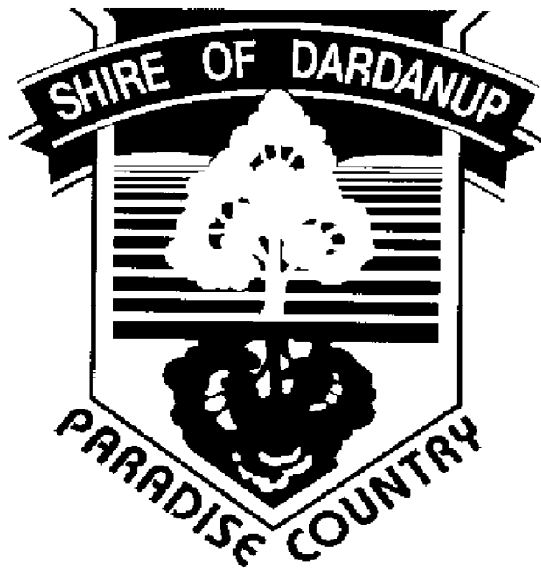


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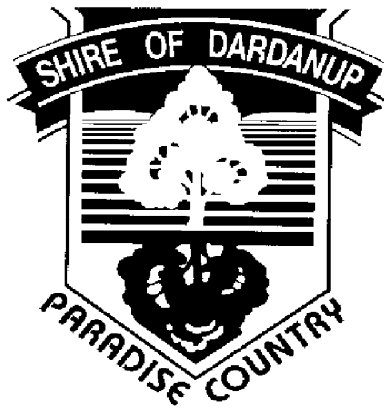
ORDINARY MEETING

TO BE HELD

**WEDNESDAY, 23RD SEPTEMBER 2009
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 September 2009 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: 17th September 2009

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COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council eg. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative	Includes adopting local laws, town planning schemes and policies.
Review	When Council reviews decisions made by Officers.
Quasi-Judicial	<p>When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

DISCLAIMER

"Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or any thing sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request."

SHIRE OF DARDANUP

AGENDA FOR THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL TO BE HELD ON WEDNESDAY 23RD SEPTEMBER 2009, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 4.30PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member to declare the meeting open, welcome those in attendance and refer to the Disclaimer and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

Affirmation of Civic Duty and Responsibility

Councillors and Officers of the Shire of Dardanup collectively declare that we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the Shire's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making with in this forum.

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

2.1 Attendance

2.2 Apologies

Cr. Peter A Bass – Leave of Absence [Res 259/09]
Cr. Noeline J Anderson – Leave of Absence [Res 259/09]
Mr Phillip Rowe – Manager Corporate & Community Services
Mr Tim Batt – Manager Health Services

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

5 APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL RESOLUTION

THAT be granted leave of absence for the meeting of the 7th October 2009.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Meeting Held 9th September 2009

OFFICER RECOMMENDED RESOLUTION

THAT the Minutes of the Ordinary Meeting of Council held on the 9th September 2009, be confirmed as true and correct subject to no / the following corrections:

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

None.

10 DECLARATION OF INTEREST

"Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences."

11 REPORTS OF OFFICERS AND COMMITTEES**11.1 CHIEF EXECUTIVE OFFICER REPORT**

11.1.1 Title: *Vehicle Acquisition and Disposal – Policy Review*

Reporting Department: Executive

Reporting Officer: Mr Mark L Chester – Chief Executive Officer

Legislation: Local Government Act 1995

File Number:

Background -

At the Ordinary Meeting of Council on the 25th of March 2009, Council resolved per resolution 95/09:

THAT Council request that the Chief Executive Officer bring a report to Council on the review of the vehicle changeover policy.

The request was made following the Council's annual review of the Policy Manual and included some discussion on the possibility of reducing the time that the Shire held vehicles before changeover and the option of purchasing second hand vehicles.

Legal Implications - None.

Strategic Plan

Objective 10.1 of the Strategic Plan requires that a cost benefit analysis be carried out to compare the benefits or otherwise of purchasing and hiring plant and equipment, there is no specific reference to vehicle acquisition and disposal.

Environment - None.

Precedents -

Council has previously purchased a second hand utility and also hired vehicles as required to meet budget limitations. As the Asset Management Plan has developed budget provision has been adequate to cover new vehicles costs.

Budget Implications -

Vehicle acquisitions are planned and budgeted for per Council policy and the Strategic Financial Plan.

Budget – Whole of Life Cost -

Accounted for in the annual budget and assessed when a new vehicle is required and submitted to Council for approval.

Council Policy Compliance -

The adopted policy reads as follows:

DEPARTMENT	<i>FINANCE</i>
POLICY REFERENCE	<i>F 3.21</i>
DESCRIPTION	<i>VEHICLE ACQUISITIONS AND DISPOSAL</i>
COUNCIL RESOLUTION	<i>222/07</i>
DATE	<i>26/07/2007</i>

PREAMBLE : *This policy covers the acquisition and trade-in/sale of executive sedans and four wheel drives as well as light commercial vehicles.*

OBJECTIVE : *To formalise the acquisition and trade-in/sale of Council's executive and light commercial vehicles at the optimum time, so as to provide the best financial advantage to Council.*

POLICY : *All executive sedans and four wheel drives and light commercial vehicles will be traded-in/sold at intervals no greater than two years or a maximum of 70,000km, so as to ensure that the vehicles are still under the manufacturers warranty to retain high trade-in value.*

PROCESS : *Executive sedans and four wheel drives and light commercial vehicles will be purchased and traded-in/sold either by tender or under agreements negotiated by the Department of Contract and Management Services (CAMS). The purchase consideration is taken into account fuel type and fuel efficiency.*

The Chief Executive Officer may approve in the second year of ownership the acquisition and trade-in/sale of vehicles which have travelled over 40,000km and under 70,000km if it is considered that

significant financial benefits can be obtained by early changeover of vehicle/s.

All vehicle purchases are to be new vehicles. The Chief Executive Officer may approve the purchase of low mileage second-hand vehicles if it is considered that significant financial benefits can be obtained.

HEAD OF POWER : Local Government Act 1995 and Tender Regulations

DATE REVIEWED : Ordinary Meeting of Council held – 26/07/2007

Officer Comment

Staff have reviewed the above policy and do not recommend any changes. The Policy provides flexibility to the Chief Executive Officer to use discretion based on the circumstances to purchase second hand vehicles, hire vehicles or purchase new vehicles.

It is worth noting that a consideration for the purchase of vehicles is the competition between local governments and other industries to attract and retain staff. As Council is aware the last five years have been extremely competitive in terms of attracting staff. The skills shortage has not improved in the last twelve months as predicted due to the economic downturn. As an example, the Shire has not been able to recruit to fill the vacant Planning Officer position after advertising twice and increasing the salary.

The CEO assesses the need to make the salary and benefits attractive enough within the budget constraints to attract and retain staff. For a local government to make a policy decision to make second hand vehicles the rule rather than the exception paints an image of an organisation that cannot meet its commitment to provide a safe and modern working environment for employees. It may also infer that the Council is not adequately funded to compete within a competitive labour market.

The Shire of Dardanup has a very good if not excellent reputation as a service provider to the community with professional and well cared for staff. Any reduction in the provision of up to date equipment that is required to provide services will have a negative impact on the organisations image to the industry which will make recruitment more difficult.

The current policy provides the flexibility for the CEO to assess each proposal, it is recommended that the policy remain unchanged.

Council Role - Legislative

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council having reviewed Policy F 3.21 - Vehicle Acquisition and Disposal, resolve to make no changes.

11.1.2 Title: Review of the Shire of Dardanup Strategic Plan

Reporting Department: Executive
Reporting Officer: Mr Mark L Chester – Chief Executive Officer
Legislation: Local Government Act 1995
File Number: CO12 0001

Background -

The 2007/2017 Strategic Plan (the Plan) was adopted by Council on the 28th April 2007.

The Plan is due for review, however, with the pending announcements (early 2010) by the Minister for Local Government on Structural Reform it is recommended that the Plan not be reviewed until that announcement and any implications for the Shire of Dardanup are known.

Legal Implications

Council is required to adopt a Plan for the Future. The Local Government structural reform process has included the review of legislation. It is understood that legislation and associated regulations will be introduced to include a framework for strategic plans and how they integrate into the financial plans.

Strategic Plan - The Plan is to be reviewed on an annual basis.

Environment None

Precedents -

Review of the Plan has been deferred on previous occasions due to changes in circumstances.

Budget Implications - None

Budget – Whole of Life Cost - None

Council Policy Compliance

None, however Council practice is to review the plan within a 2 year cycle.

Officer Comment -

As stated above it is recommended that the review of the Strategic Plan be deferred until after the announcement by the Minister for Local Government on the reform and restructure of Local Government.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council defer the review of the 2007/2017 Strategic Plan until after the Minister for Local Government announces the outcomes of the structural reform process in 2010 in case there are any impacts on the Shire.

11.1.3 Title: Notice of Special Meeting – Swearing in of Councillors Elect

Reporting Department: Executive
Reporting Officer: Mr Mark L Chester – Chief Executive Officer
Legislation: Local Government Act 1995
File Number: CO010006

Background -

Council elections will be held on Saturday, 17th October 2009. As in previous years, a Special Meeting of Council is held following the Elections for the swearing in of new Councillors.

Legal Implications - None.

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None

Council Policy Compliance - None

Officer Comment -

A Special meeting will be required to be held for the swearing in of new Councillors following the 2009 Elections to be held on Saturday 17th October 2009. The Special meeting is proposed for 3pm on the 21st October 2009 meeting, prior to the Ordinary meeting at 4.30pm. The election of the Shire President and Deputy Shire President will be held at this meeting.

Council Role - Legislative

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION**THAT:**

1. **A Special Meeting of Council be held on Wednesday, 21st October 2009, commencing at 3pm for the purpose of Swearing in of Councillor's Elect and election of Shire President and Deputy Shire President, following the local government elections.**
2. **The meeting be advertised in the local newspaper as required under the Local Government Act 1995.**

11.2 MANAGER TECHNICAL SERVICES REPORT

11.2.1 Title: Eaton Oval Renovation Proposal

Reporting Department: Technical Services

Reporting Officer: Mrs Daniela Lillie – Parks & Gardens Supervisor

Legislation: Local Government Act 1995

File Number: CO08 0036

Background -

Eaton Oval is the Shire's major Sports Oval as far as usage is concerned. The quality of the turf is very poor due to the lack of turf renovation and resting periods.

Legal Implications - None.

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications -

Additional funding is not requested; the renovation can be done within the current budget by diverting funds from other areas, i.e. other ovals and Eaton Foreshore. This will result in less renovation being carried out those areas in order to upgrade Eaton Oval.

The necessity of diverting funds is due to the fact that the consultants that were employed delivered their report after the current budget had been approved.

Budget – Whole of Life Cost –

Turf renovation is an operation that needs to be implemented every year. Eaton Oval as a whole will need de-compacting twice a year, using the earthquake machine. This will improve water efficiency, will assist with washing iron deposits in the soil, and will improve aeration in the soil.

The second football oval will need reconstruction, due to high organic matter content in turf and we will allow for it in the next budget. At this stage we estimate the reconstruction for the second oval will be \$35,000.

Annual expenditure for basic renovation in addition to the reconstruction: \$15,000.

Council Policy Compliance - None

Council Role - Executive/Strategic

Officer Comment -

This report highlights the oval condition and a strategy for renovation and maintenance. A copy of Stage One of the proposed works is attached (Appendix ORD: 11.2.1).

Oval Condition – Main Football Oval (2ha's)

1. Poor turf coverage (mainly due to over use).
2. Exceptionally high build up of Iron in the top 125mm of topsoil.
3. Relatively low (good) mat (undecomposed plant residue).
4. Relatively low levels of a Parramatta (just one patch about 1000m²) and weeds in general.

Recommendations – rebuild oval (12months downtime)

1. Physically remove Parramatta 50mm & stockpile	\$ 3,000 + GST
2. Apply gypsum 5t/ha	\$ 3,000 + GST
3. Deep cultivate and blend iron soaked soil to depth of 250mm	\$ 4,000 + GST
4. Roll, grade & roll again	\$ 5,000 + GST
Adjust sprinkler height – (by Shire)	
5. Plant out with Kikuyu at a 1:10 planting ratio and apply preplant fertiliser	\$20,000 + GST
TOTAL	\$32,000 + GST

Oval Condition – Soccer Oval (2ha's)

1. Fair turf coverage.
2. Very deep (100mm) mat build up making it very unlikely to stand up to the stress of repetitive sport.

Recommendations

Rebuild this oval now and take it out of play for 6-10 weeks so it can stand in for the main oval while it is getting completely rebuilt.

1. Verti mow, pick up and stockpile \$1,500/ha + GST	\$ 3,000 + GST
2. Deep slice (12mm thick blades 100mm deep & 120mm apart), powerake, sweep windrows and stockpile (approx 10m ³)	\$ 9,000 + GST
Total	\$12,000 + GST

Deep slicing cuts through the thatch and mat layer allowing water and nutrients to reach the topsoil (root zone).

Deep slicing also brings sand to the surface which is used by the powerake to fill in dips.

Chief Executive Officer Comment

Given that the works are essential, the timing of the season for the users of the oval; the works contractors were available to commence works immediately and also because this was an internal transfer of funds form within the Parks and Gardens area, the Chief Executive Officer has approved the commencement of works.

Council Role - Executive/Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council approve the Eaton Oval Renovation Project implementation as per the officer report.

11.3 MANAGER PLANNING SERVICES REPORT

11.3.1 Title: Proposed Scheme Amendment 172 – Rezoning of Lot 864 Peninsula Lakes Drive, Lots 410 & 883 Charolais Mews (Land Insights on behalf of Parkridge Group Pty Ltd)

Reporting Department: *Planning Services*
Reporting Officer: *Mr Robert Quinn – Manager Planning Services*
Legislation: *Planning and Development Act 2005*
File Number: *PL113172*

Background

An application to recode Lot 864 Peninsula Lakes Drive, Lot 410 Charolais Mews and Lot 883 Cleveland Bay Avenue from Residential R15 to Residential R 40 has been received. See Appendix (Appendix ORD: 11.3.1A) for location plan. Shire officers have been corresponding with the consultant acting on behalf of the owner to provide justification for the proposal. The most recent justification was received on 31 August 2009 (Appendix ORD: 11.3.1B).

The proponent has provided plans to demonstrate conceptual lot layouts (Appendix ORD: 11.3.1C).

The proposed amendment is to recode the following three lots:

Lot/address	Area (square metres)	Date created on Shire records
864 Peninsula Lakes Drive	1627	13 August 2006
410 Charolais Mews	1476	19 January 2005
883 Cleveland Bay Avenue	2000	1 September 2005

The majority of lots in the Parkridge Estate are approximately 700 – 800 square metres in area.

Legal Implications No appeal rights exist

Strategic Plan None.

Environment No adverse environmental impacts foreseen.

Precedents

Council previously did not support a proposed rezoning from Residential R15 to Residential R30 in Friesian Way.

Budget Implications - None.

Budget – Whole of Life Cost - None

Council Policy Compliance - None

Officer Comment

The Parkridge Estate area was rezoned to Residential R15 from General Farming on the 16 July 1993 and has been predominately subdivided into lots consistent with the R15 density. The 1993 rezoning document rezoned all land for residential land use in the Parkridge Estate into Residential R15 density. A portion of the parent lot was rezoned into a reserve for Recreation. There is an Outline Development Plan indicating road layouts in the original rezoning document, however, it is considered outdated due to its age. The plan in the 1993 document cannot be considered a structure plan by current standards(Appendix ORD: 11.3.1D).

As a result of there not being a current structure plan for the Parkridge Estate area there is no local strategic planning framework for the Parkridge Estate. The absence of a current structure plan has not assisted in the consideration of this proposed amendment.

When the three subject lots were originally considered for subdivision during the development of the Parkridge Estate area they were to be subdivided into standard residential lots of approximately 700-800 square metres (Appendix ORD: 11.3.1E). During the subdivision clearance process these lots were not subdivided in accordance with the WAPC approved plans and the larger lots were retained. It was a choice by the developer to retain these larger lots, however, it was not an approval for a recoding because they are larger lots. Council also approved the retention of the subject lots, however, this should not have been construed as a tacit approval for recoding.

Creation of the subject lots was with the approval of the WAPC and Council, however, the existence of larger lots should in no way be interpreted as approval to recode. It was the developer's choice to create the larger subject lots.

Lot 410 Charolais Mews had a previous approval for development at Residential R30 density for a unit development, however, this approval has lapsed. The clause in the TPS No. 3 which allowed the R30 density was removed in 10 June 2005. It is contended that Council removed this clause to prevent this type of back door spot rezoning. This clause was replaced with a similar bonus density clause which allows R20 development up to a maximum of two grouped dwellings. This current bonus density clause is currently the subject to review in a draft scheme amendment which is awaiting signing by the Minister for Planning. The review would allow these lots full R20 developments rights without the limit of two grouped dwellings.

Therefore, the three subject lots could be considered with Residential R20 development rights. This would allow for a dwelling every 500m².

Consultants acting on behalf of the proponents have provided justification under various state policies and Liveable Neighbourhoods for the proposal, however, there are several critical issues which are not addressed. The justification provided could be transferred onto the majority of vacant lots in the Parkridge Estate. The only attributes these lots have which is different than some other lots in the Parkridge Estate is their lot area. The subject lots have no locational or strategic planning attributes.

The critical issues are:

Services

High density lot configuration in the locations proposed creates unacceptable circumstances in relation to recycling and domestic waste bin pick up. For example with the Cleveland Bay proposal there would be a requirement for 16 bins (per fortnight) in a 3m frontage.

Walking distance to facilities

When the Shire initiated amendments to recode residential densities in Eaton, the major criteria for determining which properties would be considered for recoding was the walking distance from services. In the case of Eaton town centre the services were the Crampton Road shops and Eaton Fair. All properties that were recommended for recoding were within a 400 metre walking distance radius of these services in accordance with Liveable Neighbourhoods and advice from the WAPC.

The subject properties being proposed for recoding are well outside the 400 metres walking distance to facilities. Without any compelling strategic planning reason to support the proposal and the absence of a local structure plan it is difficult to support the proposed recoding.

Support of this proposal also raises the issue of equity as Shire officers were required to explain to many landowners in the Eaton recoding area with lots outside the 400 metre walking distance why their lot was not included in the Eaton recoding, with the primary reason being 400 metre walking distance. It is inconsistent practice to exclude lots in the Eaton area from recoding which are much closer to facilities based on the 400 metre walking distance and then on the other hand support recoding of the subject lots which are well outside the 400 metre walking distance.

Absence of strategic plan or structure plan to support recoding

As noted previously due to the age (1993) of the original rezoning document, it is considered that there is no structure plan or strategic document to guide rezoning/recoding in Parkridge Estate area. It is not a valid reason to recode the subject lots because they are undeveloped and exist. These lots have existed for several years.

To be considered for recoding the subject lots need some strategic locational attribute to be considered for recoding which has not been demonstrated. The proposal is essentially three spot re-codings which have the potential to create the domino effect on future re-codings. Spot recoding without strategic justification does not represent orderly and proper planning.

If this proposal is supported then the potential for further spot recoding in Parkridge Estate can occur. With the absence of a structure plan recoding and rezoning have no strategic basis.

It is the officer's recommendation that Council advise Land Insights acting on behalf of Parkridge Group Pty Ltd that Council do not support proposed scheme amendment 172 (recoding of Lot 864 Peninsula Lakes Drive, Lot 410 Charolais Mews and Lot 883 Cleveland Bay Avenue from Residential R15 to Residential R 40) as there are no compelling strategic planning reasons or current Structure Plan to support the proposed scheme amendment.

Council Role

Quasi-Judicial - Council need to determine this proposal on its planning merits.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council advise Land Insights acting on behalf of Parkridge Group Pty Ltd the following: -

- 1. That Council determine the Outline Development Plan No. 10 dated 11 July 1991 contained in amendment 47 to the Shire of Dardanup Town Planning Scheme No. 3 is outdated and cannot be considered a Structure Plan or strategic planning instrument to guide future re-codings and rezonings in the Parkridge Estate area.**
- 2. That Council do not support proposed scheme amendment 172 (recoding of lot 864 Peninsula Lakes Drive, lot 410 Charolais Mews and lot 883 Cleveland Bay Avenue from Residential R15 to Residential R 40) as there are no compelling strategic planning reasons, current Structure Plan or strategic planning instrument to support the proposed scheme amendment.**

11.3.2 Title: Unauthorised Dam and Retrospective Planning Consent - Lot 101 Richards Road Ferguson (Q Olsthoorn – A7294)

Reporting Department: Planning Services

Reporting Officer: Mr Robert Quinn – Manager Planning Services

Legislation: Planning and Development Act 2005

File Number: A7249 (P29/08)

Background

Council at its meeting on the 23 July 2008 [231/08] resolved the following:

- 1. Request Mr Q Olsthoorn supply a report, on or before the 30th September 2008, at his cost from a qualified practicing civil engineer confirming that the dam constructed at Lot 101 Richards Road, Ferguson is built to an adequate standard to contain water it will capture, and that the dam conforms with Council Policy P 5.3 and a risk assessment of the down stream effects if the dam were to fail.*
- 2. Advise Mr Q Olsthoorn that Council will consider the application for retrospective approval of a dam at Lot 101 Richards Road, Ferguson as soon as practicable on or after the 30th September 2008.*

Council at its meeting on the 25 March 2009 [84/09] resolved the following:

1. *Council request that Mr Q Olsthoorn submit a modified application for planning consent for the dam to be evaluated by Technical Services and Planning Staff prior to any further works being carried out on the dam.*
2. *If there has been no provision of information within 6 months, that the application be brought back for Council consideration in its original form.*

Further information was provided by the proponent on the 2 April 2009 (Appendix ORD: 11.3.2A). This information was considered inadequate. This information was for a dam of approximately 700 cubic metres in volume.

A request for further information was sent to the proponent on the 8 April 2009 (Appendix ORD: 11.3.2B).

On the 14 August 2009 further information was supplied as requested in correspondence dated 8 April 2009 (Appendix ORD: 11.3.2C). This information was for a dam of approximately 450 cubic metres in volume.

Legal Implications -

Appeal rights exist for the proponent on Council's decision.

Strategic Plan - None.

Environment - No environmental impacts are foreseen.

Precedents - No retrospective dam approvals have been approved.

Budget Implications - None.

Budget – Whole of Life Cost - None

Council Policy Compliance

Dam construction must comply with Planning Policy P 5.3 Construction of Dams

Officer Comment

This application for retrospective planning consent is now presented for Council for consideration and determination. Shire officers do not have delegation to retrospectively grant planning consent.

Under Planning Policy 5.3 (Appendix ORD: 11.3.2D) all dams require planning approval in accordance with point 1) of Policy 5.3. Planning Policy 5.3 is silent on retrospective approvals for dams.

Under Planning Policy 5.3 all dams require engineering certification if they have a dam wall height exceeding 5 metres in accordance with point 10) of Policy 5.3.

The plans submitted on 14 August 2009 show that the dam wall height could be 5 metre or 9 metres in height, dependent whether upslope or down slope wall height is used. Dam wall height is not defined in Planning Policy 5.3. This then becomes an

issue for interpretation of Planning Policy 5.3, if the dam wall height is determined not to exceed 5 metres then engineering certification is not required.

It is difficult to recommend retrospective approval based on the information provided, particularly given the comments from the Manager Technical Services. (See below) Dams are essentially a civil earthmoving structure and without suitable information it is difficult to recommend approval.

In regard to Council's resolution No. 1 dated 25 March 2009 (231/08) both the Manager of Planning and Manager of Technical Services are unable to evaluate the submitted information as it is not to scale as detailed by the Manager of Technical Services below.

Council have the following options:

- Waive Planning Policy 5.3 and grant retrospective planning consent
- Refuse the retrospective application for planning consent
- Request further information so that the application can be assessed. (Council has been requesting information regarding this application since 23 July 2008, however, the information provided has not been to a standard which can be professionally assessed. Also the information provided has varied.)

Shire officers previously recommended refusal of this application, however, Council requested further information.

Manager Technical Services Comment

The Shire's Planning Policy P5.3 – Construction of Dams requires scaled plans or high standard sketches to be provided. The sketches provided are not to scale. Although dimensions are provided in the sketches, it is difficult to ascertain the accuracy of the dimensions as the plans are not to scale nor are they referenced against any existing features. For example, a sketch based on a map with existing contours would clearly indicate and verify the dimensions of such a dam. Alternatively, a surveyor could verify the critical dimensions (without the need for a full contour survey) that would enable assessment of the dam.

Manager Planning Services Conclusion

Shire officers are unable to assess the information provided. At some stage Council need to determine this application, either refuse or approve. Information has been requested since July 2008, however, the information provided has been unable to be assessed. The most recent information provided is not able to be assessed.

Council's role in the approval process has been outlined in previous reports to Council on this matter.

It is not considered prudent to recommend approval of this dam as the three previous plans submitted vary considerably.

Given that the plans submitted cannot be assessed it is recommended that a resolution similar to that moved by Council in July 2008 be considered. This resolution required engineering certification of the constructed dam. If satisfactory

engineering certification is not provided by a set date then Council has valid grounds for refusing the application, on the other hand approval can be granted if satisfactory engineering certification and plans are provided.

Council Role - Quasi Judicial

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council

1. Request Mr Q Olsthoorn supply a report, on or before the 2nd November 2009, at his cost from a qualified practicing civil engineer confirming that the dam constructed at Lot 101 Richards Road, Ferguson is built to an adequate standard to contain the water it will capture, and that the dam conforms with the Shire of Dardanup Planning Policy P 5.3. The report shall contain plans suitable for planning assessment purposes which are professionally drafted to the satisfaction of the Chief Executive Officer.
2. Advise Mr Q Olsthoorn that Council will consider the application for retrospective approval of a dam at Lot 101 Richards Road, Ferguson as soon as practicable on or after the 2nd November 2009.

11.4 TOWN PLANNING OFFICER REPORT

None.

11.5 MANAGER BUILDING SERVICES REPORT

None.

11.6 MANAGER HEALTH SERVICES REPORT

None.

11.7 HEALTH & ENVIRONMENT OFFICER REPORT

None.

11.8 MANAGER CORPORATE & COMMUNITY SERVICES REPORT

None.

11.9 MANAGER FINANCIAL SERVICES REPORT

11.9.1 Title: Monthly Statement of Financial Activity

Reporting Department: Financial Services

Reporting Officer: Mrs Natalie Hopkins – Senior Financial Accounting Officer

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.

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications -

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

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

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 ratios determine the shires 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*

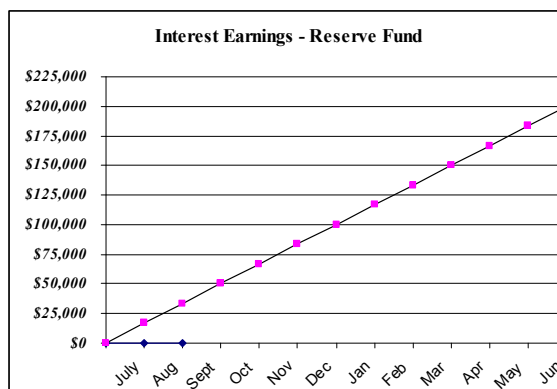
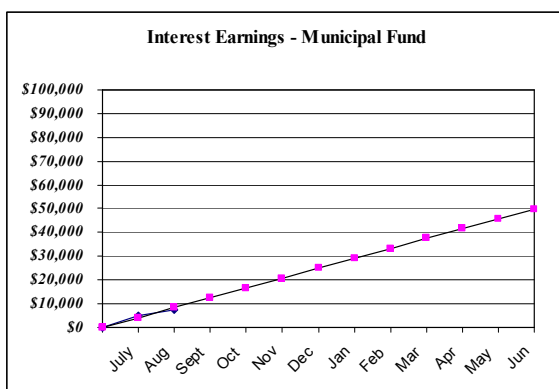
As at reporting date, Councils Municipal Bank fund has a reconciled balance of \$2,366,921. No other funds invested.

The Reserve Fund has a reconciled balance of \$7,401,405. No other funds are invested.

Total interest earnings brought to account on the Councils Municipal & Reserve Funds as at reporting date are:

Municipal Fund: \$ 7,779
 Reserve Fund: \$ 0

Year to Date Interest Earnings for the Municipal Fund are slightly above budget estimates. Budget forecast estimates Interest earnings for the Municipal Fund is \$50,000 for 2009/10 financial year. Interest Earnings for the Reserve Fund forecast budget estimate of \$200,000 (2009/10), and is credited to the bank account quarterly.

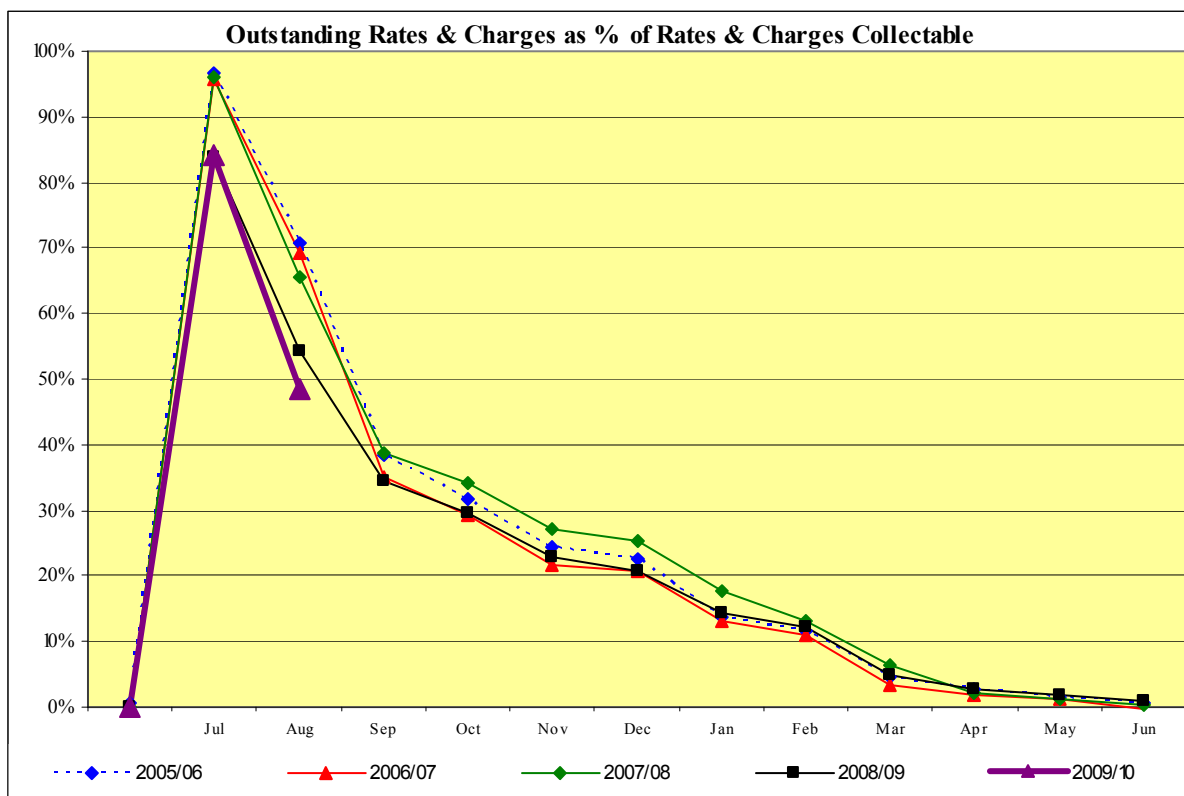


- *Rates & Charges Outstanding*

As at reporting date, Rates levied and raised for 2009/10 financial year are \$5,845,846. As at reporting date, total Outstanding Rates & Charges = \$3,369,158. This equals 49% of rates & charges collectable.

The budget provision for 2009/10 interim rates are \$100,000.

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



- *Salaries and Wages*

Total gross Salaries and Wages at reporting date is \$603,537. This is within YTD budget for 2009/10 financial year of \$705,266.

- *Grant Projects*

ROYALTIES FOR REGIONS – YEAR 1 FUNDING (2008/09)	GRANT \$	GRANT C/fwd 09/10	PROJECT STATUS
Carried Forward Funds for 2009/10			
R4R - Sindhi Park - Drainage & Landscaping	129,911	129,101	Commenced
R4R - Cleveland Bay Wetland Verges	33,300	26,998	Commenced
R4R - Leicester Ramble/Charolais Mews Foreshore	15,900	12,118	Commenced
R4R - Lofthouse Park - Treatment System	10,000	10,000	Commenced
R4R - Gromark Park	19,085	8,335	Commenced
R4R - Eaton Foreshore Finger Jetty	64,000	319	Completed
R4R - Dardanup Rec Facility Upgrade	900	900	On-going
R4R - Recycle Yard Baler & Concrete Flooring	21,000	21,000	Commenced
R4R - Eaton Townscape Plan	30,000	30,000	On-going
R4R - Burekup Tennis Hit Up Wall	2,000	2,000	On-going
R4R - Playground Equipment Lions Park	16,781	7,681	Commenced
R4R - Eaton Drive - Hamilton Rd to Edith Cowan Ave	71,597	48,276	Commenced
R4R - Dardanup Tennis - Replace Roof Gutters	12,500	12,500	On-going
R4R - Dardanup Rec Ground - Renovate Toilets	20,000	20,000	On-going
R4R - Eaton Administration Carpet	13,945	13,945	On-going
R4R - Banksia Road Seal	95,090	95,090	On-going
R4R - Trusty Place Resurface	12,138	12,138	On-going

ROYALTIES FOR REGIONS – YEAR 1 FUNDING (2008/09) Carried Forward Funds for 2009/10	GRANT \$	GRANT C/fwd 09/10	PROJECT STATUS
R4R - Garvey Road Resurface	10,472	10,472	On-going
R4R - Twomey Road Resurface	11,749	11,749	On-going
R4R - Ford Road Resurface	32,786	32,786	On-going
R4R - Shenton Road Resurface	16,998	16,998	On-going
R4R - Hayward Street Footpath	41,986	41,986	On-going
R4R - Richards Road Upgrade	56,148	56,148	On-going
R4R - Pratt Road Resurface	134,245	134,245	On-going
R4R - Hale Street Resurface	61,529	61,529	On-going
R4R - Hayward Street Resurface	58,173	58,173	On-going
R4R - Crampton Ave Resurface	82,784	82,784	On-going
R4R - Russell Road Resurface	33,561	33,561	On-going
R4R - Henty Road Upgrade	11,187	0	Completed
TOTAL	1,119,765	990,832	

ROYALTIES FOR REGIONS – YEAR 2 FUNDING (2009/10)	GRANT \$	GRANT C/fwd	PROJECT STATUS
R4R – Road Funding	505,000	0	On-going
R4R – Gnomesville Improvements	5,000	0	On-going
R4R – Recreation Centre Extensions	79,000	0	On-going
R4R - Peninsula Lakes Park	75,983	0	On-going
R4R - Gromark Park Development	26,815	0	On-going
R4R - Unallocated	26,000	0	On-going
TOTAL	717,798	0	

FEDERAL ECONOMIC STIMULUS YEAR 1 FUNDING (2008/09) Carried Forward Funds for 2009/10	GRANT \$	GRANT C/fwd 09/10	PROJECT STATUS
Federal Stimulus - Carramar Park Development	20,000	0	Completed
Federal Stimulus - Dardanup Tennis Court Resurface	35,000	35,000	Ongoing
Federal Stimulus - Collie River Foreshore Path Upgrade	60,000	60,000	Ongoing
Federal Stimulus - Collie River Foreshore Re-vegetation	20,000	20,000	Ongoing
Federal Stimulus - Lions Club - Eaton Foreshore BBQ	10,000	0	Ongoing
Federal Stimulus - Off Road Parking - Burekup Hall	30,000	30,000	Completed
Federal Stimulus - Burekup DUP	20,000	20,000	Ongoing
TOTAL	195,000	165,000	

- *Committed Expenditure in the Following Years Budget*

The following table details known expenditure commitments Council has made for the following financial year.

Detail	Amount \$	% of Current Years Rates
Road Asset Management Plan (increase from current year)	150,000	2.61%
Building Asset Management Plan (increase from current year)	25,000	0.43%
Technical Services Fleet Asset Management Plan (increase from current year)	40,000	0.70%
Compliance Vehicles Asset Management Plan (increase from current year)	5,000	0.09%
Information Technology Asset Management Plan (increase from current year)	36,000	0.63%
Recreation Centre Equipment Asset Management Plan (increase from current year)	2,000	0.03%
Crooked Brook Road (res 255/09) 08/07/09	100,000	1.74%
Moore Road (res 255/09) 08/07/09	25,000	0.43%
TOTAL	383,000	6.66%

- *Budget Variances*

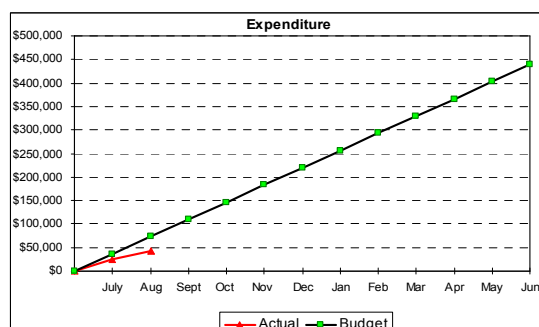
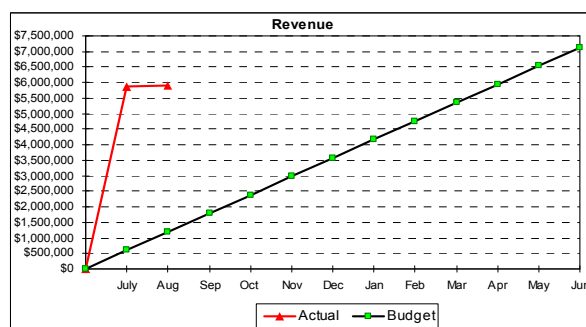
Note 8 of the Statement of Financial Activity details material variances between the adopted and amended budget. The carried forward surplus from the previous financial year is predicted to be \$100,757. This is a slight increase from the surplus of \$67,000 forecasted for 2009/10 Annual Budget. This is yet to be verified by audit.

The Eaton Bowling & Social Club Inc requested the payout of one of its self supporting loans drawn down by Council. This was paid to Council in July 2009. As a consequence Council has paid out the relevant loan with WA Treasury Corporation.

It is too early in the financial year for any trends to be determined. As of reporting date there are no indications of material variation from the adopted budget.

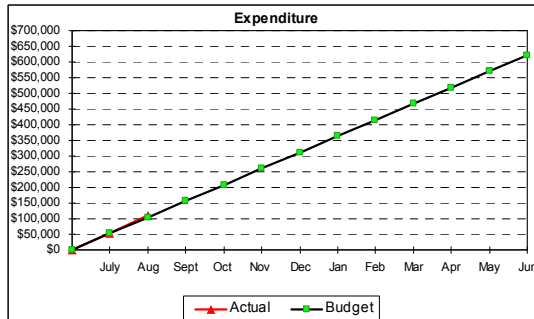
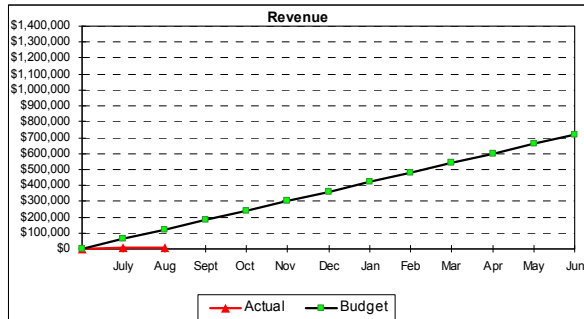
- *General Comments*

General Purpose Funding



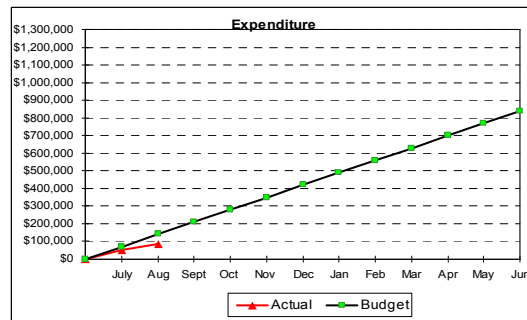
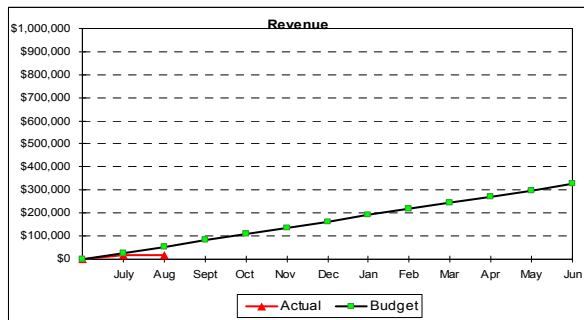
Rates have been raised per budget estimates. General rates levied, including Specified Area Rates, are \$5,845,846. Council forecasts budget revenue of \$100,000 for Interim Rates.

Governance



Council has received funding of \$10,000 from Dept Local Government & Regional Development for Local Government Reform Study.

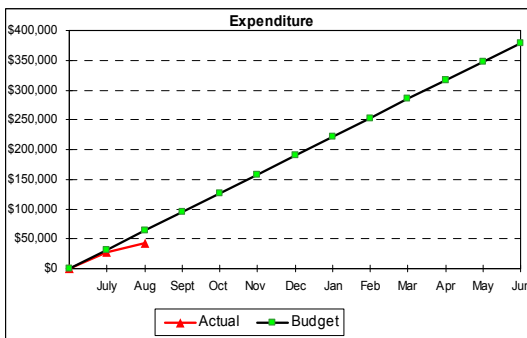
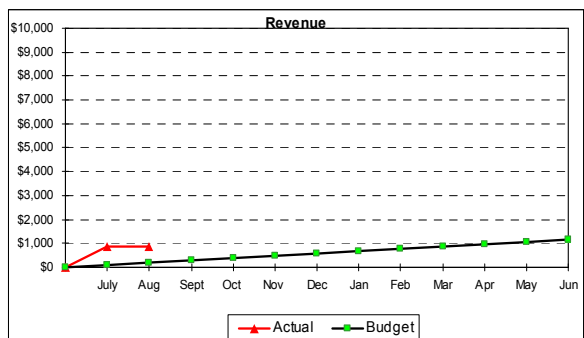
Law, Order & Public Safety



Capital expenditure for 2009/10 is projected to include the purchase (FESA funded) of Wellington Mills BFB Rural Tanker.

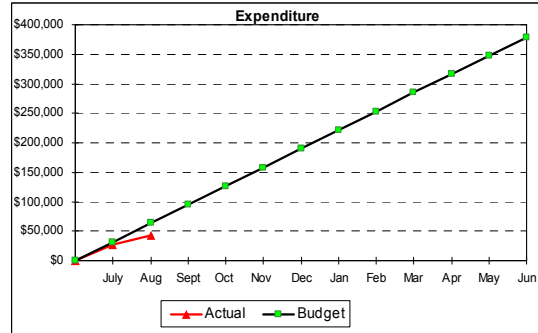
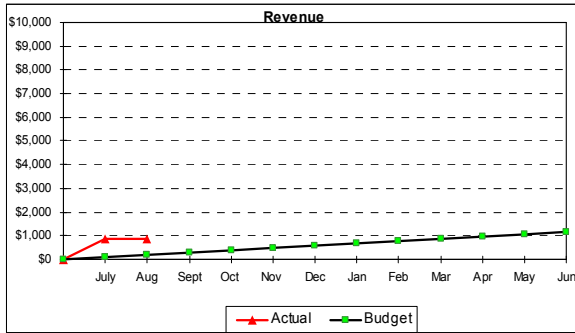
There are no material variances from the adopted budget.

Health



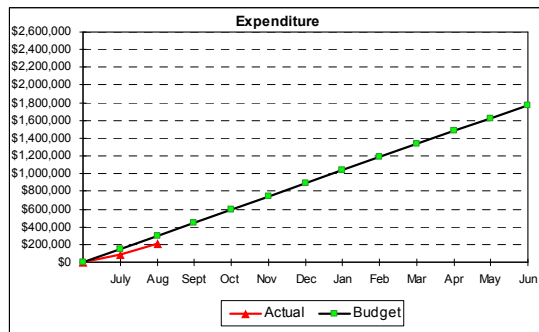
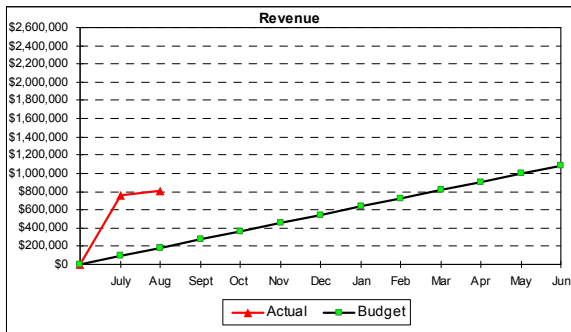
Annual licence fees have been raised. There are no material variances from the adopted budget.

Education & Welfare



The majority of this area relates to Youth Services. There are no material variances forecast.

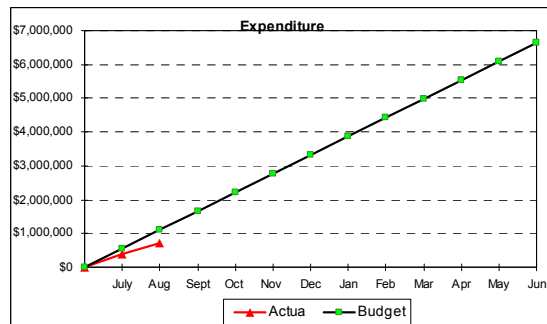
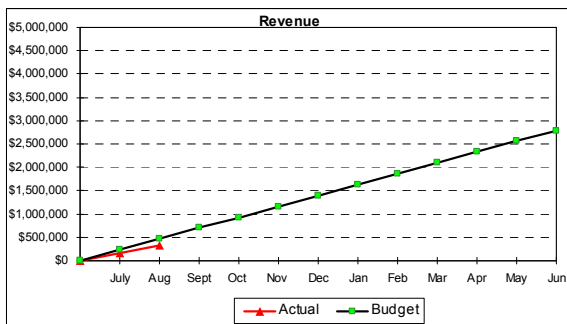
Community Amenities



Revenue for Waste Collection raised through the rates is reported in this area. This is the reason for the initial peak in revenue early in the financial year.

There are no material variances from the adopted budget.

Recreation & Culture

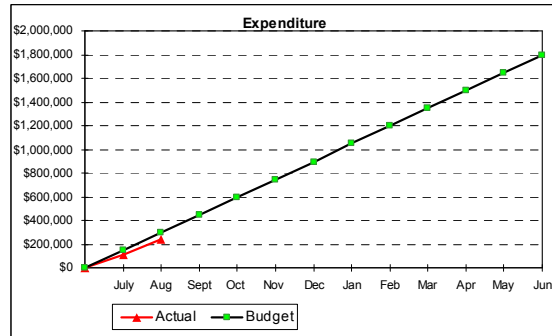
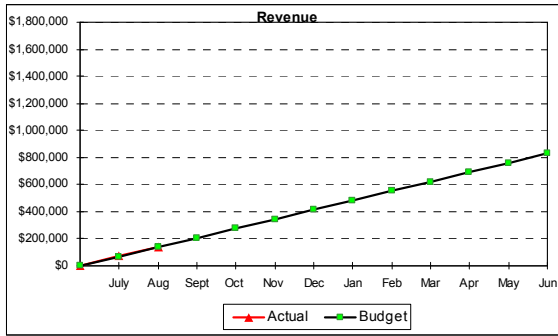


Expenditure as of reporting date for the Ferguson Hall Renovations is at \$45,646 against a carried forward budget of \$136,816. Completion date is likely early October.

\$91,442 for Loan 64 (Eaton Bowling Club Self Supporting Loan) was paid out in full at the request of the Eaton Bowling Club. This has been fully reimbursed by the Club.

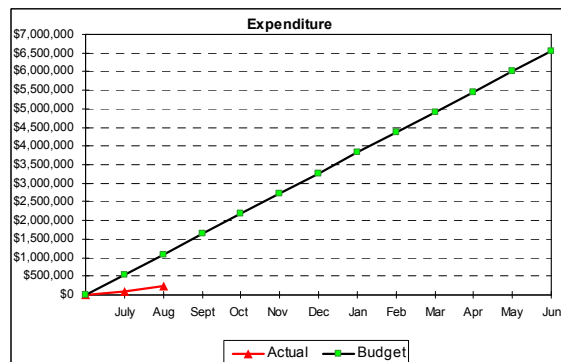
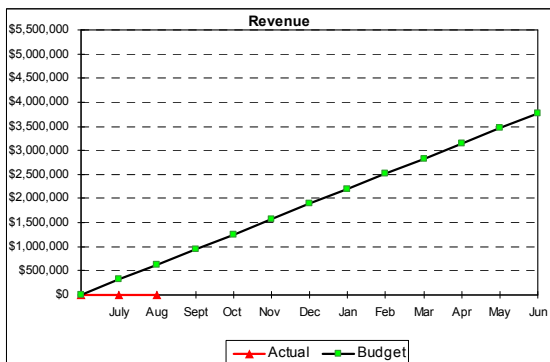
There are no material variances to report.

Eaton Recreation Centre



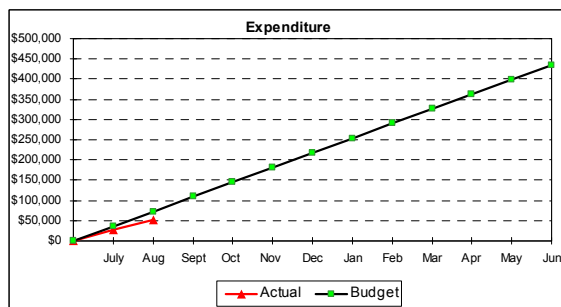
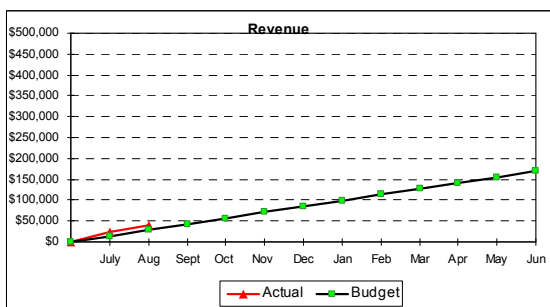
Expenditure and Revenue for the Recreation Centre is on budget to date.

Transport



At this early stage of the financial year, both expenditure and revenue is low. Revenue is affected by the timing of grants being received. Low expenditure can be attributed to the timing of the works program, including payments to creditors for these services.

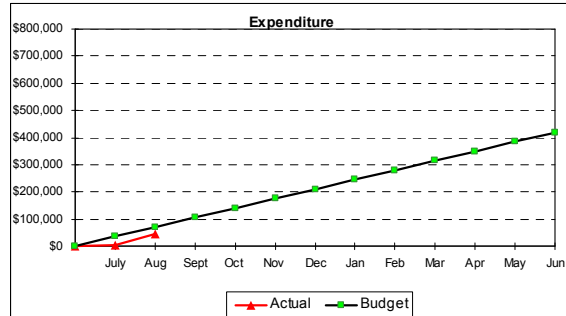
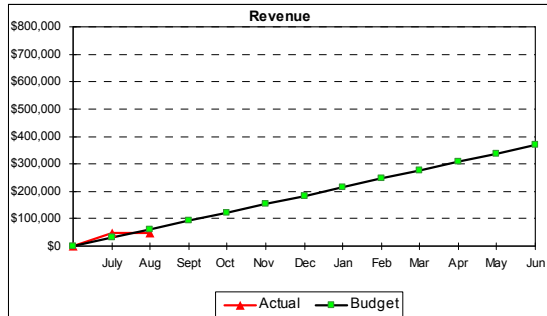
Economic Services



There are no material variances to report.

Building licence revenue is currently above budget estimates with \$34,522 raised to date against a YTD budget of \$20,832 (total budget for the year is \$125,000). The increase in building activity related to residential construction and is attributable to 1st Home Owners Grant.

Other Property & Services



There are no material variances to report.

Council Role - Executive/Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT the Monthly Statement of Financial Activity for the period ended 31st August be adopted.

11.10 ACCOUNTS FOR PAYMENT

11.10.1 Title: Schedule of Accounts Submitted as at 23rd September 2009

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
35363	01/09/2009	Western Australian Treasury Corporation	Loan 62 repayment	MUNI	12,934.64
35364	04/09/2009	Alinta	Gas - Eaton Recreation Centre - 18 Recreation Drive, EATON	MUNI	135.70
35365	04/09/2009	BGC Construction Pty Limited	Progress payment - Ferguson hall renovations	MUNI	57,975.14
35366	04/09/2009	BT Super for Life	Superannuation contributions	MUNI	84.33
35367	04/09/2009	Builders Registration Board of WA	BRB - August 2009 reconciliation	MUNI	1,517.00
35368	04/09/2009	Building and Construction Industry Training Fund	BCITF - August 2009 reconciliation	MUNI	9,019.75
35369	04/09/2009	Caltex Australia Petroleum Pty Limited	Caltex fuel card - August 2009	MUNI	12,000.19
35370	04/09/2009	Chifley Business School Pty Limited	Pavement Surfacing Fundamentals & Evaluations - M Traill-Nash	MUNI	850.00
35371	04/09/2009	Child Support Agency	Employee payroll deduction	MUNI	372.91
35372	04/09/2009	Construction and Building Industry Super	Superannuation contributions	MUNI	253.61
35373	04/09/2009	Council on the Ageing (WA) Incorporated	Annual fee : July 2009 - June 2010	MUNI	500.00
35374	04/09/2009	Dardanup Community Kindergarten	2009/2010 Community grant for bathroom renovation	MUNI	5,000.00
35375	04/09/2009	David J & Zelda R Meads	Rates refund for assessment A1145	MUNI	299.62
35376	04/09/2009	Direct Fuel Supplies (WA) Pty Limited	Fuel Account for Burekup Bush Fire Brigade	MUNI	951.58
35377	04/09/2009	Flexible Lifetime Superannuation Fund	Superannuation contributions	MUNI	119.77
35378	04/09/2009	G & R P Brookes Plumbing	Repairs Don Hewison Centre, Eaton foreshore & Dardanup toilets	MUNI	3,109.70
35379	04/09/2009	Health Insurance Fund on WA (HIF)	Payroll deductions	MUNI	89.85
35380	04/09/2009	Hostplus	Superannuation contributions	MUNI	132.24
35381	04/09/2009	ING Master Fund	Superannuation contributions	MUNI	118.42

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35382	04/09/2009	Kirsty Bower T/a For Weddings & A Party	Face painting for Children's Book Week	MUNI	140.00
35383	04/09/2009	Local Government Compliance Incorporated	Seminar registration - Robert Quinn and Elizabeth Edwards	MUNI	175.00
35384	04/09/2009	Mark Atherton	Reimbursement for purchase of replacement pavers	MUNI	40.00
35385	04/09/2009	McLeods Barristers & Solicitors	Scheme legal costs	MUNI	7,009.67
35386	04/09/2009	Peter Black	Reimbursement of telephone expenses	MUNI	37.39
35387	04/09/2009	Petty Cash - Please pay cash	Recoup - Eaton Community Library	MUNI	127.20
35388	04/09/2009	Robert Quinn	Reimbursement of telephone expenses	MUNI	46.93
35389	04/09/2009	Ronald G Glover	Maintenance - Recycling yard	MUNI	1,254.00
35390	04/09/2009	Schweppes Australia Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	1,076.16
35391	04/09/2009	Shire of Dardanup	Transfers	MUNI	1,365,000.00
35392	04/09/2009	Shire of Dardanup	Employee deductions	MUNI	150.00
35393	04/09/2009	Shire of Dardanup	Payroll deductions	MUNI	577.00
35394	04/09/2009	Shire of Dardanup	Employee payroll deduction	MUNI	640.00
35395	04/09/2009	Shire of Dardanup - Please pay cash	Umpire recoup - 03/09/2008	MUNI	822.50
35396	04/09/2009	Shire of Dardanup	Employee recoups - gym membership	MUNI	137.33
35397	04/09/2009	State Land Services	Land resumption - A7045	MUNI	214.00
35398	04/09/2009	Synergy	Electricity	MUNI	12,512.20
35399	04/09/2009	Telstra	Telephone and facsimile expenses	MUNI	1,538.06
35400	04/09/2009	Telstra Super Pty Limited	Superannuation contributions	MUNI	118.42

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35401	04/09/2009	Thinkwater Bunbury	Reticulation fittings	MUNI	200.65
35402	04/09/2009	WA Local Government Superannuation Plan	Superannuation contributions	MUNI	18,366.47
35403	04/09/2009	Water Corporation	Water	MUNI	996.10
35404	04/09/2009	Wespine Industries Pty Ltd	Rates refunds for assessments A8187, A8041 & A8148	MUNI	3,313.94
35405	04/09/2009	WestNet Pty Limited	Recoverable telephone calls made over VOIP by IT Officer	MUNI	29.21
35406	04/09/2009	Western Australian Planning Commission	Subdivision fee for Lot 800 Charterhouse Street	MUNI	1,512.00
35407	04/09/2009	Western Australian Treasury Corporation	Loan 49 repayment	MUNI	44,317.61
35408	04/09/2009	Westscheme Pty Limited	Superannuation contributions	MUNI	136.41
35409	11/09/2009	Alleasing	Lease of MP2000 photocopier - Dardanup shire office	MUNI	150.17
35410	11/09/2009	Australasian Performing Right Association Ltd	Licensing : 2009 - 2010	MUNI	2,372.49
35411	11/09/2009	Australia Post	Mail and postage costs for 2009/2010 financial year	MUNI	1,467.27
35412	11/09/2009	Australian Taxation Office	August 2009 IAS payment	MUNI	57,457.00
35413	11/09/2009	Ben Jordan	Reimbursement of travel expenses	MUNI	414.07
35414	11/09/2009	Courier Australia	Courier charges	MUNI	63.67
35415	11/09/2009	DAPCO Tyre & Auto Service	Puncture repairs - DA 9429	MUNI	50.00
35416	11/09/2009	Dardanup Butchering Company	Sausage meat and hamburger patties	MUNI	102.58
35417	11/09/2009	Dardanup Equestrian Centre	Grant for rehabilitation of old tip site on Garvey Road	MUNI	3,850.00
35418	11/09/2009	Dardanup Garage and Service Station	Repairs to DA 628, DA 325 & DA 2883; globes & wiper blades	MUNI	710.95
35419	11/09/2009	Dardanup Senior Citizens	Grant for senior citizens Christmas lunch	MUNI	600.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35420	11/09/2009	Denmark Hotel and River Rooms Motel	Accommodation & meals for Youth Counsellor and Youth Officer	MUNI	292.45
35421	11/09/2009	Eaton Primary School P & C Association Inc	Advertisement in Eaton Primary School fundraising cookbook	MUNI	100.00
35422	11/09/2009	FESA	2009/2010 Emergency Services Levy - quarter 1	MUNI	76,597.85
35423	11/09/2009	Klen International Pty Limited	Assorted cleaning stock	MUNI	310.96
35424	11/09/2009	Lauren Johnston	Grant for State Women's Veteran Hockey championship	MUNI	400.00
35425	11/09/2009	Les Mills Australia	Les Mills monthly licence fees	MUNI	756.44
35426	11/09/2009	Pioneer Road Services Pty Limited	Supply lay and compact basalt, traffic control and sweeping	MUNI	93,390.00
35427	11/09/2009	Schweppes Australia Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	434.96
35428	11/09/2009	Shire of Dardanup - Please pay cash	Umpire recoup - 03/09/2009	MUNI	870.00
35429	11/09/2009	Stephen Eaton	Reimbursement for travel expenses for IT2009 conference	MUNI	603.00
35430	11/09/2009	Stokes Painting	Graffiti removal	MUNI	4,389.00
35431	11/09/2009	Susan Smith	Grant for S Smith compete in Aust. Taekwondo Championships	MUNI	200.00
35432	11/09/2009	Telstra	Telephone expenses	MUNI	2,360.70
35433	11/09/2009	Terry O'Connor & Company	Provide power for irrigation and cable location - BUREKUP	MUNI	3,292.55
35434	11/09/2009	Thinkwater Bunbury	Reticulation fittings	MUNI	269.41
35435	11/09/2009	Wildcats 2000 Pty Limited	Reimbursement of ticket sales - Perth Wildcats vs Adelaide 36ers	MUNI	7,424.92
35436	11/09/2009	Kylie Robyn Love	Refund of direct debit - A1291 - was not cancelled at end of 08/09	MUNI	433.08
35437	14/09/2009	A & L Printers Pty Limited	Business cards for Robert Quinn	MUNI	158.00
35438	14/09/2009	All Aussie Truck and Bobcat	Earthworks & drainage at Pratt Rd and Banksia Rd landfill site	MUNI	4,543.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35439	14/09/2009	BOC Limited	Hire of oxygen bottle for first aid - Eaton Recreation Centre	MUNI	16.10
35440	14/09/2009	Bullivants Pty Limited - Sling Rig	Lifting eyes for concrete headwalls & lids	MUNI	186.43
35441	14/09/2009	Bunbury Auto Group (Parts and Service)	60000km service - DA 8222	MUNI	616.80
35442	14/09/2009	Bunbury City Glass	Supply & install shower screen at Eaton Junior Football clubrooms	MUNI	832.70
35443	14/09/2009	Bunbury City Painters	Internal repaint of Eaton Recreation Centre	MUNI	4,832.50
35444	14/09/2009	Bunbury Machinery	Grease cartridges	MUNI	73.80
35445	14/09/2009	Bunbury Mower Service	Chainsaw chains and stump vices	MUNI	255.00
35446	14/09/2009	Bunbury Party Hire	Chairs for corporate boxes - Eaton Recreation Centre	MUNI	156.75
35447	14/09/2009	Bunbury Retravision	Sandwich presses for Café and Eaton Rec Centre staffroom	MUNI	161.00
35448	14/09/2009	Bunnings Group Limited	Pliers, measuring tape, solder, cup hooks, screw bits, etc	MUNI	1,278.09
35449	14/09/2009	CJD Equipment Pty Limited	Outer edge cutting edges for L50E Volvo loader - DA 698	MUNI	1,684.06
35450	14/09/2009	Carbone Brothers Pty Limited	Gravel Shenton Road; and truck hire for Butcher and Ratcliffe Rds	MUNI	12,871.70
35451	14/09/2009	Cleanaway - Mandurah	Domestic kerbside waste collection service for the 09/10 year	MUNI	27,088.43
35452	14/09/2009	Coastal Hire	Hire & removal toilet for Eaton Jnr Football clubroom extensions	MUNI	291.50
35453	14/09/2009	Coates Hire Limited	Hire of 7 tonne roller for shoulder repairs	MUNI	274.30
35454	14/09/2009	Computronics Corporation Limited	Repairs to court siren and scoreboard	MUNI	745.80
35455	14/09/2009	Corporate Express Australia Limited	Stationery	MUNI	2,059.45
35456	14/09/2009	Craney's Lunchbar	Refreshments for regional planning meeting	MUNI	150.00
35457	14/09/2009	Craven Foods	Assorted goods for café	MUNI	732.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35458	14/09/2009	D'Vinci Contracting	Installation of geofabric at Dardanup tennis courts	MUNI	1,320.00
35459	14/09/2009	Dardanup General Store	Clamps, elbows, cement, kerosene, broom handle, etc	MUNI	293.00
35460	14/09/2009	Del Ray Canvas Australia	Removal and storage of shade sails - Carramar Park	MUNI	1,980.00
35461	14/09/2009	Eaton Animal Health Centre	Dog pound and cat sterilisation expenses	MUNI	884.85
35462	14/09/2009	Eaton Community College	Reimbursement of joint shared costs between Library and College	MUNI	439.32
35463	14/09/2009	Eaton Fair Florist	Wreath for Vietnam Veteran Day service	MUNI	50.00
35464	14/09/2009	Eaton Hardware	Hardwood garden stakes, Kwikset and couplings	MUNI	660.75
35465	14/09/2009	Fonterra Brands Australia Pty Limited	Assorted dairy items for Eaton Recreation Centre	MUNI	409.87
35466	14/09/2009	Fowler Surveys	Constructed survey of drainage - Shenton Road	MUNI	1,980.00
35467	14/09/2009	G Tootill	Excavator hire - Millbridge, Hayward St, Shenton Rd & South Rd	MUNI	1,881.00
35468	14/09/2009	Gateway Internet Services	Monthly fee - RF data communication	MUNI	990.00
35469	14/09/2009	Geofabrics Australasia Pty Limited	Materials for Collie River foreshore path	MUNI	924.00
35470	14/09/2009	Glen Huon Primary School	Donation - 2009 Graduation	MUNI	55.00
35471	14/09/2009	Greenway Enterprises	Rootstop, tree sleeves, bamboo canes, secateurs & blades	MUNI	3,986.16
35472	14/09/2009	Greg Filinski Carpentry	Carpentry work for Eaton Junior Football clubroom extensions	MUNI	1,430.00
35473	14/09/2009	Hayden Park Pty Limited	Module 6 - Management Training 30/06/2009	MUNI	154.00
35474	14/09/2009	IGA Distribution (WA) Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	1,408.61
35475	14/09/2009	IVC Computer Services (Onsite Computer Svcs)	External DVD drive, driver for server and traffic counter notebook	MUNI	835.00
35476	14/09/2009	Jason Frisina	Manual Handling training - Eaton/Dardanup	MUNI	1,310.49

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35477	14/09/2009	Jtagz Pty Limited (Tagmaster)	2012 expiry dog tags	MUNI	478.50
35478	14/09/2009	Kings Tree Care	Removal of 4 diseased redgums - Hale St and Peppermint Rise	MUNI	2,640.00
35479	14/09/2009	Kingsteel	Alter loading ramp to suit steel roller	MUNI	1,228.70
35480	14/09/2009	Klen International Pty Limited	Assorted cleaning supplies	MUNI	423.55
35481	14/09/2009	Landmark Operations Limited	Monument, Permapole bollards, Nufarm glyphosate, Shirwet etc	MUNI	16,979.82
35482	14/09/2009	Local Health Authorities Analytical Committee	Annual sampling contribution - 46 sampling units	MUNI	2,484.90
35483	14/09/2009	MJB Industries Pty Limited	Universal side entries, grated covers, stormwater liner, pipes etc	MUNI	5,677.61
35484	14/09/2009	Mark's Window Cleaning and Maintenance	Windows cleaning	MUNI	840.00
35485	14/09/2009	Medical Sales & Service Pty Limited	Fitballs	MUNI	366.30
35486	14/09/2009	Merle-Anne Florist	Funeral flowers	MUNI	60.00
35487	14/09/2009	Meter Office Products	Roll of book covering adhesive	MUNI	171.38
35488	14/09/2009	PFD Food Services Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	309.00
35489	14/09/2009	PFI Cleaning Supplies	Cleaning supplies	MUNI	413.16
35490	14/09/2009	Perfect Landscapes	Lawn mowing	MUNI	2,475.00
35491	14/09/2009	Pioneer Road Services Pty Limited	Premix and catmul for road patching	MUNI	1,824.90
35492	14/09/2009	Pro-Line Kerbing	Kerbing work - Money Street, Kentucky and Padbury Road West	MUNI	2,294.60
35493	14/09/2009	Protector Alsafe	Glove inserts for fitness classes	MUNI	32.47
35494	14/09/2009	Protector Fire Services Pty Limited	6 months fire protection	MUNI	3,432.50
35495	14/09/2009	Rural Press Regional Media WA	Monthly Council news page in Bunbury Mail and Jets advertising	MUNI	927.34

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35496	14/09/2009	SOS Office Equipment	Meter readings for photocopier	MUNI	756.77
35497	14/09/2009	Scope Business Imaging	Photocopier meter reading - Eaton Recreation Centre	MUNI	329.12
35498	14/09/2009	South West Games Incorporated	Grant for South West Games 2010	MUNI	5,500.00
35499	14/09/2009	South West Precision Print	Recycling calendars	MUNI	1,150.00
35500	14/09/2009	South West Septics	Empty grease trap - Eaton Recreation Centre	MUNI	187.00
35501	14/09/2009	South West Soil and Aggregate Laboratory	Particle size tests - Waterloo Road	MUNI	385.00
35502	14/09/2009	Southern Lock & Security	Repair canteen door at Eaton Junior Football clubrooms; and keys	MUNI	259.11
35503	14/09/2009	Stadia Instruments Pty Limited	Service and recalibrate dumpy levels	MUNI	198.00
35504	14/09/2009	Stewart & Heaton Clothing Company Pty Limited	WABFB jacket	MUNI	153.52
35505	14/09/2009	Stylecorp	Staff uniforms	MUNI	469.31
35506	14/09/2009	T J Depiazzi & Sons	Soil conditioner	MUNI	691.90
35507	14/09/2009	The Tyre Place	Tyres - DA 0	MUNI	914.00
35508	14/09/2009	Thompson McRobert Edgeloe	Community Needs study and Sustainability Outcomes study	MUNI	4,389.00
35509	14/09/2009	Thump Training Systems	Thump PT training course for Tom Clarke	MUNI	245.00
35510	14/09/2009	Total Telephone	Panasonic KXTDE 200 telephone system for Eaton administration	MUNI	16,115.00
35511	14/09/2009	Totally Workwear	Safety boots and Hi-Vis raincoat	MUNI	242.00
35512	14/09/2009	Trade Hire	Hire of personnel lift - Eaton Recreation Centre	MUNI	440.35
35513	14/09/2009	Tradelink	Plumbing items for Eaton Junior Football clubroom extensions	MUNI	9,209.88
35514	14/09/2009	Transpacific Waste Management Pty Limited	Waste disposal	MUNI	17,571.21

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35515	14/09/2009	Truepitch Carpentry	Installation of Hardiflex walls at Eaton Junior football clubrooms	MUNI	715.00
35516	14/09/2009	Veen's Design Drafting Service	Design and plans of future toilet blocks	MUNI	1,639.00
35517	14/09/2009	WA Carpet Supermarket	Carpet to Engineering; vinyl for kitchen at Eaton administration	MUNI	10,000.00
35518	14/09/2009	WA Local Government Association	Intro to Local Govt Finance course - NHopkins and C Soulas	MUNI	704.00
35519	14/09/2009	Water Bore Redevelopers Pty Limited	Bore inspection - Eaton foreshore	MUNI	2,002.00
35520	14/09/2009	Waterloo Nursery	Indoor plant hire at Eaton administration centre	MUNI	196.00
35521	14/09/2009	Woolworths Limited	Groceries	MUNI	826.78
35522	14/09/2009	Yakka Pty Limited	Staff uniforms	MUNI	196.68
35523	14/09/2009	Youth Affairs Council of Western Australia	Annual subscription	MUNI	150.00
300766	04/09/2009	Keith Sadler	Refund of animal control cage bond - receipt # 58129	TRUST	50.00

REPORT TOTALS

TOTAL

CERTIFICATE OF Chief Executive Officer

MUNI Municipal Fund
35363 - 35523
TRUST Trust Fund
300766-300766

2,024,011.04

50.00

TOTAL

2,024,061.04

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

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**12.1.1** Title: Structural Reform Process

Reporting Department: Governance
Reporting Officer: Cr. John Gardiner
Legislation: Local Government Act 1995
File Number: PL03 0001

Background -

This report reflects on the local government reform agenda as lead by the Minister for Local Government.

The proposed recommendation is to take a motion to the South West Zone to have the Zone support a letter to the WA Local Government Association to write to the Minister for Local Government to highlight two points with the way the reform discussion was handled and that it may have been improved if the Minister were to have acknowledged WALGA as the voice of local government in WA.

Councillor Comment

Since the beginning of the reform process when the Minister made his announcement in Exmouth that he was going to invite local governments to consider voluntary amalgamation the roll out of the process and guidelines highlighted over the next 6 months that there was little or no consultation with WALGA from start to finish.

It was apparent from the first announcement that WALGA was not informed right up to the August WALGA Annual General Meeting, when the Premier and Minister provided further information of their required outcomes, that WALGA again was not informed.

WALGA is the elected body that is the voice of local government in WA and the state government should be encouraged to use that organisation to gather and disseminate information for local government. It is acknowledged that the government does not have to tell WALGA everything they are doing, however, with the reform process, having made the announcement, the Minister's office could have worked with WALGA and the feedback through that organisation would have highlighted areas of concern that may have been resolved.

The announcements in the closing weeks of the process caused many Local Governments to re-think their positions, delayed submission adoption and in some cases may have caused some to go away from a voluntary process to a sticking with no change on the grounds that the government was not open in their pre-conceived outcomes.

This may have been handled better if the WALGA was used more effectively in the process.

The second point to be made and this Council has asked for this information on many occasions with no result, is that there is no evidence that a larger amalgamated local governments saves any money for the ratepayer.

The recommendation is that through the SW Zone we ask the Minister to confirm from his research and travels to local governments in the eastern states that have been through the process, how their rates and budgets have changed, have they increased or decreased compared to their pre-amalgamation.

Chief Executive Officer Comment

The content of this report is acknowledged and is not contrary to Council policy.

If adopted by the Zone it may give WALGA encouragement that there is strong support for the organisation and that the Minister should be made aware of how this zone has formed a view that the Minister has not given WALGA the acknowledgement that is required.

Council Role - Advocacy

Voting Requirements - Simple Majority

COUNCILLOR RECOMMENDED RESOLUTION

THAT Council adopt the following resolution to be presented to the South West Zone of WALGA's September 25th meeting:

"That the SW Zone of WALGA write to WALGA and request that they:

- 1. Write to the Minister and discuss the Minister's reluctance to accept WALGA as the voice of local government in Western Australia and encourage a renewed acceptance of the Associations role in the political affairs of local government in this state.***
- 2. Seek from the Minister evidence that the amalgamation of local governments results in reduced rates and improved services to ratepayers."***

14 PUBLIC QUESTION TIME

15 MATTERS BEHIND CLOSED DOORS

16 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be Wednesday 7th October 2009, commencing at 4.30pm at the Shire of Dardanup – Dardanup Office.

There being no further business the Presiding Officer to declare the meeting closed.