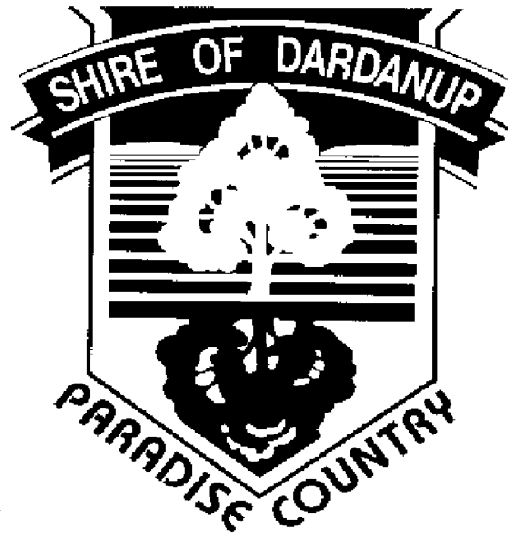


A G E N D A



ORDINARY MEETING

TO BE HELD

**WEDNESDAY, 23RD APRIL 2008
COMMENCING AT 4.30PM**

AT

**SHIRE OF DARDANUP
ADMINISTRATION CENTRE EATON
1 COUNCIL DRIVE - EATON**



SHIRE OF DARDANUP

NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Council Member

The next Ordinary Meeting of the Shire of Dardanup will be held on Wednesday 23rd April 2008 in the Council Chambers, Shire of Dardanup - Administration Centre Eaton, 1 Council Drive, Eaton - commencing at 4.30pm.

A handwritten signature in black ink, appearing to read 'M. Chester', is positioned above the printed name.

MR MARK L CHESTER
Chief Executive Officer

Date: 17th April 2008

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SHIRE OF DARDANUP

AGENDA FOR THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL TO BE HELD ON WEDNESDAY 23RD APRIL 2008, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 4.30PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Presiding Officer to welcome all present and declare the meeting open.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

2.2 Apologies

Cr. Noeline J Anderson - LEAVE OF ABSENCE [RESOLUTION 87/08]

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION

/08

MOVED -

SECONDED -

THAT be granted leave of absence for the meeting of the 14th May 2008.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

7.1 Ordinary Meeting Held 9th April 2008

COUNCIL RESOLUTION

THAT the Minutes of the Ordinary Meeting of Council held on the 9th April 2008, be confirmed as true and correct subject to no / the following corrections:

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Title : Matters To Be Heard Behind Closed Doors

Reporting Department: Executive

Reporting Officer: Mr Mark Chester – Chief Executive Officer

Legislation: Local Government Act 1995

File Number: HR01 0004

Chief Executive Officer Comment

It is recommended that the following item be heard behind closed doors.

- Staff Matters
- Contract of a Commercial nature (Waste Site)

Shire of Dardanup Standing Orders 3.8
Local Government Act 1995 Section 5.23 (2) (a) (e)

Matters for Which Meeting May Be Closed:

Standing Order 3.8 and the Local Government Act 1995 provides for Council to resolve to close the meeting to the public and proceed behind closed doors for matters:

- S 5.23 (1) *Subject to subsection (2), the following are to be open to members of the public-*
- (a) *all Council meetings; and*
 - (b) *all meetings of any committee to which a local government power or duty has been delegated.*
- (2) *If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -*
- (a) *a matter affecting an employee or employees;*
 - (b) *the personal affairs of any person;*
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
 - (e) *a matter that if disclosed, would reveal -*
 - (i) *a trade secret;*
 - (ii) *information that has a commercial value to a person; or*
 - (iii) *information about the business, professional, commercial or financial affairs of a person,*
where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) *a matter that if disclosed, could be reasonably expected to -*
 - (i) *impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*
 - (ii) *endanger the security of the local government's property; or*
 - (iii) *prejudice the maintenance or enforcement of a lawful measure for protecting public safety;*
 - (g) *information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and*
 - (h) *such other matters as may be prescribed.*
- (3) *A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.*

Note: Shire President to advise that the meeting will go behind closed doors toward the end of the meeting to discuss these reports.

10 REPORTS OF OFFICERS AND COMMITTEES

None.

10.1 CHIEF EXECUTIVE OFFICER REPORT**10.1.1** Title: Review of Code of Conduct

Reporting Department: Executive

Reporting Officer: Mr Mark Chester – Chief Executive Officer

Legislation: Local Government Act 1995

File Number: GR02 0004

Background -

It is a requirement of the Local Government Act that the Code of Conduct be reviewed following each ordinary election of Council. As members are aware the State government recently amended the Local Government Act 1995 (Part 5 Division 9 Sections 5.102a through 5.125) to create the Local Government (Rules of Conduct) Regulations 2007.

The new legislation was created to clearly articulate what is considered acceptable standards of conduct for elected members and officers of local government. Power has been afforded to the Executive Director to refer a complaint against an elected member to the State Administrative Tribunal or the Standards Panel for review. This change in process enables the SAT to suspend or disqualify an elected member, whereas in the past only the entire Council could be suspended or dismissed.

Legal Implications -

None

Budget Implications -

None

Officer Comment -

The West Australian Local Government Association has developed a model Code of Conduct for local government to consider and adopt with or without changes.

A copy of the proposed Code of Conduct is outlined below for your consideration. The draft Code covers all of the areas required of the legislation and explains in the body of the document legislative references so that the basis of law is clear to all.

It is recommended that the Code of Conduct as per the recommendation that follows be adopted.

Voting Requirements - Absolute Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council adopt the Shire of Dardanup - Code of Conduct as follows:

SHIRE OF DARDANUP – CODE OF CONDUCT

PREAMBLE

The Shire of Dardanup - Code of Conduct provides Council Members, Committee Members and staff in Local Government with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in a concise manner the broader issue of ethical responsibility and encourages greater transparency and accountability in individual Local Governments.

The Shire of Dardanup - Code of Conduct is complementary to the principles adopted in the Local Government Act and regulations which incorporates four fundamental aims to result in :-

- (a) better decision-making by local governments;
- (b) greater community participation in the decisions and affairs of local governments;
- (c) greater accountability of local governments to their communities; and
- (d) more efficient and effective local government.

The Code provides a guide and a basis of expectations for Council Members, Committee Members and staff. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective Local Government responsibilities may be based.

STATUTORY ENVIRONMENT

The Shire of Dardanup - Code of Conduct observes statutory requirements of the Local Government Act 1995 (S 5.103 – Codes of Conduct) and Local Government (Administration) Regulations 1996 (Regs 34B and 34C).

RULES OF CONDUCT

Council Members acknowledge their activities, behaviour and statutory compliance obligations may be scrutinised in accordance with prescribed rules of conduct as described in the Local Government Act 1995 and Local Government (Rules of Conduct) Regulations 2007.

CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS & STAFF

1. ROLES

1.1 Role of Council Member

The primary role of a Council Member is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Local Government will be the focus of the Council Member's public life.

The Role of Council Members as set out in S 2.10 of the Local Government Act 1995 follows:-

“A Councillor —

- (a) Represents the interests of electors, ratepayers and residents of the district;*
- (b) provides leadership and guidance to the community in the district;*
- (c) facilitates communication between the community and the council;*
- (d) participates in the local government’s decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a Councillor by this Act or any other written law.”*

A Council Member is part of the team in which the community has placed its trust to make decisions on its behalf and the community is therefore entitled to expect high standards of conduct from its elected representatives. In fulfilling the various roles, Council Members activities will focus on:

- achieving a balance in the diversity of community views to develop an overall strategy for the future of the community;
- achieving sound financial management and accountability in relation to the Local Government’s finances;
- ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents’ concerns;
- working with other governments and organisations to achieve benefits for the community at both a local and regional level;
- having an awareness of the statutory obligations imposed on Council Members and on Local Governments.

In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

1.2 Role of Staff

The role of staff is determined by the functions of the CEO as set out in S 5.41 of the Local Government Act 1995: -

“The CEO’s functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws;*
- (b) ensure that advice and information is available to the council so that informed decisions can be made;*
- (c) cause council decisions to be implemented;*
- (d) manage the day to day operations of the local government;*
- (e) liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions;*
- (f) speak on behalf of the local government if the mayor or president agrees;*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to S 5.37(2) in relation to senior employees);*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*

(i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.”

1.3 Role of Council

The Role of the Council is in accordance with S 2.7 of the Local Government Act 1995 :

*“(1) The council —
(a) directs and controls 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) oversee the allocation of the local government’s finances and resources; and
(b) determine the local government’s policies.”*

1.4 Relationships between Council Members and Staff

An effective Councillor will work as part of the Council team with the Chief Executive Officer and other members of staff. That teamwork will only occur if Council Members and staff have a mutual respect and co-operate with each other to achieve the Council’s corporate goals and implement the Council’s strategies. To achieve that position, Council Members need to observe their statutory obligations which include, but are not limited to, the following :

- accept that their role is a leadership, not a management or administrative one;
- acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- refrain from publicly criticising staff in a way that casts aspersions on their professional competence and credibility

2. CONFLICT AND DISCLOSURE OF INTEREST

2.1 Conflict of Interest

- a) Council Members, Committee Members and staff will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- b) Staff will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Local Government, without first making disclosure to the Chief Executive Officer. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- c) Council Members, Committee Members and staff will lodge written notice with the Chief Executive Officer describing an intention to undertake a dealing in land within the local government area or which may otherwise be in conflict with the Council's functions (other than purchasing the principal place of residence).

- d) Council Members, Committee Members and staff who exercise a recruitment or other discretionary function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- e) Staff will refrain from partisan political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity. An individual's rights to maintain their own political convictions are not impinged upon by this clause. It is recognised that such convictions cannot be a basis for discrimination and this is supported by anti- discriminatory legislation.

2.2 Financial Interest

Council Members, Committee Members and staff will adopt the principles of disclosure of financial interest as contained within the Local Government Act.

2.3 Disclosure of Interest

Definition :

In this clause, and in accordance with Regulation 34C of the Local Government (Administration) Regulations 1996 -

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

- a) A person who is an employee and who has an interest in any matter to be discussed at a council or committee meeting attended by the person is required to disclose the nature of the interest –
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- b) A person who is an employee and who has given, or will give, advice in respect of any matter to be discussed at a council or committee meeting not attended by the person is required to disclose the nature of any interest the person has in the matter:–
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- c) A requirement described under items (a) and (b) exclude an interest referred to in S 5.60 of the Local Government Act 1995.
- d) A person is excused from a requirement made under items (a) or (b) to disclose the nature of an interest if -
 - (i) the person's failure to disclose occurs because the person did not know he or she had an interest in the matter; or
 - (ii) the person's failure to disclose occurs because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person

discloses the nature of the interest as soon as possible after becoming aware of the discussion of a matter of that kind.

- e) If a person who is an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of items (a) or (b), then –
 - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) immediately before a matter to which the disclosure relates is discussed at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present.

- f) If -
 - (i) to comply with a requirement made under item (a), the nature of a person's interest in a matter is disclosed at a meeting; or
 - (ii) a disclosure is made as described in item (d)(ii) at a meeting; or
 - (iii) to comply with a requirement made under item (e)(ii), a notice disclosing the nature of a person's interest in a matter is brought to the attention of the persons present at a meeting, the nature of the interest is to be recorded in the minutes of the meeting.

3. PERSONAL BENEFIT

3.1 Use of Confidential Information

Council Members, Committee Members and staff will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm or detriment to any person or organisation.

3.2 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Local Government upon its creation unless otherwise agreed by separate contract.

3.3 Improper or Undue Influence

Council Members and staff will not take advantage of their position to improperly influence other Council Members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

3.4 Gifts

Definitions :

In this clause, and in accordance with Regulation 34B of the Local Government (Administration) Regulations 1996 -

“activity involving a local government discretion” means an activity -

(a) that cannot be undertaken without an authorisation from the local government; or

(b) by way of a commercial dealing with the local government;

“gift” has the meaning given to that term in S 5.82(4) except that it does not include -

(a) a gift from a relative as defined in S 5.74(1); or

(b) a gift that must be disclosed under Regulation 30B of the Local Government (Elections) Regulations 1997; or

(c) a gift from a statutory authority, government instrumentality or non-profit association for professional training;

“notifiable gift”, in relation to a person who is an employee, means -

(a) a gift worth between \$50 and \$300; or

(b) a gift that is one of 2 or more gifts given to the employee by the same person within

a period of 6 months that are in total worth between \$50 and \$300;

“prohibited gift”, in relation to a person who is an employee, means -

(a) a gift worth \$300 or more; or

(b) a gift that is one of 2 or more gifts given to the employee by the same person within

a period of 6 months that are in total worth \$300 or more.

- a) A person who is an employee is to refrain from accepting a prohibited gift from a person who -
 - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion.
- b) A person who is an employee and who accepts a notifiable gift from a person who:-
 - (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
 - (ii) it is reasonable to believe is intending to undertake an activity involving a local government discretion, notify the CEO, in accordance with item (c) and within 10 days of accepting the gift, of the acceptance.
- c) The notification of the acceptance of a notifiable gift must be in writing and include:-
 - (i) the name of the person who gave the gift; and
 - (ii) the date on which the gift was accepted; and
 - (iii) a description, and the estimated value, of the gift; and

- (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (v) if the gift is a notifiable gift under paragraph (b) of the definition of “notifiable gift”(whether or not it is also a notifiable gift under paragraph (a) of that definition) –
 - (1) a description; and
 - (2) the estimated value; and
 - (3) the date of acceptance,

of each other gift accepted within the 6 month period.

- d) The CEO is to maintain a register of notifiable gifts and record in it details of notifications given to comply with a requirement made under item (c).
- e) This clause does not apply to gifts received from a relative (as defined in S 5.74(1) of the Local Government Act) or an electoral gift (to which other disclosure provisions apply).
- f) This clause does not prevent the acceptance of a gift on behalf of the local government in the course of performing professional or ceremonial duties in circumstances where the gift is presented in whole to the CEO, entered into the Register of Notifiable Gifts and used or retained exclusively for the benefit of the local government.

4. CONDUCT OF COUNCIL MEMBERS, COMMITTEE MEMBERS AND STAFF

4.1 Personal Behaviour

- a) Council Members, Committee Members and staff will:
 - (i) act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - (ii) perform their duties impartially and in the best interests of the Local Government uninfluenced by fear or favour;
 - (iii) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Local Government and the community;
 - (iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
 - (v) always act in accordance with their obligation of fidelity to the Local Government.

- b) Council Members will represent and promote the interests of the Local Government, while recognising their special duty to their own constituents.

4.2 Honesty and Integrity

Council Members, Committee Members and staff will:

- a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- b) bring to the notice of the Mayor/President any dishonesty or possible dishonesty on the part of any other member, and in the case of an employee to the Chief Executive Officer.
- c) be frank and honest in their official dealing with each other.

4.3 Performance of Duties

- a) While on duty, staff will give their whole time and attention to the Local Government's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Local Government.
- b) Council Members and Committee Members will at all times exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making but treating all matters on individual merits. Council Members and Committee Members will be as informed as possible about the functions of the Council, and treat all members of the community honestly and fairly.

4.4 Compliance with Lawful Orders

- a) Council Members, Committee Members and staff will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution can not be achieved, with the Chief Executive Officer.
- b) Council Members, Committee Members and staff will give effect to the lawful policies of the Local Government, whether or not they agree with or approve of them.

4.5 Administrative and Management Practices

Council Members, Committee Members and staff will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

4.6 Corporate Obligations

- a) Standard of Dress

Council Members, Committee Members and staff are expected to comply with neat and responsible dress standards at all times. Accordingly :

- (i) Council Members and Committee Members will dress in a manner appropriate to their position, in particular when attending meetings or representing the Local Government in an official capacity.
 - (ii) Management reserves the right to adopt policies relating to corporate dress and to raise the issue of dress with individual staff.
- b) Communication and Public Relations
- (i) All aspects of communication by staff (including verbal, written or personal), involving Local Government's activities should reflect the status and objectives of that Local Government. Communications should be accurate, polite and professional.
 - (ii) As a representative of the community, Council Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so Council Members should acknowledge that:
 - as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - information relating to decisions of the Council on approvals, permits and so on ought only be communicated in an official capacity by a designated officer of the Council;
 - information concerning adopted policies, procedures and decisions of the Council is conveyed accurately.
 - (iii) Committee Members accept and acknowledge it is their responsibility to observe any direction the Local Government may adopt in terms of advancing and promoting the objectives of the Committee to which they have been appointed.

4.7 Appointments to Committees

As part of their representative role Council Members are often asked to represent the Council on external organisations. It is important that Council Members :

- clearly understand the basis of their appointment; and
- provide regular reports on the activities of the organisation.

5. DEALING WITH COUNCIL PROPERTY

5.1 Use of Local Government Resources

Council Members and staff will:

- a) be scrupulously honest in their use of the Local Government's resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
- b) use the Local Government resources entrusted to them effectively and economically in the course of their duties; and
- c) not use the Local Government's resources (including the services of Council staff) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Chief Executive Officer).

5.2 Travelling and Sustenance Expenses

Council Members, Committee Members and staff will only claim or accept travelling and sustenance expenses arising out of travel-related matters which have a direct bearing on the services, policies or business of the Local Government in accordance with Local Government policy and the provisions of the Local Government Act.

5.3 Access to Information

- a) Staff will ensure that Council Members are given access to all information necessary for them to properly perform their functions and comply with their responsibilities.
- b) Council Members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

By Absolute Majority

10.2 MANAGER TECHNICAL SERVICES REPORT

10.2.1 Title: Deferment of Resurfacing Projects on Bryant, Camfield and Watson Streets

Reporting Department: Technical Services

Reporting Officer: Mr Luke Botica – Manager Technical Services

Legislation: Local Government Act 1995

File Number: TSO80005

Background

The Manager Technical Services is seeking Council endorsement for the deferment of resurfacing works on Bryant, Camfield and Watson Streets in the Eaton town site

scheduled for completion in the 2007-2008 financial year, as a result of pending water main works in the projects vicinity.

The Shire has recently received plans from the Water Corporation indicating that a 500mm diameter water main will be installed from the Australind By-pass through Eaton to Australind. The main will cross the Australind By-pass, head along the eastern verge along Eaton Drive, cross Eaton Drive into the eastern verge along Watson Street. It will then cross Watson Street into the western verge opposite the Bryant Street intersection, then across Pratt Road and down the Watson Street Reserve through the access road where it then pass under the Collie River into Australind. Although a date has not been provided for when the works will occur, it is anticipated that it will occur in the next financial year. Such works will require substantial disturbance and reinstatement works to both the verge and the road surface.

The Shire was proposing to undertake resurfacing works along Watson Street and the adjoining streets of Bryant Street and Camfield Street this current financial year. These works include asphalt correction and resurfacing, kerb replacement and stormwater gully improvements. Due to the pending water main works it is recommended that these works be deferred until after the water main works have been completed and defects liability period finalized. Although the majority of the disturbance will occur on Watson Street, it is recommended that Camfield and Bryant Streets also be deferred as the works on these streets will need to blend into Watson Street and are therefore best carried out as a uniform continuous process.

Furthermore, the Shire has recently had a stormwater pipe failure within a reserve which connects to Camfield Street. Recent heavy rains have revealed a substantial pipe blockage caused by the intrusion of tree roots. A contractor has been engaged to undertake the clearing of the pipe with specialist equipment. This is a short term solution (i.e. roots will grow back) and further long term works will need to be undertaken next financial year to repair the break(s) in the pipe where the roots are entering. These works will impact on the road along Camfield Street and it is prudent to defer resurfacing works until the works are complete.

Legal Implications -

Nil

Budget Implications -

The following resurfacing works are scheduled in the 2007-2008 Budget for the Eaton town site:

Road to be Resurfaced	Budget Allocation
Bryant Street	\$26,550
Camfield Street	\$23,900
Casuarina Street	\$61,255
Cudliss Street	\$76,144
Watson Street	\$33,499
TOTAL	\$221,348

It is anticipated that the water main works will be completed in 2008-2009 and the defects period completed 12 months later in 2009-2010. Therefore, it is recommended that the Bryant Street, Camfield Street and Watson Street projects be deferred until the 2009-2010 financial year.

The Council has the following options with the unspent funds:

Option 1

Spend the funds on other resurfacing works in accordance with the Shire's Road Asset Management Plan. Watson Street, Bryant Street and Camfield Street will need to be programmed and funded in the 2009-2010 Budget. It is important that funds allocated for resurfacing works are spent on resurfacing rather than be absorbed into the Budget – this will ensure that the Shire's resurfacing targets are met in accordance with the Road Asset Management Plan. However, due to being late in the financial year it is highly unlikely that additional roads would be prepared in time for resurfacing within this financial year.

Option 2

Carry over the unspent funds into the 2008-2009 financial year to be spent on other resurfacing works over and above what is normally programmed. Watson Street, Bryant Street and Camfield Street will need to be programmed and funded in the 2009-2010 Budget. This is a variation of Option 1 above and will ensure that the Shire's resurfacing targets as stipulated in the Road Asset Management Plan are still met i.e. without increasing the backlog of works.

Option 3

Hold the unspent funds in reserve until the works can be carried out in the 2009-2010 financial year. These works will be scheduled over and above what is normally programmed. This will ensure that the Shire's resurfacing targets as stipulated in the Road Asset Management Plan are still met i.e. without an overall increase in the backlog of works.

In each of the options above it is important that the Shire's road asset management objectives are met and therefore it is strongly recommended that the funds be spent on resurfacing works rather than be absorbed into the Budget. Option 3 above is the reporting officers preferred option.

Temporary works associated with the unblocking of the stormwater pipe along the drainage reserve adjacent to Camfield Street is being funded from the Shire's Road Maintenance Budget.

Officer Comment

Although the resurfacing of Watson, Bryant and Camfield Street is important due to the deteriorated condition of the road, it is recommended that the works be deferred to enable the water main works to be completed. The water main works will cause major disturbance to the verge and road, which will require reinstatement. Reinstatement works are likely to settle and in many cases cause an inconsistency in the ride quality along a road. Furthermore, there is also the potential for defects to arise after the works are complete requiring remedial action. It is therefore desirable to wait until all the water main works are complete and the resurfacing can then be

applied consistently and uniformly, and such works can also correct any ride quality issues resulting from the reinstatement works.

Furthermore, it is proposed to carry out some road patching on Watson Street, Bryant Street and Camfield Street this financial year to ensure that the road will not fail between now and when it is finally resurfaced.

It is also recommended that the repairs to the failed stormwater pipe in the reserve adjoining Camfield Street be included in the 2008-2009 Works Program. The Manager Technical Services is currently in the process of reviewing and developing the Road Asset Management Plan in preparation for the 2008-2009 Budget and this project will be included in the Plan.

A further issue which may affect Watson Street is the current intersection of Hands Avenue with Eaton Drive. As Councillors may be aware, this intersection is relatively close to the roundabout at Eaton Drive/Council Drive/Hamilton Road intersection. This intersection will need to be modified in future to accommodate future increases in traffic volumes along Eaton Drive. Due to its close location to the roundabout there is difficulty being experienced by motorists turning right from Council Drive to Eaton Drive and left into Hands Avenue due to the limited manoeuvrability distance. There is also difficulty with vehicles exiting from Hands Avenue onto Eaton Drive.

There may be a number of options available for dealing with this intersection, including the possibility of relocating the intersection to Watson Street. However, the Shire Technical Services Department will need to carry out an analysis of the road network to determine the best solution. This will require the engagement of suitably qualified consultants to traffic model a number of scenarios. Therefore, the deferment of the Watson Street resurfacing project will also be beneficial to enable the analysis of the road network and to determine what modifications need to be carried i.e. any modifications required on Watson Street can be carried as part of the resurfacing works in future. The Manager Technical Services will be preparing a budget submission for the analysis of the Hands Avenue/Eaton Drive intersection and possible options, at which time a project scope for the analysis and costs will be provided.

It should be noted that works on Casuarina Street and Cudliss Street are scheduled to be undertaken this month.

Voting Requirements - Absolute Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council:

- 1. Defers resurfacing works on Bryant Street, Camfield Street and Watson Street that were scheduled for the 2007-2008 financial year to the 2009-2010 financial year.**
- 2. Places unspent funds allocated to the Bryant Street, Camfield Street and Watson Street projects in a reserve account to be utilised in the 2009-2010 financial year.**
- 3. Notifies the residents of Bryant Street, Camfield Street and Watson Street of the deferment of resurfacing works and the reasons for it.**

10.2.2 Title: Request for Budget Allocation for Weed Eradication (Lions Club of Dardanup)

Reporting Department: Technical Services
Reporting Officer: Mr Luke Botica – Manager Technical Services
Legislation: Local Government Act 1995
File Number: CC030011

Background

The Lions Club of Dardanup have made a submission to Council requesting funds of \$5,000 to be allocated in the 2008-2009 Budget for the eradication of weeds on selected roads.

The Lions Club of Dardanup has been working with Shire of Dardanup's Verge Committee to develop a weed management strategy for Shire roads and reserves in response to the Shire's concerns of weed infestation along some of the road verges in the Shire. A proposal was prepared by the Club to target a number of roads and was presented to the Verge Committee, including representatives from the LCDC and Department of Agriculture and Food WA. The proposal was adopted and a survey of a number of roads has now been conducted to determine the amount of weeds to be eradicated and the resources required.

A copy of the submission is provided in the Agenda (Appendix ORD 10.2.2).

The Club is now seeking a financial commitment from the Council for \$5,000 in the 2008-2009 Budget to enable the eradication of weeds identified in the survey.

Legal Implications -

There are a number of issues, including the training and certification of individuals in the safe use of chemicals, traffic management, potential for adverse effects on surrounding areas etc. However, the Verge Committee has raised and discussed these and other issues with the Club, and these matters are being adequately addressed.

Budget Implications -

The request of \$5,000 is made to cover material expenses and as a donation to the Club for the service provided. It should be noted that Club members are volunteering their time towards this project.

It is deemed that for the Shire to action a project of this scope would cost well over the \$5,000 requested by the Club. The estimated 132 labour hours would cost the Shire more than \$8,000 in staff time alone. Therefore, this proposal is considered good value for the Shire.

Officer Comment

The control of weeds in road verges and reserves is an important topic and one that has been identified by the Council as requiring attention. The Lions Club of Dardanup has already committed much time towards the proposal to eradicate

weeds in the Shire. The funds requested are essential for the Club, together with the Verge Committee, to action the next phase of the project.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council refers the request for \$5,000 from the Lions Club of Dardanup for the implementation of a weed eradication program on Shire roads be listed for Budget consideration.

10.3 MANAGER PLANNING SERVICES REPORT

None

10.4 TOWN PLANNING OFFICER REPORT

None

10.5 MANAGER BUILDING SERVICES REPORT

None.

10.6 MANAGER HEALTH SERVICES REPORT

10.6.1 Title: Control of Corellas at Lions Park, Eaton

Reporting Department: Health Services

Reporting Officer: Mr Tim Batt - Manager Health Services

Legislation: Health Local Laws 2000

File Number: A7335

Background

The Shire of Dardanup has received a complaint from an Eaton resident regarding the noise, mess and damage to the trees on the Collie River foreshore from a flock of birds.

The birds are moving between the Collie Bridge, Clifton Park and the Eelup Wetland.

The birds are not native to this region, they appear to be the Little Corella (*Cacatus sanguinea*), an Eastern states species of Corella which is introduced. The Department of Environment and Conservation (DEC) Officer has stated that they may be a cross breed of native Corella and the introduced Little Corella and possibly even the Eastern Long-billed Corella (*Cacatua tenuirostris*).

Flocking Corellas habitually dig for corms, bulbs and roots resulting in damage to grassed surfaces, even leaving substantial sized holes. The DEC has stated that they have been known to chew communication cable, boat radar, damage significant trees, red cedar on houses, white lines on tennis courts, dig holes in bowling greens and playing surfaces causing a public liability.

Corellas also represent an immediate and significant competitor for native birds that are hollow nesters. If the introduced populations are allowed to increase and expand their range they will compete with native species.

The DEC has stated that the birds are a known pest in the region from Perth to Busselton. There are other Councils using control methods to reduce the Corella populations. Control can include shooting, trapping, netting and scaring.

Legal Implications - None

Budget Implications - Unbudgeted expenditure of \$1000

Officer Comment

Currently there does not appear to be any structural damage to buildings, cables or any infrastructure. There does appear to be damage to the grass area at Lions Park, Pratt Road. Small holes have been dug by the birds throughout the park; however this appears to be localised. There is also significant damage to the trees in the area.

Scaring is safer in built-up areas than the use of live ammunition and it is a non-lethal method for dealing with bird damage. However, scaring devices are usually expensive and some may breach noise regulations. The DEC has suggested that shooting is the most effective method and the Shire of Dardanup can be issued with a permit to control the birds if necessary.

Shooting the birds during roosting at night and possibly day time during hot weather, is an efficient option for control. However it may also draw criticism from people opposed to the killing of birds. The times selected for the operation would have to be carefully selected and conducted outside of normal public use patterns of the area (DEC 2007).

Council will need to consider whether control of the Corella flock is cost effective. It may be something that could lead to on going control as the birds range is significant, having been reported from Perth to Busselton. It may only be possible to eliminate the problem temporarily.

Staff recommend Council not be involved in the eradication of the Corellas as it is not considered in the public interest, is not cost effective and will create an ongoing expectation that Council will continue the action into the future. Staff also expect such a project would bring a backlash from the wider community.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council

Advises the complainant that Council is not willing to undertake a control program, to reduce the number of Corellas around the Eaton Foreshore on Pratt Road, and Council refer the complaint to the Department of Environment and Conservation.

10.7 LIAISON OFFICER REPORT

None.

10.8 MANAGER CORPORATE & COMMUNITY SERVICES REPORT

10.8.1 Title: Annual Insurance Review - Declaration

Reporting Department: Corporate & Community Services
Reporting Officer: Mr Phil Rowe
Manager, Corporate & Community Services
Legislation: None
File Number: IN05 0001

Background -

The annual insurance review is due to be carried out shortly with Local Government Insurance Services, looking at Council's insurance requirements for the 2008/2009 financial year.

Legal Implications -

A declaration is required to be made in regards to the Councillors and Officers Liability Insurance renewal on any matter pending or threat to sue, which could give rise to a claim in the future.

Budget Implications - None

Officer Comment -

As part of the renewal process for the Councillor and Officers Liability insurance, all Councillors and Officers are now required to declare if they know of any matter pending or threat to sue, which could give rise to a claim in the future.

NOTE* Shire President to ask each Councillor and staff member present if they are aware of any matter pending or threat to sue, which could give rise to a claim in the future.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council advise Local Government Insurance Services that none of its Councillors or its Officers are aware of any matter which could give rise to a claim at this time, under the Councillors and Officers Liability Insurance Policy.

10.9 COMMUNITY DEVELOPMENT OFFICER REPORT

None.

10.10 MINUTES OF BWGC MEETING – 10 APRIL 2008

MINUTES OF THE BUNBURY WELLINGTON GROUP OF COUNCILS MEETING HELD ON THURSDAY 10th APRIL 2008, COMMENCING 3.00PM AT THE SHIRE OF DARDANUP – ADMINISTRATION CENTRE EATON.

1. DECLARATION OF OPENING

Chairman Mark Chester welcomed everyone present and declared the meeting open at 3.00pm.

2. RECORD OF ATTENDANCE – APOLOGIES

2.1 Attendance

<i>Mr Mark Chester</i>	-	<i>Chief Executive Officer, Shire of Dardanup</i>
<i>Mr Paul Sheedy</i>	-	<i>Chief Executive Officer, Shire of Capel (3.10pm)</i>
<i>Mr Michael Parker</i>	-	<i>Chief Executive Officer, Shire of Harvey</i>
<i>Mr Jason Whiteaker</i>	-	<i>Chief Executive Officer, Shire of Collie</i>
<i>Mr Greg Trevaskis</i>	-	<i>Chief Executive Officer, City of Bunbury</i>
<i>Mr Greg Harris</i>	-	<i>Manager Finance & Administration, Shire of Donnybrook-Balingup</i>

Visitor

<i>Mr Vern McKay</i>	-	<i>Consultant</i>
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2.2 Apologies

<i>Mr John Attwood</i>	-	<i>Chief Executive Officer, Shire of Donnybrook-Balingup</i>
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3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Confirmation of Minutes – 18th October 2007

- *National Skills shortage Strategy for Local Government*
- *WALGA – ‘get on board with local government’*

Capel as part of its desire to better promote the Shire and make it more recognizable for future employees has provided some funds for attendance at future conferences/events/expos.

Comment

Having attended the National LGMA conference in Hobart in 2007 it would appear that the successful programs are those that are being managed by individual or an alliance of local governments in the same region.

One such alliance involves the local governments of Wellington, Blayney and Cabonne in NSW who are providing financial assistance with undergraduate scholarships to prospective employees attending university in relation to engineering, health & building, finance and town planning.

The scholarships are for a 3 or 4 year period at \$5,000 each with each Council contributing funds for one year and where it is over 4 years the cost are divided between the three local governments. In return the students agree to work at the local governments during the Xmas holiday period and are then employed by the local governments at the completion of their university studies (copies of the program briefs are attached).

I am also aware that the Shire of Wyndham- East Kimberley also has introduced a cadetship program.

Does the Group see some benefits in looking at this issue from a regional perspective or do we see it as an issue that individual local governments should tackle as they see fit?

Consideration of the concept for this group of local governments is worthy of discussion on the basis that there may be some opportunities to partner with the University and TAFE in Bunbury if some of the professional relevant to local government are or could be made available at the institutions.

I would be happy to canvas the concept with both institutions if there is some support for the concept.

Discussion:

The skills shortage issue will be picked up through the Resource Sharing Project.

5.4 IT Vision Newsletter

Please find attached (Appendix BWGC: 5.4) ITV News.

The Online Licensing and Permits initiative referred to in the Appendices is introduced for discussion. Is this an area where local governments in the region can reduce costs and increase customer service.

This is listed for discussion and possibly inclusion in the consultants brief on Structural Reform, perhaps more details of how Online Licensing works, the cost implications and what the building industry (customers) think of it would be helpful in determining whether to look at it more closely.

Discussion:

It was noted that this matter would be considered in the Resource Sharing Project reviewed following the projects completion.

5.5 BWGC Finances

The group discussed the funding of the group, currently the Trust Fund Balance is \$21,000, less \$9,000 for the Shared Services project and \$1,000 for the MAV Conference, being \$10,000.

This balance does not include the \$14,000 grant toward the Resource Sharing Project.

It was agreed that each Council should contribute \$500 per year to ensure there are funds to initiate projects and as leverage for grants.

Resolved

That a letter be sent to each of the Councils requesting an annual contribution toward the BWGC Trust fund of \$500 each.

6. CLOSURE OF MEETING

There being no further business the Chairman declared the meeting closed at 5:07pm

Officer Comment

The Shire of Dardanup is the host Council for the Bunbury Wellington Group of Councils (BWGC) as has been the practice since the group was formed eight years ago.

A grant has been approved by the Department for Local Government and Regional Development from the Connecting Local Governments and Structural Reform Funding program for a "Resource Sharing and Partnership Feasibility" project. The grant, per the above minutes is \$14,000 with the BWGC contributing \$9,000 from the Trust funds held.

As Executive officer of the group the CEO has been delegated authority to seek quotations and appoint the consultant to undertake the project.

The group believes the project has merit and will compliment the resource sharing efforts that are suggested in the WALGA SSS Report. It is highly likely that this project will deliver valuable information to the group ahead of the process being suggested by WALGA in the draft SSS Report.

The project and grant are not listed in Councils 2007/08 Budget so will need to be approved by Absolute Majority as unbudgeted expenditure. The project has no cost burden on the Shire of Dardanup budget, however as the host Council the income and expenditure will appear in the shires financial statements.

It is recommended that Council endorse the recommendations and resolutions of the BWGC.

Voting Requirements - Absolute Majority

OFFICER RECOMMENDED RESOLUTION**1. THAT Council :**

Acknowledge the Resource Sharing and Partnership Feasibility Study to be conducted by the Bunbury Wellington Group of Councils at a cost of \$23,000, funded by the Department for Local Government and Regional Development grant of \$14,000 and the BWGC Trust Funds of \$9,000.

2. THAT Council :

Confirm the Chief Executive Officer be delegated authority to obtain up to three quotes for the project and make a final appointment of a consultant to undertake the project as per the Shire of Dardanup purchasing policy.

3. THAT Council :

Endorse that the Bunbury Wellington Group of Councils contribute 50% to a maximum of \$1,000 of the MAV Shared Services conference to be attended by Mr Chester.

4. THAT Council:

Allocate \$500 p.a. from the Resource Sharing budget to the Bunbury Wellington Group of Councils Trust fund to be used for leverage for future projects as they arise and as determined by the BWGC.

10.11 MANAGER FINANCIAL SERVICES REPORT

10.11.1 Title: Monthly Statement of Financial Activity – Period Ended 31st March 2008

Reporting Department: Financial Services
Reporting Officer: Mrs Jenny Duncan – Assistant Accountant
Legislation: Local Government (Financial Management) Regulations 1996
File Number: FI09 0001

Background

Regulation 34 of the Local Government (Financial Management) Regulations 1996 requires local governments to prepare a Monthly Statement of Financial Activity.

Legal Implications - None.

Budget Implications -

Note 8 of the Statement of Financial Activity details material variances from the Adopted Budget.

Officer Comment

Statement of Financial Activity:

The statement of financial activity is attached after the officer recommendation. The first statement of financial activity report outlines the results from operating activities. It shows revenue and expenditure by statutory program, comparing actual results for the period with the annual adopted budget, the amended budget and the year to date budget.

The second financial report displays capital and infrastructure expenditure and also reconciles the statement of financial activity to the statement of net current assets, taking into account; the proceeds from sale of assets, reserve and loan funds used, depreciation applied, capital and infrastructure expenditure, transfers to reserves and loan repayments.

The statement of net current assets provides information on the accounts that make up current asset and current liabilities. The current and quick ratios are liquidity ratios. The current and quick ratio determine the shires the ability to meet obligations with readily convertible funds.

Additional reports that have been included in the statement of financial activity are an acquisition of assets report, trust fund and reserve fund reports, and a statement of investments. A variance report that describes material differences between the adopted budget and the amended budget is also attached.

Key Financial Performance Areas:

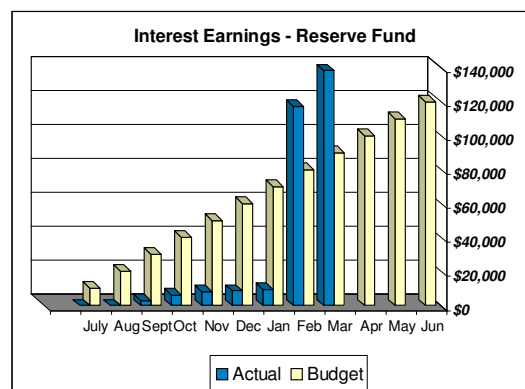
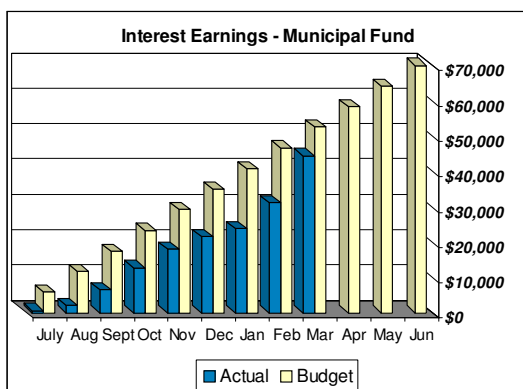
- *Cash & Investments*

As at reporting date, Councils Municipal Bank fund shows a reconciled balance of \$2,363,983. \$500,000 of these funds has been invested in fixed term deposits.

Reserve Funds total \$4,727,836 of which \$4,500,000 is held in fixed term deposits. A fixed term deposit of \$3,000,000 matured in February and this explains the substantial increase in interest earnings during February.

Total interest earnings on the Councils Municipal & Reserve Funds as at reporting date are;

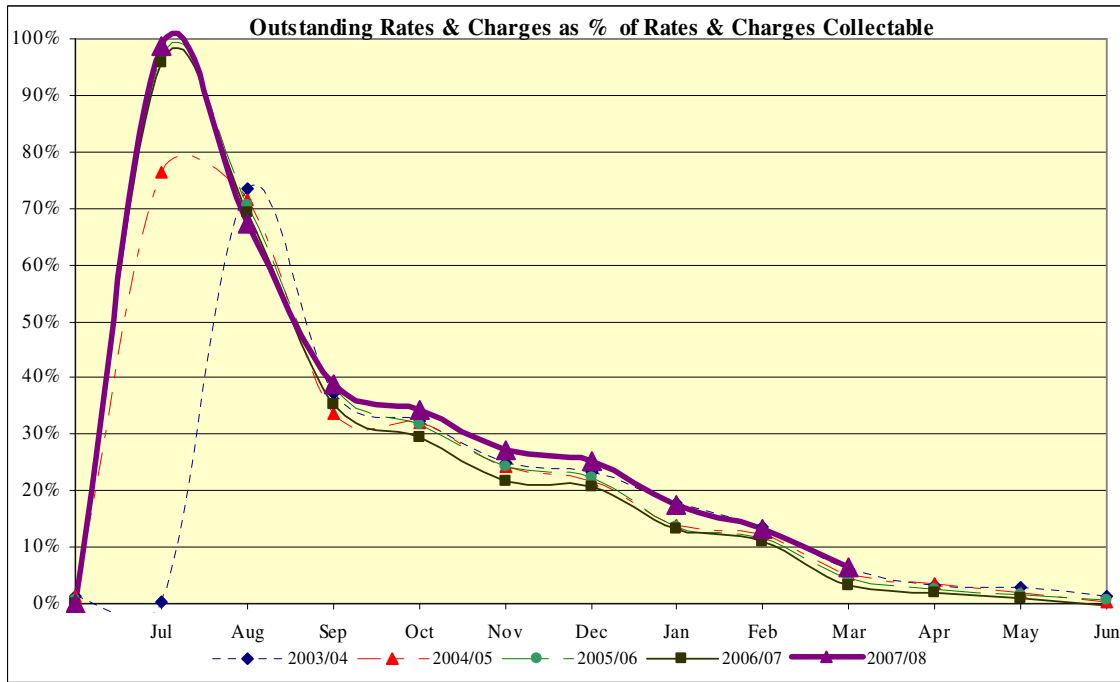
Municipal Fund: \$ 44,408.38
 Reserve Fund: \$ 138,032.02



• *Rates & Charges Outstanding*

As at reporting date, outstanding Rates & Charges = \$332,054. This equals 6.5% of rates & charges collectable and a decrease of 6.7% from last month.

It is the objective of management to achieve less than 4% of rates and charges outstanding as at 30 June. There are no indications that this will not be achieved.

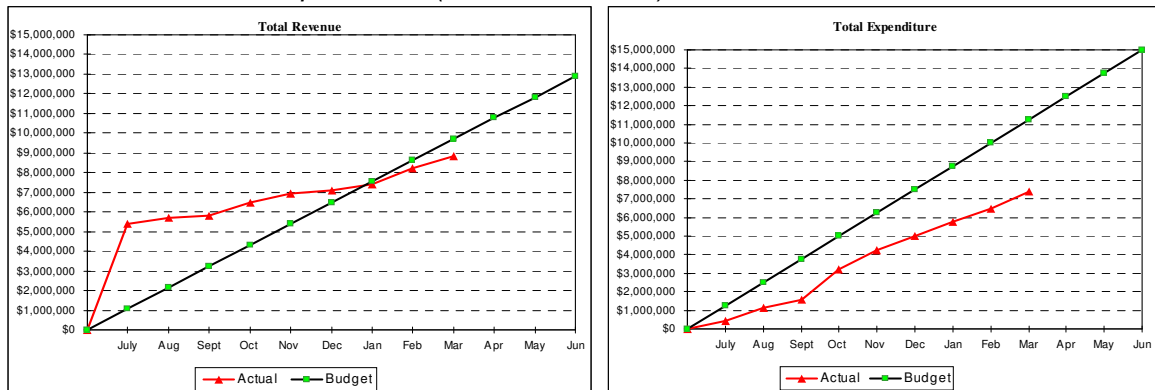


• *Budget Variances*

Note 8 of the Statement of Financial Activity details material variances between the adopted and the amended budget. As at reporting date a year end deficit of \$53,024 is forecasted.

• *Variances comparing the Amended Budget vs Actual expenditure & revenue*

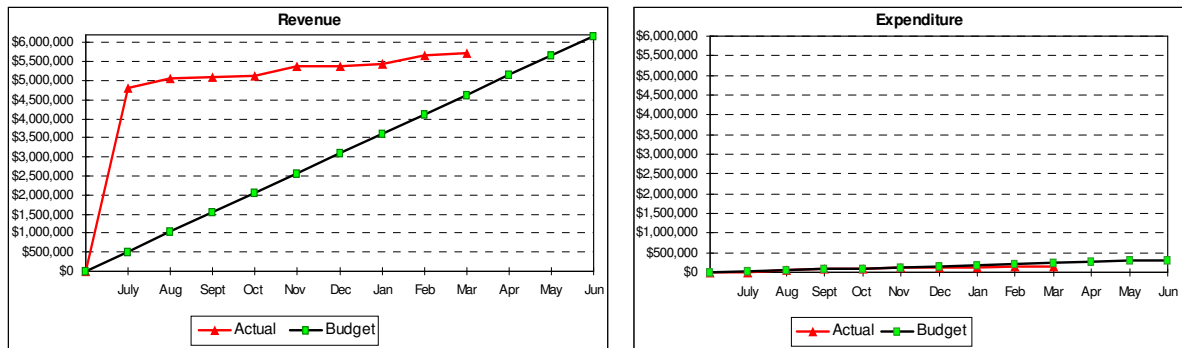
Total Revenue and Expenditure (from all sources)



A breakdown is provided below of variances in each schedule.

General Purpose Funding

General purpose funding includes rates, general government grants and interest revenue.



~ Revenue - General Purpose Funding

General Purpose Funding actual revenue as at the end of March is \$5,727,125. The full year budget for General Purpose Funding is \$6,170,501. The difference between budget and actual revenue is mainly due to the following reasons:

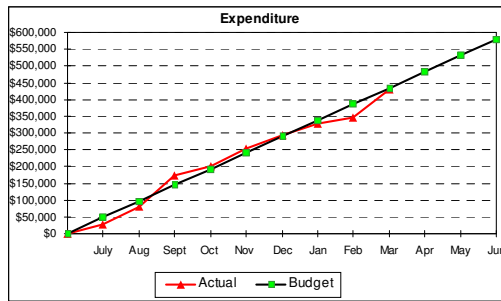
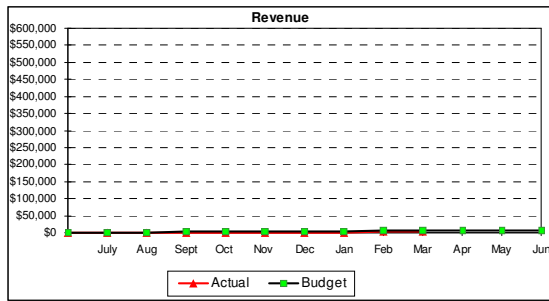
- The budget for revenue is a linear function of total revenue divided by the number of months in the year. The variance is a result of levying rates in July of this financial year. It is anticipated that budget and actual revenue will align by the end of financial year.
- Interim rates have been levied as at reporting date. Budget provisions for 2007/08 interim rates are \$150,000. There are indications that the budget targets will not be reached due to the economic slow down in the property market. A forecasted budget of \$130,000 for interim rates is likely. Interim rates will continue to be closely monitored on a month to month basis and Council will be informed if any material variances occur. See rates and charges section above for further information.

~ Expenditure - General Purpose Funding

As at the end of March there is a variance between the amended budget and actual expenditure. This is due to funds being transferred to the Reserve account once the fixed term deposits are surrendered. This variance will align with expenditure closer to the end of the financial year.

Governance

Governance includes administration and operation of facility and services to members of Council. The Governance program also includes other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.



~ Revenue – Governance

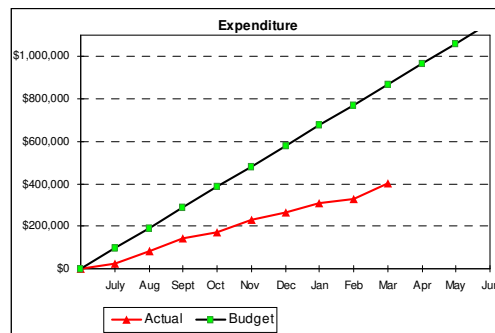
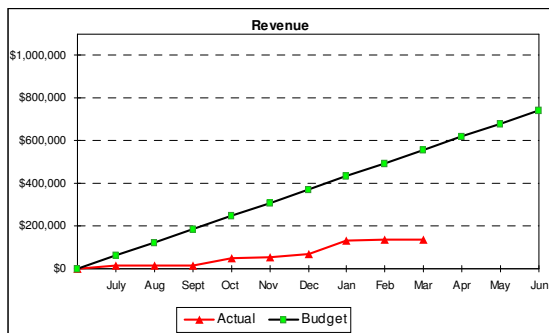
There are no material variances in Governance revenue in March 2008.

~ Expenditure - General Purpose Funding

Governance expenditure increased in March and is due to the invoice being received for polling and election expenses.

Law, Order and Public Safety

This program consists of the supervision of various local laws, fire prevention, emergency services and animal control.



~ Revenue - Law, Order and Public Safety

Revenue for Law, Order and Public Safety for March is \$420,881 below the YTD budget. The main reason for the variance is that a FESA grant has not yet received for Bush Fire Brigade (BFB) vehicles to be located at the Dardanup central BFB and Wellington Mills BFB. It is unclear when these machines will be received.

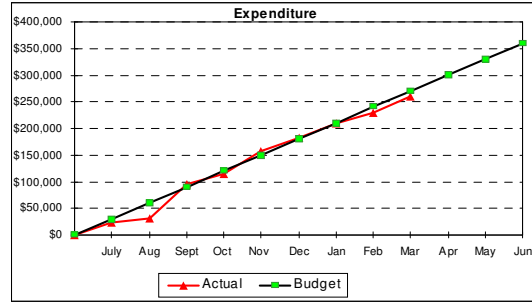
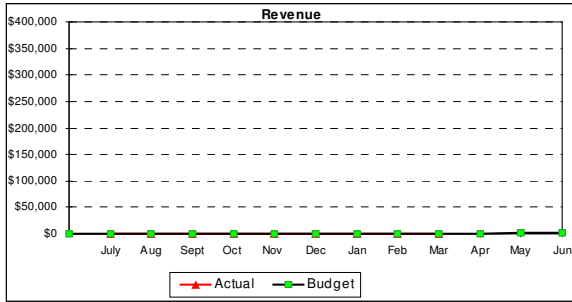
~ Expenditure - Law, Order and Public Safety

Expenditure for Law, Order and Public Safety is also under budget as a result of the FESA grant not yet received for the BFB vehicles. Capital expenditure is below YTD budget for the Burekup BFB. However, as works have begun, this variance should be rectified in the second part of the financial year.

A new ranger vehicle has been budgeted to the value of \$34,000 and when purchased will reduce the expenditure variance in the Law, Order and Public Safety program.

Health

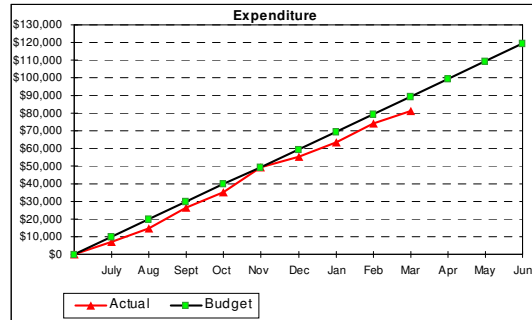
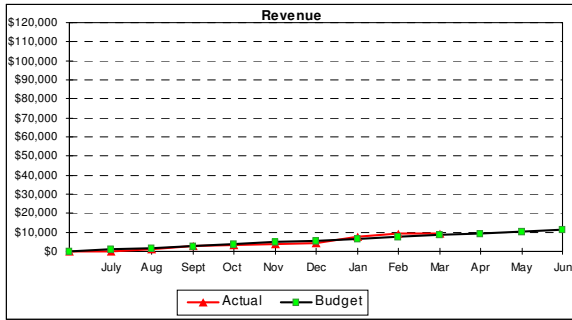
The Health program includes food quality and pest control, immunisation services and operation of infant health clinic.



There are no material variances to report for Health in March 2008.

Education and Welfare

The Education and Welfare program comprises of the operation of a senior citizens' centre, provision of assistance to pre-school facilities, playgroups, the provision of youth counselling services and other voluntary services.

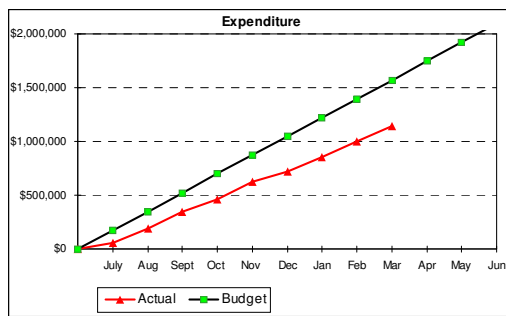
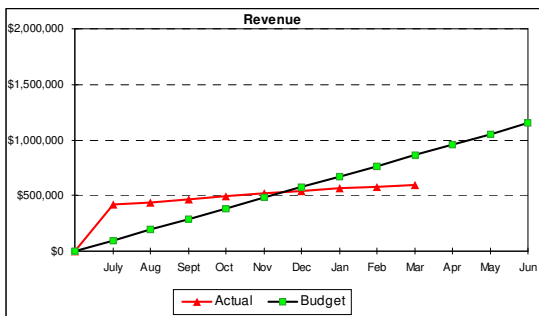


There are no material variances to report for Education and Welfare in March 2008.

Community Amenities

Community Amenities include rubbish collection services, operation of refuse sites, administration of the town planning scheme and maintenance of cemeteries.

Community Amenities



~ Revenue – Community Amenities

Revenue for Community Amenities is under YTD budget by \$375,170. This is mainly due to revenue not yet received for the sale of land as outlined in the expenditure items.

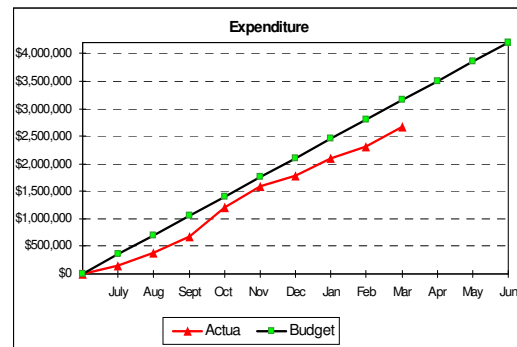
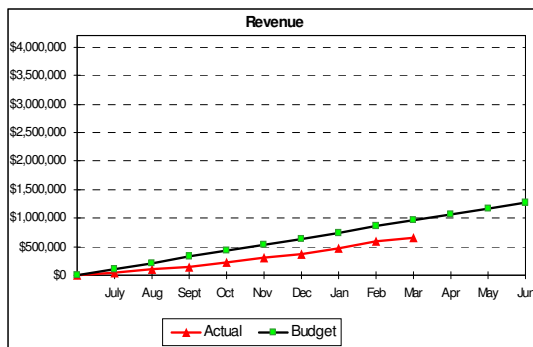
~ Expenditure – Community Amenities

Community Amenities expenditure received to the end of March is \$428,479 under YTD budget due to the following:

- The main reason for the variance is a result of a reserve transfer that is yet to be processed for the Council Land Development and for the Sale of Land. The full year budget for this item is \$400,000, however, the variance will be rectified when the land has been sold.
- Kerbside refuse removal is currently \$16,314 under YTD budget due to timing differences between when expenditure occurs and the budget.
- Refuse site operation expenditure is \$21,383 above YTD budget.
- A non-cash item of depreciation for household sanitation is under YTD budget \$40,964.

Recreation and Culture

Recreation and Culture is the provision and maintenance of streets, roads, bridges, street lighting, depot maintenance.



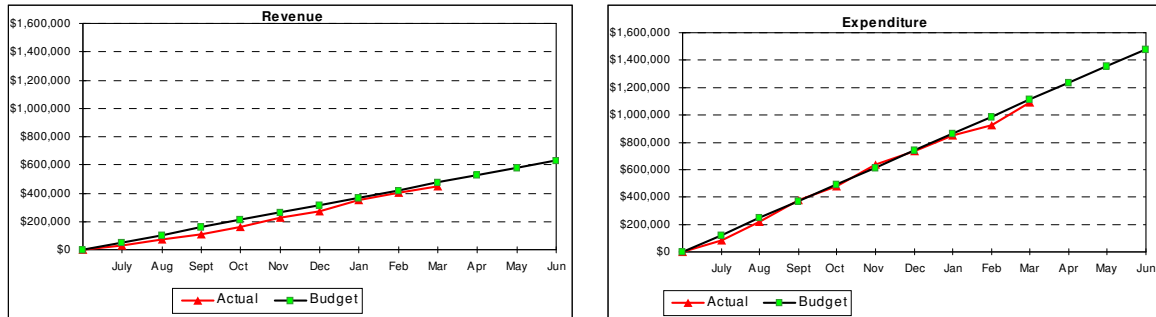
~ Revenue – Recreation and Culture

The Recreation and Culture revenue, as at the end of March is under budget by \$305,414 due to:

- The sale of Council land of \$100,000 is yet to take place.
- Budgets have been provided for projects and once these projects have been fully expended the funds will be transferred from the reserve account against the project. This results in a variance due to timing. The main items that result in this type of variance are building renovations at Ferguson hall, vehicle purchases for parks and gardens and improvements to the McCaughan Park. Revenue will be transferred as jobs are completed.

- The Recreation Centre year to date revenue is under budget by \$25,437. However it should be noted that expenditure for the Recreation Centre is reduced by \$28,349. The main areas for this variance are:
 - ~ Membership fees and charges is \$4,805 below budget. This will continue to be monitored over the next few months.
 - ~ Funds received from the Department of Education towards the costs of the recreation centre biannually. The budget is expected to align with actual revenue once the funds are received in June.

Eaton Recreation Centre



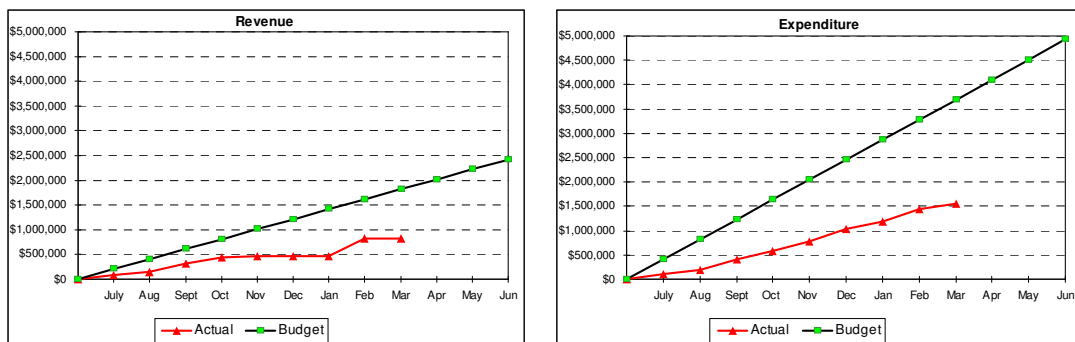
~ Expenditure - Recreation and Culture

The Recreation and Culture expenditure is below budget and the main variances are:

- No expenditure for the re-roofing on the Ferguson Hall has occurred as at the end of March. The 2007/08 budget for this project is \$105,000 however, additional grants have been applied for and confirmation of these grants is required before works commence.
- Maintenance for parks, gardens and reserves is under budget and this is due to a large number of maintenance works yet to be completed. The most significant variance is Millbridge Gardens, which is underspent as at March.
- Building construction for the Eaton Junior Football Club to improve toilet and shower facilities has not commenced and is expected to start in the second part of the financial year.

Transport

The transport program includes the construction and maintenance of streets, roads, bridges, street lighting and depot maintenance.



~ *Revenue – Transport*

Transport revenue for March is under budget. The main reason for the variance is:

- Grants have not yet received by the shire for road projects, including the Bikes West grants. Once the works are completed the costs will be recouped.
- There are a number of capital plant items to be sold during the year including road vehicles, trucks and plant equipment that are to be upgraded. The sale of these plant items have not yet occurred.

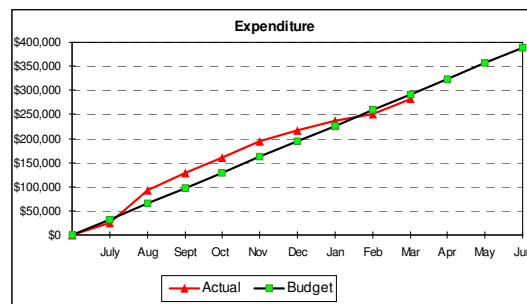
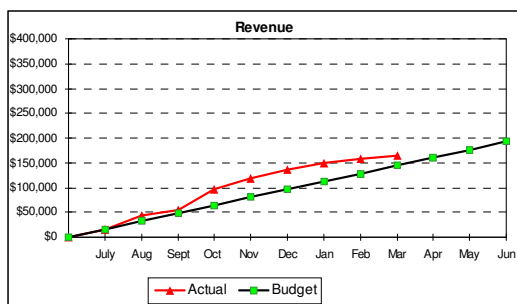
~ *Expenditure - Transport*

Transport expenditure is under budget due to several road renewal projects, road upgrades and capital expansion ancillary projects to be completed. Works that are due to commence will reduce the current variance include:

- Upgrades to Mungalup and Falcon road are about to commence.
- Ancillary upgrades to Pratt road and Ferguson road are in the design process.
- Ancillary capital expansion works to Eaton drive are also about to begin.
- Ancillary transport maintenance is largely completed in the off season once capital works is completed.

Economic Services

Economic Services includes the regulation and provision of tourism, area promotion, building control, noxious weeds and vermin control.



~ *Revenue – Economic Services*

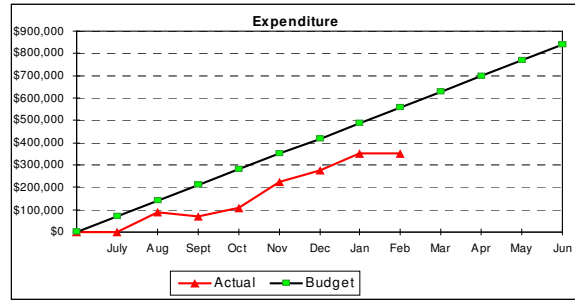
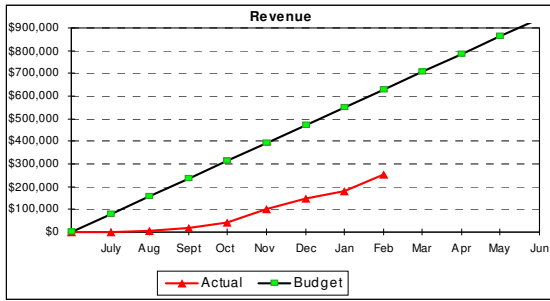
There are no material variances to report for revenue in March 2008.

~ *Expenditure – Economic Services*

There are no material variances to report for expenditure in March 2008.

Other Property & Services

Other property and services includes private works operations, plant repairs and operation costs.



Other property and services is under budget in both revenue and expenditure. This relates to the Eaton Administration Centre extensions. The variance is expected to align with budget closer to the end of financial year.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT the Monthly Statement of Financial Activity for the period ended 31st March 2008 be accepted.

10.12 ACCOUNTS FOR PAYMENT

10.12.1 Title: Schedule of Accounts Submitted as at 23rd April 2008

Reporting Department: Financial Services

Reporting Officer: Miss Suzette Sutton – Accounts Payable Officer

Legislation: Local Government Act 1995 (Financial Regulations)

File Number: None.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT accounts as submitted for payment be passed for payment as follows:

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
30785	04/04/2008	A K Chan Chim Yuk	Crossover contribution - A9461	MUNI	167.91
30786	04/04/2008	BT Business Superannuation	Superannuation contributions	MUNI	155.31
30787	04/04/2008	Bunbury Irrigation and Pump Services	Reticulation fittings	MUNI	274.60
30788	04/04/2008	Caltex Australia Petroleum Pty Limited	Caltex fuel card - March 2008	MUNI	13,459.28
30789	04/04/2008	Colonial Select Superannuation Plan	Superannuation contributions	MUNI	143.00
30790	04/04/2008	Courier Australia	Courier charges	MUNI	86.16
30791	04/04/2008	Dale Alcock Homes South West	Refund of 50% of building fees for cancelled B/L 2007080308	MUNI	1,847.71
30792	04/04/2008	Dardanup Garage and Service Station	Diesel for Ferguson, Crooked Brook and West Dardanup BFB trucks	MUNI	483.14
30793	04/04/2008	Department of Transport	Special series number plates - 804 DA - Georgina Heasman	MUNI	130.00
30794	04/04/2008	Direct Fuel Supplies (WA) Pty Limited	Fuel for Waterloo BFB vehicle	MUNI	118.84
30795	04/04/2008	Domino's Pizza Australia Pty Limited	Pizza - mobile youth space	MUNI	154.70
30796	04/04/2008	Echelon Australia Pty Limited	Second instalment for Regional Risk coordinator contribution	MUNI	4,547.40
30797	04/04/2008	Flexible Lifetime Superannuation Fund	Superannuation contributions	MUNI	76.73
30798	04/04/2008	Focus Equipment Finance Limited	Lease of photocopier at Dardanup shire office	MUNI	70.94
30799	04/04/2008	Hostplus	Superannuation contributions	MUNI	118.37
30800	04/04/2008	InfoVision Technology Pty Limited	Amblib Library Training on report editing for A Hollett	MUNI	110.00
30801	04/04/2008	Jane Pratt	Reimbursement for purchase of Singstar Pack playstation programme	MUNI	99.95
30802	04/04/2008	Landgate	Cadastral data annual subscription	MUNI	821.70
30803	04/04/2008	Petty cash - Please pay cash	Recoup - Eaton Community Library	MUNI	149.49

					50
30804	04/04/2008	Rachel Wilson	Refund - Working with Children check - R Wilson	MUNI	50.00
30805	04/04/2008	Shire of Dardanup	Payroll deductions	MUNI	435.00
30806	04/04/2008	Shire of Dardanup - Please pay cash	Umpire recoup - 03/04/2008	MUNI	480.00
30807	04/04/2008	Shire of Dardanup	Employee deductions	MUNI	135.00
30808	04/04/2008	Shire of Dardanup	Employee payroll deduction	MUNI	580.00
30809	04/04/2008	Shire of Dardanup	Employee recoups - gym membership	MUNI	42.18
30810	04/04/2008	Small Business Centre Bunbury-Wellington	Training course - Peter Black	MUNI	99.00
30811	04/04/2008	Stephen Eaton	Reimbursement - Eclipse Development software support purchase	MUNI	71.43
30812	04/04/2008	Synergy	Electricity	MUNI	10,131.50
30813	04/04/2008	T & P Design	Design, survey and pegging services	MUNI	3,861.00
30814	04/04/2008	Telstra	Telephone and facsimile expenses	MUNI	1,623.45
30815	04/04/2008	WA Local Government Superannuation Plan	Superannuation contributions	MUNI	18,237.91
30816	04/04/2008	WestNet Pty Limited	Recoverable telephone calls made over VOIP by IT Officer	MUNI	72.94
30817	04/04/2008	Cherie Brockliss	Reimbursement for rejection fees	MUNI	45.00
30818	11/04/2008	Australia Post	Mail and postage costs 2007/2008 financial year	MUNI	1,108.00
30819	11/04/2008	Australian Taxation Office	March 2008 IAS payment	MUNI	55,163.00
30820	11/04/2008	Builders Registration Board of WA	BRB - March 2008 reconciliation	MUNI	1,291.50
30821	11/04/2008	Building and Construction Industry Training Fund	BCITF - March 2008 reconciliation	MUNI	3,368.14
30822	11/04/2008	Bunbury Irrigation and Pump Services	Reticulation fittings	MUNI	5,116.60
30823	11/04/2008	Commissioner of Police	Renewal of corporate firearms licence	MUNI	90.00

30824	11/04/2008	Courier Australia	Courier charges	MUNI	60.01
30825	11/04/2008	DAPCO Tyre and Auto Service	Service - 0 DA; and repair of wheelbarrow tyre	MUNI	357.97
30826	11/04/2008	Dardanup Butchering Company	Un-marinated hamburger patties - Eaton Recreation Centre	MUNI	20.78
30827	11/04/2008	Dardanup Garage and Service Station	Repair fuel line on Upper Ferguson 3.4 Bush Fire Brigade vehicle	MUNI	95.00
30828	11/04/2008	Deborah Merritt	Refund - return of lost library item - "Holiday in Tasmania"	MUNI	16.35
30829	11/04/2008	Department of Premier and Cabinet	Residential Design Codes	MUNI	247.85
30830	11/04/2008	Freestyle Now	BMX competition and coaching workshops - 6 April 2008	MUNI	1,000.00
30831	11/04/2008	Joshua & Marie Bennell	Crossover contribution - A9609	MUNI	134.33
30832	11/04/2008	Les Mills Australia	CD and DVD packs for Pump, Balance, Step, Combat, Attack and Jam	MUNI	365.00
30833	11/04/2008	Linda Whitelaw	Reimbursement - Working with Children check	MUNI	50.00
30834	11/04/2008	Luke Botica	Reimbursement of telephone expenses : July - November 2007	MUNI	536.43
30835	11/04/2008	Mark Atherton	Reimbursement of diesel fuel for DA 9219 paid by credit card due	MUNI	211.20
30836	11/04/2008	Plunkett Homes	Refund 50% of building fees for cancelled B/L 2006070336	MUNI	409.29
30837	11/04/2008	Robert Quinn	Reimbursement of telephone expenses	MUNI	48.77
30838	11/04/2008	Shire of Dardanup	Cash advance for Youth camp to cover fuel, food and activities	MUNI	300.00
30839	11/04/2008	Shire of Dardanup - Please pay cash	Umpire recoup - 10/04/2008	MUNI	615.00
30840	11/04/2008	Small Business Centre Bunbury-Wellington	Successful Negotiations for Small Business Operators workshop	MUNI	90.00
30841	11/04/2008	Synergy	Electricity - decorative lights : Albatross/Blue Wren/Cassowary	MUNI	178.00
30842	11/04/2008	Terry O'Connor and Company	Various repairs and maintenance	MUNI	3,856.65

30843	11/04/2008	Water Corporation	Water	MUNI	3,102.30
30844	11/04/2008	Mrs J King	Ex-gratia payment for posters damaged whilst being laminated at library	MUNI	250.00
30845	14/04/2008	Agencies for South West Accommodation Inc	Bus hire for youth programme in April 2008	MUNI	150.00
30846	14/04/2008	Australind Premix & S & J Excavations	Kerbing on Hynes Road corner	MUNI	3,337.40
30847	14/04/2008	Big W (Division of Woolworths Limited)	Stationery, books and Singstar CD packs	MUNI	416.77
30848	14/04/2008	Biz Gear	Polo shirts - Eaton Recreation Centre	MUNI	377.30
30849	14/04/2008	Bunbury Auto One	Jockey wheel handles and pins	MUNI	33.80
30850	14/04/2008	Bunbury Machinery	Service and repairs - DA8977; and survey tape	MUNI	2,739.60
30851	14/04/2008	Bunbury Retravision	Blender - Eaton Recreation Centre	MUNI	99.00
30852	14/04/2008	Bunnings Group Limited	Electrical conduit, storage box, paper dust masks, sugar soap etc	MUNI	651.01
30853	14/04/2008	Burekup - Brunswick CWA	Council meals - 2007/2008 financial year	MUNI	180.00
30854	14/04/2008	C Y O'Connor College of TAFE	Municipal Law Enforcement B training - A Keane	MUNI	270.00
30855	14/04/2008	Cadbury Schweppes Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	175.41
30856	14/04/2008	Cleanaway - Mandurah	Domestic kerbside waste collection service for the financial year 2007/2008	MUNI	24,126.24
30857	14/04/2008	Cookies Galore	Goods for resale - Eaton Recreation Centre	MUNI	225.61
30858	14/04/2008	Corporate Express Australia Limited	Stationery	MUNI	3,854.34
30859	14/04/2008	Craven Foods	Stock for café - Eaton Recreation Centre	MUNI	574.37
30860	14/04/2008	Dardanup General Store	PVC class 8 pipe, elbow, tee and slip cap	MUNI	1,953.97
30861	14/04/2008	Department of Water	Annual fee for ground water licence	MUNI	100.00

					53
30862	14/04/2008	Discount Auto Parts	Waterloo Fire appliance cleaning products	MUNI	57.76
30863	14/04/2008	Eaton Animal Health Centre	Dog pound and cat sterilisation expenses	MUNI	892.00
30864	14/04/2008	Eaton Community College	Montessori Club - Hire of facility	MUNI	3,000.00
30865	14/04/2008	Eaton Hardware	Rechargeable batteries for group fitness; stick on numbers and spray paint	MUNI	128.80
30866	14/04/2008	Elders Limited	Multi grow pelletised chicken manure	MUNI	46.90
30867	14/04/2008	Frontline Safety and Training Services	Blue card training - Phillip Rowley	MUNI	100.00
30868	14/04/2008	G G Tootill	Excavator hire	MUNI	907.50
30869	14/04/2008	Gateway Internet Services	Monthly fee - RF data communication	MUNI	990.00
30870	14/04/2008	Geofabrics Australasia Pty Limited	Filter wrap	MUNI	759.00
30871	14/04/2008	Gym Care	Repairs to upright bike, cross trainer and supported seated rower	MUNI	301.95
30872	14/04/2008	Hart Sport	Equipment - Eaton Recreation Centre	MUNI	1,022.50
30873	14/04/2008	Harvey Norman	Telephone lead extension	MUNI	12.95
30874	14/04/2008	Hertz Rent A Car	Hire work vehicle for three month time period	MUNI	2,198.80
30875	14/04/2008	Institute of Public Works Engineering Aust - WA	Membership - Institute Public Works Engineering Australia - L Botica	MUNI	297.00
30876	14/04/2008	Jobs South West	Hire of mobile youth space trailer for Burekup youth event	MUNI	110.00
30877	14/04/2008	Landgate	Rating valuations	MUNI	549.44
30878	14/04/2008	Local Community Insurance Services	Business pack insurance - Montessori project	MUNI	143.22
30879	14/04/2008	Lu Standish	Reimbursement of expenditure on behalf of tourism committee	MUNI	1,156.91
30880	14/04/2008	MJB Industries Pty Limited	Headwalls for culverts	MUNI	1,109.04

					54
30881	14/04/2008	Meeting Masters	Critical Horizons series seminar - Mark Chester	MUNI	80.00
30882	14/04/2008	Microcom Pty Limited T/a Metrocount	Battery packs for 5600 classifier	MUNI	79.00
30883	14/04/2008	Mountain Designs	6 x Camelback waterbags - Wellington Mills BFB	MUNI	390.00
30884	14/04/2008	Nepean ProData	CCMS software upgrade for vacation care programme	MUNI	550.00
30885	14/04/2008	Neverfail Springwater Limited	Spring water bottles	MUNI	37.25
30886	14/04/2008	Nightguard Security Service Pty Limited	Alarm response - alarm not set : Eaton administration centre	MUNI	55.00
30887	14/04/2008	Pacific Magazines	Practical Parenting subscription- Eaton Community Library	MUNI	74.00
30888	14/04/2008	Prestige Products	Cleaning products	MUNI	176.00
30889	14/04/2008	Promaco Conventions Pty Limited	Attendance at the IPWEA state conference for MTS and ETO	MUNI	3,146.00
30890	14/04/2008	Quantum Multimedia Communications	Pager service fee for bushfire brigade pagers	MUNI	627.00
30891	14/04/2008	Rural Press Regional Media WA	Monthly council news page in Bunbury Mail	MUNI	765.93
30892	14/04/2008	SJ Roadworks	Traffic control for Hynes Road (February)	MUNI	18,062.00
30893	14/04/2008	Scope Business Imaging	Photocopier meter reading - Eaton Recreation Centre	MUNI	546.90
30894	14/04/2008	Signs Plus	5 x blank name badges	MUNI	138.00
30895	14/04/2008	Southern Lock & Safe	Six padlocks for Watson Street reserve	MUNI	357.13
30896	14/04/2008	State Library of Western Australia (LISWA)	Charge for lost/damaged books	MUNI	72.60
30897	14/04/2008	Stylecorp	Staff uniforms	MUNI	247.72
30898	14/04/2008	The Tyre Place	Repairs and replacement tyres - DA 325, DA 698 & DA 8170	MUNI	1,810.50
30899	14/04/2008	Thompson Consulting Surveyors	Administration work associated with land resumption - Hynes Road	MUNI	440.00
30900	14/04/2008	Totally Sound	TV and DVD hire for public display at Eaton Fair Shopping Centre	MUNI	464.06

30901	14/04/2008	Transpacific Waste Management Pty Limited	Waste disposal	MUNI	10,667.64
30902	14/04/2008	Veen's Design Drafting Service	Reprint copies of plans	MUNI	277.20
30903	14/04/2008	West Wide Mechanical Services	Landrover service - Burekup BFB	MUNI	550.00
30904	14/04/2008	Woolworths Limited	Groceries	MUNI	635.85
30905	14/04/2008	Yakka Pty Limited	Staff uniforms - Peter Jackson	MUNI	478.71

REPORT TOTALS

TOTAL

MUNI	Municipal Fund	230,738.89
30785 - 30905		

TOTAL **230,738.89**

CERTIFICATE OF Chief Executive Officer

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

Chief Executive Officer :

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13 PUBLIC QUESTION TIME

14 MATTERS BEHIND CLOSED DOORS

14.1 Title: Matters Affecting Staff & Commercial Contracts

Reporting Department: Executive

Reporting Officer: Mr Mark Chester – Chief Executive Officer

Legislation: Local Government Act 1995

File Number: HR01 0004

Chief Executive Officer Comment

It is recommended that the following item be heard behind closed doors.

- Matters affecting Staff
- Commercial Contracts

S 5.23 (1) Subject to subsection (2), the following are to be open to members of the public-

- (a) all Council meetings; and
- (b) all meetings of any committee to which a local government power or duty has been delegated.

(2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -

- (a) a matter affecting an employee or employees;
- (e) a matter that if disclosed, would reveal -
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government;

(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

OFFICER RECOMMENDED RESOLUTION

THAT Council go Behind Closed Doors to discuss matters affecting staff and commercial contracts.

REPORT UNDER SEPARATE COVER

Note: In accordance with the Local Government Act 1995 5.23 (2) (a) this report is not available to the public. The Shire President tables the confidential report on this matter and provides copies to each elected member. The report will be located in the Records Management System of the Council on file HR01 0004 and HR05 0051 respectively.

14.4 Title: Waste Disposal Tender and Waste Site Use

*Reporting Department: Health Services
Reporting Officer: Mr Tim Batt – Manager Health Services
Legislation: Local Government Act 1995
File Number: TR03 0006 & TR03 0007*

Manager Health Services Comment

It is recommended that the following item be heard behind closed doors.

Shire of Dardanup Standing Orders 3.8
Local Government Act 1995 Section 5.23 (2) (e)

Matters for Which Meeting May Be Closed:

- Matter of a Commercial Nature

OFFICER RECOMMENDED RESOLUTION

THAT Council return from behind closed doors.

Note: In accordance with Standing Order 12.7 (3) the Presiding Officer, unless the council decides otherwise, is to cause the motions passed by council whilst behind closed doors to be read out.

15 CLOSURE OF MEETING

The Shire President advises that the date of the next Ordinary Meeting of Council will be Wednesday 14th May 2008, commencing at 4.30pm at the Shire of Dardanup – Dardanup Office.

Shire President to declare the meeting closed.