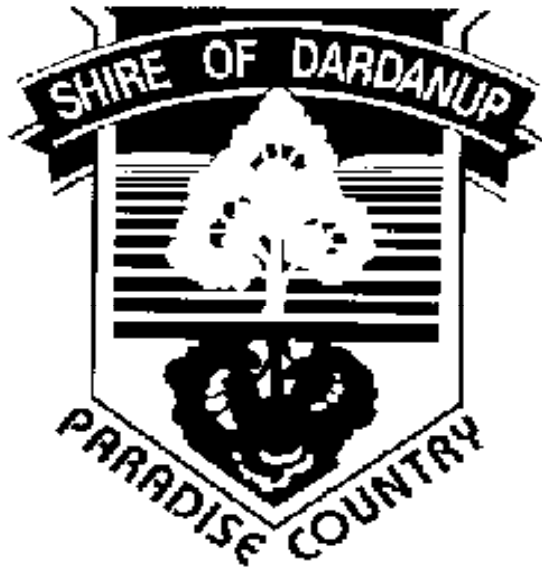


A G E N D A



ORDINARY MEETING

TO BE HELD

**WEDNESDAY, 4TH NOVEMBER 2009
COMMENCING AT 4.30PM**

AT

**SHIRE OF DARDANUP
DARDANUP OFFICE
3 LITTLE STREET - DARDANUP**



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 4th November 2009 in the Council Chambers, Shire of Dardanup - Dardanup Office – 3 Little Street, Dardanup -commencing at 4.30pm.

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

MR MARK L CHESTER
Chief Executive Officer

Date: 29th October 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 4th NOVEMBER 2009, AT SHIRE OF DARDANUP – DARDANUP OFFICE, 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

I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Dardanup. We 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. C G Mountford - Leave of Absence [RESOLUTION 328/09]

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 18th November 2009.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Special Meeting Held 21st October 2009

COUNCIL RESOLUTION

THAT the Minutes of the Special Meeting of Council held on the 21st October 2009, be confirmed as true and correct subject to no / the following corrections:

7.2 Ordinary Meeting Held 21st October 2009

COUNCIL RESOLUTION

THAT the Minutes of the Ordinary Meeting of Council held on the 21st October 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."

10.1 Proximity Interest – Regarding Item 11.5.4 of Manager Building Services Report

The Chief Executive Officer had declared in writing, a proximity interest in item 11.5.4 as his residence shares a property boundary with both properties.

11 REPORTS OF OFFICERS AND COMMITTEES

11.1 CHIEF EXECUTIVE OFFICER REPORT

11.1.1 Title: Appointment of Community Members to Various Council Committees

Reporting Department: Executive
Reporting Officer: Mr Mark Chester – Chief Executive Officer
Legislation: Local Government Act 1995
File Number: CO01 0006

Background

The Shire of Dardanup gave public notice to members of the public residing in the Shire of Dardanup advising that Membership of Council Committee's expire on the 17th October 2009. New and current members were invited to nominate in writing.

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 -

Council are asked to endorse the following nominations.

Council Role - Executive/Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council endorse the following people as Shire of Dardanup – RoadWise Committee members:

- | | |
|-----------------------|--------------------|
| ~ Kelly Hughes | ~ John Duzevich |
| ~ Melissa Traill-Nash | ~ Jill Cross |
| ~ Luke Botica | ~ Sgt. Wayne Bevis |

11.2 MANAGER TECHNICAL SERVICES REPORT

None.

11.3 MANAGER PLANNING SERVICES REPORT

11.3.1 Title: Proposed Minor Change to Millbridge Structure Plan

Reporting Department: Planning Services

Reporting Officer: Mr Robert Quinn – Manager Planning Services

Legislation: Planning and Development Act 2005

File Number: PL113144

Background

A request has been received to modify the existing endorsed Millbridge Structure Plan, Figure No. 5. (Appendix ORD: 11.3.1A). The following modifications have been proposed:

- Recoding and redesigning the north eastern cell from 'R5' and 'R10' to facilitate a 'R20' subdivision and the extension of the 'Reserve Recreation' to provide a buffer to the proposed bund.
- Provision of an emergency access from the structure plan area to the Bypass via a 10 metre wide Right of Way.
- Relocation of the road adjacent to the Millar's Creek 'Reserve for Recreation' eastwards to set the road back from the embankment and to reduce retaining structures associated with the road construction.
- Provision of a visitor parking area south of the gully.
- Reconfiguration of the 'School', 'Reserve for Recreation', 'Mixed Business' and 'Residential R40' precinct to bring into line with a WAPC subdivision approval.
- Creation of a 'Residential R40' site south of Illawarra Drive on land that was previously constrained by the buffer to the Waste Water Treatment Plant.
- Reconfiguration of the lots north of the Millbridge Boulevard roundabout (abutting the Community Focus Area) to remove any crossovers in proximity to the roundabout.

Legal Implications - None.

Strategic Plan - None.

Environment - No adverse environmental impacts foreseen.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Officer Comment

Figure No. 2 (Appendix ORD 11.3.1B) details the proposed changes and Figure No. 3 (Appendix ORD: 11.3.1C) is the modified Millbridge Structure Plan inclusive of modifications detailed on Figure No. 2.

The following assessment of the proposed modifications (Appendix ORD: 11.3.1D) is presented for Council consideration:

Number	Proposed Modification	Officer comment
1	Recoding and redesigning the north eastern cell from 'R5' and 'R10' to facilitate a 'R20' subdivision and the extension of the 'Reserve Recreation' to provide a buffer to the proposed bund.	This change will increase lot layout and allows for a separation of the Australind Bypass noise bund with a recreation reserve. Supported
2	Provision of an emergency access from the structure plan area to the Bypass via a 10 metre wide Right of Way.	Supported

Number	Proposed Modification	Officer comment
3	Relocation of the road adjacent to the Millar's Creek 'Reserve for Recreation' eastwards to set the road back from the embankment and to reduce retaining structures associated with the road construction.	This change will result in less use of hard landscaping elements and increase the amenity of the area. Supported
4	Provision of a visitor parking area south of the gully.	This change has resulted in the loss of a residential lot and will provide visitor parking for the strata title lots near gully. Supported
5	Reconfiguration of the 'School', 'Reserve for Recreation', 'Mixed Business' and 'Residential R40' precinct to bring into line with a WAPC subdivision approval.	Supported
6	Creation of a 'Residential R40' site south of Illawarra Drive on land that was previously constrained by the buffer to the Waste Water Treatment Plant.	This land was previously zoned R20. This parcel provides the opportunity for a large scale unit development as it is approximately 4 hectares in area. This land has many opportunities due to its area and location. The parcel shares two boundaries with the Australind Bypass and any land use conflict is minimised by lack of adjacent neighbours. Supported
7	Reconfiguration of the lots north of the Millbridge Boulevard roundabout (abutting the Community Focus Area) to remove any crossovers in proximity to the roundabout.	Previously these lots had frontage onto the proposed roundabout. Some crossovers would have been accessed from within the circulating lane of the roundabout – this is undesirable, particularly at a busy intersection such as this. Supported

- Statutory Framework

The following provision of the TPS relate to changes to a Structure Plan:

3.15.7.21 The Council may adopt a minor change to or departure from a Structure Plan if, in the opinion of the Council, the change or departure does not materially alter the intent of the Structure Plan.

3.15.7.22 (a) The Council is to forward a copy of the minor change or departure to the Commission within 10 days from the day of adopting the minor change or departure.

(b) If the Commission considers that the change or departure adopted by the Council under clause 3.15.7.21 materially alters the intent of the Structure Plan, then the Commission -

- (i) *may require the Council to follow the procedures set out in clause 3.15.7.5 to 3.15.7.21 inclusive in relation to the change or departure; and*
- (ii) *is to notify the Council of this requirement within 10 days.*

Pursuant to Clause 3.15.7.21, in order for Council to adopt a minor change they must first determine that the proposed changes are considered minor. There are no guidelines for the determination of what constitutes a minor change, other than the change does not alter the intent of the Structure Plan. It is the officer's opinion that the proposed changes 1-7 as detailed on Figure No. 2 (Appendix ORD: 11.3.1B) are minor as the intent of the Structure Plan is not materially altered. The modified Millbridge Structure Plan Figure No. 3 (Appendix ORD: 11.3.1C)

It is recommended that Council determine that the proposed changes are minor in nature and do not materially alter the intent of the Millbridge Structure Plan, Figure No. 5 (Appendix A) endorsed by the WAPC on 25 May 2005.

Council Role *Quasi-judicial*

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council:

- 1. Determine the changes as shown on Figure No. 2 are minor and do not materially change or materially alter the intent of the Millbridge Structure Plan endorsed by the Western Australian Planning Commission on the 25 May 2005**
- 2. Advise the Western Australian Planning Commission that Council determine the changes as shown on Figure No. 2 are minor and do not materially change or materially alter the intent of the Millbridge Structure Plan endorsed by the Western Australian Planning Commission on the 25 May 2005:**
- 3. Request the Western Australian Planning Commission endorse the Millbridge Structure Plan (Figure No. 3) inclusive of the minor changes as detailed on Figure No. 2.**

11.4 TOWN PLANNING OFFICER REPORT
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None.

11.5 MANAGER BUILDING SERVICES REPORT

11.5.1 Title: Graffiti Removal – Over Budget

Reporting Department: Building Services
Reporting Officer: Mr Peter Black – Manager Building Services
Legislation: Local Government Act 1995
File Number: Account Number J11016 – CR100002

Background -

Council has allocated \$14,000 for the removal of graffiti throughout the Shire.

Council facilities are continually being “hit” by graffiti vandals and Council staff have been trying to eradicate the graffiti as soon as possible after receiving notification of its occurrence.

In the past, the Building Department has had separate graffiti and vandalism accounts, but Technical Services did not. Consequently, any graffiti removal from bus stops, signs etc came out of the vandalism account, which is separate from the graffiti account.

This year it was decided that the Building Department would handle all removal of graffiti inclusive of road signs, bus shelters etc for ease of management and to obtain a true figure of how much it was costing Council for removal of graffiti. All funds in this account had been used by the end of September 2009.

All graffiti is photographed and emailed to Australind Police Station for their records, but unfortunately, although they send out patrols to known graffiti areas, they are generally too busy to deal with this problem.

Other Shire’s in the area, eg the City of Bunbury, employ people with graffiti removal equipment to remove graffiti immediately and their skate park is inspected and cleaned every day.

Shire of Capel use their own outside crew for small graffiti areas as these personnel are travelling around the Shire all day. For larger areas such as toilet blocks, they call on the City of Bunbury Council graffiti removers to remove it and pay them. Shire of Harvey is similar to Capel as well as employing sub-contractors.

Shire of Dardanup employs sub-contractors to erase graffiti. The process is normally to list all reports of graffiti and when there is approximately a week’s worth of graffiti removal work, the graffiti contractor is then called in. It is generally considered better to erase graffiti immediately reducing “tag bragging time”, but this method is also extremely expensive.

Legal Implications - None.

Strategic Plan - To erase graffiti within a 5 day time frame.

Environment - To use environmentally friendly chemicals.

Precedents - Ongoing.

Budget Implications - Increase budget from \$14,000 to \$24,000.

Budget – Whole of Life Cost – Continual budgets for erasing graffiti.

Council Policy Compliance - None.

Officer Comment -

It is recommended that a report be put to Council by the time the budgets are set to look at the possibility of employing a person to eradicate graffiti immediately. This would include transport and equipment with the possibility of employing someone to carry out graffiti removal and ongoing maintenance within the Shire. There would then be the possibility of leasing this person to other Shires. Discussions with other Shire's indicate they may be interested but this would be determined by cost and availability of this person as all other Shires' remove graffiti within a few days.

Council pays \$70 per hour (GST exclusive) for subcontract removal City of Bunbury has quoted \$100 per hour (GST exclusive). Both prices include all chemicals and machinery. Officers have received quotes from Graffiti Doctors in the past, but they were a lot more expensive.

Council Role - Executive / Strategic

Voting Requirements - Absolute Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council acknowledge over expenditure of ten thousand dollars (\$10,000) for the removal of graffiti within the Dardanup Shire for the remainder of the 2009/10 financial year.

By Absolute Majority

11.5.2 Title: Glen Huon Reserve – Bunbury Softball – Sewer Pump

Reporting Department: Building Services
Reporting Officer: Mr Peter Black – Manager Building Services
Legislation: Local Government Act 1995
File Number: LE110006

Background -

An unbudgeted expenditure item was presented to the Council meeting of the 7 October 2009, whereby Council resolved [Res 323/09]:

THAT Council approve the unbudgeted expenditure of \$6,000 for the installation of a new sewer pump at the Bunbury City Softball Association building at Glen Huon Reserve, Eaton - Reserve No. 39158.

The repairs have now been carried out and have corrected the immediate problem. In doing this we have installed a grinder pump which is a heavy duty pump with more capacity than the old pump. This was on the advice of the engineer who designed the original system.

Legal Implications - Comply with lease agreement – LE110006.

Strategic Plan - Possible upgrade of sewer system for Glen Huon Oval.

Environment - None.

Precedents - Correct ongoing problems of sewer disposal.

Budget Implications - 2010-2011 budget \$6,000.

Budget – Whole of Life Cost - Standard ongoing maintenance and charges.

Council Policy Compliance - None.

Officer Comment

Information has been received from the engineer designer of this system that the new grinder pump that has been installed has a smaller type pump along side – there are two pumps in the system. It is suggested that this should be sufficient for a short term fix. It will be necessary to take out the smaller pump and replace it with another grinder pump next financial year. This should deal with the increase in capacity over the next 2-3 years. It is estimated that this will cost in the vicinity of \$6,000 to install.

It is suggested that when Eaton Fair is developed (a new sewer main will have to be installed for that development), that Council look at connecting to the main sewer line on gravity feed. This should cure all the known problems with the system. Installation and design costs remain unknown until such time as the adjoining site is developed.

Council Role - Executive Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council consider allocating \$6,000 in the 2010-11 budget for replacement of a 2nd grinder pump at the Bunbury Softball Association sewer pump pit, Glen Huon Reserve, Eaton – Reserve No. 39158.

11.5.3 Title: Dardanup Oval – Sewer, Water & Power Connections

Reporting Department: Building Services
Reporting Officer: Mr Peter Black – Manager Building Services
Legislation: Local Government Act 1995
File Number: PRO 2638

Background -

Council have been advised of the Dardanup Oval public toilets and power supply. All toilets need to be connected to mains sewer to eliminate septic overflow onto the oval in the interests of public health.

In the past there has been a shortage of power to the oval via the small transformer on Recreation Drive. The electric mains now need to be upgraded from single phase to three phase power to eliminate power restrictions.

The water main size needs to be increased from 20mm to 40mm to eliminate the shortage of water to the oval buildings that exist at present.

To carry out these works Royalties for Regions grant money of \$12,500 previously allocated for Dardanup Tennis roof gutters was transferred to building improvement works on the ablution facilities at the Dardanup Oval with approval from the Department of Local Government and Regional Development.

To connect to the vacuum sewer system and increase water in the Dardanup Oval would require pipes being put in across Ferguson Road. A copy of plan showing proposed pipe position is included at (Appendix ORD: 11.5.3A). Water Corporation has been contacted regarding connecting to the sewer. They advise that the next step would be for Council to engage a consulting engineer to prepare a plan of the proposed sewer extension for Water Corporation assessment. Providing Water Corporation agree with the proposed plans then a tender would be called for the proposed works. A verbal estimate from an engineer was between \$6,000 to \$7,000 to design a suitable system acceptable to Water Corporation, including calling for tenders and oversee the works. This would include an upgrade of the water main from 20mm to 40mm. This estimate does not include carrying out the proposed works – the cost of this is unknown until tenders have been received.

Legal Implications -

Compliance with Water Corporation and calling of Tenders.

Strategic Plan - Upgrading of infrastructure & facilities – Dardanup Oval.

Environment - Remove septic system from public area.

Precedents - None.

Budget Implications -

Part use of Royalties for Regions Grant and Federal Stimulus Grant. Reserve Funds to cover shortfall in grants.

Budget – Whole of Life Cost – Maintenance and ongoing sewer disposal costs.

Council Policy Compliance - None.

Officer Comment -

In 2009/10 Ten Year Asset Management Plan there was a sum of \$279,720 put aside for public toilets power and sewer upgrade that was deferred until a decision was reached pending the proposed Dardanup Town Centre Structure Plan (Appendix ORD: 11.5.3B). It is requested that a sum of \$247,180 be carried forward in 2010/11 Ten Year Asset Management Plan to complete building the new toilet block for that area, pending any grants that may be available next financial year. This sum is minus the \$32,500 grant money from Royalties for Regions from the original figure of \$279,720.

It is intended that the old toilet block and septic be demolished and new toilets be built in approximately the same area. Copies of proposed modular toilet plans attached (Appendix ORD: 11.5.3C).

The Federal Government has advised that a further \$69,000 grant under the Federal Stimulus package is allocated to the Shire of Dardanup. It is recommended that these funds be allocated to this project.

It is also recommended that the Dardanup Sports Committee be consulted on the design and location of the toilet facility.

Council Role - Executive / Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council :

- 1. Carry forward \$247,180 in the 2010/11 Ten Year Asset Management Plan for the building of a modular design toilet block plus connect to sewer and upgrade water and power mains and associated works at Dardanup Oval, subject to allocation of grant moneys; and**

2. **Receive quotes from engineers to design, tender and oversee works in relation to the sewer and water connections.**
3. **Allocate the Federal Stimulus package grant of \$69,000 toward the project.**
4. **Apply for funding from the South West Development Commission for Royalties for Regions to part fund the project.**
5. **Consult the Dardanup Sports Committee on the design and location of the toilet facility.**

11.5.4 Title: Over Height Retaining Wall – Lot 28 (77) Hale Street, Eaton

Reporting Department: Building Services

Reporting Officer: Mr Peter Black – Manager Building Services

Legislation: Local Government (Miscellaneous Provisions) Act 1960

Building Regulations 1989

File Number: A2095

DECLARATION OF INTEREST

Chief Executive Officer, Mr Mark Chester declares a Proximity Interest in this item as his place of residence joins both properties.

Background -

Council staff issued a building licence (No. 2009100103) to the occupier of 77 (Lot 28) Hale Street, Eaton, for a retaining wall on the 14th September 2009. This was in response to storm damage (July 2009), which destroyed the fence between 26 (Lot 27) Waratah Crescent and 77 (Lot 28) Hale Street, Eaton (corner block). There had been ongoing problems with regards to retaining of ground levels prior to the storm. As a result of this, the occupier of 77 (Lot 28) Hale Street decided to retain the land and extend the wall up to the same height as the original fence.

As this wall is not on the boundary a fence can be placed along side of this wall which would be on the boundary.

Council issued a building licence (Appendix ORD: 11.5.4A) for a 2 metre high wall on the neighbours side (i.e. 26 (Lot 27) Waratah Crescent). A section of 5.5m of the wall that abuts the boundary has exceeded the height limit by 350mm on the neighbour's side.

The licence conditions required the applicant to ensure that the wall is within his boundary by way of a survey by a licensed surveyor. A survey has not been undertaken.

Legal Implications -

Compliance with Local Government (Miscellaneous Provisions) Act 1960, Section 374a(5).

- (5) *Without prejudice to the operation of section 411, if a person without the prior approval in writing of the building surveyor of the local government, does or causes to be done any work in connection with the construction, amendment, alteration, extension or enlargement of a building not in conformity with the specifications and plans relating thereto and which have been approved by the local government under this section, the person commits an offence.*

Penalty: \$5 000.

Local Government (Miscellaneous Provisions) Act 1960, Section 389:

389. Settlement of difference between building and adjoining owners

Where between a building owner and an adjoining owner a difference arises in relation to a work in respect of which notice has been given under this Division, either owner may apply to the State Administrative Tribunal for a determination in relation to that difference and the State Administrative Tribunal, in making the determination, may determine the right to execute, and the time and manner of executing the work, and generally to determine such other matters as arise out of, or are incidental to the difference; but the State Administrative Tribunal shall not, unless the parties agree otherwise, appoint for the commencement of the work, a time before the expiration of the period which by this Division is prescribed for the notice in the particular case.

[Section 389 amended by No. 55 of 2004 s. 667.]

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

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Officer Comment

Council officers have received numerous complaints from the neighbour 26 (Lot 27) Waratah Crescent, Eaton, regarding the height of the wall. A site meeting with the occupier of 77 (Lot 28) Hale Street, Eaton, who is the proponent and builder of this wall, was undertaken by the Manager Building Services.

The Manager Building Services explained that there had been a complaint received and requested the property owner rectify the problems with the wall (Appendix ORD: 11.5.4B) by removing approximately 6 blocks across the top of the wall to reduce the height to comply.

A second letter was sent to the occupier of 77 (Lot 28) Hale Street on the 13th October 2009, requesting that the height of the wall be reduced to ensure that it complied with building licence No. 2009100103 (Appendix ORD: 11.5.4C).

The Manager Building Services met with the occupier of 77 (Lot 28) Hale Street on Friday, 16th October 2009. The occupier advised that he did not wish to lower the section of wall that was over height. Photos of the wall have been attached at (Appendix ORD: 11.5.4D).

The occupier of 77 (Lot 28) Hale Street, has written to Council requesting that the wall be allowed to remain as built and is prepared to get new engineering drawings of the wall if Council requires to amend the building license.

Council Role - Quasi Judicial

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council approve the over height wall at Lot 77 Hale Street, Eaton, provided the builder provides new engineering drawings, applies for a variation of the building license and pays all fees in relation to the new license.

11.5.5 Title: Eaton Junior Football Clubrooms Extension – Over Budget

Reporting Department: Building Services

Reporting Officer: Mr Peter Black – Manager Building Services

Legislation: Local Government Act 1995

File Number: PRO 7337

Background -

On 15th April 2007 a proposal was put to Council staff by the Eaton Junior Football Club to find a way of financing the building of the extensions to the Eaton Junior Football Clubrooms, copy attached (Appendix ORD: 11.5.5A). Council had already committed \$56,000 in its 10 Year Asset Management Plan.

Council also received \$13,400 donation from Worsley and \$25,000 from the Junior Football Club, a total of \$94,400.

The estimated cost of these works was in excess of this figure. In March 2008 WA Country Builders verbally agreed to carry out the works at a cost of approximately \$100,000. It was agreed that with certain components of GST being able to be claimed back by Council and with "in kind" and voluntary work, this was achievable with Council paying all accounts for the extension.

Work started in November 2008 and the construction time was expected to be about 20 weeks. However, over the months there was very little voluntary labour and virtually no "in kind" put into the work. Consequently, the extensions took the best part of one year to complete. This has increased the project cost by \$7,391.49, exclusive of GST (Appendix ORD: 11.5.5B)

A major part of the over budget was due to the hiring of a security fence, toilets and shed for an extra 30 weeks. This alone has come to a total of \$4,442.88.

Legal Implications - None.

Compliance with Local Government (Miscellaneous Provisions) Act 1960, Section 374A(5).

Strategic Plan - Completion of building in future.

Environment - None.

Precedents - None.

Budget Implications - Over Budget Expenditure - \$7,391.49.

Budget – Whole of Life Cost –

Ongoing maintenance and improvements to building.

Council Policy Compliance - None.

Officer Comment -

The Eaton Junior Football Club have been notified by telephone call to the President of the Club and also by letter dated 15th October 2009 that the project is over budget (Appendix ORD: 11.5.5C). The Club have advised that there is still a bit more to do on the building, ie put in footpaths, new door to kitchen area etc. Council advised the Club that they will not be providing any more funds at this time as the budget allocation has been exceeded.

There is \$26,000 unallocated in the Royalties for Regions Fund for the Dardanup Shire. The Manager Financial Services has advised that it is possible to allocate part of that funding for this program and to complete the building.

Council Role - Executive / Strategic

Voting Requirements - Absolute Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council apply to the Department of Local Government to allocate \$10,000 from the Royalties for Regions Funding Program to the Eaton Junior Football Clubrooms for the purpose of installing footpaths and finishing off the building.

11.6 MANAGER HEALTH SERVICES REPORT

None.

11.7 HEALTH & ENVIRONMENT OFFICER REPORT

None.

11.8 MANAGER CORPORATE & COMMUNITY SERVICES REPORT

11.8.1 Title: Shire of Dardanup Parking and Parking Facilities Local Law 2009

Reporting Department: Corporate & Community services

Reporting Officer: Mr Phillip Rowe – Manager Corporate & Community Services

Legislation: Local Government Act 1995

File Number: LE010024

Background -

On the 26th August 2009, Council approved the advertising of the Shire of Dardanup Parking and Parking Facilities Local Law 2009, for public comment.

Only one submission has been received, this being from the Department of Local Government of Western Australia, they have made a number of comments and suggestions to assist with the drafting of the local law, but state that this does not constitute legal advice or approval of content, but are provided in good faith for Councils consideration.

The Parking and Parking Facilities Local Law was the Model Local Law produced by the WA Local Government Association, and as in previous instances when adopting Model Local Laws, this local law has proven to have areas which do not meet the standard required by the Department of Local Government.

The drafting suggestions have been considered by staff and have all been included in the Shire of Dardanup Parking and Parking Facilities Local Law 2009, they are all of a minor nature and do not change the purpose or operation of the Local Law.

Drafting Suggestions:

1 Enacting Formula

- Please note the Parliamentary Counsel Office's current date format in the preamble and the concluding formula is short and concise as follows, eg –

*"...the Shire of Dardanup resolved on 12 February 2009"
[or blank date "resolved on.....2009"]*

Please ensure the date within the concluding formula at the end of your local law is also amended as follows to reflect this:

"Dated2009"

- For consistency with current drafting practice, the second paragraph of your enacting formula should be placed at the beginning of Part 1 of your proposed local law and headed "Citation". Please see example below for correct layout:

"1. PART 1 – DEFINITIONS AND OPERATION

1.1 Citation

*This local law may be cited as the Shire of Dardanup
Parking and Parking Facilities Local Law 2009."*

Please ensure this new clause is also included within the **'TABLE OF CONTENTS'** at the beginning of the local law.

2 Interpretation

In the definition of **'symbol'** the current Australian Standard in relation to parking is '1742.11-1999'. Please correct.

3 Clause 2.1

The Joint Standing Committee on Delegated Legislation (JSCDL) has recently expressed its concerns over clauses which provide local governments with discretionary powers on whether to provide signage relating to the existence of parking stations.

"Clause 3.1 [of the WALGA Model] is therefore problematic as the ability for the local government to amend the application of the local law represents a sub-delegation of legislative power. This is because it purports to authorise the local government to modify the local law in a way that is not subject to parliamentary scrutiny.

The Committee is generally opposed to these determination devices unless the local government can clearly establish that the clause is justifiable. In many cases, it may be convenient for the local government to be able to create and alter parking stations as

required. However, the Committee's main concern is that any resolution made pursuant to clause 3.1 must be accompanied by appropriate signage."¹

It is therefore recommended that clause 2.1 of your proposed local law be rewritten as follows:

"2.1 Determination of parking stalls and parking stations

- (1) *The local government may by resolution constitute, determine and vary:*
- (a) *parking stalls;*
 - (b) *parking stations*
 - (c) *permitted time and conditions of parking in parking stalls and parking stations*
which may vary with the locality;
 - (d) *permitted classes of vehicles which may park in parking stalls and parking stations;*
 - (e) *permitted classes of persons who may park in specified parking stalls or parking stations;*
 - (f) *the manner of parking in parking stalls and parking stations;*
- (2) *Where the local government makes a resolution under subsection (1) it shall erect signs to give effect to the resolution."*

4 Clause 8.1

Please note the penalties within clause 8.1(3) are inconsistent with section 9.14 of the Local Government Act 1995, which states that the maximum penalty for an offence against this Act can not exceed \$5,000, or for an offence of a continuing nature not to exceed \$500 for each day or part of each day during which the offence has continued. It is therefore highly recommended that the penalties of "\$1,000" and "\$100" in this subclause are increased to "\$5,000" and "\$500" respectively.

5 Schedule 2

It is recommended for consistency between schedules, Schedule 2 should include the full title of your local law underneath the heading of the table e.g.

"SCHEDULE 2

PRESCRIBED OFFENCES

SHIRE OF DARDANUP

PARKING AND PARKING FACILITIES LOCAL LAW 2009"

6 General

Please correct the following inconsistencies within your local law:

- *For consistency with current legislative drafting practices full references to legislation (this includes the year) should be italicised. I.e. 'Road Traffic Code 2000' in the definition of 'Code', the years '1974' in the definition of 'Road Traffic Act' and years '1994' and '1966' in the definition of 'taxi'. Please check remainder of local law including schedules for other instances.*

- *There appears to be two clause 1.7s. Please change the clause headed ‘Powers of local government’ to clause 1.8. This also needs to be corrected in the table of contents.*
- *Please check consistency in alignment and formatting of clauses and subclauses. I.e. Clause 2.3(1)(c) and (d) are out of alignment. Also the last line of clause 6.9(1) should be realigned under where the first sentence of this clause begins.*
- *Please check consistency in writing measurements. All measurements of time and distance within the local law should be written in digit form. I.e. In clause 6.6(1) and clause 6.12(1)(a) the word “one” should be replaced with the number “1”.*

Legal Implications -

Section 3.12 of the Local Government Act 1995 (the Act) details the procedure to be followed when adopting or amending a local law.

Strategic Plan - None

Environment - None

Precedents -

Council has had Parking and Parking Facilities Local Laws which have been repealed, this is the newest Parking and Parking Facilities Local Law.

Budget Implications - None

Budget – Whole of Life Cost - None

Council Policy Compliance - None

Officer Comment - None

Council Role - Legislative

Voting Requirements - Absolute Majority

OFFICER RECOMMENDED RESOLUTION

THAT Council:

- 1. Note that a submissions was received from the Department of Local Government in respect to the Shire of Dardanup Parking and Parking Facilities Local Law 2009, and that all their drafting suggestions have been included in the Local Law.**
- 2. By Absolute Majority decision of the Council the Shire of Dardanup Parking and Parking Facilities Local Law 2009 be adopted.**

By Absolute Majority

11.9 FRIENDS OF LOCAL RESERVE AREAS COMMITTEE – 13/10/09

MINUTES OF THE SHIRE OF DARDANUP FRIENDS OF LOCAL RESERVE AREAS COMMITTEE MEETING HELD ON TUESDAY, 13th OCTOBER 2009 AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING

Presiding Officer, Cr Carmel Boyce welcomed all present and declared the meeting open at 5.07pm.

Cr Boyce clarified the committee structure and mentioned that only committee members can vote. New members were encouraged to nominate themselves or others to join the committee.

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

2.1 Attendance

Committee Members:

<i>Cr Carmel Boyce</i>	-	<i>Chairperson - Elected Member</i>
<i>Cr Noeline Anderson</i>	-	<i>Elected Member</i>
<i>Daniela Lillie</i>	-	<i>Parks and Gardens Supervisor</i>
<i>Peter Parish</i>	-	<i>Community Representative</i>
<i>Julie King</i>	-	<i>Community Representative</i>
<i>Carl Hughes</i>	-	<i>Community Representative</i>
<i>Kate Swane</i>	-	<i>Community Representative</i>
<i>Sue Ganz</i>	-	<i>Community Representative</i>
<i>Del Nuske</i>	-	<i>Community Representative</i>

Staff:

<i>Liese Cave-Smith</i>	-	<i>Health and Environment Officer</i>
<i>Luke Botica</i>	-	<i>Manager Technical Services</i>

Community Members :

<i>Noreen White</i>	-	<i>Group Member</i>
<i>Trevor Dyer</i>	-	<i>Group Member</i>
<i>Jane Dyer</i>	-	<i>Group Member</i>
<i>Kevin Hughes</i>	-	<i>Group Member</i>
<i>Janet Hughes</i>	-	<i>Group Member</i>
<i>Simon King</i>	-	<i>Group Member</i>
<i>Kevin Jago</i>	-	<i>Visitor</i>

2.2 Apologies

<i>Lorin Sole</i>	-	<i>Community Representative</i>
<i>Tim Batt</i>	-	<i>Manager Health Services</i>

[Long service leave until 14th December 2009]

4.4 Liaison between Parks and Gardens and FLoRA

Parks and Gardens, monthly FLoRA meeting at 4.30pm to 5pm with available FLoRA Committee members to discuss any projects or problems that can be brought up at 5pm FLoRA meeting on that day and reported to the group were agreed upon.

Any members carrying out work on an individual basis are to fill in the activity forms and send them through to the Health and Environment Officer who will pass on any information to Parks and Gardens to keep the communication channels open and prevent duplication.

4.5 Future Mulch Supplies for Parks and Gardens and also FLoRA.

Use of green waste pick up. Health Services is currently looking at options for use of the green waste at Banksia refuse. The mulch supply is for work at the Ardross estate, other free sources are being investigated .

4.6 Weed Eradication along the Collie River

Group members discussed the apparent reduction in species such as Kangaroo Paw and Fringe Lilies that were once prevalent along the foreshore. Concerns were raised about the removing weeds this late in the year that are holding the soil in place. It was suggested that weeding of the foreshore be conducted next year. Members mentioned the need to plant endemic species in the area. Research required for this and contact with Mel Strang.

After discussion by the group on the use of herbicides to sweep the foreshore area, it was agreed that a test site should be sprayed to see the effects of the herbicide on the weeds and also any effects on the native species before spraying the entire area.

Action:

A meeting will be held on Thursday 15th October at 3pm. FLoRA members to meet with Daniela Lillie at the steps near Watson St.

4.7 Vandalism along the Collie River

20% loss of vegetation is anticipated in any community work through vandalism. Resources are factored in to cover the loss. It is important to replace broken stakes on a regular basis to keep on top of the damage and act as a deterrent. Police and Rangers can only take action for damage to public property or theft if the offenders are identified by means of: witnessing the offenders and having knowledge of the identity of the persons involved, a good description of the offenders or license plate numbers.

For information.

4.8 Promoting FLoRA

Methods, signage, stationery.

5.1 Resignation from Committee

Del Nuske announced her wish to step down from the FLoRA committee.

Members thanked her for her contribution to date.

6 DATE OF NEXT MEETING

The date of the next FLoRA meeting will be Tuesday 10th November 2009, commencing at 5pm.

7 CLOSURE OF MEETING

There being no further business the Chairperson declared the meeting closed at 7.30pm.

FLoRA COMMITTEE RESOLUTION & OFFICER RECOMMENDED RESOLUTION

THAT Council endorse the following people as Friends of Local Reserve Areas Committee members:

- ~ **Peter Parish**
- ~ **Carl Hughes**
- ~ **Kate Swane**
- ~ **Sue Ganz**
- ~ **Lorin Sole**
- ~ **Julie King**
- ~ **Annaliese Cave-Smith**
- ~ **Simon King**
- ~ **Noreen White**
- ~ **Trevor Dyer**

11.10 MANAGER FINANCIAL SERVICES REPORT
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11.10.1 Title: 2008/09 Annual Report & Setting of Annual Meeting of Electors

Reporting Department: *Financial Services*
Reporting Officer: *Mr Stuart Eaton – Manager Financial Services*
Legislation: *Local Government Act 1995*
File Number: *CO00039*

Background -

Section 5.53 of the Local Government Act 1995 requires a Local Government to prepare an Annual Report for each financial year.

The annual report is to contain;

- a) a report from the mayor or president;*
- b) a report from the CEO;*
- c) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;*
- d) the financial report for the financial year;*
- e) such information as may be prescribed in relation to the payments made to employees;*
- f) the auditor's report for the financial year;*
- g) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;*
- h) details of entries made under section 5.121 during the financial year in the register of complaints, including —*
 - (i) the number of complaints recorded in the register of complaints;*
 - (ii) how the recorded complaints were dealt with;*
 - (iii) any other details that the regulations may require;*
- i) such other information as may be prescribed.*

Legal Implications -

Section 5.54 of the Local Government Act 1995, requires the Annual Report is to be accepted no later than 31st December after that financial year.

s5.27 LGA 1995 requires Council to hold an annual meeting of electors within 56 days of Council's acceptance of the Annual Report of the previous financial year. Should the Annual Report be adopted at this meeting (4th November) the electors meeting must be held prior to Christmas. Local Public notice of 14 days is required to be given per s5.29 of the LGA. It is therefore recommended that the annual electors meeting be held between the 1st and 11th December 2009. Council has the practice of holding the meeting at the three townsites on a rotating basis. This year, the meeting is due to be held at Burekup.

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

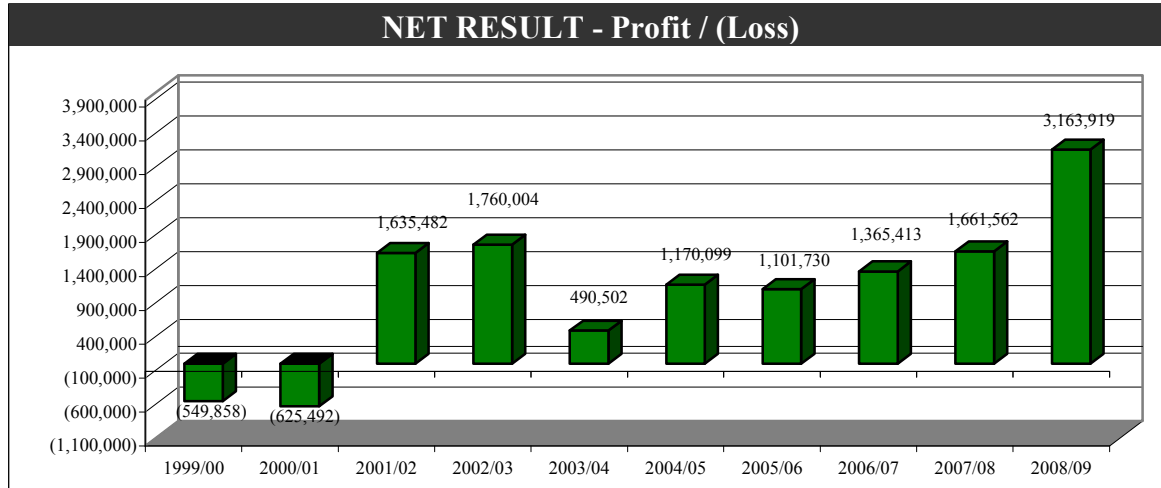
Council Policy Compliance - None

Officer Comment -

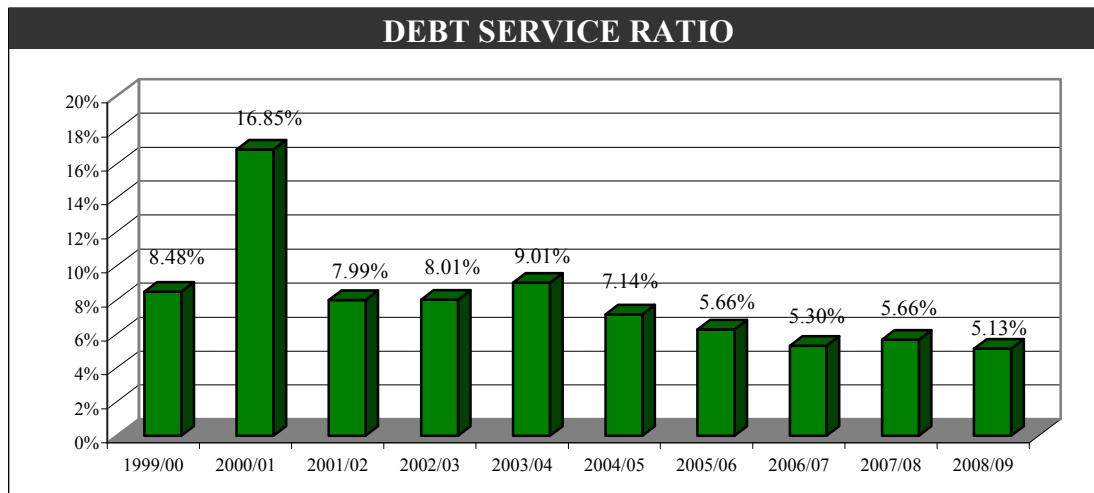
The 2008/09 Annual Report is provided under a separate cover.

Councils Auditors have issued an unqualified Audit Report and the Management Report raised no matters requiring the attention of management (Appendix ORD: 11.10.1). The Audit Report is also shown on page 3 of the Annual Financial Report that form part of the Annual Report.

In summary, Council's financial position continues to strengthen on the back of sound financial planning principles. The Net Result (ie Operating Revenue less Operating Expenditure) increased by \$1.5m to \$3.16m in 08/09. The Net Result excludes transactions of a capital nature (eg construction expenditure, asset acquisitions and disposals, reserve transfers and loan principal repayments). The increase in 2008/09 was materially influenced by Royalties for Regions Grants (\$1.12m) and the Federal Governments capital economic stimulus funding (\$195,000). These grants aside, the Net Result highlights Councils increasing capital investment from a sustainable revenue base.



Councils reduced reliance on borrowings remains evident in the cost of servicing debt. Despite sustained population and budget growth of the Shire, total outstanding borrowings as a percentage of Operating Revenue has shown a significant downward trend over the previous 5 years. The Debt Service Ratio calculates the percentage of borrowing repayments (interest + principal) as a percentage of operating revenue (less grants for capital works).



The future trend, based upon Councils current asset management planning, will be that of an overall reduced reliance on borrowings with the advantage of associated savings in interest on borrowings.

Full details of Councils financial performance is available in the Annual Financial Report for the year ended 30 June 2009. It forms part of the Annual Report document provided.

I wish take this opportunity to acknowledge and thank the finance staff for their continued efforts in maintaining the high standard of the department and the service it provides.

Acknowledgement must be given to staff that have contributed to this years Annual Report by way of departmental reports.

Council Role - Legislative

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION

THAT:

1. **Council adopt the Annual Report for the financial year ended 30th June 2009.**
2. **The Annual Electors meeting be held at the Burekup Hall on theday of December 2009 commencing at 7.00pm**

11.11 ACCOUNTS FOR PAYMENT

11.11.1 Title: Schedule of Accounts Submitted as at 4th November 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
35785	15/10/2009	Danielle Ridings	Refund for overcharged fee at waste site	MUNI	5.00
35786	16/10/2009	Allan Mortimer	Consultancy services : 23/09/2009 - 02/10/2009	MUNI	2,475.00
35787	16/10/2009	Alleasing	Leasing costs of photocopiers	MUNI	1,187.89
35788	16/10/2009	Australian Super	Superannuation contributions	MUNI	49.96
35789	16/10/2009	BT Super for Life	Superannuation contributions	MUNI	76.39
35790	16/10/2009	BlueScope Distribution Pty Limited	Replacement steel goal post for Eaton Junior Football Club	MUNI	105.60
35791	16/10/2009	Cecil Mountford	Cr meeting fee & expenses reimbursement - quarter ending 19/10/09	MUNI	2,296.21
35792	16/10/2009	Centrecare Corporate	2 x consultation fees - confidential counselling	MUNI	264.00
35793	16/10/2009	Child Support Agency	Employee payroll deduction	MUNI	311.89
35794	16/10/2009	Concept One	Superannuation contributions	MUNI	50.12
35795	16/10/2009	Construction and Building Industry Super	Superannuation contributions	MUNI	253.61
35796	16/10/2009	Courier Australia	Courier charges	MUNI	31.59
35797	16/10/2009	DesAir	Preventative maintenance of air conditioners at Eaton admin centre	MUNI	409.20
35798	16/10/2009	Ferguson Valley Marketing & Promotions (Inc)	Being donation to F V M & P for 2009/2010 financial year	MUNI	20,000.00
35799	16/10/2009	Flexible Lifetime Superannuation Fund	Superannuation contributions	MUNI	127.05
35800	16/10/2009	Frank Papalia	Cr meeting fee & expenses reimbursement - quarter ending 19/10/09	MUNI	2,024.89
35801	16/10/2009	Health Insurance Fund on WA (HIF)	Payroll deductions	MUNI	89.85
35802	16/10/2009	Hostplus	Superannuation contributions	MUNI	132.24
35803	16/10/2009	ING Master Fund	Superannuation contributions	MUNI	118.54
35804	16/10/2009	IOOF Portfolio Service Superannuation Fund	Superannuation contributions	MUNI	80.05

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35805	16/10/2009	John & Irene Perks	Crossover contribution - A9595	MUNI	180.00
35806	16/10/2009	Local Government Managers Australia	LGMA Emerging Leaders forum registration - Robert Quinn	MUNI	110.00
35807	16/10/2009	M & R Santos	Crossover contribution - A9588	MUNI	160.00
35808	16/10/2009	Mark & Claire Mullaly	Crossover contribution - A9560	MUNI	212.00
35809	16/10/2009	Mark Crispin	Crossover contribution - A10286	MUNI	212.00
35810	16/10/2009	Petty Cash - Please pay cash	Recoup - Eaton Community Library	MUNI	147.70
35811	16/10/2009	Ronald G Glover	Maintenance - recycling yard	MUNI	1,254.00
35812	16/10/2009	Ryan Dorrington	Crossover contribution - A9488	MUNI	265.00
35813	16/10/2009	Shire of Dardanup	Payroll deductions	MUNI	779.00
35814	16/10/2009	Shire of Dardanup	Employee payroll deduction	MUNI	640.00
35815	16/10/2009	Shire of Dardanup	Employee deductions	MUNI	150.00
35816	16/10/2009	Shire of Dardanup - Please pay cash	Umpire recoup - 15/10/2009	MUNI	772.50
35817	16/10/2009	Shire of Dardanup	Employee recoups - gym membership	MUNI	157.33
35818	16/10/2009	Synergy	Electricity	MUNI	2,605.45
35819	16/10/2009	Telstra	Telephone and facsimile expenses	MUNI	2,370.52
35820	16/10/2009	Telstra Super Pty Limited	Superannuation contributions	MUNI	118.54
35821	16/10/2009	Troy Rose & Charlene Lines	Crossover contribution - A9680	MUNI	186.00
35822	16/10/2009	WA Local Government Superannuation Plan	Superannuation contributions	MUNI	19,932.51
35823	16/10/2009	Water Corporation	Repairs to damaged water meter	MUNI	117.50

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35824	16/10/2009	Western Australian Treasury Corporation	Loan 61 and 63 repayments	MUNI	25,880.43
35825	16/10/2009	Westscheme Pty Limited	Superannuation contributions	MUNI	149.73
35826	23/10/2009	Allan Mortimer	Consultancy services : 07/10/2009 - 16/10/2009	MUNI	2,475.00
35827	23/10/2009	Ben Jordan	Reimbursement of deposit for Slingpacks for fitness promotion	MUNI	1,047.01
35828	23/10/2009	Brian Fleay	Being cleaning of Eaton Community Library during school holidays	MUNI	915.19
35829	23/10/2009	Christopher Hynes	FCO allowance	MUNI	300.00
35830	23/10/2009	Clay Rose	FCO allowance	MUNI	450.00
35831	23/10/2009	Corporate Express Australia Limited	Stationery	MUNI	246.40
35832	23/10/2009	Courier Australia	Courier charges	MUNI	77.46
35833	23/10/2009	DAPCO Tyre and Auto Service	Tyres x 2; and puncture repair for DA 8979	MUNI	480.44
35834	23/10/2009	Dardanup Garage and Service Station	Replace tyres on Mitsubishi utility - DA 8170	MUNI	1,328.00
35835	23/10/2009	Dept of Transport Payment Centre	Transfer fee on new Wellington Mill fire appliance	MUNI	14.70
35836	23/10/2009	DesAir	Repair air conditioner in computer room at Eaton administration centre	MUNI	99.00
35837	23/10/2009	Foxtel Cable Television Pty Limited	Foxtel monthly subscription fee (Eaton Recreation Centre)	MUNI	53.90
35838	23/10/2009	Harvey Wholesalers	Bravo coffee beans - Eaton Recreation Centre	MUNI	204.00
35839	23/10/2009	Henty Brook Estate	Shiraz wine x 12 bottles	MUNI	170.00
35840	23/10/2009	Jason Ingram	Refund for Jason Ingram for police clearance	MUNI	53.25
35841	23/10/2009	K & J Robinson	Refund of planning application fee - A7289	MUNI	132.00
35842	23/10/2009	Kingsley Palmer	FCO/Chiefs allowance 2009/2010	MUNI	600.00
35843	23/10/2009	Peter Steven Jas	FCO allowance	MUNI	300.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35844	23/10/2009	Rana Johnson	Refund for Jumble Tots programme - Beau Johnson	MUNI	63.00
35845	23/10/2009	Richard George	FCO allowance	MUNI	300.00
35846	23/10/2009	Schweppes Australia Pty Limited	Supplies for cafe	MUNI	616.15
35847	23/10/2009	Shire of Dardanup - Please pay cash	Umpire recoup - 22/10/2009	MUNI	495.00
35848	23/10/2009	Synergy	Electricity	MUNI	3,957.55
35849	23/10/2009	Telstra	Fax stream internet access expenses for Eaton administration centre	MUNI	197.77
35850	23/10/2009	Thinkwater Bunbury	Reticulation fittings	MUNI	368.00
35851	23/10/2009	Tiffany Bell	Crossover contribution - A10357	MUNI	240.00
35852	23/10/2009	Wendy Dillon	Refund for Jumble Tots programme - Ammasyn Dillon	MUNI	56.00
35853	23/10/2009	WestNet Pty Limited	High speed internet connections	MUNI	9.98
35854	23/10/2009	William L Kessel	FCO allowance	MUNI	300.00
35855	23/10/2009	Dept of Transport Payment Centre	12 months licence - DA 2833	MUNI	48.60
35856	26/10/2009	All Aussie Truck and Bobcat	Cartage of mulch	MUNI	115.50
35857	26/10/2009	Amity Signs and Industrial Products	Signs	MUNI	688.60
35858	26/10/2009	Big W (Division of Woolworths Limited)	Books as selected for Dardanup library	MUNI	95.33
35859	26/10/2009	Boulevard Bookshop	Books as selected for Eaton Community Library	MUNI	79.95
35860	26/10/2009	Brookes Transport Company	Transportation of Geofabrics from Perth for Eaton foreshore upgrade	MUNI	168.92
35861	26/10/2009	Bullivants Pty Limited - Sling Rig	Earmuffs and gloves	MUNI	81.27
35862	26/10/2009	Bunbury Auto One	Long life coolant concentrate, toggle switches and globes - DA 9406	MUNI	80.40

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35863	26/10/2009	Bunbury Bearings	O rings - DA 9429	MUNI	6.60
35864	26/10/2009	Bunbury City Glass	Repair broken glass - Dardanup hall	MUNI	198.15
35865	26/10/2009	Bunbury City Painters	Internal repaint of Eaton Recreation Centre	MUNI	5,837.00
35866	26/10/2009	Bunbury Holden	Vehicle services - DA 9376 & DA 8673	MUNI	765.17
35867	26/10/2009	Bunbury Machinery	Mower parts; and switch for Silvan utility spray pack	MUNI	420.05
35868	26/10/2009	Bunbury Mower Service	Fuel filler cap; and side cover nuts for Stihl	MUNI	19.50
35869	26/10/2009	Bunnings Group Limited	Electrical cord cover, cable organiser, plastic storage boxes, nylon rope	MUNI	834.17
35870	26/10/2009	Burekup - Brunswick GWA	Council meals - 2009/2010 financial year	MUNI	360.00
35871	26/10/2009	Carpet Court	Floor coverings for Eaton Recreation Centre	MUNI	15,320.00
35872	26/10/2009	City of Bunbury	Contribution towards mosquito awareness TV advertising campaign	MUNI	880.00
35873	26/10/2009	Coates Hire Limited	Fuel and cleaning of hire roller	MUNI	235.62
35874	26/10/2009	Corporate Express Australia Limited	Stationery	MUNI	475.28
35875	26/10/2009	Country Life Farm	Entrance of 45 children for vacation care on Friday 09/10/2009	MUNI	540.00
35876	26/10/2009	Craven Foods	Goods for resale - Eaton Recreation Centre	MUNI	757.16
35877	26/10/2009	Dardanup General Store	Milk, rapid set cement, PVC chemical gloves, GladWrap, outdoor broom	MUNI	134.25
35878	26/10/2009	Dardanup Veterinary Centre	Cat sterilisation vouchers redeemed at Dardanup Veterinary Centre	MUNI	60.00
35879	26/10/2009	Dorma BWN Automatics Pty Limited	Scheduled service automated door opener at Eaton Community Library	MUNI	99.00
35880	26/10/2009	Down South Turf	Roll on kikuyu grass	MUNI	17,050.00
35881	26/10/2009	Eaton Family Centre	Contribution to clinic expenses per agreement from July to Dec 2009	MUNI	3,250.00
35882	26/10/2009	Eaton Hardware	Chair and table rubber feet for Eaton Recreation Centre	MUNI	26.70

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35883	26/10/2009	Eaton Trophies	Medals for Mini Olympics day - Eaton Recreation Centre	MUNI	73.90
35884	26/10/2009	Fill A Bins	Skip bin hire - Robin Street, EATON	MUNI	295.00
35885	26/10/2009	Forest Industries Training Services	Chainsaw training - Peter Stonehouse	MUNI	250.00
35886	26/10/2009	Gateway Internet Services	Monthly fee - RF data communication	MUNI	990.00
35887	26/10/2009	Gym Care	Service and repairs to gym equipment	MUNI	1,114.60
35888	26/10/2009	Hart Sport	Sporting equipment for resale	MUNI	1,628.10
35889	26/10/2009	Hayden Park Pty Limited	Management training - 29/09/2009 - Stephen Eaton	MUNI	154.00
35890	26/10/2009	Hosemasters	Hydraulic hose repairs - DA 9249	MUNI	159.23
35891	26/10/2009	Hynes Contracting	Tip truck and bobcat hire - Hayward Street and Collie River foreshore	MUNI	10,095.00
35892	26/10/2009	IGA Distribution (WA) Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	1,433.77
35893	26/10/2009	Klen International Pty Limited	Cleaning materials - Eaton Recreation Centre	MUNI	785.01
35894	26/10/2009	Landmark Operations Limited	Herbicide, reticulation fittings and fencing clips	MUNI	679.03
35895	26/10/2009	MJB Industries Pty Limited	Concrete headwalls and pipes	MUNI	3,848.58
35896	26/10/2009	MPL Laboratories Pty Limited	Analysis of samples from monitoring bores - Banksia Road landfill site	MUNI	1,958.00
35897	26/10/2009	New Look Motor Trimmers	Sand bags for boot camp - Eaton Recreation Centre	MUNI	330.00
35898	26/10/2009	PFD Food Services Pty Limited	Goods for resale - Eaton Recreation Centre	MUNI	479.50
35899	26/10/2009	PFI Cleaning Supplies	Cleaning supplies - Eaton administration centre and Dardanup hall	MUNI	826.76
35900	26/10/2009	Pelusey Truck and Loader Hire	Truck and loader hire	MUNI	3,015.00
35901	26/10/2009	Peter Dow	Cable location services at radio tower on Henty Road	MUNI	244.75

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35902	26/10/2009	Pioneer Road Services Pty Limited	Premix and catmul for road patching	MUNI	1,632.74
35903	26/10/2009	Pro-Line Kerbing	Supply and installation of kerbing - Clarke Street, BUREKUP	MUNI	962.50
35904	26/10/2009	Rendezvous Observation City Hotel	Accommodation - LGMA Executive Management program - C Burke	MUNI	865.00
35905	26/10/2009	Robson's Lawn Care Pty Limited	Irrigation setup	MUNI	352.00
35906	26/10/2009	SJ Roadworks	Hire of roller - Shenton Road, Banksia Road and Hayward Street	MUNI	880.00
35907	26/10/2009	Scottish Pacific Business Finance Pty Limited	Warning and non-slip tactile tiles	MUNI	806.00
35908	26/10/2009	Shire of Harvey	50% of accommodation expenses during Joint Scheme Canberra visit	MUNI	1,062.00
35909	26/10/2009	Signs Plus	Magnetic name badges	MUNI	68.00
35910	26/10/2009	South West Hygiene	Supply & service hygiene units & nappy disposal units - Eaton Rec Ctr	MUNI	528.00
35911	26/10/2009	Southern Lock & Security	Security system key for Ferguson hall	MUNI	67.13
35912	26/10/2009	St Aidan Winery	Chardonnay wine	MUNI	216.00
35913	26/10/2009	St John Ambulance Australia (WA) Inc	First aid courses - Daniela Lillie & Sue Miller; and first aid kit for DA613	MUNI	375.00
35914	26/10/2009	State Library of Western Australia (LISWA)	Lost / damaged books	MUNI	132.20
35915	26/10/2009	Steann Pty Limited	Bulk verge greenwaste collection	MUNI	15,482.08
35916	26/10/2009	Steve Miller's Excavations	Tree removal & clearing on Henty Rd; excavator hire for Butcher Rd	MUNI	5,292.50
35917	26/10/2009	Stewart and Heaton Clothing Company	Jackets for Joshua/Crooked Brook BFB	MUNI	460.55
35918	26/10/2009	Stylecorp	Staff uniforms	MUNI	222.42
35919	26/10/2009	Thompson Surveying Consultants	Pegging for resumption - Waterloo Road	MUNI	2,799.50
35920	26/10/2009	Toil Express	Freight	MUNI	14.07
35921	26/10/2009	Tom's Garden Machinery	Gardena hose kit and trimming line	MUNI	88.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
35922	26/10/2009	Toolmart	350mm diamond blade for Stihl quick cut saw	MUNI	551.00
35923	26/10/2009	Transpacific Waste Management Pty Limited	Waste disposal	MUNI	2,846.01
35924	26/10/2009	Trophies West	Name plaques - Cr Mick Bennett	MUNI	52.80
35925	26/10/2009	Vacuum World	Vacuum cleaner bags - Eaton Recreation Centre	MUNI	28.50
35926	26/10/2009	Veolia Environmental Services (Aust) Pty Ltd	Street sweeping Dardanup townsite before Bull & Barrel Festival 2009	MUNI	990.00
35927	26/10/2009	Western All - Pest Services	Quarterly rodent bait box inspection - Eaton Recreation Centre	MUNI	90.00
35928	26/10/2009	Woolworths Limited	Groceries	MUNI	937.95
35929	26/10/2009	Work Clobber	Steel Blue steel cap safety boots, shirts, shorts and hats - Jason Ingram	MUNI	306.12
300258	16/10/2009	Shire of Dardanup	Transfers from reserve executive vehicles	RES	22,954.55
300778	16/10/2009	Dale Alcock Homes South West	Refund of kerb bonds - A9633 & A9967	TRUST	1,600.00
300779	16/10/2009	Don Stewart	Refund of animal control cage bond minus hire fee - receipt # 58957	TRUST	40.00
300780	16/10/2009	G Papas	Refund of kerb bond - A2393	TRUST	800.00
300781	16/10/2009	Shire of Dardanup	Animal control cage hire fee - Don Stewart - receipt # 58957	TRUST	10.00
300782	16/10/2009	Summit Homes	Refund kerb bond - A10178 - cancelled building licence # 2008090405	TRUST	940.00
300783	16/10/2009	WA Country Builders Pty Limited	Refund of kerb bond - A10357	TRUST	1,700.00
300784	23/10/2009	Ebony Carter	Refund of Eaton hall bond - receipt # 59226	TRUST	1,000.00

CHEQUE	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
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REPORT TOTALS

MUNI Municipal Fund
 35785 - 35929
 RES Reserve Fund
 300258 - 300258
 TRUST Trust Fund
 300778 - 300784

TOTAL

217,134.61
 22,954.55
 6,090.00

246,179.16

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

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

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

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 18th November 2009, commencing at 4.30pm at the Shire of Dardanup - Administration Centre Eaton.

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