (Miscellaneous Provisions) Act

1960 to the Building Act 2011. Section 127 of the Building Act 2011 enables local governments the ability to delegate any powers or duties to an employee. Unlike the current Local Government Act the new legislation does not give the Council the power to delegate to or authorise, the CEO and for the CEO to then sub-delegate or sub-authorise. The CEO can however establish management directions in relation to those delegations and authorisations.

Council at its meeting on the 21 March 2012(Minute OC0311) pursuant to section 127 of the Building Act 2011 delegated authority to a number of employees to undertake the powers of the local government indicated in the Building Act 2011. As a result the following existing delegations that were made under the Local Government (Miscellaneous Provision) Act 1960 need to be revoked.

1. Delegation 101 – Building – Issue of Section 401 Notices
2. Delegation 106 – Demolition Licences
3. Delegation 153 – Certificates of Classification
4. Delegation 155 – Building Licences, Special
5. Delegation 202 – Building Licences
6. Delegation 216 – Building Approval Certificate for Unauthorised Building Work

#### **Delegation 109 – Fencing Repairs - Stock on Roads**

The authorised persons under section two have been updated to reflect the recent changeover of staff.

#### **Delegation 128 – Swimming Pool Inspections**

The delegation has been amended to reflect the new authorised officers updated to reflect the current position. This are only included here for ease of reference as the delegation allows the CEO to appoint authorised officers.

#### **Delegation 131 – Tenders**

Under the Local Government (Functions and General) Regulations, clause 18(4) there is a requirement for a local government to undertake a written evaluation of tenders against the selection criteria in deciding which tender to accept. As the local government by definition is the 'Council' this would require the nine Councillors to be given copies of all tenders submitted so that each one could then undertake a written evaluation of each tender against the selection criteria to strictly comply with clause 18(4) of the Local government (Functions and General) Regulations. These evaluations would then have to be collated by staff to allow for an overall assessment/score to be determined fro each tender. This is an onerous process that I do not believe the legislators envisaged would have to happen when drafting the legislation.

Given the current process where this assessment is undertaken by staff and then included as part of the report to Council it is suggested that the delegation be amended to allow the CEO and other staff to undertake this process to reflect the current process.

#### **Delegation 134 – Works, Unlawful**

It is recommended that this delegation be revoked as it is already covered by Delegation 101 Buildings – Issue of Section 401 Notices that has similar wording.

**Delegation 148 – Notice Requiring Action by Owner of Land**

The authorised persons under section two have been updated to reflect the recent changeover of staff.

**Delegation 150 – Appointment of Authorised Officers – Town Planning Scheme No. 7**

The authorised officers updated to reflect the current position. This are only included here for ease of reference as the delegation allows the CEO to appoint authorised officers.

**VOTING REQUIREMENTS**

Absolute majority

<b>OC0403 OFFICER’S RECOMMENDATIONS – 13.1/COUNCIL DECISION</b>
---

**Moved Cr J Scott, Seconded Cr Bell**

**That Council:**

- 1. Reaffirms Delegations 100, 102-105, 107-109, 111, 113, 117, 118, 120, 121, 127, 128, 130-132, 134-140, 144-146, 148-152, 154, 156 and 157 to the Chief Executive Officer, with the amendments detailed above and in the attachments;**
- 2. Reaffirms Delegations 200-201, 203-205 and 207-215 to other Officers/ Persons, with the amendments detailed above and in the attachments;**
- 3. Reaffirms Delegation 402 to Committees pursuant to section 5.16 of the Local Government Act 1995; and**
- 4. Approves the Revoking of Delegation 101, 106, 153, 155, 202 & 216.**

Carried with an Absolute majority 7/0

**HEALTH SERVICES REPORTS**

---

**OC0404 (14.1) Health Services – Policy Updates**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 22.03.12  
Author: Manager Health Services, C Dent  
Senior Officer: Chief Executive Officer, P Sheedy  
Attachments: Policy 17.3 Shade & Sunsmart Policy

---

**MATTER FOR CONSIDERATION**

Council to consider adopting a new Policy related to Health Services regarding Shade and Sunsmart.

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

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

**Proposal**

The Policy is designed to provide guidance to Council to reduce community exposure to ultraviolet (UV) radiation through the provision of safe and attractive open spaces; this includes the provision of sustainable shade in appropriate locations.

**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**

There are no policy implications with this matter.

**FINANCIAL IMPLICATIONS****Budget**

There are no direct costs associated with this policy this financial year.

**Long Term**

Future expenditure requirements would be considered as part of the annual budget deliberations.

**Whole of Life**

As part of this policy will involve the erection and maintenance of shade sails there will be whole of life cost implications, these already exist within Council's activities.

**SUSTAINABILITY IMPLICATIONS**

This policy will have a direct social impact on the community.

**STRATEGIC IMPLICATIONS**

Strategy EN5 of the Shire of Capel Strategic Plan 2009 -2020 identify ways to improve, protect, and enhance human health has relevance to the provision of shade in public places.

**CONSULTATION**

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

**COMMENT**

The impetus for the Shade and Sunsmart Policy came from the Public Health Advocacy Institute of Western Australia's (PHAIWA) recent "Children's Environment & Health Local Government Report Card", where Capel won third place for "environments that are supportive of physical activity". The role of the Institute is to promote the health and wellbeing of whole populations through the use of advocacy strategies. It is acknowledged that health is determined by many factors including behavioural, biological and genetic factors and by a range of economic, environmental and social determinants.

Report cards have proven to be effective at evaluating program quality, promoting program improvement and informing and advocating for programs in many settings including schools, urban planning and health services. Health staff have used the report card as an evaluation tool to look at the Shire's corporate strategy, including the Shire's Risk Management Plan, to promote a positive change in areas that affect health.

One area that councils can have a positive influence on health determinants is through the provision of various policies that affect the impact that the built environment has on child and adolescent development. The provision of shade has been identified as an important component in the design and creation of safe and healthy communities.

Skin cancer is a serious public health issue but one that can largely be prevented. Skin cancer is usually caused by overexposure to ultraviolet (UV) radiation from the sun. Shade provides good protection from the sun and it can be easy for people to use. Most forms of shade can reduce UV exposure by up to 75%. When used in conjunction with other protection measures, such as sun-protective clothing, hats, sunglasses and sunscreen, shade can be the best route to maximum UV radiation protection.

There are 21 playgrounds in the Shire, in addition there are 4 playgrounds at Shire buildings, and they are the Capel playgroup, Gelorup playgroup, Boyanup playgroup and the Dalyellup playgroup. All the playgroup areas in the Shire buildings have sail shades over the play areas. The intent of the policy is to provide a framework for the future with the aim of submitting for financial approval each budget for the provision of sail shades at two playgrounds each financial year.

**VOTING REQUIREMENTS**

Simple majority

**OC0404 OFFICER'S RECOMMENDATIONS – 14.1/COUNCIL DECISION**

**Moved Cr Smith, Seconded Cr Bell**

**That Council adopts Policy 17.3 Shade & Sunsmart as detailed in the attachment.**

Carried 7/0

---

## **OC0405 (14.2) Energy Audits for Shire of Capel Community Buildings – Unbudgeted Expenditure**

---

Location: Capel  
 Applicant: Shire of Capel  
 File Reference: Nil  
 Disclosure of Interest: Nil  
 Date: 22.03.12  
 Author: Environmental Health Officer, C Webster  
 Senior Officer: Manager Health Services, C Dent  
 Attachments: Nil

---

### **MATTER FOR CONSIDERATION**

Request for change of purpose for a budgeted item from Photovoltaics for community centres to energy audits for Dalyellup Community Centre, Capel Community Centre, Gelorup Community Centre, Peppermint Grove Community Centre, Shire Administration Office and Boyanup Community Centre.

### **BACKGROUND / PROPOSAL**

#### **Background**

In March 2009 the Shire of Capel committed the equivalent of 1% of rates towards Climate Change Initiatives (OC0315,25/3/09). So far the money has been distributed towards many great initiatives including but not limited to:

- ✦ Photovoltaic – 5kw system on Capel Community Centre
- ✦ Photovoltaic – 10kw system on Dalyellup Community Centre
- ✦ Installation of a rainwater tank at Capel Community Centre
- ✦ Installation of waterless urinals
- ✦ Contribution to the Peron Naturaliste Partnership
- ✦ Home Energy Audit Kits.

It was intended this financial year to place a photovoltaic system on the Boyanup Jack and Mary Kitchen community centre.

#### **Proposal**

The purpose of the audits is to ascertain how much energy is being used for each building. The energy audits will then list recommendations for each building so that they become more energy efficient. In light of new funding initiatives, Community Energy Efficiency Program (CEEP), these audits will provide the information needed and identify what needs to be done to each one of these buildings to reduce its energy consumption. Once another round of funding is offered we will have the data available to best direct the grant application process. The recommendations from these audits will provide direction for the Sustainability and Climate Change Framework. It is envisioned that once these recommendations have been implemented, a photovoltaic system will still be installed on the Jack and Mary Kitchen Community Centre but it will have greater effect as all efforts have been made to reduce energy consumption.

### **STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 6.8(1):

**“6.8. Expenditure from municipal fund not included in annual budget**

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government;
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.”*

**POLICY IMPLICATIONS**

This report falls within the objectives of the Corporate Sustainability Policy 10.14.

**FINANCIAL IMPLICATIONS**

**Budget**

The funding for the audits will be taken from the photovoltaic for community centre line item, \$24,000. It is estimated each audit will cost \$3,000, coming to a total cost of \$18,000.

**Long Term**

The results of the audit will provide direction for future budgetary allocations from the Climate Change Reserve, 120220.

**Whole of Life**

Over time as these energy saving recommendations are put in place there will be reduced cost associated with energy usage for each one of these community centres.

**SUSTAINABILITY IMPLICATIONS**

The audits provide the opportunity to identify where energy consumption can be reduced thus in turn reducing our greenhouse gas emissions. This will also reduce costs increasing the financial sustainability of the Shire.

**STRATEGIC IMPLICATIONS**

Strategy EN4 of the Shire of Capel Strategic Plan 2009-2020 is to “Provide leadership in living sustainably” the audits are consistent with this strategy.

**CONSULTATION**

No consultation is required as the audits will identify the areas the Shire needs to address to reduce energy consumption in their buildings.

**COMMENT**

Following completion of the audits, the Shire of Capel will have a clear indication of what needs to be done to reduce the energy consumption for their community buildings. The recommendations can then be put in place over a set period of time and there would be a designated allocation in the budget for these works.

**VOTING REQUIREMENTS**

Absolute majority

**OC0405 OFFICER'S RECOMMENDATIONS – 14.2/COUNCIL DECISION**

**Moved Cr Manley, Seconded Cr Bell**

**That Council approves unbudgeted expenditure of \$18,000 from Account 120220 – Climate Change, with funding coming from the Photovoltaics for Community Centres allocation (\$24,000) which will not proceed.**

Carried with an Absolute majority 7/0

Mrs Webster left the meeting at 5.13pm and did not return.

## **PLANNING AND DEVELOPMENT SERVICES REPORTS**

### **OC0406 (15.1) Dalyellup District Centre Outline Development Plan Adoption**

Location:	Dalyellup
Applicant:	TME
Owner:	Dalyellup Beach Pty Ltd
File Reference:	C5.86.1v3
Disclosure of Interest:	Nil
Date:	29.03.12
Author:	Senior Planning Officer - Strategic, G Bishop
Senior Officer:	Director Planning and Development Services, C Burwood
Attachments:	1 Schedule of Modifications 2 Dalyellup Town Centre Concept Plan 3 Hardware Store Concept Plan 4 Schedule of Submissions

### **MATTER FOR CONSIDERATION**

The adoption, pursuant to clause 5.10.7 of Town Planning Scheme No. 7 of the Dalyellup District Centre Outline Development Plan with modifications.

### **BACKGROUND / PROPOSAL**

#### **Background**

Minute No. OC0714 of 2011 refers. Council resolved to:

- 1 Advise the applicants that it is prepared to positively consider adopting the ODP after receipt of advice from them as to the method by which the construction of Parade Road through the RDA land will be achieved and funded and that subject to consideration of that Council will require provisions to be added to Part 1 of the ODP to require among other things:
  - a) The preparation and adoption of a project programme for the construction of Parade Road including the action to acquire or to offset the loss of land by the Riding for the Disabled South West Branch and for it to be set out in a legally binding document prior to subdivision of a second stage lot and commencement of any second stage of development within any of the precincts of the ODP area.
  - b) The contribution to the Shire of the 1 ha community purpose site in a fully serviced condition within 12 months of the Shire giving notice that it is required in order to provide services to the community of Dalyellup.
  - c) That prior to the commencement of the first stage of development the owner or various owners of the land within the ODP area shall submit for approval by the Shire of Capel a staging plan to show how the land will be serviced, the road network will be constructed, areas of public open space/drainage will be constructed, the undeveloped portions of the ODP area will be stabilisation and landscaped during interim stages and the intent of the Centre Plan general and precinct specific provisions will be achieved. The staging plan should include the timing for the full servicing and hand over of a 1 ha community purposes site, timing of any obligations related to implementing the Parade Road/RDA land exchange and funding of the road construction and the wetland management plan and the method of binding the various owners of stages to meet obligations arising from the staging plan.

- d) That after the first stage of development is completed and prior to each subsequent stage of development an update of the Traffic and Transport report appended to the ODP report is to be provided.
  - e) The addition of sections to the ODP text to further address the subject of sustainability by adding the following:
    - i) In section 1.2.10 a requirement that prior to the submission of a development application for stage 1 the land owner or owners within the ODP shall submit for approval by the Shire a Sustainability Outcomes and Implementation Plan which among other things addresses the objectives set out in section 1.3.2.5.
    - ii) A new section 1.2.11 to require that upon completion of each stage of development submit an audit of sustainability outcomes for review by the Shire.
    - iii) In section 1.3.2.5 Sustainability an objective to meet the requirements of the WAPC guidelines for Better Urban Water Management through the preparation and implementation of relevant levels of water management strategy for the subdivision and development of the land and in particular to comply with the Dalyellup East Water Management Plan.
    - iv) In section 1.3.2.4(a) the words "and minimise the use of offsite water supplies".
    - v) In section 1.3.3 a new point to read "p) Building and site development features, equipment and infrastructure to be used to meet the objectives of a sustainability strategy."
    - vi) A new section 1.3.4 g) "Provision shall be made for convenient and effective use of a range of transport modes including pedestrians, cyclists and public transport."
    - vii) A new section to Part Two of the ODP to provide explanations as to how sustainability has been considered in the preparation of the ODP and how it will be addressed during detailed design and development in order to ensure that the concept of sustainability is continuously addressed throughout the life of the project.
  - f) A new point in section 1.3.2.6 Community to read "(g) to have regard to the WAPC Designing Out Crime Guidelines and provide for adequate community security through the preparation of a community security plan for the Centre."
  - g) A reference to "providing a covered pickup and drop-off area for disabled persons" to the development standards in section 1.4.5 of the Precinct A-Retail Core.
  - h) A new section after section 1.2.8 to read "Where a detailed area plan is prepared for a precinct or a development application is submitted in the absence of an operative detailed area plan, in addition to the provisions set out in sections 1.3 to 1.8, consideration shall be given to the principles conveyed pictorially on the District Centre Concept Plan, the Main Street Concept Plan and the explanations of the plans and precincts contained in section 2.9 and 2.10 of this ODP document."
- 2 Advise the WAPC of Council's preparedness to adopt the Dalyellup District Centre ODP and request it to advise what requirements if any it may have for its endorsement of ODP.
  - 3 Adopt as a draft the comments/recommendations in the third column of the Schedule of Summarised Submissions subject to final consideration of the adoption of the ODP."

Minute No. OC0802 of 2011 refers. Council resolved to seek final approval from the Minister for Planning to Amendment No. 49 to Town Planning Scheme No. 7 to increase the permitted retail floorspace area of the District Centre from 15,000m<sup>2</sup> to 20,000m<sup>2</sup>. The Department of Planning has not as yet submitted the amendment to the Minister for his approval.

### **Proposal**

The applicant's submission is now as follows:

*"I refer to your letter of 29 July 2011 advising that the Council considered the Draft Dalyellup District Centre Outline Development Plan (ODP) at its meeting on 27 July 2011 and that it would be prepared to positively consider adopting the ODP after receipt of advice as to how the construction of Parade Road through the Riding for the Disabled (RDA) land will be achieved and funded, and subject to various modifications to Parts 1 and 2 of the ODP mainly relating to the staging of subdivision and development, the inclusion of sustainability measures, and other detailed matters which are set out in the letter.*

*We understand the Council subsequently advised the WAPC of its preparedness to adopt the ODP and requested advice as to the requirements of the WAPC for its endorsement of the ODP. The Department of Planning, South West Office, has since responded requesting four minor modifications to the ODP subject to final endorsement by the WAPC.*

*The Satterley Property Group (SPG) on behalf of Dalyellup Beach Pty Ltd (DBPL) is now seeking Council's adoption of the ODP. A Schedule of Modifications is attached for consideration by the Council.*

*Since the Council's consideration of the ODP, the following has occurred:-*

- *DBPL has resolved to sell the commercial component of the District Centre and has invited expressions of interest from prospective purchasers. This process revealed a clear interest and desire from prospective retail developers to invest in Dalyellup. However, given current financial and market uncertainties, potential purchasers are reluctant to commit to acquisition of the total land area within the retail and business precinct as a single lot but are keen to proceed with acquisition of a portion of the land. There is also a need to secure early completion of any sales transaction to ensure early development of shopping facilities in the centre. As a result, we have lodged an application to amalgamate and resubdivide the current Lots 4550 and Part Lot 9018 to create two lots and a balance of title with the WAPC. We are seeking the Shire's support to the subdivision with conditions to be satisfied by bank guarantees to secure titles in the limited time available.*
- *The expressions of interest process also revealed evidence of a strong demand for a hardware store which had not previously been anticipated. In response to this demand, we are proposing to modify the draft ODP to include provision for a hardware/bulky goods store on the portion of the business precinct east of the neighbourhood collector in place of the multi-unit showroom development previously proposed (revised context plan attached). The originally proposed local access street to service the showroom units is no longer necessary and is proposed to be included within the hardware/bulky goods site. SKM has undertaken a traffic assessment which has confirmed that the introduction of the hardware/bulky goods store in this location will not have any adverse traffic impacts and parking requirements can be accommodated (attached). A hardware/bulky goods store is consistent with the term "showroom" under TPS7. Modifications to the ODP centre plan, concept plan, statutory provisions and explanatory report are proposed to accommodate the proposed hardware/bulky goods store. The modifications are not considered to be significant in so far as they do not propose any change to a use not contemplated by the TPS7 definitions and the high quality urban design outcomes envisaged by the draft ODP previously considered by Council and advertised to the community can still be achieved.*
- *The specific modifications required by the Council in its resolution of 27 July 2011 have been made to the ODP with some further refinement as set out in the attached schedule. These modifications relate to:-*
  - *the requirement for a sustainability outcomes and implementation plan and more specific sustainability measures;*
  - *the requirement for a community security plan for the centre;*

- *provision of a covered pick up and drop off point for disabled persons close to the shops;*
- *reference to the principles conveyed pictorially in the district centre concept plan, Main Street concept plan and the explanatory report in the consideration of detailed area plans and development applications.*
- *The Department of Planning (South-West Office) requested four (4) modifications to the ODP which have been included in the Schedule of Modifications. These relate to:-*
  - *correcting a drafting error in respect of the notation for the Civic Square;*
  - *confirming that the Main Street will be a public road by notation on the centre plan;*
  - *including reference to provision of end of trip bicycle facilities in the general centre objectives;*
  - *including reference to the Dalyellup East Residential Estate – Road Traffic Noise Assessment (May 2011) in the design of residential buildings near Bussell Highway which may be affected by traffic noise.*
- *The Department of Planning also sought an expansion and updating of the Urbis Economic Report, November 2010 (Appendix 1 to the ODP) to confirm that the increase in retail floor space from 15,000m<sup>2</sup> ( TPS6) to 20,000m<sup>2</sup> will not have any adverse impact on other centres in the Greater Bunbury Region having regard to the Draft Greater Bunbury Activity Centres Policy. The Urbis report is to be updated (March 2012) and is proposed to be incorporated in Appendix 1 in place of the November 2010 report.*

*The Dalyellup East Local Structure Plan shows the RDA site bisected by the future southern leg of Parade Road connecting to Bussell Highway and the future Bunbury Outer Bypass. The Council sought advice on the method by which the construction of Parade Road through the RDA land will be achieved and funded. The Council further required a programme for the construction of the road set out in a legally binding document prior to any second stage subdivision or development.*

*The RDA objects to the construction of Parade Road because it will fragment their ownership and disrupt their activities. The RDA's preference is to consolidate their landholding west of the Parade Road extension. A land exchange proposal has been submitted to Topshore Enterprises, adjoining landowners, which aims to satisfy the requirement for the construction of Parade Road whilst consolidating RDA's landholding west of the road. The proposed land exchange would result in a marginal increase in the Topshore landholding but would also deliver additional benefits through the potential redesign of the structure plan proposals for its landholding and reduction of road construction, servicing and landscaping costs.*

*The initial response from Topshore Enterprises is that, in their view, the land to be transferred to Topshore is of lesser value than that proposed to be ceded to the RDA and Topshore would only be agreeable to the proposed land exchange if the DBPL accept unreasonable and onerous costs associated with subdivision and development works which would otherwise have been undertaken by Topshore. An amended proposal has been submitted to Topshore which it is hoped will secure agreement. At this stage it has not been possible to approach the RDA with a formal proposal although the proposal now being pursued does address the concerns previously conveyed to us by the RDA so we do expect that they will be comfortable with the outcome. Unfortunately the matter is taking some time to resolve because the owner of Topshore is located in Wales and is not always able to respond quickly to proposals.*

*Consistent with the provision of TPS7, we acknowledge that DBPL is responsible for the costs associated with the acquisition and construction of Parade Road through the RDA land and we will, therefore, pursue the alternative land exchange proposal towards a satisfactory conclusion*

*to the extent that we can. Whilst we have not yet been able to secure a final agreement with Topshore, we assure the Council that negotiations are progressing in good faith and should be resolved prior to any second stage subdivision or development.*

*In conclusion we request that Council adopt the ODP subject to the modifications set out on the attached Schedule and forward the ODP to the WAPC for its endorsement."*

## **STATUTORY ENVIRONMENT**

The subject land is included in the Urban Development Zone of Town Planning Scheme No. 7. The Zone and related Development Precinct set out the requirements for the preparation and implementation of Outline Development Plans (in this case called the Dalyellup District Centre Outline Development Plan) as a prerequisite to subdivision and development. The zone also sets out the process for undertaking a major and minor modification to an adopted Outline Development Plan.

Development Precinct 1 – Dalyellup East in Appendix 16 of the Scheme sets out a range of obligations to be met by subdividers first in the preparation of a structure plan for the Dalyellup East precinct and subsequently in any subdivision and development activity. The adopted Dalyellup East Local Structure Plan reinforces the requirements of the Development Precinct through a series of Land Use and Implementation Notes recorded on the plan and explained in the associated report.

Provision 2(c) of Development Precinct 1 requires that a separate Outline Development Plan (ODP) shall be prepared for land identified as the District Centre on the adopted Dalyellup East Local Structure Plan (DELSP). The process of assessing an ODP provides for advertising for public comment. Council considered the public submissions received at its meeting held on 27 July 2011 as noted under the background section of this report.

The adoption of an ODP for the District Centre is intended to provide for further levels of detailed statutory planning provisions that will both facilitated and control development of the land. An important aspect of these further levels of detail are a number of plans and strategies intended to see that it meets modern expectations to be an activity centre that does more than provide shopping opportunities. They include a Place Management Plan, Landscape Strategy, Sustainability Outcomes and Implementation Plan, Signage Strategy, Water Management Strategy at subdivision and development scales, Community Security Plan. Other detailed management plans such as parking management and maintenance may also be required.

Given that Dalyellup Beach Pty Ltd is seeking to subdivide and dispose of the commercial components of the District Centre it is important to approach the finalisation of the statutory provisions with the understanding that the ultimate applicant for development is unknown. Before any actual application for development is received the land will be subdivided to allow one or more new owners to acquire the land. It should also be understood that given the likely value of development the statutory process development assessment will dictate that individual Development Applications will be determined by a Development Assessment Panel and not Council.

The statutory provisions of the ODP are now proposed to be modified as set out in the Schedule of Modifications included in the separate attachments to this report. The proposed modifications reflect the current understanding of the uncertainty over the format for a subdivision of the commercial area, the ownership and timing of stages of development and the allocation of responsibilities for the preparation of plans and strategies intended to facilitate a coordinated development. The modifications clearly state that the subdivider, being Dalyellup Beach Pty Ltd, will now be responsible for the preparation of a staging strategy for approval by the Shire that includes the nomination of relevant parties and timing for the preparation of the abovementioned plans and strategies.

**POLICY IMPLICATIONS**

There are no policy implications relevant to this matter.

**FINANCIAL IMPLICATIONS**

The future subdivision and development of the District Centre will have significant long term financial implications for the Shire both in regard to revenue and expenditure. Such implications cannot be quantified at this time but during the course of future assessments of detailed aspects of the development of the centre there will be a need to identify likely costs associated with maintenance and management which could be considered to be above the normal level associated with rate income expenditure and to consider the use of a specified area rate. This could be addressed through a "Place Management Plan" which is an instrument used to plan for a range of management actions that could be required to coordinate the integrated use and promotion of the centre and to represent both the community and commercial interests that will be part of its long term success.

The current approach of Dalyellup Beach Pty Ltd is to dispose of the commercial component of the District Centre land to a commercial specialist developer/s which will undertake the long term development and management of that aspect of the District Centre ODP area. At the commencement of the planning process and up until June last year it had been understood that the project managers Satterley Property Group intended to be part of the long term commercial development by participating in a new joint venture that was to be set up to acquire the District Centre commercial land from Dalyellup Beach Pty Ltd. It had been assumed therefore that the commitments in regard to design, staging and management of the Centre given during the planning process by Satterley Property Group would, at least in part, be overseen by them as party to the new joint venture developing the centre. As this will no longer be the case it is necessary to reconsider who will prepare key detailed plans and strategies such as a place management plan. The intention of proposed modifications to the ODP is to require the subdivider (Dalyellup Beach Pty Ltd) to specify as part of an overall staging strategy to set out the proposed timing and responsibility for the preparation of the required plans and strategies. It is also clear that the preparation and implementation of such plans will be a learning process for all concerned.

The intention to dispose of the centre land in a number of parcels means that there is likely to be a number of different owners which individually will not have either the capacity or interest to prepare and implement a place management plan. The fact that there could ultimately be multiple owners means that the coordination of their development actions and the long term management of uses are even more important to establish and maintain the success of the whole District Centre as an activity centre that serves the community and delivers commercial success. It is likely that the Shire will have to actively participate in the process of preparing and implementing a place management plan and other strategies for the Centre and that will likely have financial implications for staffing resources and service delivery.

**SUSTAINABILITY IMPLICATIONS**

The degree to which the ODP will deliver on sustainability cannot be measured at this time because the proposal is simply to establish the planning framework which will require detailed design of subdivision and development, and subsequent management. Subsequent levels of detailed planning and design will show how recognised qualities of sustainable urban design such as planning for pedestrians and cyclists, energy efficient buildings, water sensitive engineering design and affordable housing are to be provided. Other plans or strategies that will evolve during the development of the centre such as the place management plan will provide opportunities to consider financial sustainability and promotion of community activity.

The draft ODP does provide a clear lead to responding to key elements of sustainability through:-

- Providing for the clustering of shopping, local business and community uses in an activity centre and thereby reducing demand for movement;
- Requiring a centre design which maximises pedestrian flows along streets and provides easy access to the centre by public transport and for cyclists and pedestrians thereby reducing car dependency;
- Providing for higher density housing close to the district centre for ease of access by non-motorised transport modes;
- Including provisions which contribute towards the conservation of resources, in particular lot orientation and building design to promote energy efficiency, and reduce consumption of water by waterwise landscaping, water sensitive urban design and water-efficient development.

Modifications referring to sustainability required by Council's decision of 27 July 2011 have been incorporated into the ODP document.

### **STRATEGIC IMPLICATIONS**

#### Greater Bunbury Region Scheme

The Region Scheme zones the subject land 'Urban' in recognition of the role of Dalyellup East as part of the urban development of land of the Greater Bunbury urban area.

#### Interim Greater Bunbury Commercial Centres Strategy (April 2007) and Draft Activity Centres for Greater Bunbury Policy

This Interim Strategy states the WAPC expectations for shopping development within the Greater Bunbury area until a more formal position is adopted. The strategy provides guidance on the size (floor space) of shopping development to ensure the balanced provision of shopping facilities to serve the needs of Greater Bunbury.

The Interim Strategy identifies Dalyellup as a "Major District Centre" with a maximum shopping floor space of 20,000m<sup>2</sup> net lettable area. The strategy also outlines the circumstances where planning approval is required by the WAPC.

It states that:

"The local government will normally determine developments that do not result in the shopping floor space guide figures being exceeded and where the proposed development is consistent with a local planning strategy or centre plan endorsed by the Commission".

The strategy derives from the Bunbury Wellington Regional Plan and Greater Bunbury Structure Plan which designate the City of Bunbury as the regional centre with unlimited commercial floor space, regional facilities and a cultural hub. This regional centre is to be complemented by two district centres, situated at Dalyellup and East Australind. Each district centre will include approximately 20,000m<sup>2</sup> of retail floor space, providing all the functions of a town centre. This District Centre ODP will provide the potential for the ultimate capacity consistent with this floor area allocation.

The Draft Activity Centres Policy creates a more flexible planning framework for decision making about commercial development but has not been finalised as yet.

It reflects the policy for activity centres in the Perth metropolitan area where a new approach to the development of commercial centres has been adopted. It is based on the promotion of centres to include a range of facilities and services, linked to public transport networks and having regard to the impact on the overall viability of other established centres.

### Shire of Capel Land Use Strategy

The Land Use Strategy includes the Dalyellup locality within Planning Unit BU6. The objective for the Unit is to provide for urban expansion whilst conserving significant areas of natural environmental value.

### Shire of Capel Strategic Plan 2009-2020

The development of the Dalyellup District Centre when combined with existing residential development at Dalyellup has the potential to have a major impact on the strategic position of the Shire in terms of its service delivery to the community and future economic activity. The District Centre ODP will require further detailed design and planning which will ultimately facilitate the development of the land. Both the development phase and the ongoing operation of the District Centre will provide opportunities for the implementation of objectives and strategies from all five Key Focus Areas of the Strategic Plan.

### **CONSULTATION**

The draft Outline Development Plan was advertised for 35 days during which time all households in Dalyellup and Gelorup were given a brochure explaining the proposal, a notice was placed in the *South West Times* and all community newsletters and a public open day was held. The full document was made available at the Dalyellup Library and the Shire Administration Office and it was posted on the Shire website. Twelve relevant government agencies were also invited to comment.

Five submissions were received from members of the public and six from government agencies. Comments from the open day were also recorded by the applicants. All submissions were summarised and set out in the Schedule of Summarised Submissions included as an attachment to the report presented to Council at its meeting on 27 July 2011. At that meeting Council adopted as a draft the comments/recommendations in the third column of the Schedule of Summarised Submissions subject to final consideration of the adoption of the ODP. Council will need to finally adopt the comments/recommendations in the third column schedule as shown in the separate attachments to this report to forward it to the WAPC when seeking final endorsement of the ODP.

### **COMMENT**

The process of the sale of the District Centre commercial land as it has evolved has highlighted the need to ensure that the ODP clearly enunciates key principles that will be applied to the detailed design of development by more than one developer. Whilst Council and the community has been presented with "concept" plans to convey what could be developed it is likely that new owners will bring with them their particular views and expectations for the development which will be framed by how they conduct their business. In the light of this situation the ODP document has been reviewed to confirm that statements of principles and objectives set out in it are robust enough to maintain the vision conveyed by the concept plans yet flexible enough to accommodate reasonable change. This process of review lead to some of the modifications set out in the Schedule of Modifications included in the separate attachments to this report. One particular new statement of principle designed to ensure that the immediate needs of the community are met requires that the first stage of the development of the centre plan area is to include provision of a supermarket and construction of the Main Street.

An overall Dalyellup Town Centre Concept Plan is included with the separate attachments to this report which shows the modifications to the centre layout referred to in the applicant's submission designed to accommodate a major hardware store. A hardware store concept plan is also included to show the proposal in more detail. The modifications to the Centre plan are not significant in terms of additional floor space but the resultant building will obviously be one large structure as compared to a number of smaller showroom/warehouse buildings shown on the original concept plan. Particular attention to the detailed design of the building and

surrounding landscape treatment will be required to minimise its visual dominance. It is proposed that the objectives for the Precinct B – Business within which the site sits will be modified to highlight the importance of the streetscape of Norton Promenade given its function as a main entrance to the Dalyellup Estate.

Some other matters that require further comment includes the situation of the Parade Road extension through the Riding for the Disabled South West Branch (RDA) land. Council's decision in July 2011 required that the applicants should "prepare a project programme for the construction of Parade Road including the action to acquire or to offset the loss of land by the Riding for the Disabled South West Branch land and for it to be set out in a legally binding document prior to subdivision of a second stage lot and commencement of any second stage of development within any of the precincts of the ODP area." This issue has been brought to the applicant's attention since 2006 and remains unresolved. In recent times concentrated effort has produced a land exchange and subdivision redesign that would meet the needs of the RDA but it is still the subject of negotiations between Satterley Property Group (on behalf of Dalyellup Beach Pty Ltd) and Topshore Enterprises. The applicants have therefore not satisfied the requirements of Council's decision but have advised "that negotiations are progressing in good faith and should be resolved prior to any second stage subdivision or development."

The need for the road connection to handle traffic movements generated by the District Centre will not arise until full development of the commercial land is complete. The applicants have advised that negotiations to secure a final agreement over a land exchange with Topshore Enterprises should be resolved prior to any second stage of subdivision or development. Although the exact form of staging for the overall development has yet to be specified, given that what now appears to be a practical solution to the needs of the RDA is actively being pursued there is some scope for further consideration of the matter by Council.

As mentioned in the Statutory Environment section of this report proposed modified provisions of the ODP will require the subdivider to produce a staging strategy which among other things sets out a program for the production of detailed plans and strategies to be approved by the Shire. The range of strategies and plans that the subdivider (Dalyellup Beach Pty Ltd) will be required to detail or schedule for completion includes addressing the staging of the construction of Parade Road. The staging strategy requirement will need to be reflected in a condition of subdivision. Clearance of a Deposited Plan of Survey will then be subject to the applicants producing a satisfactory staging strategy along with meeting any requirements of other conditions of subdivision approval. This will provide a further check point for the conclusion of a solution to the Parade Road issue.

Advice from the Department of Planning in response to the Council's request for the WAPC to consider the draft ODP before Council decided to finally adopt it has been included as minor modifications in the overall Schedule of Modifications included with this report.

The subdivision application referred to in the applicant's submission has been subject to change at the time of preparing this report due to the ongoing nature of the negotiations with prospective commercial developers and the desire to reflect the outcome of those negotiations in an amended subdivision plan. Subject to the Council's decision on the adoption of the ODP as dealt with by this report, the assessment and recommendation to the WAPC on the subdivision will be dealt with under delegated authority by the Director of Planning and Development Services. The applicants want to create a new title with which to complete a sale by the end of the financial year and this does present some challenges but every effort is being made to meet their needs for prompt decision making.

The applicants have indicated that the subdivision plan they will wish to have approved by the WAPC will create a separate lot for a single hardware/bulky goods sales development, a first stage lot containing the main street and the majority of the retail shopping development east of it, and a balance title. It was not clear at the time of preparing this report how the intention to sell most of the land east of the main street to one retailer/developer may affect the long term delivery of a second super market as envisaged by the concept plan or at least in the location shown on the plan. It is therefore likely that if a sale of some of the District Centre

land as is now being pursued is successfully concluded a future modification to the ODP layout will be put forward once a new owner/developer begins a detailed design process and considers their future investment approach.

In conclusion, with the changes set out in the Schedule of Modifications attached to this report, the ODP is now considered to be suitable for the task ahead of facilitating and managing the development of the Dalyellup District Centre. Therefore the recommendation below sets out the necessary decisions for Council to adopt ODP and provide for it to have effect.

### **VOTING REQUIREMENTS**

Simple majority

<b>OC0406 OFFICER'S RECOMMENDATIONS – 15.1/COUNCIL DECISION</b>
---

**Moved Cr J Scott, Seconded Cr Bell**

**That Council:**

- 1. Adopts the comments/recommendations in the third column of the Schedule of Summarised Submissions.**
- 2. Pursuant to clause 5.10.7 of Town Planning Scheme No. 7 adopts the Dalyellup District Centre Outline Development Plan with the modifications set out in the Schedule of Modifications.**
- 3. Pursuant to clause 5.10.8 of Town Planning Scheme No. 7 forwards the Dalyellup District Centre Outline Development Plan, Schedule of Modifications and Schedule of Submissions to the Western Australian Planning Commission with a request that it endorses the Plan to give it full effect.**

Carried 7/0

Mr Bishop left the meeting at 5.29pm and did not return.

**TECHNICAL SERVICES REPORTS**

Nil

**CORPORATE SERVICES REPORTS**

---

**OC0407 (17.1) 2012/13 Budget Requests – Councillors and Community**

---

Location:	Capel
Applicant:	Shire of Capel
File Reference:	
Disclosure of Interest:	Nil
Date:	05.04.12
Author:	Director Corporate Services, P Anastasakis
Senior Officer:	Chief Executive Officer, P Sheedy
Attachments:	Table of "Councillor and Community Budget Requests for 2012/13"

---

**MATTER FOR CONSIDERATION**

Council to review requests from Councillors and the community for inclusion in the draft 2012/13 budget.

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

As part of the budget development process, Councillors and the Community are invited to submit budget requests for the forthcoming budget. It has been Council's previous practice to include requests from Councillors and the community as an agenda item for an Ordinary Meeting, rather than convene a special Council meeting.

**Proposal**

Council consider the requests received from Councillors and the Community to determine which items are to be included in the forthcoming 2012/13 draft 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.

**FINANCIAL IMPLICATIONS****Budget**

Any requests approved by Council will be included in the 2012/13 draft Budget. Whether the item is included in the final budget depends upon the magnitude of the financial expenditure of the individual items and their impact in the context of the overall draft budget.

**Long Term**

Approved expenditure is covered in the budget allocation. The nature of the individual expenditure item will determine whether there are any long term financial implications.

## **Whole of Life**

A number of the budget requests would be classified as assets/infrastructure, and would therefore have a whole of life cost relevant to these specific items.

## **SUSTAINABILITY IMPLICATIONS**

A number of the requests received may have some minor environmental sustainability implications.

The majority of the requests received will have a positive social impact.

The requests received will in some cases result in an economic benefit for residents and businesses within the Shire of Capel.

## **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**

An article inviting budget requests from the community was placed in the Capel Snippets insert distributed in February 2012 with the local community newspapers in Boyanup, Capel, Dalyellup, Gelorup, Peppermint Grove Beach and Stratham.

## **COMMENT**

### Community Requests

Submissions from the community were invited to be received until 2<sup>nd</sup> March 2012 and five request were received. Summarised details of these requests are included in the attached table, together with a staff comment and recommendation for funds to be allocated in the 2012/13 draft budget.

### Councillor Requests

A memorandum inviting budget requests from Councillors was sent on 24<sup>th</sup> January 2012 and requested responses by 28<sup>th</sup> February 2012. The requests received have been detailed on the attached table and a staff comment relevant to each request and a recommendation for funds to be allocated within the 2012/13 budget are also included within this table.

## **VOTING REQUIREMENTS**

Simple majority

Mr Anastasakis advised that the amount recommended in the Officer's Recommendation for the Councillor IT Allowance has been revised up to \$1,000 in order to cover the cost expected to be incurred by Councillors in purchasing an iPad or tablet.

**OC0407 OFFICER'S RECOMMENDATION – 17.1/COUNCIL DECISION**

**Moved Cr Smith, Seconded Cr Manley**

**That Council includes the following Councillor and Community budget requests in the 2012/13 draft budget:**

- **\$2,000 for step hand rail into the Gelorup Community Hall;**
- **\$4,500 for continued support of the Small Business Centre, Bunbury-Wellington;**
- **\$4,000 for the construction of a patio/shade cover over the Capel Cemetery niche wall;**
- **\$18,000 for reverse cycle air conditioning at the Gelorup Community Centre Building;**
- **Increasing the Councillor IT Allowance to \$1,000 per annum to encourage Councillors to purchase at their discretion iPads/tablets;**
- **\$10,000 for Special Rural Areas bushfire verge maintenance;**
- **\$7,000 for Peppermint Grove Beach bus shelter facility; and**
- **\$10,000 for northern side groundworks at Peppermint Grove Beach Community Centre.**

Carried 7/0

---

**OC0408 (17.2) Fees and Charges for 2012/13**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 05.04.12  
Author: Director Corporate Services, P Anastasakis  
Senior Officer: Chief Executive Officer, P Sheedy  
Attachments: 2012/13 Schedule of Fees and Charges

---

**MATTER FOR CONSIDERATION**

Council to consider the proposed Schedule of Fees and Charges for the 2012/13 financial year.

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

Council's "Preparation of Budget" timetable (Policy 11.8) provides for the review, preparation and approval of the draft schedule of Fees and Charges prior to the budget meeting. Once this schedule has been approved Council must adopt it, however this will not occur until the annual budget is adopted.

**Proposal**

Council consider the Schedule of Fees and Charges to be included in the forthcoming 2012/13 draft 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.

Section 6.16 of the Local Government Act 1995 states in part that a local government may impose and recover a fee or charge for any goods or services it provides or proposes to provide; and that fees and charges are to be imposed when adopting the annual budget.

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

**POLICY IMPLICATIONS**

Policy 11.8 – Preparation of Budget has been followed.

**FINANCIAL IMPLICATIONS****Budget**

The fees and charges when adopted will determine the amount of revenue to be received during the 2012/13 financial year for certain areas. This income has been forecast in the draft budget income projections.

**Long Term**

There will be minimal long term financial implications associated with adopting the fees and charges, other than the longer term affordability of certain services that incur a fee.

**Whole of Life**

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

**SUSTAINABILITY IMPLICATIONS**

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

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

**STRATEGIC IMPLICATIONS**

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

**COMMENT**

The schedule attached shows the total fees including GST that was agreed for 2011/12. The proposed fee for 2012/13 is shown on the right hand side and is only shown if it is proposed it will differ from 2011/12. Strikethroughs are used to indicate the proposed deletion of fees or wording.

Fees and charges that are set by other Government regulations are noted as such and the relevant legislation is also identified. These fees are only changed if it has been directed by the Government organisation.

If a fee or charge is to be increased it is proposed that in general the starting point for the increase be in accordance with the Local Government Cost Index (LGCI). The assumption being that the cost of the service has increased by the LGCI and therefore to recover this cost, income must increase by the equivalent amount. The LGCI increase to be applied is 4.0% and represents the percentage change in the major cost areas including wages and salaries (4.5%), road and bridge construction (4.5%), non-residential building (3.5%), consumer prices (3.5%), machinery and equipment (1.5%), and electricity and street lighting (12.0%).

To simplify the reporting and charging of fees, fee increases in many cases have been rounded to the nearest dollar.

A general Local Government Cost Index (LGCI) increase of 4.0% has been applied across all fee categories, other than those areas regulated by other legislation, or where comments to the contrary appear. This is to ensure that at a minimum, the cost increases forecast for 2012/13 and reflected across the board in all services are offset by an equivalent increase in service fee.

For some lease categories an increase has been based on the predicted CPI for 2012/13 of 3.5%.

The following details are some of the more significant changes made to the Schedule of Fees and Charges.

#### Law, Order & Public Safety

- At this stage FESA have not advised the Emergency Services Levy (ESL) to apply for 2012/13 and the levy for 2011/12 of \$55.00 will continue until advice is received.
- Fees for impounding animals, dogs and cats have been increased by the LGCI and rounded up to a multiple of \$1.00. Custody fees and sustenance fees have also been increased on the same basis.

#### Health

- The Health Department has not yet prescribed the fee for offensive trades such as piggeries and the current fee of \$278.00 will continue to apply at this stage.
- The food vendor's licence, lodging house licence and fees for keeping of birds have all been increased by the LGCI and rounded up to a \$1.00.

#### Education & Welfare

- Rents for Aged Homes have been increased by the LGCI, resulting in a \$12.00 increase for a two bedroom unit and \$10.00 increase for a 1 bedroom unit per fortnight. This ensures some parity remains with market rents and increased Council costs are indexed.
- The Health Department have not advised the charges applicable to Home and Community Care (HACC) services, so no changes are proposed at this stage.

#### Community Amenities

- Household refuse removal charges have been reviewed and recalculated to reflect the expected cost of rubbish and recycling collection as well as rubbish disposal. The total annual charge has been increased to \$209.00 from \$195.00. This charge includes the cost of rubbish collection (\$81.64), rubbish disposal (\$35.66), recycling collection (\$62.33), waste management education, waste consultants and administration (\$22.93). The major reasons for the increase in this fee are the increased recycling collection fees charged by the contractor and the inclusion of the cost of rubbish disposal.
- In the case of the recycling collection cost, the fee to be charged by the contractor has increased with the fee for the original bins delivered being \$1.5563 per lift and for new bins the fee is \$3.1435 per lift. These rates compare to the fee of \$1.527 per lift that was budgeted for 2011/12.
- The green waste and hard waste collection fee for the residential areas of Boyanup, Capel, Dalyellup and Peppermint Grove Beach has increased by the LGCI, changing from \$26.00 to \$28.00. This will allow two green waste collections and one hard waste collection.
- The hard waste collection fee for Gelorup and Special Rural areas is proposed to also increase by the LGCI to \$11.00 per dwelling.
- The annual refuse site levy is proposed to increase by the LGCI from \$80 to \$85. This charge is based on recovering budgeted costs for the transportation and disposal of

waste from the Waste Transfer Site as well as the site's net operating cost, rubbish site rehabilitation and the collection of rubbish from street and park bins. Any excess funds raised are transferred to reserves for future waste management initiatives.

- Statutory Town Planning Fees are set by the Department of Planning and the maximum fees that are applicable are yet to be advised and will be included within the Schedule.

### Recreation & Culture

- Fees for the hire of halls and community centres will increase by the LGCI and have been rounded up to \$1.00. The hourly hire rate, prior to any concessions, will increase by \$2.00 to \$54.00 and the daily hire rate will increase by \$23.00 to \$588.00.
- The fees introduced for the Gelorup and Peppermint Grove Beach Community Centres to allow their respective Community Associations to use the centres on a regular basis for meetings, coffee mornings, markets and fundraising events have been increased by the LGCI. The fee will now be \$534.00 for each Community Centre and brief conditions are included in the table of Fees and Charges.
- The hourly hire charge for playgroup's use of community centres has been increased by \$0.30 to \$8.30.
- The fee for use of lighting at the Capel, Boyanup and Dalyellup Recreation Grounds has been increased by the LGCI and will now be \$8.00 per tower per hour (was \$7.50). This fee takes into account electricity usage and replacement of light bulbs.
- A ground usage fee to be charged on a seasonal basis for each sporting team has been included and may be introduced during the year. The fee is \$109.00 for senior teams and \$57.00 for junior teams. This fee compared favourably with the per season fee charged by neighbouring local governments.
- The lease charge for various reserves has been increased by 3.5% CPI where applicable.

### Economic Services

- Various building fees have been increased to better reflect the cost of providing these services.
- Fees set by the Builders Registration Board and the Building Construction and Industry Training Fund have not been received at this stage.
- The annual lease fee for the Boyanup Saleyards has been increased by CPI.

Overall, the changes to fees and charges proposed for 2012/13 will result in possible increased revenue of approximately \$225,000 when compared to the 2011/12 budget. However, the majority of this increase will be the result of increased rubbish and recycling collection charges and will be offset by the increased cost of rubbish and recycling collection and disposal.

From the perspective of an individual ratepayer the main impact of the fee increases will be to rubbish collection and disposal charges as follows:

- A ratepayer in Capel, Boyanup, Peppermint Grove Beach and Dalyellup may be charged \$209.00 for rubbish and recycling collection and disposal, \$28.00 for a green waste and hard waste collection service and \$85.00 for a refuse site levy. This represents a total charge of \$322 and is an overall increase of \$19.00 or 6.3% compared to 2011/12.
- A ratepayer in Gelorup or Stratham and other special rural areas may be charged \$209.00 for rubbish and recycling collection and disposal, \$11.00 for a hard waste

collection service and \$85.00 for a refuse site levy. This represents a total charge of \$305.00 and is an overall increase of \$18.00 or 6.3% compared to 2011/12.

- Rural ratepayers charged the refuse site levy will be charged \$5.00 more than 2011/12 with this levy increasing by the LGCI from \$80.00 to \$85.00.

**VOTING REQUIREMENTS**

Simple majority

**OC0408 OFFICER'S RECOMMENDATION – 17.2/COUNCIL DECISION**

**Moved Cr J Scott, Seconded Cr Smith**

**That Council approves the proposed Fees and Charges as outlined in the attachment for inclusion in the 2012/13 Budget.**

---

**OC0409 (17.3) Corporate Services – Council Facilities Hire and Usage Policy**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 05.04.12  
Author: Director Corporate Services, P Anastasakis  
Senior Officer: Chief Executive Officer, P Sheedy  
Attachments: Policy 10.17 – Council Facilities Hire and Usage Policy

---

**MATTER FOR CONSIDERATION**

Council to consider adopting a new Policy within Corporate Services, relating to Council facilities and hall hirers' conditions of usage and hire.

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

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

At the 21<sup>st</sup> March 2012 Council meeting a report was presented and considered by Council on Hall Hirers Insurance. The following was resolved by Council:

*That Council develop a Policy designating the following activities as "low risk", advising that Public Liability Insurance is not required when Council facilities are hired for these "low risk" activities:*

- 1. Activities where less than 10 people attend.*
- 2. Activities such as: organised sporting competitions; festivals; events; fixtures; training; where food, alcohol or hot drinks are consumed or sold; where heavy equipment, plant or electrical items are used; busy bees or similar where building works, renovations or maintenance occurs; are not considered to be "low risk".*
- 3. All formal or affiliated sporting bodies, clubs, associations, corporations or incorporated bodies are required to hold Public Liability insurance.*

**Proposal**

A Corporate Services policy has been developed based on Council's resolution, reflecting the insurance requirements and general conditions of facilities hire and usage. This has resulted in a new Policy being created; Policy 10.17 – Council Facilities Hire and Usage.

**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 10.7 – Risk Management.

**INTRODUCTION**

*The purpose of risk management is to develop an organisation wide culture, processes and structures that are directed towards the effective management of potential risks and adverse effects. It is also*

*designed to reduce the potential costs of risk by reducing liability, preventing litigation and improving loss control.*

*The key drivers for effective risk management are the organisation's responsibility for due diligence as part of good corporate governance practice and the due diligence requirements of the insurance industry which impacts on the cost of insurance.*

#### OBJECTIVE

1. *To effectively manage potential risks and their adverse effects.*
2. *To reduce the potential costs and impact of risk.*
3. *To limit the organisation's insurance liability exposure.*

#### POLICY STATEMENT

1. *Council and the organisation are committed to managing risk within the Shire of Capel and will implement the AS/NZ 4360 Standard as the minimum standard.*
2. *Risk will be managed by systematically applying policies, procedures and practices to the tasks of establishing the context, identifying, analysing, evaluating, treating, monitoring and communicating risk.*
3. *A Risk Management Committee will be established and will be responsible for developing a Risk Management Plan for the Shire that outlines strategies for risk management in the Shire's systems, processes and practices including but not limited to the areas of corporate governance, infrastructure, capital assets, finance, information technology, human resources and service delivery.*
4. *The Risk Management Plan will include but will not be limited to:*
  - *Determining the organisation's acceptable risk tolerance level*
  - *Risk identification methods and procedures*
  - *Risk evaluation and mitigation techniques*
  - *Documentation requirements*
  - *Responsibilities*
  - *Measurement, reporting and recording processes*
  - *Communication methods and frequency*
  - *Resource requirements.*
5. *The Risk Management Plan will reference specific risk treatment plans and procedures that are implemented such as Events Management.*
6. *The pursuance of the objectives of this Policy will be the responsibility of the Shire of Capel Risk Management and Safety Committee.*

#### REFERENCES

*Australian and New Zealand Standard 4360:2004 Risk Management.*

Operational Guidelines and Booking Forms have also been created which manage this process.

### **FINANCIAL IMPLICATIONS**

#### **Budget**

There are no direct costs associated with this new policy; however resources are required to manage and monitor the facilities hire and usage process.

#### **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 risk management of Council's facilities which are hired or made available for use by the community. 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:

- Provide services effectively and efficiently.
- 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 hire and usage of Council's facilities, with particular emphasis on the requirement for public liability insurance to be held by hirers in most circumstances, with exemption from this requirement for specific types of 'low risk' users.

Further procedures and form modifications will be developed in the future to complement this new policy and to provide further administrative guidance to Council staff.

Mr Dent left the Chambers at 6.00pm.

### **VOTING REQUIREMENTS**

Simple majority

<b>OC0409 OFFICER'S RECOMMENDATION – 17.3/COUNCIL DECISION</b>
--

**Moved Cr J Scott, Seconded Cr Bell**

**That Council adopts Policy 10.17 – Council Facilities Hire and Usage as detailed in the attachment.**

Carried 7/0

Mr Dent returned to Chambers at 6.03pm.

---

**OC0410 (17.4) Financial Statements for 31 March 2012**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 10.04.12  
Author: Manager Finance, A Mattaboni  
Senior Officer: Director Corporate Services, P Anastasakis  
Attachments: Financial Statements for March 2012

---

**MATTER FOR CONSIDERATION**

Council to consider adopting the monthly financial statements for March 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 are 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**

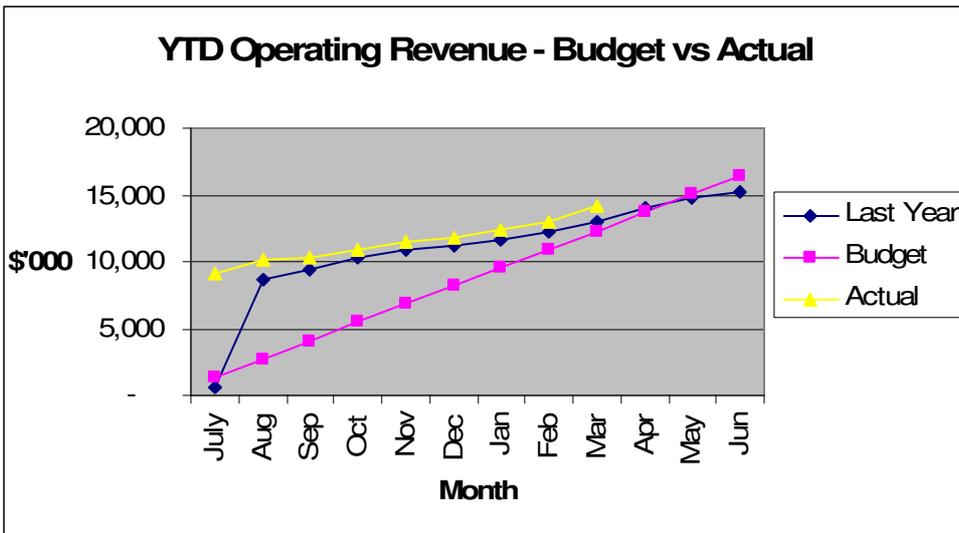
The monthly Financial Statement was developed with the assistance and input of staff who determined expenditure needs and revenue expectations for the remainder of the financial year based upon actual performance compared against budget.

**COMMENT**

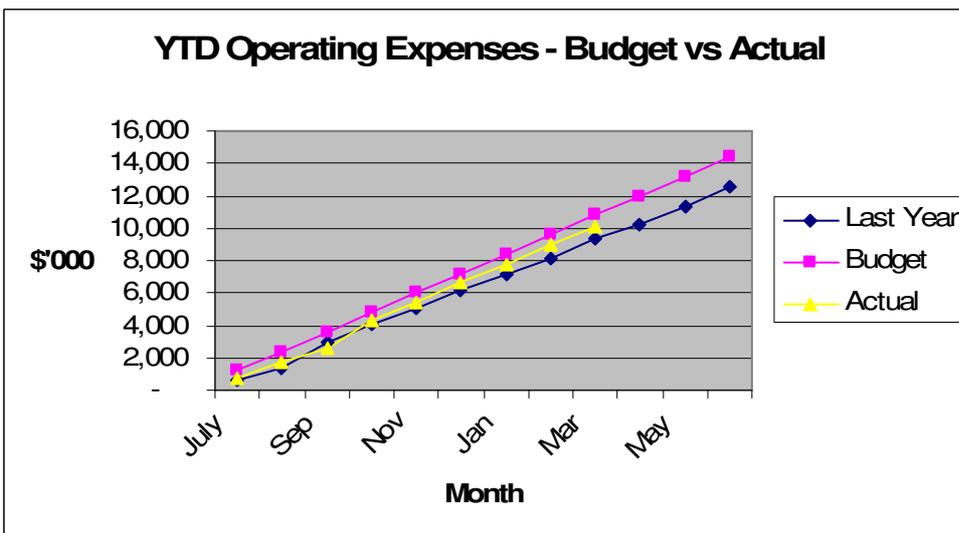
At 31 March 2012, Council's net current assets position was a surplus of \$2,435,648. This is an increase of \$1,177,949 from the previous month.

Compared to the annual budget, 82% of Operating Revenue has been invoiced and 70% 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.

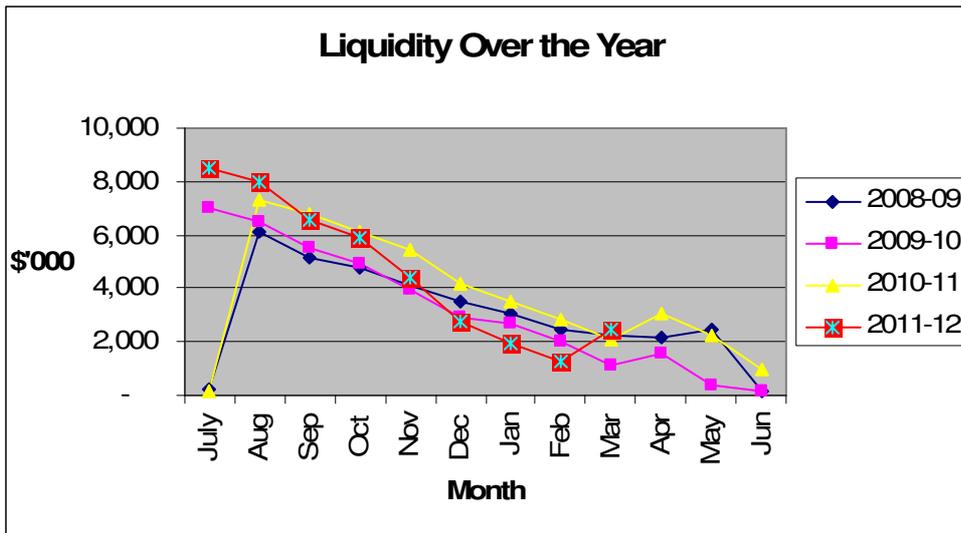
The following graphs compare actual operating revenue and operating expenditure against the approved budget on a year to date basis. Last year's actual is also included for comparative purposes. The year to date operating revenue is above budget and above last year's actual amount. The revenue graph 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 slight deficit of \$9,005 which compares to the February position of a deficit of \$13,114. The financial results at an account level show no significant adverse variances.

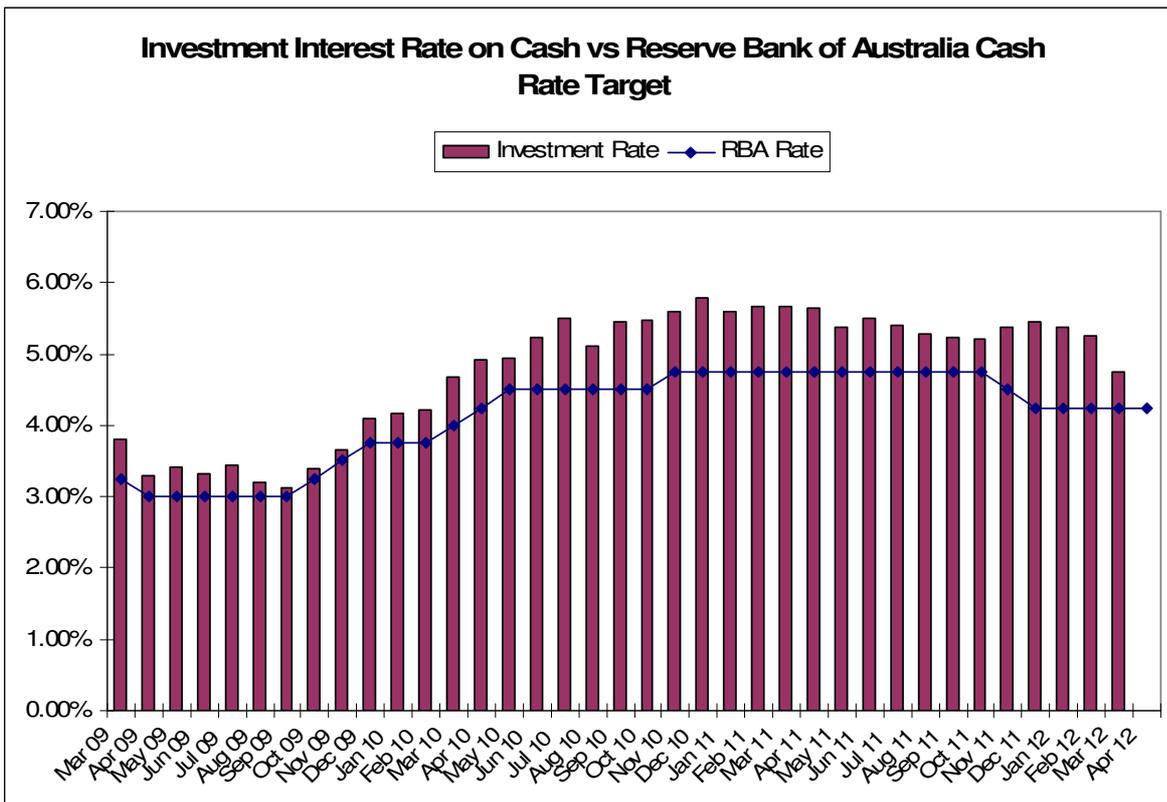


The liquidity graph compares the current year’s net current assets position against that of the three previous years. After the peak that coincides with the levying of rates, the net current assets position steadily declines over the year. The following graph shows the July 2011-12 starting point at 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. Loan applications for the Dalzellup Sports Pavilion and the Capel Main Street Project have been finalised during March with the amounts of \$645,000 and \$500,000 being received at a rate of 4.96% over ten years. This has caused the increase in the liquidity position. 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 increased by \$1,544,864 compared to last month, with \$12,054,934 available of which \$9,507,731 is restricted for specific purposes. Cash payments during the month were made for machinery purchases, salaries and the Emergency Services Levy forwarded to FESA. These payments were offset by cash income from Country Local Government Fund grants, loan funding, maintenance bonds and the final rates installments.

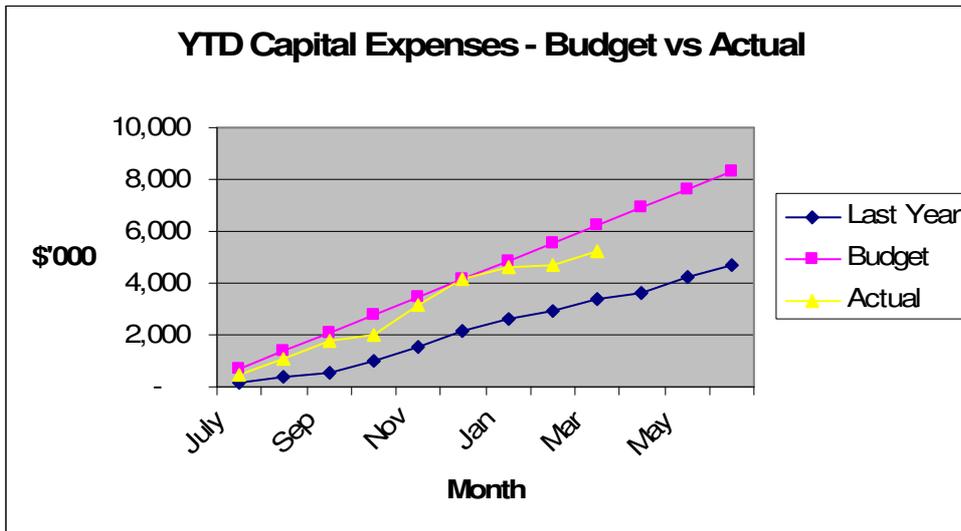
Total interest earned for the year to date of \$408,261 is under the year to date budget of \$448,167. The reason the account is below budget is end of financial year accruals for interest income on investments. The average investment rate of return of 4.75% exceeds the Reserve Bank’s cash reference rate of 4.25%. The investment rate has declined in relation to last month. This has mainly been caused by the loan funding being received at the month end and temporarily inflating the municipal cheque account balance. This account receives a lower rate of interest in relation to other accounts. The following graph compares the Shire’s interest rate earned on investments against the Reserve Bank’s reference rate.



Capital works expenditure of \$225,890 was incurred during the month of which the major items were:

- \$15,929 on asphalt reseal;
- \$1,148 on road reconstruction;
- \$7,200 for bus shelter;
- \$19,994 for path works Penn Street;
- \$1,843 for path works Capel Drive;
- \$1,800 for Disability Access and Inclusion Plan works;
- \$3,000 for the Capel Recreation Grounds hardcourts;
- \$12,446 for the Capel Townscape;
- \$1,160 for Administration building gutters;
- \$1,986 for Dalyellup Sports Pavilion;
- \$52,985 for HACC vehicles;
- \$66,500 for mowers and
- \$39,332 for a passenger vehicle.

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 62% 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 increased from 2.00 to 3.37 due to the receipt of the loan funds. The untied cash to trade creditor’s ratio has increased from 0.75 to 1.58 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 31 March 2012.

**VOTING REQUIREMENTS**

Simple majority

**OC0410 OFFICER'S RECOMMENDATION – 17.4/COUNCIL DECISION**

**Moved Cr Smith, Seconded Cr Bell**

**That Council adopt the financial statements for the period ending 31 March 2012 as attached.**

Carried 7/0

---

**OC0411 (17.5) Accounts Due and Submitted for Authorisation**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 11.04.12  
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:

<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
EFT10848	18/04/2012	Amity Signs	Various Signage	4814.70
EFT10849	18/04/2012	Southwest Tyre Service	Supply And Fit Four New Tyres To Navara Ute 45CP	1476.00
EFT10850	18/04/2012	Bunbury Windscreen Service & Bunbury Solartint	Replace Windscreen On Maint Truck CP855	583.00
EFT10851	18/04/2012	Big W	Book Stock Purchase - Capel Library	248.57
EFT10852	18/04/2012	Bunbury Mower Service	Repairs To Various Small Plant Items	915.10
EFT10853	18/04/2012	Bell Fire Equipment Company	20 Drums Of Bush Fire Fighting Foam, Fire Extinguisher Services HACC, Routine Monthly Service To Fire Indicator Panel Capel Hall, Repairs To BFB Vehicles	4131.60
EFT10854	18/04/2012	Bunbury Tyrepower	Wheel Balance And Alignment For Ranger Vehicles 40CP, 60CP & CP9233	255.00
EFT10855	18/04/2012	Busselton Motors Pty Ltd	90,000Km Service For Mazda 3 Diesel – 42CP	489.45
EFT10856	18/04/2012	Benson's Chainsaw Centre	Kombi Engine KM90 & Hedgetrimmer	918.00
EFT10857	18/04/2012	Bunnings Building Supplies Pty Ltd	Various Hardware Supplies & Tools	327.60
EFT10858	18/04/2012	Boyanup Auto Repairs	Repair Tail Lights On Sign Trailer CP2250	460.48
EFT10859	18/04/2012	Bunbury Towing	Transport Of Impounded Vehicle	145.20
EFT10860	18/04/2012	Corporate Express Bunbury	Stationery	2005.73
EFT10861	18/04/2012	Coates Hire Service	Supply & Pick Up 2 X Porta Loos For Fire At Lowrie And Brookdale Roads Boyanup	532.12
EFT10862	18/04/2012	Cleanaway	Kerbside Domestic Waste Collection	18025.90
EFT10863	18/04/2012	Chubb Fire	Inspect/Repair Fault In Fire Alarm Control Panel Boyanup Community Centre	346.50

EFT10864	18/04/2012	Coastal Hire T/As Gcs Security Scaffold	Hire Of Toilet For Funeral	352.00
EFT10865	18/04/2012	Classic Bookbinders	Bookbinding Of Council Minutes 8 Volumes (8 September 2010 To 14 December 2011)	528.00
EFT10866	18/04/2012	Des Air	Quarterly Inspection & Repairs To Shire Airconditioners	4032.28
EFT10867	18/04/2012	Delron Cleaning	Public Facilities Cleaning	6790.08
EFT10868	18/04/2012	Department Of Premier & Cabinet	Advertising Basis Of Rates	104.00
EFT10869	18/04/2012	Electro Engraving Services	Capelfest Stall Number Markers	1240.80
EFT10870	18/04/2012	ERG Electrics	Quarterly Inspection & Repair Street Lighting - Dalyellup - January 2012	7492.10
EFT10871	18/04/2012	Farmco Boyanup	1 Pipe Coupling	5.95
EFT10872	18/04/2012	Fuelrite Services	Replace Pump In Diesel Bowser	506.00
EFT10873	18/04/2012	Brian Fisher Fabrication	Replace Post On Sign At Stratham Beach	660.00
EFT10874	18/04/2012	Fennessy's	40.000Km Service, Check Left Front Wheel Noise 46CP, 20,000Km Service 40CP, Repairs To ABS & Service CP9233 & 10,000km Service Cp81	1752.57
EFT10875	18/04/2012	GCS Hire Pty Ltd - Bunbury	Hire Of Core Drill For Signs At Capel Comm Centre	150.00
EFT10876	18/04/2012	Harradine & Associates	Animal Sterilisation Subsidy	350.00
EFT10877	18/04/2012	G S Hadden Glazing	Repair Front Doors Dalyellup Community Centre	637.30
EFT10878	18/04/2012	Jetline Corporation P/L	Penn St Boyanup Concrete Footpath Retaining Wall Traffic Management & Carpark Norton Prom	21109.00
EFT10879	18/04/2012	Western Australian Local Government Association	13 Copies Of 2012 Local Government Director & Award Interpretation Training Payroll/Hr Officer	947.40
EFT10880	18/04/2012	Landgate	GRV Interim Vals, Rural UV Vals, Land Enquiries Feb 12, Identification Of Land Parcels	1914.70
EFT10881	18/04/2012	Lexden Park	Hire Of Loader To Construct Fire Breaks At Wild Fires 27 Feb 2012 To 1 March 2012	1320.00
EFT10882	18/04/2012	Neat N Trim Uniforms Pty Ltd	Staff Uniforms	505.33
EFT10883	18/04/2012	Nightguard Security Service Pty Ltd	3 X Security Patrols Per Night Dalyellup Toilets & Alarm Callouts	1214.14

ORDINARY COUNCIL MINUTES – 18.04.12.....47

EFT10884	18/04/2012	Prestige Products-Busselton	Cleaning Products	147.13
EFT10885	18/04/2012	Perth Management Services	Rent & Outgoings Dalyellup Library	1321.07
EFT10886	18/04/2012	Roberts Tilt Tray Service	Transport Ewaste Container To Perth	869.00
EFT10887	18/04/2012	Raeco	Fantasy Subject Spine Labels - Library	6.95
EFT10888	18/04/2012	Records Maintenance & Storage	Costs For Storage & Destruction Of Records	545.29
EFT10889	18/04/2012	Southerns Water Technology	Repairs To Reticulation At Boyanup Oval & Capel Recreation Ground	917.20
EFT10890	18/04/2012	Capel Fresh IGA	Refreshments	57.79
EFT10891	18/04/2012	Stewart & Heaton Clothing Co Pty Ltd	Fire Fighting Uniforms	2930.00
EFT10892	18/04/2012	Southern Lock & Security	Rekey Locks At Capel Hall, Annual Alarm Maintenance All Shire Buildings, Carry Out Modifications To Shire Office Duress Alarm, Repair Locking Mechanism - Electrical Cabinet Lutheran College Oval	2322.48
EFT10893	18/04/2012	Street Furniture Australia	8 Seats, 8 Arms, 8 Battens, 24 Spare Slugs	11748.00
EFT10894	18/04/2012	Soils Aint Soils	10 M3 Garden Mix Soil Conditioner	750.00
EFT10895	18/04/2012	Syba Signs	National Year Of Reading Posters	181.50
EFT10896	18/04/2012	Sunny Sign Company	Loc-Socket Wedge Peg Steel	26.40
EFT10897	18/04/2012	Rick Tucker Welding	Weld Two Brackets On Pole For Hazard Information Box.	555.50
EFT10898	18/04/2012	D & K Thomas Electrical	Repair BBQs Peppermint Grove Beach Foreshore Park, Dalyellup Park & Capel Town Park	1567.50
EFT10899	18/04/2012	Totally Workwear	Uniforms Technical Services	846.45
EFT10900	18/04/2012	Traffic Force	Traffic Management For Buchanan/Capel And West/Capel Intersection Upgrades & Basic Worksite Traffic Management & Control Course x 2	4863.38
EFT10901	18/04/2012	TCS Instruments	30m Road Tube (Quantity 2)	299.20
EFT10902	18/04/2012	Vogue Furniture	Aluminium Framed Pin Up Board - Director Technical Services	419.00
EFT10903	18/04/2012	Work Clobber Bunbury	Uniforms Technical Services	926.87
45625	18/04/2012	City Of Armadale	Long Service Leave Recoup - Andy Dela Cruz	1354.70
				119942.01

OUTSTANDING CREDITORS AS AT 31<sup>st</sup> March 2012 \$307,746.50

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 18 April 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

**OC0411 OFFICER'S RECOMMENDATIONS – 17.5/COUNCIL DECISION**

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

**That Council authorises the Schedule of Accounts covering vouchers EFT10848 to EFT10903 and 45625 to 45625, a total of \$119,942.01 for payment.**

Carried 7/0

---

**OC0412 (17.6) Accounts Paid During the Month of March 2012**

---

Location: Capel  
Applicant: Shire of Capel  
File Reference:  
Disclosure of Interest: Nil  
Date: 05.04.12  
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 March 2012 are as follows:

<b>Chq/EFT</b>	<b>Date</b>	<b>Name</b>	<b>Description</b>	<b>Amount</b>
126	02/03/2012	Building & Construction Ind Training Fund	BCITF Levy Collected Feb12	7914.86
127	02/03/2012	Builders Registration Board Of WA	BRB Levy Collected Feb 12	2052.00
128	02/03/2012	Shire Of Capel	BRB & BCITF Commission Collected Feb 12	445.50
EFT10636	06/03/2012	Evans Family Superannuation Fund	Superannuation Contribution	613.59
EFT10637	07/03/2012	Amity Signs	Various Signage	867.90
EFT10638	07/03/2012	Adventure World	Adventure World Deposit Inzone - April 2012	60.00
EFT10639	07/03/2012	All West Building Approvals Pty Ltd	Assist With Assessment Of Building Licence Applications	3805.45
EFT10640	07/03/2012	Ausgrow Products	Supply 7 X 500 Lt Tree Bags Capel Mainstreet	140.00
EFT10641	07/03/2012	Bunbury Taxis Co- Operative Ltd	Transport Of Wheelchair Clients – HACC	135.10
EFT10642	07/03/2012	Badgers Embroidery	Embroider HACC Uniforms	13.20
EFT10643	07/03/2012	Paul Sheedy	Reimburse For Purchase Of Fuel	53.11
EFT10644	07/03/2012	Coffey Environments	Conduct Radiation Measurements - Capel Hardcourts	3300.00
EFT10645	07/03/2012	Data #3	Project 2010 Licence - Director Technical Services	605.98
EFT10646	07/03/2012	Elliott's Small Engines	Service To Husqvarna Tractor Mower & Replacement Parts HACC	635.05
EFT10647	07/03/2012	Golden West Plumbing & Drainage	Repair Leaking Tap Dalyellup Library Sink, Repair Water Line Gazebo Erle Scott Town Park & Replace Tap Out Front Of Admin Building	537.35

EFT10648	07/03/2012	Flexi Staff	Labour Hire	356.71
EFT10649	07/03/2012	LD Freeman	Reimburse Fuel & Catering Costs Brookdale Fire 01/03/2012	785.55
EFT10650	07/03/2012	Golden West Pest & Weed Control	Treat External Of Gelorup, Boyanup, Elgin, Capel And Peppermint Grove Fire Sheds For Spiders	660.00
EFT10651	07/03/2012	Gresleyabas	Architect Services - Capel Civic Precinct Master Plan, Dalyellup Sports Pavilion, Boyanup Memorial Park Recreation Ground Master Plan	7212.81
EFT10652	07/03/2012	A Ingram	Reimburse For Book Purchases	117.90
EFT10653	07/03/2012	Landscape Development	Maintenance Additional Works Jan 12	6092.66
EFT10654	07/03/2012	L.G. Business Systems Pty Ltd	2 Boxes Of 500 Pay Advice Envelopes	242.22
EFT10655	07/03/2012	Local Government Managers Australia	2012 LGMA Professional Development Conference - Health Officer	415.00
EFT10656	07/03/2012	LGIS Insurance Broking	Add New Vehicles To Insurance Policy And Remove Traded Vehicles	2177.24
EFT10657	07/03/2012	Margie's Alfresco	Catering For SWYCN Meeting Hosted By Shire In Feb 2012	300.00
EFT10658	07/03/2012	Manpower	Labour Hire	1408.99
EFT10659	07/03/2012	Oral History Association (WA Branch)	2011/2012 Membership Fee _ Libraries	65.00
EFT10660	07/03/2012	PPD Training	Customer Services Training – Engineering Technical Officer - 16 March 2012	199.00
EFT10661	07/03/2012	Rankine Mosquito Management	Mosquito Identification Support Service	19650.40
EFT10662	07/03/2012	Records Maintenance & Storage	Annual Costs For Storage & Destruction Of Records	271.14
EFT10663	07/03/2012	SW Precision Print	2000 Folders 500 Pens 2000 DL Brochures 2000 Bumper Stickers 40 Sheets Stickers - Lady Moz	4720.00
EFT10664	07/03/2012	Total Telephone	Replacement Backup Cartridge HACC	74.95
EFT10665	07/03/2012	Totality Business Solutions	Purchase Archive PC For Library, Prepaid Support Hours & 50 Licence Virus & Mail Security Software	8885.80
EFT10666	07/03/2012	Ultimate Paint & Panel	Repair Bumper CP9069 - Ready For Trade - HACC	540.10
EFT10667	07/03/2012	Western Australian Treasury Corporation	Loan No. 65 Fixed Component – Capel hall 181120.04	16703.21
EFT10668		- Eft10711	Refer Agenda 21.03.12	

EFT10712	14/03/2012	Australia Post	Postage For Month	2182.51
EFT10713	14/03/2012	Amazing Clean Blinds	Blind Cleaning For Capelberry Cafe And Margie's Cafe	630.00
EFT10714	14/03/2012	All West Building Approvals Pty Ltd	Assisting With The Assessment Of Building Licence Applications	780.45
EFT10715	14/03/2012	Australind Cleaning Service	Cleaning HACC Premises	429.66
EFT10716	14/03/2012	Bunbury Retravision	Supply 1 Electric Water Urn – Dalyellup Community Centre	270.00
EFT10717	14/03/2012	Bunbury Machinery	Supply 2 Kubota F3680ns @\$33250 Ea Less Trade In Of 2 Kubota F3680ns \$24000	46750.00
EFT10718	14/03/2012	Bunbury Holden	Trade In CP5172 Commodore SV6 For A Holden SV6 3.6l Auto Sportwagon	15421.62
EFT10719	14/03/2012	BW & DJ Bell	Reimburse Catering Costs Elgin Fire	80.22
EFT10720	14/03/2012	Alan Brandstater	Reimburse For Prescription Safety Glasses	372.90
EFT10721	14/03/2012	Bendigo Bank Business Credit Card	Australian Building Codes Board - National Construction Code 2011, Survey Monkey Subscription Renewal, Mosquito Costume, Capel Vale Wines Staff Recognition Vouchers, Capel IGA Business Forum Refreshments, Capelberry Café EMT Luncheon	1221.88
EFT10722	14/03/2012	Capel Crane Hire	Transport Fuel/Oil Shed From Depot To Tip	302.50
EFT10723	14/03/2012	Community Work Centres	Gardening – HACC Client	45.00
EFT10724	14/03/2012	CCS Strategic	Community Engagement For The Development Of The Community Strategic Plan.	9124.50
EFT10725	14/03/2012	Colroys Country Kitchen	Refreshments For Bush Fires 29 Feb & March 1,2,3 & Catering For Business Forum	1490.00
EFT10726	14/03/2012	Elliott's Small Engines	HACC Replacement Parts	44.85
EFT10727	14/03/2012	Eaton Hardware	HACC Hardware Supplies	375.43
EFT10728	14/03/2012	LD Freeman	Reimburse Drinks Purchased Allenville Rd Fire 12/3/12	124.25
EFT10729	14/03/2012	A Ingram	Reimburse For Book Purchases	243.94
EFT10730	14/03/2012	South West Isuzu (Formerly Jem Trucks)	Fix Fuel Tank CP4821	167.75
EFT10731	14/03/2012	Landscape Development	Landscape Maintenance Dalyellup	71878.19

EFT10732	14/03/2012	Linda's Lawnmowing	Lawns Mowed Boyanup Museum	265.00
EFT10733	14/03/2012	Metal Artwork Creations	8 X Name Badges + Postage	93.83
EFT10734	14/03/2012	Mainspray	Spray Bank At Capel Bowling Club Shed (Facing Berkshire St) To Kill Kikuyu	110.25
EFT10735	14/03/2012	MPM Development Consultants	Calinup Road Sandpit - Earthworks Modelling And Road Design	2838.00
EFT10736	14/03/2012	Officeworks Superstores Pty Ltd	Stationery – HACC	170.30
EFT10737	14/03/2012	PC Machinery	Graffiti Removal - 1 Box Of Dyemark Paint - Madigan Road.	85.80
EFT10738	14/03/2012	Pages Mechanical Repairs	Repair Pump Motor Elgin 1.4 Appliance @ Gavins Rd Fire	194.40
EFT10739	14/03/2012	Wendy Pearce	Rates Refund For Assessment A2677 23 Hasties Road Gelorup	311.54
EFT10740	14/03/2012	Southerns Water Technology	4x Galcon Retic Controllers For Main Street.	513.39
EFT10741	14/03/2012	SOS Office Equipment	Meterbilling Lanier MP6001 Tech Services	305.79
EFT10742	14/03/2012	Christine Scott	Reimburse Catering Expenses Elgin Brookdale Fires	123.84
EFT10743	14/03/2012	Ray Tink Roofing	Replace Guttering At Shire Office And Additional Down Pipe	1360.00
EFT10744	14/03/2012	Vacuum World Sales & Service	2 Packs Of Vacuum Bags	95.00
EFT10745	15/03/2012	D Reitmann	Rates Refund For Assessment A4126 15 Koulberry Road Dalyellup	369.49
EFT10746	21/03/2012	Austral Mercantile Collections P/L	Summons Costs 2011/2012	5260.66
EFT10747	21/03/2012	Access Housing Australia Limited	Refund Of Rent For J Eley \$480 For 4/2/12 To 2/3/12. Refund 11/2/12 To 2/3/12 21 Days. 21/28 X \$480 = \$360	897.36
EFT10748	21/03/2012	Bunbury Retravision	Kelvinator 420L Fridge Freezer - Dalyellup Community Centre	798.00
EFT10749	21/03/2012	Busselton Bitumen Service & Civil	West Rd/Capel Dr & Capel Dr/ Buchanan Rd Kerbing And Road Widening	16058.71
EFT10750	21/03/2012	Korong Vending (BCM Vending)	Vending Machine Rental Feb – HACC	478.00
EFT10751	21/03/2012	Custom Service Leasing Ltd	Fleet Fuel – HACC	2952.65
EFT10752	21/03/2012	Capel To Cape Fencing	Repairs To Fence at Peppermint Grove Beach	5720.00

EFT10753	21/03/2012	Golden West Plumbing & Drainage	Repair The Drain In Male Toilet - Dalyellup Beach Toilets & Repair Leaking Tap Capel Community Hall	280.50
EFT10754	21/03/2012	Globe Sign Co	Signage - Entry Statement - Administration Building - Metal Letters Spaced Off Walls With Pins - Routed Circle Logo, Digitally Printed Graphic	995.50
EFT10755	21/03/2012	Insight CCS Pty Ltd	Call Centre Charges	187.72
EFT10756	21/03/2012	Innovest Construction	Release Of End Of Defect Liability Period Retention Capel Sports Pavilion	28741.90
EFT10757	21/03/2012	Lesley Jackes	Rates Refund For Assessment A3098 11 Connell Court Peppermint Grove Beach	500.00
EFT10758	21/03/2012	Local Government Managers Australia	LGMA Professional Development Conference Registration And Conference Dinner - Governance Officer	935.00
EFT10759	21/03/2012	Programmed Integrated Workforce	Labour Hire	738.65
EFT10760	21/03/2012	PJ & EV Page	Waxing & Buffing Of Floor Boyanup Hall	70.00
EFT10761	21/03/2012	Phoenix Petroleum Pty Ltd	620L Diesel	1186.42
EFT10762	21/03/2012	Quickmail	Printing For The Community Services & Facilities / Community Strategic Plan	5620.59
EFT10763	21/03/2012	Robey D & Brand Km	Rates Refund For Assessment A6579 23 Lapwing Road Dalyellup 6230	593.07
EFT10764	21/03/2012	South West Tree Safe	Remove Large Jarrah And Suckers , Grind Stumps	3850.00
EFT10765	21/03/2012	Shaddicks Lawyers	Legal Fees	2525.00
EFT10766	21/03/2012	Total Telephone	Phone Case – Manager HACC	20.00
EFT10767	21/03/2012	T & P Design	Hutton Road Survey & Design	1262.25
EFT10768	21/03/2012	WA Country Builders	Refund Verge Inspection Fee As Not Required For Rural Properties BL11894	110.00
EFT10769	28/03/2012	Bunbury Taxis Co-Operative Ltd	Transport Of Wheelchair Clients – HACC	255.40
EFT10770	28/03/2012	Shire Of Busselton	Bronze Medallion For Donna Sims	170.00
EFT10771	28/03/2012	Benchmark Contracting Pty Ltd	Maintenance Of Stair Treads In Boardwalk/Beach Access (Dalyellup)	5123.25
EFT10772	28/03/2012	Wayne Butler	Refund Renominated Traffic Infringement	300.00

EFT10773	28/03/2012	Capelberry	Catering For Monthly Council Meetings For 15 People	400.00
EFT10774	28/03/2012	Easifleet Management	Lease On Suzuki Swift Hatchback – CEO & Lease On Mazda 3 Hatchback - Manager HR	1523.98
EFT10775	28/03/2012	Forpark Australia	Replacement Playground Equipment Parts - Erle Scott Park & Capel Recreation Ground	1115.55
EFT10776	28/03/2012	Freestyle Now Promotions	Capel Community Safety Stall/Skate Competition - Includes Travel, Hire Of Equipment, Guestspeaker And Resources	2200.00
EFT10777	28/03/2012	Haines Norton	Financial Reporting Workshop And Management Reporting Workshop - Director Corporate Services & Manager Finance	2915.00
EFT10778	28/03/2012	A Ingram	Book Purchases	51.30
EFT10779	28/03/2012	Western Australian Local Government Association	Various Advertising	2216.71
EFT10780	28/03/2012	Manpower	Labour Hire	4269.03
EFT10781	28/03/2012	Motorpass	Fleet Fuel – BFB	4033.68
EFT10782	28/03/2012	Rural Cinema	Handpainted Gift Bags For Citizenship Ceremonies	204.00
EFT10783	28/03/2012	South West Tree Safe	Remove Two Gum Trees On Brookdale Road.	3080.00
EFT10784	28/03/2012	South West Group Of Affiliated Agricultural Assoc. Inc.	2012 Sponsorship Of South West Display At Perth Royal Show	250.00
EFT10785	28/03/2012	Total Green Recycling	E Waste Recycling	2265.12
EFT10786	28/03/2012	Trade Hire	Hire Mini Digger For Grave Digging 23/03/2012	191.40
EFT10787	28/03/2012	West Coast Property Developments P/L	HACC Building Rent Apr-June 2012 & Building Insurance	28990.27
45545	07/03/2012	Alinta Gas	Gas – HACC	31.20
45546	07/03/2012	Barbara Adams	Hall Bond Refund	150.00
45547	07/03/2012	Busselton Public Library	Payment For Lost Book	5.50
45548	07/03/2012	Courier Australia International	Courier Costs - Library	55.18
45549	07/03/2012	Shire Of Capel	Refreshments	183.55
45550	07/03/2012	Jeremy & Barbara Cypher	43 Waddingham Loop Capel - Crossover	300.00
45551	07/03/2012	Susan Hay	5 Tiffany Centre Dalyellup - Crossover	300.00
45552	07/03/2012	Aaron Offer	Hall Bond Refund	500.00
45553	07/03/2012	Police Licensing	Order Special Series Plates – 166CP	155.00
45554	07/03/2012	TR & JE Pickering	19 Lapwing Road Dalyellup - Crossover	300.00

45555	07/03/2012	Lindsay Raabe	25 Epidote Loop Dalyellup - Crossover	300.00
45556	07/03/2012	St. Johns Ambulance Association	St John's First Aid - Flexible Learning Training Course - Community Devtpt Officer	160.00
45557	07/03/2012	Synergy	Electricity	20018.90
45558	07/03/2012	The Sunsuper Ride To Conquer Cancer	Donation Cancer Fundraising Support	250.00
45559	07/03/2012	Telstra Corporation Ltd	HACC Rent & Calls	704.12
45560	07/03/2012	Ali Thorpe	Donation - Bunbury Public Schools Educational Districts Sport Leadership Program Trip To Melbourne	250.00
45561	07/03/2012	Water Corporation	Repair Leaking Hydrant Laymon Road Capel	562.35
45562	07/03/2012	WALGS Plan	Superannuation Employee 394 - Due To Synergy Issue With Not Processing Payroll Payment Properly - Have To Process Super Manually Through Creditors System.	1476.01
45563	09/03/2012	W & S Martin	Rates Refund For Assessment A5781 1 Sepia Approach Dalyellup 6230	385.00
45564		- Cheque 45566	Refer Agenda 21.03.12	
45567	14/03/2012	Wetherell Fd	Reimburse Drinks - Brookdale Rd Fire	80.00
45568	14/03/2012	Kellie Bell	Reimburse Refreshments Elgin Fires 27/2/12	61.55
45569	14/03/2012	Ainslie Bell	Reimburse Refreshments Elgin Fires 27/2/12	136.05
45570	14/03/2012	Lynne Bell	Reimburse Refreshments Elgin Fires	76.45
45571	14/03/2012	Courier Australia International	Courier Fees - Health	26.47
45572	14/03/2012	Shire Of Capel	Transfer Of Verge Bond Refund Monies BL8373 To New BL11864 G Holland	296.60
45573	14/03/2012	Department Of Transport	Annual Licence Swimming Pontoon	33.63
45574	14/03/2012	Holland G & K	Refund Of Partial Verge Monies – BL8373	203.40
45575	14/03/2012	N & U Engels	Rates Refund For Assessment A6500 22 Longbow Approach Dalyellup	365.72
45576	14/03/2012	Keith Ogden	Refund Hall Deposit	150.00
45577	14/03/2012	Synergy	Electricity	24462.09
45578	14/03/2012	V Skippings	Reimburse Catering Expenses Elgin Fires	95.64
45579	14/03/2012	Telstra Corporation Ltd	Rent & Calls	2076.74
45580	14/03/2012	D Trigwell	Refund Hall Bond	500.00
45581	14/03/2012	Claire Vanderplank	Hall Bond Refund	150.00
45582	14/03/2012	C Wilkes	Reimburse Cost of Refreshments - Brookdale Rd Fires	109.98
45583	21/03/2012	Boyanup General Store	Catering Boyanup Community Workshop	247.35

45584	21/03/2012	Courier Australia International	Courier Costs - Stewart & Heaton Clothing	14.39
45585	21/03/2012	Capel Newsagency	Milk	172.89
45586	21/03/2012	D & T Cowley	Rates Refund For Assessment A5416 50 Stafford Drive Stratham	161.54
45587	21/03/2012	Department Of Environment & Conservation	Clearing Permit For Cable Mine Road	2200.00
45588	21/03/2012	Australian Taxation Office	Withholding Tax	63362.00
45589	21/03/2012	Louisa Harrison	Unused Dog Registration	12.00
45590	21/03/2012	Colin Holt	Refund For Meeting Room Hire Cancellation	18.00
45591	21/03/2012	M Leatherbarrow	Hall Bond Refund	150.00
45592	21/03/2012	Merredin Medical Centre	Pre-Employment Medical – General Hand Parks	220.00
45593	21/03/2012	3 Australia	Brigade Messaging Service	309.23
45595	21/03/2012	Lisa Joy La Rosa	54 Crystal Bend Dalyellup - Crossover	300.00
45596	21/03/2012	Loretta Roberts	Sports Participation Scheme	300.00
45597	21/03/2012	Synergy	Electricity	11062.30
45598	21/03/2012	JA Skinner	Rates Refund For Assessment A493 49 Ramsay Road Stratham	71.82
45599	21/03/2012	Kellie Self	Hall Bond Refund	500.00
45600	28/03/2012	Lisa Buratti	Refund For Cat Sterilisation	20.00
45601	28/03/2012	Courier Australia International	Courier Costs - Library	20.99
45602	28/03/2012	Capel Newsagency	Newspaper Purchases	57.50
45603	28/03/2012	Shire Of Capel	Refreshments	201.44
45604	28/03/2012	Dalyellup Beach Cricket Club	Hall Bond Refund	150.00
45605	28/03/2012	Hoolee Dooleez Vairety & Value	Materials For Boyanup Family Fun Day 2012	150.00
45606	28/03/2012	Claire Jensen	Kerb/Verge Deposit Refund – BL9346	500.00
45607	28/03/2012	Matt Michon	Hall Bond Refund	500.00
45608	28/03/2012	Synergy	Electricity	87.55
45609	28/03/2012	Telstra Corporation Ltd	HACC Rent & Calls	2290.24
45610	28/03/2012	Shire Of Capel	Cash Float For Inzone Registrations	100.00
45611	30/03/2012	Cornerstone Legal Pty Ltd	Lease Rental	2.20

528259.29

13.03.12	SHIRE OF CAPEL PAYROLL PAYMENTS	\$145,304.47
27.03.12	SHIRE OF CAPEL PAYROLL PAYMENTS	\$147,524.81

\$292,829.28

15.03.12	TRANSFER FROM MUNICIPAL ACCOUNT	\$900,000.00
20.03.12	TRANSFER FROM MUNICIPAL ACCOUNT	\$68,086.90
27.03.12	TRANSFER TO MUNICIPAL ACCOUNT	\$400,000.00
		<u>\$600,000.00</u>

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 18 April 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. Heedy.*

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

**VOTING REQUIREMENTS**

Simple majority

**OC0412 OFFICER'S RECOMMENDATIONS – 17.6/COUNCIL DECISION**

**Moved Cr Bell, Seconded Cr Manley**

**That Council receives:**

- 1 The Schedule of Accounts covering vouchers 126 to 128, EFT10636 to EFT10667, EFT10712 to EFT10787, 45545 to 45563, 45567 to 45611 totalling \$528,259.29 paid during the month of March 2012;**
- 2 Payroll payments for the month of March 2012, totalling \$292,829.28; and**
- 3 Transfers to and from investments as listed.**

Carried 7/0

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

The meeting closed at 6.15pm.

These minutes were confirmed at an Ordinary Council meeting on 16 May 2012.

Signed

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

Date