"UNCONFIRMED"

MINUTES

ORDINARY MEETING

HELD

9TH NOVEMBER 2011

AT

SHIRE OF DARDANUP
ADMINISTRATION CENTRE EATON
1 COUNCIL DRIVE - EATON

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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	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. 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.

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

MINUTES OF THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 9TH NOVEMBER 2011, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 4.30PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr. J E Gardiner declared the meeting open at 4.30pm, welcomed those in attendance and referred 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 within this forum.

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

2.1 Attendance

Cr. John E Gardiner	Shire President
Cr. Michael Bennett	Deputy Shire President
Cr. Peter Bass	Councillor
Cr. Brad G Day	Councillor
Cr. Betty Murfit	Councillor
Cr. James Lee	Councillor
Cr. Peter Robinson	Councillor
Cr. Carmel N Boyce	Councillor
Cr. Luke Davies	Councillor
Cr. Danny Harris	Councillor
Mr Mark Chester	Chief Executive Officer
Ms Cathy Parkinson	Executive Assistant
Mr Tim Batt	Manager Health Services
Mr Stuart Eaton	Manager Financial Services
Mr Peter Black	Manager Building Services
Mr Luke Botica	Manager Technical Services
Mrs Elizabeth Edwards	Senior Planning Officer
Mr Craig Browne	Engineering Technical Officer - Operations

2.2 *Apologies*

Mr Robert Quinn Manager Planning Services

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

4.1 *Mr Steve Miller Regarding Item 11.2.3 Title: Request for Closure and Purchase of Portion of Ferguson Road (S & C Miller)*

Mr Miller addressed Council outlining the problems that he was experiencing caused by the parking issues associated with the Moody Cow business. Mr Miller was concerned with patrons entering and exiting the Moody Cow via their property. The proposal to purchase the portion of land on Ferguson Road is to address access and safety issues. Mr Miller asked if Council is prepared to play its part and if not what will it do to rectify the problems being experienced.

Shire President, Cr. J E Gardiner thanked Mr Miller for his comments and advised that Council would take this into consideration at the time of the item.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 *Special Meeting Held 26th October 2011*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

329/11 MOVED - Cr. M T Bennett SECONDED - Cr. P A Bass

THAT the Minutes of the Special Meeting of Council held on the 26th October 2011, be confirmed as true and correct subject to no corrections.

CARRIED
10/0

7.2 *Ordinary Meeting Held 26th October 2011*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

330/11 MOVED - Cr. L Davies SECONDED - Cr. P A Bass

THAT the Minutes of the Ordinary Meeting of Council held on the 26th October 2011, be confirmed as true and correct subject to no corrections.

CARRIED
10/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

None.

10 DECLARATION OF INTEREST

Cr. J E Gardiner declared a Proximity and Financial interest on item 11.2.3 Titled: Request for Closure and Purchase of Portion of Ferguson Road (S & C Miller). Cr. J E Gardiner advised he would leave the room at the time the item is discussed.

11 REPORTS OF OFFICERS AND COMMITTEES

11.1 CHIEF EXECUTIVE OFFICER REPORT

11.1.1 *Title: Request to Change Ordinary Meeting Days*

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

Background -

Council has held its Ordinary meeting days on Wednesdays since October 2007. Prior to this, meeting were held on Thursdays. At the request of staff, for administrative purposes, the meeting day was changed.

Cr. J Lee has asked that a review of the Council meeting days be undertaken with the objective of Council considering moving from the scheduled day of Wednesday to holding meetings on Tuesdays.

> *"I would like to propose a change of Council meeting days back to Tuesdays from 2012.*
>
> *I understand that this will involve significant changes as well as suit my fellow Councillors and their personal schedules.*
>
> *However, I have other commitments and still work part-time and Council meetings as currently scheduled will overlap two other commitments. As such, I have to ask.*
>
> *I would therefore appreciate it if my request could be added to the agenda for the next meeting.*
>
> *Thank you.*
>
> *Cr James Lee"*

Legal Implications -

None. Changes to meeting dates and times are to be publicly advertised.

Strategic Plan - None.

Environment - None.

Precedents -

Council have held meetings on Tuesdays, Wednesdays, Thursdays and Fridays in the past.

Budget Implications - None.

Budget – Whole of Life Cost - None

Council Policy Compliance - None

Officer Comment -

Council has periodically reviewed meeting days and meeting start times to gauge if there are any changes to elected member circumstances and where possible make the operations of Council less impacting on individual Councillors and staff.

Preparation of the agenda and actioning minutes are as follows:

- With a Tuesday meeting the scenario becomes: action Council decisions on Wednesday (assuming the draft minutes have been prepared) with staff confirming Council decisions with applicants/correspondents over the Wednesday and Thursday, leaving Friday and Monday to prepare or finalise agenda reports for the next meeting.

- Agenda cut off would remain at Monday 4pm. This allows for final fix up and additions etc, have the agenda ready for the managers meeting on Wednesday afternoon. The agenda would still be available to Councillors on Thursday.

- There are still the same amount of days in each fortnight to write reports and action them, but returning to Tuesdays will mean that the meeting minutes can be dealt with in one week of the fortnight and the agenda items can be prepared in the other week. This will create an even balance of officer workload over the fortnight.

It is important that the agenda be available to the Councillors and the public on the Thursday before the meeting to allow sufficient time for reading over the weekend and further research on Monday if required. This will remain the same.

It is recommended that Council resolve to change the days for Ordinary meetings of Council to the second and fourth Tuesdays of each month commencing from January 2012 to allow time for public advertising of this change.

Easter will not affect the 2012 schedule of meetings – Good Friday falls on the 6th of April 2012. The office closes on Good Friday and re-opens on Tuesday 10th April 2012.
Friday the 15th June 2012 will remain as the set aside date for the Special Meeting of Council to discuss the next annual Budget.

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

The change of meeting day may conflict with Committee meetings that are currently held on Tuesday, eg. FLoRA, Bushfire Advisory. These conflicts will need to be resolved when they arise.

Council Role - Executive/Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

MOTION MOVED - Cr. P A Bass SECONDED - Cr. J Lee
LOST

THAT Council :

1. Change the meeting days for Ordinary meetings of Council to the second and fourth Tuesdays of each month commencing from the January 2012.

2. Publicly advertise the change in meeting days and dates.

3. Retain the meeting starting time at 4.30pm.

4. Require the agenda for the Ordinary meetings to be delivered to elected members and the public no later than the Thursday prior to the meeting date.

5. The Ordinary Council meetings for the period January 2012 to December 2012 be held as follows:

DATE 2012:	TUESDAY
31st January	5th
14th February	2nd
28th February	4th
13th March	2nd
27th March	4th
10th April	2nd
24th April	4th
8th May	2nd
22nd May	4th
12th June	2nd
26th June	4th
10th July	2nd

DATE 2012:	TUESDAY
24th July	4th
14th August	2nd
28th August	4th
11th September	2nd
25th September	4th
9th October	2nd
23rd October	4th
13th November	2nd
27th November	4th
11th December	2nd

noting that:

- There will be only one Ordinary Meeting of Council held in January 2012 being Tuesday 31st January 2012 and one in December 2012 being Tuesday 11th December 2012.

6. The above dates of the Shire of Dardanup Council Meetings be publicised in the local media and newsletter as required by the Local Government Act 1995.

LOST
9/1

Discussion:

Councillors discussed that Tuesday was not a convenient day and proposed that the meetings be held on Thursdays.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

331/11 MOVED - Cr. M T Bennett SECONDED - Cr. P A Bass

THAT Council :

1. **Change the meeting days for Ordinary meetings of Council to the second and fourth Thursday of each month commencing from the January 2012.**

2. **Publicly advertise the change in meeting days and dates.**

3. **Retain the meeting starting time at 4.30pm.**

4. **Require the agenda for the Ordinary meetings to be delivered to elected members and the public no later than the Monday prior to the meeting date.**

5. **The Ordinary Council meetings for the period January 2012 to December 2012 be held as follows:**

DATE 2012:	THURSDAY
19th January	3rd
9th February	2nd
23rd February	4th
8th March	2nd
22nd March	4th
12th April	2nd
26th April	4th
10th May	2nd
24th May	4th
14th June	2nd
28th June	4th
12th July	2nd
26th July	4th
9th August	2nd
23rd August	4th
13th September	2nd
27th September	4th
11th October	2nd
25th October	4th
8th November	2nd
22nd November	4th
13th December	2nd

noting that:

- **There will be only one Ordinary Meeting of Council held in January 2012 being Thursday 19th January 2012 and one in December 2012 being Thursday 13th December 2012.**

6. The above dates of the Shire of Dardanup Council Meetings be publicised in the local media and newsletter as required by the Local Government Act 1995.

CARRIED
7/3

11.2 MANAGER TECHNICAL SERVICES REPORT

11.2.1 Title: Extended Private Use of Shire Vehicle

Reporting Department: *Engineering*
Reporting Officer: *Mr Phillip Rowley – Civil Engineer*
Legislation: *Local Government Act 1995*
File Number: *FL010060*

DECLARATION OF INTEREST
Mr P Rowley has declared a Financial Interest in this item.

Background

The reporting officer is seeking Council approval for the use of Shire vehicle DA9295 for a planned interstate trip to South Australia during annual leave.

The intention of the trip is to visit family at Murray Bridge, South Australia, via a route through Laverton, Western Australia, and Coober Pedy, South Australia. It is likely further travel may occur to Bordertown, Fleurieu Peninsula or Kingscote, in South Australia, to visit relatives.

Legal Implications

If approved by Council, the Shire's insurance provider will need to be notified of the interstate travel.

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications -

All fuel costs will be borne by the reporting officer. Contributions to private fuel will offset the FBT costs on the vehicle.

Budget – Whole of Life Cost

Extra use of a vehicle increases wear on tyres; the frequency of services; and the rate of depreciation of the vehicle.

Council Policy Compliance

DA9295 is provided to the officer for Shire duties with private use in accordance with Council Policy A2.9. The proposed use is outside Council's Policy, hence the matter is brought to Council for consideration.

Officer Comment

The vehicle is provided to the reporting officer in order to effectively carry out his duties as required by Council during normal work hours and is available for restricted private use in accordance with Council Policy. As a consequence of this arrangement the officer does not privately own a vehicle and is seeking to use the Shire vehicle for an interstate trip during annual leave. The trip is planned from 1st to 17th January 2012.

Council Role - Review.

Voting Requirements - Simple majority.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

332/11 MOVED - Cr. M T Bennett SECONDED - Cr. C N Boyce

THAT Council approves the extended private use of Council's vehicle DA9295 to travel to South Australia from 1st to 17th January 2012 with all associated fuel costs, maintenance to be met by the Officer.

CARRIED
6/4

11.2.2 *Title: Request for Permission to Use Road Trains with Tri-axle Dollies and Concessional Loading on Giorgi Road (Fuel Distributors WA)*

Reporting Department:	*Technical Services*
Reporting Officer:	*Mr Luke Botica – Manager Technical Services*
Legislation:	*Local Government Act 1995*
File Number:	*TS040001*

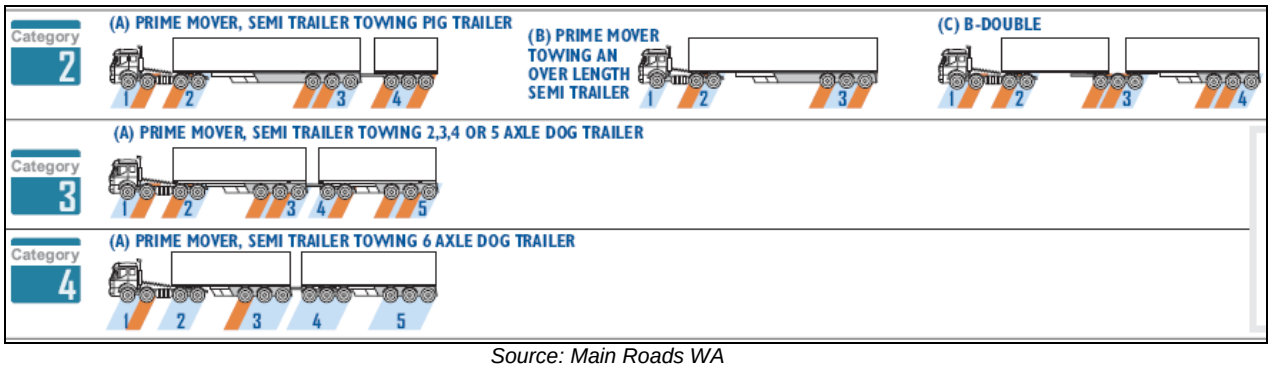
Background -

Council has received a request from Fuel Distributors WA requesting permission to operate road trains up to 27.5 metres long with a tri-axle dolly configuration and concessional loading on Giorgi Road. The vehicle combination will be used to cart bio-fuel from AR Fuels at Lot 2009 Giorgi Road to a customer in Collie.

Giorgi Road is under the care control and management of the Shire of Dardanup and is accessed via South West Highway which is a State road. The applicant has advised that they anticipate two (2) loads every three (3) days, predominantly on week days and during daylight hours.

Giorgi Road currently has a Heavy Haulage RAV 2 and 3 Network blanket endorsement (which eliminates the need for individual permits) which is for road

trains up to the length of 27.50 metres. The vehicle requested is the same length but consists of a tri-axle dolly instead of a standard tandem axle dolly (i.e. an additional axle overall) – such a vehicle is classed as a RAV 4 Network vehicle, exceeds the current endorsement and requires a permit application. The following diagram illustrates the difference between the vehicle categories.



Source: Main Roads WA

Concessional loading of 23.5 tonnes per tri-axle group is requested instead of the standard 20.0 tonnes. If supported by Council, the request for a permit will be made to Main Roads WA by Fuel Distributors WA.

Legal Implications -

Main Roads WA can only issue general endorsement permits. However, permits on local roads can only be issued if supported by the local authority.

Permit conditions must be adhered to at all times, and are enforced by the Police and Main Roads WA Heavy Operations Division.

Strategic Plan -

Giorgi Road is designated as a RAV route in the Shire's Road Asset Management Plan. The road is situated within an industrial zone and therefore, the use of trucks, including B-doubles and road trains up to length of 27.5 metres is expected on such roads. For this reason, Giorgi Road is also recognised as a road of regional significance in the Roads 2025 Strategy and is therefore eligible for funding from the State Road Funds to Local Government Agreement administered through the Regional Road Group.

Environment - None

Precedent -

It should be noted that Council has previously granted permission to BGC Cement and Mitchell West Australia Pty Ltd to operate the same axle configuration for 12-month periods.

Budget Implications - None.

Budget – Whole of Life Costs -

It should be noted that the design life of a pavement is related to the number of axle loads that pass over the pavement. The use of a tri-axle dolly instead of a tandem axle, under standard axle load conditions, will theoretically have no impact on pavement life if the same quantity of product will be moved – the only difference would be the number of truck movements. As a result, the pavement life should remain the same regardless of whether a tandem axle or a tri-axle dolly is approved. However, an increase in axle loading from standard to concessional loading will have an effect on the pavement, as each axle is exerting a greater load on the pavement and will reduce pavement life. A grouping of three axles does impose extra stresses due to the close spacing of the axles.

Although a tri-axle configuration with concessional loading will have an impact on the pavement, it is considered in this case to be relatively small due to the low volume of movements proposed. This position would need to be reconsidered if such requests became more common and/or movements increased.

The use of a tri-axle dolly also increases the wear on the road surface due to increased lateral stresses resulting from turning. It is expected that the surface will be impacted by the use of a tri-axle dolly; however, it is difficult to quantify the degree of impact. It is therefore expected that the number of movements proposed will have only minor impact on the whole of life cost of the road asset.

Council Policy Compliance - Not Applicable

Officer Comment -

The use of a tri-axle dolly configuration would primarily increase the payload capacity of the vehicle and may also slightly improve the vehicle's stability. However, concessional loading will exceed the standard maximum permissible axle loading and the addition of an extra axle, particularly in the form of three closely spaced axles on a dolly does impose extra stresses on the road pavement. This will impact on the performance of the road pavement to some degree. Tri-axle groupings are also less efficient when turned and have the tendency to cause higher lateral stresses on the road surface than tandem axles.

In this particular case, the effect on the pavement is considered to be relatively small due to the low volume of movements proposed. However, this would need to be reconsidered if such requests became more common and/or movements increased

The Shire has previously only approved 12-month permits for such a configuration in order to ascertain the impact the vehicle configuration would have on the road network and to determine whether such a configuration should be allowed to continue on the Shire's road network. An inspection of Giorgi Road has revealed a reasonable pavement condition along the road. It should be noted however, that the intersection is part of the highway and the responsibility of Main Roads WA. Therefore, Main Roads will also need to be involved in determining whether or not to allow such vehicle configurations at the intersection.

Council Role - Executive / Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

333/11 MOVED - Cr. P A Bass SECONDED - Cr. J Lee

THAT Council approves the request from Fuel Distributors WA for the use of tri-axle dolly configuration with concessional loading (of up to 23.5 tonnes per tri-axle group) in road trains up to the length of 27.5 metres (RAV 4 Category) on Giorgi Road, subject to the following conditions:

1. **Approval is for Giorgi Road via South West Highway.**

2. **The period of approval is for 12 months.**

3. **The maximum speed of the vehicle configuration is limited to 10 kilometres per hour less than the designated speed limit.**

4. **Fuel Distributors WA contributes $300.00 to Council's Road Safety Signage Fund.**

5. **The approval of Giorgi Road at the intersection with South West Highway is referred to Main Roads WA.**

CARRIED
10/0

11.2.3 *Title: Request for Closure and Purchase of Portion of Ferguson Road (S & C Miller)*

Reporting Department:	*Technical Services*
Reporting Officer:	*Mr Luke Botica – Manager Technical Services*
Legislation:	*Local Government Act 1995* *Land Administration Act 1997*
File Number:	*A7235, RD010001*

DECLARATION OF INTEREST

Cr. J E Gardiner declared a Proximity and Financial Interest in this item as his property adjoins the affected properties and the result of the resolution could have an effect on the value of his property.

Cr. J E Gardiner left the room [4.48pm].

Cr. M T Bennett assumed the role of Chairperson.

Background

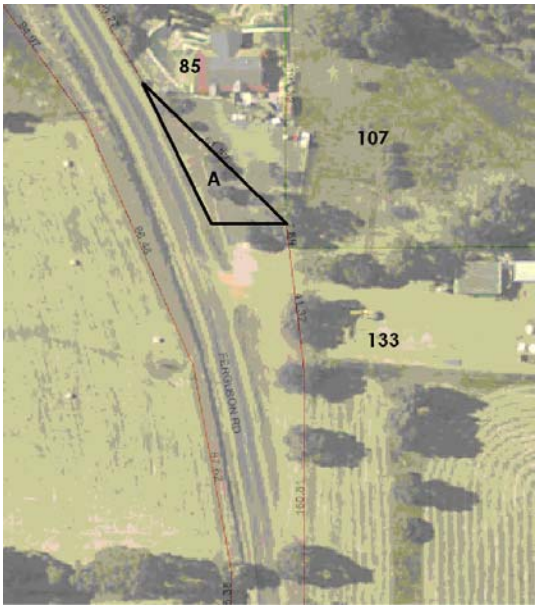
Council has received correspondence from Mr and Mrs Miller requesting Council reconsideration of its resolution (132/11) regarding a request to purchase a portion of Ferguson Road reserve adjacent to their property at Lot 133 Ferguson Road and amalgamating it with their property. Resolution of Council, made at the 25th of May 2011 meeting, reads:

"That Council not support the purchase of the road reserve by Messrs Bell and Miller and not pursue the closure of an unused portion of Ferguson Road adjacent to Lots 107 and 133 Ferguson Road."

Mr and Mrs Miller request reconsideration of the matter based on further information being provided in their correspondence in regards to the impact that overflow parking from the brewery is having on their property. A copy of the correspondence is provided in the agenda (Appendix ORD: 11.2.3).

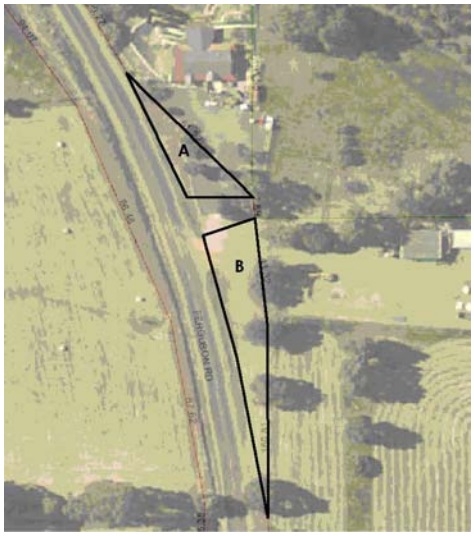
A meeting was held on the 4th of October between Shire staff and property owners who would be affected by the request, being Mr and Mrs Miller (Lot 133), Mr and Mrs Bell (Lot 107) and Mr McClintock (Lot 85). The purpose of the meeting was to examine possible options for the Council to consider. The following options were examined:

Current situation:



- Area A – to be purchased and amalgamated with Lot 85 (McClintock) – this has been approved by Council and is in the final stages of implementation.
- Lot 107 and 133 have access to Ferguson Road via surplus road verge and single crossing over roadside drain
- Second crossing into surplus road verge exists further south.

Option 1:



- Area B – to be purchased and amalgamated with Lot 133 (Miller)
- Tapered section of surplus road reserve remains for common access to Lot 85 and 107.
- A new crossing over the roadside drain is required for the surplus road reserve.
- Lot 133 is accessed over the existing crossing.
- **This option is not pursued due to potential access conflict between Lot 85 and Lot 107 (i.e. vehicles blocking access etc)**

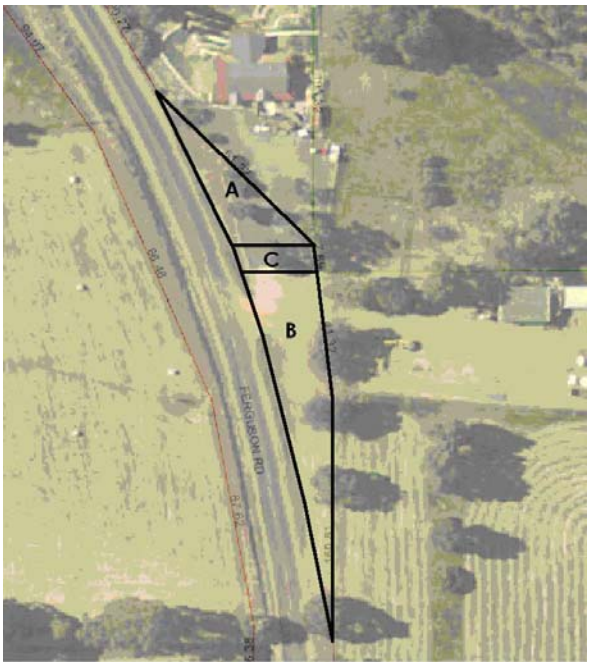
Option 2:

- Similar to Option 1 except the surplus road reserve is wider.
- **This option is not pursued due to potential for vehicles to park in the surplus road reserve and affect access to Lot 107.**

Option 3:

- Similar to Option 2 except the surplus road reserve is not closed and amalgamated with Lot 133.
- **This option is not pursued due to potential for vehicles to park in the surplus road reserve and affect access to Lot 107.**

Option 4:



- Area B – to be purchased and amalgamated with Lot 133 (Miller)
- Area C – to be purchased and amalgamated with Lot 107 (Bell)
- New crossings over the roadside drain are required for Lots 107 and 85.
- **This is the preferred option if Council decides to prevent vehicle access to the surplus road reserve.**

Council is therefore requested to consider Option 4 above. If Option 4 is pursued by Council, it will prevent vehicles from parking on the surplus road reserve and will require three separate crossovers to access each property - it should be noted that due to the spacing of the crossovers, the crossovers may be continuous across three properties. If Option 4 is not pursued by Council, the status quo remains with the surplus road reserve.

Legal Implications -

To enable the purchase of a portion of Ferguson Road, the Shire will need to close that portion of Ferguson Road in accordance with Section 58 of the Land Administration Act 1997 and Section 9 of the Land Administration Regulations 1998. Once closed the property owners will be able to purchase the land from the Department of Regional Development and Lands.

Any new crossovers required will need to be in accordance with the Local Government Act 1995, Local Government (Uniform Local Provisions) Regulations 1996 and Council policy.

Strategic Plan

The land requested for purchase, is surplus land not required for road construction, and if closed will not impact on the Shire's road network and its management.

Environment

There are several trees that are within the road reserve. If the road reserve is closed, purchased and amalgamated with the adjoining properties, these trees will then be situated within private property. Some trees may need to be removed by the property owners. The removal of any trees will need to be arranged by the respective property owner and be in accordance with the relevant legislation.

Precedents

The Council has previously resolved to pursue the closure of the triangular portion of Ferguson Road (shown as area "A") to be purchased and amalgamated with Lot 85 to be used for parking for patrons of the Moody Cow Brewery. There is a telecommunications asset within that area that requires an agreement between the purchaser and Telstra. A similar situation exists with the portions the subject of this report (shown as areas "B" and "C").

Budget Implications

There are costs associated with the closure of the road, including advertising costs, survey costs, title changes costs and relocation of fences. As the requested closure has no benefit to the Shire of Dardanup, it is recommended that all costs associated with the current requested closure are passed on to the participating property owners (if Council resolves to proceed with the process).

Budget – Whole of Life Cost

The closure of the road reserve will have negligible impact on the Shire's road network and the cost of managing it.

Council Policy Compliance -

If the road reserve is closed, then separate crossovers will be required for each property. Currently all three properties are accessed via a single crossing over the roadside drain. Any additional crossovers will need to be constructed by the property owners in accordance with Shire policy.

Officer Comment

The following comments are made by Shire staff in regards to the matter:

- The surplus road reserve in its current form is being used as a temporary overflow parking area for the Moody Cow Brewery.
- A significant portion of the verge area is gravel and suitable for parking, whether for the Brewery or the public in general.
- The Brewery does have sufficient parking available in accordance with its approval.
- It is obvious that the available parking is exceeded regularly and overflows to the surplus verge area in front of Lots 133 and 107.
- Signs have been installed to advise motorists to not park in front of gates and also to not park between the road carriageway and roadside drain.
- Mr and Mrs Miller have advised of their preference that vehicles do not park or have access to the surplus verge in front of their property for reasons described in their correspondence to Council.
- Mr and Mrs Bell have advised that they wish to have unobstructed direct access to their property (Lot 107) from Ferguson Road. This would also require the installation of a culvert and crossing to provide direct access. This can be applied for by them in accordance with Shire policy and does not necessarily require road closure.
- Mr McClintock has advised that the surplus road reserve in its current form is convenient for the Brewery as an overflow parking area when the Brewery carpark capacity is exceeded.
- Partial closure of the road reserve is undesirable and not supported by staff. This has been discussed at the meeting with the affected owners and is understood by them.
- Although three crossings immediately adjacent to each is not desirable when compared to a single shared crossing under the current layout, there is no option but to support the provision of three separate crossings if the surplus road reserve was closed and amalgamated with the adjoining properties.
- Shire staff have examined the stopping sight distance for the location, including the current crossing and the potential three crossings, and it was found to be within acceptable limits under the current 100 kilometre per hour speed zoning.

It should be noted that Ferguson Road at the location is currently in the process of being reduced to 80 kilometres per hour.

- It is not clear as to what impact the closure of the remaining surplus road reserve will have on parking behaviour and road safety. Parking may occur along the road between the carriageway and the roadside drain. Alternatively, overflow parking may move further away or the Brewery may lose patronage.
- Although signs are placed along the road verge advising no parking between the roadside drain and the carriageway, motorists may be tempted to still park there if there are no other alternatives for overflow parking. To be truly effective, the signage will need enforcement by the Shire Ranger (i.e. requires Shire resources).
- Mr Miller has advised that if the road reserve is closed and amalgamated with adjoining properties, he proposes to install a two gate system to his property that will allow his truck and trailer to enter the property without having to stop on Ferguson Road to open gates.
- If the Council decides not to close the surplus verge, it is recommended that the southern access into the surplus verge is removed.
- If the Council decides not to close the surplus verge, Mr and Mrs Bell have the option of applying for a new crossover in accordance with Shire policy.
- Inspection of site has revealed that buses access the brewery [Refer to photos from Ranger (Appendix ORD: 11.2.3B)]. Closure will impact bus parking and stopping and could reduce parking at Moody Cow if bus provision is included in parking area.

Each of the affected property owners has had the opportunity to view a draft of this report and have provided further correspondence for Council consideration (Appendix ORD: 11.2.3C). Councillors are requested to refer to the correspondence when considering this report.

FURTHER INFORMATION

Officer Comment

The following further information is provided to Councillors.

1. Late submission from Mr & Mrs Bell (Appendix ORD: 11.2.3D).

2. Further submission from Mr & Mrs Miller (Appendix ORD: 11.2.3E).

3. Application for approval to construct a crossover to Lot 107 (Appendix ORD: 11.2.3F).

   Shire staff have received an Application to Construct a Crossover form from Mr & Mrs Bell on the 4th of November 2011. They are seeking approval to construct a crossover from the gate at Lot 107 in an east-west direction to the carriageway on Ferguson Road.

   A copy of the sketch provided by Mr & Mrs Bell in their application is attached.

The approval process for crossovers requires assessment and approval by the Manager Technical Services. In this particular application, although not processed at this stage, it is likely that the crossover as proposed will be approved with conditions. In other words, there are insufficient grounds to not approve the crossover altogether. This will have implications on the current access arrangements to the Moody Cow Brewery.

If the crossover is approved, the current entry into the Moody Cow Brewery carpark will result in vehicles driving over the crossover to Lot 107. This will require the Moody Cow Brewery to make alternative arrangements for a crossover from Ferguson Road directly into the carpark. This will result in three crossovers from Ferguson Road – a new crossover to Moody Cow; a new crossover to Lot 107 (Bell); and the original crossing providing access to Lot 133 (Miller).

It should be noted that the requested new crossover to Lot 107 could be used, as well as the existing original crossing, to access the surplus road reserve.

It is requested that Council consider the above information in their deliberations.

Council Role - Quasi-Judicial

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION OPTION A

THAT Council resolves to pursue the closure of an unused portion of Ferguson Road adjacent to Lots 107 and 133 Ferguson Road in accordance with the requirements of Section 58 of the Land Administration Act 1997 by:

1. Advertising the proposed closure of portion of Ferguson Road for a period of 35 days; and

2. At the lapse of the 35 day period, Council considers any objections made within that period, prior to making any request to the Minister to close the portion of road.

OR

OFFICER RECOMMENDED RESOLUTION OPTION B

THAT Council resolves to not pursue the closure of an unused portion of Ferguson Road adjacent to Lots 107 and 133 Ferguson Road and the status quo remains, except for the removal of the southern access into the surplus verge.

Discussion:

Councillors discussed the proposal at length. The safety aspect of where customer vehicles of the Moody Cow were parking and their entrance and exit to the properties is an issue. Discussion was held on the possibility of the Moody Cow accommodating additional cars and buses on its own property being the ideal situation.

Cr. B G Day asked if it was possible and whether it would alleviate some of the concerns if the Millers put a crossover at the southern end of their property.

Cr. B G Day moved option B.

OFFICER RECOMMENDED RESOLUTION OPTION "B"
& COUNCIL RESOLUTION

MOTION LOST MOVED - Cr. B G Day SECONDED - Cr. L Davies

THAT Council resolves to not pursue the closure of an unused portion of Ferguson Road adjacent to Lots 107 and 133 Ferguson Road and the status quo remains, except for the removal of the southern access into the surplus verge.

LOST
4/5

OFFICER RECOMMENDED RESOLUTION OPTION A
& COUNCIL RESOLUTION

334/11 MOVED - Cr. D Harris SECONDED - Cr. P A Bass

THAT Council resolves to pursue the closure of an unused portion of Ferguson Road adjacent to Lots 107 and 133 Ferguson Road in accordance with the requirements of Section 58 of the Land Administration Act 1997 by:

1. **Advertising the proposed closure of portion of Ferguson Road for a period of 35 days; and**

2. **At the lapse of the 35 day period, Council considers any objections made within that period, prior to making any request to the Minister to close the portion of road.**

CARRIED
6/3

Note: Cr. J E Gardiner returned to the room [5.23pm] and resumed the chair.

Note: Senior Planning Officer, Mrs Elizabeth Edwards left the meeting [5.23pm].

11.3 MANAGER PLANNING SERVICES REPORT

None.

11.4 TOWN PLANNING OFFICER REPORT

None.

11.5 COMMUNITY DEVELOPMENT OFFICER REPORT

None.

11.6 MANAGER HEALTH SERVICES REPORT

None.

11.7 HEALTH & ENVIRONMENT OFFICER REPORT

None.

11.8 MANAGER BUILDING SERVICES REPORT

11.8.1 *Title: Request to Build Stables on Council Land – Mr G J Yuill*

Reporting Department: *Building Services*
Reporting Officer: *Mr Peter Black – Manager Building Services*
Legislation: *Local Government Act 1995*
File Number: *LE 110009 PRO 7172*

Background -

It has come to the attention of Council staff that there were limestone blocks being laid at Paradise Reserve 18405 situated on Tognolini Road, just off Waterloo Road. Copy of map attached (Appendix ORD: 11.8.1A).

This reserve is subject to a 10 year lease agreement between Mr G J Yuill and Council which expires on 5 May 2019. Mr Yuill uses this land to run horses on.

As no building permit application had been received for this structure, Council sent a letter dated 12th September 2011 advising that Council permission must be obtained prior to any construction taking place on the land, copy attached (Appendix ORD: 11.8.1B).

Legal Implications -

Compliance with Council Lease LE 110009. The applicant ha a right of appeal to the State Administrative Tribunal [SAT].

Strategic Plan - None.

Environment - None.

Precedents - - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Officer Comment -

Mr Yuill has emailed Council requesting permission to build a horse shelter on this portion of land. Copy of request and photos attached (Appendix ORD: 11.8.1C). As can be seen by the photos, the structure is at present, approximately 1.3 metres high but expected to be approximately 2 metres high when complete.

The proponent has indicated that this structure will be removed if required by Council.

It is recommended that the horse shelter structure be built at the proponents expense and that if and when the lease agreement terminates for any reason this structure be removed from site at the proponent's expense.

Council Role - Quasi – Judicial.

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

335/11 MOVED - Cr. P A Bass SECONDED - Cr. B A Murfit

THAT Council:

1. **Allows Mr Graham Yuill the Lessee of Paradise Reserve 18405 situated on Tognolini Road, Waterloo to erect a horse shelter on that reserve (upon approval of a building permit application) and that if the lease terminates for any reason the structure is to be removed. All erection and removal costs shall be at the expense of Mr Yuill.**

2. **Attach the application and the Council resolution to the lease document.**

CARRIED
9/1

Discussion:

Cr. D Harris suggested that Council investigate obtaining ownership from the Crown of the reserve and then on selling the land.

COUNCIL RESOLUTION

336/11 MOVED - Cr. D Harris SECONDED - Cr. P A Bass

THAT Council investigate the potential of ownership with on-selling Paradise Reserve 18405.

CARRIED
10/0

11.9 BUSHFIRE ADVISORY COMMITTEE MINUTES – 25/10/11

MINUTES OF THE SHIRE OF DARDANUP BUSHFIRE ADVISORY COMMITTEE MEETING HELD ON TUESDAY, 25TH OCTOBER 2011, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 7.30PM.

RECEIVED

BFA COMMITTEE RECOMMENDED RESOLUTION "A"
& COUNCIL RESOLUTION

337/11 MOVED - Cr. B G Day SECONDED - Cr. P Robinson

THAT Council grant the following firebreak exemption/variations for 5 years commencing from the 2011/2012 firebreak season:

	APPLICANT	PROPERTY
1.	M Metternick-Jones	580 (Lot 9) Collie River Road, Burekup
2.	Eric Jorgenson	2041 Ferguson Road, Wellington Mills
3.	C Drew	11 (Lot 2) South Road, Wellington Mills
4.	L Scott	47 (Lot 6) South Road, Wellington Mills
5.	S Johnson	13 South Road, Wellington Mills
6.	East Holdings	49 (Lot 7) South Road, Wellington Mills

	APPLICANT	PROPERTY
7.	R Doherty	507 Wellington Mills Road, Wellington Mills
8.	I Barlow	353 (Lot 111 & 112) Wellington Mills Road, Wellington Mills
9.	T O Albertsen	79 (Lot 121) Greenwood Heights, Ferguson
10.	F Willis	15 (Lot 113) Nyleeta Close, Ferguson
11.	M Toft	53 (Lot 111) Nyleeta Close, Ferguson
12.	A & R Black	59 (Lot 120) Greenwood Heights, Ferguson
13.	T & K Hill	39 (Lot 112) Nyleeta Close, Ferguson
14.	A & D Hardman	Lot 3 Nyleeta Close, Ferguson
15.	M. Penwarden	97 (Lot 123) Greenwood Heights, Ferguson
16.	G Wezeman	114 (Lot 118) Greenwood Heights, Ferguson
17.	N Dyer	136 (Lot 86) Padbury Road, Dardanup West
18.	J Seccull	1620 Ferguson Road, Ferguson
19.	J Cowley	168 (Lot 21) Garvey Road, Dardanup West
20.	E Jones	79 (Lot 8) South Road, Wellington Mills
21.	D Archdeacon	91 South Road, Wellington Mills

CARRIED
10/0

BFA COMMITTEE RECOMMENDED RESOLUTION "B"
& COUNCIL RESOLUTION

338/11 MOVED - Cr. B G Day SECONDED - Cr. P Robinson

THAT Council grant J Cowley a firebreak exemption/variation of 12 months to his property at 168 (Lot 21) Garvey Road Dardanup West for the 2011/2012 firebreak season.

CARRIED
10/0

BFA COMMITTEE RECOMMENDED RESOLUTION "C"
& COUNCIL RESOLUTION

339/11 MOVED - Cr. B G Day SECONDED - Cr. P Robinson

THAT Council grant authority to the Chief Bush Fire Control Officer, in consultation with the relevant Fire Control Officer or Deputy FCO to assess and approve any further exemptions received providing the officers are satisfied that a firebreak cannot be constructed due to terrain, rocky outcrops, wet areas or risk of erosion.

CARRIED
10/0

BFA COMMITTEE RECOMMENDED RESOLUTION "D"
& COUNCIL RESOLUTION

340/11 MOVED - Cr. B G Day SECONDED - Cr. P Robinson

THAT Council write to FESA requesting that they have 16 inch rims and off-road tyres provided for all four wheels of the Dardanup West Fire Unit in the interests of safety for the volunteers.

CARRIED
10/0

11.10 RATES OFFICER REPORT

11.10.1 *Title: Debt Write Off – Sundry Debtor*

Reporting Department: *Financial Services*
Reporting Officer: *Mrs Lorraine Maranta - Rates Officer*
Legislation: *S6.12 LGA 1995*
File Number: *Unpaid Debtors*

Background -

Invoices were raised for the following:

Debtor No	Debtor Name	Invoice Date	Amount Owing
21521	Warship Productions	16/11/2010	$150.00
21525	Duane Matapuku	23/11/2010	$222.00
21535	Tewai Bell	07/12/2010	$117.30

Debtor No	Debtor Name	Invoice Date	Amount Owing
21539	Laures Nanut	10/12/2010	$123.00
21373	Reece Cavallaro	07/01/2010	$213.00
			$825.30

Legal Implications - None.

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications - $825.30 to be written off.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None

Officer Comment -

The following action was taken on debtors:

The Officer recommends that this debt be written off as the debtor can not be found:

Debtor:	21521 - (Warship Productions)
Service:	Hire of Rec Centre - Damages
16/11/2010	Invoice Sent
01/12/2010	Statement Sent
04/01/2011	Outstanding Letter Sent
03/02/2011	Final Notice Sent
08/03/2011	Notice of Summons Sent

The Officer recommends that this debt be written off as the debtor can not be found:

Debtor:	21525 - (Duane Matapuku)
Service:	Gym Membership
23/11/2010	Invoice Sent
01/12/2010	Statement Sent
04/01/2011	Outstanding Letter Sent
03/02/2011	Final Notice Sent
08/03/2011	Notice of Summons Sent
28/06/2011	Notice of Summons Sent

The Officer recommends that this debt be written off as the debtor can not be found:

Debtor:	21535 – (Tewai Bell)
Service:	Gym Membership
07/12/2010	Invoice Sent
04/01/2011	Statement Sent
03/02/2011	Outstanding Letter Sent

Debtor:	21535 – (Tewai Bell)
08/03/2011	Final Notice Sent
11/04/2011	Notice of Summons

The Officer recommends that this debt be written off as the debtor can not be found:

Debtor:	21539 – (Laures Nanut)
Service:	Vacation Care
10/12/2010	Invoice Sent
04/01/2010	Statement Sent
03/02/2011	Outstanding Letter Sent
08/03/2011	Final Notice Sent
11/04/2011	Notice of Summons Sent

The Officer recommends that this debt be written off as the debt can not be found:

Debtor:	21373 – (Reece Cavallaro)
Service:	Gym Membership
07/01/2010	Invoice Sent
04/02/2010	Statement Sent
08/03/2010	Outstanding Letter Sent
09/04/2010	Final Notice Sent
05/05/2010	Notice of Summons Sent

In addition to the above, the following actions are taken in attempts to locate debtors:

- Landgate Title Check
- White Pages Search
- General Internet check
- Contact Alternative Numbers.
- Contact surrounding Libraries
- Contact surrounding Local Government Ranger Services.
- Contact our own Library and Recreation Centre,
- Check Dog Licensing System
- Contact relevant local government if alternative person advises where the debtor could be living.

The Officer recommends that the debts be written off as all avenues to locate the debtors have been exhausted.

Council Role - Executive/Strategic

Voting Requirements - Absolute Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

341/11 MOVED - Cr. D Harris SECONDED - Cr. P Robinson

THAT Council write off the amount of $825.30 on Debtor as listed:

DEBTOR NO	DEBTOR NAME	INVOICE DATE	AMOUNT OWING
21521	**Warship Productions**	**16/11/2010**	**150.00**
21525	**Duane Matapuku**	**23/11/2010**	**222.00**
21535	**Tewai Bell**	**07/12/2010**	**117.30**
21539	**Laures Nanut**	**10/12/2010**	**123.00**
21373	**Reece Cavallaro**	**07/01/2010**	**213.00**
			825.30

CARRIED
10/0
By Absolute Majority

11.11 SCHEDULE OF PAID ACCOUNTS

11.11.1 *Title: Schedule of Paid Accounts as at 9th November 2011*

Reporting Department: *Financial Services*
Reporting Officer: *Mrs Teresa Morley – Accounts Payable Officer*
Legislation: *Local Government Act 1995 (Financial Regulations)*
File Number: *None.*

Council Role - Executive/Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

342/11 MOVED - Cr. M T Bennett SECONDED - Cr. P A Bass

THAT Council receive the Schedule of Paid Accounts report:

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
EFT490	21/10/2011	Aaron Edwards	Umpire 19.10.11	MUNI	92.50
EFT491	21/10/2011	All Aussie Truck and Bobcat Services	Disposal of Bulk waste and draining repairs Recycling Yard	MUNI	3,883.00
EFT492	21/10/2011	Alyce Townsend	Umpire 18.10.11	MUNI	64.00
EFT493	21/10/2011	Aqwest	Hydrant Maintenance to Cnr Kerr & Harris Road Picton East	MUNI	827.00
EFT494	21/10/2011	Arianna Capper	Umpire 20.10.11	MUNI	30.00
EFT495	21/10/2011	Australian Taxation Office	BAS Return Q/End Sept 2011	MUNI	203,910.00
EFT496	21/10/2011	Australind/Eaton Medical Centre	Pre employment medical and audio examination General Hand	MUNI	110.00
EFT497	21/10/2011	Branden Mann	Umpire 19.10.11	MUNI	32.00
EFT498	21/10/2011	Bunbury Auto One	Strobe light repairs	MUNI	284.45
EFT499	21/10/2011	Bunbury Machinery	Pump BP60/20	MUNI	919.00
EFT500	21/10/2011	Bunbury Towing	Removal & Towage of Abandoned Vehicle - 1BUX.274	MUNI	127.80
EFT501	21/10/2011	Burekup & District Country Club Incorporated	Annual Maintenance	MUNI	3,324.00
EFT502	21/10/2011	CPS Wear Parts	9 x Ripping tyres	MUNI	206.65
EFT503	21/10/2011	Cathy Parkinson	Reimbursement - Refreshments Elections	MUNI	125.04
EFT504	21/10/2011	Centrecare Corporate	Employee Assistance Program 07.09.11, 15.09.11 & 22.09.1	MUNI	495.00
EFT505	21/10/2011	Christine Worsfold	Umpire 18.10.11	MUNI	64.00
EFT506	21/10/2011	Corporate Express Australia Limited	Paper Shredder	MUNI	298.99
EFT507	21/10/2011	Dardanup Garage and Service Station	Replace pivot pins and axel	MUNI	11,007.15

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
EFT508	21/10/2011	Dardanup General Store	Bolts & cement	MUNI	283.60
EFT509	21/10/2011	Dena English	Umpire 19.10.11	MUNI	32.00
EFT510	21/10/2011	Donna Bastow	Umpire 19.10.11	MUNI	92.50
EFT511	21/10/2011	Eaton Home Hardware & Garden	Tools for pathway repairs	MUNI	194.35
EFT512	21/10/2011	Emily Hayhurst	Umpire 18.10.11	MUNI	80.00
EFT513	21/10/2011	Fulton Hogan Industries Pty Limited	TOWN - Premix and catmul for road patching	MUNI	275.68
EFT514	21/10/2011	G & R P Brookes Plumbing	Install new taps to outside enclosure	MUNI	902.00
EFT515	21/10/2011	Garden Bags & More	Supply of Wool Bales	MUNI	110.00
EFT516	21/10/2011	Hot Weld Fabrication Pty Limited	Repair handrail, transfer station, Dardanup	MUNI	361.90
EFT517	21/10/2011	Hynes Contracting	Collie River restoration	MUNI	1,440.00
EFT518	21/10/2011	IPWEA National	International Infrastructure Management Manual 2011 Edition.	MUNI	418.00
EFT519	21/10/2011	Julie Ann Webster	Umpire 20.10.11	MUNI	15.00
EFT520	21/10/2011	Kaitlin O'Dea	Umpire 18.10.11	MUNI	64.00
EFT521	21/10/2011	Kayley Mann	Umpire 19.10.11	MUNI	48.00
EFT522	21/10/2011	Kelly Howard	Umpire 18.10.11	MUNI	48.00
EFT523	21/10/2011	LGIS - Local Government Insurance Services	Bushfire Insurance 30.06.11 to 30.06.12 Policy No. 2600013073	MUNI	6,828.59
EFT524	21/10/2011	Landmark Operations Limited	Herbicides	MUNI	3,262.69

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
EFT525	21/10/2011	Local Government Managers Australia	LGMA State Conference - CEO	MUNI	1,100.00
EFT526	21/10/2011	Mainspray	Outbreak of Dolichos Pea on Giumelli Road and Dowdells Line	MUNI	616.00
EFT527	21/10/2011	Mark's Window Cleaning and Maintenance	Window cleaning, Eaton rec centre 17.10.11	MUNI	1,040.00
EFT528	21/10/2011	Marlene Byass	Umpire 20.10.11	MUNI	15.00
EFT529	21/10/2011	Maxwell Jetta	Umpire 18.10.11	MUNI	55.50
EFT530	21/10/2011	Melinda Appleton	Umpire 20.10.11	MUNI	90.00
EFT531	21/10/2011	Midalia Steel Pty Limited	20 Lengths 50ml tube cut in halve; Street Signs	MUNI	998.80
EFT532	21/10/2011	Mitchell Smith	Umpire 19.10.11	MUNI	72.00
EFT533	21/10/2011	Noeline Anderson	Meeting Attendance 20.01.11 to 19.04.11	MUNI	6,143.38
EFT534	21/10/2011	Opus International Consultants (PCA) Limited	Risk Assessment and Design Parameters - consulting work	MUNI	3,300.00
EFT535	21/10/2011	PFD Food Services Pty Limited	cafe stock	MUNI	434.60
EFT536	21/10/2011	PFI Cleaning Supplies	cleaning supplies, Eaton Depot	MUNI	743.82
EFT537	21/10/2011	Pacific Brands	Uniform Sam Stubbs - 2 x Shirts	MUNI	217.32
EFT538	21/10/2011	Perfect Landscapes	Lawn mowing September 2011	MUNI	2,750.00
EFT539	21/10/2011	Rebecca Bowron	Umpire 18.10.11	MUNI	64.00
EFT540	21/10/2011	Regan Crabbe	Umpire 19.10.11	MUNI	37.00
EFT541	21/10/2011	Ricoh Finance	Photocopier lease MPC 3001 - Contract Number HU12880190	MUNI	212.30
EFT542	21/10/2011	Robert Dempster	Umpire 19.10.11	MUNI	92.50

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
EFT543	21/10/2011	SOS Office Equipment	Cash Drawer	MUNI	165.00
EFT544	21/10/2011	Sarah Wallace	Umpire 20.10.11	MUNI	30.00
EFT545	21/10/2011	Schweppes Australia Pty Limited	Drinks for cafe	MUNI	634.08
EFT546	21/10/2011	South West Septics	Empty grease trap 08.10.11	MUNI	192.50
EFT547	21/10/2011	Stephen Eaton	Airfares IT2011 Conference	MUNI	945.65
EFT548	21/10/2011	Stokes Painting	Removal of graffiti at Dardanup Oval Buildings	MUNI	1,232.00
EFT549	21/10/2011	Thinkwater Bunbury	Irrigation parts	MUNI	614.43
EFT550	21/10/2011	Total Eden Pty Limited	Irrigation parts	MUNI	280.22
EFT551	21/10/2011	Total Telephone	Phone charger	MUNI	22.00
EFT552	21/10/2011	Transpacific Waste Management Pty Limited	Waste disposal	MUNI	5,262.29
EFT553	21/10/2011	Trevors Carpets	Repair matting in Fitness Centre	MUNI	2,243.00
EFT554	21/10/2011	Uniqco International Vehicle Management	Plant & Vehicle Consultancy Services	MUNI	5,159.00
EFT555	21/10/2011	Waterloo Bushfire Brigade	Reimbursement for repairs to equipment	MUNI	554.80
EFT556	21/10/2011	Weathersafe WA	Repair court curtains	MUNI	1,656.00
EFT557	21/10/2011	Woolworths Limited	Jim Beam Carton	MUNI	2,495.72
EFT558	21/10/2011	Zappia Concretors	Culvert extension on Waterloo Rd as per quote #0474.	MUNI	8,001.40
EFT559	21/10/2011	eSearch Pty Ltd	Company Search Cotton Holdings & Prominent Nominees	MUNI	26.40

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
EFT560	27/10/2011	Alyce Townsend	Umpire 25.10.11	MUNI	48.00
EFT561	27/10/2011	Arianna Capper	Umpire 27.10.11	MUNI	30.00
EFT562	27/10/2011	Branden Mann	Umpire 26.10.11	MUNI	48.00
EFT563	27/10/2011	Christine Worsfold	Umpire 25.10.11	MUNI	64.00
EFT564	27/10/2011	Donna Bastow	Umpire 26.10.11	MUNI	111.00
EFT565	27/10/2011	Emily Hayhurst	Umpire 25.10.11	MUNI	48.00
EFT566	27/10/2011	Jodi Higgins	Umpire 26.10.11	MUNI	32.00
EFT567	27/10/2011	Kaitlin O'Dea	Umpire 25.10.11	MUNI	48.00
EFT568	27/10/2011	Kaylene Baker	Umpire 27.10.11	MUNI	15.00
EFT569	27/10/2011	Marlene Byass	Umpire 27.10.11	MUNI	15.00
EFT570	27/10/2011	Maxwell Jetta	Umpire 26.10.11	MUNI	18.50
EFT571	27/10/2011	Melinda Appleton	Umpire 27.10.11	MUNI	30.00
EFT572	27/10/2011	Mitchell Smith	Umpire 26.10.11	MUNI	74.00
EFT573	27/10/2011	Nicole Gray	Umpire 27.10.11	MUNI	15.00
EFT574	27/10/2011	Rebecca Bowron	Umpire 25.10.11	MUNI	48.00
EFT575	27/10/2011	Regan Crabbe	Umpire 26.10.11	MUNI	64.00
EFT576	27/10/2011	Robert Dempster	Umpire 26.10.11	MUNI	92.50
EFT577	27/10/2011	Sarah Wallace	Umpire 27.10.11	MUNI	45.00

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
EFT578	27/10/2011	Therese Price	Umpire 25.10.11	MUNI	64.00
EFT579	27/10/2011	TopWillow Nominees Pty Ltd	Rates refund for assessment A10054	MUNI	330.10
42256 -	42271	Voided Cheques	Voided Cheques	-	0.00
42272	21/10/2011	Adam Herbert	Refund for Adam Herbert for Police Clearance.	MUNI	55.50
42273	21/10/2011	Alinta	Electricity - Eaton Recreation Centre	MUNI	3,305.73
42274	21/10/2011	Camera House	Battery for Nikon digital camera	MUNI	60.00
42275	21/10/2011	Casey Bryant	Refund of Creche Multi Pass	MUNI	26.60
42276	21/10/2011	City of Bunbury	SWEGLEMA Administration Annual Fee 2011/2012	MUNI	330.00
42277	21/10/2011	Dept of Transport Payment Centre	Vehicle Registration DA2833 23.11.11 to 22.11.12	MUNI	48.60
42278	21/10/2011	Eaton Community Pharmacy	Eaton Community pharmacy Invoice 33016	MUNI	153.75
42279	21/10/2011	Foxtel Cable Television Pty Limited	Foxtel monthly subscription fee (Eaton Recreation Centre)	MUNI	68.00
42280	21/10/2011	Frank Papalia	Meeting Attendance 20.07.11 to 19.10.11	MUNI	1,811.32
42281	21/10/2011	Harvey Wholesalers	1kg Bravo Coffee Beans	MUNI	300.00
42282	21/10/2011	N Green & C Nilon	Crossover Rebate - A10565 (lot 1618)	MUNI	159.00
42283	21/10/2011	Steann Pty Limited	Bulk Green Waste Collection 10 - 14 October 2011 80 Tonnes	MUNI	19,185.76
42284	21/10/2011	Synergy	Electricity - Eaton administration centre 18.08.11 to 14.10.11	MUNI	8,948.45
42285	21/10/2011	Telstra	Fax Stream access Eaton Office A/C 141 5551 000	MUNI	196.64
42286	21/10/2011	WestNet Pty Limited	High speed internet connection 01.11.11 to 01.12.11	MUNI	66.33

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
42287	21/10/2011	Western Australian Treasury Corporation	Loan 61 Interest Payment & Guarantee Fee	MUNI	25,880.43
42288	27/10/2011	Asgard Elements Super Fund	Superannuation contributions	MUNI	215.01
42289	27/10/2011	AustralianSuper	Superannuation contributions	MUNI	47.57
42290	27/10/2011	BT Super for Life	Superannuation contributions	MUNI	180.86
42291	27/10/2011	Child Support Agency	Payroll deductions	MUNI	372.58
42292	27/10/2011	Concept One	Superannuation contributions	MUNI	7.09
42293	27/10/2011	Construction & Building Industry Super	Superannuation contributions	MUNI	460.09
42294	27/10/2011	Coppercats P/L & Gallivantour Super P/L	Rates refund for assessment A10443	MUNI	2,407.79
42295	27/10/2011	Equipsuper	Superannuation contributions	MUNI	113.03
42296	27/10/2011	Flexible Lifetime Superannuation Fund	Superannuation contributions	MUNI	147.76
42297	27/10/2011	Health Insurance Fund on WA (HIF)	Payroll deductions	MUNI	180.10
42298	27/10/2011	ING Master Fund	Superannuation contributions	MUNI	164.62
42299	27/10/2011	REST Superannuation	Superannuation contributions	MUNI	197.57
42300	27/10/2011	Shire of Dardanup	Payroll deductions	MUNI	830.00
42301	27/10/2011	Shire of Dardanup	Payroll deductions	MUNI	184.00
42302	27/10/2011	Shire of Dardanup	Payroll deductions	MUNI	743.00
42303	27/10/2011	Shire of Dardanup;	Payroll deductions	MUNI	300.00

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT
42304	27/10/2011	Super Directions Personal Super Plan	Superannuation contributions	MUNI	161.48
42305	27/10/2011	Telstra Super Pty Limited	Superannuation contributions	MUNI	164.62
42306	27/10/2011	Vincent-Rowe Family Super Fund	Superannuation contributions	MUNI	158.72
42307	27/10/2011	WA Local Government Superannuation Plan	Superannuation contributions	MUNI	24,262.73
301084	19/10/2011	Annette Webster	Refund Council Election Nomination Fee 2011	TRUST	80.00
301085	19/10/2011	Brad Day	Refund Council Election Nomination Fee 2011	TRUST	80.00
301086	19/10/2011	Danny HARRIS	Refund Council Election Nomination Fee 2011	TRUST	80.00
301087	19/10/2011	Frank Papalia	Refund Council Election Nomination Fee 2011	TRUST	80.00
301088	19/10/2011	James LEE	Refund Council Election Nomination Fee 2011	TRUST	80.00
301089	19/10/2011	John Gardiner	Refund Council Election Nomination Fee 2011	TRUST	80.00
301090	19/10/2011	Luke Davies	Refund Council Election Nomination Fee 2011	TRUST	80.00
301091	19/10/2011	Peter Robinson	Refund Council Election Nomination Fee 2011	TRUST	80.00
301092		Cancelled - Printing Error			
301093		Cancelled - Printing Error			
301094	20/10/2011	Tangent Nominees Pty Limited	Refund Of Kerb Deposit - Lot 591 1a9887	TRUST	800.00
301095	25/10/2011	Ben Meek	Refund Dardanup Hall Hire Bond Paid On Rec #73033	TRUST	1,000.00
301096		Cancelled - Printing Error			
301097	25/10/2011	Coppercats P/L & Gallivantour Super P/L	Release Of Maintenance Bond, WAPC 132359 (Lot 3 Harris Rd)	TRUST	17,564.79

CHQ/EFT	DATE	INV AMOUNT	DATE	NAME	AMOUNT

REPORT TOTALS **TOTAL**

MUNI 42272 - 42307	91,894.73
EFT 490 - 579	288,993.70
TRUST 301084-301097	20,004.79
TOTAL	**400,893.22**

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

CARRIED
10/0

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12.2 *Title: Removal of Infrastructure at Eaton Oval*

Reporting Department:	*Elected Member*
Reporting Officer:	*Cr. Michael Bennett – Elected Member* *Mr Mark L Chester – Chief Executive Officer*
Legislation:	*Local Government Act 1995*
File Number:	

Background -

Council had considered the removal of the Tennis courts and clubhouse at the Pratt Road Eaton oval as part of the Eaton oval redevelopment project. Council has since decided to grant the Dardanup youth group full use of the Eaton hall which has resulted in the youth group requiring two of the tennis courts to remain for other activities outside the hall.

Legal Implications - None.

Strategic Plan - None.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None

Council Policy Compliance - None

Elected member Comment

At a recent meeting with the ladies who pay hire on the courts and use them every Tuesday and Thursday weather permitting. Much discussion took place about the courts and clubhouse use and the ladies accepted that the removal of the clubhouse and the third individual court to the northern end of the clubhouse and the basket ball court to the south of the clubhouse wasn't a problem providing they could have a small shade structure at the northern end of the two remaining courts for players who are waiting to get onto the courts and with the assistance of the youth group use of the hall toilets on the days they are playing.

The removal of the Tennis court, basket ball court and small clubhouse will allow for a more complete Eaton oval redevelopment project allowing more room for football facilities.

Recommendations:

That the Manager of Technical Services remove the most western basket ball and tennis court along with the small club house on the Pratt Road reserve as part of the Eaton oval redevelopment.

As part of the Eaton oval project a small shelter be constructed alongside the small pump house currently located at the northern end of the two remaining tennis courts.

The Eaton tennis ladies be permitted to use the toilets at the Eaton Hall.

Chief Executive Officer Comment -

The proposal has merit however, the cost of removing the facilities and expanding the works on the redevelopment of Eaton Oval requires analysis as these works have not been factored into the Eaton oval project budget. It is recommended that the tender process for the Eaton Oval development not be held up but this proposal be referred to the Manager Technical Services to be included as a variation to the contract, subject to the tender being under budget.

It is recommended that the proposal be referred to the Chief Executive Officer to arrange for assessment of the proposal, in particular the costs with a report back to Council for approval as the removal of the facilities will be unbudgeted expenditure.

The tennis ladies access to the outside access toilet at the Breakaway Youth Centre is supported and arrangements will be made with the Youth Counsellor to facilitate access and the days in order to not clash with youth functions.

Council Role - Executive/Strategic

Voting Requirements - Simple Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

343/11 MOVED - Cr. M T Bennett SECONDED - Cr. B G Day

THAT Council:

1. **Support the concept of Cr. Bennett's proposal to remove facilities at the Pratt Road Tennis Courts.**

2. **Refer the proposal to the Chief Executive Officer for assessment of costs with a report to be referred to Council as the project is unbudgeted expenditure.**

3. **Support the tennis ladies access to the Breakaway Youth Centre on condition that the access does not conflict with the youth centre activities.**

CARRIED
10/0

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

None.

14 PUBLIC QUESTION TIME

None.

15 MATTERS BEHIND CLOSED DOORS

None.

16 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be Wednesday 23rd November 2011, commencing at 4.30pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer declared the meeting closed at 5.37pm.