



Ordinary Council Meeting Minutes
Wednesday, 25 January 2023



GORDON MACMILE
CHIEF EXECUTIVE OFFICER

Acknowledgement of Country

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

Our Vision

A future focused and resilient community that benefits from good governance, responsive services and appropriate facilities to deliver positive social, environmental and economic outcomes for everyone.

Our Values

Respect

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



Honesty

We are truthful, trustworthy and genuine in all that we say and do.



Teamwork

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



Accountability

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



Empathy

We are kind and show understanding of people's circumstances, perspectives and differences.





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1. Declaration of Opening/Announcement of Visitors

The Presiding Member opened the meeting at 6:02 pm and made the following Acknowledgement of Country and statement:

'We wish to acknowledge the traditional custodians of the land we are meeting on, the Wadandi people. We wish to acknowledge and respect their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders, past, present and emerging.'

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

PRESENT:

Councillor - Shire President	D Kitchen
Councillor - Deputy President	S Schiano
Councillor	K Andrew
Councillor	P McCleery
Councillor	R Mogg
Councillor	K Noonan
Councillor	C Terrantroy
Chief Executive Officer	G MacMile
Director Community and Corporate	S Chamberlain
Director Infrastructure and Development	T Gillett
Executive Assistant to CEO	T Stowell

LEAVE OF ABSENCE:

Nil

APOLOGIES:

Councillor	A Dillon
Councillor	D Clews

MEMBERS OF PUBLIC - Gallery:

4

3. Response to Previous Public Questions Taken on Notice

Nil



4. Public Question Time

Public Question Time began at 6:03 pm.

P SCALLAN – STRATHAM – STRATHAM BEACH

Question 1:

Stratham Beach Front: -

A community workshop was held in 2016 where local raised their concerns about their ability to safely enjoy the beach front. The Stratham Progress association raised similar concerns in 2017. A few of us did a presentation to "some" councillors in 2021 on a proposed plan highlighting a number of aspects that could be done on a progressive basis over time to enhance this area to make it more appealing and user friendly as well as making it safer.

Previous infrastructure has either fallen in disrepair or has been taken away.

A response was eventually received saying that the Shire would have to engage a coastal engineer to survey the site for a feasibility report to be created. As there was no budget for this works we were told it would be included in the proposed draft budget for 2022/2023 and we would be advised of the outcome, however we were not informed whether it was included or not. Further discussions I was told that the Shire was considering reviewing all the beach accesses and a report would be done together with a plan and put to council for consideration.

Please could council advise us of the status of the proposed plan we submitted, whether monies was included in the budget for doing a survey for the feasibility report or whether an "All of Shire" review has been or proposed to be conducted on the various beach access.

Shire president Response:

Thank you Mr. Scallan for the question. The report that you refer to, was the Shire's Coastal Values survey completed in late 2022. The survey included responses from nearly 400 residents and visitors, detailing how people use our beaches, what was special about them and what facilities and infrastructure people would like to see. Information gathered covered beaches from Dalyellup through to Forrest Beach and included Stratham.

Over time, the Shire will use this information to develop coastal management plans for each beach area and then include any planned upgrades in future draft capital works programs.

Funds for a feasibility study at Stratham Beach was not included in the adopted 2022/23 annual budget, however there will be a process in the future to understand better what is needed by the community at each beach area and how these proposals will be considered in future draft budgets.



Question 2:

Further to the Beach Front proposal I made a proposal to consider installing cameras to monitor and consequently better enforce beach access rules and eliminate anti-social behaviour.

I regularly inform the Shire of vandalism done to the beach front which is normally done after hours and will not be deterred by the Ranger occasionally visiting the site during work hours.

As I do attend the Playground in Capel on a regular basis with my grandchildren, I have noticed a number of times the vandalism incurred in and around the park which may also be deterred if individual(s) are identified and taken to task.

The cost and quality of cameras are now more affordable and funding has been available previously through government grant opportunities and once installed would allow the Ranger to attend to more important aspects of his/her job. The Ranger would then also be able to immediately respond to any behaviours that are highlighted through this monitoring system.

Has council considered installing cameras for addressing these anti-social behaviours that would make our public areas safer and if not, would council consider this as a priority during their 2023/2024 budget deliberations?

CEO Response:

Thank you Mr. Scallan. Video or CCTV surveillance does have a place in reducing instances of anti-social behaviour and potentially capturing evidence of alleged offences. Permanent surveillance can form part of an overall community safety strategy.

You are also correct in that the cost of cameras is becoming more affordable and they are more capable than in the past.

Surveillance cameras however, to a certain extent, still rely heavily on the presence of good environmental lighting, otherwise the quality of images captured is often poor and not useful either as evidence or as a deterrent.

Additional to lighting, the cost of the cameras often forms only a small part of the upfront and ongoing cost of permanent surveillance. Other costs and consideration include the storage of captured footage, remote connectivity, staffing resources and the ongoing maintenance and repairs of equipment by certified technicians.

The Shire over time will consider the use and cost of video or CCTV surveillance as part of an overall community safety strategy, but we do not have plans to install this type of equipment in specific locations at this time.

M Norton – Capel

Question:

Has the Boyanup Saleyards lease agreement been completed?

If so, statements were made in December that a Capel Shire / livestock industry committee would be put to place early in the new year.



Is this still the agenda for the next phase for the relocation of the Boyanup Saleyards? That committee would identify a future suitable site, development of a financial model to purchase land, build the saleyard infrastructure, manage the site or entity, identify the ownership model on behalf of the Capel Shire and WA Livestock Producers.

Are the above assumptions too early, going too far, or does the Capel Shire have another Agenda?

Shire President Response:

Thank you Mr. Norton. The lease for the 10-year agreement is currently over East with the separate parties that make up WALSA for signing. Completing the signing has been delayed by the absence of authorised representatives over the Festive break.

Moving on with forming a steering committee and commencing the first stage of an Agribusiness Precinct study, remains high on the Shire's agenda and high priority to the extent that it has been included as a KPI for the CEO in 2023.

The study brief is currently being drafted and the expressions of interest for Steering Committee representatives will be advertised in late February.

The purpose of the first stage of the study will be to understand the future needs of industry throughout the region, identify potential future sites, complete necessary feasibilities, consider ownership / management arrangements and develop a business case / funding model that would eventually see the development of an Agribusiness Precinct that includes the relocation the Saleyards from the Boyanup townsite.

Public Question Time concluded at 6:10pm.

5. Application for Leave of Absence

Cr McCleery raised a request for a leave of absence for the 29 March 2023 and Cr Kitchen for the 31 May 2023 Ordinary Meetings of Council.

OC/2023/1 - Motion / Council Decision

Moved Cr Noonan, Seconded Cr Schiano.

That Council approve the leave of absence request from Cr McCleery for the 29 March 2023 and Cr Kitchen for the 31 May 2023 Ordinary Meetings of Council.

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



6. Declarations of Interest

Cr Kitchen declared an Indirect Financial Interest/Impartiality Interest in item 15.3 - Rate Waiver - Boyanup Progress Association, the nature of the interest is that a person of whom he is closely associated with owns property in proximity to the site.

7. Notice of Items to be Discussed Behind Closed Doors

Nil

8. Confirmation of Minutes

8.1. Ordinary Meeting of Council 21 December 2022

Voting Requirements

Simple Majority

OC/2023/2 - Officer's Recommendation / Council Decision - 8.1

Moved Cr McCleery, Seconded Cr Schiano.

That the Minutes of the Ordinary Meeting of Council 21 December 2022 be confirmed as a true and correct record.

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil

9. Announcements by Person Presiding Without Discussion

The Presiding Member Announced that item 14.2 Policy Review - Trading in public places has been withdrawn from the Agenda.

10. Petitions/Deputations/Presentations

10.1 - John Saunders gave a presentation regarding item 15.3 Rates Waiver - Boyanup Progress Association.



11. Motions of Which Previous Notice has Been Given

11.1. Lord Mayor Distress Relief Fund

Cr Kitchen has given notice that he intends to move the following motion with the seconder support of Cr Schiano.

Motion

That the Shire of Capel;

1. Makes an immediate donation of \$1,000 to the Lord Mayor's Distress Relief Fund – Kimberley Flood Appeal; and
2. Authorises the funds to be drawn from ACC 0222 – Donations

Reason:

The Shire of Capel supports the wider community effected by natural disasters, and is in keeping with our organisational values.

Background:

08/04/2021	INVOICE	DONATION	\$1700.00	23821	DONATION WOOROLOO BUSHFIRE
01/02/2016	INVOICE	010216	\$2500.00	18335	WAROONA & DISTRICTS FIRE APPEAL 2016
14/04/2014	INVOICE	DONATION	\$2000.00	16295	COUNCIL DONATION TO PARKERVILLE FIRE APPEAL

OC/2023/3 - Motion / Council Decision - 11.1

Moved Cr Kitchen, Seconded Cr Schiano.

That the Shire of Capel;

- 1. Makes an immediate donation of \$1,000 to the Lord Mayor's Distress Relief Fund – Kimberley Flood Appeal; and**
- 2. Authorises the funds to be drawn from ACC 0222 – Donations.**

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil

12. Questions of Which Previous Notice has Been Given

Nil



13. Chief Executive Officer Reports

13.1. Corporate Business Plan 2022 to 2026 - Q2 Reporting (October to December 2022)

Author	CEO, Gordon MacMile
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic
Attachments	1. Attachment 13 1 Q2 2022 23 CBP Reporting October to December 2022 (3) [13.1.1 - 2 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Provide Council and the community with a quarterly report on the progress of the Shire of Capel's Corporate Business Plan 2022 to 2026.

Officer's Recommendation

That Council notes the Quarter 2 2022/23 progress report of the Shire of Capel's Corporate Business Plan 2022 to 2026 for the period from October to December 2022.

Background

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

The Council decided (OC0608):

That Council endorses the Corporate Business Plan 2018-2022 as detailed in the attachment, including the revised 'Vision, Mission, Values' page and the revised 'Vision, Mission, Values' page be updated in the current Strategic Community Plan 2018-2028.

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

October 2021 – The Council adopted (OC237/2021) the Shire of Capel's Corporate Business Plan 2021 – 2025.

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

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

1. Endorses the Shire of Capel Corporate Business Plan 2022 – 2026 – Service Area Action Plan.
2. Approves immediate commencement and / or continuation of all necessary actions for implementation of the Corporate Business Plan 2022 to 2026.
3. Notes that quarterly reporting will continue throughout 2022/23 to monitor progress and achievement.



Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

The six Future Directions outlined in the Shire of Capel Strategic Community Plan 2021 – 2031 are all relevant to the Corporate Business Plan 2022 – 2026.

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

Direction 2: Manage and protect our environment.

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

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

Direction 5: Provide and maintain suitable infrastructure and facilities.

Direction 6: Effective communication, engagement and relationship development.

Corporate Business Plan 2022-2026

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

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995, Section 5.56

6.56 Planning for the Future

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

Local Government (Administration) Regulations 1996 apply. Specifically: -

Division 3 – Planning for the future

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

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

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.



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

*Absolute majority required.

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

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Community Engagement.
- Preparation of Integrated Plan and Budget.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Possible	Moderate	The Corporate Business Plan details anticipated cost impacts which the Council considers on an ongoing basis, as part a sustainable approach to future financial planning.
Risk Description: Failure to align and integrate corporate planning and service delivery with budgetary expenditure.			



Risk	Likelihood	Consequence	Mitigation
Risk 2 Service Delivery Rating: Medium	Likely	Moderate	Regular monitoring and reporting against the Corporate Business Plan actions allows for a continued focus on service delivery deemed important by the community.
Risk Description: Failure to adequately and systematically plan for the delivery of services expected by the community, including the allocation of resources and including all necessary sub-tasks / timelines.			
Risk 3 Reputation Rating: Medium	Possible	Moderate	Regular monitoring and reporting against the Corporate Business Plan actions allows for: <ul style="list-style-type: none"> Confidence within the Council and transparency within the community of progress against priority strategies and actions. Ability to identify any areas of achievement risk and appropriate remedial action taken to ensure the achievement of outcomes.
Risk Description: Failure to keep the Council and community regularly informed about the progress on and achievement of essential corporate business activities.			
Opportunity: Consistent achievement and regular reporting of corporate business activities will increase the Councils and communities' confidence in the Shire.			

Financial Implications

Budget

The Corporate Business Plan 2022 to 2026 has been prepared ensuring that the Year One (2022/23) cost of all proposed Actions are accommodated within the current adopted budget.

Long Term

The Corporate Business Plan 2022 to 2026 details growth in specific areas of expenditure over and above the current adopted Long Term Financial Plan (LTFP) in all future years (2023, 2024, 2025 and 2026).

Future annual reviews of the Corporate Business Plan, in line with the LTFP and Annual Budget will need to take these potential future costs into account.

Sustainability Implications

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



The Corporate Business Plan 2022 to 2026 was prepared to align closely with the Future Directions outlined in the adopted Strategic Community Plan 2021 – 2031 being:

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

Each of these Future Directions have strong sustainability implications across the spectrum of financial, environmental, social and asset management considerations.

Consultation/Engagement

External Consultation

There was no external consultation undertaken.

Internal Consultation

Consultation carried out during the preparation of the Corporate Business Plan 2022 to 2026 included:

- Management briefings and 'Bottom up' input of Action Plans for each Service Area.
- Strategic Community Plan review and gap analysis.
- Presentations to all staff to encourage 'Buy In' and ownership of the Plan.
- Challenge Reviews (3x) to critique proposed Actions and revise priorities.
- Internal review and cost estimation with Director of Community and Corporate to align Draft Plan to LTFFP; and
- Workshops with Councillors (2x) to present findings and receive feedback on proposed Actions.

Following adoption of the Plan, Shire departments and work areas responsible generated a series of comprehensive, time-dependent / officer allocated sub-actions that enable the delivery and achievement of actions and outcomes.

These sub-actions are tracked, status updated and reported monthly via a 'bottom up' approach, whereby work teams and Managers, update progress on actions within their specific area of responsibility and accountability.

Officer Comment

The current Shire of Capel Corporate Business Plan 2022 to 2026 contains a total of 406 individual actions / outcomes. These actions were allocated a priority ranking based on the significance of implications to the community, the Shire and the overall importance of achievement compared against others.



Each action and sub-action are tracked and reported monthly with a status update to the Shire’s Executive and quarterly to the Council. Status descriptions of Corporate Business Plan actions are as follows:

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

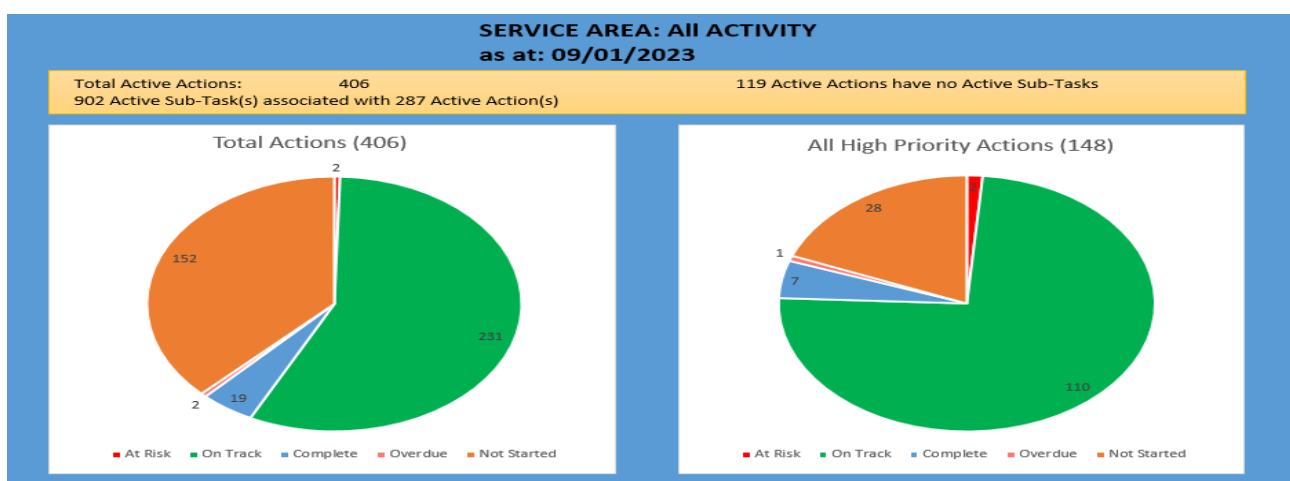
Regular (quarterly) reporting on the Corporate Business Plan is intended to provide transparency to the community on progress toward the achievement of the Strategic Community Plan 2021 – 2031, an outcome-focused overview of the Shire’s operations and an update on progress and areas of risk to the Council.

Summary

CBP Summary of Progress – Q2 2022 to 2026 (October to December 2022)

The current Shire of Capel Corporate Business Plan 2022 to 2026 contains a total of 406 individual actions / outcomes. The status and progress of these actions at the end of Q2 2022 to 2026 (October to December 2022) is summarised in the Tables below as:

Status	Number				Percentage (%)			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Completed	9	19			2%	5%		
On Track	184	231			45%	56%		
Overdue	2	2			1%	1%		
At Risk	1	2			1%	1%		
Not Started	210	152			51%	37%		
Total	406	406			100 %	100%		





The Q2 2022/23 report demonstrates expected progress towards achievement.

Overall, the status of 98% of actions are tracking in accordance with the CBP for the reporting period. The remaining 2% of actions have a current status of either Overdue or At Risk.

Key factors to date with Overdue or At-Risk actions (See Attachment 13.1.1) for more detail.

Attachment 13.1.1 also provides a snapshot summary of completed Actions to date (noting that only completed high-level actions are reported, not sub-actions or sub-tasks).

Voting Requirements

Simple Majority

Officer's Recommendation – 13.1.

OC/2023/4 - Officer's Recommendation / Council Decision - 13.1

Moved Cr Schiano, Seconded Cr Terrantroy.

That Council notes the Quarter 2 2022/23 progress report of the Shire of Capel's Corporate Business Plan 2022 to 2026 for the period from October to December 2022.

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



13.2. Policy Review - Web Streaming of Council Proceedings

Author	Strategic Governance and Risk Coordinator, Tahlia Stowell
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Review
Attachments	Nil
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Adopt a reviewed and updated Shire of Capel Streaming and Recording of Council Proceedings policy.

Officer's Recommendation

That Council adopts the reviewed Streaming and Recording of Council Proceedings Policy as follows:

'Council Policy 1.16 ~~Web~~ Streaming and Recording of Council Proceedings

Introduction

The Shire of Capel (the Shire) is committed to engaging with the community by enhancing accessibility to Council decision making, ~~process~~ consistent with the objectives of the *Local Government Act 1995*.

Providing access to audio visual streaming and recording (~~web stream~~) of the discussion and debate involved with decision making process of Council meetings, aligns with the Shire's Strategic Plan and principle of open, transparent governance.

Purpose

This policy provides guidelines for:

- The ~~web~~ **live internet** streaming of the Shires' Ordinary and Special Meetings of Council (Council proceedings) that are held in Council Chambers and open to the public;
- Accessing ~~web~~ **recorded** streams of a Council **meetings and** proceedings; and
- Retention and disposal of the ~~web~~-stream recording pursuant to the *State Records Act 2000*.

Policy statement

Clear and prominent signage is to be placed at the entrance(s) to the Council proceedings, notifying attendees that the meeting will be ~~web~~ **live** streamed.

1. Live ~~Web~~ Streaming and Recording

Council proceedings will be live ~~web~~ streamed online via the Shire website and a ~~web~~ stream recording made available as soon as practicable **following**.



The Shire will not ~~web~~ stream or record confidential items in accordance with section 5.23 of the *Local Government Act 1995*, or where the meeting is adjourned by the Presiding Member under the Standing Orders Local Law 2016.

Meetings of Committees that are not open to the public will not be ~~web~~ live streamed nor recorded.

At the commencement of each Council ~~proceeding~~ **meeting** that is to be ~~web~~ live streamed, the published Agenda or the Presiding Member shall advise:

- That the meeting is being ~~web~~ live streamed.
- No person present at the meeting is to use any electronic, visual, or audio recording device or instrument to record the proceedings of a meeting without the written permission of the Presiding Member pursuant to the Shire *Standing Orders Local Law 2016* clause 5.16.
- The ~~web~~ live stream is not and shall not be taken to be a confirmed record of Council, or any meeting or discussion to which it relates or may appear to relate. The official record of the meeting is the minutes, which require confirmation by Council resolution and must be signed by the person presiding at the meeting that they are confirmed.

The Chief Executive Officer (CEO) reserves the right to withhold publication of all or part of the ~~web~~ live stream recording and will advise the Presiding Member of the reasons for this action. The Presiding Member will advise the Council if such action is decided and the reasons for this action.

2. Record keeping

The official record of the meeting will be the written minutes kept in accordance with the *Local Government Act 1995* and any relevant regulations.

- ~~web~~ Live stream recordings will be retained in accordance with the *State Records Act 2000*.

3. Other matters

By participating in open Council proceedings, individuals consent to the use and disclosure of the information that they are present including any information provided. Individuals also consent to the disclosure of that information to any persons who access the ~~web~~ live stream recording of Council proceedings.

Attendance at Council Meetings does not provide any Councillors, staff, or member of the public with absolute privilege. It does not protect individuals from legal defamation in relation to behaviour or statements made.

The Shire is protected from liability for defamation for Council proceedings on the official Shire website under section 9.57A *Local Government Act 1995*.

The Shire reserves all its' rights under the *Copyright Act 1968* and prohibits any reproduction, distribution, republication and/or retransmission of the Council proceeding ~~web~~ stream without the prior written consent of the Shire.

Application

This policy applies to all Council **meetings and** proceedings held in Council Chambers, or any other venue where the place of the meeting is published in the notice of meeting that has commensurate ~~web~~ live stream infrastructure.



Background

The Shire installed live streaming and audio recording capabilities into the Council Chambers at the end of 2020 to allow for commencement of use in January 2021.

The live streaming of Council meetings is in keeping with the transparency of decision making and engaging with the community regarding the governance of the Shire. This policy is designed to provide guidance to Council and the community on how the streaming is to be managed.

Previous Council Decisions

28 October 2020 (OC204/2020) - Adoption of the Web Streaming and Council Proceeding Policy.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

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

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

Direction 6 - Effective communication, engagement and relationship development

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

Corporate Business Plan 2022-2026

Fin 32 – Policies and Procedures - Develop an overarching policy framework and ensure up to date organisation-wide policies and procedures are maintained.

Statutory Framework

Local Framework

Shire of Capel Standing Orders Local Law 2016 – 5.16 Recording of meeting prohibited.

- (1) A Person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or Committee unless the Presiding Member, or CEO has given permission to do so.
- (2) If the Presiding Member or CEO gives permission under subclause (1), he or she is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

State Framework

Local Government Act 1995 section 5.23 Meetings generally open to the public

Local Government Act 1995 section 9.57A Local government protected from liability for defamation:

- (2) A local government is not liable to an action for defamation in relation to matters published on its official website as part of a broadcast, audio recording, or video recording, of council proceedings.



State Records Act 2000 General Disposal Authority for Local Government ref.25.1.2:

Retain 1 year after minutes confirmed, then destroy.

State Records Act 2000 section 3 Records include:

- (e) anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and
- (f) anything on which information has been stored or recorded, either mechanically, magnetically, or electronically;

Local governments are required to prepare and maintain a Record Keeping Plan, the Plan outlines the retention and disposal requirements.

Policy Framework

The following Shire Policies apply:

- Policy Framework
- Web Streaming of Council Proceedings

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Reputation Rating: Medium	Possible	Minor	A Council position on the accessibility of the meetings via online records.
Risk Description: Failure to provide access to online streaming and recordings of meetings.			
Opportunity: A more open and transparent decision-making process.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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



Sustainability Implications

Climate Change and Environmental

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

Social

More accessible Council Meetings will increase transparency and accountability for the Council. The policy allows for this information to be made available to the public in a controlled, manageable, and accessible format.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

No external consultation was undertaken.

Internal Consultation

Internal consultation was undertaken with the Manager of Business and Technology Services.

Officer Comment

Policy 1.16 Streaming and Recording of Council Proceedings balances the risks associated with streaming and recording of Council meetings, with the objectives of open, transparent and accessible governance. The changes made to the existing policy are simple terminology changes to allow for a more contemporary policy and current / future technological changes.

The policy provides a framework for the live streaming service, protocols, access, retention, and disposal of the stream recording. This includes consideration of statutory requirements under the *Local Government Act 1995*, *Shire of Capel Standing Orders Local Law 2016*, *State Records Act 2000*, and *Copyright Act 1968*.

The Council should note that in Local Government Reform Proposals provided by the Department of Local Government, Sport and Cultural Industries, includes a future proposal for mandatory recording and live streaming of Council Meetings for Band 1 & Band 2 local governments.

Additionally, the Reform Package also includes proposals for the mandatory recording of confidential items and archiving by the Department of Local Government, Sport and Cultural Industries.

With the development of a new website, provisions will be considered for access to the recordings.



Summary

The changes to the live streaming and recording of Council proceedings policy will allow for operations to continue and operate, to the Shire's strategic position of greater trust and the development of positive and trusted relationships with the community.

Voting Requirements

Simple Majority

Officer's Recommendation – 13.2.

OC/2022/220 - Officer's Recommendation / Council Decision - 13.2

Moved Cr Schiano, Seconded Cr Terrantroy.

That Council adopts Policy 1.12 Communications & Social Media as follows:

'Introduction

The Shire of Capel Communications & Social Media Policy details the framework for communication between the Shire and our internal and external stakeholders. The ability to provide information and community engagement opportunities actively and effectively, is vital to building and promoting a positive identity and reputation for the Shire. Proactively creating awareness of the services, projects, achievements and other activities of the Shire will present the Shire as a community participant and leader.

To achieve effective communications the Shire must regularly consult with the community, distribute regular and consistent messages and must be open and honest in all matters. We recognise the fast-paced and responsive way in which Local Government operates, and this policy seeks to bridge the gap from current practices to the aspiration of a fully connected community. We need to use all channels available to reach our audience, guided by how they like to communicate and continue to progress multiple layers of engagement. It is about using our 'owned' media to communicate clear, consistent, transparent, trusted and timely messaging.

Purpose

This policy details legislative obligations and establishes protocols applicable to the Shire of Capel's official communications with our community, to ensure the Shire is professionally and accurately represented and to maximise a positive public perception.

The policy also seeks to ensure that the Shire's reputation is enhanced through the integrity and effectiveness of communications.

This policy applies to councillors, employees, contractors, consultants and any other persons including volunteers who undertake activities for the Shire of Capel.



Policy statement

The Shire is committed to ensuring employees and Elected Members understand the Communications & Social Media Policy and expectations of them when making public comment both in their professional and personal lives.

Application

This policy applies to:

- 1. Communications initiated or responded to by the Shire of Capel with our community.**
- 2. Elected Members when making comment in either their Shire of Capel role or in a personal capacity about matters relevant to the Shire of Capel.**

Official Communications

1.1 Outline

Communication is the imparting or exchanging of information by speaking, writing, or using some other medium between a representative of the Shire and its stakeholders. Community includes all people who live, work, study or conduct business in, or who visit, use and enjoy the services, facilities and public places of the Shire of Capel.

Consultation is the provision of timely information and engagement by the Shire with its community and stakeholders (internal and external) that provides them the opportunity to respond with any con-cerns, queries of issues that can be considered or actioned before a final decision is made or imple-mented. Via this policy, the Shire aims to ensure our communications methods will:

- 1. Be regular and consistent, with the Shire communicating in a timely manner on projects and activities to all stakeholders.**
- 2. Create a positive and professional image for the Shire.**
- 3. Increase awareness of the Shire's activities, major projects and achievements**
- 4. Foster a meaningful community consultation process.**
- 5. Implement timely, regular and consistent internal communication.**
- 6. Effectively manage negative messaging**
- 7. Effectively manage unexpected crisis/disaster issues or events**
- 8. Comply with required legislation and codes of conduct.**
- 9. Use a variety of methods to communicate and to provide information in formats that accommo-date the needs of all stakeholders.**

The Shire of Capel will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- 1. Website.**
- 2. Advertising and promotional materials.**
- 3. Media releases prepared for the Shire President, to promote specific Shire of Capel positions.**
- 4. Social media.**
- 5. Email; and**
- 6. Community newsletters, letter drops and other modes of communications undertaken by the Shire of Capel's Administration.**



1.2 The Shire's spokesperson ~~Speaking on behalf of the Shire of Capel~~

The Shire President is the spokesperson for the Shire. Where the Shire President is unavailable, the Deputy President may act as the spokesperson [*Local Government Act 1995* s2.8 (1)(d)]. s2.9 & 5.34, s5.41(f).

The CEO may speak on behalf of the Shire of Capel where authorized to do so by the Shire President

Communications by Councillors and employees are encouraged to engage with Shire projects and initiatives they are committed to and become advocates for the Shire through their personal networks.

While Councillors and staff are unable to make comments on behalf of the Shire (that is the role of the spokesperson only), they can actively share Shire updates through appropriate communication channels and via attendance at community events:

1. When highlighting different voices and faces in Shire communications, it is imperative that the same key messages are used to ensure consistency in message. The Shire's position should be understood by Councillors and staff, and solidarity on Council matters is expected and essential.
2. Individual views and positions on particular items are important to the democratic process and informed debate. However, once a decision has been made by Council, it is the expectation that Elected Members provide a united view.

Communications by Councillors and employees, whether undertaken in an authorised official capacity or as a personal communication, in whatever form, must not:

1. bring the Shire of Capel into disrepute.
2. compromise the person's effectiveness in their role with the Shire of Capel.
3. imply the Shire of Capel's endorsement of personal views; or
4. disclose, without authorisation, confidential information.

Social media accounts, email and unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Capel.

Councillor communications must comply with the Shire of Capel Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

1.3 Responding to media enquiries.

All enquiries from the media for an official Shire of Capel comment, whether made to an individual Councillor or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Capel.

Councillors may make comments to the media in a personal capacity – refer to clause 1.9 and 1.10 below.

1.4 Website

The Shire of Capel will maintain an official website, as our community's principle on-line resource to access to the Shire of Capel's official communications.

Social Media Communications

1.5 Social Media Outline

The purposes of the Shire of Capel's social media communications include:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the community.
- Promoting Shire of Capel events, activities, and services.
- Promoting community consultation / engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the Shire of Capel.
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire uses social media to facilitate interactive information sharing and to provide responsive feedback to and from our community. Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the policies, positions and codes adopted by the Council. Our communications will always be respectful, professional and must reflect the Shire's values and vision, as well as adopted Code of Conduct.

1.6 Social Media Channels

The Shire will use a combination of different communication modes in line with our Communications Strategy to suit the type of information to be communicated, engagement to be undertaken and the requirements of the community or specific audience.

The Shire of Capel maintains the following social media accounts:

- Social networks, including - Facebook and LinkedIn
- Media Sharing networks, including – Instagram and YouTube

1.7 Dealing with Negativity

The Shire actively seeks ideas, questions and feedback from our community. We expect participants to behave in a respectful manner in return. The Shire will moderate its social media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading.
- Promotional, soliciting or commercial in nature.
- Unlawful or incites others to break the law.
- Information which may compromise individual or community privacy, safety or security.
- Repetitive material copied and pasted or duplicated.
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.
- Content that violates intellectual property rights or the legal ownership of interests or another party.
- Not in accordance with any lawful requirement.
- Any other inappropriate content or comments at the discretion of the Shire.

Where a third party contributor to a Shire of Capel's social media accounts is identified as posting content which is deleted in accordance with the above, the Shire may at its absolute discretion block that contributor for a specific period of time or permanently.

1.8 Use of Social Media in Emergency Management and Response

The Shire of Capel will use the following channels to communicate and advise our community regarding Emergency Management:

- Facebook – Shire of Capel
- YouTube – Live Stream Emergency Management Meetings

1.9 Personal Communications

Personal communications and statements made privately; in conversation, written, recorded, emailed, private messaged or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, staff and Elected Members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Elected Members Use of Social Media

1.10 Elected Member Public Statements and/or Communication on Shire Matters

An Elected Member may choose to make a personal statement or communicate publicly on a matter related to the business of the Shire of Capel.

Any public statement by an Elected Member made in a personal capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire.
2. Be made with reasonable care and diligence [*Rules of Conduct Reg.3(a)*];
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws.
4. Be factually correct [*Rules of Conduct Reg.3(b) and (f)*].
5. Avoid damage to the reputation of the local government [*Rules of Conduct Reg.3(d)*];
6. Not reflect adversely on a decision of the Council.
7. Not reflect adversely on the character or actions of another Council Member or Employee [*Rules of Conduct Reg.10(3)*]
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member [*Rules of Conduct Regs. 3(g) and 10(3), Shire of Capel Code of Conduct for Councillors. Div. 3*].

All other statements and communications are to be in accordance with the Local Government Act, Shire of Capel Communications Strategy and Shire of Capel Code of Conduct.

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public, and which breach this policy, the Shire of Capel Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a minor breach of the *Local Government Act 1995 [refer s.5.105]* and may be dealt with by the Shire under the Code of Conduct and / or lodged as a complaint.

Record Keeping and Freedom of Information

Official communications and Council member communications undertaken on behalf of the Shire, including on the Shire's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*.

These records are also subject to the *Freedom of Information Act 1992*.'

Lost 1 / 7

For - Cr Schiano

Against - Cr Andrew, Cr Clews, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan and Cr Terranroy

Foreshadowed Motion

Cr Clews foreshadowed an alternative Communications and Social Media Policy.

Foreshadowed Motion

Moved Cr Clews, Seconded Cr Terranroy.

That Council adopts Policy 1.12 Communications & Social Media as follows:

'Introduction

The Shire of Capel Communications & Social Media Policy details the framework for communication between the Shire and our internal and external stakeholders. The provision of information and community engagement opportunities actively and effectively, is vital to building and promoting a positive identity and reputation for the Shire.

The Shire must regularly inform, create awareness, consult with the community, distribute regular and consistent messages and must be open and honest in all matters to achieve effective communications.

We recognise the fast-paced and responsive way in which local government operates, and this policy seeks to enable a community that is fully connected with the Shire. We need to use all channels available to reach our audience, guided by how they like to communicate and continue to progress multiple layers of engagement.

Success will be achieved by using our 'owned' media to communicate clear, consistent, transparent, trusted and timely messaging.

Purpose

This policy details legislative obligations and establishes protocols applicable to our official communications with our community, to ensure the Shire of Capel is professionally and accurately represented and to maximise a positive public perception.



The policy also seeks to ensure that the Shire's reputation is enhanced through the integrity and effectiveness of communications.

This policy applies to Councillors, employees, contractors, consultants and any other persons including volunteers who undertake activities for the Shire of Capel.

Policy statement

The Shire is committed to ensuring employees and Councillors understand the Communications & Social Media Policy and expectations of them when making public comment both in their representative and personal capacity.

Application

This policy applies to:

1. Communications initiated or responded to by the Shire of Capel with our community; and
2. Councillors when making comment in either their Shire of Capel representative role or in a personal capacity about matters relevant to the Shire of Capel.

Official Communications

1.1 Outline

Communication is the imparting or exchanging of information by speaking, writing, or using other medium between a representative of the Shire, stakeholders and the broader community. Community includes all people who live, work, study or conduct business in, or who visit, use and enjoy the services, facilities and public places of the Shire of Capel.

Consultation is the provision of timely information and engagement by the Shire with the community and stakeholders (internal and external) that provides them the opportunity to provide ideas and feedback, respond with any concerns, and query issues that will be considered or actioned, before a final decision is made or implemented.

Via this policy, the Shire aims to ensure our communications methods will:

1. Comply with required legislation and codes of conduct.
2. Be regular and consistent, with the Shire communicating in a timely manner on projects and activities to all stakeholders.
3. Create a positive and professional image for the Shire.
4. Increase awareness of the Shire's activities, major projects and achievements.
5. Foster a meaningful community consultation process.
6. Implement timely, regular and consistent internal communication.
7. Effectively manage negative messaging.
8. Effectively manage unexpected crisis/disaster issues or events; and
9. Use a variety of methods to communicate and to provide information in formats that accommo-date the needs of all stakeholders.



The Shire of Capel will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

1. Website.
2. Advertising and promotional materials.
3. Media releases prepared for the Shire President, to promote specific Shire of Capel positions.
4. Social media.
5. Email; and
6. Community newsletters, letter drops and other modes of communications undertaken by the Shire of Capel's Administration.

1.2 The Shire of Capel's Spokesperson

The Shire President is the spokesperson for the Shire. Where the Shire President is unavailable, the Deputy President may act as the spokesperson [*Local Government Act 1995 s2.8 (1)(d)*]. s2.9 & 5.34, s5.41(f)].

The CEO may speak on behalf of the Shire of Capel where authorized to do so by the Shire President

1.3 Responding to Media Enquiries

All enquiries from the media for an official Shire of Capel comment, whether made to an individual Councillor or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Capel.

Councillors may communicate and make comments with reference to clauses 1.6 and 1.7 below.

1.4 Website

The Shire of Capel will maintain an official website, as our community's principle on-line resource to access to the Shire of Capel's official communications.

1.5 Dealing with Negativity

The Shire actively seeks ideas, questions and feedback from our community. We expect participants to behave in a respectful manner in return. The Shire will moderate our social media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading.
- Promotional, soliciting or commercial in nature.
- Unlawful or incites others to break the law.
- Information which may compromise individual or community privacy, safety or security.
- Repetitive material copied and pasted or duplicated.
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.
- Content that violates intellectual property rights or the legal ownership of interests or another party.
- Not in accordance with any lawful requirement.
- Any other inappropriate content or comments at the discretion of the Shire.



Councillor and Staff Communications

1.6 Councillor Public Statements and/or Communication on Shire Matters

Communications by Councillors and employees is encouraged to promote Shire projects and initiatives they are committed to, as well as being advocates for the Shire through their personal networks.

Councillors are also encouraged to actively share Shire-driven communications, information and updates through appropriate channels and via attendance at community events, to ensure consistency in messaging to the community.

Communications by Councillors and employees, whether undertaken in an authorised official capacity or as personal communication, in whatever form, must not:

1. Bring the Shire of Capel into disrepute;
2. Compromise the person's effectiveness in their role with the Shire of Capel;
3. Imply the Shire of Capel's endorsement of personal views; or
4. Disclose, without authorisation, confidential information.

Social media accounts, email and unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Capel.

A Councillor may choose to make a personal statement or communicate publicly on a matter related to the business of the Shire of Capel. Any public statement by a Councillor made in a personal capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire.
2. Be made with reasonable care and diligence [*Rules of Conduct Reg.3(a)*];
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws.
4. Be factually correct [*Rules of Conduct Reg.3(b) and (f)*].
5. Avoid damage to the reputation of the local government [*Rules of Conduct Reg.3(d)*];
6. Not reflect adversely on a decision of the Council.
7. Not reflect adversely on the character or actions of another Council Member or Employee [*Rules of Conduct Reg.10(3)*]
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member [*Rules of Conduct Regs. 3(g) and 10(3), Shire of Capel Code of Conduct for Councillors. Div. 3*].

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Councillors are to understand the Council's position on particular matters and ensure compliance with the Shire of Capel Communications Strategy, Shire of Capel Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007* in all communications, whether representative or personal.

Employees are to understand the Council's position on particular matters and ensure compliance with the Shire of Capel Staff Code of Conduct in all communications, whether representative or personal.



1.7 Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, private messaged or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Councillors should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Staff are to ensure that their personal or private communications do not breach the requirements of this policy or the Shire of Capel Staff Code of Conduct.

Social Media Communications

1.8 Social Media Outline

The purposes of the Shire of Capel's social media communications include:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the community.
- Promoting Shire of Capel events, activities, and services.
- Promoting community consultation / engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the Shire of Capel.
- Where appropriate receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire uses social media to facilitate interactive information sharing and to provide official and responsive feedback to and from our community.

Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the policies, positions and codes adopted by the Council.

Our communications will always be respectful, professional and must reflect the Shire's values and vision, as well as adopted Code of Conduct.

1.9 Social Media Channels

The Shire will use a combination of different communication modes in line with our Communications Strategy to suit the type of information to be communicated, engagement to be undertaken and the requirements of the community or specific audience.

The Shire of Capel maintains the following social media accounts:

- Social networks, including - Facebook and LinkedIn
- Media Sharing networks, including – Instagram and YouTube

Where a third party contributor to a Shire of Capel's social media accounts is identified as posting content which is deleted in accordance with the above, the Shire may at our absolute discretion block that contributor for a specific period of time or permanently.



1.10 Use of Social Media in Emergency Management and Response

The Shire of Capel will use the following channels to communicate and advise our community regarding Emergency Management:

- Facebook – Shire of Capel
- YouTube – Live Stream Emergency Management Meetings

Record Keeping and Freedom of Information

Official communications and Council member communications undertaken on behalf of the Shire, including on the Shire's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*.

These records are also subject to the *Freedom of Information Act 1992*.'

OC/2022/249 - Amendment / Council Decision - 13.2

Moved Cr Terrantroy, Seconded Cr Clews.

To remove the wording in 1.6, paragraph 2:

'to ensure consistency in messaging to the community.'

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan and Cr Schiano

Against - Nil

The amendment became the substantive motion.

OC/2023/5 - Officer's Recommendation / Council Decision - 13.2

Moved Cr Schiano, Seconded Cr McCleery.

That Council adopts the reviewed Web streaming & Recording of Council Proceedings Policy as follows:

'Council Policy 1.16 Streaming & Recording of Council Proceedings

Introduction

The Shire of Capel (the Shire) is committed to engaging with the community by enhancing accessibility to Council decision making consistent with the objectives of the *Local Government Act 1995*.

Providing access to audio visual streaming and recording of the discussion and debate involved with decision making process of Council meetings, aligns with the Shire's strategic plan and principle of open, transparent government.

Purpose

This policy provides guidelines for:

- The live internet streaming of the Shires' Ordinary and Special Meetings of Council (Council proceedings) that are held in Council Chambers and open to the public;
- Accessing recorded streams of a Council meetings and proceeding; and
- Retention and disposal of the stream recording pursuant to the *State Records Act 2000*.

Policy statement

Clear and prominent signage is to be placed at the entrance(s) to the Council proceedings, notifying attendees that the meeting will be live streamed.

1. Live Streaming and Recording

Council proceedings will be live streamed online via the Shire website and a stream recording made available as soon as practicable following.

The Shire will not stream or record confidential items in accordance with section 5.23 of the *Local Government Act 1995*, or where the meeting is adjourned by the Presiding Member under the Standing Orders Local Law 2016.

Meetings of Committees that are not open to the public will not be live streamed nor recorded.

At the commencement of each Council meeting that is to be live streamed, the published Agenda or the Presiding Member shall advise:

- That the meeting is being live streamed.
- No person present at the meeting is to use any electronic, visual, or audio recording device or instrument to record the proceedings of a meeting without the written permission of the Presiding Member pursuant to the Shire Standing Orders Local Law 2016 clause 5.16;
- The live stream is not and shall not be taken to be a confirmed record of Council, or any meeting or discussion to which it relates or may appear to relate. The official record of the meeting is the minutes, which require confirmation by Council resolution and must be signed by the person presiding at the meeting that they are confirmed.

The Chief Executive Officer (CEO) reserves the right to withhold publication of all or part of the live stream recording and will advise the Presiding Member of the reasons for this action. The Presiding Member will advise the Council if such action is decided and the reasons for this action.

2. Record keeping

The official record of the meeting will be the written minutes kept in accordance with the *Local Government Act 1995* and any relevant regulations.

- Live stream recordings will be retained in accordance with the *State Records Act 2000*.



3. Other matters

By participating in open Council proceedings, individuals consent to the use and disclosure of the information that they are present including any information provided. Individuals also consent to the disclosure of that information to any persons who access the live stream recording of Council proceedings.

Attendance at Council Meetings does not provide any Councillors, staff, or member of the public with absolute privilege. It does not protect individuals from legal defamation in relation to behaviour or statements made.

The Shire is protected from liability for defamation for Council proceedings on the official Shire website under section 9.57A *Local Government Act 1995*.

The Shire reserves all its' rights under the *Copyright Act 1968* and prohibits any reproduction, distribution, republication and/or retransmission of the Council proceeding stream without the prior written consent of the Shire.

Application

This policy applies to all Council meetings and proceedings held in Council Chambers, or any other venue where the place of the meeting is published in the notice of meeting that has commensurate live stream infrastructure'.

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



13.3. Policy Review - Complaints Management

Author	Strategic Governance and Risk Coordinator, Tahlia Stowell
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Review
Attachments	Nil
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Adopt the reviewed Shire of Capel Complaints Management Policy.

Officer's Recommendation

That the Council adopt the reviewed Complaints Management Policy as follows:

'Council Policy1.17 Complaints Management

Introduction

Complaints are an important information resource that delivers insights to public perceptions and experiences related to Council decisions, service delivery, actions and the programs initiated by the Shire of Capel (the Shire).

The community has a strong expectation that when a complaint is made to the Shire, ~~it will respond~~ **response(s) will occur** in a timely, fair, objective, and equitable manner.

The Shire is committed to effective complaint resolution and views all community feedback as a valuable tool for identifying opportunities for improvement.

Purpose

To establish a systematic framework for the Shire to manage complaints regarding any dissatisfaction with a process or **action undertaken**, product **provided**, or service offered by the Shire.

Policy statement

A complaint for the purpose of this policy is defined as "expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required" (AS/NZS 10002-2014 Guidelines for Complaint Management in Organisations).

A complaint is not:

- A service or maintenance request.
- Any matter relating to a dispute with another resident.
- A request for information.
- An appeal or action in accordance with procedures prescribed by statute or regulation.
- A petition; or



- **A reasonable resolution of a matter that is inconsistent with a community members expectation.**

1. Making a complaint

Complaints can be lodged via the complainant's preferred channel, such as phone, email, in person, via "let us know" on the Shire website or hardcopy Feedback Form available at the Shire Customer Service desk.

Relevant information must be provided to enable the Shire to investigate and respond properly to complaints. The complainant needs to provide their name, contact details, what the complaint is about, when and where the issue has occurred at a minimum.

2. Complaint management principles

- a. Anyone who is dissatisfied about a Shire service or product may make a complaint.
- b. Complaints can be made without fear of retribution.
- c. Complaints will be responded to in a timely manner.
- d. Complaints will be managed in a fair, objective, equitable and consistent manner.
- e. The confidentiality and privacy of complainants will be protected.
- f. The Shire will ensure the application of natural justice.
- g. The Shire will analyse complaints data to improve service delivery where possible.

3. Timeliness

All complaints received will be processed within the time frames specified in the Shire's Customer Service Charter.

- a. Complaints will be responded to within 10 working days.
- b. Complainants will be notified if their complaint cannot be resolved within 10 working days, with reasons why and the expected time frames.

4. Risk

Complaints will be assessed in accordance with the Shire's Risk Management Framework on the following:

- a. Public health and safety.
- b. Seriousness and severity of the matter.
- c. Frequency of occurrence; or
- d. The need for immediate attention.

5. Confidentiality

The Shire respects the privacy of customers and stakeholders. Personal identifiable information related to a complaint will be kept ~~be kept~~ **remain** confidential, and only ~~kept and~~ **kept and** used for the purposes of addressing the complaint and any follow up actions within the organisation.

The Shire will only disclose customer or stakeholder information to third parties in the following circumstances:

- a. With the consent of the customer or stakeholder, expressed or implied.
- b. As required by law; or
- c. ~~In order~~ **To** complete the purpose or function for which the information was provided.



6. Recording of complaints

The Shire will collect and register all relevant information in relation to customer complaints within the Shire's business systems.

7. Particular cases

a. Anonymous complaints

Anonymous complaints shall only be considered and to the extent that they involve safety or security issues. Otherwise, anonymous complaints shall be disregarded.

b. Complaints made on behalf of others

The customer can nominate another person to make a complaint on their behalf. The Shire may require the person affected to provide written confirmation for another person to act on their behalf.

c. Complaints about Councillors

If a complaint concerns an Elected Member, it should be referred in the first instance to the Chief Executive Officer for appropriate directions and/or action. **If the complaint is referring to a breach of Conduct, the Chief Executive Officer will act in accordance with the Council Code of Conduct.**

a. Allegations of Serious Misconduct

Allegations concerning criminal, corrupt or serious improper conduct will be dealt with independently of the complaint handling process. In the first instance they will be referred directly to the Chief Executive Officer for determination, including whether reasonable ground for notification to the Anti-Corruption Commission or referral to the Police. **In other instances, the Chief Executive Officer may refer the complaint to the Shire's Public Interest Disclosure-Officers.**

d. Public Interest Disclosure

A Public Interest Disclosure is a report of wrongdoing made under the *Public Interest Disclosure Act 2003* (PID Act). The PID Act recognises the value and importance of reporting to identify and address wrongdoing.

The PID Act only applies to disclosures of public interest information (defined in s. 3).

Public interest information means information that:

- **relates to the performance of a public function by a public authority, public officer, or public sector contractor (either before or after the commencement of the PID Act); and**
- **shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in**
 - **improper conduct; or**
 - **an act or omission that constitutes an offence under a written (State) law; or**
 - **substantial unauthorised or irregular use of, or substantial mismanagement of, public resources or**
 - **an act done or omission that involves a substantial and specific risk of**
 - ♣ **injury to public health; or**
 - ♣ **prejudice to public safety; or**
 - ♣ **harm to the environment; or**



– a matter of administration that can be investigated under section 14 of the Parliamentary Commissioner Act 1971 by the Parliamentary Commissioner (Ombudsman Western Australia)

The Shire has appointed Public Interest Disclosure Officers to manage complaints in accordance with the PID Act.

- f. Unreasonable complainant conduct (UCC)
The Ombudsman Western Australia classifies UCC into three broad groupings.
- i. Habitual or obsessive conduct. This includes behaviour by a person who:
 - Cannot 'let go' of their complaint.
 - Cannot be satisfied despite the best efforts of the agency; and
 - Makes unreasonable demands on the agency where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated (compared to other complainants).
 - ii. Rude, angry, and harassing conduct.
 - iii. **Aggressive Conduct.**

The Shire may manage the UCC by placing a reasonable and proportionate limitation on one or more of the following:

- The subject matter of communications, such as where the Shire believes that an issue has been addressed.
- The timing of communications, including time of day, and frequency and/or duration of contact with the Shire.
- Access, such as restricting or prohibiting entry to Shire premises.
- The forms in which the complainant may contact the Shire, such as for contact to only be in writing; and
- Any other limitation which is reasonable and appropriate and satisfies legislative requirements.

The decision to manage a complainant's communication as UCC will be made by the Chief Executive Officer and the complainant will be informed.

8. Resolving the complaint

The Shire will investigate and resolve a complaint in an efficient manner. The decision made or action taken regarding the complaint will be communicated to the customer as soon as the investigation is completed.

9. Reviewing the complaint

- a. Internal independent review of the complaint
 - i. When the customer is not happy with how the complaint is resolved in the first instance, they can apply for ~~a external~~ review of the complaint. The review will be undertaken by the relevant Executive Manager.
 - ii. The Executive Manager will consider all the relevant information **and** examine how the decision was reached, ~~taking into account all relevant information, and before~~ providing to the customer **with** a reviewed outcome.
 - iii. If the customer **is still unsatisfied with the investigation**, ~~they can escalate the matter~~ **may be escalated** to the Chief Executive Officer, ~~who will undertake a~~ **for** further internal review. ~~and provide the customer with a final outcome.~~
- b. External review



Not all complaints can be resolved to the satisfaction of the customer. If the customer is not satisfied with the way that ~~how~~ the Shire dealt ~~deals~~ with the complaint, they may ~~can~~ escalate the matter to the West Australian Ombudsman's Officer, Public Sector Commission or the Department of Local Government, Sport, and Cultural Industries.

The Shire will work cooperatively with these external agencies as appropriate to assist in the resolution of the external review.

10. Freedom of Information

The Shire will assist the public to obtain access to documents held by the Shire in accordance with the *Freedom of Information Act 1992 (WA)*. For more information, please refer to the Freedom of Information page on the Shire website.

Application

This policy applies to all Elected Members, staff and contractors delivering services on behalf of the Shire.'

Background

The 2018 Regulation 17 Audit at item 8.4 identified the need for the Shire of Capel (the Shire) to implement a complaints management policy and procedure.

The Complaints Management Policy was endorsed in December 2020 and in accordance with the Shire Policy Framework, has been identified for review.

Since the adoption of the Complaints Management Policy the Council adopted the Model Code of Conduct, which reflects a conduct complaint protocol.

Previous Council Decisions

16 December 2020 (OC253/20) - Adoption of the Complaints management Policy.

24 February 2021 (OC025/2021) – Adoption of the Council Model Code of Conduct.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

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

1.2 A capable community that drives community activation and participation.

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

4.1 Effective and compliant governance

4.5 Improved customer engagement

Direction 6 - Effective communication, engagement and relationship development.

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



Corporate Business Plan 2022-2026

Fin 32 – Policies and Procedures - Develop an overarching policy framework and ensure up to date organisation-wide policies and procedures are maintained.

Statutory Framework

Local Framework

Councillor Code of Conduct.

State Framework

Local Government Act 1995

2. Role of council
 1. The council –
 - a. governs the local government’s affairs; and
 - b. is responsible for the performance of the local government’s functions.
 2. Without limiting subsection (1), the council is to –
 - a. determine the local government’s policies.

Local Government Rules of Conduct) Regulations 2007 (WA).

Corruption and Crime Misconduct Act 2003 (WA).

Public Interest Disclosure Act 2003 (WA).

Freedom of Information Act 1992 (WA).

Privacy Act 1998 (Cth).

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Complaints Management
- Policy Framework

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: Medium	Possible	Moderate	Endorsing a structure of complaint management to triage the appropriate action.
Risk Description: Failure to adhere to complaints as stipulated in legislation.			



Risk	Likelihood	Consequence	Mitigation
Risk 2 Reputation Rating: Medium	Possible	Moderate	Endorsing a management position on how complaints are processed.
Risk Description: Not allowing community, Council, and staff to express complaints and have them managed effectively.			
Opportunity: An effective system of complaint management to allow community concerns to be managed in an effective way, allowing for natural justice.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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

Sustainability Implications

Climate Change and Environmental

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

Social

The policy provides for the management of community complaints in a timely and objective manner. The capacity for complaints to be resolved effectively, promotes consistency and best practice decision making across the organisation.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

No external consultation was undertaken.

Internal Consultation

No internal consultation was undertaken.



Officer Comment

Complaint Management is an important process in any organisation, assuring customer satisfaction with the community, stakeholders, Council, and staff. Proper management also assists in quality assurance of the output of the work to service the community.

The Complaint Management Policy provides a clear definition of what a complaint is and is not. The policy provides a set of principles for the management of complaints and the process for making, resolving, and reviewing a complaint.

The policy also provides for the resolution of types of complaint, including anonymous, complaints made on behalf of others, complaints about Councillors, allegations of serious misconduct and unreasonable complaint conduct (UCC).

The review of the policy has identified minor changes for more contemporary language, also including references to the Council Code of Conduct and Public Interest Disclosure.

Public Interest Disclosures is a function that the Shire abides to under the *Public Interest Disclosure Act 2003*. With the inclusion into the Complaints Management Policy, it creates awareness that this is another form of complaints within the Shire.

Summary

The review provided an opportunity to update the policy with relevant details known since the original adoption.

The Council is requested to endorse the reviewed and updated policy for continuity of open and accountable complaint management for the Shire.

Voting Requirements

Simple Majority

Officer's Recommendation – 13.3.

OC/2023/6 - Officer's Recommendation / Council Decision - 13.3

Moved Cr McCleery, Seconded Cr Terrantroy.

That the Council adopt the reviewed Complaints Management Policy as follows:

'Council Policy1.17 Complaints Management

Introduction

Complaints are an important information resource that deliver insights to public perceptions and experiences related to Council decisions, service delivery, actions and programs initiated by the Shire of Capel (the Shire).

The community has a strong expectation that when a complaint is made to the Shire, responses will occur in a timely, fair, objective, and equitable manner.

The Shire is committed to effective complaint resolution and views all community feedback as a valuable tool for identifying opportunities for improvement.

Purpose

To establish a systematic framework for the Shire to manage complaints regarding any dissatisfaction with a process or action undertaken, product provided, or service offered by the Shire.

Policy statement

A complaint for the purpose of this policy is defined as “expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required” (AS/NZS 10002-2014 Guidelines for Complaint Management in Organisations).

A complaint is not:

- **A service or maintenance request.**
- **Any matter relating to a dispute with another resident.**
- **A request for information.**
- **An appeal or action in accordance with procedures prescribed by statute or regulation.**
- **A petition; or**
- **A reasonable resolution of a matter that is inconsistent with a community members expectation.**

1. Making a complaint

Complaints can be lodged via the complainant’s preferred channel, such as phone, email, in person, via “let us know” on the Shire website or hardcopy Feedback Form available at the Shire Customer Service desk.

Relevant information must be provided to enable the Shire to investigate and respond properly to complaints. At a minimum, the complainant needs to provide their name, contact details, what the complaint is about, when and where the issue has occurred.

2. Complaint management principles

- a. **Anyone who is dissatisfied about a Shire service or product may make a complaint.**
- b. **Complaints can be made without fear of retribution.**
- c. **Complaints will be responded to in a timely manner.**
- d. **Complaints will be managed in a fair, objective, equitable and consistent manner.**
- e. **The confidentiality and privacy of complainants will be protected.**
- f. **The Shire will ensure the application of natural justice.**
- g. **The Shire will analyse complaints data to improve service delivery where possible.**

3. Timeliness

All complaints received will be processed within the time frames specified in the Shire's Customer Service Charter.

- a. Complaints will be responded to within 10 working days.**
- b. Complainants will be notified if their complaint cannot be resolved within 10 working days, with reasons why and the expected time frames.**

4. Risk

Complaints will be assessed in accordance with the Shire's Risk Management Framework on the following:

- a. Public health and safety.**
- b. Seriousness and severity of the matter.**
- c. Frequency of occurrence; or**
- d. The need for immediate attention.**

5. Confidentiality

The Shire respects the privacy of its customers and stakeholders. Personal identifiable information related to a complaint will be remain confidential, only kept, and used for the purposes of addressing the complaint and any follow up actions within the organisation.

The Shire will only disclose customer or stakeholder information to third parties in the following circumstances:

- a. With the consent of the customer or stakeholder, expressed or implied.**
- b. As required by law; or**
- c. To complete the purpose or function for which the information was provided.**

6. Recording of complaints

The Shire will collect and register all relevant information in relation to customer complaints within the Shire's business systems.

7. Particular cases

a. Anonymous complaints

Anonymous complaints shall only be considered and to the extent that they involve safety or security issues. Otherwise, anonymous complaints shall be disregarded.

b. Complaints made on behalf of others.

The customer can nominate another person to make a complaint on their behalf. The Shire may require the person affected to provide written confirmation for another person to act on their behalf.

c. Complaints about Councillors

If a complaint concerns an Elected Member, it should be referred in the first instance to the Chief Executive Officer for appropriate directions and/or action. If the complaint is referring to a breach of Conduct, the Chief Executive Officer will act in accordance with the Council Code of Conduct.

d. Allegations of Serious Misconduct

Allegations concerning criminal, corrupt or serious improper conduct will be dealt with independently of the complaint handling process. In the first instance they will be referred directly to the Chief Executive Officer for determination, including whether reasonable ground for notification to the Anti-Corruption Commission or referral to the Police. In other instances, the Chief Executive Officer may refer the complaint to the Shire's Public Interest Disclosure-Officers.

e. Public Interest Disclosure

A Public Interest Disclosure is a report of wrongdoing made under the *Public Interest Disclosure Act 2003* (PID Act). The PID Act recognises the value and importance of reporting to identify and address wrongdoing.

The PID Act only applies to disclosures of public interest information (defined in s. 3). Public interest information means information that:

- **relates to the performance of a public function by a public authority, public officer, or public sector contractor (either before or after the commencement of the PID Act); and**
- **shows or tends to show that a public authority, a public officer, or a public sector contractor is, has been or proposes to be involved in:**
 - **improper conduct; or**
 - **an act or omission that constitutes an offence under a written (State) law; or**
 - **substantial unauthorised or irregular use of, or substantial mismanagement of, public resources or**
 - **an act done or omission that involves a substantial and specific risk of**
 - ♣ **injury to public health; or**
 - ♣ **prejudice to public safety; or**
 - ♣ **harm to the environment; or**
 - **a matter of administration that can be investigated under section 14 of the *Parliamentary Commissioner Act 1971* by the Parliamentary Commissioner (Ombudsman Western Australia)**

The Shire has appointed Public Interest Disclosure Officers to manage complaints in accordance with the PID Act.

f. Unreasonable complainant conduct (UCC)

The Ombudsman Western Australia classifies UCC into three broad groupings.

- i. Habitual or obsessive conduct. This includes behaviour by a person who:**
 - **Cannot 'let go' of their complaint.**
 - **Cannot be satisfied despite the best efforts of the agency; and**
 - **Makes unreasonable demands on the agency where resources are substantially and unreasonably diverted away from its other functions or unfairly allocated (compared to other complainants).**
- ii. Rude, angry, and harassing conduct.**
- iii. Aggressive Conduct.**

The Shire may manage the UCC by placing a reasonable and proportionate limitation on one or more of the following:

- The subject matter of communications, such as where the Shire believes that an issue has been addressed.
- The timing of communications, including time of day, and frequency and/or duration of contact with the Shire.
- Access, such as restricting or prohibiting entry to Shire premises.
- The forms in which the complainant may contact the Shire, such as for contact to only be in writing; and
- Any other limitation which is reasonable and appropriate and satisfies legislative requirements.

The decision to manage a complainant's communication as UCC will be made by the Chief Executive Officer and the complainant will be informed.

8. Resolving the complaint

The Shire will investigate and resolve a complaint in an efficient manner. The decision made or action taken regarding the complaint will be communicated to the customer as soon as the investigation is completed.

9. Reviewing the complaint

a. Internal independent review of the complaint

- i. When the customer is not happy with how the complaint is resolved in the first instance, they can apply for a review of the complaint. The review will be undertaken by the relevant Executive Manager.
- ii. The Executive Manager will consider all the relevant information and examine how the decision was reached, before providing the customer with a reviewed outcome.
- iii. If the customer is still unsatisfied with the investigation, the matter may be escalated to the Chief Executive Officer, for further internal review.

a. External review

Not all complaints can be resolved to the satisfaction of the customer. If the customer is not satisfied with the way that the Shire dealt with the complaint, they may escalate the matter to the West Australian Ombudsman's Officer, Public Sector Commission or the Department of Local Government, Sport, and Cultural Industries.

The Shire will work cooperatively with these external agencies as appropriate to assist in the resolution of the external review.

10. Freedom of Information

The Shire will assist the public to obtain access to documents held by the Shire in accordance with the *Freedom of Information Act 1992 (WA)*. For more information, please refer to the Freedom of Information page on the Shire website.



Application

This policy applies to all Elected Members, staff and contractors delivering services on behalf of the Shire.'

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



The following item was deferred at the 21 December 2022 Ordinary Meeting of Council as per Council Decision OC/2022/250 to allow for full attendance and participation, no Councillors have spoken to the item at the time of deferral.

13.4. Reviewed Communications & Social Media Policy

Author	Communications Coordinator, Danielle Paull
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Review
Attachments	Nil
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the reviewed Policy 1.12 - Communications & Social Media to reflect contemporary practices, as well as to align and integrate with recent initiatives such as the Communications Strategy and the Community Engagement Framework.

Officer's Recommendation

That Council adopts Policy 1.12 Communications & Social Media as follows:

'Introduction

The Shire of Capel Communications & Social Media Policy details the framework for communication between the Shire and our internal and external stakeholders. The ability to provide information and community engagement opportunities actively and effectively, is vital to building and promoting a positive identity and reputation for the Shire. Proactively creating awareness of the services, projects, achievements and other activities of the Shire will present the Shire as a community participant and leader.

To achieve effective communications the Shire must regularly consult with the community, distribute regular and consistent messages and must be open and honest in all matters.

~~Communication by the local government conveys the official position of Council; facilitates operations; ensures compliance with the law; and engages our community.~~

~~The official spokesperson of the local government is the President; the Deputy President when the President is unavailable, and the Chief Executive Officer (CEO) where authorised.~~

~~The Shire may use various communication modes to ensure the timely transmission of official communications, including email and social media, however these are to be professionally managed and consistently reflect the values of the organisation.~~

~~Councillors are encouraged to consult the CEO if approached by media and only make statements in a personal capacity. All statements by Councillors and officers are to comply with the Shire of Capel Code of Conduct and are subject to the Local Government (Rules of Conduct) Regulations 2007 and relevant law.~~



We recognise the fast-paced and responsive way in which Local Government operates, and this policy seeks to bridge the gap from current practices to the aspiration of a fully connected community. We need to use all channels available to reach our audience, guided by how they like to communicate and continue to progress multiple layers of engagement. It is about using our 'owned' media to communicate clear, consistent, transparent, trusted and timely messaging.

Purpose

This policy details legislative obligations and establishes protocols applicable to the Shire of Capel's official communications with our community, to ensure the Shire is professionally and accurately represented and to maximise a positive public perception.

~~This policy establishes protocols for the Shire of Capel's official communications with the community to ensure the Shire of Capel is professionally and accurately represented and to maximise a positive public perception of the Shire of Capel.~~

The policy also seeks to ensure that the Shire's reputation is enhanced through the integrity and effectiveness of communications.

~~The Policy applies to Councillors and officers of the Shire of Capel and the Code of Conduct, Local Government (Rules of Conduct) Regulations 2007 and other law may also apply.~~

This policy applies to councillors, employees, contractors, consultants and any other persons including volunteers who undertake activities for the Shire of Capel.

Policy statement

The Shire is committed to ensuring employees and Elected Members understand the Communications & Social Media Policy and expectations of them when making public comment both in their professional and personal lives.

Application

This policy applies to:

1. Communications initiated or responded to by the Shire of Capel with our community.
2. Elected Members when making comment in either their Shire of Capel role or in a personal capacity about matters relevant to the Shire of Capel.

Official Communications

1.1 Outline

Communication is the imparting or exchanging of information by speaking, writing, or using some other medium between a representative of the Shire and its stakeholders. Community includes all people who live, work, study or conduct business in, or who visit, use and enjoy the services, facilities and public places of the Shire of Capel.

Consultation is the provision of timely information and engagement by the Shire with its community and stakeholders (internal and external) that provides them the opportunity to respond with any con-cerns, queries of issues that can be considered or actioned before a final decision is made or imple-mented. Via this policy, the Shire aims to ensure our communications methods will:

1. Be regular and consistent, with the Shire communicating in a timely manner on projects and activities to all stakeholders.
2. Create a positive and professional image for the Shire
3. Increase awareness of the Shire's activities, major projects and achievements
4. Foster a meaningful community consultation process
5. Implement timely, regular and consistent internal communication



6. Effectively manage negative messaging
7. Effectively manage unexpected crisis/disaster issues or events
8. Comply with required legislation and codes of conduct
9. Use a variety of methods to communicate and to provide information in formats that accommo-date the needs of all stakeholders.

Official communications

The purposes of the Shire of Capel's official communications include:

- ~~1. sharing information required by law to be publicly available;~~
- ~~2. sharing information that is of interest and benefit to the Community;~~
- ~~3. promoting Shire of Capel events and services;~~
- ~~4. Promoting Public Notices and community consultation / engagement opportunities;~~
- ~~5. answering questions and responding to requests for information relevant to the role of the Shire of Capel; and~~
- ~~6. Receiving and responding to community feedback, ideas, comments, compliments and complaints.~~

~~The Shire of Capel's official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council. Communications will always be respectful and professional and issued at the discretion of the CEO.~~

The Shire of Capel will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

1. Website.
2. Advertising and promotional materials.
3. Media releases prepared for the Shire President, to promote specific Shire of Capel positions.
4. Social media.
5. Email; and
6. Community newsletters, letter drops and other modes of communications undertaken by the Shire of Capel's Administration.

1.2 The Shire's spokesperson ~~Speaking on behalf of the Shire of Capel~~

~~The Shire President is the official spokesperson for the Shire of Capel and may represent the Shire of Capel in official communications, including; speeches, comment, print, electronic and social media~~

The Shire President is the spokesperson for the Shire. Where the Shire President is unavailable, the Deputy President may act as the spokesperson [*Local Government Act 1995* s2.8 (1)(d)].s2.9 & 5.34, s5.41(f)].

The CEO may speak on behalf of the Shire of Capel where authorized to do so by the Shire President

~~The provisions of the *Local Government Act 1995* essentially direct that only the Shire President or the CEO when authorized, may speak on behalf of the Local Government. It is respectful and courteous to the office of Shire President to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Shire President has had opportunity to speak on behalf of the Shire of Capel.~~



Communications by Councillors and employees are encouraged to engage with Shire projects and initiatives they are committed to and become advocates for the Shire through their personal networks.

While Councillors and staff are unable to make comments on behalf of the Shire (that is the role of the spokesperson only), they can actively share Shire updates through appropriate communication channels and via attendance at community events:

1. When highlighting different voices and faces in Shire communications, it is imperative that the same key messages are used to ensure consistency in message. The Shire's position should be understood by Councillors and staff, and solidarity on Council matters is expected and essential
2. Individual views and positions on particular items are important to the democratic process and informed debate. However, once a decision has been made by Council, it is the expectation that Elected Members provide a united view.

Communications by Councillors and employees, whether undertaken in an authorised official capacity or as a personal communication, in whatever form, must not:

1. bring the Shire of Capel into disrepute;
2. compromise the person's effectiveness in their role with the Shire of Capel;
3. imply the Shire of Capel's endorsement of personal views; or
4. disclose, without authorisation, confidential information.

Social media accounts, email and unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Capel.

Councillor communications must comply with the Shire of Capel Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

1.3 Responding to media enquiries

All enquiries from the media for an official Shire of Capel comment, whether made to an individual Councillor or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Capel.

Councillors may make comments to the media in a personal capacity – refer to clause 7.1 below.

1.4 Website

The Shire of Capel will maintain an official website, as our community's principle on-line resource to access to the Shire of Capel's official communications.

Social Media Communications

1.5 Social Media Outline

The purposes of the Shire of Capel's social media communications include:

- Sharing information required by law to be publicly available.
- Sharing information that is of interest and benefit to the community.
- Promoting Shire of Capel events, activities, and services.
- Promoting community consultation / engagement opportunities.



- Answering questions and responding to requests for information relevant to the role of the Shire of Capel.
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire uses social media to facilitate interactive information sharing and to provide responsive feedback to and from our community. Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the policies, positions and codes adopted by the Council. Our communications will always be respectful, professional and must reflect the Shire's values and vision, as well as adopted Code of Conduct.

1.6 Social Media Channels

The Shire will use a combination of different communication modes in line with our Communications Strategy to suit the type of information to be communicated, engagement to be undertaken and the requirements of the community or specific audience.

The Shire of Capel maintains the following social media accounts:

- Social networks, including - Facebook and LinkedIn
- Media Sharing networks, including – Instagram and YouTube

1.7 Dealing with Negativity

The Shire actively seeks ideas, questions and feedback from our community. We expect participants to behave in a respectful manner in return. The Shire will moderate its social media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading.
- Promotional, soliciting or commercial in nature.
- Unlawful or incites others to break the law.
- Information which may compromise individual or community privacy, safety or security.
- Repetitive material copied and pasted or duplicated.
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.
- Content that violates intellectual property rights or the legal ownership of interests or another party.
- Not in accordance with any lawful requirement.
- Any other inappropriate content or comments at the discretion of the Shire.

Where a third party contributor to a Shire of Capel's social media accounts is identified as posting content which is deleted in accordance with the above, the Shire may at its absolute discretion block that contributor for a specific period of time or permanently.

1.8 Use of Social Media in Emergency Management and Response

The Shire of Capel will use the following channels to communicate and advise our community regarding Emergency Management:

- Facebook – Shire of Capel
- YouTube – Live Stream Emergency Management Meetings



1.9 Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, private messaged or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, staff and Elected Members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Elected Members Use of Social Media

1.10 Elected Member Public Statements and/or Communication on Shire Matters

An Elected Member may choose to make a personal statement or communicate publicly on a matter related to the business of the Shire of Capel.

Any public statement by an Elected Member made in a personal capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire.
2. Be made with reasonable care and diligence [*Rules of Conduct Reg.3(a)*];
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws.
4. Be factually correct [*Rules of Conduct Reg.3(b) and (f)*].
5. Avoid damage to the reputation of the local government [*Rules of Conduct Reg.3(d)*];
6. Not reflect adversely on a decision of the Council.
7. Not reflect adversely on the character or actions of another Council Member or Employee [*Rules of Conduct Reg.10(3)*]
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member [*Rules of Conduct Regs. 3(g) and 10(3), Shire of Capel Code of Conduct for Councillors. Div. 3*].

All other statements and communications are to be in accordance with the Local Government Act, Shire of Capel Communications Strategy and Shire of Capel Code of Conduct.

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public, and which breach this policy, the Shire of Capel Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a minor breach of the *Local Government Act 1995 [refer s.5.105]* and may be dealt with by the Shire under the Code of Conduct and / or lodged as a complaint.

Record Keeping and Freedom of Information

Official communications and Council member communications undertaken on behalf of the Shire, including on the Shire's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*.

These records are also subject to the *Freedom of Information Act 1992*.



10. Social media

The Shire of Capel uses Social Media to facilitate interactive information sharing and to provide responsive feedback to our community. Social Media will not however, be used by the Shire of Capel to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire of Capel maintains the following Social Media accounts:

1. Social networks, including Facebook and Instagram.

Where appropriate and authorised by the CEO, officers of the Shire of Capel may also post and contribute to social media hosted by others, so as to ensure that the Shire of Capel's strategic objectives are appropriately represented and promoted.

The Shire of Capel actively seeks ideas, questions and feedback from our community; however, we expect participants to behave in a respectful manner. The Shire of Capel will moderate its social media accounts to address and where necessary delete content which is deemed as:

2. offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
3. promotional, soliciting or commercial in nature;
4. unlawful or inciting others to break the law;
5. information which may compromise individual or community safety or security;
6. repetitive material copied and pasted or duplicated;
7. content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
8. content that violates intellectual property rights or the legal ownership of interests or another party; and
9. any other inappropriate content or comments at the discretion of the Shire of Capel.

Where a third party contributor to a Shire of Capel's social media account is identified as posting content which is deleted in accordance with the above, the Shire of Capel may at its complete discretion block that contributor for a specific period of time or permanently.

1. Contributions by the Shire President to official social media accounts

The Shire of Capel supports the Shire President in contributing to the local government's official social media account(s) to assist the Shire President in fulfilling their role under the *Local Government Act 1995* (s2.8), to speak on behalf of the local government. The content will be administered and moderated in accordance with this policy.

These official Shire of Capel accounts must not be used by the Shire President, elected members or staff for personal communications.

2. Use of social media in emergency management and response

Where authorised by the CEO, the Shire of Capel may use social media channels to communicate and advise the community regarding emergency management.

11. Record keeping and Freedom of Information

Official communications undertaken on behalf of the Shire of Capel, including the Shire of Capel's social media accounts and third party social media accounts, must be created and retained as



local government records in accordance with the Shire of Capel's Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.

12. Personal communications

Personal communications and statements made privately in conversation, written, recorded email or posted in personal social media have the potential to be made public, whether it was intended to be made public or not.

Therefore, on the basis that personal or private communications may be shared or become public at some point in the future, Councillors must ensure that their personal or private communications do not breach the requirements of this policy, the Shire of Capel Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

1. Councillor statements on Shire of Capel matters

A Councillor may choose to make a personal statement publicly on a matter related to the business of the Shire of Capel.

Any public statement made by a Councillor, whether made in a personal capacity or in their local government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire of Capel.
2. Be made with reasonable care and diligence;
3. Be lawful, including avoiding contravention of copyright, defamation, discrimination or harassment laws;
4. Be factually correct;
5. Avoid damage to the reputation of the local government;
6. Not reflect adversely on a decision of the Council;
7. Not reflect adversely on the character or actions of another Councillor or Employee; and
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Councillor, Employee or community member.

A Councillor who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public and which breach this policy, the Shire of Capel Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007* may constitute a serious breach of the *Local Government Act 1995* and may be referred for investigation.

POLICY APPLICATION

This policy applies to:

1. Communications initiated or responded to by the Shire of Capel with the community; and
2. Councillors when making comment in either their Shire of Capel role or in a personal capacity.



Background

The *Local Government Act 1995* requires the Council to determine the local government's policies. The Shire of Capel Policy 2.1 (Policy Manual) requires that these policies be reviewed by the end of every second year

Previous Council Decisions

Policy 1.12 Communications & Social Media was adopted by council in November 2018 (OCM72) Minute 72/2018, 28.11.18 and is now overdue to be reviewed again.

The Council's Communication Strategy was adopted by Council in July 2022 (OC/2022/106).

The Shire of Capel's reviewed, and updated Community Engagement Framework 2022 to 2026 was endorsed in July 2022 (OC/2022/1080).

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

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

1.1 A more engaged community

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

3.2 Effective promotion of the Shire and its towns

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

4.5 Improved customer engagement

Direction 6 – Effective communication, engagement and relationship development

6.2 Improved cross sector relationships and collaboration.

Corporate Business Plan 2022-2026

- COMM 1 - Ensure the Council's social media policies are well resourced.
- COMM 5 - Develop and implement a Communications Strategy.

Statutory Framework

Local Framework

Policy 1.12 Communications & Social Media aligns with the Council's Communications Strategy 2022, and Council's Community Engagement Framework.

State Framework

There are no State frameworks relevant to this item.

Federal Framework

There are no Federal frameworks relevant to this item.



Policy Framework

The following Shire Policies apply:

1.12 - Communication & Social Media

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Reputation Rating: Medium	Likely	Moderate	A Council position on Communications & Social Media creates a framework to project a positive and professional corporate image and promote the Shire as a future focused and responsive organisation through the application of consistent messages in a wide range of communication channels.
Risk Description: Reputation			
Opportunity: The upside risk or opportunity that could have a beneficial effect on achieving Shire objectives.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.



Consultation/Engagement

There was significant consultation with Council in the development of the Shire's first Communication Strategy. This policy reflects key recommendations and actions agreed to by Council.

Officer Comment

The reviewed Communications & Social Media Policy reflects key recommendations and actions to come out of the consultation and implementation of the Shire's Communication Strategy.

The policy has been updated to include more contemporary practices.

This policy and framework work together to ensure that the Shire is focuses on effective communication as a vital element in building a positive identity for the Shire through improved awareness of its services, activities and projects, achievements and resources. By encouraging and promoting multi layered communication, improvements can be achieved via community participation and engagement.

This policy also provides over-arching alignment to **Policy 8.5 Community Engagement**.

Collectively, both of these Policies, Communication Strategy and the Community Engagement Framework articulate the Shire's promise to the community and details what the community can expect regarding these initiatives.

Summary

The Shire of Capel Communications & Social Media Policy details the framework for communication between the Shire and its internal and external stakeholders.

The ability to provide information and community engagement opportunities actively and effectively is vital to building and promoting a positive identity and reputation for the Shire.

Proactively creating awareness of the services, projects, achievements and other activities of the Shire will present the Shire as a community participant and leader.

Voting Requirements

Simple Majority

**Officer's Recommendation – 13.4.****OC/2022/220 - Officer's Recommendation / Council Decision - 13.4**

Moved Cr Schiano, Seconded Cr Terrantroy.

That Council adopts Policy 1.12 Communications & Social Media as follows:

'Introduction

The Shire of Capel Communications & Social Media Policy details the framework for communication between the Shire and our internal and external stakeholders. The ability to provide information and community engagement opportunities actively and effectively, is vital to building and promoting a positive identity and reputation for the Shire. Proactively creating awareness of the services, projects, achievements and other activities of the Shire will present the Shire as a community participant and leader.

To achieve effective communications the Shire must regularly consult with the community, distribute regular and consistent messages and must be open and honest in all matters. We recognise the fast-paced and responsive way in which Local Government operates, and this policy seeks to bridge the gap from current practices to the aspiration of a fully connected community. We need to use all channels available to reach our audience, guided by how they like to communicate and continue to progress multiple layers of engagement. It is about using our 'owned' media to communicate clear, consistent, transparent, trusted and timely messaging.

Purpose

This policy details legislative obligations and establishes protocols applicable to the Shire of Capel's official communications with our community, to ensure the Shire is professionally and accurately represented and to maximise a positive public perception.

The policy also seeks to ensure that the Shire's reputation is enhanced through the integrity and effectiveness of communications.

This policy applies to councillors, employees, contractors, consultants and any other persons including volunteers who undertake activities for the Shire of Capel.

Policy statement

The Shire is committed to ensuring employees and Elected Members understand the Communications & Social Media Policy and expectations of them when making public comment both in their professional and personal lives.

Application

This policy applies to:

- 1. Communications initiated or responded to by the Shire of Capel with our community.**
- 2. Elected Members when making comment in either their Shire of Capel role or in a personal capacity about matters relevant to the Shire of Capel.**

Official Communications

1.1 Outline

Communication is the imparting or exchanging of information by speaking, writing, or using some other medium between a representative of the Shire and its stakeholders. Community includes all people who live, work, study or conduct business in, or who visit, use and enjoy the services, facilities and public places of the Shire of Capel.

Consultation is the provision of timely information and engagement by the Shire with its community and stakeholders (internal and external) that provides them the opportunity to respond with any con-cerns, queries of issues that can be considered or actioned before a final decision is made or imple-mented. Via this policy, the Shire aims to ensure our communications methods will:

- 1. Be regular and consistent, with the Shire communicating in a timely manner on projects and activities to all stakeholders.**
- 2. Create a positive and professional image for the Shire.**
- 3. Increase awareness of the Shire's activities, major projects and achievements**
- 4. Foster a meaningful community consultation process.**
- 5. Implement timely, regular and consistent internal communication.**
- 6. Effectively manage negative messaging**
- 7. Effectively manage unexpected crisis/disaster issues or events**
- 8. Comply with required legislation and codes of conduct.**
- 9. Use a variety of methods to communicate and to provide information in formats that accommo-date the needs of all stakeholders.**

The Shire of Capel will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

- 1. Website.**
- 2. Advertising and promotional materials.**
- 3. Media releases prepared for the Shire President, to promote specific Shire of Capel positions.**
- 4. Social media.**
- 5. Email; and**
- 6. Community newsletters, letter drops and other modes of communications undertaken by the Shire of Capel's Administration.**

1.2 The Shire's Spokesperson

The Shire President is the spokesperson for the Shire. Where the Shire President is unavailable, the Deputy President may act as the spokesperson [*Local Government Act 1995* s2.8 (1)(d)]. s2.9 & 5.34, s5.41(f)].

The CEO may speak on behalf of the Shire of Capel where authorized to do so by the Shire President

Communications by Councillors and employees are encouraged to engage with Shire projects and initiatives they are committed to and become advocates for the Shire through their personal networks.

While Councillors and staff are unable to make comments on behalf of the Shire (that is the role of the spokesperson only), they can actively share Shire updates through appropriate communication channels and via attendance at community events:

- 1. When highlighting different voices and faces in Shire communications, it is imperative that the same key messages are used to ensure consistency in message. The Shire's position should be understood by Councillors and staff, and solidarity on Council matters is expected and essential.**
- 2. Individual views and positions on particular items are important to the democratic process and informed debate. However, once a decision has been made by Council, it is the expectation that Elected Members provide a united view.**

Communications by Councillors and employees, whether undertaken in an authorised official capacity or as a personal communication, in whatever form, must not:

- 1. bring the Shire of Capel into disrepute;**
- 2. compromise the person's effectiveness in their role with the Shire of Capel;**
- 3. imply the Shire of Capel's endorsement of personal views; or**
- 4. disclose, without authorisation, confidential information.**

Social media accounts, email and unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Capel.

Councillor communications must comply with the Shire of Capel Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

1.3 Responding to media enquiries.

All enquiries from the media for an official Shire of Capel comment, whether made to an individual Councillor or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Capel.

Councillors may make comments to the media in a personal capacity – refer to clause 7.1 below.

1.4 Website

The Shire of Capel will maintain an official website, as our community's principle on-line resource to access to the Shire of Capel's official communications.

Social Media Communications

1.5 Social Media Outline

The purposes of the Shire of Capel's social media communications include:

- Sharing information required by law to be publicly available.**
- Sharing information that is of interest and benefit to the community.**
- Promoting Shire of Capel events, activities, and services.**
- Promoting community consultation / engagement opportunities.**
- Answering questions and responding to requests for information relevant to the role of the Shire of Capel.**
- Receiving and responding to community feedback, ideas, comments, compliments and complaints.**

The Shire uses social media to facilitate interactive information sharing and to provide responsive feedback to and from our community. Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the policies, positions and codes adopted by the Council. Our communications will always be respectful, professional and must reflect the Shire's values and vision, as well as adopted Code of Conduct.

1.6 Social Media Channels

The Shire will use a combination of different communication modes in line with our Communications Strategy to suit the type of information to be communicated, engagement to be undertaken and the requirements of the community or specific audience.

The Shire of Capel maintains the following social media accounts:

- **Social networks, including - Facebook and LinkedIn**
- **Media Sharing networks, including – Instagram and YouTube**

1.7 Dealing with Negativity

The Shire actively seeks ideas, questions and feedback from our community. We expect participants to behave in a respectful manner in return. The Shire will moderate its social media accounts to address and where necessary delete content deemed to be:

- **Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading.**
- **Promotional, soliciting or commercial in nature.**
- **Unlawful or incites others to break the law.**
- **Information which may compromise individual or community privacy, safety or security.**
- **Repetitive material copied and pasted or duplicated.**
- **Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.**
- **Content that violates intellectual property rights or the legal ownership of interests or another party.**
- **Not in accordance with any lawful requirement.**
- **Any other inappropriate content or comments at the discretion of the Shire.**

Where a third party contributor to a Shire of Capel's social media accounts is identified as posting content which is deleted in accordance with the above, the Shire may at its absolute discretion block that contributor for a specific period of time or permanently.

1.8 Use of Social Media in Emergency Management and Response

The Shire of Capel will use the following channels to communicate and advise our community regarding Emergency Management:

- **Facebook – Shire of Capel**
- **YouTube – Live Stream Emergency Management Meetings**

1.9 Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, private messaged or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, staff and Elected Members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Elected Members Use of Social Media

1.10 Elected Member Public Statements and/or Communication on Shire Matters

An Elected Member may choose to make a personal statement or communicate publicly on a matter related to the business of the Shire of Capel.

Any public statement by an Elected Member made in a personal capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire.
2. Be made with reasonable care and diligence [*Rules of Conduct Reg.3(a)*];
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws.
4. Be factually correct [*Rules of Conduct Reg.3(b) and (f)*].
5. Avoid damage to the reputation of the local government [*Rules of Conduct Reg.3(d)*];
6. Not reflect adversely on a decision of the Council.
7. Not reflect adversely on the character or actions of another Council Member or Employee [*Rules of Conduct Reg.10(3)*]
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member [*Rules of Conduct Regs. 3(g) and 10(3), Shire of Capel Code of Conduct for Councillors. Div. 3*].

All other statements and communications are to be in accordance with the Local Government Act, Shire of Capel Communications Strategy and Shire of Capel Code of Conduct.

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public, and which breach this policy, the Shire of Capel Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a minor breach of the *Local Government Act 1995 [refer s.5.105]* and may be dealt with by the Shire under the Code of Conduct and / or lodged as a complaint.

Record Keeping and Freedom of Information

Official communications and Council member communications undertaken on behalf of the Shire, including on the Shire's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*.

These records are also subject to the *Freedom of Information Act 1992*.'

Lost 1 / 7

For - Cr Schiano

Against - Cr Andrew, Cr Clews, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Noonan and Cr Terrantroy

Foreshadowed Motion

Cr Clews foreshadowed an alternative Communications and Social Media Policy.

Foreshadowed Motion

Moved Cr Clews, Seconded Cr Terrantroy.

That Council adopts Policy 1.12 Communications & Social Media as follows:

'Introduction

The Shire of Capel Communications & Social Media Policy details the framework for communication between the Shire and our internal and external stakeholders. The provision of information and community engagement opportunities actively and effectively, is vital to building and promoting a positive identity and reputation for the Shire.

The Shire must regularly inform, create awareness, consult with the community, distribute regular and consistent messages and must be open and honest in all matters to achieve effective communications.

We recognise the fast-paced and responsive way in which local government operates, and this policy seeks to enable a community that is fully connected with the Shire. We need to use all channels available to reach our audience, guided by how they like to communicate and continue to progress multiple layers of engagement.

Success will be achieved by using our 'owned' media to communicate clear, consistent, transparent, trusted and timely messaging.

Purpose

This policy details legislative obligations and establishes protocols applicable to our official communications with our community, to ensure the Shire of Capel is professionally and accurately represented and to maximise a positive public perception.

The policy also seeks to ensure that the Shire's reputation is enhanced through the integrity and effectiveness of communications.

This policy applies to Councillors, employees, contractors, consultants and any other persons including volunteers who undertake activities for the Shire of Capel.

Policy statement

The Shire is committed to ensuring employees and Councillors understand the Communications & Social Media Policy and expectations of them when making public comment both in their representative and personal capacity.



Application

This policy applies to:

1. Communications initiated or responded to by the Shire of Capel with our community; and
2. Councillors when making comment in either their Shire of Capel representative role or in a personal capacity about matters relevant to the Shire of Capel.

Official Communications

1.1 Outline

Communication is the imparting or exchanging of information by speaking, writing, or using other medium between a representative of the Shire, stakeholders and the broader community. Community includes all people who live, work, study or conduct business in, or who visit, use and enjoy the services, facilities and public places of the Shire of Capel.

Consultation is the provision of timely information and engagement by the Shire with the community and stakeholders (internal and external) that provides them the opportunity to provide ideas and feedback, respond with any concerns, and query issues that will be considered or actioned, before a final decision is made or implemented.

Via this policy, the Shire aims to ensure our communications methods will:

1. Comply with required legislation and codes of conduct.
2. Be regular and consistent, with the Shire communicating in a timely manner on projects and activities to all stakeholders.
3. Create a positive and professional image for the Shire.
4. Increase awareness of the Shire's activities, major projects and achievements.
5. Foster a meaningful community consultation process.
6. Implement timely, regular and consistent internal communication.
7. Effectively manage negative messaging.
8. Effectively manage unexpected crisis/disaster issues or events; and
9. Use a variety of methods to communicate and to provide information in formats that accommo-date the needs of all stakeholders.

The Shire of Capel will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

1. Website.
2. Advertising and promotional materials.
3. Media releases prepared for the Shire President, to promote specific Shire of Capel positions.
4. Social media.
5. Email; and
6. Community newsletters, letter drops and other modes of communications undertaken by the Shire of Capel's Administration.

1.2 The Shire of Capel's Spokesperson

The Shire President is the spokesperson for the Shire. Where the Shire President is unavailable, the Deputy President may act as the spokesperson [*Local Government Act 1995* s2.8 (1)(d)]. s2.9 & 5.34, s5.41(f)].



The CEO may speak on behalf of the Shire of Capel where authorized to do so by the Shire President

1.3 Responding to Media Enquiries

All enquiries from the media for an official Shire of Capel comment, whether made to an individual Councillor or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Capel.

Councillors may communicate and make comments with reference to clauses 1.6 and 1.7 below.

1.4 Website

The Shire of Capel will maintain an official website, as our community's principle on-line resource to access to the Shire of Capel's official communications.

1.5 Dealing with Negativity

The Shire actively seeks ideas, questions and feedback from our community. We expect participants to behave in a respectful manner in return. The Shire will moderate our social media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading.
- Promotional, soliciting or commercial in nature.
- Unlawful or incites others to break the law.
- Information which may compromise individual or community privacy, safety or security.
- Repetitive material copied and pasted or duplicated.
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.
- Content that violates intellectual property rights or the legal ownership of interests or another party.
- Not in accordance with any lawful requirement.
- Any other inappropriate content or comments at the discretion of the Shire.

Councillor and Staff Communications

1.6 Councillor Public Statements and/or Communication on Shire Matters

Communications by Councillors and employees is encouraged to promote Shire projects and initiatives they are committed to, as well as being advocates for the Shire through their personal networks.

Councillors are also encouraged to actively share Shire-driven communications, information and updates through appropriate channels and via attendance at community events, to ensure consistency in messaging to the community.

Communications by Councillors and employees, whether undertaken in an authorised official capacity or as personal communication, in whatever form, must not:

1. Bring the Shire of Capel into disrepute;
2. Compromise the person's effectiveness in their role with the Shire of Capel;
3. Imply the Shire of Capel's endorsement of personal views; or
4. Disclose, without authorisation, confidential information.



Social media accounts, email and unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Capel.

A Councillor may choose to make a personal statement or communicate publicly on a matter related to the business of the Shire of Capel. Any public statement by a Councillor made in a personal capacity, must:

- 1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire.**
- 2. Be made with reasonable care and diligence [*Rules of Conduct Reg.3(a)*];**
- 3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws.**
- 4. Be factually correct [*Rules of Conduct Reg.3(b) and (f)*].**
- 5. Avoid damage to the reputation of the local government [*Rules of Conduct Reg.3(d)*];**
- 6. Not reflect adversely on a decision of the Council.**
- 7. Not reflect adversely on the character or actions of another Council Member or Employee [*Rules of Conduct Reg.10(3)*]**
- 8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member [*Rules of Conduct Regs. 3(g) and 10(3), Shire of Capel Code of Conduct for Councillors. Div. 3*].**

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Councillors are to understand the Council's position on particular matters and ensure compliance with the Shire of Capel Communications Strategy, Shire of Capel Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007* in all communications, whether representative or personal.

Employees are to understand the Council's position on particular matters and ensure compliance with the Shire of Capel Staff Code of Conduct in all communications, whether representative or personal.

1.7 Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, private messaged or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Councillors should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Staff are to ensure that their personal or private communications do not breach the requirements of this policy or the Shire of Capel Staff Code of Conduct.

Social Media Communications

1.8 Social Media Outline

The purposes of the Shire of Capel's social media communications include:

- Sharing information required by law to be publicly available.**
- Sharing information that is of interest and benefit to the community.**



- Promoting Shire of Capel events, activities, and services.
- Promoting community consultation / engagement opportunities.
- Answering questions and responding to requests for information relevant to the role of the Shire of Capel.
- Where appropriate receiving and responding to community feedback, ideas, comments, compliments and complaints.

The Shire uses social media to facilitate interactive information sharing and to provide official and responsive feedback to and from our community.

Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the policies, positions and codes adopted by the Council.

Our communications will always be respectful, professional and must reflect the Shire's values and vision, as well as adopted Code of Conduct.

1.9 Social Media Channels

The Shire will use a combination of different communication modes in line with our Communications Strategy to suit the type of information to be communicated, engagement to be undertaken and the requirements of the community or specific audience.

The Shire of Capel maintains the following social media accounts:

- Social networks, including - Facebook and LinkedIn
- Media Sharing networks, including – Instagram and YouTube

Where a third party contributor to a Shire of Capel's social media accounts is identified as posting content which is deleted in accordance with the above, the Shire may at our absolute discretion block that contributor for a specific period of time or permanently.

1.10 Use of Social Media in Emergency Management and Response

The Shire of Capel will use the following channels to communicate and advise our community regarding Emergency Management:

- Facebook – Shire of Capel
- YouTube – Live Stream Emergency Management Meetings

Record Keeping and Freedom of Information

Official communications and Council member communications undertaken on behalf of the Shire, including on the Shire's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*.

These records are also subject to the *Freedom of Information Act 1992*.



OC/2022/249 - Amendment / Council Decision - 13.4

Moved Cr Terrantroy, Seconded Cr Clews.

To remove the wording in 1.6, paragraph 2:

'to ensure consistency in messaging to the community.'

Carried 7 / 0

For - Cr Andrew, Cr Dillon, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan and Cr Schiano

Against - Nil

The amendment became the substantive motion.

OC/2023/7 - Officer's Recommendation / Council Decision - 13.4

Moved Cr Clews, Seconded Cr Terrantroy.

That Council adopts Policy 1.12 Communications & Social Media as follows:

'Introduction

The Shire of Capel Communications & Social Media Policy details the framework for communication between the Shire and our internal and external stakeholders. The provision of information and community engagement opportunities actively and effectively, is vital to building and promoting a positive identity and reputation for the Shire.

The Shire must regularly inform, create awareness, consult with the community, distribute regular and consistent messages and must be open and honest in all matters to achieve effective communications.

We recognise the fast-paced and responsive way in which local government operates, and this policy seeks to enable a community that is fully connected with the Shire. We need to use all channels available to reach our audience, guided by how they like to communicate and continue to progress multiple layers of engagement.

Success will be achieved by using our 'owned' media to communicate clear, consistent, transparent, trusted and timely messaging.

Purpose

This policy details legislative obligations and establishes protocols applicable to our official communications with our community, to ensure the Shire of Capel is professionally and accurately represented and to maximise a positive public perception.

The policy also seeks to ensure that the Shire's reputation is enhanced through the integrity and effectiveness of communications.

This policy applies to Councillors, employees, contractors, consultants and any other persons including volunteers who undertake activities for the Shire of Capel.

Policy statement

The Shire is committed to ensuring employees and Councillors understand the Communications & Social Media Policy and expectations of them when making public comment both in their representative and personal capacity.

Application

This policy applies to:

- 1. Communications initiated or responded to by the Shire of Capel with our community; and**
- 2. Councillors when making comment in either their Shire of Capel representative role or in a personal capacity about matters relevant to the Shire of Capel.**

Official Communications

1.1 Outline

Communication is the imparting or exchanging of information by speaking, writing, or using other medium between a representative of the Shire, stakeholders and the broader community. Community includes all people who live, work, study or conduct business in, or who visit, use and enjoy the services, facilities and public places of the Shire of Capel.

Consultation is the provision of timely information and engagement by the Shire with the community and stakeholders (internal and external) that provides them the opportunity to provide ideas and feedback, respond with any concerns, and query issues that will be considered or actioned, before a final decision is made or implemented.

Via this policy, the Shire aims to ensure our communications methods will:

- 1. Comply with required legislation and codes of conduct.**
- 2. Be regular and consistent, with the Shire communicating in a timely manner on projects and activities to all stakeholders.**
- 3. Create a positive and professional image for the Shire.**
- 4. Increase awareness of the Shire's activities, major projects and achievements.**
- 5. Foster a meaningful community consultation process.**
- 6. Implement timely, regular and consistent internal communication.**
- 7. Effectively manage negative messaging.**
- 8. Effectively manage unexpected crisis/disaster issues or events; and**
- 9. Use a variety of methods to communicate and to provide information in formats that accommodate the needs of all stakeholders.**

The Shire of Capel will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

1. Website.
2. Advertising and promotional materials.
3. Media releases prepared for the Shire President, to promote specific Shire of Capel positions.
4. Social media.
5. Email; and
6. Community newsletters, letter drops and other modes of communications undertaken by the Shire of Capel's Administration.

1.2 The Shire of Capel's Spokesperson

The Shire President is the spokesperson for the Shire. Where the Shire President is unavailable, the Deputy President may act as the spokesperson [*Local Government Act 1995* s2.8 (1)(d)]. s2.9 & 5.34, s5.41(f)].

The CEO may speak on behalf of the Shire of Capel where authorized to do so by the Shire President

1.3 Responding to Media Enquiries

All enquiries from the media for an official Shire of Capel comment, whether made to an individual Councillor or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Shire President or CEO (where authorised) to make an official response on behalf of the Shire of Capel.

Councillors may communicate and make comments with reference to clauses 1.6 and 1.7 below.

1.4 Website

The Shire of Capel will maintain an official website, as our community's principle on-line resource to access to the Shire of Capel's official communications.

1.5 Dealing with Negativity

The Shire actively seeks ideas, questions and feedback from our community. We expect participants to behave in a respectful manner in return. The Shire will moderate our social media accounts to address and where necessary delete content deemed to be:

- Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading.
- Promotional, soliciting or commercial in nature.
- Unlawful or incites others to break the law.
- Information which may compromise individual or community privacy, safety or security.
- Repetitive material copied and pasted or duplicated.
- Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot.

- Content that violates intellectual property rights or the legal ownership of interests or another party.
- Not in accordance with any lawful requirement.
- Any other inappropriate content or comments at the discretion of the Shire.

Councillor and Staff Communications

1.6 Councillor Public Statements and/or Communication on Shire Matters

Communications by Councillors and employees is encouraged to promote Shire projects and initiatives they are committed to, as well as being advocates for the Shire through their personal networks.

Councillors are also encouraged to actively share Shire-driven communications, information and updates through appropriate channels and via attendance at community events.

Communications by Councillors and employees, whether undertaken in an authorised official capacity or as personal communication, in whatever form, must not:

- 1. Bring the Shire of Capel into disrepute;**
- 2. Compromise the person's effectiveness in their role with the Shire of Capel;**
- 3. Imply the Shire of Capel's endorsement of personal views; or**
- 4. Disclose, without authorisation, confidential information.**

Social media accounts, email and unsecured website forums must not be used to transact meetings which relate to the official business of the Shire of Capel.

A Councillor may choose to make a personal statement or communicate publicly on a matter related to the business of the Shire of Capel. Any public statement by a Councillor made in a personal capacity, must:

- 1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Shire.**
- 2. Be made with reasonable care and diligence [*Rules of Conduct Reg.3(a)*];**
- 3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws.**
- 4. Be factually correct [*Rules of Conduct Reg.3(b) and (f)*].**
- 5. Avoid damage to the reputation of the local government [*Rules of Conduct Reg.3(d)*];**
- 6. Not reflect adversely on a decision of the Council.**
- 7. Not reflect adversely on the character or actions of another Council Member or Employee [*Rules of Conduct Reg.10(3)*]**
- 8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member [*Rules of Conduct Regs. 3(g) and 10(3), Shire of Capel Code of Conduct for Councillors. Div. 3*].**

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Councillors are to understand the Council's position on particular matters and ensure compliance with the Shire of Capel Communications Strategy, Shire of Capel Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007* in all communications, whether representative or personal.

Employees are to understand the Council's position on particular matters and ensure compliance with the Shire of Capel Staff Code of Conduct in all communications, whether representative or personal.

1.7 Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, private messaged or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Councillors should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

Staff are to ensure that their personal or private communications do not breach the requirements of this policy or the Shire of Capel Staff Code of Conduct.

Social Media Communications

1.8 Social Media Outline

The purposes of the Shire of Capel's social media communications include:

- **Sharing information required by law to be publicly available.**
- **Sharing information that is of interest and benefit to the community.**
- **Promoting Shire of Capel events, activities, and services.**
- **Promoting community consultation / engagement opportunities.**
- **Answering questions and responding to requests for information relevant to the role of the Shire of Capel.**
- **Where appropriate receiving and responding to community feedback, ideas, comments, compliments and complaints.**

The Shire uses social media to facilitate interactive information sharing and to provide official and responsive feedback to and from our community.

Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person's or entity's private affairs.

The Shire's official communications will be consistent with relevant legislation, policies, standards and the policies, positions and codes adopted by the Council.

Our communications will always be respectful, professional and must reflect the Shire's values and vision, as well as adopted Code of Conduct.

1.9 Social Media Channels

The Shire will use a combination of different communication modes in line with our Communications Strategy to suit the type of information to be communicated, engagement to be undertaken and the requirements of the community or specific audience.

The Shire of Capel maintains the following social media accounts:

- Social networks, including - Facebook and LinkedIn
- Media Sharing networks, including – Instagram and YouTube

Where a third party contributor to a Shire of Capel's social media accounts is identified as posting content which is deleted in accordance with the above, the Shire may at our absolute discretion block that contributor for a specific period of time or permanently.

1.10 Use of Social Media in Emergency Management and Response

The Shire of Capel will use the following channels to communicate and advise our community regarding Emergency Management:

- Facebook – Shire of Capel
- YouTube – Live Stream Emergency Management Meetings

Record Keeping and Freedom of Information

Official communications and Council member communications undertaken on behalf of the Shire, including on the Shire's Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire's Record Keeping Plan and the *State Records Act 2000*.

These records are also subject to the *Freedom of Information Act 1992*.

Carried 6 / 1

For - Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Cr Andrew



14. Infrastructure and Development Reports

14.1. Review of Delegation 166 - Town Planning

Author	Manager Development Services, Scott Price
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Review
Attachments	1. Revised Version of Delegation – 166 Town Planning. 2. Current Version of Delegation – 166 Town Planning.
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Present revised version of Delegation 166 Town Planning to Council for review and adoption to replace the existing version and ensure decisions can continue to be made in alignment to the legal capabilities of the Shire.

Officer's Recommendation

That Council endorse the changes to Delegation 166 Town Planning outlined in Attachment 14.1.1 to come into effect on the date of gazettal of Draft Local Planning Scheme No. 8.

Background

Shire Officers met in June 2022 to discuss potential changes to sub delegations in Delegation 166 Town Planning. These sub delegations had authority to be signed off by the Shire's Chief Executive Officer, rather than needing to be presented to Council for consideration prior.

The sub delegations at the time were complex in their interpretation and structured in a manner that provided minimal responsibility for the Planning Coordinators when it came to determining applications. Some anomalies in the delegation prior to being changed included:

- The approval of a rural shed under delegated authority being restricted to the Manager Development Services. Planning Coordinators were limited to approving a shed only when the property was zoned Residential.
- The Planning Coordinators were not able to approve a change of use under delegated authority.

The sub delegations were changed to state the following:

- *Director Infrastructure and Development*
- *Manager Development Services*
- *Planning Coordinator limited to:*
 - o *Development with an estimated cost of up to \$1.5 million*
 - o *P, A, and D land uses*
 - o *Development on land zoned under the Local Planning Scheme, except for development on land zoned 'General Industry,' 'Private Community Purposes,' or 'Local Reserve.'*

The purpose of these amendments to the delegation were to simplify the existing delegations to assist new staff members and provide a greater level of responsibility to the Planning Coordinators.



Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

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

- 4.1 Effective and compliant governance
- 4.2 Informed and transparent decision making
- 4.3 Contemporary planning and local development

Corporate Business Plan 2022-2026

PLN 4 - Review and prepare new planning delegations to support Local Planning Scheme No.8.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

There are no state frameworks relevant to this item.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

There are no Council policies relevant to this subject.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Legislative Compliance Rating: High	Likely	Major	To adopt the revised Planning Delegation to implement and enforce contemporary planning framework.
Risk Description: Failure to adopt the revised Planning Delegation will disallow Shire Officers and Council to make lawful decisions on planning matters, given the references to decisions being made on a soon-to-be superseded Town Planning Scheme in the current Delegation Register version.			



Risk	Likelihood	Consequence	Mitigation
Risk 2 Reputation Rating: High	Likely	Major	To adopt the revised Planning Delegation to implement and enforce contemporary planning framework.
Risk Description: Should the Planning Delegation remain as per the existing revision, the Shire will not legally determine planning applications or referrals until the Delegation Register is updated. This has the potential to result in a considerable number of applications exceeding the 90-day statutory timeframes associated with decision-making, and as such, the Shire may experience a greater number of State Administrative Tribunal appeals by virtue of the deemed refusal process.			
Opportunity: To effectively and legally implement the planning provisions contained within the new Local Planning Scheme No. 8 and Local Planning Policies.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Officer Comment

The Council is requested to endorse the revised version of Delegation - 166 Town Planning to coincide with the introduction of Local Planning Scheme No. 8 (LPS8). The existing version of Delegation - 166 Town Planning at present contains references to outgoing planning framework, which will effectively become null and void when LPS8 is formally gazetted.



By virtue of this occurring, Delegation 166 will become outdated, meaning that the Shire and delegated Officers will not be able to legally make planning decisions because of the way the authority under 'Powers and Duties' has been written.

Administrative Amendments

References to Scheme

The current version of Delegation - 166 Town Planning contains several references to the Shire's existing Town Planning Scheme No. 7, including the authority to exercise any of the Council's powers or the discharge of any of Council's duties under that planning instrument.

Should the Delegation fail to be updated to reflect the wording of Local Planning Scheme No. 8, the Shire will not have legal authority to determine planning applications, due to the wording within the current version being inconsistent with the title of the new Planning Scheme (Local Planning Scheme No. 8).

Position Titles

The administrative amendments extend to the renaming of outdated Officer position titles, such as the reference to 'Coordinators (both Statutory and Strategic)'. The two positions have since been merged to create a position with the title 'Planning Coordinator.' Additionally, the Shire's recent restructuring has resulted in several positions being retitled. Changes have been made to the titles contained in 'Subdivision and Amalgamation.' The previous title of Manager Technical Services is now 'Manager Projects Engineering and Assets,' whilst the previous Coordinator Engineering role is now retitled as 'Coordinator Engineering and Technical Services.'

Delegation Sectional Titles

The title within the Delegation of 'Structure Plans' had been amended to read as 'District/Local/Precinct Structure Plans' to reflect the more contemporary wording associated with this statutory planning function.

Anomalies

Anomalies within the existing version of the delegation include the following:

- Absence of applications being made under the Greater Bunbury Region Scheme (GBRS) being processed, advertised, and determined by Shire Officers; and
- Spelling errors, such as reference to 'Manger' as opposed to 'Manager.'

Introduction of Sub Delegation to Shire Officers – Use Not Listed

Under the current version of Delegation – 166 Town Planning, Shire Officers do not have authority to determine planning applications for a 'Use Not Listed.' The general reasoning for this is that such applications vary considerably in nature and contain an element of risk that should ultimately sit with the Council. The suitability of the activity is often difficult to determine, as there is no guidance for these activities within the scheme's Zoning Table for land use permissibility. Further to this, the existing Town Planning Scheme No. 7 has become quite outdated, and as such, meant that several prevalent land uses within the current context were not forming part of the scheme's zoning table.

The revised version of Delegation - 166 Town Planning seeks to recommend removing the need for Council to determine planning applications for a 'Use Not Listed.' The rationale for this recommendation is that the Shire's Local Planning Scheme No. 8 is a far more comprehensive planning tool with a greater number of land uses prescribed in the Zoning Table to accommodate for contemporary land use matters. As such, the Shire Officers expect the commonality of 'Use Not Listed' applications to become less once LPS8 is gazetted.



Inclusion of a Significant Trees and Non-Conforming Use Delegation

Introducing Local Planning Scheme No. 8 and draft Local Planning Policies will result in additional planning controls to the current framework.

Significant Trees

Schedule A – Supplemental provisions to the deemed provisions, clause 13A of the Shire of Capel Local Planning Scheme No.8 (LPS8) is a statutory function that creates a Shire register for significant trees. This register is to identify and protect trees in the Shire worthy of protection. LPS8 also sets out provisions for the administration of the Significant Tree Register (the Register) and requirements for development proposals that may affect trees on the Register.

This Local Planning Policy seeks to complement the provisions in the Scheme by defining criteria for the inclusion or removal of trees on the Shire's Significant Trees Register ('the Register') and providing guidance for the assessment of development applications for sites including trees listed on the Register.

Adding the Significant Trees to the delegation would see the addition and revocation of trees to the register reserved for Council decision making. However, the revised delegation has been written in a manner to allow for the Director Infrastructure and Development, and the Manager Development Services to process, advertise, and determine Development Applications affecting sites that contain a Significant Tree within the Shire's Register.

Non-Conforming Uses

As part of transitioning towards a new Local Planning Scheme, the rezoning of a specific area within the Shire will have implications on the permissibility of existing land uses. Land uses in certain cases approved and existing under the Town Planning Scheme No. 7 will be non-conforming land uses under their respective LPS8 scheme zones. As an example, a common scenario for non-conforming land use under the new LPS8 are the Single Houses that reside within the Commercial Mixed Use zones within the Boyanup townsite.

As such, the Shire is limited in its current delegation to determine development applications on sites containing non-conforming uses. The revised delegation proposes that sub-delegation is extended to the Director Infrastructure and Development, and the Manager Development Services for the processing, advertising, and determination of Development Applications for changes to non-conforming uses. However, the following exclusions to Delegated Authority would apply:

- a) *The granting of development approval for the change of use of land from a non-conforming use to another use that is not permitted by the Scheme.*
- b) *The adoption of a register of land within the Scheme Area used for a non-conforming use.*
- c) *The entry, removal or modification of a non-conforming land use that is on the Shire's Register of Non-conforming uses.*

The Shire Officers believe this is an appropriate level of responsibility to be sub-delegated, whilst also finding balance in the Council's need to determine matters of a more serious consequence.

Introduction of Sub Delegation to Shire Officers – Minor Modifications to Local Planning Policies,

Development Services are currently required to present a report to Council to request modifications be made to Local Planning Policies. This includes any minor modifications that are either administrative or seek to reword specific clauses which may have been superseded by legislative changes. These limitations could lead to numerous Development Applications being unable to be determined under Delegated Authority, should a Local Planning Policy provision be altered or deemed inconsistent by virtue of legislative changes.



The intent of introducing sub delegations to the Director Infrastructure and Development, and the Manager Development Services is to enable correction or revisions to occur without the need for a Council report to be presented. The intention is that significant modifications that result in the overall intent and objectives of each Local Planning Policy being changed will warrant a report to be presented to Council.

Summary

Overall, the Delegation Register of Delegation 166 Town Planning must be updated for the Shire to legally enforce planning framework and to determine or provide recommendations for planning matters. Without endorsing such changes, the Shire's Development Services would lose the ability to determine or make recommendations on planning matters, and as such, the Shire will experience a greater number of State Administrative Tribunal appeals by virtue of the deemed refusal process. It would also erode the intent and integrity of the imminent Local Planning Scheme No. 8 and the ability for Shire Officers to enforce development provisions to guide built form outcomes.

Furthermore, the Council are being asked to consider a series of changes to improve the level of sub delegation being extended to Shire Officers. Such inclusions into the sub delegation include the minor modifications to Local Planning Policies, ability to determine 'Use Not Listed' applications, and the determination of applications which involve a site that is either identified as a non-conforming land use or contains a significant tree. Entrusting the Shire Officers with determining such applications will assist Development Services by reducing the administrative burden and timeframes associated with bringing planning reports to Ordinary Council Meetings.

Voting Requirements

Absolute Majority

Officer's Recommendation – 14.1.

OC/2023/8 - Alternative Motion / Council Decision - 14.1

Moved Cr Andrew, Seconded Cr McCleery.

That Council endorses the changes to Delegation 166 Town Planning outlined in the Alternative Attachment 14.1.2 to come into effect on the date of gazettal of Draft Local Planning Scheme No. 8.

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



14.2. Policy Review - Trading in Public Places

Author	Principal Environmental Health Officer, Naomi Milner
Authorising Officer	Director Infrastructure Development, Tanya Gillett
Nature of the Decision	Review
Attachments	<ol style="list-style-type: none">1. Policy Trading in Public Places - For adoption [14.2.1 - 7 pages]2. Policy Trading and operating a stall in public places - To revoke [14.2.2 - 4 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Item 14.2 Policy Review – Trading in Public Places was withdrawn from the Agenda.



15. Community and Corporate Reports

15.1. Policy Review - Investment of Funds

Author	Manager Finance, Andrew Mataboni
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Review
Attachments	None
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Review and endorse the Investment of Funds Council Policy that ensures funds that are surplus to the Council's immediate requirements, are invested in a responsible manner which conforms with applicable legislation.

Officer's Recommendation

That Council endorses the reviewed and amended Investment of Funds Policy.

'Introduction

Council and staff have an obligation to ensure that funds that are surplus to the Council's immediate requirements are invested in a responsible manner **and can provide an increase in the cash return on investment.**

This Policy has been developed to ensure that Council conforms with its fiduciary responsibilities under the:

- *Local Government Act 1995* Section 6.14.
- *Local Government (Financial Management) Regulation 1996* – Regulation 19, Regulation 19C, Regulation 28 and Regulation 49.
- Australian Accounting Standards.
- *Trustees Act 1962* Part III.

Purpose

1. **Manage** the investment of funds in a prudent manner resulting in **financial** risk being minimised.
2. Achieve a high level of security by using recognised **investment return** rating criteria.
3. Have **ready flexible** access to **investment** funds for day-to-day requirements, without penalty.
4. Have **secure internal** control procedures to ensure the **monitoring of each investment through** identification, nature, and location of all investments, **and including the** transactional **details** related to each investment.



Policy statement

1. Council will adopt a conservative investment approach to ensure investment capital is preserved and funds are always available in the short term.
2. While exercising the power to invest, consideration will be given in preservation of capital, liquidity, and the return of investment:
 - a. Preservation of capital is the principal objective of the investment portfolio. Investments are to be made in a manner that seeks to ensure security and safeguard the investment portfolio. This includes managing credit and interest risk within identified thresholds and parameters.
 - b. The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.
 - c. ~~The investment is expected to achieve a predetermined market average rate of return that takes into account the Council's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.~~ **Three quotations shall be obtained from authorised institutions when an investment is proposed. The best quotation will be accepted after allowing for banking, administrative, transactional costs and exposure limitations.**
3. Authority for implementation of the Investment of Funds Policy is delegated by Council to the Chief Executive Officer (CEO) in accordance with the *Local Government Act 1995*. Authorisation of investments that meet the requirements of this policy are to comply with the authorisation of payments policy. Investment transfers will require the signature of two authorised signatories. For authorisation of investments one of the two signatories is to be the CEO, Director Community & Corporate or Manager Finance.
4. Investments will be managed with the care, diligence, and skill that a prudent person would exercise. Employees are to manage the investment portfolios to safeguard the portfolios in accordance with the spirit of this Policy, and not for speculative purposes.
5. Officers shall refrain from personal activities that would conflict with the proper execution and management of **the** Council's investment portfolio. This Policy requires Officers to disclose any conflict of interest to the CEO in accordance with the Shire of Capel Code of Conduct.
6. Trust funds will be invested in accordance with the *Trustees Act 1962*. Acceptable methods are term deposits, cash deposits and Government guaranteed State Bonds issued by the WA Treasury Corporation.
7. Council investments are to be assessed in accordance with Standard & Poor's rating agency. A Standard & Poor's (S&P) credit rating is a current opinion of overall financial capacity to meet financial obligations. Investments that are assessed by S&P to have a rating of less than BBB are regarded as speculative, and **the** Council will not invest in these products or with these organisations.



8. Council Municipal direct investments are limited to the following:
- Interest bearing Deposits with Authorised Deposit Taking Institutions as defined in the Banking Act 1959 (Commonwealth) or the Western Australian Treasury Corporation.
 - ~~Commercial Bank Bills; or~~
 - Bonds guaranteed by the Commonwealth Government, or a State or Territory Government.
9. In accordance with **the Local Government (Financial Management) Regulations 1996**, this policy prohibits the investment of money:
- With an institution other than an authorised deposit taking institution as defined in the *Banking Act 1959* (Commonwealth), or the Western Australian Treasury Corporation.
 - In bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government.
 - In bonds with a term to maturity of more than 3 years.
 - In a foreign currency.

Although the Regulations permit the investment of funds for up to a period of 3 years, this Policy restricts Shire of Capel investments to a term of 1 year or less (clause 11 Term to Maturity Framework).

10. This investment policy prohibits any investment carried out for speculative purposes including:
- Derivative based instruments **such as mortgage and asset backed securities.**
 - Principal only investments or securities that provide potentially nil or negative cash flow.
 - Standalone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

This policy prohibits the use of leveraging (borrowing to invest) of an investment.

11. Investments obtained are to comply with three key criteria relating to:
- Portfolio Credit Framework: limit overall credit exposure of the portfolio.
 - Counterparty Credit Framework: limit exposure to individual counterparties/institutions.
 - Term to Maturity Framework: limits based upon maturity of securities.

Portfolio Credit Framework

For bonds guaranteed by the Commonwealth Government, or a State or Territory Government, the credit rating allowable will be that of the guaranteeing government.



Limits to overall credit exposure:

Maximum Exposure as a % of Total Investment Portfolio	Minimum Long Term Credit Rating (Standard & Poor's)	Minimum Short Term Credit Rating (Standard & Poor's)
100%	AAA	A-1+
100%	AA	A-1
60%	A	A-2
30%	BBB	A-2

Counterparty Credit Framework

Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

Direct Investment Maximum %	S&P Long Term Rating	S&P Short Term Rating
100%	AAA	A-1+
60%	AA	A-1
40%	A	A-2
30%	BBB	A-2

Term to Maturity Framework

Portfolio Term to Maturity	Min	Max
% <= 1 year	100%	100%
% <= 1 year	Min 100%	Max 100%
1 year < % <= 3 years	0%	0%

12. Investment returns will be reported to the Ordinary Meeting of Council each month through the presentation of the monthly financial statements and included in the minutes of the meeting. The report will provide details on the investment portfolio including interest rate earned, maturity date, percentage exposure of total portfolio and interest earned.
13. A list of investment transfers is to be included in the list of accounts presented at the next Ordinary Meeting of Council to be received and included in the minutes of the meeting.
14. Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.
15. The use of an investment advisor must be approved by **the** Council and must be licenced by the Australian Securities and Investment Commission. The advisor must be an independent person or organisation who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the Investment Policy.



16. The exception to this Policy is the parcel of shares in the Donnybrook Capel Districts Community Bank held by **the** Council. The investment was made by a Council resolution and any variation to this investment will require a further Council resolution.

Application

The application of this Policy is to be considered in conjunction with the associated finance related policies.'

Background

The *Local Government Act 1995* (the Act) requires the Council to determine the local government's policies. The Shire of Capel Policy Framework Policy requires policies to be reviewed in line with the Shire's Risk Management Framework. The review ensures policies remain relevant, reflecting any recent legislative changes or current trends and follows best practice.

Previous Council Decisions

This policy was last presented to the Council on 22 November 2017 (OC1108) with changes made to improve clarity, reflect changes in the *Local Government Act 1995* and financial regulations and provide consistency with current financial practices.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

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

4.1 Effective and compliant governance.

4.2 Informed and transparent decision making.

Corporate Business Plan 2022-2026

FIN 2 - Manage and investigate financial investment models to maximise benefit to the Council.

Statutory Framework

Local Framework

Policy Investment of Funds.

State Framework

Local Government Act 1995 S6.14.

Local Government (Financial Management) Regulation 1996 – Regulation 19, 19C, 28 and 49.

Trustees Act 1962 Part III

Federal Framework

Australian Accounting Standards.



Policy Framework

The following Shire Policies apply:

- Investment of Funds

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium Financial Rating: Medium	Unlikely	Moderate	Restrict investments credit exposure. Restrict individual institution exposure.
Risk Description: Loss of investment funds through institution failure.			
Opportunity: Limit the amount of financial loss and maintain market level investment returns.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.



Consultation/Engagement

External Consultation

Review other local government investment policies.

Internal Consultation

Policy review discussions with Manager Finance and Director Community and Corporate.

Officer's Comment

The Investment of Funds Policy is designed to achieve a conservative and flexible investment approach to ensure investment capital is preserved and funds are available for cashflow purposes in the short term.

Restrictions on investments are applied by the Policy in line with the Council's requirements and conformance to relevant legislation and contemporary investment practices.

The Policy reflects internal processes for recording, reporting of investment balances and transactions, whilst enabling Officers to maximise a return on investment of the Shire's surplus funds.

Voting Requirements

Simple Majority.

Officer's Recommendation – 15.1.

OC/2023/9 - Officer's Recommendation / Council Decision- 15.1

Moved Cr Schiano, Seconded Cr Noonan.

That Council endorses the reviewed and amended Investment of Funds Policy.

'Introduction

Council and staff have an obligation to ensure that funds that are surplus to the Council's immediate requirements are invested in a responsible manner and could provide an increase in the cash return on investment.

This Policy has been developed to ensure that Council conforms with its fiduciary responsibilities under the:

- **Local Government Act 1995 Section 6.14.**
- **Local Government (Financial Management) Regulation 1996 – Regulation 19, Regulation 19C, Regulation 28 and Regulation 49.**
- **Australian Accounting Standards.**
- **Trustees Act 1962 Part III.**

Purpose

1. Manage the investment of funds in a prudent manner resulting in financial risk being minimised.
2. Achieve a high level of security by using recognised investment return rating criteria.
3. Have ready flexible access to investment funds for day-to-day requirements, without penalty.
4. Have secure internal control procedures to ensure the monitoring of each investment through identification, nature, and location of all investments, and including the transactional details related to each investment.

Policy statement

1. Council will adopt a conservative investment approach to ensure investment capital is preserved and funds are always available in the short term.
2. While exercising the power to invest, consideration will be given in preservation of capital, liquidity, and the return of investment:
 - a. Preservation of capital is the principal objective of the investment portfolio. Investments are to be made in a manner that seeks to ensure security and safeguard the investment portfolio. This includes managing credit and interest risk within identified thresholds and parameters.
 - b. The investment portfolio will ensure there is sufficient liquidity to meet all anticipated cash flow requirements as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.
 - c. Three quotations shall be obtained from authorised institutions when an investment is proposed. The best quotation will be accepted after allowing for banking, administrative, transactional costs and exposure limitations.
3. Authority for implementation of the Investment of Funds Policy is delegated by Council to the Chief Executive Officer (CEO) in accordance with the *Local Government Act 1995*. Authorisation of investments that meet the requirements of this policy are to comply with the authorisation of payments policy. Investment transfers will require the signature of two authorised signatories. For authorisation of investments one of the two signatories is to be the CEO, Director Community & Corporate or Manager Finance.
4. Investments will be managed with the care, diligence, and skill that a prudent person would exercise. Employees are to manage the investment portfolios to safeguard the portfolios in accordance with the spirit of this Policy, and not for speculative purposes.
5. Officers shall refrain from personal activities that would conflict with the proper execution and management of the Council's investment portfolio. This Policy requires Officers to disclose any conflict of interest to the CEO in accordance with the Shire of Capel Code of Conduct.
6. Trust funds will be invested in accordance with the *Trustees Act 1962*. Acceptable methods are term deposits, cash deposits and Government guaranteed State Bonds issued by the WA Treasury Corporation.

7. Council investments are to be assessed in accordance with Standard & Poor's rating agency. A Standard & Poor's (S&P) credit rating is a current opinion of overall financial capacity to meet financial obligations. Investments that are assessed by S&P to have a rating of less than BBB are regarded as speculative, and the Council will not invest in these products or with these organisations.

8. Council Municipal direct investments are limited to the following:

- Interest bearing Deposits with Authorised Deposit Taking Institutions as defined in the *Banking Act 1959* (Commonwealth) or the Western Australian Treasury Corporation.
- Bonds guaranteed by the Commonwealth Government, or a State or Territory Government.

9. In accordance with the *Local Government (Financial Management) Regulations 1996*, this policy prohibits the investment of money:

- With an institution other than an authorised deposit taking institution as defined in the *Banking Act 1959* (Commonwealth), or the Western Australian Treasury Corporation.
- In bonds that are not guaranteed by the Commonwealth Government, or a State or Territory Government.
- In bonds with a term to maturity of more than 3 years.
- In a foreign currency.

Although the Regulations permit the investment of funds for up to a period of 3 years, this Policy restricts Shire of Capel investments to a term of 1 year or less (clause 11 Term to Maturity Framework).

10. This investment policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments such as mortgage and asset backed securities.
- Principal only investments or securities that provide potentially nil or negative cash flow.
- Standalone securities issued that have underlying futures, options, forward contracts and swaps of any kind.

This policy prohibits the use of leveraging (borrowing to invest) of an investment.

11. Investments obtained are to comply with three key criteria relating to:

- Portfolio Credit Framework: limit overall credit exposure of the portfolio.
- Counterparty Credit Framework: limit exposure to individual counterparties/institutions.
- Term to Maturity Framework: limits based upon maturity of securities.

Portfolio Credit Framework

For bonds guaranteed by the Commonwealth Government, or a State or Territory Government, the credit rating allowable will be that of the guaranteeing government.

Limits to overall credit exposure:

Maximum Exposure as a % of Total Investment Portfolio	Minimum Long Term Credit Rating (Standard & Poor's)	Minimum Short Term Credit Rating (Standard & Poor's)
100%	AAA	A-1+
100%	AA	A-1
60%	A	A-2
30%	BBB	A-2

Counterparty Credit Framework

Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entity exposure is limited, as detailed in the table below:

Direct Investment Maximum %	S&P Long Term Rating	S&P Short Term Rating
100%	AAA	A-1+
60%	AA	A-1
40%	A	A-2
30%	BBB	A-2

Term to Maturity Framework

Portfolio Term to Maturity	Min	Max
% <= 1 year	100%	100%
% <= 1 year	Min 100%	Max 100%
	-	-
1 year < % <= 3 years	0%	0%

12. Investment returns will be reported to the Ordinary Meeting of Council each month through the presentation of the monthly financial statements and included in the minutes of the meeting. The report will provide details on the investment portfolio including interest rate earned, maturity date, percentage exposure of total portfolio and interest earned.
13. A list of investment transfers is to be included in the list of accounts presented at the next Ordinary Meeting of Council to be received and included in the minutes of the meeting.



14. **Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.**
15. **The use of an investment advisor must be approved by the Council and must be licenced by the Australian Securities and Investment Commission. The advisor must be an independent person or organisation who has no actual or potential conflict of interest in relation to investment products being recommended; and is free to choose the most appropriate product within the terms and conditions of the Investment Policy.**
16. **The exception to this Policy is the parcel of shares in the Donnybrook Capel Districts Community Bank held by the Council. The investment was made by a Council resolution and any variation to this investment will require a further Council resolution.**

Application

The application of this Policy is to be considered in conjunction with the associated finance related policies.'

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil

15.2. Age-Friendly Communities Strategy 2023-2027

Author	Community Development Coordinator, Donna Sims
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Executive/Strategic
Attachments	1. Age Friendly Communities Strategy 2023 - 2027 [15.2.1 - 59 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Endorse the Age-Friendly Communities Strategy 2023-2027.

Officer's Recommendation

That the Council endorses the Age-Friendly Communities Strategy 2023-2027.

Background

The Shire of Capel's (the Shire) Age-Friendly Communities Strategy (the Strategy) was initially developed in 2009 and adopted by the Council in 2010. This Strategy has since been reviewed in 2013 and 2017 and many age friendly initiatives have been implemented during this time.

According to the World Health Organization (WHO), an age-friendly community "encourages active ageing by optimising opportunities for health, participation, and security to enhance quality of life as people age." In practical terms, an age-friendly community adapts its structures and services to be accessible to and inclusive of seniors with varying needs and capacities.

This Strategy has been prepared using the WHO framework, which examines the following features of an age-friendly community:

- Outdoor spaces and buildings.
- Transport.
- Housing.
- Social participation.
- Respect & social inclusion.
- Civic participation and employment.
- Communication and information.
- Community support and health services.

The Shire surveyed a considerable proportion of its senior community throughout February and March 2022 and the outcomes of this consultation are detailed in the Strategy (see attachment 1). Access to transport, community support and health services were the main features where the Shire can improve its age friendly status. The Strategy lists some recommendations and includes an implementation plan with actions to guide the Council's decision-making in ensuring the Shire develops as an age-friendly community. The implementation plan will be updated on an annual basis.



Previous Council Decisions

Previous Age-Friendly Community Strategies were adopted by Council in 2010 (OC0305), 2014 (OC1111) and 2018 (OC0521).

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

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

- 1.1 A more engaged community.
- 1.2 A capable community that drives community activation and participation.
- 1.3 An inclusive community.
- 1.5 A healthy and active community.

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

- 4.2 Informed and transparent decision making.
- 4.5 Improved customer engagement.

Direction 5 - Provide and maintain suitable infrastructure and facilities.

- 5.1 Appropriate community facilities, that meet the communities' needs.
- 5.2 Improved transport options.
- 5.3 Better and safer roads.

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

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

Corporate Business Plan 2022-2026

CDVS 15 – Implement activities, actions, and programs in line with the Council endorsed Age Friendly Communities Strategy.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

The Western Australian State Government adopted the WHO Age Friendly Communities Framework in 2006. In 2007 the State Government became an affiliate of the WHO Global Network for Age Friendly Communities. This affiliation ensures Western Australian seniors can live full and active lives.

Federal Framework

There are no federal frameworks relevant to this item.



Policy Framework

There are no Council policies relevant to this item.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Reputation Rating: Medium	Possible	Moderate	The development and implementation of an Age Friendly Communities Strategy enhances the Shire’s reputation as an age friendly community.
Risk 2 Service Delivery Rating: Medium	Possible	Moderate	The implementation of age friendly initiatives reduces the Shire’s service delivery risk.

Financial Implications

Budget

The financial implications relevant to this proposal are outlined in the Strategy (see attachment 1). Key highlights of the Implementation Plan include:

- Strategies 1.1 and 1.6 have costings that are linked to the Council endorsed Program of Works schedules. These are in relation to implementing the Shire’s 10 Year Dual Use Pathway Program (2014 – 2024) and improving pathways that have uneven surfaces and kerbing.
- Strategy 1.2 identifies expenditures that are linked to existing Strategic Plans, Precinct Plans and Facility Improvement Plans.
- Strategy 1.8 identifies expenditures that are linked to existing place-based building plans and outcomes.
- Strategy 7.1 identifies expenditures that are linked to the Council’s existing *Policy 8.1 - Community Recognition*.
- Strategy 9.2 identifies expenditures that are linked to ‘discounted hire fees’ in the Shire’s Annual Budget.

All other strategies in the Implementation Plan have costings that are either in-kind, self-funded or rely on grant funding for implementation.

Long Term

The future financial implications of this proposal are outlined on the following page.



Whole of Life

Table 1

Potential future Shire assets	Basic description
Pathways	New pathways linked to current Program of Works
Seating	New seats along pathways and in public places in accordance with Strategic Plans, Precinct Plans and Facility Improvement Plans
Security Lighting	Security lighting in hotspot locations linked to place-based building plans and outcomes

Costings associated with the above Shire assets are included in the Long Term Financial Plan.

Sustainability Implications

Climate Change and Environmental

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

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Asset

There are no relevant asset implications relevant to this item.

Consultation/Engagement

External Consultation

The methodology used for this Strategy was based on the Department for Communities' guidelines adapted from the World Health Organization framework, which is an internationally recognised initiative to create age-friendly communities.

Through consultation, Shire Officers conducted a survey and focus group sessions for seniors residing in the Shire. The main focus of discussion being what is, and what is not, age-friendly, and what could be done to improve their community's age-friendliness.

Sixty-four seniors completed the survey, which was distributed via the Shire's email and postal database, the Shire's Seniors' Link newsletter, locality newspapers and the Shire's website and Facebook page.



A focus group workshop was held at the Capel RSL Hall to explore the barriers to the Shire being an age-friendly community identified through the survey. Seventeen seniors representing all the localities in the Shire attended the workshop. Workshop participants were recruited through the Shire's Seniors' Link newsletter and personal invitations were sent to seniors who indicated in the survey they would like to be involved.

Internal Consultation

Discussions regarding the recommendations and implementation plan have taken place with all relevant staff, including the Manager Development Services, Director Infrastructure and Development, Manager Community Development and Safety and the Director Community and Corporate.

Officer's Comment

The Department of Local Government Sports and Cultural Industries advocates for the creation of age friendly communities through land use planning and zoning controls, ensuring the adequate provision of services and infrastructure effectively supports the needs of people as they move through the ageing continuum.

Through the varying consultative processes with senior residents has ensured there is a good understanding of expected current and future service level requirements supporting the continued wellbeing of the Shire's senior population.

Recommendations such as the development of aged specific housing, home maintenance services, respite care, domestic assistance, meal preparation and transport are a few suggestions identified during the consultation processes.

In areas where the Shire is unable to action such recommendations through lack of resourcing and the like, other considerations have been included in the Strategy to identify what is achievable going forward.

Summary

The development of an Age Friendly Communities Strategy highlights what barriers to ageing exist in our Shire and how these can be addressed.

The survey outcomes indicated that the Shire is age-friendly, however there were examples identified for improvement in each of the eight features of an age-friendly community.

Access to transport, community support and health services were the key features where the Shire can improve its age friendly status and the Strategy identifies several recommendations including an implementation plan on how the Shire can initiate support and services to improve in these areas.

The Age-Friendly Communities Strategy 2023-2027 is commended to the Council for review and endorsement.

Voting Requirements

Simple Majority.



Officer's Recommendation – 15.2.

OC/2023/10 - Officer's Recommendation / Council Decision - 15.2

Moved Cr Terrantroy, Seconded Cr McCleery.

That the Council endorses the Age-Friendly Communities Strategy 2023-2027.

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



Cr Kitchen declared an Indirect Financial Interest/Impartiality Interest in item 15.3 - Rate Waiver - Boyanup Progress Association, the nature of the interest is that a person of whom he is closely associated with owns property in proximity to the site.

Cr Kitchen left the room at 6:47pm and Cr Schiano assumed the Chair.

15.3. Rate Waiver - Boyanup Progress Association

Author	Director Community and Corporate Services, Samantha Chamberlain
Authorising Officer	Chief Executive Officer, Gordon MacMile
Nature of the Decision	Executive/Strategic – Policies, Strategies, Reporting etc. Legislative – Local Government Act 1995, Section 6.47.
Attachments	1. Fettleers Cottages Rates Application [15.3.1 - 1 page] 2. CONFIDENTIAL REDACTED - Fettleers Cottage Rate Exemption Application [15.3.2 - 11 pages]
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Consider a request from the Boyanup Progress Association (BPA) for a rates waiver on Railway Cottages (#73, #77 & #83) at Reserve 49915, commonly known as Fettleers Cottages.

Officer's Recommendation

That the Council rejects the request from the Boyanup Progress Association for a rate's waiver on cottages #73, #77 and #83 on Reserve 49915 for Financial Year 2022-23.

Background

A commercial lease between the Shire of Capel and the Boyanup Progress Association was executed on 10 August 2018 seeing property and financial management responsibility transfer to the Boyanup Progress Association for the following property assessments -

- A3004 – 73 Bridge Street, Boyanup.
- A3006 – 77 Bridge Street, Boyanup.
- A2989 – 83 Bridge Street, Boyanup.

These properties were formally known as Railway Cottages at Reserve 49915, now commonly known as Fettleers Cottages, and were transferred to the Shire by way of a Management Order from the Public Transport Authority (PTA) in May 2015.

During subsequent Management Order negotiations between the Shire and the PTA, the Boyanup Progress Association approached the Shire and expressed an interest in taking responsibility for the management of the cottages which led the following documented outcomes:

- **2 March 2017** – The Boyanup Progress Association wrote to the Shire advising “At the general meeting of the BPA on the 27 February the meeting voted unanimously to ask the Shire to appoint the BPA as the managers of the 3 Fettleers Park Cottages. As part of that



the BPA will accept financial responsibility for the cottages. The rents from the houses will be placed in a special account, for the sole purpose of maintenance and renovation of the cottages, under the Shire's name or BPA whichever is most appropriate."

- **22 March 2017 (OC0309)** - That Council, as part of the land transfer of Reserve 49915, receives Railway Cottages #73, #77 and #83 Bridge Street, Boyanup as assets on Reserve 49915 from the Public Transport Authority subject to formal agreement with the Boyanup Progress Association accepting full financial management, ongoing maintenance and repair, and any subsequent demolition costs at the end of the asset life.
- **19 April 2017** – Negotiations with the BPA commenced to determine proposed leasing arrangements, recognising jurisdictional boundaries between the Shire of Capel, the PTA, and the BPA.
- **April 2017** – McLeods Barristers and Solicitors engaged to provide legal advice on the leasing structure. Advice received recommended the employment of an Agreement for Lease, in recognition of the fact that the Council has no jurisdiction over the buildings and land.
- **10 August 2017** – Meeting with the BPA to discuss proposed use of buildings and proposed financial arrangements of the lease and associated sub-leases.
- **20 September 2017** – Onsite inspection of #83 Bridge Street, with BPA, PTA, and Shire representatives.
- **6 October 2017** – Correspondence between the Shire and BPA seeking clarification on intended use of each building. BPA had previously indicated an intent to use #83 as a building for community groups. This meant that the building would be classified as a 'public building' and attract a higher level of compliance requirement.
- **18 October 2017** – Shire meeting to discuss the legal advice, prioritise tasks and to separate the land dealings aspect from the Fettle Park project.
- **November 2017** – Several communications with McLeods Barristers and Solicitors giving instruction on the preparation of the lease document.
- **5 December 2017** – Draft lease document forwarded to BPA for comment.
- **18 December 2017** – Meeting with BPA Chairperson, to discuss draft lease document.
- **7 March 2018** – Follow up meeting with BPA Chairperson to finalise BPA response on draft lease document.
- **8 March 2018** – BPA responded to draft lease document.
- **22 March 2018** – Correspondence received from the Department of Planning, Lands & Heritage advising that Lots 512, 513 and 514 have been created and reserved for 'Community and Recreation Purposes' as part of Reserve 53230, including a power to lease.
- **3 April 2018** – PTA emailed its acknowledgement of the DPLH correspondence and advised that it now deems the Shire of Capel responsible for the properties.



- **6 April 2018** – BPA requested another modification to the draft lease document to reduce the parcels of land affected by the lease. The reason for this request is to allow space to maintain the verge and recognising that there are some utilities along this verge.
- **May 2018** – McLeods advise that as the Council had not yet decided, any modifications could be included for subsequent Council consideration.

Previous Council Decisions

- **23 May 2018 (OC0506), Council endorsed:**

“That Council:

1. subject to the Management Order dated 8 March 2018, seeks approval from the Minister for Lands to lease Railway Cottages #73, #77 and #83 to the Boyanup Progress Association;

2. subject to Ministerial approval to lease Cottages #73, #77 and #83 to the Boyanup Progress Association, authorises the Shire President and the Chief Executive Officer to endorse and affix the seal for the Lease for Portion of Lot 514 of Reserve 53230, Boyanup, as attached to this report;

3. subject to the lease of Cottages #73, #77 and #83, waives the property rates only (excludes Waste Collect Fees and ESL) for each cottage for 2018/19; and

4. authorises unbudgeted expenditure of \$1,400 for a structural engineering report of cottage #83.”

- **10 August 2018** - The commercial lease between the Shire of Capel and the Boyanup Progress Association was executed.

Section 6.2 (1)(a) of the executed lease relates to ‘Outgoings’ and states that the lessee is:

‘(1) To pay to the Lessor or to such person as the Lessor may from time to time direct punctually all the following outgoings or charges, assessed or incurred in respect of the Premises:

(a) local government rates, specified area rates, taxes, service and other charges and including charges for rubbish and garbage removal;’

- **22 October 2019** - The Shire received a request from the Boyanup Progress Association to attend a full Council meeting asking the Shire to rescind the 2019-20 rates notices and requests that future rates be waived until all cottages have been renovated.
- **12 November 2019** - A written submission was subsequently received with the Boyanup Progress Association estimating that it would take 5 years for the cottages to be completed. The initial 5-year request was not supported by the Council, with a foreshadowed motion adopted to allow a rate waiver for a reduced term of three years. This is detailed in the below previous Council decision. The rate waiver term was granted for financial years – 2019-20, 2020-21 and 2021-22.
- **18 December 2019** - Council accepted the request from the Boyanup Progress Association for a rates waiver on cottages #73, #77 and #83 on Reserve 49915 for 3 financial years commencing 2019 - 20.



Decision Framework

Shire of Capel Strategic Community Plan 2021 – 2031

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

Community Outcomes:

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

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

Community Outcomes:

- 4.1 Effective and compliant governance.
- 4.2 Informed and transparent decision making.
- 4.5 Improved customer engagement.

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

Community Outcomes:

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

Corporate Business Plan 2022 – 2026

- FIN 10 – Debtor and Creditor Management.
Manage debtors and creditors to maintain optimum cash flow.
- FIN 11 – Rates and Services Management.
Issuing and receipting of rates.
- FIN 12 – Rating Policy.
Develop a Rate Revenue Policy consistent with the principles of rating and aligned to the Shire's rate strategy.

Statutory Framework

Local Government Act 1995, Section 6.2

6.2 Local Government to prepare Annual Budget

1. During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.
2. **Absolute Majority required*
3. In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of –
4.
 - a. The expenditure by the local government; and
 - b. The revenue and income, independent of general rates, of the local government; and
 - c. The amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.



Local Government Act 1995, Section 6.26

6.26 Rateable Land

- (1) Except as provided in this section all land within a district is rateable land.
- (2) The following land is not rateable land –
 - (a) land which is the property of the Crown and –
 - (i) is being used or held for a public purpose; or
 - (ii) is unoccupied, except –
 - (I) where any person is, under paragraph (e) of the definition of **owner** in section 1.4, the owner of the land other than by reason of that person being the holder of a prospecting licence held under the *Mining Act 1978* in respect of land the area of which does not exceed 10 ha or a miscellaneous licence held under that Act; or
 - (II) where and to the extent and manner in which a person mentioned in paragraph (f) of the definition of **owner** in section 1.4 occupies or makes use of the land;
 - and
 - (b) land in the district of a local government while it is owned by the local government and is used for the purposes of that local government other than for purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the local government; and
 - (c) land in a district while it is owned by a regional local government and is used for the purposes of that regional local government other than for the purposes of a trading undertaking (as that term is defined in and for the purpose of section 3.59) of the regional local government; and
 - (d) land used or held exclusively by a religious body as a place of public worship or in relation to that worship, a place of residence of a minister of religion, a convent, nunnery or monastery, or occupied exclusively by a religious brotherhood or sisterhood; and
 - (e) land used exclusively by a religious body as a school for the religious instruction of children; and
 - (f) land used exclusively as a non-government school within the meaning of the *School Education Act 1999*; and
 - (g) land used exclusively for charitable purposes; and
 - (h) land vested in trustees for agricultural or horticultural show purposes; and
 - (i) land owned by Co-operative Bulk Handling Limited or leased from the Crown or statutory authority (within the meaning of that term in the *Financial Management Act 2006*) by that co-operative and used solely for the storage of grain where that co-operative has agreed in writing to make a contribution to the local government; and
 - (j) land which is exempt from rates under any other written law; and
 - (k) land which is declared by the Minister to be exempt from rates.
- (3) If Co-operative Bulk Handling Limited and the relevant local government cannot reach an agreement under subsection (2)(i) either that co-operative or the local government may refer the matter to the Minister for determination of the terms of the agreement and the decision of the Minister is final.



- (4) The Minister may from time to time, under subsection (2)(k), declare that any land or part of any land is exempt from rates and by subsequent declaration cancel or vary the declaration.
- (5) Notice of any declaration made under subsection (4) is to be published in the *Gazette*.
- (6) Land does not cease to be used exclusively for a purpose mentioned in subsection (2) merely because it is used occasionally for another purpose which is of a charitable, benevolent, religious, or public nature.

Local Government (Financial Management) Regulations 1996, regulation 26

26. Discount, incentive, concession, waiver and write-off information

- (1) The annual budget is to include for each discount or other incentive to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money –
 - a) in respect of a discount -
 1. the amount of the discount, or the percentage discount, to be allowed; and
 2. the circumstances in which the discount will be granted;
 - and
 - c) in relation to a waiver or concession -
 1. a brief description of the waiver or concession;
 2. a statement of the circumstances in which it will be granted;
 3. details of the persons or class of persons to whom it is available; and
 4. the objects of, and reasons for, the waiver or concession.

Local Government Act 1995, Section 6.12

6.12 Power to defer, grant discounts, waive or write off debts

1. Subject to subsection (2) and any other written law, a local government may –
 - a. when adopting the annual budget, grant* a discount, or other incentive for the early payment of any amount of money; or
 - b. waive or grant concessions in relation to any amount of money; or
 - c. write off any amount of money,

which is owed to the local government.

** Absolute majority required*

2. Subsection 1(a) and (b) do not apply to an amount of money owing in respect of rates and services charges.
- 3.
4. The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

Local Government Act 1995, Section 6.28

6.28 Basis of Rates

2. In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be –



- a. where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - b. where the land is used predominantly for non-rural purposes, the gross rental value of the land.
4. Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.

Local Government Act 1995, Section 6.32

6.32 Rates and Service Charges

1. When adopting the annual budget, a local government –
 - a. in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either –
 - i. uniformly; or
 - ii. differentially;and
 - b. may impose* on rateable land within its district –
 - iii. a specified area rate; or
 - iv. a minimum payment;and
 - c. may impose* a service charge on land within its district.
- *Absolute Majority required*

Local Government Act 1995, Section 6.33

6.33 Differential General Rates

1. A local government may impose differential general rates according to any, or a combination, of the following characteristics -
 - a. purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the *Planning and Development Act 2005*; or
 - b. a purpose for which the land is held or used as determined by the local government; or
 - c. whether or not the land is vacant land; or
 - d. any other characteristic or combination of characteristics prescribed.
2. ...
3. In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.

Local Government Act 1995, Section 6.35

6.35 Minimum Payment

1. Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
2. A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
3. In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than –
 1. 50% of the total number of separately rated properties in the district; or



2. 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
4. A minimum payment is not to be imposed on more than the prescribed percentage (50%) of -
 - a. the number of separately rated properties in the district; or
 - b. the number of properties in each category referred to in subsection (6),
 - c. unless a general minimum does not exceed the prescribed amount (\$200).
5. If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsection (2), (3) and (4) for that land.
6. For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsection (2), (3) and (4) in respect of each of the following categories -
 1. to land rated on gross rental value; and
 2. to land rated on unimproved value; and
 3. to each differential rating category where a differential general rate is imposed.

Local Government Act 1995, Section 6.47

6.47 Concessions

Subject to the *Rates and Charges (Rebates and Deferrals) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* Absolute majority required

Policy Framework

The following Shire Policy applies - Rate Revenue Policy – adopted by the Council at the Ordinary Council Meeting held on 30 March 2022.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Possible	Moderate	When considering this item, the Council is to realise the annual or ongoing financial impact to the Shire's rate revenue balance, through the loss of income collection against this assessment number. The Council must be confident the accrued loss of rate revenue from this assessment for either one or multiple years will not present an adverse risk for the Shire's current and long-term financial position.
Risk Description: Financial Risk Through Loss of Rate Revenue			



Financial Implications

Budget

Resultant from the Council decision on 23 May 2018 (OC0506) and 18 December 2019 (221-222/2019) the following rate waivers have been granted to date:

2018-19 -	\$4,035.00
2019-20 -	\$4,155.00
2020-21 -	\$4,155.00
2021-22 -	<u>\$4,155.00</u>
Total	<u>\$16,500.00</u>

Due to the values of these properties, they are levied at the Minimum rate of \$1,430.00 per assessment for financial year 2022-23.

The outstanding rate debt balance for all three assessments is \$5,667.69 which includes the ESL and Waste levy charges.

If the 2022-23 Rate Waiver Application is supported by the Council, the total amount waived for these assessments since financial year 2018-19 will equate to \$20,790.00.

Long Term

No long term financial implications are relevant to this matter as the properties are levied on an annual basis.

Sustainability Implications

Shire

Financial sustainability for the Shire will be impacted through the continued loss of rate revenue for these property assessments if the Council chooses to grant the application for a rate waiver. From 2018-19 to date, the Shire has waived \$16,500.00 in levied rate income.

Boyanup Progress Association (BPA)

Through recent discussions with the BPA, it is understood that there are several capital and maintenance works needing to be completed on two of the three cottages.

Up-to-date information shared with the Shire indicated that planned renovations are projected with costs over \$29,000.00, with the works scheduled to be completed during summer 2023 onwards.

On review of BPA's most recent certified accounts for financial year 2021-22, the annual income amount raised through rent revenue was \$26,465.20, seeing \$30,017.00 expended during this same reporting period on Improvements and repairs. Further details relating to the income and expenditure transactions can be reviewed in the confidential attachment.

The current financial position of the BPA during this financial year is a balance of \$15,752.59. Of this amount, the BPA ringfences \$6,000.00 in a financial reserve for emergency property management purposes.



Deducting the reserve monies from the current account balance, leaves \$9,752.59 available for funding the projected works and detailed above. It is understood that the opportunity exists for the BPA to apply for grants to financially assist with some renovations.

Please note: the above income and expenditure figures have been quoted from the information received by the BPA as audited or reviewed accounts for the financial year 2022-23 are still operating and not yet finalised.

Consultation/Engagement

External Consultation

Shire Officers have consulted with a representative from the BPA to examine the details contained within the Application for a Rate Waiver are a true and accurate record of the organisation's position.

Internal Consultation

An internal review of the application has been completed by:

1. Rate's Co-ordinator.
2. Rate's Officer.
3. Manager Finance.
4. Director Community and Corporate.
5. Chief Executive Officer.

Officer's Comment

In line with the Shire's Rate Policy and under section 6.47 of the Local Government Act, the Council can resolve to waive a rate or service charge where it believes the organisation is a not-for-profit concern and it can be demonstrated that it is providing benefit to the community or a valuable community service. The Council can choose to grant a full or partial rate concession within a financial year period.

As per the adopted Rate Revenue Policy; when considering a rate concession application, the Council will:

- Be subjective when reviewing the information in the application.
- Be guided by the principles of rating when determining the decision.
- Not be influenced by the applicant having been granted a rate concession in previous financial years.
- Consider local impacts such as social, economic, and environmental factors.
- Consider the financial risk to the Shire's loss of forecasted rate revenue and the impact this has on operational and capital priorities as adopted in the Annual Budget.

The background section in this report outlines the history and Council decisions leading to the final execution of the Railway Cottage leases on 10 August 2018, seeing the management responsibility of all three cottages transferred to the BPA.



Since this time, the Shire has supported the BPA with the waiving of the Shire rates (excluding ESL and Waste levy) on all three cottages since 2018-19 at a total cost of \$16,500.00. If the Council chooses to support the BPA's application for a rate waiver for the financial year 2022-23, this amount will increase to \$20,790.00.

The minutes of 22 March 2017 (OC0309) reflected the Council decision:

"That Council, as part of the land transfer of Reserve 49915, receives railway cottages #73, #77 and #83 Bridge Street, Boyanup as assets on Reserve 49915 from the Public Transport Authority subject to formal agreement with the Boyanup Progress Association accepting full financial management, ongoing maintenance and repair, and any subsequent demolition costs at the end of the asset life".

In addition, section 6.2 (1)(a) of the executed lease relates to 'Outgoings' and states that the lessee is:

"(1) To pay to the Lessor or to such person as the Lessor may from time to time direct punctually all the following outgoings or charges, assessed or incurred in respect of the Premises:

(a) local government rates, specified area rates, taxes, service and other charges and including charges for rubbish and garbage removal."

Summary

As detailed in the report; since the financial year 2018-19, the Shire has shown good will and has supported the BPA through the continual waiving of the levied Minimum rate on all three properties.

Officers do recognise there is ongoing maintenance investment required for all three cottages which the BPA were aware of at the time the lease was drafted and executed.

The current lease agreement is a commercial arrangement; therefore, rates are to be levied and settled against these property assessments.

This position reflects the Council's original sentiment, as indicated in the Council decision on 22 March 2017, that retention of the cottages should have no financial impact to the Shire with the Boyanup Progress Association accepting the full financial management of the assets through the executed lease agreement.

Voting Requirements

Absolute Majority.

Officer's Recommendation – 15.3.

That the Council rejects the request from the Boyanup Progress Association for a rates waiver on cottages #73, #77 and #83 on Reserve 49915 for financial year 2022-23.

OC/2023/11 - Alternative Recommendation - 15.3

Moved Cr Noonan, Seconded Cr Mogg.

That the Council accepts the request from the Boyanup Progress Association for a rates waiver on cottages #73, #77 and #83 on Reserve 49915 for financial year 2022-23.

Lost 3 / 3

For - Cr Mogg, Cr Noonan and Cr Schiano

Against - Cr Andrew, Cr McCleery and Cr Terrantroy

The Motion was lost due to lack of an Absolute Majority.

Reason:

To invest in the community and support the initiative of the volunteers.

Foreshadowed Motion

Cr Schiano foreshadowed the original Officer's Recommendation.

The foreshadowed motion was put on the table.

OC/2023/12 - Foreshadowed Motion / Council Decision - 15.3

Moved Cr Schiano, Seconded {seconder}.

That the Council rejects the request from the Boyanup Progress Association for a rates waiver on cottages #73, #77 and #83 on Reserve 49915 for financial year 2022-23.

Lost 3 / 3

The Motion was lost due to lack of an Absolute Majority.

For - Cr Andrew, Cr McCleery and Cr Terrantroy

Against - Cr Mogg, Cr Noonan and Cr Schiano

OC/2023/13 - Procedural Motion / Council Decision - 15.3

Moved Cr Schiano, Seconded Cr Mogg.

That the meeting be adjourned for 5 minutes in accordance with Shire of Capel Standing Orders Local Law 2016, 12.1(b) at 7:11pm.



Carried 6 / 0

*For - Cr Andrew, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy
Against - Nil*

The meeting resumed at 7:16pm and Cr Kitchen returned to the room at resumed the Chair.

15.4. Financial Statements for 30 November 2022

Author	Manager Finance, Andrew Mataboni
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Legislative
Attachments	Financial Report November 2022
Confidential Status	<i>This item is not a confidential matter.</i>

Proposal

Provide the monthly financial statements for the period ending on 30 November 2022.

Officer's Recommendation

That the Council receive the monthly financial statements for the period ending on 30 November 2022.

Background

The *Local Government (Financial Management) Regulations 1996* prescribe the requirement to prepare financial reports on a monthly basis and prescribe the content and format.

Previous Council Decisions

Financial Statement for month ending 31 October 2022 (OC/2022/259 21/12/2022).

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031

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

4.1 Effective and compliant governance

4.2 Informed and transparent decision making

Direction 6 - Effective communication, engagement and relationship development

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

Corporate Business Plan 2022-2026

FIN 1 - Statutory reporting of income and expenditures to the Council and regulatory authorities.



Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government (Financial Management) Regulations 1996 r34.

Federal Framework

There are no federal frameworks relevant to this item.

Policy Framework

The following Shire Policies apply:

- Budget Management - Capital Acquisitions and Works.
- Financial Reports.

Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Unlikely	Moderate	Report financials on a monthly basis.
Risk Description: Monetary loss that may or may not be managed within existing budget or may not impact a program or service.			

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

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

Consultation/Engagement

External Consultation

There has been no external consultation.



Internal Consultation

There has been no internal consultation.

Officer's Comment

The financial monitoring for the month of November 2022 has been completed, analysing income and expenditure trends through the following financial mechanisms:

1. Assessed Rate Levy and Debtor balances which has been brought to account.
2. The Depreciation calculation year to date.
3. Annual comparison of Operating Revenue
4. Annual comparison of Operating Expenditure.
5. Liquidity year to date.
6. Rate of return-on-investment position.
7. Capital spends year to date.

The attached financial statements provide the granular data for the following analysis on the Shire's financial performance for November 2022.

The attachments consist of:

1. Statement of Financial Activity.
2. Statement of Financial Position.
3. Notes to and Forming Part of the Financial Report.
4. Year to Date Variance Analysis.
5. Capital Works Program.
6. Cash on Hand and Investments.

The Statement of Financial Activity shows operating revenue and expenditure by statutory program and by nature and type, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget and the year-to-date revised budget.

For trend analysis purposes, the previous year's annual results and current year forecasts are also presented in the graphs.

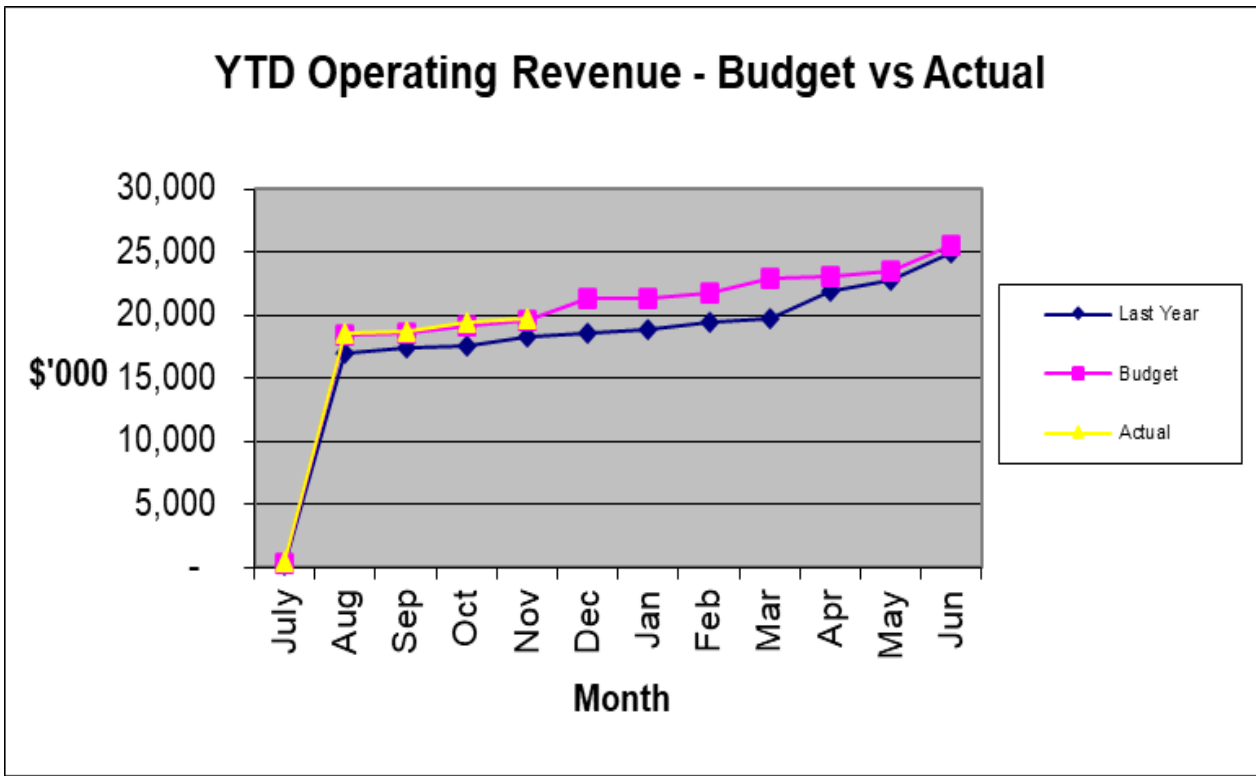
November 2022 Financial Analysis Summary

Compared to the 2022/23 Annual Budget, approximately 90.86% of Operating Revenue has been brought to account and 35.54% of the Operating Expenditure has been spent.

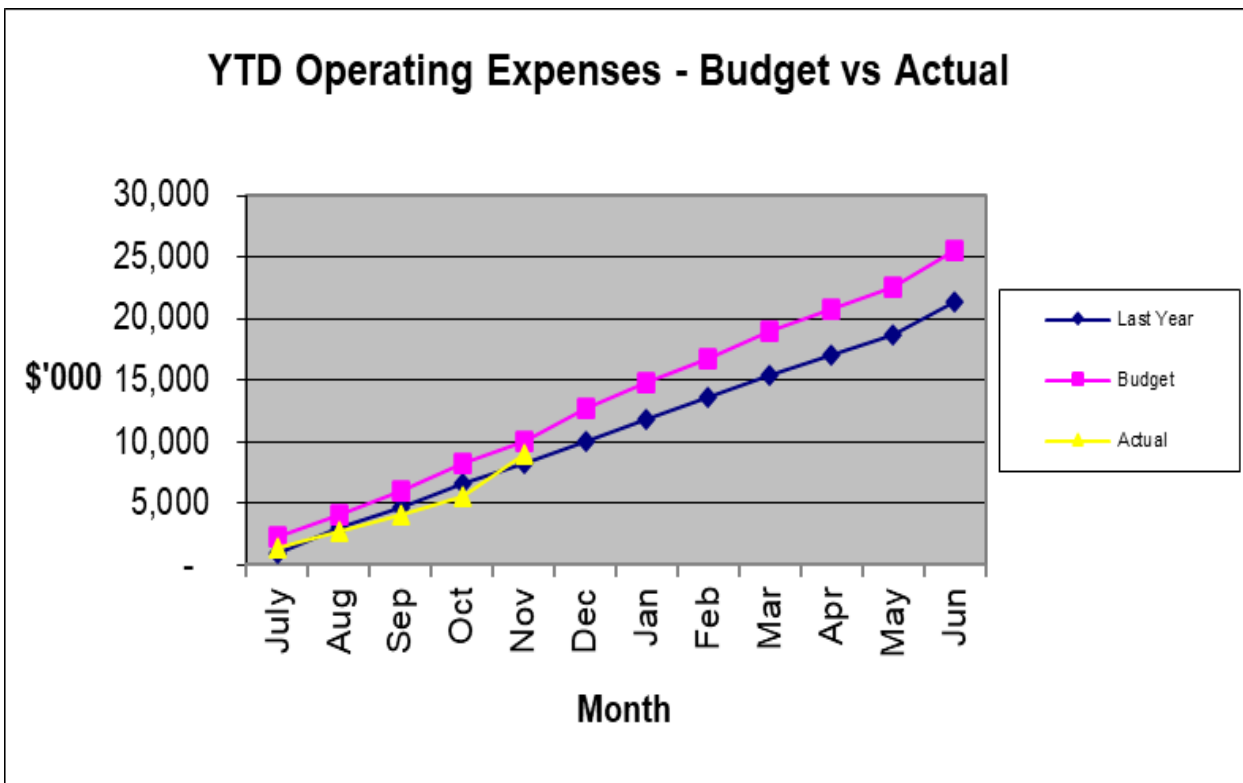
The 2022/23 Annual Budget was adopted by the Council on 3 August 2022 with rates levied during the month of August 2022.

The following graphs compare actual Operating Revenue and Operating Expenditure against the 2022/23 Annual Budget on a year-to-date basis

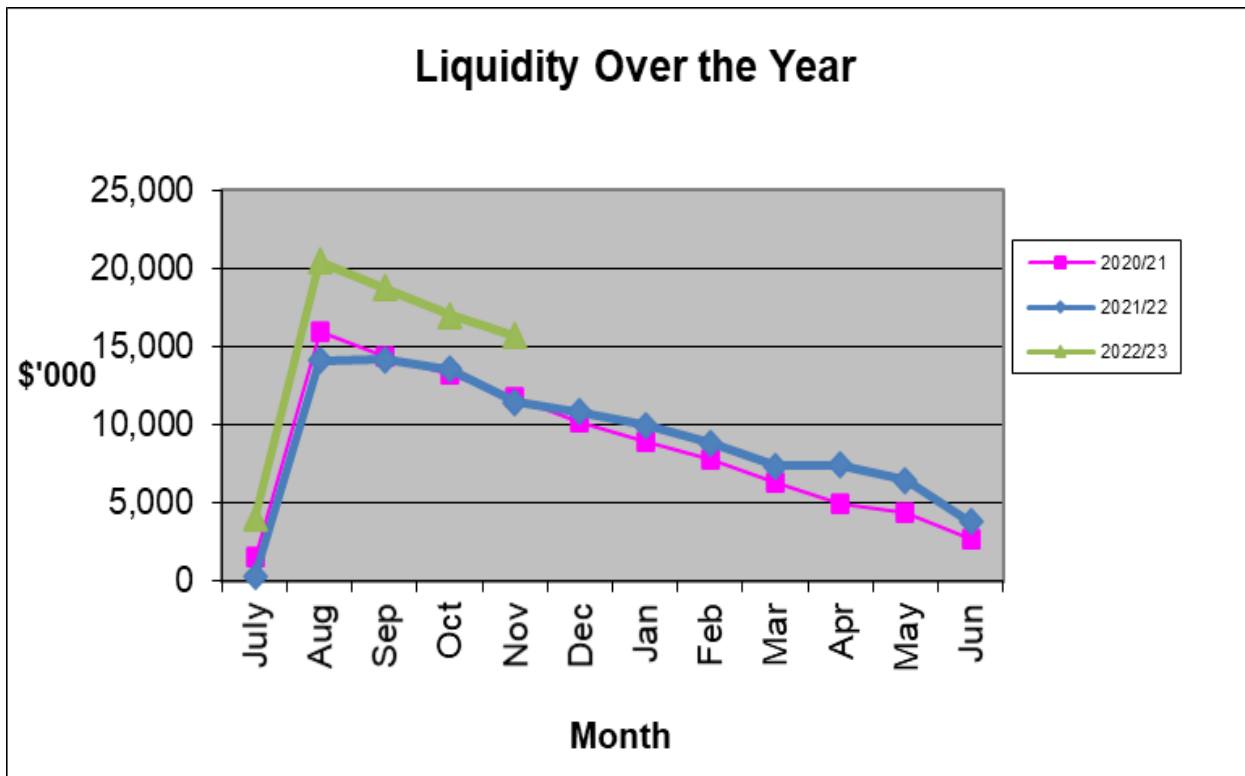
Graph 1 - Year to date actual revenue compared to budget and last year.



Graph 2 - Year to date actual expenditure compared to budget and last year.



Graph 3 - The liquidity graph compares the current year’s net current assets position against the two previous years.



Overview of above analysis

The Shire’s municipal cash and investments position for the month of November 2022 has increased by \$288,433.00 compared to October 2022.

The municipal cash position is an amount of \$29,935,294.00 of which \$19,951,634.00 is restricted for specific purposes as shown at Note 3 in the attachments.

The increase in the cash position was due to the receipting of the rates second instalment payments and was partially offset by the payment for software licences and plant, which is the largest expenditure area for November 2022.

Total interest earned year-to-date is \$45,484.00 which is above the year-to-date budget of \$39,340.00. The above budget amount is due to the increase in investment rates offered for these term deposits. Future monitoring will continue to track the progress of this income.

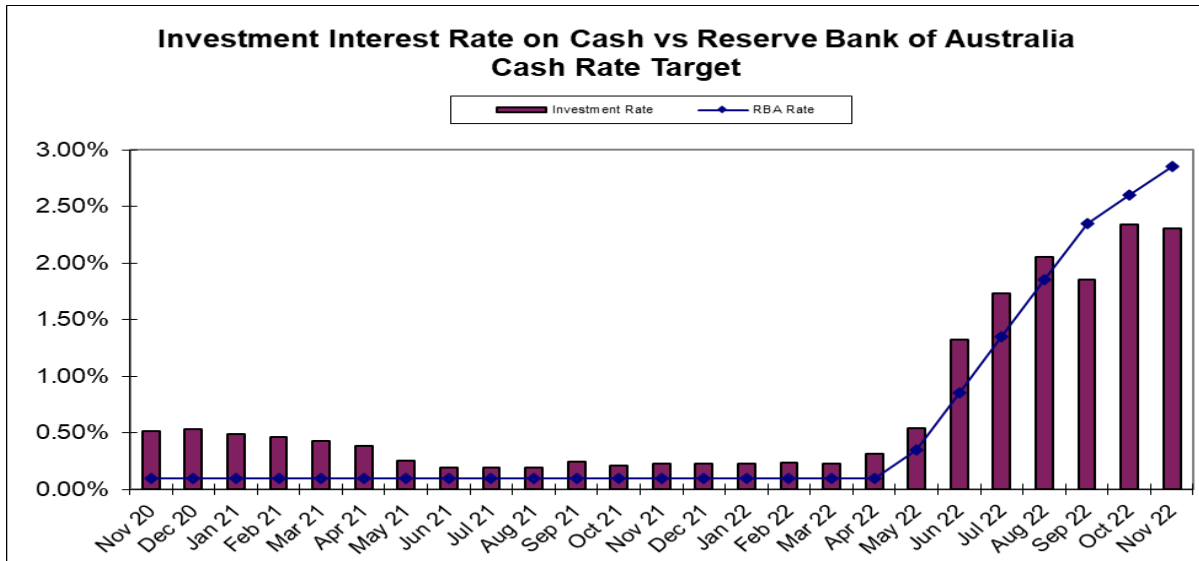
The yield return on major bank term deposit investments continues to increase in line with recent Reserve Bank decisions to raise interest rates. This trend is expected to continue as the inflation outlook is revised.

At present, the average investment rate of return is 2.31%. This is below the RBA cash rate. As these funds are moved to term deposits the average interest rate on funds will increase. There was a 0.25% increase in the Reserve Bank’s cash rate target to 2.85% as at 2nd November 2022.

The Shire has term deposits maturing from December 2022 to June 2023 with investment terms of 91 days to 336 days and interest rates from 0.35% to 3.78%.

The below analysis charts the movement in investment and applied interest rates.

Graph 4

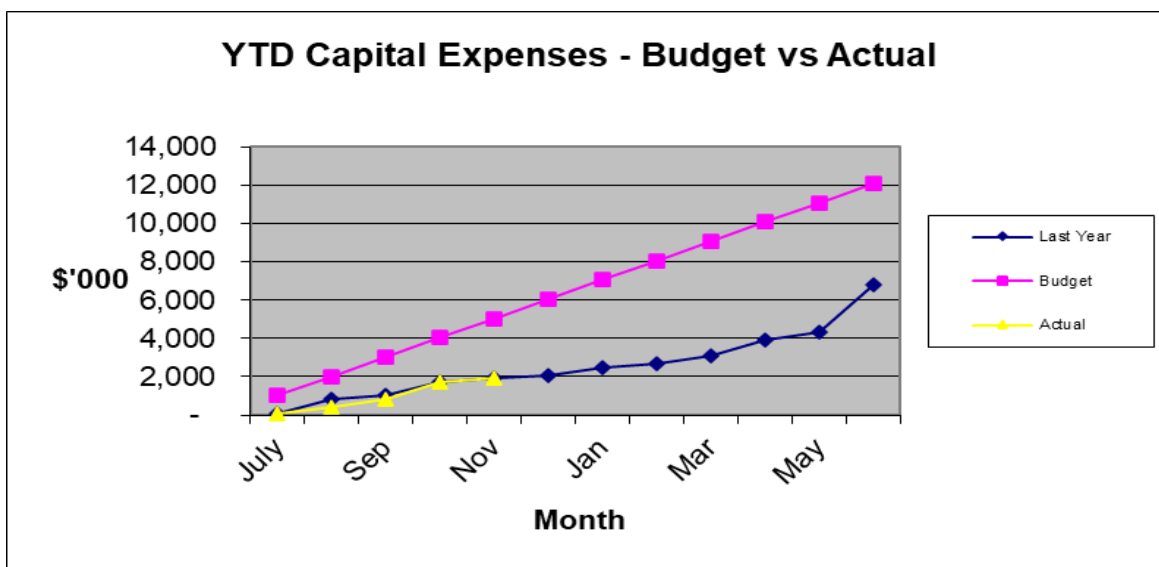


The November review of main capital expenditure items totalled \$210,556.00 and was distributed across the following projects/purchases:

- \$ 17,356.00 Park Irrigation.
- \$ 226.00 Dalyellup Skate Park.
- \$ 24,382.00 Buildings.
- \$129,770.00 Plant.
- \$ 37,957.00 Information technology equipment and software licences.
- \$ 865.00 Book stock.

The following graph compares the actual capital expenditure against the 2022/23 budget on a year-to-date basis and includes the prior year actual for comparative purposes. The overall spend continues to track below budget.

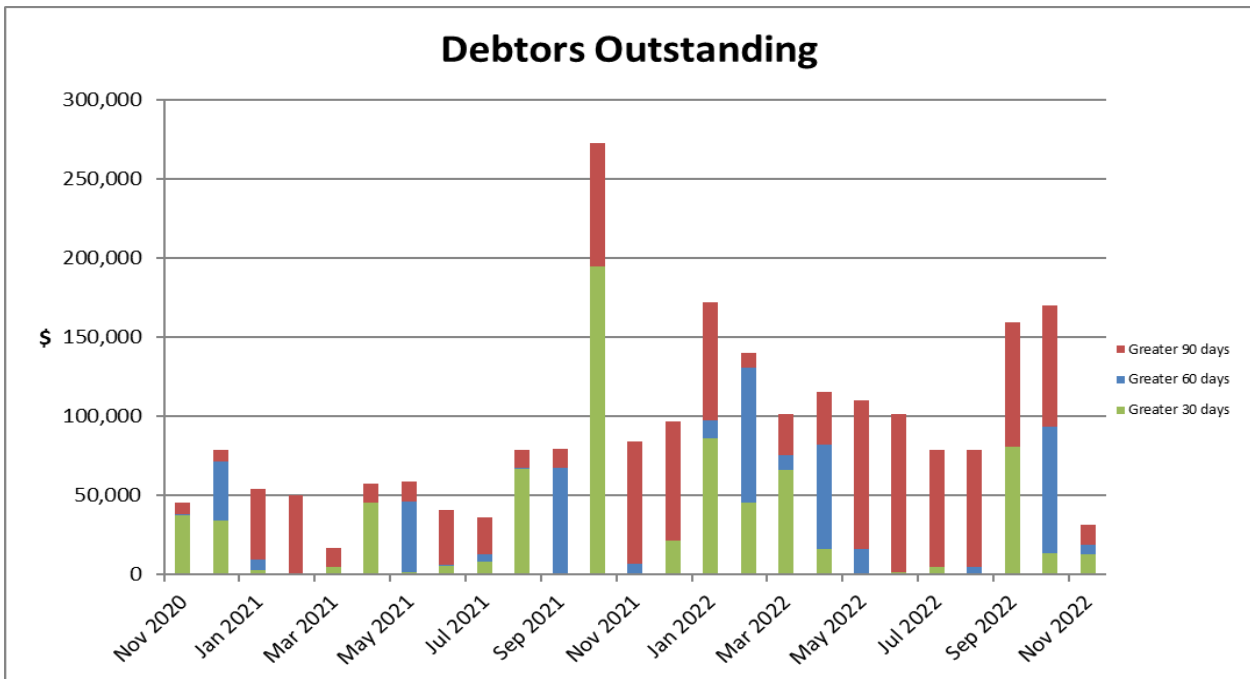
Graph 5





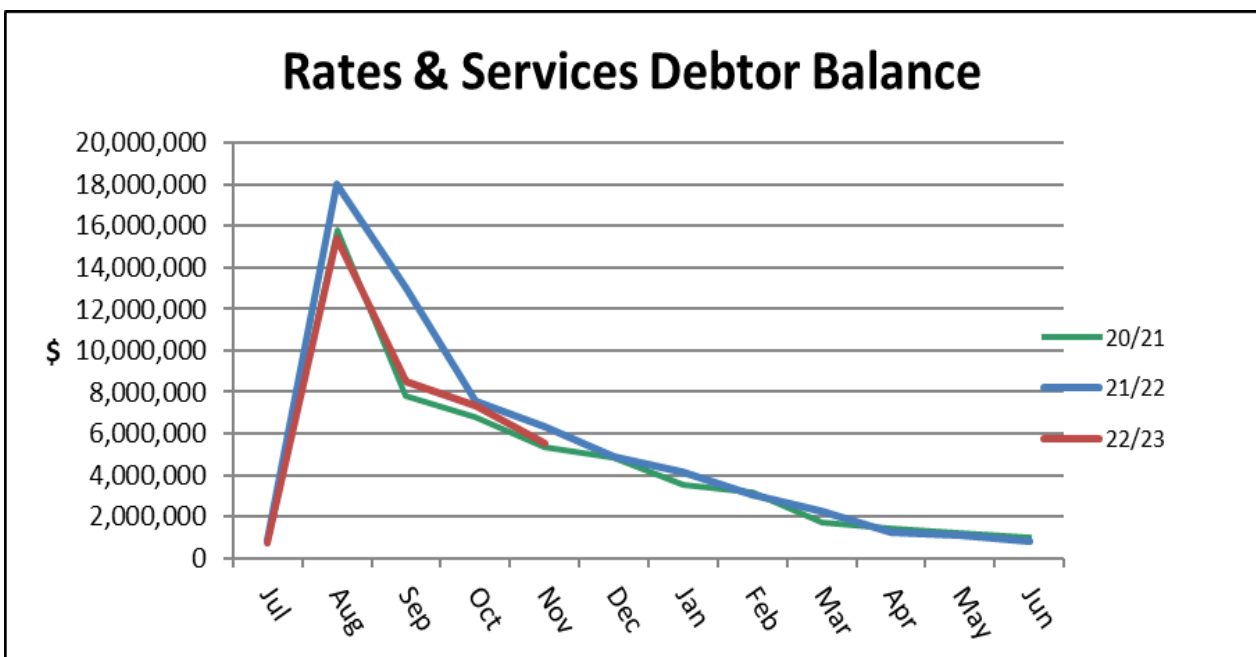
The following graph illustrates the Council's current level of general debt recovery for 30-60 days, 61-90 days and greater than 90 days.

Graph 6



The following graph illustrates the Council's current level of rate debtors' recovery and compares this with previous years. The amount includes both current and in arrears rates and services debtor balance.

Graph 7

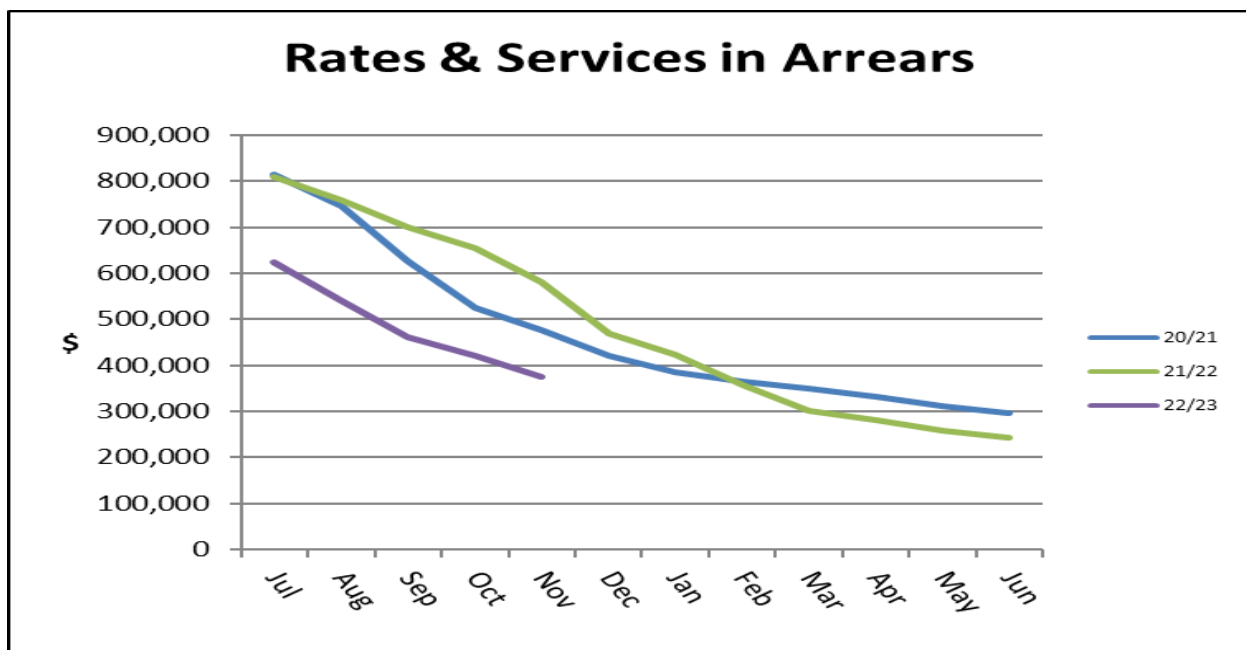


The following graph shows the level of rates and services in arrears for the last three years. Rates and services in arrears at the start of each financial year as a percentage of the rates and services debtor balance has been: 2022/23 3.51%, 2021/22 4.22% and 2020/21 4.71%.

The percentage analysis indicates that rates in arrears balances continues to decrease from financial year 2020/21 to 2021/22 and was a direct result of the re-application of interest and instalment fee charges to outstanding rate debtors.

Given the Council’s decision to not charge interest and instalment fee charges for financial year 2022/23, regular monitoring of rate debtor balances is crucial going forward to ensure the Shire’s ongoing cash flow position is sustainable and will support the financial commitments adopted by the Council through the Annual Budget.

Graph 8



The Council’s financial ratios are disclosed in Note 19 of the attached Financial Statements. The year-to-date Debt Service Coverage Ratio and Current Ratio reflect rate revenue recognised to the November period.

Summary

This report monitors the Shire’s financial position for the month of November 2022 and tracks the progress against the budget set at the start of the 2022/23 financial year.

A determination of the Shire’s November 2022 financial position has been analysed comparing year to date actual and budget, with variances explained as:

- 1) Operating revenue increases (Planning application fees and subdivision clearances).
- 2) Operating expenditure decrease (Timing of expenditure on contractors and depreciation).
- 3) Non-cash exclusions (Depreciation).
- 4) Capital expenditure below budget (Timing of expenditure).
- 5) Asset disposal below budget (Timing of disposals).



Current November financial statements show the forecast year end 2022/23 net current asset position of \$1,198.00, as reflected in the adopted Annual Budget. This figure represents the adjustments to income and reserve transactions during the budget process to maintain the net current asset position.

Through the remaining seven reporting periods, the net current asset position will be presented and analysed against the budgeted figure of \$1,198.00.

Voting Requirements

Simple Majority

Officer's Recommendation – 15.4.

OC/2023/14 - Officer's Recommendation / Council Decision - 15.4

Moved Cr Andrew, Seconded Cr Terrantroy.

That the Council receive the monthly financial statements for the period ending on 30 November 2022.

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



15.5. Accounts paid during the Month of December 2022

Author	Manager Finance, Andrew Mataboni
Authorising Officer	Director Community and Corporate Services, Samantha Chamberlain
Nature of the Decision	Legislative
Confidential Status	This item is not a confidential matter.

Proposal

Accounts paid during December 2022 have been checked and certified by staff as correct and are submitted for the Council's endorsement.

Officer's Recommendation

That in accordance with Regulation 13(11) of the *Local Government (Financial Management) Regulations 1996*, the list of payments made under delegated authority for the month of December 2022 be received and recorded in the minutes of the Council, the summary of which follows:

- 1 The Schedule of Accounts covering EFT41330 to EFT41586, CHQ50665 to CHQ50670 totaling \$2,230,214.24 during the month of December 2022.
- 2 Payroll payments for the month December 2022, totaling \$451,240.35.
- 3 Transfers to and from investments as listed.

Background

Accounts paid must be submitted for review to the Council each month.

Previous Council Decisions

21 December 2022 OCM - Accounts Paid for month ending 30 November 2022.

Decision Framework

Shire of Capel Strategic Community Plan 2021-2031.

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

Community Outcomes:

- 4.1 Effective and compliant governance
- 4.2 Informed and transparent decision making



Corporate Business Plan 2022 – 2026

Finance and Governance

4.1 FIN 1 - Annual and Monthly Financial Reporting

4.1 FIN 10 – Manage debtors and creditors to maintain optimum cashflow.

Statutory Framework

Local Framework

There are no local frameworks relevant to this item.

State Framework

Local Government Act 1995, section 6.10.

6.10. Financial Management Regulations

1. The general management of, and the authorisation of payments out of-
the municipal fund; and
the trust fund of a local government.

Local Government (Financial Management) Regulations 1996, regulation 13, 1 & 2 -

13. List of accounts (includes, Creditor and Payroll Payments and Transfers To and From Investments).

1. If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:
 - a. the payee's name;
 - b. the amount of the payment;
 - c. the date of the payment; and
 - d. sufficient information to identify the transactions.
2. A list of accounts for approval to be paid is to be prepared each month showing:
 - a. For each account which requires council authorisation in that month-
 - b. The payee's name;
 - c. The amount of the payment; and
 - d. sufficient information to identify the transactions; and
 - e. the date of the meeting of the council to which the list is to be presented.

Federal Framework

There are no federal frameworks relevant to this item.--

Policy Framework

There are no Policy Frameworks relevant to this item.



Implications

Risk Implications

Risk	Likelihood	Consequence	Mitigation
Risk 1 Financial Rating: Medium	Unlikely	Moderate	Report financials monthly.
Risk Description: The schedule of accounts is a list available to the public of Council creditors, the amounts paid to these creditors and a description of the transaction. Payments have been budgeted in the Shire's annual budget with no financial risk of materiality to report.			

Financial Implications

Budget

Payment is made from the Council's Municipal Fund.

Long Term

There are no long-term financial implications relevant to this matter.

Whole of life

There is no whole of life risks relevant to this matter.

Sustainability Implications

The Shire provides monetary funds to suppliers in exchange for goods and services received. Where possible it is preferred to pay suppliers by electronic funds transfer; with remittances emailed thereby reducing the amount of paper used, lessening the environmental impact.

Social

There are no relevant social implications relevant to this item.

Economic

There are no relevant economic implications relevant to this item.

Consultation/Engagement

Relevant staff have been consulted and authorised the payments. Documented reviews by Manager Finance and Director Community and Corporate.

External Consultation

There was no external consultation.

**Internal consultation**

There was no internal consultation.

Officer's Comment

Payments made during the month of December 2022 are as follows:

EFT41330	07/12/2022	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN NO. 76 REPAYMENT	84,004.51
EFT41331	01/12/2022	WESTNET PTY LTD	ADMIN BUILDING AND CAPEL LIBRARY INTERNET - BILLED MONTHLY	219.98
EFT41332	01/12/2022	IINET	DALYELLUP LIBRARY INTERNET - BILLED MONTHLY	119.94
EFT41333	01/12/2022	DE LAGE LANDEN PTY LIMITED	LEASE OF 3300 MOWER - BILLED MONTHLY	1,051.27
EFT41334	02/12/2022	DE LAGE LANDEN PTY LIMITED	LEASE OF SHIRE PRINTER	155.21
EFT41335	02/12/2022	DE LAGE LANDEN PTY LIMITED	LEASE OF ALL SHIRE AND LIBRARY PRINTERS	1,549.90
EFT41336	07/12/2022	ACUMENTIS SOUTHWEST (WA)	VALUATION OF GELORUP BFB SHED	1,320.00
EFT41337	07/12/2022	ARBORGUY	TREE PRUNING AND REMOVAL AT WALTON APPROACH, BATMAN WAY, WARUT WAY DALYELLUP AND BUSSELL HWY GELORUP	8,100.40
EFT41338	07/12/2022	BUNBURY MACHINERY	MAINTENANCE AND REPAIRS TO KUBOTA OUTFRONT MOWER AND TRACTOR	1,375.00
EFT41339	07/12/2022	BUNBURY MOWER SERVICE	PLANT MAINTENANCE AND CONSUMABLES	557.50
EFT41340	07/12/2022	BADGERS EMBROIDERY	EMBROIDERY ON SERVICE AWARDS GIFTS	123.20
EFT41341	07/12/2022	B & B STREET SWEEPING	SWEEPING OF CAPEL CIVIC PRECINCT	1,399.20
EFT41342	07/12/2022	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	2,398.80
EFT41343	07/12/2022	BUDGET CAR & TRUCK RENTALS	HIRE OF 4X4 DUAL CAB	2,217.60



EFT41344	07/12/2022	BENDIGO BANK BUSINESS CREDIT CARD	NOVEMBER CREDIT CARD TRANSACTIONS: 1.11.22 - DROPBOX - \$184.67 - YEARLY SUBSCRIPTION FOR BUILDING DEPT TRANSFER OF LARGE FILES 7.11.22 - FACEBOOK - \$50.00 - ADVERTISING FOR SKATE PARK OPENING 7.11.22 - ZOOM - \$23.09 - SUBSCRIPTION PAYMENT FOR ZOOM AND WEBINAR 11.11.22 - SP MATCHBOX - \$55.92 - SERVICE AWARDS 12.11.22 - KMART - \$192.00 - SERVICE AWARDS 12.11.22 - TRY BOOKING - \$350.00 - STAFF TRAINING 13.11.22 - HYATT REGENCY - \$837.90 - ACCOMMODATION FOR STAFF TRAINING 16.11.22 - TICKETS HUMANITIX - \$70.00 - STAFF TRAINING 17.11.22 - DOMINOES - \$91.73 - PARKS CATERING FOR MEETING 18.11.22 - RENDEZVOUS PERTH - \$816.68 - ACCOMMODATION FOR STAFF TRAINING 25.11.22 - WWC - \$87.00 - RENEWAL OF WORKING WITH CHILDREN CHECK 29.11.22 - CARD FEES - \$12.00 30.11.22 - DOMINOS - \$26.50 - QUEENS JUBILEE CATERING	2,797.49
EFT41345	07/12/2022	BOYLES PLUMBING & GAS	UV FILTER SERVICING FOR CAPEL, ELGIN AND GELORUP COMMUNITY CENTRES AND TRANSFER STATION	1,761.91
EFT41346	07/12/2022	BOYANUP GENERAL STORE & NEWSAGENCY	NEWSPAPER PURCHASES BOYANUP LIBRARY	53.70



EFT41347	07/12/2022	BUSSELTON PEST & WEED CONTROL	BEE TREATMENT FOR HIVE IN BOYANUP PUBLIC PARK	198.00
EFT41348	07/12/2022	DM & S CURTIN	UNLOCK AIR CONDITIONER CONTROL PANELS AT CAPEL SHIRE OFFICE	287.10
EFT41349	07/12/2022	CAPEL PHARMACY	SNAKE BITE BANDAGES	132.00
EFT41350	07/12/2022	CATALYSE	CULTYR EMPLOYEE SCORECARD	8,800.00
EFT41351	07/12/2022	CAPEL HARDWARE & FARM SUPPLIES	VARIOUS HARDWARE EXPENSES	792.03
EFT41352	07/12/2022	CAPEL NEWSAGENCY	STATIONERY AND NEWSPAPERS	17.90
EFT41353	07/12/2022	COUNTRY WATER SOLUTIONS	PARTS FOR IRRIGATION REPAIRS ON MULTIPLE SITES	422.09
EFT41354	07/12/2022	COMPLETE CUISINE CARVERY & CATERING	STAFF CHRISTMAS BREAKFAST CATERING	2,547.50
EFT41355	07/12/2022	COLROYS COUNTRY KITCHEN	CATERING FOR WORKSHOP AND OCM	330.50
EFT41356	07/12/2022	GOLDEN WEST PLUMBING & DRAINAGE	REPLACE OF BASINS AND REPLACE PUSH BUTTON ON THE CISTERN AT BEACH ABLUTIONS DALYELLUP BVD AND UNBLOCK TOILET AT EAST DALYELLUP PAVILION	2,662.00
EFT41357	07/12/2022	FLEET NETWORK	VEHICLE PAYROLL DEDUCTION	590.98
EFT41358	07/12/2022	GANNAWAYS CHARTERS AND TOURS	BUS TRANSPORT FOR ADVENTURE WORLD YOUTH PROGRAM	2,145.00
EFT41359	07/12/2022	GRAVITY ETC	HIRE FOR SHIRE YOUTH WEEK	3,000.00
EFT41360	07/12/2022	GEOSPREAD	TO SUPPLY MACHINERY AND OPERATORS TO MULCH GREENWASTE AT THE CAPEL WASTE TRANSFER STATION INCLUDING MOBILISATION AND CARTING MULCH AWAY	15,400.00
EFT41361	07/12/2022	KLEENIT	CARRY OUT CLEANING OF GUTTERS TO 19 SHIRE BUILDINGS	3,382.50



EFT41362	07/12/2022	KMART AUSTRALIA LIMITED	CAPEL YOUTH LEADERSHIP CAMP MATERIALS	288.25
EFT41363	07/12/2022	STATE LIBRARY OF WESTERN AUSTRALIA	FREIGHT RECOUP JULY - DECEMBER	1,531.71
EFT41364	07/12/2022	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	STAFF TRAINING	242.00
EFT41365	07/12/2022	LUSH FIRE AND PLANNING	FINALISATION OF BUSHFIRE HAZARD LEVEL ASSESSMENT IN ACCORDANCE WITH WAPC MODIFICATIONS	495.00
EFT41366	07/12/2022	LEASE EQUITY TRUST ACCOUNT	DALYELLUP PUBLIC LIBRARY MONTHLY LEASE FEE	7,682.61
EFT41367	07/12/2022	MARGARET RIVER SURF SCHOOL	YOUTH SURFING LESSONS SUMMER INZONE	968.00
EFT41368	07/12/2022	NATURALISTE TURF	TURF MAINTENANCE FOR BOYANUP MEMORIAL PARK, CAPEL RECREATION GROUND, LUTHERAN COLLEGE PLAYING FIELDS AND FERNDALE PARK	35,277.50
EFT41369	07/12/2022	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY AND OFFICE CHAIRS	885.92
EFT41370	07/12/2022	ONSITE RENTAL GROUP	HIRE OF TOILET FOR THE DALYELLUP SKATEPARK	1,599.22
EFT41371	07/12/2022	OPTUS BILLING SERVICES PTY LTD	OPTUS FIXED LINE PHONE AND MOBILE ACCOUNTS - BILLED MONTHLY	2,206.65
EFT41372	07/12/2022	RECRUITWEST PTY LTD	LABOUR HIRE	3,475.01
EFT41373	07/12/2022	SOUTHERN LOCK & SECURITY	REPAIR AND REMOVAL OF VARIOUS KEYS AND LOCKS	1,439.84
EFT41374	07/12/2022	SOS OFFICE EQUIPMENT	SHIRE PHOTOCOPIER METER BILLING - BILLED MONTHLY	2,435.24
EFT41375	07/12/2022	SYNERGY	ELECTRICITY	7,151.85
EFT41376	07/12/2022	DONNA SIMS	REWARD VOUCHER	50.00
EFT41377	07/12/2022	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICALS	840.97
EFT41378	07/12/2022	SOLUTIONS IT	PURCHASE OF NEW RECEIPT PRINTERS	1,027.40
EFT41379	07/12/2022	SWAN VALLEY ADVENTURE CENTRE	INZONE YOUTH LEADERSHIP CAMP	900.00



EFT41380	07/12/2022	TOTAL TOOLS BUNBURY PTY LTD	VARIOUS TOOLS	95.40
EFT41381	07/12/2022	TOLL TRANSPORT PTY LIMITED	FREIGHT FOR HEALTH	47.82
EFT41382	07/12/2022	IT VISION	ADDITIONAL DELEGATE FEE	275.00
EFT41383	07/12/2022	VEOLIA ENVIRONMENTAL SERVICES	STREET SWEEPING AND DRAIN CLEANING FOR OCTOBER 2022	2,496.00
EFT41384	07/12/2022	WOOLWORTHS LIMITED (WA)	VALUES AWARDS 2022 AND YOUTH STALL MATERIALS FOR DALYELLUP CHRISTMAS FESTIVAL	502.98
EFT41385	12/12/2022	MINISTRY OF JUSTICE-SHERIFF' OFFICE	FER REFERRAL COSTS	81.00
EFT41386	14/12/2022	AUSTRALIA POST	POSTAGE	1,452.17
EFT41387	14/12/2022	AUSTRALIAN INSTITUTE OF MANAGEMENT WA HRD LTD	STAFF TRAINING	987.00
EFT41388	14/12/2022	BIG W	BOOK STOCK PURCHASES	335.00
EFT41389	14/12/2022	BUNBURY MOWER SERVICE	PLANT MAINTENANCE AND CONSUMABLES	1,692.40
EFT41390	14/12/2022	CONSTRUCTION TRAINING FUND	NOVEMBER 2022 BCITF REMITTANCE	655.25
EFT41391	14/12/2022	B & B STREET SWEEPING	SWEEPING OF CAPEL CIVIC PRECINCT	699.60
EFT41392	14/12/2022	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	615.95
EFT41393	14/12/2022	BUNBURY PLUMBING SERVICES	PUMP OUT GREASE TRAP AT BOYANUP MEMORIAL HALL	213.50
EFT41394	14/12/2022	NATASHA LEE BABICH	SPORTS PARTICIPATION FOR 2	400.00
EFT41395	14/12/2022	CAPEL REGIONAL EQUESTRIAN PARK INC.	MINOR COMMUNITY GRANT	1,100.00
EFT41396	14/12/2022	CAPEL FRESH IGA	REFRESHMENTS	417.63
EFT41397	14/12/2022	CAPEL CLEANING	CARRY OUT CLEANING AT CAPEL SHIRE OFFICE, PEPPERMINT GROVE AND DALYELLUP COMMUNITY CENTRES AND CAPEL CHILDREN'S CENTRE	1,339.80
EFT41398	14/12/2022	CAPEL NEWSAGENCY	NEWSPAPER PURCHASES CAPEL LIBRARY	64.80



EFT41399	14/12/2022	CSSTECH GROUP ICT SERVICES	MITEL PARTNER SUPPORT 1 YEAR	3,915.65
EFT41400	14/12/2022	COLROYS COUNTRY KITCHEN	CATERING	164.00
EFT41401	14/12/2022	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	251.34
EFT41402	14/12/2022	DALYELLUP BEACH CRICKET CLUB	MINOR COMMUNITY GRANT	1,666.00
EFT41403	14/12/2022	DATA #3	IT PURCHASE	391.71
EFT41404	14/12/2022	DEPARTMENT OF MINES, INDUSTRY REGULATION & SAFETY	NOVEMBER 2022 BSL REMITTANCE	10,755.79
EFT41405	14/12/2022	ELGIN COMMUNITY HALL INC	CATERING FOR VOLUNTEERS' BREAKFAST	2,200.00
EFT41406	14/12/2022	EASIFLEET MANAGEMENT	VEHICLE PAYROLL DEDUCTION	1,105.23
EFT41407	14/12/2022	ELLIOTTS FILTRATION	IRON FILTRATION SERVICING	602.80
EFT41408	14/12/2022	GOLDEN WEST PLUMBING & DRAINAGE	REPAIR VANDALISED CISTERN AND UNBLOCK TOILETS AT DALYELLUP SKATEPARK	357.50
EFT41409	14/12/2022	Dept of Fire and Emergency Services (DFES).	QTR 2 ESL PAYMENT	360,925.81
EFT41410	14/12/2022	MCG FIRE SERVICES	REPLACEMENT OF FIRE EXTINGUISHERS AT DALYELLUP SPORTS PAVILION	616.00
EFT41411	14/12/2022	FLEET NETWORK	VEHICLE PAYROLL DEDUCTION	590.98
EFT41412	14/12/2022	GHD PTY LTD	FEASIBILITY STUDY KAATIJINUP BIODIVERSITY PARK	23,311.18
EFT41413	14/12/2022	GRACE RECORDS MANAGEMENT	RECORDS STORAGE AND DESTRUCTION	1,446.90
EFT41414	14/12/2022	GOLD CORPORATION	2023 CITIZENSHIP COINS FOR AUSTRALIA DAY CEREMONY	515.50
EFT41415	14/12/2022	JONATHAN HARDAKER	RATES REFUND	900.00
EFT41416	14/12/2022	AE HOSKINS BUILDING SERVICES	INSTALLING FLAGS IN THE MEETING ROOM	297.63
EFT41417	14/12/2022	LESLEY JACKES	DALYELLUP PRIMARY T-SHIRTS PROJECT	386.70
EFT41418	14/12/2022	G & A JANSEN VAN VUUREN	RATES REFUND	29.20



EFT41419	14/12/2022	LANDGATE	LAND VALUATIONS	919.61
EFT41420	14/12/2022	DEPARTMENT OF LOCAL GOVERNMENT, SPORT & CULTURAL INDUSTRIES	STANDARD PANELS FEE	4,674.68
EFT41421	14/12/2022	MARSH PTY LTD	STAFF TRAINING	5,032.50
EFT41422	14/12/2022	MARCHESE ENTERPRISES PTY LTD T/A MJ GOODS	GRAFFITI REMOVER	159.80
EFT41423	14/12/2022	THE NEW BEAUT COFFEE UTE	STAFF CHRISTMAS BREAKFAST	467.50
EFT41424	14/12/2022	THE NIGHTGUARD SECURITY SERVICES (WA) PTY LTD	SHIRE BUILDINGS SECURITY PATROLS	2,732.44
EFT41425	14/12/2022	OFFICEWORKS SUPERSTORES PTY LTD	BUSH FIRE MITIGATION OFFICER HARDWARE	89.92
EFT41426	14/12/2022	PRIME INDUSTRIAL PRODUCTS	PPE	2,281.70
EFT41427	14/12/2022	AUSTRALIAN TAXATION OFFICE	PAYG	68,399.67
EFT41428	14/12/2022	RECRUITWEST PTY LTD	LABOUR HIRE	7,560.21
EFT41429	14/12/2022	RAECO	LIBRARY BOOK COVERING AND LABELS	366.30
EFT41430	14/12/2022	SOUTHERN LOCK & SECURITY	REPLACEMENT OF LOCK AT THE CAPEL SPORTS PAVILION TOILET	171.50
EFT41431	14/12/2022	SOS OFFICE EQUIPMENT	PHOTOCOPIER METER BILLING FOR BOYANUP LIBRARY	39.22
EFT41432	14/12/2022	SYNERGY	ELECTRICITY	889.01
EFT41433	14/12/2022	SEEK	SEEK ADS	2,021.25
EFT41434	14/12/2022	SDH PAINTING & DECORATING	REMOVE GRAFFITI FROM VARIOUS LOCATIONS INCLUDING SOUTH LAKES, CENTRAL LAKES, DALYELLUP SPORTS PAVILION AND DALYELLUP BVD	682.00
EFT41435	14/12/2022	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICALS	305.80
EFT41436	14/12/2022	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	597.73
EFT41437	14/12/2022	TOTALLY WORKWEAR	UNIFORM ALLOWANCES	337.30



EFT41438	14/12/2022	TOTAL GREEN RECYCLING PTY LTD	COLLECTION AND PROCESSING OF E-WASTE FROM SHIRE OF CAPEL WASTE TRANSFER STATION	5,095.02
EFT41439	14/12/2022	T-QUIP	MAINTENANCE ON MOWERS AND SPREAD 3 SPRAYERS	1,856.35
EFT41440	14/12/2022	TRONOX MINING AUSTRALIA	RATES REFUND	6,286.76
EFT41441	14/12/2022	UNITING GLOBAL	CARRY OUT CLEANING OF SHIRE PUBLIC TOILETS	6,390.73
EFT41442	14/12/2022	VERAISON PTY LTD	PSI ASSESSMENT AND CULTURE PROGRAM PLAN	10,835.00
EFT41443	14/12/2022	WA SKILLS TRAINING	STAFF TRAINING	240.00
EFT41444	14/12/2022	WOODLANDS DISTRIBUTORS PTY LTD	DEGRADABLE DOG WASTE BAGS	169.26
EFT41447	15/12/2022	BUNBURY CITY GLASS	REPLACE BROKEN WINDOW DALYELLUP PAVILION	225.10
EFT41448	15/12/2022	WORKPAC GROUP	LABOUR HIRE	26,706.77
EFT41449	14/12/2022	WA FUEL SUPPLIES PTY LTD	BOYANUP BFB - FUEL FOR BOYANUP APPLIANCES	47.69
EFT41450	16/12/2022	TELSTRA CORPORATION LTD	MOBILE CHARGES - MONTHLY CHARGE	935.88
EFT41452	19/12/2022	TELSTRA CORPORATION LTD	SHIRE LANDLINES - BILLED MONTHLY	383.18
EFT41453	20/12/2022	TELSTRA CORPORATION LTD	DALYELLUP SPORTS PAVILION - INTERNET - BILLED MONTHLY	90.00
EFT41454	21/12/2022	ADVENTURE WORLD	YOUTH INZONE EXPENSES	1,319.00
EFT41455	21/12/2022	CR KAARA ANDREW	DEC COUNCILLOR ALLOWANCE	2,904.50
EFT41456	21/12/2022	AMITY SIGNS	RURAL STREET NUMBER PLATES -	80.85
EFT41457	21/12/2022	ARBORGUY	PRUNING AND LIMB REMOVAL DOUNGUP ROAD	2,227.50
EFT41458	21/12/2022	BUNBURY MACHINERY	SHIRE PLANT MAINTENANCE AND PARTS	647.50
EFT41459	21/12/2022	BUNBURY MOWER SERVICE	PLANT CONSUMABLES AND MAINTENANCE	851.20



EFT41460	21/12/2022	BUNBURY AUTO ONE	SHIRE FLEET VEHICLE PARTS AND MAINTENANCE	347.32
EFT41461	21/12/2022	BUNNINGS BUILDING SUPPLIES PTY LTD	VARIOUS HARDWARE EXPENSES	858.16
EFT41462	21/12/2022	HEATLEYS SAFETY & INDUSTRIAL	PPE	210.72
EFT41463	21/12/2022	MARINE RESCUE BUNBURY	DONATION 2022	340.00
EFT41464	21/12/2022	BENDIGO BANK EMERGENCY SERVICES DEBIT CARD	PARKING FOR LEMAG MEETING	5.80
EFT41465	21/12/2022	BEYOND SAFETY	PPE	270.00
EFT41466	21/12/2022	PL & AM BAKER	RATES REFUND	358.47
EFT41467	21/12/2022	BP AUSTRALIA	DIESEL FUEL SUPPLY AND DELIVERY FOR NOVEMBER	38,410.38
EFT41468	21/12/2022	CAPEL RSL	PGB ANZAC DAWN SERVICE	5,330.00
EFT41469	21/12/2022	CLEVERPATCH	CRAFT SUPPLIES & FREIGHT FOR LIBRARIES	95.54
EFT41470	21/12/2022	CR DAVID FLOYD CLEWS	COUNCILLOR DEC ALLOWANCE	2,904.50
EFT41471	21/12/2022	COUNTRY WATER SOLUTIONS	IRRIGATION REPAIRS AND PARTS	2,764.49
EFT41472	21/12/2022	CAPEL BOWLS CLUB INC GREEN'S ACCOUNT	COUNCIL CHRISTMAS FUNCTION 2022	160.00
EFT41473	21/12/2022	CJ CIVIL SOLUTIONS	SEP LID REPLACEMENT ON CAPEL DRIVE	3,000.00
EFT41474	21/12/2022	CAPEL CELLARBRATIONS	COUNCIL REFRESHMENTS PURCHASE	33.00
EFT41475	21/12/2022	PAULINE KAY CHEEK	REIMBURSEMENT OF WWC	87.00
EFT41476	21/12/2022	COLROYS COUNTRY KITCHEN	LEMC CATERING	45.00
EFT41477	21/12/2022	DORMAKABA AUSTRALIA PTY LTD	SERVICE AUTOMATIC DOORS X 4	396.00
EFT41478	21/12/2022	DALYELLUP PRIMARY SCHOOL	INDIGENOUS DESIGN FOR POLO SHIRTS	60.12
EFT41479	21/12/2022	CR ASHLEY DILLON	DEC COUNCILLOR ALLOWANCE	2,904.50
EFT41480	21/12/2022	JACINTA DRAPER	COUNCIL REFRESHMENTS	91.00
EFT41481	21/12/2022	BUSSELTON DYMOCKS	LIBRARY BOOK STOCK	25.48
EFT41482	21/12/2022	ELMO SOFTWARE LTD	SOFTWARE FOR RECRUITMENT, PERFORMANCE MANAGEMENT AND SUCCESSION	14,300.00



EFT41483	21/12/2022	GOLDEN WEST PLUMBING & DRAINAGE	REPLACE DAMAGED TOILET PEDESTALS AND FLUSH SYSTEMS DALYELLUP SURF CLUB BEACH	3,665.20
EFT41484	21/12/2022	A INGRAM	BOOK STOCK PURCHASES	48.00
EFT41485	21/12/2022	CR DOUG KITCHEN	DEC PRESIDENT'S ALLOWANCE	10,392.50
EFT41486	21/12/2022	LINCOLN KAY	MEDI FREEZE TICK REMOVAL DEVICES	103.79
EFT41487	21/12/2022	LANDGATE	LAND VALUATIONS	260.82
EFT41488	21/12/2022	LEASE EQUITY TRUST ACCOUNT	MONTHLY LEASE FEE - DALYELLUP PUBLIC LIBRARY	7,937.19
EFT41489	21/12/2022	CR ROSINA MAY MOGG	DEC COUNCILLOR ALLOWANCE	2,904.50
EFT41490	21/12/2022	CR P McCLEERY	DEC COUNCILLOR ALLOWANCE	2,904.50
EFT41491	21/12/2022	MARKETFORCE	VARIOUS ADVERTISING	1,483.10
EFT41492	21/12/2022	REBECCA MCLEVIE	YOUTH CAMP AWARD VOUCHERS	90.00
EFT41493	21/12/2022	CR KIERAN JAMES NOONAN	DEC COUNCILLOR ALLOWANCE	2,904.50
EFT41494	21/12/2022	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY	421.55
EFT41495	21/12/2022	STEVE O'BRIEN	COUNCILLOR REFRESHMENTS	218.50
EFT41496	21/12/2022	PRIME INDUSTRIAL PRODUCTS	PPE	1,372.25
EFT41497	21/12/2022	ROYAL FLYING DOCTORS SERVICE	DONATION 2022	330.00
EFT41498	21/12/2022	RECRUITWEST PTY LTD	LABOUR HIRE	4,292.92
EFT41499	21/12/2022	ST JOHN AMBULANCE ASSOCIATION - CAPEL	DONATION 2022	1,800.00
EFT41500	21/12/2022	SOUTHERN LOCK & SECURITY	SUPPLY AND CUT KEYS AND LOCATE AND CHECK ALARM ZONE AT DALYELLUP COMMUNITY CENTRE	257.49
EFT41501	21/12/2022	SDH PAINTING & DECORATING	REMOVAL OF GRAFFITI AT VARIOUS PLACES	330.00
EFT41502	21/12/2022	SOILS AINT SOILS	SAND FOR MIDDLE LAKES VALVE BOXES REFILL	23.00
EFT41503	21/12/2022	STRONG ANGELS INC.	DONATION 2022	2,000.00
EFT41504	21/12/2022	CR SEBASTIAN SCHIANO	DEPUTY PRESIDENT'S ALLOWANCE	4,094.25



EFT41505	21/12/2022	D & K THOMAS ELECTRICAL	REPAIR OF LIGHTS IN THE SHIRE OFFICE, IN THE SAFE AND THE DISABLED TOILET AND INSPECT ALL GENERAL POWER OUTLETS IN MIDDLE LAKES AREA	1,226.11
EFT41506	21/12/2022	TOTALLY WORKWEAR	STAFF UNIFORMS	200.00
EFT41507	21/12/2022	CR CHRISTINE TERRANTROY	COUNCILLOR DEC ALLOWANCE	2,904.50
EFT41508	21/12/2022	TOLL TRANSPORT PTY LIMITED	FREIGHT	12.25
EFT41509	21/12/2022	TYREPOWER CAPEL	SHIRE FLEET VEHICLE SERVICE	782.50
EFT41510	21/12/2022	VEOLIA ENVIRONMENTAL SERVICES	STORMWATER PIT CLEANING	5,148.55
EFT41511	21/12/2022	WORK CLOBBER BUNBURY	STAFF PPE AND UNIFORMS	379.70
EFT41512	21/12/2022	LORD MAYOR'S DISTRESS RELIEF FUND	DONATION 2022	1,000.00
EFT41513	21/12/2022	WA SKILLS TRAINING	STAFF TRAINING	480.00
EFT41514	21/12/2022	WESTERN AUSTRALIAN TREASURY CORPORATION	PAYMENT OF LOANS 75, 89 AND 93	129,787.09
EFT41515	21/12/2022	THE PRINT SHOP	PRINTING AND DELIVERY OF 250X BUSINESS CARDS	88.00
EFT41516	21/12/2022	WORKPAC GROUP	LABOUR HIRE	2,378.64
EFT41517	21/12/2022	WOOLWORTHS LIMITED (WA)	YOUTH ACTIVITIES - CHRISTMAS BAKING	152.78
EFT41518	21/12/2022	4PARK PTY LTD T/A FORPARK AUSTRALIA	PLAYGROUND SWING SEATS FOR ERLE SCOTT AND BOYANUP MEMORIAL PARK PLAY EQUIPMENT	3,314.30
EFT41519	21/12/2022	ARBORGUY	TRAFFIC CORRIDOR CLEARANCE PRUNING WELD RD	9,592.00
EFT41520	21/12/2022	BUNBURY MOWER SERVICE	PLANT MAINTENANCE AND CONSUMABLES	184.00



EFT41521	21/12/2022	B & B STREET SWEEPING	SWEEPING THE CAPEL CIVIC PRECINCT SHIRE ADMINISTRATION BUILDING CARPARK, CARAVAN CARPARKS, SKATEPARK & WALKWAYS, FOOTPATHS FORREST RD, PORTION OF FORREST ROAD KERBING	1,399.20
EFT41522	21/12/2022	HEATLEYS SAFETY & INDUSTRIAL	PPE	236.02
EFT41523	21/12/2022	WINC AUSTRALIA PTY LTD	STATIONERY	584.74
EFT41524	21/12/2022	CB TRAFFIC SOLUTIONS	TRAFFIC FOR THE PLANTATION RD JOB	4,989.60
EFT41525	21/12/2022	CARBONE BROS PTY LTD	100T OF GRAVEL	2,022.98
EFT41526	21/12/2022	DEPARTMENT OF TRANSPORT	ONGOING ANNUAL DISCLOSURE OF INFORMATION FEES	20.50
EFT41527	21/12/2022	ELDERS RURAL SERVICES AUSTRALIA LIMITED	5L BLUE ENVIRO DYE	341.00
EFT41528	21/12/2022	GOLDEN WEST PLUMBING & DRAINAGE	UNBLOCK TOILETS AT DALYELLUP SKATEPARK	209.00
EFT41529	21/12/2022	FLEET NETWORK	VEHICLE PAYROLL DEDUCTION	590.98
EFT41530	21/12/2022	GEOGRAPHE CIVIL	HIRE OF RESCUE TRIPOD & HARNESSES	660.00
EFT41531	21/12/2022	GEOGRAPHE FORD	FLEET VEHICLE SERVICE	405.00
EFT41532	21/12/2022	CONNECT CALL CENTRE SERVICES	CONNECT CALL CENTRE - AFTER HOURS CALL ANSWERING AND RE-DIRECTION	374.66
EFT41533	21/12/2022	KMART AUSTRALIA LIMITED	YOUTH CHRISTMAS CRAFT ACTIVITIES	89.00
EFT41534	21/12/2022	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION WALGA	STAFF TRAINING	242.00
EFT41535	21/12/2022	LANDGATE	COPY OF SURVEY, CERTIFICATE OF TITLE AND FIELD RECORD	59.60
EFT41536	21/12/2022	MARKET CREATIONS AGENCY	WEBSITE REDEVELOPMENT	27,585.80



EFT41537	21/12/2022	MCLEODS BARRISTERS AND SOLICITORS	BOYANUP SALEYARDS - FINALISING LEASE AND LEGAL ADVICE ON AFFIDAVIT	2,236.31
EFT41538	21/12/2022	MARCHESE ENTERPRISES PTY LTD T/A MJ GOODS	CLEANING PRODUCTS AND TOILETRIES	224.95
EFT41539	21/12/2022	NATURAL AREA HOLDINGS PTY LTD	SEPARABLE PORTION - WATERING	913.00
EFT41540	21/12/2022	NUTRIEN AG SOLUTIONS	SUPPLY OF 8 X 20 LITRE GT GREEN CONTAINERS	1,276.00
EFT41541	21/12/2022	OFFICEWORKS SUPERSTORES PTY LTD	STATIONERY	377.82
EFT41542	21/12/2022	ONSITE RENTAL GROUP	PUMPING OUT OF SEPTIC TANK AT DALYELLUP SKATE PARK	2,135.36
EFT41543	21/12/2022	OPTUS BILLING SERVICES PTY LTD	SHIRE FIXED LINES AND INTERNET	886.65
EFT41544	21/12/2022	PROTECTOR FIRE SERVICES	CAPEL LIBRARY FIRE PANEL SERVICING	438.90
EFT41545	21/12/2022	PORTABLE PARTITIONS AUSTRALIA PTY LTD	SUPPLY AND DELIVER 10 X HUSH PANELS FOR OFFICES	11,115.50
EFT41546	21/12/2022	PEPPERMINT GROVE BEACH HOLIDAY PARK	CATERING	295.00
EFT41547	21/12/2022	SYNERGY	ELECTRICITY	5,142.95
EFT41548	21/12/2022	SDH PAINTING & DECORATING	DALYELLUP SKATE PARK GRAFFITI REMOVAL	396.00
EFT41549	21/12/2022	SONIC HEALTHPLUS PTY LTD	PRE-EMPLOYMENT MEDICALS	305.80
EFT41550	21/12/2022	SPACETOCO PTY LTD	SPACETOCO MONTHLY BUNDLE	1,980.00
EFT41551	21/12/2022	SWAN VALLEY ADVENTURE CENTRE	INZONE YOUTH LEADERSHIP CAMP	6,026.00
EFT41552	21/12/2022	TRAFFIC FORCE	TRAFFIC MANAGEMENT FOR PARADE ROAD MEDIANS	758.62
EFT41553	21/12/2022	TENDERLINK	POSTING OF RFQ AND TENDERS	721.60
EFT41554	21/12/2022	TOLL TRANSPORT PTY LIMITED	FREIGHT	47.69
EFT41555	21/12/2022	TYREPOWER CAPEL	SHIRE FLEET VEHICLE DAMAGED TYRE REPAIR	205.00
EFT41556	21/12/2022	UNITING GLOBAL	CLEANING OF ALL SHIRE PUBLIC TOILETS	6,390.73



EFT41557	21/12/2022	WORK CLOBBER BUNBURY	STAFF UNIFORMS AND PPE	675.90
EFT41558	21/12/2022	WORKPAC GROUP	LABOUR HIRE	5,188.04
EFT41559	21/12/2022	WA RETICULATION SUPPLIES	SUPPLY AND DELIVERY 30 X SOLENOID COILS	1,921.86
EFT41560	22/12/2022	360 ENVIRONMENTAL PTY LTD	DWER ANNUAL WATER MONITORING REQUIREMENT FOR CAPEL WASTE TRANSFER STATION	3,250.50
EFT41561	22/12/2022	AMITY SIGNS	VARIOUS ROAD AND STREET SIGNS	6,128.10
EFT41562	22/12/2022	THE AUSTRALIAN WORKERS UNION	PAYROLL DEDUCTIONS/CONTRIBUTI ONS	108.00
EFT41563	22/12/2022	BUNBURY HARVEY REGIONAL COUNCIL	DISPOSAL AND PROCESSING OF KERBSIDE FOOD ORGANICS AND GARDEN ORGANICS	7,968.12
EFT41564	22/12/2022	BENDIGO BANK EMERGENCY SERVICES DEBIT CARD	FIRE INCIDENT 602526 EXPENSES	354.90
EFT41565	22/12/2022	CLEANAWAY	WASTE, RECYCLING AND ORGANICS KERBSIDE COLLECTION, STREET BIN AND PARKS COLLECTION AND BIN MAINTENANCE DISPOSAL OF KERBSIDE GENERAL WASTE, TRANSPORTATION OF WASTE INCLUDING BIN HIRE AND TRUCK HIRE	138,860.02
EFT41566	22/12/2022	CLEANWAY XTRA CLEANING SERVICES	SHIRE BBQ CLEANING	3,884.83
EFT41567	22/12/2022	COUNTRY WATER SOLUTIONS	WENTWORTH PARK IRRIGATION PARTS FOR REPAIRS	808.09
EFT41568	22/12/2022	CJ CIVIL SOLUTIONS	PEPPERMINT GROVE BEACH BUS TURN AROUND	196,126.27
EFT41569	22/12/2022	CARBONE BROS PTY LTD	WELD ROAD RECONSTRUCTION, AND PAYNE STREET RECONSTRUCTION	449,495.09



EFT41570	22/12/2022	CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	251.34
EFT41571	22/12/2022	NATHAN GILLESPIE	FUEL REIMBURSEMENT AS CARD DECLINED	151.73
EFT41572	22/12/2022	A INGRAM	WWC CHECK	87.00
EFT41573	22/12/2022	LGRCEU	PAYROLL DEDUCTIONS/CONTRIBUTIONS	66.00
EFT41574	22/12/2022	AUSTRALIAN TAXATION OFFICE	PAYG WITHHOLDING	68,639.00
EFT41575	22/12/2022	SYNERGY	ELECTRICITY	35,366.35
EFT41576	22/12/2022	SDH PAINTING & DECORATING	REMOVE GRAFFITI FROM DOOR MALE TOILET CENTRAL LAKES PARK	396.00
EFT41577	22/12/2022	SMARTSALARY	PAYROLL DEDUCTIONS/CONTRIBUTIONS	597.73
EFT41578	22/12/2022	D & K THOMAS ELECTRICAL	CARRY OUT ANNUAL TEST AND TAG ON ALL ELECTRICAL EQUIPMENT, TESTING RCDS, EMERGENCY LIGHTING AND EXIT LIGHTS AND MINOR REPAIRS AT SHIRE OFFICES AND REPLACE EXTERNAL LIGHTS AT DALYELLUP COMMUNITY CENTRE	20,425.57
EFT41579	22/12/2022	URBAQUA LTD	RFQ BOYANUP DISTRICT WATER MANAGEMENT STRATEGY	2,948.00
EFT41580	22/12/2022	VEOLIA RECYCLING & RECOVERY PTY LTD	PROCESSING OF RECYCLABLE MATERIALS FROM KERBSIDE COLLECTION	9,577.66
EFT41581	22/12/2022	SHIRE OF WAGIN	PAYROLL DEDUCTIONS/CONTRIBUTIONS	80.00
EFT41582	22/12/2022	PRECISION ADMINISTRATION SERVICES PTY LTD	DECEMBER 2022 SUPERANNUATION PAYMENT	79,342.26
EFT41586	30/12/2022	DE LAGE LANDEN PTY LIMITED	GROUNDMASTER MOWER LEASE	3,566.35
50665	07/12/2022	WATER CORPORATION	WATER USAGE	3,739.59
50666	14/12/2022	SHIRE OF CAPEL	BSL NOV COMMISSION	269.75



50667	21/12/2022	SHIRE OF AUGUSTA-MARGARET RIVER	IGNITE LEADERSHIP PROGRAM	2,420.00
50668	21/12/2022	WATER CORPORATION	WATER USAGE	3,212.24
50669	22/12/2022	CITY OF BUNBURY	BUNBURY GEOGRAPHE TOURISM PARTNERSHIP	16,500.00
50670	22/12/2022	SALVATION ARMY	DONATION 2022	330.00
				2,230,214.24

04.12.2022	SHIRE OF CAPEL PAYROLL PAYMENTS	\$223,908.38
18.12.2022	SHIRE OF CAPEL PAYROLL PAYMENTS	\$227,331.97

\$451,240.35

08.12.2022	ANZ TERM DEPOSIT REDEMPTION	-\$1,286,246.63
08.12.2022	NAB TERM DEPOSIT	\$1,286,246.63
08.12.2022	ANZ TERM DEPOSIT REDEMPTION	-\$1,018,895.62
09.12.2022	MACQUARIE NEW INVESTMENT	\$1,000,000.00
14.12.2022	MACQUARIE NEW INVESTMENT	\$1,000,000.00

\$981,104.38

Summary

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed 25 January 2023 have been checked and are fully supported by vouchers and invoices which are submitted herewith, and which have been duly certified as to the receipt of goods and services and as to prices, computations, and costings and the amounts shown are due for payment.

Voting Requirements

Simple majority.



Officer's Recommendation – 15.5.

OC/2023/15 - Officer's Recommendation / Council Decision - 15.5

Moved Cr Andrew, Seconded Cr McCleery.

That in accordance with Regulation 13(11) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month of December 2022 be received and recorded in the minutes of the Council, the summary of which follows:

- 1 The Schedule of Accounts covering EFT41330 to EFT41586, CHQ50665 to CHQ50670 totaling \$2,230,214.24 during the month of December 2022.**
- 2 Payroll payments for the month of December 2022, totaling \$451,240.35.**
- 3 Transfers to and from investments as listed.**

Carried 7 / 0

For - Cr Andrew, Cr Kitchen, Cr McCleery, Cr Mogg, Cr Noonan, Cr Schiano and Cr Terrantroy

Against - Nil



16. New Business of an Urgent Nature

Nil.

17. Public Question Time

Nil

18. Motions Without Notice (Absolute Majority by Council)

Nil.

19. Notices of Motion for Consideration at the Next Ordinary Meeting of the Council

Nil.

20. Items for Consideration Behind Closed Doors

Nil

21. Meeting Closure

There being no further business, the Presiding Member declared the meeting closed at 7:19pm.