



Ordinary Council Meeting Minutes
Wednesday, 24 April 2024



GORDON MACMILE
CHIEF EXECUTIVE OFFICER

Acknowledgement of Country

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

Our Vision

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

Our Values



H Honesty

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



E Empathy

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



A Accountability

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



R Respect

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



T Teamwork

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



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1. Declaration of Opening/Announcement of Visitors

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

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

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

Cr McCleery has an approved leave of absence for the 24 April 2024 Ordinary Meeting of Council (OC/2024/26).

PRESENT:

Councillor - Shire President	D Kitchen
Councillor - Deputy President	S Schiano
Councillor	A Dillon
Councillor	J Fergusson
Councillor	R Mogg
Councillor	K Noonan
Councillor	C Terrantroy
Councillor	T Sharp
Chief Executive Officer	G MacMile
Director Community and Corporate	S Chamberlain
Director Infrastructure and Development	T Gillett
Strategic Governance and Risk Coordinator	T Shipley

LEAVE OF ABSENCE:

Councillor	P McCleery
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APOLOGIES:

Nil

MEMBERS OF PUBLIC - Gallery:

12

3. Response to Previous Public Questions Taken on Notice

Nil



4. Public Question Time

Public Question Time began at 6:01pm.

D Brown on behalf of M Tichbon – Boyanup

My questions are in relation to the approval granted on 16 April 2024 for an Extractive Industry Licence (EIL) at Lot 148 (No. 168) Skippings Road, Boyanup.

Question 1:

As the applicant is only permitted to excavate to 0.8 metres above the Maximum Groundwater Level (MGL), and after allowing for 10cms to be put aside as topsoil (which is to be re-spread after completion of excavation), there will be areas of the excavation site where there will be little or no sand available to excavate.

How does the Shire intend to enforce this provision?

Will a detailed map be drawn up showing the areas that can and cannot be excavated?

As the Shire staff recommended approval of this EIL application, both on 2 August 2023 and 16 April 2024 in their Responsible Authorities Reports, will the Shire of Capel accept responsibility for enforcing that excavation remains at 0.8 metres above the MGL?

If the Shire of Capel will not accept responsibility, who will?

Shire President Response:

The Shire will enforce conditions by the JDAP requiring the applicant to demonstrate compliance with the condition. It is necessary for the applicant to monitor groundwater level conditions throughout the operation and provide information as requested to demonstrate 0.8m separation distances to groundwater.

There is also a need for the applicant to undertake an annual audit of compliance. The Shire also can request advice from the Department of Water and Environmental Regulation if further technical assistance is required.

In defining the extent of extraction areas, it will be necessary to survey and peg the extent of the extraction area to show works are consistent with the approved plan.

The Shire is also able to undertake compliance inspections to ensure license conditions are being complied with.

Question 2:

Under Section 31 SAT Reconsiderations – 5.1 Lot 148 (No. 168) Skippings Road, Boyanup, Extractive Industry Development Proposal DAP/23/02479.

As part of the Section 31 Reconsideration process, the applicant submitted the revised material to the Shire of Capel on 3 January 2024 for review and assessment.

What action did the Shire take to discuss the proposed changes to the Conditions with those who had previously lodged concerns over the development, especially the landowners adjoining Lot 148 Skippings Road as they are directly affected parties by this project?



Why were the revised changes not sent out for comment when there had been so much interest in this EIL?

Shire President Response:

The process for review was between the applicant, DAP and the State Administrative Tribunal. The details were negotiated between these parties. The amended documents that resulted from this mediation process were then presented to the Shire to prepare the RAR.

The amended documents did not require re-advertising as the changes proposed reduced impacts on neighbouring properties both in terms of extraction area footprint and increasing management controls.

Third parties that made submissions were afforded an opportunity to review documents prior to the DAP agenda meeting and were afforded opportunity to make deputations during the DAP agenda meeting, consistent with legislative requirements of DAP Applications.

B Horsfall – Boyanup

Question 3:

I am very concerned about the approval by the RJDAP on 16 April 2024 for an extractive industry licence to operate next to our home, which is well inside the required buffer zone.

There has been no consideration of how the impactful dust over a lengthy period is going to impact me and my family.

I refer to the following two documents, which I understand will be enforceable on this project.

- Work Health and Safety (Mines) Regulations 2022; and
- Safe Work Australia – Workplace Exposure Standards for Airborne Contaminants January 2024.

How will the Shire of Capel ensure that we will not be affected by the dust, which will be released if this area is mined?

Has the Shire consulted with DMERS Occupational Hygiene Team to understand the potential risks?

What measures will be taken by the Shire to protect the public?

What is being done to ensure the requirements under the Act and Regulations above are adhered to, and that neighbouring residents are not being affected by what is coming out of the mine?



Shire President Response:

Shire staff requested technical advice from the Department of Health regarding potential impacts from dust on health based on submissions received from the community. The Department of Health is best placed to provide technical expertise and has informed experience on which to comment and provide advice on potential health impacts from dust.

The Department of Health concluded that the proposal did not generate health impacts from dust. It is further noted that the amended dust management plan requires extraction for stages 1 and 2 (located closest to neighbouring property) to be limited to wetter times of the year which further reduces the potential for dust as a nuisance. The amended dust plan approved as part of the assessment by DAP will ensure dust is appropriately managed.

Question 4:

To understand potential health risks, one needs to understand what the risks are.

Many people have asked what the composition of material is to be mined at Lot 148 Skipplings Road – both at Council meetings, two RJDAP hearings and a SAT mediation hearing.

Why has there been a continued silence on our repeated requests to test the composition of the material of what is going to be mined and that it be made public?

Will the Shire now undertake to request the results of the material to be made public?

Shire President Response:

The Shire requested and obtained technical advice from the Department of Health in relation to potential health impacts from dust generated by the operation. The Department of Health raised no objections to the proposal.

In making the decision, the DAP considered all the submissions and information provided and were satisfied with the information provided, and on this basis, approved the application

T Horsfall – Boyanup

Question 1:

I refer to the Government agency comments which were published in the August 2023 RJDAP agenda (pages 210-211/246).

From the Department of Health (DoH)

Item 1

“The proponent has prepared a qualitative dust risk assessment and provided details of visible dust monitoring and management measures to be employed at the site, including the use of dust suppression sprays, dust fencing, soil perimeter bunds and a commitment to cease operations during periods of high wind.

The proponent has stated that “no dust is to cross the Lot boundary at any time”.



These measures have been enshrined in a Dust Management Plan which includes a Dust Complaint Form and community contact details.

Whilst DoH considers the public health risks associated with dust from sand quarrying to be low, prolonged exposure to high levels of sand dust in the air is unpleasant, may irritate the eyes, nose and throat, and exacerbate pre-existing breathing difficulties.

The proponent should discuss and agree on these dust management measures with local residents.

Will the Shire place a dust measuring machine the boundaries of Lot 148 to ensure the DoH requirement is adhered to?

Did the Shire staff conduct due diligence by meeting with local residents to discuss and agree the dust management measures as prescribed by the Department of Health?

Shire President Response:

The dust management plan submitted with the DAP application was advertised to the public in accordance with the regulations.

As mentioned in previous answers, Shire staff requested technical advice from the Department of Health regarding potential impacts from dust on people's health, based on submissions received from the community.

In making the decision, the DAP considered all the submissions and information provided, including deputations made during the DAP agenda meeting. The DAP was satisfied that the information provided was sufficient to make a decision. The DAP determined to approve the application on this basis without requesting further information.

Question 2:

A further comment from the Department of Health (DoH), Item 3 states:

"Water Supply and Wastewater Disposal

The following comments relate to Water Supply and Wastewater disposal, subject to the Department of Water and Environmental Regulation confirming that the proposal complies with State Planning Policy 2.7:".

It appears that the "following comments" from the State Planning Policy 2.7 may have been omitted from the published agenda.

Will the Shire staff please provide full copies of the Government agency responses to the adjoining landowners?

Shire President Response:

Full copies of the submissions made by Government Agencies is available on the DPLH website for 2 August 2023 DAP Agenda meeting. Submissions start on page 257.

Public question time finished 6:14pm.



5. Application for Leave of Absence

Nil

6. Declarations of Interest

Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.

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

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

A person has a **proximity interest** in a matter if the matter concerns a proposed change to a planning scheme affecting land that adjoins the person's land; or a proposed change to the zoning or use of land that adjoins the person's land; or a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.

An **impartiality interest** means an interest that could, or could reasonably be perceived to, adversely affect the **impartiality** of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

7. Notice of Items to be Discussed Behind Closed Doors

The item/s to be discussed behind closed doors are:

- 20.1 Bunbury Cathedral Grammar School – Execution of Memorandum of Understanding

8. Confirmation of Minutes

8.1. Ordinary Meeting of Council - 27 March 2024

Voting Requirements

Simple Majority



OC/2024/56 - Officer's Recommendation / Council Decision - 8.1

Moved Cr Terrantroy, Seconded Cr Fergusson.

That the Minutes of the Ordinary Meeting of Council - 27 March 2024 be confirmed as a true and correct record.

Carried 8 / 0

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

Against - Nil

9. Announcements by Person Presiding Without Discussion

1 – Shire President Activity Report

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

Event:	15/02/2024 – Bunbury Geographe Economic Alliance
Report:	Board meeting
Event:	20/02/2024 – Careers Day
Report:	Presentation to Students from Dalyellup College and Childside about careers in Local Government
Event:	21/02/2024 – Meeting with Bunbury Police
Report:	Discussion on increasing cooperation between the Shire and WA Police
Event:	23/02/2024 – South West Local Government Zone Meeting
Report:	
Event:	27/02/2024 – Chamber of Minerals and Energy
Report:	Stakeholder dinner
Event:	1/03/2024 – Meeting with Water Corp
Report:	
Event:	6/03/2024 – Dlayellup Primary School
Report:	Presentation to Students on the role of Local Government
Event:	6/03/2024 – Annual Electors Meeting
Report:	Thank you to the community members that attended this years meeting
Event:	8/03/2024 – Meeting with Don Punch MLA
Report:	Discussion on matters in the Shire of Capel
Event:	Captivate Capel
Report:	Fantastic to see the event come together, with high attendance from the community.
Event:	20/03/2024 – Local Emergency Management Committee
Report:	



Event:	21/03/2024 – Dalyellup Post Fire Check-in
Report:	Presentation and Q&A for community on the bushfire emergency in Dalyellup
Event:	22/03/2024 – Citizenship Ceremony
Report:	Welcoming 20 new citizens to the Shire of Capel
Event:	26/03/2024 – Meeting with City of Bunbury
Report:	
Event:	26/03/2024 – Bunbury Geographe Group of Councils
Report:	Meeting to discuss regional matters and solutions
Event:	04/04/2024 – Bunbury Geographe Economic Alliance
Report:	A Pleasure to host the board meeting in the Shire of Capel

Date	Briefing
14/02/2024	Mid-Year Budget Review Workshop
21/02/2024	Review of Compliance Audit Report
28/02/2024	Review of Councillor Budget Requests
	Review of Asset Management Strategy
29/02/2024	DMCYC Creative Chaos
6/03/2024	Review of Local Government Reforms
	New Model Monthly Financial Statements
20/03/2024	Agribusiness Precinct Update
	Service review and Implementation Plan
10/04/2024	Draft Waste Strategy Review

Item 11.1 Motions of which previous notice has been provided, Local Groundwater Supply has been withdrawn from the Agenda.

There has been alternative recommendations provided for items:

- 14.2 Program of Works 2024/25 - Roads
- 14.4 Program of Works 2024/25 - Facilities (Buildings)

Item 15.5 and 15.6 voting requirements have been amended to an Absolute Majority.

10. Petitions/Deputations/Presentations

10.1 Deputation - Penny David and Donna Brown:

148 Skippings Road EIL

1 member of the public entered the room at 6:22pm.



10.2 Presentation – Adam and Christina Gregory:

- 14.6. Retrospective Holiday House - Lot 31 (14) Peppermint Grove Terrace
- 14.7. Retrospective Holiday House - Lot 104 (1) Sand Dune Drive

11. Motions of Which Previous Notice has Been Given

- 11.1 Notice of Motion – Local Groundwater Supply

This item was withdrawn from the Agenda.

12. Questions of Which Previous Notice has Been Given

Nil



13. Chief Executive Officer Reports

13.1. Local Government Reform - Standardised Meeting Procedures Consultation Paper

Author	Strategic Governance and Risk Coordinator, Tahlia Shipley
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Legislative Review
Attachments	1. Attachment 13.1.1 DLGSC Standardised Meeting Procedures- Consultation Paper (February 2024) [13.1.1 - 14 pages] 2. Attachment 13.1.2 LG Reforms - Standardised Meeting Procedures - Shire of Capel Submission [13.1.2 - 21 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the Shire of Capel's submission to the Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on the proposed reform of legislation and regulations relating to Standardised Meeting Procedures.

Officer's Recommendation

The Council:

1. Endorses the recommended positions detailed in Attachment 13.1.2 as the Shire of Capel's submission for the Consultation on Standardised Meeting Procedures; and
2. Supports the submission of the Shire of Capel's positions to the Department of Local Government, Sport and Cultural Industries Consultation process, within the required timeframe.

Background

Extract from the DLGSC Local Government Reform Consultation Paper

The State Government is implementing a number of reforms to the *Local Government Act 1995* (the Act) to improve transparency and accountability in local government in Western Australia and deliver benefits to ratepayers and residents.

Standardising council and committee procedures is part of these reforms. Establishing a consistent approach to all local government council and committee meetings will make it easier and simpler for people to participate in and observe council meetings, wherever they are held.

Establishing one standard is expected to simplify and improve training for council members and local government staff. It can also strengthen the enforcement of breaches of meeting procedures (for instance, if a person repeatedly and unreasonably disrupts a meeting).



Currently, it is usual practice for local governments to have local laws and policies in place to govern the conduct of council meetings. However, this approach means that there can be variation in how members of the public can engage with council meetings.

The Department of Local Government, Sport and Cultural Industries (DLGSC) will also develop reference materials for council members, local government staff and communities to assist in ensuring consistency throughout the sector.

Previous Council Decisions

Council has previously considered proposed legislative and regulatory reforms and endorsed submissions to:

- Overall local government reform package.
- Local government elections; and
- Cemeteries and Cremations.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

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

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

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

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

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

Direction 6 - Effective communication, engagement and relationship development:

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

Corporate Business Plan 2023-2027

GOV 12 - **Legislative Compliance Management** - Manage the Shire's legislative compliance, including maintaining registers.

GOV 24 - **Local Government Reform** - Monitor, advocate and implement local government reform package.

GOV 29 - **Council/Committee Timeframes** - Realign delivery of Council / Committee agendas and associated briefings / site visits to provide for increased preparation time and improved understanding / decision-making.

GOV 30 - **Council Meeting Support** - Production and distribution of meeting agendas and minutes for council, committee and internal meetings.



Statutory Framework

Local Framework

Shire of Capel – Standing Orders Local Law 2016.

State Framework

The *Local Government Amendment Act 2023* inserts section 5.33A, to allow standardised meeting procedures for all local governments to be made in the form of Regulations or model provisions.

The State Government intends under section 5.33A to make Regulations that apply to all local governments and an order of the Governor under section 3.17 of the Act to repeal all existing local government meetings procedures, standing orders or council meeting local laws.

It is intended that the new standard meeting procedures (also known as “standing orders”) apply to all council and committee meetings held by local governments. It is also intended that Regulations will contain consistent rules for how meetings are held.

It is envisaged that relevant elements of Parts 2 and 3 of the *Local Government (Administration) Regulations 1996* (the Regulations) would be incorporated into the new standardised meeting procedures.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Councillor Briefing Framework.
- Disruptive Behaviour at Council Meetings.
- Policy Framework.
- Recording of the vote of all members.
- Web Streaming of Council Proceedings.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Medium	Possible	Moderate	Suitable policy, procedure and administrative requirements are in place to comply with legislation and regulation, while providing quality governance and decision-making to the local community.
Risk Description: Failure to comply with legislative and regulatory requirements, and ineffective governance and decision-making by Council.			



Risk	Likelihood	Consequence	Mitigation
Risk 2 Reputation Rating: Medium	Possible	Moderate	Suitable policy, procedure and administrative requirements are in place to ensure effective community participation in decision-making.
Risk Description: Ineffective community participation in Council decision-making and damage to the Shire’s reputation and standing within the community.			
Opportunity: Quality governance and decision-making and enhancement of the Shire and Council’s standing within the community.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

As no assets/infrastructure are being created, there are no long term financial implications. Future legislative reforms are expected to be primarily administrative and not incur substantial ongoing financial implications.

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

The DLGSC is inviting local governments, council members, Chief Executive Officers (CEOs), local government employees, groups and associations, and members of the community to consider the proposals and provide feedback.

The Consultation Discussion Paper is included at Attachment 13.1.1.



Specific questions have been targeted to certain meeting procedure topics to better understand the variety of existing approaches currently used by the sector.

The DLGSC is interested in learning more about how existing approaches work well in practice; and how reforms can be structured to improve transparency and public involvement, simplify the way meetings are conducted, and promote uniformity throughout the sector.

The consultation process closes on Wednesday, 29 May 2024.

Internal Consultation

Draft positions, proposals and recommendations have been developed with consultation including Director Corporate and Community, Strategic Governance and Risk Coordinator, Governance Team and the Office of the Chief Executive Officer.

Officer's Comment

The DLGSC Discussion Paper requests local government's consider proposed legislative and regulatory reform to establish a Standardise Meeting Procedure approach, with a focus on the following key areas:

Part 1 – General Meeting Process

1. Calling of Meetings.
2. Agendas and Order of Business.
3. Urgent Business.
4. Quorum.
5. Adjourning a Meeting.

Part 2 – Public Participation

6. Public Question Time.
7. Presentations at Council.
8. Petitions.

Part 3 – Conduct of Debate

9. Orderly Conduct of Meetings.
10. Motions and Amendments.
11. Debate of a Motion.
12. Questions by Members.
13. Procedural Motions.
14. Adverse Reflection.

Part 4 – Other Matters

15. Meetings Minutes and Confirmation.
16. Electronic Meetings and Attendance.
17. Council Committees.
18. Meetings of Electors.
19. Any other matters.



Following the consultation process, DLGSC will consider all submissions and make recommendations regarding regulatory reform, eventually becoming gazetted legislation.

Summary

DLGSC has released a Discussion Paper on proposed reforms to establish Standardised Meeting Procedures.

The proposed legislative and regulatory reforms proposed in the Discussion Paper are strongly consistent with the manner that the Shire of Capel currently conducts meetings in accordance with our Standing Orders Local Law 2016.

Accordingly, the recommended positions and the subsequent submission, subject to Council endorsement are consistent with current practice.

Voting Requirements

Simple Majority .

Officer's Recommendation – 13.1.

OC/2024/57 - Amended Recommendation / Council Decision - 13.1

Moved Cr Terrantroy, Seconded Cr Schiano.

- 1. Endorses the recommended positions detailed in Attachment 13.1.2 as the Shire of Capel's submission for the Consultation on Standardised Meeting Procedures; and**
- 2. Supports the submission of the Shire of Capel's positions to the Department of Local Government, Sport and Cultural Industries Consultation process, within the required timeframe.**
 - a. Council does not support emailing the CEO proposed amendments to unconfirmed minutes by 12pm noon the day before a meeting at which the minutes are to be confirmed and wishes to retain the right to amend at the Council meetings.**

Carried 8 / 0

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

Against - Nil



13.2. SW WALGA Zone - Election Cycle Priorities

Author	CEO, Gordon MacMile
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Advocacy Executive/Strategic
Attachments	1. SW LOCAL GOVERNMENT REGIONAL PRIORITIES [13.2.1 - 2 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Note the identified regional Election Priorities for the South West, as endorsed by the SW WA Local Government Association zone.

Officer's Recommendation

That Council notes and supports the SW WALGA zone endorsed regional Election Priorities for the upcoming 2024/25 State and Federal cycles and the strategic alignment with priorities identified in the Shire of Capel Advocacy Prospectus 2023 and Beyond.

Background

The South West (SW) WA Local Government Association (WALGA) zone local governments took a united and collaborative approach to advancing regional-level and more localised priorities to the previous State and Federal elections in an effort to maximise outcome opportunities.

The next State Election is scheduled to be held in March 2025, but can occur earlier. The next Federal Election is also expected to be held during 2025.

Recent discussions at SW WALGA zone meetings have been to commence the development of electoral priorities during 2023, with a view to producing an advocacy document and lobbying strategy by mid-2024, in preparation for the upcoming State and Federal cycles.

Initial discussion on priorities was sought at the April 2023 SW WALGA zone meeting to provide initial guidance to CEOs.

The South West CEOs met at a Shire of Capel hosted workshop on 19 May 2023 to develop initial ideas and potential requests, in relation to Federal and State election priorities as agreed. The workshop included:

- A review of the 2021 election priorities and reflection on the success (or otherwise) of each throughout the campaigns.
- Consideration whether each individual initiative remained a priority or whether the circumstance had changed.
- Preliminary development of potential election priorities for the 2025 cycle.

SW CEOs met again in December 2023 and early February 2024 to further distil and refine the potential election priorities.



Previous Council Decisions

OC/2023/174 (September 2023) – Council:

1. Endorses the Shire of Capel's Long Term Financial Plan (LTFP) 2024-2034 as part of the Shire's Integrated Planning and Reporting (IPR) Framework.
2. Endorses the Chief Executive Officer to make revisions and inclusions to the Shire's 'Advocacy Prospectus 2023 and Beyond' document, ensuring its alignment with the Shire's LTFP.
3. Endorses the Chief Executive Officer to submit funding applications for priorities detailed in the Advocacy Prospectus as the opportunities arise.

OC/2024/32 (February 2024) - Council:

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

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

1.2 A capable community that drives community activation and participation

Direction 2 - Manage and protect our environment

2.7 Urban planning that supports sustainable development

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

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

3.2 Effective promotion of the Shire and its towns

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

4.2 Informed and transparent decision making

4.3 Contemporary planning and local development

Direction 5 - Provide and maintain suitable infrastructure and facilities

5.1 Appropriate community facilities, that meet the communities' needs

5.2 Improved transport options

Direction 6 - Effective communication, engagement and relationship development

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

6.2 Improved cross sector relationships and collaboration

Corporate Business Plan 2023-2027

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



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

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995, Section 5.56

5.56 Planning for the Future

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

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

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

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

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- There are no Council policies relevant to this item.



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Reputation Rating: Medium	Possible	Moderate	Professionally and succinctly present the SW local governments as a strategically focused, collegiate and professional group.
Risk Description: Failure to present a strategic and collaborative campaign to State and Federal Governments; diminishing the reputation of SW local governments, both individually and collectively.			

Risk	Likelihood	Consequence	Mitigation
Risk 2 Infrastructure / Systems / Utilities Rating: High	Likely	Major	Align the SW regional priorities with Capel's strategic priorities and present to both tiers of government and secure funding.
Risk Description: Failure to attract funding and investment; resulting in constraining infrastructure and diminished community / economic development opportunities, now and into the future.			
Risk 3 Service Delivery Rating: High	Likely	Major	Align the SW regional priorities with Capel's strategic priorities, securing funding and enable the delivery and future provision of services to the community.
Risk Description: Failure to secure required funding to provide essential facilities and services; increasing reliance on rates-driven revenue or diminished provision to the community.			
Opportunity: Preparation and presentation of a professional advocacy prospectus and campaign, strengthens the Shire's reputation with stakeholders and delivers facilities and services to the community and the wider SW region.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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



Sustainability Implications

Climate Change and Environmental

The SW regional Election Priorities contains a range of Climate Change Adaption investment initiatives.

Social

There are no relevant social implications relevant to this item.

Economic

The SW regional Election Priorities contains a range of economic investment initiatives.

Asset

The SW regional Election Priorities contains a range of infrastructure investment initiatives.

Consultation/Engagement

External Consultation

The Draft Election Priorities has been developed in a collaborative effort involving all twelve (12) SW local governments (Harvey, Bunbury, Dardanup, Capel, Donnybrook-Balingup, Collie, Augusta-Margaret River, Busselton, Boyup Brook, Manjimup, Bridgetown-Greenbushes and Nannup).

Proposed Draft Elections Priorities were endorsed by all SW WALGA zone delegates (Mayors and Shire Presidents) at the February 2024 meeting, with the following decision:

That the South West Country Zone, WALGA and Local Governments (WALGA SW Zone – 23 February 2024 – Item 7.3):

1. Endorse the Regionally Significant Election Priorities and Advocacy Initiatives as detailed in attachment 5, with the following amendments to be included from the WALGA State Budget Submission 2024-25:
 - Page 19 - CoastWA
 - Page 24 - Waste Levy to Fund BHRC FOGO Facility
 - Page 29 - CESM funding (CESMS for everyone in SW)
2. Request the SW CEOs continue to progress the advocacy priority work.
3. Seek to host both a regional Cabinet meeting and a Director's General meeting as part of the future advocacy strategy.
4. Authorise funding of up to \$15,000 from the SW WALGA account to be utilised to prepare the SW's Election Priorities Investment and Advocacy Prospectus.

Internal Consultation

No internal consultation was undertaken.



Officer Comment

Following an update to the SWALGA Country Zone meeting in July 2023, the SW local government CEOs met again to further develop the draft election priority information. This meeting focused on:

- Agreeing on separate regional-level and local individual LG election priorities.
- Developing the regional-level priorities into key pillar areas of (working titles):
 - Social and Community.
 - Commercial Infrastructure.
 - Public Infrastructure.
 - Climate and Environment.
- Developing the detail regarding individual local government priorities, noting that some initiatives have localised importance and others more sub-regional.
- Also noted is that some local priorities will be potential targets for both State and Federal funding.

CEO meetings throughout December 2023 and February 2024 further refined the draft election priorities into 2 main streams:

- a. Seeking State (and potentially Federal) Government investment to assist SW LGs to achieve regionally significant outcomes being:
 - Land, housing and accommodation deconstraining
 - Regional Waste solutions and regulatory reform
 - Climate Change Adaptation
 - Busselton-Margaret River Airport.
- b. Advocating for State (and potentially Federal) Government to fulfil their roles in delivering regionally significant outcomes being:
 - Bunbury Port Upgrade
 - Intermodal / AMTECH
 - Rail Infrastructure
 - Agribusiness.

The next step will be to develop the content for each individual priority, framed in the format of summary business case, as well as an overall advocacy campaign and hopefully, underpinned by regional Cabinet and election candidate meetings.

Budget has been provided through the SW zone account to complete this work.

The individual SW zone local governments also acknowledge that each will have variety of local and specific investment priorities that they will advocate and seek funding for via their respective local members (both State and Federal).

Summary

The SW zone local governments have agreed to work collaboratively to maximise the chances of success advocacy and funding for strategic and regionally important initiatives.

An advocacy and investment campaign is being developed to support this and will be complete by mid-2024.



Voting Requirements

Simple Majority

Officer's Recommendation – 13.2.

OC/2024/58 - Officer's Recommendation / Council Decision- 13.2

Moved Cr Schiano, Seconded Cr Terrantroy.

That Council notes and supports the SW WALGA zone endorsed regional Election Priorities for the upcoming 2024/25 State and Federal cycles and the strategic alignment with priorities identified in the Shire of Capel Advocacy Prospectus 2023 and Beyond.

Carried 8 / 0

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

Against - Nil



13.3. Corporate Business Plan 2023 to 2027 - Quarter 3 Reporting (July 2023 to March 2024)

Author Chief Executive Officer, Gordon MacMile

Authorising Officer Chief Executive Officer, Gordon MacMile

Nature of the Decision Executive/Strategic

Attachments

Confidential Status *This item is not a confidential matter.*

Proposal

Note the quarterly progress report for the Shire of Capel's Corporate Business Plan 2023 to 2027 – Quarter 3 (1 July 2023 to 31 March 2024).

Officer's Recommendation

That Council notes the quarterly progress report (Quarter 3 – 1 July 2023 to 31 March 2024) of the Shire of Capel's Corporate Business Plan 2023 – 2027.

Background

Previous Council Decisions

June 2018 – Council endorsed an updated four (4) year Corporate Business Plan 2018-2022 for the Shire of Capel, incorporating information from the Long-Term Financial Plan, Workforce Plan, Asset Management Plans and various informing Services Strategies and Plans.

August 2021 – Council adopted (OC172/2021) the Shire of Capel Strategic Community Plan (SCP) 2021 – 2031. The SCP is the cornerstone of Capel's long-term planning, articulates the community's vision for the Shire and enables the development of key delivery plans including the Corporate Business Plan.

October 2021 – Council adopted the Shire of Capel's Corporate Business Plan 2021 – 2025.

Council endorsed (OC237/2021) the Corporate Business Plan and further:

- Approved the immediate commencement and / or continuation of all necessary actions for implementation of the Corporate Business Plan 2021 – 2025; and
- Noted that the final published version of the Corporate Business Plan 2021 – 2025 will be graphically designed and illustrated to a standard suitable for public presentation.

August 2022 – Council adopted the Shire of Capel's Corporate Business Plan 2022 to 2026.

Council endorsed (OC/2022/153) in part:

1. Endorses the Shire of Capel Corporate Business Plan 2022 – 2026 – Service Area Action Plan.
2. Approves immediate commencement and / or continuation of all necessary actions for implementation of the Corporate Business Plan 2022 to 2026.



- Notes that quarterly reporting will continue throughout 2022/23 to monitor progress and achievement.

August 2023 – Council accepted (OC/2023/145) the proposed modifications and endorses the Shire of Capel Corporate Business Plan 2023 to 2027 – Service Area Strategic Initiatives and Core Business Actions.

Council further approved the immediate commencement and / or continuation of all necessary initiatives and actions for implementation of the Corporate Business Plan 2023 to 2027 and noted that quarterly reporting will continue throughout 2023/24 to monitor progress and achievement.

September 2023 – Council endorsed (OC/2023/161) the incorporation of the Strategic Community Plan 2023 to 2033 and Corporate Business Plan 2023 to 2027 – Strategic Initiatives into a consolidated 'Plan for the Future'.

Council further noted that the adopted Corporate Business Plan 2023 to 2027 – Core Business Actions will be detailed in Annual Operational Delivery Plans, with significant items included and reported as required, as part of the quarterly reporting.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

The six Future Directions outlined in the Shire of Capel Strategic Community Plan 2023 – 2033 are all relevant to the Corporate Business Plan 2023 – 2027.

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

Direction 2: Manage and protect our environment.

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

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

Direction 5: Provide and maintain suitable infrastructure and facilities.

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

Corporate Business Plan 2023-2027

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

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.



State Framework

Local Government Act 1995, Section 5.56

6.56 Planning for the Future

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

Local Government (Administration) Regulations 1996 apply. Specifically:

Division 3 –Planning for the future

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

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

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

*Absolute majority required.

- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

Policy 2.7 – Preparation of Integrated Financial Plan and Budget applied.



Implications

Risk Implications

Adoption of a Corporate Business Plan is mandated in the Integrated Planning and Reporting Framework (IPRF).

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Possible	Moderate	The Corporate Business Plan details anticipated cost impacts which the Council considers ongoing as part of a sustainable approach to future financial planning.
Risk 2 Service Delivery Rating: Medium	Likely	Moderate	Regular monitoring and reporting against the Corporate Business Plan actions allows for a continued focus on service delivery deemed important by the community.
Risk 3 Reputation Rating: Medium	Possible	Moderate	Regular monitoring and reporting against the Corporate Business Plan actions allows for: <ul style="list-style-type: none"> • A continued focus on strategies and actions deemed important by the community through the Strategic Community Plan development process. • Confidence within the Council and transparency within the community of progress against priority strategies and actions. • Ability to identify any areas of achievement risk and appropriate remedial action taken to ensure the achievement of outcomes.
Risk Description: Failure to plan adequately and systematically for the delivery of services expected by the community.			

Financial Implications

Budget

The Corporate Business Plan 2023 – 2027 has been prepared ensuring that the 2023/24 cost of all proposed Actions are accommodated within the current adopted budget.

There are no financial implications relevant to this proposal.

Long Term

The Corporate Business Plan 2023 – 2027 details growth in specific areas of expenditure over and above the current adopted Long Term Financial Plan (LTFP) in all future years (2023, 2024 and 2025).



Future annual reviews of the Corporate Business Plan, in line with the LTFP and Annual Budget will need to take these potential future costs into account.
As no assets/infrastructure are being created, there are no long term financial implications relevant to this proposal.

Whole of Life

Whole of life considerations for any assets delivered as part of implementing the Corporate Business Plan are addressed separately.

Sustainability Implications

The IPRF is designed to improve the sustainability of local governments, through stronger engagement with the community and integrated forward planning.

The Corporate Business Plan 2023 – 2027 was prepared to align closely with the Future Directions outlined in the adopted Strategic Community Plan 2023 – 2033 being:

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

Consultation/Engagement

Consultation carried out during the preparation of the Corporate Business Plan 2023 – 2027 included:

- Management briefings and 'Bottom up' input of Action Plans for each Service Area;
- Strategic Community Plan review and gap analysis;
- Presentations to all staff to encourage 'Buy In' and ownership of the Plan;
- Challenge Reviews to critique proposed Actions and revise priorities;
- Internal review and cost estimation with Director of Community and Corporate to align Draft Plan to LTFP; and
- Workshop with Councillors to present findings and receive feedback on proposed Actions.

Following adoption of the Plan, Shire departments and work areas responsible generated a series of comprehensive, time-dependent / officer allocated sub-actions that enable the delivery and achievement of actions and outcomes. These sub-actions are tracked, status updated and reported monthly via a 'bottom up' approach, whereby work teams and Managers, update progress on actions within their specific area of responsibility and accountability.

Officer Comment

CBP Summary of Completion – Quarter 322023/24 (1 July 2023 to 31 March 2024)

The current Shire of Capel Corporate Business Plan 2023 – 2027 contains 355 individual actions / outcomes, detailed across the 4-year period.

These actions were allocated a priority ranking based on the significance of implications to the community, the Shire and the overall importance of achievement compared against others.



Each action and sub-action are tracked and reported monthly with a status update to the Shire’s Executive and quarterly to the Council.

Status descriptions of Corporate Business Plan actions are as follows:

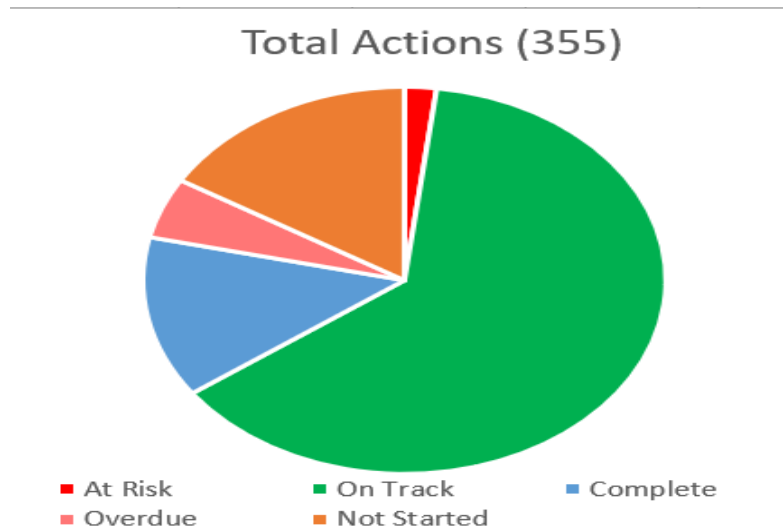
- Not Started – Noting that the CBP is a 4-year plan, some actions are scheduled to commence at a future time.
- Complete – Action has been achieved within with identified parameters (time, budget, resources etc).
- On Track – Action is progressing towards achievement within with identified parameters (time, budget, resources etc).
- Overdue – Action is behind time, with all other controllable and non-controllable factors in hand. Reasonable level of confidence exists that the time can be recovered, and action / outcome still achieved within identified parameters (time, budget, resources etc).
- At Risk - Controllable and non-controllable factors (including time / deadlines) of the Action may not be in hand, and / or there is a likelihood and potential that the action / outcome may not be achieved without intervention.

Regular (quarterly) reporting on the Corporate Business Plan is intended to provide transparency to the community on progress toward the achievement of the Strategic Community Plan 2023 – 2033, an outcome-focused overview of the Shire’s operations and an update on progress and areas of risk to the Council.

The status of actions at the end of Quarter 3 2023/24 (for the period 1 July 2023 to 31 March 2024) is summarised in the Tables below as:

Status	Number of Actions				Percentage (%)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Completed	28	33	48		8%	10%	14%	
On Track	226	223	224		64%	62%	63%	
Overdue	9	16	18		3%	4%	5%	
At Risk	0	6	7		0%	2%	2%	
Not Started	92	77	58		25%	22%	16%	
Total	355	355	355		100%	100%	100%	

The status of the 353 CBP actions as at 31 March 2024 is presented in the graph below.





Noting the 4-year period of the Plan in that 16% of actions have either not started (until later years) or are being delivered across multi-years.

Summary

The Q3 2023/24 report demonstrates expected progress towards achievement.

Key factors to date with Overdue actions (18 in total) and At Risk actions (7 in total) are detailed in Attachment 13.3.1).

Attachment 13.3.1 also provides an update of completed Actions since the last quarterly report (noting that only completed high-level actions are reported, not sub-actions or sub-tasks).

Recruiting, resourcing and retention remains particularly challenging especially in the Infrastructure area with shortages being experienced in key specialised areas (Technical, Asset, Engineering), as well as general trades (Parks and Gardens, Works). Teams in these areas are experiencing significant periods at below desired levels of resourcing, impacting on the delivery of CBP initiatives, and potentially capital maintenance activities.

Where possible, external contractor is being used to progress key actions and initiatives, albeit having an impact on timelines.

Additionally, a small number of projects have been adjusted to coincide with and be informed by the current Service Review VS Capability study.

Voting Requirements

Simple Majority

Officer's Recommendation – 13.3.

OC/2024/59 - Officer's Recommendation / Council Decision - 13.3

Moved Cr Fergusson, Seconded Cr Terrantroy.

That Council notes the quarterly progress report (Quarter 3 – 1 July 2023 to 31 March 2024) of the Shire of Capel's Corporate Business Plan 2023 – 2027.

Carried 8 / 0

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

Against - Nil



14. Infrastructure and Development Reports

14.1. Program of Works 2024/25- Public Open Spaces

Author	Acting Manager Operations, Josh Connah
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Executive/Strategic
Attachments	<ol style="list-style-type: none">1. SOC Public Open Space Program of Work 2024/25 (14.2.1)2. POW Costings 2024-25 (14.2.2)
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the Program of Works 2024/25 - Public Open Spaces (POS) and the allocation of funds to the 2024/25 Draft Annual Budget.

The 2024/25 Public Open Space Program of Works focuses on:

- Playground Replacement and Playground Shading
- Implementation of new Irrigation Control System
- Application of new Verge Mulching Program

Officer's Recommendation

That Council:

1. Endorses the Program of Works – Public Open Spaces 2024/25 as per attachment 14.2.1 and 14.2.2.
2. Endorses an amount of \$1,548,615 for the proposed 2024-25 Program of Works - Public Open Space to the Draft 2024/25 Annual Budget, which includes a provision of \$50,000 for Public Open Space projects carried forward from FY2023-24.

Background

The Public Open Space (POS) Program of Works has been created to allow for a proactive spend on renewal and maintenance activities required for our POS to deliver the necessary levels of service to our community.

The need to form a detailed Program of Works for Public Open Spaces (POS) was identified by the Asset Management Steering Group. This process started with the formation of a 10-year Program of Works (PoW) for shade sails installations, a 10-year playground replacement program, and programmed maintenance of accompanying park furniture for 29 Public Open Spaces. This was endorsed by the Council on 28 April 2021 (OC087/2021).

The Program of Works - Public Open Spaces is a 'living document' that has, and will be revised,



updated, and added to on an annual basis, extended (in forward planning) then provided to the Council for endorsement to inform the next year's budget allocation.

Previous Council Decisions

22 March 2012 (OC0404) - Council adopted Policy 17.3 Shade & SunSmart (now rescinded). The Policy was designed to provide guidance to Council to reduce community exposure to ultraviolet (UV) radiation through the provision of safe and attractive open spaces; this included the provision of sustainable shade in appropriate locations.

16 January 2016 (OC0113) - The Council adopted (among others) an updated Policy 7.1 Asset Management following review.

The revised Policy 7.1 introduced the following new asset management objectives:

1. Establish and routinely update an Asset Management Strategy (minimum 10-year period) as the primary framework to provide and maintain asset services to current and future generations.
2. Manage assets through the development of Asset Management Plans in accordance with relevant legislation and recognised best practice for each major asset group.
3. Through the Community Strategic Plan and Long-Term Financial Plan and in consultation with the community, ensure that future funding needs are identified, affordable, agreed upon, and allocated, so that assets can meet a defined level of service.
4. Ensure that the full impact of the Council's decisions on both its existing and new assets is understood.

7 March 2018 (OC0320) - Council endorsed the 10-year Playground Shade Sail Program. The 10 Year Shade Sail Program introduced a prioritised program of works for the installation of shade sails over the Shire's playgrounds.

16 December 2020 (OC260/2020) - Council endorsed the 10-year Playground Shade Sail Policy.

28 April 2021 (OC087/2021) - The Council endorsed the 10-year Program of Works- Public Open Spaces 2021-2031. This Program of Works encompassed the 10-year Shade sail Program of Works.

Decision Framework

Shire of Capel Strategic Community Plan 2023 - 2033

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

1.5 A healthy and active community

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

4.2 Informed and transparent decision making

Direction 5 - Provide and maintain suitable infrastructure and facilities

5.1 Appropriate community facilities, that meet the communities' needs



Corporate Business Plan 2023-2027

OPS 6 - **Dalyellup Irrigation Maintenance and Renewal** - Complete repairs to main Dalyellup Irrigation System

OPS 13 - **POS PoW** - Implement POS PoW 2022/23

OPS 18 - **Asset Inspections and Maintenance Programming** - Scheduled audits to be conducted on all asset classes, identifying maintenance requirements to inform monthly works programs.

OPS 25 - **Public Open Space Asset Management Plan** - AMP to define POS requirements for the SoC and inform service levels and maintenance frequency

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

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

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

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Asset Management
- Budget Management - Capital Acquisitions and Works
- Fair Value of Assets
- Preparation of Integrated Plan and Budget
- Purchasing
- Risk Management Framework
- Policy Framework



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Infrastructure / Systems / Utilities Rating: High	Likely	Moderate	Maintenance and upkeep of the turf renovation plan.
Risk Description: Sport surfaces within the Shire of Capel are of poor quality and not suitable for community sporting groups. This would result in an inability to provide sporting ovals to a fit for purpose standard.			
Risk 2 Infrastructure / Systems / Utilities Rating: High	Likely	Moderate	Complete playground inspections monthly and ensure that risks are addressed and fixed as soon as possible. Ensure area is fenced off and secured when damages are identified.
Risk Description: Poorly maintained or unsafe playgrounds			
Risk	Likelihood	Consequence	Mitigation
Risk 3 Reputation Rating: High	Likely	Moderate	Investigate areas to implement shade options.
Risk Description: Lack of suitable shade over playgrounds increasing UV exposure.			
Opportunity: Public Open Spaces including sporting fields and playgrounds meeting the needs of all community uses.			



Financial Implications

Budget

The financial implications relevant to this proposal are outlined in the table below and supplied as attachments to this report.

PROGRAM OF WORKS – PUBLIC OPEN SPACE	LOCATION	BUDGET 2024/25
Dalyellup Baptist College Cricket Net Replacement	Dalyellup	\$90,000
Mulching and Planting Program	All Suburbs	\$220,000
Murtin POS Irrigation Supply	Dalyellup	\$150,000
Aerators for North Lake	Dalyellup	\$100,000
North Lake Dalyellup Playground Replacement	Dalyellup	\$116,000
Turf Management Program for Sporting Ovals	Capel Boyanup Dalyellup	\$230,692
Implement ILWMS (Stage 1 and 2)	Dalyellup	\$150,000
Shade Sail Replacement Program	Various Locations	\$170,000
Bi-annual Sand Cleaning	Various Locations	\$17,106
Upgrade Irrigation Infrastructure	Dalyellup Capel Boyanup Peppermint Grove	\$130,000
Playground Soft Fall Bi-annual Cleaning	Various Locations	\$59,534
Playground Soft Fall Replacement	Various Locations	\$23,416
Playground Park Furniture Maintenance	Various Locations	\$52,000
Shade Sail Annual Removal & Storage Program	Various Locations	\$39,867
Total for 2024/25		\$1,548,615

Long Term

The Program of Works – Public Open Space is essentially a maintenance program with minimal to no creation of new assets.

Whole of Life

Potential future Shire assets	Basic description
Two (2) Otterbine Fountain Pumps	Fountain pumps to improve water circulation and aeration for North Lake. This is to mitigate the algae blooms that are being witnessed each Spring. Servicing is conducted every 3 years, equating to \$5,000.

Sustainability Implications

Climate Change and Environmental

The resilience of turf sport surfaces to the impacts of climate change improves with a regular turf renovation program particularly with respect to water retention during severe heat or hot windy conditions.



Social

Community expectations are supported by improving amenity, safety and accessibility related to public open spaces.

Economic

The economic benefits through procurement of local goods and services, the attraction of visitors and the local community utilising the public open spaces within the Shire.

Asset

The proposed Program of Works – Public Open Space is essentially a maintenance program with minimal creation of new assets. Identified upgrades and installation of required irrigation into parks in addition to aerators at North Lake, Dalyellup as well as the implementation of the reviewed ILWMS may require further asset development but is essentially an upgrade or renewal of existing assets.

Consultation/Engagement

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

External Consultation

- Customer requests for works to the playground soft fall.
- Customer requests for works to our sporting fields.
- Sporting group feedback.
- Contractors.

Internal Consultation

- Managers and staff

Officer Comment

The Program of Works - Public Open Space is intended to deliver a balanced approach to the long-term management of public open space assets. The Program has been designed to accommodate a new level of service and classification for each individual Public Open Space (POS).

Over the next 12 months, the Shire will prepare a Public Open Space Strategic Plan with a key component being the creation of the new POS hierarchical classification system. This will allow a comprehensive analysis of all POS to an agreed service delivery standard across the Shire and provide granular data to inform service and resource requirements applicable to each area.

Within the POS Strategic Plan a minimum or core level of facilities is proposed for each area of POS. The core facilities are directly related to the function of a POS and its hierarchy. In most cases a parcel of POS will have many functions and therefore a variety of facilities will be required. Once this matrix has been prepared, this will form part of the future Program of Works – Public Open Spaces.



The program of works currently consists of eleven (11) parts:

- Playground soft fall bi-annual cleaning .
- Playground soft fall replacement and renewal.
- Dalyellup Baptist College cricket net replacement (costs share arrangement with the school).
- Playground park furniture maintenance - revitalising the existing furniture palate before replacement is required (Maintenance Budget).
- Playground replacement program (Previously adopted 10 year Program of Works 2021-2031) - identifies playgrounds in need of replacement based on age, usage, and condition. This allows for the budgeted and programmed replacement of playgrounds before their condition deteriorates to being unsafe or needing costly repairs.
- Playground shading program (Previously adopted 10 year Program of Works 2021-2031) - introduces a prioritised program of works for the creation of shade over the Shire's playgrounds. It is a balanced plan, designed to provide UV protection to users of the Shire's playgrounds.
- Shade sail annual removal, storage and reinstatement program.
- Turf renovation program for sporting fields - designed for the Shires four (4) sporting fields. It is a biannual event to improve or repair the playing surface from the effects of usage and to provide quality and safe playing surfaces for the community and sporting teams.

There is a service level expectation from sporting clubs and associations in relation to the quality of sports grounds provided for community and sporting competition use. Whilst it is not practicable for the Shire of Capel to provide elite standard facilities, sports grounds must be 'fit for purpose' and compliant for the designated level of activity.

Prior to the formulation of revised management practices for sporting fields in 2018, an oval was deemed 'unfit-for-purpose' and taken off-line. The Boyanup Memorial Park AFL ground, after a series of serious lower leg injuries, was for an eight-week period deemed unsafe. This had a significant impact on the reputation of the Shire of Capel, as well as significant social and economic impacts on the resident tenants of that precinct. Both clubs had to be relocated to the Dalyellup Sporting Precinct, which in turn created additional pressure and worsening of the condition of these grounds.

The two key factors on whether a facility is 'fit for purpose', is the asset condition prior to use and the capacity of the sports ground to tolerate increasing usage. The capacity of a sports ground is the maximum level of traffic / usage that the site can sustain without resulting in a major decline in the turf and surface condition that renders the site unsafe or 'unfit for purpose.'

Key factors that could impact a 'fit for purpose' assessment include the number of hours the ground is used, the number of persons using the ground per week, the size of the field, type of activity, turf health / density and weather conditions.



The Program of Works – Public Open Spaces is intended to provide a data-based management approach to ensure that a facility failure, like what occurred in 2018, is unlikely to be repeated. (Turf Renovation program budget amount included each year).

- Mulching and planting program - identified the need for renewals of aging formal gardens and verge treatments.
- Installation of two aerators in North Lake to increase air flow and mitigate the issue of algae blooms.
- Upgrading irrigation infrastructure - Council has been made aware of the issues that have been experienced with the irrigation system operating throughout Dalyellup. While much of the estate has been operational throughout this summer season, due to the works carried out last season, most of the infrastructure is reaching its 20-year life and needs renewal.

For this reason, the following works are proposed focusing on irrigation and future proofing a sustainable and reliable water supply within the 2024/25 financial year:

- Upgrade Murtin POS irrigation supply – Murtin, Lewana and Parade Road is currently serviced by mains water with the quarterly water bill in excess of \$40,000. A proposal to install a new bore and iron filtration unit to supply this area is included - \$150,000
- Implement ILWMS (End of Stage 1 and 2) - \$150,000 (\$50,000 carryover 23/24)
- Upgrade aging Rain Bird Control System - \$130,000

Summary

The Program of Work – Public Open Spaces aims to deliver a balanced approach to the long-term management of public open spaces.

The Program ensures playgrounds are as safe as possible and adequately replaced in a timely manner, considering their life span and current condition. The Program includes new areas of required irrigation maintenance that will inform a new Asset Management Plan.

For the first time, provisions have been made to renew aging entry statements, formal garden areas and street verges rather than the reactive maintenance approach in the past years. This approach is a considerable switch in the way forward for future POS Program of Works and is designed to allow for the Shire to begin to accommodate a change in levels of service and classification for each individual Public Open Space.

The Program addresses the preservation and renewal needs of the assets, whilst considering the Shire's ability to meet the required costs. The Program is designed to be reviewed, updated and added to annually.

Voting Requirements

Simple Majority



Officer's Recommendation – 14.1.

OC/2024/60 - Officer's Recommendation / Council Decision - 14.1

Moved Cr Terrantroy, Seconded Cr Dillon.

That Council:

- 1. Endorses the Program of Works – Public Open Spaces 2024/25 as per attachment 14.1.1 and 14.1.2.**
- 2. Endorses an amount of \$1,548,615 for the proposed 2024-25 Program of Works - Public Open Space to the Draft 2024/25 Annual Budget, which includes a provision of \$50,000 for Public Open Space projects carried forward from FY2023-24.**

Carried 8 / 0

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

Against - Nil



14.2. Program of Works 2024/25 - Roads

Author	Shawn Lombard – Manager Projects, Engineering & Assets
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Executive/Strategic
Attachments	24_25 Program of Works Roads.Final
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the Program of Works – Roads and the allocation of funds to the Draft 2024/25 Annual Budget.

The focus for the 2024/25 Program of Works will be:

- The completion of capital and maintenance projects (via the carryover of funding) not achieved in 2023/24.
- The establishment of a year (24/25) of survey, design, permit approvals and budget estimation for multiple projects based on risk and ongoing issues experienced at these locations.
- The preparation (verge clearing) of existing road sites to support future maintenance works in the next financial year (FY 25/26), this being specifically but not limited to the unsealed roads sector.
- The securing and allocation of current and future grant funding from the Roads 2 Recovery (R2R) and Regional Roads Group (RRG), Local Roads and Community Infrastructure (LRCI) and Blackspot tranches of funding, this not an exhaustive listing of funding.

Officer's Recommendation

That Council:

1. Endorses the Program of Works - Roads 2024/25 as per Attachment 14.2.1 to a consolidated value of \$5,138,648.
2. Approves the carryover of:
 - a. \$2,170,006 from the unspent Council funded allocation for the FY 23/24 program into the FY 24/25 Program of Works - Roads.
 - b. \$345,434 new grant funding from the Roads 2 Recovery (R2R) and Local Roads and Community Infrastructure (LRCI) Round 4 funding tranches.
3. Endorses the Program of Works – Roads works methodology, this being a two (2) stage process:
 - a. Stage 1: One year of design, permissions, permits and cost estimation.
 - b. Stage 2: The following year being the commencement of construction.



Background

Previous Council Decisions

27 November 2019 (OC203/2019) – Council endorsed the Program of Works - Roads (2020 - 2030); and considered the allocation of \$1,878,293 in the draft 2020/21 Budget for the road's capital program.

24 February 2021 (OC028/2021) - Council endorsed the Program of Works - Roads (2021 - 2031) and an amount of \$2,042,038 to be allocated in the draft 2021/22 Budget for the Roads Capital Program.

30 March 2022 (OC046/2022) – Council endorsed the Program of Works - Roads (2022 - 2032); and referred an amount of \$2,223,140 to the draft 2022/23 Budget for consideration.

29 March 2023 (OC/2023/45) – Council endorsed the Program of Works – Roads 2023-24; and endorsed this endorsement totalling \$4,518,529.00 for said program, and further endorsed an additional \$500,000 to be transferred to a Reserve for availability to the Roads Program subject to Council approval.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

4.2 Informed and transparent decision making

Direction 5 - Provide and maintain suitable infrastructure and facilities

5.3 Better and safer roads

Corporate Business Plan 2023-2027

- OPS 1 - Infrastructure Maintenance -Sealed road Maintenance-Unsealed road Maintenance- Drainage Maintenance-Footpath Maintenance-Bridge Maintenance-Public Open Space Maintenance-Tree Pruning-Annual Removal, Repair, and reinstatement of SOC Shade sails.
- OPS 5 - Road Construction as identified in Annual Capital Works Program.
- ATS 3 - Review, Update and implement Capital PoW - Roads - Paths - Drainage - Bridges - Reserves - Carparks
- ATS 9 - Grant Funding - Prepare and facilitate grant applications for all projects which meet relevant criteria:
 - Regional Roads Group
 - Roads to Recovery
 - Black Spot (State and Federal)
 - DoT WABN
 - Lotterywest
 - Building Better Regions Funds



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

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

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

The Integrated Planning and Reporting Framework and Guidelines apply. The Rate Setting, Asset Management and Financial Sustainability Guideline dated June 2013 applies.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Budget Management - Capital Acquisitions and Works
- Fair Value of Assets
- Preparation of Integrated Plan and Budget
- Purchasing
- Risk Management Framework
- Roads - Seal Width

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: High	Possible	Major	Ensure that the Shire delivers sufficient ongoing roads preservation and upgrade works to maintain eligibility for grants.
Risk Description: Failure to meet State Roads Funds to Local Government Committee eligibility criterion due to insufficient own-source funding for network preservation and upgrade. This could lead to Local Government becoming ineligible for Direct Grant component of RRG Agreement, along with consequential reputational damage.			



Risk	Likelihood	Consequence	Mitigation
Risk 2 Infrastructure / Systems / Utilities Rating: High	Possible	Major	Manage roads in accordance with the Asset Management Strategy, ensuring that adequate works are scheduled to maintain defined Levels of Service.
Risk Description: Road conditions deteriorate to failure, necessitating closure.			
Risk 3 Financial Rating: High	Possible	Major	Review Programs of Works annually and keep the Council informed of changes in market conditions. Ensure consistent reserve funding transfers are being completed to build funding contingencies for future works and inevitabilities.
Risk Description: Cost increases impact future years, reducing the Council's capacity to deliver the proposed works.			
Opportunity: The proposed Program of Works: <ul style="list-style-type: none"> - Increases the Contractor resource pool to help the delivery and diversity of trade across this portfolio, this also encouraging improved procurement price modelling. - Improve these works through forward planning with one year of project design and development and the following year construction. 			

Financial Implications (noting all costs identified are ex GST)

Budget

The tables below provide a summary of the Scheduled Program of Works – Roads (2024/25) reflective of:

- Road works identified from the Long Term Financial Plan (LTFP) for the Financial Years (FY) 23/24 and 24/25.
- Officer recommendations, known asset data, site findings and review aligned to risk, strategic alignment, and mitigation of identified ongoing historic issues.
- Grant funding applications and allocations for both the current and future years listed.
- The acronym BUA stands for "Built up Area/s", also meaning roads in urban developed locations.

Due to the complexity of this program's funding, Council is provided with the proposed budget in a tabled breakdown format, with associated comments relevant to each section when reviewing it.

- This also replicates the finance format for this campaign, making it easier to read and interpret by all.
- This is further supported by an expanded format of this summary showing the funding sources and Shire funds breakdown in more detail added as an attachment.



2024-25 Capital Works Program – Roads Program Budget

Road Projects (Council Funded)				
Transport - Roads BUA - Sealed	Budget	Locality	Category	Budget Status
Barlee Road Capel - Design and Rehabilitation (Asphalt) - (SLK 0.28-0.44)	149,603	Capel	Design &Construction	Carry Over
Salter Road Boyanup - Design for: Rehabilitation (Bitumen) - (SLK 0.00 - 0.63)	20,000	Boyanup	Design	Carry Over
Forrest Road Capel - Design for Rehabilitation (Bitumen)-Carryover from 22/23 - (SLK 0.06 - 013)	5,873	Capel	Design	Carry Over
Peppermint Grove Road - Section from Caravn Park to top of hill T-intersection (Hardey Trc) - Road reconstruction, footpaths, handrail, kerb, pram ramp (design & Construct)	200,000	Peppermint Grove Beach	Design &Construction	New
Norton Promenade - (Bussell Hwy Entry to Parade Road) - Design for 10m carriageway, 0.55km section - Bussell Hwy intersection to Parade Rd TCS	30,000	Dalyellup	Design	New
Goodwood Rd / Hutton Road Intersection - Design for 8m carriageway width	12,000	Capel	Design	New
Capel Shire Depot Entry - Design of new entry/turning pocket to accommodate new gate & future water standpipe	17,500	Capel	Design	New
Spurr St, Capel - (SLK 0.15-0.50) - Design for 7m carriageway, 0.4km section from Bussell Hwy to Ilmenite Cres	20,000	Capel	Design	New
Reid Avenue - Reconstruction - (SLK 0.12-0.41) - Design 6m carriageway width with kerbing	23,300	Capel	Design	New
Hampstead Street - 1100 -2100m - Asphalt Reseal	378,300	Gelorup	Asphalt Reseal	LTFP
Hayfield Drive - 0 - 110m - Asphalt Reseal	35,690	Peppermint Grove Beach	Asphalt Reseal	LTFP
Non-Cash Infrastructure				
	892,266			

Officer Comment:

- This program of works for sealed transport roads in built up area's totals **\$892,266**
 - o This budget is purely Council funds to the value of \$735,266
- The first three listings in this table are FY 23/24 projects that are currently underway in the design phase, these required to be carried over in anticipation that this process will end on or just past the end of FY, not allowing enough time to close out final accounting.
- The **carryover** for this portion of the works program totals **\$171,946**
 - o Barlee Road is the only project from this carryover listing that will be constructed as part of the FY24/25 as it is near design completion, and has also attracted additional funding from the Local Roads and Community Infrastructure (LRCI) grant funding Round 4 that sees this project scope increased to deliver the full road portion from the school carpark to the reserve adjacent to Goodwood Rd.
 - This allocation is also linked to the co-funding requirement to secure the LRCI funding, and is part of an ongoing approved funding agreement, hence the carryover status. (See LRCI table for the co-funding portion listed below)



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- This will see the entire road on this portion upgraded to an urban standard road construction outcome that improves both functional use and town centre aesthetics, including future crossover considerations for the Girl Guide site.
- The remaining two listings (Salter Rd and Forrest Rd) will be for design only projects, with cost estimation and all permissions being completed as part of these works' packages in FY 24/25, again the intention to list these for budget in FY 25/26 for construction.
- The red listings are all new projects identified as projects for road infrastructure that require immediate review for known and ongoing issues with both the road and associated infrastructure (footpaths, ramps, handrails, signage, road surface etc.).
- This **new works** package is seeking **\$302,800** Council funding for the FY 24/25.
 - These have all been listed for design as part of the FY 24/25 with the intention to confirm budget estimation and where required to also address all permissions and permits to deliver the works.
 - Budget for these projects will be developed in FY 24/25 as part of the design package works, this then put forward for delivery (construction) as part of the FY 25/26.
 - Peppermint Grove Beach Road is the only project from this listing that will be constructed from this funding allocation in FY 24/25, these works have been estimated for cost as part of the FY 23/24 budget review, all based on preliminary design directives.
- The LTFP data has identified two listings due for Asphalt Reseal as part of the FY 24/25, these being Hampstead Street and Hayfield Drive.
 - This **LTFP** package is seeking **\$413,990** Council funding for the FY 24/25.

Transport - Roads Outside BUA - Sealed	Budget	Locality	Category	Budget Status
Lakes Road Stratham - Design for: Rehabilitation (Bitumen) - (SLK1.00-1.43)	25,000	Boyanup	Design	Carry Over
Mallokup Road Capel - Design for Rehabilitation (Bitumen)-Carryover from 22/23 (Near capel Vale Winery) - (SLK 0.54 -1.91)	20,000	Ca pel	Design	Carry Over
Bryce Road - Design	6,500	Capel	Design	New
Weid Road - Design	22,000	Capel	Design	New
Capel Tutunup Road - Design	28,948	Capel/Tutunup	Design	New
Queelup RD (Whole road) - Design	50,000	North Boyanup	Design	New
	152,448			

Officer Comment:

- This program of works for sealed transport roads outside of built up area's totals **\$152,448**
 - This budget is purely Council funds to the value of \$152,448
- The first two listings in this table are FY 23/24 projects that are currently underway in the design phase, these required to be carried over in anticipation that this process will end on or just past the end of FY, not allowing enough time to close out final accounting.
- The **carryover** for this portion of the works program totals **\$45,000.00**
- The red listings (4 x) are all new projects identified as projects for road infrastructure that require immediate review for known and ongoing issues with both the road and associated infrastructure (drainage, road width, signage etc.).
- This **new works** package is seeking **\$107,448** Council funding for the FY 24/25.
 - These have all been listed for design as part of the FY 24/25 with the intention to confirm budget estimation and where required to also address all permissions and permits to deliver the works in FY 24/25.



- Budget for these projects will be developed in FY 24/25 as part of the design package works, this then put forward for delivery (construction) as part of the FY 25/26.

Transport - Roads Outside BUA - Gravel	Budget	Locality	Category	Budget Status
WASHERS ROAD	16,826	Capel	Verge Clearing	LTFP
HURFORD BRAE	16,997	Forrest Beach	Verge Clearing	LTFP
BREEZE END	4,641	Forrest Beach	Verge Clearing	LTFP
GUN CLUB ROAD	34,945	Capel	Verge Clearing	LTFP
BUSQUETS ROAD	671	Elgin	Verge Clearing	LTFP
BUSQUETS ROAD	64,859	Elgin	Verge Clearing	LTFP
HACKETT ROAD	9,542		Verge Clearing	LTFP
HIGGINS ROAD	29,932	Capel	Verge Clearing	LTFP
MATTHEWS ROAD	16,550	Capel	Verge Clearing	LTFP
MCCORMACK ROAD	8,946	Capel	Verge Clearing	LTFP
REILLY ROAD	42,009	Boyanup	Verge Clearing	LTFP
SHENTON ROAD	8,051	Boyanup	Verge Clearing	LTFP
	253,970			

Officer Comment:

- This program of works for gravel transport roads outside of built up area's totals **\$253,970**
 - This budget is purely Council funds to the value of \$253,970
- The roads listed in this table will have no construction works done as part of the FY 24/25.
- It has been identified that these roads all require preparation works in anticipation of the ongoing maintenance plans required to keep these roads serviced.
 - Currently the encroachment of trees and overgrowth is hampering plant and equipment to deliver these maintenance works as required.
- This FY 24/25 campaign will see the following works being delivered, but not limited to:
 - Verge pruning.
 - Verge clearing using mechanical plant.
 - Crown reduction of tree encroachment on the road reserve.
 - Minor patch repair as required.
- With this all completed in FY 24/25 the Works Team, Engineering Technical Services in collaboration with Assets will prepare an ongoing maintenance plan that will see the following being delivered as part of the future FY 25/26 works campaign, this being:
 - Verge batter grading.
 - Drainage repair and improvements
 - Road widening.
 - Gravel re-sheets.
- This new works package is seeking \$253,970 Council funding for the FY 24/25.



Part Funded Projects (State and Council) RRG				
Transport - Roads Outside BUA - Sealed - RRG	Budget	Locality	Category	Budget Status
Gavins Road Capel - Design for (SLK 0.00-11.08)R - Reconstruct & Widen Formation to 6.2m Bitumen	371,025	Capel/Boyanup	Design	Carry Over
Gavins Road Capel - Design for (SLK 0.00-11.08) - Reconstruct & Widen Formation to 6.2m Bitumen - 24/25 budget forecast (Year 1 of 6 of new funding round)	750,000	Capel/Boyanup	Construction funds	New Funding
Boyanup Road West Boyanup - Reconstruction, drainage upgrade & linemarking "Clearing Permit Required" - (SLK 1.42-3.20)	729,600	Boyanup	Design /Construction	Carry Over
Boyanup Road West Boyanup (SLK 3.20 - 6.89): - Reconstruction, drainage upgrade & linemarking - "Clearing Permit Required" - 24/25 budget forecast (Year 1 of 4 of new funding round)	750,000	Boyanup	Construction funds	New Funding
Lillydale Road - Pavement rehabilitation (Geotech assessment and design) - (SLK 0.05 - 1.78)	30,000	Gelorup	Design	New Funding
Hasties Road - Reconstruct and seal (Geotech assessment and design) - (SLK 0.73 - 1.03)	15,000	Gelorup	Design	New Funding
	2,645,625			

Officer Comment:

- This program of works for sealed transport roads outside of built up area's totals **\$2,645,625**
- This listing shows the Shire of Capel's FY 23/24 and FY 24/25 budget allocation from the Regional Road Group (RRG) grant funding.
 - o This budget is part Council funds to the value of \$881,875, this the one third co-contribution.
 - o The balance is Grant funding to the value of \$1,763,750, this the remaining two thirds funding from Regional Roads.
 - o Note:
 - \$1,030,000 of this grant funding is yet to be approved by the Minister of Transport for the FY 24/25 allocation.
 - The Council matching one third funding portion for this FY 24/25 allocation is \$515,000.
- Both Gavin's Rd and Boyanup West Rd have **carryover funding** that totals **\$1,100,625** (Combined Council & Grant funding total) from the FY 23/24 that is required to deliver these projects to completion in conjunction with the yet to be approved FY 24/25 allocations.
 - o These funds will be combined with the FY 24/25 budget allocations to encourage the delivery of a larger portion of works.
 - o In addition to this carryover, both these roads also have new funding as part of the next round (2024-2025) of Regional Road Group (RRG) funding allocations, this still to be formally approved via the Minister for Transport and are considered proposed allocations until formally announced.
 - o Due to the process and timing of funding being allocated, Officers have had to make application for the next tranche of funding to secure an alignment to the anticipated works program currently under review and meet the funding agents' criteria for funding allocation.



- As part of this application, Regional Road Group (RRG) allocate this funding on a two thirds RRG and one third Council co-funding ratio. The figures above reflect the total of this combined allocation.
- The following is also to be noted in conjunction with the Officer Comments listed later in this report for the following projects:
- Gavins Road:
 - The entire length of this road is being designed, approximately 11.08km.
 - It is anticipated that this project will be completed over several stages and multiple Financial Years (FY).
 - RRG funding for this staged approach has already been made with the funding agent, however only year one (1) of the process has been considered.
 - This includes all culverts, crossovers, and other associated infrastructure for this road alignment.
 - A spring survey has been commissioned as part of the FY 23/24, this still due to be received and acquitted as part of the FY23/24 financials.
 - A detailed survey has also been commissioned as part of the FY 23/24, this received and ready to be used for the concept/detail design phases.
 - FY 24/25 will be used to complete all design works from the listed funding, and accompanying this all the permissions and permits also to be completed in the same period.
 - Officers are advising Council that the FY 23/24 carryover and FY 24/25 funding allocation will most likely be consolidated into a bulk allocation carryover to deliver a larger construction phase in the FY 25/26, this likely to be labelled Stage 1- Gavins Rd Construction.
 - This has all been communicated to the funding agents with no feedback expressing concern with this methodology.
 - Note: This project FY 24/25 funding is yet to be confirmed through Ministerial approval, however Main Roads are confident it will be viewed favorably.
- Boyanup West Road:
 - Design works have been commissioned and completed by WML from historic records.
 - Clearing permits are required for the portion (SLK 3.20–6.89), done as part of the remaining FY 23/24 and FY 24/25 and paid from this funding allocation.
 - It is further anticipated that the construction for the listed works will be delivered in FY 24/25, these pending approvals and permits being issued in a timely manner.
 - Note: This project FY 24/25 RRG funding is yet to be confirmed through Ministerial approval, however Main Roads are confident it will be viewed favorably.
- Lilydale & Hasties Roads:
 - Both these projects will be designed in FY 24/25.
 - Budget for these projects will be developed in FY 24/25 as part of the design package works, then proposed for delivery (construction) as part of the FY 25/26.
 - Note: These projects FY 24/25 funding is yet to be confirmed through Ministerial approval, however Main Roads are confident they will be viewed favorably.

Road Reconstruction Offset Planting	Budget	Locality	Category	Budget Status
Boyanup Road West Boyanup Offset Planting-Carryover from 22/23	79,671	Boyanup	Offset Planting	Carry Over
Weld Road and Payne Street - Offset Planting	163,666	Capel	Offset Planting	Carry Over
	243,337			



Officer Comment:

- This program of works for road reconstruction offset planting totals **\$243,337**.
- This is funding allocated to the environmental aspects of the approvals process for these road works.
- These are ongoing FY 23/24 works and have been listed for possible **carryover** to the value of **\$243,337**.
- These values are likely to reduce and require adjustment as part of the closing FY 23/24 position with some of these works having been delivered in the remaining months.

Funded Projects R2R				
Transport - Roads BUA - R2R	Budget	Locality	Category	Budget Status
Austin Road Capel 0.00-0.62 Reseal (Bitumen)	97,750	Capel	Bitumen Reseal	Carry Over (New)
	97,750			
Transport - Roads Outside BUA - Sealed - R2R	Budget	Locality	Category	Budget Status
Barlee Road, Capel (SLK 0.28 - 0.44) - Reseal, pavement and drainage (Design)	294,603	Capel	Design & Construction	Carry Over
Roberts Road Stirling Estate 0.00-1.13 Rehabilitation (Bitumen)-Carryover from 22/23	310,965	Stratham	Construction	Carry Over
	605,568			
Funded Projects LRCI				
Transport - Roads BUA - LRCI	Budget	Locality	Category	Budget Status
Barlee Road (upgrade) - Section Forrest Road to the Capel School Carpark - (SLK 0.17 - 0.32)	247,684	Capel	Construction	Carry Over (New)
	247,684			

Officer Comment:

- This program of works tables Roads 2 Recovery (R2R) and Local Roads and Community Infrastructure (LRCI) grant funding to the value of **\$951,002** collectively.
- This total is a combination of both grant and Council co-funding
 - o This budget is part Council funds to the value of \$210,339
 - o The balance is Grant funding:
 - R2R to the value of \$492,979
 - LRCI to the value of \$247,684
- Barlee Road has **carryover** funding from:
 - o R2R grant funding to the value of **\$294,603** from FY 23/24.
 - o LRCI grant funding to the value of **\$247,684** from FY 23/24

Austin Road:

- This listing has come directly from the LTFP data as a new listing and been included in the reallocation of the R2R funding as part of the FY 23/24 budget and is required to be carried over for delivery in FY 24/25.

Barlee Road:

- This listing is the original R2R funding allocation from FY 23/24, this being used to fund the design phase and the balance of the funds to be carried over for construction delivery in FY 24/25.



- Additionally, LRCI funding from round 4 has been allocated to this project to boost the scope and deliverables to include the whole of road for both design and construction, this due in FY 24/25 as a combined budget allocation with the R2R carryover balance.

Roberts Road:

- This project has been delivered to almost near Practical Completion as of 26 March 2024.
- It is listed for carryover due to possible delays in closing out the financial and acquittal process still to be completed as part of the funding agreement.
- Should this all be resolved prior to June 30, 2024, this listing will be removed from the budget and reduce the above budget data breakdown by the following amounts:
 - o Council funds carryover reduction to the value of \$27,465.
 - o R2R funds carryover reduction to the value of \$283,500.

Overall Budget Summary

The Scheduled Program of Works for “Roads” details a total works program to the value of \$5,138,648 for the FY 24/25.

- In comparison the Scheduled Program of Works for “Roads” for the FY 23/24 was listed to a value of \$4,448,274.
- This shows an increase in budget to a value of \$690,374.
- Initially the budget seems ambitious, especially after Officers have advised Council of seeking a leaner year due to the various extenuating circumstances plaguing works delivery. However, the budget is misleading at first glance due to the influence of funding allocations on the bottom-line total.
 - o Of this \$5,138,648, it is anticipated that Gavins Road will have a carryover to the FY 25/26 of approximately \$1,121,025.
 - o This will support a larger construction phase in the year of construction as well trying to mitigate the impacts on cost that are discussed in the Officer Comments section above.
 - o This approach has also been proposed on the advice of Regional Road Group who are aware of the recent shift in market trends and the impacts this has had on recent funded projects.

Council is asked to consider and award budget the Scheduled Program of Works for “Roads” for FY 24/25 for a consolidated budget value of \$5,138,648, with the following table showing the consolidated summary breakdown:

Description:	Budget allocation: (EX GST)
Carryover	\$2,170,006.00
Carryover (New Funding)	\$345,434.00
LTFP identified works (FY 24/25) - Council funded	\$667,960.00
New works (Eng Tech Services & Works identified) - Council funded	\$410,248.00
New Funding (RRG, R2R & LRCI)	\$1,545,000.00
Sub-Total:	\$5,138,648.00



Note:

The following are some important considerations when reviewing this budget in the event Council is seeking to reduce the allocations.

- Projects linked to funding cannot be removed/adjusted ad hoc without having significant effects on the future allocation of funding from these sources.
 - o Co-contributions are a requirement of grant funding allocations e.g. RRG.
 - o RRG starts its next tranche (4-year cycle) of funding in FY 24/25, hence the listings as shown above and having to be applied for in FY 23/24.
 - o R2R required allocation of all unallocated funds by no later than June 30, 2024, otherwise the funding is lost.
 - This will see the current R2R tranche close, with the new round of funding to be opened and decided in April 2025.
 - Officers chose to assign the remaining funds as reflected in the tables above based on LTFFP, asset data and Officer comment criteria.
 - o Certain funding is linked to expenditure ratios, that further establishes what the Shire qualifies for year on year, hence the inclusion of the comprehensive listing of works to support this requirement.
- Officers recommend that should budget be considered for reduction it should be initially from items listed under the following headings:
 - o New works (Operations & Works identified) - Council funded.
 - o LTFFP (FY 24/25) - Council funded.

There has been no percentage cost indexation or contingency added to any of the budget in this report as was done in FY 23/24. Projects experiencing variation or cost increase will need to either draw this funding from:

- Other adopted projects being deferred and funds redirected;
- Seek additional funds from the Infrastructure Reserve, assuming there is a usable balance, and completed via Council report and approval; or
- As a last resort, to cut scope to suit the adopted budget assuming this can be done and not impact the project's intent and overall quality of deliverables.

Long Term

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

Sustainability Implications

Climate Change and Environmental

Improvements to road surfaces provide increased motoring efficiencies, however these are offset by the production and consumption of road building materials. In recognition of increased public scrutiny of decision making with respect to vegetation clearing impacts of road building and maintenance, Council has previously requested that specific identification of the level and cost of such activities are identified. These costs are identified in the Program of Works - Roads (2021 – 2031) as they become known.

Social

Community expectations are managed by improving the road network's connectivity through improved road safety outcomes and access.



Economic

The economic benefits provided by improved traffic management include improved access for business and industry and community procurement of local goods and services.

Asset

The (then) Asset Management Strategy Revision 3 (October 2020) confirmed the achievement of a Sustainability Ratio (SR) range for Capital Works of 0.7 to 0.9 as a primary Key Performance Indicator.

Calculation of the projected SR ratios to be delivered under the proposed Program of Works – Roads (2022 – 2032) fall below the minimum indicated in the Asset Management Strategy Revision 3 (October 2020) in some years.

This is due to the ongoing demand to upgrade the network to contemporary standards and community expectations, the ability to fund asset renewal above the depreciating value and also due to the need to adjust the timing of some projects in order to take advantage of the one-off funding opportunities, for example, those presented by the Commonwealth LRCI program.

Significant cost increases continue to occur that impact negatively on the projected SR ratio goals and achievements. Where possible, Officers continue to be mindful of how the road projects impact on the SR ratio (and other unforeseen costs encountered) resulting in further adjustments to future Programs of Works – Roads being necessary albeit impacting the projected SR ratio achievements.

Consultation/Engagement

Consultation on this matter has occurred as an ongoing function of management of the roads network.

The primary objectives of the consultation has been:

- The development and refinement of the selection criteria for Capital re-investment in the Shire's Roads programs.
- The identification of specific projects requiring increased priority and;
- The sharing of information at Regional Forums to inform future works development and to keep abreast of market trends and legislative change that impacts both time and cost of the programs.

External Consultation

The following external agencies have been consulted (at varying times throughout the past twelve months) in relation to the Shire's ongoing management of Roads.

- Main Roads WA - South West Region.
- Regional Road Group Technical Committee.
- Consultants and contractors.
- Customer requests for road works.
- Developers; and
- WA Police.



Internal Consultation

- Councillors and Executive (workshop).
- Management and staff.

Officer Comment

The following key elements listed below speak to the Program of Works for Roads, providing context to the following:

- FY 23/24 carryover causal factors.
- Risk and issues.
- Assumptions and omissions.
- Contingency considerations.
- Methodology and considerations for works delivery.

Council is asked to take this under advisement and consideration when reviewing the Budget portion of the current report.

1. Budget Development Methodology

This budget has been developed with the original source of information being the current Asset LTFP information, data currently under further scrutiny, analysis and refinement.

The following additional steps have been introduced into the process to inform and refine the listings, these being:

- To take on notice any community and Council comments and requests from the previous year and then include them for review and consideration in the annual Programs of Work development process.
- To take on notice Officer findings, detail relevant to each asset class and either include them into existing works or create new listings based on this data's relevance and priority.
- To give Officers the opportunity to review the listings for each year through:
 - Site visits to verify the data and recommendations.
 - To test the price where possible based on recent like or similar works costings.
 - To make alternative or change requests to improve the listing.
 - To delete the listing if found to not be required or ready for inclusion due to the lack of data.
 - Where the item lacks data, this item is then relisted in later years for consideration pending budget and service level requirements.
- Overall, this methodology gives the budget program a more collaborative approach that now sees the Programs of Work being developed using as many input sources as possible to create the annual listings and develop an accurate asset management structure.

2. Lack of staff resource:

A lack of available staff within the Engineering and Technical Services department and Works department within the Shire's Operations team, has resulted in the staff remaining being unable to adequately supervise and deliver the complete FY 23/24 works program.

- To ensure the risk of too many projects being delivered concurrently, and being unable to be adequately supervised, Shire Officers concentrated on delivering capital projects of the highest risk and those that were reliant on external funding to ensure some of these significant projects were progressed.



- With lengthy recruitment times and the difficulties encountered to re-establish critical qualified staff that enable quality workmanship and delivery compliance to be achieved, a lesser number of projects have been completed, but those that have are to a high quality.
- Recruitment within the Engineering and Technical Services and the Operations Team continue to experience difficulty in attracting and retaining qualified staff.
- The loss of staff within these areas has caused several of the works delivery processes to stall, leaving the remaining often unqualified staff in a reactive state trying to manage these tasks with little information to work from.

The Shire has utilised labour hire companies and sub-consultancies with some success to assist providing some welcome assistance and relief for works delivery, noting:

- This has only been for immediate and emerging issues as they present themselves.
- This has had timing impacts on what is usually an internal process with shorter turnaround times, in some instances having the Shire respond after due dates.

This is however an ongoing issue in both the Local Government industry and other like or similar market sectors, and will remain an ongoing challenge.

3. Resource Limitations:

At the recent Regional Road Group meeting where many of the Regional Councils meet with Main Roads and WALGA, the following was noted:

- Most of the attendee's noted that Contractor availability was at an all-time low in the region due to the large-scale redirection of this resource to State and Federal funded major projects, leaving the smaller Councils competing for 2nd and 3rd tier Contractor resourcing.
- In many instances Councils are all competing for the same diminished Contractor resource pool to deliver their works programs. This continues to result in scheduling conflicts and escalated costs due to urgency considerations to ensure project delivery to meet funding criteria and deadlines.
- Procurement has seen lower than normal submissions for Tenders advertised and, in some instances, only receiving a single submission or no submission. This is continuing to make it difficult for tender evaluation panels to determine value for money. In many instances, this results in having to award contracts due to timing constraints and lack of choice, with value for money considerations falling by the wayside.

4. Industry changes and cost impacts:

At the recent Regional Road Group meeting, the following was noted:

- Recent tenders from several of the larger Councils have seen significant cost increases within the last month due to an increase in the costs of raw materials from the suppliers.
- The consensus around the table was that raw material increases were between 30-40%, depending on the projects scope and complexity.
- The recent change to how Traffic Management is implemented on any of the Main Road's networks has seen the historic cost of this element almost double in price within recent Tender submissions. Operators are choosing to adjust their cost for this not only for Main Roads projects, but also for all roads managed by Local Government. Doing so has now caused all current projects to incur additional cost, the amounts not yet fully clarified and hence the inclusion of the requirement for Reserve transfers being highlighted by Officers.



- There are also changes to the environmental considerations of road construction. This is a recent change that has not had the time or evidence to show the true impact of this on the works programs either in cost or requirements. This will be monitored and reported to Council once these details become evident but initial impacts include timing and additional application fee costs coming from this process.

5. Industry Advice and Recommendations:

In lieu of the ongoing issues with Contractor resource, unit rates and the changes to process and cost for compliance considerations, the Regional Road Group (RRG) and WALGA have advised the following:

- Streamlining the projects seeking funding from the RRG funding pool, and possibly consider less projects in one year as opposed to the historic volumes.
 - This will allow for more accurate budget allocation to the project.
 - This will allow for larger portions of works to be done to areas that require them over the multi-year campaigns that eventually cost more using this method due to duplication of mobilisations, for example.
 - This will allow for improved Contractor resourcing to the overall sector.
- Reviewing current and future cost assumptions and increasing the unit rates and contingency ratios in projects to attempt to mitigate impacts.
- Consider a works program derived from a two staged approach, this mentioned in previous content of this report where the first year is used to complete design, permissions, permits and cost estimation work.
 - (RRG) have confirmed they will fund this phase even if the project after the completion of Stage 1 work is deemed to be unviable during the due diligence process and withdrawn.
 - This will see more projects succeed and track well for timing and reporting purposes, improve the accuracy of budget allocations based on improved design and specification development that is then priced in more detail.

6. Budget estimation:

Due to the ongoing instability of the market and the ever increasing costs for project delivery, the following methodology has been taken to mitigate these impacts as far as practically possible on the current and future budget allocations:

- Shifting the Program of Works into a two staged process -
 - Stage 1: One year of design, permissions, permits and cost estimation.
 - Stage 2: The following year being the commencement of construction.
- Where design is being done, it is now considering whole of design for the road sections where possible and applicable with clear and detailed scope being developed that can be priced in detail and then considered for either staged or single-phase construction pending complexity, budget, and other considerations.
 - This also supports future funding considerations using these designs as detail support evidence and shovel ready criteria.
 - Detail design also reduces the likelihood and impacts of variation, as these are done based on survey and due diligence considerations, reducing the likelihood of latent (unknown) conditions that can have catastrophic impacts on budget and timing as they occur.
- Budget estimation is now part of the supporting design engineer panel requirement, with these costs determined using up to date market rates that are derived from their connection to the industry.



7. Additional Considerations:

Even with the above being implemented, the budget proposed in this report may still incur variations due to the items listed above and the yet to be determined true impacts on project delivery.

- Rates used today are found to be obsolete tomorrow as the industry is grappling to keep up, understand and determine the true cost of works.
- This is currently a volatile space and Council is at the mercy of suppliers and contractors who are also being impacted by various factors.
- The budgets listed above have not included a separate line item for additional contingency to mitigate this ongoing issue, as this is difficult to estimate noting that the usual 10% has not been sufficient in the last 3 years.
 - Trend data has shown project costs increasing by up to 30%.
 - Adding such a high contingency skews the project budget listings and overall bottom line for this PoW e.g., If we added a blanket 30% to this PoW it will result in an additional \$1,541,594 to the current program Sub-Total (\$8,684,315)

Where projects have demonstrated significant cost variation after budget adoption, usually at Tender evaluation phase or during the construction phase, and these not having sufficient funding from either Council or Grants contingency or other budget resources to mitigate this occurrence, Officers will apply the following mitigation strategies:

- Adjust the scope of works to match the budget where this is feasible and not to the detriment of the overall project outcomes.
 - Tenders are drafted in detail with line items priced and identified for this purpose, plus the Shire's terms and conditions allow for this consideration as we reserve the right to award the works in part or in full.
 - Defer the remaining works to the following years budget for completion using the current Tender costing plus annual escalation ratios as the budget determination.
- As a last resort, reduce the adopted PoW project listing for the current FY and reallocate the funds to this project, all with Council oversight and approval as part of a budget review.
 - Projects omitted will be reallocated for the following year's budget consideration.
 - The LTFP will be adjusted to reflect this occurrence accordingly, again with Council oversight and approval, seeing this project move along one year in the overall 15-year plan.

8. Equitable Works Distribution:

When delivering the works listed above, consideration will be given to ensuring that the money spent within the Shire is distributed across the whole Shire as far as practicable. Notwithstanding, that many of the higher traffic areas, heavy vehicle traffic areas or older areas of the Shire require higher levels of road funding than others.

- The tables above include a Locality column showing this reference and demonstrating that the works program has consideration for all Shire localities.
- The scope of works is determined by the site investigation and findings, thus driving and informing the cost of works.
- The LTFP assigns works on service levels, priority and asset management cycles.



9. Previous Years Works listings

- Previously listed projects as part of the Program of Works - Roads (2021 - 2031) will be reviewed as part of the new Asset data capture and updates will see these items either:
 - Fall away due to not meeting the criteria for works scheduling.
 - Having been delivered.
 - Be listed in later years in the LTFP and associated works plans based on new data being captured and used to determine works priority.
 - Be included in new projects where the scope of these works has been amalgamated into a larger and expanded project that achieves a more consolidated outcome for not just this portion, but other associated works required in this location.
 - Possible deferral to later years in the LTFP due to current ongoing major project works (BORR etc.), these impacting the original project scope and deliverables. These works will be reviewed and adjusted to consider these changes and then be scoped and delivered accordingly.

10. Carryover:

- The carryover listed in this report is the full FY 23 /24 adopted budget allocation, noting.
 - there may be further expenditure in FY 23/24 that will reduce the overall carryover value at final budget adoption.
- The true carryover value will be confirmed and adjusted as part of the final budget adoption in July.
 - This correction will capture the true figures at this stage of the financial year end.
 - This correction will also reduce the FY 24/25 budget by the end of FY 23/24 adjustment.

Continuation of supply of these services to the community through appropriate maintenance and renewal practices is therefore of high importance and is in line with the requirements of Policy 2.33 - Asset Management.

Summary

The Council is requested to consider the funding arrangements required to deliver the proposed Program of Works – Roads within FY 24/25.

As discussed, increasing difficulties in sustainable quoting, tenderer numbers and increasing pricing, as well as staffing considerations are proving challenging to deliver capital projects within the current market.

Voting Requirements

Simple Majority



Officer's Recommendation – 14.2.

That Council:

1. Endorses the Program of Works - Roads 2024/25 as per Attachment 14.2.1 to a consolidated value of \$5,138,648.
2. Approves the carryover of:
 - a. \$2,170,006 from the unspent Council funded allocation for the FY 23/24 program into the FY 24/25 Program of Works - Roads.
 - b. \$345,434 new grant funding from the Roads 2 Recovery (R2R) and Local Roads and Community Infrastructure (LRCI) Round 4 funding tranches.
3. Endorses the Program of Works – Roads works methodology, this being a two (2) stage process:
 - a. Stage 1: One year of design, permissions, permits and cost estimation.
 - b. Stage 2: The following year being the commencement of construction.

OC/2024/61 -Alternative Recommendation / Council Decision - 14.2

Moved Cr Fergusson, Seconded Cr Mogg.

That Council:

1. **Endorses the Program of Works - Roads 2024/25 as per Attachment 14.2.1 to a consolidated value of \$5,138,648.**
2. **Approves the carryover of:**
 - a. **\$2,170,006 from the unspent Council funded allocation for the FY 23/24 program into the FY 24/25 Program of Works - Roads.**
 - b. **Acknowledging \$345,434 of new grant funding from the Roads2 Recovery (R2R) and Local Roads and Community Infrastructure (LRCI) Round 4 funding tranches.**
 - c. **On endorsement of the FY2024/25 Draft Annual Budget, pre-approves the continuation of works for the Capital Works Program – Roads, for projects identified as a carry forward project.**
3. **Endorses the Program of Works – Roads works methodology, this being a two (2) stage process:**
 - a. **Stage 1: One year of design, permissions, permits and cost estimation.**
 - b. **Stage 2: The following year being the commencement of construction.**

Carried 8 / 0

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

Against - Nil



14.3. Program of Works 2024/25 - Drainage

Author	Shawn Lombard – Manager Projects, Engineering & Assets
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Executive/Strategic
Attachments	3.24_25 Program Of Works.Drainage.Final.v2
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the Program of Works – Drainage and the allocation of funds to the Draft 2024/25 budget.

The focus for the 2024/25 Program of Works will be the completion of capital and maintenance projects (via the carryover of funding) not achieved in 2023/24, projects with associated external funding and identified priority capital works.

Officer's Recommendation

That Council:

1. Endorses the Program of Works –FY 24/25 to a consolidated value of \$220,000 to the draft budget.
2. Endorses the carryover of budget from the FY 23/24 to a value of \$30,000 to the draft budget.

Background

Previous Council Decisions

30 March 2022 (OC049/2022) - Council endorsed the Program of Works – Drainage (2022 – 2031) and allocated \$207,500 in the Draft 2022/23 Budget for Drainage Capital Works.

29 March 2023 (OC/2023/47 – Council endorsed the Program of Works – Drainage (2022 – 2031) and allocated \$1,021,500 in the Draft 2022/23 Budget for Drainage Capital Works.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

Direction 2 - Manage and protect our environment

- 2.1 Improved management of our natural environment assets and attractions
- 2.7 Urban planning that supports sustainable development

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

- 4.2 Informed and transparent decision making.



Corporate Business Plan 2023-2027

ATS 1 - Implement recommendations of Shire Drainage Strategy

ATS 2 - Implement and Review Asset Management Plans - Roads - Paths - Drainage - Bridges - Reserves - Carparks

ATS 3 - Review, Update and implement Capital PoW - Roads - Paths - Drainage - Bridges - Reserves - Carparks

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

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

(1) A local government is to plan for the future of the district.

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

The Integrated Planning and Reporting Framework and Guidelines apply. The Rate Setting, Asset Management and Financial Sustainability Guideline dated June 2013 applies.

Federal Framework

There are no state frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Asset Management
- Budget Management - Capital Acquisitions and Works
- Compliance
- Fair Value of Assets
- Legislative Compliance
- Purchasing
- Risk Management Framework



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Environmental Rating: High	Likely	Major	The Shire’s drainage assets have been constructed over decades to varying standards of construction. Managing required upgrades and renewals has been difficult due to lack of data and corporate knowledge. If not addressed, there is an increased risk of asset failure, which can lead to dissatisfied customers, increased customer complaints, increased public safety liability, insurance and maintenance costs.
Risk Description: Drainage asset failure - flooding			
Risk	Likelihood	Consequence	Mitigation
Risk 2 Environmental Rating: Medium	Likely	Minor	In recent years, drainage inspections have commenced, gathering appropriate data for future asset planning. This has identified many required drainage improvements, which will improve the maintenance and functionality of the drainage system within the Shire.
Risk Description: Drainage asset inoperable – unable to maintain			
Opportunity: Improved drainage across the Shire will result in the reduction of asset failure, improve customer satisfaction with respect to drainage and reduce the likelihood of flooding within the area.			

Financial Implications

Budget

The tables below provide a summary of the Scheduled Program of Works – Drainage (2024/25) reflective of:

- Infrastructure works identified within the Long Term Financial Plan (LTFP) for the Financial Years (FY) 23/24 and 24/25.
- Officer recommendations, known asset data, site findings and review aligned to risk, strategic alignment and mitigation of ongoing historic issues.

Officers have chosen to provide this budget in a tabled breakdown format with associated comments relevant to each section.

- This also replicates the finance format for this campaign, making it easier to read and interpret by all.



- This is further supported by an expanded format of the summary showing the funding sources and Shire funding breakdown in more detail, this added as an attachment.

2024-25 Capital Works Program – Drainage Budget for Council review

<i>Description of Works</i>	<i>Budget</i>	<i>Locality</i>	<i>Category</i>	<i>Budget Status</i>
Design recommendations from Gelorup Flood Modelling Report (TPS3)	30,000	Gelorup		Carryover
Gelorup Flood Modelling Report - Report maintenance works recommendations (Stage 1)	100,000	Gelorup		New
Reilly Road - Ch 1460 - Box culvert (Rural Drainage)	40,000	Boyanup		LTFP
Capel Urban Water Management Plan (UWMP) - Monitoring Bore implementation program	50,000	Capel		New
	220,000			

Officer Comment:

- This Program of Works for Drainage totals **\$220,000**

Gelorup Flood Modelling:

- This project has been awarded to Kercheval Engineering Consulting as part of the FY 23/24 and is an ongoing project.
- This project will see the following delivered:
 - o Full Gelorup drainage system review.
 - o Full survey of entire system to establish and check flow path levels.
 - o Site findings and recommendations.
 - o Scope or works development.
 - o Works oversight and sign-off as it is delivered.
- This listing has a single ongoing FY 23/24 works project listing and has been listed for **carryover** to the value of **\$30,000**.
- In addition to this carryover, a **new** allocation as part of the FY 24/25 budget a \$100,000 has been included.
 - o This will be used to fund the one off capital works campaign to re-establish the Gelorup drainage system based on the Kercheval findings and recommendations report just received.
 - o This procurement will only be done as part of the FY 24/25 period pending budget adoption.
- Capel Urban Water Management Plan (UWMP) is a **new** listing for **\$50,000** as part of the FY 24/25.
 - o This allocation is based on the 2013 UWMP report for the Capel locality that required additional bore monitoring to inform future subdivision and other land development to be completed.
 - o To date none has occurred, and of late there have been several small subdivision projects calling on this data to help inform current and future design.
- From the **LTFP** data a single project has been flagged for this FY 24/25, this to a value of **\$40,000**, this a simple box culvert project on Reilly Road.



Overall Budget Summary:

In summary the Scheduled Program of Works for Drainage above details a total works program of of \$220,000 for the FY 24/25.

Council is requested to consider and award budget to the Scheduled Program of Works for Drainage for FY 24/25 to a budget value of \$220,000, with the following table showing the consolidated summary breakdown as follows:

Description:	Budget allocation:
Carryover (Council funded)	\$30,000.00
LTFP identified works (FY 24/25) - Council funded	\$40,000.00
New works (Eng Tech Services identified) - Council funded	\$150,000.00
Sub-Total:	\$220,000 ex GST

Long Term

The future financial implications of this proposal are outlined below.

This Program of Works – Drainage allows for physical replacement of existing end of life assets along with the investigation and design of future solutions for known drainage issues.

Moving the capital management of Drainage from a reactive response to a more proactive systematic approach is intended to provide the Shire with lower whole of life costs through the reduction in expensive emergency maintenance. Unforeseen failures should reduce through more active monitoring of condition, resulting in a correspondingly higher level of confidence in the network's performance.

Sustainability Implications

Climate Change and Environmental

Wherever possible the design and alignment of underground and surface drainage should maintain the natural flow of stormwater and floodwaters through the landscape and support the social and environmental services provided by local ecosystems. This is required to protect ecosystems from potential adverse impacts caused by human occupation in the landscape.

Social

This program aims to provide an appropriate level of amenity and serviceability for drainage infrastructure and manage potential flooding impacts on the community.

Economic

This program aims to provide protection for infrastructure that can be damaged by floods and/or conveyance of stormwater and to allow effective management of infrastructure assets impacted by flooding and/or stormwater.



Asset

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

As costs continue to increase difficulties remain in achieving this KPI but staff remain committed to striving towards a program based on asset priority to deliver the best value for money available within the current difficult construction climate and developing asset management plans to proactively improve the maintenance and functionality of the drainage system within the Shire.

Consultation/Engagement

There has been ongoing consultation with a variety of interested stakeholders including:

External Consultation

- Consultants and contractors
- Customer requests for drainage works.
- Developers

Internal Consultation

- Executive, management, and staff

Officer Comment

The following key elements listed below speak to the Program or Works for Drainage, this providing context to the following:

- FY 23/24 carryover causal factors.
- Risk and issues.
- Assumptions and omissions.
- Contingency considerations.
- Methodology and considerations for works delivery.

Council is asked to take this under advisement and consideration when reviewing the Budget portion of the current report.

1. Budget Development Methodology

This budget has been developed with the original source of information being the current Asset LTFP information, data currently under further scrutiny, analysis and refinement.

The following additional steps have been introduced into the process to inform and refine the listings, these being:

- To take on notice any community and Council comments and requests from the previous year and then include them for review and consideration in the annual Programs of Work development process.
- To take on notice Officer findings, detail relevant to each asset class and either include them into existing works or create new listings based on this data's relevance and priority.
- To give Officers the opportunity to review the listings for each year through:
 - Site visits to verify the data and recommendations.
 - To test the price where possible based on recent like or similar works costings.



- To make alternative or change requests to improve the listing.
- To delete the listing if found to not be required or ready for inclusion due to the lack of data.
- Where the item lacks data, this item is then relisted in later years for consideration pending budget and service level requirements.
- Overall, this methodology gives the budget program a more collaborative approach that now sees the Programs of Work being developed using as many input sources as possible to create the annual listings and develop an accurate asset management structure.

2. Significantly reduced budget listing:

FY 24/25 has been significantly reduced for the following reasons:

- Assets are undertaking a review of this Asset class as part of its ongoing survey and data gap closure in FY 24/25.
- The current LTFP model is showing significant works in outlying years. To ensure the Shire does not have excessive task listings in single financial years, Assets requires FY 24/25 to review these items and re-allocate this work to smooth the requirements across multiple years.
- This is also a more sustainable method of works delivery under the current staff and Contractor constraints.
- Assets is not confident that the current works listing information is accurate or complete resulting in further investigation required by the Shire's Works Department and survey consultancy being proposed for budget allocation in FY 24/25.

3. Equitable Works Distribution:

When delivering the works listed above, consideration will be given to ensuring that the money spent within the Shire is distributed across the whole Shire as far as practicable.

- The scope of works is determined by the site investigation and findings, thus driving and informing the cost of works.
- The LTFP assigns works on service levels, priority and asset management cycles.

4. Previous Years Works listings:

Officers have added this statement for inclusion and consideration as part of the budget review process for both current and future works programs, noting:

- Officers have as part of the Asset Management briefings advised Council that all works listed in the Council endorsed Program of Works – Drainage (2021 - 2031) that have not been delivered or carried over in this report, have not been lost or omitted.
- These are all being reviewed as part of the new Asset data capture and updates that will see these items either:
 - Fall away due to not meeting the criteria for works scheduling.
 - Having been delivered.
 - Be listed in later years in the LTFP and associated works plans based on new data being captured and used to determine works priority.



- Be included in new projects where the scope of these works has been amalgamated into a larger and expanded project that achieves a more consolidated outcome for not just this portion, but other associated works required in this location.
- Possible deferral to later years in the LTFP due to current ongoing major project works (BORR etc.), these impacting the original project scope and deliverables. These works will be reviewed and adjusted to consider these changes and then be scoped and delivered accordingly.

5. **Carryover:**

The carryover listed in this report is the full FY 23 /24 adopted budget allocation, noting.

- there may be further expenditure in FY 23/24 that will reduce the overall carryover value at final budget adoption.

The true carryover value will be confirmed and adjusted as part of the final budget adoption in July.

- This correction will capture the true figures at this stage of the financial year end.
- This correction will also reduce the FY 24/25 budget by the end of FY 23/24 adjustment.

Continuation of supply of these services to the community through appropriate maintenance and renewal practices is therefore of high importance and is in line with the requirements of Policy 2.33 - Asset Management.

Summary

The Shire of Capel's drainage network is a critical component of the Shire's overall infrastructure portfolio.

It provides a vital function upon which other asset classes (notably roads and buildings) are dependent and provides amenity, safety, and property protection services to residents and visitors.

Unfortunately, the program is constrained by funding, internal resource capacity and imperfect knowledge of the asset condition.

The asset knowledge is improving each year towards the goal of proactive maintenance and renewal across the Shire.

Voting Requirements

Simple Majority



Officer's Recommendation – 14.3.

OC/2024/62 - Officer's Recommendation / Council Decision - 14.3

Moved Cr Mogg, Seconded Cr Dillon.

That Council:

- 1. Endorses the Program of Works – FY 24/25 to a consolidated value of \$220,000 to the Draft budget.**
- 2. Endorses the carryover of budget from the FY 23/24 to the value of \$30,000 to the draft budget.**

Carried 8 / 0

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

Against - Nil



14.4. Program of Works 2024/25 - Facilities (Buildings)

Author	Shawn Lombard – Manager Projects, Engineering & Assets
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic
Attachments	2. 24_25 Program or Works. Facilities (Buildings). Final.v2
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the Program of Works – Facilities (Buildings) and the allocation of funds to the FY 24/25 Draft Annual Budget.

The focus for the 2023/24 Program of Works will be the completion of capital and maintenance projects (via the carryover of funding) not achieved in 2023/24, as well as projects with associated external funding and priority capital works.

Officer's Recommendation

That the Council:

1. Endorses the Program of Works – Facilities (Buildings) FY 24/25 to a consolidated value of \$2,240,051.
2. Endorses the carryover of budget from the FY 23/24 to a value of \$1,823,051.

Background

There has been no formal briefing to Council detailing this Program of Works - Facilities (Buildings) but it forms a critical part of the Draft budget FY 24/25 consideration.

This Program of Works - Facilities (Buildings) has traditionally been presented as part of the overall budget adoption usually occurring in June/July of each financial year but is now forming its own asset class and will be dealt with separately within the annual program of works program.

Decision Framework

Shire of Capel Strategic Community Plan 2023 - 2033

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

Direction 5 - Provide and maintain suitable infrastructure and facilities
5.1 Appropriate community facilities, which meet the communities' needs.



Corporate Business Plan 2023 - 2027

OPS 1 - Infrastructure - Sealed Road Maintenance, Unsealed Road Maintenance, Drainage Maintenance, Footpath Maintenance, Bridge Maintenance, Public Open Space Maintenance, Tree Pruning/Annual Removal, Repair, and reinstatement of SOC Shade Sails.

ATS 2 - Implement and Review Asset Management Plans for Roads, Paths, Drainage, Bridges, Reserves and Carparks.

ATS 3 - Review, Update and implement Capital PoW for Roads, Paths, Drainage, Bridges, Reserves and Carparks.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Section 5.56 of the Local Government Act 1995 applies:

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

The Integrated Planning and Reporting Framework and Guidelines apply. In particular the Rate Setting, Asset Management and Financial Sustainability Guideline dated June 2013 applies.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Asset Management.
- Budget Management - Capital Acquisitions and Works.
- Compliance.
- Fair Value of Assets.
- Legislative Compliance.
- Purchasing.
- Risk Management Framework.
- Engineering Specifications (Subdivision Land Development).



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: High	Possible	Moderate	Manage built infrastructure in accordance with the Asset Management Strategy, ensuring that adequate works are scheduled to maintain defined service delivery levels.
Risk Description: <ul style="list-style-type: none"> - Loss of service to customers due to deterioration of asset condition. - Insufficient servicing of built infrastructure due to lack of funding allocation or accurate asset data. 			
Risk 2 Health and Safety Rating: High	Likely	Major	Manage built infrastructure in accordance with industry standards, ensuring that adequate works are scheduled to maintain these to desired outcomes and levels of service.
Risk Description: <ul style="list-style-type: none"> - Built infrastructure deteriorating to the point of non-compliance due to the lack of sufficient and ongoing maintenance. - Aged facilities not being maintained to current compliance and required standards to comply with new legislation and customer expectations. 			
Risk 3 Reputational Rating: High	Possible	Major	Robust asset management processes that are both contemporary and aligned to best practice for ongoing maintenance and new built infrastructure development, this all demonstrating sustainable growth and ongoing asset maintenance.
Risk Description: <ul style="list-style-type: none"> - The breakdown of public trust, perception and respect regarding the expenditure of rates and other funding, for the annual maintenance of Shire assets. 			
Opportunity: The proposed Program of Works: <ul style="list-style-type: none"> - Increases the Contractor resource pool to help the delivery and diversity of trade across this portfolio, this also encouraging improved procurement price modelling. - Improve these works through forward works planning with one year of project design and development and the following year construction. - Review Programs of Works on an annual basis and keep the Council informed of changes in market conditions. - Implement all recommendations of the Asset Management Strategy (2020) with particular emphasis on financial sustainability. 			



Financial Implications

Budget

The tables below provide a summary of the Scheduled Program of Works – Facilities (Buildings) (2024/25) reflective of:

- Infrastructure works identified within the Long Term Financial Plan (LTFP) for the Financial Years (FY) 23/24 and 24/25.
- Officer recommendations, known asset data, site findings and review aligned to risk, strategic alignment, and mitigation of ongoing historic issues.

Due to the complexity of this program's funding, budgeting includes a tabled breakdown format with associated comments relevant to each section when reviewing it.

- This also replicates the finance format for this campaign, making it easier to read and interpret by all.
- This is further supported by an expanded format of this summary showing the funding sources and Shire funds breakdown in more detail, this added as an attachment.

2024-25 Capital Works Program – Drainage Budget for Council review

<i>Description of Works</i>	<i>Budget</i>	<i>Locality</i>	<i>Category</i>	<i>Budget Status</i>
Recreation & Culture - Buildings Other Recreation & Sport				
Dalyellup Sports Pavillion - Sewer connection	180,000	Dalyellup		Carryover
Capel Regional Equestrian Park (CREP) Clubhouse Redevelopment	970,591	Capel		Carryover
Ablution Refurbishment campaign - Forrest Beach Toilet Block - Boyanup Lions Park Toilet Block - Ironstone Gully	140,000	Peppy Grove Beach Boyanup Capel River		LTFP
	1,290,591			

Officer Comment:

- This program of works for Buildings Other Recreation & Sport totals **\$1,290,591**.
- This listing has ongoing FY 23/24 capital works projects listed for carryover of **\$1,150,591**.
 - It is to be noted that for the purposes of this budget report the full budget allocation is being listed as the carryover.
 - This figure will be adjusted to reflect the difference between FY 23/24 actual expenditure and true committed carryover value.
 - This will improve the overall budget position by reducing the budget accordingly.

Dalyellup Sports Pavillion:

- This project had design complexity requiring considerable third party development, that is delaying the project to the later part of the current FY.
- This project was awarded late FY 23/24 and has been listed for carryover to facilitate the ongoing delivery of the project to completion in early FY 24/25.



Capel Regional Equestrian Centre (CREP):

- This project was awarded mid FY 23/24 and has been listed for carryover to facilitate the ongoing delivery of the project to completion in early FY 24/25.

The next four (4) listings are all works identified as part of the Long Term Financial Plan (LTFP), these all being ablation refurbishments.

- This will be an annual allocation seeing Councils public amenities upgraded and renewed as part of a larger ablations campaign.
- The FY 24/25 **new works** listings are seeking funding to the value of **\$140,000**.

Recreation & Culture - Infrastructure	Budget	Locality	Category	Budget Status
Beach access Staircase (Northern) Norton Promenade Dalyellup - Remediation works	35,820	Dalyellup		Carryover
Beach access Staircase (Southern) Norton Promenade Dalyellup (Zedor Carpark) - Remediation works	35,820	Dalyellup		Carryover
Forrest Beach Staircase - Remediation works	35,820	Peppy Grove Beach		Carryover
Sleaford Park Gelorup Redevelopment - Carryover from 22/23 - Playground upgrade (Equipment, paths, shade structure, etc)	120,000	Gelorup		Carryover
Boyanup Memorial Park AFL Ground - LED floodlighting upgrade program (CM 15.3 29/3/23)	295,000	Boyanup		Carryover
	522,460			

Officer Comment:

- This program of works for infrastructure totals **\$522,460**.
 - This is funding allocated to the annual maintenance of beach access infrastructure.
 - It has proven difficult to engage Contractors for this discipline due to the specialty skills required for the works.
 - Officers have been on waiting lists for regional Contractors that have proven themselves reliable and value for money in this field, however due to the limited numbers of these trades, this has impacted delivery timelines.
 - These are compliance works and are required to be completed.
- Ongoing FY 23/24 works and have been listed for **carryover** to the value of **\$227,460** as it is assumed that engagement will only occur just before the end of financial year.
 - No expenditure has been listed on these allocations.
 - The award for these works will be on or before 3 June 2024.

Boyanup Memorial Park AFL Ground - LED floodlighting upgrade program

- This is a FY 23/24 project that was awarded mid to late 2024, to a value of \$295,000.
- These works have not yet commenced due to Contractor availability and the ordering of the hardware having long lead times.
- This is therefore listed as a **carryover** to the value of **\$295,000**.
- Works completion is anticipated in circa October/November 2024.



Recreation & Culture - Buildings Public Halls, Civic Centres	Budget	Locality	Category	Budget Status
Dalyellup Community Centre - Replace roof section-carryover from 22/23	150,000	Dalyellup		Carryover
	150,000			

Officer Comment:

- This program of works for buildings, public halls, and civic centres totals **\$150,000**.
- It has proven difficult to engage Contractors for this discipline due to:
 - The specialty skills required for the works;
 - The commercial scale of the project, limiting this to larger companies willing to undertake the works; and
 - Contractors being overloaded with current commitments, further delaying their availability to deliver this item for the Shire.
- These are ongoing FY 23/24 works and have been listed for **carryover** to the value of **\$150,000**.
 - No expenditure has been listed on these allocations.
 - The award for these works will be on or before 3 June 2024.

Other Property & Services - Buildings General Administration	Budget	Locality	Category	Budget Status
Cyclic Plant Replacement Program	30,000	Various		Annual allocation
Office Furniture - Annual allocation provision(All staff)	30,000	Various		Annual allocation
Main Admin Building - Staff Accommodation works	15,000	Capel		New
Depot Master Plan - WHS and Accommodation works	62,000			New
Depot Master Plan - Design Review & Master Plan Development	100,000	Capel		New
	237,000			

Officer Comment:

- This program of works for buildings general administration totals **\$237,000**.
 - Of this allocation **\$60,000** has been allocated to ongoing annual budget line items that services the greater organisation for:
 - General office furniture and plant replacement.
- Due to the restructure of the organisation, the Shire Administration Office requires some modifications to accommodate the additional staff and the functional use of the available space.
 - These works attract a collective budget of **\$15,000** collectively, both are market tested and priced.



Capel Depot:

- This facility is aged and requires annual works to be completed, including:
 - Several Work Health and Safety (WHS) matters currently on the risk register requiring immediate attention.
 - Additional storage at the depot for items that are currently cluttering workspaces.
 - An allocation for bulk raw material bunker storage design has been included in this allocation, this is an ongoing issue noting that the Shire uses considerable tonnage of material per annum to deliver its everyday activities. Currently this is just being dumped on any available open parcel of land at the depot which is then difficult to keep separated and contaminant free when loading from this bulk supply.
- These listings attract a budget of **\$62,000** collectively.
- To ensure these and future works are all completed in alignment with a greater Depot Master Plan, a separate listing of **\$100,000** for detailed design has been included in the FY 24/25 allocation.
 - These funds will be used to develop a Master Plan using survey detail, geotechnical data, organisational input, and other relevant considerations.
 - This Master Plan will look to salvage and use the functional elements of the current Depot, but then look to draft a new built form within this existing land parcel that will accommodate:
 - Staff
 - Compliant workplace facilities and amenities.
 - Plant and Equipment
 - Storage
 - General site improvements
 - Internal road and parking infrastructure
- This design will support a business case and cost modelling for future funding considerations.
 - Should the built form aspects of the design not be supported, this plan is still required to deliver coordinated upgrade and renewal works on site (If this is the case, the budget can be scaled back to \$50,000 to suit the needs remaining from this design brief).

Law, Order & Public Safety - Buildings	Budget	Locality	Category	Budget Status
Dog Pound				
- Stage 2	40,000	Capel		New
- Facility Upgrades (aircon, new cat housing, etc)				
	40,000			

Officer Comment:

- This program of works for Law, Order & Public Safety buildings totals **\$40,000**.
 - This facility requires upgrading to support improved working conditions for staff, compliance, and animal welfare considerations.
 - FY 23/24 has seen Stage 1 works as part of the overall facility upgrade.
 - FY 24/25 will see Stage 2 works completed.
 - These works will then provide a facility that is fit for purpose and use with future provision and growth considerations included in the overall delivery brief.



Overall Budget Summary:

In summary, the Scheduled Program of Works for Facilities (Buildings) above details a total works program to the value of \$2,240,05 for the FY 24/25, a consolidated summary breakdown as follows:

Description:	Budget allocation: (EX GST)
Carryover (Grant and Council funded)	\$1,823,051
LTFP identified works (FY 24/25) - Council funded	\$140,000
New works (Assets and Facilities identified) - Council funded	\$217,000
Annual allocations (Furniture & Plant) – Council funded	\$60,000
Sub-Total:	\$2,240,051

This is a first-time presentation of this program of works as part of the draft budget adoption process.

Long Term

The Capel Regional Equestrian Park (CREP) Clubhouse is the only new facility being built and this is replacing an aged and non-compliant facility.

- This will have minor ongoing maintenance requirements reflected in the maintenance budgets as part of the overall LTFP.
- The cost of this is minimal in the first 5 years, and zero in the first 12 months due to being under the defects and liability period.

For the other listings no assets/infrastructure are being created, therefore there are no long term financial implications. The works listings are renewal and upgrade in type and nature.

Sustainability Implications

Climate Change and Environmental

A neutral environmental outcome is expected. All works are completed using Tier 1 (industry best practise) consideration for materials and facility design considerations as far as practicably possible.

Social

Community expectations are managed by improved safety outcomes and improved facilities that align to modern, compliant and best practise outcomes.

Economic

The Shire and community benefits by improved built form facilities aligning to Tier 1 considerations, these translating to cheaper running costs and more sustainable and efficient facilities overall.

Furthermore, procurement of local goods and services supports local business and the local economy.



Asset

The targeted assets all achieve improved service levels and maintenance outcomes when renewed or upgraded using Tier 1 sustainable considerations and practises being applied to them.

The Asset life is extended and improved through the ongoing and incremental improvement methodology, this done through annual programs that extend the overall “whole of life” cycle in the LTFP.

Incremental and ongoing maintenance and improvement expenditure has proven to show “whole of life” extension for Local Government facilities, this smoothing out the replacement curve and reducing, in some instances, the requirement for full asset replacement due to the under funding of ongoing maintenance and required improvements.

Consultation/Engagement

Consultation has occurred in line with management of the facilities/built form asset class.

The primary objectives of the consultation have been the development and refinement of the ongoing facilities maintenance regimes that support the Shires built form asset class.

External Consultation

The following external agencies have been consulted (at varying times throughout the past twelve months) in relation to the Shire’s ongoing management of the facilities -

- Customer requests for works.
- Lease stakeholders.
- Funding agencies.

Internal Consultation

- Internal Consultation.
- Councillors and Executive.
- Management and staff.

Officer's Comment

The following key elements listed below speak to the Program or Works for Facilities (Buildings) providing context to the following:

- FY 23/24 carryover causal factors.
- Risk and issues.
- Assumptions and omissions.
- Contingency considerations.
- Methodology and considerations for works delivery.



Council is recommended to consider the following when reviewing the Budget portion of the current report.

1. Budget Development Methodology

This budget has been developed with the original source of information being the current Asset LTFP information, data currently under further scrutiny, analysis and refinement.

The following additional steps have been introduced into the process to inform and refine the listings, these being:

- To take on notice any community and Council comments and requests from the previous year and then include them for review and consideration in the annual Programs of Work development process.
- To take on notice Officer findings, detail relevant to each asset class and either include them into existing works or create new listings based on this data's relevance and priority.
- To give Officers the opportunity to review the listings for each year through:
 - Site visits to verify the data and recommendations.
 - To test the price where possible based on recent like or similar works costings.
 - To make alternative or change requests to improve the listing.
 - To delete the listing if found to not be required or ready for inclusion due to the lack of data.
 - Where the item lacks data, this item is then relisted in later years for consideration pending budget and service level requirements.
- Overall, this methodology gives the budget program a more collaborative approach that now sees the Programs of Work being developed using as many input sources as possible to create the annual listings and develop an accurate asset management structure.

2. Resource Limitations:

This sector of the Shire portfolio has also been affected by the general trade resource shortage due to the industry seeing many of its good and dependable Contractors being drawn to the mining and housing boom sectors.

- The sheer volume of work in this sector has resulted in Contractor availability and scheduling being a significant issue.
- Projects timelines are constantly being pushed out due to Contractor over commitment.
- Project pricing has seen a steady rise since Covid-19 due to:
 - Significant increase in the cost of raw materials.
 - A premium being applied to Contractor priority and availability.
 - In some instances, price gauging due to the market exploiting the resource drain and materials shortage.
- Material and hardware supply has also been a significant issue, with several projects being affected by long lead times due to supply and demand issues.
 - This has impacted programs and project timelines and, in some instances, constant time slippage.
 - Further, this has at times resulted in initial supplier orders being cancelled only to be re-ordered through other suppliers attracting both additional cost and time variation.



3. Equitable Works Distribution:

When delivering the works listed above, consideration will be given to ensuring that the money spent within the Shire is distributed across the whole Shire as far as practicable.

- The scope of works is determined by the site investigation and findings, thus driving and informing the cost of works.
- The LTFP assigns works on service levels, priority and asset management cycles.

4. Previous Years Works listings:

Previously listed projects as part of previous maintenance budgets will be reviewed as part of the new Asset data capture and updates will see these items either:

- Fall away due to not meeting the criteria for works scheduling.
- Having been delivered.
- Be listed in later years in the LTFP and associated works plans based on new data being captured and used to determine works priority.
- Be included in new projects where the scope of these works has been amalgamated into a larger and expanded project that achieves a more consolidated outcome for not just this portion, but other associated works required in this location.
- Possible deferral to later years in the LTFP due to current ongoing major project works (BORR etc.), these impacting the original project scope and deliverables. These works will be reviewed and adjusted to consider these changes and then be scoped and delivered accordingly.

5. Carryover:

- The carryover listed in this report is the full FY 23 /24 adopted budget allocation, noting.
 - there may be further expenditure in FY 23/24 that will effectively reduce the overall carryover value at final budget adoption.
- The true carryover value will be confirmed and adjusted as part of the final budget adoption in July.
 - This correction will capture the true figures at this stage of the financial year end.
 - This correction will also reduce the FY 24/25 budget by the end of FY 23/24 adjustment.

Continuation of supply of these services to the community through appropriate maintenance and renewal practices is therefore of high importance and is in line with the requirements of Policy 2.33 - Asset Management.

Summary

The Program of Works – Facilities (Buildings) continues to work in accordance with:

- The Council's Strategic Community Plan (2021 - 2031) and;
- The Asset Management Strategy, Revision 3 (October 2020).

The program focusses upon pragmatic preservation of the asset and the maintenance of predictable cash flows and achievable workloads into the future.

Risks to the program have been identified and appropriate mitigating actions have been implemented.



Voting Requirements

Simple Majority.

Officer's Recommendation – 14.4.

That Council:

1. Endorses the Program of Works – Facilities (Buildings) FY 24/25 to a consolidated value of \$2,240,051.
2. Endorses the carryover of budget from the FY 23/24 to a value of \$1,823,051.

OC/2024/63 - Alternative Recommendation / Council Decision - 14.4

Moved Cr Mogg, Seconded Cr Noonan.

That the Council:

1. **Endorses the Program of Works – Facilities (Buildings) FY24/25 to a consolidated value of \$2,240,051.**
2. **Endorses the carryover of budget from the FY23/24 to a value of \$1,823,051.**
3. **On endorsement of the FY2024/25 Draft Annual Budget, pre-approves the continuation of work for the Capital Works Program – Facilities, for projects identified as a carry forward project.**
4. **Note the decision of Council from the Ordinary Meeting held 29 November 2023 (OC/2023/197) Motion, request for a Public Toilets Program of Works has been incorporated into the Facilities (Buildings) Program of Works.**
5. **Note following condition assessments, the FY2024/25 program includes the highest priority toilet facilities.**

Carried 8 / 0

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

Against - Nil



14.5. Program of Works 24/25 - Paths and Trails

Author	Acting Manager Operations, Josh Connah
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Executive/Strategic
Attachments	Program of Works Paths and Trails 2024-25
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the Program of Works – Paths and Trails and the allocation of funds to the Draft 2024/25 budget.

The focus for the 2024/25 Program of Works will be the completion of capital and maintenance projects (via the carryover of funding) not achieved in 2023/24, as well as projects outlined by the Shire’s asset renewal program, including the installation of tactile indicators throughout the entire footpath network. 2024/25 will see the Shire focus on investigative works, with an increase to the maintenance budget to undertake proactive inspections that will form a more detailed Capital Program of Works – Paths and Trails in future years.

Officer’s Recommendation

That Council:

1. Approves the carryover of \$73,458 from the unspent 2023/24 program into the 2024/25 Program of Works – Paths and Trails.
2. Endorses an amount of \$331,900 to the Draft 2024/25 Budget for consideration.

Background

Previous Council Decisions

27 May 2015 (OC0513) - Council decided to discontinue the previous 10 year Pathway Strategy (2014/15 to 2027/28) and adopted a revised 4 Year Program of Works – Paths (2015/16 to 2020/2021).

27 July 2015 (OC0712) - Council accepted the desktop review of the Trails Masterplan and supported the establishment of a Trails Management Group to facilitate administration of trail project planning, development and management.

26 April 2017 (OC0405) - Council extended the previous 4 year Program of Works – Paths (2016/17 to 2020/2021) to a 5 year program. This included allowance for completion of Stage 2 of the Bussell Highway Shared Use Path project, and allocated budget for Paths in future years, bringing costs in line with the endorsed Long Term Financial Plan. Council also endorsed the use of holding treatments for areas that are planned for future main street upgrade works.



28 March 2018 (OC0319) - Council endorsed an updated 5 year program of works and allocated \$226,106 into the 2018/19 Budget for the Paths Capital Works Program.

19 December 2018 (OC90/2018) - Council endorsed the principles of Bunbury-Wellington 2050 Cycling Strategy and received a proposed action plan for future budget & planning consideration.

27 April 2022 (OC068/2022) - Council endorsed the Program of Works - Paths and Trails 2022/23-2030/31 and referred an amount of \$466,142 to the draft 2022/23 budget for consideration.

29 March 2023 (OC/2023/46) - Council endorsed the Program of Works – Paths and Trails 2023/24 and referred an amount of \$988,000 to the draft budget for consideration.

Decision Framework

Shire of Capel Strategic Community Plan 2023 - 2033

Direction 4 - Deliver good leadership, governance and decision-making
4.2 Informed and transparent decision making

Direction 5 - Provide and maintain suitable infrastructure and facilities
5.1 Appropriate community facilities, that meet the communities' needs

Corporate Business Plan 2023-2027

AST 7 - **Implement and Review Asset Management Plans - Tech Services portfolio** - Review Asset Management Plans for Roads, Paths, Trails, Drainage, Bushland Reserves, POS and Buildings

AST 8 - **Review, Update and implement Capital PoW** - Review Asset Capital Programs of Works for Roads, Paths, Trails, Drainage, Bushland Reserves, POS and Buildings

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

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

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

The Integrated Planning and Reporting Framework and Guidelines apply. The Rate Setting, Asset Management and Financial Sustainability Guideline dated June 2013 applies.

Federal Framework

There are no federal frameworks relevant to this item.



Policy Framework

- Council Policy 2.7: Preparation of Integrated Financial Plan and Budget;
- Council Policy 2.9: Budget Management – Capital Acquisitions and Works;
- Council Policy 2.33: Asset Management;
- Council Policy 6.18: Capel Townsite Traffic Strategy;
- Council Policy 6.23: Boyanup Transport Infrastructure Strategy;
- Council Policy 7.3: Engineering Specifications (Subdivision Land Development); and
- Council Policy 8.6: Disability Access & Inclusion.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: High	Likely	Moderate	To mitigate the risk of cost escalation, the Shire has sought Tenders for supply of certain contracts e.g. concrete paths and kerbing, resulting in multi-year contracts and fixed rates where applicable.
Risk Description: Cost escalation			
Risk 2 Financial Rating: High	Likely	Major	Assets are managed in accordance with endorsed Asset Management Plans. Planning for the replacement of assets through the Program of Works and ensuring appropriate budgets are allocated, assists in ensuring that assets are kept to acceptable standards.
Risk Description: Deteriorating assets leading to customer dissatisfaction			
Risk 3 Health and Safety Rating: High	Possible	Major	Improved inspection schedules with a smaller capital works program, allowing staff to focus on design works for future years.
Risk Description: Trip hazards arising from poorly maintained Paths leading to injuries.			
Opportunity: Reducing the Capital Works Program for 2024/25 will allow the Shire to focus on planning for cost escalation and managing assets in accordance with endorsed Asset Management Plans. It will reduce the risk of not delivering prioritised works and allow the Shire to consolidate on future planning designs.			



Financial Implications

Budget

The financial implications relevant to this proposal are outlined in the table below.

The Blue shaded area is being requested for carryover to complete within the 2024/25 financial year.

Program of Works - Paths	Budget 24/25	Location
Trigwell Road- Bridge Street to South West Highway Boyanup. Design work.	\$73,458	Boyanup
Baudin Link – Remediation works	\$8,000	Dalyellup
Dichera Bend – multiple patching's and replacements	\$15,000	Dalyellup
McGarry Link – Patching work	\$8,000	Dalyellup
Pardelup Approach – Pram ramp and patching	\$8,700	Dalyellup
Jacob Street – Pram ramp and Renewal	\$11,200	Dalyellup
Digger Place – Renewal	\$8,000	Boyanup
Capel Drive – Earthworks and repairs	\$15,000	Capel
Erle Scott Reserve – Repairs and patching	\$15,000	Capel
North Lake – multiple panel replacements	\$18,000	Dalyellup
Roe Road – Provision to undertake design works	\$25,000	Capel
Tactile Indicators to be installed throughout footpath network	\$100,000	All Suburbs
Perform audits and recommendations on Trail networks	\$50,000	All Suburbs
Review of beach access pathways	\$25,000	Peppermint Beach, Stratham, Dalyellup
Review of Path Strategy and Network Gap	\$25,000	All Suburbs

From the above table, the council is requested to carry over \$73,458 to deliver the remaining 2023/24 Program of Works and add a further \$331,900 to deliver the scheduled 2024/25 listed projects. This request provides a total of \$405,358 from Municipal funding for the Program of Works – Paths and Trails 2024/25.

Long Term

The Program of Works – Paths and Trails 2022/23-2030/31 is informed by the following supporting documents, many of which are due for review and will be included in the budget over the next couple of years:

- Shire of Capel Path Strategy 2013 - 2018.
- Department of Transport Bunbury-Wellington 2050 Cycling Strategy;
- Shire of Capel Local Bike Plan 2016.
- Shire of Capel Trails Master Plan 2009; and
- Shire of Capel Roads Program of Works.



Sustainability Implications

Social

- To provide an appropriate level of amenity and serviceability for infrastructure within the community.
- Improve social well-being through encouragement of a healthy lifestyle along with safe and efficient transportation choices.
- Aims to improve universal access for prams, wheelchairs, people with reduced mobility and create a more inclusive community for all abilities.

Asset

The Asset Management Strategy Revision 3 (October 2020) confirmed the achievement of a Sustainability Ratio (SR) range for Capital Works of 0.7 to 0.9 as a primary Key Performance Indicator.

The Paths asset was valued under fair valuation rules in May 2018. The total value of the asset (including pram ramps) was determined at \$15.1 million. Depreciation of this asset is costed at \$341,000 per annum over a (typically) 65 year economic life.

Calculation of future Sustainability Ratios indicates they fall below the required target range identified in the Asset Management Strategy Revision 2 (June 2018). This is partially due to ongoing demand to complete links within the network.

To meet the sustainability ratio within this program would lead to assets being retired early due to the relatively immature age and generally good condition of most of the network.

Consultation/Engagement

External Consultation

The following external agencies have been consulted in relation to the Shire's ongoing management of roads and the associated paths:

- Main Road WA – South West Region.
- Consultants and contractors
- Customer requests for works
- Developers

Internal Consultation

- Management and staff
- Operations staff
- Councillors and Executive



Officer Comment

The following comments below speak to the Program of Works for Paths, providing context to the methodology and considerations.

Council is asked to take this information into consideration when reviewing the Budget portion of the current report.

1. Lack of staff resource

A lack of available staff within the Engineering and Technical Services section of the organisation, in addition to the Works section within the Shire's Operations team, has resulted in the inadequate resources to perform audit inspections on many assets throughout the Shire and left remaining staff in a reactive state.

2. Budget estimation

Due to the ongoing instability of the market and the ever increasing of costs for project delivery, Shire Officers have taken the following approach to mitigate these impacts on future budget allocations:

- Stage 1: One year of design, permissions, permits and cost estimation.
- Stage 2: The following year being the commencement of construction.

3. Previous years works listing

Officers have, as part of the Asset Management briefings, advised Council that all works listed in the Council endorsed Program of Works – Paths (2021-2031) that have not been delivered or carried over in this report, have not been lost or omitted. These are all being reviewed as part of the new Asset data capture and updates will see these items be listed and addressed in later years.

In lieu of the above comments, WALGA have advised the following:

- Streamline projects and possibly consider less projects in one year as opposed to the historic volumes. This will allow for:
 - Improved accuracy in budget allocations to each project.
 - Improved contractor resourcing.
 - Thorough review of the current and future works programs, building a disciplined strategy that will be driven from an asset-based model and mitigate cost blow outs seen in the current market.

Summary

The Council is requested to consider the funding arrangement to deliver the proposed Program of Work – Paths and Trails 2024/25. As mentioned throughout this report, increasing difficulties with pricing, as well as staffing considerations are proving challenging to deliver capital projects within the current market. It is recommended that a scaled back approach is taken to allow for a thorough review of the current asset structure, permitting a detailed process to be included in future Programs of Work.

Voting Requirements

Simple Majority



Officer's Recommendation – 14.5.

OC/2024/64 - Officer's Recommendation / Council Decision - 14.5

Moved Cr Mogg, Seconded Cr Terrantroy.

That Council:

- 1. Approves the carryover of \$73,458 from the unspent 2023/24 program into the 2024/25 Program of Works – Paths and Trails.**
- 2. Endorses an amount of \$331,900 to the Draft 2024/25 Budget for consideration.**

Carried 8 / 0

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

Against - Nil



Council at the January 2024 Council meeting resolved that:

"In accordance with section 12.1(a) of the Shire of Capel Standing Orders, that the motion be deferred until the March Ordinary Meeting of Council and officers are requested to explore options with the proponent for alternative conditions."

The applicant has provided additional information including suggested conditions and Shire staff have attended a meeting with the applicant.

14.6. Retrospective Holiday House - Lot 31 (14) Peppermint Grove Terrace, Peppermint Grove Beach

Author	Senior Planning Officer, Bob Wallin
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Legislative
Attachments	<ol style="list-style-type: none">1. Attachment 1 - Previous agenda item [14.6.1 - 153 pages]2. CONFIDENTIAL REDACTED - Attachment 2 - additional information [14.6.2 - 8 pages]3. Attachment 3 requested conditions [14.6.3 - 2 pages]4. Attachment 4 - development application [14.6.4 - 6 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Seek retrospective approval for a change of use from "Single House" to "Holiday House" at Lot 31 (14) Peppermint Grove Terrace, Peppermint Grove Beach (Subject site).

The proposal was considered at Council's meeting 31 January 2024 where Council resolved:

"In accordance with section 12.1(a) of the Shire of Capel Standing Orders, that the motion be deferred until the March Ordinary Meeting of Council and officers are requested to explore options with the proponent for alternative conditions."

Additional information has been provided by the applicant and discussion has occurred regarding constraints and considerations to include in an assessment.

Officer's Recommendation

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA146/2023 for a Holiday Accommodation subject to conditions:

1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.6.1 dated 26 May 2023.
 2. This approval is valid for 12 months from the date of this decision.
-



Prior to Occupation

3. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.

In Perpetuity

4. The maximum number of occupants who may be on the premises at any time is eight (8).
5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10pm is eight.
6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.
7. Prior to commencement of any occupation of the Holiday Accommodation, the owner/accommodation manager shall provide all occupants with the following:
 - a) emergency evacuation plan;
 - b) a copy of an approved Management Plan.

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

8. The owner/accommodation manager shall ensure that a sign is displayed that:
 - a) is visible from the street;
 - b) displays a current telephone number upon which the owner/manager can be reached;
 - c) is located solely within the subject site;
 - d) is no larger than 0.2m².

The owner/accommodation manager is to provide the Shire with proof of signage upon request.

9. All vehicles must be parked within the designated parking areas. No more than four vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.

Advice

1. Any activity at the premises must comply with the assigned noise levels within the Environmental Protection (Noise) Regulations 1997.
2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.

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



Background

Attachment 1 provides a copy of the previous Council item considered at the 31 January 2024 Council meeting and provides background to the history and relevant considerations.

The applicant has provided additional information (**Attachment 2**) and suggested conditions (**Attachment 3**).

The key elements of the proposal are summarised as follows:

- Land use definition - “holiday accommodation” verses “Holiday House”
- Capacity of septic system
- Car parking capacity
- Number of guests (proposed 12 guests after 10pm and 16 on the premises at any one time).

Shire staff have attended a meeting with the applicant and reviewed additional information supplied prior and following the meeting.

Attachment 4 contains the proposed application.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

4.1 Effective and compliant governance

Direction 6 - Effective communication, engagement and relationship development

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

Corporate Business Plan 2023-2027

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

Statutory Framework

Local Framework

Local Planning Scheme No.8 (LPS8)

The land is zoned “Residential” with a density code of R12.5 under LPS8 maps.

Holiday House is defined as:

“means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.”

Holiday House is listed as an “A” use (discretionary subject to advertising) for the Residential zone.



The Objectives of the Residential zone are:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for range of non-residential uses, which are compatible with and complementary to residential development.

State Framework

Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

Clause 67 of the Regulations details matters that a local government is required to have due regard to when determining a development application.

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

SPP3.7 provides a framework for considering development applications within bushfire prone areas and is supported by guidelines.

The intent of the policy is to preserve life and reduce the impact of bushfire on property and infrastructure.

The proposed use is classified as a “vulnerable” land use because guests at the holiday house may be unfamiliar with the locality. Element 5: Vulnerable Tourism Land Uses provides guidance on holiday houses which requires a Bushfire Management Plan to be prepared by a suitably qualified practitioner.

Element 5 includes performance principles for a holiday house where the development is located outside a residential built-out area.

A residential built out area is defined as:

“A locality serviced with reticulated water and is within or contiguous with an urban area or town (or similar), which incorporates a suitable destination.”

A “suitable destination” is defined as:

“An area that can provide shelter during a bushfire event and is either:

- *Not classified as bushfire prone on the Map of Bushfire Prone Areas; or*
- *Greater than 100m from classifiable vegetation.”*

Planning Bulletin 99 (September 2009) (PB99)

PB99 sets out the interim position of the Western Australian Planning Commission in relation to the planning and regulation of holiday homes in Western Australia.

The objectives are:

- To facilitate a consistent, equitable and efficient planning process for the regulation of holiday homes in Western Australia
- To support the tourism industry by the promotion of voluntary accreditation of holiday homes.
- To encourage good quality, well managed holiday homes for use by short term visitors generally in locations that will enhance the tourism experience while minimising potential impacts on adjoining residents.



- To support the role of holiday homes as part of the tourism industry.

The Planning Bulletin identifies guidelines for:

- Introducing model definitions in scheme texts
- Introducing land use designations in Local Planning Schemes with discretionary uses
- Limit initial approvals for a period of 12 months to ensure that there is minimal impact on the amenity of neighbouring properties to provide a degree of certainty to operators and flexibility for local governments to terminate approvals of non-compliant operators.
- Preparing local planning policies.

Guidelines Holiday Homes – Short stay use of residential dwellings (Sept 2009) (Guidelines)

Objectives of the Guidelines are:

- To establish clear guidelines for the short stay use of holiday homes for tourism-accommodation. The policy excludes short term accommodation where there is an onsite manager or owner such as bed and breakfast accommodation and guesthouses.
- To ensure that short stay use of residential homes occurs within appropriate locations to enhance the tourism experience and reduce existing or future land use conflicts such as impacts on residential amenity.
- To ensure that all new holiday home rental accommodation is in accordance with relevant legislation, local planning schemes and policies, and management plans.

The Guidelines outline planning application and approval considerations and approval conditions.

Approval conditions suggested include:

- Preparation of a management plan to address
 - Caretaker arrangements including contact details
 - Details on how nuisance issues such as noise will be addressed
 - A fire and emergency response plan
 - Car parking provision
 - Signage
 - Number of people occupying the premises
 - Maximum period of stay
- Fire and emergency response plans
- Approval period (limited to one year) at first with potential for greater periods subject to compliance with conditions and ensuring minimal impact on neighbours' amenity.

Position Statement: Planning for Tourism and Short-term Rental Accommodation (November 2023) (Position Statement)

The intent of this Position Statement is to:

- Facilitate acceptable development of new and evolving tourism opportunities;
- Provide a high level of amenity in tourism areas; and
- Deliver quality and use planning outcomes.

The Position Statement states that:

"For local governments in regional areas (i.e., outside the Metropolitan Region Scheme) - zoning table and scheme provisions for unhosted short term rental accommodation will be at the discretion of the individual local government. This is in recognition of the need to provide greater flexibility for regional local governments, acknowledging that there are various approaches dependent on local community demographics, housing availability and tourism markets."



The Position Statement encourages local governments in regional areas to update their schemes and provide guidance on where short-term rental accommodation may or may not be acceptable and where it would be beneficial for a development application.

Local planning considerations are suggested and contained in the table below with the suggested response.

General local planning considerations	Comments/response
Using the zoning table and other scheme mechanisms to control locations	The Shire's zoning table includes the use "Holiday House" and lists it as a discretionary use (A) within the "Residential" zone. This requires a development application and advertising.
Capping guest numbers through a local planning policy or condition of planning approval to respond to constraints such as availability of vehicle parking, capacity of infrastructure (e.g., onsite effluent disposal) or maintain appropriate levels of amenity in line with expectations (such as concerns regarding party houses).	The Shire's draft local planning policy proposes to address these matters. Further, proposed conditions are recommended on this application to address matters associated with guest numbers to reflect constraints in parking location, septic system capacity and concerns regarding guest numbers impacting on local amenity.
Utilising a local planning policy to guide discretionary decision making.	A draft local planning policy has been prepared and was considered at Council's November 2023 Ordinary Council Meeting for approval to advertise

General local planning considerations	Comments/response
Consider limiting initial development approval to 12 months and renewed on a longer basis (3 to 5 years) or permanently to ensure there is appropriate management of potential impacts on amenity	The draft policy proposes limits to approval timeframes and the proposed recommendation proposes to limit the approval period to ensure any potential impacts on amenity will be addressed.

In addition, the following new information is provided in relation to guidance on septic system requirements.

Additional information is provided below regarding the Government Sewerage Policy based on new proposals by the applicant to explore expanding the existing septic system or alternative management arrangements. This additional information is required to be considered within the context of the Government Sewerage Policy (September 2019).

Government Sewerage Policy (September 2019)

Policy objects include:

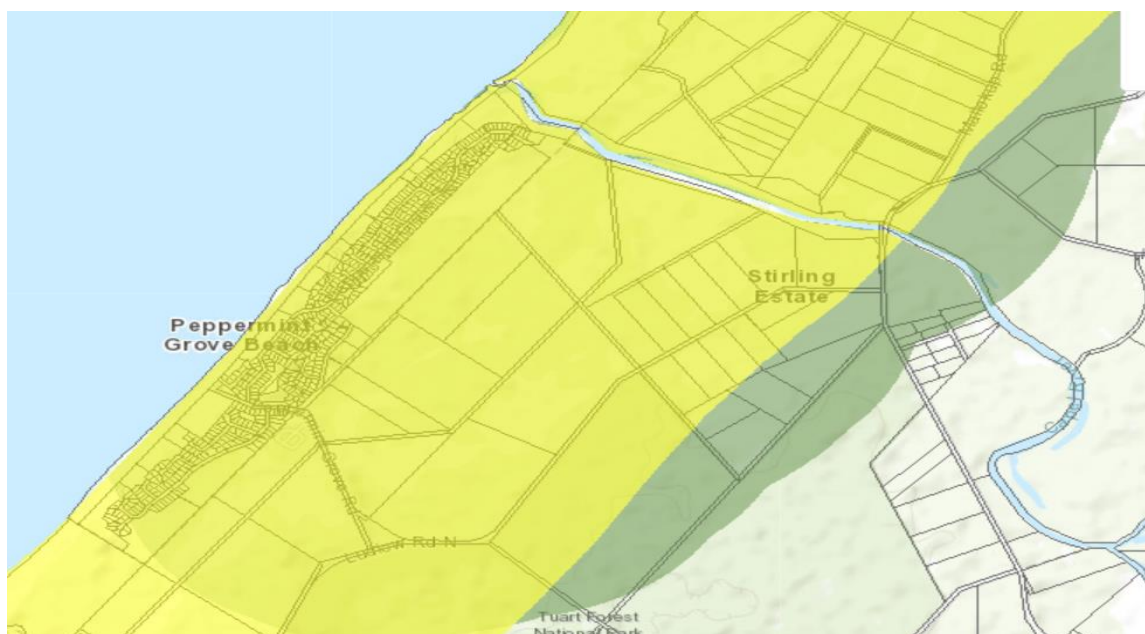
1. To generally require connection of new subdivision and development to reticulated sewerage;
2. To protect public health and amenity;
3. To protect the environment and the State's water and land resources;
4. To promote the efficient use of infrastructure and land
5. To minimise costs to the broader community including by ensuring an appropriate level and form of sewage servicing is provided; and
6. To adopt the precautionary principle to on-site sewage disposal.

Section 5 provides policy measures require planning proposal to connect to or provide for reticulated sewage in the following instances:

5.1.1. 6 Where the responsible authority determines that the absence of reticulated sewerage will pose an unacceptable risk to public health, the environment or water resources. This includes instances where:

.... b. The impact of on-site sewage disposal is deemed likely to have a detrimental impact on the water quality of a public drinking water source area, sewage sensitive area or other waterway or wetland. Where approval of any future or proposed application without connection to reticulated sewerage is likely to set a precedent for similar proposal in the local water catchment, the cumulative impact will be considered....

The Policy includes a definition of "Sewage sensitive areas" which includes areas within one kilometre of a significant wetland. The subject site is located within a "Sewerage sensitive area" (see extract of mapping below)



- e) Within 2km of selected coastal embayments
- f) Within 1km of significant wetlands

The subject site is located within 2km of selected coastal embayment's and within 1km of significant wetlands.



Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

Local Planning Policy 6.1 Vehicle Parking (LPP 6.1)

LPP 6.1 identifies the following parking standards for “Holiday Accommodation” (see extract below):

Land Use	Minimum Vehicle Requirements
Holiday House	In accordance with the Residential Design Codes for single house.

The Residential Design Codes requires two carparking spaces for residential houses of two or more bedrooms. Four parking spaces are proposed (see Attachment 4).

Draft Local Planning Policy – Holiday Houses 6.16 (draft LPP 6.16)

This draft policy was presented to Council at the 29 November 2023 meeting for consent to advertise. Advertising has been completed and closed on the 1 February 2024. As a result, it satisfies the criteria of a seriously entertained planning proposal.

The purpose and objectives of the policy are to:

1. To manage tourism, protect the character of the community, and ensure sustainable development in the area; and
2. To guide the Shire’s decision making in respect to the appropriateness of tourist accommodation facilities, as determined by the locality, the appropriateness of facilities and the scale of the proposal.

The policy contains a three policy statements, addressing:

1. Exercising of discretion;
2. Management Plans; and
3. Temporary Approvals.

Items 2. and 3. above relate to administrative and ongoing management of Holiday Houses/Accommodation and these matters can be addressed by implementing conditions on approvals.

Item 1. focuses on assessment of proposals. The following table provides an assessment against the listed matters to be considered.



Policy Statement – Exercise of discretion under Local Planning Scheme No.8	Comment
a) The scale of the proposed use compared to the scale and intensity of development in the area surrounding the development site.	The proposed scale and intensity of land use is not consistent with the prevailing locality which consists of relatively low density, detached single houses. A condition to limit the intensity to ten patrons at any one time is proposed.
b) The potential impact of increased vehicle access demand to a site, namely whether the proposal results in a significant increase in the volume of vehicle traffic and/or movements in the area.	See comments above. A scale to ten patrons will ensure that vehicle parking and traffic will be controlled to be generally consistent with that of a traditional single dwelling.
c) Any proposed management controls by the operator that will be incorporated into the Management Plan required by clause 2, which mitigate potential adverse amenity impacts to nearby landowners and occupiers. In the cases where the operator is known, the Shire shall consider any identified experiences or expertise of the applicant/operator in operating other Holiday House uses.	A condition is recommended to prepare a management plan to address ongoing operations of the Holiday House use.
d) If the applications relates to a retrospective development application, whether previous valid complaints have been received relating to a loss of amenity to adjoining properties and whether or not these impacts can be addressed by appropriate management under an approval management plan (refer to clause 2).	The assessment and proposed conditions have considered submissions received to ensure amenity concerns are addressed.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Medium	Likely	Minor	Include conditions to manage scale and follow up breaches with compliance enforcement
Risk Description: Failure to monitor and enforce conditions.			
Risk 2 Environmental Rating: Medium	Likely	Minor	Include conditions to limit scale to ensure capacity of infrastructure can accommodate demand
Risk Description: Failure to monitor and enforce conditions.			
Opportunity: To enable a small business to operate in the locality.			



Financial Implications

Budget

A retrospective development application fee has been paid to the value of \$885.00. This fee is three times the value of a standard development application fee. There are no financial implications relevant to this proposal.

Long Term

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

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There is an opportunity to review rating structures that apply to holiday houses within the Shire. Any changes to rating arrangements will require considerable resources to audit existing operators, obtain relevant approvals and undertake relevant legislative and regulatory steps to obtain approvals for the changes to rating values.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

Please see **Attachment 1**.

Internal Consultation

The item had been referred internally at the initial assessment of the Development Application. Additional commentary had been provided by the Shire's Environmental Health Services regarding the issues of maximum occupancy. This commentary is contained in the Officer Comment section below.



Officer Comment

The following sections discuss items raised by the applicant that has occurred following the January 2024 Council meeting.

Land use definition - "Holiday Accommodation" v "Holiday House"

In the previous Council item, the proposed use was considered as "Holiday Accommodation". After a review of evidence provided by the applicant, this position has been amended.

Previously, the proposal was assessed as "Holiday Accommodation" which is defined as:

"Means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot."

The applicant has requested that the proposed land use be defined as "Holiday House".

"Holiday House" is defined in Local Planning Scheme 8 as follows:

"means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast."

On review, the previous report incorrectly assigned the proposed land use as "Holiday Accommodation." It is noted that the existing "dwelling" contains some features that would enable it to be categorised as a dwelling and ancillary dwelling. This is because the design has potential to have a secondary self-contained element (separate kitchen and bathroom facilities). This fact does not progress to the level specified in the definition of "Holiday Accommodation." That is, the site does not have "2 or more dwellings". Therefore, on reflection, it is suggested that the proposed use be assessed as a "Holiday House."

Capacity of septic system

In reviewing matters associated with the septic system, the following should be considered:

- The capacity of a system is determined on wastewater load per person. It is not possible to increase this capacity by increasing the frequency of pump outs. The system has an approved capacity of 10 adults.
- Any increase in capacity will require a new system, and subsequently any new system will require approval from the Department of Health (DoH) due to the requirements of the Government Sewerage Policy that applies to sewerage sensitive sites.
- The property is in a sewerage sensitive location that requires any new system to be designed to meet specific criteria including the need to provide secondary treatment to remove nutrients.
- Options suggested by the applicant (**Attachment 2**) to increase the rate of "pump outs" or review how the system is functioning do not represent a practical solution.
- Use of a septic system beyond the design capacity undermines the functionality by reducing the time for separation of the solids to occur. This will result in the system failing due to build up of grease and oil getting to the drainage receptacles.
- Options to continue to overload the system and "wait and see" if the system sustains itself is not a practical solution, nor best practise. A system is sized to a specified capacity and is designed to efficiently operate up to this capacity. The intention to support any overloading of the septic system will have significant implications, including:
 - Establishing a precedent for supporting similar situations within the locality;



- Potential for excessive leaching of nutrients in an international and State recognised sensitive environment (coast and wetlands); and
- Creating risks to human health due to systems failing and untreated effluent entering the local environment (disease and odour).

It cannot be emphasised enough that such a consideration to overload the system will be significantly jeopardising the environmental quality of the area, and the human safety of residents within Peppermint Grove Beach.

Car parking capacity

The applicant has provided additional information regarding how guests generally arrive at the property, noting that the majority are for family gathering with often more than 2 guests arriving per car.

On this basis, the provision of four carparking spaces on site is reasonable to accommodate ten guests and visitors.

Number of guests.

In considering the number of guests, there are two key factors. One relates to infrastructure capacity. The other relates to impacts on amenity and the principles of orderly and proper planning.

Previously, the recommendation was to limit guest numbers to eight. This was primarily due to parking considerations. However, it is now considered reasonable to increase guest numbers to a total of ten at any one time.

If the Council wishes to amend the recommendation to increase the capacity to 10 guests, Condition 4 and 5 could be replaced with the following:

'4. The maximum number of occupants who may be on the premises at any time is ten (which includes guests) (10).'

The considerations for this are explored below.

Infrastructure constraints

In relation to infrastructure, a fixed constraint relates to the capacity of the septic system which limits numbers to 10 guests.

There is potential to increase capacity of the septic system. However, this process requires approval from the Department of Health and installation. If a larger system is approved and installed, it will be possible to consider a new application for "Holiday House" for guest numbers greater than 10.

It is not appropriate to condition any increase in guest numbers beyond the existing capacity due to:

- timeframes for assessment and implementation of works; and
- uncertainty associated with obtaining approval from the Department of Health.

It would be possible to consider an amended application for additional numbers at a time when approvals have been obtained for a larger capacity septic system. However, if this above constraint is addressed, this leaves questions regarding impacts on amenity (in addition to effluent disposal) and the principles of orderly and proper planning to be considered.



Amenity and Orderly and Proper Planning

It is noted that a traditional single residential property usually accommodates significantly less than ten residents and well below the proposed 16 to 20 guests. The average household size within the Shire of Capel is 2.5.

In this instance, the house and septic system has been designed to accommodate 10 residents. On this basis, it is not reasonable to restrict the guest numbers below this threshold.

Any increase in guest numbers beyond this threshold will need to consider impacts on local amenity (see **Attachment 1** – previous report).

To expand on **Attachment 1**, the following provides additional context for considering impacts on amenity, through the lens of orderly and proper planning when applying discretion.

An application must be assessed in accordance with the: “principle of orderly and proper planning”. Marshall v Metropolitan Redevelopment Authority [2015] WASC 226 provides guidance on understanding the principle and states:

“the exercise of a discretion within the planning context should be conducted in an orderly way - that is, in a way which is disciplined, methodical, logical and systematic, and which is not haphazard or capricious”:

“the exercise of discretion would clearly need to have regard to any applicable legislation, subsidiary legislation and planning schemes (such as region schemes, town planning schemes, local planning schemes) and policy instruments”

“there is no reason in principle why planning legislation and instruments will be the only matters warranting consideration in determining what is a 'proper' planning decision. The matters which warrant consideration will be a question of fact to be determined having regard to the circumstances of each case”

“While the exercise of discretion will involve a judgment about what is suitable, appropriate, or apt or correct in a particular case, that judgment must (if it is to be 'orderly') be an objective one. If the exercise of discretion is to be an orderly one, the planning principles identified as relevant to an application should not be lightly departed from without the demonstration of a sound basis for doing so, which basis is itself grounded in planning law or principle. A broad range of considerations may be relevant in that context.”

In considering any further expansion of guest numbers beyond ten would represent a departure from the principle of orderly and proper planning for the site as it:

- a) Will encourage an intensity of land use out of character with the established local setting and objectives of the Residential zone, specifically the objective:

“to provide for a range of non-residential uses, which are compatible with and complementary to residential development.”



Any support of a dwelling accommodating 20 guests for short stay holiday accommodation would be a clear departure from the objective of the residential zone, specifically when noting:

- the relatively low-density code (R12.5) which promotes detached single dwellings;
- the established settlement pattern which does not include any other density or intensive land uses in the immediate locality; and
- expectations on land use intensity and scale being proportionate to traditional residential dwelling.

- b) Will create potential for impacts on local servicing beyond the capacity of the site to accommodate (car parking capacity); and
- c) Will create potential for disturbance relating to noise and anti-social behaviour. It is noted that 20 people contained within one single dwelling (even if behaving reasonably) has the potential to create a noise disturbance, particularly when congregating in open deck areas.

Additional information regarding effluent disposal

The applicant has submitted additional information with a suggested condition to address effluent disposal capacity. The proposed condition is as follows:

“... the property, the owner:

(i) shall professionally drain the septic system every four years;

(ii) shall not permit occupancy at the premises for more than 180 nights per year; and

(iii) shall not permit occupancy at the premises for more than 10 adults per night averaged over any two week period, which is 140 guest-nights total every two weeks (i.e., if the property is occupied by 14 guests for ten nights it cannot be occupied by any guests in the remaining four days in that two-week period).”

Any changes to the effluent disposal system will require approval by the Department of Health. Shire staff have obtained advice from the Department of Health on this matter. The Department of Health confirm that this proposed arrangement/condition is not supported.

Summary

It is recommended that approval be granted for the retrospective approval of a holiday house subject to conditions, including limiting guest numbers to ten at any one time.

The key issues raised and considered at Council’s January 2024 meeting (**Attachment 1**) remain the same with the exception of:

- a) definition of the use being changed to “Holiday House” (previously “Holiday Accommodation”); and
- b) increasing the number of guests to ten (previously eight).

Voting Requirements

Simple Majority



Officer's Recommendation – 14.6.

OC/2024/65 - Officer's Recommendation / Council Decision - 14.6

Moved Cr Noonan, Seconded Cr Terrantroy.

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA146/2023 for a Holiday Accommodation subject to conditions:

- 1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.6.1 dated 26 May 2023.**
- 2. This approval is valid for 12 months from the date of this decision.**

Prior to Occupation

- 3. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.**

In Perpetuity

- 4. The maximum number of occupants who may be on the premises at any time is eight (8).**
- 5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10pm is eight.**
- 6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.**
- 7. Prior to commencement of any occupation of the Holiday Accommodation, the owner/accommodation manager shall provide all occupants with the following:
a) emergency evacuation plan;
b) a copy of an approved Management Plan.
The owner/accommodation manager must provide the Shire with proof of such notification upon request.**
- 8. The owner/accommodation manager shall ensure that a sign is displayed that:
a) is visible from the street;
b) displays a current telephone number upon which the owner/manager can be reached;
c) is located solely within the subject site;
d) is no larger than 0.2m².**

The owner/accommodation manager is to provide the Shire with proof of signage upon request.



9. All vehicles must be parked within the designated parking areas. No more than four vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.

Advice

1. Any activity at the premises must comply with the assigned noise levels within the Environmental Protection (Noise) Regulations 1997.
2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.

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

Lost 0 / 8

For - Nil

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

Foreshadowed Motion

Cr Schiano foreshadowed the following motion:

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA146/2023 for a Holiday House subject to conditions:

1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.6.1 dated 26 May 2023.
2. This approval is valid for 12 months from the date of this decision.

Prior to Occupation

3. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.

In Perpetuity

4. The maximum number of occupants may be on the premises at any time is ten (10), excluding bookings made before the 26 April 2024.
5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10pm is ten (10), excluding bookings made before the 26 April 2024.



6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.
7. Prior to commencement of any occupation of the Holiday House, the owner/accommodation manager shall provide all occupants with the following:
 - a) emergency evacuation plan;
 - b) a copy of an approved Management Plan.

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

8. The owner/accommodation manager shall ensure that a sign is displayed that:
 - a) is visible from the street;
 - b) displays a current telephone number upon which the owner/manager can be reached;
 - c) is located solely within the subject site;
 - d) is no larger than 0.2m².

The owner/accommodation manager is to provide the Shire with proof of signage upon request.

9. All vehicles must be parked within the designated parking areas. No more than four (4) vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.

Advice

1. Any activity at the premises must comply with the assigned noise levels within the Environmental Protection (Noise) Regulations 1997.
2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.
3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.



The Foreshadowed Motion was put.

OC/2024/66 - Foreshadowed Motion / Council Decision - 14.6

Moved Cr Schiano, Seconded Cr Terrantroy.

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA146/2023 for a Holiday House subject to conditions:

1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.6.1 dated 26 May 2023.
2. This approval is valid for 12 months from the date of this decision.

Prior to Occupation

3. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.

In Perpetuity

4. The maximum number of occupants may be on the premises at any time is ten (10), excluding bookings made before the 26 April 2024.
5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10pm is ten (10), excluding bookings made before the 26 April 2024.
6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.
7. Prior to commencement of any occupation of the Holiday House, the owner/accommodation manager shall provide all occupants with the following:
 - a) emergency evacuation plan;
 - b) a copy of an approved Management Plan.

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

8. The owner/accommodation manager shall ensure that a sign is displayed that:
 - a) is visible from the street;
 - b) displays a current telephone number upon which the owner/manager can be reached;
 - c) is located solely within the subject site;
 - d) is no larger than 0.2m².



The owner/accommodation manager is to provide the Shire with proof of signage upon request.

- 9. All vehicles must be parked within the designated parking areas. No more than four (4) vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.**

Advice

- 1. Any activity at the premises must comply with the assigned noise levels within the Environmental Protection (Noise) Regulations 1997.**
- 2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.**
- 3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.**

Carried 8 / 0

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

Against - Nil



Council at the January 2024 Council meeting resolved that:

"In accordance with section 12.1(a) of the Shire of Capel Standing Orders, that the motion be deferred until the March Ordinary Meeting of Council and officers are requested to explore options with the proponent for alternative conditions."

The applicant has provided additional information including suggested conditions and Shire staff have attended a meeting with the applicant.

14.7. Retrospective Holiday House - Lot 104 (1) Sand Dune Drive, Peppermint Grove Beach

Location	Lot 104 (1) Sand Dune Drive, Peppermint Beach
File Reference	PA149/2023
Applicant	Big City Lawyer
Owner	Big City Lawyer
Author	Planning Coordinator, Bob Wallin
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Legislative
Attachments	<ol style="list-style-type: none">1. Attachment 1 - Previous Agenda item [14.7.1 - 143 pages]2. Attachment 2 - additional information [14.7.2 - 8 pages]3. Attachment 3 requested conditions [14.7.3 - 2 pages]4. Attachment 4 - application [14.7.4 - 4 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Seek retrospective approval for a change of use from "Single House" to "Holiday House" at Lot 104 (1) Sand Due Drive, Peppermint Grove Beach (Subject site).

The proposal was considered at Council's meeting 31 January 2024 where Council resolved:

"In accordance with section 12.1(a) of the Shire of Capel Standing Orders, that the motion be deferred until the March Ordinary Meeting of Council and officers are requested to explore options with the proponent for alternative conditions."

Additional information has been provided by the applicant and discussion has occurred regarding constraints and considerations to include in an assessment.

Officer's Recommendation

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA149/2023 for a Holiday Accommodation subject to conditions:



1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.7.1 dated 26 May 2023.
2. This approval is valid for 12 months from the date of this decision.

Prior to Occupation

1. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.

In Perpetuity

4. The maximum number of occupants who may be on the premises at any time is eight (8).
5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10.00pm is eight.
6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.
7. Prior to commencement of any occupation of the Holiday Accommodation the owner/accommodation manager shall provide all occupants with the following:
 - a) emergency evacuation plan;
 - b) a copy of an approved Management Plan.

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

8. The owner/accommodation manager shall ensure that a sign is displayed that:
 - a) is visible from the street;
 - b) displays a current telephone number upon which the owner/manager can be reached;
 - c) is located solely within the subject site;
 - d) is no larger than 0.2m².

The owner/accommodation manager is to provide the Shire with proof of signage upon request.

9. All vehicles must be parked within the designated parking areas. No more than four vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.

Advice

1. Any activity at the premises must comply with the assigned noise levels within the *Environmental Protection (Noise) Regulations 1997*.
2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.



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

Background

Attachment 1 provides a copy of the previous Council item considered at the 31 January 2024 Council meeting and provides background to the history and relevant considerations.

The applicant has provided additional information (**Attachment 2**) and suggested conditions (**Attachment 3**).

The key elements of the proposal are summarised as follows:

- Land use definition - "Holiday Accommodation" verses "Holiday House"
- Capacity of septic system
- Car parking capacity
- Number of guests (proposed 16 guests after 10pm and a maximum of 19 guests/visitors at any one time).

Shire Officers have attended a meeting with the applicant and reviewed additional information supplied prior and following the meeting.

Attachment 4 contains the proposed application.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

4.1 Effective and compliant governance

Direction 6 - Effective communication, engagement and relationship development

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

Corporate Business Plan 2023-2027

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

Statutory Framework

Local Framework

Local Planning Scheme No.8 (LPS8)

The land is zoned "Residential" with a density code of R12.5 under LPS8 maps.



Holiday House is defined as:

"means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast."

Holiday House is listed as an "A" use (discretionary subject to advertising) for the Residential zone.

The Objectives of the Residential zone are:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for range of non-residential uses, which are compatible with and complementary to residential development.

State Framework

Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

Clause 67 of the Regulations details matters that a local government is required to have due regard to when determining a development application.

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

SPP3.7 provides a framework for considering development applications within bushfire prone areas and is supported by guidelines.

The intent of the policy is to preserve life and reduce the impact of bushfire on property and infrastructure.

The proposed use is classified as a "vulnerable" land use because guests at the holiday house may be unfamiliar with the locality. Element 5: Vulnerable Tourism Land Uses provides guidance on holiday houses which requires a Bushfire Management Plan to be prepared by a suitably qualified practitioner.

Element 5 includes performance principles for a holiday house where the development is located outside a residential built-out area.

A residential built out area is defined as:

"A locality serviced with reticulated water and is within or contiguous with an urban area or town (or similar), which incorporates a suitable destination."

A "suitable destination" is defined as:

"An area that can provide shelter during a bushfire event and is either:

- *Not classified as bushfire prone on the Map of Bushfire Prone Areas; or*
- *Greater than 100m from classifiable vegetation."*

Planning Bulletin 99 (September 2009) (PB99)

PB99 sets out the interim position of the Western Australian Planning Commission in relation to the planning and regulation of holiday homes in Western Australia.

The objectives are:

- To facilitate a consistent, equitable and efficient planning process for the regulation of holiday homes in Western Australia



- To support the tourism industry by the promotion of voluntary accreditation of holiday homes.
- To encourage good quality, well managed holiday homes for use by short term visitors generally in locations that will enhance the tourism experience while minimising potential impacts on adjoining residents.
- To support the role of holiday homes as part of the tourism industry.

The Planning Bulletin identifies guidelines for:

- Introducing model definitions in scheme texts
- Introducing land use designations in Local Planning Schemes with discretionary uses
- Limit initial approvals for a period of 12 months to ensure that there is minimal impact on the amenity of neighbouring properties to provide a degree of certainty to operators and flexibility for local governments to terminate approvals of non-compliant operators.
- Preparing local planning policies.

Guidelines Holiday Homes – Short stay use of residential dwellings (Sept 2009) (Guidelines)

Objectives of the Guidelines are:

- To establish clear guidelines for the short stay use of holiday homes for tourism-accommodation. The policy excludes short term accommodation where there is an onsite manager or owner such as bed and breakfast accommodation and guesthouses.
- To ensure that short stay use of residential homes occurs within appropriate locations to enhance the tourism experience and reduce existing or future land use conflicts such as impacts on residential amenity.
- To ensure that all new holiday home rental accommodation is in accordance with relevant legislation, local planning schemes and policies, and management plans.

The Guidelines outline planning application and approval considerations and approval conditions.

Approval conditions suggested including:

- Preparation of a management plan to address
 - Caretaker arrangements including contact details
 - Details on how nuisance issues such as noise will be addressed
 - A fire and emergency response plan
 - Car parking provision
 - Signage
 - Number of people occupying the premises
 - Maximum period of stay
- Fire and emergency response plans
- Approval period (limited to one year) at first with potential for greater periods subject to compliance with conditions and ensuring minimal impact on neighbours' amenity.

Position Statement: Planning for Tourism and Short-term Rental Accommodation (November 2023) (Position Statement)

The intent of this Position Statement is to:

- Facilitate acceptable development of new and evolving tourism opportunities;
- Provide a high level of amenity in tourism areas; and
- Deliver quality and use planning outcomes.

The Position Statement states that:

"For local governments in regional areas (i.e., outside the Metropolitan Region Scheme) - zoning table and scheme provisions for unhosted short term rental accommodation will be at the discretion



of the individual local government. This is in recognition of the need to provide greater flexibility for regional local governments, acknowledging that there are various approaches dependent on local community demographics, housing availability and tourism markets.”

The Position Statement encourages local governments in regional areas to update their schemes and provide guidance on where short-term rental accommodation may or may not be acceptable and where it would be beneficial for a development application.

Local planning considerations are suggested and contained in the table below with the suggested response.

General local planning considerations	Comments/response
Using the zoning table and other scheme mechanisms to control locations	The Shire’s zoning table includes the use “Holiday House” and lists it as a discretionary use (A) within the “Residential” zone. This requires a development application and advertising.
Capping guest numbers through a local planning policy or condition of planning approval to respond to constraints such as availability of vehicle parking, capacity of infrastructure (e.g. onsite effluent disposal) or maintain appropriate levels of amenity in line with expectations (such as concerns regarding party houses).	The Shire’s draft local planning policy proposes to address these matters. Further, proposed conditions are recommended on this application to address matters associated with guest numbers to reflect constraints in parking location, septic system capacity and concerns regarding guest numbers impacting on local amenity.
Utilising a local planning policy to guide discretionary decision making.	A draft local planning policy has been prepared and was considered at Council’s November 2023 Ordinary Council Meeting for approval to advertise

General local planning considerations	Comments/response
Consider limiting initial development approval to 12 months and renewed on a longer basis (3 to 5 years) or permanently to ensure there is appropriate management of potential impacts on amenity	The draft policy proposes limits to approval timeframes and the proposed recommendation proposes to limit the approval period to ensure any potential impacts on amenity will be addressed.

In addition, the following new information is provided in relation to guidance on septic system requirements.

Additional information is provided below regarding the Government Sewerage Policy based on new proposals by the applicant to explore expanding the existing septic system or alternative management arrangements. This additional information is required to be considered within the context of the Government Sewerage Policy (September 2019).

Government Sewerage Policy (September 2019)

Policy objects include:

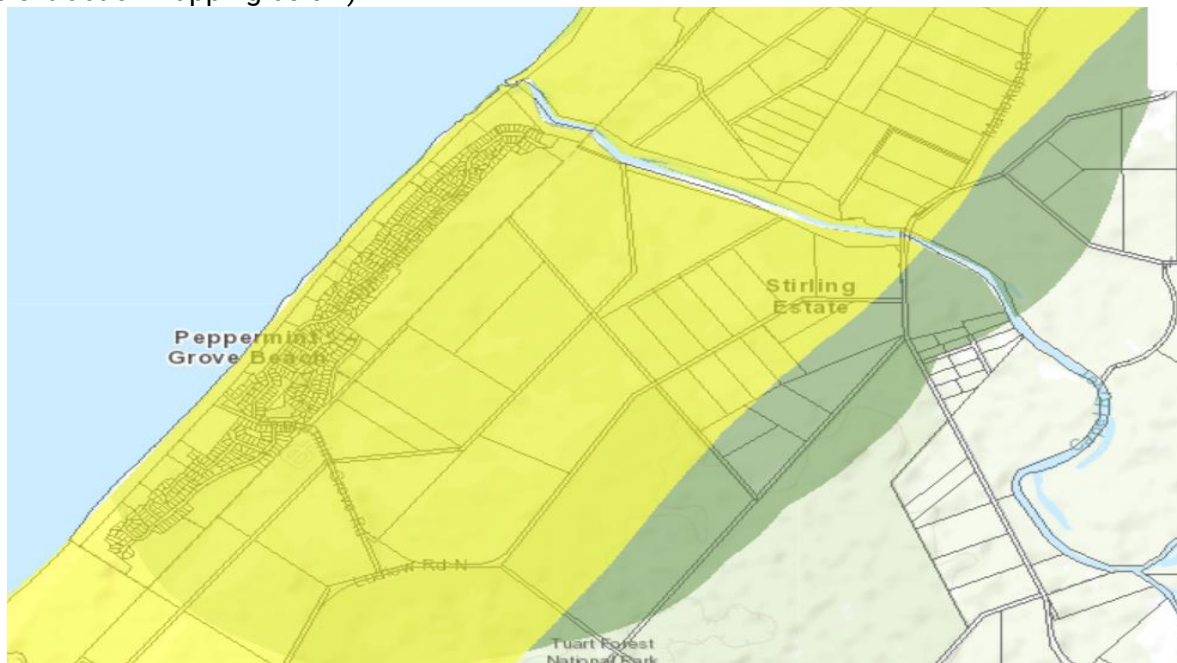
1. To generally require connection of new subdivision and development to reticulated sewerage;
2. To protect public health and amenity;
3. To protect the environment and the State's water and land resources;
4. To promote the efficient use of infrastructure and land
5. To minimise costs to the broader community including by ensuring an appropriate level and form of sewage servicing is provided; and
6. To adopt the precautionary principle to on-site sewage disposal.

Section 5 provides policy measures require planning proposal to connect to or provide for reticulated sewage in the following instances:

5.1.1. 6 Where the responsible authority determines that the absence of reticulated sewerage will pose an unacceptable risk to public health, the environment or water resources. This includes instances where:

.... b. The impact of on-site sewage disposal is deemed likely to have a detrimental impact on the water quality of a public drinking water source area, sewage sensitive area or other waterway or wetland. Where approval of any future or proposed application without connection to reticulated sewerage is likely to set a precedent for similar proposal in the local water catchment, the cumulative impact will be considered....

The Policy includes a definition of "Sewage sensitive areas" which includes areas within one kilometre of a significant wetland. The subject site is located within a "Sewerage sensitive area" (see extract of mapping below)



- e) Within 2km of selected coastal embayments
- f) Within 1km of significant wetlands

The subject site is located within 2km of selected coastal embayment's and within 1km of significant wetlands.



Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

Local Planning Policy 6.1 Vehicle Parking (LPP 6.1)

LPP 6.1 identifies the following parking standards for “Holiday Accommodation” (see extract below):

Land Use	Minimum Vehicle Requirements
Holiday House	In accordance with the Residential Design Codes for single house.

The Residential Design Codes requires two carparking spaces for residential houses of two or more bedrooms. Six parking spaces are proposed (see Attachment 4).

Draft Local Planning Policy – Holiday Houses 6.16 (draft LPP 6.16)

This draft policy was presented to Council at the 29 November 2023 meeting for consent to advertise. Advertising has been completed and closed on the 1 February 2024. As a result, it satisfies the criteria of a seriously entertained planning proposal.

The purpose and objectives of the policy are to:

1. To manage tourism, protect the character of the community, and ensure sustainable development in the area; and
2. To guide the Shire’s decision making in respect to the appropriateness of tourist accommodation facilities, as determined by the locality, the appropriateness of facilities and the scale of the proposal.

The policy contains a three policy statements, addressing:

1. Exercising of discretion;
2. Management Plans; and
3. Temporary Approvals.

Items 2 and 3 above relate to administrative and ongoing management of Holiday Homes and these matters can be addressed by implementing conditions on approvals.

Item 1 focuses on assessment of proposals. The following table provides assessment against the listed matters to be considered.



Policy Statement – Exercise of discretion under Local Planning Scheme No.8	Comment
a) The scale of the proposed use compared to the scale and intensity of development in the area surrounding the development site.	The proposed scale and intensity of land use is not consistent with the prevailing locality which consists of relatively low density, detached single houses. A condition to limit the intensity to ten patrons at any one time is proposed.
b) The potential impact of increased vehicle access demand to a site, namely whether the proposal results in a significant increase in the volume of vehicle traffic and/or movements in the area.	See comments above. A scale to ten patrons will ensure that vehicle parking and traffic will be controlled to be generally consistent with that of a traditional single dwelling.
c) Any proposed management controls by the operator that will be incorporated into the Management Plan required by clause 2, which mitigate potential adverse amenity impacts to nearby landowners and occupiers. In the cases where the operator is known, the Shire shall consider any identified experiences or expertise of the applicant/operator in operating other Holiday House uses.	A condition is recommended to prepare a management plan to address ongoing operations of the Holiday House use.
d) If the applications relates to a retrospective development application, whether previous valid complaints have been received relating to a loss of amenity to adjoining properties and whether or not these impacts can be addressed by appropriate management under an approval management plan (refer to clause 2).	The assessment and proposed conditions have considered submissions received to ensure amenity concerns are addressed.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Medium	Likely	Minor	Include conditions to manage scale and follow up breaches with compliance enforcement
Risk Description: Failure to monitor and enforce conditions.			
Risk 2 Environmental Rating: Medium	Likely	Minor	Include conditions to limit scale to ensure capacity of infrastructure can accommodate demand
Risk Description: Failure to monitor and enforce conditions.			
Opportunity: To enable a small business to operate in the locality.			

Financial Implications



Budget

A retrospective development application fee has been paid to the value of \$885.00. This fee is three times the value of a standard development application fee. There are no financial implications relevant to this proposal.

Long Term

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

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There is an opportunity to review rating structures that apply to Holiday Houses within the Shire. Any changes to rating arrangements will require considerable resources to audit existing operators, obtain relevant approvals and undertake relevant legislative and regulatory steps to obtain approvals for the changes to rating values.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

Please see **Attachment 1**.

Internal Consultation

The item had been referred internally at the initial assessment of the Development Application. Additional commentary had been provided by the Shire's Environmental Health Services regarding the issues of maximum occupancy. This commentary is contained in the Officer Comment section below.

Officer Comment

The following sections discuss items raised by the applicant that has occurred following the January 2024 Council meeting.



Land use definition - "Holiday Accommodation" v "Holiday House"

In the previous Council item, the proposed use was considered as "Holiday Accommodation". After a review of evidence provided by the applicant, this position has been amended.

Previously, the proposal was assessed as "Holiday Accommodation" which is defined as:

"Means 2 or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot."

The applicant has requested that the proposed land use be defined as "Holiday House".

"Holiday House" is defined in Local Planning Scheme 8 as follows:

"means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast."

On review, the previous report incorrectly assigned the proposed land use as "Holiday Accommodation". It is noted that the existing "dwelling" contains some features that would enable it to be categorised as a dwelling and ancillary dwelling. This is because the design has potential to have a secondary self-contained element (separate kitchen and bathroom facilities). This fact does not progress to the level specified in the definition of "Holiday Accommodation". That is, the site does not have "2 or more dwellings". Therefore, on reflection, it is suggested that the proposed use be assessed as a "Holiday House".

Capacity of septic system

In reviewing matters associated with the septic system, the following should be considered:

- The capacity of a system is determined on wastewater load per person. It is not possible to increase this capacity by increasing the frequency of pump outs. The system has an approved capacity of 10 adults.
- Any increase in capacity will require a new system, and subsequently any new system will require approval from the Department of Health (DoH) due to the requirements of the Government Sewerage Policy that applies to sewerage sensitive sites.
- The property is in a sewerage sensitive location that requires any new system to be designed to meet specific criteria including the need to provide secondary treatment to remove nutrients.
- Options suggested by the applicant (**Attachment 2**) to increase the rate of "pump outs" or review how the system is functioning do not represent a practical solution.
- Use of a septic system beyond the design capacity undermines the functionality by reducing the time for separation of the solids to occur. This will result in the system failing due to build up of grease and oil getting to the drainage receptacles.
- Options to continue to overload the system and "wait and see" if the system sustains itself is not a practical solution, nor best practice. A system is sized to a specified capacity and is designed to efficiently operate up to this capacity. The intention to support any overloading of the septic system will have significant implications, including:
 - Establishing a precedent for supporting similar situations within the locality;
 - Potential for excessive leaching of nutrients in an international and State recognised sensitive environment (coast and wetlands); and
 - Creating risks to human health due to systems failing and untreated effluent entering the local environment (disease and odour).



It cannot be emphasised enough that such a consideration to overload the system will be significantly jeopardising the environmental quality of the area, and the human safety of residents within Peppermint Grove Beach.

Car parking capacity

The applicant has provided additional information regarding how guests generally arrive at the property, noting that the majority are for family gathering with often more than 2 guests arriving per car.

On this basis, the provision of six carparking spaces on site is reasonable to accommodate ten guests and visitors.

Number of guests.

In considering the number of guests, there are two key factors. One relates to infrastructure capacity. The other relates to impacts on amenity and the principles of orderly and proper planning.

Previously, the recommendation was to limit guest numbers to eight. This was primarily due to parking considerations. However, it is now considered reasonable to increase guest numbers to a total of ten at any one time.

If the Council wish to amend the recommendation to increase the capacity to 10 guests, Condition 4 and 5 could be replaced with the following:

'4. The maximum number of occupants who may be on the premises at any time is ten (which includes guests) (10).'

The considerations for this are explored below.

Infrastructure constraints

In relation to infrastructure, a fixed constraint relates to the capacity of the septic system which limits numbers to 10 guests.

There is potential to increase capacity of the septic system. However, this process requires approval from the Department of Health and installation. If a larger system is approved and installed, it will be possible to consider a new application for "Holiday House" for guest numbers greater than 10.

It is not appropriate to condition any increase in guest numbers beyond the existing capacity due to:

- timeframes for assessment and implementation of works; and
- uncertainty associated with obtaining approval from the Department of Health.

It would be possible to consider an amended application for additional numbers at a time when approvals have been obtained for a larger capacity septic system. However, if this above constraint is addressed, this leaves questions regarding impacts on amenity (in addition to effluent disposal) and the principles of orderly and proper to be considered.



Amenity and Orderly and Proper Planning

It is noted that a traditional single residential property usually accommodates significantly less than ten residents and well below the proposed 16 to 20 guests. The average household size within the Shire of Capel is 2.5.

In this instance, the house and septic system has been designed to accommodate 10 residents. On this basis, it is not reasonable to restrict the guest numbers below this threshold.

Any increase in guest numbers beyond this threshold will need to consider impacts on local amenity (see **Attachment 1** – previous report).

To expand on **Attachment 1**, the following provides additional context for considering impacts on amenity, through the lens of orderly and proper planning when applying discretion.

An application must be assessed in accordance with the: “principle of orderly and proper planning”. Marshall v Metropolitan Redevelopment Authority [2015] WASC 226 provides guidance on understanding the principle and states:

“the exercise of a discretion within the planning context should be conducted in an orderly way - that is, in a way which is disciplined, methodical, logical and systematic, and which is not haphazard or capricious”:

“the exercise of discretion would clearly need to have regard to any applicable legislation, subsidiary legislation and planning schemes (such as region schemes, town planning schemes, local planning schemes) and policy instruments”

“there is no reason in principle why planning legislation and instruments will be the only matters warranting consideration in determining what is a 'proper' planning decision. The matters which warrant consideration will be a question of fact to be determined having regard to the circumstances of each case”

“While the exercise of discretion will involve a judgment about what is suitable, appropriate, or apt or correct in a particular case, that judgment must (if it is to be 'orderly') be an objective one. If the exercise of discretion is to be an orderly one, the planning principles identified as relevant to an application should not be lightly departed from without the demonstration of a sound basis for doing so, which basis is itself grounded in planning law or principle. A broad range of considerations may be relevant in that context.”

In considering any further expansion of guest numbers beyond ten would represent a departure from the principle of orderly and proper planning for the site as it:

- a) Will encourage an intensity of land use out of character with the established local setting and objectives of the Residential zone, specifically the objective to:

“to provide for a range of non-residential uses, which are compatible with and complementary to residential development.”



Any support of a dwelling accommodating 19 guests for short stay holiday accommodation would be a clear departure from the objective of the residential zone, specifically when noting:

- the relatively low-density code (R12.5) which promotes detached single dwellings;
- the established settlement pattern which does not include any other density or intensive land uses in the immediate locality; and
- expectations on land use intensity and scale being proportionate to traditional residential dwelling.

- b) Will create generate impacts on local servicing beyond the capacity of the site to accommodate (car parking capacity); and
- c) Will create potential for disturbance relating to noise and anti-social behaviour. It is noted that 20 people contained within one single dwelling (even if behaving reasonably) has the potential to create a noise disturbance, particularly when congregating in open deck areas.

Additional information regarding effluent disposal

The applicant has submitted additional information with a suggested condition to address effluent disposal capacity. The proposed condition is as follows:

“... the property, the owner:

(i) shall professionally drain the septic system every four years;

(ii) shall not permit occupancy at the premises for more than 180 nights per year; and

(iii) shall not permit occupancy at the premises for more than 10 adults per night averaged over any two week period, which is 140 guest-nights total every two weeks (i.e., if the property is occupied by 14 guests for ten nights it cannot be occupied by any guests in the remaining four days in that two-week period).”

Any changes to the effluent disposal system will require approval by the Department of Health. Shire staff have obtained advice from the Department of Health on this matter. The Department of Health confirm that this proposed arrangement/condition is not supported.

Summary

It is recommended that approval be granted for the retrospective approval of a holiday house subject to conditions, including limiting guest numbers to ten at any one time.

The key issues raised and considered at Council’s January 2024 meeting (**Attachment 1**) remain the same with the exception of:

- a) definition of the use being changed to “Holiday House” (previously “Holiday Accommodation”); and
- b) increasing the number of guests to ten (previously eight).

Voting Requirements

Simple Majority



Officer's Recommendation – 14.7.

OC/2024/67 - Officer's Recommendation / Council Decision - 14.7

Moved Cr Noonan, Seconded Cr Terrantroy.

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA149/2023 for a Holiday Accommodation subject to conditions:

- 1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.7.1 dated 26 May 2023.**
- 2. This approval is valid for 12 months from the date of this decision.**

Prior to Occupation

- 1. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.**

In Perpetuity

- 4. The maximum number of occupants who may be on the premises at any time is eight (8).**
- 5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10.00pm is eight.**
- 6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.**
- 7. Prior to commencement of any occupation of the Holiday Accommodation the owner/accommodation manager shall provide all occupants with the following:**
 - a) emergency evacuation plan;**
 - b) a copy of an approved Management Plan.**

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

- 8. The owner/accommodation manager shall ensure that a sign is displayed that:**
 - a) is visible from the street;**
 - b) displays a current telephone number upon which the owner/manager can be reached;**
 - c) is located solely within the subject site;**
 - d) is no larger than 0.2m².**

The owner/accommodation manager is to provide the Shire with proof of signage upon request.



9. All vehicles must be parked within the designated parking areas. No more than four vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.

Advice

- 1. Any activity at the premises must comply with the assigned noise levels within the *Environmental Protection (Noise) Regulations 1997*.**
- 2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.**
- 3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.**

Lost 0 / 8

For - Nil

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

Foreshadowed Motion:

Cr Fergusson Foreshadowed the following motion:

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA149/2023 for a Holiday House subject to conditions:

1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.7.1 dated 26 May 2023.
2. This approval is valid for 12 months from the date of this decision.

Prior to Occupation

3. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.

In Perpetuity

4. The maximum number of occupants who may be on the premises at any time is ten (10), excluding bookings made before the 26 April 2024.



5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10.00pm is ten (10), excluding bookings made before the 26 April 2024.
6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.
7. Prior to commencement of any occupation of the Holiday House the owner/accommodation manager shall provide all occupants with the following:
 - a) emergency evacuation plan;
 - b) a copy of an approved Management Plan.

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

8. The owner/accommodation manager shall ensure that a sign is displayed that:
 - a) is visible from the street;
 - b) displays a current telephone number upon which the owner/manager can be reached;
 - c) is located solely within the subject site;
 - d) is no larger than 0.2m².

The owner/accommodation manager is to provide the Shire with proof of signage upon request.

9. All vehicles must be parked within the designated parking areas. No more than six (6) vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.

Advice

1. Any activity at the premises must comply with the assigned noise levels within the *Environmental Protection (Noise) Regulations 1997*.
2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.
3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

The Foreshadowed Motion was put.

Foreshadowed Motion

Moved Cr Fergusson, Seconded Cr Schiano.



That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA149/2023 for a Holiday House subject to conditions:

1. All development being in accordance with the Approved Development Plan(s) of Attachment 14.7.1 dated 26 May 2023.
2. This approval is valid for 12 months from the date of this decision.

Prior to Occupation

3. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.

In Perpetuity

4. The maximum number of occupants who may be on the premises at any time is ten (10), excluding bookings made before the 26 April 2024.
5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10.00pm is ten (10), excluding bookings made before the 26 April 2024.
6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.
7. Prior to commencement of any occupation of the Holiday House the owner/accommodation manager shall provide all occupants with the following:
 - a) emergency evacuation plan;
 - b) a copy of an approved Management Plan.

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

8. The owner/accommodation manager shall ensure that a sign is displayed that:
 - a) is visible from the street;
 - b) displays a current telephone number upon which the owner/manager can be reached;
 - c) is located solely within the subject site;
 - d) is no larger than 0.2m².

The owner/accommodation manager is to provide the Shire with proof of signage upon request.

9. All vehicles must be parked within the designated parking areas. No more than six (6) vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.



Advice

1. Any activity at the premises must comply with the assigned noise levels within the *Environmental Protection (Noise) Regulations 1997*.
2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.
3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

OC/2024/68 -Amendment / Council Decision - 14.7

Moved Cr Noonan, Seconded Cr Mogg.

To remove point 4 and 5 of the recommendation and replace with the following wording:

'4a. To allow a maximum number of occupants on the premises at any time sixteen (16), as long as the average number of occupants over a two week period does not exceed ten (10).

4b. Maintenance of a simple log of a number of residents overnight be made available to the Shire on request.

5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10.00pm is sixteen (16), excluding bookings made before the 26 April 2024.'

Lost 1 / 7

For - Cr Noonan

Against - Cr Dillon, Cr Fergusson, Cr Kitchen, Cr Mogg, Cr Schiano, Cr Sharp and Cr Terrantroy

OC/2024/69 - Foreshadowed Motion / Council Decision - 14.7

Moved Cr Fergusson, Seconded Cr Schiano.

That Council:

In accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approval for PA149/2023 for a Holiday House subject to conditions:

1. **All development being in accordance with the Approved Development Plan(s) of Attachment 14.7.1 dated 26 May 2023.**



2. This approval is valid for 12 months from the date of this decision.

Prior to Occupation

3. A Management Plan being prepared and implemented to the satisfaction of the Shire of Capel.

In Perpetuity

4. The maximum number of occupants who may be on the premises at any time is ten (10), excluding bookings made before the 26 April 2024.

5. The maximum number of attendants (which includes guests) who may be on the premises at any one time after 10.00pm is ten (10), excluding bookings made before the 26 April 2024.

6. The owner/accommodation manager must ensure that each receptacle for rubbish and recycling is placed for collection on designated collection days and ensure that any additional rubbish that exceeds the receptacle is removed from the property.

7. Prior to commencement of any occupation of the Holiday House the owner/accommodation manager shall provide all occupants with the following:

- a) emergency evacuation plan;**
- b) a copy of an approved Management Plan.**

The owner/accommodation manager must provide the Shire with proof of such notification upon request.

8. The owner/accommodation manager shall ensure that a sign is displayed that:

- a) is visible from the street;**
- b) displays a current telephone number upon which the owner/manager can be reached;**
- c) is located solely within the subject site;**
- d) is no larger than 0.2m².**

The owner/accommodation manager is to provide the Shire with proof of signage upon request.

9. All vehicles must be parked within the designated parking areas. No more than six (6) vehicles may be on the premises at any one time. No vehicles are to obstruct any street, thoroughfare, adjacent premises or any other vehicle.



Advice

- 1. Any activity at the premises must comply with the assigned noise levels within the *Environmental Protection (Noise) Regulations 1997*.**
- 2. The applicant is advised to liaise with the Shire's building department regarding reclassifying the building to a Class 1B which includes the need to have an integrated fire alarm and emergency lighting system.**
- 3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.**

Carried 8 / 0

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

Against - Nil

The Shire President adjourned the meeting for 10 Minutes at 8:10pm.

The meeting resumed at 8:21pm with no members of public in the gallery.



14.8. Bulky Goods Showroom development - Lot 2002 Tiffany Centre Dalyellup

Author	Planning Coordinator, Bob Wallin
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Legislative
Attachments	<ol style="list-style-type: none">1. Attachment 1 - development plans [14.8.1 - 9 pages]2. Attachment 2 - Location Plan [14.8.2 - 1 page]3. Attachment 3 - context map [14.8.3 - 1 page]4. Attachment 4 - bulky goods info [14.8.4 - 4 pages]5. Attachment 5 DDCODP map [14.8.5 - 1 page]6. Attachment 6 - LD P 5 [14.8.6 - 1 page]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

The proposal is for a “Bulky Good Showroom” with two tenancies of 868m² and 321m² and associated carparking, landscaping and servicing area (see **Attachment 14.8.1** – Development Application). The subject land is located at Lot 2002 Tiffany Centre, Dalyellup (**Attachment 14.8.2** – Location Plan).

The subject land comprises of an area of 3131m² and includes a shared access easement of 231m² along the eastern boundary. This easement has been constructed and contains a pedestrian path and portion of a vehicular carriageway.

The northern boundary abuts an existing service station (7-11) and a partly constructed fast food establishment (Chicken Treat). Land immediately to the west forms part of the main carparking area that services Woolworths and other specialty stores. Land to the south and east are zoned “Service Commercial” are presently vacant with no active development application proposals (**Attachment 14.8.3** – site context map).

The proposal requires a Council decision due to the value of the development being greater than \$1.5million (Delegation 166 Town Planning Schedule 1 Development Applications).

The development falls under the discretionary option for using the Development Assessment Panel process. The applicant has indicated that they do not wish to use this option and have requested that Council assess and determine the proposal.

Officer’s Recommendation

That Council in accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, *Planning and Development (Local Planning Schemes) Regulations 2015*, grants development approve “Bulky Goods Showroom” at Lot 2002 Tiffany Centre, Dalyellup, subject to condition(s).



Conditions

1. All development being in accordance with the Approved Development Plan(s) Attachment 1.
2. The development shall be substantially commenced within two (2) years of the date of this decision. Should the development not be substantially commenced within this time, the approval shall lapse and be of no further effect.
3. Prior to the commencement of development, a Stormwater Management Plan shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.
4. Prior to the commencement of development, a site plan showing finished ground levels, pavement levels and finished floor levels shall be submitted for assessment and approval by the Shire of Capel.
5. Prior to the commencement of development, a detailed Engineering design for the car parking, maneuvering areas and drainage thereof being submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved design to the satisfaction of the Shire of Capel.
6. Prior to commencement of development, a detailed lighting plan of the access way(s), parking area(s), and turning area(s) must be submitted and approved by the Shire of Capel. The lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties.
7. Prior to the commencement of development, details are to be submitted regarding the provision of a waste collection area onsite, and screened from public view, for the approval of the Shire of Capel and to be implemented thereafter to the specification and satisfaction of the Shire.
8. Prior to the commencement of development, details are to be submitted regarding the provision for onsite storage and collection of garbage and other solid waste. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Shire of Capel.
9. Prior to the occupation of the development, a waste management plan shall be submitted to the Shire of Capel for approval. The plan shall include:
 - a. Details of collection times and methods;
 - b. A noise management plan detailing measures that will be undertaken to ensure noise levels are kept within levels prescribed in the *Environmental Protection (Noise) Regulations 1997* for any waste proposed to be collected between the hours of 7pm to 7am; and
 - c. Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles.

The plan shall be implemented and adhered to throughout the life of the development to the satisfaction of the Shire of Capel.

10. Prior to the commencement of the development, a landscaping plan must be submitted for approval by the Shire of Capel. The landscape plan must address the following:
 - a. A site plan of existing and proposed development with natural and finished ground levels.



- b. The location, species and size of existing vegetation and vegetation to be removed.
- c. Exact species, location and number of proposed plants to be planted.
- d. A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.
- e. Mulching or similar treatments of garden beds including edges.
- f. Details of reticulation of landscaped areas including the source of the water supply and proposed responsibility for maintenance.
- g. Treatment of paved areas (parking and pedestrian areas).
- h. Screening of car parking areas.
- i. Fence material, height and treatment.

Before the development is occupied, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed landscape plan(s). These areas must be maintained as landscaped areas at all times and to the satisfaction of the Shire of Capel.

11. Prior to occupation, the property shall be connected to reticulated sewage.
12. The dimensions of the signs shall be in accordance with the attached approved sign plan.
13. The signage shall not emit a flashing or moving light or radio signal, nor contain animation or movement in its design or structure.

Advice Notes:

- Note 1: If the development, the subject of this approval, is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
- Note 2: Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.
- Note 3: If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
- Note 4: The development that is the subject of this planning approval must comply with the *Environmental Protection Act 1986* and the *Environmental Protection (Noise) Regulations 1997* in relation to noise emissions.
- Note 5: In relation to Condition 3, the Stormwater Management Plan is to detail the following:
- a. Catchments, flow paths, water quality improvement measures, area calculations and design criteria demonstrating that all stormwater from a 1-year ARI (up to 10mm) can be retained on site and infiltrated.
 - b. Overflows from soak wells and/ or rain gardens are to enter the road pipe network by a direct piped lot connection with a capacity for a 10-year ARI.
 - c. Events beyond a 10-year ARI are to be directed to the road by overland flow.
 - d. Mosquito breeding control measures where stormwater infrastructure is likely to result in standing water that will provide breeding habitat.
- Note 6: In relation to Condition 5, any removal of existing paths and road infrastructure will need to be reinstated and rectified to the satisfaction of the Shire. subject land.



Note 7. All car parking dimensions, maneuvering areas, crossovers and driveways shall accord with Australian Standard AS2890.1 (as amended).

Background

Land / Title Information:	Lot 2002 Tiffany Centre, Dalyellup
Development Description:	Bulky Goods Showroom
Land Area:	3131m ² (includes easement)
Existing Land Use	Vacant
Town Planning Scheme zone:	Service Commercial
Greater Bunbury Region Scheme zone:	Urban
Bushfire Prone Area:	No
Heritage Listing:	No
Application Received Date:	9 January 2024
Application Process Days:	106

Previous Council Decisions

July 2012 - Council adopted the Dalyellup District Centre Outline Development Plan (Ordinary Council meeting Minute OC0406). The WACP subsequently endorsed the ODP (Outline Development Plan) on 18.07.12.

June 2017 - Draft Place Management Plan, including a Parking Management Plan advertised for comment.

September 2017- Local Development Plan No.5 (adopted under delegation).

5 April 2023 – Local Development Plan No. 5 amended (adopted under delegation).

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

Direction 2 - Manage and protect our environment
2.7 Urban planning that supports sustainable development

Direction 3 - Foster a dynamic, diverse and strong local economy
3.4 Continued improvement in town centre vibrancy

Direction 4 - Deliver good leadership, governance and decision-making
4.3 Contemporary planning and local development



Corporate Business Plan 2023-2027

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

Statutory Framework

Local Framework

- Local Planning Scheme No. 8 (LPS8);
- Dalyellup District Centre Outline Development Plan;
- Dalyellup East Local Structure Plan.

State Framework

- State Planning Policy 7.0 - Design of the Built Environment;
- Greater Bunbury Region Scheme (GBRS);
- Planning and Development Regulations 2015.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Local Planning Policy 6.1 - Vehicle Parking;
- Local Planning Policy 6.11 - Signage and Advertising;
- Local Planning Policy 6.8 - Urban Landscaping.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Medium	Possible	Minor	Ensure conditions imposed are satisfied.
Risk Description: Failure to monitor and enforce development conditions.			
Opportunity: To add a new business that supplies goods and services to the Dalyellup district that is presently not available.			



Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

There was no external consultation undertaken.

Internal Consultation

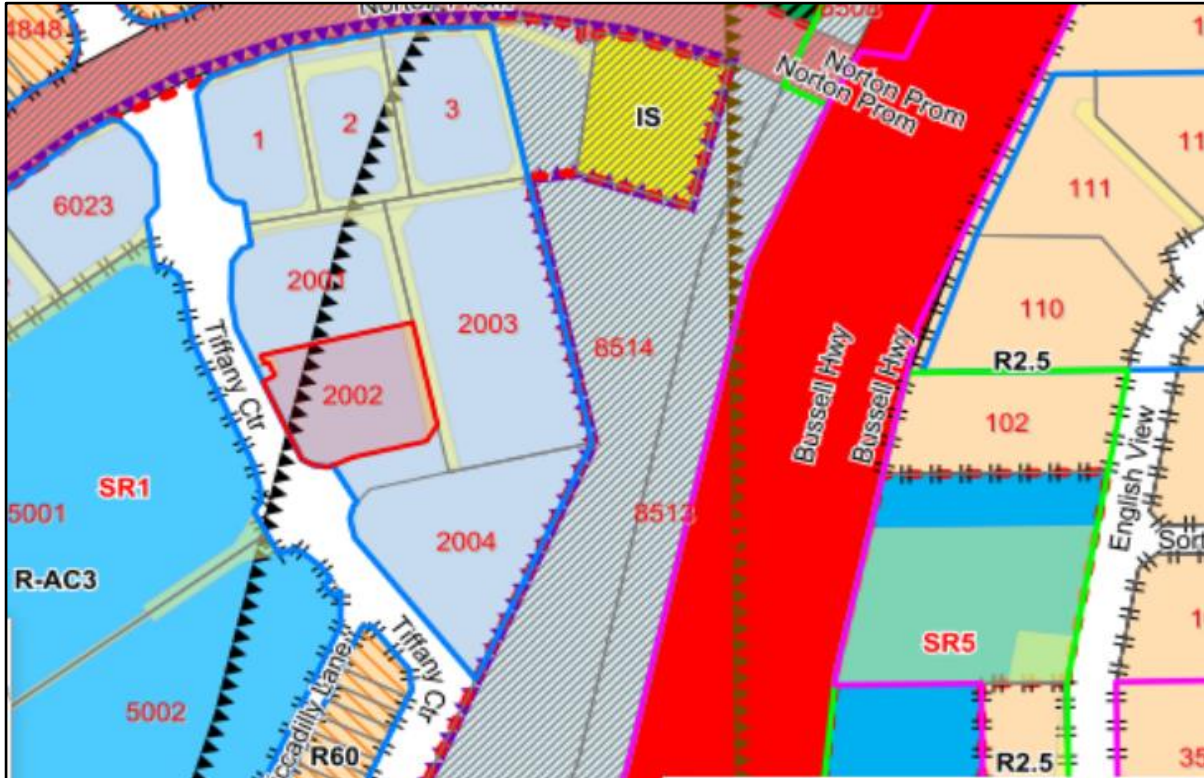
The application was referred to relevant internal branches of the Shire including:

- Building;
- Environmental Health;
- Emergency Management; and
- Engineering and Technical Services.

Advice provided has been included as conditions of approval and relate to matters of car parking and access design, noise, waste management and landscaping treatments.

Officer CommentLocal Planning Scheme No.8 (LPS 8)

The subject land is zoned "Service Commercial" under Local Planning Scheme 8 (LPS8). See extract of LPS8 map below.

**Land Use**

The proposed use of "Bulky Goods Showroom" is listed as a "D" (discretionary) use in the "Service Commercial" Zone. The use is defined as follows:

"Premises -

- (a) *used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes -*
- (i) *automotive parts and accessories*
 - (ii) *camping, outdoor and recreation goods*
 - (iii) *electric light fittings*
 - (iv) *animal supplies including equestrian and pet goods*
 - (v) *floor and window coverings*
 - (vi) *furniture, bedding, furnishings, fabrics, Manchester and homewares*
 - (vii) *household appliances, electrical goods and home entertainment goods*
 - (viii) *party supplies*
 - (ix) *office equipment and supplies*
 - (x) *babies' and children's goods, including play equipment and accessories*
 - (xi) *sporting, cycling, leisure, fitness goods and accessories*
 - (xii) *swimming pools.*

Or



- (b) used to sell goods and accessories by retail if -
 - (i) a large area is required for the handling, display or storage of the goods or
 - (ii) vehicular access is required to the premises for the purpose of collection of purchased goods. "

The proposed "Red Dot" store falls under the definition of "Bulky Goods Showroom" due to the nature of product range proposed (see **Attachment 14.8.4**). The proposed range, proportion and type of goods satisfy the requirements of a "Bulky Goods Showroom" rather than a typical "Shop".

The objectives of the "Service Commercial" zone and an assessment of the proposal are contained in the following table.

Objective	Comments
<i>To accommodate commercial activities which, because of the nature of the business, require good vehicular access and/or large sites.</i>	The proposal is for bulky goods retail which requires adequate vehicular access to a larger site. The connection point to nearby arterial road networks and the design of the car parking area will allow for vehicles such as delivery trucks to have circulation and access needed to deliver effectively and efficiently. Complies
<i>To provide for a range of wholesale sales, showrooms, trade and services which, by reason of their scale, character, operational or land requirements are not generally appropriate in, or cannot conveniently or economically be accommodated in commercial centres or industrial zones.</i>	The proposal is for bulky goods retail and will be of a scale and character not generally appropriate within nearby zones such as the "District Centre" zone. Complies

Built Form

LPS8, Schedule 4 – Additional site and development requirements by zone

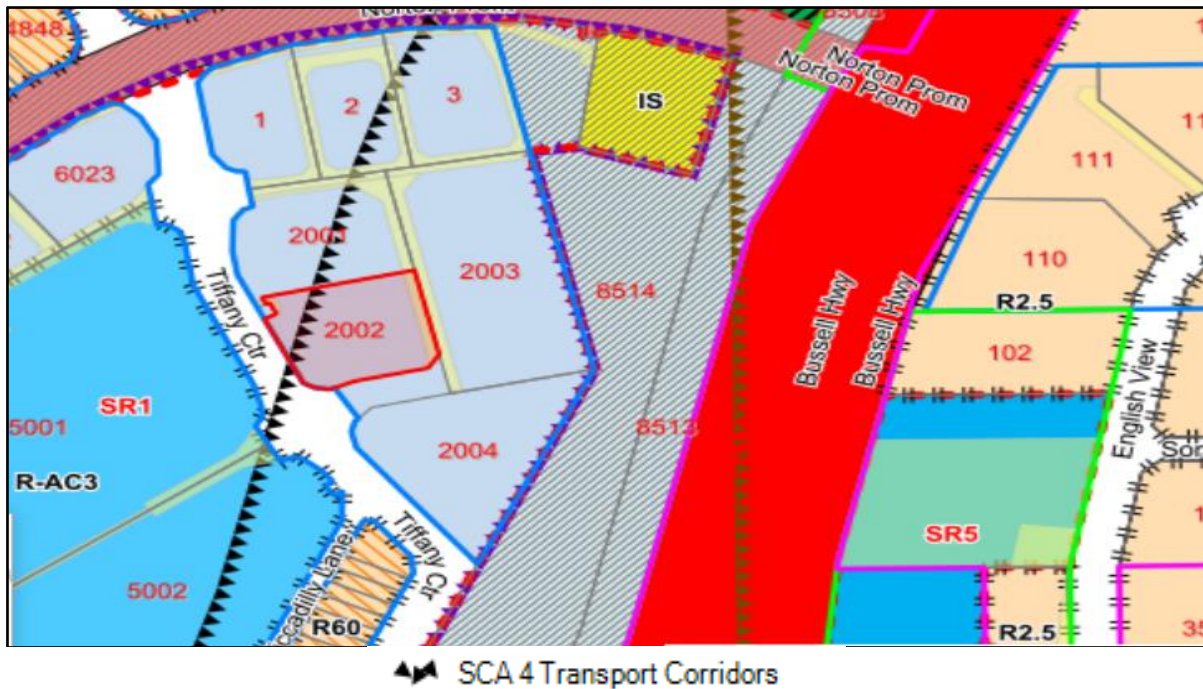
The following requirements apply to the Service Commercial Zone:

Requirements	Comments
Minimum lot size (hectares) 0.1ha	0.3131ha Complies
Primary street setback 10m	17.5m Complies
Secondary street setback 5m	12.7m Complies
Side/rear setback Nil	Nil Complies
Maximum building height (metres) 12	6m Complies



Requirements	Comments
<p>Minimum landscaping (% of site area) 10% (290m²)</p>	<p>Minor Variation - Acceptable 266m² of landscaping is proposed within the lot (9.1% of the site – shortfall of 24m²). An additional 55m² of landscaping is proposed in the verge. This creates a total landscaped area of 321m² (11%). This arrangement is considered acceptable when taking account of the minor variation, the building orientation and facade treatments and opportunity to include verge landscaping and limited additional value gained by increasing the landscaping area.</p>
<p>Other Requirements</p>	
<p>1. Where a lot adjoins residential development, setbacks and building heights adjacent to that use are to be in accordance with the R Codes</p>	<p>N/A -The proposal does not adjoin a residential or mixed-use residential zone.</p>
<p>2. Landscaping is to be in accordance with relevant Activity Centre Plan, Local Development Plan or Local Planning Policy or, if none exists, to the satisfaction of the local government</p>	<p>Complies The proposal is consistent with the Local Development Plan which requires a minimum 1.5m wide landscape strip fronting Tiffany Centre (western boundary). Landscaping immediately abutting Tiffany Centre is 0.9m. However, this frontage also includes an additional 0.6m strip in front of the building elevation. The combined landscaping equals 1.5m. It is noted that the elevation addressing Tiffany Centre includes elements that add interest and interaction with the street (awnings and extensive glazing). On this basis, the landscaping, combined with the elevation treatments satisfy landscaping and more broadly streetscape amenity outcomes.</p>
<p>3. Loading/unloading areas to be located either inside buildings or to side/rear of the premises.</p>	<p>Complies Loading/servicing is located at the rear of the premises</p>

Special Control Area 4



The purpose is to protect the function and safety of the key travel routes within the Scheme area, along with the amenity and visual character of adjacent land.

Whilst specifically SPP5.4 does not apply to the development given it is not considered a noise sensitive land use (as it is non-residential), the broader SCA4 applies to all development and encompasses requirements greater than the scope of transport noise in general.

Objectives	Comments
(a) To delineate land within which SPP 5.4 applies.	Note
(b) To ensure that SPP 5.4 is properly considered and implemented where development or a change of use is proposed on land within which SPP 5.4 applies.	Complies The development includes the location of carparking areas and back of shop servicing areas within SCA4 which will not be sensitive to transport corridor noise.
(c) To protect major transport corridors and freight operations from incompatible urban encroachment	Complies The development includes the location of carparking areas and back of shop servicing areas within SCA4.
(d) To maintain the safety of major transport corridors through the minimisation of distractions and access points.	Complies No direct access is proposed to the transport corridor. Visual distractions will be limited due to the site being framed and screened from the transport corridor by existing and future development to the east and north. Furthermore, it is recognised that a series of vegetated noise bunds flank Bussell Highway nearby and will also add towards the enhanced nature of visual concealment for users of the Highway.



Special Control Area 7

The subject land is located within Special Control Area 7 – Public Drinking Water Reserves. The purpose of the SCA7 is to:

“...identify and protect public drinking water source areas.”

The proposal complies with the provisions of SCA7 as the development will be connected to reticulated sewerage and drainage will be managed and connected to the Shire’s drainage network.

Dalyellup District Centre Outline Development Plan

The subject land is located within “Precinct B – Business (See **Attachment 14.8.5**).

The following table details an assessment of the objectives, land uses and development standards.

Objectives	Comments
a) Encourage general continuity of the built form along Norton Promenade and avoiding the use of bland walls	N/A - The property does not front Norton Promenade.
b) Accommodate the demand for showrooms (including hardware and bulky goods) and other low intensity non-retail and service uses at the periphery of the centre in proximity to Bussell Highway and Norton Promenade and not in the retail core.	Complies The proposal is for Bulky Goods Showroom, which will entail product selection in storage, pets, party, arts & craft that are not otherwise sold in, or appropriate within the retail core.
c) Ensure car parking areas are appropriately located to minimise their impact on the streetscape, while also acknowledging that access to, and visibility of, car parking areas is an important requirement for uses of this nature.	Complies The car parking is generally located in areas consistent with the Local Development Plan. It is noted that parking areas front Tiffany Centre, however, this is considered appropriate when considering the benefits of the building orientation to address this frontage and combined with landscaping.
d) Ensure appropriately managed and coordinated access to development from Norton Promenade, to avoid excessive disruption to traffic flow	N/A - No access is offered to Norton Promenade.
e) Coordinate the scale and character of signage visible from Norton Promenade and Bussell Highway	N/A - No signage is proposed or will be visible from Norton Promenade.
f) Encourage a high quality streetscape, which includes significant tree planting, for Norton Promenade that is consistent with its role as a main entry road to the Dalyellup Estate.	N/A - The property does not front Norton Promenade.



Development Standards	Comments
1.5.5.1 No more than two rows of perpendicular car parking and one access aisle should be located between the building closest to Norton Promenade and Norton Promenade.	N/A - The proposal does not abut Norton Promenade.
1.5.5.2 A covered pedestrian walkway should be provided to the facade of buildings fronting Norton Promenade and to public streets and public car parking areas. The awning should be designed at a pedestrian scale and provide an acceptable degree of shade and shelter.	Complies An awning is proposed for the frontages along Tiffany Centre and the southern elevation.
1.5.5.3 The principal pedestrian entry to the buildings adjoining Norton Promenade should be on the building frontage to Norton Promenade	N/A - The property does not contain a frontage to Norton Promenade.
1.5.5.4 The Council may require additional car parking provision over and above the normal standard for showroom uses in respect of a hardware store or similar use which may generate additional vehicle trips,	Complies Carparking has been provided above the standard carparking standards set out in Local Planning Policy 6.1 (Please see assessment in policy section below).

The land use "Showroom" is listed as a "P" (Permitted) use under clause 1.5.4. This land use designation was prepared when Local Planning Scheme 7 identified the locality as "Urban Development" and planning controls were limited to the DDCODP and there was no definition of "Bulky Goods Showroom." LPS8 has formalised the planning framework for the site including the land within a specific zone, accompanied by land use controls.

Local Development Plan 5 (LDP5)

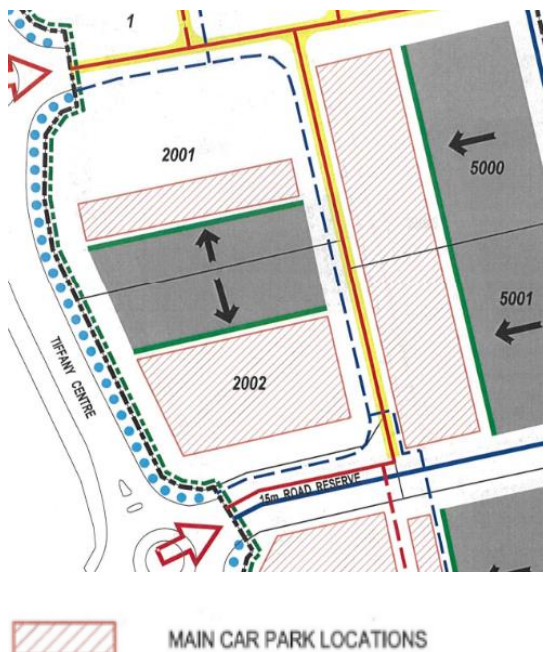
LDP5 was approved 5 April 2023 and provides detailed guidance for development (see **Attachment 14.8.6**). The following Table provides requirements and comments in relation to relevant provisions and design principles of LDP5.

Requirements	Comments
Land Use	
1. Land use shall be in accordance with part 1.5.4 of the Dalyellup District Centre Outline Development Plan.	Complies The proposed use is listed as a "P" (permitted) use under clause 1.5.4.
Development Standards	
3. Active building edges are to incorporate a minimum of 50% glazing for the ground floor, maximise opportunities for public surveillance and are to accommodate the primary public access point to tenancies	Complies 43.5% - This is considered reasonable given the frontage to Tiffany Centre also includes extensive areas of glazing, equaling 57%.
4. Active building edges should include awnings over the adjoining pedestrian routes to provide weather protection for pedestrians.	Complies An awning is provided along the western and southern elevations.

Other Building Facades	
<p>7. Building facades adjacent to internal movement routes (excluding truck service routes) and facing public streets shall be treated to avoid blank walls and enhance the quality of the streetscape through the inclusion of features such as, but not limited to:</p> <ul style="list-style-type: none"> • Glazing that provides passive surveillance opportunities • Alternative colours and finishes. Colour schemes should not be bold or obtrusive • Intrusions and extrusions in the wall. • Art or other graphic representations at the discretion of the Shire • Any other innovative treatment that the Shire deems acceptable. 	<p>Complies</p> <p>The western elevation fronting Tiffany Centre includes:</p> <ul style="list-style-type: none"> • Extensive glazing (57%) of frontage • Mix of materials and colours • Intrusions and extrusions in the walls.
Building Height	
<p>8. No minimum or maximum building height applies</p>	<p>Complies</p> <p>6m proposed</p>
Layout Design Principles	
<p>Active Building Edge</p> <p> ACTIVE BUILDING EDGE</p> <p></p>	<p>Complies</p> <p>The proposed design includes two active edges.</p>

Layout Design Principles	
<p>Main internal vehicle movement route Easement in gross</p>	<p>Complies The access to all sides of the property has been fully constructed and an easement in gross is in place.</p>
<p>Indicative building location</p>	<p>Complies The proposed building is located generally in accordance with the LDP5</p>
<p>Building orientation</p>	<p>Complies</p>

	<p>The building is orientated towards two frontages.</p>
<p>Minimum 1.5m wide landscape strip</p>	<p>Complies A combined landscaping width of 1.5m is proposed along Tiffany Centre.</p>

Layout Design Principles	
<p>Main car park locations</p> 	<p>Complies Carparking is generally located in accordance with the LDP5.</p>

Planning and Development (Local Planning Scheme) Regulations 2015 – Schedule 2 Part 7 (the Regulations)

Clause 67 lists matters that the local government is required to have due regard when considering an application. The following table details relevant matters and comments.

Relevant matters to be considered	Comments
(a) The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;	The LPS8 assessment is contained in separation section of report
(b) The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;	Complies Assessment against specific planning policy and local framework is provided in separate sections of the report.
(c) Any approved State planning policy	See comments regarding SPP 7.0. Complies
(e) Any policy of the Commission;	Complies See comment above relating to SPP 5.4 above and comments relating to SPP 7.0.

Relevant matters to be considered	Comments
(g) Any local planning policy for the Scheme area;	<p>Complies The Local Planning Policy assessment is contained in separation section of report</p>
(h) Any structure plan or local development plan that relates to the development;	<p>Complies The LDP5 and DDCODP assessment is contained in separate section of report.</p>
<p>compatibility of the development with g, including:</p> <ul style="list-style-type: none"> i. The compatibility of the development with the desired future character of its setting; and ii. The relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development. 	<p>The proposal fits within the existing setting. The site abuts existing Service Commercial Development (on northern boundary (see photo below – view looking south – subject site immediately behind the 7-11).</p>  <p>The land to the west contains the main carparking area servicing Woolworths and specialty stores (see photo below).</p>  <p>The proposed scale and design is consistent with the established streetscape.</p>



Relevant matters to be considered	Comments
<p>(n) The amenity of the locality including the following –</p> <ul style="list-style-type: none"> i. Environmental impacts of the development; ii. The character of the locality; iii. Social impacts of the development. 	<p>Complies</p> <p>The subject land is not located near any sensitive land uses with the nearest residential property being approximately 70m to the south. The servicing area will be setback further and screened by the bulk of the building. The proposed use will not create any off site impacts in respect to noise, light or odour.</p>
<p>(r) The suitability of the land for the development taking into account the possible risk to human health or safety;</p>	<p>Complies</p> <p>The proposal will not generate any risk to human health or safety. Access and servicing areas are designed to fit within the existing developed road and access network. Internal access is designed to ensure suitable turning and site lines are achieved.</p>
<p>(s) The adequacy of –</p> <ul style="list-style-type: none"> i. The proposed means of access to and egress from the site; and ii. Arrangements for the loading, unloading, maneuvering and parking of vehicles. 	<p>Complies</p> <p>The local road network servicing the site and immediate surrounds has been comprehensively planned to accommodate development and use as proposed, including safe movement of servicing vehicles. The proposal is supported by a traffic impact assessment and conditions can be imposed to address detailed design considerations.</p>
<p>(t) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.</p>	<p>Complies</p> <p>Please see above.</p> <p>In general, the movement network has been designed to accommodate development as proposed.</p>
<p>(v) The potential loss of any community service or benefit resulting from the development other than potential that may result from economic competition between new and existing businesses.</p>	<p>Complies</p> <p>The proposed development is consistent with the vision of the DDCODP and LPS8. The proposal will offer an additional range of retail products presently not provided within the Dalyellup District Centre.</p>
<p>(x) The impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals.</p>	<p>Complies</p> <p>The development aligns with the planning objectives and vision for the locality as identified in the DDCODP.</p>
<p>(y) Any submissions received on the application</p>	<p>N/A - No submissions have been received.</p>

Greater Bunbury Region Scheme (GBRS)

The GBRS identifies Lot 5002 Portobello Road, Dalyellup as “Urban”. The purpose of the Urban zone is:

“To provide for residential development and associated local employment, recreation and open space, shopping, schools and other community facilities.”

The proposal is consistent with the purpose of the Urban Zone. The proposal is exempt from requiring Development in Activity Centres under the Greater Bunbury Region Scheme.



Item 9 of Schedule 1 of the Instrument of Delegation (gazetted 9 May 2014) exempts development generally in accordance with WAPC endorsed Activity Centre Structure Plans.

State Planning Policy 7.0 Design of the Built Environment (SPP7.0)

SPP 7.0 applies to all development in Western Australia. The purpose of SPP 7.0 is to inform and guide landowners, proponents, designers, reviewers and decision-makers to achieve good design outcomes in the built environment.

SPP 7.0 Design Principles	Comments
<p>Context and character</p> <p><i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i></p>	<p>Satisfied</p> <p>The proposed built form reflects the intent of the LDP. Further design responds to the local area by providing an attractive elevation that addresses Tiffany Centre.</p> <p>The bulk and scale relates the existing development to the north and elevations provide supermarket development to the north;</p> <ul style="list-style-type: none"> The elevation treatments, including selection of materials provide a balance between matching the existing development to the north while providing points of difference and interest.
<p>Landscape quality</p> <p><i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i></p>	<p>Satisfied</p> <p>The landscaping design is of a suitable quality and location for a bulky good showroom development. The landscaping treatments include tree species that provide shade and provide a scale and presence. The built form addresses the local street environment and elevations include architectural features to add interest including extensive:</p> <ul style="list-style-type: none"> Areas of glazing addressing Tiffany Centre and the southern elevation; Use of horizontal and vertical articulations of facades; Use of a mix of materials and colour treatments; Incorporation of signage into the elevations; Inclusion of awnings to provide interest and shade; Inclusion of a portico feature to clearly indicate the entrance and improve legibility.



SPP 7.0 Design Principles	Comments
<p>Built form and scale</p> <p><i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i></p>	<p>Satisfied</p> <p>The built form and scale is in keeping with the existing development to the north and reflects the requirements of LPS8, the DDCODP and LDP.</p> <p>The bulk of the building is broken by awning structures, mix of materials and vertical and horizontal stepping of facades.</p>
<p>Functionality and build quality</p> <p><i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life cycle.</i></p>	<p>Satisfied</p> <p>The building design is functional with clearly legible entrances and way finding from carparking areas and the wider public realm.</p> <p>The building quality is appropriate for the building's function and incorporates durable cladding treatments that add interest to the elevations.</p>
<p>Sustainability</p> <p><i>Good design optimise the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i></p>	<p>Satisfied</p> <p>The design incorporates elements to optimise sustainability of the built environment by:</p> <ul style="list-style-type: none"> • Shade structures in the parking area and awnings to reduce direct light on glazing and provide comfortable pedestrian environments; • Landscaping to incorporate waterwise principles and trees to provide shade;
<p>Amenity</p> <p><i>Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i></p>	<p>Satisfied</p> <p>The proposal provides a suitable level of amenity for users by incorporating:</p> <ul style="list-style-type: none"> • Bike facilities; • Awnings over pedestrian paths;
<p>Legibility</p> <p><i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i></p>	<p>Satisfied</p> <p>The layout of the building has good legibility, enforced by the main entrances, re-reinforced by clearly articulated architectural features denoting this function.</p> <p>The carparking layout is legible and simple in design, framing the building footprint.</p>
<p>Safety</p> <p><i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i></p>	<p>Satisfied</p> <p>The design includes features that maximise safety and security by including:</p> <ul style="list-style-type: none"> • Glazed facades to maximise interaction and passive surveillance opportunities; • Secure enclosures of utility and servicing areas with good sight lines and separated from the main pedestrian trafficable areas; • Integrating with the existing pedestrian network.
<p>SPP 7.0 Design Principles</p>	<p>Comments</p>



<p>Community</p> <p><i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i></p>	<p>Satisfied</p> <p>The design responds to local community needs by:</p> <ul style="list-style-type: none"> • Providing a new range of bulky goods not available • Being easily accessed by pedestrians and convenient carparking areas and vehicular access.
<p>Aesthetics</p> <p><i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i></p>	<p>Satisfied</p> <p>The design includes suitable elements to create an attractive and engaging plan by:</p> <ul style="list-style-type: none"> • Consideration of site context with its orientation and engagement with Tiffany Centre; • Selection of materials and finishes and inclusion of architectural features to add interest to the public realm and encourage activity.

Local Planning Policy 6.1 Vehicle Parking

Car parking requirements and proposed provision are detailed in the table below.

LPP standards	Required parking bays	Proposed parking bays
Bulky Goods Showroom	1 bay per 50m ² NLA Proposed NLA 868m ² + 321m ² = 1189m ² . (24 bays)	
Service Vehicles	1 bay per 1000m ² fa (2 bays)	
Subtotal car parking	26 bays	Complies 33 bays (surplus 6)
Bicycle Parking		
Bulky Goods Showroom bicycle spaces	1 space per 750m ² 1189m ² NLA proposed (2 spaces required)	Complies 4 spaces (surplus 2)

It is noted that the additional bays provide an opportunity for alternative uses to be considered in the tenancies that may require higher carparking provisions.

Local Planning Policy 6.11 Signage and Advertising (LPP 6.11)

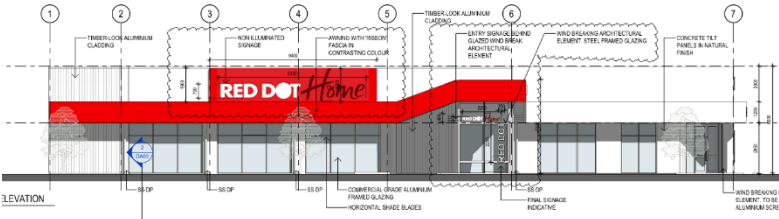
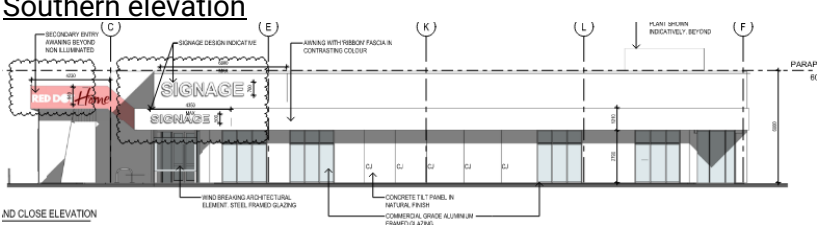
The following provides an assessment of signage against LPP 6.11. The proposal has two types of signs: wall sign and awning sign.



The assessment of the signs is detailed below.

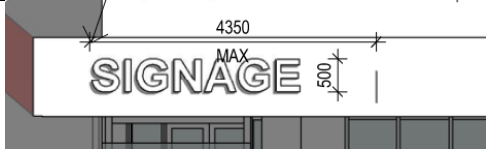
Wall Sign

Wall signs are listed as a “P” permissibility. This means that the sign is permitted if it complies with the relevant development standards and requirements of the Scheme. The following table provides an assessment of the signs against the criteria of LPP 6.11.

Requirements	Comments
A wall sign is to only display the name, logo or slogan of the business premises to which the sign is applied	Complies
The maximum single face area is 45m ² and must not extend beyond 12.0m above the ground	<p><u>Tiffany Centre Elevation</u> Height of sign below 6m</p>  <p>3 signs in total: 1900mm x 9400mm = 17.86m² 490mm x 2200mm = 1.08m² 2250mm x 350mm = 0.79m² Total = 19.73m²</p> <p>Complies</p> <p><u>Southern elevation</u></p>  <p>2 signs in total: Height below 6m 6800mm x 700mm = 4.76m² 940mm x 4230mm = 4.47m² Total = 9.23m²</p> <p>Complies</p>
Must not project more than 300mm from the wall and/or fascia to which it is affixed	Complies
Must not project beyond the edges of a wall and/or fascia	Complies
A wall sign, which extends above a wall, may be considered as a roof sign.	note

Awning Sign

Wall signs are listed as a “P” permissibility. This means that the sign is permitted if it complies with the relevant development standards and requirements of the Scheme. The following table provides an assessment of the signs against the criteria of LPP 6.11.

Requirements	Comments
Is a single faced sign	 <p>Complies</p>
Must not extend more than 600mm above the fascia to which it is attached.	<p>Height of sign below 6m</p> <p>2 signs in total: 1900mm x 9400mm = 17.86m² 490mm x 2200mm = 1.08m² Total = 18.95m²</p> <p>Complies</p> <p><u>Southern elevation</u> Height below 6m 6800mm x 700mm = 4.76m²</p> <p>Complies</p>
Must have a minimum clearance of 2.75m between the lowest part of the sign and footpath pavement	<p>2.79m</p> <p>Complies</p>
A maximum of one sign per tenancy/occupant of a building, or a maximum of two signs for tenancies/occupancies with a primary and secondary frontage.	<p>1 sign on elevation</p> <p>Complies</p>

Local Planning Policy 6.8 Urban Landscaping

The purpose of this policy is to:

- Provide guidelines for the sustainable landscaping and maintenance of public spaces and development sites
- Provide for the community's needs by ensuring that public spaces are functional, accessible, healthy and safe for the intended purpose.
- Increase canopy cover
- Retain existing native vegetation for its environmental, landscape amenity and cultural heritage values
- Use indigenous species in the landscape to reflect a sense of place and enhance ecological outcomes.



Table 1 of the policy provides requirements for the Service Commercial zone. The table below assesses the requirements.

Table 1	
Requirements	Comments
Planting beds adjacent to showrooms, windows, doors and car parks should be designed to deter loitering and enhance surveillance by using trees with clean stemmed trunks planted in association with shrubs and ground covers not exceeding 1.0 metre in height.	The trees are proposed with clean stemmed trunks and groundcovers proposed will not exceed 1.0m. Complies
In relation to uncovered car parking areas in non-residential developments, standard trees that provide shade cover are to be provided at a minimum rate of 1 tree per 4 bays	Trees are proposed to a minimum rate of 1 tree per 4 bays Complies
All new trees on the site and on the street-verge are to be planted and watered (via reticulation or other similar method) for the first two summers by the landowner or developer, to the satisfaction of the Shire of Capel.	A condition on approval can ensure compliance with this requirement. Complies

The proposed development form presents a suitable built form outcome for the subject land. The design provides two active frontages to address the public realm. Servicing and access align with the established planning framework contained in the DDCODP and LDP5 and will result in improved streetscape presentation fronting Tiffany Centre.

The proposed land use aligns with the intentions of the established planning framework for the site and will add to the diversity of businesses operating within the Dalyellup District Centre.

The applicant has been afforded an opportunity to review recommended conditions and raised no objections.

Summary

The proposal is for a Bulky Goods Showroom development providing space for two tenancies.

The design includes active frontages addressing the western and southern sides of the property and screens servicing areas located at the rear (eastern boundary).

The proposed use is listed as a Discretionary use under LPS8 and is considered appropriate for this locality and will compliment and add to the range of services available in the Dalyellup District Centre.

Voting Requirements

Simple Majority



Officer's Recommendation – 14.8.

OC/2024/70 - Officer's Recommendation / Council Decision - 14.8

Moved Cr Schiano, Seconded Cr Terrantroy.

That Council in accordance with Clause 68(2)(b) in Schedule 2, Part 9 of the Deemed Provisions of local planning schemes, Planning and Development (Local Planning Schemes) Regulations 2015, grants development approval "Bulky Good Showroom" at Lot 2002 Tiffany Centre, Dalyellup, subject to condition(s).

Conditions

- 1. All development being in accordance with the Approved Development Plan(s) Attachment**
- 2. The development shall be substantially commenced within two (2) years of the date of this decision. Should the development not be substantially commenced within this time, the approval shall lapse and be of no further effect.**
- 3. Prior to the commencement of development, a Stormwater Management Plan shall be submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved plan to the satisfaction of the Shire of Capel.**
- 4. Prior to the commencement of development, a site plan showing finished ground levels, pavement levels and finished floor levels shall be submitted for assessment and approval by the Shire of Capel.**
- 5. Prior to the commencement of development, a detailed Engineering design for the car parking, maneuvering areas and drainage thereof being submitted for approval of the Shire of Capel, and thereafter implemented in accordance with the approved design to the satisfaction of the Shire of Capel.**
- 6. Prior to commencement of development, a detailed lighting plan of the access way(s), parking area(s), and turning area(s) must be submitted and approved by the Shire of Capel. The lighting is to be designed, baffled and located to prevent any increase in light spill onto the adjoining properties.**
- 7. Prior to the commencement of development, details are to be submitted regarding the provision of a waste collection area onsite, and screened from public view, for the approval of the Shire of Capel and to be implemented thereafter to the specification and satisfaction of the Shire.**
- 7. Prior to the commencement of development, details are to be submitted regarding the provision for onsite storage and collection of garbage and other solid waste. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Shire of Capel.**
- 8. Prior to the occupation of the development, a waste management plan shall be submitted to the Shire of Capel for approval. The plan shall include:**
 - a. Details of collection times and methods;**

- b. A noise management plan detailing measures that will be undertaken to ensure noise levels are kept within levels prescribed in the Environmental Protection (Noise) Regulations 1997 for any waste proposed to be collected between the hours of 7pm to 7am; and
- c. Appropriate traffic management measures to mitigate conflicts between private vehicles and waste collection vehicles.

The plan shall be implemented and adhered to throughout the life of the development to the satisfaction of the Shire of Capel.

9. Prior to the commencement of the development, a landscaping plan must be submitted for approval by the Shire of Capel. The landscape plan must address the following:
 - a. A site plan of existing and proposed development with natural and finished ground levels.
 - b. The location, species and size of existing vegetation and vegetation to be removed.
 - c. Exact species, location and number of proposed plants to be planted.
 - d. A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.
 - e. Mulching or similar treatments of garden beds including edges.
 - f. Details of reticulation of landscaped areas including the source of the water supply and proposed responsibility for maintenance.
 - g. Treatment of paved areas (parking and pedestrian areas).
 - h. Screening of car parking areas.
 - i. Fence material, height and treatment.

Before the development is occupied, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed landscape plan(s). These areas must be maintained as landscaped areas at all times and to the satisfaction of the Shire of Capel.

10. Prior to occupation, the property shall be connected to reticulated sewage.
11. The dimensions of the signs shall be in accordance with the attached approved sign plan.
12. The signage shall not emit a flashing or moving light or radio signal, nor contain animation or movement in its design or structure.

Advice Notes:

Note 1: If the development, the subject of this approval, is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

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

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



Note 4: The development that is the subject of this planning approval must comply with the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997 in relation to noise emissions.

Note 5: In relation to Condition 3, the Stormwater Management Plan is to detail the following:

- a. Catchments, flow paths, water quality improvement measures, area calculations and design criteria demonstrating that all stormwater from a 1-year ARI (up to 10mm) can be retained on site and infiltrated.
- b. Overflows from soak wells and/ or rain gardens are to enter the road pipe network by a direct piped lot connection with a capacity for a 10-year ARI.
- c. Events beyond a 10-year ARI are to be directed to the road by overland flow.
- d. Mosquito breeding control measures where stormwater infrastructure is likely to result in standing water that will provide breeding habitat.

Note 6: In relation to Condition 5, any removal of existing paths and road infrastructure will need to be reinstated and rectified to the satisfaction of the Shire. subject land.

Note 7. All car parking dimensions, maneuvering areas, crossovers and driveways shall accord with Australian Standard AS2890.1 (as amended).

Carried 8 / 0

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

Against - Nil



14.9. Excision and Widening of Road Reserve for Bussell Highway - Harewoods Road Roundabout

Author	Director Infrastructure Development, Tanya Gillett
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Legislative
Attachments	1. Shire Capel Reserve 23000 Harewoods Roundabout - Concept Plans [14.9.1 - 3 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Approve the acquisition of a portion of land from Class A Reserve 23000 for the purpose of road reserve for the future construction of a roundabout at the Harewoods Road, Bussell Highway intersection.

Officer's Recommendation

That Council:

1. Approves the excision of the land shown on Main Roads drawing 202302-0041 from Lot 303 on Deposited Plan 37386, held in Certificate of Crown Land Title Volume 3128 Folio 999, being portion of Class A Reserve 23000; and
2. Supports the excised land to be included in the Bussell Highway road reserve and placed under the Commissioner of Main Roads' control.
3. Authorises the Chief Executive Officer to continue negotiations with Main Roads WA to seek to address Shire concerns regarding the proposed roundabout design and minimise the impacts on Class A Reserve 23000 where possible.

Background

Main Roads WA requests approval from the Shire from time to time where adjustments, excisions or acquisitions of land are required to amend or extend the road network. These requests generally form part of an area that is owned by the Shire, is a Shire road reserve or is an area under the care and control of the Shire via a Crown Management Order and thus requires Council approval to proceed with any development for road purposes.

Main Roads WA is progressing the development of the construction of a roundabout at the intersection of Bussell Highway and Harewoods Road and requires Council endorsement to excise and widen the intersection / road reserve utilising land within a portion of Class A Reserve 23000, Lot 303 on Deposited Plan 37386 to forward plan for this development.

Main Roads has advised that there have been a significant number of incidents at the intersection of Bussell Highway and Harewoods Road with a total of 42 accidents reported in the 20-year period between January 2002 and December 2021 including 8 serious injuries requiring hospitalisation.



Further, traffic volumes have continued to increase on Bussell Highway and Harewoods Road and with a significant area of land still to be developed to the south of Harewoods Road and within the Dalyellup beach stages, the volume of traffic continuing to utilise this intersection will increase further.

Previous Council Decisions

September 2017 - Council endorsed a similar road dedication (OC0909) Support for Dedication - Intersection of Bussell Highway and Tuart Drive.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

1.1 A more engaged community

1.4 A safe and prepared community

Direction 2 - Manage and protect our environment

2.1 Improved management of our natural environment assets and attractions

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

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

Direction 5 - Provide and maintain suitable infrastructure and facilities

5.2 Improved transport options

5.3 Better and safer roads

Corporate Business Plan 2023-2027

- ETS 5 - **Oversee Statutory administration of relevant Acts for roads** - Road Closures, Assess and Audit Traffic Management Plans, Works by Others, Alterations to speed zoning, Road naming, Etc.
- ETS 10 - **Other Agency Referrals** - Review and respond to requests for information related to other State and Federal agencies e.g. PTA bus stops, BORR
- SENV 28 - **Engage with Community to facilitate better environmental management** - Oversee works in bushland reserves by 'Friends of' groups, volunteers and external agencies (e.g. Department of Justice, Biosecurity groups etc.)

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Land Administration Act 1997

Land Information Authority (Landgate) Act 2006.



Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Risk Management Framework

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Low	Rare	Moderate	Ensure all requirements of land acquisition and excision meet legislative requirements, particularly concerning an A Class Reserve.
Risk Description: Breach of legislation and compliance requirements that may result in legal action or financial penalties.			
Risk 2 Environmental Rating: High	Possible	Major	Ensure all options are investigated to ensure the least impact possible on natural vegetation, particularly concerning an A Class Reserve.
Risk Description: Harm to natural vegetation within a Class A Reserve			
Opportunity: Prior planning occurring in a considered and legislatively compliant way to provide the best possible outcomes for the environment and future transport and traffic flow for the local community and visitors to the Shire of Capel.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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

Sustainability Implications

Climate Change and Environmental

Discussions concerning the environmental impacts of the proposed road reserve on the adjacent natural asset Class A Reserve 23000 are discussed below within the Officer’s Comment.



Social

The Shire places great importance on planning for the future road network meeting the needs of the community in local residential areas and has assessed this proposal with respect to the proposed future urban growth in the locality and the resultant increase in traffic volumes anticipated within the area.

Economic

There are no relevant economic implications relevant to this item.

Asset

Discussions concerning the impacts of the proposed road reserve on the adjacent natural asset Class A Reserve 23000 are discussed below within the Officer's Comment.

Consultation/Engagement

External Consultation

This referral is based on consultation between Main Roads WA and the Shire of Capel and the future planning of the road network to ensure connection and traffic flow between subdivisions east and west of Bussell Highway.

Internal Consultation

Internal consultation was undertaken by the Director of Infrastructure and Development, Projects, Engineering and Asset Team, Natural Resource Management Officer and Governance Team to ensure that all environmental and asset impacts are considered.

Officer Comment

Considerable consultation has occurred between Shire Officers and Main Roads WA around two elements of the proposed plans delaying bringing this item to Council since April 2023:

1. The inclusion of dedicated pedestrian and cycling pathways within the proposal: and
 2. The reduction in the loss of vegetation from the A Class Reserve.
1. Pedestrian and Cycling Pathways – Main Roads WA have advised that the design does include the provision for cyclists to navigate the roundabout through the provision of separate pathways with crossing points but does not make provision for footpaths to be included where there are none existing, this remains the responsibility of the local government.

This is noted, and the Shire will commit to addressing this issue further during the detailed design phase leading up to the time of planned construction. The Shire is including these future provisions within our own plans to ensure connections will occur when required at a future date.

2. Main Roads WA was first requested by Shire Officers to move the roundabout further east of the proposed location to reduce vegetation loss on the western side of the road and encroachment into the adjacent A Class Reserve.



After much discussion and consultation between the parties, Main Roads WA finally advised they reviewed their plans and determined the following:

- a. There will be no reduction in the land required from the A Class reserve by moving the roundabout eastwards as the southbound approach needs to remain in the proposed location due to the geometry of the land;
- b. The design principles behind the geometry of the approach have been proven to slow vehicles down and reduce the occurrence of crashes within a roundabout;
- c. Main Roads have already designed the roundabout to minimise the amount of land required from the A Class Reserve; and
- d. Main Roads is required to design a safe road network for the road user within the site's constraints.

Shire Officers have noted and acknowledged this process, taking approximately one year of consultation and negotiation. Notwithstanding the above, it is noted that the southbound through lane is an additional feature that is not consistently applied at similar intersections and should not be considered absolutely necessary. Removal of this through lane would enable the roundabout to be designed wholly within the existing road reserve. It should also be noted that whilst Main Roads is required to design a safe road network for road users, where possible, road design should ensure road users are no worse off as a result. The proposed design prevents the existing vehicle movement from Harewoods Road to Crowd Road requiring road users to detour via Norton Promenade, Hasties Road and Yalinda Drive creating a detour of approximately 8km.

Construction of a roundabout in this location that allows the continual flow of traffic is critical and Main Roads have considered alternatives, relocation and redesign. Due to the level differences / grade separation across the land and the geometry required for a safe intersection, the proposed required excision is recommended to the Council for approval.

Main Roads has prepared a conceptual roundabout design for the purposes of defining the land acquisition required from the adjacent A Class Reserve to commence the lengthy excision process. This is the preferred option over a signalled intersection for the treatment of this due to it being a high traffic volume road. However, as per the recommendation, the final roundabout design should seek to satisfy the needs of Main Roads WA and the Shire.

The concept design of the roundabout proposed at this location has had to address the challenging topography of the site, the significant level difference between the northbound and southbound carriageways, with consideration also given to the traffic movements through the intersection to maintain traffic efficiency; notably this is only in a southbound direction and not a feature common to all recent Main Roads WA roundabout designs. It also allows for a left turn slip lane exiting Harewoods Road northbound onto Bussell Highway to assist with the merging of considerable traffic existing on this road.

Reserve 23000 is set aside for the purpose of 'Travellers Stopping Place and Caravan Park' and is a Class A Reserve with a management order granted in favour of the Shire. The land requirement for the works is shown on the attached plan. Main Roads will also continue to undertake the necessary environmental investigations to progress the approvals required prior to construction.

Noting the comments above, it is recommended that the Shire seek to continue to work proactively with Main Roads WA to finalise an optimal design solution that delivers the benefits that both Main Roads WA and the Shire are seeking.



Summary

After significant consultation with Main Roads WA, particularly on elements such as preservation of existing vegetation within the A Class Reserve and the provision of pedestrian and cycling pathways through the design, Council is recommended to approve the proposed excision and acquisition of a portion of the A Class Reserve 23000 for the purpose of road reserve required for the building of a future roundabout at the intersection of Harewoods Road and Bussell Highway.

Voting Requirements

Simple Majority

Officer's Recommendation – 14.9.

OC/2024/71 - Officer's Recommendation / Council Decision - 14.9

Moved Cr Fergusson, Seconded Cr Schiano.

That Council:

- 1. Approves the excision of the land shown on Main Roads drawing 202302-0041 from Lot 303 on Deposited Plan 37386, held in Certificate of Crown Land Title Volume 3128 Folio 999, being portion of Class A Reserve 23000; and**
- 2. Supports the excised land to be included in the Bussell Highway road reserve and placed under the Commissioner of Main Roads' control.**
- 3. Authorises the Chief Executive Officer to continue negotiations with Main Roads WA to seek to address Shire concerns regarding the proposed roundabout design and minimise the impacts on Class A Reserve 23000 where possible.**

Carried 8 / 0

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

Against - Nil



14.10. Endorsement of Waste Strategy 2024-2034

Author	Director Infrastructure Development, Tanya Gillett
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic
Attachments	Nil
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the 'Waste Strategy 2024-2034' replacing the existing 'Review of Waste Management Services – Nov 2014.'

Officer's Recommendation

That Council:

1. Endorse the Waste Strategy 2024-2034 as per Attachment 14.10.1; and
2. Approve the Waste Strategy Action Plan contained within the Waste Strategy 2024-2034, for planned implementation and detailed inclusion in future Corporate Business Planning.

Background

Previous Council Decisions

- Council endorsed (3 December 2014) the 'Review of Waste Management Services - Nov 2014' (OC1219). This provided a Waste Strategy for implementation that contained the following recommendations:
 1. *Revise the structure of waste services charges on rates notices to combine the existing Refuse Removal, Annual Refuse Site Charge, Green Waste and Hard Waste Collection into one Annual Waste Service Charge for either the three bin service or the two bin service.*
 2. *Maintain in 2015/16 the current combined fees for 3 bin and 2 bin kerbside collection services at \$349 and \$272 respectively, which incorporates the kerbside wheely bin collection service, green waste and hard waste verge collections, and Annual Refuse Site Charge. The combined fees for the 3 bin and 2 bin kerbside collection services be reassessed for the 2016/17 period to determine if increasing costs justify a fee increase.*
 3. *In 2015/16 reduce the charge for an additional general waste bin for 3 bin properties to \$66.*
 4. *In 2015/16 increase the charge for an additional general waste collection service (nappy service) for 3 bin properties \$66.*



5. Survey residents in designated areas to determine whether the Green Waste and Hard Waste Verge Collection services be retained in their area, with the view that the Green Waste Verge Collection Service will be discontinued in 2015/16 where a 3rd bin service is provided.
6. Take various steps to reduce costs of operating the WTS including:
 - a. Reduce opening hours from 9.30am-5pm to 10-4pm, but still open 5 days/week
 - b. Re-tender the collection of most wastes and as part of this optimize bin sizes for different wastes
 - c. Provide residents who pay the new Annual Waste Service Charge with an annual tip pass which provides them with two free drop offs of a trailer load of general waste and two free drop offs of certain quantities of recyclable wastes that attract a disposal fee (e.g. trailer load of green waste, trailer load of rubble, trailer load of wood, non-degassed fridge, tube TV, etc)
 - d. Continue the Household Hazardous Waste service but reduce costs through the following combined actions:
 - i. introduce fees to offset the disposal costs, and
 - ii. take steps to divert low toxicity water based paint away from HHW collection.
 - e. Continue the E-waste service but reduce costs through the following combined actions:
 - i. introduce fees to offset the disposal costs of some items, and
 - ii. redirect some e-waste with low recycling value and low toxicity to general waste or scrap metal.
 - f. Other minor measures as identified in section 6.6.3.
7. Offer for public sale the unconstructed steel frame shed and waste compactor located at the Capel Waste Transfer Station. Seek Expressions of Interest for the dismantling and removal of the constructed (ex-Pound) shed at the Capel Waste Transfer Station
8. Increase existing fees and introduce new fees for residents to drop off certain wastes at the WTS, as set out in Attachment 1.
9. Take steps to ensure the WTS meets DER license requirements.

Almost all of these recommendations have been implemented within the last decade and provides a baseline to build a new Waste Strategy for the next 10 years, forming the basis of the Waste Strategy report now presented to Council for endorsement.

- Council endorsed (OC/2023/181 - 27 September 2023) the CEO Performance Agreement FY 2023-24. Council identified the development of a Waste Services Review as a Key Focus Area to be presented to Council by the April OCM 2024. The Waste Strategy 2024-2034 is now presented for endorsement meeting the requirements of this key focus area.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

1.2 A capable community that drives community activation and participation

Direction 2 - Manage and protect our environment

2.3 A Shire committed to sustainable practices

2.6 Increased opportunities for better waste management and reduction



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

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

4.5 Improved customer engagement

Direction 5 - Provide and maintain suitable infrastructure and facilities

5.1 Appropriate community facilities, that meet the communities' needs

Corporate Business Plan 2023-2027

- OPS 9 - **Waste Education** - Waste Education Program to Reduce Contamination
- OPS 22 - **Waste Transfer Station Operations** - Transfer of waste streams, Managing WTS staff, Managing WTS site
- OPS 23 - **Waste Service Administration** - Designing/Organising Tip passes and Bin calendars and promotional resources. Disposal of Household Hazardous Waste. Organising annual verge side collection of hard and green waste. Designing/Organising Tip passes and Bin calendars. Organising Bin Repairs and Replacements. Annual compliance reporting and testing of bores at capped landfill site. Annual Compliance Reporting and collation of statistical requirements. Contribution to the Southwest Waste Network- Inspections and audits of waste services and resolution of non-compliances. Customer service.
- OPS 24 - **Waste Sustainability** - Annual monitoring and reporting of water bores and water usage. Contribution to the Southwest Waste Network
- SENV 8 - **Waste Services Review** - Undertake a comprehensive review of Waste Services (service levels, frequency, delivery method, usage) and Financials (costs, fees and levies, cost recovery principles) to inform future decision making.

Statutory Framework

Local Framework

Shire of Capel Waste Local Law 2016

State Framework

Waste Avoidance and Resource Recovery Act 2007

Waste Avoidance and Resource Recovery Strategy 2030 (State Waste Strategy)

Waste Avoidance and Resource Recovery Amendment (Container Deposit) Act 2019

Waste Avoidance and Resource Recovery Action Plan 2030

Waste Avoidance and Resource Recovery Levy Act 2007

Department of Water and Environmental Regulation Western Australia's Plan for Plastics 2020

Federal Framework

Environmental Protection and Biodiversity Conservation Act 1999

National Waste Policy – Less Waste, More Resources 2018

Recycling and Waste Reduction Act 2020



Policy Framework

The following Shire Policies apply:

- Legislative Compliance
- Purchasing
- Risk Management Framework

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Environmental Rating: High	Likely	Major	Effective waste recovery and recycling measures available as a waste service to the community to reduce waste being disposed to landfill.
Risk Description: Unable to maximise the reduction of waste to landfill			
Risk 2 Financial Rating: High	Likely	Major	Introduction of a Waste Strategy to understand how the Shire can maximise waste diversion from landfill, reduce costs and anticipate market and legislative changes within government and the waste industry.
Risk Description: Increases in planned and unplanned waste service delivery costs not being considered within future Shire budgets and cost increases resulting from high levels of waste being disposed into landfill.			
Risk 3 Legislative Compliance Rating: High	Almost Certain	Moderate	Ensure processes and procedures are in place to meet legislative compliance and DWER licensing requirements.
Risk Description: Lack of waste processes and procedure improvements resulting in Shire non-compliance with legislative requirements within the delivery of the waste service and the operation of the Waste Transfer Station.			
Opportunity: Modern, cost effective, compliant efficient and modern waste services that maximise the diversion of waste from landfill and the recovery/recycling/reuse of material while ensuring the compliance and engagement of the community.			

Financial Implications

Budget

The financial implications relevant to this proposal are dependent on which Waste Strategy recommendations are chosen to be implemented and when, with these being considered as required within the Shire’s annual budget deliberations and Schedule of Fees and Charges. Additionally, some recommendations inform others and will need to be completed, before commencing subsequent initiatives.

Long Term



The long-term financial implications relevant to this proposal are dependent on which Waste Strategy recommendations are chosen to be implemented and when, with these being considered as required within the Shire's annual budget deliberations and program of works as required in the corresponding financial year.

Any capital works identified for implementation will be considered for inclusion within the Long Term Financial Plan following the Shire's existing financial processes.

Sustainability Implications

Climate Change and Environmental

The diversion of waste from landfill and the impacts this has on the reduction of environmental impacts, such as land degradation, potential groundwater contamination and production of gases, is well understood. It remains essential that the Shire with the community removes all waste possible from landfill to reduce these impacts into the future and contributing to the emerging waste based circular economy.

Social

Engagement of the community through waste education ensuring the separation of waste at source, correct disposal and understanding of how recycled material helps the environment, is required to ensure the Shire is improving percentage waste recovery.

Economic

The cost of providing a waste service continues to grow with market and cost of living pressures affecting communities and businesses alike. It is challenging for the Shire to continue to provide a well-received and sustainable waste service while minimising the costs to ratepayers and ensuring compliance with all relevant legislation.

Asset

Waste Transfer Station improvements will be required over the life of the Waste Strategy and will be considered during the Shire's existing financial processes for inclusion within the Long Term Financial Plan.

A Master Plan of the Waste Transfer Station site in compliance with a required variation to the DWER License and a dedicated Asset Management Plan for the site will be required to plan for the population growth and increased waste projections over the life of the Waste Strategy, to ensure the site remains compliant with all relevant State legislation.

Consultation/Engagement

External Consultation

The consultants Talis were informed by the Shire's stakeholders, Bunbury Harvey Regional Council and Cleanaway as part of the research to produce this Waste Strategy.



Internal Consultation

Shire Executive and Acting Manager Operations

Officer Comment

The Council is requested to endorse the attached Waste Strategy and approve the implementation of the Waste Strategy Action Plan within.

The scope for delivering this Waste Strategy included the following elements:

1. Waste Management Overview as it applies to the Shire of Capel, Southwest Region and Western Australia including but not limited to:
 - a. Analysis of current waste management practices.
 - b. Implementation strategies for waste reduction, recycling and disposal for all areas of interest below.
 - c. Education and outreach programs for residents and businesses.
 - d. Monitoring and reporting mechanisms for evaluating effectiveness.
 - e. Waste Transfer Station.
 - f. Compliance with environmental regulations and sustainability goals.
 - g. Expenditure and revenue.
 - h. Budgeting and financial planning for waste management initiatives.
 - i. Known and predicted changes to waste management markets (local, Australian and international) over the short, medium and long term.
 - j. Identification of future constraints to the provision of waste management at the Shire of Capel.
 - k. Collaboration with local, regional and state stakeholders and community engagement efforts.
 - l. Innovation and technology integration and options for efficient and improved waste management solutions.
 - m. Recommendations from the above areas for all areas of interest in part 3 below.
2. With respect to part 1 above, review the current Shire of Capel Waste Strategy 2014:
 - a. Identify what recommendations have been implemented.
 - b. From the recommendations implemented, have they been successful.
 - c. Identify what recommendations have not been implemented and why.
 - d. Have any of the implemented recommendations now changed and why.
 - e. How has the Waste Service environment changed since 2014.
 - f. What are the current costs of the Strategy and how are these likely to change in the future.
3. The areas of interest to be included in all parts of this scope include but are not limited to the following:
 - a. Collection, processing and disposal of waste.
 - b. General waste.
 - c. Recycling – all types of plastics.
 - d. FOGO.
 - e. Commercial waste.
 - f. Green waste – verge collections and Waste Transfer Station.
 - g. Hard waste - verge collections and Waste Transfer Station.
 - h. Composting.
 - i. Construction waste.



- j. Other waste streams – hazardous household waste, e-waste, mattresses, batteries, whitegoods, oil, vehicles and boats, tyres, wood, cardboard, scrap metal, glass, emerging waste issues such as PV panels, etc.
- k. Comingled opportunities.
- l. Education improvements.
- m. Cost effectiveness – financial management and preparation for the future.
- n. Fees, charges and rates.
- o. Opportunities and initiatives that may become available to the Shire of Capel – short, medium and long term, either as host or partner.
- p. Capel Waste Transfer Station.

This shows the comprehensive elements that are considered within the resulting strategy providing a document that Shire Officers can recommend to the Council for delivery over the next 10 years.

This Waste Strategy prepares the Shire for the increase in waste production as a result of predicted population growth and provides recommendations as a Waste Strategy Action Plan that will assist the Shire to remain compliant with legislation while meeting the service delivery needs of the community.

The resultant Waste Strategy Action Plan is broken down into 24 recommended actions over 5 key areas of:

1. Waste Data
2. Waste Services
3. Waste Infrastructure
4. Behaviour Change Initiatives
5. Administration

The Waste Strategy Action Plan also provides a series of defined short, medium and long term timeframes for the implementation of each recommended action within the next decade.

Summary

Council is presented with the Shire of Capel Waste Strategy 2024-2034 for endorsement and approval of the Waste Strategy Action Plan within for planned implementation over the life of the Strategy.

Voting Requirements

Simple Majority



Officer's Recommendation – 14.10.

OC/2024/72 - Officer's Recommendation / Council Decision - 14.10

Moved Cr Fergusson, Seconded Cr Dillon.

That Council:

- 1. Endorse the Waste Strategy 2024-2034 as per Attachment 14.10.1; and**
- 2. Approve the Waste Strategy Action Plan contained within the Waste Strategy 2024-2034, for planned implementation and detailed inclusion in future Corporate Business Planning.**

Carried 8 / 0

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

Against - Nil



15. Community and Corporate Reports

15.1. Accounts Paid During the Month of March 2024

Author	Finance Officer, Susan Searle
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Executive/Strategic
Attachments	1. Ampol [15.1.1 - 7 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

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

Officer's Recommendation

That in accordance with Regulation 13(11) of the *Local Government (Financial Management) Regulations 1996*, the list of payments made under delegated authority for the month of March 2024 be received by the Council and recorded in the minutes of the Council, the summary of which follows:

- 1 The Schedule of Accounts covering EFT45037 to EFT45318, CHQ50804 to CHQ50812 equated to \$2,141,050.56 during the month of March 2024.
- 2 Payroll payments for the month March 2024, equated to \$519,040.92.
- 3 Transfers to and from investments as listed.

Background

Accounts paid are required to be submitted for the review of Council each month.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

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

Corporate Business Plan 2023-2027

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

FIN 18 – **Debtor and Creditor Management** - Manage debtors and creditors to maintain optimum cash flow.



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995, section 6.10

6.10. Financial management regulations

1. The general management of, and the authorisation of payments out of-
the municipal fund; and
the trust fund of a local government.

Local Government (Financial Management) Regulations 1996, regulation 13, 1 & 2

13. List of accounts

1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared-
 - a. the payee's name.
 - b. the amount of the payment.
 - c. the date of the payment; and
 - d. sufficient information to identify the transactions.
 - e.
2. A list of accounts for approval to be paid is to be prepared each month showing-
 - a. For each account which requires council authorisation in that month-
 1. The payee's name.
 2. The amount of the payment; and
 3. sufficient information to identify the transaction;
 4. and
 - b. the date of the meeting of the council to which the list is to be presented.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Financial Reports.
- Legislative Compliance.
- Purchasing.



Implications

Risk Implications

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

Financial Implications

Budget

Creditor payments are made from the Council’s Municipal Fund.

Long Term

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

Sustainability Implications

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

Consultation/Engagement

External Consultation

There is no external consultation required.

Internal Consultation

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



Officer's Comment

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

EFT45037	01/03/2024	BENDIGO BANK BUSINESS CREDIT CARD	FEBRUARY 2024 CREDIT CARD TRANSACTIONS: 4.2.2024 - AP CAPEL LPO - \$167.85 AUSTRALIA POST GIFT VOUCHERS FOR WASTE SURVEY- CARD 253 CEO 4.2.2024 - AMAZON - \$12.03 - CYBERSECURITY TESTING - CARD 442 MFIN 5.2.2024 - ATLISSIAN - \$149.15 -INCREASE IN HELPDESK LIMIT - CARD 442 MFIN 5.2.2024 -\$4.47 - INTERNATIONAL TRANSACTION FEE FOR ABOVE 6.2.2024 - OK ALONE - \$449.65 - LONE WORKER APP - CARD 442 MFIN 6.2.2024 - \$13.49 - INTERNATIONAL TRANSACTION FEE FOR ABOVE 8.2.2024 - TICKETS DATA COUNT - \$10 - WORKSHOP - CARD 261 DCC 8.2.2024 - CLEAN UP AUST DAY - \$55.75 - EXTRA BAGS REQUIRED - CARD 442 MFIN 8.2.2024 - CLEAN UP AUST DAY - \$242.00 REGISTRATION - CARD 442 MFIN 21.2.2024 - SPINE AND SPORTS PHYS - \$64.95 - WORKERS COMP REQUIREMENT - CARD 261 DCC 22.2.2024 - WITHDRAWAL - \$150.00 - ACCIDENTAL - CARD 253 CEO 22.2.2204 - CASH ADVANCE FEE - \$4.50 -	3,452.04
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MINUTES - Ordinary Council Meeting - 24 April 2024

			FOR ABOVE TRANSACTION 27.2.2024 - E-BANKING TRANSFER - \$154.50 - TO CORRECT CASH WITHDRAWAL AND FEE ABOVE 28.2.2024 - CARD FEE X 4 - \$16.00 29.2.2024 - OZ GROOMING - \$2,266.41 - ADDITIONAL CAT CAGES - CARD 442 MFIN 29.2.2024 - INTEREST - CASH ADVANCE - \$0.29	
EFT45038	01/03/2024	WESTERN AUSTRALIAN TREASURY CORPORATION	REPAYMENT OF LOAN 65	16,593.81
EFT45039	01/03/2024	DE LAGE LANDEN PTY LIMITED	GROUNDMASTER MOWER LEASE	1,051.27
EFT45040	01/03/2024	IINET	DALYELLUP LIBRARY MONTHLY INTERNET	119.94
EFT45041	01/03/2024	WESTNET PTY LTD	CAPEL SHIRE AND LIBRARY MONTHLY INTERNET	189.12
EFT45042	07/03/2024	AMPAC DEBT RECOVERY	DEBT RECOVERY GPC FILING COSTS	11,377.02
EFT45043	07/03/2024	ALINTA ENERGY	GAS CONSUMPTION	28.55
EFT45044	07/03/2024	APV VALUERS & ASSET MANAGEMENT	ANNUAL SUBSCRIPTION AND IMPLEMENTATION WORKSHOP	13,750.00
EFT45045	07/03/2024	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS/CONTRIBU TIONS	112.00



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EFT45046	07/03/2024	BUNBURY MOWER SERVICE	REPAIRS AND PARTS FOR CHAINSAWS	708.50
EFT45047	07/03/2024	CONSTRUCTION TRAINING FUND	FEB 2024 BCITF REMITTANCE	745.03
EFT45048	07/03/2024	BUNBURY CITY GLASS	REPLACE 2 CRACKED WINDOW PANES CAPEL CHILDRENS CENTRE	424.35
EFT45049	07/03/2024	BATTERY WORLD BUNBURY	2 BATTERIES FOR SHIRE FLEET VEHICLES	658.00
EFT45050	07/03/2024	BUNBURY CITY CAR CLEANERS	EXECUTIVE DETAILING OF SHIRE RANGER FLEET VEHICLES	792.00
EFT45051	07/03/2024	BOYLES PLUMBING & GAS	INITIAL REPAIR AND ISOLATION OF SPRAY TOWERS IN ERLE SCOTT PLAYGROUND	121.00
EFT45052	07/03/2024	CAPEL CLEANING	CONTINUE CLEANING OF CAPEL HALL AND LIBRARY TWICE WEEKLY	999.98
EFT45053	07/03/2024	CAPEL NEWSAGENCY	SHIRE AND LIBRARY NEWSPAPER PURCHASES	85.10
EFT45054	07/03/2024	COUNTRY WATER SOLUTIONS	VARIOUS RETICULATION REPAIRS AND CONSUMABLES	1,640.96
EFT45055	07/03/2024	COLROYS COUNTRY KITCHEN	BUSHFIRE BRIGADE REFRESHMENTS	57.30
EFT45056	07/03/2024	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	378.05
EFT45057	07/03/2024	DATA #3	SUPPORT FOR SOFTWARE, ONSITE EXTENSION AND 4 NEW LAPTOPS FOR RANGERS	25,142.74
EFT45058	07/03/2024	DEPARTMENT OF MINES, INDUSTRY REGULATION & SAFETY	FEB 2024 BSL REMITTANCE	4,871.54
EFT45059	07/03/2024	DALYELLUP BEACH PTY LTD C/- SATTERLEY PROPERTY GROUP	LIABILITY BOND REFUND STAGE 13C, DISTRICT CENTRE 5 AND TOWN SQUARE DEFECTS	56,153.29
EFT45060	07/03/2024	ELDERS RURAL SERVICES AUSTRALIA LIMITED	GALVANISED PICKETS FOR QUEELUP ROAD	121.00



MINUTES - Ordinary Council Meeting - 24 April 2024

EFT45061	07/03/2024	GOLDEN WEST PLUMBING AND DRAINAGE	VARIOUS PLUMBING REPAIRS AND INSTALLATION OF FILTER SYSTEM AT CAPEL LIBRARY	2,334.30
EFT45062	07/03/2024	JENNIFER IRENE GILL	RATES REFUND	475.47
EFT45063	07/03/2024	HITACHI CONSTRUCTION MACHINERY (AUST) PTY LTD	PARTS FOR REPAIR OF TRUCK	379.50
EFT45064	07/03/2024	HATCH PTY LTD	AGRIBUSINESS PRECINCT	15,100.80
EFT45065	07/03/2024	JS CONSULTING	BACK FILL CONSULTANCY FOR ENGINEERING TECHNICAL SERVICES	405.00
EFT45066	07/03/2024	KEEN'S TRUCK DRIVING TRAINING	HC TRUCK DRIVING COURSES	5,850.00
EFT45067	07/03/2024	KIDS NATURE CLUB	CAPTIVATE CAPEL WORKSHOP FOR KIDS PURCHASES	1,890.00
EFT45068	07/03/2024	LONSDALE PARTY HIRE	MARQUEE, TABLES CHAIRS AND UMBRELLA HIRE FOR CAPTIVATE CAPEL	3,225.00
EFT45069	07/03/2024	LANDGATE	LAND VALUATIONS	856.69
EFT45070	07/03/2024	LOCAL GOVERNMENT RACING AND CEMETERIES EMPLOYEES' UNION	PAYROLL DEDUCTIONS/CONTRIBUTIONS	66.00
EFT45071	07/03/2024	MALATESTA ROAD PAVING AND HOTMIX	EMULSION FOR ROAD PATCHING	960.00
EFT45072	07/03/2024	OFFICEWORKS SUPERSTORES PTY LTD	SHIRE STATIONERY AND FLOOR MAT	610.46
EFT45073	07/03/2024	OPTUS BILLING SERVICES PTY LTD	MONTHLY FIXED LINE AND MOBILE BILLS	1,686.31
EFT45074	07/03/2024	OVERSBY CONSULTING PTY LTD	DALYELLUP LIFESTYLE VILLAGE REVIEW AND DRAINAGE REVIEW	13,421.10
EFT45075	07/03/2024	PROMOTE YOU	CITIZENSHIP CEREMONY GIFTS	1,512.50



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EFT45076	07/03/2024	PROTECTOR FIRE SERVICES	CAPEL LIBRARY MONTHLY FIRE PANEL INSPECTION AND TO REPLACE EWS SPEAKERS, EXTERNAL ALARM BELL REMOTE INDICATOR AND CARRY OUT INVESTIGATION OF ZONE 1 DETECTOR AT CAPEL LIBRARY, REPLACE BATTERIES AT BOYANUP COMMUNITY CENTRE	4,212.45
EFT45077	07/03/2024	PRIME INDUSTRIAL PRODUCTS	WORKSHOP SUPPLIES AND PPE	1,477.36
EFT45078	07/03/2024	SIMONE PES	EVENT EXPENSES - AUTHOR TALK	206.75
EFT45079	07/03/2024	AUSTRALIAN TAXATION OFFICE	PAYG WITHHOLDING	72,145.00
EFT45080	07/03/2024	RECRUITWEST PTY LTD	LABOUR HIRE	1,752.70
EFT45081	07/03/2024	SOUTH WEST WOMEN'S HEALTH & INFORMATION CENTRE INC	CAPTIVATE CAPEL EVENT	330.00
EFT45082	07/03/2024	SOUTHERN LOCK & SECURITY	PADLOCKS AND KEYS CUT	2,724.02
EFT45083	07/03/2024	STEANN PTY LTD	GREEN WASTE COLLECTION FEBRUARY 2024	29,879.85
EFT45084	07/03/2024	SYNERGY	ELECTRICITY	8,005.74
EFT45085	07/03/2024	SEEK	ADVERTISING CONTRACT	451.00
EFT45086	07/03/2024	SAFE FIRST TRAINING WA	ASBESTOS AWARENESS WORKSHOP -	3,900.00
EFT45087	07/03/2024	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	906.18
EFT45088	07/03/2024	SOUTH WEST SOILS AND LANDSCAPING SUPPLIES	2 CUBIC METERS OF YELLOW BRICKIE SAND FOR FOOTPATH PAVING REPAIRS FORREST RD	162.00
EFT45089	07/03/2024	TOTALLY WORKWEAR	PPE	108.90
EFT45090	07/03/2024	T-QUIP	SERVICE TO FERTILIZER SPREADER	751.85
EFT45091	07/03/2024	TYREPOWER CAPEL	SHIRE FLEET VEHICLE SERVICE	497.50



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EFT45092	07/03/2024	VERAISON PTY LTD	LEADERSHIP AND CULTURAL DEVELOPMENT PROGRAM	1,386.00
EFT45093	07/03/2024	WORK CLOBBER BUNBURY	PPE	480.10
EFT45094	07/03/2024	WA POLICE SERVICE	VOLUNTEER POLICE CHECKS	17.00
EFT45095	07/03/2024	SHIRE OF WAGIN	PAYROLL DEDUCTIONS/CONTRIBUTIONS	160.00
EFT45096	07/03/2024	WOOLWORTHS LIMITED (WA)	CATERING YOUTH PROGRAMMING	126.02
EFT45097	08/03/2024	CAPEL FRESH IGA	REFRESHMENTS AND GENERAL PURCHASES	310.50
EFT45098	08/03/2024	COLROYS COUNTRY KITCHEN	OCM AND COUNCILLOR CATERING	288.00
EFT45099	08/03/2024	TANYA GILLETT	INDIVIDUAL MEMBERSHIP	531.00
EFT45100	08/03/2024	SOUTH WEST ISUZU	PARTS FOR REPAIR OF TRUCK	1,154.60
EFT45101	08/03/2024	JB HI FI GROUP PTY LTD	PHONES AND CASES	410.50
EFT45102	08/03/2024	ROY & DEBRA KAVANAGH	REFUND FOR STERILISATION	30.00
EFT45103	08/03/2024	REBECCA MCLEVIE	DALYELLUP YOUTH COLLECTIVE CATERING FOR MEETING	38.40
EFT45104	08/03/2024	BRONEY MCLEAN	SHIRE CONTRIBUTION FOR LEAVING	280.40
EFT45105	08/03/2024	AUSTRALIAN TAXATION OFFICE	PAYG	1,002.00
EFT45106	08/03/2024	KRISTY REEVES	SHIRE MILK	17.07
EFT45107	08/03/2024	DONNA SIMS	CATERING FOR YOUTH COLLECTIVE	57.90
EFT45108	13/03/2024	AUSTRALIA POST	SHIRE MONTHLY POSTAGE	2,840.63
EFT45109	13/03/2024	ABBY MURRAY PHOTOGRAPHY	CAPTIVATE CAPEL - 9 MARCH 2024 PHOTOGRAPHY OF EVENT	1,100.00
EFT45110	13/03/2024	ARBORGUY	PRUNING OF TREE ON GEORGE STREET BOYANUP	396.00



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EFT45111	13/03/2024	BUNBURY MOWER SERVICE	SMALL ELECTRIC PLANT INCLUDING SAW, BLOWERS AND EDGER, CONSUMABLES AND SERVICING AND REPAIRS	6,856.35
EFT45112	13/03/2024	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE PURCHASES	1,189.84
EFT45113	13/03/2024	HEATLEYS SAFETY & INDUSTRIAL	PPE	380.57
EFT45114	13/03/2024	BUDGET CAR & TRUCK RENTALS	DUAL CAB CAR RENTAL	3,236.60
EFT45115	13/03/2024	BOYANUP MEMORIAL PARK INC	MINOR COMMUNITY GRANT ROUND 1	1,050.00
EFT45116	13/03/2024	CAPEL PLAYGROUP INC	MINOR COMMUNITY GRANT ROUND TWO	985.00
EFT45117	13/03/2024	CAPEL VOLUNTEER FIRE BRIGADE	BFB WELFARE COSTS	195.53
EFT45118	13/03/2024	CROSS SECURITY SERVICES	UPGRADE SECURITY NETWORK TO 4G EAST DALYELLUP PAVILION AND SHIRE OFFICE	869.25
EFT45119	13/03/2024	CAPEL HORSE & PONY CLUB	MINOR COMMUNITY GRANTS SCHEME ROUND 1	1,000.00
EFT45120	13/03/2024	COUNTRY WATER SOLUTIONS	VARIOUS SHIRE IRRIGATION REPAIRS AND PARTS	5,763.30
EFT45121	13/03/2024	DM & S CURTIN	CARRY OUT QUARTERLY AIRCONDITIONING MAINTENANCE FOR ALL SHIRE BUILDINGS	5,214.00
EFT45122	13/03/2024	CAPEL COMMUNITY GARDEN INC	CAPTIVATE CAPEL - PRE EVENT COMPANION PLANTING WORKSHOP SUPPLIES, HALL HIRE AND CATERING	273.10
EFT45123	13/03/2024	CYBERCX PTY LTD	DATA MANAGEMENT REVIEW	21,472.00
EFT45124	13/03/2024	GELORUP COMMUNITY INC	MINOR COMMUNITY GRANTS ROUND TWO	500.00
EFT45125	13/03/2024	DYNAMIC SECURITY MANAGEMENT PTY LTD	SECURITY FOR CAPTIVATE CAPEL EVENT	2,376.00



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EFT45126	13/03/2024	ELLIOTTS FILTRATION	IRON FILTRATION SERVICES FOR THE GROVE AND CAPEL CIVIC PRECINCT	602.80
EFT45127	13/03/2024	Dept of Fire and Emergency Services (DFES).	ESL QTR 3	342,810.75
EFT45128	13/03/2024	FUR LIFE VET	EUTHANASE ANIMALS	80.00
EFT45129	13/03/2024	GRACE RECORDS MANAGEMENT	DATA STORAGE AND HARD COPY RECORDS STORAGE AND DESTRUCTION	1,246.54
EFT45130	13/03/2024	GOLDEN WEST PLUMBING AND DRAINAGE	PLUMBING REPAIRS AT SHIRE BUILDINGS	815.71
EFT45131	13/03/2024	AE HOSKINS BUILDING SERVICES	REPLACEMENT OF GAZEBO UPRIGHTS AT APEX PARK	2,896.37
EFT45132	13/03/2024	HOLIDAY INN WEST PERTH	ACCOMMODATION FOR TRAINING	1,453.50
EFT45133	13/03/2024	MCDONALD FENCING	INSTALL RURAL FENCE ALONG PART OF DUCANE RD, INSTALL BOLLARDS ON CLAYMORE LOOP AND REMOVAL OF DAMAGED POST AND RAIL	9,641.50
EFT45134	13/03/2024	GORDON MACMILE	MONTHLY INTERNET EXPENSE	100.00
EFT45135	13/03/2024	MARCHESE ENTERPRISES PTY LTD T/A MJ GOODS	CLEANING AND TOILETRY PRODUCTS	764.60
EFT45136	13/03/2024	THE NIGHTGUARD SECURITY SERVICES (WA) PTY LTD	PROVIDE ALARM RESPONSE FOR SECURITY TO SHIRE PREMISES	4,835.05
EFT45137	13/03/2024	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY	10.97
EFT45138	13/03/2024	SCOTT PEARCE	CHIEF MONKEY BAND FOR CAPTIVATE CAPEL EVENT	1,800.00
EFT45139	13/03/2024	PIRTEK BUNBURY	REPAIRS AND PARTS TO ROTARY MOWER	608.38
EFT45140	13/03/2024	AUSTRALIAN TAXATION OFFICE	PAYG	2,068.00



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EFT45141	13/03/2024	ESME LE ROUX	RATES REFUND	1,055.62
EFT45142	13/03/2024	RELATIONSHIPS AUSTRALIA WA	EMPLOYEE ASSISTANCE PROGRAM	3,520.00
EFT45143	13/03/2024	RECRUITWEST PTY LTD	LABOUR HIRE	2,769.43
EFT45144	13/03/2024	SOUTHERN LOCK & SECURITY	KEYS CUT FOR THE SHIRE OFFICE	13.00
EFT45145	13/03/2024	SOS OFFICE EQUIPMENT	SHIRE PHOTOCOPY PRINT FEES	1,495.24
EFT45146	13/03/2024	SYNERGY	ELECTRICITY	60,927.37
EFT45147	13/03/2024	INTERTEK INFORM	SAI GLOBAL SUBSCRIPTION BCA & GUIDE	2,955.30
EFT45148	13/03/2024	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICAL CHECKS	77.00
EFT45149	13/03/2024	BUNBURY MAZDA	SHIRE FLEET VEHICLE SERVICE	377.48
EFT45150	13/03/2024	SYKES ENGINEERING PTY LTD T/A SOUTHWEST ELECTRICAL & COMMUNICATION	RAISE DATA & GPO TO BEHIND TV MOUNT TV AT SHIRE OFFICE	605.00
EFT45151	13/03/2024	SHELLE'S FANCY FACE PAINTING AND ARTISTRY	FACEPAINTING AT CAPTIVATE CAPEL EVENT	320.68
EFT45152	13/03/2024	TOTALLY SOUND T/F CARMUNNING PARK PTY LTD	SOUND EQUIPMENT; AUDIO OPERATOR, SET UP AND PACK DOWN FOR CAPTIVATE CAPEL EVENT	4,977.50
EFT45153	13/03/2024	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT COSTS	88.99
EFT45154	13/03/2024	EDITH COWAN UNIVERSITY	WORKSHOP FACILITATION AND MARKETING - DMCYC COLLABORATION	2,200.00
EFT45155	13/03/2024	VERAISON PTY LTD	LEADERSHIP AND CULTURAL DEVELOPMENT PROGRAM	43,780.00
EFT45156	13/03/2024	WESTRAC EQUIPMENT	PARTS FOR REPAIR OF TRUCK	2,584.25
EFT45157	13/03/2024	WA POLICE SERVICE	VOLUNTEER POLICE CHECKS	51.00
EFT45158	15/03/2024	WA FUEL SUPPLIES PTY LTD	BFB FUEL	226.67



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EFT45159	18/03/2024	TELSTRA CORPORATION LTD	TELSTRA MOBILE CHARGES - FACILITIES TEAM/TECHNICAL SERVICES	473.91
EFT45160	18/03/2024	TELSTRA CORPORATION LTD	MONTHLY MOBILE CHARGES	3,676.35
EFT45161	20/03/2024	AUSTRALIAN INSTITUTE OF BUILDING SURVEYORS - WA AIBS	WORKSHOP	198.00
EFT45162	20/03/2024	AMPAC DEBT RECOVERY	DEBT RECOVERY - DALYELLUP EAGLES FOOTBALL CLUB	143.00
EFT45163	20/03/2024	AMITY SIGNS	ROAD SIGNS	209.00
EFT45164	20/03/2024	ALTRUM PTY LTD	PREPARE SPEC AND SCOPE OF WORKS FOR DALYELLUP PAVILION WASTE WATER CHANGE-OVER	13,945.25
EFT45165	20/03/2024	ADVOCACY WA INC	FACILITATION OF COMMUNITY CONSULTATION WORKSHOP FOR REVIEWING ACCESS & INCLUSION PLAN	742.50
EFT45166	20/03/2024	ARBORGUY	TREE REMOVAL AND PRUNING ON MANEA DRIVE AND WELD ROAD	8,364.40
EFT45167	20/03/2024	BUNBURY MOWER SERVICE	CHAINSAW PARTS AND 2 BRUSH CUTTERS	1,734.20
EFT45168	20/03/2024	CITY OF BUSSELTON	RECOUP OF LONG SERVICE LEAVE LIABILITY	10,978.83
EFT45169	20/03/2024	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE PURCHASES	1,295.68
EFT45170	20/03/2024	BOYANUP GENERAL STORE & NEWSAGENCY	CATERING FOR LIBRARY EVENT	49.50
EFT45171	20/03/2024	BP AUSTRALIA	FUEL SUPPLIES FOR FLEET VEHICLES	13,672.07
EFT45172	20/03/2024	CAPEL CLEANING	CARRY OUT CLEANING OF CAPEL HALL/LIBRARY FOR MONTH OF FEBRUARY	799.98
EFT45173	20/03/2024	CCW ENGINEERING	BFB VEHICLE MAINTENANCE	589.82
EFT45174	20/03/2024	COUNTRY WATER SOLUTIONS	RETICULATION PARTS	929.60



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EFT45175	20/03/2024	CHEMCERT TRAINING GROUP	WORKSHOP	1,440.00
EFT45176	20/03/2024	COLROYS COUNTRY KITCHEN	BFB CATERING	42.00
EFT45177	20/03/2024	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	438.15
EFT45178	20/03/2024	DEPARTMENT OF TRANSPORT	DISCLOSURE OF INFORMATION FEES	13.20
EFT45179	20/03/2024	DALYELLUP COLLECTIVE INC	HIRE DALYELLUP COLLECTIVE SENSORY INCLUSIVE EQUIPMENT	250.00
EFT45180	20/03/2024	DALYELLUP NEWS & LOTTERIES	NEWSPAPER PURCHASES DALYELLUP LIBRARY	63.60
EFT45181	20/03/2024	DEVLYN AUSTRALIA PTY LTD	CONSTRUCTION OF GELORUP VOLUNTEER BUSH FIRE BRIGADE BUILDING	12,897.27
EFT45182	20/03/2024	FRESH PROMOTIONS PTY LTD	ALL STAFF COG2 TRAVEL COFFEE CUPS	1,885.40
EFT45183	20/03/2024	MCG FIRE SERVICES	SUPPLY OF 1 NEW MODULAR FIRST AID KIT	357.00
EFT45184	20/03/2024	GOLDEN WEST PLUMBING AND DRAINAGE	REPLACEMENT OF TOILET CISTERN AT DALYELLUP BEACH TOILETS	947.32
EFT45185	20/03/2024	HEAD OVER HEELS ACROBATICS	CAPTIVATE CAPEL 2024 EVENT	1,800.00
EFT45186	20/03/2024	DANIEL JOHNS	TRAINING EXPENSES	78.87
EFT45187	20/03/2024	KATE'S CRAFTS AU	CAPTIVATE CAPEL WORKSHOP	505.00
EFT45188	20/03/2024	LANDGATE	LAND VALUATIONS	137.40
EFT45189	20/03/2024	MAINSPRAY	FIRE CONTROL ON VARIOUS RESERVES	9,025.50
EFT45190	20/03/2024	M2 TECHNOLOGY PTY LTD	AFTER HOURS CALLS UPDATED	660.00
EFT45191	20/03/2024	MCDONALD FENCING	SUPPLY AND INSTALL FENCING AT MINNINUP BEACH CAR PARK	7,694.50
EFT45192	20/03/2024	NOVUS AUTO GLASS SOUTH WEST	GLASS FITTED TO EXCAVATOR CASE	203.50
EFT45193	20/03/2024	NATURALISTE TURF	TURF MAINTENANCE OF SHIRE POS AND RESERVES	41,073.59



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EFT45194	20/03/2024	NETSIGHT CONSULTING PTY LTD	MYOSH SUBSCRIPTION	1,026.30
EFT45195	20/03/2024	OFFICEWORKS SUPERSTORES PTY LTD	CAPTIVATE CAPEL GIFTS AND LIBRARY STATIONERY	1,090.21
EFT45196	20/03/2024	PHOENIX PETROLEUM	BFB FUEL COSTS	210.91
EFT45197	20/03/2024	AUSTRALIAN TAXATION OFFICE	PAYG	77,090.00
EFT45198	20/03/2024	KRISTY REEVES	SHIRE MILK	11.38
EFT45199	20/03/2024	RECRUITWEST PTY LTD	LABOUR HIRE	1,718.81
EFT45200	20/03/2024	RED HOT ENGINEERING PTY LTD	MANUFACTURE AND INSTALL RAMPS FOR DOORWAY TO STOREROOM GELORUP FIRE SHED	1,859.00
EFT45201	20/03/2024	SYNERGY	ELECTRICITY	1,119.52
EFT45202	20/03/2024	SEEK	EMPLOYMENT ADVERTISING	1,782.00
EFT45203	20/03/2024	SDH PAINTING & DECORATING	GRAFFITI REMOVAL IN ERLE SCOTT PARK	396.00
EFT45204	20/03/2024	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICAL CHECKS	77.00
EFT45205	20/03/2024	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	906.18
EFT45206	20/03/2024	SLMC PROPERTY AUSTRALIA	MONTHLY LEASE FEE - DALYELLUP PUBLIC LIBRARY POWER	454.69
EFT45207	20/03/2024	WK SALLES	RATES REFUND	321.77
EFT45208	20/03/2024	TOTALLY WORKWEAR	UNIFORM ALLOWANCE	291.50
EFT45209	20/03/2024	TUART FOREST PRIMARY SCHOOL	REPAYMENT OF CANCELLED CHEQUE CAPTIVATE CAPEL WINNER OF ECO EXPRESSION	500.00
EFT45210	20/03/2024	TYREPOWER CAPEL	EXCAVATOR TYRES AND FLEET VEHICLE SERVICE	876.00
EFT45211	20/03/2024	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT COSTS	16.84



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EFT45212	20/03/2024	IT VISION	CONSULTANCY SERVICES TO IMPLEMENT AND CUSTOMISE PURCHASE ORDERS TEMPLATES AND AUTOMATED EMAILS	3,528.80
EFT45213	20/03/2024	WA POLICE SERVICE	UNDERSPENDING FOR GRANT FUNDING	330.00
EFT45214	20/03/2024	THE PRINT SHOP	BOYANUP LIBRARY SIGN	266.20
EFT45215	20/03/2024	WESTSIDE TILT TRAY SERVICES	TOWING OF 2 VEHICLES	400.00
EFT45216	20/03/2024	FINRENT PTY LTD	LEASING COSTS FOR PRINTERS RENTED THROUGH SOS AGREEMENT	1,552.09
EFT45217	21/03/2024	BUNNINGS BUILDING SUPPLIES PTY LTD	IRRIGATION SUPPLIES	209.90
EFT45218	21/03/2024	KATHY BLAIR	FOLDING TABLES FOR BOYANUP LIBRARY EVENTS	199.98
EFT45219	21/03/2024	CAPEL BOWLS CLUB INCORPORATED	COMMUNITY BUDGET REQUEST MIDDLE SHELTER BOWLING GREENS	9,470.00
EFT45220	21/03/2024	GHD PTY LTD	PROJECT VARIATION HAREWOODS ROAD CONTAMINATED SITE FOR RADIATION HOTSPOT SAMPLING AND INVESTIGATION	2,990.90
EFT45221	21/03/2024	GOLDEN WEST PLUMBING AND DRAINAGE	REPAIR OF TAP AT THE BOYANUP LIONS PARK TOILET	564.85
EFT45222	21/03/2024	SYNERGY	ELECTRICITY	36,641.61
EFT45223	21/03/2024	TOTALLY SOUND T/F CARMUNNING PARK PTY LTD	ANNUAL ELECTORS MEETING	2,142.25
EFT45224	21/03/2024	WA MTY LTD	BOND REFUND	32,395.00
EFT45225	21/03/2024	AMPOL	AMPOL FUEL CARDS FEBRUARY	7,306.29
EFT45226	18/03/2024	IINET	MONTHLY INTERNET ACCESS FOR	109.99



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EFT45227	27/03/2024	4PARK PTY LTD T/A FORPARK AUSTRALIA	PLAYGROUND EQUIPMENT MCMILLAN PARK	199.10
EFT45228	27/03/2024	AUSQ TRAINING	STAFF TRAINING	1,532.00
EFT45229	27/03/2024	ARBORGUY	PRUNING OF STREET TREES	1,705.00
EFT45230	27/03/2024	BUNBURY PLASTICS	PEPPERMINT GROVE BUS SHELTER WORKS	3,946.80
EFT45231	27/03/2024	BIG W	BOOK STOCK PURCHASES	424.00
EFT45232	27/03/2024	BUNBURY MACHINERY	PLANT SERVICING, REPAIRS AND PARTS	8,202.82
EFT45233	27/03/2024	BUNBURY MOWER SERVICE	REPAIRS AND PARTS TO WHIPPER SNIPPERS	147.50
EFT45234	27/03/2024	BPS	WATER DELIVERY FOR THE WASTE TRANSFER STATION	1,410.00
EFT45235	27/03/2024	B & B STREET SWEEPING	CAPEL CIVIC CENTRE PRECINCT - FEBRUARY 2024	1,537.80
EFT45236	27/03/2024	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE PURCHASES	616.57
EFT45237	27/03/2024	BUNBURY GEOGRAPHE CHAMBER OF COMMERCE AND INDUSTRY	ROOM HIRE FOR BUNBURY GEOGRAPHE GROUP OF COUNCILS MEETING	115.00
EFT45238	27/03/2024	BUNBURY HARVEY REGIONAL COUNCIL	ORGANIC PROCESSING SERVICES	13,330.46
EFT45239	27/03/2024	BENDIGO BANK EMERGENCY SERVICES DEBIT CARD	INCIDENT 660330 WELFARE AND CATERING FOR LEMC MEETING	2,594.00
EFT45240	27/03/2024	BUNBURY BATTERIES AND RADIATORS	FLEET VEHICLE BATTERY	270.00
EFT45241	27/03/2024	WINC AUSTRALIA PTY LTD	STATIONERY	54.68
EFT45242	27/03/2024	CLEANAWAY	MONTHLY RUBBISH COLLECTION, MAINTENANCE AND TRANSPORTATION	174,274.21
EFT45243	27/03/2024	CLEANWAY XTRA CLEANING SERVICES	SHIRE BARBEQUE CLEANING	4,118.40
EFT45244	27/03/2024	COUNTRY LANDSCAPING PTY LTD	RETICULATION REPAIRS AND PARTS	10,488.35



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EFT45245	27/03/2024	CAPEL CLEANING	CARRY OUT CLEANING OF CAPEL HALL/LIBRARY FOR MONTH OF FEBRUARY	799.98
EFT45246	27/03/2024	COUNTRY WATER SOLUTIONS	IRRIGATION REPAIRS AND PARTS	4,675.70
EFT45247	27/03/2024	CJ CIVIL SOLUTIONS	REMOVAL OF BBQS, PARK BENCH AND GAZEBO HARD STAND AT ERLE SCOTT PARK CAPEL AND IRONSTONE GULLY FALLS	6,765.00
EFT45248	27/03/2024	CYBERCX PTY LTD	DATA MANAGEMENT REVIEW	21,472.00
EFT45249	27/03/2024	CARBONE BROS PTY LTD	ROBERTS ROAD STRATHAM WA - ROAD UPGRADE WORKS	278,388.00
EFT45250	27/03/2024	IAN COCKER	REIMBURSEMENT OF BFB FUEL COST	85.47
EFT45251	27/03/2024	COLROY'S COUNTRY KITCHEN	WELFARE INCIDENT 660330 REFRESHMENTS	176.00
EFT45252	27/03/2024	DALYELLUP BEACH CRICKET CLUB	MINOR COMMUNITY GRANTS ROUND 1	780.00
EFT45253	27/03/2024	DEPARTMENT OF PREMIER & CABINET	BASIS OF RATES	93.60
EFT45254	27/03/2024	PHIL DONCON'S PAINT STORM	CAPTIVATE CAPEL 2024 FESTIVAL PERFORMANCES	3,356.10
EFT45255	27/03/2024	CR ASHLEY DILLON	ELECTED MEMBER REMUNERATION MARCH 2024	4,356.75
EFT45256	27/03/2024	BUSSELTON DYMOCKS	BOOK STOCK PURCHASES	59.98
EFT45257	27/03/2024	ERG ELECTRICS PTY LTD	LED STREET LIGHT FITTINGS	7,469.00
EFT45258	27/03/2024	EARTH 2 OCEAN COMMUNICATIONS	ONSITE REPAIR OF LOADER	581.24
EFT45259	27/03/2024	BLUE TANG (WA) PTY LTD	IRONSTONE GULLY FALLS MANAGEMENT PLAN	4,329.60
EFT45260	27/03/2024	THE FUNK FACTORY	CAPTIVATE CAPEL 2024 EVENT	4,180.00
EFT45261	27/03/2024	FIT 2 WORK.COM.AU	EMPLOYEE POLICE CHECKS	40.59



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EFT45262	27/03/2024	FLICK ANTICIMEX PTY LTD	SUPPLY & SERVICE 8 X SANITARY BINS	279.98
EFT45263	27/03/2024	CR JOHN FERGUSSON	ELECTED MEMBER REMUNERATION MARCH 2024	5,092.11
EFT45264	27/03/2024	FORMIDABLE VEGETABLE	CAPTIVATE CAPEL 2024 PERFORMANCE	5,500.00
EFT45265	27/03/2024	GOLDEN WEST PLUMBING AND DRAINAGE	REPAIR TOILET CISTERN AND THE SHOWER AT DALYELLUP BEACH TOILETS	350.63
EFT45266	27/03/2024	HANSON CONSTRUCTION MATERIALS PTY LTD	ROAD PATCHING REPAIRS	524.76
EFT45267	27/03/2024	HERSEY'S SAFETY PTY LTD	PPE AND CONSUMABLES	1,286.32
EFT45268	27/03/2024	AE HOSKINS BUILDING SERVICES	CONSTRUCTION OF CAPEL REGIONAL EQUESTRIAN PARK CLUBROOMS, SUPPLY AND INSTALL WATER TANK AT DALYELLUP BEACH TOILETS, CEILING FAN INSTALLATION AT DALYELLUP LIBRARY, REPAIRS AT WENTWORTH PARK GAZEBO AND REPAIR GELORUP BFB STANDPIPE	154,825.94
EFT45269	27/03/2024	HOLIDAY INN WEST PERTH	ACCOMMODATION FOR TRAINING	1,447.00
EFT45270	27/03/2024	DAVID HUTCHINS	BFB FUEL REIMBURSEMENT	110.88
EFT45271	27/03/2024	A INGRAM	BOOK STOCK PURCHASES	73.00
EFT45272	27/03/2024	CONNECT CALL CENTRE SERVICES	AFTER HOURS CALL ANSWERING AND RE-DIRECTION SERVICE	398.26
EFT45273	27/03/2024	CR DOUG KITCHEN	ELECTED MEMBER REMUNERATION MARCH 2024	11,567.00
EFT45274	27/03/2024	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	TRAINING	1,633.50



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EFT45275	27/03/2024	LANDGATE	ID OF LAND PARCELS AND COPY OF CERTIFICATE OF TITLE	106.56
EFT45276	27/03/2024	CR ROSINA MAY MOGG	ELECTED MEMBER REMUNERATION MARCH 2024	4,356.75
EFT45277	27/03/2024	CR P McCLEERY	ELECTED MEMBER REMUNERATION MARCH 2024	4,356.75
EFT45278	27/03/2024	MCDONALD FENCING	SUPPLY AND INSTALL GATEWAY AT MINNINUP BEACH LOOKOUT	434.50
EFT45279	27/03/2024	MCLEODS BARRISTERS AND SOLICITORS	LEGAL REPRESENTATION SAT APPEAL	2,218.15
EFT45280	27/03/2024	MONADELPHOUS ENGINEERING ASSOCIATES PTY LTD	BOLLARD REPAIR, FERNDALE PARK REPAIRS TO BAR WORK AND FABRICATE AND INSTALL NEW GATES AT WTS	11,315.70
EFT45281	27/03/2024	CR KIERAN JAMES NOONAN	ELECTED MEMBER REMUNERATION MARCH 2024	4,356.75
EFT45282	27/03/2024	ONSITE RENTAL GROUP	MONTHLY RENTAL FOR TOILET BLOCK, 4000L TANK AND STEPS PLUS WEEKLY PUMP AT DALYELLUP SKATEPARK	1,238.07
EFT45283	27/03/2024	OPTUS BILLING SERVICES PTY LTD	MONTHLY FIXED LINE PHONE AND SHIRE INTERNET	886.65
EFT45284	27/03/2024	OMNICOM MEDIA GROUP PTY LTD	ADVERTISING	704.88
EFT45285	27/03/2024	PROMOTE YOU	10 X STAFF BADGES	281.60
EFT45286	27/03/2024	PAGES MECHANICAL REPAIRS	BOYANUP LT REPAIR OIL LEAK ON PUMP	457.69
EFT45287	27/03/2024	PICTON TRAILER HIRE	TEMPORARY FENCING AT DAABLONE VISTA, NAROONA DRIVE AND LEWANA POS AND SLEAFORD AND WENTWORTH PARKS	1,000.00



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EFT45288	27/03/2024	AUSTRALIAN TAXATION OFFICE	PAYG	552.00
EFT45289	27/03/2024	RECRUITWEST PTY LTD	LABOUR HIRE	2,904.99
EFT45290	27/03/2024	SPENCER SIGNS	CORFLUTE SIGNS FOR CAPTIVATE CAPEL	360.80
EFT45291	27/03/2024	SOUTHERN LOCK & SECURITY	KEYS FOR DALYELLUP LIBRARY KEY CABINET	52.00
EFT45292	27/03/2024	CHRIS SCOTT	WELFARE - INCIDENT 660330	26.40
EFT45293	27/03/2024	SYNERGY	ELECTRICITY	489.04
EFT45294	27/03/2024	SWAN RIVER HORSE TRIALS CLUB INC	MINOR COMMUNITY GRANTS ROUND TWO	1,667.00
EFT45295	27/03/2024	SOUTHERN CROSS AUSTereo	COMMERCIAL AIR TIME FOR CAPTIVATE CAPEL	490.60
EFT45296	27/03/2024	CR SEBASTIAN SCHIANO	ELECTED MEMBER REMUNERATION MARCH 2024	5,546.50
EFT45297	27/03/2024	SOUTH WEST OFFICE NATIONAL	OFFICE PURCHASES	489.70
EFT45298	27/03/2024	THERESA ANNE SHARP	ELECTED MEMBER REMUNERATION MARCH 2024	4,356.75
EFT45299	27/03/2024	SLMC PROPERTY AUSTRALIA	MONTHLY LEASE FEE - DALYELLUP PUBLIC LIBRARY	8,075.70
EFT45300	27/03/2024	STRATEGIC DIRECTIONS	ERP ADVISORY SERVICE	2,970.00
EFT45301	27/03/2024	TOTALLY WORKWEAR	PPE	187.00
EFT45302	27/03/2024	TRAFFIC FORCE	TRAFFIC CONTROL	1,414.25
EFT45303	27/03/2024	MARK TUPMAN	CAPTIVATE CAPEL WORKSHOP	484.00
EFT45304	27/03/2024	CR CHRISTINE TERRANTROY	ELECTED MEMBER REMUNERATION MARCH 2024	4,854.45
EFT45305	27/03/2024	JACK TOSANA	REFUND FOR BA	142.30
EFT45306	27/03/2024	TENDERLINK	ADVERTISING	1,262.80
EFT45307	27/03/2024	TOTAL TOOLS BUNBURY PTY LTD	RANGERS SAFETY STEP GUARDALL AND DEPOT CONSUMABLES AND TOOLS	581.00
EFT45308	27/03/2024	TYREPOWER CAPEL	FLEET VEHICLE SERVICING AND PARTS	450.00
EFT45309	27/03/2024	TALIS CONSULTANTS PTY LTD	REVIEW OF EXISTING WASTE MANAGEMENT SERVICES CONTRACT	957.00



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EFT45310	27/03/2024	UNITING GLOBAL	CARRY OUT CLEANING OF EXTERNAL PUBLIC TOILETS FOR ALL SHIRE BUILDINGS	13,854.59
EFT45311	27/03/2024	IT VISION	UPDATE CONTENT MANAGEMENT MODULE TO LATEST GENERAL DISPOSAL AUTHORITY	1,108.80
EFT45312	27/03/2024	WESTRAC EQUIPMENT	SUPPLY & INSTALL WHEEL SPINDLE ON GRADER	10,907.00
EFT45313	27/03/2024	WOOLWORTHS LIMITED (WA)	LIBRARY SUPPLIES	65.40
EFT45314	26/03/2024	MINISTRY OF JUSTICE-SHERIFF' OFFICE	FER ONGOING REFERRAL FEES	250.50
EFT45318	28/03/2024	PRECISION ADMINISTRATION SERVICES PTY LTD	MARCH 2024 SUPERANNUATION	93,875.82
50804	07/03/2024	AQWEST	WATER CONSUMPTION	240.00
50805	07/03/2024	SHIRE OF CAPEL	FEB 2024 BSL AND BCITF COMMISSION	166.50
50806	07/03/2024	SHIRE OF DONNYBROOK/BALINGUP	TRAINING	1,028.85
50807	07/03/2024	SHIRE OF DARDANUP	TRAINING	1,597.50
50808	08/03/2024	SHIRE OF CAPEL	PETTY CASH RECOUP	88.45
50809	08/03/2024	SHIRE OF CAPEL	EMERGENCY ARTISTS CAPTIVATE CAPEL WINNER	500.00
50810	08/03/2024	SHIRE OF CAPEL	GENERAL ARTIST CAPTIVATE CAPEL WINNER	500.00
50811	13/03/2024	SHIRE OF CAPEL	EMPLOYEE SERVICE PRESENTATION	200.00
50812	13/03/2024	DEPARTMENT OF TRANSPORT - VEHICLE LICENSING	SPECIAL PLATE	200.00
				2,141,050.56

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

Payroll Transactions:

07.03.2024 SHIRE OF CAPEL PAYROLL PAYMENTS \$1,788.55



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11.03.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$4,307.24
11.03.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$1,877.70
10.03.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$252,867.63
10.03.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$5,039.39
24.03.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$253,075.25
24.03.2024	SHIRE OF CAPEL PAYROLL PAYMENTS	\$85.16

\$519,040.92

Term Deposit Transactions:

14.03.2024	MACQUARIE TERM DEPOSIT REDEMPTION	-\$1,012,341.10
14.03.2024	MACQUARIE TERM DEPOSIT	\$1,000,000.00
21.03.2024	MACQUARIE TERM DEPOSIT REDEMPTION	-\$1,023,784.66
21.03.2024	MACQUARIE TERM DEPOSIT	\$1,000,000.00
21.03.2024	MACQUARIE TERM DEPOSIT REDEMPTION	-\$1,012,191.51
21.03.2024	MACQUARIE TERM DEPOSIT	\$1,000,000.00

Summary

CERTIFICATE OF THE CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed 24 April 2024 have been checked and are fully supported by vouchers and invoices which are submitted herewith, and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

Voting Requirements

Simple Majority.



Officer's Recommendation – 15.1.

OC/2024/73 - Officer's Recommendation / Council Decision - 15.1

Moved Cr Dillon, Seconded Cr Mogg.

That in accordance with Regulation 13(11) of the *Local Government (Financial Management) Regulations 1996*, the list of payments made under delegated authority for the month of March 2024 be received by the Council and recorded in the minutes of the Council, the summary of which follows:

- 1 The Schedule of Accounts covering EFT45037 to EFT45318, CHQ50804 to CHQ50812 equated to \$2,141,050.56 during the month of March 2024.**
- 2 Payroll payments for the month of March 2024, equated to \$519,040.92.**
- 3 Transfers to and from investments as listed.**

Carried 8 / 0

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

Against - Nil



15.2. Financial reports 29 February 2024

Author	Accountant, Jonathan Kosareff
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Legislative
Attachments	1. 2024-02-29 Monthly Financial Report V 1 [15.2.1 - 26 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Provide the Financial Report for the month ended 29 February 2024.

Officer's Recommendation

That Council receives the Financial Report for the month ended 29 February 2024.

Background

Local Government (Financial Management) Regulations 1996 section 34(4)(a) require a statement of financial activity to be presented at an ordinary meeting of the council within 2 months after the end of the relevant month.

Previous Council Decisions

The Financial Report for the month ended 31 January 2024 (27 March 2024 Ordinary Council Meeting).

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

4.1 Effective and compliant governance.

4.2 Informed and transparent decision making.

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

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

Corporate Business Plan 2023-2027

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



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government (Financial Management) Regulations 1996 r34.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

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

Implications

Risk Implications

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

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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



Officer's Comment

The Financial Report for the month ended 29 February 2024 has been completed. The report includes the statements and disclosures required by the *Local Government (Financial Management) Regulations 1996*. The report contains the following:

1. Statement of Financial Activity.
2. Statement of Financial Position.
3. Basis of Preparation Note.
4. Statement of Financial Activity Information Note.
5. Explanation of Material Variances Note.

The Statement of Financial Activity compares the year-to-date actual figures with the year-to-date budget estimates. Explanations for variances greater than, or less than, 10% are provided in the Explanation of Material Variances note.

The Statement of Financial Activity is segmented based on Operating Activities, Investing Activities and Financing Activities. Any amounts which have been excluded from the calculation of budgeted deficiency are disclosed in the Statement of Financial Activity Information note.

In addition to the required disclosures above, the report contains supplementary information which is not required by legislation. The supplementary information is provided as an aid to further understand the above statements, and to analyse financial trends in more detail.

The supplementary information contains the following:

1. Key Information.
2. Key Information – Graphical.
3. Cash and Financial Assets.
4. Reserve Accounts.
5. Capital Acquisitions.
6. Disposal of Assets.
7. Receivables.
8. Other Current Assets.
9. Payables.
10. Rate Revenue.
11. Borrowings.
12. Lease Liabilities.
13. Grants and Contributions.
14. Capital Grants and Contributions.
15. Trust Fund.



February 2024 Financial Analysis Summary

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

At the end of February 2024, the Shire's surplus was \$11,636,999, which was 56% higher than the year-to-date budget estimate of \$6,520,244.

This was largely due to payments for capital acquisitions, which totalled \$3,278,945 at the end of February 2024, being 61% below the year-to-date budget estimate of \$8,442,467.

A review of Note 5 of the Financial Report identified the following significant variances in capital acquisitions compared to budget, with explanations provided below:

Infrastructure - Roads		
Job No.	Description	Status
RC107	Barlee Road Capel	Purchase orders raised subsequent to 31 January
RC094	Salter Road Boyanup	Deferred to 24/25
RC493	Murtin Road Dalyellup	Deferred to 24/25
RC104	Weld Road Capel	New RFT works to be scheduled
RC137	Forrest Road Capel	Deferred to 24/25
RC000	Non-Cash Infrastructure	Infrastructure built by subdivision developers to be handed over to the Shire
RC096	Gray Road Boyanup	Deferred to 24/25
RC127	Lakes Road Stratham	Deferred to 24/25
RC023	Cain Road The Plains	Deferred to 24/25
R2R042	Austin Road Capel	New RFT works to be scheduled
R2R012	Queelup Road North Boyanup	Deferred to 24/25
R2R008	Mallokup Road Capel	Possible carryover to 24/25
R2R280	Roberts Road Stirling Estate	Work significantly completed subsequent to 31 January
RRG003	Gavins Road Capel	Purchase orders raised subsequent to 31 January
RRG294	Boyanup Road West Boyanup	Deferred to 24/25
RRG104	Weld Road and Payne Street - Offset Planting	Purchase orders raised subsequent to 31 January
RRG294E	Boyanup Road West Boyanup Offset Planting	Purchase orders raised subsequent to 31 January
Infrastructure - Carparks		
Job No.	Description	Status
OC12411	Capel Infant Health Centre Carpark	Deferred to 24/25
OC12438	Access Road Capel Hard Courts off Spurr Street	Deferred to 24/25
OC12408	Access Road Capel Hard Courts off Berkshire Street	Deferred to 24/25
OC12436	Rich Road Carpark	Work commenced subsequent to 31 January
OC12413	Capel Cemetery Carpark	Seeking clarification with Cemetery group
OC12428	Hardey Road Carpark	Currently being priced for
Infrastructure - Drainage		
Job No.	Description	Status
DC065	Skippings Road Boyanup	RFQ in progress
DC003	Gavins Road Elgin	Deferred to 24/25
DC020	Goodwood Road Capel	Possible carryover to 24/25
DC466	Waddington Loop Drainage Reserve Capel	Possible carryover to 24/25
DC116	Capel Oval Reserve	Deferred to 24/25
DC000	Gelorup Flood Modelling Report	RFT document being developed



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DC000	Capel Oval Reserve	Deferred to 24/25
DC000	Non-Cash Infrastructure	Infrastructure built by subdivision developers to be handed over to the Shire

Infrastructure - Dual Use Paths

Job No.	Description	Status
FC073	South Western Highway Meadowbrook	Deferred to 24/25
FC013	South Western Hwy - Turner St to Bridge St Boyanup	Purchase orders raised subsequent to 31 January
FC020	South Western Hwy - Turner St to Bridge St Boyanup	Completed works for new path, acquittal and final invoicing being concluded.
FC003	Trigwell Road - Bridge Street to South Western Highway Boyanup	Under investigation
FC330	Norton Promenade - Dalyellup Beach Carpark South Dalyellup	Possible carryover to 24/25
FC212	Spurr Street - Tucker Street to Berkshire Street Capel	To be put out design consultancy
FC167	Sleaford Park Gelorup	Deferred to 24/25
FC000	Non-Cash Infrastructure - Paths	Infrastructure built by subdivision developers to be handed over to the Shire

Infrastructure - Parks, Ovals and Other

Job No.	Description	Status
PC11366	Replacement Fountain/Rehydration Station - Central Lakes Park	On track. Higher forecast due to insufficient budget project funds
PC11322	Boyanup Memorial Park AFL Ground - LED floodlighting	RFQ in progress
OC11377	Shade Sails Sleaford Park Gelorup	Purchase orders raised subsequent to 31 January
OC11343	Playground Shading Program - Lewana POS Dalyellup	Purchase orders raised subsequent to 31 January
OC11354	Playground Shading Program - Naroon POS Dalyellup	Purchase orders raised subsequent to 31 January
OC11338	Playground Shading Program - Daablone Vista POS Dalyellup	Purchase orders raised subsequent to 31 January
PC11357	Playground Shading Program - North Lake POS Dalyellup	Purchase orders raised subsequent to 31 January
OC11355	Ferndale Park Dalyellup - Lighting	RFQ in progress
OC11368	Playground Replacement Program-Wentworth POS Dalyellup	Currently out for design
OC11371	Age Friendly Community Plan - Bus Shelter (Dalyellup Baptist College)	Purchase orders raised subsequent to 31 January
PC11377	Sleaford Park Gelorup Redevelopment	Purchase orders raised subsequent to 31 January
OC11389	Central irrigation control upgrades and improvements	Work has progressed subsequent to 31 January
OC11389	Irrigation probe, upgrade and repairs - Dalyellup Roundabout Lake	Work commenced subsequent to 31 January
OC11389	Dalyellup Integrated Lake Water Management Strategy (Stage 1)	Work commenced subsequent to 31 January
OC11307	Trails Master Plan-Ironstone Gully Falls Trail	Purchase orders raised subsequent to 31 January
OC113419	Beach access Staircase (Northern) Norton Promenade Dalyellup	Investigation underway
OC113432	Beach access Staircase (Southern) Norton Promenade Dalyellup	Works awarded 13/09/2023
OC113402	Forrest Beach Staircase-remediation works	Project under investigation.
PC000	Water fountain implementation campaign	Deferred to 24/25
PC000	Whole of Shire POS - Parks Signage, Entry Statements	To be moved to maintenance
PC000	Subdivision Parks & Gardens Infrastructure	Infrastructure built by subdivision developers to be handed over to the Shire



Land and Buildings		
Job No.	Description	Status
BC11120	Dalyellup Community Centre - replace roof section	Work commenced subsequent to 31 January
BC11121	Dalyellup Multipurpose Community and Youth Centre	Management plan undergoing
BC113106	Dalyellup Sports Pavilion - Sewer connection	RFT due to be developed with anticipated delivery March -Jun 2024
BC113106	Dalyellup Sports Pavilion - Render repairs	Due for completion Jan- April 2024
BC113110	Boyanup Lions Toilet - tiling	Works awarded to AE Hoskins 05/01/2024
BC113116	Dalyellup Beach Toilets - tiling floors and walls	Purchase orders raised subsequent to 31 January
BC113116	Dalyellup Beach Toilets - rainwater tank	Purchase orders raised subsequent to 31 January
BC113119	Gelorup Skatepark Toilet - tiling	Purchase orders raised subsequent to 31 January
BC113123	Capel Regional Equestrian Park (CREP) Clubhouse	Work has progressed subsequent to 31 January
BC14201	Cyclic Plant Replacement Program	Investigation underway

We note that purchase orders for a number of capital works jobs have been raised subsequent to the period ended 29 February 2024.

Historically, capital expenditure has been higher in the second half of the year, and the 2023/24 forecasted year-end surplus, based on the mid-year budget review, is \$649,595 compared to the budgeted position of \$0.00. This is mainly due to forecast underspends in capital works and salaries.

The current projected surplus is intended to be used for future capital works design and construction and reallocated in the 2024/25 Draft Annual Budget to fund the 2024/25 Program of Works Schedules and other future capital priorities.

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

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

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

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

Summary

The Financial Report for the month ended 29 February 2024 includes the statements and disclosures required by the *Local Government (Financial Management) Regulations 1996*, with additional supplementary disclosures, for the purpose of monitoring the Shire's financial position and progress toward achieving the budget estimates set at the start of the 2023/24 financial year.



Variation to the year-end projected balance was reported to Council through the mid-year budget review in February 2024. The forecasted year-end 2023/24 surplus is \$649,595. This is greater than the budgeted surplus of \$0.00 and is mainly derived from forecast underspends in capital works and salaries.

The current end of year forecasts surplus of \$649,595 will be re-allocated to fund carry forward capital projects in FY2024/25.

Variations to the year-end projected balance will be presented through subsequent monthly analysis reporting to the Council.

Voting Requirements

Simple Majority.

Officer's Recommendation – 15.2.

OC/2024/74 - Officer's Recommendation / Council Decision - 15.2
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Moved Cr Dillon, Seconded Cr Mogg.

That Council receive the Financial Report for the month ended on 29 February 2024

Carried 8 / 0

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

Against - Nil



15.3. Variation Request - RFQ 22-50 ERP assurance

Author	Manager Customer & Business Services, James Meakes
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Contractual
Attachments	1. CONFIDENTIAL REDACTED - Variation Request - Shire of Capel ERP Procurement [15.3.1 - 2 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the variation of \$28,440.00 to 'RFQ 22-50 – Enterprise Resource Planning (ERP) Consultancy and Assurance'.

Officer's Recommendation

The Council endorses the variation of \$28,440.00 to RFQ 22-50 – ERP Consultancy and Assurance.

Background

The Shire began an internal process in July 2022 to investigate the performance and ongoing capability of our internal Enterprise Resource Planning (ERP) software. The ERP is the base system the Shire's Administration operates on and undertakes most main-core business functions (naming and address registers, rating, property, finance, customer relationships and the like).

The Shire Administration's current ERP solution (SynergySoft) originated on a base system installed in the late-1980s, and while some functionality and integration has been upgraded since, the core capability is now over 30 years old and is no longer able to meet the organisation or community's needs, let alone accommodating the future development of the Shire.

The Shire commenced a next-generation ERP project with the internal mapping of current processes and researching options and strategies for replacement. During this time, Capel formed a consortium of nearby local governments all seeking to investigate their ERP solution to improve the cost and outcomes. However, during the following year, it became apparent that while the organisations do the same things, we all do them differently and the group has since moved to a more information sharing role.

Noting the financial implications of the ERP project, mistakes and learnings from neighbouring Councils, the Shire sought to contract the services of an external agency, familiar with leading practice approaches and outcomes with similar projects to fully realise the optimal outcomes of a new-generation ERP that would fulfil the community and organisation's requirements.

The Shire went to market in May 2023 to source a consultant that is independent to any potential future supplier that would assist with investigating and selecting a new ERP software package to replace the aging synergysoft product. Strategic Directions were awarded the contract with the expected project to cost \$86,600.00.



The contract was scoped to operate through to July / August 2024 with Strategic Directions being a key assurance partner with tender construction and specifications, response review and vendor selection. Throughout the current agreement with Strategic Directions the project hours have been adhered to and all milestones met or exceeded.

The variation request is to increase the original scope of work through the latter stages of the contractual agreement, which is critical as the Shire's transitions into the procurement phase of new ERP solution.

Previous Council Decisions

Nil

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

4.1 Effective and compliant governance.

4.2 Informed and transparent decision making.

Corporate Business Plan 2023-2027

BTECH 35 - ALL - **Operational Review of replacement for Council ERP solution** - Investigate current ERP core platform through market testing seeking value for money/ future flexibility.

Statutory Framework

There are no Local, State or Federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Purchasing.



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Low	Possible	Minor	The Shire will still run an internal review and examine best for business outcomes as part of the review at a more general level.
Risk Description: The Shire will not have any industry specialists to review ERP Tender costing and advise the Shire what could be best for our specific business.			

Risk	Likelihood	Consequence	Mitigation
Risk 2 Reputation Rating: Low	Rare	Minor	Customer engagement and CRM (Customer Relationship Management) are still a primary focus for the ERP, and we will be lacking only specialist knowledge.
Risk Description: Without specialist assistance the Shire may make an Incorrect selection of an ERP. This may have an impact on how we engage with the public over time.			
Risk 3 Service Delivery Rating: Medium	Likely	Moderate	A separate implementation project is planned post selection and will reduce the impact from selection of a weaker product should this happen.
Risk Description: The ERP will modify our service delivery methodology and will play a key role in building it.			

Financial Implications

Budget

A variation of \$28,440.00 will increase the awarded quotation cost to \$115,040.00. This additional cost can be absorbed into the FY2023/24 ICT Budget seeing some minor projects deferred to FY2024/25.

Long Term

Success of the ERP project through effectively managing the procurement and contract negotiation process has financial implications over the lifetime (5-25 years, dependent on success) of an ERP solution.

The mismanagement of an ERP market review project has seen other Councils often return to the market sooner than preferred or have significant scope creep with their current solution, resulting in large and frequent contract variations.



Sustainability Implications

Social

Conducting direct engagement workshops with Strategic Workshops results in higher staff buy-in, increasing involvement and the likelihood that the project is a success, due to the staff's personal involvement.

Consultation/Engagement

External Consultation

Consultation in negotiating the change of scope to the original quotation occurred with Strategic Directions.

Internal Consultation

The ERP Project Team reviewed the change in scope requirements and supported the request.

Officer Comment

During the internal process mapping and product requirement development, a large gap was identified between current Shire internal processes and the general abilities of modern ERP technologies.

Prior to entering a formal tender process to procure a new ERP solution, it is critical that all Shire processes have been reviewed and verified to a leading practice standard, which allows synchronicity from the old system to the new system, ensuring the final ERP solution purchased is the right fit for managing all Shire administrative functions and capabilities now and over the next 25 years.

A request was made to Strategic Directions in February 2024 to create and run workshops to gather this information from stakeholders and aid in formulating this data in a useful format which can be used when analysing and selecting a new ERP solution.

This body of work was an additional service to the scope of the original contract with Strategic Directions, which has led to the variation request to Council

Given the project is transitioning into the ERP procurement phase, it is critical that the variation to the contract is awarded, ensuring our partnership with Strategic Directions is maintained through the important ERP tender process.

Summary

Strategic Directions have requested a variation of 28,440.00 EX. GST. The variation request is above the 10% threshold and is being presented to council for review and approval to proceed.



Voting Requirements

Absolute Majority.

Officer's Recommendation – 15.3.

OC/2024/75 - Officer's Recommendation / Council Decision - 15.3

Moved Cr Schiano, Seconded Cr Dillon.

The Council endorses the variation of \$28,440.00 to RFQ 22-50 – ERP Consultancy and Assurance.

Carried 8 / 0

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

Against - Nil



15.4. Rates Exemption Application – Housing Choices Western Australia Ltd (formerly Access Housing Australia Ltd)

Author	Senior Rates Officer, Anita Scott
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Executive/Strategic Legislative
Attachments	<ol style="list-style-type: none">1. HCWA - Rates Exemption Application Form incl Stat Dec - Unit 9-18 Kambany Approach Dalyellup [15.4.1 - 4 pages]2. HCWA - Rates Exemption Application Form incl Stat Dec - 119 Norton Promenade Dalyellup [15.4.2 - 4 pages]3. HCWA - Rates Exemption Application Form incl Stat Dec - 423 Parade Road Dalyellup [15.4.3 - 4 pages]4. HCWA - Australian Charities certification [15.4.4 - 1 page]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Support the applications received from Housing Choices Western Australia Ltd (formerly Access Housing Australia Ltd) requesting a Rates Exemption on three properties – Unit 9/18 Kambany Approach, 423 Parade Road and 119 Norton Promenade, Dalyellup WA 6230.

Officer's Recommendation

That the Council grant a Rate Exemption on the following properties Unit 9/18 Kambany Approach, 423 Parade Road and 119 Norton Promenade, Dalyellup WA 6230 owned by Housing Choices Western Australia Ltd (formerly Access Housing Australia Ltd), effective 1 July 2023 in accordance with the Shire's Rate Revenue Policy.

Background

Access Housing is a non-government social and affordable housing tenancy/property manager with more than 1,800 properties across the Perth metropolitan area, Peel and the South West. The organisation is a not-for-profit, a registered charity and public benevolent institution. Access Housing provides community housing to tenants including families, singles, seniors and people living with a disability or mental health illness.

The housing programs run by Access Housing to provide housing accommodation include:

- Community Housing:
Subsidised rental housing for eligible persons on very low or low to moderate incomes.
- Community Disability Housing Program:
Disability independent living units.
Transitional Housing and Support Programs managed by the Drug and Alcohol office.
Housing for people with mental health support needs through the Independent Living Program, Independent Supported Accommodation or Mental Health Housing Strategy.



- Crisis Accommodation Program:
Short to medium term crisis accommodation for people who are homeless or at risk of homelessness.

The three properties which this application relates are owned by Housing Choices Western Australia Ltd (formerly Access Housing Australia Ltd) and are all used for the purpose of Community Housing within the locality of Dalyellup.

Housing Choices Western Australia Ltd (formerly Access Housing Australia Ltd) initially made a rate exemption application in June 2018 for sixteen properties they owned. After internal assessment and consideration of a historical commitment by Access Housing to pay rates, Access Housing were advised that the application was unsuccessful as the properties concerned were provided on the basis of being 'Affordable Housing' for persons over 55 years of age, rather than 'Public Housing' and therefore not provided for charitable purposes.

The Shire received a dispute determination letter in October 2019 from Access Housing claiming that the housing being provided to tenants came under a charitable purpose and requested the Shire review the decision.

The Shire had sought a legal opinion in pursuing this request, as to whether the properties which were the subject of the rate exemption application are exclusively used for charitable purposes as per section 6.26(2)(g) of the *Local Government Act 1995*. The legal advice received is that Access Housing's use of the properties would constitute use for a charitable purpose as affordable accommodation, as provided through the Community Housing Program to persons of limited means on very low to moderate incomes.

Access Housing has been recognised by the courts as providing for the 'relief of poverty', which is a recognised charitable purpose. The legal advice also concluded that the State Administrative Tribunal (in the event a review of the Shire's refusal was commenced) would be likely to find that the properties did constitute land that was not rateable under section 6.26(2)(g) of the *Local Government Act 1995* being "land used exclusively for charitable purposes".

Other local governments have also concluded that Access Housing's properties located in their respective Shires constitute land that was not rateable under section 6.26(2)(g) of the *Local Government Act 1995* being "land used exclusively for charitable purposes".

Previous Council Decisions

Council previously granted Rate Exemptions on sixteen properties owned by Access Housing Australia Ltd with effect from the 1 July 2018 – OC014/2020.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

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

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

- 4.1 Effective and compliant governance.
 - 4.2 Informed and transparent decision making.
 - 4.5 Improved customer engagement.
-



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

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

6.2 Improved cross sector relationships and collaboration.

Corporate Business Plan 2023-2027

FIN 19 - **Rates and Services Management** - Issue and receipting of Rates. WATC and SAR modelling consistent with an adopted Rating Policy (see action point below).

FIN 20 - **Rating Policy & Procedure** - Annual review of the Shire's adopted Rating Policy consistent with the principles of rating and aligned to the Shire's annual Rate Strategy.

Statutory Framework

Local Government Act 1995, Section 6.2

6.2 Local Government to prepare Annual Budget

1. During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

**Absolute Majority required*

2. In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of -
 - a. The expenditure by the local government; and
 - b. The revenue and income, independent of general rates, of the local government; and
 - c. The amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

Local Government Act 1995, Section 6.26

6.26 Rateable Land

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land -
 - (a) land which is the property of the Crown and -
 - (i) is being used or held for a public purpose; or
 - (ii) is unoccupied, except -
 - (I) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or
 - (II) where and to the extent and manner in which a person mentioned in Paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land; and
 - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for the purposes of



- a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and
- (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
 - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
 - (e) land used exclusively by a religious body as a school for the religious instruction of children; and
 - (f) land used exclusively as a non-government school within the meaning of the *School Education Act 1999*; and
 - (g) land used exclusively for charitable purposes; and
 - (h) land vested in trustees for agricultural or horticultural show purposes; and
 - (i) land owned by co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make contribution to the local government; and
 - (j) land which is exempt from rates under any other written law; and
 - (k) land which is declared by the Minister to be exempt from rates.
3. If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that co-operative or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.
4. The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
5. Notice of any declaration made under subsection (4) is to be published in the *Gazette*.
6. Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious, or public nature.

Local Government (Financial Management) Regulations 1996, Regulation 26

26. Discount, incentive, concession, waiver, and write-off information

- (1) The annual budget is to include for each discount or other incentive to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money -
- a) in respect of a discount -
 - 1. the amount of the discount, or the percentage discount, to be allowed; and
 - 2. the circumstances in which the discount will be granted;and
 - c) in relation to a waiver or concession -
 - 1. a brief description of the waiver or concession;
 - 2. a statement of the circumstances in which it will be granted;
 - 3. details of the persons or class of persons to whom it is available; and
 - 4. the objects of, and reasons for, the waiver or concession.



Local Government Act 1995, Section 6.12

6.12 Power to defer, grant discounts, waive or write off debts

1. Subject to subsection (2) any other written law, a local government may -
 - a. When adopting the annual budget, grant* a discount, or other incentive for the early payment of any amount of money; or
 - b. Waive or grant concessions in relation to any amount of money; or
 - c. Write off any amount of moneywhich is owed to the local government.

**Absolute majority required*

2. Subsection 1(a) and (b) do not apply to an amount of money owing in respect of rates and services charges.
3. The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

Local Government Act 1995, Section 6.28

6.28 Basis of Rates

2. In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be -
 - a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.
4. Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.

Local Government Act 1995, Section 6.32

6.32 Rates and Service Charges

1. When adopting the annual budget, a local government -
 - a) in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either -
 - i) uniformly; or
 - ii) differentially;and
 - b) may impose* on rateable land within its district -
 - iii) a specified area rate; or
 - iv) a minimum payment;and
 - c) may impose* a service charge on land within its district.

**Absolute Majority required*



Local Government Act 1995, Section 6.33

6.33 Differential General Rates

1. A local government may impose differential general rates according to any, or a combination, of the following characteristics -
 - a) purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*; or
 - b) a purpose for which the land is held or used as determined by the local government; or
 - c) whether or not the land is vacant land; or
 - d) any other characteristic or combination of characteristics prescribed.
2. Regulations may -
 - a) specify the characteristics under subsection (1) which a local government is to use; or
 - b) limit the characteristics under subsection (1) which a local government is permitted to use

Local Government Act 1995, Section 6.35

6.35 Minimum Payment

1. Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
2. A minimum payment is to be a general minimum but subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
3. In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than -
 1. 50% of the total number of separately rated properties in the district; or
 2. 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
4. A minimum payment is not to be imposed on more than the prescribed percentage (50%) of
 - a) the number of separately rated properties in the district; or
 - b) the number of properties in each category referred to in subsection (6), unless a general minimum does not exceed the prescribed amount (\$200).
5. If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsection (2), (3) and (4) for that land.
6. For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsection (2), (3) and (4) in respect of each of the following categories -
 - a) to land rated on gross rental value;
 - b) to land rated on unimproved value; and
 - c) to each differential rating category where a differential general rate is imposed.

Local Government Act 1995, Section 6.47

6.47 Concessions

Subject to the *Rates and Charges (Rebates and Deferrals) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

*Absolute Majority required



Policy Framework

The following Shire Policy applies:

Rate Revenue Policy – adopted by Council - 30 March 2022.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Possible	Moderate	When considering this item, the Council is to realise the annual or ongoing financial impact to the Shire's rate revenue balance, through the loss of income collection against this assessment number. The Council must be confident the accrued loss of rate revenue from this assessment for either one or multiple years will not present an adverse risk for the Shire's current and long-term financial position.
Risk Description: Financial risk through loss of rate revenue.			

Financial Implications

Budget

The Rate Exemption Application will be effective from the financial year 2023/2024, impacting rate revenue income by \$4,290.00 as all three properties are levied the minimum \$1,430.00.

Rubbish collection fees, Emergency Services Levy and Specified Area rate will remain payable on the properties.

Long Term

When properties are determined to be rate exempt, the revenue generated is removed from the rates revenue base. The impact to the 2023/2024 financial year is estimated at \$4,290.00 and adjustment will need to be made in the rates base to maintain current yield.

Sustainability Implications

Shire

Financial sustainability for the Shire will be impacted through the reduction of rate revenue income of \$4,290.00 if the Council chooses to grant the Rate Exemption.



Environmental, Economic and Social Drivers

The Rate Exemption Application relates to three properties within the Shire of Capel, where a member/members of the Shire's community will directly benefit from the charitable and humanistic work this organisation is providing.

Should the Council choose to grant the application, the Shire will also be indirectly contributing to supporting this community member.

Consultation/Engagement

External Consultation

Shire Officers have consulted with the Finance section of Housing Choices Western Australia Ltd to examine the details contained within the Rate Exemption Applications and make a true and accurate record of the organisation's purpose. Shire Officers are satisfied with the responses received.

Internal Consultation

An internal review of the application has been completed by;

1. Rates Officer.
2. Senior Rates Officer.
3. Manager Finance.
4. Director Community and Corporate.

Officer's Comment

The following documents have been provided by Housing Choices Western Australia Ltd:

- Housing Choices Western Australia Ltd application letters.
- Rate Exemption Application forms.
- Constitution – Housing Choices Western Australia Ltd (formerly Access Housing Australia Ltd).
- Registered Charity certification.
- Income Tax exempt charity certification.
- Rent Setting Policy.
- Financial Report year ending 30 June 2023.

Housing Choices Western Australia Ltd is a non-government, not for profit charitable organisation and the additional information sought summaries that the land is being used exclusively for charitable purposes as required by section 6.26(2)(g) of the *Local Government Act 1995*.



Although there have been many legal references to describe charity and charitable purpose, it is generally accepted that charity can be one of four principal purposes:

- The relief of poverty, age, and impotence.
- The advancement of education.
- The advancement of religion.
- Other purposes beneficial to the community.

An object stated in the Constitution of Housing Choices Western Australia Ltd is:

- to provide affordable housing and related support to people in Australia who are disadvantaged through homelessness, disability, mental illness, ageing, low income or other factors.

Based on the above evidence, Officers support the application for the Rate Exemption to be granted on the identified properties in Dalyellup.

Summary

The attached Rate Exemption Applications received from Housing Choices Western Australia Ltd (formerly Access Housing Ltd) is commended to Council for review and endorsement.

Voting Requirements

Absolute Majority.

Officer's Recommendation – 15.4.

OC/2024/76 - Officer's Recommendation / Council Decision - 15.4

Moved Cr Terrantroy, Seconded Cr Dillon.

That the Council grant a Rate Exemption on the following properties Unit 9/18 Kambany Approach, 423 Parade Road and 119 Norton Promenade, Dalyellup WA 6230 owned by Housing Choices Western Australia Ltd (formerly Access Housing Australia Ltd), effective 1 July 2023 in accordance with the Shire's Rate Revenue Policy.

Carried 8 / 0

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

Against - Nil



15.5. Shire of Capel - Organisational Best Practice Service Review

Author	Director Community and Corporate Services, Samantha Chamberlain
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic Review
Attachments	No Attachment – The detailed report as part of this item is confidential under the <i>Local Government Act 1995</i> due to: a. a matter affecting an employee or employees.
Confidential Status	The Agenda report (only) is not a confidential matter.

Proposal

Endorse the Findings from the Shire's Organisational Best Practice Service Review, as detailed in the Report, commit immediate funds to early implementation phases and note that subsequent implementation initiatives will be proposed in the Draft Corporate Business Plan (2024 to 2028) and future annual budget considerations where relevant.

Officer's Recommendation

That Council:

1. Endorses the Findings and Recommendations as outlined in the Organisational Best Practice Service Review Report.
2. Approves the pre-allocation of \$75,000 in the 2024/25 Draft Annual Budget to the Organisational Best Practice Service Review – Implementation of Recommendations.
3. Notes that subsequent implementation initiatives will be proposed in Draft Corporate Business Plan (2024 to 2028) and future annual budget considerations.

Background

The Chief Executive Officer is to review the appropriateness and effectiveness of systems and procedures as per *Local Government Audit Regulations 1996*, in relation to:

- (a) risk management; and
- (b) internal control; and
- (c) legislative compliance.

Historically, the Shire has participated in a Performance Excellence Program delivered through Local Government Professionals, in partnership with Price Waterhouse Copper Int. Ltd.



The program is a bench marking exercise in the main, reviewing the Shire's overall organisational performance obligations against 'like' LGs from across the nation. However, the data received from this style of review was deficient in analysing gaps and capability risks in the Shire's main administration and operations, the reasons for this and recommendations for improvement.

The Shire's participation in the Performance Excellence Program discontinued in 2022/23. The Shire was due to conduct an organisational performance review this financial year as per the Act and based on previous experiences of this process, the Executive created a scope of work which would ensure all service areas across the organisation would be reviewed for resourcing, systems, processes and service capability; delivering comprehensive data and recommendations for continuous improvement as a result.

This review was awarded through a formal request for quotation process in November 2023, seeing the contract awarded to Field Force 4, national workplace performance specialists, with the review commencing on 4 December 2023 and finalising in mid-March 2024.

The review is a discovery phase activity evaluating the services, processes, capacity, value, and efficiency of direct and indirect services.

The key areas examined included:

1. Works & Services Forecast: Conducted an analysis of the delivery of services, which predominantly focused on developing an annual works and services demand and supply capacity forecast.
2. Four Pillar Framework Assessment: Completed assessment of each of the four pillars - people, process, data, and systems - evaluating each pillar and identifying gaps, duplications, and opportunities to enhance service delivery and community outcomes.
3. Improvement Recommendations: Recommendations for enhancing service delivery and improving customer and community outcomes, including calculations of the associated financial savings and delivery costs.

In essence, the review calculated the resourcing requirements (work hours per day, week, and month) to deliver core business services to the Capel community, then compared these requirements with existing organisational resourcing and capability.

The Findings and Recommendations from this review process are detailed in the Officer's Comment in this report.

Previous Decisions of Council

Nil

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

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

4.1 Effective and compliant governance.

4.2 Informed and transparent decision making.

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



4.5 Improved customer engagement.

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

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

Corporate Business Plan 2023-2027

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

CEO 12 - **Strategic Planning** - Continue progression of the 'Council Plan' integrating SCP, CBP, LTFP, AMP, RMP, WFP and all supporting sub-plans are adopted in the 2023/24 financial year, with quarterly reporting to the Council and subsequently maintained in accordance with the WA Integrated Planning Framework.

Statutory Framework

State Framework

Local Government (Audit) Regulations 1996

17. CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to –

- (a) risk management; and
- (b) internal control; and
- (c) legislative compliance.

(2) The review may related to any or all of the matters referred to in sub-regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.

Policy Framework

The following Shire Policies apply:

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



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
<p>Risk:</p> <p>Deficiencies in people, processes, systems, and data negatively impact on levels of service delivered to the community.</p> <p>Rating: High</p>	<p>Almost Certain</p>	<p>Major</p>	<p>Review report Findings and implement recommendations / strategies to improve overall organisational performance outcomes. Manage 'People' through a detailed workforce growth strategy in the Shire's 2024 – 2028 Workforce Plan. Implement Annual Work Plans, Work Schedules, and Cost Estimates to effectively manage and maintain the Shire's asset base to a desired standard. Implement a new ERP and MOS system to create efficiency in 'Systems,' 'Data' and 'Processes.'</p>
<p>Opportunity: Improve the standards of service delivery to the Shire of Capel community. Stabilise workforce and reduce turnover. Improve organisational culture through increased communication, access to sophisticated systems and contemporary internal processes for planning, costing and scheduling works.</p>			

Financial Implications

Budget

The cost to conduct the Organisational Best Practice Service Review was \$60,000.00 and was completed on time and on budget.

Long Term

The Officer's Recommendation in this report is requesting the Council consider the immediate commitment to funds of \$75,000 for the Organisational Best Practice Service Review supporting the implementation of key recommendations as detailed in this report.

This body of work will see the development of Annual Work Plan (AWP) and Service Plans across the organisation, improving overall departmental performance and anticipating a recurring benefit range of 6 - 10%, roughly \$165,000 to \$330,000 annually, through increased daily work output (20-33 minutes additional).

Expecting a 12-month payback / return on investment period once fully implemented.

This scope of work will execute the following actions:

- Establish work program processes, roles & responsibilities.
- Develop standard estimates across all asset classes for costing and scheduling of works.
- Implement AWP across all departments.
- Develop a review, reporting & governance structure to measure performance.



Given the Shire's current level of staffing deficiencies, the capacity to complete this body of work internally is not achievable and the Executive seek external assistance to support this initiative.

Sustainability Implications

Asset

The data received through the organisational review analyses the Shire's effectiveness of asset maintenance and renewal scheduling. Where gaps and deficiencies exist in asset management and planning processes, recommendations of more efficient practices are presented in the Findings for consideration.

Economic

The Officer's Recommendation seeks the support from Council to commit \$75,000 in the 2024/25 Draft Annual Budget to fund the development of internal Annual Work Plans, Work Schedules, and Standard Estimates (detailed work costings) across all departments of the organisation.

The efficiencies gained from moving to a contemporary planning and scheduling framework can improve departmental performance through increased daily work output.

The Shire should see a return on the \$75,000 investment recouped by the end of year 1 post full implementation of the new framework.

Consultation/Engagement

External Consultation

Field Force 4 external Consultants were engaged to conduct the Organisational Best Practice Service Review process.

To support with the data collection process, a series of strategic documents and public / community survey results were shared with the consultants, providing an overview of the Shire's current and future priorities, the organisation's fiscal performance and community opinion / feedback on the effectiveness of the Shire's service delivery, which is analysed through the Community Perception Surveys.

Internal Consultation

A total of 65 Officers from departments across the organisation participated in the review process, through a culmination of one-to-one interviews, team meetings, directorate meetings and surveys.

Councillors were provided a confidential briefing following the completion of a confidential survey.



Officer's Comment

Scope of the Review

The Shire Executive commissioned an Organisational Best Practice Service Review in November 2023 across all departments with the purpose to evaluate the effectiveness of services, processes, capacity, value, and efficiency of direct and indirect services.

Previous organisational reviews were benchmark orientated, with no focus or scope in conducting a 'deep dive' or 'granular' review of all Shire operations, as mentioned earlier in the report.

For this reason, the Executive felt the comprehensive nature and scope of this review was critical for three reasons:

1. PEOPLE: To further understand and comprehend the extent of staffing deficiencies that exist in all departments across the organisation.

Between 2013 to 2022, the organisation has not grown in FTE (full time employee numbers / total head count), at the same time the population nearly doubled, along with a significant community expectation for better service level provision.

The review identified the organisation is very lean in resourcing compared to 'like' local governments of similar population and demographics, and the impact of this is felt daily across the organisation, and impacts the Shire's recruitment and retention issues, influencing the overall staff turnover rate, which is currently at 47%, as well as service delivery capability and consistency.

The former adopted Workforce Plans (from 2021 onwards) do address this issue to a degree, identifying the historical lack of organisational growth, as well as rudimentary benchmarking of resource shortages compared to neighbouring local government (of between 30 and 40 FTEs), whilst proposing a tentative growth strategy of 5% FTE increase each year for the term of the (then) plan (4 years).

With the independent researched data received through the review process, the Shire now has granular, individual team data that validates the challenges the Shire is currently experiencing and forecasts in FTE what a Local Government of this size and demographic needs (in FTE) to function effectively and efficiently to competently service the community.

2. DATA: To identify where current gaps exist in vital data capture for the design and implementation of work area planning and scheduling across the organisation.

In the absence of a stable workforce (average staff turnover rate is 21% to 40% plus) and contemporary processes and systems, data capture, data treatment and data retention can be impacted, effecting the efficiency of internal and external planning / scheduling priorities.

3. SYSTEMS: To support the implementation of the Enterprise Resourcing Planning (ERP) project, through the reviewing of the effectiveness of all systems and process across the organisation.

For the review to identify the failings of the current IT Administration system and other systems across the organisation in effectively supporting all staff execute their duties, roles, and responsibilities.



Information gained through this process can be integrated into the design and scope of a new ERP solution, which once implemented, will vastly improve systems, processes, and workflows across the organisation, whilst creating efficiencies in ways of working.

Final Internal Report Findings

The key areas examined during the review included:

1. Works & Services Forecast: Conducted an analysis of the delivery of services, which predominantly focused on developing an annual works and services demand and supply capacity forecast.
2. Four Pillar Framework Assessment: Completed assessment of each of the four pillars - people, process, data, and systems - evaluating each pillar and identifying gaps, duplications, and opportunities to enhance service delivery and community outcomes.
3. Improvement Recommendations: Recommendations for enhancing service delivery and improving customer and community outcomes, including calculations of the associated financial savings and delivery costs.

The review commenced on 4 December 2023, and involved a team of three consultants from Field Force 4 working with the Executive and Officers across the organisation.

During the project, the consultants would regularly debrief the Shire and Council on their Findings to date, seeing the final internal report shared with the organisation on 15 March 2024 and at a Councillor workshop.

Workforce and Service Forecast

Data was collected across the organisation that measured the forecasted work effort against the available staff capacity. A consistent Finding across all teams was that there were inadequate physical resources to support the current work volumes.

Overall, the data identifies staffing deficiencies across all departments with the top 5 highest to lowest staff level variances in the following departments:

- Projects, Engineering and Assets.
- Operations Parks & Works.
- Sustainability & Environment.
- Development Services.
- Community Development & Safety.

The total staffing deficiency across the organisation equated to 40.40 FTE. This total was based on the effectiveness of the Shire's current processes, practices, data, and systems, and reflected current service delivery levels, not accounting for population growth projections and additional resourcing requirements for capital projects such as the proposed Dalyellup Multipurpose Community and Youth Centre (DMCYC).

However, there is an understanding that the successful delivery of Shire services is not just reliant on pure staffing increases alone. A combined blend of sufficient people, contemporary processes, reliable systems, and data will improve outcomes across the organisation to better serve the community and the needs of the organisation.



Based on this methodology and with the implementation of the new Enterprise Resourcing Platform (ERP) which will create more efficient ways of working across the organisation, the Executive forecast a necessary increase in FTE as follows:

Table 1.

DIRECTORATE	CURRENT FTE	REQUIRED FTE	DIFFERENCE
Community & Corporate	40.50FTE	49.50FTE	9.00FTE
Infrastructure & Development	56.22FTE	78.40FTE	22.18FTE
Additional Full Time Equivalents (FTE) Required			31.18FTE
<p>Please note: FTE related to the Office of the CEO is not included in this table. The above data is based on current service level delivery, not accounting for population growth projections and the physical resourcing requirements of future Shire facilities. Current Shire vacancies are included in the above current FTE projections.</p>			

The Shire’s 2024 – 2028 Workforce Plan, which is also being presented to Council in April 2024, projects a Growth Strategy for the term of the plan (4 years), identifying the desired additional FTE to be introduced into the organisation to service the immediate and future Shire operations. The Plan’s Growth Strategy projects the onboarding of 43.00FTE over the next four years.

These new positions are a blend of additional FTE required to manage current levels of service where deficiencies in staffing exist (as per the above figure 31.18FTE in Table 1.) and future positions required to support growth as the Capel Shire population increases.

Findings: Four Pillar Assessment - Process / People / Systems / Data

Review of Shire Processes

The review determined that current Shire processes are BASIC. Enhancements should involve standardised service planning and programs across teams, along with clear and consistent role and accountability definitions within and between business units to enhance ownership, collaboration, consultation, and workflow efficiency.

The consultants observed that the Shire had made progress in these areas with the mapping of internal processes for the Enterprise Resourcing Platform project.



Table 2.

The following table analyses the Shire’s performance in ‘Process’ sophistication against the Four Pillar Assessment framework (as detailed above) for each Shire team:

Process Steps	In Place	Partial Gaps	Significant Gaps
Consolidated Works & Services Planning	1	10	
Individual jobs & tasks planning		11	
Schedule & Allocate Resources	1	7	3
Execute Jobs & Tasks	11		
Close out Jobs & Tasks	1	10	
Review Service Delivery Performance			11
Process Awareness		9	2
Process Training			11

General Finding Commentary - Process

1. Staff Commitment: Staff generally understand what is required for daily tasks; though supporting documentation is limited.
2. Unclear Roles: End-to-end roles and responsibilities are not well-defined. A siloed mentality.
3. Lack of Visibility of Workloads: Teams have an awareness of workloads - but no data backing the information and no tracking.
4. Ad-Hoc Task Prioritisation: Absence of a unified prioritisation system; tasks, especially customer requests, are dealt with on a day-to-day basis.
5. Customer-Driven Reactivity: Emphasis on immediate responses to customer requests leads to a reactive rather than proactive maintenance and planning approach.
6. Limited Work Tracking: Work progress tracking is mostly verbal due to inadequate system workflow capabilities.

Review of Shire People

The review determined that current ‘People’ practices are BASIC. Enhancements should involve increasing business alignment, targeted approach to breaking down silos and introduction of a performance-based Management Operating System, improvements in the other pillars will support addressing several of the people improvement areas.



Table 3.

The following table analyses the Shire’s performance in ‘People’ practices against the Four Pillar Assessment framework (as detailed above) for each Shire team:

Category	In Place	Partial Gaps	Significant Gaps
Business Alignment		8	3
Delivery Performance Measures			11
Work Prioritisation		11	
Supervisor/Manager Effectiveness		11	
Performance Management Operating System			11
Performance based 1 to 1s	7	4	
Work Forecasting		7	4
Work Control		7	4
Process Confirmation		4	7

General Finding Commentary - People

1. Employee Retention Issues: High turnover rates causing knowledge gaps and increased stress for the remaining staff.
2. Organisational Silos: Teams working in isolation with a focus on individual goals, creating divisions between departments and hindering overall collaboration.
3. Lack of Cascading Performance Indicators: CEO Key performance indicators (KPIs) are not cascaded to Teams and Officers.
4. Misaligned Continuous Improvement Efforts: Lack of coordination and strategic alignment in continuous improvement activities, with insufficient support or structure for team-based initiatives.
5. Ongoing Internal Communication Concerns: Review communications structures and internal Communication’s Framework. Preferred communication methods (via survey analysis) were email and direct messages from Managers at Team Meetings.

Review of Shire Systems

The review determined that current Shire ‘Systems’ are assessed as having SIGNIFICANT GAPS; however, the planned ERP project and new systems for Asset Management and a Customer Service knowledge database will go a long way to addressing these gaps.



A system solution will be required for Works Management including mobility to enable accurate planning, scheduling, execution, and measurement of planned vs actual completion of the works program.

Table 4.

The following table analyses the Shire’s performance in ‘Systems’ against the Four Pillar Assessment framework (as detailed above) for each Shire team:

Category	In Place	Partial Gaps	Significant Gaps
System Usage		2	9
Workflow Management		11	
Integration			11
Ease of Access			11
Data Mastery & Version Control			11
Mobility			11

General Finding Commentary - Systems

1. System Improvement Needs: Outdated systems lack functionality for workflow automation, asset management, and customer request handling.
2. Integration Challenges: Poor system integration affects operational efficiency, underscoring the need for a cohesive system for seamless data flow.
3. Governance and Data Ownership: Uncertainties in system/data ownership and inconsistent administration reveal IT governance deficiencies.
4. Utilisation Challenges: Inconsistent use of systems across teams, often relying on manual processes, underscores need for standardised protocols and training.
5. Mobile Solution Requirement: Absence of mobile solutions hampers field operation efficiency and data/work management.
6. Document Management and Control: Document management and version control issues necessitate an improved digital records system.

Review of Shire Data

The review determined that current ‘Data’ use, availability and quality is assessed as having SIGNIFICANT GAPS. The Shire’s disparate systems are not fit for purpose, which has a significant impact on data collection, quality, and completeness.



Data driven decisions are difficult, with much of the data sitting on spreadsheets maintained on Team or individual drives.

Table 5.

The following table analyses the Shire’s performance in ‘Data’ against the Four Pillar Assessment framework (as detailed above) for each Shire team:

Category	In Place	Partial Gaps	Significant Gaps
Uses			11
Quality & Completeness			11
Analysis			11
Leadership & Culture	4	7	
Systems			11
Ability			11

General Finding Commentary - Data

1. **Data Capture Inconsistencies:** There is an overreliance on isolated spreadsheets due to limitations in current systems with gaps in how and what data is captured, particularly mobile and timesheet capture.
2. **Knowledge-Based Risks:** A reliance on staff experience for understanding work requirements presents a risk, underscoring the necessity for better documentation and data-backed processes.
3. **Insufficient Data Infrastructure:** The existing data infrastructure does not support the detailed tracking of various operational activities, including asset, project, customer service, and event management.
4. **Lack of Analytical Data Use:** Data is not regularly extracted and apart from financial reporting not regularly utilised for in-depth analysis to inform business decisions.
5. **Expectations for the New ERP System:** The forthcoming ERP system is expected to enhance data capture and utilisation. However, the 18-month implementation period underscores the need for interim solutions.



Findings: Summary

In essence, the Organisational Best Practice Service Review noted the following:

Identified Strengths:

- A notable desire for improved workflows, strong staff work ethic, and efforts in process documentation.
- Introduction of the ERP project and Workforce Growth Strategy highlights commitment to technological and workforce improvements.

Process Improvement Needs:

- Standardise and consolidate service planning and define clear delivery accountability and responsibility to foster ownership and collaboration.
- Implement a unified task prioritisation system to support shift from reactive to proactive mindset/workflows.

System & Data Upgrades Required:

- Prioritise integration, planning, scheduling, and mobile capabilities to track customer, capital and maintenance work progress and improve data capture and analysis to inform decision making.
- Address gaps in workflow automation and asset management solutions.

People Practices Enhancement:

- Align KPIs to service planning performance, work to break down silos and introduce integrated performance-based Management Operating System.
- Enhance communication to ensure action on critical information; increase continuous improvement capability to support sustainable issue resolution.
- Address staffing deficiencies through a workforce planning strategy. high turnover root causes and conduct structured evaluations to boost retention and motivation.



Strategic Improvement Recommendations

The following strategic improvements were recommended:

1. **Create Annual Works & Services Plan:** Establish service level baselines across the organisation, create annual work plans across all asset classes and Shire operational activities. Calculate and standardise actual cost estimates validate departmental productivity.

Desired Outcome: Annual planning helps balance workloads, improve productivity, and make informed staffing decisions. Create standard estimates for common tasks and comprehensive annual programs with demand forecast, resourcing plans, and budget breakdowns.

This strategic improvement is linked to Officer's Recommendation 2, requesting additional funds of \$75,000 to complete this next phase of work.

2. **Set Daily/Weekly Targets to Staff and Provide a Feedback Loop to Create a Performance Culture:** Implement a Management Operating System (MOS) that incorporates visual management and establishes clear KPIs to strengthen Team dynamics. Align objectives across all levels, formalise priorities, and integrate real-time dashboards.

Desired Outcome: The MOS metrics assessing efficiency, productivity, and resource allocation will improve overall service performance and visibility, building continuous improvement capability.

3. **Improve Efficiency & Remove Waste. Optimise Processes, Systems and Data to Drive Service Improvements:** To optimise service delivery through the integration of a new ERP system, it is recommended to expand process documentation via subject matter experts for all key activities, design future state processes, create a detailed responsibility matrix, set identifiable performance targets, and control organisational risks.

Desired Outcome: Ensures clarity in roles, enhances communication, maintains alignment across Teams, reduces operational risk, and aligns accountabilities with their respective functions.

Summary & Way Forward

The knowledge and information gained through the Organisational Best Practice Service Review is well received by Officers and the Executive Team as it substantiates and validates known gaps, deficiencies and challenges across the organisation which have been experienced by staff for some time.

The final report details notable improvements and recommendations, particularly in staffing (people), process, and data deficiencies.

The Executive, with the continued support of the Council, do have a way forward to effectively manage the progress which needs to occur in each of the following areas:



PEOPLE: The Shire's 2024-2028 Workforce Plan which is being presented to Council alongside this report, details a four-year Growth Strategy, progressing the need for new positions to be introduced into the organisation, alleviating, and sharing the current workload burden, which is unsustainable for our Officers to continue to endure.

SYSTEMS: The integration of a sophisticated ERP system is critical in combating several of the Findings detailed in the above review outcomes.

Based on the current progress of the ERP project, Officers are in the process of finalising the list of departmental requirements and expectations a new system will deliver, and these will be integrated into the design and scope of the Request for Tender procurement document and advertised for vendors to submit a proposal.

Based on a successful procurement process, a new ERP system is scheduled for a phased internal rollout commencing in January 2025. The Council will continue to be updated on the project's progress.

DATA: Officer's Recommendation 2 in this report is requesting the Council consider awarding the sum of \$75,000 to fund the implementation of key data recommendations as detailed in this report.

This body of work will see the development of Annual Work Plan (AWP) and Service Plans across the organisation, improving overall departmental performance and anticipating a recurring benefit range of 6 - 10%, roughly \$165,000 to \$330,000 annually, through increased daily work output (20-33 minutes additional). Expecting a 12-month payback period once fully implemented.

This scope of work will execute the following actions:

- Establish work program processes, roles & responsibilities.
- Develop standard estimates across all asset classes for costing and scheduling of works.
- Implement AWP across all departments.
- Develop a review, reporting & governance structure to measure performance.

Given the Shire's current level of staffing deficiencies, the capacity to complete this body of work internally is not achievable and the Executive seek professional assistance to support this activity.

The information detailed in this report is extensive in scope and does identify challenges the Shire is currently facing, where several obstacles relate to issues which are legacy or historic in nature and have not been addressed previously in the organisation.

The Executive are confident that the desired way forward will result in sufficiently resourcing the organisation to a standard that will create an environment for employees to thrive and be successful in, with a desire to foster better service outcomes for the community.

Voting Requirements

Simple Majority.



Officer's Recommendation – 15.5.

OC/2024/77 - Officer's Recommendation / Council Decision - 15.5

Moved Cr Mogg, Seconded Cr Fergusson.

That Council:

- 1. Endorses the Findings and Recommendations as outlined in the Organisational Best Practice Service Review Report.**
- 2. Approves the pre-allocation of \$75,000 in the 2024/25 Draft Annual Budget to the Organisational Best Practice Service Review – Implementation of Recommendations.**
- 3. Notes that subsequent implementation initiatives will be proposed in Draft Corporate Business Plan (2024 to 2028) and future annual budget considerations.**

Carried 8 / 0

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

Against - Nil



15.6. Shire of Capel Workforce Plan 2024 - 2028

Author	Manager Organisational Development, Stephanie Tucker
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Executive/Strategic
Attachments	1. Workforce Plan 2024 (1) [15.6.1 - 37 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Support the Shire of Capel's Workforce Plan 2024 – 2028 to adequately resource the organisation, now and into the future, and to have the capacity and capability to fulfil the needs and aspirations of the local community.

Officer's Recommendation

That Council:

1. Endorses the Shire of Capel's Workforce Plan 2024 – 2028 as detailed in the Attachment 15.6.1.
2. For FY2023/24 - endorses an FTE increase from 0.60 to 1.00FTE for the vacant position of Contracts and Leasing Officer (Governance Team).
3. For FY2023/24 - endorses the recruitment of a Senior Sustainability Officer as an outcome from the restructure of the Infrastructure and Development Directorate.
4. For FY2023/24 - endorses a 1.00FTE Officer transition from a fixed term appointment to a permanent position (Digital Communications Officer).
5. Supports the design and implementation of an Occupancy Strategy, forecasting office occupancy / mobility strategies to support growth in the Shire's workforce.
6. Notes that Shire of Capel's Workforce Plan 2024 – 2028 final published version will be graphically designed and illustrated to a standard suitable for public presentation.

Background

An Integrated Planning and Reporting Framework and Guidelines were introduced in July 2013 as part of the (then) State Government's Local Government Reform Program. These introductions meant that pursuant to the *Local Government Act 1995 s. 5.56(1)*, local governments were required to 'plan for the future of the district' through transparent strategic community planning and corporate business planning.



The *Local Government (Administration) Regulations 1996 19DA*, detail that local governments are required to produce a Corporate Business Plan for its district integrating matters relating to resources, including asset management, workforce planning and long-term financial planning as depicted below:



The Council adopted (OC0603) a Workforce Plan for 2013 – 2017 at the Ordinary Meeting in June 2013. The next formal Workforce Plan (OC/2022/90) was adopted in May 2022 for the period 2022 – 2026 and again in May 2023 (OC/2023/93) for the period 2023 – 2027. The Shire of Capel Workforce Plan 2024 – 2028 is an update of this.

Leadership changes highlighted in the 2022 – 2026 Workforce Plan presented the Shire with opportunities to review organisational objectives and develop a road map for a strong and prosperous future. The completed organisational review and the 24 months following adoption of this plan have informed the proposed Shire of Capel Workforce Plan 2024 - 2028, inclusive of achievements, and further learnings around future resourcing requirements and focus areas.

The Workforce Plan is an integral informing strategy to ensure the sustainable delivery of the Strategic Community Plan directions and Corporate Business Plan objectives, by ensuring that the Shire has the appropriate financial and workforce capacity and capability.

Previous Council Decisions

- OC0603 - 26 June 2013 Adoption of the Workforce Plan 2013 – 2017.
- OC/2022/90 - 25 May 2022 Adoption of the Workforce Plan 2022 – 2026.
- OC/2023/93 – 31 May 2023 Adoption of the Workforce Plan 2023 – 2027.



Current Organisational Resourcing Context

The Shire is currently resourced to service the community at 4.5 Full Time Equivalent (FTE) per 1,000 people (2022), which is on average 3.5 FTE less per 1,000 people than our neighbouring local governments.

This resourcing demonstrates that the Shire is an incredibly lean organisation, to the point where providing and maintaining desired service levels is often problematic.

Based on population data forecast by the Department of Planning, Lands and Heritage published in their 'WA Tomorrow 2016 - 2031' report for local government areas and assuming the Shire of Capel grows at the median level (Band C) projected in the report, the population is reported to grow to 23,590 by 2031.

Decision Framework

Shire of Capel Strategic Community Plan 2023-2033

Deliver good leadership, governance, and decision-making:

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

Corporate Business Plan 2023-2027

ORGD (Organisational Development) 27 – Deliver a Work Force Plan.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.
[Section 5.56 inserted: No. 49 of 2004 s. 42(6).]

Local Government (Administration) Regulations 1996

Division 3 – Planning for the future

19C. Strategic community plans, requirements for (Act s. 5.56)



19DA. Corporate business plans, requirements for (Act s. 5.56)

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

[Regulation 19DA inserted: Gazette 26 Aug 2011 p. 3484-5.]

Work Health and Safety Act 2021

Workers Compensation and Injury Management Act 1981

Local Government (Long Service) Leave Regulations

Equal Employment Opportunity Act 1984

Industrial Relations Act 1979 (WA)

Industrial Relations Legislation Amendment act 2021 (WA)

Minimum Conditions of Employment Act 1993 (WA)

Fair Work Act 2009 (Federal) as it applies to non-national employers

Local Government Industry Award 2020

Shire of Capel (Operations) Enterprise Agreement 2019

Policy Framework

There are no Council policies relevant to this item however, as outlined in the Workforce Plan and Organisational Development, Corporate Business Plan actions (Appendix I of the Workforce Plan), employee-related Management Procedures will be reviewed over the life of this plan.

Management Procedures will continue to be reviewed to provide strategic, innovative, and flexible policies, practices, programs, and services to best realise the Workforce Plan’s objectives.



Implications

Risk Implications

Risk	Likelihood	Consequence	Risk Analysis	Mitigation
Service Delivery	Likely	Moderate	High	Optimise service delivery to the community through actively reviewing internal operations and workforce capabilities, capacity, and processes.
Financial	Likely	Moderate	High	Early identification of additional resourcing requirements aids in responsive financial assistance. Securing an effective workforce able to maintain service level outcomes to the community.
Reputation	Possible	Minor	Medium	Regular reviewing of workforce capabilities to ensure service delivery quality is not comprised and continuing to meet community expectations.
Risk Implication: Failure to address the current structural and resourcing matters will see the Shire continue to be unable to deliver on the community's expectations, with prolonged challenges having the potential accelerate staff departures.				

Financial Implications

Annual / Long Term Budget Forecast

The Workforce Plan projects Full Time Equivalent (FTE) numbers to increase to 153FTE by the end of 2027/2028. These projections will guide and inform the Long-Term Financial Plan to ensure there is financial capacity to support appropriate workforce growth.

While the Workforce Plan projects desired resource growth over the four-year period to meet organisational and community demands, the recruiting of new positions will be reliant on the allocation of funds during the Annual Budget adoption process.

Year	Directorate				Total FTE	Cost
	CC	ID	O/CEO	DMCYC		
2024/25	3	9	1		13	\$906,000
2025/26	3	3	1	5	12	\$930,000
2026/27	4	7		2	13	\$934,000
2027/28	4		1		5	\$375,000
Total Projection	14	19	3	7	43	\$3,145,000

The Shire's forecast FTE requirements detailed in the above table ranges from Administrative, Technical and Compliance Officers positions through to the potential introduction of the third Director in year 2 of the plan. These positions were identified through the Shire's Organisational Review process and are subject to annual scrutiny based on the changing needs of the organisation and community expectations.



For the purpose of realising the projected financial commitment over the next four years, the total figure above (\$3,145,000) will be incorporated into the Long-Term Financial Plan and will be annually reviewed to reflect the recruitment needs of the Shire.

Other associated financial implications relevant to this proposal are detailed in Appendix I of the attached Workforce Plan. These budget implications relate to Organisational Development's operational costs to deliver identified actions over the life of the plan such as improved systems, development programs and are provided for in the annual budgeting process.

Sustainability Implications

If the Shire does not adequately increase workforce capacity and capability consistent with the growing community and address identified challenges within the plan, this could impact the sustainability of Shire service levels.

Consultation/Engagement

External Consultation

The Manager Organisational Development consulted with the Southwest local government human resource teams to benchmark what workforce challenges they are experiencing and initiatives they are looking to implement to address them. This consultation assisted in developing proposed action items contained within the plan.

Furthermore, the Executive commissioned an Organisational Best Practice Service Review in November 2023 across all departments, with the purpose to evaluate the effectiveness of services, processes, physical capacity, value, and efficiency of direct and indirect services.

Findings from this review enabled a greater level of understanding of organisational challenges in the following areas:

PEOPLE: To further understand and comprehend the extent of staffing deficiencies that exist in all departments across the organisation.

DATA: To identify where current gaps exist in vital data capture for the design and implementation of work area planning and scheduling across the organisation.

SYSTEMS: To support the implementation of the Enterprise Resourcing Planning (ERP) project, through the reviewing of the effectiveness of all systems and process across the organisation.

The 2024 – 2028 Workforce Plan references the findings from the review and details a Growth Strategy, including significant projects / initiatives to combat the deficiencies identified in the review.

Internal Consultation

The Manager Organisational Development consulted with the Shire's Management and Executive Management Team to understand departmental challenges, future needs and desires with regards to shaping the Shire's proposed Workforce Plan. Organisational Development consults with Shire staff and captures feedback via employee surveys, performance processes, exit interview processes and recruitment processes.



Officer's Comment

This Workforce Plan assists in planning for future resource needs and provides guidance for making appropriate decisions that support achievement of the Shire's Strategic Community Plan directions and Corporate Business Plan objectives that fit with the Long-Term Financial Plan.

The following process details the actions taken when developing the Shire's Workforce Plan:

- Reviewing strategic objectives.
- Engaging with our workforce.
- Analysing our environment and our team.
- Analysing our challenges and opportunities.
- Developing an action plan.
- Planning to measure our success and reflecting on past performance.
- Consultation with external consultants.

The key objectives of the Workforce Plan are to:

- Strengthen the organisation's capacity to achieve the directions outlined in the Strategic Community Plan and objectives detailed in the Corporate Business Plan.
- Continue to understand the organisation's workforce profile so that existing workforce capacity can be maximised, and future requirements identified.
- Review, assess and update the established strategies to address the gaps and mitigate risk.
- Assess costs that directly link to workforce expenditure to inform future planning.

The key challenges facing the Shire with regards to workforce planning include:

- High turnover levels.
- Attraction and retention of staff.
- Competitive remuneration and external economic pressures.
- Changing legislative environment.
- Appropriate workforce growth.

Detailed within the action plan, this Workforce Plan seeks to address the identified challenges to achieve key objectives through:

- Key skill development.
- Succession planning/Traineeships.
- Leadership development.
- Cultural development.
- Strategic partnerships.
- Innovative and flexible policies, practises, programs, and services.
- Sustainable workforce growth.

A vital component of this plan will be an annual review and assessment of identified actions and contribution to the achievement of the Shire's Strategic Community Plan directions and Corporate Business Plan objectives.



This plan is designed to be an ongoing adaptable plan, which aims not only to plan for future workforce needs, but also to be flexible to include improvements or adjustments as required for the current workforce.

Please note: The attached Plan is presented in a 'draft' format which will be graphically enhanced prior to final public presentation.

Proposed Immediate Decisions

Aside from considering the (Draft) Workforce Plan 2024 to 2028, Council is also requested to endorse the following to enable the immediate progression of recruiting in key areas, as well as the permanent securing of staff that are concluding fixed term contract periods of employment:

- **Endorse an FTE increase from 0.60 to 1.00FTE for FY2023/24 for the vacant position of Contracts and Leasing Officer (Governance Team)** - The Findings from the Organisational Best Practice Service Review, particularly the review of Governance Team capability, has identified this position needs to be a 1.00FTE to adequately service the organisation. This aligns with the feedback we have received through the three recruitment processes run for this role.
- **For FY2023/24 - endorses the recruitment of a Senior Sustainability Officer as an outcome from the restructure of the Infrastructure and Development Directorate.** Formally agreed by Council at its meeting on 31 January 2024 (OC/2024/26).
- **For FY2023/24 - endorses a 1.00FTE Officer transition from a fixed term appointment to a permanent position (Digital Communications Officer)** - Post website project completion stage 1; to retain this role to maintain and enhance our communications, aligning with planned future website development and integration with the new Enterprise Resourcing Planning (ERP) solution.

Summary

Workforce planning is a continuous process of shaping the workforce to ensure that it can deliver organisational objectives now and in the future.

Based on regional contextual data, the Shire is currently resourced to service the community at 4.5 FTE per 1,000 people, which is on average, 3.5 FTE less per 1,000 people than our neighbouring local governments.

Continuing to work to this ratio is unsustainable and contributing the Shire's high workforce turnover which is currently tracking at 47%.

During the same two-year period, 44% of new employees have been onboarded/inducted, with 8.79 FTE (9.2%) positions vacant and proving difficult to fill.

Looking at the gender profile of the workforce, the gender split is 61% female and 39% male. Employees are evenly distributed across the two directorates with 5% of employees in the Office of the CEO (Chief Executive Officer).

Females are under-represented in the Shire's Manager cohort, with two Manager positions substantively vacant.



The Shire's age profile of the workforce is predominately between the ages of 35 to 54 years, with 26% of the workforce approaching 60+ years which is a risk for the Shire in terms of loss of knowledge, skills, and the need for a sufficient succession planning program.

Recruitment and retention of staff continues to be challenging for the Shire. Limited ability to offer a competitive and flexible remuneration package hinders the Shire's ability to attract talented candidates. The current unemployment rate in Western Australia (as at March 2023) is 3.6% which has been relatively consistent over the last 24 months.

During FY 2022-23, Shire Officers commenced negotiation of a new Enterprise Bargaining Agreement for Shire staff contracted under Shire of Capel (Operations) Enterprise Agreement 2019. This negotiation is continuing following transition to the State Industrial System, with the projected financial outcome of these negotiations included in the salary costings within the draft 2024-25 Annual Budget.

Ongoing organisational reviews, in addition to other key informing factors led to actioning an Organisational Best Practice Service Review, commencing in December 2023 to March 2024. In essence, the review calculated the resourcing requirements (work hours per day, week and month) to deliver core business services to the Capel community, then compared these requirements with existing organisational resourcing and capability.

The review identified the organisation is very lean in physical resourcing compared to 'like' local governments of similar population and demographics, and the impact of this is felt daily across the organisation, and impacts the Shire's recruitment and retention issues, influencing the overall staff turnover rate, which is currently at 47%, as well as service delivery capability and consistency.

Previous Workforce Plans (from 2021 onwards) do address this issue to a degree, identifying the historical lack of organisational growth, as well as rudimentary benchmarking of resource shortages compared to neighbouring local government (of between 30 and 40 FTEs), whilst proposing a tentative growth strategy of 5% FTE increase each year for the term of the (then) plan (4 years).

However, with the independent researched data received through the review process, the Shire now has granular, individual team level data that validates the challenges the Shire is currently experiencing, and forecasts in FTE what a Local Government of this size and demographic needs (in FTE) to function effectively and efficiently to competently service the community.

The total staffing deficiency across the organisation equated to 40.40 FTE. This total was based on the effectiveness of the Shire's current processes, practices, data, and systems, and reflected current service delivery levels, not accounting for population growth projections and additional resourcing requirements for capital projects such as the proposed Dalyellup Multipurpose Community and Youth Centre (DMCYC), or the procurement and implementation of the Enterprise Resource Planning.

The (Draft) Workforce Plan 2024 to 2028 highlights several challenges the Shire is facing in the immediate and long term. Some of which can be addressed through conventional and contemporary HR practices as detailed in the plan.

However, for workforce challenges which are directly influenced by access to adequate financial resource, Officers are hopeful the Shire will be more financially aware and capable from 2024 onwards to:



1. Sufficiently invest in additional FTE, servicing the current population to sustain expected service levels, drive Corporate Business Plan outcomes and support the successful delivery of projects detailed in the Shire's Advocacy Prospectus.
2. Realise the additional staffing needs to increase service level requirements as the Shire's population increases by approximately 5% per annum over the next 4 years.
3. Build a consistent, fair, and flexible remuneration and employee benefits scheme for the purpose of retaining our talented workforce and attracting new talent when positions arise.

As detailed in the Workforce Plan, an annual review of the workforce position will be completed and reported to the Council. The Workforce Plan has purposely been designed to be flexible ensuring it can adapt to the Shire's evolving workforce requirements.

Furthermore, the intention is to reduce the level of granular content which currently refers to the Shire's recruitment and retention position for the previous two years and gives considerations for future workforce planning requirements. Further iterations to the plan will continue to refine this level data, producing a contemporary, strategy focussed workforce report.

The Workforce Plan is provided to the Council for review and although not required to be adopted by the Council under the integrated planning and reporting framework, the Council's support and endorsement of the plan is sought.

Voting Requirements

Simple majority.



Officer's Recommendation – 15.6.

OC/2024/78 - Officer's Recommendation / Council Decision - 15.6

Moved Cr Terrantroy, Seconded Cr Fergusson.

That Council:

- 1. Endorses the Shire of Capel's Workforce Plan 2024 – 2028 as detailed in the Attachment 15.6.1.**
- 2. For FY2023/24 - endorses an FTE increase from 0.60 to 1.00FTE for the vacant position of Contracts and Leasing Officer (Governance Team).**
- 3. For FY2023/24 - endorses the recruitment of a Senior Sustainability Officer as an outcome from the restructure of the Infrastructure and Development Directorate.**
- 4. For FY2023/24 - endorses a 1.00FTE Officer transition from a fixed term appointment to a permanent position (Digital Communications Officer).**
- 5. Supports the design and implementation of an Occupancy Strategy, forecasting office occupancy / mobility strategies to support growth in the Shire's workforce.**
- 6. Notes that Shire of Capel's Workforce Plan 2024 – 2028 final published version will be graphically designed and illustrated to a standard suitable for public presentation.**

Carried 8 / 0

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

Against - Nil



16. New Business of an Urgent Nature

Nil

17. Public Question Time

Nil

18. Motions Without Notice (Absolute Majority by Council)

Nil

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

Nil

20. Items for Consideration Behind Closed Doors

Voting Requirements

Simple Majority

OC/2024/79 - Procedural Motion / Council Decision - 20.0.2

Moved Cr Kitchen, Seconded Cr Dillon.

That the meeting be closed to members of the public in accordance with Shire of Capel Standing Orders Local Law 2016, 12.1(g) to consider item 20.1 Bunbury Cathedral Grammar School Execution of Memorandum of Understanding.

Carried 8 / 0

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

Against - Nil



20.1 Bunbury Cathedral Grammar School – Execution Memorandum of Understanding

Author	Director of Community and Corporate, Samantha Chamberlain
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic
Attachments	{attachment-list}
Confidential Status	<i>This item is confidential under the Local Government Act 1995 due to: c. a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;</i>

OC/2024/80 - Alternative Recommendation / Council Decision - 20.1

Moved Cr Terrantroy, Seconded Cr Fergusson.

That Council:

- 1. Endorse the Memorandum of Understanding (Confidential Attachment 20.1.1) between the Shire of Capel and Bunbury Cathedral Grammar School.**
- 2. Authorise the Shire President and Chief Executive Officer to sign the Memorandum of Understanding.**
- 3. Note that an allocation towards the Feasibility Study will be included in the Shire's Draft Annual Budget 2024/25.**

Carried 8 / 0

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

Against - Nil



OC/2024/81 – Procedural Motion / Council Decision - 20.1

Moved Cr Kitchen, Seconded Cr Mogg.

That the meeting be return from behind closed doors.

Carried 8 / 0

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

Against - Nil

The Shire President read out the decision from behind closed doors.

21. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 9:06pm.