



# Minutes

## ORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
953 SOUTH COAST HIGHWAY, DENMARK ON  
TUESDAY, 12 NOVEMBER 2013.

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# Ordinary Council Meeting

12 November 2013

## DISCLAIMER

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**1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

4.07pm - *The Presiding Person, Cr Thornton, declared the meeting open.*

**2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

MEMBERS:

Cr Ross Thornton (Shire President)  
 Cr Kelli Gillies  
 Cr Jan Lewis  
 Cr Dawn Pedro  
 Cr Belinda Rowland

STAFF:

Mr Dale Stewart (Chief Executive Officer)  
 Mrs Annette Harbron (Director of Planning & Sustainability)  
 Mr Gregg Harwood (Director of Community & Regulatory Services)  
 Ms Claire Thompson (Executive Assistant)

APOLOGIES:

Cr John Sampson (Deputy Shire President)  
 Cr Roger Seeney  
 Cr Ian Osborne  
 Mr Rob Whooley (Director of Infrastructure Services)  
 Mr Kim Dolzadelli (Director of Finance & Administration)

ON LEAVE OF ABSENCE:

Cr David Morrell

ABSENT:

Nil

VISITORS:

Members of the public in attendance at the commencement of the meeting: 2  
 Members of the press in attendance at the commencement of the meeting: Nil

DECLARATIONS OF INTEREST:

Name	Item No	Interest	Nature
Cr Thornton	8.3.1	Proximity	Cr Thornton's land abuts Churchill Road.

**3. ANNOUNCEMENTS BY THE PERSON PRESIDING**

Nil

#### 4. PUBLIC QUESTION TIME

##### 4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

##### 4.2 PUBLIC QUESTIONS

In accordance with Section 5.24 of the Local Government Act 1995, Council conducts a public question time to enable members of the public to address Council or ask questions of Council. The procedure for public question time can be found on the back of the front cover of this Agenda.

Questions from the public are invited and welcomed at this point of the Agenda.

In accordance with clause 3.2 (2) & (3) of the Shire of Denmark Standing Orders Local Law, a second Public Question Time will be held, if required and the meeting is not concluded prior, at approximately 6.00pm.

##### Questions from the Public

*There were no questions or comments.*

##### 4.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

##### 4.4 PRESENTATIONS, DEPUTATIONS & PETITIONS

Nil

#### 5. APPLICATIONS FOR LEAVE OF ABSENCE

**COUNCIL RESOLUTION**

MOVED: CR PEDRO

ITEM 5

SECONDED: CR LEWIS

That Leave of Absence be granted for;

1. Cr Sampson for the meeting scheduled for Tuesday, 3 December 2013; and
2. Cr Pedro for the meeting scheduled for the Tuesday, 3 December 2013.

CARRIED UNANIMOUSLY: 5/0

Res: 011113

**6. CONFIRMATION OF MINUTES**

**6.1 SPECIAL COUNCIL MEETING**

OFFICER RECOMMENDATION

ITEM 6.1

That the minutes of the Special Meeting of Council held on the 22 October 2013 be confirmed as a true and correct record of the proceedings.

**COUNCIL RESOLUTION**

ITEM 6.1

MOVED: CR ROWLAND

SECONDED: CR GILLIES

That the minutes of the Special Meeting of Council held on the 22 October 2013 be confirmed as a true and correct record of the proceedings, subject to the following amendment;

1. Page 5 - Item 6 – table seating draw. Add the words “at Cr Seeney’s request”.

CARRIED UNANIMOUSLY: 5/0

Res: 021113

REASONS FOR CHANGE

Council requested an amendment to the Minutes.

**6.2 ORDINARY COUNCIL MEETING**

**COUNCIL RESOLUTION & OFFICER RECOMMENDATION**

ITEM 6.2

MOVED: CR GILLIES

SECONDED: CR PEDRO

That the minutes of the Ordinary Meeting of Council held on the 22 October 2013 be confirmed as a true and correct record of the proceedings.

CARRIED UNANIMOUSLY: 5/0

Res: 031113

**7. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

## 8. REPORTS OF OFFICERS

### 8.1 Director of Planning & Sustainability

#### 8.1.1 ADOPTION OF DRAFT PLANNING POLICY NO. 45: PLANNING APPLICATION PROCESS FOR HERITAGE PLACES

<b>File Ref:</b>	PLN.70K & PLN.8
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	4 November 2013
<b>Author:</b>	Annette Harbron, Director of Planning & Sustainability
<b>Authorising Officer:</b>	Annette Harbron, Director of Planning & Sustainability
<b>Attachments:</b>	8.1.1 – Draft Planning Policy 45: Planning Application Process for Heritage Places

#### Summary:

Draft Town Planning Scheme Policy No. 45: Planning Application Process for Heritage Places (Policy 45) was prepared to ensure that for those properties that have local heritage significance and are listed in the Shire's Municipal Heritage Inventory (2011) accordingly, that such heritage significance is given due weight in the planning application decision making process.

Draft Policy 45 was advertised for public comment with no submissions received.

It is recommended that Council adopt draft Policy 45 (refer Attachment 8.1.1) as a final Town Planning Scheme Policy.

#### Background:

At the Ordinary Meeting of Council held on 10 September 2013, Council considered draft Policy 45 and resolved the following (Res No: 030913):

*That Council with respect to draft Town Planning Scheme Policy No. 45: Planning Application Process for Heritage Places adopt it for public comment for a minimum period of 21 days in accordance with Clause 8.2.2 of Town Planning Scheme No. 3.*

#### Comment:

Draft Policy 45 was advertised for public comment from 26 September 2013 to 18 October 2013 as per the following:

- Advertising notice in the Denmark Bulletin on 26 September 2013 inviting public comment;
- Advertising notice in the Walpole Weekly on 2 October 2013 inviting public comment; and
- Advertising notice inviting public comment on the proposal being displayed at the Shire Administration Office, Shire Library and on the Shire's website for the duration of the advertising period.

At the close of the advertising period, no submissions had been received.

Planning Services are recommending that Council adopt draft Policy 45 as the final Town Planning Scheme Policy without modification. It is considered that adoption of draft Policy 45 will provide guidance to landowners, applicants, the community and Planning Services staff in relation to the assessment process of planning applications for heritage places such that heritage significance is given due weight in the planning application decision making process. It should be noted that Planning Services already administratively undertake the public notification requirements as referenced in draft

Policy 45 thus there is no additional impost – moreso is now documented for the purposes of consistency, transparency, accountability and efficiency.

**Consultation:**

As per Clause 8.2.2 of TPS No. 3, draft Policy 45 was advertised for public comment, with no submissions received.

**Statutory Obligations:**

Clause 8.2 of TPS No. 3 sets out the requirements for the preparation and adoption of TPS No. 3 policies, noting a Scheme policy shall only become operative once the procedures contained within Clause 8.2 have been complied with.

**Policy Implications:**

If adopted by Council, Policy 45 will be included in the Shire’s Planning Policy Manual.

**Budget / Financial Implications:**

The advertising costs associated with the final adoption of Policy 45 are provided for within the 2013/14 Budget (Account No: 1040302).

**Strategic Implications:**

There are no known significant strategic implications relating to the report or officer recommendation.

**Sustainability Implications:**

➤ **Environmental:**

There are no known significant environmental considerations relating to the report or officer recommendation.

➤ **Economic:**

There are no known significant economic considerations relating to the report or officer recommendation.

➤ **Social:**

The key objective of draft Policy 45 is to provide guidance to landowners, applicants, the community and Planning Services staff in relation to the assessment process of planning applications for heritage places such that heritage significance is given due weight in the planning application decision making process.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.1.1
MOVED: CR GILLIES	SECONDED: CR LEWIS
That Council with respect to draft Town Planning Scheme Policy No. 45: Planning Application Process for Heritage Places adopt Attachment 8.1.1 as final Town Planning Scheme Policy No. 45: Planning Application Process for Heritage Places.	
CARRIED UNANIMOUSLY: 5/0	Res: 041113

### 8.1.2 PROPOSED CLOSURE OF UNMADE ROAD RESERVE THAT BISECTS NO. 191 (LOT 22) MOUNT SHADFORTH ROAD, DENMARK

<b>File Ref:</b>	A2901
<b>Applicant / Proponent:</b>	S Young
<b>Subject Land / Locality:</b>	Unmade Road Reserve that Bisects No. 191 (Lot 22) Mount Shadforth Road, Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	4 November 2013
<b>Author:</b>	Annette Harbron, Director of Planning & Sustainability
<b>Authorising Officer:</b>	Annette Harbron, Director of Planning & Sustainability
<b>Attachments:</b>	8.1.2a – Subdivision Guide Plan for “Special Residential (SRes 15” zone 8.1.2b – Schedule of Submissions

#### Summary:

The Shire of Denmark received a request from the landowner of No. 191 (Lot 22) Mount Shadforth Road, Denmark to close the unmade road reserve that bisects the property.

Closure of this unmade road reserve was provided for within the adopted Subdivision Guide Plan for the “Special Residential (SRes 15)” zone, subject to compliance with the requirements of the *Land Administration Act 1997*.

Public advertising of the proposal has occurred, along with consultation with the relevant government departments/servicing authorities, and as a result it is recommended that Council resolve to close the road, with the land to be amalgamated with the adjoining land parcel.

#### Background:

At its Ordinary Meeting of Council held on 22 November 2011, Council considered Scheme Amendment No. 122 and the associated Subdivision Guide Plan and resolved (En Bloc Res No: 061111) to adopt for final approval subject to modifications undertaken

After due consideration of Scheme Amendment 122, the Minister for Planning granted final approval on 21 October 2013 (noting gazettal will be forthcoming in due course). Attached at Attachment 8.1.2a is the adopted Subdivision Guide Plan.

#### Comment:

The unmade road reserve that bisects No. 191 (Lot 22) Mount Shadforth Road, Denmark was designated on the adopted Subdivision Guide Plan for the area as being closed subject to the requirements of the *Land Administration Act 1997* being met.

In this regard, public advertising of the proposal has occurred as per Section 58 of the *Land Administration Act 1997*, with no objections to the proposed closure nor the land being offered to the adjoining landowner for purchased based on an agreed valuation price – refer Attachment 8.1.2b for the Schedule of Submissions.

From a Planning and Infrastructure Services perspective, the unmade road reserve is not required for road purposes and it is appropriate that the unmade road reserve be closed and offered to the adjoining landowner to purchase the land.

#### Consultation:

Public advertising of the proposed road closure was undertaken in accordance with the Section 58 of the *Land Administration Act 1997*, namely:

- Advertising notice in the 25 July 2013 edition of the Denmark Bulletin inviting public comment on the proposal;
- Letters to four (4) adjoining landowners inviting comment on the proposal; and



- Letters to Department of Mines & Petroleum, Department of Planning, Main Roads WA, Telstra, Water Corporation and Western Power inviting comment on the proposal.

The Director of Planning & Sustainability initiated the public advertising process having regard to Delegation Number *D120103: Road Closures (Permanent)*.

**Statutory Obligations:**

Section 58 of the *Land Administration Act 1997* sets out the process for road closures.

**Policy Implications:**

There are no known policy implications relating to the report or officer recommendation.

**Budget / Financial Implications:**

The applicant paid the required Road Closure Application Fee as per the 2013/14 Fees & Charges Schedule.

All advertising costs associated with the road closure process are to be met by the applicant.

Should the proposed road closure be supported by Council and the Department of Lands, the adjoining landowner will be offered the opportunity to purchase the subject land based on an agreed valuation price, with all costs associated with this process to be met by the applicant/adjoining landowner.

**Strategic Implications:**

The unmade road reserve that is proposed to be closed does not form part of the strategic road network and the Shire does not require the road reserve to be retained for any purpose.

**Sustainability Implications:**

➤ **Environmental:**

There are no known significant environmental considerations relating to the report or officer recommendation.

➤ **Economic:**

There are no known significant economic considerations relating to the report or officer recommendation.

➤ **Social:**

There are no known significant social considerations relating to the report or officer recommendation.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.1.2
MOVED: CR PEDRO	SECONDED: CR ROWLAND
That Council with respect to the proposed road closure of the unmade road reserve that bisects No. 191 (Lot 22) Mount Shadforth Road, Denmark:	
1. Note the submissions received;	
2. Request the Minister for Lands to close the road as per Section 58(1) of the <i>Land Administration Act 1997</i> , with the land to be amalgamated with the adjoining land parcel (being No. 191 (Lot 22) Mount Shadforth Road, Denmark); and	
3. Advise the submitters accordingly of Council's resolution.	
CARRIED UNANIMOUSLY: 5/0	Res: 051113

**8.2 Director of Community & Regulatory Services**

Nil

**8.3 Director of Infrastructure Services**

*The Presiding Person, Cr Thornton, stated that he declared a proximity interest in Item 8.3.1 as he owns property which abuts Churchill Road. Cr Thornton advised that he would need to leave the room and therefore there would no longer be a quorum. On that basis, Cr Thornton moved the following adjournment motion.*

<b>COUNCIL RESOLUTION</b>	ITEM 8.1.2
MOVED: CR THORNTON	SECONDED: CR LEWIS
That Item 8.3.1 be adjourned to the Ordinary Council Meeting scheduled for Tuesday, 3 December 2013.	
CARRIED UNANIMOUSLY: 5/0	Res: 061113

**8.3.1 PROPOSED 2014-15 STATE ROAD FUNDS TO LOCAL GOVERNMENT PROGRAM**

<b>File Ref:</b>	GOV 21A
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	Roads of Regional Significance
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	5 November 2013
<b>Author:</b>	Rob Whooley, Director of Infrastructure Services
<b>Authorising Officer:</b>	Rob Whooley, Director of Infrastructure Services
<b>Attachments:</b>	8.3.1 – Regional Road Group Program

**Summary:**

The Great Southern Regional Road Group endorsed the draft 2014-15 program at its Katanning meeting on the 4/11/13.

The successful road projects submitted by the Shire of Denmark were:

- Scotsdale Road – resealing 20.16-21.06 km \$ 35,640
- Hollings Road- reconstruct and seal 0.49-1.8 km \$229,250
- Scotsdale Road – widen 0-0.4 km \$400,000
- Mt Lindesay Rd- seal 0.18-3.44 km \$273,840
- Churchill Rd – seal 0-5.3 km \$445,200
- Churchill Rd Bridge – part funded \$101,876

This item recommends Council accept program as endorsed by the Regional Road Group for inclusion in the 2014-15 budget considerations.

**Background:**

Through Regional Road Groups the State Government provides Local Government with a voice in how the State’s contribution to local roads is spent. This organisational structure and regional framework is in recognition of the greater understanding of the local community’s road needs that Local Government elected representatives have.

The delegation of responsibility provided to Regional Road Groups is through the statutory powers of the Commissioner of Main Roads to provide local road funding from a statewide perspective.

Through the various Regional Road Groups (ours being the Great Southern – or GSRRG) Elected Members are able to influence road funding decisions and make recommendations that are of direct benefit to local communities and the general Western Australian road user.

The Regional Road Groups make recommendations to the State Advisory Committee which oversees the program and reports to the Minister through the Commissioner of Main Roads.

There are 10 Regional Road Groups in WA.

At the Regional level RRGs are responsible for:

- Assessing Local Government road funding needs;
- Prioritising Road Projects and Black Spot Projects;
- Development of a long term plan (5 years) to distribute Road Projects and Black Spot Grants;
- Developing and improving methodology for the prioritisation of projects and the distribution of State funds;
- Monitoring and reporting on program effectiveness;
- Implementing Performance Indicators and open and accountable processes;
- Ensuring grants are expended in the year of allocation;
- Monitoring Local Government expenditure on approved local roads projects;
- Recommending improved procedures to the Advisory Committee;
- Raising relevant issues on the Local Roads Program and the overall road needs of the Region with the Advisory Committee; and
- Providing advice to member Local Governments.

The share of State Road Funds to Local Government allocated to local government roads is 27% of the estimated vehicle licence fees for that year. Funding is distributed under three categories:

1. Category One (60%) this includes:
  - a) Direct Grant based on an asset preservation model determined by the type of road, its length, traffic volumes, etc.
  - b) Project Grants based upon competitive local prioritisation
  - c) Supplementary Fund for flood damage etc
  - d) Technical Support to the ROMAN and reporting systems
2. Category Two (25%) based on traffic management needs under the Blackspot Program, Remote community roads, Bridge maintenance needs and National Park and State Forest
3. Category Three (15%) comprises of State initiatives on local roads which is reserved for more complex projects.

The relationship between the State funding body and the various Regional Road Groups is governed by an Agreement which specifies the allocation of funding from the Regional Road Group to the member Councils.

The guidelines show that funds are to be allocated using the following criteria, weightings and formulae:

		Raw Score	Factor Weight	Net Score
Transport	Traffic	0	2.376	0.00
	Tourism	0	0.648	0.00
	All Weather	0	0.648	0.00
	Travel Time	0	0.648	0.00
	Economic Activity	0	1.08	0.00
Safety	Accident History	0	0.96	0.00
	Accident Geometry	0	0.64	0.00
Environment	Surface Water	0	0.24	0.00
	Ground Water	0	0.14	0.00

	Air & Dust Pollution	0	0.18	0.00
	Noise	0	0.14	0.00
	Flora & Fauna	0	0.3	0.00
Social	Emergency Access Route	0	0.54	0.00
	Inter Community Access Route	0	0.46	0.00
	School/Pedestrian/Cyclist	0	0.50	0.00
	Facilities	0	0.50	0.00
	Community Expectations			
		Total Project Score		0.00

The highest scoring projects within a region are then prioritised by the Technical Working Group (TWG) with a recommendation being made to the Regional Road Group for endorsement (Note: TWG comprises of members of the regions sub-groups and is made up of non-technical as well as technical members- ie where Shires do not have engineers the CEO may represent a sub-group).

The Shire of Denmark has been annually re-elected on the TWG for the last 7 years.

The State allocates funds to the various Regional Road Groups based on their current total expenditure on roads (asset preservation model = APM) and the local authority population on a 75% (APM) / 25% (pop) basis. In terms of this formula, the GSRRG was allocated a total of \$6,801,910 for the 14/15 financial year.

If distribution of the funds available locally was based upon the way the State allocated funding, the amount available to each Shire would be as follows:

	APM % contribution	Population % contribution	Net Contribution % (APM x 0.75 + Population x 0.25)
City of Albany	21.4	58.0	30.6
Broomehill / Tambellup	7.1	2.0	5.8
Cranbrook	7.7	1.9	6.3
Denmark	5.5	8.6	6.3
Gnowangerup	7.2	2.4	6.0
Jerramungup	7.0	1.9	5.7
Katanning	5.9	7.4	6.3
Kent	7.7	1.0	6.0
Kojonup	8.1	3.8	7.0
Plantagenet	10.2	8.2	9.7
Ravensthorpe	8.6	4.1	7.5
Woodanilling	3.5	0.7	2.8

On the above basis Denmark would receive approximately \$430,000.

Our indicative funding for 14/15 is \$1,024,496 which is 15% of the total pool.

The pool is “capped” at 20% for any one Council.

**Comment:**

Mt Lindesay Road and Churchill Road are both deemed “Roads of Regional significance”. The basis of this assessment rests predominately upon the fact that these roads form an alternative east/west road across the Denmark River. Mt Lindesay also allows access to a regional tourist attraction.

Mt Lindesay (148 vehicles) ranks amongst Council's highest traffic volume gravel roads with the likes of Lights Road (290), Lights Beach Road (220), Station Road (120) and Harewood Road (180).

Churchill Road carries approximately 49 vehicles per day.

The application to widen the Churchill Road Bridge was the lowest ranked project to receive funding. As a result the bridge is only partially funded.

The author recommends Council accept the reduced bridge funding in the short term, while Council officers examine both the viability of the project and alternative complying projects which may be easily funded.

**Consultation:**

Council expressed a desire to see how certain roads would score in a regional context. Mt Lindesay and Churchill Road were included in the draft 2014-15 program on this basis.

**Statutory Obligations:**

Nil

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

There are no known financial implications upon the Council's current Budget.

The indicative funding of \$1,024,496 must be matched with an additional 50% contribution by Council being \$512,248.

The total project costs for the proposed works is \$1,536,744 which is two-thirds funded through Main Roads WA (MRWA) and one-third funded by Council.

Council may accept and commit to fund or reject any of the proposed works. Should Council decline any of the proposed works it is preferred that the decision be made as soon as possible so funds can be reallocated through the Regional Road Group.

**Strategic Implications:**

There are obvious significant strategic implications associated with road maintenance and improvement or the lack thereof.

All the proposed work is to be performed on local roads deemed to be of regional significance.

**Sustainability Implications:**

➤ **Environmental:**

There are no known significant environmental implications relating to the report or officer recommendation.

➤ **Economic:**

There are obvious significant economic implications relating to both road assets and whether Council accepts or declines external funding opportunities.

With over \$100 million of road asset, Council's funding decisions with respect to timeliness, quantum and scope can have a dramatic effect on the communities future economic discretionary spending ability.

➤ **Social:**

There are obvious significant social considerations relating to both maintaining and upgrading elements of the road network.

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION

ITEM 8.3.1

That Council accept the \$1,024,496 funding provided under the State Road Funds to Local Government arrangement as detailed in the 2014-15 program and as endorsed by the Regional Road Group.

**8.4 Director of Finance & Administration**

Nil

**8.5 Chief Executive Officer**

**8.5.1 ORDINARY COUNCIL MEETING DATES FOR 2014**

<b>File Ref:</b>	CR.2
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	4 November 2013
<b>Author:</b>	Claire Thompson, Executive Assistant
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	8.5.1 – Draft Meeting Schedule

**Summary:**

This report recommends that Council set its Ordinary Meeting Scheduled for 2014 and endorse the dates proposed for its Kent/Nornalup Ward Meetings in 2014.

**Background:**

Pursuant to sections 5.3 of the Local Government Act 1995, Council is required to hold ordinary meetings and hold those meetings not more than 3 months apart.

At the Special Meeting of Council held on Tuesday, 22 October 2013, Council resolved as follows (Resolution No. 141013);

*“That pursuant to Clause 2.1 of the Shire of Denmark Standing Orders Local Law 2000, the Council determines that the Council will ordinary meet as follows;*

- a) Every third Tuesday commencing 22 October 2013; and*
- b) Commencing at 4pm; and*
- c) At the Council Chambers, 953 South Coast Highway, Denmark; and*
- d) Determine, by resolution, the meeting schedule for 2014 at its meeting scheduled for 12 November 2013.”*

**Comment:**

Attached is a proposed meeting schedule which indicates meeting dates, public holidays, officer report deadlines and distribution of Agenda dates.

Given the Christmas & New Year holidays and the office shutdown during this period, it would be difficult to have an Agenda for any meeting before the 14 January. The Officer is proposing that the first meeting be scheduled for Tuesday, 21 January 2014.

If the meeting schedule for the year begins on the 14 January 2014, the timeframes for reports and agenda preparation are adversely affected for the meetings scheduled in February, April and June. This is due to the public holidays on 27 January, 18 & 21 April and 2 June 2013. In the Officer’s opinion, beginning the meeting schedule on the 21 January 2014 would be more practical from an administrative perspective.

The proposed 2014 Ordinary Meeting dates of Council are as follows (17 meetings in total);

DATE	LOCATION
21 January	Council Chamber, 953 South Coast Highway, Denmark
11 February	Council Chamber, 953 South Coast Highway, Denmark
4 March	Tingledale Hall, 976 Valley of the Giants Road, Tingledale
25 March	Council Chamber, 953 South Coast Highway, Denmark
15 April	Council Chamber, 953 South Coast Highway, Denmark
6 May	Council Chamber, 953 South Coast Highway, Denmark
27 May	Council Chamber, 953 South Coast Highway, Denmark
17 June	Council Chamber, 953 South Coast Highway, Denmark
8 July	Council Chamber, 953 South Coast Highway, Denmark
29 July	Council Chamber, 953 South Coast Highway, Denmark
19 August	Council Chamber, 953 South Coast Highway, Denmark
9 September	Council Chamber, 953 South Coast Highway, Denmark
30 September	Council Chamber, 953 South Coast Highway, Denmark
21 October	Council Chamber, 953 South Coast Highway, Denmark
11 November	Council Chamber, 953 South Coast Highway, Denmark
2 December	Council Chamber, 953 South Coast Highway, Denmark
23 December	Council Chamber, 953 South Coast Highway, Denmark

The March 2013 meeting was held at the Nornalup Hall and therefore, pursuant to Council Policy P040102, it is recommended that the first Ordinary Council Meeting in March 2014 be held at the Tingledale Hall.

Council Policy P040103 states that Council will also host two (2) locality (Kent/Nornalup Ward) meetings each year in at least two of the communities of Peaceful Bay, Nornalup and Tingledale. It is suggested that Council host two Kent / Nornalup Ward meetings in 2014 in the localities of Nornalup & Peaceful Bay.

**Consultation:**

Nil

**Statutory Obligations:**

The following legislation relates to Council meeting dates;

Section 5.3 & 5.4 of the Local Government Act 1995 states;

*5.3. Ordinary and special council meetings*

- 1) *A council is to hold ordinary meetings and may hold special meetings.*
- 2) *Ordinary meetings are to be held not more than 3 months apart.*
- 3) *If a council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.*

*5.4. Calling council meetings*

*An ordinary or a special meeting of a council is to be held —*

- a) *if called for by either —*
  - i. *the mayor or president; or*
  - ii. *at least 1/3 of the councillors, in a notice to the CEO setting out the date and purpose of the proposed meeting; or*
- b) *if so decided by the council.*

**Policy Implications:**

Council Policies P040101, P040102 & P040103 are detailed as follows.

**"P040101      ORDINARY COUNCIL MEETINGS**

*The Council shall meet every three (3) weeks on a Tuesday with a Briefing Session beginning at 10.00am and the Ordinary Council meeting commencing at 4.00pm, and/or as determined by the Chief Executive Officer in conjunction with the Shire President."*

**"P040102      MEETINGS OF COUNCIL - LOCATION (MARCH)**

*The location of Council's first meeting in March will be alternated every year between the Tingledale Hall and the Nornalup Hall and it will be widely advertised prior to the meetings."*

**"P040103      LOCALITY (KENT/NORNALUP WARD) MEETINGS**

*Council will host a meeting of citizens and community organisations at least once a year in at least 2 of the communities of Tingledale, Nornalup and Peaceful Bay and it will be widely advertised prior to the meetings."*

**Budget / Financial Implications:**

There are no known budget or financial implications associated with this report or the Officer Recommendation.

**Strategic Implications:**

There are no known significant strategic implications relating to the report or the officer recommendation.

**Sustainability Implications:****➤ Environmental:**

There are no known significant environmental considerations relating to the report or officer recommendation.

**➤ Economic:**

There are no known significant economic considerations relating to the report or officer recommendation.

**➤ Social:**

There are no known significant social considerations relating to the report or officer recommendation.

**Voting Requirements:**

Simple majority.

**OFFICER RECOMMENDATION**

ITEM 8.5.1

That with respect to the Meetings of Council to be held in 2014, Council;

1. Endorse the dates for Ordinary Council meetings in 2014, as shown in the table within the report, to commence on Tuesday, 21 January 2014;
2. Hold the 4 March 2014 meeting at the Tingledale Hall;
3. Host a Kent/Nornalup Ward Meeting for the interest of residents, ratepayers and community organisations at the Peaceful Bay Progress Association Hall and the Nornalup Hall at times and dates to be determined by the CEO in conjunction with the Shire President and widely advertise those times & dates prior to the meeting.
4. Convene strategic briefing forums generally commencing at 10.00am on Ordinary Council Meeting Days; and
5. Advertise in the Denmark Bulletin, Walpole Weekly, on Council's website and on Council's Notice Boards the dates and locations in parts 1, 2 & 3.



**COUNCIL RESOLUTION**

ITEM 8.5.1

MOVED: CR ROWLAND

SECONDED: CR GILLIES

That with respect to the Meetings of Council to be held in 2014, Council;

1. Endorse the dates for Ordinary Council meetings in 2014, as shown in the table within the report, to commence on Tuesday, 21 January 2014 but ending on the 2 December 2014;
2. Hold the 4 March 2014 meeting in Denmark as usual and request the CEO to write to organisations at Nornalup and Tingleedale explaining the reasons why Council has made this change;
3. Host a Locality (Kent/Nornalup Ward) Meeting for the interest of residents, ratepayers and community organisations at the Peaceful Bay Progress Association Hall and the Nornalup Hall at times and dates to be determined by the CEO in conjunction with the Shire President and widely advertise those times & dates prior to the meeting.
4. Convene strategic briefing forums generally commencing at 10.00am on Ordinary Council Meeting Days; and
5. Advertise in the Denmark Bulletin, Walpole Weekly, on Council's website and on Council's Notice Boards the dates and locations in parts 1, 2 & 3.

CARRIED: 3/2

Res: 071113

**9. COMMITTEE REPORTS & RECOMMENDATIONS**

Nil

**10. MATTERS BEHIND CLOSED DOORS**

Nil

**11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING**

Nil

**4.37pm - Public Question Time**

*The Shire President stated that as the meeting would conclude prior to 6.00pm, the second public question time would begin & he called for questions from members of the public.*

**Mr Alex Syme – Ward Meetings verses Locality Meetings**

Mr Syme noted that the Kent / Nornalup meetings were referred to as ward meetings rather than locality meetings, as per Council Policy.

**12. CLOSURE OF MEETING**

*4.37pm – There being no further business to discuss the Presiding Person, Cr Thornton, declared the meeting closed.*

The Chief Executive Officer recommends the endorsement of these minutes at the next meeting.

Signed: \_\_\_\_\_

*Dale Stewart – Chief Executive Officer*

Date: \_\_\_\_\_

These minutes were confirmed at the meeting of the \_\_\_\_\_

Signed: \_\_\_\_\_

*(Presiding Person at the meeting at which the minutes were confirmed.)*