

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 11 JANUARY 2006 COMMENCING AT 4.30PM.

A Ross  
A/CHIEF EXECUTIVE OFFICER

5 January, 2006

# AGENDA

## Table of Contents

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....	3
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	3
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....	3
4	PUBLIC QUESTION TIME .....	3
5	APPLICATIONS FOR LEAVE OF ABSENCE .....	3
6	NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS .....	3
7	CONFIRMATION OF MINUTES .....	3
8	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	3
9	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	3
10	QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN.....	3
11	ENVIRONMENTAL HEALTH SERVICES REPORTS.....	4
11.1	ENVIRONMENTAL HEALTH SECTION .....	4
12	PLANNING AND DEVELOPMENT SERVICES REPORTS .....	4
12.1	BUILDING SERVICES SECTION .....	4
12.2	PLANNING SERVICES SECTION.....	4
12.2.1	RESIDENTIAL SUBDIVISION (STAGE 13) – PT LOTS 9041, 9054 AND 9055, DALYELLUP BOULEVARD, DALYELLUP (C5.1.D.16).....	4

<b>13.1</b>	<b>OPERATIONAL SERVICES SECTION .....</b>	<b>8</b>
13.1.1	ROAD DEDICATION - BUSSELL HIGHWAY (LUDLOW DEVIATION) (T.1.21.204).....	8
13.1.2	CAPEL SKATE PARK (R.1.29) .....	10
<b>14.1</b>	<b>GOVERNANCE .....</b>	<b>13</b>
14.1.1	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – MEMBER VACANCIES (A.2.22).....	13
14.1.2	POLICY 13.19 SMOKING IN THE WORKPLACE (A.2.11) .....	16
<b>14.2</b>	<b>COMMUNITY SERVICES SECTION .....</b>	<b>18</b>
<b>14.3</b>	<b>FINANCE AND RATING SECTION .....</b>	<b>18</b>
<b>14.4</b>	<b>COMMUNITY RANGER SERVICES .....</b>	<b>18</b>
<b>15</b>	<b>URGENT BUSINESS.....</b>	<b>18</b>
<b>16</b>	<b>PUBLIC QUESTION TIME .....</b>	<b>18</b>
<b>17</b>	<b>ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS .....</b>	<b>18</b>
<b>18</b>	<b>MEETING CLOSURE .....</b>	<b>18</b>

- 1        **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2        **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**
- 3        **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4        **PUBLIC QUESTION TIME**
- 5        **APPLICATIONS FOR LEAVE OF ABSENCE**
- 6        **NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS**
- 7        **CONFIRMATION OF MINUTES**
- 7.1      Ordinary Council Meeting – 14.12.05
- 8        **PETITIONS/DEPUTATIONS/PRESENTATIONS**  
  
          Mr Larry Brennen and Mr Roger Kay, Challenge Dairy, will be attending the Council meeting to discuss odour concerns and future development of the dairy.
- 9        **MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 10      **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**11 ENVIRONMENTAL HEALTH SERVICES REPORTS**

**11.1 ENVIRONMENTAL HEALTH SECTION Nil**

**12 PLANNING AND DEVELOPMENT SERVICES REPORTS**

**12.1 BUILDING SERVICES SECTION Nil**

**12.2 PLANNING SERVICES SECTION**

<b>12.2.1 Residential Subdivision (Stage 13) – Pt Lots 9041, 9054 and 9055, Dalyellup Boulevard, Dalyellup (C5.1.D.16)</b>
--

REPORTING OFFICER

GE Bishop – Manager Planning and Development Services Date 05.01.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Dalyellup Beach Pty Ltd and State Housing Commission/Thompson McRobert Edgeloe.

MATTER FOR CONSIDERATION

Proposed revised residential subdivision proposal for portion of stage 13 of the Dalyellup Beach Estate creating a total of 155 lots with areas ranging from 418m<sup>2</sup> to 940m<sup>2</sup> along with three public open space lots with areas of 4724m<sup>2</sup>, 1.35ha and 2.21ha.

ATTACHMENTS

Subdivision Plan – Page 01

APPLICANTS SUBMISSION

The applicant has in summary advised the following:

- All residential lots are consistent with the Dalyellup Development Zone which applies to the land
- The plan varies from the approved Dalyellup Beach Estate Local Structure Plan by changing the road layout to allow for lots with better alignment for solar orientation of buildings, increasing the density of lots, improved road connectivity and moving a proposed R40 site closer to the future Beach and Tourist Precinct
- The outcome of the changes to the Region Open Space areas to be acquired under the Greater Bunbury Region Scheme has created a continuous corridor of open space on the south side of Dalyellup Boulevard through to Maidment Parade which removes the need for repetition of a narrow strip of public open space on the north side of the road
- A previous proposal to use low density R10 lots has been replaced with R20 lots to assist in maximising the lot yield from the area. This is consistent with the WAPC Liveable Neighbourhoods Policy and in particular assists in achieving the objective to maximise land efficiency
- An outline development Plan is currently being prepared for the Beach and Tourist Precinct. To assist in planning for proper integration of the area with the residential subdivision a portion of the original stage 13 area has been deleted from this application

- The Shire of Capel is requested to endorse the minor modifications to the Dalyellup Beach Estate Local Structure Plan in conjunction with the assessment of the subdivision application which has been referred for comment by the WAPC

## BACKGROUND

Minute OC0706 of 2002 refers. Council resolved to recommend to the WAPC that the Stage 13 subdivision plan should be approved with conditions. The WAPC subsequently granted an approval which lapsed in September 2005.

## STATUTORY ENVIRONMENT

The subject land is included in the Dalyellup Development Zone (Clause 5.10) in Town Planning Scheme No. 7. This provides for the preparation, adoption and modification of Outline Development Plans (ODP). The Dalyellup Beach Estate Local Structure Plan of 1999 is an adopted ODP that may be modified by following the procedure prescribed for either a minor or major modification. In relation to a major modification the Zone sets out a procedure for advertising, consideration of submissions and endorsement of it by Council and the Western Australian Planning Commission. Clause 5.10.9(b) of the Scheme provides that Council may approve a minor modification without undertaking the advertising process required for a major modification. Council could adopt a minor modification in conjunction with making a recommendation on the subdivision application.

## POLICY IMPLICATIONS

Engineering Policy 16.2 relating to Guidelines for Subdivision Development is applicable. Section 2.2.3 refers to Council requiring developers to provide facilities for pedestrians and cyclists in all new subdivisional developments. In the case of Dalyellup Beach Estate the developer has been progressively providing a comprehensive system of pedestrian and dual use paths.

## FINANCIAL IMPLICATIONS

It should be noted that the creation of an additional area of Public Open Space (POS) will result in the utilisation of additional management/maintenance resources, which will continue to be an issue in the Dalyellup area. It will be necessary to continue with the Specified Area Rate approach to raising sufficient revenue to meet the cost of maintenance. It should be noted that the areas of POS proposed in this application will only be useful for casual recreation as compared to organised sports due to tree coverage, shape and topography.

## STRATEGIC IMPLICATIONS

### Greater Bunbury Region Scheme (Draft)

The Region Scheme proposes to zone the subject land 'Urban' in recognition of the adopted planning framework as set out in the Bunbury Wellington Region Plan.

### Shire of Capel Land Use Strategy 1999

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

### Dalyellup Beach Estate – Local Structure Plan

The Structure Plan sets in place a number of objectives and guidelines to provide direction to the more detailed design and planning of each stage of subdivision of the Dalyellup urban area. A matter to note with respect to statements within the Structure Plan is in relation to Residential densities. Densities envisaged are classed as medium (Residential R20 – minimum lot size of 450m<sup>2</sup> and average of 500m<sup>2</sup>) compared to most other relatively low density residential areas within the Shire. This density is seen as generating a closer-knit community making better use of facilities and is a way of compensating for the larger areas of open space envisaged in the overall plan.

### Shire of Capel Strategic Plan 2003-2007

The Dalyellup urban development has a major impact on the strategic position of the Shire in terms of its service delivery to the community.

Action 1.2 of Core Business Area 2 – Land Use requires that Urban Structure Plans be prepared and reviewed. The ‘Review’ of the Dalyellup Beach Estate Local Structure Plan and modifications agreed to by Council contributes to meeting this action. The structure plan establishes the basic framework of the development in relation to issues like road patterns, open space provision, foreshore reserves, the approach to the provision of dual use path systems, the position of the primary school, a future tourist node, residential densities, areas of land requiring more intensive investigation before determining final use and the position of the future district centre.

The rate of development at Dalyellup also has broad implications for the other Core Business Activities of the Strategic Plan specifically those of Infrastructure, Health, Environment and Community Services. Put simply the more people that reside in the area the more resources will be required to meet service demands.

CONSULTATION

Nil

COMMENT

The proposed subdivision is generally consistent with adopted Dalyellup Beach Estate Local Structure Plan but some modifications to the road layout have been proposed as a result of a refinement of the plan. The proposal for minor modifications to the adopted Structure Plan as referred to in the Applicant’s Submission section of this report can be considered in conjunction with the actual application to subdivide and the results of Council’s deliberations on both matters can be conveyed to the Western Australian Planning Commission together. The modifications are intended to achieve an improved subdivision design providing a greater variety of lot sizes, better lot yield (155 lots are proposed where previously approximately 110 lots had been approved) and better opportunity for solar orientation of dwellings. Subdivision road design will also provide for improve connectivity. Detailed road designs will incorporate pavement treatments, road widths and traffic slowing devices consistent with a traffic management plan prepared by Sinclair Knight Merz.

The site has some extreme contours which will necessitate significant earthworks and will result in the now typical use of retaining walls to produce usable residential lots. Two proposed larger areas of POS being 1.35 ha and 2.21 ha on the north edge of the subdivision area have been orientated to retain existing vegetation in a linear format similar to the first stages of the Dalyellup Beach Estate and consistent with the adopted Local Structure Plan. The linear open space will ultimately extend to the ocean foreshore where an additional beach access is to be provided in accordance with the adopted Foreshore Management Plan – Detailed Specifications.

A portion of land that was part of the former stage 13 subdivision approval which has not been included in this new application where it will abut the proposed Tourist Precinct and Local Centre which will be subject to a separate Outline Development Plan (ODP) prior to development taking place. This will allow for consideration of detailed site issues and to ensure that any proposed development is in keeping with the preferred outcome for the area. It should be noted that the Tourism Precinct shown on the adopted Local Structure Plan has been reduced in area due the decision by the Minister for the Environment on Region Open Space in the Greater Bunbury Region Scheme.

#### **STAFF RECOMMENDATION**

**That Council resolves to:**

- 1 Pursuant to Clause 5.10.9(b) of the Scheme adopt the minor modifications to the Dalyellup Beach Estate Local Structure Plan to reflect the modification to the road structure and lot layout proposed for Stage 13 of the Dalyellup Beach Estate to provide for an improved subdivision design creating a greater variety of lot sizes, better lot yield, better connectivity and opportunities for solar orientation of dwellings.**
- 2 Recommend to the Western Australian Planning Commission that it approves the subdivision plan submitted subject to the following conditions:**
  - (a) Those lots not fronting an existing road being provided with frontage to a constructed subdivisional road, connected by a constructed subdivisional road(s) to the local road system and such subdivisional road(s) being constructed and drained at the subdivider's cost to the specifications approved by, and to the satisfaction of the Shire of Capel;**
  - (b) Street corners within the subdivision being truncated to the standard truncation of 8.5 metres.**
  - (c) The land being filled and/or drained at the subdivider's cost to the satisfaction of the Shire of Capel, and any easements and/or reserves necessary for the implementation thereof, being provided free of cost.**
  - (d) Dual-use paths/cycleways within the subdivision to be constructed and drained by the subdivider to the satisfaction of the Shire of Capel in accordance with the dual use path plan for the estate.**
  - (e) The land being graded and stabilized at the subdivider's cost to the satisfaction of the Shire of Capel.**
  - (f) The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted to the satisfaction of the Shire of Capel.**
  - (g) The subdivider contributing to the upgrading of Dalyellup Boulevard adjacent to the subdivision to the satisfaction of the Shire of Capel.**
  - (h) The proposed areas of Public Open Space shown on the sketch plan submitted by the applicant being shown on the diagram or plan of survey as Reserve for Recreation and vested in the Crown under Section 20A of the Town Planning and Development Act, and such land being ceded to the Crown free of cost and without payment of compensation by the Crown.**
  - (i) The subdivider making satisfactory arrangements with the Shire of Capel for any removal and relocation of fill from the site.**

#### **VOTING REQUIREMENTS**

Simple majority

**13.1 OPERATIONAL SERVICES SECTION**

**13.1.1 Road Dedication - Bussell Highway (Ludlow Deviation) (T.1.21.204)**

REPORTING OFFICER

TM Brockman – Operations Administration Officer

Date 7.12.05

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Main Roads Western Australia

MATTER FOR CONSIDERATION

Formal dedication of a section of Bussell Highway (Ludlow Deviation – SLK 28.34 to 45.34), from the original alignment of Tuart Drive to the southern boundary of the Shire.

ATTACHMENTS

- Copy of request from Main Roads WA
- Copy of previous comment from Shire of Capel
- Deposited plans 18907 and 18908.

APPLICANT’S SUBMISSION

As per attachments 1 to 4.

BACKGROUND

The Department of Planning and Infrastructure (DPI) requires Council approval in order to finalise the formal excision and dedication of the land previously resumed for the Ludlow Deviation, south of Capel.

In order to satisfy the requirements of the DPI process the resolution must comply with Section 56 of the Land Administration Act 1997.

STATUTORY ENVIRONMENT

All road reserves, regardless of who is responsible for their control, are vested in local government. It is therefore necessary for Council to agree to this process in order for this parcel of land to be dedicated as road reserve, even though Main Roads WA are currently responsible for the care and control of this particular thoroughfare.

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS Nil

CONSULTATION Nil

COMMENT

The decision required of Council is merely a formality in order to correct the DPI records.

**STAFF RECOMMENDATION**

**That the Council of the Shire of Capel concur with the dedication of the land contained in Deposited Plans 18907 and 18908 as road under Section 56 of the Land Administration Act.**

VOTING REQUIREMENTS

Simple majority

**13.1.2 Tender 05/13 - Capel Skate Park (R.1.29)**

## REPORTING OFFICER

Bob Evans – Manager Operational Services

Date 11.01.06

DISCLOSURE OF INTEREST Nil

## OWNER/APPLICANT

Shire of Capel

## MATTER FOR CONSIDERATION

Council to consider approving the tender for the construction of the Skate Park at Capel.

ATTACHMENTS Nil

APPLICANT'S SUBMISSION Nil

## BACKGROUND

Council first called tenders for the construction of the Capel Skate Park in early April 2005 and tenders closed on 28 April 2005. Tenders were based upon a design completed by Convic Design in consultation with youth and the potential users of the facility. During 2004/05 \$6,410.00 was spent on the design of the facility and a further \$534.00 to advertise the tender.

Unfortunately, no responses to the tender request were received. As a result the project was carried over to 2005/06 with the anticipation that a suitable contractor could be engaged to complete the project.

In accordance with the Local Government Act and Regulation Part 4 Clause 11 (2) tenders do not have to be publicly invited again for 6 months and in that time negotiations may be conducted. A contractor who had previously worked for Skatetech, the company believed to have the greatest experience with skate park construction in Western Australia, submitted a quote for \$152,705.93 excluding GST and the scope of work to be undertaken included supply of all materials, labour, plant and equipment.

Council agreed (OC1029) to allocate an additional \$60,000 to the construction of the Capel Skate Park and that these funds were to be obtained from the Building Reserve and replenished at the end of this financial year if a better than expected surplus is recorded.

Council awarded the contract (OC1030) to construct the Capel Skate Park to Mike Jackson of Cowaramup for a sum of \$152,705.93 excluding GST and that any variations to this amount as a result of manufacturer or supplier increases be approved by the Manager Operational Services.

Unfortunately, Mike Jackson was unable to commence work on the contract due to him pursuing another job opportunity. Due to this uncertainty a contract was not offered to Mr Jackson and therefore Council minute OC1030 (26/10/2005) was rescinded. (OC1129)

Council readvertised the tender for the construction of the skatepark in the West Australian and the South West Times in November 2005 and closed tenders on 22 December 2005. Council received one submission for a sum of \$148,000.00 excluding GST from Convic Skate Parks.

## STATUTORY ENVIRONMENT

Local Government (Functions and General) Regulations 1996  
Part 4 deals with tenders for providing goods or services in accordance with Section 3.57 of the Local Government Act 1995.

#### POLICY IMPLICATIONS

Delegation 131 to the CEO on the subject of Tenders has relevance in that the CEO is able to authorise the advertising of the tender.

#### FINANCIAL IMPLICATIONS

Council has now allocated a budget of \$164,602 to construct the Capel Skate Park and this is to be funded by reserves (\$115,294), grants (\$34,545), contributions (\$14,763) and Council funds of \$10,000.

The tender received of \$148,000 compares to the available funds of \$164,602, any savings available following construction will be returned to the Building Reserve.

#### STRATEGIC IMPLICATIONS

Associated with the Strategic Plan 2003 – 2007, core business area of Community Services and the strategy of providing facilities and services that satisfy community needs.

#### CONSULTATION

Youth in the Capel region and potential users of the skate park facilities have been consulted with regards to the types of facilities (ramps, pipes, etc) to be included in the skate park.

#### COMMENT

The one offer received was from Convic Skate Parks a company originally based in Margaret River but now operating from Richmond, Victoria. They are very experienced in the construction of skate parks and probably the leading Australian company in the construction of in-situ concrete skate parks. The company previously constructed the Boyanup and Gelorup Skate Parks. In 2005 the company constructed skate parks in Victoria and NSW including a 2000m<sup>2</sup> park in Frankston for \$700,000. They have the resources, experience and expertise to successfully undertake the construction of the Capel Skate Park. They have advised that they will coordinate the construction of the Capel Park with other projects in Western Australia. They will use their own resources, but source materials and the services of a blocklayer locally.

It is recommended the Council accept the tender from Convic Skate Parks.

The following table shows the revised budget and includes the updated construction cost as well as some adjustments to expenditure items in order to minimise the total transfer required from the Building reserve.

<u>Capel Skate Park</u>			
<u>2005/06 Budget (revised)</u>			
<u>Expenditure</u>		<u>Funding</u>	
Design	-	South West Devpmt Comm	20,000
Construction (Convic Design)	148,000	Capel Skate Park Group	10,000
Drinking Fountain	990	Youth Spaces	10,000
Freight and Installation	502	Bunbury Port Authority	4,545
Lighting and Power	7,920	Capel Youth concert	4,763
Gazebo Concrete Pad	470	Shire of Capel	10,000
Landscaping	2,180	Iluka Resources	50,000
Signage	1,040	Shire of Capel (Building Reserve)	55,294
Opening Celebration	1,500		
Contingency	2,000		
	<u>164,602</u>		<u>164,602</u>
Add: In kind funded expenditure			
Project Coordination	4,000	Shire	4,250
Relocation of Gazebo	250	Townscape committee	1,200
Seating - 4 x bench	1,200		
	<u>170,052</u>		<u>170,052</u>

With regard to some of these funding sources the following comments are offered:

- The Office of Children and Youth who have approved funding of \$10,000 for youth spaces has been requested to approve an extension to the funding until the project is completed due to delays being experience obtaining a contractor
- The South West Development Commission who have approved funding of \$20,000 have agreed to extend their grant until 31 March 2006, due to the difficulties being experienced
- The funds from Iluka are secure and held in the Building reserve
- Funds from the Capel youth concert are held by the Shire as restricted funds.

In order to not further jeopardise some of the major grants that have been agreed to it is essential that construction proceed in early 2006.

The previous table shows that \$164,602 will be required to complete the project excluding expenditure on project coordination and some in kind work. As \$7,741 was expended in 2004/05 on design work, tender advertising and works to upgrade the BMX track as part of the youth space, the expected total project cost will exceed \$180,000. This compares to the \$130,000 cost (excluding project coordination) to construct the Boyanup Skate Park facility in 2003/04.

#### **STAFF RECOMMENDATION 1**

**That Council award the contract to construct the Capel Skate Park to Convic Skate Parks (Aust) Pty Ltd for a sum of \$148,000.00 excluding GST and that any variations to this amount as a result of manufacturer or supplier increases be approved by the Manager Operational Services.**

#### **VOTING REQUIREMENTS**

Simple majority

**14.1 GOVERNANCE**

**14.1.1 Western Australian Local Government Association – Member Vacancies (A.2.22)**

REPORTING OFFICER

PF Sheedy – Chief Executive Officer

Date: 12.12.05

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Western Australian Local Government Association (WALGA)

MATTER FOR CONSIDERATION

Council is required to consider the vacancies and nominate any interested Elected Members or Staff.

ATTACHMENTS

Summary of current vacancies.

APPLICANT’S SUBMISSION

WALGA has advised that the current round of vacancies for various Committees is now open, with nominees being required to complete the relevant nomination form and return it by Friday, 27 January 2006.

BACKGROUND

The vacancies have become available as a result of the expiry of existing members term, the existing member resigning from the position or the creation of new committee vacancies.

STATUTORY ENVIRONMENT Nil

POLICY IMPLICATIONS

Policy 12.3 – ‘Travel Expenses – Members’ clause 1(f), indicates that Council will reimburse travel expenses where Members of Council attend meetings as a consequence of an appointment to a committee.

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS Nil

CONSULTATION Nil

## COMMENT

If any Councillors are interested in being nominated to any of the following positions, an indication prior to the Council meeting would be appreciated. Further details of each committee are available from the Chief Executive Officer.

Details of the various committee vacancies are as follows:

1 Heavy Vehicle Advisory Group

Vacancy: One Member  
 Term: Ongoing  
 Meetings: Quarterly  
 Duration: 2 hours  
 Location: Perth  
 Fees: Travelling Fee - Costs will be negotiated.

2 Local Government Self Insurance Schemes Board

Vacancy: One Elected Member and One Serving Officer of a Scheme Member Council  
 Term: Three Years  
 Meetings: Monthly (usually 4<sup>th</sup> Thursday of the month)  
 Duration: 3 hours  
 Location: West Perth  
 Fees: Directors fee of \$8,400 pa (paid in quarterly instalments) plus superannuation (under review)  
 Travelling Fee – In accordance with Government standards

3 Mosquito Control Advisory Committee

Vacancy: Non-Metropolitan Member – One  
 Term: Two Years  
 Meetings: Approximately twice yearly  
 Duration: 3 – 4 hours  
 Location: Claremont  
 Fees: Sitting Fee - Nil  
 Travelling Fee – Will be reimbursed (to be negotiated)

4 Neighbourhood Watch Board

Vacancy: One Member  
 Term: Ongoing  
 Meetings: Bi-monthly  
 Duration: 1 - 2 hours  
 Location: Cannington  
 Fees: Sitting Fee - Nil  
 Travelling Fee – Reimbursement of out of pocket expenses in relation to attending meetings will be at Public Sector rates

5 State Emergency Management Committee – Emergency Services Group

Vacancy: One Member  
Term: Indefinite period  
Meetings: Quarterly  
Duration: Not usually more than 2 hours  
Location: Perth  
Fees: Travelling Fee – Reimbursement of out of pockets expenses in relation to attending meetings will be paid at Public Sector rates.

6 WA Walking Committee

Vacancy: One Member  
Term: One year  
Meetings: Bi Monthly  
Duration: 1 – 2 hours  
Location: Perth  
Fees: Sitting Fee – Nil  
Travelling Fee – costs reimbursed in accordance with Government standards

7 Container Deposits System – Stakeholder Advisory Group

Vacancy: One Member  
Term: Ongoing  
Meetings: Monthly  
Duration: 2 hours  
Location: Perth  
Fees: Sitting Fee – Nil  
Travelling Fee – costs reimbursed in accordance with Government standards

**STAFF RECOMMENDATION**

**That Council nominate interested Councillors and meet appropriate travel costs as per Policy 12.3, where not provided by a Committee.**

VOTING REQUIREMENTS

Simple majority

**14.1.2 Policy 13.19 Smoking in the Workplace (A.2.11)**

REPORTING OFFICER

Andrew Ross – Manager Finance and Community Services

Date: 21.12.05

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Shire of Capel

MATTER FOR CONSIDERATION

Council to consider approving a revised policy on smoking in the workplace.

ATTACHMENTS

Policy 13.19, Smoking in the Workplace.

APPLICANT’S SUBMISSION Nil

BACKGROUND

Policy 13.19 was originally adopted by Council at its meeting on 19 January 1999. The contents of the policy when it was adopted were:

“Council recognises that passive smoking is hazardous to health and that non-smokers should be protected from the inhalation of tobacco smoke.

To protect the health of all employees and the public users of Council’s facilities, it is Council’s Policy that employees not smoke in any enclosed Council work place, meeting room or vehicle.

All employees, public facility users and visitors to work places where the Council’s smoking policy applies must be informed of the Smoke Free Policy and encouraged not to smoke by use of strategically located and well designed signage; or if they wish to smoke, to do so in an open area outside of the building or vehicle, but away from open windows or doors.”

STATUTORY ENVIRONMENT

Occupational Safety and Health Act 1984  
Health (Smoking in Enclosed Public Places) Regulations 1999

POLICY IMPLICATIONS

Policy 13.19, Smoking in the Workplace, will be replaced by this revised policy.

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS Nil

CONSULTATION

The policy was provided to Council’s risk management committee for comment, review and changes. This committee includes representatives from Council’s work force including operations staff. The committee suggested some changes that have been incorporated into the policy and recommended it be provided to Council for approval.

COMMENT

The policy has been substantially altered to provide greater detail on the impact of environmental tobacco smoke (ETS) and to be more prescriptive regarding the objective of achieving a smoke free workplace.

**STAFF RECOMMENDATION**

**That Council approve Policy 13.19, Smoking in the Workplace.**

VOTING REQUIREMENTS

Simple majority

<b>14.2</b>	<b>COMMUNITY SERVICES SECTION</b>	<b>Nil</b>
<b>14.3</b>	<b>FINANCE AND RATING SECTION</b>	<b>Nil</b>
<b>14.4</b>	<b>COMMUNITY RANGER SERVICES</b>	<b>Nil</b>
<b>15</b>	<b>URGENT BUSINESS</b>	
<b>16</b>	<b>PUBLIC QUESTION TIME</b>	
<b>17</b>	<b>ITEMS FOR CONSIDERATION BEHIND CLOSED DOORS</b>	
<b>18</b>	<b>MEETING CLOSURE</b>	