Shire of Dardanup

CONFIRMED

MINUTES

FOR THE

ORDINARY COUNCIL MEETING

HELD

Wednesday, 23rd September 2026

AT

ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

This document is available in alternative formats such as:
~ Large Print
~ Electronic Format [emailed]
Upon request.

Shire of Dardanup

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

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 e.g. 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 (e.g.: 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

Inherent Risk	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.
Residual Risk	The remaining level of risk following the development and implementation of Council's response.
Strategic Context	These risks are associated with achieving Council's long term objectives.
Operational Context	These risks are associated with the day-to-day activities of the Council.
Project Context	Project risk has two main components: • Direct refers to the risks that may arise as a result of project, which may prevent the Council from meeting its objectives. • Indirect refers to the risks which threaten the delivery of project outcomes.

SHIRE OF DARDANUP

MINUTES FOR THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 23rd SEPTEMBER 2026, AT THE SHIRE OF DARDANUP ADMINISTRATION CENTRE EATON, 1 COUNCIL DRIVE, EATON AT 5:00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Presiding Member, Cr Tyrrell G Gardiner, declared the meeting open at 5:00pm, welcomed those in attendance, and 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.

Recording of Meetings

In accordance with Section 5.23A of the Local Government Act 1995, and Part 2A of the Local Government (Administration) Regulations 1996, video or audio recordings of Council meetings apply to all Ordinary and Special Council Meetings of the Shire of Dardanup.

All recordings will be retained as part of the Shire of Dardanup records and will be made available to the public via the Shire of Dardanup Website, excluding recordings of matters that Council take Behind Closed Doors.

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

2.1 Attendance

Cr Tyrrell G Gardiner	-	Shire President
Cr Stacey L Gillespie	-	Deputy Shire President
Cr Bradley S Farrant	-	Elected Member
Cr Luke W Davies	-	Elected Member
Cr Mark R Hutchinson	-	Elected Member
Cr Anthony C Jenour	-	Elected Member
Cr Krystal A Laurentsch	-	Elected Member
Cr Ruby J Trevathan	-	Elected Member
Cr Annette L Webster	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Theo Naudé	-	Director Infrastructure
Mr Craig Johnson	-	Director Community and Economic Development
Ms Susan Oosthuizen	-	Director Development Services
Mr Shaun Hill	-	Acting Director Corporate and Governance
Mrs Cindy Barbetti	-	Acting Manager Governance
Mrs Lily Webb	-	Executive Support Officer
Mr James Heelan	-	Commonwealth Bank Representative
Mr Anthony De Marte	-	Halifax Mechanical Engineering Representative
Ms Melissa De Marte	-	Halifax Mechanical Engineering Representative

2.2 Apologies

Mrs Natalie Hopkins	-	Director Corporate and Governance

2.3 Leave of Absence

None.

2.4 Previous Meetings

DATE	TYPE	CR. L W DAVIES	CR. B S FARRANT	CR. T G GARDINER	CR. S L GILLESPIE	CR. M R HUTCHINSON	CR. A C JENOUR	CR. K A LAURENTSCH	CR. R J TREVATHAN	CR. A L WEBSTER
JUNE 2026										
03/06/2026	SCM	Ap	✓	✓	✓	✓	✓	✓	✓	✓
10/06/2026	WS	✓	✓	✓	Ap	✓	✓	✓	✓	✓
17/06/2026	AF	✓	✓	✓	✓	✓	✓	✓	✓	✓
24/06/2026	OCM	✓	✓	✓R	✓	✓	✓R	✓	✓	Ap

DATE	TYPE	CR. L W DAVIES	CR. B S FARRANT	CR. T G GARDINER	CR. S L GILLESPIE	CR. M R HUTCHINSON	CR. A C JENOUR	CR. K A LAURENTSCH	CR. R J TREVATHAN	CR. A L WEBSTER
JULY 2026										
01/07/2026	CF	✓	✓	✓	Ap	✓	✓	✓	✓	Ap
08/07/2026	WS	NA	✓	✓	✓	✓	Ap	✓	✓	NA
15/07/2026	AF	✓	✓	✓	✓	✓	Ap	✓	✓	✓
22/07/2026	OCM	✓	✓	✓	✓	✓	✓R	✓	✓	✓
AUGUST 2026										
05/08/2026	CF	✓	✓	✓	✓	✓	✓R	✓	✓	NA
12/08/2026	WS	✓	✓	✓	✓	✓	✓	✓	✓	✓
19/08/2026	AF	✓	✓	✓	✓	✓	✓R	✓	✓	NA
26/08/2026	OCM	✓	✓	✓	✓R	✓	✓	✓	✓	✓
SEPTEMBER 2026										
02/09/2026	CF	NA	Ap	✓	✓	✓	✓	✓	Ap	✓
09/09/2026	WS	NA	Ap	✓	✓	✓	Ap	✓	✓	✓
15/09/2026	AF	Ap	Ap	✓	✓	✓	✓	✓	✓	Ap

TYPE LEGEND	
AF	Agenda Forum
CF	Concept Forum
OCM	Ordinary Council Meeting
SCM	Special Council Meeting
WS	Workshop

ATTENDANCE LEGEND	
✓	Attendance
✓R	Remote Attendance
Ap	Apology
LoA	Leave of Absence
NA	Non Attendance

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

None.

5 APPLICATIONS FOR LEAVE OF ABSENCE

ELECTED MEMBER MOTION & COUNCIL RESOLUTION

222-26 MOVED: Cr L W Davies SECONDED: Cr S L Gillespie

THAT Cr Ruby J Trevathan be granted leave of absence for the Ordinary Council Meeting to be held on the 28th October 2026.

CARRIED
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Presentation - Recognition of sponsorship and support of the Perth Wildcats in Dardanup event - Commonwealth Bank and HME Engineering

The Shire of Dardanup will formally recognise Commonwealth Bank and Halifax Mechanical Engineering for their sponsorship and support of the Perth Wildcats in Dardanup event, held at the Eaton Recreation Centre on 14th and 15th August 2026.

The event provided the community with an opportunity to experience elite basketball locally, featuring a sold-out Perth Wildcats Red vs Black pre-season intraclub match attended by more than 800 people, as well as Junior Clinics involving more than 160 young basketballers.

The event promoted basketball participation in the South West and showcased the Eaton Recreation Centre's capacity to host major sporting events. Its successful delivery was supported by the Perth Wildcats, local sporting organisations, sponsors, volunteers and Shire staff.

In recognition of their contribution, Commonwealth Bank and Halifax Mechanical Engineering will each receive a framed, signed Perth Wildcats jersey featuring a commemorative plaque acknowledging their support.

Shire President Cr Tyrrell Gardiner will make the presentations on behalf of the Shire of Dardanup, providing an opportunity for Council to acknowledge the important contribution of local and regional businesses to community events and sporting participation.

Note: Shire President Cr Tyrrell Gardiner presented framed, signed Perth Wildcats jerseys to representatives of Commonwealth Bank and Halifax Mechanical Engineering in recognition of their sponsorship and support of the Perth Wildcats in Dardanup event.

A third jersey was presented to the Community and Economic Development team in recognition of its contribution to the successful delivery of the event, with Mr Craig Johnson accepting the jersey on behalf of the Shire.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Council Meeting Held on the 26th of August 2026

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

223-26 MOVED: CR A L Webster SECONDED: Cr R J Trevathan

THAT the Minutes of the Ordinary Meeting of Council held on the 26th of August 2026 be confirmed as true and correct.

CARRIED
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Shire President Monthly Report

Reporting Department	*Elected Members*
Elected Member	*Cr Tyrrell G Gardiner – Shire President*

Participation in various meetings, conferences, and events since my last report to the Council.

Note: Director Community & Economic Development, Mr Craig Johnson left the meeting at 5:07pm. All members of the public left the meeting at 5:07pm and did not return.

Event:	**29/08/2026 Bunbury Geographe Chamber of Commerce and Industry**
Report:	Annual awards night held in Bunbury to celebrate businesses in the region that have achieved a level of excellence. Acting CEO Natalie Hopkins also attended.
Event:	**6/09/2026 Season Opener Eaton Bowling Club**
Report:	Start of the season for members of the Bowling Club. Great numbers in attendance, looking forward to another successful year. Congratulations to President Terry Bright and the Committee.
Event:	**9/09/2026 Media Interview**
Report:	Interview with ABC regarding the wrapping up of the South West Region Designated Area Migration Agreement (DAMA), following the transition from Regional DAMAs to a statewide model. We will continue to advocate for dedicated Regional Officers.
Event:	**14/09/2026 Photo's for Shire Webpage Articles**

Report:	A couple of photos to promote the "Let's Talk" program at the Eaton Library and the availability of a Justice of the Peace on the second Monday of each month. Photos were also taken for Chris Hynes being awarded the Murray Lang Bushfire Service Award for his 40 years of service to the community. Thank you, Chris.
Event:	**15/09/2026 Glen Huon Lights photo**
Report:	Photo with Eaton Boomers President Troy Kent to note the completion of new lights at the football ground, following an election commitment from Jodie Hanns MLA. Official opening next year, with a game to be played under lights.
Event:	**16-18/09/2026 WA Local Government Annual Conference and AGM**
Report:	Held at the Perth Convention and Exhibition Centre, this is the yearly gathering of Local Government representatives from across Western Australia. Regular sessions included Mayors and Presidents, Heads of Agencies, and presentations from State and Federal leaders in our sector. With the theme for the Conference being "Tomorrow's World", sessions covered the Renewable Energy Transition, Future Growth, and Psychosocial Hazards in the Digital World. Cr Gillespie, Cr Trevathan, Cr Farrant, the CEO, and the Director of Community and Economic Development also attended the Conference.
Event:	**18/09/2026 Post Conference Networking**
Report:	Sundowner hosted by Rick Wilson MP for the Federal seat of O'Connor. Leader of the Opposition Basil Zempilas and a number of other Liberal Members of Parliament were available to discuss a variety of interests with representatives from the Local Governments in attendance.

Discussion:

Cr S L Gillespie noted the benefits of attending the Breakout Sessions at the WALGA Conference 2026 and the value of the information presented.

Note: Director Community & Economic Development, Mr Craig Johnson returned to the meeting at 5:08pm

Cr B S Farrant acknowledged the Minister for Local Government's opening address and noted the discussions regarding local government elections and amalgamations, as well as Audit, Risk and Improvement Committee Independent Members. Cr Farrant agreed that the Breakout Sessions and information provided throughout the Conference were beneficial.

Cr R J Trevathan highlighted the opportunity to network with other local government Councillors and gain a broader perspective on community representation. Cr Trevathan also acknowledged the professional development opportunities available through attending the WALGA Conference as a Councillor.

Cr T G Gardiner noted the range of agencies and speakers in attendance and the feedback received from participating agencies. Cr Gardiner encouraged Councillors to complete the Conference survey following the event.

Mr André Schönfeldt provided an overview of his attendance at the WALGA Conference 2026, highlighting discussions with DEED regarding the potential relocation of overhead power lines in the Wanju DSP area and the proposed establishment of a working group. He also noted a presentation on a Community Benefits Program associated with renewable energy projects and acknowledged the significant work being undertaken by smaller regional local governments.

Mr Schönfeldt noted the Minister for Local Government's address and proposed legislative changes, including the removal of the Dadour provisions, and the potential implications for future local government reform. He also highlighted presentations regarding regional investment and infrastructure, Australia's geopolitical position, defence, imports and exports.

Mr Schönfeldt noted that infrastructure planning remains a significant challenge for regional local governments and suggested that advocacy to the State Government for the development of regional infrastructure plans may be timely. He also noted the challenges associated with housing growth in regional areas where supporting infrastructure is limited and acknowledged the professional development benefits of attending the situational leadership sessions.

Mr Craig Johnson acknowledged the comments made by the other attendees and highlighted the value of the exhibition area, including opportunities to engage with service providers and learn about available products and services.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

None.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

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

Key Management Personnel (which includes Elected Members, CEO and Directors) are reminded of their requirement to disclose biannually transactions between Council and related parties in accordance with Council Policy CnG CP039.

Note: Chairperson to ask Councillors and Staff if there are any Declarations of Interest to be declared.

- *Chief Executive Officer, Mr André Schönfeldt, declared an Impartiality Interest in item 12.6.1 – Audit Risk and Improvement Committee, as he has engaged their tax services in a personal capacity.*

- *Cr Tyrrell G Gardiner declared an Impartiality Interest in item 12.4.1 – Additions to the 2026/27 Buildings Major Maintenance and Upgrade Program, as a member of Ferguson Volunteer Bush Fire Brigade.*

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 EXECUTIVE REPORTS

None.

12.2 DEVELOPMENT DIRECTORATE REPORTS

12.2.1 Management of Reserve 131787

Reporting Department	*Development Directorate*
Responsible Officer	*Ms Susan Oosthuizen – Acting Director Development Services*
Reporting Officer	*Ms Rachel Sweeney – Manager Assets*
Legislation	*Local Government Act 1995* *Land Administration Act 1997*
Council Role	*Executive/Strategic.*
Voting Requirement	*Absolute Majority.*
Attachments	*Appendix ORD: 12.2.1A – Fencing Drainage Reserve 14 Camfield Street* *Appendix ORD: 12.2.1B – Fence letter of approval by Council Resolution - Camfield and Bryant Street* *Appendix ORD: 12.2.1C – Confirmation of memorial - 13 Camfield Street* *Appendix ORD: 12.2.1D – Building Permit - Shed - 13 Camfield Street* *Appendix ORD: 12.2.1E – Risk Assessment Tool* *Confidential Attachment A – Under Separate Cover – Legal Advice*

Overview

The Council has a Reserve 131787 in Eaton vested by the State Government of Western Australia for Water Corporation, sewer and drainage infrastructure requiring unencumbered access as well as a Shire's stormwater drainage pipes and pits. The reserve abuts eight properties located on Camfield Street, Pratt Road and Leake Street. All the properties have been making use of the reserve as an extension of their own lots.

This report requests Council to consider the revoking of approvals received for the placement of structures on the reserve, and to retake back the management of the reserve to allow for unencumbered access for the Water Corporation and the Shire.

OFFICER RECOMMENDATION

THAT Council:

1. Instructs the Chief Executive Officer to write to the affected landowners of lots 51, 52, 391, 392, 393 (previously parent lot now lot 2), 416, 408 and 409 to advise them that as contemplated by Regulation 17(1) of the Local

Government Regulations, 1996 it is reinstating full control and access of the Reserve 131787.

2. Approves the cancellation of any permission previously granted for fencing of the Reserve 131787.

3. Notes that all landowners will be required to remove the fencing and all other works and materials from the Reserve within 90 days.

4. In respect of the shed on Lot 391 which encroaches into the Reserve 131787 resolves that:

   a) the landowner removes the structure from the Reserve; and

   b) the Chief Executive Officer negotiates a reasonable time for compliance because of the logistical difficulties in executing the removal

5. Council approves the installation of fencing at a cost of $26,190 (ex GST) around the entire reserve to be funded from Parks and Reserves Upgrades Reserve.

Change to Officer Recommendation

As per *Local Government (Administration) Regulations 1996 11(da)* Council records the following reasons for amending the Officer Recommendation:

- To provide the affected landowners with an opportunity to comment on the proposed actions before Council makes a final decision.
- To enable Council to consider any relevant information, circumstances or concerns raised by the affected landowners.
- To ensure Council has considered the views of affected parties before determining the future management and use of Reserve 131787.
- To allow the outcomes of the consultation to inform a further report to Council and its consideration of the appropriate way forward.

AMENDED RECOMMENDATION & COUNCIL RESOLUTION

224-26 MOVED: Cr T G Gardiner SECONDED: Cr S L Gillespie

THAT Council:

1. Instructs the Chief Executive Officer to write to the affected landowners of lots 51, 52, 391, 392, 393 (previously parent lot now lot 2), 416, 408 and 409 to seek their comments on Council's intention to, as contemplated by Regulation 17(1) of the *Local Government Regulations 1996*:

- **reinstate full control and access of the Reserve 131787;**

- **cancel any permission previously granted for fencing of the Reserve 131787;**

- **inform all landowners of the requirement to remove the fencing and all other works and materials from the Reserve within 90 days;**

- **in respect of the shed on Lot 391 which encroaches into the Reserve 131787, resolve that:**

  a) the landowner removes the structure from the Reserve; and
  b) the Chief Executive Officer negotiates a reasonable time for compliance because of the logistical difficulties in executing the removal; and

- **Council will install Colourbond fencing around the entire reserve to be funded from Parks and Reserves Upgrades Reserve.**

2. Requests the Chief Executive Officer to bring a report back to Council in November 2026 on the outcomes of consultation and the way forward.

CARRIED
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

Background

The Shire has care, control, and management of the Reserve pursuant to a Management Order, in accordance with the provisions of the *Land Administration Act 1997*. The Reserve contains Water Corporation drainage infrastructure that requires unencumbered access from time to time and also contains Shire of Dardanup stormwater drainage pipes and pits. The Reserve is also located within a 1:100-year flood area (overland floodway) and a bushfire-prone area.

There are eight lots that abut the reserve. All eight currently use portions of the reserve as an extension of their own yard for storing sheds, boats, fences, 'ornaments' and materials.

- Lot 408 (139 Pratt Road, Eaton);
- Lot 409 (141 Pratt Road, Eaton);
- Lot 416 (14 Camfield Street, Eaton);
- Lot 51 (12A Camfield Street, Eaton);
- Lot 52 (12 Camfield Street, Eaton);
- Lot 391 (13 Camfield Street, Eaton);
- Lot 392 (15 Camfield Street, Eaton);
- Lot 393 parent lot that has been subdivided into 2 lots – Lot 1 (18A Bryant Street, Eaton) and Lot 2 (18B Bryant Street, Eaton)

This has, in some instances, led to illegal dumping of waste and/or structures being placed on the reserve with ongoing complaints received by residents.

Location Plan



Figure 1: Shire Drainage Infrastructure and Water Corporation Sewer Lines



Figure 2: Floodway

Lot 416 (14 Camfield Street)

The owners of Lot 416 (14 Camfield Street) were granted Shire approval (Appendix ORD: 12.2.1A) on 30th July 2015 for the care and maintenance of a portion of the reserve adjacent to their property. The owner has consistently maintained the approved area to a high standard, presenting it as a manicured garden.

In October 2025, the Shire received a formal request from the owners to extend their care and maintenance responsibilities over an additional portion of the reserve adjacent to their property. This portion abuts Lot 52 (12 Camfield Street) which has access to the unmaintained portion of the reserve, which has become a site for the storage of household items. This request was not supported by the Shire officers.

A fence and gate crossing the reserve from the boundary of Lot 52 (12 Camfield Street) to their property boundary was erected at the owner's cost. Subsequently Lot 416 replaced the substandard fence and gate erected by the owners of Lot 52.

The Shire fitted a chain and padlock to the gates to maintain full access to the reserve to carry out maintenance. However, access to the drainage reserve has been obstructed by the placement of a large piece of farming equipment in front of this gate. The owners subsequently moved this equipment after receiving notification from Shire Officers.

An additional gate has been installed at the boundary between the Drainage Reserve and the road reserve by the owners of Lot 416 (14 Camfield Street).



Lot 52 (12 Camfield Street)

The owner of Lot 52 (12 Camfield Street) has access to the unmaintained portion of the reserve, which has become a site for the storage of household items and illegal dumping on the reserve.

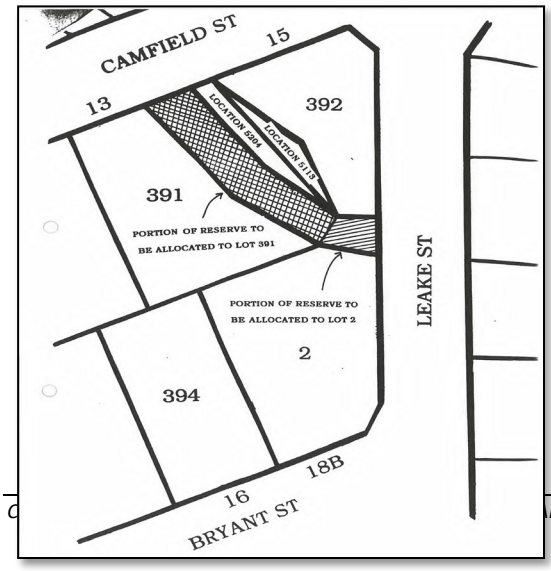


Lot 2 (18B Bryant Street)

On 23rd February 2000, Council resolved [Res: 102-00] to approve the fencing of a portion of Lot 2 (previously part of the parent lot 393) to incorporate a portion of the reserve into this property (Appendix ORD: 12.2.1B - Fence letter of approval by Council Resolution - Camfield and Bryant Street). The parent lot 393 was subdivided into two lots, with lot 2 abutting the reserve.

There was a requirement to place memorials (Section 70A Notice) on their title to reflect the status of the reserve, and no building was allowed to be constructed within the reserve. The owners are responsible for the maintenance of the surface of the reserve and its restoration should the drainage pipes need to be worked on.

The owners have installed 2 water tanks and landscaping on the reserve.





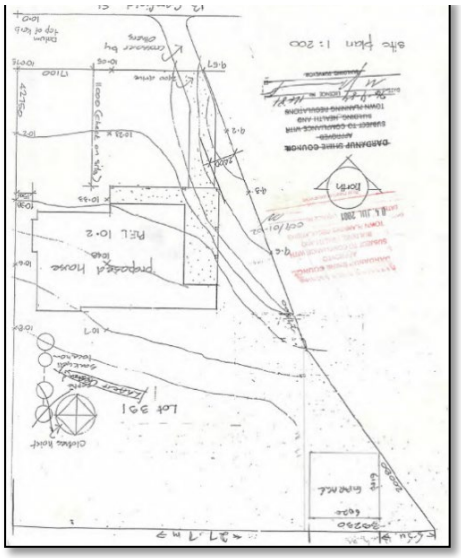
Lot 391 (13 Camfield Street)

On 23rd February 2000, Council resolved [Res 102-00] to approve the fencing of a portion of Lot 2 to incorporate a portion of the reserve into this property (Appendix ORD: 12.2.1B).

There was a requirement to place memorials (Section 70A Notice) on their title to reflect the status of the reserve, and no buildings were allowed to be constructed within the reserve. A memorial was confirmed to have been placed on the Title (Appendix ORD: 12.2.1C). The owners are responsible for the maintenance of the surface of the reserve and its restoration should the drainage pipes need to be worked on.

Currently, the fence and gate on the reserve land facing the south side of Camfield Street completely block entry to the reserve.

The owners had a shed approved in 2001 (Appendix ORD: 12.2.1D) which was to be 5.5m from rear corner boundary adjacent to reserve. The shed is built over the reserve by approx. 2.5m due to an incorrect boundary alignment.





Lot 409 (141 Pratt Road)

The owners have fenced off the reserve completely with a tall chain link fence.

Legal Implications

The Reserve contains Water Corporation drainage infrastructure that requires unencumbered access from time to time and the manner in which the Reserve has been fenced, along with the various works and activities which have been undertaken on the Reserve, is interfering with the proper use of the Reserve for its intended purpose.

There are specific properties where portions of the reserve have effectively been annexed as part of those properties and are no longer generally accessible by the Shire due to the installation of fencing.

Shire officers obtained legal advice from McLeod's regarding its options to restore full use and access of the Reserve and the potential implications of doing so, including any rights of compensation (Confidential Attachment A – Under Separate Cover).

Council Plan

7.1 - Minimise risks and impacts from fires, floods, heat waves, and other natural disasters.
8.1 - Support responsible planning and development.

Environment - None.

Precedents -

Resolution 102/00 of the Ordinary Council meeting held 23rd February 2000

"OFFICER RECOMMENDED RESOLUTION & COUNCIL RESULTION

102/00 MOVED Cr M T O'Connor – Cr K Hopper

THAT:

1. *Council approve the fencing of portion of the drainage reserve adjoining Lot 2 (18B) Bryant Street and Lot 391 (13) Camfield Street, Eaton in order to incorporate the portion of this reserve into these properties.*
2. *The owners of Lot 2 (18B) Bryant Street and Lot 391 (13) Camfield Street, be advised that they will be:*

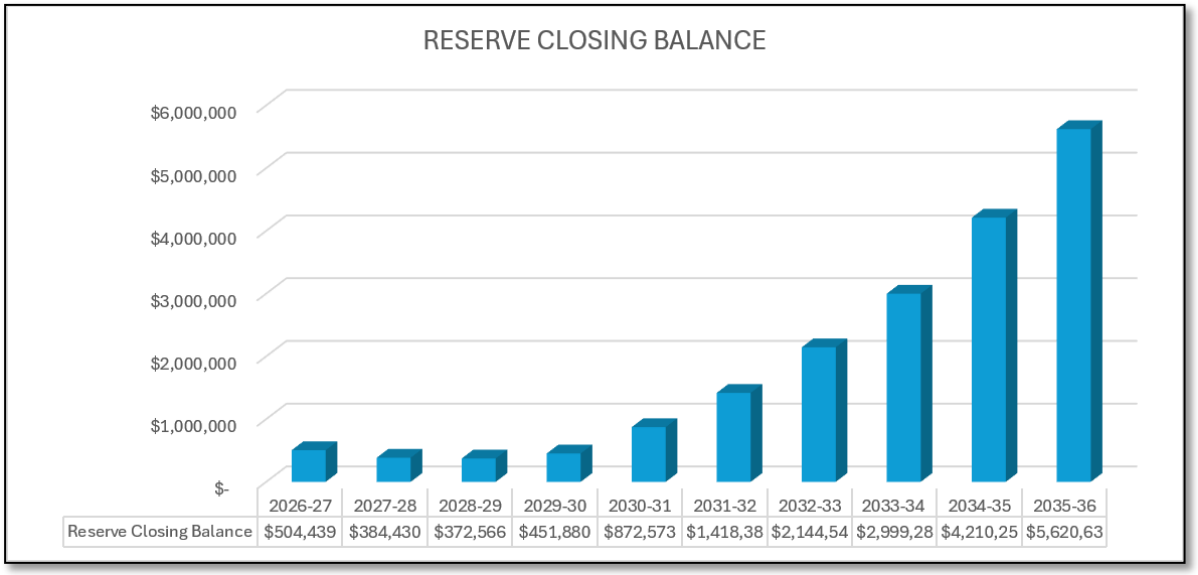
   i. *Responsible for the maintenance of the surface of the reserve and its restoration should the drainage pipes need to be worked upon. This will not be the responsibility of Council*
   ii. *Required to have memorials placed on their titles to reflect the status of the reserve and that no buildings are to be constructed within the reserve*
   iii. *Required to liaise with Council's Planning Officers prior to establishing any vegetation within the reserve.*

CARRIED 9/0"

Budget Implications

It is proposed to take back full management of the Reserve which may require the Shire to fence the reserve. There also may be compensation to landowners for fences and gates that they have paid for to fence off the reserve for private use with approval from the Shire.

The Shire has obtained a quote to fence the reserve with a 1800 high Colourbond fence at a cost of $26,190 (ex GST). These funds can be sourced from the Parks and Reserves Upgrades Reserve. Based on the currently adopted transfers into the reserve and the adopted 10-year program of works, the additional expenditure would have the following impact on the reserve balance over the current 10-year planning period.



	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36
Reserve Closing Balance	$504,439	$384,430	$372,566	$451,880	$872,573	$1,418,38	$2,144,54	$2,999,28	$4,210,25	$5,620,63

Budget – Whole of Life Cost

The Shire resuming full management of this reserve will introduce additional annual maintenance expenditure to maintain and mow the reserve to a suitable standard consistent with other reserves throughout Eaton. This reserve will have slashing, weed maintenance and general trimming work undertaken four times a year, with ad-hoc maintenance works undertaken upon request by the public. This will result in an additional yearly maintenance expenditure of approximately $3,345 per annum or $964 per annum excluding overheads. This figure is excluding any ad-hoc requests, and only accounts for routine maintenance.

The fencing erected by the Shire will become the responsibility of the property owners, who will be responsible for any future maintenance and replacement works.

Council Policy Compliance – None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.2.1E) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Risk Event	Management of Reserve 131787	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	There is ongoing compliance issues in regard to unrestricted access, illegal dumping and structures.
	Reputational	Community pushback may occur as a result of taking back management of the reserve after a long period of private use.
	Financial	Additional expenditure for maintenance

Officer Comment

Currently, there are unauthorised structures on the reserve which are impeding full access to allow for the Shire's care, control and management of the Reserve pursuant to the Management Order in accordance with the provisions of the *Land Administration Act, 1997.* The Shire proposes to take back the full management of the reserve, subject to Council approval.

While various adjoining properties have effectively annexed parts of the Reserve for a number of years, there is no basis for an adverse possession claim in relation to those areas, as the relevant land is reserved and is not held by the Shire in fee simple. Accordingly, the only formal proprietary interests that exist for adjoining landowners in respect of the Reserve will arise from specific approvals which have been granted by the Shire.

As outlined in the report the Council resolved, on 23rd February 2000, to approve the fencing of a portion of the Reserve adjoining two properties, being Lot 2 (18B Bryant Street – previously Lot 393) and Lot 391 (13 Camfield Street), 'in order to incorporate the portion of this reserve into these properties' (2000 Approval). The precise legal basis for this approval is not clear, but it is qualified to an extent including a requirement to have 'memorials' placed on the relevant certificates of title 'to reflect the status of the reserve and that no buildings are to be constructed within the reserve'.

It has been confirmed by McLeods that notifications were registered on the certificates of title for those properties in 2000. Notwithstanding this approval, the relevant parts of the Reserve adjoining those properties were not transferred or formally realigned and remain the subject of the Management Order in favour of the Shire. There is limited information as to the precise basis for the conferral of those rights. In the absence of any further detail in that respect, the rights conferred by the Shire appear to generally accord with a permission granted under the *Local Government (Uniform Local Provisions) Regulations 1996* (Regulations), as a local government may grant permission for private works over a reserve under regulation 17(1) of the Regulations.

If the 2000 approval is interpreted as being permission for the purposes of that regulation, regulation 17(4) of the Regulations further provides that any such approval 'may be cancelled by giving written notice to the person to whom the permission was granted'. It is worth noting that regulation 17 was amended after the approval was granted in 2000. Regulation 17 was in existence in 2000 but did not include an express provision which empowered a local government to cancel the permission granted under that provision, although it did still enable conditions to be imposed in respect of any such permission.

Furthermore, that version of the Regulations included a standard provision that any such permission was conditional on the ordinary and reasonable use of the relevant place not being permanently or unreasonably obstructed from the purpose to which it was dedicated.

Lot 391 (13 Camfield Street)

In relation to this lot, there is a portion of the Reserve adjoining that property that has been blocked off by a fence and gate, which have been erected by the owners of that property and a portion of the Reserve is also being used as part of their property, as generally contemplated by the approval in 2000.

In addition, a substantial shed has been constructed at the rear of that property, and a portion of that shed also substantially encroaches into the Reserve. The Shire granted a building licence for those works in 2001, but the shed was approved as being built within the private property boundaries and not within the Reserve. Accordingly, the construction of the shed over the Reserve is inconsistent with the building licence plans and, further, inconsistent with the 2000 Approval which stated that 'no buildings are to be constructed within the reserve'

Lot 2 (18B Bryant Street)

This sits behind Lot 291 (13 Camfield Street), and a further fence has been erected between those properties within the Reserve as well as two water tanks have been installed on the portion of the Reserve adjoining that property and other items or materials appear to be stored within the Reserve. The water tanks do not require a building permit because of the size of the tanks.

Lot 416 (14 Camfield Street)

The owners were granted approval on 30th July 2015 from the Shire for the care and maintenance of a portion of the reserve adjacent to their property. The owner has consistently maintained the approved area to a high standard, presenting it as a manicured garden.

A fence and gate crossing the reserve from the boundary of Lot 52 (12 Camfield Street) to their property boundary was erected at the owner's cost. Subsequently the owners of Lot 416 replaced the substandard fence and gate erected by the owners of Lot 52.

The Shire fitted a chain and padlock to the gates to maintain full access to the reserve to carry out maintenance. However, access to the drainage reserve has been obstructed by the placement of a large piece of farming equipment in front of this gate. This has subsequently been moved by the owners after receiving notification from the Shire.

An additional gate has been installed at the boundary between the Drainage Reserve and the road reserve by the owners of Lot 416.

Lot 409 (141 Pratt Road)

The owners of the lot have effectively annexed the adjoining portion of the Reserve, through the erection of a chain-link fence adjacent to the front of that property. No approvals for the erection of the fence have been issued.

Legal Implications

A local government may grant permission for private work over a reserve under regulation 17(1) of the Regulations. Regulation 17(4) of the Regulations provides that any such approval 'may be cancelled by giving written notice to the person to whom the permission was granted'. Any fencing which has been installed on or over the Reserve with the Shire's permission can be the subject of a request from the Shire to remove those works, as contemplated by regulation 17(4)(e) of the Regulations.

The Shire could write to the owners of the properties in respect of which those approvals were granted to advise that the permission is now being cancelled and to request removal of the fencing and other work within a specified time. If a person fails to comply with that request, once the relevant permission has been cancelled by written notice, the Shire could serve a formal notice under section 3.25(1)(b) of the *Local Government Act 1995* (Act), requiring the fencing to be removed, as contemplated by the 'note' for Regulation 17.

Regulation 17 has varied since the 2000 Approval (lot 2 and 391) was granted there is still a basis upon which the Shire can insist on the removal of fencing or any other works which permanently or unreasonably obstruct the use of the Reserve for its dedicated purpose. Where any works have been undertaken on the Reserve without the approval of the Shire (141 Pratt Road), those works clearly contravene Regulation 17 and, in the absence of any permission for those works, the Shire can request removal of the relevant works and, if necessary, serve a notice under the Act, requiring removal of the works.

If the Shire cancels a permission which is purportedly granted under Regulation 17, that cancellation would be capable of constituting a decision which can be the subject of an application for review to the State Administrative Tribunal (Tribunal), in accordance with Part 9 of the Act. If the Shire gives further notice under section 3.25 of the Act to require the properties to be fenced to separate them from the Reserve, owners of those properties may expect the Shire to contribute to those costs and would be a matter for the Shire's discretion.

The Reserve remains under the care, control and management of the Shire. The Shire is responsible for any liability that may exist in relation to the use of the Reserve and has an obligation to ensure that the Reserve remains capable of use for its dedicated purpose, being a drainage reserve with Water Corporation infrastructure and overland flow path.

Recommended Approach

Officers recommend that Council resolve that the Shire write to the affected landowners to advise that it is reinstating full control and access of the Reserve.

The Shire will cancel any permission previously granted for fencing of the Reserve and require fencing and all other works and materials to be removed from the Reserve within 90 days.

In respect of the shed which encroaches into the Reserve, the Shire recommends that a longer timeframe be considered for compliance, as there may be logistical difficulties in executing the removal or relocation of that shed. The timeframe is to be negotiated and finalised with the landowner.

- *Option 1* - The Shire proposes that in, the first instance, owners be requested to erect fencing to separate their properties from the Reserve.

  If the works and materials are not removed from the Reserve and a separating fence is not erected, the Shire can proceed to give formal notices to that effect under section 3.25 of the Act.

  If a person fails to comply with a notice under the Act, the Shire will need to consider whether to commence a prosecution against that person and/or carry out the relevant works in default of the notice, as contemplated by section 3.26 of the Act.

- *Option 2* - This recommended approach will be that Council support the restoration of full control and management of the Reserve.

  The Shire will write to all landowners to remove structures/materials from the Reserve within a specified period. Council will fund and install fencing around the entire reserve.

Conclusion

Officers recommend that Council support Option 2 – to restore full control and management of the Reserve.

The Shire will write to all landowners to remove structures/materials from the Reserve within 90 days, and the Council will fund and install fencing around the entire reserve.

END REPORT

12.2.2 Public Health Plan 2026–2030 – Final Adoption

Reporting Department	*Development Directorate*
Responsible Officer	*Ms Susan Oosthuizen – Acting Director Development Services*
Reporting Officer	*Mr Neil Nicholson – Coordinator of Environmental Health Services*
Legislation	*Local Government Act 1995* *Public Health Act 2016 (s.21, s.45, Part 5)*
Council Role	*Executive/Strategic.*
Voting Requirement	*Simple Majority.*
Attachments	*Appendix ORD: 12.2.2A – Public Health Plan 2026–2030 (final version)* *Appendix ORD: 12.2.2B – Summary of community and stakeholder consultation outcomes for the Councillor Workshop* *Appendix ORD: 12.2.2C – Independent Peer Review, R.A. Janes Consultancy (4 September 2026)*

Overview

This report presents the Shire of Dardanup Public Health Plan (PHP) 2026–2030 for final adoption by Council, following the community and stakeholder consultation period which concluded on 1 September 2026, and the Councillor Workshop held on 9 September 2026.

At its Ordinary Council Meeting of 24 June 2026, Council endorsed the draft Plan for public consultation and resolved a conditional adoption pathway [Res 137-26]. Under that pathway, the Chief Executive Officer may finalise and adopt the Plan under delegation where the Councillor Workshop has occurred and no significant amendments to the Plan are considered necessary as a result of feedback received.

Should either condition not be met, the Plan is to be presented to Council for consideration and formal adoption. Both conditions for adoption under delegation have been satisfied in this instance — the Workshop was held, and no significant amendments to the Plan were considered necessary. Notwithstanding this, and consistent with the Plan's status as a strategic Council document, the Chief Executive Officer has elected not to exercise the delegation and has referred the matter to Council for a direct decision.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

225-26 MOVED: Cr A C Jenour SECONDED: Cr K A Laurentsch

THAT Council:

1. **Notes the outcomes of the community and stakeholder consultation period (13 August – 1 September 2026), as set out in (Appendix ORD: 12.2.2B), and the Councillor Workshop held 9 September 2026, as set out in this report; and**

2. **Adopts the Shire of Dardanup Public Health Plan 2026–2030 (Appendix ORD: 12.2.2A), in accordance with section 45 of the *Public Health Act 2016*; and**

3. **Requests the Chief Executive Officer to:**
   a) **refer the matters raised by Councillors at the Workshop in relation to drug harm reduction initiatives and the alcohol-related harm data query to WACHS, to determine whether they are supported by health data and warrant inclusion in the Plan; and**

   b) **report the outcome back to Council through the Plan's regular annual reporting cycle; and**

4. **Authorises the Chief Executive Officer to update the Plan's content, formatting, design/layout, images, graphics and other publication elements and to reflect any changes that may be required to the content.**

CARRIED
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

Background

The Public Health Plan 2026–2030 is the Shire's successor plan to the Public Health Plan 2021–2025, prepared to meet the Shire's obligations under section 45 of the *Public Health Act 2016*.

- 24th June 2026 OCM: Council endorsed the draft Plan for public consultation and resolved the conditional adoption pathway [Res 137-26].
- 13th August – 1st September 2026: Community and stakeholder consultation conducted across four streams – community workshops (Eaton, Dardanup, Burekup), a Government & NGO stakeholder session, a Community Groups session, and an online community survey.
- 9th September 2026: Councillor Workshop held, as required by Resolution 137-26, to consider the Plan and consultation outcomes prior to adoption.

Consultation was conducted across five sessions in four engagement streams between 13 August and 1 September 2026: a Government and NGO stakeholder session (24 August 2026), three community workshops in Dardanup, Eaton and Burekup (24–27 August 2026), a Community Groups session (28 August 2026), and an online community survey, which received 113 responses at its peak question. The consultation was promoted across approximately fourteen channels, including the Shire website, social media, print media, digital signage, and direct stakeholder invitation.

The two most-selected community priorities in the survey were Sustainable and Healthy Environments (71.6%) and Connected and Resilient Community (69.5%), closely reflecting the Plan's existing priority areas. Road and traffic safety was the most consistent theme raised across the consultation sessions, identified independently at three of the five sessions. No theme raised through consultation was assessed as warranting a change to the Plan's priority areas or the wording of its actions.
An independent peer review of the Plan was completed by R.A. Janes Consultancy on 4th September 2026 (Appendix ORD: 12.2.2C). The review found that the Plan demonstrates alignment with the

current WA State Public Health Plan's objectives of promote, protect, prevent and enable, and that each action is directly related to a priority area with an achievable and quantifiable success indicator.

At the Councillor Workshop held 9 September 2026, there was a general consensus that the Plan required no substantial changes as a result of the consultation feedback. The Workshop was not a decision-making meeting and was not minuted; the Plan is now presented to Council for a formal decision to adopt it.

Two matters were raised by Councillors for consideration:

1. That consideration be given to the inclusion of drug harm reduction initiatives, programs and outreach in the Plan, noting this is identified in the WA State Public Health Plan and that service providers active in the region could potentially deliver such programs locally. Drug harm reduction is not currently addressed by a specific action in the Plan. This matter will be considered, together with all consultation feedback, in consultation with WACHS following adoption of the Plan, for potential inclusion at a delivery level where it is within the Shire's capacity and would provide a net population health benefit — without amendment to the Plan as adopted or to its core delivery framework.

2. It was queried whether alcohol-related health impacts were adequately represented in the Plan's health and wellbeing profile. The Plan's health and wellbeing profile already contains a dedicated data section on alcohol-related harm, and Action 3.3 (Health Promotion Partnerships) already includes alcohol harm reduction within its scope. Officers will separately raise with WACHS whether alcohol-related harm may be underreported in incident-level health data, as a data quality matter independent of the Plan.

Neither matter is considered to constitute a significant amendment to the Plan requiring formal Council endorsement of specific wording changes prior to adoption.

Statutory Context

Section 45 of the *Public Health Act 2016* requires local governments to prepare and publish a local public health plan. Part 5 of the Act (including section 45) came into operation on 4 June 2024, and under section 45(7), a local government must prepare its first plan not later than two years after that commencement – that is, by 4 June 2026.

The Act does not prescribe a specific adoption mechanism. Section 21 permits a local government to delegate its powers and duties under the Act to the Chief Executive Officer, which formed the basis of the conditional CEO adoption pathway under Recommendation 2 of the 24 June 2026 OCM [Res 137-26]. In this instance, both conditions for adoption under delegation have been satisfied. However, the Chief Executive Officer has elected not to exercise the delegation conferred under Resolution 137-26 and has referred the Plan to Council for adoption as a direct decision of Council.

The Director General, Department of Health, confirmed by letter dated 12 June 2026 that the Chief Health Officer granted an extension of time for adoption of the Plan, with submission to the Department of Health by 30 September 2026. The Shire's Councillor Workshop and adoption timeline have been planned to align with that revised target.

Legal Implications

Public Health Act 2016 – obligation to prepare a local public health plan for the district (s.45, Part 5).

Council Plan

1.1 – Provide quality and responsive services to the community.
1.3 – Lead by example in governance, accountability and transparency.
3.1 – Support community health, wellbeing and safety.

Environment - None.

Precedents

- 2021 – Council adopted the Shire of Dardanup Public Health Plan 2021–2025.
- 24th June 2026 – Council endorsed the draft Public Health Plan 2026–2030 for public consultation [Res 137-26].

Budget Implications

The development of the Public Health Plan 2026–2030 has been managed within existing allocated budget of $10,000, as previously reported to Council.

No additional budget implications arise from the matters raised at the Councillor Workshop. Any resulting delivery-level initiatives will be considered within existing operational budgets and through partnership opportunities that may bring external funding or resourcing to the Shire.

Budget – Whole of Life Cost

The primary whole-of-life cost associated with the Plan falls to the Environmental Health team, which carries the ongoing obligations for plan coordination, data collection, performance monitoring, and annual and period reporting. The Plan draws on and aligns with the existing service delivery functions of multiple Shire departments; it does not create new or additional funding obligations for those departments.

Council Policy Compliance

No specific Council policy applies directly to this matter. The development and adoption of the Plan is a statutory obligation under the *Public Health Act 2016*.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation.

TIER 1 – 'Low' Inherent Risk.	
Risk Event	Public Health Plan 2026–2030 – Final Adoption
Inherent Risk Rating	Moderate (5–11), consistent with the 24 June 2026 OCM risk assessment.

TIER 1 – 'Low' Inherent Risk.	
Risk Action Plan	Adopt the Public Health Plan 2026–2030 in compliance with the Public Health Act 2016, informed by the outcomes of community and stakeholder consultation and the Councillor Workshop.
Residual Risk Rating	Low (1–4)
Risk Category	*Health* – Health and wellbeing needs of the community not addressed to the extent they could be with an adopted Public Health Plan in place. *Legal and Compliance* – Continued non-compliance with s.45 of the *Public Health Act 2016* (obligation to prepare and maintain a public health plan) beyond the Department of Health's revised delivery target of 30 September 2026. *Reputational* – Delay in adoption, or consultation and Councillor Workshop outcomes not accurately reflected in the version presented for adoption.

Officer Comment

The Plan has been the subject of extensive community and stakeholder consultation across four engagement streams, independent peer review, and consideration by Council at a dedicated Workshop, in line with the public consultation plan as per Resolution 137-26 on 24 June 2026.

Both matters raised by Councillors at the Workshop — drug harm reduction initiatives and alcohol-related harm data — have been given serious consideration and are addressed in the background section above. Both will be referred to WACHS to determine whether they are supported by health data for inclusion in the Plan, with the outcome reported back to Council through the Plan's regular annual reporting cycle, consistent with the Officer Recommended Resolution. This ensures any inclusion is properly assessed and genuinely delivers a population health benefit, rather than being added without that assessment.

No amendments to the Plan's priority areas, objectives or actions are proposed as part of this adoption; any inclusion arising from the WACHS assessment would occur through the process set out above.

Two minor corrections have been made to the Plan since the version endorsed for public consultation in June 2026: removal of an unsupported statement linking enteric disease notifications to food safety practice in the Enteric Disease section, and correction of a tally error in the Appendix B summary statistics table (the number of 2021 to 2025 actions rated Outstanding, On Track and Completed). Neither correction alters the Plan's priority areas, objectives, actions or overall substance.

Although the conditions for adoption under delegation to the Chief Executive Officer [Res 137-26] have been satisfied, and consistent with the Plan's status as a strategic Council document, the Plan is presented to Council for a direct decision.

Adoption of the Plan will discharge the Shire's obligation under section 45 of the *Public Health Act 2016* and support delivery within the Department of Health's revised target of 30 September 2026. Officers recommend that Council adopt the Plan in accordance with the Officer Recommended Resolution.

END REPORT

12.3 COMMUNITY & ECONOMIC DEVELOPMENT DIRECTORATE REPORTS

None.

12.4 INFRASTRUCTURE DIRECTORATE REPORTS

12.4.1 Additions to the 2026/27 Buildings Major Maintenance and Upgrade Program

Reporting Department	*Infrastructure Directorate*
Responsible Officer	*Mr Theo Naudé - Director Infrastructure*
Reporting Officer	*Ms Rachel Sweeney - Manager Assets*
Legislation	*Local Government Act 1995* *Health (Miscellaneous Provisions) Act 1911* *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*
Council Role	*Executive/Strategic.*
Voting Requirement	*Absolute Majority.*
Attachments	*Appendix ORD: 12.4.1A – Additions to the 2026/27 Buildings Major Maintenance and Upgrade Program – Risk Assessment*

DECLARATION OF INTEREST
Cr T G Gardiner declared an Impartiality Interest in this item. Please refer to Part 11 'Declaration of Interest' for full details.

Overview

Following the adoption of the Buildings 10-Year Program of Works and the subsequent adoption of the Buildings Capital and Major Maintenance Programs for the 2026-27 financial year, the Shire has been successful in receiving $49,246 in grant funding through the Department of Fire and Emergency Services (DFES) Local Government Grants Scheme (LGGS) – Capital Grant for the fit-out of the recently upgraded Ferguson Volunteer Bushfire Brigade Building.

Quotes received for these works have identified that an additional $14,500 in Shire funding is required to complete the fit-out, ensure the building meets all applicable standards and enable an Occupancy Permit to be obtained.

In addition to the above, a further project is required to be added to the Buildings Program for the 2026-27 financial year for the reconstruction of the existing leach drains servicing the Gnomesville Public Toilets, which are currently overflowing and require replacement.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

226-26 MOVED: Cr A L Webster SECONDED: Cr R J Trevathan

THAT Council:

1. **Increase the 2026/27 Annual Budget allocation for grant funding by $49,246 to recognise the grant to be received from the Department of Fire and Emergency Services (DFES) Local Government Grants Scheme (LGGS) – Capital Grant for the Ferguson Volunteer Bushfire Brigade Building.**

2. **Increase the 2026/27 Annual Budget allocation for transfer from the Building Maintenance Reserve by $34,500.**

3. **Allocates funding in the 2026/27 Annual Budget to the projects below:**

PROJECT	ALLOCATED FUNDS
Ferguson Bushfire Brigade Building Compliance Upgrades	**$63,746**
Gnomesville Public Toilets Leach Drain Reconstruction	**$20,000**
TOTAL	**$83,746**

CARRIED
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

Background

The Shire's 10-Year Buildings Program of Works was discussed and adopted during the Integrated Planning Committee Meeting on the 11th March 2026 and the Ordinary Council Meeting on the 25th March 2026.

Legal Implications

The Shire has obligations under the *Health (Miscellaneous Provisions) Act 1911* and the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* to ensure that wastewater is appropriately contained and disposed of without creating a nuisance or risk to public health.

The existing leach drains servicing the Gnomesville public toilets are currently overflowing. Failure to rectify the wastewater disposal system may result in the Shire not meeting its legislative obligations and presents an ongoing public health risk.

Council Plan

9.3 - Provide quality community facilities
13.2 - Manage the Shire's resources responsibly

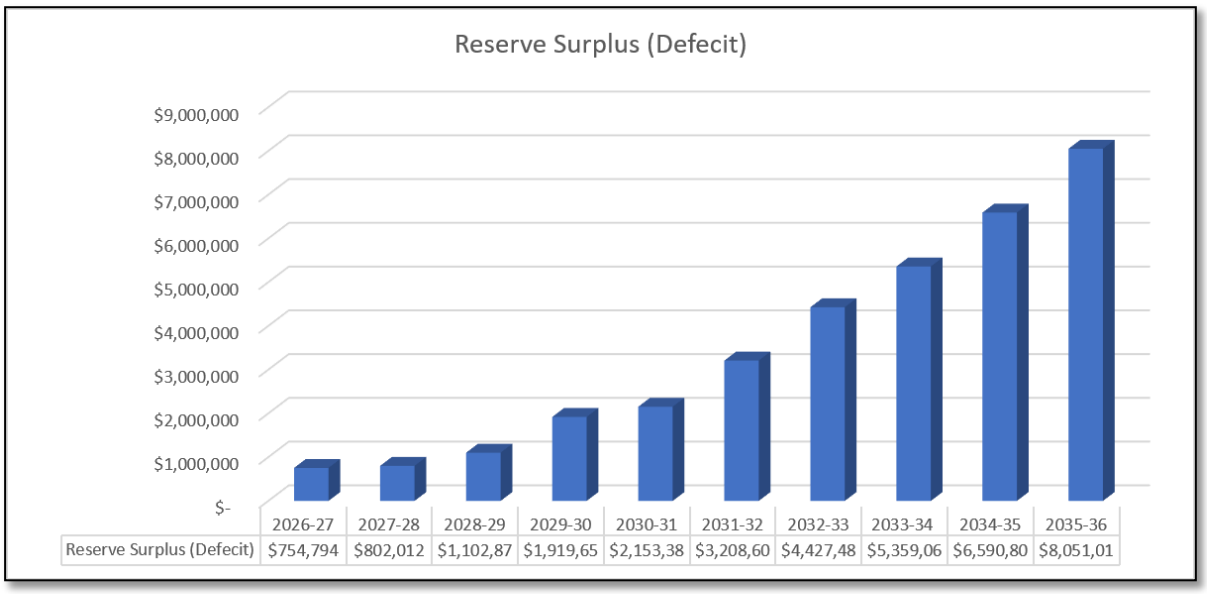
Environment

The existing overflowing leach drains at the Gnomesville public toilets have the potential to result in the uncontrolled discharge of wastewater to the surrounding area. Reconstruction of the leach drains will improve the effective disposal of wastewater and reduce the risk of environmental contamination associated with the existing system.

Precedents - None.

Budget Implications

Increasing the annual expenditure from the Building Maintenance Reserve by a total of $34,500 results in the below forecast closing balances over the current 10-year planning period, considering the currently adopted works program and transfers into the reserve.



	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36
Reserve Surplus (Defecit)	$754,794	$802,012	$1,102,87	$1,919,65	$2,153,38	$3,208,60	$4,427,48	$5,359,06	$6,590,80	$8,051,01

Budget – Whole of Life Cost

The remaining proposed works at the Ferguson Bushfire Brigade Building will increase the Shire's asset base and associated renewal requirements in the future. The Shire currently does not fund any maintenance works on Bushfire Brigade Buildings, with any maintenance costs being funded through the DFES Local Government Grant Scheme (LGGS) – Bush Fire Brigade Operating Grant. This does not permit for all desired maintenance works to be funded on these buildings but allows for all statutory maintenance works to occur.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4.1A) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Report Title	Additions to the 2026/27 Buildings Major Maintenance and Upgrade Program	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Health	Failure to rectify the overflowing wastewater disposal system at the Gnomesville public toilets will result in a risk to public health.
	Financial	Pumping of the leach drain systems at Gnomesville may be required increasing maintenance costs.
	Service Interruption	Ferguson VBFB is unfit for use resulting in a service disruption for the brigade The Shire may be required to close the Gnomesville toilets while the wastewater system is overflowing, impacting tourist amenities.
	Legal and Compliance	The Shire has obligations under various acts to ensure that wastewater is appropriately contained and disposed of without creating a nuisance or risk to public health.
	Reputational	Reputational risk exists if wastewater leaches into the surrounding environment from the Gnomesville public toilets or if this wastewater overflows out of the toilet hand basins. Reputational risk if the Ferguson VBFB are unable to occupy the new building due to failure to receive an occupancy permit.
	Environment	The existing overflowing leach drains at the Gnomesville public toilets have the potential to result in the uncontrolled discharge of wastewater to the surrounding environment

Officer Comment

Ferguson Volunteer Bushfire Brigade Building Compliance Upgrades

In the 2025/26 financial year the Shire was successful in receiving grant funding through the Department of Fire and Emergency Services (DFES) Local Government Grants Scheme (LGGS) – Capital Grant scheme for upgrade works to the Ferguson Volunteer Bushfire Brigade Building. The total amount received through this grant program was $190,759, with an additional $50,000 budgeted contribution from the Shire for earthworks, this brought the total budget to $240,759.

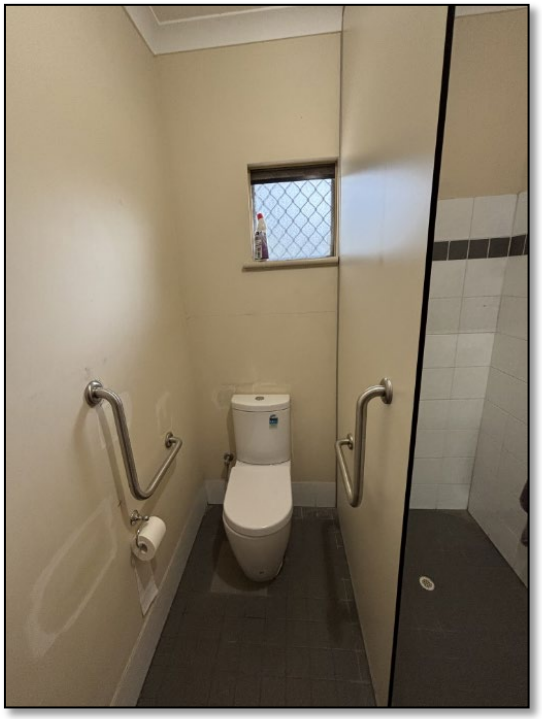
The following works were completed by Civilcon last financial year using this funding:

- Preliminaries;
- Demolition works;
- Concrete works;
- Extension sub-frame and metal cladding;
- Glassworks;
- Roller Door;
- Internal wall and ceiling structure;
- Plasterworks;
- 2nd fix carpentry works;
- Hydraulic services;
- 1st fix electrical services; and
- Metal works.

On completion of phase 1, the following expenses were incurred:

$199,828.17	Top structure works (breakdown below)
$35,311.43	Earthworks components as ACROD bay could not be constructed as part of Phase 1
$235,139.60	Total costs Stage 1

During Stage 1 works the projects structural engineer Tecon confirmed that the Shire would need to undertake additional changes to the existing bathroom layout as the current building does not provide separate male and female ambulant toilet facilities. The existing bathroom is required to be amended to an ambulant toilet with wall and handrails installed.



The existing ramp located at front entrance was also identified to require widening to include the installation of a kick rail and handrail. See example below.



These items were variations to the existing Phase 1 contract and were approved by the CEO under delegation, increasing the total costs for Phase 1 to $199,828.17 (excl. GST). DFES grant funding provided $190,759 towards the project leaving a funding shortfall of $9,069.17. However, an underspend in the earthworks component resulted in savings being realised overall across the Phase 1 works despite the additional variation costs.

As part of stage 2 works, an updated quote has been received from Civilcon for an amount of $55,538.82 (excl. GST). DFES has confirmed the further provision of $49,246 in grant funding in 2026/27 to complete the fit-out, leaving a shortfall of $6,292.82 which is required to be funded by the Shire from Building Reserve. In addition, the Shire will also need to fund $7,500 to complete the ACROD parking bay which could not be completed under Phase 1 works by the Shire internal works department.

The completed fit-out of the building will include:

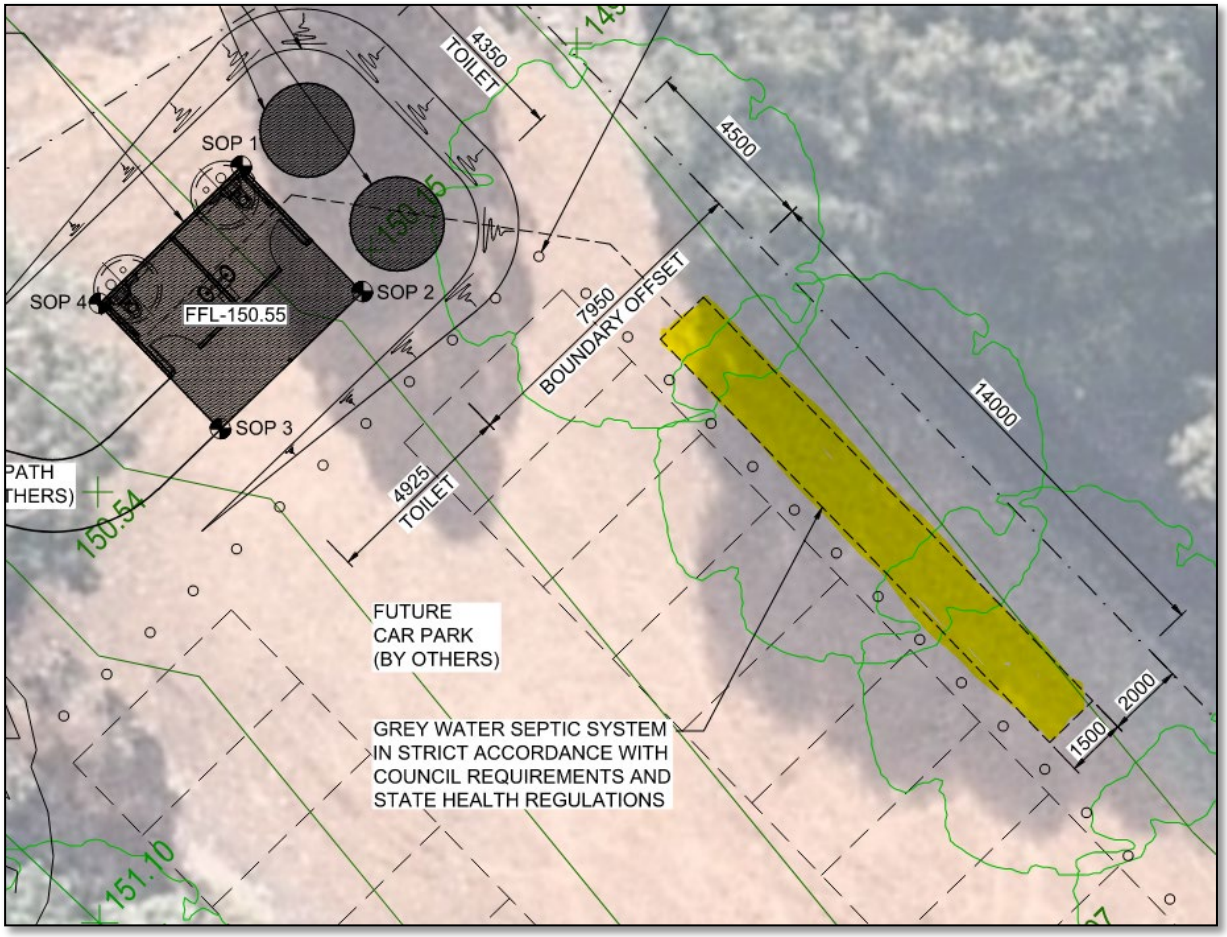
- Glass works;
- 2nd fix works electrical and plumbing works;
- Tilling;
- Carpeting;
- Painting;
- Hydraulic Services; and
- Upgrade of the existing building access.

Shire officers are requesting an additional $14,500 to complete this work, accounting for a small contingency. This additional budget will complete all remaining top structure works and earthworks required to meet accessibility requirements and allow for occupancy permit to be obtained.

Gnomesville Public Toilets Leach Drain Reconstruction

The Gnomesville Public Toilets, constructed in 2021, are a well-used community facility servicing visitors to the popular Gnomesville attraction. During the winter months the existing leach drain system is unable to accommodate wastewater flows resulting in the toilet basins overflowing. This overflow of wastewater raises environmental and public health risks and indicates that the existing system is not operating effectively. Reconstruction of the leach drain system is therefore required to provide adequate wastewater disposal capacity and address the ongoing overflow issues.

Original design (leach drain in yellow):



The existing drain has failed due to the high-water table during winter together with blockages caused by sand and tree roots. The soil in the area has also been confirmed as clay, which has very low permeability and limits the ability for wastewater to soak into the surrounding ground.
The conventional leach drain system installed at Gnomesville relies on infiltration into the surrounding soil and is better suited to sandy or loamy soils. Due to the heavy clay conditions, water is unable to infiltrate effectively and instead ponds within the system. This issue is further exacerbated during winter when the water table is at its highest, leaving little to no available infiltration capacity and resulting in the drains overflowing [Fusion cases 22024, 23864 & 24513].



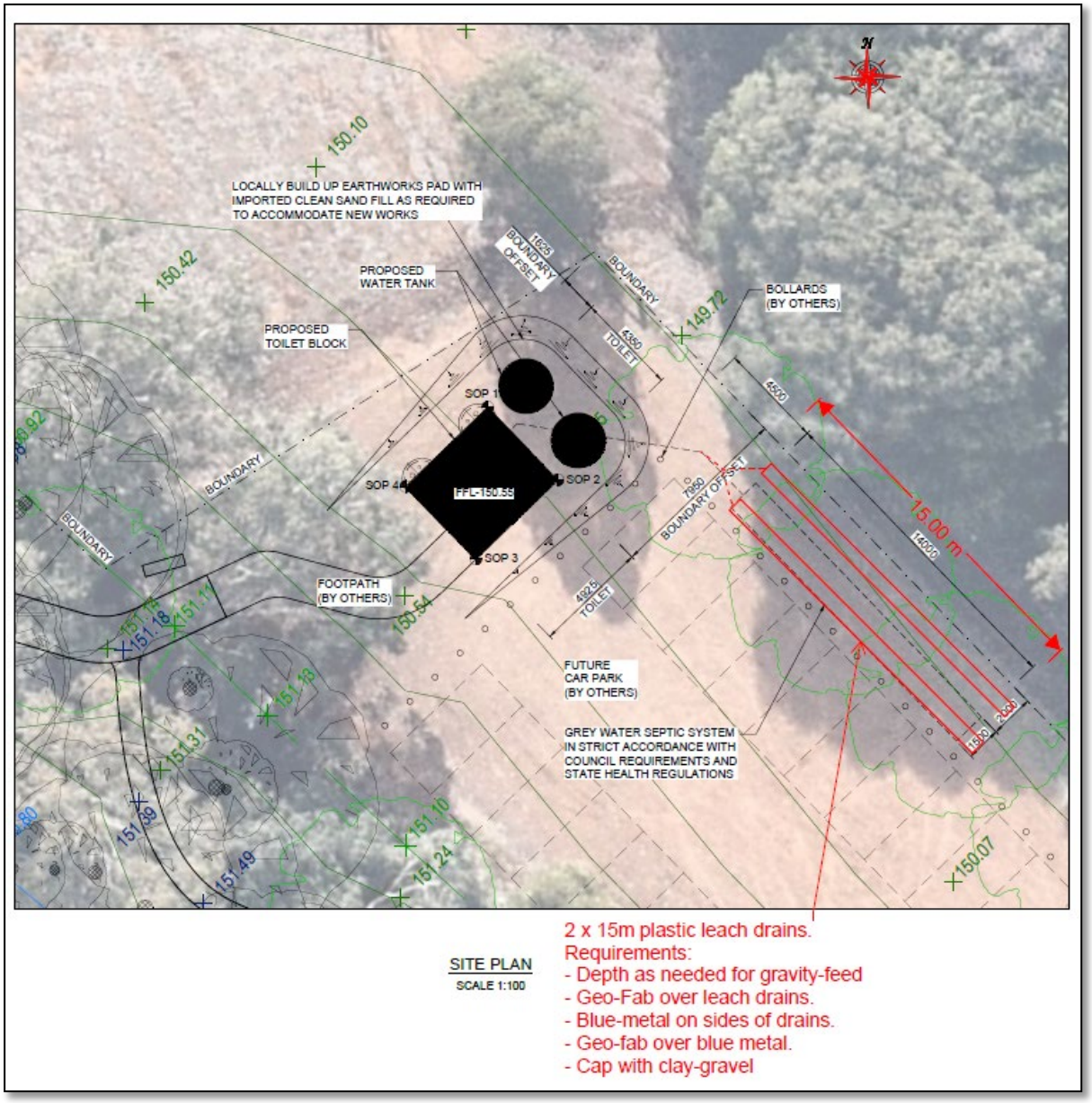




To address the issue, the Shire's Health Department has advised the below minimum standard of wastewater treatment system is required.

- Installation of 2 x 15m plastic leach drains – gravity fed (longer/larger drain to increase available absorption area) with multiple trenches rather than 1 drain.
- Ag-valve at junction.
- 1.8m apart.
- Geo-fab over the drains.
- Blue-metal on sides of drains.
- Clean sand cap over to allow for water to drain away.

These works are considered a replenishing of the existing leach drain (French Drain) and will be covered under the original approval – with an update on the approval records once the install is done.



Quotes received for these works totalled $16,368 (excl. GST). However, since obtaining the quotes and confirming the presence of clay soils, it has been identified that a pump tank will also be required and the leach drains will need to be fully inverted. These works were not included in the original quote.

As such, an additional contingency is required to allow for these works and any associated variations. A total budget of $20,000 (excl. GST) is therefore required to undertake the works and provide an effective long-term solution.

END REPORT

12.5 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

12.5.1 Monthly Statement of Financial Activity for the Period Ending on 31st August 2026

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mr Shaun Hill – Acting Director Corporate & Governance*
Reporting Officer	*Mrs Hasreen Syed Maule - Manager Financial Services*
Legislation	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.5.1A – Monthly Finance Report – August 2026* *Appendix ORD: 12.5.1B – Risk Assessment*

Overview

This report presents the monthly Financial Statements for the period from the 1st July 2026 to the 31st August 2026 for Council endorsement.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

227-26 MOVED: Cr L W Davies SECONDED: Cr K A Laurentsch

THAT Council receives the Monthly Statement of Financial Activity (Appendix ORD: 12.5.1A) for the period ending on the 31st of August 2026.

CARRIED
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

Background

The Monthly Statement of Financial Activity is prepared in accordance with the *Local Government (Financial Management) Regulations 1996* r. 34 s. 6.4. The purpose of the report is to provide Council and the community with a reporting statement of year-to-date revenues and expenses as set out in the Annual Budget, which were incurred by the Shire of Dardanup during the reporting period.

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. Financial Report

(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

(2) The financial report is to —

(a) be prepared and presented in the manner and form prescribed; and

(b) contain the prescribed information.

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation—

***committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.*

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and

(b) budget estimates to the end of the month to which the statement relates; and

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

(1B) The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a). (1C) Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.

(2) Each statement of financial activity is to be accompanied by documents containing —

(a) deleted

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

(3) The information in a statement of financial activity must be shown according to nature classification.

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

(a) presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]

Council Plan

13.1 - Adopt best practice governance.

Environment - None.

Precedents

Each month Council receives the Monthly Financial Statements in accordance with Council Policy and *Local Government (Financial Management) Regulations 1996*.

Budget Implications

The financial activity statement compares budget estimates to actual expenditure and revenue to the end of the month to which the statement relates. Material variances and accompanying explanations are included in the notes forming part of the report. While the Statement itself has no direct budget implications, any identified permanent variances are separately presented to Council for adoption through specific project approvals or formal budget review processes.

Budget – Whole of Life Cost - None.

Council Policy Compliance

- *CnG CP036 Investment Policy*
- *CnG CP306 – Accounting Policy for Capital Works.*
- *CnG AP008 – Material Accounting Policies*
- *SDEV CP507 – Corporate Sponsorship* (incoming)

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.1B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Risk Title	Monthly Statement of Financial Activity for the Period Ended 31st August 2026	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Non-compliance with the legislative requirements will raise compliance issues.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
	Reputational	Non-compliance with the legislative requirements may lead to erosion of community trust.
	Financial	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.

Officer Comment

The Monthly Financial Report for the period ended 31st August 2026 is contained in [Appendix ORD: 12.5.1A] and consists of:

- Statement of Financial Activity by Nature – including Net Current Assets (liquidity)
- Statement of Comprehensive Income by Program
- Statement of Financial Position
- Notes to the Statement of Financial Activity:
    - Note 1 - Nature Classifications
    - Note 2 - Explanation of Material Variances in the Statement of Financial Activity
    - Note 3 - Trust Funds
    - Note 4 - Reserve Accounts
    - Note 5 - Municipal Liabilities
    - Note 6 - Statement of Investments
    - Note 7 - Accounts Receivable - Rates and Sundry Debtors
    - Note 8 - Salaries and Wages
    - Note 9 - Rating Information
    - Note 10 - Information on Borrowings
    - Note 11 - Budget Amendments

The Statement of Financial Activity shows operating revenue and expenditure by Nature, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget and the year-to-date revised budget. The previous year annual results and current year forecasts are also included for comparative information.

The statement includes the brought-forward surplus from the 2025/26 financial year. When the 2026/27 Budget was adopted in July 2026, the opening surplus was estimated at $142,002. Based on the June 2026 Monthly Report, the actual surplus at 30 June 2026 was $250,975.

However, the 2025/26 annual financial statements have not yet been finalised and remain subject to adjustment. Officers are continuing to complete year-end processes, including reserve account transfers, accruals for revenue and expenditure, and the reconciliation of asset acquisitions. As a result, the final surplus position may differ from the current reported amount.
As at the reporting date, officers forecast the Surplus on the 30th of June 2027 at $163,407 based on known variances in actual performance to date and estimates for the remainder of the year based on current trends.

Note 2 – Contains explanations for items with a material variance. Actual values for the year-to-date are compared to the year-to-date budget to present a percentage variance as well as the variance amount. The minimum level adopted by Council to be used in the Statement of Financial Activity in 2026/27 for reporting material variances is 10% or $50,000, whichever is greater.

Note 6 – The Statement of Investments details Council's cash investments and compliance with credit risk limits under the Investment Policy.

At the reporting date, all cash holdings were maintained in Municipal and Reserve Bank Accounts pending the finalisation of the annual financial statements. These funds are currently earning interest at rates ranging from 4.05% to 4.15%. Following completion of the annual accounts, surplus Municipal funds and Reserve Account balances will be invested in short-term term deposits during September to maximise interest revenue.

Note 7 – of the Statement of Financial Activity presents the Rates and Charges Outstanding as of 31st August 2026. Outstanding balances, including pensioner deferred amounts, totalled $19,908,646 representing 85.46% of collectible rates and charges. This compares to 73.79% at the same time in the previous year. The higher balance is primarily attributable to the extension of the rates payment due date to 23 September 2026, compared with 10 September 2025 in the prior year. The management target is to maintain outstanding balances below 4% by 30 June.

Additional explanatory comments are included as part of each note within the monthly financial report to assist in understanding the reasons for positive and adverse trends and balances.

END REPORT

12.5.2 Schedule of Paid Accounts as at 31st August 2026

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mr Shaun Hill – Acting Director Corporate & Governance*
Reporting Officer	*Mrs Hasreen Syed Maule – Manager Financial Services*
Legislation	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.5.2A – Schedule of Paid Accounts as at 31st August 2026* *Appendix ORD: 12.5.2B – Risk Assessment*

Overview

Council is presented the list of payments made from the Municipal and Trust Accounts under delegation since the last Ordinary Council Meeting.

Change to Officer Recommendation **-** No Change.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

228-26 MOVED: Cr B S Farrant SECONDED: Cr A C Jenour

THAT Council receives the Schedule of Paid Accounts report from 1st of August 2026 to 31st August 2026 (Appendix ORD: 12.5.2A).

CARRIED
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

Background

Where a Council has delegated authority to the Chief Executive Officer to make payments from the municipal or trust fund, a list of accounts paid is to be presented at the ordinary meeting each month. In accordance with Delegation 1.2.26, the Chief Executive Officer is authorised to make payments from the Municipal or Trust Funds.

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

The CEO has a duty —
(a) to ensure that there are kept, in accordance with regulations, proper accounts and records of the transactions and affairs of the local government; and

(b) to keep the accounts and records up to date and ready for inspection at any time by persons authorised to do so under this Act or another written law.

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

R12. Payments from municipal fund or trust fund, restrictions on making

(1) A payment may only be made from the municipal fund or the trust fund —
(a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or
(b) otherwise, if the payment is authorised in advance by a resolution of the council.

(2) The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.

R13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared—
(a) the payee's name; and
(b) the amount of the payment; and
(c) the date of the payment; and
(d) sufficient information to identify the transaction.

(2) A list of accounts for approval to be paid is to be prepared each month showing—
(a) for each account which requires council authorisation in that month—
(i) the payee's name; and
(ii) the amount of the payment; and
(iii) sufficient information to identify the transaction; and
(b) the date of the meeting of the council to which the list is to be presented.

(3) A list prepared under subregulation (1) or (2) is to be—
(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
(b) recorded in the minutes of that meeting.

R13A. Payments by employees via purchasing cards

(1) If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —
(a) the payee's name;
(b) the amount of the payment;
(c) the date of the payment;
(d) sufficient information to identify the payment.
(2) A list prepared under subregulation (1) must be —
(a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
(b) recorded in the minutes of that meeting.

Council Plan

13.1 - Adopt best practice governance.
13.2 - Manage the Shire's resources responsibly.

Environment - None.

Precedents

Council endorses the Schedule of Paid Accounts at each Ordinary Council Meeting.

Budget Implications

All payments are made in accordance with the adopted annual budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council's Purchasing Policy *CnG CP034 – Procurement Policy* and processed in accordance with Council Policy *CnG CP035 – Payment of Accounts*.

Payments made by either Corporate Credit Card, Corporate Debit Card or Fuel Card are transacted and processed in accordance with Council Policy *CnG CP310 Purchasing Card Policy*.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5.2B) for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Risk Event	Schedule of Paid Accounts as at the 31st August 2026	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	That payments are not made in accordance with Shire's policies and procedures.
	Legal and Compliance	Not reporting schedule of paid accounts to Council is in contravention of Local Government Act 1995.
	Reputational	Non-compliance with a legal requirement may lead to community confidence being eroded in Shire's management and Council.

Officer Comment

A listing of payment has been included in (Appendix ORD: 12.5.2A). All accounts paid have been in accordance with Council's Delegation.

END REPORT

12.6 COMMITTEES

12.6.1 Audit, Risk and Improvement Committee

Reporting Department	*Corporate & Governance Directorate*
Responsible Officer	*Mr Shaun Hill – Acting Director Corporate & Governance*
Reporting Officer	*Mrs Amy Bywaters – EA to Director Corporate & Governance*
Legislation	*Local Government Act 1995* *Local Government (Audit) Regulations 1996*
Council Role	*Executive/Strategic*
Voting Requirement	*Simple Majority*
Attachments	*Appendix ORD: 12.6.1A – Audit, Risk and Improvement Committee meeting Minutes – 9th September 2026* *Appendix ORD: 12.6.1B – Audit and Risk Committee meeting Minutes – 10th June 2026* *Appendix ORD: 12.6.1C– 2025 Compliance Audit Return (CAR)* *Appendix ORD: 12.6.1D – 2026/27-2029/30 Internal Audit Strategic Plan* *Appendix ORD: 12.6.1E – Risk Management Governance Framework – for adoption (Clean Version)* *Appendix ORD: 12.6.1F – 2023 Risk Management Governance Framework (Superseded)* *Appendix ORD: 12.6.1G – Interim Audit Results Letter (i.e. Interim Management Letter)* *Confidential Attachment B – Under Separate Cover – 2026 Governance Health Review Report* *Confidential Attachment C – Under Separate Cover – Forward Improvement Plan (FIP)* *Confidential Attachment D – Under Separate Cover – Biannual Compliance Calendar*

DECLARATION OF INTEREST

Chief Executive Officer, Mr André Schönfeldt, declared an Impartiality Interest in this item.

Please refer to Part 11 'Declaration of Interest' for full details.

MINUTES OF THE SHIRE OF DARDANUP AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON WEDNESDAY, 9TH SEPTEMBER, AT THE SHIRE OF DARDANUP ADMINISTRATION CENTRE, EATON, COMMENCING AT 3:30PM.

Overview

The minutes of the Audit, Risk and Improvement Committee meeting held on the 9th September 2026 (Appendix ORD: 12.6.1A) are attached.

Change to Officer Recommendation - No Change.

PROCESS

In accordance with Shire of Dardanup Standing Orders Local Law 2014, Part 9, s9.2, 'Adoption of Recommendations En Bloc'; A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any—

(a) which require adoption by an absolute or special majority vote;
(b) in which an interest has been disclosed;
(c) that has been subject of a petition or deputation;
(d) which any member has indicated the wish to debate; and
(e) in which any member has indicated the wish to ask a question or to raise a point of clarification,

and each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

Note: Cr S L Gillespie and Cr R J Trevathan moved and seconded the Officer Recommendations and Audit, Risk and Improvement Committee Recommendations 'A' to 'H' en bloc.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

229-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council receives the minutes for the Audit, Risk and Improvement Committee Meeting held on the 9th September 2026 (Appendix ORD: 12.6.1A).

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

Officer Comment

The Audit and Risk Committee ceased as a Committee on the 30th June 2026, and the Audit, Risk and Improvement Committee was established by Council on 30th June 2026 at the Ordinary Council Meeting dated 27th May 2026 (Res: 117-26). The minutes of the 10th June 2026 Audit and Risk Committee meeting are presented to Council to receive and note.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

230-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council receives and notes the minutes of the Audit and Risk Committee meeting dated 10th June 2026 (Appendix ORD: 12.6.1B)

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'A' & COUNCIL RESOLUTION

231-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council:

1. **Receives the 2026 Governance Health Review Report prepared by Stantons, as provided for Under Separate Cover (Confidential Attachment B).**

2. **Acknowledges the findings and recommendations identified in the 2026 Governance Health Review Report, as provided for Under Separate Cover (Confidential Attachment B).**

3. **Acknowledges management's proposed approach to addressing the findings through the Forward Improvement Plan (FIP) as provided for Under Separate Cover (Confidential Attachment C).**

4. **Requests that progress reports against the Forward Improvement Plan (FIP) be presented to future Audit, Risk and Improvement Committee meetings until all actions have been completed or otherwise resolved.**

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'B' & COUNCIL RESOLUTION

232-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council:

1. **Receives the 2025 Compliance Audit Return (CAR) report, for the reporting period 1st January 2025 to 31st December 2025.**

2. **Adopts the 2025 Compliance Audit Return (CAR) as provided for in (Appendix ORD: 12.6.1C).**

3. **Authorises the Chief Executive Officer to submit the adopted Compliance Audit Return (CAR) for the period 1st January 2025 to 31st December 2025, to the Local Government Inspector by the statutory deadline of 30th September 2026.**

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'C' & COUNCIL RESOLUTION

233-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council:

1. **Receives the June 2026 update report on the implementation of actions required from the findings of the 2025 Financial Management Systems Review (FMSR); and**

2. **Acknowledges that all actions arising from the 2025 Financial Management Systems Review have been completed and the review findings can now be formally closed.**

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'D' & COUNCIL RESOLUTION

234-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council receives the Biannual Compliance Task Report, as provided in the (Confidential Attachment D), and notes the compliance tasks identified for the period 1st January 2026 to 30th June 2026.

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'E' & COUNCIL RESOLUTION

235-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council:

1. **Receives the September 2026 report relating to the Internal Audit Strategic Plan and Annual Internal Audit Work Plan;**

2. **Endorses the Internal Audit Strategic Plan for 2026/27–2029/30 (Appendix ORD: 12.6.1D) subject to it being renamed to be the Internal Audit Strategic Framework for 2026/27-2029/30;**

3. **Endorses the 2026/27 Annual Internal Audit Work Plan contained in (Appendix ORD: 12.6.1D); and**

4. **Notes that subsequent Annual Internal Audit Work Plans will be presented to ARIC for consideration through the annual review process.**

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'F' & COUNCIL RESOLUTION

236-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council:

1. **Receives the September 2026 report relating to the 3-yearly review of the Shire of Dardanup Risk Management Governance Framework.**

2. **Endorses the 2026 Risk Management Governance Framework as provided for in (Appendix ORD: 12.6.1E).**

3. **Supersedes the 2023 Risk Management Governance Framework as provided for in (Appendix ORD: 12.6.1F).**

4. **Receives a summary 'Dashboard' report that summaries the 15 Risk Profile Themes on a 6-monthly basis through the Audit, Risk and Improvement Committee.**

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'G' & COUNCIL RESOLUTION

237-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council receives the Office of the Auditor General – Interim Audit Results for the Year Ending 30th June 2026 (Appendix ORD: 12.6.1G).

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

AUDIT, RISK AND IMPROVEMENT COMMITTEE RECOMMENDATION 'H' & COUNCIL RESOLUTION

238-26 MOVED: Cr S L Gillespie SECONDED: Cr R J Trevathan

THAT Council:

1. **Acknowledges that testing of the Shire's Business Continuity Plan and associated Disaster Recovery arrangements, together with the scheduled review of the Business Continuity Plan, have not yet been undertaken as identified in the Audit, Risk and Improvement Committees' Terms of Reference and the 2026 Annual Audit Work Plan.**

2. **Acknowledges the delays in undertaking the review and testing exercise and notes that:**

   a. **the Business Continuity Plan testing exercise is scheduled to be conducted prior to 30th June 2027; and**

   b. **the 2-yearly review of the Business Continuity Plan is scheduled to be undertaken during 2027.**

3. **Requests that consideration be given through the 2027/28 budget process for the allocation of funding, if required, to support the 2-yearly review of the Business Continuity Plan.**

CARRIED En Bloc
9/0

For the Motion	*Against the Motion*
Cr T G Gardiner Cr S L Gillespie Cr B S Farrant Cr L W Davies Cr M R Hutchinson Cr A C Jenour Cr K A Laurentsch Cr R J Trevathan Cr A L Webster	

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

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

None.

15 PUBLIC QUESTION TIME

15.1 Ms Annette Webster - CCTV and Security

Cr A L Webster, speaking as a member of the public, asked the following question regarding CCTV and Security in the Shire of Dardanup:

Question

Could the Shire apply for grant funding, if and when available, to increase security measures, including the installation of CCTV cameras, particularly in light of the ongoing expansion and development of the Eaton Fair Shopping Centre and at major intersections?

Response by the Chief Executive Officer:

> *The Shire is eligible to investigate relevant grant funding opportunities for CCTV and other security initiatives. The Council Plan includes actions relating to CCTV programs, and the Shire will investigate available funding opportunities and potential locations, including the shopping centre precinct and major intersections.*
>
> *The Chief Executive Officer took the question on notice and advised that a further response would be provided.*

16 MATTERS BEHIND CLOSED DOORS

None.

17 CLOSURE OF MEETING

The Presiding Member, Cr T G Gardiner, advised that the next Ordinary Meeting of Council will be Wednesday, 28th October 2026, commencing at 5:00pm at the Shire of Dardanup Administration Centre, Eaton.

There being no further business the Presiding Member declared the meeting closed at 6:07pm.

Shire of Dardanup

CONFIRMATION OF MINUTES

"As the person presiding at the meeting at which these minutes were confirmed on 28th October 2026, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

Signed: _____

(Chairman or Shire President or Other Presiding Member)