



Shire of Dardanup

# MINUTES

## ANNUAL ELECTORS MEETING

Held

31<sup>st</sup> of January 2024

At

Shire of Dardanup  
ADMINISTRATION CENTRE EATON  
1 Council Drive - Eaton

This document is available in alternative formats such as:

- ~ Large Print
- ~ Electronic Format [emailed]  
Upon request.

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## VISION STATEMENT

“The Shire of Dardanup is a healthy, self-sufficient and sustainable community, that is connected and inclusive, and where our culture and innovation are celebrated.”

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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 e.g. 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>	<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 (e.g.: 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 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>	<p>Project risk has two main components:</p> <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>

**SHIRE OF DARDANUP**

**MINUTES OF THE SHIRE OF DARDANUP ANNUAL ELECTORS MEETING HELD ON WEDNESDAY, THE 31<sup>ST</sup> OF JANUARY 2024, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 6.00PM.**

<b>1</b>	<b>DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS</b>
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The Presiding Member, Cr. T G Gardiner declared the meeting open at 6.12pm, welcomed those in attendance, referred 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 and pay our respects to their elders, past, present and emerging. The Shire of Dardanup also respects and celebrates all cultures of all our residents and visitors to our Shire.*

*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, you will be directed to an appropriate Assembly Area where we will meet (and complete a roll call).*

*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.*

<b>2</b>	<b>RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED</b>
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2.1 Attendance

Cr. Tyrrell Gardiner	-	Shire President
Cr. Ellen Lilly	-	Deputy Shire President
Cr. Jack Manoni	-	Elected Member
Cr. Stacey Gillespie	-	Elected Member
Cr. Taneta Bell	-	Elected Member
Cr. Annette Webster	-	Elected Member
Cr. Tony Jenour	-	Elected Member
Cr. Mark Hutchinson	-	Elected Member
Cr. Luke Davies	-	Elected Member

Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Ms Susan Oosthuizen	-	Director Special Projects
Mr Ashwin Nair	-	Director Sustainable Development
Ms Cathy Lee	-	Manager Human Resources
Mrs Brooke Sudbury	-	Executive Support Officer
Mrs Natalie Hopkins	-	Manager Financial Services
Mrs Cindy Barbetti	-	Acting Manager Governance
Ms Tahnia Creedon	-	Communications Officer
Mr Hans Nortier		Member of public
Ms Kylie Shaw		Member of public
Mr Sebastian Bolhuis		Member of public

## 2.2 Apologies

Mr Theo Naudé	-	Director Infrastructure
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## 3 CONFIRMATION OF MINUTES – 25<sup>th</sup> OF JANUARY 2023

### 3.1 Annual Electors Meeting Held on the 25th of January 2023

The Minutes of the Annual Electors Meeting held on the 25<sup>th</sup> of January 2023 are provided in [Appendix AEM: 3.1] for confirmation.

Cr. T G Gardiner commended the Annual Report to the meeting and outlined the great work done during the 2022/2023 financial year.

Mr. André Schönfeldt thanked the Council for their guidance and support during 2022/2023 and thanked staff for their continued efforts in delivering facilities and services to our community. Mr. Schönfeldt said that he was extremely proud of the efforts of the organisation and the good position within which the organisation finds itself. Mr. Schönfeldt thanked staff involved in preparing the Annual report and commended the report to the meeting.

#### **ANNUAL ELECTORS RESOLUTION & COUNCIL RESOLUTION**

AEM01-24      MOVED -      Cr. S L Gillespie      SECONDED –      Cr. L W Davies

**THAT the minutes of the Annual Electors Meeting [Appendix AEM: 3.1] held on the 25<sup>th</sup> of January 2023, be confirmed as true and correct subject to no corrections.**

CARRIED  
9/0

## 4 RECEIPT OF ANNUAL REPORTS – 2022/23

### 4.1 Annual Report Document

#### ANNUAL ELECTORS RESOLUTION & COUNCIL RESOLUTION

AEM02-24      MOVED -      Cr. M R Hutchinson      SECONDED –      Cr. S L Gillespie

**THAT the contents of the Council’s Annual Report for 2022/23 [Appendix AEM: 4.1], inclusive of the President’s Report, Chief Executive’s Report, Auditors Report and Annual Financial Statements, be received.**

CARRIED  
9/0

## 5 QUESTIONS OR MOTIONS FROM THE PUBLIC AT THE PRESIDENT’S DISCRETION

### 5.1 Mr Hans Nortier, 74 Millard Street, Eaton.

*Mr Hans Nortier provided the following questions being read aloud by the Shire President, Cr. T G Gardiner.*

**Question 1.**      *Notification to ratepayers of meetings involving ratepayers.  
As a ratepayer we should not have to scour social media for meeting dates and times of importance to ratepayers. Meetings to date that have or could have been missed are as follows:*

*Meeting with DFES after the December fires. (we evacuated) No notification.  
Meeting about Differential Rates info session. Received notification from neighbor who saw it on social media. Found it on Shire website which I don't look at on a daily basis.  
Annual Electors Meeting. Received notification from a councillor after expressing our concern of not being told of meetings.  
We pay our rates fortnightly with direct debit so the shire has our email details, so it might be an idea to notify ratepayers by email of meetings of importance.*

**Officer Response:**      Chief Executive Officer, Mr André Schönfeldt responded that there is a text service available for residents to subscribe to which outlines current events in the Shire of Dardanup. He also acknowledged that this service is generally not used over the Christmas period when the offices are closed. Mr. Schonfeldt also acknowledged that some of the meetings referred to occurred over the Christmas break or shortly thereafter and that communication during this time is difficult and the Shire will consider how to improve on this.

**Question 2.** *Publication of the bin calendar published with Rates Notice in September, which leaves us guessing which bins to put out for about 2 months. I was told that printing costs were a factor in doing this but at least the Shire website could be updated earlier.*

**Officer Response:** Chief Executive Officer, Mr André Schönfeldt advised that the Shire of Dardanup has just received a Grant from the State Government under the Better Bin Plus Program, which will allow us to subscribe to an App service. This App will allow residents to receive notifications and other features that should assist with bin related issues.

**Question 3.** *Marri Park Reserve (Millard and Hale Street). The condition of this reserve is of concern in the light of the recent fires. We had an ember attack in our backyard just one block away from this reserve. If this reserve had caught alight during the December fires the result would have affected a lot of homes. I have been in touch with the Shire and spoken to the Fire Mitigation Officer who advised me that fire mitigation for the reserve was subject to Grant Funding which is being applied for. These grants are not always successful so does that mean we will have to wait another year before something is done. With the risk of bushfires increasing each year this reserve needs a serious and urgent cleanup of leaf litter. Maybe the Shire could have a fund for this purpose so that mitigation can be carried out in a more timely manner instead of relying on Government funding.*

**Officer Response:** Chief Executive Officer, Mr André Schönfeldt advised that the maintenance of the different reserves impacted by the recent fire falls under the responsibility of a State Government Department, Main Roads as well Shire of Dardanup. The Shire of Dardanup does undertake maintenance of our reserve and also accesses State Government grants when available. Our Mitigation Officer will look into the specific requirements for this reserve and will aim to ensure the mitigation works are undertaken before the next bushfire season. Mr André Schönfeldt acknowledged that we may not be able to take further actions for this bushfire season.

**Question 4.** *Speed limit of Forrest Highway (Australind Bypass) from Old Coast Road traffic lights to Eaton Drive traffic lights. The current speed limit along this 1.5 km stretch of road is 100kph. The speed limit from Bunbury to the Old Coast traffic lights has been reduced to 70kph. Then 100kph for 1.5 km, then 70kph at the Eaton Drive traffic lights. A meeting with Mr Mark McGowan (then Opposition Leader) on site at 72 Millard Street in December 2015, he stated that the traffic noise was unacceptable and that something should be done about it. The stretch of road was to have been hot-mixed in 2023. A slurry coat was applied, and the speed limit was reduced to 80kph. A small amount of relief but the traffic South Bound was still at 100kph which still created a lot of traffic noise.*

*Currently the noise level at between 4.00pm and 6.30pm is extreme with this stretch of road North bound being used as a race track by motor bikes and between Midnight and 2.00am caused by heavy vehicles servicing Bunbury.*

*My suggestions to the problem are as follows:*

*Resurface (hotmix) the road (North AND South bound).*

*Reduce speed limit to 70kph on both North AND South bound lanes between Eaton Drive traffic lights and Old Coast Road traffic lights*

*Also the condition of the road reserve and medium strip along this 1.5 km stretch of Forrest Highway needs a serious clean up in light of the December fires (especially on the North bound lane road reserve).*



*I have recently contacted Main Roads and at the time of writing this I have not had a response. It has now been 9 years since the issue was raised and still little has been done.*

Councillor Response: Cr. T G Gardiner advised Mr Nortier that the highway was out of the Shire's jurisdiction however we can lobby Main Roads.

Officer Response: Chief Executive Officer, Mr André Schönfeldt asked Mr Nortier if he was happy to move a motion for the Shire of Dardanup to lobby Main Roads and local member Ms Jodie Hanns MLA to action these issues.

Note: Mr Nortier responded in the affirmative and put the following resolution:

#### **ANNUAL ELECTORS RESOLUTION & COUNCIL RESOLUTION**

AEM03-24      MOVED -      Mr Hans Nortier      SECONDED –      Cr. J D Manoni

**THAT Council lobby Main Roads WA and Ms Jodi Hanns MLA to:**

- 1.      Resurface the Forrest Highway between Old Coast Road traffic lights to the Eaton Traffic lights.**
- 2.      Reduce the speed limit on Forrest Highway to 70km/hr between Old Coast Road traffic lights to the Eaton Traffic lights.**
- 3.      Request the condition of the Forrest Highway road reserve and medium strip be improved and maintained to a high standard.**

CARRIED  
9/0

## **6      CLOSURE OF MEETING**

Cr. T G Gardiner thanked the staff for the previous 12 months and all the work they have done.

There being no further business, the Presiding Officer, Cr. T G Gardiner declared the meeting closed at 6.30pm.