



Minutes of Annual General Meeting of Electors

Held on 3 February 2025 to commenced at 6:00pm
Held at the VC Mitchell Park Community Room in Donnybrook
(10A Marmion Street, Donnybrook)

Pursuant to Section 5.27 of the *Local Government Act 1995*, a General Meeting of Electors is to be held within a local government district once every financial year.

Authorised:

Nicholas O'Connor, Chief Executive Officer

Prepared:

13 February 2025

Procedures for Electors' Meetings

Shire of Donnybrook Balingup Annual General Meeting of Electors & Special Electors Meetings

In accordance with regulation 18 of the *Local Government (Administration) Regulations 1996*, the procedures to be followed at electors' meetings are to be determined by the person presiding over the meeting, being the President.

The following procedures have been approved by the President for electors' meetings (both for the Annual General Meeting of Electors and Special Electors Meetings):

1. Only electors of the Shire of Donnybrook Balingup are entitled to ask questions and vote.
2. Any motions are to be moved and seconded before any discussion is to occur.
3. A mover for a motion has two minutes in which to speak on the motion.
4. The seconder for a motion has two minutes in which to speak on the motion.
5. Debate may ensue.
6. The mover of a motion has the right of reply, for up to two minutes.
7. All motions are determined by a majority vote of electors present.
8. Each elector present at the meeting is entitled to one vote on each matter to be decided but does not have to vote.
9. All decisions are to be made by a simple majority vote.
10. Voting is to be conducted so that no voter's vote is secret.
11. There will be no adverse reflection on Elected Members or Shire employees and should this occur, the question or motion will be ruled out of order and the elector will be asked to resume their seat.
12. Any other rules or procedures not defined are to be determined by the President, as the person presiding over the meeting.

Questions from Electors

1. Only Shire of Donnybrook Balingup electors may submit questions to the Shire. All questions must be submitted in writing.
2. Questions asked at the Annual General Meeting of Electors must relate to a matter within the remit of the Shire of Donnybrook Balingup.
3. The President shall decide to accept or reject any written question and the President's decision is final. Where there is any concern about a question being offensive, defamatory or the like, the President will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published.
4. The Shire will accept a maximum of three (3) questions per elector. To ensure equity and consistency, each part of a multi-part question will be treated as a question in its own right.
5. Written questions lodged by 4pm, Monday 27 January 2025*, prior to the scheduled Annual General Meeting of Electors will be responded to, where possible, at the Annual General Meeting of Electors. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.
6. Questions must be sent via email to Shire@donnybrook.wa.gov.au

Questions from Electors (cont.)

7. Questions unable to be responded to at the Annual General Meeting of Electors will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting, or if that is not possible, the agenda for the following Council meeting.
8. Questions and any responses will be summarised and included in the minutes of the Annual General Meeting of Electors.

Motions from Electors

1. Any motions to be moved at the Annual General Meeting of Electors should be received in writing by the Shire by 4pm, Monday 27 January 2025*. Motions must be submitted via email to shire@donnybrook.wa.gov.au
2. Preference will be given to those electors that submit motions in writing by the required time. Time permitting, the President may consider further motions from the floor.
3. To give fair opportunity to all electors in attendance, an elector can only move one motion at a time.

** This date applies to the Annual General Meeting of Electors taking place on Monday 3 February 2025. Further details regarding this particular meeting are available on the Shire website.*

MEASURES OF CONSEQUENCE

LEVEL	RATING	HEALTH & SAFETY	FINANCIAL	SERVICE INTERRUPTION	COMPLIANCE	REPUTATION	PROPERTY	ENVIRONMENT
1	Insignificant	Negligible injuries	Less than \$5,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, localised low impact on community trust, low profile or no media item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
2	Minor	First aid injuries	\$5,000 - \$20,000 Or < 5% variance in cost of project	Temporary interruption to an activity – backlog cleared with existing resources	Some temporary non compliances	Substantiated, localised impact on community trust or low media item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
3	Moderate	Medical type injuries	\$20,001 - \$100,000 Or > 5% variance in cost of project	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
4	Major	Lost time injury	\$100,001 - \$1M	Prolonged interruption of Service Unit core service deliverables – additional resources; performance affected	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
5	Catastrophic	Fatality, permanent disability	More than \$1M	Indeterminate prolonged interruption of Service Unit core service deliverables	Non-compliance results in criminal charges or significant damages or penalties	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

MEASURES OF LIKELIHOOD

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

RISK MATRIX

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	MODERATE (5)	HIGH (10)	HIGH (15)	EXTREME (20)	EXTREME (25)
Likely	4	LOW (4)	MODERATE (8)	HIGH (12)	HIGH (16)	EXTREME (20)
Possible	3	LOW (3)	MODERATE (6)	MODERATE (9)	HIGH (12)	HIGH (15)
Unlikely	2	LOW (2)	LOW (4)	MODERATE (6)	MODERATE (8)	HIGH (10)
Rare	1	LOW (1)	LOW (2)	LOW (3)	LOW (4)	MODERATE (5)

RISK ACCEPTANCE CRITERIA

RISK RANK	DESCRIPTION	CRITERIA FOR RISK ACCEPTANCE	RESPONSIBILITY
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

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1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Shire President acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Shire President declared the meeting open at 6:04pm and welcomed the public gallery.

The Shire President gave a brief overview of evacuation and safety exits.

The Shire President outlined the meeting procedures.

The Shire President advised that the meeting is being audio recorded but not livestreamed in accordance with Council Policy EM/CP-2. The President further stated the following:

“This Meeting is being audio recorded but not livestreamed in accordance with Council Policy. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson. Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording.”

2. Attendance

Councillors Present:

Cr Vivienne MacCarthy

Cr Lisa Glover

Cr Alexis Davy

Cr Anita Lindemann

Cr Anne Mitchell

Cr Grant Patrick

Cr Deanna Shand

Staff Present:

Nick O'Connor, Chief Executive Officer

Ross Marshall, Director Operations

Loren Clifford, Acting Director Finance and Corporate

Samantha Farquhar, Administration Officer Corporate Services

Stuart Eaton, Finance Project Manager

Other Members Present:

Public Gallery: 8 members of the public were in attendance.

2.1. Apologies

Cr John Bailey

Cr Peter Gubler

3. 2023/24 Annual Report

3.1 Shire of Donnybrook Balingup Annual Report 2023/24

The Shire President delivered a presentation summarizing the 2023/24 Annual Report, including 2023-24 Annual Financial Report and Independent Auditors Report (Opinion).

3.2 Questions received in writing from Electors regarding the Annual Report

The Shire President invited questions from the floor.

Nil.

4. General Business

4.1 Questions received in writing from Electors

Question from: Leanne Wringe

What are the views of the Council providing community engagement as the cornerstone for all future reviews of Council Plans?

Response:

The Council is committed to ensuring the views, opinions and aspirations of the community are the foundation for the upcoming review of its strategic documents. The detail of the proposed changes to the Local Government legislation remain a 'work in progress' as part of the broader local government reform process. Once this reform becomes law, staff will prepare a project plan for the review of the Shire's strategic plans. The project plan will be underpinned by an engagement and communications plan.

Question from: Leanne Wringe

Would the Council consider renaming the Council Plan to include the word 'Community'?

Response:

The Council recognises the importance of preserving the essence of the Strategic Community Plan and is open to considering the renaming of the Council Plan to include the word 'Community' to better reflect the proposed community's involvement and the plan's purpose. Any name change will need to be consistent with the relevant regulations which are currently under review.

Question from: Leanne Wringe

As President of the Kirup Community Association Inc., (which will be a lessee of the Arthur Kelly Memorial Hall, Kirup), in terms of engagement with each lessee, how will these new lease agreements be 'rolled' out?

Response:

Existing Lessees have been contacted and have liaised with Shire staff providing their community group health check information. Based on this data, they have been categorized according to the Property Management Framework (PMF) and prioritised based on asset optimization risk assumptions and their associated approval processes.

Shire staff have been in contact with several Lessees regarding the implementation of the PMF and individual queries. The Shire will be providing existing Lessees with an update on the status of the approval process, including advising of required third-party approvals appropriate to their situation.

Draft agreements will be sent out for review by Lessees and referral to relevant committees/associations. Individual face-to-face collaborative consultation will be conducted once feedback on the draft occupancy agreements has been received.

Occupancy agreements that can be approved under delegation will proceed alongside those requiring Council approval. Information regarding approved agreements will be updated on Shire's Lease Register found on the Shire's website.

The Shire will ensure a smooth transition for Lessees, by adopting a pragmatic approach with staggered implementation to enable effective resource management.

Question from: Sandra Hough

Will the Shire and Councillors give consideration to the Rapid Response and fire early detection ideas currently being proposed as an alternative to the Prescribed Burning practice of DBCA?

Response:

The Shire has a strong working relationship with DBCA, and currently benefits from the use of existing fire detection methods, such as spotter planes, communications with Fire Tower personnel and hot spot detection technology.

The Shire is aware that further early detection methods are proposed to be introduced by DBCA during the 2025/26 financial year and anticipates that both agencies will continue to work collaboratively in this space for the benefit of the wider community.

Question from: Sandra Hough

Will the Shire Office return to the practise of listing their departments and those currently holding the positions of leaders within them.

Response:

The Council website has recently undergone a significant review and refresh to make it more engaging and user friendly. Council currently has a number of vacancies in leadership roles. Once these positions are filled permanently, the relevant section of the Council website will be reviewed, with a view to including details of Executive and Management positions.

The following questions were taken during the meeting.

Question from: Shane Sercombe

In the finances there was \$325,000 in land disposals for the last financial year. Part of that may have been Bridge Street, but what was the rest of that made up of.

Response:

Lot 142 Bridge Street, Donnybrook. Transferred to Bunbury Housing Association as Council contribution to Bridge Street affordable housing project.

Question from: Shane Sercombe

In the financials it showed that rates increased between years 2023 and 2024, \$564,000. Indicating an 8.6% rate increase and Council passed a 6.5% rate increase for that period. Could I please get some confirmation on the movement between those years.

Response:

The minutes of the 2022/23 Budget adoption (Ordinary Meeting of Council 24 August 2022) records Council adopted a one off concession for the 2022/23 financial year.

Note 1: Rate increase based upon 8% increase to total base Rate Revenue.

Note 2: Rate Concession applied to all properties - Effective Rate increase 6.43%

The 2022/23 Statutory Annual Budget records the following explanation.

“A one off concession totaling \$94,683 was applied to all ratable properties for the 2022/23 Financial year, the purpose of the concession was to return the balance of the Covid-19 Reserve to ratepayers by way of a rates concession, as the reserve was no longer required.”

The concessional amount of \$94,683 reduced the rates that would have ordinarily been levied in the 2022/23 financial year. As the concession was a one off for the 2022/23 financial year the \$94,683 was only deferred until the 2023/24 financial year and levied as part of the substantive rate in dollar in addition to the adopted rate in dollar increase for 2023/24.

Question from: Shane Sercombe

After a few months in the new role, what excites the CEO and what keeps him awake.

Response:

Given I have only made a small appearance in the Annual Report, I think its important to note that whilst I wasn't the CEO of the period of the Annual Report, I am certainly honoured and privileged to be this Shire's new CEO. Focusing on the future excites me. We have come from strong foundations as a Shire. I think the enthusiasm of the staff, the direction of the Shire President and the Elected Members, and where I see the opportunity is for us to continue the open transparency and governance and to keep building those strong relationships with the community, community groups, individuals, and government sectors. At this stage nothing keeps me awake at night, and it's all positive for the future.

4.2 Motions received in writing from Electors

Motions made by electors at an Annual General Meeting of Electors are presented to a meeting of Council for consideration per Section 5.33 of the *Local Government Act 1995*, which reads:

'All decisions made at an Electors' Meeting are to be considered at the next Ordinary Council Meeting, or if that is not practicable, at the first Ordinary Council Meeting after that meeting or at a Special Meeting called for that purpose, whichever happens first.'

The Shire President invited motions from the floor.

Nil.

5. Closure

The President advised that the next Agenda Briefing Session will be held on 19 February 2025 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

The Shire President declared the meeting closed at 6:45pm.

These minutes were confirmed as a true and accurate record at the Ordinary Council Meeting held 26 February 2025.



Vivienne MacCarthy

President – Shire of Donnybrook Balingup