

SHIRE OF CAPEL
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SHIRE OF CAPEL

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 26 APRIL 2006, COMMENCING AT 4.33PM.

PRESENT:	President	MT Scott
	Deputy President	KV Caratti
	Councillors	BW Bell
		KD Gibson
		NR Jones
		RG Lamb
		SC Manley
		GJ Norton
		BH Piesse
		JA Rees
		MM Smith
	Chief Executive Officer	PF Sheedy
	Manager Finance and Corporate Services	AJ Ross
	Manager Planning and Development Services	GE Bishop
	Manager Operational Services	RJ Evans
	Principal Environmental Health Officer	CR Dent
	Minutes Secretary	LA Taylor

RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	Nil
PUBLIC QUESTION TIME	Nil
APPLICATIONS FOR LEAVE OF ABSENCE	Nil
NOTICE OF ITEMS TO BE DISCUSSED BEHIND CLOSED DOORS	Nil

OC0422 CONFIRMATION OF MINUTES – 12.04.06
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OC0422 COUNCIL DECISION

Moved Cr Caratti, Seconded Cr Bell

That the minutes of the Council meeting held on 12 April 2006, as printed, be confirmed subject to the word “process” in point 3 of decision OC0421 (page 56) being changed to “progress”.

Carried 11/0

VOTING REQUIREMENTS

Simple majority

PETITIONS/DEPUTATIONS/PRESENTATIONS	Nil
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MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	Nil
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QUESTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	Nil
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ENVIRONMENTAL HEALTH SERVICES REPORTS

ENVIRONMENTAL HEALTH SECTION Nil

PLANNING AND DEVELOPMENT SERVICES REPORTS

BUILDING SERVICES SECTION

PLANNING SERVICES SECTION

OC0423 (12.2.1) Subdivision Clearance Requirements – Lot 58 George Street, Boyanup (C5.1.B.9)

REPORTING OFFICER

C Burwood – Senior Planning Officer

Date: 19.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

PC Brown/Harley Survey Group.

MATTER FOR CONSIDERATION

Authorisation of the President and Chief Executive Officer to sign and affix the seal to a Transfer of Land Act Section 70A notification that will apply to the title of the new lot 21 created by the subdivision of lot 58.

ATTACHMENTS

Location/Subdivision Plan

APPLICANT’S SUBMISSION

The notice is intended to satisfy condition 7 of the Western Australian Planning Commission’s subdivision approval which requires a notice on the title of the proposed lot 21 created by the subdivision of lot 58 advising future purchasers that “All buildings are to be contained within the approved ‘building envelope’ location applicable to the lot.”

BACKGROUND

OC0808 2005 – Council agreed to recommend that the subdivision of lot 58 should be approved by the Western Australian Planning Commission subject to several conditions including the provision of a notice on title advising future purchasers of a building envelope on proposed lot 21. Lot 21 had been the subject of land fill that maybe contaminated and unsuitable for development. The envelope is intended to ensure development is contained within a location proven to be acceptable for development.

20 September 2005 - Lot 58 received approval to be subdivided from the Western Australian Planning Commission subject to the condition relating to a notice on title.

STATUTORY ENVIRONMENT

Town Planning Scheme No. 7

Lot 58 is zoned Residential R10/15

Transfer of Land Act 1893 (as amended)

Section 70A of the Transfer of land Act provides that:

- “(1) Where in relation to land under the operation of this Act the local government of the district in which the land is situated considers it desirable that prospective purchasers of the land be aware of a factor affecting the land, the local government may cause notification of the factor to be lodged with Registrar of Titles; and
- (2) On receipt of the notification and the consent of the owner of the land the Registrar shall endorse the affected certificate of title”.

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

A fee is payable to the Registrar of Titles on lodgement of the Section 70A form which the subdivider is responsible for.

STRATEGIC IMPLICATIONS Nil

CONSULTATION Nil

COMMENT

The imposition of this notification on the new title of proposed lot 21 is important in setting in place clear advice to land purchasers that development of the lot is to be contained within an area proven to be acceptable for development.

OC0423 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Gibson, Seconded Cr Caratti

That Council resolves to authorise the President and Chief Executive Officer to sign and seal the Section 70A Notification (Form N1) to be lodged on the proposed lot 21 (of original Lot 58) George Street, Boyanup, which states:

“All buildings are to be contained within the approved ‘building envelope’ location applicable to this lot.”

Carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0424 (12.2.2) Subdivision Clearance Requirements – Lot 32 Bussell Highway, Stratham (C5.1.N.69)

REPORTING OFFICER

C Burwood – Senior Planning Officer

Date: 19.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

DR and JE Teede

MATTER FOR CONSIDERATION

Authorisation of the President and Chief Executive Officer to sign and affix the seal to a Transfer of Land Act Section 129BA restrictive covenant notification that will apply to the title of the new Lot 309 Bussell Highway, Stratham created by the subdivision of lot 32.

ATTACHMENTS

Subdivision Plan showing covenant locations.

APPLICANT'S SUBMISSION

Mr Teede has submitted a Section 129BA document which he has had prepared by legal services Michael Paterson & Associates. The intent of the restrictive covenant is to restrict vehicle access onto Bussell Highway to the existing driveway access point for the dwelling on lot 32 (proposed lot 309). The reason for this is to satisfy condition 8 of the Western Australian Planning Commission subdivision approval. The placement of the restrictive covenant will clearly advertise to any purchaser of proposed lot 309 that access is not permitted onto the highway other than via the existing driveway access point.

BACKGROUND

Minute Numbers OC1203 and OC1204 refer – Council resolved to adopt a Subdivision Plan of Modification No. 4 and delegate authority to the Manger of Planning and Development Services to respond to the Western Australian Planning Commission (WAPC) in respect to the subdivision of lot 32 and 3 Bussell Highway.

February 2005 – The Manager of Planning and Development Services responded to the WAPC with a request that a restrictive covenant be required across the highway frontage of lot 32 (proposed lot 309) to prohibit vehicle access to the highway other than at the current driveway point consistent with other similar situations where land has been subdivided adjacent to the highway.

March 2005 – The WAPC approved the subdivision of lot 32 and 3 which included a condition requiring the restrictive covenant across the frontage of lot 32.

STATUTORY ENVIRONMENT

Transfer of Land Act 1893 (as amended)

In summary section 129BA of the Transfer of land Act provides that a restrictive covenant maybe created for the benefit of a local government. The covenant shall be created on an approved form and lodged with the Registrar of Titles and accompanied by the written consent of all affected parties and the prescribed fee.

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

A fee is payable to the Registrar of titles on lodgement of the covenant document which the subdivider is responsible for.

STRATEGIC IMPLICATIONS

The control of increased access points along the highway is important to avoid the increase of potential vehicle conflict points on a high speed main road.

CONSULTATION Nil

COMMENT

The imposition of the covenant is important in setting in place clear notification to any future purchaser of proposed Lot 309 that there are access limitations onto Bussell Highway.

OC0424 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Gibson, Seconded Cr Rees

That Council resolves to authorise the President and Chief Executive Officer to sign and seal the Section 129BA Notification to be lodged on proposed lot 309 (of original lot 32) Bussell Highway, Stratham, which generally states:

“The owners of lot 309 covenant with the Shire NOT to allow vehicle access to Bussell Highway from lot 309 between points E to F and G to H shown on Deposited Plan of Survey No. 46319.”

Carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0425 (12.2.3) Residential Subdivision – Lot 10 Hasties Road, Gelorup (C5.1.G.42)

REPORTING OFFICER

C Burwood – Senior Planning Officer

Date: 19.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

AJ & H Payne/Taylor Burrell Barnett

MATTER FOR CONSIDERATION

Subdivision of lot 10 into three (3) lots having areas ranging from 4569m² to 5769m².

ATTACHMENTS

Location/Subdivision Plan

APPLICANT'S SUBMISSION Nil

BACKGROUND

1990 – An informal overall subdivision guide plan was prepared for the general locality as part of the consideration of the subdivision of lot 7 south east of and adjoining lot 10. The proposed subdivision plan is consistent with this overall plan.

STATUTORY ENVIRONMENT

Town Planning and Development Act

The application has been referred to Council for comment and recommendation from the Western Australian Planning Commission. Section 24(2) of the Town Planning and Development Act requires Council to respond within 42 days. If no response is made it is presumed that Council has no comment to make.

Town Planning Scheme No. 7

Lot 10 is zoned Residential R 2.5 and is affected by the Highway Protection Line under Town Planning Scheme No. 7. The lot has a land area of 1.55 hectares.

Clause 5.3.1 of the Scheme states that Council's objectives in controlling development in the Residential Zone are to:

- Provide sufficient zoned land in appropriate locations to meet the needs of the anticipated population without restricting the choice of sites
- Promote and safeguard the health, safety, convenience, general welfare and the amenities of residential areas and their inhabitants.

Clause 5.3.2 states that Council's policy in carrying out the objectives of the Residential Zone is as follows:

- Subdivisions shall have regard to any overall structure plan adopted by Council
- The Residential Planning Codes shall apply to all residential development.

Clause 5.3.6 relating to areas not connected to a public reticulated water supply requires a dwelling to be connected to a water storage tank of 92,000 litres and limit clearing to an approved building envelope, driveways and fire breaks.

Clause 7.11.2(d) relating to the Highway Protection Area specifies a building setback line of 40 metres from the highway property line.

Town Planning Scheme No. 3

The lot is contained within the Town Planning Scheme No. 3. The intent of the Scheme is to guide the subdivision and development of the Gelorup Residential R2.5 area.

The Scheme sets out certain requirements that are to be considered with any subdivision. These include:

- (i) The minimum permitted lot size is 4,000m² unless a lesser area is agreed to by Council and the Western Australian Planning Commission.
- (ii) Subdivision proposals should be capable of forming part of an overall plan of subdivision for the Scheme Area.
- (iii) Overall plans for subdivision may be required for the locality before subdivisions will be approved.
- (iv) All subdividing landowners are subject to Scheme Costs.

POLICY IMPLICATIONS

Engineering Policy 16.2 relating to Guidelines for Subdivision Development is applicable.

FINANCIAL IMPLICATIONS

Town Planning Scheme No. 3 provides for the collection of contributions to Scheme Works and cash-in-lieu of open space from subdividing landowners. The Scheme is self-funding and is managed to avoid any financial burden on the Shire general revenue.

STRATEGIC IMPLICATIONS

Land Use Strategy 1999

The land is contained within Planning Unit BU6 of the Shire of Capel Land Use Strategy. The objective of the unit is to provide for urban expansion whilst conserving significant areas of natural environmental value. The main issue affecting the subdivisions in Gelorup relates to the study that was undertaken into the buffer needs associated with the basalt quarry activities. The report for this study indicates that a buffer will not be required in the area of Gelorup which is zoned Residential. However the studying does describe the area likely to experience certain levels of vibration from blasts that comply with EPA License standards. It is therefore likely that it will still be necessary to note that some new lots will experience vibration and in the past this has been done through the registration of memorials on titles.

Strategic Plan 2003-2007 – Core Business Area 2 – Land Use

Strategy: 1 To Plan for the orderly development and use of land in accordance with the Shire's vision.

Action Plan: 1.3 – To facilitate the subdivision of the Gelorup Residential Zone through a Guided Subdivision Town Planning Scheme.

The proposed subdivision is consistent with the strategies and actions of the Strategic Plan.

CONSULTATION

The Manager of Operational Services has advised that it is important to note that the Gelorup Dual Use Path (DUP) Strategy has identified the need for a path to be developed along Hasties Road. Mounting concern for the safety of the occupants of subdivisions who use Hasties Road is increasing the need for this path to be developed as a priority over the next few years. The particular section of Hasties Road adjoining the subdivision area is of concern being near a bend and the junction with Bussell Highway. It is considered that it would be appropriate to seek a contribution towards the provision of the Hasties Road DUP.

Main Roads WA has advised the WAPC that it does not object to the proposed subdivision subject to the following requirements:

- (a) Uniform fencing being provided along the highway boundary of lots 2 and 3;
- (b) The crossover for lot 3 being located as far as possible from the highway; and
- (c) A memorial being placed on the title of the lots advising that these lots maybe subject to noise from traffic on the adjacent highway.

COMMENT

In considering the subdivision proposal in the light of the Town Planning Scheme No. 3 requirements listed under the Statutory Section, the following comments are made:

- (a) The proposed lots are above the 4,000m² minimum.
- (b) The application is in keeping with the intent for co-ordinated subdivision with the adjoining lots.

Town Planning Scheme No. 3 proposes to acquire a 10 metre road widening along this section of Hasties Road. Whilst the applicants have not allowed for this within the subdivision design proposal, there is adequate land area available to require this widening and still maintain lots that comply with the 4000m² minimum area requirement.

It is to be noted that whilst lot 10 has its main frontage and existing dwelling access onto Hasties Road, it also adjoins Bussell Highway and is affected by the Highway Protection provisions of Town Planning Scheme No. 7. These provisions require a 40 metre building setback from the Highway. In applying this standard there is adequate building area remaining on proposed lots 2 and 3. A legal impediment should also provide along the highway boundary of the proposed lots to prohibit vehicle access onto the highway.

It should also be noted that the subdivision application plan does not show the location of an existing outbuilding on proposed lot 3. It is unlikely that there will be any boundary setback issues for this building, however an appropriate condition will need to be imposed to address this matter.

OC0425 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Gibson, Seconded Cr Caratti

That Council resolves to recommend to the Western Australian Planning Commission that:

- 1 The subdivision should be approved subject to the following conditions:**
 - (a) The applicant/owner complying with the terms and conditions of the Shire of Capel Town Planning Scheme No. 3, including the payment of scheme works, road widening and public open space contributions.**
 - (b) The battle-axe accessway being constructed and drained at the applicant/owner's cost to the specification and satisfaction of the Shire of Capel (R34).**
 - (c) The subdivider to submit a plan of lots showing building envelopes of 1000m² for adoption by the Shire of Capel prior to giving clearance to a Deposited Plan of Survey. The plan is to also note a requirement for a building setback of 40 metres from the existing Bussell Highway frontage of the land as required by Clause 7.11.2(d) of Town Planning Scheme No. 7.**
 - (d) The subdivider making arrangements satisfactory to the Shire of Capel to ensure that prospective purchasers of the lots created will be advised of those provisions of the local government's Town Planning Scheme which relate to the use and management of the land.**
 - (e) Hasties Road being widened by 10 metres along the full frontage of the land the subject of this application by the applicant/owner transferring the land required to the Crown in accordance with the provisions of Town Planning Scheme No. 3.**
 - (f) Suitable arrangements being made with Shire of Capel for the provision of crossover(s) to service lots shown on the approved plan of subdivision. (R25)**
 - (g) Pursuant to Section 129BA of the Transfer of land Act(as amended), a restrictive covenant preventing motor vehicle access onto Bussell Highway benefiting the Shire of Capel being lodged on the Certificates of Title of the proposed lot, at the full expense of the applicant.(R32)**
 - (h) No lot being less than 4000m² in area. (RD1)**
 - (i) All buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation. (B2)**
 - (j) The applicant/owner contributing to the provision of a dual use path in Hasties Road, to assist in connecting the land to community facilities, to the satisfaction of the Shire of Capel.**
- 2 It requests that the Commission advise the applicants that in relation to condition (a), the Shire of Capel advises that a 'Scheme Works assessment' is required to be undertaken for the subject land to determine the Scheme contribution amount. It is recommended that the Shire of Capel be contacted in relation to this matter prior to lodging a request for clearance of conditions of subdivision. (LGa1)**

Carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0426 (12.2.4) Petition Requesting Delaporte Street Not Become a Through Road (T1.21.211)

REPORTING OFFICER

C Burwood – Senior Planning Officer

Date: 20.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Petition from 11 Delaporte and Tucker Street Residents.

MATTER FOR CONSIDERATION

The petition states:

“We the residents of Delaporte Street and nearby residents would like Council to consider not making our street a through road.

This area has a number of small children, and by making it a through road will be used by more traffic and the young teens will make it a drag strip as they do so now in the industrial area and Goodwood Road.”

ATTACHMENTS

Location Plan

APPLICANT’S SUBMISSION Nil

BACKGROUND

Minute No. OC0208 2006 refers – Councillor Caratti presented a petition received from R and R Thorp and signed by 11 residents/ratepayers from Delaporte and Tucker Streets. Council resolved that the petition be accepted and staff prepare a report on the matter for consideration of Council.

1962 – The Town Planning Department of Western Australia prepared a subdivision design on behalf of the State Housing Commission for the land west of West Street and South of Bussell Highway. This subdivision design included the existing Streets of Maslin, Harris, Tucker, Merritt, Elliot and Delaporte. The subdivision design proposed that Delaporte Street be a through road which connected to Spurr Street and which in turn connected to Properjohn Road.

Minute No. OC0202 2006 refers – Council considered a subdivision application for lot 71 Maslin Street which is the balance land area remaining from the 1960’s subdivision undertaken by the State Housing Commission. The subdivision proposal was dependent on the main entrance to the subdivision being via Delaporte Street and a future link to West Street being through an adjoining lot 34.

The Council resolved to advise the Western Australian Planning Commission that it did not support the subdivision design for a number of reasons which included that “the subdivision did not provide adequate connectivity to the local road network and community facilities which could be improved by providing a road connection to Properjohn Road and the construction of Properjohn Road to West Street.”

STATUTORY ENVIRONMENT

Shire of Capel Standing Orders Local Law November 1997

Provides the requirements for the acceptance and consideration of a petition.

Shire of Capel Town Planning Scheme No. 7

Lot 71 being the land at the end of Delaporte Street is zoned ‘Residential’ and is coded ‘R10/15’ comprising a total area of 8.1957ha.

Clause 1.6 states the Town Planning Scheme Objectives which include:

“1.6.1. To direct and control the development of the Scheme area in such a way as shall promote and safeguard the health, safety, economic and general welfare of its inhabitants and shall conserve the natural values of the district.

1.6.4. To provide standards to secure and maintain the orderly and properly planned development of land within the Scheme Area.”

The provisions of Clauses 5.3.1 and 5.3.2 relating to the Scheme’s objectives in controlling development in the Residential Zone are also applicable to the assessment of the proposal which state:

“5.3.1 Council’s objectives in controlling development in the Residential Zone are to:

- (a) Provide sufficient zoned land in appropriate locations to meet the needs of the anticipated population without restricting the choice of sites;
- (b) Promote and safeguard the health, safety, convenience, general welfare and the amenities of residential areas and their inhabitants.

5.3.2 Council’s policy in carrying out the objectives for land zoned Residential is as follows:

- (a) Subdivisions shall have regard to any overall structure plan adopted by Council: and
- (b) The residential Planning Codes shall apply to all residential development as provided for in this Scheme.”

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS

Shire of Capel Land Use Strategy-1999

The locality is contained within Planning Unit CA3 of the Strategy. The strategy indicates the need for a review of structure planning in the town area. The current zoning of the locality is consistent with the old Structure Plan for the Capel Townsite, which formed part of the superseded Town Planning Scheme No. 5.

Strategic Plan 2003-2007*Core Business Area 2*

The Shire of Capel's objectives are, in part, to:

- Protect the natural and built environment
- Ensure that development of the district is sustainable
- Maintain the special attributes of the district by providing a balance of rural and urban land development opportunities in a safe and attractive environment
- Facilitate economic land use opportunities.

The Shire will pursue the objectives to achieve a number of outcomes, which include;

- Choice of rural and urban living opportunities
- Safe neighbourhood communities.

CONSULTATION

Nil

COMMENT

From the Background Section of this report it has been identified that as early as 1962 it has been the intention that Delaporte Street would be a 'through' road providing links to Spurr and Properjohn Roads. It was also required by Council in February this year that an adjoining subdivision (lot 71) which is located at the end of Delaporte Street provide for connectivity to the local network which meant Delaporte should connect to Properjohn and West Roads.

It can be seen from the location plan accompanying this item, that lot 71 has limited access opportunities due to the need to avoid further road intersection points onto Spurr Street. A link between Properjohn and Delaporte Streets and then ultimately Properjohn linking with Spurr and West Streets is intended to provide lots in this locality ease of access to the town, community facilities and the Bussell Highway.

The basic objective behind achievement of the above outcomes relates to the need to provide a street network that has a high level of internal connectivity and good external linkages for local vehicle traffic, pedestrian and bike movements.

It is important to note that accompanying the above objective is the need for traffic management methods to restrain vehicle speed which will limit the negative impact of through traffic and create safe conditions for all street users.

The benefits of an interconnected street network also include the following:

- (a) It reduces local travel distances and related emissions and energy use.
- (b) Traffic is distributed more evenly through a number of streets rather than placing pressure at a few intersections.
- (c) Substantially improved pedestrian and cycle links are achieved.

Notwithstanding the above it should be noted that the Western Australian Planning Commission is generally no longer supportive of cul-de-sac' proposals and where such instances are accepted the situation may require the creation of a 10metre wide pedestrian accessway to be created which links the cul-de-sac to other roads. The creation of such arrangements increases the maintenance requirements of the local authority and can create surveillance and safety issues for residents.

In view of the above, whilst it is understood why the residents of Delaporte and Tucker Streets would like to retain a cul-de-sac type environment, it is essential that the long established intent for Delaporte to be a through road be retained.

OC0426 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Bell, Seconded Cr Gibson

That Council resolves to advise Mr and Mrs Thorp as the representatives of the petitioners that Council is unable to support the request for Delaporte Street to be a ‘No Through’ road as it is essential that the long established intent for Delaporte to be a ‘through’ road be retained. It is considered that the connection of Delaporte through to Properjohn Street will provide for the safety, convenience and amenity of the whole community in this locality. Also the design of road pavements will be required to incorporate traffic speed control features that should limit the potential for unsafe vehicle speeds.

Carried 11/0

VOTING REQUIREMENTS

Simple majority

Councillors Bell, Caratti, Gibson, Jones, Lamb, Manley, Norton, Piesse and Smith declared a proximity interest in this item. The nature of the interest being they have adjoining properties to the proposed roadworks.

The Minister for Local Government under Section 5.69(3)(a) and (b) of the Local Government Act 1995, has granted approval for Councillors Bell, Caratti, Gibson, Jones, Lamb, Manley, Norton, Piesse and Smith, to fully participate in the consideration and adoption of the Shire’s Five Year Road Preservation program, at this meeting.

OPERATIONAL SERVICES SECTION

OC0427 (13.1.1) Road Funding (T.1.1)

REPORTING OFFICER

Bob Evans – Manager Operational Services Date: 12.04.05

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Shire of Capel

MATTER FOR CONSIDERATION

Endorsement of the annual review of the Five Year Road Preservation Program (5YRPP).

ATTACHMENTS

The review of the 5YRPP is tabled in the following spreadsheets (pages 1 to 14 of the attachment):

- Pages 1 to 5 Five year Asphalt/Bitumen Road Reconstruction Program
- Pages 6 to 11 Five year Gravel Road Resheet Program
- Pages 12 to 14 Five Year Reseal and Asphalt Overlay Program

BACKGROUND

In March 2000, a proposed 5YRPP was adopted by Council (Minute OC0309/10) with an annual financial commitment of \$460,000. Council also resolved that the Program be updated annually and presented to Council for endorsement.

Following the success of the first 4-year Roads to Recovery Program a second 4-year Program commenced 1 July 2005. The annual allocation from that Program for the Shire of Capel is \$204,697 which has been used to augment the 5YRPP.

STATUTORY ENVIRONMENT Nil

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

The following expenditures are proposed for the 2006/07 financial year on the road network (in accordance with the 5YRPP) in the following categories:

Asphalt/Bitumen Road Reconstruction	\$351,000
Gravel Resheet Program	\$152,500
Reseal and Asphalt Overlay	\$186,000
Total	\$689,500

STRATEGIC IMPLICATIONS

Core Business Area 1 (Infrastructure): Strategy 1(Plan the provision and maintenance of safe and efficient transportation systems): Action Plan 1.1 – Review and implement the Five Year Road Preservation Program.

CONSULTATION

Consultation with relevant Operational Services Staff.

COMMENT

There is no doubt that the implementation of the 5YRPP has had a marked effect on the standard of the road infrastructure within the Shire. Continuation of the Auslink Roads to Recovery funding (increased by 3.7%) and the reinstatement of the previous level of State Government road funding will contribute to the ongoing preservation of the road infrastructure. Council is strongly urged to maintain this level of funding as a minimum.

A number of projects are included in the 5 Year Program before Council that wouldn't normally be included in the preservation program. Such projects include the approaches to the Mallokup Road bridge in 2006/07, contribution to the upgrade of Bridge Street (South West Highway to the Lions Park), extension of Spurr Street, the sealing of Anderson Street and the realignment of East Road north of Reynolds Road. The timing for these projects will be dependent on demand and will need to be reassessed in future years.

Consistent with the agreed 2005/06 Program this 5 Year Program allocation has been increased by 3% each year in an attempt to cover cost increases in labour, plant and materials.

OC0427 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Gibson, Seconded Cr Caratti

That:

- 1 Council endorse the updated Five Year Road Preservation (as per pages 1 to 14 of the attachment).**
- 2 A sum of \$689,500 be included in the draft 2006/07 budget for road preservation.**

Carried 11/0

VOTING REQUIREMENTS

Simple majority

GOVERNANCE

OC0428 (14.1.1) Strategic Plan Review (A.4.46)

REPORTING OFFICER

PF Sheedy – Chief Executive Officer

Date: 19.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Shire of Capel/Chief Executive Officer

MATTER FOR CONSIDERATION

Endorsement of a process to review the existing Strategic Plan and development of key strategies and actions for the next five years after 2007.

ATTACHMENTS Nil

APPLICANT’S SUBMISSION Nil

BACKGROUND

The Chief Executive Officer’s Annual Performance Review for 2005 – 2006 requires a review of the Strategic Plan under KRA 1 with the indicated Action being “research and report to Council on a recommended method and cost”.

The existing Strategic Plan was adopted by Council on 11 June 2003, and was for a five year period to 2007.

STATUTORY ENVIRONMENT Nil

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

The employment of a facilitator for two days would be approximately \$3,000 - \$4,000 and there would be some other minor costs associated with the community consultation/presentation evenings.

Should Council decide to engage a consultant for the whole process of a strategic plan review/development including community consultation, based on the previous quotations it is expected to cost approximately \$25,000 - \$30,000.

STRATEGIC IMPLICATIONS

The development of a strategic plan and the extension of the current one is a vital component of the long term sustainable planning for the Shire as it sets the direction that the Council will take as a result of consultation with the community.

Council’s existing strategic plan Core Business Area 5 Governance and specifically Strategy 6 “Establish effective performance monitoring systems”, Action 6.1 “Conduct a review of the Strategic Plan and relevant subsidiary plans and amend according to the changing environment” have relevance to the item.

CONSULTATION

Consultation with the community, Councillors and staff will occur as part of the proposed review process.

COMMENT

Whilst a consultant was engaged for the development of the current strategic plan it would be fair to say that we have all learnt quite a bit having been through that process and feel confident that with the assistance of a facilitator, senior staff and the Chief Executive Officer are now in a position where they could develop the next strategic plan and also engage the community in the process. It should also be pointed out that the senior staff and Chief Executive Officer did take the first draft prepared by the consultant and revised its content and format quite significantly to arrive at a final document that was considered to be relevant, achievable and acceptable to Council and staff.

Having discussed the matter with a number of Chief Executive Officer Colleagues, the proposal to develop the next strategic plan to a draft stage and then engage the community, via public forums in a select number of locations throughout the Shire, would appear to achieve a better final outcome. Substantial time, resources and dollars were committed previously in an effort to engage the community prior to the development of the current strategic plan and it would be fair to say that the attendance and input at the community forums was minimal. It would appear that the community responds better when they are presented with some detail that prompts further comment and input.

The development of a brief and specific community satisfaction survey every couple of years, with a consultant developing the format and staff compiling the results, to achieve a survey cost of approximately \$5,000 plus staff time each time. The surveys could also provide the opportunity for community needs to be considered as part of the strategic plan reviews, whilst also providing a good indication of the level of satisfaction being achieved by Council in the community with its services and facilities.

The current strategic plan does include a requirement for an annual review of the strategic plan, an annual customer satisfaction survey and a community needs survey every two years. None of these have been achieved to date partly as a result of previously indicated high costs to conduct surveys and a priority on staff time in other areas. It is important that these actions be brought back into priority and implemented and the format outlined in this report should enable this to happen at a substantially reduced additional financial cost to Council whilst enabling staff to gain further experience in these areas.

In summary then what is being proposed in regards to a review of the Strategic Plan and engagement of the community is as follows:

Strategic Plan Review

- A senior staff workshop, with a facilitator, to review the existing Strategic Plan to update it and consider future Strategies, Actions and format
- A senior staff/Councillor workshop, with a facilitator to consider staff suggestions and provide the opportunity for Councillor input into future Strategies, Actions and format
- Preparation of a draft Strategic Plan by staff for endorsement by Council
- Community consultation forums at which a presentation on the draft Strategic Plan would be made by the Chief Executive Officer to allow for community comment and input on the draft document and to allow for other issues to be raised. It is suggested that a maximum of three be held in the Shire (i.e. Dalyellup/Gelorup, Boyanup/Elgin/Stratham and Capel/Peppermint Grove Beach). At the same time the draft Strategic Plan would be advertised Shire wide for community comment

- Finalisation of the Strategic Plan by staff for adoption by Council and advertising to the community of its completion and availability
- An annual review by senior staff and Councillors.

Community Consultation

- A brief and specific community survey every two years, utilizing a consultant to prepare the survey after discussion and input from Councillors and senior staff via a workshop, with staff being responsible for its distribution, collection and compiling of results
- Presentation of the survey results to Council for consideration and possible inclusion of relevant issues in the Strategic Plan.

Finally in view of the fact that senior staff are currently giving priority to preparation of the annual budget, followed by completion of the annual financial statements/reports it is suggested that implementation of this Strategic Plan review be commenced in the second half of the year.

OC0428 STAFF RECOMMENDATION

Moved Cr Caratti, Seconded Cr Gibson

That Council endorses the following process for a review of the Strategic Plan and ongoing community consultation:

Strategic Plan Review

- A senior staff workshop, with a facilitator, to review the existing Strategic Plan to update it and consider future Strategies, Actions and format
- A senior staff/Councillor workshop, with a facilitator to consider staff suggestions and provide the opportunity for Councillor input into future Strategies, Actions and format
- Preparation of a draft Strategic Plan by staff for endorsement by Council
- Community consultation forums at which a presentation on the draft Strategic Plan would be made by the Chief Executive Officer to allow for community comment and input on the draft document and to allow for other issues to be raised. It is suggested that a maximum of three be held in the Shire (i.e. Dalyellup/Gelorup, Boyanup/Elgin/Stratham and Capel/Peppermint Grove Beach). At the same time the draft Strategic Plan would be advertised Shire wide for community comment
- Finalisation of the Strategic Plan by staff for adoption by Council and advertising to the community of its completion and availability
- An annual review by senior staff and Councillors.

Community Consultation

- A brief and specific community survey every two years, utilizing a consultant to prepare the survey after discussion and input from Councillors and senior staff via a workshop, with staff being responsible for its distribution, collection and compiling of results
- Presentation of the survey results to Council for consideration and possible inclusion of relevant issues in the Strategic Plan.

OC0429 AMENDMENT

Moved Cr Manley, Seconded

That Council endorses the following process for a review of the Strategic Plan and ongoing community consultation:

Strategic Plan Review

- **A senior staff workshop, with a facilitator, to review the existing Strategic Plan to update it and consider future Strategies, Actions and format**
- **A senior staff/Councillor workshop, with a facilitator to consider staff suggestions and provide the opportunity for Councillor input into future Strategies, Actions and format**
- **Preparation of a draft Strategic Plan by staff for endorsement by Council**
- **Community consultation forums at which a presentation on the draft Strategic Plan would be made by the Chief Executive Officer to allow for community comment and input on the draft document and to allow for other issues to be raised. It is suggested that a maximum of three be held in the Shire (i.e. Dalyellup/Gelorup, Boyanup/Elgin/Stratham and Capel/Peppermint Grove Beach). At the same time the draft Strategic Plan would be advertised Shire wide for community comment**
- **Finalisation of the Strategic Plan by staff for adoption by Council and advertising to the community of its completion and availability**
- **A bi-annual review by senior staff and Councillors.**

Community Consultation

- **A brief and specific community survey every two years, utilizing a consultant to prepare the survey after discussion and input from Councillors and senior staff via a workshop, with staff being responsible for its distribution, collection and compiling of results**
- **Presentation of the survey results to Council for consideration and possible inclusion of relevant issues in the Strategic Plan.**

Carried 11/0

The amendment became the substantive motion and was carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0430 (14.1.2) Delegations Review (A.2.12.1)

REPORTING OFFICER

PF Sheedy – Chief Executive Officer

Date: 20.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Shire of Capel/Chief Executive Officer

MATTER FOR CONSIDERATION

Endorsement of the proposed amendments to Delegations 131 and 145.

ATTACHMENTS

Delegations 131 and 145 detailing proposed changes.

APPLICANT’S SUBMISSION Nil

BACKGROUND

Council reviewed all the delegations in February 2006, however recent information presented at a seminar indicated a need to amend the Tender delegation, whilst the additional of the Cat Local Laws to delegation 145 is necessary following the adoption of that local law last year.

STATUTORY ENVIRONMENT

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

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

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS Nil

CONSULTATION Nil

COMMENT

Recent attendance at a Compliance Audit seminar conducted by the Department of Local Government highlighted the matter that prior to calling tenders a local government is required to determine in writing the criteria to be used to decide which tender should be accepted. As Council has delegated the calling of tenders to the Chief Executive Officer there is a need to amend the existing delegation to reflect this requirement.

Delegation 145 allows the Chief Executive Officer to withdraw infringement notices issued under various legislation and Council’s Local Laws and with the adoption of the Cat Local Laws in 2004 there is a need to add this Local Law to the existing delegation.

OC0430 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Smith, Seconded Cr Caratti

That Council endorse the proposed amendments to Delegations 131 and 145 as detailed in the attachment

Carried by an Absolute majority 11/0

VOTING REQUIREMENTS

Absolute majority

COMMUNITY SERVICES SECTION

OC0431 (14.2.1) Natural Resource Management Community Support Officer (C.4.25)

REPORTING OFFICER

PF Sheedy – Chief Executive Officer

Date: 10.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

South West Catchment Council (SWCC).

MATTER FOR CONSIDERATION

The joint hosting of a full time Community Support Officer by the Shires of Capel and Donnybrook–Balingup to maximise the South West Catchment Council (SWCC) funding opportunities.

ATTACHMENTS

In-Kind Form detailing eligible contributions.

APPLICANT’S SUBMISSION

The South West Catchments Council proposes to allocate \$700,000 per year for the next two years to support community engagement in Natural Resource Management (NRM) across the Region. This funding is primarily to subsidise the salary of NRM Community Support Officers. The South West Catchments Council have adopted a two stage approach to the provision of NRMO positions, in Stage 1 an offer is made to all Local Governments within the South West Catchments Council Region. A base allocation of \$16,000 with a potential additional amount of \$8,000 has been set aside on the assumption that all offers will be accepted. In stage 2, Local Governments may be offered the opportunity to seek further funding up to a maximum of \$6,000 to match cash contributions to salary if there are any unallocated funds from Stage 1.

Offer	Cash from SWCC to NRMO salary/year	Employer provides
STAGE 1	\$16,000	In-Kind contributions such as: Legislated obligations to an employee HR Administration Workstation (computer, phone, email, stationary etc) Access to a vehicle Access to other equipment (See In-Kind Form for eligible in-kind contributions)
	Up to \$8,000 (matched 1:1 to your cash)	Cash to Salary. SWCC will match up to \$8,000.
<i>Demand assessed by SWCC</i>		
STAGE 2	Up to \$6,000 additional cash may be offered depending on demand across the region.	Additional cash up to \$6,000 to match available extra subsidy.

BACKGROUND

November 2005 (Minute OC1110) - Council resolved to upgrade the existing hosting arrangements for the Capel Landcare Officer to that of an employer, including responsibility for management of the position, payroll functions etc on the conditions that:

- 1 *Funding is provided to meet the full cost of the employee’s annual salary including an additional sum equivalent to 25% of the salary to meet overhead cost;*
- 2 *Geocatch also endeavour to obtain additional funds to meet all or some of the employee’s vehicle costs with any shortfall in funding being provided from the Land Conservation Activities budget allocation;*
- 3 *GeoCatch continue to manage the administrative aspects of securing funds from the South West Catchments Council, signing funding agreement contracts with Council and managing the quarterly financial and output reporting process; and*
- 4 *The term of appointment to be reviewed annually.*

February 2006 – Council received advice that SWCC under its 2006-2008 NRM Regional Investment Plan is offering up to \$30,000 to each local government for them to employ a NRM Community Support Officer.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 3.1 The general function of a local government is to provide for the good governance of persons in its district.

Section 5.36 A local government may employ such persons as are necessary to enable the functions of the local government and the functions of the council to be performed.

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS

Under the new proposed arrangements Council would be required to contribute up to \$14,000 (allowed in current budget for Capel LCDC) and in-kind contributions of a minimum of \$16,000 to qualify for the maximum grant of \$30,000 from SWCC.

The provision of the payroll function, management of the employee, attendance at management committee meetings by a staff member and in the long term responsibility for the financial and management reporting requirements, will be part of Council’s in-kind contributions

Whilst the current Landcare Officer is comfortable working from home for some days and therefore only requires an office one day each week this may not continue in the future especially if a new officer was required due to the existing one leaving. Should this occur then additional in kind office costs could be incurred.

Additional funding may be required by Council to enable the Landcare Officer to assist Council with some of its own projects.

STRATEGIC IMPLICATIONS Nil

CONSULTATION

Together with John Atwood, CEO Shire of Donnybrook – Balingup and Rae McPherson I meet with Carolyn Switzer (SWCC) to discuss the funding opportunities available for a joint local government application.

COMMENT

Under the existing arrangements Council employs Rae McPherson three days each week with the position being fully funded. Ms McPherson spends one day in the Shire of Capel office, one day at home and also one day a Donnybrook doing a combination of work. If Council was to continue with the current arrangements and assuming it was able to access the maximum grant from SWCC of \$30,000, it would be required to provide a minimum of \$11,200 from the Land Conservation Activities budget allocation.

By moving to a full time position shared between Capel and Donnybrook, a contribution of \$11,287 would be required from this Council assuming the maximum grants are obtained from SWCC as detailed in the financial arrangements below.

One full-time position 50% each Council (Level 7/4 LGO Award)

	Capel	Donnybrook	Total
Salary	\$24,260	\$24,260	\$48,520
Overheads 25%	\$6,065	\$6,065	\$12,130
Vehicle	<u>\$8,250</u>	<u>\$8,250</u>	<u>\$16,500</u>
	\$38,575	\$38,575	\$77,150
		In-kind	<u>\$32,000</u>
			<u>\$109,150</u>
Income			
SWCC (1 st RD)	\$16,000	\$16,000	\$32,000
SWCC	\$8,000	\$8,000	\$16,000
Local Govt.	\$8,000	\$8,000	<u>\$16,000</u>
			\$64,000
SWCC (2 nd RD)	\$3,288	\$3,288	\$6,576
Local Govt.	<u>\$3,287</u>	<u>\$3,287</u>	<u>\$6,574</u>
	\$38,575	\$38,575	\$77,150
In-kind L Govt.	<u>\$16,000</u>	<u>\$16,000</u>	<u>\$32,000</u>
	\$57,575	\$54,575	<u>\$109,150</u>

Local Govt. \$54,574
 SWCC \$54,576
 \$109,150

Should the second round of funding not be available from SWCC due to the number of local government applications then Capel and Donnybrook would be required to meet the shortfall of \$6,576, bring each Councils cash contribution to \$14,575.

What does this all mean to the Shire of Capel. This can summarized as follows:

- Council is being asked to move from a fully external funded 3 day a week position to a full time shared position and is required to contribute up to \$14,575
- Council will be required to take on responsibility for the additional tasks of quarterly financial and administration reports
- Council will still receive a level of support from the Officer similar to what currently occurs due to her existing work at Donnybrook
- Provides the opportunities to further promote the benefits of resource sharing with another local government
- It provides the opportunity for a two year funding arrangement.

From my point of view it is disappointing that within the space of six months Council is having agreed to upgrade its hosting arrangements and accept responsibility for the officer as an employer, it now finds itself in the position of having to provide funds regardless of whether it goes it alone or approves a joint share arrangement.

Council is receiving positive benefits from Rae McPherson’s input into Shire projects and we see the opportunity for this to increase and possibly open up the opportunities for additional grants in the environmental area. Council could retain its previous stance and refuse to put in any funding, but at the end of the day this Council and the Community will be the losers. The only positive is that by utilising the additional funding that the Capel LCDC previously sought from Council, there is no requirement for Council to allocate further funds in the 2006/07 budget.

On a final note the term of appointment of Rae McPherson would be extended for a two year period from 1 July 2006, in line with the funding commitment from SWCC.

OC0431 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Gibson, Seconded Cr Caratti

That Council agrees to:

- 1 Support the application for a full time Natural Resource Management Community Support Officer shared with the Shire of Donnybrook-Balingup and contributes up to \$14,575 each year from the Land Conservation Activities budget allocation (Account 2072).**
- 2 The term of employment being for a two year period commencing on 1 July 2006, with any extensions being based on a similar level of external funding being provided.**

Carried 11/0

VOTING REQUIREMENTS

Simple majority

FINANCE AND RATING SECTION

OC0432 (14.3.1) Employee Leave Policy 13.21 (A.2.11)

REPORTING OFFICER

PF Sheedy – Chief Executive Officer

Date: 19.04.06

DISCLOSURE OF INTEREST

I wish to declare an interest in this item. The nature of the interest being that as an employee I would benefit financially.

OWNER/APPLICANT

Shire of Capel/ Chief Executive Officer

MATTER FOR CONSIDERATION

Endorsement of the amended policy 13.21 which will allow employees to accrue annual and personal leave entitlements when they are on Long Service Leave and confirmation that annual and personal leave entitlements will not be accrued when employees are on Workers Compensation.

ATTACHMENTS

Amended Policy 13.21

APPLICANT'S SUBMISSION Nil

BACKGROUND

With the change of the method for recording of employee leave entitlements from the manual system to computer as part of the payroll system upgrade in February 2006, it was identified that employees who were on Long Service Leave or Workers Compensation are not entitled to accrue annual and personal leave entitlements under the Local Government Officers' (Western Australia) Award (LGO) and the Municipal Employees' (Western Australia) Award (MEU)

Council endorsed the existing policy (13.21) on 22 February 2006 (Minute OC0219).

STATUTORY ENVIRONMENT

Local Government Officers' (Western Australia) Award 1999 (LGO) and Municipal Employees' (Western Australia) Award 1999 (MEU).

POLICY IMPLICATIONS

The existing policy 13.21 is to be amended and replaced with the attached policy.

FINANCIAL IMPLICATIONS

The financial implications to Council are minimal with the approval of the Long Service Leave accruals resulting in an additional one weeks leave being paid to each employee after completing each ten years of service or an additional 3.8 hours accrual for each year of service.

Based on an average hourly rate of \$21.20 (total employees hourly rates divided by number of employees) for 59 employees for 3.8 hours each year the annual additional cost to Council would be approximately \$4753.00 at today's rates of pay.

STRATEGIC IMPLICATIONS

The key objective "to improve organisation performance" in Core Business Area 5, Governance of the Shire's Strategic Plan 2003-2007 has relevance to this item as the intention of the proposed policy is to continue with what has occurred in the past in regards to Long Service Leave accruals which will ensure that a harmonious working relationship is maintained with the employees and the workforce continues to operate in an affective and efficient manner.

CONSULTATION

In regards to the accruing of annual and personal leave entitlements, advice was taken from Council's Industrial Relations Advocate Mike FitzGerald who has indicated that this course of action would be reasonable in order to maintain a harmonious working relationship with employees.

No further consultation with employees is required at this time.

COMMENT

Whilst it may be suggested that where employees in the past have been overpaid, with leave and personal leave accruals, that they were not entitled to under the Awards, it should be recovered. In reality the fact that Council (through the supervisors/managers) has approved this leave and in many instances it has already been taken and paid, it would be open to dispute as to whether it could legally be recovered. That aside, in my view, morally and certainly from an employer/employee good working relationship point of view it would not be in anybody's interest to pursue the matter of past accruals any further.

As there was a need to address the matter of past accruals as a matter of urgency I have therefore taken the decision to advise staff that all leave entitlements, accrued and taken prior to the 22 February 2006, will stand, however as from that date the Award provisions in relation to Long Service Leave and Workers Compensation will apply (i.e. no accruals unless approved by Council).

Having looked at the issue of non accrual of leave entitlements for Long Service Leave and Workers Compensation I have formed the view that in order to promote this Council as a good employer or "Employer of Choice" as is the current catch phrase and in view of the minor additional cost involved, there is good reason for Council to agree to allow employees on Long Service Leave to accrue annual and personal leave entitlements. Discussion with Mike FitzGerald has also indicated that in his view about 90% of Councils in the state do not enforce this provision of the Awards.

In regards to Workers Compensation, the primary considerations are to provide financial security to employees who are injured at work and to assist in their rehabilitation so as to have them return to work as quickly as possible. The payment of workers compensation (employee wages and medical costs) is an additional impost on the employer through the payment of annual Workers Compensation fees. As workers compensation payments can extend over a lengthy period, sometimes more than twelve months, for which the employer is not receiving any productivity from the employee, in my view it would be unreasonable for an employee to be on workers compensation and then expect to also be entitled to annual and personal leave accruals during a period of absence. For these reasons I believe it is reasonable for Council to decide to abide by the current Award entitlements and not agree to allow employees to accrue annual and personal leave entitlements during these periods of workers compensation

Currently there is a disparity in the LGO and MEU Awards in regards to when an employee is required to take annual leave (LGO within 6 months and MEU within 12 months) and the length of period that annual leave can be accumulated in special circumstances (LGO 3 years and MEU 2 years). So in order to provide some uniformity in this matter the policy is suggesting that a common period of 12 months for the taking of leave and 3 years for leave accruals be introduced.

Councillor Smith left the chambers at 6.14pm.
Councillor Smith returned to the chambers at 6.16pm.

OC0432 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Caratti, Seconded Cr Rees

That Council resolves to:

- 1. Approve the amended policy 13.21 attached that:**
 - **Allows employees to accrue annual and personal leave whilst on Long Service Leave and that this entitlement is backdated to commence from the 22 February 2006**
 - **Provides uniformity to all employees, in regards to when annual leave has to be taken and the amount of leave that can be accumulated in special circumstances.**
- 2. Abide by the provisions of the Local Government Officers' (Western Australia) Award 1999 and Municipal Employees' (Western Australia) Award 1999 and not agree to the accrual of annual and personal leave whilst employees are on Workers Compensation, effective from the 22 February 2006.**

Carried 7/4

VOTING REQUIREMENTS

Simple majority

Councillor Rees left the chambers at 6.36pm.
Councillor Rees returned to the chambers at 6.38pm.

OC0433 COUNCIL DECISION

Moved Cr Norton, Seconded Cr Piesse

That Council does not contribute superannuation payments, being the Superannuation Guarantee Contribution or the Shire of Capel matching contributions, when employees are on workers compensation.

Carried 8/3

VOTING REQUIREMENTS

Simple majority

OC0434 (14.3.2) Financial Statements for 31 March 2006 (A.4.29)

REPORTING OFFICER

Andrew Ross – Manager Finance and Community Services Date: 20.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT Nil

MATTER FOR CONSIDERATION

Council to consider adopting the monthly financial statements for March 2006.

ATTACHMENTS

Financial Statements for March 2006.

APPLICANT'S SUBMISSION Nil

BACKGROUND

Amendments to the Local Government (Financial Management) Regulations 1996 that were gazetted on 31 March 2005, and became effective from 1 July 2005, have resulted in regulations 34 and 35 relating to monthly financial reports and quarterly/triannual financial reports being repealed and substituted with a new regulation 34. The new regulation 34 requires that local government report on a monthly basis and prescribes what is required to be reported with the intention of establishing a minimum standard across the industry.

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

The monthly financial report comprises the following information:

- Statement of Financial Activity (in the format of the Rate Setting Statement presented in the annual budget)
- Balance Sheet
- Explanatory notes, similar in format and content to those presented in the annual budget and the annual financial report. Notes will be provided on the composition of balance sheet items as well as disposal of assets, borrowings, reserves, rates and ratios
- A year to date variance analysis that highlights accounts and areas whose year to date actual expenditure varies to the year to date budget by at least plus or minus 10%
- Capital works programme, showing actual expenditure to budget for each capital works project (road, building, vehicle, etc)
- Summary of cash and investments.

At 31 March 2006, Council's net current assets position was a surplus of \$2,136,654 and was after a net operating result of \$3,280,099 was recorded. Council's cash and investments position has decreased by \$509,905 compared to last month, with \$6,962,097 available although about \$4.5 million has been restricted for specific purposes. The decrease in cash is a result of payments for major projects such as the Capel Landfill site rehabilitation and construction of community centres. Council's financial ratios (note 12) continue to be positive despite the decrease in cash and investments.

On a year to date basis operating revenue is 14% or \$1,064,546 above budget. Compared to the annual budget 90% of revenue has been received. Operating expenditure is 2% or \$105,323 higher than the year to date budget. 75% of the annual operating expenditure budget has been spent. Operating expenditure is over budget on a year to date basis due to expected over budget expenditures in areas including:

- Education and Welfare due to higher than budget expenditure for HACC to meet increased demand for services. This expenditure is funded by an increased grant from the Health Department
- Community Amenities due to the post closure work for the Capel landfill site
- Recreation and Culture due to the cost of operating Community Centres and maintaining parks, gardens and reserves exceeding budget primarily as a result of a need to complete required repairs and maintenance
- Transport due primarily to the non-cash allocation of depreciation being higher than budget
- Economic Services due primarily to the amount refunded as verge deposits far exceeding budget, however this amount is matched by income.

Despite these over expenditures the forecast end of year net current assets position is a deficit of \$5,615 and again represents an improvement when compared to the position forecast as part of the mid-year budget review.

Capital works expenditure of \$213,006 was incurred in the month of which the major items were:

- Road works expenditure of \$66,336 with \$16,306 being spent on the gravel resheeting of part of Gavins Road and Washer Road, \$33,692 being spent on the bitumen reconstruction of part of Ray Street and Buchanan Road, \$2,213 on the asphalt reconstruction of West Road and \$14,125 on dual use paths
- \$13,140 for plastic sandpit border panels and fixings
- A progress payment of \$107,300 for the extensions to the Dalyellup Community Centre. Total expenditure for this project is now \$721,693 compared to the estimated total cost of \$752,693. This is higher than budget however, the excess has been funded by the Department for Community Development and has allowed Council’s total contribution to be the same as was initially budgeted
- \$3,000 for project management services for the Capel Hall redevelopment project
- Purchase of a ride-on mower for HACC at a net cost after trade-in of \$2,541 that is fully funded by the HACC non recurrent grant
- Purchase of two replacement out front mowers for a net cost after trade-ins of \$25,818
- Purchase of a utility at a net cost after trade-in of \$5,639.

Major capital works projects that are still to be completed this year include the Capel skatepark and the construction of the carpark at the Dalyellup oval. Projects that have been deferred include the Capel Transfer Station, Capel town centre underground power project and drainage works. The main reason for their deferral is the delay being experienced obtaining designs, plans and specifications.

A review of the Balance Sheet and the attendant notes indicates that there are no adverse trends evident in the year to date financial statements at 31 March 2006.

OC0434 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Smith, Seconded Cr Rees

That Council adopt the financial statements for the period ending 31 March 2006, as attached.

Carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0435 (14.3.3) State Youth Games – 2006 (R.1.1)

REPORTING OFFICER

Andrew Ross – Manager Finance and Community Services Date: 18.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

State Youth Games

MATTER FOR CONSIDERATION

Reduction in the hire fees for the Hugh Kilpatrick Hall in Boyanup.

ATTACHMENTS Nil

APPLICANT’S SUBMISSION

The State Youth Games are seeking a reduction in the hall hire fees for the Boyanup Hall.

BACKGROUND

The State Youth Games are held annually in Bunbury and the Hugh Kilpatrick Hall in Boyanup has in the past been used to accommodate some of the participants. The 2006 games are scheduled for the Foundation Day public holiday weekend and the Boyanup Hall has been booked from Friday night 2 June 2006, to Monday morning 5 June 2006. The Hall is booked for the full day but will only be used for sleeping accommodation and breakfast and will be vacated during the day apart from storage of sleeping gear and belongings.

Council has in the past granted a concession to the State Youth Games for the hire of the Capel and Boyanup Halls. Refer to Council minutes OC0321 of 23/3/05, OC0112 of 14/1/04, OC0329 of 26/3/03, OC0424 of 10/4/02 and OC0227 of 14/2/2001. The amount of the concession is a 50% reduction to the hire fees.

STATUTORY ENVIRONMENT

Section 6.12 (1) (b) of the Local Government Act 1995 states that a local government may waive or grant concessions in relation to any amount of money.

POLICY IMPLICATIONS

Council has no relevant policies, however Delegation 146 to the Chief Executive Officer allows the CEO to waive or grant concessions in relation to any amount of money up to \$200.00 excluding GST. As the amount of the concession exceeds this limit Council approval is required.

FINANCIAL IMPLICATIONS

The effect of granting a 50% reduction in the hall hire cost is to forgo potential Hall Hire income for account 2483, Boyanup Hall Hire Fees, of \$425.45.

STRATEGIC IMPLICATIONS

The waiving of these charges for this purpose is associated with the Strategic Plan’s core business area 4, Community Services, although there are no specific strategies or action plans.

CONSULTATION

Nil

COMMENT

The hire fee for the Boyanup Hall and the use of the kitchen facilities as stated in the 2005/06 Budget is \$26.00 per hour or \$312.00 per day. This is the rate that applies to other than local community organisations. The group require the use of the Hall from 5.00pm Friday, 2 June to 9.00am Monday, 5 June, and is almost three days hire, therefore the daily hire rate of \$312.00 per day applies. Therefore the normal hire charge would be \$936.00 including GST.

As the hall is essentially only used for overnight accommodation a half rate for hire is warranted and would be consistent with the concession granted in previous years.

With the application of a 50% concession the amount to be charged to the State Youth Games would be \$468.00 including GST and the amount of potential revenue the Shire would forgo, i.e. the amount excluding GST, would be \$425.45.

OC0435 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Bell, Seconded Cr Gibson

That Council grant a 50% concession of the Hall hire fee for the Boyanup Hall for the State Youth Games for 2 June 2006 to 5 June 2006 at a cost of \$425.45 excluding GST.

Carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0436 (14.3.4) Failure to Register a Cat – Request to Withdraw Infringement (L.1.9)

REPORTING OFFICER

Andrew Ross – Manager Finance and Community Services Date: 19.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Ms K Hirschausen

MATTER FOR CONSIDERATION

Council to consider withdrawing the infringement notice that has been issued for failure of a keeper to register a cat.

ATTACHMENTS Nil

APPLICANT’S SUBMISSION

After having received an infringement notice, Ms Hirschausen addressed a letter to the attention of the CEO that was received on 11th April 2006. The contents of the letter were:

... in relation to a fine that was received on the 3/4/06 .. I rang the Council to enquire about why I had received this fine as I was under the impression that my cat was registered. (I) was told that the cat was registered but this lapsed in October 2005. (I) advised that I had not received a renewal and that also late last year we had a number of items of mail that were lost or stolen. The reason that I know the mail went missing was that we started receiving final demands for some of our utility bills. I am assuming the renewal was also amongst these missing items.

I was also advised by the Ranger that a number of messages were left on our answering machine. (I) advised the Ranger that this was more than likely correct but that we have no way of retrieving our messages due to the fact the machine has been inoperable for months. The machine will flash to say there are new messages but when you press the button to retrieve messages the answering machine says “you have no new messages”. We have no way of turning this machine off as it is built into the handset of a cordless phone.

I would very much appreciate your time in reconsidering this fine as it was due to circumstances out of my control as to why no renewal (notice) was received.”

BACKGROUND

The registration period for cats is the same as dogs with annual and three year registrations expiring in October. With the introduction of the cat local laws in 2004 Ms Hirschausen had registered her sterilised and micro-chipped male cat “Stimpy” for one year at a cost of \$10.00. Renewal notices for unpaid cat registrations were sent in September 2005, reminder notices in January 2006 and any unpaid registrations were followed up by phone calls during March 2006. If there was no response to these demands for payment \$100.00 infringement notices were issued. A total of five infringement notices were issued.

STATUTORY ENVIRONMENT

Section 6.12 (1) (b) of the Local Government Act 1995 states that a local government may waive or grant concessions in relation to any amount of money.

POLICY IMPLICATIONS

Council has no relevant policies, however Delegation 145 to the Chief Executive Officer allows the CEO to withdraw infringement notices issued in accordance with the Dog Act 1976, Litter Act 1979, Local Government Act 1995 and Control of Vehicles (Off road areas) Act 1978. Unfortunately, as this delegation has not been amended to incorporate the Cat Local Law, the request to withdraw the infringement must be referred to Council for their decision.

FINANCIAL IMPLICATIONS

The effect of waiving the infringement notice is to forgo revenue of \$100.

STRATEGIC IMPLICATIONS

The withdrawal of this infringement notice is associated with the Strategic Plan's core business area 4, Community Services, strategy 4 to maintain public safety within the responsibilities of local government and action plans 4.2 and 4.3 associated with the administration and compliance with local laws.

CONSULTATION

Nil

COMMENT

Once Ms Hirschausen became aware of the need to re-register her cat she arranged to register it for three years at a cost of \$18.00. This transaction was processed on 5 April 2006.

It is my opinion that the benefit of the doubt be extended to Ms Hirschausen on this occasion as she appears to be a responsible cat owner having arranged for her cat to be sterilised and micro-chipped and when she said that she became aware of the need to re-register her cat she did so promptly.

Finally, whilst it is not anticipated that there will be a large volume of requests to withdraw infringement notices associated with the Cat Local Law it would be prudent to amend point 5 of Delegation 145 to include reference to the Cat Local Law.

OC0436 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Rees, Seconded Cr Caratti

That Council withdraw infringement notice 51 issued to Ms K Hirschausen for failure to register a cat.

Carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0437 (14.3.5) Accounts Due and Submitted for Authorisation

REPORTING OFFICER

NI Schmid – Finance Officer

Date: 13.04.06

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
37194	A & L Printers	Letterhead	627.00
37195	Amity Signs	Traffic Cones, Stands & Signs	3464.45
37196	Skipper Trucks	Service Fire Truck	1071.30
37197	Arrow Bronze	Bronze Plaque	306.46
37198	Alphawest Services Pty Ltd	Firewalls & Support	5118.30
37199	ARRIX	Contract Cleaners	2219.26
37200	Big W	Cordless Kettle	29.93
37201	Bunbury Machinery	Repair Mower	405.25
37202	Bunbury Mower Service	Repairs to Mower	282.10
37203	Busselton Motors Pty Ltd	Replacement Parts	172.75
37204	Bunbury Holden	Service	133.98
37205	Busselton Mower World	Purchase Mowers	28400.00

Chq/EFT Name	Description	Amount	
37206	Bunnings Building Supplies Pty Ltd	Hardware Purchases	176.53
37207	Bunbury Rag Supplies	Rags	72.60
37208	Bullivants Pty Ltd	1.5m Sling	70.40
37209	Boyanup Auto Repairs	Fit CB Radio & other Repairs	753.50
37210	Blackwoods Atkins	Tools for Maintenance Truck	1017.52
37211	Bunbury Honda	Service Bus	414.27
37212	Bunbury Towing	Tow Vehicle to Dump	85.80
37213	Corporate Express Bunbury	Stationery	2735.42
37214	Capel Hardware & Farm Supplies	Hardware	1383.14
37215	Courier Australia International	Courier Costs	171.52
37216	JW Cross & Sons	Tyre Bin	330.00
37217	Capel Transport	Courier Costs	181.04
37218	Cleanaway	Rubbish Collection	20518.65
37219	Computer Corp	Service Printer	143.84
37220	Coastal Hire	Hire of WC	297.34
37221	J Cooper	Hire of CCTV Cameras - Boyanup	1200.00
37222	Carbone Bros Pty Ltd	Clay & Top Soil for Refuse Site	196638.75
37223	CJD Equipment Pty Ltd	Service Loader	1199.55
37224	Colroys Country Kitchen	HACC Volunteers Fuel	1023.17
37225	Des Air	Repairs to Air Conditioning	3031.77
37226	Dick Smith Electronics	Phone	19.98
37227	Dots Pots & Office Furniture	Mobile Drawer Pedestal	248.00
37228	Denmark Hotel & River Rooms Motel	Accommodation	91.00
37229	Echelon Australia Pty Ltd	Regional Risk Coordinator	3685.00
37230	Farmco Boyanup	Replacement Retic Parts	476.16
37231	Capel Fest	Advertising	308.00
37232	Geographe Loader Hire	Hire Skid Steer Loader	1133.00
37233	Golden West Distributors	Graffiti Towels	231.00
37234	Hydro Vac Industrial Cleaning	Street Sweeping	1277.10
37235	Hanson Construction Materials	Blue Metal	1414.99
37236	Insight CCS Pty Ltd	Call Centre Charges	166.54
37237	J&P Group Of Companies	Waste Bin Service	49.68
37238	State Library Of Western Australia	Lost/Damaged Books	16.30
37239	Lighthouse Electrical	Monitoring Fee	6.05
37240	Local Government Managers Australia	2006 Professional Development Conference	1478.00
37241	Malatesta Road Paving & Hot Mix	Supply & Lay Asphalt	6813.71
37242	NETREGISTRY	Domain Renewal	62.00
37243	Nightguard Security Service Pty Ltd	Security Patrol - Dalyellup Toilets	564.40
37244	Officeworks Bunbury	HACC Shredder & Stationery	265.95
37245	3 Australia	Paging System Charges	701.68
37246	Pioneer Road Services Pty Ltd	Emulsion	1190.88
37247	Prestige Products-Busselton	Cleaning Products	462.88
37248	Perth Management Services	Dalyellup Library Rent	1009.86
37249	Playground Solutions	Sandpit Border Panels	14542.00
37250	Rinker Australia Pty Limited	Pipes	5838.80
37251	Records Maintenance & Storage	Records Storage	84.47
37252	South West Distributors	HACC Cleaning Products	464.15
37253	Sinclair Knight Merz	Transfer Station Concept Design Progress Payment 2	6133.60

Chq/EFT Name	Description	Amount
37254 St John Ambulance	First Aid Kits & Cabinet	260.00
37255 Southern Lock & Safe	Rekey Dalyellup & other locks	3169.83
37256 SOS Office Equipment	Meterbilling	1063.56
37257 Southern Independent Property Valuations	Valuation Reports	1375.00
37258 Sunhawk Pty Ltd	Dustmag Liquid Dust Suppressant	990.00
37259 Total Telephones	Cabling & Install New Phone	474.10
37260 Totally Workwear	HACC - Uniform	404.56
37261 Trophies West	Art Acquisition Plates	33.00
37262 Department of Land Information	GRV Interim Vals	2627.22
37263 Vogue Furniture	Chairs for Depot	538.00
37264 Visimax	Dog Trap	245.00
37265 Work Clobber Bunbury	Staff Uniform	278.04
37266 West Country Office Machines	A3 Colour Copies	40.00
37267 WA Library Supplies	Library Supplies	288.20
		<u>\$334197.28</u>

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as detailed above which was submitted to each member of Council on 26 April 2006 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.



CHIEF EXECUTIVE OFFICER

OC0437 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Caratti, Seconded Cr Lamb

That the Schedule of Accounts covering vouchers 37194 to 37267, a total of \$334197.28, be authorised for payment.

Carried 11/0

VOTING REQUIREMENTS

Simple majority

OC0438 (14.3.6) Accounts Paid During the Month of March 2006

REPORTING OFFICER

NI Schmid – Finance Officer

Date: 03.04.06

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 2006 are as follows:

Chq/EFT	Name	Description	Amount
EFT323	Westnet Pty Ltd	Dalyellup ADSL	49.95
EFT324	Westnet Pty Ltd	Web Hosting & Capel ADSL	289.95
EFT325	Focus	Lease of Lanier Photocopier	331.69
EFT326	Focus	Lease of Lanier Photocopier	402.65
36917	Neat N Trim Uniforms Pty Ltd	Staff Uniform	1251.92
36918	Boyanup Cellars	Refreshments	367.93
36919	Shire of Broome	Lost Book	4.40
36920	Bunbury Forum Promotional Fund	Vouchers - Inzone	50.00
36921	BGC Construction	Kerb Deposit Refunds	600.00
36922	Capel Newsagency	Milk & Newspapers	113.70
36923	Capelite Cafe	Catering	465.75
36924	Capel Concrete Company	Concrete	601.48

Chq/EFT	Name	Description	Amount
36925	Content Living	Kerb Deposit Refund	300.00
36926	Capel Automotive Fuel & Tyres	Replace Tyre	172.50
36927	Collins Music	Tune Piano	260.00
36928	Donovan's Reef	Catering	136.60
36929	Shire of Donnybrook/Balingup	Contribution to Works	1501.50
36930	Dale Alcock Homes	Crossover Contribution	3300.00
36931	Shire of Dardanup	HR Officer Expenses	7634.35
36932	Dalyellup Beach Surf Life Saving Club Inc	Concrete – Reimbursement of Expenses	544.50
36933	Eaton Hardware	HACC Hardware	223.62
36934	R Evans	Reimburse Cost of Ink Cartridge For Fax at Depot	49.50
36935	Earthwood Electrical	Replace Security Lights	250.00
36936	Golden West Plumbing & Drainage	Test Holes @ Capel Hall	143.00
36937	FESA	2005/06 Quarter 3	48500.10
36938	Capel Fest	Art Classic Sponsorship	1100.00
36939	Glen's Engineering	Repairs to Tennis Court Fence	453.94
36940	City Of Gosnells	Lost/Damaged Book	13.20
36941	ISM Consulting Trust	Boyanup Memorial Park Feasibility Study	2750.00
36942	Jamic Engineering	Replace B/Ball Backboards	396.00
36943	Jetpatcher Roadtech Pty Ltd	Hire of Jetpatcher Road Maintenance Unit	8580.00
36944	N & M James	Crossover Contribution	300.00
36945	Just Fix It Now Handyman	HACC Handyman Services	462.00
36946	State Library Of Western Australia	Registration @ Better Beginnings	55.00
36947	Western Australian Local Government Association	Advertising	1694.89
36948	Small Business Centre	Seminar Fee - P Sheedy	15.00
36949	Leeuwin Transport	Courier Costs	106.11
36950	C Lynn	Reimburse Cost Of Library Items	39.45
36951	Mr A Mataboni	Reimburse Travel, Accommodation & Parking Expenses	141.75
36952	Opus International Consultants (PCA) Ltd	Professional Services - Bridge St Concept Plan	7260.00
36953	Planscape	TP Assessment Services	1072.50
36954	Page Panel & Paint Repairs	Table Trolley	825.00
36955	A & M Pirie	Crossover Contribution	300.00
36956	Bob Rankine Pest Control	Identification Of Mozzies	249.00
36957	Ca Roberts	Rates Refund	52.05
36958	Riley K	Dog Sterilised	25.00
36959	Western Power Corporation	Electricity	4096.05
36960	St John Ambulance Association	1st Aid Classes	1000.00
36961	South West Tree Safe	Remove Trees @ Sleaford Park	220.00
36962	Southern Lock & Safe	Key Cut	12.80
36963	Telstra Corporation Ltd	HACC Rent & Calls	227.97
36964	Toms Garden Machinery	Replacement Parts	448.00
36965	Transport Payment Centre	Registration Renewal	218.05
36966	Village Carpet Care	Clean Carpets	965.80
36967	Vic Whitehurst & Assoc	Progress Payment	11000.00

Chq/EFT	Name	Description	Amount
36968	WA Country Builders	Kerb Deposit Refund	300.00
36969	Westcourt Limited	Kerb Deposit Refund	300.00
36970	York S & R	Rates Refund	98.66
36971	Frances Matthews	Reimburse accommodation, meals & train fare	217.95
36972	HG De Vries Building	Kerb Deposit Refund	300.00
36973	BCITF	BCITF Levy	8169.77
36974	Bunbury Towing	Tow Impounded Vehicle	136.62
36975	Shire of Capel	Petty Cash	173.55
36976	Content Living	Kerb Deposit Refunds	600.00
36977	Peter Davis	Hall Hire Refund	32.00
36978	Dale Alcock Homes	Kerb Deposit Refunds	600.00
36979	Andrew Dykstra	TP Assessment Services	1787.50
36980	Doyle JLD & JI	Rates Refund	53.29
36981	FPC Magazines Subscriptions	Renew Magazine Subscription	132.45
36982	R Greeuw	Refund Hall Bond	150.00
36983	Just Fix It Now Handyman	HACC Handyman Services	785.40
36984	Lindsay DA	Proofreading - Just A Horseride Away	200.00
36985	Aaron Mortimer	Hall Bond Refund	100.00
36986	R & J Mckenzie-Stubbs	Hall Bond Refund	150.00
36987	Planscape	TP Assessment Services	811.25
36988	Pioneer Credit Management Services	Rates Recovery Expenses	2420.81
36989	Bob Rankine Pest Control	Identification of Mozzies	2490.00
36990	Western Power Corporation	Electricity - Street Lights	6479.55
36991	South West Distributors	HACC Supplies	41.10
36992	South West Rubber Stamps	Ink Pads	13.50
36993	Southwest Supplies	Pro-Lan Timber Coating	235.20
36994	Helen Seiver	PGB Arts Project	2260.00
36995	Tudor House	Banner	126.28
36996	Ventura Homes	Kerb Deposit Refunds	600.00
36997	Capel Donnybrook Veterinary Services	Pound Services	720.00
36998	Westcourt Limited	Kerb Deposit Refund	300.00
36999	- 37066 February 2006 Creditors	See 22 March 2006 Agenda	
37067	Albrighton GL & L	Rates Refund	222.76
37068	Blackwoods Atkins	Replacement Parts	1810.77
37069	B & J Catalano Pty Ltd	Gravel	250.14
37070	Paul Sheedy	Reimburse Plants for Shire Office	336.50
37071	CJD Equipment Pty Ltd	Service Mower	1376.11
37072	Deanna Giumelli	Reimburse Driving Test Payment	53.50
37073	Mr RW Harvey	Rates Refund	41.92
37074	Cp Jones & Company	Water Truck Hire	4433.00
37075	O'Sullivan CD & E	Rates Refund	178.98
37076	Andrew Ross	Reimburse cost of Dun & Bradstreet Credit Risk Report For Chaff P/L (LIA Tender)	44.00
37077	South West Tree Safe	Prune Back Trees	1100.00
37078	Sealines Fibreglass	Basketball Backboard	851.30
37079	Surf Life Saving WA	Coastal Risk & Safety Signage Audit	9982.50
37080	South West Stump Removal	Remove Stumps from Verge	242.00

Chq/EFT	Name	Description	Amount
37081	Chris Burwood	Salary Sacrifice – Laptop	3400.00
37082	Water Corporation	Water Usage	948.20
37083	Australian Services Union	Payroll Deductions	264.00
37084	Shire Of Capel	Payroll Deductions	1220.78
37085	Child Support Agency	Payroll Deductions	388.72
37086	Shire Of Donnybrook/Balingup	Payroll Deductions	130.00
37087	WALGS Plan	Superannuation Contributions	29545.13
37088	A & L Printers	With Compliments Slips	262.00
37089	Australia Post	Postage	1670.85
37090	Bunbury Formwork	Flush Kerbing	7920.00
37091	Boyanup CWA	Floral Arrangements - Aust Day	50.00
37092	BOC Limited	Dry Ice	79.49
37093	Heatley Sales Pty Ltd	Bolt Cutters	241.79
37094	BGC Construction	Kerb Deposit Refund	300.00
37095	D Bartels	Crossover Contribution	300.00
37096	Bunbury Bel Canto Singers	Entertainment - Shire Sundowner	100.00
37097	D Baker	Refund Building Fees	159.05
37098	Capelite Cafe	Catering	321.75
37099	Clifton Coney Group	PM Services for Redevelopment of Capel Hall	1650.00
37100	K Cramer	Kerb Deposit Refund	300.00
37101	M & D Clements	Crossover Contribution	300.00
37102	Andrew Dykstra	TP Assessment Services	1430.00
37103	Mr & Mrs D Evans	Crossover Contribution	300.00
37104	Capel Fest	Grant - Final Instalment	3300.00
37105	Gomme Civil & Structural Engineering	Capel LIA Stage 2C Feasibility Study	3647.33
37106	B & G Grigg	Crossover Contribution	300.00
37107	G Golby	Kerb Deposit Refund	300.00
37108	Haines Norton	Financial Reporting Workshop	1210.00
37109	JEM Truck Sales	Service Truck	631.65
37110	Kleenheat Gas	Bulk LPG	172.39
37111	Green Recycling	Domestic Kerbside Recycling	9699.04
37112	Air Liquide	Oxy & Acet Fees	302.22
37113	Western Australian Local Government Association	Advertising	6740.61
37114	Landscape Development	Additional Maintenance	1411.41
37115	Leeuwin Transport	Courier Costs	30.32
37116	Mercure Hotel	Accommodation	129.00
37117	Municipal Property Scheme	Property Insurance	997.59
37118	Alan Mclean Engineering Pty Ltd	Design of Goodwood & Spurr Street Intersection	880.00
37119	R McPherson	Travel Allowance	552.00
37120	Martion MK & MY	Rates Refund	283.92
37121	Peerless JAL Pty Ltd	Floor Polish	212.17
37122	Planscape	TP Assessment Services	921.25
37123	Prestige Products-Busselton	Cleaning Products	1063.37
37124	Pioneer Credit Management Services	Rates Recovery Expenses	302.72
37125	Michael Quadrio	Refund Hall Bond	150.00
37126	R & M Rouda	Crossover Contribution	300.00
37127	Western Power Corporation	LIA Stage 2C Servicing Costs	53453.00
37128	South West Tree Safe	Remove Dead Tree from Verge	297.00
37129	Supa Valu Capel	Refreshments	151.79
37130	Scott Park Homes	Kerb Deposit Refund	300.00

Chq/EFT	Name	Description	Amount
37131	Sita Australia Pty Ltd	Empty Bin	198.00
37132	Dr Katherine Scott	Pre-Employment Medical	82.50
37133	Tangent Nominees Pty Ltd	Kerb Deposit Refunds	900.00
37134	Telstra Corporation Ltd	Rent & Calls	4901.31
37135	Ventura Homes	Kerb Deposit Refunds	1500.00
37136	Water Corporation	LIA Planning/Connection Fees	4063.40
37137	Wingmaker Sailshades	Repairs to Sailshades	938.30
37138	Vic Whitehurst & Assoc	Capel Community Centre Progress Payment	11000.00
37139	WA Country Builders	Kerb Deposit Refund	300.00
37140	AE White & SJ O'Neill	Crossover Contribution	300.00
37141	Youth Driver Development Program (Inc)	Sponsorship - Youth Driver Development Program	1000.00
37142	Amanda Yip	Crossover Contribution	300.00
37143	Bunbury Taxis Co-Operative Ltd	Taxi for G Spry (HACC)	46.00
37144	Custom Service Leasing Ltd	Fuel	3131.96
37145	Just Fix It Now Handyman	HACC Handyman Services	1430.00
37146	Officeworks Bunbury	HACC Stationery	215.53
37147	Pat Sharpe	Reimburse HACC Purchases	67.70
37148	Telstra Corporation Ltd	HACC Rent & Calls	217.67
37149	Toms Garden Machinery	Purchase Mower	3454.00
37150	Amity Signs	No Entry Signs	521.40
37151	Adventure World	School Holiday Activities	370.00
37152	Earthwood Electrical	Repairs to Damaged External Light Capel Library	661.40
37153	Department of Housing And Works	Dalyellup Community Centre	118030.00
37154	K & S Concreting Services	Supply & Lay Headwalls	4246.00
37155	Express Publications	Handmade Subscription	85.00
37156	Just Fix It Now Handyman	HACC Handyman Services	990.00
37157	Ms BM Morton	HACC Rent	5850.00

\$467153.72

08.03.06	SHIRE OF CAPEL PAYROLL PAYMENTS	\$65,532.10
22.03.06	SHIRE OF CAPEL PAYROLL PAYMENTS	\$65,494.14

\$131,026.24

07.03.06	TRANSFER TO MUNICIPAL ACCOUNT	\$100,000.00
21.03.06	TRANSFER TO MUNICIPAL ACCOUNT	\$257,000.00
31.03.06	TRANSFER TO MUNICIPAL ACCOUNT	\$140,000.00

\$497,000.00

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 26 April 2006 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.



CHIEF EXECUTIVE OFFICER

OC0438 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Smith, Seconded Cr Bell

That:

- 1 The Schedule of Accounts covering vouchers EFT323 to 326, 36917 to 36998 and 37067 to 37157 totalling \$467153.72 paid during the month of March 2006 be received;**
- 2 Payroll payments for the month of March 2006, totalling \$131,026.24 be received; and**
- 3 Transfers to and from investments as listed, be received.**

Carried 11/0

VOTING REQUIREMENTS

Simple majority

COMMUNITY RANGER SERVICES

Nil

URGENT BUSINESS

OC0439 (15.1.1) Audit Committee Minutes – 12 April 2006 (A.2.1)

REPORTING OFFICER

PF Sheedy – Chief Executive Officer

Date: 21.04.06

DISCLOSURE OF INTEREST Nil

OWNER/APPLICANT

Shire of Capel

MATTER FOR CONSIDERATION

The receiving of the minutes of the Audit Committee meeting held on 12 April 2006, and endorsement of the recommendation of the Committee.

ATTACHMENTS

Audit Committee minutes and interim audit report

APPLICANT'S SUBMISSION

The minutes are self explanatory.

BACKGROUND

Council at its Special meeting on the May 2005, established an audit committee as required by the Local Government Act and at its 28 September 2005, meeting endorsed the delegation of powers and duties to the committee.

STATUTORY ENVIRONMENT

Local Government Act 1995, section 5.22 (2) indicates that the minutes of a committee are to be submitted to the next ordinary meeting of the council for confirmation.

POLICY IMPLICATIONS Nil

FINANCIAL IMPLICATIONS Nil

STRATEGIC IMPLICATIONS

The Strategic Plan 2003 – 2007 has no specific action plan concerning this matter. However it has relevance to the Core Business Area of Governance and the strategy of providing efficient and effective financial management.

CONSULTATION Nil

COMMENT

The Audit Committee meet with the Council’s Auditor, David Tomasi, who provided an overview of what is covered in the annual and interim audits and discussed and answered questions raised by the committee members.

A copy of the Interim Audit Report was provided to the Committee and discussed with the Auditor and the copy attached to the minutes details actions that staff will be implementing to address the matters raised in the report.

OC0439 STAFF RECOMMENDATION/COUNCIL DECISION

Moved Cr Piesse, Seconded Cr Gibson

That Council receive the minutes of the Audit Committee meeting held on 12 April 2006, and recommendation AC0403 be endorsed.

Carried 11/0

VOTING REQUIREMENTS

Simple majority

PUBLIC QUESTION TIME **Nil**

**ITEMS FOR CONSIDERATION BEHIND
CLOSED DOORS** **Nil**

MEETING CLOSURE

The meeting closed at 6.50pm.

These minutes were confirmed at an Ordinary Council meeting on 10 May 2006.

Signed _____

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

Date _____