



# **A G E N D A**

## **ANNUAL ELECTORS MEETING**

To Be Held

Wednesday, 29 January 2020  
Commencing at 6.30pm

At

Shire of Dardanup  
ADMINISTRATION CENTRE EATON  
1 Council Drive – EATON

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## NOTICE OF AN ANNUAL ELECTORS MEETING

The next Annual Electors Meeting of the Shire of Dardanup will be held on Wednesday, 29 January 2020 in the Council Chambers, Shire of Dardanup - Administration Centre Eaton, 1 Council Drive, Eaton - commencing at 6.30pm.

A handwritten signature in black ink, appearing to read "A. Schönfeldt", is positioned above the name of the Chief Executive Officer.

**MR ANDRÉ SCHÖNFELDT**  
Chief Executive Officer

Date: 23 January 2020

**Note:** If interested persons would like to make comment on any items in this agenda, please email [records@dardanup.wa.gov.au](mailto:records@dardanup.wa.gov.au) or hand deliver written comment to the Shire of Dardanup – Administration Centre Eaton, 1 Council Drive, Eaton. To be included in the meeting comments are to be delivered no later than 48 hours prior to the meeting.

The Chief Executive Officer will use his discretion as to whether the written comments are relevant and applicable to the meeting before approving their inclusion in the meeting.

## MISSION STATEMENT

“Provide effective leadership in encouraging balanced growth and development of the Shire while recognizing the diverse needs of our communities.”

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## COUNCIL ROLE

<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
<b>Executive/Strategic</b>	The substantial direction setting and oversight role of the Council eg. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
<b>Review</b>	When Council reviews decisions made by Officers.
<b>Quasi-Judicial</b>	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 that 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 anything 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."

## RISK ASSESSMENT

<b>Inherent Risk</b>	The level of risk in place in order to achieve the objectives of the Council and before actions are taken to alter the risk's impact or likelihood.
<b>Residual Risk</b>	The remaining level of risk following the development and implementation of Council's response.
<b>Strategic Context</b>	These risks are associated with achieving Council's long term objectives.
<b>Operational Context</b>	These risks are associated with the day-to-day activities of the Council.
<b>Project Context</b>	Project risk has two main components: <ul style="list-style-type: none"><li>• Direct refers to the risks that may arise as a result of project, which may prevent the Council from meeting its objectives.</li><li>• Indirect refers to the risks which threaten the delivery of project outcomes.</li></ul>

**RISK CATEGORY CONSEQUENCE TABLE - GUIDELINE**

Rating (Level)	Health	Financial Impact	Service Interruption	Legal and Compliance	Reputational	Environment
<b>Insignificant (1)</b>	Near miss Minor first aid injuries	Less than \$10,000	No material service interruption - backlog cleared < 6 hours	<b>Compliance</b> - No noticeable regulatory or statutory impact. <b>Legal</b> - Threat of litigation requiring small compensation. <b>Contract</b> - No effect on contract performance.	Unsubstantiated, low impact, low profile or 'no news' item	Contained, reversible impact managed by on site response
<b>Minor (2)</b>	Medical type injuries	\$10,001 - \$50,000	Short term temporary interruption – backlog cleared < 1 day	<b>Compliance</b> - Some temporary non compliances. <b>Legal</b> - Single minor litigation. <b>Contract</b> - Results in meeting between two parties in which one party expresses concern.	Substantiated, low impact, low news item	Contained, reversible impact managed by internal response
<b>Moderate (3)</b>	Lost time injury <30 days	\$50,001 - \$300,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	<b>Compliance</b> - Short term non-compliance but with significant regulatory requirements imposed. <b>Legal</b> - Single moderate litigation or numerous minor litigations. <b>Contract</b> - Receive verbal advice that, if breaches continue, a default notice may be issued.	Substantiated, public embarrassment, moderate impact, moderate news profile	Contained, reversible impact managed by external agencies
<b>Major (4)</b>	Lost time injury >30 days	\$300,001 - \$1.5 million	Prolonged interruption of services – additional resources; performance affected < 1 month	<b>Compliance</b> - Non-compliance results in termination of services or imposed penalties. <b>Legal</b> - Single major litigation or numerous moderate litigations. <b>Contract</b> - Receive/issue written notice threatening termination if not rectified.	Substantiated, public embarrassment, high impact, high news profile, third party actions	Uncontained, reversible impact managed by a coordinated response from external agencies
<b>Catastrophic (5)</b>	Fatality, permanent disability	More than \$1.5 million	Indeterminate prolonged interruption of services – non-performance > 1 month	<b>Compliance</b> - Non-compliance results in litigation, criminal charges or significant damages or penalties. <b>Legal</b> - Numerous major litigations. <b>Contract</b> - Termination of contract for default.	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Uncontained, irreversible impact

**RISK - LIKELIHOOD TABLE**

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	<b>Almost Certain</b>	The event is expected to occur in most circumstances	The event is expected to occur more than once per year
4	<b>Likely</b>	The event will probably occur in most circumstances	The event will probably occur at least once per year
3	<b>Possible</b>	The event should occur at some time	The event should occur at least once in 3 years
2	<b>Unlikely</b>	The event could occur at some time	The event could occur at least once in 10 years
1	<b>Rare</b>	The event may only occur in exceptional circumstances	The event is not expected to occur more than once in 15 years

**LEVEL OF RISK GUIDE**

CONSEQUENCE		Insignificant	Minor	Moderate	Major	Catastrophic
LIKELIHOOD		1	2	3	4	5
Almost Certain	5	Moderate (5)	Moderate (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	Moderate (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

**SHIRE OF DARDANUP**

**AGENDA FOR THE SHIRE OF DARDANUP ANNUAL ELECTORS MEETING TO BE HELD ON WEDNESDAY, 29 JANUARY 2020, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 6.30PM.**

**1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

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

*Acknowledgement of Country*

*The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region by recognising the strength, resilience and capacity of Wardandi people in this land.*

*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.*

*Emergency Procedure*

*In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, please proceed to the Assembly Area points located to the western side of the front office car park near the skate park and gazebo where we will meet (and complete a roll call).*

**2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED***2.1 Attendance**2.2 Apologies***3 CONFIRMATION OF MINUTES -***3.1 Annual Electors Meeting Held 23 January 2019*

The Minutes of the Annual Electors Meeting held on the 23 January 2019 are provided for confirmation as follows:

**MINUTES OF THE SHIRE OF DARDANUP ANNUAL ELECTORS MEETING HELD ON WEDNESDAY – 23 JANUARY 2019, COMMENCING AT 6.00PM AT THE SHIRE OF DARDANUP – ADMINISTRATION CENTRE EATON.**

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

*The Presiding Member, Cr. M T Bennett declared the meeting open at 6.04pm, welcomed those in attendance and referred to the Acknowledgement of Country, Emergency Procedures, and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:*

*Acknowledgement of Country*

*The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region by recognising the strength, resilience and capacity of Wardandi people in this land.*

*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.*

*Committee members acknowledge that only the Chief Executive Officer or a member of the Shire of Dardanup staff appointed by the Chief Executive Officer is to have contact with consultants and suppliers that are appointed under contract to undertake the development and implementation of projects.*

*The exception to this Policy is when there is a meeting of the committee or working group with the consultant and the Chief Executive Officer or the Chief Executive Officer's representative is present.*

*Members of committees acknowledge that a breach of this Policy may result in a request to Council to have them removed from the committee.*

*Emergency Procedure*

*In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, please proceed to the muster point located at the front of the building where we will meet (and complete a roll call).*

2 RECORD OF ATTENDANCE/APOLOGIES

2.1 Attendance

<i>Cr. Michael Bennett</i>	-	<i>Shire President (Chairperson)</i>
<i>Cr. Peter Robinson</i>	-	<i>Deputy Shire President</i>
<i>Cr. Carmel Boyce</i>	-	<i>Elected Member</i>
<i>Cr. Tyrrell Gardiner</i>	-	<i>Elected Member</i>
<i>Cr. Luke Davies</i>	-	<i>Elected Member</i>
<i>Cr. Janice Dow</i>	-	<i>Elected Member</i>
<i>Cr. Patricia Perks</i>	-	<i>Elected Member</i>
<i>Cr. James Lee</i>	-	<i>Elected Member</i>
<i>Mr John Attwood</i>	-	<i>Acting Chief Executive Officer</i>
<i>Mr Phil Anastasakis</i>	-	<i>Director Corporate &amp; Community Services</i>
<i>Mr Luke Botica</i>	-	<i>Director Engineering &amp; Development Services</i>
<i>Ms Cathy Lee</i>	-	<i>Manager Governance &amp; HR</i>
<i>Mrs Gaylene Godfrey</i>	-	<i>PA to Chief Executive Officer &amp; Shire President</i>
<i>Mrs Natalie Hopkins</i>	-	<i>Manager Financial Services</i>



*Ms Lee Holben - Manager Community Services*

2.2 Apologies

*None.*

2.3 Members of the Public

*None.*

3 CONFIRMATION OF MINUTES – 24 January 2018

3.1 Annual Electors Meeting Held 24 January 2018

*The Minutes of the Annual Electors Meeting held on the 24 January 2018 provided for confirmation as follows:*

*MINUTES OF THE SHIRE OF DARDANUP ANNUAL ELECTORS MEETING HELD ON WEDNESDAY – 24 JANUARY 2018, COMMENCING AT 6.00PM AT THE SHIRE OF DARDANUP – ADMINISTRATION CENTRE EATON.*

*RECEIVED*

**ANNUAL ELECTORS MEETING RESOLUTION  
& COUNCIL RESOLUTION**

*AEM 01-19 MOVED - Cr. P S Robinson SECONDED - Cr. P R Perks*

*THAT the Minutes of the Annual Electors Meeting held on 24 January 2018, be confirmed as true and correct subject to no corrections.*

*CARRIED  
8/0*

3.2 Matters Arising from the Minutes

*None.*

4 RECEIPT OF ANNUAL REPORTS - 2017/18

4.1 Annual Report Document

**ANNUAL ELECTORS MEETING RESOLUTION  
& COUNCIL RESOLUTION**

*AEM 02-19 MOVED - Cr. M T Bennett SECONDED - Cr. L Davies*

*THAT the contents of the Council's Annual Report for 2017/18, inclusive of the Presidents Report, Chief Executive's Report, Auditors Report and Annual Financial Statements, be received.*

*CARRIED  
8/0*

5. QUESTIONS FROM THE PUBLIC AT THE PRESIDENT'S DISCRETION

*None.*

6. CLOSE

*Shire President, Cr. M T Bennett thanked Director Corporate & Community Services, Mr Phil Anastasakis and Director Engineering & Development Services, Mr Luke Botica for all their work in preparing Council's Annual Report.*

*There being no further business, Chairman Cr. M T Bennett declared the meeting closed at 6.08pm.*

3.2 Matters Arising from the Minutes

**4 RECEIPT OF ANNUAL REPORT – 2018/19**

4.1 Annual Report Document

**ANNUAL ELECTORS MEETING RESOLUTION**

**THAT the contents of the Council's Annual Report for 2018/19, inclusive of the President's Report, Chief Executive's Report, Auditors Report and Annual Financial Statements, be received.**

**5 QUESTIONS OR MOTIONS FROM THE PUBLIC AT THE PRESIDENT'S DISCRETION**

**6 CLOSURE OF MEETING**

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