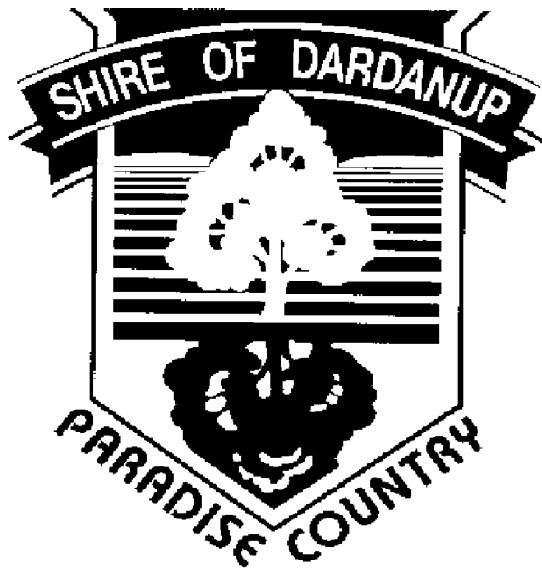


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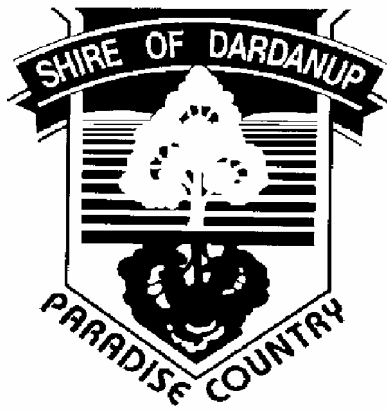
ORDINARY MEETING

TO BE HELD

**WEDNESDAY, 28TH MAY 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 28th May 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 'Mark L Chester', is positioned above the printed name.

MR MARK L CHESTER
Chief Executive Officer

Date: 22nd May 2008

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SHIRE OF DARDANUP

AGENDA FOR THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL TO BE HELD ON WEDNESDAY 28TH MAY 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

Mr Phil Rowe – Manager Corporate & Community Services

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 11th June 2008 .

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**7.1 Ordinary Meeting Held 14th May 2008****Page 71**

Resolution 132/08 endorses the membership of people on the Eaton Precinct Working Group Committee.

The representative for the Eaton Boomers Football Club should have read 'Mr David Tame' with Mr Garry Mumme being his proxy. The minutes need to be amended to reflect the correct representative.

Page 63

Discussion - Please note the correction to the name of the document that Cr. K Hopper referred to in his discussion regarding the Local Government Biodiversity Planning Guidelines.

COUNCIL RESOLUTION

THAT the Minutes of the Ordinary Meeting of Council held on the 14th May 2008, be confirmed as true and correct subject to the following corrections:

- **Page 71 - Resolution 132/08 – replace the name Mr David Tame as the representative member for the Eaton Boomers Football Club [Mr Garry Mumme is his proxy].**
- **Page 63 – Discussion reads: “Cr. K Hopper advised that he had obtained a copy of the ‘Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region” be changed to read “Cr. K Hopper advised that he had obtained a copy of the ‘Local Government Biodiversity Planning Guidelines - Addendum to the South West Biodiversity Project Area”**

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

None.

10 REPORTS OF OFFICERS AND COMMITTEES

10.1 CHIEF EXECUTIVE OFFICER REPORT

10.1.1 Title: WALGA - Notice of 2008 Annual General Meeting – Proposed Motions

Reporting Department: Executive
Reporting Officer: Mr Mark Chester – Chief Executive Officer
Legislation: Local Government Act 1995
File Number: GR02 0003

Background -

The Annual General Meeting of WALGA is held in August each year during the annual Local Government Convention, notice has now been received setting out closing dates and the format for submission of motions.

Legal Implications - None

Budget Implications -

Attendance by the Chief Executive Officer and elected members is allocated in the annual budget.

Officer Comment -

The closing date for submission of motions for the AGM is Friday 6th June 2008.

PROPOSED MOTIONS [Items 10.1.1 and 10.1.2]:

Structural Reform

A topical issue is that of the Draft SSS Report – The Journey – Sustainability into the Future. Submissions and comments in relation to this report close on the 16th June 2008. It is not known if the convention will include a time for reflection of the Report and or the submissions that are received.

Given the importance of the Draft SSS Report and that the convention is the best opportunity to have all Local Governments represented it is recommended that

Council make a submission to WALGA requesting that time be set aside at the AGM for debate about the Report.

Support for the matter to be listed on the agenda can be sought from other Local Governments in the South West Zone, however I believe it will be too late to have a motion from the Zone itself as the next Zone meeting is scheduled for 23rd May 2008.

It is recommended that the following motion be presented to WALGA for the AGM:

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council put forward the following motion/s to the WA Local Government Association - AGM to be held in August 2008:

“Structural Reform

That the WA Local Government Association include in the 2008 Annual General Meeting agenda, the following:

- 1. A debate on the suitability of the SSS Report; The Journey – Sustainability into the Future as a planning tool to drive structural reform of Local Government in Western Australia.***
- 2. A debate on the rights of individual Local Governments to determine their own future where they have the support of their electors to either remain in their present form, become involved in Regional Councils of their choosing for the provision of services of their choosing or merger with adjoining Local Governments.***
- 3. That WALGA with or without the support of the State Government provide members with a comprehensive qualitative assessment of the post structural reform of other States in Australia identifying how the reforms have provided economic, environmental and social sustainability, measured against their pre reform sustainability. That is; are the Local Governments, the people and the environment better off having gone through structural reform?”***

10.1.2 Title: WALGA AGM – Rate Exemptions Charitable Bodies

Reporting Department: Executive
Reporting Officer: Mr Mark Chester – Chief Executive Officer
Legislation: Local Government Act 1995
File Number: GR02 0003

Background -

Council is invited by the Western Australian Local Government Association to present agenda items for discussion at the State Convention in August, refer item 10.1.1 of this agenda.

The following matter, rate exemptions for charities, is presented for Council to consider submitting to the State Convention, to have the government compensate local government for the loss of revenue due to the rate exemption status of bodies that provide aged accommodation in the way of independent living units (ILUs).

Proposed Agenda Item for WALGA State Convention

As Council is aware, property owners that are registered as a charity by the Australian Taxation Office are eligible to claim a rate exemption for their property under section 6.26 (2) (g) of the Local Government Act 1995.

The Shire has two properties owned by Churches of Christ Homes and Community Services Inc. (CCHCS) Lot 7001, 111 Eaton Drive, Eaton (Bethanie Fields) and Lot 1004 Edith Cowan Avenue, Eaton (Bethanie Palms).

Churches of Christ Homes and Community Services Inc. claimed the rate exemption for Bethanie Fields and appealed the raising of rates to the State Administrative Tribunal (SAT), the SAT upheld the appeal based on precedents set by the Uniting Church versus the City of Stirling, subsequently Council had to refund the rates raised on Bethanie Fields.

During 2006 and 2007 Council was a party to a lobbying effort by the WALGA to the Minister for Local Government to amend the Local Government Act to empower local governments to rate only the Independent Living Units (ILUs) within estates owned and operated by groups registered as charities.

Residents (owners/life time leaseholders) of ILUs continue to enjoy the quality of life as a land owner owning and living in a residential area of the shire, that is, they continue to be mobile, use the local government facilities such as footpaths, roads, libraries, parks and reserves, enjoy life as much as they did prior to entering their ILU. It is a widely held view that these residents are taking an unfair advantage of the law by not making a contribution to the provision of services by local government when they continue to enjoy the benefits of the services. (Readers should not misconstrue the officers or the elected members views toward helping the aged, widows, widowers the injured and the disabled, the Shire of Dardanup has a powerful testimony of making provision for all of the members of the community in the way of services and facilities by proving buildings, disability access and other services, including mobile library visits to homes and to the Bethanie Fields Aged Facility. Council has a strongly held view and sound record for helping the disadvantaged, this report and the objective is about equity and fairness).

Council is on the record as not opposing the rate exemption status for the value of the property that is the Aged Person Hostel.

The Minister rejected the lobbying effort by this shire, WALGA and others, stating that the LGA did not preclude Local Governments from negotiating a contribution toward rates from the charities.

CCHCS have advised the Chief Executive Officer that they are willing to negotiate a contribution being made to the Shire for Bethanie Palms, however they will not entertain any to do with Bethanie Fields.

Legal Implications - None

Budget Implications -

The amount of rates written off by the Shire on Bethanie Fields was \$98,226 in 2006

This sum will have grown to \$123,363pa, since that time. (2.46% of 07/08 rate revenue)

The amount of rates to be forgone on Bethanie Palms is estimated at, \$177,000 given it is a 9.88 ha site. (3.5% of 07/08 rate revenue)

Council has provided the following services over the last 3 years as direct benefit to the residents of Bethanie Fields.

- Visiting library service.
- Keep fit programs and social interaction at the Eaton Recreation Centre.
- Construction of new bus stop and dual use path on Eaton Drive.
- Construction of new dual use path on Edith Cowan Avenue.
- Reconstruction of dual use path access at the intersection of Glen Huon Boulevard and Eaton Drive.
- Construction of new dual use path on Eaton Drive from Bethanie Fields to the Shopping Centre on the South Side of Eaton Drive, due for completion May 2008.

Officer Comment -

Negotiations have commenced with CCHCS for a contribution to the Shire toward operations in relation to Bethanie Palms only. There is no guarantee that, a) negotiations will be successful and b) that the contribution will be ongoing.

It is proposed that Council put this report to the State WALGA Convention at the AGM in August to have WALGA lobby the State and Federal government through the Minister for Local Government and the Treasurer, for local government to be compensated for the loss in revenue that is forgone when a body registered as a charity or religious body owns land and claims the rate exemption under Section 6.26 (2) (d) (e) and (g) of the Local Government Act 1995 as Amended.

Council believes that the presentation of this item for debate at the State Convention is timely given the current focus on local government sustainability and the obvious trend and need for more aged accommodation for our aging population.

What the government, State and Federal run the risk of creating is a situation where local governments may not approve re-zonings of their Town Planning Schemes to allow for development of aged persons accommodation. This will lead to a shortfall in facilities that would have to be considered by government to be a potential catastrophe, notwithstanding that the government has the power to take away local governments planning powers if they are not happy with decisions made.

Both tiers of government ought to be lobbied as the Federal Government is responsible for accommodation for the aged and provide funding for them and the Australian Taxation laws, and the State government is responsible for the Local Government Act.

It is important to note that such charitable bodies are not exempt from the State Government imposed Emergency Service Levy that is raised on behalf of the state by Local Governemnts

This was highlighted in the inquiry by the Local Government Advisory Board into the operation of the provisions of the Local Government Act relating to rating of land used for charitable purposes in November 2005.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council submit the following recommendation to the Western Australian Local Government Association 2008 Convention Annual General Meeting with the officers report as background:

"Rate Exemptions Charitable Bodies

That the Western Australian Local Government Association lobby the State and Federal governments for Local Governments to be compensated for loss of revenue associated with the area of land used for independent living units on estates operated by registered charities and religious bodies, and that the compensation be an annual direct payment to the local governments on the production of an invoice to the State Revenue Department and Federal Treasury."

10.1.3 Title: Local Government Convention & Exhibition 2008 – 31st July to 2nd August 2008

Reporting Department: Executive
Reporting Officer: Mr Mark Chester – Chief Executive Officer
Legislation: Local Government Act 1995
File Number: GR02 0003

Background -

Local Government Convention & Exhibition is held in August each year to discuss issues of common interest around the business of Local Government. The theme chosen for this year is 'Making Our World Work'.

“The Making Our World Work business program has been designed to bring practical focus to many of the key themes raised in The Journey: Sustainability into the Future – a major development towards the shaping of the future of Local Government in Western Australia.

Taking a look at the big picture the opening plenary will be presented by the internationally acclaimed strategic analyst, historian and author Gregory R Copley AM who as an impassioned and proud Western Australian will provide a broad analysis on the relevance of our State in the region and beyond. Based in Washington DC, Greg Copley has for four decades worked at the highest levels with various international governments advising on national security, intelligence, and national management issues: his unique and global perspective will ably remind us that we in this State enjoy an incomparable and advantageous place in the world.

The convention program also offers a series of plenary presentations in combination with relevant case studies or panel discussion, covering the matters of infrastructure and asset management, service delivery funding, regional modelling and managing change – all designed to provide support and to encourage replication of leading practice in the sector.

The keynote presentation this year will as well reflect the underpinning convention theme while offering something different. We will see the natural world through the eyes of the renowned environmentalist Professor David Bellamy OBE - a familiar face to many from his long-running television series The World Around Us.

To facilitate progress with the Elected Member Development Program a selection of Modules are again being offered prior to the Convention on Monday 28 July, Tuesday 29 July and on Wednesday 30 July, as well as after the Convention on Sunday and Monday.”

Full details of the Program, Professional Development and Partner Programs are attached (Appendix ORD: 10.1.3).

Legal Implications - None

Budget Implications -

In previous years the Shire President, two Councillors and the Chief Executive Officer have attended Local Government Week. The fee for Full Conference Delegate is \$960 per person including meals. Attendance at the Gala dinner is \$150.00 per person.

Councillors are encouraged to attend the Elected Member Professional Development Sessions and take the opportunity to receive training and meet other elected Councillors. Details are as follows:

Elected Member Professional Development Session Registration

Monday 28 July 2008

Eastern Metropolitan Regional Council Offices

Module 6: Strategic Planning
Time: 9:00am to 12:30pm
Cost: \$148.50 (Workplace Solutions Members)
\$162.80 (Non Workplace Solutions Members)

Module 7: Local Government Finance
Time: 1:00pm to 4:30pm
Cost: \$148.50 (Workplace Solutions Members)
\$162.80 (Workplace Solutions Members)

Tuesday 29 July 2008

Eastern Metropolitan Regional Council Offices

Module 15: Sustainable Asset Management
Time: 9:00am to 4:30pm
Cost: \$297.00 (Workplace Solutions Members)
\$324.50 (Non Workplace Solutions Members)

Wednesday 30 July

Perth Convention Exhibition Centre (PCEC)

Rules of Conduct – Official Conduct Legislation Special Session:
Time: 8:30am to 10:00am
Cost: \$44.90

Wednesday 30 July

Perth Convention Exhibition Centre (PCEC)

Module 2: Land Use Planning
Time: 9:00am to 4:30pm
Cost: \$297 (Workplace Solutions Members)
\$324.50 (Non Workplace Solutions Members)

Wednesday 30 July

Perth Convention Exhibition Centre (PCEC)

Module 1: Legal Responsibilities of an Elected Member
Time: 10:30am to 5.30pm
Cost: \$297.00 (Workplace Solutions Members)
\$324.50 (Non Workplace Solutions Members)

Sunday 3 August

WALGA offices – West Perth

Introduction to Residential Design Codes
Time: 9.00am to 12.30pm
Cost: \$148.50 (Workplace Solutions Members)
\$162.80 (Non Workplace Solutions Members)

Sunday 3 August

WALGA offices – West Perth

Module 5: Meetings
Time: 9:00am to 4:30pm
Cost: \$297.00 (Workplace Solutions Members)
\$324.50 (Non Workplace Solutions Members)

Monday 4 August

WALGA offices – West Perth

Module 9: Ethics and Conduct of an Elected member
Time: 8:30am to 12:30pm
Cost: \$148.50 (Workplace Solutions Members)
\$162.80 (Non Workplace Solutions Members)

Monday 4 August

WALGA offices – West Perth

Module 3: Performance Appraisals of the CEO
Time: 1:00pm to 4:30pm
Cost: \$148.50 (Workplace Solutions Members)
\$162.80 (Non Workplace Solutions Members)

Accommodation is an additional cost at approximately \$240.00 per night.

\$8,500 was allocated in the 2007/08 budget for conferences for elected members, inclusive of accommodation. Further funds will be allocated for 2008/09.

Estimated costs for Elected members:

Conference and Dinner 3 @ \$1,110.00 = \$3,330.00

Estimated costs for Chief Executive Officer:

Conference and Dinner 1 @ \$1,110.00 = \$1,110.00

Accommodation costs:

4 people @ 3 nights @ \$243.00 = \$2,916.00

Officer Comment -

Council is encouraged to send representatives to the Local Government Convention and Annual General Meeting. It is important to stay in touch with the issues in Local

Government, meet and share experiences with other officers and elected members and to be involved in professional development.

Each Local Government is required to nominate two delegates to vote on Council's behalf at the WALGA AGM. Closing date for registration forms is Friday 4th July 2008.

In past years this has been the Shire President and one other Councillor. Last year the Shire President and the Deputy Shire President were elected as the delegates of the 2008 WA Local Government Association AGM. Cr. B G Day, Cr. A van Dijk, Cr. J E Gardiner, Cr. P A Bass and Cr. C N Boyce attended the elected member development and the conference.

In addition, Council can submit items for consideration at the AGM for discussion by delegates. This is the forum that provides opportunity for member motions to be debated and the body of local government can decide if they wish to support the motion and have WALGA lobby the State or Federal Government on Councils behalf to make policy and legislation changes.

The 2008 Annual General Meeting will be held on Saturday 2nd August.

Attendance at the Elected Member Development training is in order with Council policy, the Strategic Plan and is provided for within the budget, therefore a Council resolution is not required to endorse Councillor attendance for the development days.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT the Shire of Dardanup advise WA Local Government Association that:

- 1. The Shire President, Cr. B G Day and Deputy Shire President Cr. A van Dijk are nominated as Council's delegates of the 2008 WA Local Government Association AGM.**
- 2. Cr. B G Day, Cr. A van Dijk, attend the 2008 Local Government Convention Member Development and Conference.**

10.1.4 Title: WALGA – Constitutional Recognition of Local Government

Reporting Department: Executive
Reporting Officer: Mr Mark Chester – Chief Executive Officer
Legislation: Local Government Act 1995
File Number: GR020003

Background -

Local Government has been lobbying the Federal Government for many years to be recognized in the Australian Constitution. The Rudd Government has promised a referendum on Constitutional recognition for Local Government.

WALGA now seeks advice from individual Local Governments on what they want to achieve from Constitutional recognition.

The questions that are being asked relate to what form Constitutional recognition should take.

- Should recognition be simply symbolic?
- Should it impose certain funding obligations on the Commonwealth?
- Should it protect Local Government from forced structural change?
- Do Councils have other expectations from Constitutional Recognition?

The Australian Local Government Association (ALGA) has developed some resource materials to aid the debate; these can be sourced from the ALGA web site <http://www.alga.asn.au/constitutionalrecognition/> .

The following process is proposed:

- Step 1: Constitutional Recognition resource materials distributed to Local Governments.
- Step 2: Local Governments to conduct a “Council Conversation” and develop local position.
- Step 3: Optional Step – Local Governments share outcomes from their Council conversations at July zone meetings.
- Step 4: Local Government Week Convention to consider the question of Constitutional Recognition. WALGA to appoint 10 representative to attend a National State Expert Forum.
- Step 5: ALGA will convene a National State and Expert Forum. This will reconcile State Association input and specific options to be put to a broadly based national Constitutional Forum. Expert technical advice will assist in the drafting of specific wording of resolutions to meet desired objectives and develop technical argument on various options (Proposed for August/September).

- Step 6: ALGA will prepare business papers for a national Constitutional forum based on input from the National State and Expert Forum (October).
- Step 7: Conduct of the National Constitutional Forum. This would be in the style of the National Roads congress designed to establish an agreed Local Government position and to settle the question to be put at a referendum on constitutional Recognition of Local Government (Scheduled for December 2008).
- Step 8: ALGA to develop "camera ready" legislation for the referendum and present to government.

Legal Implications - None

Budget Implications - None

Officer Comment -

It is recommended that Council discuss what benefit is to be gained by being recognized in the Australian Constitution.

In 2006 the Commonwealth Parliament adopted the following resolution in recognition of Local Government:

"That the House/Senate:

- 1. recognises that local government is part of the governance of Australia, serving communities through locally elected Councils.*
- 2. values the rich diversity of Councils around Australia, reflecting the varied communities they serve.*
- 3. acknowledges the role of local government in governance, advocacy, the provision of infrastructure, service delivery, planning, community development and regulation.*
- 4. acknowledges the importance of cooperating with and consulting with local government on the priorities of their local communities.*
- 5. acknowledges the significant Australian Government funding that is provided to local government to spend on locally determined priorities, such as roads and other local government services.*
- 6. commends local government elected officials who give their time to serve their communities.*

Source ALGA Website Fact Sheet 2"

The following extracts from the ALGA website are the policy statements of the groups listed in relation to Constitutional Recognition of Local Government.

ALGA's Policy - Formally Recognising Local Government in the Constitution

ALGA has long called on all political parties to commit to the continued recognition of local government's role in the Australian Federation.

Local government fulfils a significant and increasingly important role within the Australian Federation. Despite this, Australia is yet to follow the lead of many other nations and recognise the roles and functions of local government in our national

constitution. The failure to recognise local government remains one of the significant omissions of the Australian Constitution.

New Government – Reform and Recognition

Federal Labor believes that local government should be formally recognised in the Australian Constitution.

The Australian Labor Party went into the Election with a commitment to consult, during its first term, with local government on the process for achieving constitutional recognition.

National Party

The Nationals have no current position on constitutional recognition of local government. However on 28 January 2008 the Hon Warren Truss, Leader of the National Party, told The Australian that the Coalition was "generally supportive" of the concept of recognising local government in the Australian Constitution.

"I have 14 years in local government so I have an understanding where local government is coming from, and it does seem reasonable to me that such an important element of our democratic process at the local government level should be acknowledged in our national constitution".

Liberal Party

The Australian Liberal Party has no current position on constitutional recognition. In 2006, the Liberal Party honoured a 2004 election commitment to pass a parliamentary resolution recognising the role of local government.

The Australian Greens

The Australian Greens have not taken a formal position on Constitutional Recognition of local government. However, their Constitutional Reform and Democracy Policy states support for a stronger role of local government in our democratic system of government.

Australian Democrats

The Democrats Action Plan for the 2007 Federal Election supported constitutional recognition of local government. Their platform included:

As government at the state and federal level has become more centralised and bureaucratic it is imperative that there is real community representation at a local level. Local government is not just about the cliché of 'roads, rates and rubbish'. More than any of these, it is about representation and community.

The role of local government must be recognised and strengthened, and it should be an equal partner in decision making at both federal and state levels.

Source ALGA Website Fact Sheet 5

The ALGA process to achieve recognition is as follows:



Source ALGA Website Fact Sheet 8

Recommendation:

Local Government across Australia has long called for recognition in the Australian Constitution, it not clear what each Local Government thinks the benefit of recognition will be, two possibilities are; that recognition will grant Local Government a place as the third tier of Government, depending on the wording, secure local governments position as being masters of their own destiny rather than being creatures of state government.

Secondly, subject to wording and the will of the Commonwealth and State Governments, secure a fixed percentage of the taxes collected by the Commonwealth.

The debate will have to be progressed with the State Governments. Will the States want to relinquish their control of Local Government; with a guarantee of growth tax Local Government could evolve to make State Government irrelevant, it is doubtful the State Government would support this position.

Recognition as a symbolic gesture has little or no value, what would be very valuable for Local Government is the guarantee of a fixed share of taxation revenue. With an increase of taxation revenue coming to Local Government the long term sustainability of Local Government is more achievable.

If this is the collective aim of all Local Governments across Australia it will be a challenge for the ALGA to have the Commonwealth and States agree to this position prior to a referendum. The proposition will need to be included in the preamble for the people to consider; therefore it will need the Governments support if it is to ever get to be a condition entrenched in the referendum.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council advise the WA Local Government Association that Council's objective in having Local Government recognized in the Australian Constitution is more than symbolic, Council wants Local Government to be recognized and guaranteed a realistic fixed percentage of Commonwealth taxation revenue raised through income tax and the Goods and Services tax.

10.1.5 Title: Setting of Meeting Dates – 2008/2009 Year

Reporting Department: Executive

Reporting Officer: Mr Mark Chester – Chief Executive Officer

Legislation: Local Government Act 1995

File Number: CO06 0005

Background

Council meetings have been set for the second and fourth Wednesday of each month except where public holidays interfere with the running of Council.

Legal Implications - Local Government Act 1995.

Budget Implications - None

Officer Comment

Council meeting dates have been scheduled for the twelve months from July 2008 to June 2009.

Easter – Good Friday falls in the 10th of April 2009. The office closes on Good Friday and re-opens on Wednesday 15th April 2009. The April meetings will be held on the 2nd and 5th Wednesday to accommodate the Easter break in between.

November and December 2008 meetings will be held on the first and third Wednesdays of the month to accommodate the Christmas break.

As is previous years practice, the calendar shows only one meeting date in January 2009, this would fall on Wednesday 28th January 2009. Meetings will continue as normal on the second and fourth Wednesday of the month in February.

In accordance with the Local Government Act 1995, Council is requested to call a Special Meeting for the adoption of the Rates, Late Payment interest, Service Charges and Budgeted Income & Expenditure for each financial year.

To allow for councillors to be aware well in advance when the meeting will be held, it is proposed that Friday the 12th June 2009 be set aside as the date for the Special Meeting of Council to discuss the next annual Budget.

These dates may be reviewed subject to changes in circumstances, and providing time is allowed for public advertising.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT:

- The Ordinary Council meetings for the period July 2008 to June 2009 be held as follows:**

DATE:	WEDNES DAY	VENUE:
9 July 2008	2 nd	Dardanup Office
23 July 2008	4 th	Eaton Administration Centre
13 August 2008	2 nd	Dardanup Office
27 August 2008	4 th	Eaton Administration Centre
10 September 2008	2 nd	Dardanup Office
24 September 2008	4 th	Eaton Administration Centre
8 October 2008	2 nd	Dardanup Office
22 October 2008	4 th	Eaton Administration Centre
5 November 2008	1 st	Dardanup Office
19 November 2008	3 rd	Eaton Administration Centre
3 December 2008	1 st	Dardanup Office
17 December 2008	3 rd	Eaton Administration Centre
28 January 2009	4 th	Eaton Administration Centre
11 February 2009	2 nd	Dardanup Office
25 February 2009	4 th	Eaton Administration Centre
11 March 2009	2 nd	Dardanup Office
25 March 2009	4 th	Eaton Administration Centre
8 April 2009	2 nd	Dardanup Office
29 April 2009	5 th	Eaton Administration Centre
13 May 2009	2 nd	Dardanup Office
27 May 2009	4 th	Eaton Administration Centre
10 June 2009	2 nd	Dardanup Office
24 June 2009	4 th	Eaton Administration Centre

Noting that:

There will be only one Ordinary Meeting of Council held in January 2009, being Wednesday 28th January 2009 and this meeting be held at Shire of Dardanup – Administration Centre Eaton.

2. Council hold a Special Meeting of Council on Friday 12th June 2009 commencing at 10.00am at the Shire of Dardanup – Administration Centre Eaton Council Chambers. The purpose being to adopt the Rates in the \$, Service Charges and Councils Budgeted Income & Expenditure for 2009/10 financial year.
3. The above dates of the Shire of Dardanup Council Meetings be publicised in the local media and newsletter as required by the Local Government Act 1995.

10.2 MANAGER TECHNICAL SERVICES REPORT

10.2.1 Title: Tender For Purchase Of New Truck With Trade

Reporting Department: Technical Services
Reporting Officer: Mr Luke Botica – Manager Technical Services
Legislation: Local Government (Functions and General) Regulations 1996
File Number: LE170015

Background

Quotations have been called for the purchase of a new road maintenance truck and trade of existing truck (DA 8457) in the Transport Section of the Technical Services Department as part of the 2007-2008 Budget. The Shire received responses from three suppliers, being Skipper Trucks Bunbury, Jem Truck Sales (Bunbury) and WA Hino (Perth). All tenders submitted meet the Shire's specification.

Legal Implications

The overall purchase value is less than \$100,000 therefore the calling of public tenders was not necessary, however quotations were called by means of an advert and preselected local suppliers. A comprehensive specification and request for quotation document were used in the process.

All quotations exceed the Chief Executive Officers purchasing threshold of \$50,000 and are hence presented here for Council deliberation.

Budget Implications -

The prices submitted are as follows:

SUPPLIER	SKIPPER TRUCKS	JEM TRUCK SALES	WA HINO
Make	Mitsubishi	Isuzu	Hino
Base Vehicle Price	\$59,865	\$61,776	\$53,347
Tendered Vehicle with tendered extras	\$73,175	\$78,276	\$72,702
After market extras	\$24,075	\$24,075	\$24,075
Total Cost of New Vehicle	\$97,250	\$102,351	\$96,777
Budget Allocation for New Vehicle	\$97,850	\$97,850	\$97,850
Trade Offered	\$16,909	\$9,090.91	\$12,727
Budget Allocation for Trade	\$16,480	\$16,480	\$16,480
Net Cost to Council	\$80,341	\$93,260	\$84,050
Net Budget Allocation	\$81,370	\$81,370	\$81,370

(Note: All prices exclude GST)

Tender from Skipper Trucks in Bunbury is the only quotation which when combined with the inclusion of after market components is still within the Shire's Budget allocation.

Officer Comment

Note that the "After market extras" are extra specialist equipment to be installed separately by the Shire and includes such items as a Flocon unit, hoses and reels etc. From the figures presented in this report it is recommended that the quotation from Skipper Trucks Bunbury be accepted. Specifications for the Mitsubishi Fighter 6.0 Model FK617KSJRFAF lwb are attached (Appendix ORD 10.2.1).

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council resolves to accept the quotation from Skipper Trucks Bunbury for Request for Quotation RFQ 2008/02 for the supply and delivery of one (1) new Mitsubishi Fighter 6.0 [Model FK617KSJRFAF lwb] at a cost of \$73,175 plus GST with trade of the Shire's existing truck DA 8457 at a price of \$16,909 plus GST.

10.2.2 Title: WAPC Approval 134098 Dual Use Path Contribution at Lot 172 Hamilton Road Eaton (J Leece)

Reporting Department: Technical Services
Reporting Officer: Mr Luke Botica – Manager Technical Services
Legislation: Local Government Act 1995
File Number: PL134098

Background

Mrs and Mrs Leece, who are the subdividers of Lot 172 Hamilton Road, have requested Council consideration to reducing the dual use contribution requested as a condition of subdivision approval.

A condition of subdivision approval was the need to contribute financially to Council for the future provision of a dual use path on Hamilton Road. The contribution is requested to cover the future need for a dual use path as a direct result of subdivision (collectively) causing increased residential density and traffic. This property is one of potentially many along Hamilton Road which will contribute collectively to the need for an additional pathway. In this particular case, there is currently a dual use path on the opposite side of Hamilton Road; however, as subdivision of existing properties occurs, a second dual use path (thus a pathway on each side of the road) will be necessary in future.

The condition placed on residential subdivisions is relatively new and has come into effect in accordance with the Shire's Pathway Asset Management Plan – this document recommends contributions from developers where development will result in the need for further pathways.

Contributions are collected from each developer at clearance of subdivision or development approval and are held in trust until the pathway is constructed. The funds are used for the construction of the pathway only. The contribution is calculated using the following formula:

$$\text{Contribution } \$ = [\text{Length}] \times 2.3 \times [\text{Current unit price}]$$

Definitions:

Length	the distance between the left and right property boundaries before subdivision in metres.
2.3	this is the width of the pathway in metres.
Current unit price	this the current price for supply and construction of a 100mm thick concrete pathway to meet the Shire's standards in \$ per square metre. The price is determined from the current contractor quoted prices.

In the case of the Lot 172 Hamilton Road, the length is measured as 44.26 metres and at a unit price of \$39 per square metres this equates to a contribution value of \$3,971.

Mr and Mrs Leece have corresponded with Shire staff stating that they believe the amount requested is excessive (Appendix ORD: 10.2.2A), their reasons being:

1. They already have a hotmix crossover which is 11.3 metres wide and the new property has an exposed aggregate crossover that is five metres wide.
2. They have only developed one-third of their property. They have indicated that under the current zoning the property could be further subdivided resulting in three or four lots in total.
3. They feel that, as long time residents of Eaton, they have contributed significantly through rates for Shire infrastructure such as pathways.
4. The total frontage of the property is considerable - the property frontage prior to subdivision can be considered as being wider than the average property frontage along Hamilton Road – however, this claim, although anecdotally evident has not been ascertained.
5. The development consultant engaged by Mr and Mrs Leece has allowed a provisional sum of \$2,400 in the development contract. The origin of this amount is unknown.

Legal Implications

It is a condition of subdivision approval that a dual use path contribution (calculated by the Shire of Dardanup) is paid. Subdivision clearance cannot be granted until this matter is addressed.

Budget Implications - None

Officer Comment

The Deposited Plan for the subdivision is provided in the Agenda (Appendix ORD 10.2.2B). The Deposited Plan indicates that the new lot created, with the new dwelling, is 353 square metres in area. The remaining lot, which contains the existing dwelling, is 901 square metres – under the current density, this lot can be further subdivided in future and at this point in time has not reached its full development potential.

For this reason it is suggested that, in this particular case, the contribution be collected on the frontage of the newly created lot 101 only. Further contributions can be sought at a later date when the remaining lot 102 is further subdivided. Therefore the contribution is calculated as: **Contribution \$ = 15.12m x 2.3m x \$39 = \$1,356.**

It should be realised however, that if Lot 102 is not further subdivided in future, the dual use path funds will be effectively short. If the full amount for both Lots 101 and 102 were paid now all future liability with regards to the pathway would be discharged and no further payments would be requested.

Mr and Mrs Leece have indicated to Shire staff that the crossover widths should be subtracted from the length used in the calculation. This is rejected unless the crossover is of the same type and colour as the pathway – this is to ensure that the pathway takes priority, continuity and consistency for safety and ride quality without changes in colour, texture and levels. However, this may still be issue for owners who have installed an expensive style of crossover, such as an exposed aggregate concrete, which is to be cut through in future. How such an issue is dealt with will need further consideration by Shire officers.

This particular case also highlights a further issue of equity between properties. The contribution required is calculated based on the frontage width of the property being developed. The ratio of number of lots created to the width of frontage is not equal between all properties. For example some lots may be accessed by a battle axe leg and therefore only have a short frontage for potentially up to four lots. This matter will also need further investigation.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION "A"

THAT:

- 1. Council advises Mr and Mrs Leece of 172 Hamilton Road that they are required to pay a dual use path contribution of \$1,356 for Lot 101 shown on Deposited Plan 56983 only.**
- 2. Clearance of conditions on WAPC Approval 134098 shall be granted once payment of this amount is received by the Shire of Dardanup.**
- 3. Further dual use path contributions shall be requested on future subdivision approvals for Lot 102 shown on Deposited Plan 56983 at time of application.**

OFFICER RECOMMENDED RESOLUTION "B"

THAT:

- 1. Council requests the Chief Executive Officer to prepare a Policy for pathway contributions for residential developments which includes a formula for the calculation of the contribution to be made by developers.**
- 2. The current method of calculating pathway contributions, based on frontage width, shall be used until the new policy is prepared and adopted by the Council.**

10.3 MANAGER PLANNING SERVICES REPORT
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None.

10.4 TOWN PLANNING OFFICER REPORT

10.4.1 Title: Application to Extend Planning Approval Period, Take Away Food Premises – Lot 39 Golding Crescent, Picton East (RH & RM Sample)

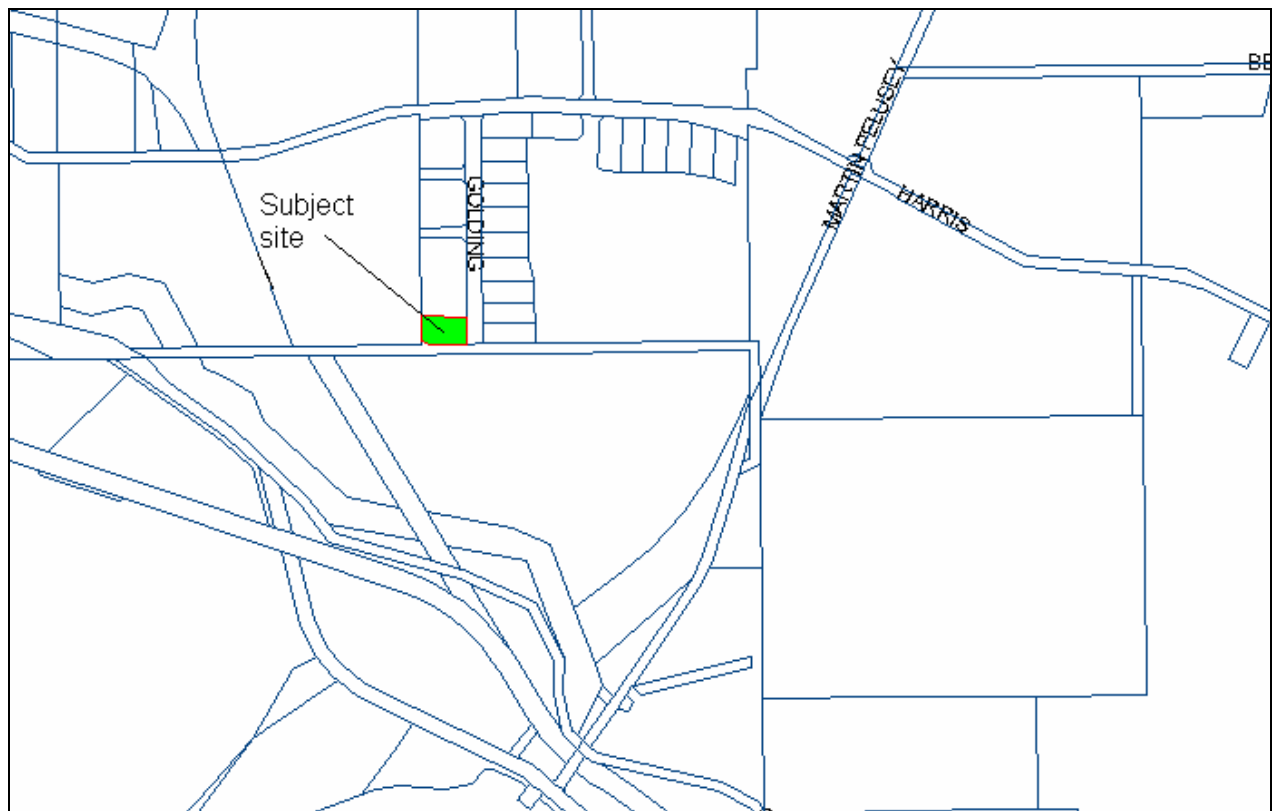
Reporting Department: Planning Services

Reporting Officer: Mr David Stewart, Planning Liaison Officer

Legislation: TPS No. 7

File Number: PR06035

Location Plan



Background

Location:	Lot 39 Golding Crescent, Drive, Picton East
Town Planning Scheme No.:	7
Zoning:	Light Industry
Area:	4761m ²
Slope:	Nil
Improvements:	Residential dwelling Industrial shed
Previous Approvals:	As above Take away food premises 27 July 2006

At the ordinary meeting of 27 July 2006, Council approved an application for a Drive-In Take Away Food premise at Lot 39 Golding Crescent, Picton East, subject to conditions. Condition 2 states;

This approval is valid provided that the development is substantially commenced within twenty four (24) months and is completed within three (3) years after the approval date. If development has not substantially commenced within twenty four (24) months and completed within three (3) years, the approval shall lapse and no further works shall be carried out without further approval from Council.

Proponents RH & RM Semple have requested a twelve (12) month extension to this approval (Appendix ORD 10.4.1A) as delays in the extension of Golding Crescent have rendered any development of the premises at this time financially unsound (Appendix ORD 10.4.1B).

Legal Implications - None

Budget Implications - None

Officer Comment

The reasons for requesting an extension are not unreasonable, proponents do not seek to modify or alter the existing approval and officers are of the opinion that it would be prudent if Council were to grant a two (2) year extension subject to the original conditions.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

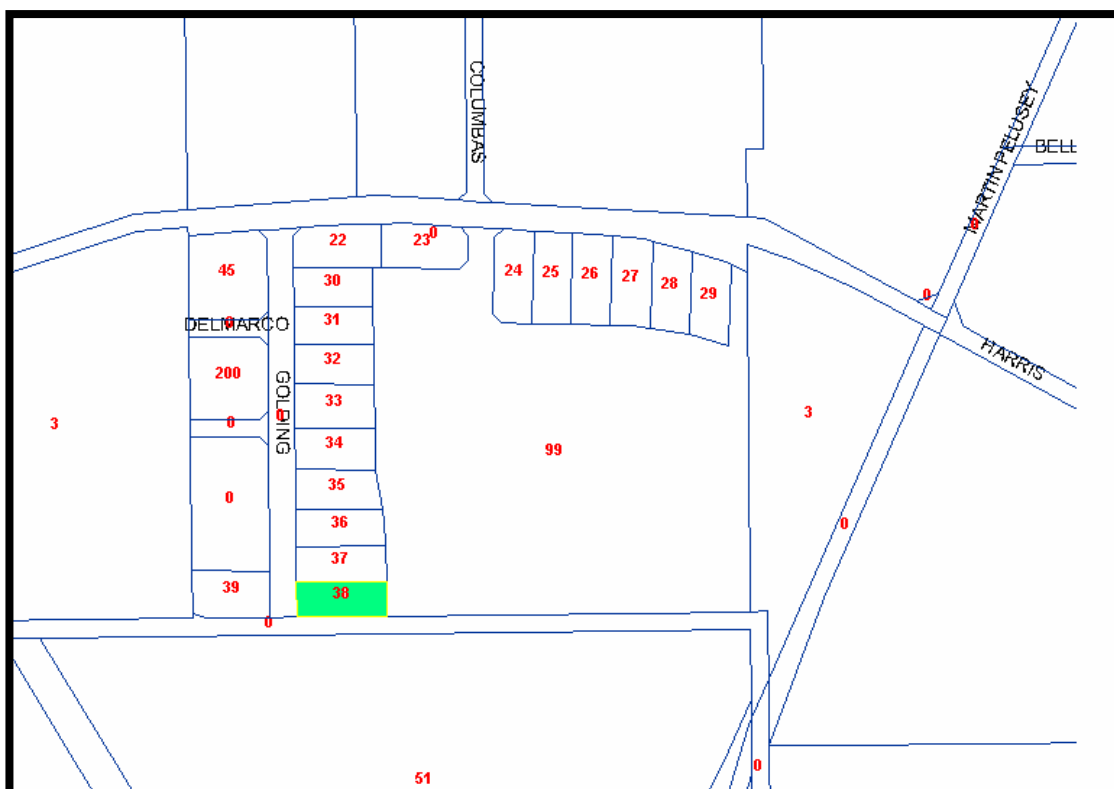
THAT:

- 1. Council approve the request for an extension of time for a further 24 months for the Planning Approval originally issued on 27 July 2006 for a Drive in Take Away Food premise at Lot 39 Golding Crescent Road, Picton East.**
- 2. RH & RM Semple are advised that the approval is valid provided that the development is substantially commenced by 27 July 2010 and completed by 27 July 2011.**

10.4.2 Title: Application for Reduced (3m) Setback – 43 Golding Crescent, Picton East – Stewart/Everitt

Reporting Department: Planning Services
 Reporting Officer: Mrs Helen Loton, Planning Officer
 Authorising Officer: Mr Robert Quinn, Manager Planning Services
 Legislation: Local Government Act 1995,
 Planning and Development Act 2005,
 Greater Bunbury Regional Scheme (GBRS)
 Town Planning Scheme No. 3
 File Number: A6025 P15/08

Location Plan



Background

Location:	Lot 38 /43 Golding Crescent, Picton East
Town Planning Scheme No.:	7
Zoning:	Light Industrial
Area:	4000m ²
Slope:	Nil
Improvements:	Shed/Office
Previous Approvals:	Planning Approval – Metal Fabrication and Spray Booth (1996)

Council has received an application for a shed 10m x 6.1m with a height of 3.3m to be erected on the subject lot with a reduced setback of 3 metres instead of the required 5m (Appendix ORD: 10.4.2).

Greater Bunbury Regional Scheme (GBRS)

Zoning: Industrial

Assessment: This application has no impact on the Greater Bunbury Regional Scheme and therefore requires no assessment.

Legal Implications -

Local Government Act 1995, Planning and Development Act 2005, Town Planning Scheme No. 3

Appeal rights exist under the Planning and Development Act 2005.

Budget Implications - Possible appeal costs.

Officer Comment

The subject lot is currently used for the refurbishment of fibreglass swimming pools and associated equipment storage. The applicant has verbally advised (07.05.08) that the proposed shed is to be utilised for the storage of fencing equipment/cement/pebbles etc used in the course of the business, with the possibility of a cold room being added internally for the storage of paint.

The application provides no justification for the requested reduced setback. Town Planning Scheme No. 7 states: -

5.2 *Within the areas zoned Light Industrial within the Scheme area the following conditions shall apply: RENUMBERED BY AMD 4 GG 22/10/04*

(a) *Site conditions, restrictions and requirements shall be in accordance with provisions specified in Table 2 in the Scheme Text. Where a site restraint, condition or requirement is not specified in Table 2, then the provisions of Council's Town Planning Scheme No. 3 or the uniform by-laws shall apply;*

LIGHT INDUSTRIAL

*Table No. 2 - Site Conditions
AMD 3 GG 15/1/02; AMD 4 GG 22/10/04*

Minimum Lot Area	Minimum Effect Frontage	Maximum Plot Ratio	Minimum No. of Parking Spaces	Minimum Setbacks			Maximum Building Height
				Front	Side	Rear	
4000m ²	30m	0.5	1 car parking bay for every 100m ² of gross floor area	10m	5m*	10m*	

* The side and rear setback requirements can be interchangeable where the rear boundary abuts public open space.

5.7 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

AMD 4 GG 22/10/04; RENUMBERED BY AMD 4 GG 22/10/04

5.7.1 *In considering an application for planning approval under this clause, where in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the variation, the local government is to:*

- (a) *give written notice of the variation in a form approved by the Council to the owners of all lots adjoining the subject land and any other person who, in the opinion of Council would be adversely affected for a period of not less than 14 days from the day the notice is served or published; and*
- (b) *have regard to any expressed views prior to making its determination to grant the variation.*

5.7.2 *The power conferred by this clause may only be exercised if the local government is satisfied that the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.*

Written comment, on this proposal was requested from the adjoining property owner, but no response was received.

Should Council choose to approve this application it could be seen as a precedent for future developments to also request a 3m setback which would effectively defeat the purpose of having the 5m setback requirement, especially if this figure was chosen for a specific reason.

In light of no objections being received from the adjoining property owner it is recommended that Council approve the application.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council approve the development application dated 21 March 2008 for a shed with a reduced setback of 3m to Lot 38 Golding Crescent, Picton, subject to the following conditions: -

- 1. All development being generally in accordance with the approved development plans which form part of this Development Approval.**
- 2. This approval is valid provided that the development is substantially commenced within two (2) years and completed within three (3) years after the approval date. If development has not been substantially commenced within two (2) years and completed within three (3) years, the approval shall lapse and no further works shall be carried out without further approval from Council.**

3. The hereby approved development shall not prejudicially affect the amenity of the neighbourhood due to the emission of light, noise, vibration, electrical interference, odour, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.
4. All storm water runoff from roofed and paved areas being collected and disposed of on site unless a suitable alternative is approved by the Shire of Dardanup.

Notes:

- You are advised of the need to apply for a Building Licence from the Shire's Building Department prior to the commencement of work. Your attention is drawn to FESA and the Building Code of Australia requirements in this regard.
- Advice from the relevant State Government Department should be sought in the event of flammable materials being stored in the shed.

10.5 MANAGER BUILDING SERVICES REPORT

None.

10.6 MANAGER HEALTH SERVICES REPORT

None.

10.7 HEALTH & ENVIRONMENT OFFICER REPORT

None.

10.8 MANAGER CORPORATE & COMMUNITY SERVICES REPORT

None.

10.9 COMMUNITY DEVELOPMENT OFFICER REPORT

10.9.1 Title: Community Grant Scheme

Reporting Department: Corporate & Community Services
Reporting Officer: Ms Kym Harrington – Community Development Officer
Legislation: Local Government Act 1995
File Number: GF010002

Background

Community groups, organisations, schools and sporting groups were encouraged to apply for assistance under this scheme for projects in the following areas:

- Sport and recreation
- Culture, arts, and events
- Youth development
- Equipment and minor projects

There are two categories community groups can apply through:

Minor Community Grant

Council may provide up to \$500 with no matching contribution from the group.

Community Grant

Council may fund between \$1,000 and \$5,000 towards a project with a matching 50:50 component from the community group.

Applications were required to be completed, answering a number of questions in order to identify the benefits to the community and the group's 'self-help' actions required to make up the remaining amount of costs for the project.

Submissions were called for and three Minor Community Grant applications were received and nine Community Grant applications received.

Legal Implications - None

Budget Implications

Up to \$21,851.80 if all requests are funded from the 2008/2009 Financial Budget for the Community Grant Scheme.

Officer Comment

The Community Grants Scheme states that Council will not fund the following:

- Deficit funding – for organisations that are experiencing a shortfall in cash or revenue or anticipated revenue;
- Recurrent salaries and recurrent operational costs;
- Proposals where alternative sources of funding are available;

- More than one request for funding in a twelve month period; or
- Applications for completed projects or equipment already purchased.

Of the nine applications received, only one did not comply with the terms and goals of the grants scheme. The Our Lady of Lourdes P&F has requested funds to purchase and install a reverse cycle air-conditioner. This request does not meet this scheme's goals which include:

- To improve and support the level of participation in recreational, cultural and community activities within the Shire of Dardanup.
- To increase the number and variety of recreational, cultural and community opportunities in the Shire.

Council has rejection past requests for air conditioning from other groups. Therefore in this instance it is recommended that this request not be funded.

A table providing information concerning eligibility, merit and amounts requested, for the individual applications is provided for your information. (Appendix ORD: 10.9.1)

Voting Requirements – Absolute Majority

OFFICER RECOMMENDED RESOLUTION

THAT

1. The following organisations be granted funding from the Minor Community Grants Scheme 2008/2009:

GROUP	PURPOSE	\$
River Valley Community Playgroup Inc	Play Equipment	500.00
Eaton Primary School P&C Association	Portable Shelter	500.00
Eaton Youth Group	Youth Leadership Course	500.00

2. The following organisations be granted funding from the Community Grants Scheme 2008/2009 requiring a 50:50 matching contribution:

GROUP	PURPOSE	\$
Dardanup Primary School	Early Learning Program	4,460.00
River Valley Primary P&C Assoc	Play Equipment	5,000.00
Crooked Brook Forest Community Group	BBQ Facility	3,891.80
Eaton Primary School P&C Assoc	Amphitheatre Stage 3	5,000.00
South West Cycle club	Dardanup Open	1,000.00

3. Our Lady of Lourdes Primary School P & C Association be notified that their funding application to assist in purchasing air-conditioners for the school was not successful as it does not comply with the objectives of the scheme.

By Absolute Majority

10.10 MANAGER FINANCIAL SERVICES REPORT**10.10.1 Title: Monthly Statement of Financial Activity – Period Ended 30th April 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 shown below.

Key Financial Performance Areas:

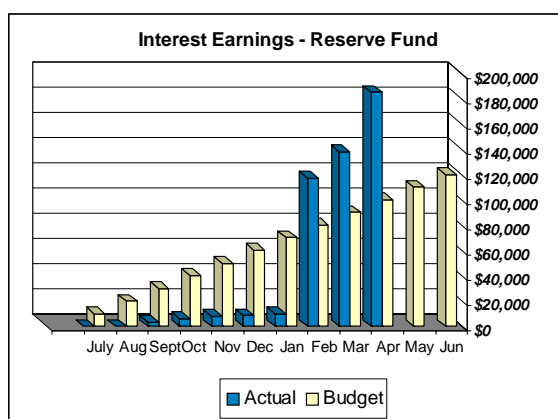
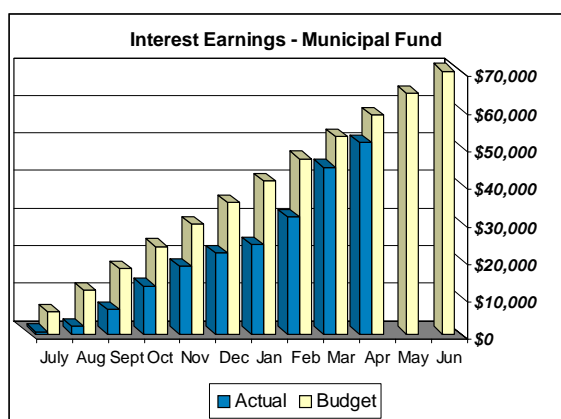
- *Cash & Investments*

As at reporting date, Councils Municipal Bank fund shows a reconciled balance of \$2,165,396.04. \$500,000 of these funds has been invested in fixed term deposits.

Reserve Funds total \$4,764,273 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;

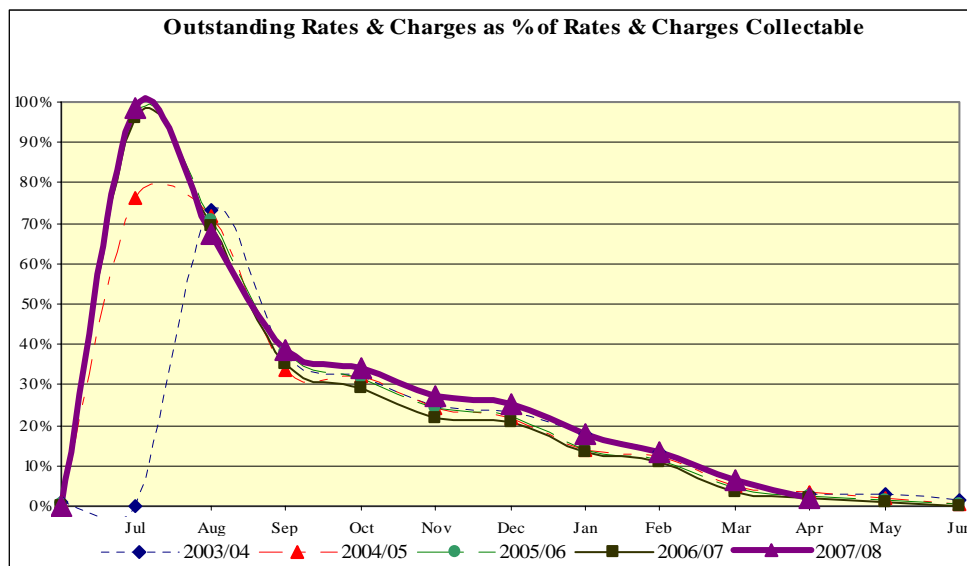
Municipal Fund: \$ 51,062.40
 Reserve Fund: \$ 184,724.71



- *Rates & Charges Outstanding*

As at reporting date, outstanding Rates & Charges = \$106,543. This equals 2.1% of rates & charges collectable and a decrease of 4.4% from last month.

It is the objective of management to achieve less than 4% of rates and charges outstanding as at 30 June. This objective has already been met and will continue to decrease over the next few months of the financial year.



- *Salaries and Wages*

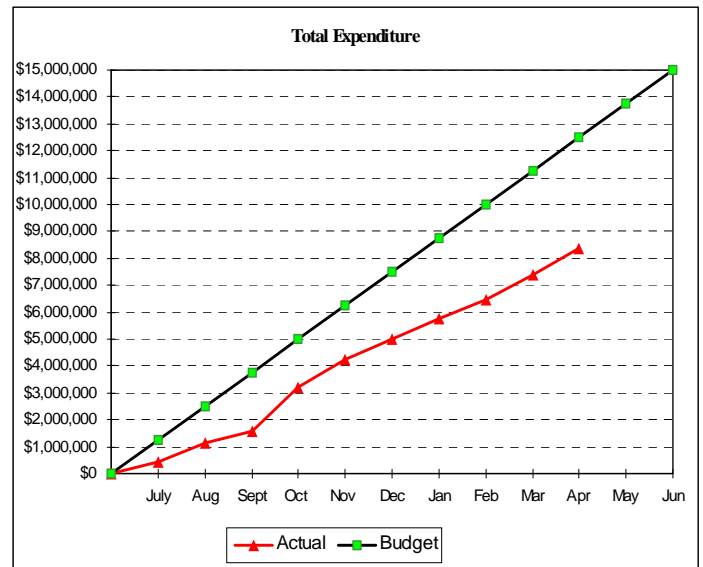
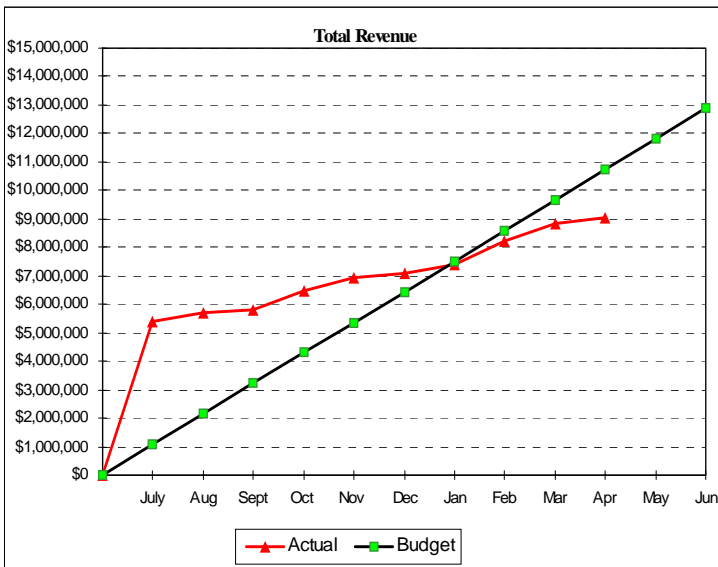
Total Gross Salaries and Wages as at 30th April 2008 were \$2,765,590. The YTD amended budget for 2007/08 financial year is \$2,896,760.

- *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 \$44,570.11 is forecasted.

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

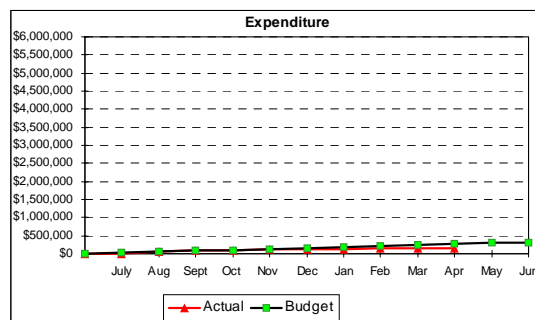
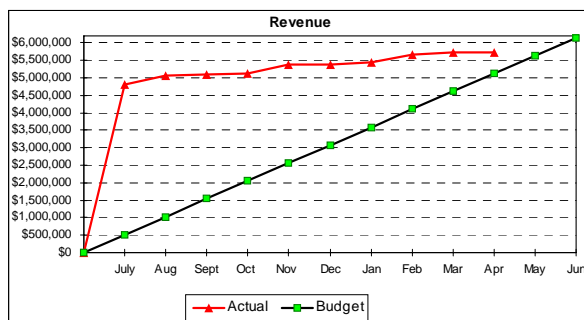
Total Revenue and Expenditure (from all sources)



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 April is \$5,735,359. The full year budget for General Purpose Funding is \$6,150,501. The difference between budget and actual revenue is mainly due to the following reasons:

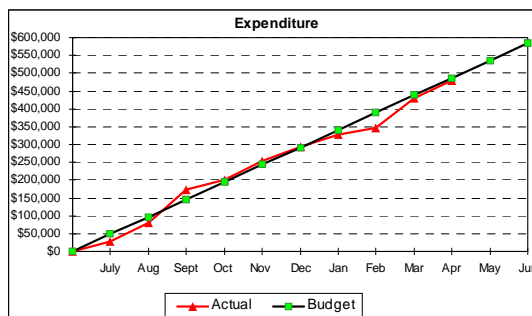
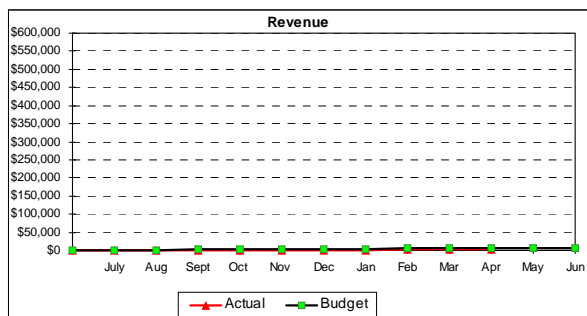
- The budget for revenue is a linear function of total revenue divided by the number of months in the year. The variance is a result of levying rates in July of this financial year. It is anticipated that budget and actual revenue will align by the end of financial year.
- Interim rates have been levied as at reporting date. Budget provisions for 2007/08 interim rates have been amended to \$130,000 due to the economic slow down in the property market. Interim rates will continue to be closely monitored on a month to month basis and Council will be informed if any material variances occur.

~ *Expenditure - General Purpose Funding*

As at the end of April 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

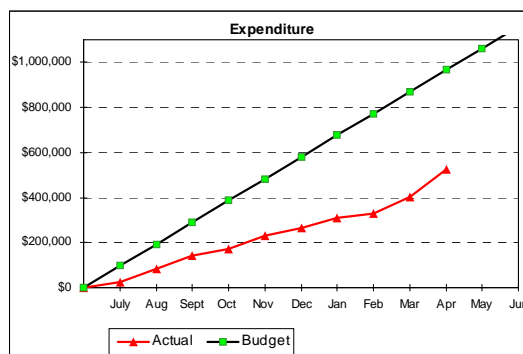
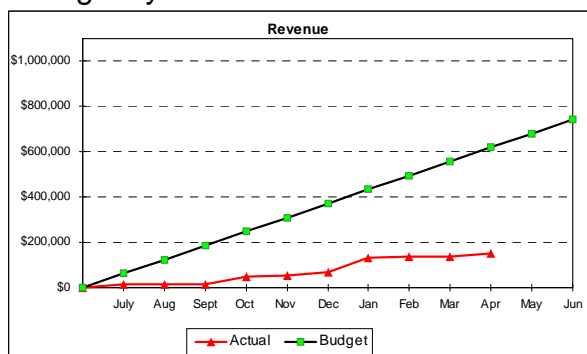
Governance includes administration and operation of facility and services to members of Council. The Governance program also includes other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.



There are no material variances in Governance in April 2008.

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 April is \$467,340 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.

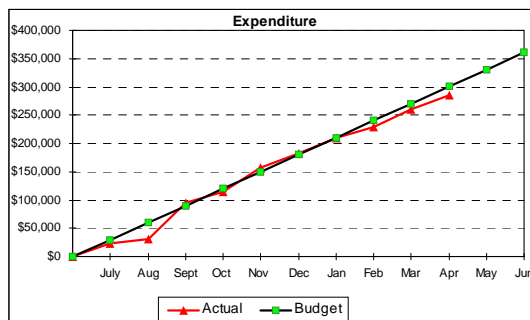
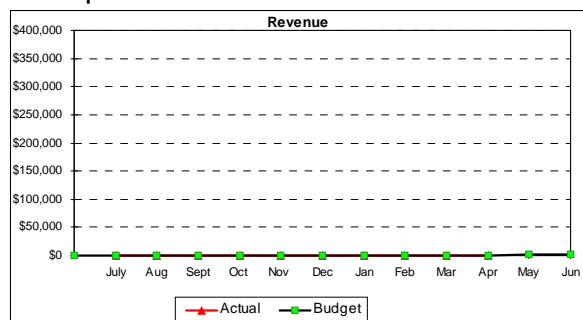
~ Expenditure - Law, Order and Public Safety

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.

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

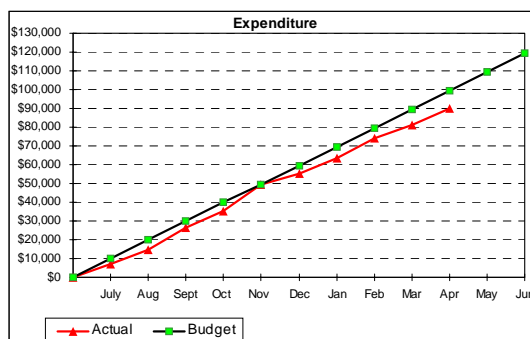
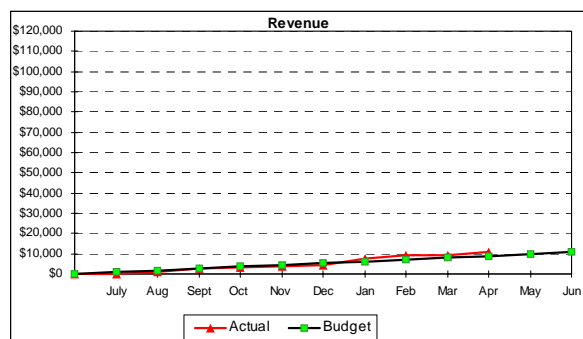
The Health program includes food quality and pest control, immunisation services and operation of infant health clinic.



There are no material variances to report for Health in April 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.

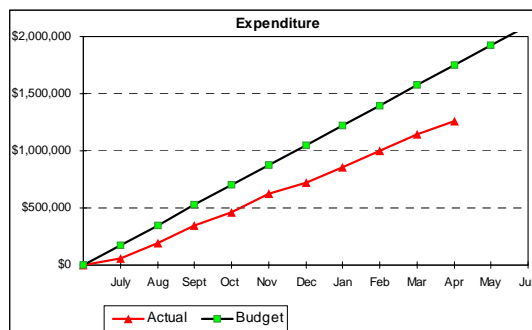
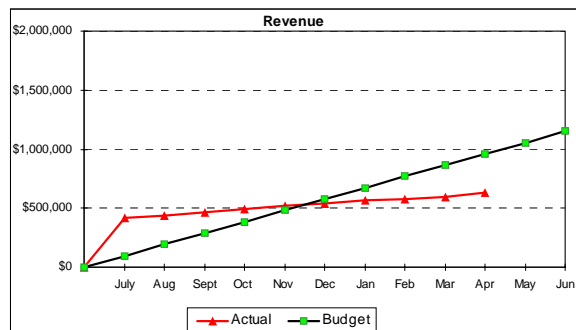


There are no material variances to report for Education and Welfare in April 2008.

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 \$491,607. This is mainly due to revenue not yet received for the sale of land as outlined in the expenditure items.

Town Planning Fees and Charges have increased and exceeded budget projections in 2007/08. The budget has been amended to reflect this increase in revenue.

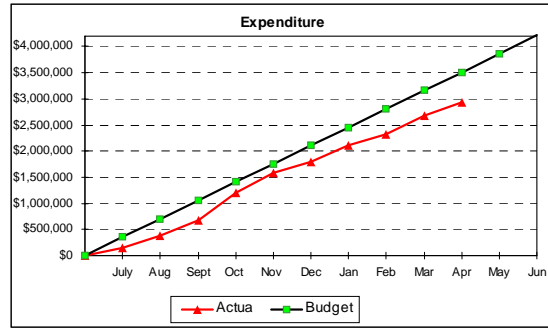
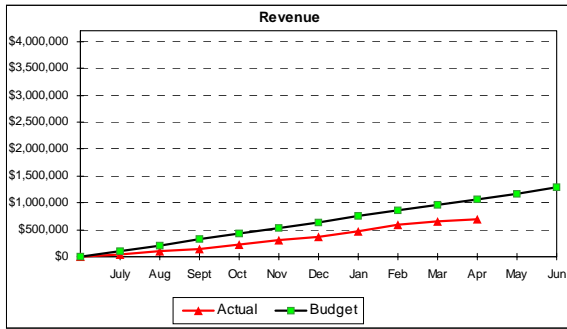
~ Expenditure – Community Amenities

Community Amenities expenditure received to the end of April 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 \$17,022 under YTD budget due to timing differences between when expenditure occurs and the budget.
- Refuse site operation expenditure is \$19,516 above YTD budget.
- A non-cash item of depreciation for household sanitation is under YTD budget \$45,449.

Recreation and Culture

Recreation and Culture is the provision of halls, recreation centres, public reserves and library services.



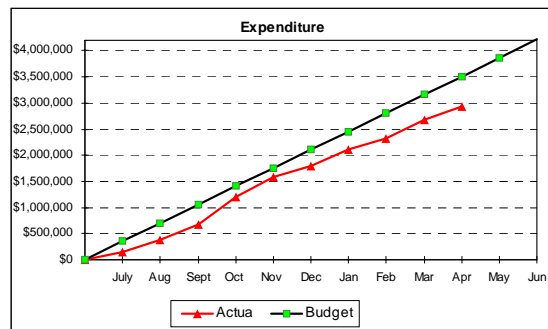
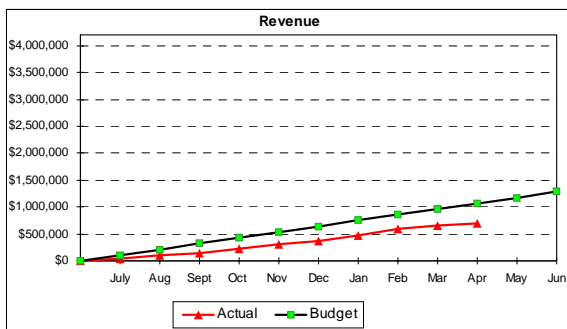
~ Revenue – Recreation and Culture

The Recreation and Culture revenue, as at the end of April is under budget by \$365,194 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 \$25,742. However it should be noted that expenditure for the Recreation Centre is reduced by \$37,071. The main areas for this variance are:

~ Membership fees and charges is \$6,717 below budget. This will continue to be monitored over the next few months.

Eaton Recreation Centre



~ Expenditure - Recreation and Culture

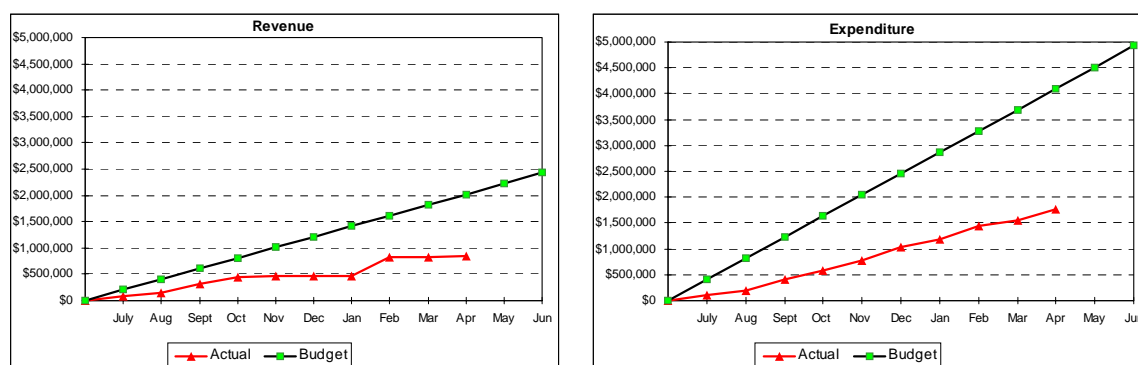
The Recreation and Culture expenditure is below budget and the main variances are:

- No expenditure for the re-roofing on the Ferguson Hall has occurred as at the end of April. 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 and verge maintenance, which is underspent as at April.
- 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 April is under budget. The main reason for the variance is:

- Grants have not yet received by the shire for road projects, including Roads to Recovery and 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 trucks that are to be upgraded. The sale of these plant items have not yet occurred.

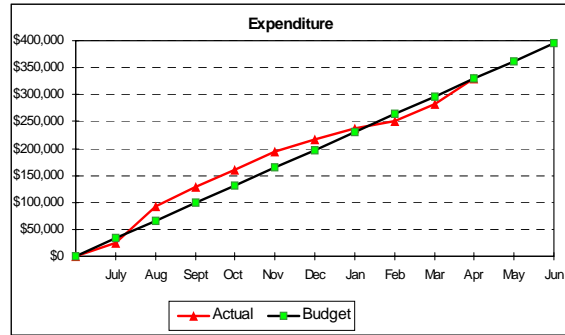
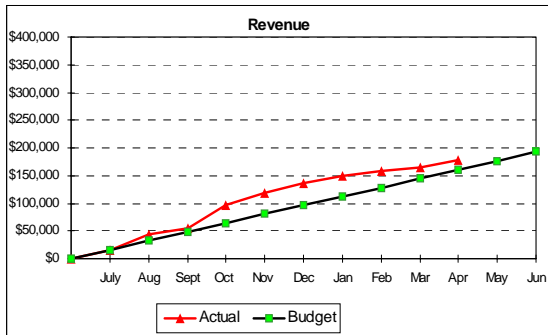
~ Expenditure - Transport

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.

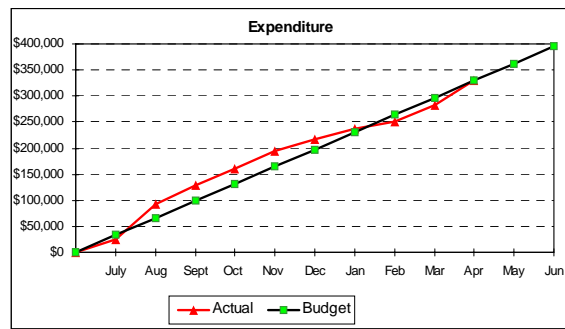
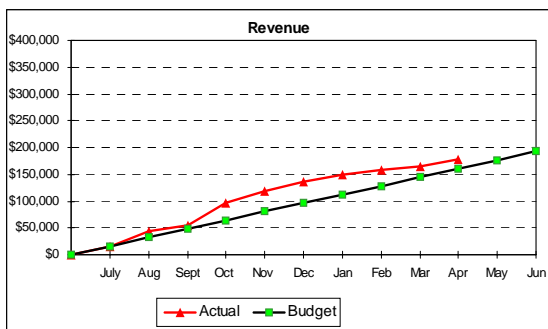


~ Revenue – Economic Services

There are no material variances to report in April 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 30th April 2008 be accepted.

10.11 ACCOUNTS FOR PAYMENT

10.11.1 Title: Schedule of Accounts Submitted as at 28th May 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
31084	09/05/2008	Australia Post	Mail and postage costs 2007/2008 financial year	MUNI	1,104.38
31085	09/05/2008	Australian Taxation Office	April 2008 IAS payment	MUNI	54,124.10
31086	09/05/2008	Belinda Annett	Refund for police clearance	MUNI	44.50
31087	09/05/2008	Builders Registration Board of WA	BRB - April 2008 reconciliation	MUNI	1,827.00
31088	09/05/2008	Building & Construction Industry Training Fund	BCITF - April 2008 reconciliation	MUNI	8,696.18
31089	09/05/2008	Caltex Australia Petroleum Pty Limited	Caltex fuel card - April 2008	MUNI	13,054.72
31090	09/05/2008	Courier Australia	Courier charges	MUNI	145.13
31091	09/05/2008	Daniel Della-Sale	Reimbursement for influenza vaccination	MUNI	22.45
31092	09/05/2008	Dardanup Butchering Company	Hamburger patties	MUNI	42.34
31093	09/05/2008	Dardanup Garage and Service Station	Fuel - Banksia Road refuse site	MUNI	28.13
31094	09/05/2008	Edge Tourism & Marketing	Tourism and marketing business plan preparation	MUNI	6,600.00
31095	09/05/2008	Ferguson Fire Brigade	Reimbursement of expenses	MUNI	893.51
31096	09/05/2008	Fines Enforcement Registry	FER registration - Perth International Motor - INF13558 - bushfire	MUNI	43.00
31097	09/05/2008	Focus Equipment Finance Limited	Lease of photocopier at Dardanup shire office	MUNI	70.94
31098	09/05/2008	Go West Tours	Bus hire for vacation care	MUNI	170.50
31099	09/05/2008	Jane Pratt	Reimbursement of additional expenditure for youth camp	MUNI	43.00
31100	09/05/2008	Operation M U S I C	Contribution to Operation MUSIC fighting fund : 2007/2008	MUNI	420.20
31101	09/05/2008	Peter Black	Reimbursement of telephone accounts	MUNI	28.45
31102	09/05/2008	Peter Loton	Reimbursement - prescription sunglasses	MUNI	100.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
31103	09/05/2008	Pettycash - Please pay cash	Recoup - Eaton administration centre	MUNI	207.75
31104	09/05/2008	Pettycash - Please pay cash	Recoup - Eaton Recreation Centre	MUNI	248.10
31105	09/05/2008	Shire of Dardanup - Please pay cash	Umpire recoup - 08/05/2008	MUNI	565.00
31106	09/05/2008	T & P Design	Design, survey and pegging services	MUNI	3,789.50
31107	09/05/2008	Tamara Bucknell	Refund for Working With Children check	MUNI	50.00
31108	09/05/2008	Telstra	Telephone and facsimile expenses	MUNI	1,941.15
31109	09/05/2008	WestNet Pty Limited	Recoverable telephone calls made over VOIP by IT Officer	MUNI	71.75
31110	16/05/2008	Alleasing	Leasing costs of photocopiers	MUNI	1,110.03
31111	16/05/2008	Australian Institute of Building Surveyors	National conference registrations - P Black and P Jackson	MUNI	2,050.00
31112	16/05/2008	BT Business Superannuation	Superannuation contributions	MUNI	155.31
31113	16/05/2008	Bunbury Coffee Machines	Segafredo Buono coffee	MUNI	207.20
31114	16/05/2008	Bunbury Mitsubishi	New dual cab tray top Triton utility - Parks and Gardens	MUNI	28,181.65
31115	16/05/2008	Catherine Routley	2008 Artist Spectacular - youth prize	MUNI	50.00
31116	16/05/2008	Concept One	Superannuation contributions	MUNI	3.50
31117	16/05/2008	Daniel Gunson	Reimbursement - prescription sunglasses for Senior Ranger	MUNI	100.00
31118	16/05/2008	Dardanup Butchering Company	Hamburger patties, chicken & beef kebabs, and barbeque sausages	MUNI	110.27
31119	16/05/2008	Dardanup Garage and Service Station	Hazard flashing light globe - Da698	MUNI	15.50
31120	16/05/2008	Dept for Planning & Infrastructure Payments	12 months licence - 1TCK914	MUNI	54.40
31121	16/05/2008	Flexible Lifetime Superannuation Fund	Superannuation contributions	MUNI	96.57

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
31122	16/05/2008	Geraldine Peterkin	2008 Artist Spectacular - Special commendation prize	MUNI	100.00
31123	16/05/2008	Hostplus	Superannuation contributions	MUNI	118.37
31124	16/05/2008	John Hughes Fleet	Supply & delivery of (2) Mitsubishi Triton single cab tray top utilities	MUNI	8,905.60
31125	16/05/2008	Les Mills Australia	Les Mills monthly licence fee including BodyJam licence	MUNI	834.02
31126	16/05/2008	Luke Botica	Reimbursement of taxi and train fares	MUNI	24.80
31127	16/05/2008	Officeworks Superstores Pty Limited	Stationery	MUNI	149.48
31128	16/05/2008	Peter & Carolyn Self	Crossover contribution - A9975	MUNI	167.91
31129	16/05/2008	Phillip Rowe	2008 Artist Spectacular - photography prize	MUNI	100.00
31130	16/05/2008	Robert Quinn	Reimbursement of telephone expenses	MUNI	70.45
31131	16/05/2008	Shire of Dardanup	Payroll deductions	MUNI	715.00
31132	16/05/2008	Shire of Dardanup - Please pay cash	Umpire recoup - 15/05/2008	MUNI	605.00
31133	16/05/2008	Shire of Dardanup	Employee deductions	MUNI	138.00
31134	16/05/2008	Shire of Dardanup	Employee payroll deduction	MUNI	720.00
31135	16/05/2008	Shire of Dardanup	Employee recoups - gym membership	MUNI	42.18
31136	16/05/2008	SkillPath Seminars	Attendance to training seminar - Domenic Vener	MUNI	199.00
31137	16/05/2008	Synergy	Electricity	MUNI	10,246.85
31138	16/05/2008	T & P Design	Pickup, design and pegging of Henty Road	MUNI	643.50
31139	16/05/2008	Telstra	Telephone and facsimile expenses	MUNI	2,640.95
31140	16/05/2008	WA Local Government Superannuation Plan	Superannuation contributions	MUNI	19,603.41

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
31141	16/05/2008	Water Corporation	Water service for water fountain at Millbridge	MUNI	784.00
31142	16/05/2008	Western Australian Treasury Corporation	Loan 64 repayment	MUNI	7,260.64
31143	16/05/2008	Western Power	Installation and relocations - Hands Ave/Pratt Rd & Eaton Drive	MUNI	6,365.00
31144	19/05/2008	A & L Printers Pty Limited	Envelopes	MUNI	975.00
31145	19/05/2008	Amity Signs and Industrial Products	Guard rail delineators, warning signs, bolts and nuts, washers etc	MUNI	3,191.43
31146	19/05/2008	Ausrecord	Files for records filing system	MUNI	3,269.20
31147	19/05/2008	Austral Bricks	Paving bricks	MUNI	2,400.96
31148	19/05/2008	Australind Premix & S & J Excavations	Eaton Drive footpaths	MUNI	28,835.40
31149	19/05/2008	Australind/Eaton Medical Centre	Pre-employment medical and audio - S Miller	MUNI	188.00
31150	19/05/2008	B Watts Panel & Paint Repairs	Insurance claim excess amount - DA 9295	MUNI	500.00
31151	19/05/2008	BOC Limited	Hire of oxygen bottle for first aid - Eaton Recreation Centre	MUNI	14.43
31152	19/05/2008	Baileys Fertilisers	Fertiliser with Grosorb X 20kg	MUNI	2,887.50
31153	19/05/2008	Big W (Division of Woolworths Limited)	Soap powder and napsan	MUNI	49.34
31154	19/05/2008	Broadacres Mowing Services	Mowing	MUNI	8,708.80
31155	19/05/2008	Bunbury Chamber of Commerce & Industries	State budget information seminar	MUNI	25.00
31156	19/05/2008	Bunbury Machinery	Hire of hedge trimmer	MUNI	484.00
31157	19/05/2008	Bunbury Mower Service	Chain and bar for Stihl chainsaw, engine housing cover, sprocket etc	MUNI	394.65
31158	19/05/2008	Bunbury Plastics	Leather grain counter protectors	MUNI	165.00
31159	19/05/2008	Bunnings Group Limited	Nylon rope and builders line	MUNI	380.83

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
31160	19/05/2008	Burekup - Brunswick CWA	Council meals - 2007/2008 financial year	MUNI	180.00
31161	19/05/2008	Butler Settineri Pty Limited	Interim audit - 2007/2008	MUNI	2,970.00
31162	19/05/2008	CJD Equipment Pty Limited	Service Volvo loader - DA698	MUNI	371.42
31163	19/05/2008	Cadbury Schweppes Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	1,295.77
31164	19/05/2008	Carbone Brothers Pty Limited	Gravel and limestone	MUNI	5,677.08
31165	19/05/2008	City of Bunbury	Conference registration, and library workshop attendance	MUNI	1,236.52
31166	19/05/2008	Cleanaway - Mandurah	Domestic kerbside waste collection service	MUNI	30,279.97
31167	19/05/2008	Coalcliff Pty Limited	Wet/dry hire of plant and machinery for road construction	MUNI	80,338.00
31168	19/05/2008	Coates Hire Limited	Hire of twin drum roller for Collie River Road	MUNI	994.41
31169	19/05/2008	Corporate Express Australia Limited	Stationery	MUNI	1,040.73
31170	19/05/2008	Craven Foods	Goods for resale - Eaton Recreation Centre	MUNI	1,655.73
31171	19/05/2008	Digga West	150 mm f5 Auger	MUNI	590.70
31172	19/05/2008	E A Books	Australian Rainfall and Runoff - Volume 1	MUNI	209.00
31173	19/05/2008	Eaton Animal Health Centre	Dog pound and cat sterilisation expenses	MUNI	478.00
31174	19/05/2008	Eaton Fair Florist	Wreath	MUNI	65.00
31175	19/05/2008	Eaton Tavern	Co-ordinators planning meeting lunches	MUNI	112.70
31176	19/05/2008	Elders Limited	Syngenta Fusilade Forte, green pine posts, blue Envirodye etc	MUNI	3,059.63
31177	19/05/2008	Franky J's Gull Waterloo	Fuel for Waterloo fire appliance : July 2007 - March 2008	MUNI	1,188.94
31178	19/05/2008	G G Tootill	Clean out rural drains	MUNI	137.50

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
31179	19/05/2008	Gateway Internet Services	Monthly fee - RF data communication	MUNI	990.00
31180	19/05/2008	Green Recycling (Koast Corporation)	Domestic kerbside recycling service for the financial year 2007/2008	MUNI	11,165.97
31181	19/05/2008	Greenway Enterprises	Felco #2 secateurs, Felco pruning saws, mulching fork, gloves etc	MUNI	768.96
31182	19/05/2008	Hertz Rent A Car	Hire of work vehicle	MUNI	1,648.80
31183	19/05/2008	Kings Tree Care	Powerline clearance - Eaton Drive and Russell Road	MUNI	374.00
31184	19/05/2008	Landgate	Rating valuations	MUNI	631.16
31185	19/05/2008	Landscape Development	Part costs (50%) for repair of failed creek wall in Avon Gardens	MUNI	9,714.65
31186	19/05/2008	MJB Industries Pty Limited	Concrete pipes and headwalls	MUNI	2,525.57
31187	19/05/2008	Malatesta Road Paving & Hotmix	Supply and spray primer seal on Collie River Road	MUNI	832.50
31188	19/05/2008	Modern Teaching Aids Pty Limited	Assorted colours of poster paints	MUNI	109.89
31189	19/05/2008	Neverfail Springwater Limited	Water cooler rental and spring water bottles	MUNI	251.25
31190	19/05/2008	Nightguard Security Service Pty Limited	Alarm response - Eaton administration centre	MUNI	55.00
31191	19/05/2008	PFD Food Services Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	420.75
31192	19/05/2008	PFI Cleaning Supplies	Cleaning supplies for Eaton Hall	MUNI	492.22
31193	19/05/2008	Parclay Contracting	Earthworks and drainage - Eaton foreshore reserve and refuse site	MUNI	4,930.75
31194	19/05/2008	Phill Reilly	Repair broken door - Dardanup hall kitchen	MUNI	539.00
31195	19/05/2008	Pioneer Road Services Pty Limited	Premix and catmul for road patching	MUNI	2,647.44
31196	19/05/2008	Prestige Products	Cleaning materials	MUNI	400.40
31197	19/05/2008	Scope Business Imaging	Photocopier meter reading - Eaton Recreation Centre	MUNI	456.53

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
31198	19/05/2008	Signs Plus	Name badges	MUNI	137.50
31199	19/05/2008	Skipper Trucks Bunbury	Service - DA9219	MUNI	763.25
31200	19/05/2008	State Library of Western Australia (LISWA)	Recoveries of lost and damaged books	MUNI	34.10
31201	19/05/2008	Stylecorp	Staff uniforms	MUNI	1,765.12
31202	19/05/2008	Sunny Sign Company Pty Limited	Supply of roadworks ahead signs and other quoted items	MUNI	2,614.26
31203	19/05/2008	Tevere Pty Limited	Engineering for Eaton administration centre extensions	MUNI	4,620.00
31204	19/05/2008	The Tyre Place	Tyres for DA8222 & DA8523	MUNI	1,259.50
31205	19/05/2008	Transpacific Waste Management Pty Limited	Waste disposal	MUNI	17,709.11
31206	19/05/2008	Veolia Environmental Services (Australia)	Eaton, Dardanup & Burekup - Road sweeping & pit cleaning	MUNI	2,792.90
31207	19/05/2008	Westcare Industries	Labels for Eaton Community Library	MUNI	36.96
31208	19/05/2008	Westcoast Hardwall Plastering	Sand render brick piers on Eaton Drive, Parkridge side	MUNI	1,760.00
31209	19/05/2008	Woolworths Limited	Groceries	MUNI	439.04
31210	19/05/2008	Work Clobber	Earplugs, trousers, long sleeve shirts, polar fleeces, polo shirts etc	MUNI	785.52
31211	19/05/2008	Yakka Pty Limited	Staff uniforms - Peter Black	MUNI	41.36
300557	09/05/2008	Brenda Pedrigal	Refund of Eaton Hall bond - Brenda Pedrigal - 03/05/2008	TRUST	500.00
300558	09/05/2008	Cheryl O'Shannassy	Refund of animal trap bond	TRUST	50.00
300559	09/05/2008	J V Eaton	Refund of defects liability bond for completion of fence	TRUST	4,712.50
300560	09/05/2008	Princi Constructions Pty Limited	Refund of kerb deposit - A9977	TRUST	500.00
300561	09/05/2008	Riley Delvene	Refund of Archer Park bond - Riley Delvene - 02/05/2008	TRUST	500.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
300562	09/05/2008	Robert Thorpe	Refund of Dardanup Hall bond	TRUST	500.00
300563	09/05/2008	Tennille Atherton	Refund of Hunter Circle park bond - Tennille Atherton - 25/04/2008	TRUST	500.00
300564	16/05/2008	Sarah Dowson	Reimbursement of animal trap bond	TRUST	50.00

REPORT TOTALS

TOTAL

MUNI Municipal Fund
31084 - 31211
TRUST Trust Fund
300557 - 300564

444,964.47
7,312.50

TOTAL

452,276.97

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.



Mr Mark L Chester – Chief Executive Officer

11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

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

13 PUBLIC QUESTION TIME

14 MATTERS BEHIND CLOSED DOORS

15 CLOSURE OF MEETING

The Shire President advises that the date of the next Ordinary Meeting of Council will be Wednesday 11th June 2008, commencing at 4.30pm at the Shire of Dardanup – Dardanup Office.

There being no further business the Chairman to declare the meeting closed.