

SHIRE OF CAPEL

NOTICE OF AN ORDINARY COUNCIL MEETING

THE NEXT ORDINARY MEETING OF COUNCIL WILL BE HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 22 APRIL 2009 COMMENCING AT 4.30PM.

PF. Sheedy.

PF Sheedy
CHIEF EXECUTIVE OFFICER

16 April, 2009

AGENDA

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- 1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
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REPORTING OFFICER

A Dykstra - Planning Officer (Temporary)	02.04.09
G Bishop – Acting Director Planning and Development	14.04.09

DISCLOSURE OF INTEREST	Nil
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OWNER/APPLICANT

Ashlane Pty Ltd/Insitu Planning

MATTER FOR CONSIDERATION

A request to initiate a Scheme Amendment for lot 46 South Western Highway, North Boyanup (the Site) has been submitted to facilitate a retaining wall construction business including the parking and servicing of vehicles and related equipment. The amendment involves amending the Scheme maps by changing the zoning from "Rural" to "Rural" and "Additional Use" as well as inserting specific provisions into Appendix 3 of the Scheme.

ATTACHMENTS

Location Plan – Attachment 1
 Amendment text – Attachment 2
 Development Guide Plan – Attachment 3

APPLICANT'S SUBMISSION

The applicant has submitted a formal request to initiate a scheme amendment to facilitate the operation of a retaining wall business from the site. Modifications to the Scheme Text include the following:

- Rezoning the Site from "Rural" to "Rural" and "Additional Use".
- Inserting land particulars, permitted uses and development standards/controls into Appendix 3 – "Additional Use" of the Scheme.

The full amendment text is included as Attachment 2 to this report.

The Applicant's submission includes the following:

Site

The site is accessed from South Western Highway and is located 8km north west of the Boyanup Townsite. The Site contains a single dwelling on the south eastern corner and further west there is a zincalume shed with an area at the rear for the parking of vehicles, materials and equipment. The balance of the land is used for the grazing of sheep.

Planning Framework

Under the Greater Bunbury Region Scheme the land is zoned 'Rural'. The use will not compromise the prevailing rural use of the land.

The current activities are not provided for under the current zoning under the Scheme thus an 'Additional Use' zone is sought for 9468m² of the 12.13ha site. The balance of the site will be used for rural purposes.

The EPA publication 'Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses' provided recommended separation distances that would apply to the proposal. A 200m buffer would apply from a Transport Vehicles Depot to a sensitive land use (including a dwelling). The applicant believes that as only 5 vehicles are used the 200m buffer is not likely to be required however the closest dwelling to the site is approximately 200m away.

Amendment Proposal

The proposal includes changes to the Scheme Maps and Scheme Text. The Additional Use zone applies over the whole of the land and introduces planning controls in Appendix 3 of the Scheme. In particular, development standards include: limiting the area of the use to that as identified on a Development Guide Plan; Limiting the zoning exclusively for the operation of Ashlane Pty Ltd whereby in the case of any sale of the land or change of ownership the additional use right ceases; that planning consent will be required providing further controls and stated business hours.

Planning Considerations

Access will be via the existing crossover to South West Highway. Some noise will be associated with the activity which usually will be in the morning and afternoon when vehicles leave the site and return. A provision will require business hours to be between 6.00am and 6.00pm Monday to Saturday excluding Sundays.

A green shade cloth screen has been erected to help screen the activities from passing motorists which is intended to be temporary while some screen vegetation will ultimately screen the operation from view.

BACKGROUND

February 2008 – It was brought to the Shire's attention that activities were conducted on the site which was not in keeping with the rural zoning of the land. It was requested the owner provide details of the activities being conducted.

July 2008 – Following a response via the applicant's solicitor, the solicitor was advised that staff is of the view the use is not permitted in the rural zone and requested a course of action be initiated from options presented.

September 2008 – The applicant's solicitor was requested again to provide a timetable for a proposal regarding the alleged illegal business activity.

December 2008 – The applicant's solicitor was advised that an inspection of the site revealed business activities that were continuing had expanded to include cutting/machining of limestone blocks and that if no proposal was to be submitted the matter would be reviewed by Council's solicitor.

To date a number of inspections of the site had been conducted which revealed stockpiles of gravel, sand and limestone blocks, as well as the storage of trucks, trailers and machinery.

STATUTORY ENVIRONMENT

Town Planning Scheme No. 7

The lot is zoned "Rural" pursuant to Town Planning Scheme No. 7 and has a total area of 12.13 hectares.

The proposed activity is one that Council does not have the discretion to approve in the Rural zone. Clause 3.3 of the Scheme provides for the granting of an 'Additional Use' right in addition to uses permitted by the existing zoning. Special development standards or conditions can be imposed when an additional use is created under the normal process for amending a Scheme under the *Town Planning Regulations 1967*.

Planning and Development Act and Regulations

If Council agrees to initiate a scheme amendment it is required to comply with the procedural requirements of the *Planning and Development Act 2005* and the *Town Planning Regulations 1967* (as amended). The following requirements apply:

Act

Section 75 – A local government may amend a planning scheme with reference to any land within its district by an amendment proposed by all or any owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.

Section 77 – Every local government in preparing or amending a local planning scheme – is to have regard to any State Planning Policy which affects its district and may include in the scheme a provision that a specified State Planning Policy, with such modifications as may be set out in the scheme, is to be read as part of the scheme.

Section 81 - Requires that when Council resolves to prepare or adopt an amendment that the proposal be referred to the Environmental Protection Authority for the determination of whether the amendment requires a formal review.

Section 82 – If the local authority wishes to proceed with the amendment it must firstly comply with or resolve any review requirements of the EPA. The commencement of advertising is not be undertaken until this action is completed.

Section 83 – A local government, before submitting an amendment to the Minister is to make reasonable endeavours to consult such public authorities and persons as appears to be likely to be affected by the amendment.

Section 84 – After compliance with sections 81 and 82 an amendment to a planning scheme prepared or adopted by a local government is to be advertised for public inspection in accordance with the regulations.

Section 214 – If development or part thereof is undertaken in contravention of a Town Planning Scheme, the local authority may give direction to stop and not recommence that development. A direction to remove, pull down, take up or alter such development is to specify a time being not less than 60 days after service of that direction.

Section 218 – States that any person that commences, continues or carries out development otherwise in accordance with a Town Planning Scheme commits an offence.

Section 223 – Outlines the penalties for offences committed under the Act.

Town Planning Regulations

It is to be noted that whilst the new Planning and Development Act 2005 (mentioned above) is now in operation since the 9 April 2006, no changes have as yet been made to the regulations.

13(1) On completion of the preparation of amendment documents Council shall:

- (a) If it resolves to proceed with the amendment, adopt the proposed amendment in accordance with the Act; or
- (b) If it resolves not to proceed with the amendment, notify the Commission in writing of the resolution.

25(2) In agreeing to undertake an amendment Council will be required to confirm that the amendment is consistent with the following criteria set out under the Regulations:

- (a) Those purposes for which schemes may be made under Section 6(1) of the Act or the First Schedule;
- (b) Any Regulation made under the Act; and
- (c) Any Statement of Planning Policy prepared under Section 5AA of the Act.

25(2)(J) Council is responsible for initiating the advertising requirements of a Scheme Amendment where it is determined that advertising can proceed without the consent of the Commission.

13(3) If advertising is to be undertaken, it is firstly conditional upon the amendment being referred to the Environmental Protection Authority (EPA) and compliance with any requirements of the EPA.

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

No fees have been received to date. The applicant will be required to meet all administrative and advertising costs.

STRATEGIC IMPLICATIONS

Shire of Capel Strategic Plan 2003-2007

In Core Business area 1, the general objective is to provide and improve sustainable infrastructure to service the changing needs of the community.

In Core Business Area 2 - Land Use the Shire of Capel's objectives include to:

- Ensure that development of the district is sustainable
- Facilitate economic land use opportunities
- Plan for a choice of urban living opportunities.

Town Planning Policy 15.9 – Land Use Strategy 1999

The subject land is included within Planning Unit P1 – Preston – North Boyanup. The objective of the unit includes provision for long term urban development consistent with the State Planning Strategy and protection of good quality agricultural land.

Issues include the expansion of the Boyanup area, protection of good quality agricultural land and control of access onto regional roads. Undesirable uses include industrial development and rural residential subdivision in areas likely required for urban development.

CONSULTATION

The proposed amendment, if initiated by Council, will be required to be advertised for public inspection in accordance with Sections 83 and 84 of the *Planning Development Act 2005*, which will be for a minimum period of 42 days.

The applicant has provided copies of a pro-forma letter signed by four adjoining/nearby owners supporting the continued operations from the site.

Preliminary advice was sought from Main Roads WA in regard to the proposal. Main Roads advised that they would not support expansion of operations on the site. Problems were envisaged by Main Roads with the location of the crossover being at the beginning of the right turn slip lane into Lillydale Road and turning into/from the site from South Western Highway which gets busy during peak times. Main Roads queried if access could be obtained from Lillydale Road.

Main Roads also noted as an aside that there is a creek running from the property across South Western Highway which may suffer increased pollution risk from the proposed activity.

COMMENT

The site has been the subject of on-going deliberations between staff and the landowner regarding the unauthorised business activities for a period of time that has resulted in the submission of the subject scheme amendment proposal. As previously noted, the land use currently undertaken is not permitted in the Rural zone nor could it be interpreted to be considered as a 'use not listed'. Under clause 3.2.4(a) of the Scheme, if Council was to consider a proposal as a 'use not listed' then the use would need to be determined if it is consistent with the objectives and purposes of the rural zone. It has been expressed to the proprietor via the proprietor's solicitor that the activity is clearly not associated with agricultural uses conducted on the land and that enquiries received from the general public have indicated dissatisfaction with the appearance of the activity confirming it is out of character with the rural area. Staff's current view is that an activity of this nature is more appropriately located in an 'Industrial' zone.

This is evident as the proposal is also in conflict with the Rural Strategy. The site falls within Planning Unit P1 – Preston – North Boyanup and undesirable uses include Industrial Development.

Screening

The applicant has submitted that the visual impacts of the proposal have been ameliorated by the erection of temporary shade cloth where viewed from South Western Highway pending establishment of screen planting. The temporary fence may screen a proportion of the works but is in itself out of character and emphasises the incompatible nature of the use and its location. In addition it would take a considerable period of time for any newly planted vegetation to achieve its full screening effect and Council would need to be assured this would be maintained accordingly.

Access

Main Roads WA provided preliminary comments and generally did not support the proposal. It was noted that given the busy nature of South Western Highway, the proposal involving increased traffic would create traffic problems particularly where the crossover is located, vehicles turning into and leaving the site and visibility. Main Roads WA queried if access was possible from Lillydale Road however this cannot be obtained without access being obtained via an easement or the like through an adjoining privately owned property. On this basis alone the proposal should not be supported as it is an ad-hoc unplanned business facility located on an important regional road contrary to orderly and proper planning.

Environmental

A creek line runs across the site between the existing dwelling and the workshop/vehicle depot area and across South Western Highway which is a tributary to the Preston River. The Development Guide Plan submitted with the application indicates that the creek area will be included in the portions of the site to be landscaped. Treatment of contaminates, control of chemicals, fuel handling, potential wash down areas and subsequent environmental impacts on the creek system have not been addressed. Although such matters may be addressed later at the development application stage, to avoid any potential disputes/appeals that may arise in response to environmental control measures, this issue should have been addressed prior to initiation of a scheme amendment is considered.

Summary

Through the imposition of amendment provisions the applicant has attempted to contain the activities by limiting the number of vehicles, operating hours and restricting the additional use right to the proprietor. However this does not resolve the issues at hand which have brought the current operation of the facility to Council's attention. The basis of the applicant's justification includes that another site was rezoned to include an "Additional Use" on the highway further south at lot 1 South West Highway for a transport facility. Although a larger facility, this was supported on the basis it was well setback from the highway, well screened from the highway/adjoining land and that Main Roads WA supported the proposal.

As identified in the report to Council for the facility on lot 1 South West Highway in October 2003, careful consideration is required to avoid undesirable outcomes that can flow from ad-hoc development in unplanned locations. This could be the case in this situation where unplanned business/industrial facilities could accumulate on the highway due to a precedent. Given that: Main Roads initial comments are not favourable; the facility is visible from the highway requiring screening measures that are unlikely to achieve an appropriate standard; and that the facility is an ad-hoc development more akin to an industrial use and not related to agricultural uses, it is recommended that Council not initiate the proposed amendment.

Council needs to consider what action will be taken to resolve the non-compliance of the activity. The Planning and Development Act 2005 provides in Section 214 for Council to issue orders to cease a noncompliant activity but that is open to review by SAT and is only appropriate where Council intends to enforce the order by going onto the land and removing the noncompliant development. The alternative is to rely on Section 218 which establishes that someone who contravenes a scheme commits an offence and then to pursue a prosecution for the imposing of a penalty as prescribed by Section 223. A maximum penalty of \$50,000 and \$5,000 daily penalty can be awarded.

It is recommended that advice be sought from the Shire's Solicitor as to an appropriate form of warning that could be issued to the proprietor to advise that Council intends to pursue a prosecution pursuant to Sections 218 and 223 of the Act if they fail to cease the activity on lot 46 South Western Highway.

STAFF RECOMMENDATION

That Council resolves to:

- 1. Advise the applicant that it is not prepared to amend the Shire of Capel Town Planning Scheme No.7 by rezoning lot 46 South Western Highway, North Boyanup from 'Rural' to 'Rural' and 'Additional Use' for the following reasons:**
 - a) The proposed use is not consistent with the objectives and purposes of the Rural zone;**
 - b) The proposed use is an industrial land use not related to agricultural or rural based uses and is better located within an industrial zone;**
 - c) The proposed amendment facilitates ad-hoc commercial development in an unplanned location and is not considered orderly or proper planning;**
 - d) The proposed amendment would facilitate additional traffic movements and conflicts on an important regional road that is not considered orderly or proper planning and is not supported by Main Roads WA; and**
 - e) The proposed amendment would facilitate development and land use that is visible from South Western Highway which is out of character with the surrounding rural area.**
- 2. Seek advice from the Shire's Solicitor as to an appropriate form of warning that could be issued to the proprietor to advise that Council intends to pursue a prosecution pursuant to Sections 218 and 223 of the Planning and Development Act 2005 if they fail to cease the activity on lot 46 South Western Highway.**
- 3. To issue a warning in accordance with advice obtained from the Shire's Solicitor and if the proprietor fails to comply to authorise the commencement of legal proceedings as prescribed by the Act.**

VOTING REQUIREMENTS

Simple majority

15 TECHNICAL SERVICES REPORTS**15.1 TECHNICAL SERVICES SECTION****15.1.1 Tender 09/01 Public Amenities Cleaning**

REPORTING OFFICER

JD Wesley – Director Technical Services 14.04.09

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Shire of Capel

MATTER FOR CONSIDERATION

Consideration of tenders for cleaning services, minor building maintenance and graffiti removal for public toilets and barbeques in the Shire of Capel.

ATTACHMENTS Nil

APPLICANT'S SUBMISSION

The Shire received four submissions for consideration. A summary of the tender assessments is listed in the table below. The tenders from Bunbury Cleaning Services and Danny Mills were deemed non-compliant due to the failure of the tenderers to supply sufficient information to fully assess their offers.

Tenderer	Relevant Experience (20% weighting)	Key Personnel (10% weighting)	Resources (10% weighting)	Demonstrated Understanding (10% weighting)	Price (50% weighting)	SCORE TOTAL
Office & Industrial Cleaning	11.3	8	8	7.3	50	84.6
ChemTek Enterprises	11.7	7.3	8	6.7	29	62.7
Bunbury Cleaning	0	0	0	0	43.5	43.5
Danny Mills	0	0	0	0	20.9	20.9

BACKGROUND

A tender for cleaning public amenities was let in 2006 and has since expired. A new tender (09/01) was advertised in the West Australian on 28 January 2009 and the South West Times on 29 January 2009. The tender deadline was 27 February 2009 and was for a term of 52 weeks after appointment with the option for a further 52 weeks if the parties agree.

STATUTORY ENVIRONMENT

Local Government Act 1995 s3.57(11)(1) of the Local Government Regulations requires all goods and services with a value in excess of \$100,000 to be subject to a public tender process.

POLICY IMPLICATIONS

Policy 10.1 Tender Procedures

Policy 11.14 Purchasing states that purchases must be made in consideration of (amongst other things) the best value for money.

FINANCIAL IMPLICATIONS

The funding for this project will come from Account No. 127620 which has an existing budget allocation for \$79,191 including other costs. Office and Industrial Cleaning offer a 1.5% discount if payment is received on or prior to the 15th of the month after invoice.

STRATEGIC IMPLICATIONS

The Shire of Capel's Strategic Plan identifies that the work is an integral part of Core Business Area 1: INFRASTRUCTURE, Strategy 6: Plan, construct and maintain an appropriate level of community infrastructure. Action 6.1 states: Provide, improve (where appropriate) and maintain community infrastructure for the enjoyment of the community in accordance with the Five Year Recreation Plan.

CONSULTATION

Tender 09/01 was advertised in the West Australian on 28 January 2009 and the South West Times on 29 January 2009 and submissions closed on 27 February 2009.

COMMENT

Staff believe that the best value for money given the selection criteria and offers received would be to accept the tender submission from Office and Industrial Cleaning.

STAFF RECOMMENDATION

That Council accept the tender from Office and Industrial Cleaning for \$48,538.10 including GST per annum as detailed in Tender No. 09/01 Public Amenities Cleaning.

VOTING REQUIREMENTS

Simple majority

16 CORPORATE AND COMMUNITY SERVICES REPORTS**16.1 GOVERNANCE****16.1.1 Local Government Structural Reform**

REPORTING OFFICER

PF Sheedy – Chief Executive Officer

14.04.09

DISCLOSURE OF INTEREST

I wish to declare a financial interest in this item as the outcome of the process either taken by Council or the Minister for Local Government may make the position of Chief Executive Officer redundant, resulting in a termination payment.

OWNER/APPLICANT

Minister for Local Government, Hon John Castrilli MLA

MATTER FOR CONSIDERATION

Suggested actions to address the Minister for Local Government's Structural Reform Guidelines that requires every local government in Western Australia to consider the opportunity for structural reform to include:

- Completion of the Reform checklist
- Voluntary amalgamation or boundary adjustments
- Reduction in Elected member numbers
- Preferred regional grouping of councils

ATTACHMENTS

- Timeframe for Reform Submission to the Minister
- Local Government Reform Checklist.
- Local Government Advisory Board Criteria.

APPLICANT'S SUBMISSION

There has been widespread recognition for many years that our existing local government structure, with 139 local governments, some of which have less than 200 electors, is not sustainable. The need for reform is highlighted in the 2006 WA Local Government Advisory Board report into Local Government Structural Reform. The 2008 WALGA Sustainability Report also states that business as usual is not an option.

The desired outcome of structural reform is a strong sustainable local government. There are a range of benefits that will be achieved through the reform process:

- Increased capacity for local government to better plan, manage and deliver services to their communities with a focus on social, environmental and economic sustainability;
- Increased capacity for local government to have adequate financial and asset management plans in place;
- Enhanced efficiency in the processing of planning, building and other licence applications made by business and the community'
- Greater ability to attract and retain staff including the provision of further career development opportunities;

- Greater competition for positions on council and, in conjunction with other reforms, potential for enhanced governance capacity; and
- Larger local governments with greater capacity to partner with State and Federal Government, and the private sector, to further improve services to communities.

It is expected that while undertaking the processing exploring options for amalgamation, local governments will also identify appropriate regional groupings within which to work collaboratively to deliver community benefits on a regional basis.

The Minister requests that by 31 August 2009, each of the 139 local governments in Western Australia will have made an informed decision on voluntary amalgamation, their preferred regional groupings and the number of elected members required within a range of six to nine.

BACKGROUND

The Minister for Local Government, Hon John Castrilli MLA, announced to a local government meeting in Exmouth on Thursday 5 February 2009 a package of Local Government reform strategies. The strategies are aimed at achieving greater capacity for local governments to better plan, manage and deliver services to their communities with a focus on social, environmental and economic sustainability.

Specifically the strategies in the package focus on voluntary structural reform of local government and all local governments have been given six months (31 August 2009) to advise the Minister of their clear intention in regards to:

- Voluntary amalgamation and formation of larger local governments;
- A reduction in the total number of elected members to between six and nine; and
- The formation of appropriate regional groupings of councils to assist with the delivery of services.

At the end of February 2009 the Local Government Reform Steering Committee released the Structural Reform Guidelines to assist local governments in responding to the Minister's request in relation to voluntary structural reform.

On the 29 March 2009 the Minister for Local Government, John Castrilli MP announced that financial assistance would be provided to each local government to assist in ways that contribute to their submissions.

At the 'around the table' session at the conclusion of the Council meeting in March 2009 Council considered a brief discussion paper prepared by the CEO and endorsed the following actions.

1. That the President and CEO arrange a meeting with representatives of the City of Bunbury and Shires of Collie, Dardanup, Donnybrook-Balingup and Harvey to discuss their position and possibly strategies for going forward.
2. Subject to endorsement by the other local governments a meeting be arranged with the Minister for Local Government to seek clarification on his preferred option for the Greater Bunbury area and whether he would consider other options including Council retaining the status quo, with increased regional cooperation, formation of a regional council, reduced elected member numbers and possible regional facilities contributions.

3. That the Shire of Busselton be advised that Council is pursuing some direction from the Minister for Local Government firstly in regards to the future of the Bunbury-Wellington Local Governments and is not prepared to meet until after this time.
4. That the Shire of Busselton be advised that Council proposes to meet with Local Governments from the Bunbury-Wellington area to discuss strategies going forward and to all so seek a meeting with the Minister for Local Government to seek some clarification of his options for the Greater Bunbury area before accepting their invitation to get together.
5. That the CEO prepare a report for Council consideration on a review of the current ward boundary and the number of elected members with a view to a reduction within the range recommended by the Minister for Local Government.
6. That Council support the formation of a Regional Council for the Bunbury-Wellington Group of Councils, given that there is already action being taken to form a Regional Council for Waste and that it is part of the Minister for Local Government's reform package for Local Government in WA.

In 2006 the Local Government Advisory Board in its report 'Local Government Structural and Electoral Reform in WA' recommended the amalgamation of the Shires of Capel and Dardanup along with the southern part of Harvey with the City of Bunbury. All local governments except Bunbury rejected the proposal and it was never endorsed by the government of the day.

In 1998 a similar proposal was put forward for consideration by the Advisory Board to the State Government but following a period of political lobbying no further action eventuated.

The Shire of Capel adopted a Structural Reform Position Statement in 2008 which indicated that 'Amalgamation of the Shire of Capel with any neighbouring local governments is therefore not supported by the current Council and any moves to implement this will be strongly resisted.' It further goes on to state 'The Shire will continue to identify ways to improve its service delivery through resource sharing and collaborative partnerships with others etc.'

STATUTORY ENVIRONMENT

There are no specific statutory regulations relating to the Minister's Structural Reform request however Schedule 2.1 of the Local Government Act relates to boundaries of districts and changes.

The expenditure of funds for community consultation is not included in the 2008/09 budget and so will be an unbudgeted item requiring an absolute majority decision of Council under section 6.8(1)(b) of the Local Government Act.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The report recommends that Council make application for \$10,000 to implement community consultation on the matter of Structural Reform and voluntary amalgamation. Depending on the format of the consultation decided (written and telephone surveys and workshops/forums) and the consultant's quotation Council may be required to allocate some funds.

STRATEGIC IMPLICATIONS

The proposal by the Minister for Structural Reform of Local Government in WA if implemented could have significant strategic implications to the Shire of Capel in regards to its long term future as its own identity, the way it will do business/provide services in the future which could be via a regional council and if its boundaries were to be changed its long term sustainability could be questioned.

CONSULTATION

Part of the report requests Council to give consideration to engaging with the community to seek their comment on any structural reform proposals.

COMMENT

In developing the Structural Reform Guidelines the Steering Committee has indicated that each local government will need to have demonstrated capacity in the areas of:

1. long term strategic planning;
2. detailed asset and infrastructure management planning;
3. future financial viability and planning;
4. equitable governance and community representation;
5. proficient organisational capacity;
6. effective political and community advocacy for service delivery;
7. understanding of and planning for demographic change;
8. effective management of natural resources;
9. optimal community of interest; and
10. optimal service delivery to community.

In addition each local government will also need to demonstrate progress and outcomes in the following areas:

1. membership of an effective regional grouping; and
2. Previous structural reform.

All of the above issues are addressed as part of the Reform Checklist.

The Structural Reform Process as outlined in the Guidelines is a five (5) stage process commencing with the Reform Checklist through to August 2009 when each local government is required to make a submission to the Minister indicating their intention on Structural Reform. The five (5) stages in the process together with the recommended actions from the Guidelines are as follows.

Stage 1 – Agreement on Need for Reform and Partners (March/April 2009)

Local governments should analyse past experiences, existing reports and information to determine their current capacity gaps and the opportunities to reducing or removing these gaps via amalgamating with other local governments. At this stage local governments should also agree on potential partners for amalgamation, the reduction of elected member numbers and establishment of a project team.

Actions Recommended

1. Local governments complete reform checklist and forward to the Local Government Reform Steering Committee by 30 April 2009.
2. Local governments identify and meet with potential partners.
3. Local governments undertake a preliminary assessment to confirm amalgamation grouping is appropriate.
4. Local governments decide on the appropriate combination of councils.

5. Local governments to consider proposals for a reduction in the number of elected members.
6. Local governments to consider the skill sets for establishing a project team to coordinate the reform process.

CEO Comment

In regards to the actions proposed above the following is provided.

- The checklist is included in the attachments for council endorsement.
- Points 2-4 are based on the assumption that a local government supports the voluntary amalgamation process and as the Shire of Capel adopted a Structural Reform Position Statement in April 2008 that clearly indicates it does not support amalgamation with other local governments, there is no need to address these actions, subject to considering the results of the planned community consultation.
- Council has already endorsed the review of its wards and boundaries which includes elected member representation, which is out for public comment.
- As some local governments in the Greater Bunbury region are planning to agree to talk to other local governments, a project team consisting of the President, Chief Executive Officer, Director of Corporate and Community Services and one Councillor is suggested to progress the review and draft submission.

Stage 2 – Initial Preparatory Work for Reform Submission (April/May 2009)

It is recommended that project team be established comprising 2-3 members, including the President and CEO and that the team should consider:

- how the preferred amalgamation structure will improve social, economic and environmental capacity on behalf of their communities;
- how gaps identified in individual checklists will be addressed;
- how community identity and representation will be preserved or improved;
- community consultation strategies;
- elected member representation;
- membership of regional groupings;
- the transition timeframe; and
- estimated reasonable additional costs that are likely to be incurred as part of the transition.

As part of developing the Reform Submission and to engender support and understanding of the preferred reform option, it is expected that elected members, staff and the community will be given an opportunity to contribute to open discussions on amalgamation and their views will be represented in the Reform Submission to be forwarded to the Minister for Local Government.

Local governments may wish to engage a facilitator to aid with community consultation.

Actions Recommended

1. Establish project team.
2. Project team to meet as required.
3. Project team to consider preferred amalgamated structure.
4. Project team to consider elected member representation.
5. Project team to consider local government regional grouping

CEO Comment

In regards to the Actions suggested in Stage 2 the following is provided.

- It is suggested the project team be the President, one Councillor, CEO and Director Corporate and Community Services.
- As Council has adopted a Position Statement on amalgamation no action is taken to consider a preferred structure at this point. It can be reviewed if the community consultation indicates strong support for voluntary amalgamation.
- Elected member representation review is currently underway and the Minister has indicated that no changes will take place until 2011. This is on the assumption that voluntary amalgamation will occur.
- As Council is currently a member of the Bunbury Wellington Group of Councils, through the CEO's Group and is in discussions with Dardanup, Harvey and Bunbury to form a Regional Council for Waste, these can be part of the final submission.

Stage 3 – Preparation of Reform Submission (May/June 2009)

It is suggested that the Reform Submission be framed around the Local Government Advisory Board requirements identified in Schedule 2.1 of the Local Government Act (see attachment) to:

- Set out clearly the nature of the proposal, the reasons for making the proposal and the effects of the proposal on local governments; and
- Include a plan illustrating proposed boundary changes to the district.

The submission should identify the benefits, efficiencies and capacity to derive from a merger, including how savings will be used to benefit the community. In some cases the outcome may be a decision to provide for boundary adjustments rather than total amalgamation.

When determining a preferred regional grouping the review should have regard to existing WALGA Zones, other State Government regional boundaries and groupings (SWDC), current local government boundaries, Regional Development Australia boundaries and proposed district boundary changes.

When preparing a transition timeline consideration should be given to, the planned timing of the amalgamation, impact on council elections, staff contracts and council operations and detailed estimated transition costs.

Actions Recommended

1. Undertake detailed assessment for amalgamation.
2. Prepare Reform Submission having regard to amalgamation, elected member representation, regional grouping and transition timeline.

CEO Comment

In regards to the proposed actions suggested above for Stage 3 the following is provided.

- The information provided like the rest of the Guidelines is very biased in its slant and assumption in stating that voluntary amalgamation will happen and that there are benefits, efficiencies and savings to be derived from it. Whereas all the information provided from other States indicates that the opposite is the case or that there are very little benefits, savings, etc obtained.
- Council's proposal will focus on the Shire of Capel remaining as it is, with supporting details/documentation taken from the Shire's Structural Reform Position Statement, the report prepared by BHW Consulting on structural reform in other States, etc.

- The submission to the Local Government Advisory Board by Council in 2006 that addressed the 10 points that the Board used to define whether or not a local government was sustainable will be an important part of the submission.

Stage 4 - Council Endorsement (June/July 2009)

Once the project team has finalised the Reform Submission to the Minister and circulated it to other affected local governments, the Councils of each local government will consider the Reform Submission and make a resolution to proceed based on the findings. Resolutions will be required in regards to voluntary amalgamation, number of elected members and regional grouping.

Actions Recommended

1. Councils to resolve to advise the Minister for Local Government of its intention for structural reform in relation to amalgamation, the number of councillors and regional group.

CEO Comment

In regards to the above proposed action the following is provided.

- This will require making formal decisions as part of the endorsement of the submission to the Minister in July/August 2009.

Stage 5 – Reform Submissions to the Minister for Local Government (August 2009)

Once the Minister has received each local government's Reform submission, these will be referred to the Local Government Reform Steering Committee for feedback. The Steering Committee may seek further clarification from affected local governments prior to making recommendations to the Minister on the preferred option for reform.

The finalised submissions will then be referred to the Local Government Advisory Board for consideration, who will consider each proposal in accordance with the provisions of Schedule 2.1 of the Local Government Act and make a recommendation to the Minister.

Actions Recommended

1. The finalised Reform Submission to be forwarded to the Minister for Local Government, with Council resolutions, supporting documentation, including the completed checklist and amalgamation timeline.
2. Provide additional information to the Local Government Reform Steering Committee as requested.

CEO Comment

In regards to the recommendations in this stage the following is provided.

- It will be important that a detailed submission with all relevant documentation and community consultation results/feedback is provided to support the Council's preferred position especially if the decision is not to amalgamate with any other local government and stay as we are.

STAFF RECOMMENDATION 1

That Council:

- 1. Endorse the Local Government Reform Checklist, detailed in the attachment, and forward it to the Minister for Local Government and Regional Development.**
- 2. Appoint the President, Councillor _____, Chief Executive Officer and Director of Corporate and Community Services as the project team, to meet with other local governments as requested, facilitate the community consultation process and the preparation of the Reform Submission for Council consideration and endorsement.**
- 3. Authorises the Chief Executive Officer to apply to the Department of Local Government and Regional Development for a grant of \$10,000 and additional funding if required to fund the appointment of a consultant to assist Council with community consultation as part of its Reform Submission; and on receipt of the grant approval to appoint a consultant to carry out the community consultation.**

VOTING REQUIREMENTS

Simple majority

STAFF RECOMMENDATION 2

That Council approves unbudgeted expenditure in the 2009/10 budget to allow for the engagement of a consultant to conduct community consultation as part of the Reform Submission process.

VOTING REQUIREMENTS

Absolute majority

16.2 COMMUNITY SERVICES SECTION**16.3 FINANCE AND RATING SECTION****16.3.1 Financial Statements for 31 March 2009**

REPORTING OFFICER

A Ross – Director Corporate & Community Services 15.03.09

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Shire of Capel

MATTER FOR CONSIDERATION

Council to consider adopting the monthly financial statements for the financial year ending 31 March 2009.

ATTACHMENTS

Financial Statements for the year ending 31 March 2009.

APPLICANT'S SUBMISSION Nil

BACKGROUND

Local Government (Financial Management) Regulations 1996 (as amended) prescribe the requirement to prepare financial reports on a monthly basis and also prescribe their format and content. The financial statements provided to Council satisfy these requirements.

STATUTORY ENVIRONMENT

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

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

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

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

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Associated with the Strategic Plan 2003 – 2007, core business area of Governance and Strategy 3: Provide efficient and effective financial management.

CONSULTATION

Nil

COMMENT

At 31 March 2009, Council's net current assets position was a surplus of \$2,234,213 and was a reduction of \$195,859 compared to the previous month. This actual result is a significant improvement on the year to date budgeted position.

Lower than budget capital expenditure is the main reason for this improved result compared to budget. The budget incorrectly assumed that 90% of the capital works programme would have been spent by this stage when the actual situation is that only 43% of the original annual budget has been spent. This large variation is due to the delay or deferral of a number of large projects such as the Capel Transfer Station, Capel Town Centre Streetscape project and Capel Sports Pavilion. The total budgeted value of these three projects exceeds \$1.6 Million.

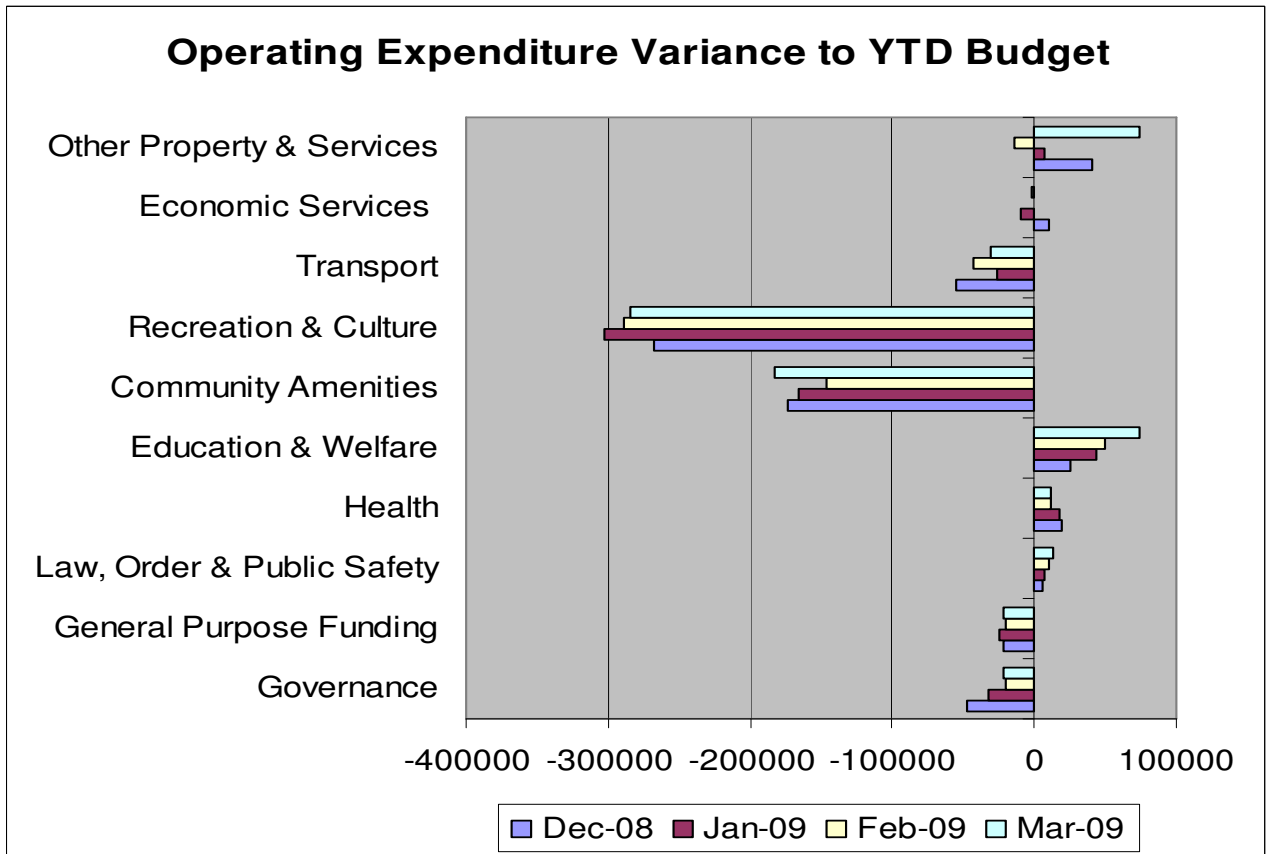
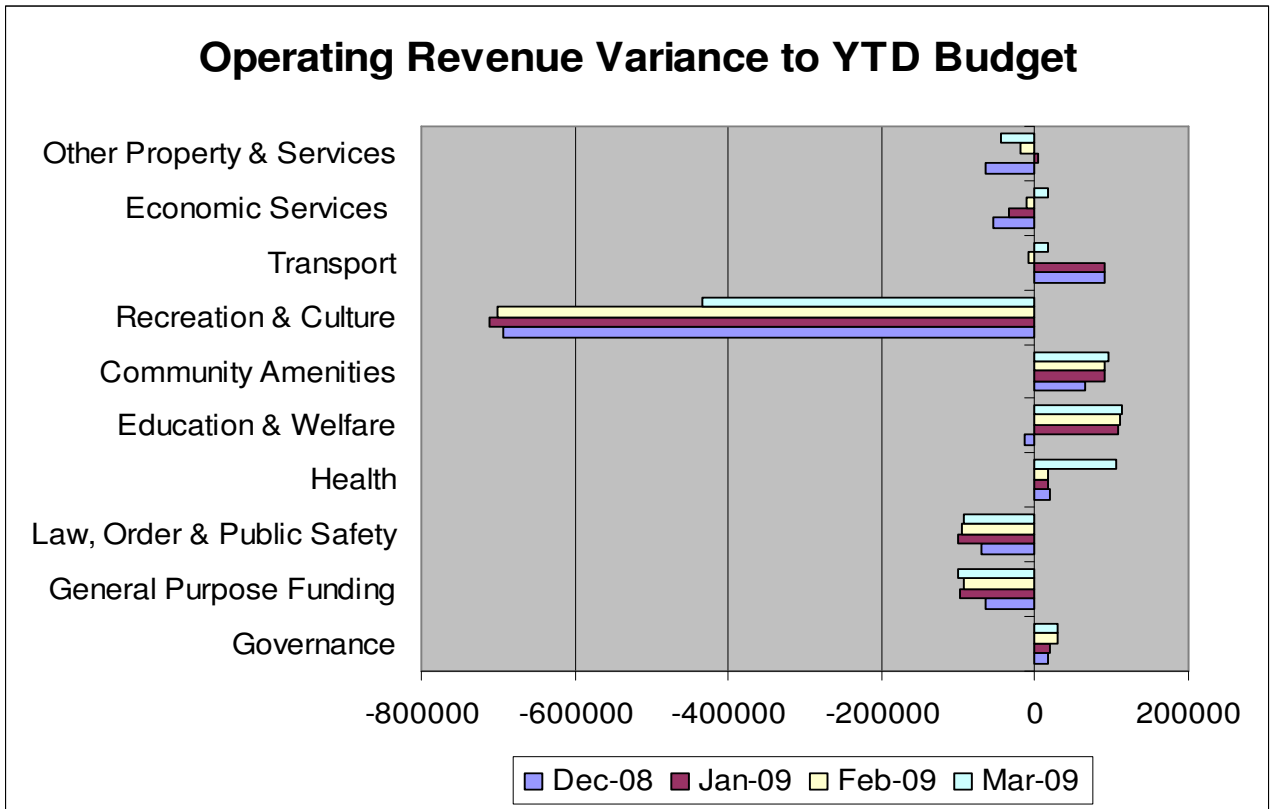
Compared to the annual budget 82% of operating revenue has been received and 70% of the operating expenditure budget has been spent. On a year to date basis both total operating revenue and total operating expenditure are under budget.

On a year to date basis total operating revenue is 2.84% or \$297,975 under budget and this variance has reduced by over half compared to last month. The receipt of funds from the Commonwealth Government's Regional and Local Community Infrastructure Program as well as other contributions that were invoiced during the month resulted in this variance reducing. The impact of unbudgeted grants from the State and Federal governments will also offset the impact of grants not being received for capital projects that have been deferred or delayed.

On a year to date basis total operating expenditure is 4.85% or \$371,260 under budget and is \$88,670 less than last month. The continued contraction of this variance indicates that operating expenditure is beginning to reach budget expectations.

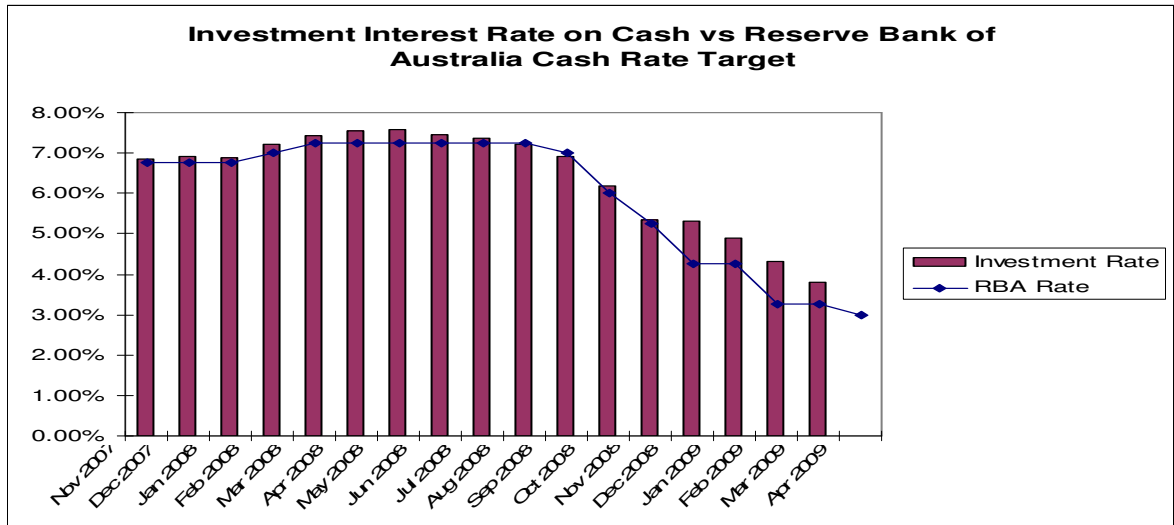
At this stage the end of year financial position has not been revised and a small deficit continues to be forecast as the end of year position. However, this position may be improved upon particularly as some revenue accounts, such as building permit income, have already exceeded their expected end of year balance.

The following graphs provide an overview of variances on a year to date basis of actual to budget operating revenue and operating expenditure. The variances for the current month and the past three months are provided for each program in order to indicate whether there is a trend. In general above budget operating revenue and under budget operating expenditure is a positive result for the overall budget position.



Council’s cash and investments position has decreased by \$321,477 compared to last month, with \$9,193,131 available with \$6,600,171 restricted for specific purposes. The following graph compares the Shire’s average investment returns since November 2007 against the Reserve Bank Cash Rate target which is now 3.0%. Lower than budget interest rates will result in interest earned on investments not

meeting end of year budget expectations. \$361,568 in interest has been earned in the year to 31 March and it is anticipated \$480,000 should be earned for the full year.



Capital works expenditure of \$459,377 was incurred during the month of which the major items were:

- \$253,140 on various road related works including the gravel resheeting of Brookdale Rd (\$24,100) and Weld Rd (\$14,999), bitumen reconstruction on Gavins Rd (\$59,756) and Boundary Rd (\$6,464), bitumen reseals of Peppermint Grove Terrace (\$116,262), Sand Dune Drive (\$6,746), Sea Breeze Court (\$4,975) and Eileen Court (\$3,180) and \$6,546 on the construction of a dual use path for Korella Dr, Capel;
- \$17,835 was spent to replace playground equipment at Ramsay Rd, Stratham;
- the payment to Cable West Electrical of the first progress payment for the installation of electrical supplies for the Capel and Boyanup recreation grounds floodlighting project totalled \$114,614;
- the purchase and installation of new playground equipment at the Boyanup Recreation Ground cost \$49,704 with \$25,000 funded by developer contributions; and
- the changeover cost of a replacement vehicle for HACC was \$8,213.

Council’s financial ratios as disclosed in Note 14 show Council’s cash position is declining as expenditure demands are fulfilled, with the current ratio decreasing from 3.90 to 3.31 and the untied cash to trade creditors ratio decreasing from 2.77 to 2.43. The Outstanding Rates ratio has reduced to 0.06 from 0.13 last month as a result of rate payments being received. All debt ratios are currently low.

A review of the Statement of Financial Position and the attendant notes indicates there are no adverse trends evident in the year to date financial statements as at 31 March 2009.

STAFF RECOMMENDATION

That Council adopt the financial statements for the period ending 31 March 2009 as attached.

VOTING REQUIREMENTS

Simple majority

16.3.2 Accounts Due and Submitted for Authorisation

REPORTING OFFICER

AJ Munday - Creditors Officer 08.04.09

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT Nil

MATTER FOR CONSIDERATION

Adoption of accounts to be paid.

ATTACHMENTS Nil

APPLICANT'S SUBMISSION Nil

BACKGROUND

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund.

STRATEGIC IMPLICATIONS Nil

CONSULTATION Nil

COMMENT

Accounts due and submitted for authorisation are as follows:

Chq/EFT	Name	Description	Amount
EFT4130	Amity Signs	Guide Posts, Various Signs	13972.69
EFT4131	John Anderson Electrician	Electrical Repairs at Shire Buildings	1246.64
EFT4132	Alphawest Services Pty Ltd	Block IT Hours and Computer Equipment	5225.00
EFT4133	Bunbury Cleaning Service	Public Amenities Cleaning	3221.82
EFT4134	Bunbury Mower Service	Sharpen & Service Hedge Cutters	74.00
EFT4135	Bell Fire Equipment Company	Service Fire Equipment HACC	77.00
EFT4136	Busselton Toyota	Service Hilux	332.35
EFT4137	Bunnings Building Supplies	General Hardware	309.59
EFT4138	Boyanup Auto Repairs	Parts and Repairs to Vehicles	394.16
EFT4139	Blackwoods Atkins	Leather Gloves	259.08
EFT4140	Corporate Express Bunbury	Stationery	4211.73

EFT4141	Capel Land Care Conservation District Committee	Rehabilitation of Reserves	2500.00
EFT4142	Cleverpatch	Library Supplies	199.10
EFT4143	T Depiazzi & Sons	Mulch Delivery to Depot & Boyanup Rec	704.00
EFT4144	Farmco Boyanup	Landscapers Rake	362.23
EFT4145	Hanson Construction Materials Pty Ltd	Cracker Dust for Minninup Beach	295.68
EFT4146	Herron Todd White	Valuation at Ilmenite Cres	825.00
EFT4147	HTE Transport	Collect Roller from Gavins Road	297.00
EFT4148	Neat N Trim Uniforms	Staff Uniforms	479.78
EFT4149	Prestige Products	Cleaning Products	281.60
EFT4150	Records Maintenance & Storage	Delivery and Storage of Archive Boxes	237.84
EFT4151	Capel Fresh IGA	Refreshments	103.14
EFT4152	Southern Lock & Safe	2 Padlocks	137.59
EFT4153	Hagemeyer Australia	2.6W Lamp	84.15
EFT4154	Toms Garden Machinery	HACC General Parts	765.40
EFT4155	Visimax	Minibar Flashing Light Set	673.00
42773	Big W	Book's & DVD's for Capel Library	269.98
42774	Coventry's Automotive, Mining & Industrial Supplies	Trolley Jack	49.50
42775	Dick Smith Electronics	Cybershot Camera	211.00
42776	Department of Premier & Cabinet	Advertising Basis of Rates	95.60
42777	State Library of Western Australia	Stocktake 2008	1080.20
42778	Reds Roving Wildlife Displays	April Inzone Animal & Reptile Show	1200.00
			40175.85

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 22 April 2009, have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

P F Heedy

CHIEF EXECUTIVE OFFICER

STAFF RECOMMENDATION

That the Schedule of Accounts covering vouchers EFT4130 to EFT4155 and 42773 to 42778, a total of \$40175.85, be authorised for payment.

VOTING REQUIREMENTS

Simple majority

16.3.3 Accounts Paid During the Month of March 2009

REPORTING OFFICER

AJ Munday - Creditors Officer 08.04.09

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT Nil

MATTER FOR CONSIDERATION

Authorisation of accounts paid during the month.

ATTACHMENTS Nil

APPLICANT'S SUBMISSION Nil

BACKGROUND

Accounts paid are required to be submitted each month.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

Payment from Council's Municipal Fund.

STRATEGIC IMPLICATIONS Nil

CONSULTATION Nil

COMMENT

Payments made during the month of March 2009 are as follows:

Chq/EFT	Name	Description	Amount
1	Builders Registration Board of WA	BRB Levy Payment Feb 09	3316.50
2	Shire of Capel	BRB Commission Feb 09	544.50
4	Shire of Capel	BCITF Commission Feb 09	303.60
5	Building & Construction Ind Training Fund	BCITF Levy Collected Feb 09	17919.88
EFT3886	Alleasing Pty Ltd	Lease of Lanier	792.30
EFT3887	Alleasing Pty Ltd	Lease of Lanier	329.23
EFT3888	SAI Global Limited	Internet Download	712.98
EFT3889	Austral Mercantile Collections P/L	Warrant Costs Jan & Dec 08	7537.45
EFT3890	Agraforce	Capel & Boyanup Oval Fertilizer	1371.35
EFT3891	Autogroup (Bunbury Mitsubishi)	Service	336.05

EFT3892	Triset Boss Pty Limited	Rate Notices	407.00
EFT3893	Benson's Chainsaw Centre	Repairs	48.10
EFT3894	Bush Business	Tree Removal on East Road	350.00
EFT3895	Courier Australia International	Courier Fees	88.55
EFT3896	Coventry Fasteners	Parts	28.71
EFT3897	Carbone Bros Pty Ltd	Deliver Gravel Weld	69612.00
EFT3898	CJD Equipment Pty Ltd	Service Loader	1347.89
EFT3899	Colroys Country Kitchen	Catering	1817.00
EFT3900	Dale Alcock Homes	Kerb Deposit Refund	3000.00
EFT3901	Des Air	A/C Maintenance	616.00
EFT3902	Dalyellup Beach Surf Club	Donation	100.00
EFT3903	Andrew Dykstra	TP Assessment Services	2542.50
EFT3904	Delron Cleaning	Cleaning Of Community Centres	2632.45
EFT3905	Department of Environment	Licence Fee for Works Approval	2046.70
EFT3906	Golden West Plumbing & Drainage	Repairs to Various Shire Buildings	1722.60
EFT3907	Fesa	ESL Quarter 3	73536.00
EFT3908	Fennessy's	Service of Vehicles	1116.68
EFT3909	Geovet Capel	Boarding	516.00
EFT3910	Harradine & Associates	Sterilisation	400.00
EFT3911	Insight CCS Pty Ltd	Call Centre Charges	116.52
EFT3912	Jamic Engineering	Repositioning Legs on Signs	286.00
EFT3913	Kleenheat Gas	Late Payment Fee	15.00
EFT3914	Western Australian Local Government Association	Advertising	4480.12
EFT3915	Living Springs	Bottled Water	257.00
EFT3916	Capel Blue	Flower Arrangements	45.00
EFT3917	Lampo	Install Eaves Dalyellup Community Centre	1430.00
EFT3918	Mainspray	Spraying	2541.25
EFT3919	Manpower	Labour Hire	1179.20
EFT3920	Cr Greg Norton	Reimbursement of Conference Expenses	297.57
EFT3921	Ocean Forest Lutheran College Inc	Kerb Deposit Refund	600.00
EFT3922	Planscape	TP Assessment Services	1809.00
EFT3923	Perth Management Services	Rent for Dalyellup Library	985.30
EFT3924	Paul Simms Mechanical	Oil	23.90
EFT3925	Banks Pest & Weed Control	Pest Control	825.00
EFT3926	SJ Roadworks	Traffic Control	12952.17
EFT3927	C & J Roney	Tipper Hire	2288.00
EFT3928	Southern Irrigation & Pumping Pty Ltd	Repair Pump at Gelorup Community Centre	1100.00
EFT3929	South West Tree Safe	Tree Pruning and Stump Grinding	4575.00
EFT3930	SOS Office Equipment	Meterbilling	3362.88
EFT3931	South West Rubber Stamps	Stationery	87.40
EFT3932	South West Truck Shop	Grader Repairs	1042.38
EFT3933	Shaddicks Lawyers	Legal Fees	2041.40
EFT3934	Total Telephone	Nokia Handset	548.95
EFT3935	Traffic Management South West	Traffic Control	7143.13
EFT3936	IT Vision	Annual Licence Fee	8974.25

EFT3937	Veolia Environmental Services	Street Sweeping of Dalyellup	1302.40
EFT3938	Ventura Homes	Kerb Deposit Refund	2000.00
EFT3940	Western Australian Treasury Corporation	Payment of Loan	16703.21
EFT3941	Ascent Engineering	West Rd Drainage	1914.00
EFT3942	Andrew Dykstra	TP Assessment Services	2542.50
EFT3943	Window Imagery	Return Deposit for Meeting Room Hire	150.00
EFT3944	- Eft3978	See Council Agenda 25 March 2009	
EFT3979	Australian Building Codes Board	BCA 2009	280.00
EFT3980	Bunbury Machinery	Service	1274.95
EFT3981	Busselton Toyota	Purchase New Toyota Camry for HACC	9331.40
EFT3982	Badgers Embroidery	Embroidery	48.40
EFT3983	Bunbury Toyota	Service	343.52
EFT3984	Benson's Chainsaw Centre	Oil	218.00
EFT3985	M Edwards	Caretaking of Dalyellup Community Centre	260.00
EFT3986	Capel Hardware & Farm Supplies	General Hardware	2127.35
EFT3987	Cleanaway	Domestic Waste Disposal	73109.89
EFT3988	Custom Service Leasing Ltd	HACC Fuel	3104.97
EFT3989	Coastal Hire	Hire of Excavator	771.10
EFT3990	Cellarbrations at Capel	Council Refreshments	35.99
EFT3991	Dale Alcock Homes	Kerb Deposit Refund	2000.00
EFT3992	Andrew Dykstra	TP Assessment Services	2034.00
EFT3993	Dapco	Tyre Repair	25.00
EFT3994	Department Of Treasury And Finance	2 Seminar Fees	176.00
EFT3995	Eaton Hardware	HACC General Hardware	70.85
EFT3996	Esplanade Hotel Fremantle	Accommodation For LGMA Finance Professionals Conference	240.95
EFT3997	Easifleet Management	Novated Lease	739.74
EFT3998	Harradine & Associates	Sterilisation Subsidy Program	400.00
EFT3999	Jem Truck Sales	Service	575.32
EFT4000	Colleen Jones	Cleaning of Dalyellup Toilets	189.05
EFT4001	Green Recycling	Domestic Recycling	14310.75
EFT4002	Western Australian Local Government Association	Advertising	1644.72
EFT4003	Landscape Development	Monthly Maintenance of Dalyellup Beach Estate	35676.00
EFT4004	Living Springs	Refreshments	235.00
EFT4005	Linda's Lawnmowing	Mowing and Gardening for HACC	370.00
EFT4006	Lampo	Repairs to Boyanup Football Clubroom Doors	115.50
EFT4007	Land Insights	Foreshore Service	6155.51
EFT4008	Magnetism Art & Design	50% Contribution to Urban Art Project at Dalyellup	3168.30
EFT4009	Peerless Jal Pty Ltd	Floor Polish	240.92

EFT4010	Planscape	TP Assessment Services	1773.00
EFT4011	Prestige Products	HACC Cleaning Products	66.00
EFT4012	Athletic Pilates Training Academy Australia	Pilates Training for 50NF	1980.00
EFT4013	South West Tree Safe	Tree Pruning	1705.00
EFT4014	Scott Park Homes	Kerb Deposit Refund	1500.00
EFT4015	SOS Office Equipment	Meterbilling	21.89
EFT4016	Sally Moule	Refund of Hall Bond	50.00
EFT4017	Street Furniture Australia	Bicycle Station	1133.00
EFT4018	Shaddicks Lawyers	Legal Costs	74.80
EFT4019	Tangent Nominees Pty Ltd	Kerb Deposit Refund	1000.00
EFT4020	Total Telephone	Extension Lead	5.50
EFT4021	Totally Workwear	HACC Staff Uniforms	352.55
EFT4022	T & P Design	Design and Specifications	5754.38
EFT4023	WA Country Builders	Kerb Deposit Refunds	2000.00
EFT4024	Waldos Pizza & Pasta	Catering for Youth Activities	61.50
EFT4025	The Archive Management Company	Storage Boxes	177.99
EFT4026	Arrow Bronze	Bronze Plaque	186.78
EFT4027	National Tax Manager	Subscription for Tax Made Easy 2009	434.50
EFT4028	Bunbury Bailiff	Bailiff Costs	86.45
EFT4029	Bunbury City Glass	Repairs to Window Boyanup Football Club	157.40
EFT4030	Courier Australia International	Courier Services	179.61
EFT4031	Forpark Australia	Playground Equipment Boyanup Rec Ground	74292.90
EFT4032	Golden West Plumbing & Drainage	Repairs Toilets Dalyellup	286.00
EFT4033	Capel Fest	Art Prize Art Classic	1100.00
EFT4034	Goldcorp Australia	Citizenship Medallions	261.80
EFT4035	Geovet Capel	Sterilisations	356.00
EFT4036	Harley Survey Group	Survey Forrest Beach	3124.00
EFT4037	Margie's Alfresco	Catering Leadership Program	112.50
EFT4038	Manpower	Labour Hire	1496.00
EFT4039	South West Tree Safe	Tree Pruning and Stump Grinding	3850.00
EFT4040	Spineless Wonders	Posters for Spiders	157.00
EFT4041	Thompson Consulting Surveyors	Survey of Capel Health Centre	2123.00
EFT4042	Transplan Pty Ltd	Trails Master Plan	9006.80
EFT4043	Shire of Busselton	Rates Refund	741.00
EFT4044	Westnet Pty Ltd	ADSL	848.22
EFT4045	Westnet Pty Ltd	ADSL	74.94
EFT4046	Caltex Australia	Fuel Cards	1892.27
EFT4047	Caltex Australia	Bulk Diesel	10060.51
EFT4048	Activ Foundation Inc	Folding & Sorting of Community Survey	750.07
EFT4049	Augusta Margaret River Tourism Assoc	April Inzone	150.00
EFT4050	Bunbury Formwork	53m of Kerbing at Greendale Place	4928.00

EFT4051	Bunbury Toyota	Service	245.87
EFT4052	Busselton Pest & Weed Control	Remove Bee's Nest	132.00
EFT4053	Bunbury Towing	Towing of Impounded Vehicle	365.42
EFT4054	Courier Australia International	Courier Fees	28.38
EFT4055	Paul Sheedy	Reimburse for Morning Tea on Shire Tour 30/03/09	49.70
EFT4056	Cable West Electrical Pty Ltd	Progress Claim 1 Capel Oval	126075.40
EFT4057	Gelorup Community Management Committee	Minor Community Grant Upgrading of Market Signage	500.00
EFT4058	Capel Vale Wines	Wine Purchase	192.98
EFT4060	Dalyellup Beach Surf Club	Major Community Grant Emergency Response Vehicle	8682.30
EFT4061	Dalyellup Beach Cricket Club	Major Community Grant Synthetic Wicket	7006.84
EFT4062	Delron Cleaning	Cleaning of Community Centres	2500.45
EFT4063	Echelon Australia Pty Ltd	Regional Risk Coordinator Fees	4213.00
EFT4064	Haines Norton	Management Accounting Workshop A Ross & A Mattaboni	1705.00
EFT4065	Insight CCS Pty Ltd	Call Centre Charges	159.06
EFT4066	Jumor Wastewater Service & Repairs	Quarterly Maintenance of Dalyellup Toilets	372.80
EFT4067	Lesley Jackes	Reimbursement for Harmony Day Catering	111.65
EFT4068	Capel Blue	Flower Arrangements March	75.00
EFT4069	Nightguard Security Service Pty Ltd	Security Call Out Boyanup Library	98.67
EFT4070	Perth Management Services	Rent of Dalyellup Library	985.30
EFT4071	Professional Training Solutions	Staff Development Program Module 9	2640.00
EFT4072	SJ Roadworks	Traffic Control	13296.80
EFT4073	Rental Execs	Rent HACC Office	8250.00
EFT4074	South West Tree Safe	Tree Pruning and Stump Grinding	2915.00
EFT4076	South West Mapping Services	Mapping Services	1575.00
EFT4077	Street Furniture Australia	Mall Seat Library	1171.50
EFT4078	Seminars Australia P/L	Superannuation Course Notes	300.00
EFT4079	Tangent Nominees Pty Ltd	Kerb Deposit Refund	500.00
EFT4080	Totally Workwear	Staff Uniforms	1929.65
EFT4081	T & P Design	Bridge Street Revision	1002.38
EFT4082	Transplan Pty Ltd	Trails Master Plan	9006.80
EFT4083	Veolia Environmental Services	Street Sweeping	1020.80
EFT4084	Ventura Homes	Kerb Deposit Refund	500.00
EFT4085	WA Country Builders	Kerb Deposit Refund	1000.00
EFT4086	Scott Park Homes	Kerb Deposit Refund	500.00
42666	Shire of Capel	Petty Cash	242.00

42667	Big W	SD Cards	21.96
42668	Bunbury Formwork	Kerbing	5577.00
42669	Boyanup CWA	Flower Arrangement Australia Day Awards	200.00
42670	Boyanup Basketball Association	Community Grant Junior Backboards	1515.15
42671	Capel Newsagency	Stationery & Printing	248.17
42672	Content Living	Kerb Deposit Refund	500.00
42673	Choice Magazine	Subscription Renewal	82.00
42674	Environmental Health Australia	EH Conference	945.00
42675	B & L Godson	Crossover Contribution	300.00
42676	Brian Ging	Crossover Contribution	300.00
42677	Jtagz Pty Ltd	Dog Registration Tags	742.50
42678	J & C King	Kerb Deposit Refund	600.00
42680	Municipal Insurance Broking Services of WA	Insurance Adjustment	1219.37
42681	McLeods Barristers & Solicitors	Legal Advice	354.75
42682	News Magazine	Subscription Renewal	65.00
42683	Pepperwood Estate	Refreshments	160.00
42685	St. Johns Ambulance Association	1st Aid Kits	158.30
42686	Synergy	Electricity	6571.95
42687	Statewide Building Solutions	Kerb Deposit Refund	500.00
42688	Transport Payment Centre	Registration	768.45
42689	Norman Van Heerwaarden	Refund of Hall Bond	150.00
42690	Department of Planning & Infrastructure	Application Fee for Public Safety Licence	68.00
42691	Seniors Recreation Council of WA	Registration For Active Aged Care Games	25.00
42692	- 42693	See Council Agenda 25 March 2009	
42694	Australia Post	Postage for Month	1263.28
42695	Ms J Bowman	Refund of Dog Registration Fees	150.00
42696	Phillip Brown	Crossover Contribution	300.00
42697	Des Bath	8 Copies of Australia History Books	120.00
42698	Shire of Capel	Refreshments	74.80
42699	Content Living	Kerb Deposit Refund	1000.00
42701	Capel Basketball Assoc	Minor Community Grant Uniforms	1228.84
42702	Shire of Dardanup	Town Planning Application Fee for New HACC Office	254.00
42703	Department of Premier & Cabinet	Advertising	497.21
42704	Department of Child Protection	Reimburse Hire Fees for Boyanup Community Centre	765.00
42705	Filtrex	Part Refund of Licence Fee	104.00
42706	Bunbury Cathedral Grammar School	Donation to Fun Run	250.00
42707	JB Williams Super Fund	Kerb Deposit Refund	500.00
42708	Cafe Koombana	Catering for RSA	275.00

42709	Lisa Collins	Workshop Reimburse for Sterilisation Voucher	70.00
42710	Mining & Pastoral Communication Services	Reprogram Two Way	66.00
42711	Mr A Murdock	Rates Refund	67.33
42712	Officeworks Bunbury	HACC Office Supplies	293.75
42713	Simon O'Neil	Crossover Contribution	300.00
42714	Office of Crime Prevention	Refund Grant	337.26
42715	Peppermint	Research on Tourism	198.00
42716	J Phillips & J Blee	Crossover Contribution	300.00
42717	Synergy	Electricity	16703.70
42718	Marco Seel	Travel Reimbursement for Chain Saw Curse	88.66
42719	Mr L Sturges	Rates Refund	91.50
42720	W Smithers & P Harrisonboyd	Rates Refund	50.70
42721	Telstra Corporation Ltd	Rent and Calls	5163.36
42722	Extensions	HACC Client Meeting Catering	242.70
42723	Unifem	Refund of Hall Bond	150.00
42724	Diane White	Reimburse for Accommodation and Parking	154.10
42725	C Wilson-Fisher	Reimburse Training Expenses	1120.60
42726	Mr D White	Rates Refund	106.77
42727	Ms Me Dixon	Rates Refund	429.81
42728	R & J Rigg and A & J Fairhead	Rates Refund	1263.57
42729	Synergy	Electricity	54.95
42730	Mr T Salathiel	Rates Refund	59.86
42731	Telstra Corporation Ltd	Rent & Calls	1798.96
42732	Bernard N & C	Rates Refund	282.22
42733	Capel Tavern	Bus Hire HACC	1440.00
42734	Debbie Clark	Cat Sterilisation	50.00
42735	Mark Dunn & Mariclare Mckay	Crossover Contribution	300.00
42736	Mr R Dunlop	Rates Refund	44.47
42737	Mrs Eatts	Sterilisation Refund	20.00
42738	Emma Tooke	Hall Bond Refund	150.00
42739	Karrak Pty Ltd	Rates Refund	224.45
42740	Frances Matthews	Reimbursement Travel & Accommodation	361.20
42741	Metroof	Refund Building Fees BL/9494	85.00
42742	Dean Napoli	Dog Sterilisation Refund	25.00
42743	Officeworks Bunbury	Stationery Items	234.23
42744	Police Licensing	Special Series Plates	135.00

42745	N & R Paulette	Crossover Contribution	300.00
42746	Riding for the Disabled South West	Minor Grant Installation of Ceiling & Windows	1400.00
42747	Lara Russell	Hall Bond Refund	150.00
42748	Synergy	Electricity	3.10
42749	Ms G Sheehan	Rates Refund	61.79
42750	Transport Payment Centre	Registration	137.30
42751	Mr Nr Tucker	Rates Refund	126.14

834141.05

19.03.09	Shire of Capel Payroll Payments	\$10,224.06
18.03.09	Shire of Capel Payroll Payments	\$102,351.84
04.03.09	Shire of Capel Payroll Payments	\$111,526.83

\$224,102.73

09.03.09	Transfer to Municipal Account	\$350,000.00
18.03.09	Transfer to Municipal Account	\$200,000.00

\$550,000.00

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 22 April 2009, have been checked and are fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

P F Heedy

CHIEF EXECUTIVE OFFICER

STAFF RECOMMENDATION

That:

- 1 The Schedule of Accounts covering vouchers EFT3886 to EFT3943, EFT3979 to EFT4086, 1 to 5, 42666 to 42691 and 42694 to 42751 totalling \$834141.05 paid during the month of March 2009 be received;**
- 2 Payroll payments for the month of March 2009, totalling \$224102.73 be received; and**
- 3 Transfers to and from investments as listed, be received.**

VOTING REQUIREMENTS

Simple majority

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