



## SPECIAL MEETING OF COUNCIL

For the Purpose of Election of the Shire President & the Deputy Shire President and the appointment of Elected Members to Committees, Working Groups & External Organisations / Agencies.

HELD IN THE COUNCIL CHAMBERS, 953 SOUTH COAST HIGHWAY,  
DENMARK ON TUESDAY, 18 OCTOBER 2011.

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## SWEARING IN OF NEW COUNCILLORS

Newly elected Councillors were sworn in by Mr Frank Leary JP prior to the commencement of the meeting as follows;

	<b>Name</b>	<b>Ward</b>	<b>Term Expiring</b>
Elected unopposed:	Cr Ross Thornton	(Town Ward)	October 2015
	Cr Ian Osborne	(Town Ward)	October 2015
	Cr Adrian Hinds	(Town Ward)	October 2013
Elected unopposed:	Cr Jan Lewis	(Scotsdale/Shadforth Ward)	October 2015
	Cr Belinda Rowland	(Scotsdale/Shadforth Ward)	October 2015
Elected unopposed:	Cr Kelli Gillies	(Kent/Nornalup Ward)	October 2015
	Cr Barbara Marshall	(Kent/Nornalup Ward)	October 2015
	Cr Roger Seeney	(Kent/Nornalup Ward)	October 2015

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## Special Council Meeting

18 October 2011

### DISCLAIMER

These minutes and resolutions are subject to confirmation by Council.

No responsibility whatsoever is implied or accepted by the Shire of Denmark for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff.

The Shire of Denmark disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a license, any statement or limitation or approval made by a member or officer of the Shire of Denmark during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Denmark. The Shire of Denmark warns that anyone who has an application lodged with the Shire of Denmark must obtain and should only rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Denmark in respect of the application.

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

4.08pm – Being the first meeting of the Council following the Biennial Local Government Elections, the Chief Executive Officer, Dale Stewart, opened the meeting.

**2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**MEMBERS:

Cr Kelli Gillies  
 Cr Adrian Hinds  
 Cr Janet Lewis  
 Cr Barbara Marshall  
 Cr Ian Osborne  
 Cr Dawn Pedro  
 Cr Belinda Rowland  
 Cr John Sampson  
 Cr Roger Seeney  
 Cr Alex Syme  
 Cr Ross Thornton

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:

Mr Garry Bird (Director of Finance & Administration)  
 Mr Rob Whooley (Director of Infrastructure Services)  
 Cr Philip Barnes

ON LEAVE OF ABSENCE:

Nil

ABSENT:

Nil

VISITORS:

Mr Frank Leary JP

DECLARATIONS OF INTEREST:

Councillors are reminded of the requirement to complete and lodge a Declaration of Interest Form should they believe that they have a financial, proximity or impartiality perceived interest in any item on this Agenda. A Declaration of Interest Form is available on Councillors' USB drives and/or by contacting Council's Executive Assistant.

Name	Item No	Interest	Nature
Cr Seeney	7.2	Impartiality	Cr Seeney has been nominated for a National Services Medal for Volunteer Bush Fire Brigade Service.
Cr Seeney	7.3	Impartiality	Cr Seeney will be attending meetings of the Bush Fire Advisory Committee as a Fire Control Officer of Somerset Hill Brigade.
Cr Seeney	7.11	Impartiality	Cr Seeney is President of the Denmark Equestrian Club.

4.09pm – The Director of Community & Regulatory Services left the meeting.

### 3. ANNOUNCEMENT BY THE PERSON PRESIDING

*The Chief Executive Officer announced that he had received some information from Cr Barnes with respect to him being considered for certain Committees and that he would advise Council of Cr Barnes interest at the relevant time of the meeting.*

4.11pm – The Director of Community & Regulatory Services returned to the meeting.

### 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.

For a Special Meeting of Council, such as this, they must however relate to the item(s) on the Agenda.

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

Should you wish to address Council please note that the Presiding Person (the Shire President) may have to limit the time of individual speakers in order to allow sufficient time for all speakers present at the meeting to address Council. The rules of this process and the time allocated will be determined by the Presiding Person at the Meeting dependent upon the indicative number of speakers.

#### Questions from the Public

##### 4.2.1 Mr Ken Richardson-Newton – Item 8.1 & 8.2 (CBD Streetscape Redevelopment Working Group & the Kwoorabup Community Park Working Group)

Mr Richardson-Newton congratulated the new Councillors in their Election and referred to the Officer's Recommendation to amalgamate the Working Groups. Mr Richardson-Newton spoke as a former Councillor who had been a member of the Kwoorabup Community Park Working Group and stating that both groups had entirely different objectives. Whilst the CBD Streetscape Working Group dealt with matters pertaining to businesses, tourism and the like, the Kwoorabup Park Working Group's aim was to create a park which was a relaxing and attractive area. Mr Richardson-Newton urged Council to keep the two working Groups separate.

##### 4.2.2 Mr Gavin Gray - Item 8.1 & 8.2 (CBD Streetscape Redevelopment Working Group & the Kwoorabup Community Park Working Group)

Mr Gray supported Cr Richardson-Newton's comments and stated that he had been a member of the Kwoorabup Community Park Working Group since its inception. Mr Gray said that he would like to remain on the Working Group to see the plan come to fruition.

##### 4.2.3 Mr Neil Riddell - Item 8.1 & 8.2 (CBD Streetscape Redevelopment Working Group & the Kwoorabup Community Park Working Group)

Mr Riddell stated that he had also been a member of the Kwoorabup Community Park Working Group since its inception and he supported the comments made by Mr Gray & Mr Richardson-Newton. Mr Riddell said that members who had been on the Working Group had the knowledge and experience of the plans to fine tune decisions which still need to be made. Mr Riddell added that he would like to see more community involvement rather

than the removal of community members and the amalgamation of the two Groups.

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

Nil

#### **4.4 PRESENTATIONS & DEPUTATIONS**

Nil

### **5. ELECTION OF SHIRE PRESIDENT & DEPUTY SHIRE PRESIDENT**

#### **5.1 ELECTION OF SHIRE PRESIDENT**

A Nomination for the office of Shire President must be made in writing, on a Nomination of Shire President Form (attached), to the CEO at any time prior to the meeting and during the meeting up until the election. The Councillor nominated must advise the CEO, either orally or in writing that he or she is willing to be nominated for the office.

The process for determining the result of any election for the position (in the event of there being more than one accepted nomination) will be in accordance with Schedule 2.3 of the Local Government Act 1995. Voting for the position will be by secret ballot and all Councillors in attendance must vote.

The Councillor elected as the Shire President is to assume the role of Chair (Presiding Officer) upon being declared elected and having completed the Declaration of Office.

##### **Declaration of President**

*Councillor Ross Thornton nominated himself for the position of Shire President.*

*There being no further nominations the Chief Executive Officer declared Cr Thornton elected. Cr Thornton was duly sworn into the Office of President, in the presence of Frank Leary JP, and assumed the chair as the Presiding Person.*

#### **5.2 ELECTION OF DEPUTY SHIRE PRESIDENT**

A Nomination for the office of Deputy Shire President must be made in writing, on a Nomination of Deputy Shire President Form (attached), to the CEO at any time prior to the meeting and during the meeting up until the election. The Councillor nominated must advise the CEO, either orally or in writing that he or she is willing to be nominated for the office.

The process for determining the result of any election for the position (in the event of there being more than one accepted nomination) will be in accordance with Schedule 2.3 of the Local Government Act 1995. Voting for the position will be by secret ballot and all Councillors in attendance must vote.

The Councillor elected as the Deputy Shire President is to assume the role upon being declared elected and having completed the Declaration of Office.

##### **Declaration by Deputy President**

*Councillor John Sampson nominated himself for the position of Deputy Shire President.*

*There being no further nominations the Chief Executive Officer declared Cr Sampson elected. Cr Sampson was duly sworn into the Office of Deputy President, in the presence of Frank Leary JP.*

*The Shire President congratulated the new Councillors on the appointment as Elected Members and congratulated Cr Sampson on his appointment as Deputy Shire President.*

*The Shire President thanked Mr Frank Leary JP for overseeing the Swearing in Ceremonies. Mr Leary left the meeting and did not return.*

**6. TABLE SEATING DRAW**

Pursuant to Clause 8.2 of the Shire of Denmark Standing Orders Local Law 2000, the names of Councillors, with the exception of the Shire President (who will sit at the top of the table), will be drawn randomly by the Chief Executive Officer for the purpose of seating arrangements.

*The Shire President stated that the Chief Executive Officer had received a request from Cr Osborne that he be seated at the end of the table due to health reasons. Cr Osborne stated that he had a condition which meant that external noises interrupted his hearing occasionally.*

*Cr Thornton asked Councillors whether they would accept Cr Osborne's request. Councillors agreed to allow Cr Osborne to take his place at the end of the table.*

*The Shire President asked former Councillor, Mr Ken Richardson-Newton if he would be willing to assist with the draw. Mr Richardson-Newton agreed and proceeded to draw names out names randomly and each Councillor took their allocated places at the table.*

## 7. APPOINTMENT OF COUNCIL COMMITTEES

Note well: Sections 5.8 – 5.25 (inclusive) of the Local Government Act 1995 relates to the appointment to Committees of Council (refer appendix 7 a). A list of the Council's current Committees and Committee & Organisation Delegates is attached (refer appendix 7 b).

Following an Ordinary Local Government Election for a Council, all positions on Council Committees and Delegates to external organisations become vacant. Council has therefore the prerogative to establish the same Committees or amend them as they see fit (subject to legislation).

### 7.1 AUDIT COMMITTEE

<b>File Ref:</b>	FIN.8
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.1

#### Comment:

A copy of the proposed amended Audit Committee Charter is attached which includes the following Terms of Reference (pursuant to the Local Government Act 1995);

*An audit committee —*

- 6.1 *is to provide guidance and assistance to the local government —*
- i. as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and*
  - ii. as to the development of a process to be used to select and appoint a person to be an auditor;*
- and*
- 6.2 *may provide guidance and assistance to the local government as to —*
- i. matters to be audited;*
  - ii. the scope of audits;*
  - iii. its functions under Part 6 of the Act; and*
  - iv. the carrying out of its functions relating to other audits and other matters related to financial management (LG(Audit) Regs 16).*
  - v. is to meet with the auditor at least once in every year (LGA 7.12A).*

#### Comment

The Audit Committee is one of the few Committees of Council that is bound to establish.

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; "The quorum for any meeting of the Audit Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.";
2. A new Members Conduct Clause 8.9 which reads "Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and

Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

<b>Number of Suggested Councillor Members</b>	All Councillors (minimum of 3)
<b>Usual meeting frequency</b>	Minimum requirement of once annually (as per Local Government Act 1995)
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	No set day
<b>Usual meeting time</b>	No set time
<b>Officer Secretariat</b>	Director of Finance & Administration or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 7.1
MOVED: CR HINDS	SECONDED: CR MARSHALL
That the Audit Committee be continued and Council;	
1. Adopt the amended Charter and Membership; and	
2. Appoint all Councillors as members.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 211011

*Prior to consideration of Item 7.2 the Chief Executive Officer, through the Presiding Person, brought to the attention of the meeting the following disclosure(s) of interest:*

*Cr Seeney has been nominated for a National Services Medal for Volunteer Bush Fire Brigade Service and as a consequence there may be a perception that their impartiality on this matter may be affected. Cr Seeney declares that they will consider this matter on its merits and vote accordingly.*

## 7.2 AWARDS SELECTION COMMITTEE

<b>File Ref:</b>	PBR.1
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.2

A copy of the possible Awards Selection Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To implement Councils Policies relating to the awarding of the annual Agricultural College Scholarship (P080201), Leadership Award (P080202), Community Group of the Year & Citizen of the Year and Sportspersons of the Year Awards (P040113), Annual Volunteer Recognition Ceremony (P110701) and consideration of any Honorary Freeman Award Nominations (P040126).*
- 6.2 *To advise Council on matters relating to Awards and community recognition mechanisms generally.*
- 6.3 *To promote and identify opportunities for active citizenship and the ethos of volunteer service.*
- 6.4 *To oversee the coordination of ceremonies and services relating to Awards indentified in part 6.1 such as Councils annual participation in Australia Day Ceremonies, Sportsperson of the Year Awards Night and Volunteer Recognition Events.*



**Comment**

During the year the Council has significantly reviewed the Agricultural College Scholarship and replaced the ANZAC Scholarship with a Leadership Award. The Author notes that, whilst the Committee could continue in its current form, he suggests the functions of the Committee could easily be performed by the Council as a whole, particularly given that the Committee traditionally meets 1 – 2 times per year.

<b>Number of Previous Councillor Members</b>	5 Councillors
<b>Usual meeting frequency</b>	1 – 2 times per year
<b>Usual meeting duration</b>	1 hour
<b>Usual meeting day</b>	As required
<b>Usual meeting time</b>	Varies
<b>Officer Secretariat</b>	Chief Executive Officer or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 7.2
MOVED: CR SYME	SECONDED: CR HINDS
That the Awards Selection Committee be discontinued and all of the functions of the Committee be performed by the Council as part of its Ordinary Meeting cycle, proceeding Behind Closed Doors as required.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 221011

*Prior to consideration of Item 7.3 the Chief Executive Officer, through the Presiding Person, brought to the attention of the meeting the following disclosure(s) of interest:*

*Cr Seeney is a member of the Somerset Volunteer Bush Fire Brigade and already attends Bush Fire Advisory Committee meetings as a Fire Control Officer and as a consequence there may be a perception that their impartiality on this matter may be affected. Cr Seeney declares that they will consider this matter on its merits and vote accordingly.*

<b>7.3 BUSH FIRE ADVISORY COMMITTEE</b>
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<b>File Ref:</b>	FIRE 1A
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.3

A copy of the proposed Bush Fire Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To recommend and regularly review Councils Policies relating to the delivery of fire prevention, preparedness, response and recovery.*
- 6.2 *To provide support and guidance to all Bush Fire Brigades within the Shire of Denmark and to assist those Brigades to fulfill their objectives.*
- 6.3 *To establish and maintain an operational command and control structure by developing procedures to enhance the ability of the Brigades to carry out operations, activities and training efficiently and effectively.*
- 6.4 *To ensure co-operation and co-ordination between all Fire Brigades within the Shire of Denmark and between all other Fire Brigades and stakeholders in their efforts and activities.*

- 6.5 To advise Council regarding all matters relating to prosecutions for breaches of the Bush Fires Act 1954.
- 6.6 To advise Regional Officers in the area and any other relevant person or organization on matters referred to the committee.
- 6.7 To report to Council on matters referred to the committee by Council.
- 6.8 To perform any other function assigned to the Committee under section 67 of the Bush Fires Act, regulations or Council policy.

### Comment

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; "The quorum for any meeting of the Bush Fire Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.";
2. A new Members Conduct Clause 8.9 which reads "Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation)."
3. A new Voting Clause 8.4 which reads "Shall be in accordance with the Local Government Act, Section 5.21 with all voting members of the Committee entitled and required to vote (subject to financial and proximity interest provisions of the LGA). Officers of Council servicing the Committee are not entitled to vote unless specifically approved under the charter."

<b>Number of Suggested Councillor Members</b>	1 Councillor & 1 Deputy
<b>Usual meeting frequency</b>	4 times per year (quarterly)
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Thursday night
<b>Usual meeting time</b>	7.00pm
<b>Officer Secretariat</b>	Community Emergency Services Manager

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 7.3</b>
MOVED: CR LEWIS	SECONDED: CR HINDS
That the Bush Fire Advisory Committee be continued and Council;	
<ol style="list-style-type: none"> <li>1. Adopt the amended Charter &amp; Membership, as attached; and</li> <li>2. Appoint Cr Marshall to the Committee as a voting member; and</li> <li>3. Appoint Cr Seeney as the deputy member; and</li> <li>4. Invite member organisations to nominate their representative.</li> </ol>	
CARRIED: 11/0	Res: 231011

<b>7.4 CEMETERY ADVISORY COMMITTEE</b>
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<b>File Ref:</b>	A3212
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.4

A copy of the proposed Cemetery Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To advise Council on matters relating to cemeteries, lonely graves, niche facilities and the Denmark Cemetery (Reserve 11655) Local Law generally, including but not limited to;*
- *Fees and charges;*
  - *Maintenance quality, practices and procedures;*
  - *Infrastructure requirements;*
  - *Design elements;*
  - *Relevant and required Policies;*
  - *Availability of supply and;*
  - *Trends in cemetery management and community expectations and needs.*
- 6.2 *To promote and identify opportunities for development and enhancement of cemeteries, remembrance gardens and niche facilities.*

#### **Comment**

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; “The quorum for any meeting of the Cemetery Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.”;
2. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

<b>Number of Previous Councillor Members</b>	1 Councillor
<b>Usual meeting frequency</b>	Every 2 – 3 months
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Wednesday
<b>Usual meeting time</b>	1.00pm
<b>Officer Secretariat</b>	Chief Executive Officer or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 7.4
MOVED: CR SEENEY	SECONDED: CR MARSHALL
That the Cemetery Advisory Committee be continued and Council;	
1. Adopt the amended Charter & Membership, as attached;	
2. Appoint Cr Rowland to the Committee;	
3. Advertise for Community Members to serve on the Committee for a term of two years, expiring in October 2013;	
4. Invite member organisations to nominate their representative.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 241011

### 7.5 CLIMATE CHANGE ADVISORY COMMITTEE

<b>File Ref:</b>	ORG.54
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.5

A copy of the proposed Climate Change Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To advise Council on matters relating to climate change.*
- 6.2 *To promote achievable and practical activities for Council and the Denmark community, which are effective in reducing CO<sub>2</sub> emissions and the impacts of climate change.*
- 6.3 *To identify opportunities and seek funding for CO<sub>2</sub> emissions reduction projects, energy efficiency and other practical climate change response initiatives, for Council and the Denmark community.*
- 6.4 *To oversee the development of a Shire of Denmark Climate Change Action Plan for 2008 – 2015, with measurable milestones for Council and the Denmark community.*
- 6.5 *To review the Climate Change Action Plan annually to identify high priority actions and ensure they are incorporated into the annual budgetary process.*
- 6.6 *To extend the Environmental Planning and Management section of the Shire's Strategic Planning document to ensure linkages to the Climate Change Action Plan.*
- 6.7 *To seek to develop partnerships with state and local governments and agencies, regarding Climate Change action initiatives, education and awareness-raising, and general funding resources and opportunities."*

#### Comment

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; "The quorum for any meeting of the Climate Change Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.";
2. Item 6.4 of the Terms of Reference has been amended to remove reference to "2008 – 2015"; and
3. A new Members Conduct Clause 8.9 which reads "Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;

- Shire of Denmark Standing Orders Local Law 2000;
- Shire of Denmark Code of Conduct (amended from time to time);
- Rules of Conduct Legislation; and
- Clause 34C of the Local Government (Administration Regulations) 1996; with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation)."

<b>Number of Previous Councillor Members</b>	2 Councillors
<b>Usual meeting frequency</b>	Approximately every 2 months
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Thursday
<b>Usual meeting time</b>	2.00pm
<b>Officer Secretariat</b>	Director of Planning & Sustainability or nominee (Sustainability Officer)

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 7.5</b>
MOVED: CR SYME	SECONDED: CR PEDRO
That the Climate Change Advisory Committee be continued and Council;	
1. Adopt the amended Charter & Membership, as attached;	
2. Appoint Cr Gillies and Cr Sampson to the Committee; and	
3. Advertise for Community Members to serve on the Committee for a term of two years, expiring in October 2013.	
CARRIED BY AN ABSOLUTE MAJORITY: 9/2	Res: 251011

#### **7.6 COMMUNITY FINANCIAL ASSISTANCE GRANTS ADVISORY COMMITTEE**

<b>File Ref:</b>	PBR.10A
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.6

A copy of the possible Community Financial Assistance Grants Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To assess and make recommendations to Council on funding applications for Council's "Community Financial Assistance Grants Program."*
- 6.2 *To ensure that the principles of the Community Financial Assistance Grants Program are met by the applicants.*
- 6.3 *To review the Shire of Denmark's Community Financial Assistance Grants guidelines, forms and policies from time to time.*

#### **Comment**

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; “The quorum for any meeting of the Community Financial Assistance Grants Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.”;
2. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

The Author notes that, whilst the Committee could continue in its current form, he suggests the functions of the Committee could easily be performed by the Council as a whole, particularly given that the Committee traditionally meets 1 – 2 times per year.

<b>Number of Previous Councillor Members</b>	5 Councillors
<b>Usual meeting frequency</b>	Once annually
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Varies
<b>Usual meeting time</b>	No set time
<b>Officer Secretariat</b>	Director of Finance & Administration or nominee

**OFFICER RECOMMENDATION**

ITEM 7.6

That the Community Financial Assistance Grant Advisory Committee be discontinued and the functions of the Committee be performed by the Council as part of its Ordinary Meeting cycle.

<b>COUNCIL RESOLUTION</b>	ITEM 7.6
MOVED: CR MARSHALL	SECONDED: CR SAMPSON
That the Community Financial Assistance Grant Advisory Committee be continued and Council;	
<ol style="list-style-type: none"> <li>1. Adopt the amended Charter, as attached; and</li> <li>2. Appoint the following 5 Councillors to the Committee:                     <ol style="list-style-type: none"> <li>a) Cr Marshall</li> <li>b) Cr Osborne</li> <li>c) Cr Pedro</li> <li>d) Cr Sampson</li> <li>e) Cr Syme.</li> </ol> </li> </ol>	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 261011

**REASONS FOR CHANGE**

The Council believed the Committee continued to serve a purpose.

<b>7.7 CULTURAL DEVELOPMENT FUND ADVISORY COMMITTEE</b>
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<b>File Ref:</b>	PBR.12
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.7

A copy of the possible Cultural Development Fund Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To assess and make recommendations to Council on funding applications under the Cultural Development Fund.*
- 6.2 *To ensure that the principles of the Cultural Development Fund are met by the applicants.*
- 6.3 *To review the Shire of Denmark Cultural Development Fund program, guidelines and policies from time to time.*

### Comment

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; “The quorum for any meeting of the Cultural Development Fund Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.”;
2. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

The Author notes that, whilst the Committee could continue in its current form, he suggests the functions of the Committee could easily be performed by the Council as a whole, particularly given that the Committee traditionally meets 1 – 2 times per year.

<b>Number of Previous Councillor Members</b>	2 Councillors
<b>Usual meeting frequency</b>	Once annually
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	No set day
<b>Usual meeting time</b>	No set time
<b>Officer Secretariat</b>	Director of Finance & Administration or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 7.7</b>
MOVED: CR HINDS	SECONDED: CR MARSHALL
That the Cultural Development Fund Advisory Committee be discontinued and the functions of the Committee be performed by the Council as part of its Ordinary Meeting cycle.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 271011

### 7.8 DENMARK HIGH SCHOOL OVAL MANAGEMENT COMMITTEE

<b>File Ref:</b>	A3121
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.8

#### Comment:

Whilst the Management Committee has not met for many years, it is required to be established pursuant to the joint Agreement between the Council and the Department of Education (Denmark High School). The Membership of the Committee is as determined by the Agreement and is as follows (this cannot be altered by Council unless an amendment to the Agreement is proposed);

- 2 members appointed by the Shire being the Chief Executive Officer of the Shire or his/her nominee and a Shire Councillor;
- The President of the P & C; and
- The Principal or his/her nominee.

A copy of the proposed Denmark High School Oval Management Committee Charter is attached which includes the following Terms of Reference;

*To manage the Council's obligations with respect to the care, management and control of Reserve 26565, in accordance with the Licence Agreement, dated 4 June 2000.*

<b>Number of Required Councillor Members</b>	1 Councillor
<b>Usual meeting frequency</b>	As required
<b>Usual meeting duration</b>	The Committee has not met for at least 5 years.
<b>Usual meeting day</b>	To be determined
<b>Usual meeting time</b>	To be determined
<b>Officer Secretariat</b>	Director of Infrastructure Services or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 7.8</b>
MOVED: CR SEENEY	SECONDED: CR OSBORNE
That with respect to the Denmark High School Oval Management Committee, Council;	
1. Adopt the Charter, as attached;	
2. Appoint Cr Rowland to the Committee; and	
3. Invite member organisations to nominate their representative.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 281011



<b>7.9</b>	<b>DISABILITY SERVICES ADVISORY COMMITTEE</b>
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<b>File Ref:</b>	ORG.25
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.9

A copy of the proposed Disability Services Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To support and recommend to Council, action and policies relating to the provision of services to persons with disabilities in the Denmark community.*
- 6.2 *To advise Council on matters effecting persons with disabilities generally.*
- 6.3 *To oversee the implementation, regular reviews and evaluation of the Shire of Denmark Disability Access and Inclusion Plan and make recommendations to Council on matters relating to the Plan.*

#### **Comment**

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; “The quorum for any meeting of the Disability Services Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.”;
2. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

The Author has given consideration to merging the Disability Services Advisory Committee with the Seniors Advisory Committee given his observation that many of the Agenda items and discussion points are often duplicated (car parking, ACROD bays, accessibility, footpath issues etc...). On balance, the Author is recommending retention of both Committees, at this point in time, given the recent receipt by Council of the Age Friendly Community Strategy and the fact that the Disability Services Advisory Committee is in the process of reviewing the Council’s adopted Disability Services, Access and Inclusion Plan.

<b>Number of Previous Councillor Members</b>	1 Councillor
<b>Usual meeting frequency</b>	Every month
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Wednesday
<b>Usual meeting time</b>	10.00am
<b>Officer Secretariat</b>	Director of Community & Regulatory Services or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 7.9
MOVED: CR MARSHALL	SECONDED: CR SEENEY
That with respect to the Disability Services Advisory Committee, Council;	
1. Adopt the Charter & Membership, as attached;	
2. Appoint Cr Hinds to the Committee; and	
3. Advertise for Community Members to serve on the Committee for a term of two years, expiring in October 2013; and	
4. Invite member organisations to nominate their representative.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 291011

### 7.10 LOCAL EMERGENCY MANAGEMENT COMMITTEE

<b>File Ref:</b>	ORG.20
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.10

A copy of the proposed Local Emergency Management Committee Charter is attached which includes the following Terms of Reference;

*To implement the objectives of the Western Australian Emergency Management Arrangements Public Statement number 7, that is;*

- 6.1 *To advise and assist the local government in ensuring that local emergency management arrangements are established for its district;*
- 6.2 *To liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and*
- 6.3 *To carry out other emergency management activities as directed by the SEMC or prescribed by the Emergency Management Act or Regulations.*
- 6.4 *Prepare an annual report on Committee activities for submission to the District Emergency Management Committee.*
- 6.5 *The local emergency management arrangements are to set out —*
  - a. *the local government's policies for emergency management;*
  - b. *the roles and responsibilities of public authorities and other persons involved in emergency management in the local government district;*
  - c. *provisions about the coordination of emergency operations and activities relating to emergency management performed by the persons mentioned in paragraph (b);*
  - d. *a description of emergencies that are likely to occur in the local government district;*
  - e. *strategies and priorities for emergency management in the local government district;*
  - f. *other matters about emergency management in the local government district prescribed by the regulations; and*
  - g. *other matters about emergency management in the local government district the local government considers appropriate.*

- h. *Local emergency management arrangements are to be consistent with the State emergency management policies and State emergency management plans.*
- i. *Local emergency management arrangements are to include a recovery plan and the nomination of a local recovery coordinator.*

### Comment

The Local Emergency Management Committee is one of the few Committees of Council that is bound to establish.

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; "The quorum for any meeting of the Local Emergency Management Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.";
2. A new Members Conduct Clause 8.9 which reads "Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation)."

<b>Number of Required Councillor Members</b>	Shire President
<b>Usual meeting frequency</b>	Quarterly
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	first Tuesday (of the every 3 <sup>rd</sup> month)
<b>Usual meeting time</b>	4.00pm
<b>Officer Secretariat</b>	Director of Community & Regulatory Services or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 7.10
MOVED: CR SYME	SECONDED: CR ROWLAND
That pursuant to Section 38 (1) of the Emergency Management Act 2005, the Local Emergency Management Committee be continued and Council;	
1. Adopt the Charter and Membership, as attached;	
2. Appoint the Shire President, Cr Thornton to the Committee; and	
3. Invite member organisations to nominate their representative.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 301011

Prior to consideration of Item 7.11 the Chief Executive Officer, through the Presiding Person, brought to the attention of the meeting the following disclosure(s) of interest:

Cr Seeney is the President of the Denmark Equestrian Club and as a consequence there may be a perception that their impartiality on this matter may be affected. Cr Seeney declares that they will consider this matter on its merits and vote accordingly.

<b>7.11 PATHS &amp; TRAILS ADVISORY COMMITTEE</b>
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<b>File Ref:</b>	ORG.29
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.11

A copy of the proposed Paths & Trails Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *Recreational Trails for the purpose of this Committee are defined as paths, cycleways, dual use paths and trails within the Shire of Denmark.*
- 6.2 *To provide Council with information and advice regarding the ongoing construction, maintenance, planning and funding for paths, cycleways, dual use paths and trails within the Shire of Denmark.*
- 6.3 *To help ensure paths, cycleways, dual use paths and trails within the Shire of Denmark are, as a matter of principle and where practical;*
  - *Coherent*
  - *Direct*
  - *Safe*
  - *Comfortable*
  - *Attractive*
  - *Have appropriate infrastructure*
  - *Informative and;*
  - *Have equity of access.*
- 6.4 *To encourage & promote community participation, use and awareness of Trails within the Shire.*
- 6.5 *Assist Council with the implementation, relevant to Trails, of its;*
  - *Community Strategic Plan;*
  - *Local Recreation Plan 2003;*
  - *Great Southern Regional Recreation Plan 2004;*
  - *Trails Master Plan 1999,*
  - *Cycleway Master Plan 1999 and;*
  - *Path Development Plan 2007.*
- 6.6 *Review and make recommendations to Council at reasonable intervals, relevant Trail plans and policies relating.*

### **Comment**

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; “The quorum for any meeting of the Paths & Trails Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.”;
2. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);

- Rules of Conduct Legislation; and
- Clause 34C of the Local Government (Administration Regulations) 1996; with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

<b>Number of Previous Councillor Members</b>	1 Councillor
<b>Usual meeting frequency</b>	Every month
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	First Monday of every month
<b>Usual meeting time</b>	3.30pm
<b>Officer Secretariat</b>	Director of Infrastructure or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 7.11</b>
MOVED: CR PEDRO	SECONDED: CR ROWLANDS
That the Paths & Trails Advisory Committee be continued and Council;	
<ol style="list-style-type: none"> <li>1. Adopt the amended Charter &amp; Membership, as attached;</li> <li>2. Appoint Cr Seeney to the Committee;</li> <li>3. Advertise for Community Members to serve on the Committee for a term of two years, expiring in October 2013; and</li> <li>4. Invite member organisations to nominate their representative.</li> </ol>	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 311011

## 7.12 ROADWISE ADVISORY COMMITTEE

<b>File Ref:</b>	ORG.9
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.12

### Comment:

A copy of the proposed Roadwise Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 To advise Council on matters relating to :
- Road Safety Objectives
  - State Road Safety Strategy
  - Local Action Plan
  - Community Road Safety Committee
  - Community Road Safety Grants Program.

### Comment

Amendments to the Charter from that which was adopted in October 2009 include:

1. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:

- provisions of Section 5.65 of the Local Government Act 1995;
- Shire of Denmark Standing Orders Local Law 2000;
- Shire of Denmark Code of Conduct (amended from time to time);
- Rules of Conduct Legislation; and
- Clause 34C of the Local Government (Administration Regulations) 1996; with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation)."

<b>Number of Previous Councillor Members</b>	1 Councillor
<b>Usual meeting frequency</b>	Every 2 months
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Wednesday (third Wednesday of the month)
<b>Usual meeting time</b>	10.30am
<b>Officer Secretariat</b>	Director of Infrastructure Services or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 7.12
MOVED: CR SYME	SECONDED: CR PEDRO
That the Roadwise Advisory Committee be continued and Council;	
1. Adopt the amended Charter & Membership as attached;	
2. Appoint Cr Lewis to the Committee; and	
3. Invite member organisations to nominate their representative.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 321011

### 7.13 SENIORS ADVISORY COMMITTEE

<b>File Ref:</b>	SER.3
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.13

A copy of the proposed Seniors Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *Provide Council with information and advice regarding ongoing needs of seniors.*
- 6.2 *Encourage seniors to participate actively in community ventures and projects.*
- 6.3 *Assist Council with the implementation of Senior Policy P080601.*
- 6.4 *Review, at reasonable intervals, Seniors' Policy P080601 to ensure its ongoing accuracy and relevance.*

#### Comment

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; "The quorum for any meeting of the Seniors Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.";

2. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:
- provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
- with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

<b>Number of Previous Councillor Members</b>	1 Councillor
<b>Usual meeting frequency</b>	Every 2 months
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Wednesday
<b>Usual meeting time</b>	1.00pm
<b>Officer Secretariat</b>	Chief Executive Officer or nominee

**COUNCIL RESOLUTION & OFFICER RECOMMENDATION** ITEM 7.13  
 MOVED: CR ROWLAND SECONDED: CR SEENEY

That the Seniors Advisory Committee be continued and Council;

1. Adopt the Charter & Membership, as attached;
2. Appoint Cr Barnes to the Committee;
3. Advertise for Community Members to serve on the Committee for a term of two years, expiring in October 2013; and
4. Invite member organisations to nominate their representative.

CARRIED BY AN ABSOLUTE MAJORITY: 11/0

Res: 331011

#### **7.14 WASTE MANAGEMENT ADVISORY COMMITTEE**

<b>File Ref:</b>	WST.9
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.14

A copy of the proposed Waste Management Advisory Committee Charter is attached which includes the following Terms of Reference;

*Subject to the constraints of Council's Budget, Policies and Procedures and compliance with the Local Government Act 1995 and associated Regulations;*

- 6.1. *Implementing the Strategic Waste Minimisation Plan 2008-2013.*
- 6.2. *Establishing our communities Landfill Waste options now and into the future with specific recommendations.*
- 6.3. *Investigating the future waste needs of Denmark, Nornalup, Bow Bridge and Peaceful Bay villages and associated communities and whether this can be accommodated through the regional participation with the Shires of Cranbrook,*

*Plantagenet, Manjimup and/or the City of Albany or with its own locally based suitable site.*

- 6.4 *Provide advice on operational matters pertaining to waste or recycling if requested by Council or Shire Officers.*

### Comment

It has been recommended, by the former Chair of the Committee, that Part 6.4 of the former Terms of Reference be amended to remove the Committee's power to engage consultants. Previously part 6.4 read as follows "Engaging consultant(s) if the Committee so requires" and that a new part 6.4 be inserted to read as follows, "Provide advice on operational matters pertaining to waste or recycling if requested by Council or Shire Officers". These suggested changes are supported by the Author.

In addition amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; "The quorum for any meeting of the Waste Management Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not."
2. A new Members Conduct Clause 8.9 which reads "Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);
  - Rules of Conduct Legislation; and
  - Clause 34C of the Local Government (Administration Regulations) 1996;
 with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation)."

<b>Number of Previous Councillor Members</b>	5 Councillors
<b>Usual meeting frequency</b>	Every 2 months
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Wednesday
<b>Usual meeting time</b>	1.00pm
<b>Officer Secretariat</b>	Director of Infrastructure Services or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 7.14</b>
MOVED: CR MARSHALL	SECONDED: CR ROWLAND
That the Waste Management Advisory Committee be continued and Council;	
1. Adopt the Charter & Membership, as attached; and	
2. Appoint the following Councillors to the Committee;	
<ol style="list-style-type: none"> <li>a) Cr Syme</li> <li>b) Cr Hinds</li> <li>c) Cr Lewis</li> <li>d) Cr Osborne</li> <li>e) Cr Gillies.</li> </ol>	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 341011



<b>7.15 YOUTH ADVISORY COMMITTEE</b>
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<b>File Ref:</b>	A3035A
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	11 October 2011
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – Attachment 7.15

A copy of the proposed Denmark Youth Advisory Committee Charter is attached which includes the following Terms of Reference;

- 6.1 *To support and facilitate the delivery of effective and appropriate youth services that meet the needs of youth in the community*
- 6.2 *To advise Council on matters relating to:*
- a. *Strategic policy, planning and direction;*
  - b. *Delivery of programs and activities for young people;*
  - c. *Raising the profile of the Youth Centre for all young people in the target group (12 – 17 years) in the community;*
  - d. *Networking with all local and regional government, non government, community and church groups;*
  - e. *Acquisition of available funding to further enable youth related activities and events; and*
  - f. *Developing annual programs for the Youth Centre.*
- 6.3 *To promote and identify opportunities for active volunteer service and leadership opportunities for young people.*

### **Comment**

Amendments to the Charter from that which was adopted in October 2009 include:

1. A replacement Quorum clause which states as follows; “The quorum for any meeting of the Denmark Youth Centre Advisory Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.”;
2. Part 6.3 of the Terms of Reference, which formally read, “To promote and identify opportunities for active volunteer service in the Youth Centre”, has been replaced with the words “To promote and identify opportunities for active volunteer service and leadership opportunities for young people”. The Author is of the opinion that the slight change to the wording allows for broader scope.
3. The Membership section has been amended to replace the Chaplain Representative (which could be a Primary School Chaplain, a High School Chaplain or a Community Chaplain) & the Denmark High School Principal with 1 x Denmark Primary School Representative and 1 x Denmark High School Representative. These two positions are able to be filled by a Chaplain, Principal or other representative Officer and the Author is of the view that the change goes to ensure that both the Primary & High School have representation.
4. The vision has been amended from, “Our vision is for the Shire of Denmark to be a community that values participation, recognition and an ethos of community service” to “Our vision is for the Shire of Denmark to be a community that values youth and provides an environment for them to be safe, active and included”. The Author is of the view that the amended vision better reflects the specific purpose and objectives of the Committee.
5. A new Members Conduct Clause 8.9 which reads “Members of the Committee are bound by the:
  - provisions of Section 5.65 of the Local Government Act 1995;
  - Shire of Denmark Standing Orders Local Law 2000;
  - Shire of Denmark Code of Conduct (amended from time to time);

- Rules of Conduct Legislation; and
- Clause 34C of the Local Government (Administration Regulations) 1996; with respect to their conduct and duty of disclosure of financial, proximity or impartiality interests, to the extent stated, dependent upon whether they are a Councillor, Employee of Local Government or a Community Member (community members are not bound to declare impartiality interests, unlike Councillors and Employees of Local Government nor are they bound by the Rules of Conduct Legislation).”

<b>Number of Previous Councillor Members</b>	1 Councillor
<b>Usual meeting frequency</b>	Every 2 months
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Friday
<b>Usual meeting time</b>	8.00am
<b>Officer Secretariat</b>	Director of Community & Regulatory Services or nominee

**COUNCIL RESOLUTION & OFFICER RECOMMENDATION** ITEM 7.15

MOVED: CR SYME

SECONDED: CR ROWLAND

That the Denmark Youth Advisory Committee be continued with its broader title and Council;

1. Adopt the Charter & Membership, as attached;
2. Appoint Cr Pedro to the Committee;
3. Advertise for Community Members to serve on the Committee for a term of two years, expiring in October 2013; and
4. Invite member organisations to nominate their representative.

CARRIED BY AN ABSOLUTE MAJORITY: 11/0

Res: 351011

## 8. APPOINTMENT OF COUNCIL WORKING GROUPS

The following Working Groups are proposed to be established to assist Council Officers with the implementation of Council priorities and projects.

### 8.1 CBD STREETScape REDEVELOPMENT WORKING GROUP

The CBD Streetscape Redevelopment Working Group was established on the 28 June 2005 (Resolution No. 166/05) and the Terms of Reference were reviewed and amended on the 22 February 2011 (Resolution No. 260211).

#### Terms of Reference

The objective of the Working Group is to provide comment and recommendations to Council on the following issues in relation to the Denmark CBD;

- Parking in and around the CBD;
- Staging of any proposed construction or redevelopment works; and
- Monitoring expenditure of each stage.

For the purpose of the Working Group the Denmark CBD is that area as defined in the Local Planning Policy No. 31 – Commercial Strategy.

<b>Number of Previous Councillor Members</b>	2 Councillors (one of whom is to be elected Presiding Person)
<b>Other Working Group Members</b>	<ul style="list-style-type: none"> <li>• 2 x Denmark Chamber of Commerce representatives or Deputy.</li> <li>• 1 x Community representative or Deputy.</li> <li>• 1 x Shire of Denmark Disability Services Committee representative.</li> <li>• 1 x Denmark Arts Inc. Representative or Deputy.</li> <li>• 1 x Denmark Tourism Inc. Representative or Deputy.</li> </ul>
<b>Usual meeting frequency</b>	Every 3 months or as required
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	No set day
<b>Usual meeting time</b>	No set time
<b>Officer Secretariat</b>	Director of Infrastructure Services or nominee

#### **Comment**

Given community consultation and conceptual design has been substantially concluded with respect to the Strickland Street redevelopment and also Kwoorabup Community Park, together with the proximity of both projects, the Author recommends merging of the two Working Groups, with appropriate amendment to the membership.

The suggested membership of the merged Working Group is as follows;

- 3 x Councillors (one of whom is to be elected Presiding Person).
- 1 x Denmark Chamber of Commerce representative or Deputy.
- 1 x Shire of Denmark Disability Services Committee representative.
- 1 x Denmark Arts Inc. representative or Deputy.
- 1 x Denmark Tourism Inc. representative or Deputy.
- 1 x People for Parklands representative or Deputy.

The suggested Terms of Reference of the merged Working Group is as follows;

To provide comment and recommendations to Council and the Director of Infrastructure Services in relation to the following matters;

1. Redevelopment works associated with the Denmark Central Business District CBD;
2. Development works associated with the Kwoorabup Community Park;
3. Monitoring expenditure with respect to parts 1 & 2 (above).
4. Implementation of the endorsed CBD Streetscape Plan with respect to Strickland Street between the South Coast Highway and North Road;

5. Evaluation of the traffic movement at the intersection of Strickland Street and Barnett Street, including the opportunity for the installation of a roundabout;
6. Evaluation of the need and opportunity for tourist (car and caravan) and/or long term car parking on Barnett Street between Strickland Street and Brazier Street, noting design impediments relating to the existing footpath;
7. Evaluation of the pedestrian movement and vehicle conflicts on Hollings Road between Barnett Street and Walker Street.
8. Reviewing parking arrangements and traffic and pedestrian movement concerns on both Mitchell & Bent Streets between Strickland Street and Price Street.

For the purpose of the Working Group the Denmark CBD is that area as generally defined in the Local Planning Policy No. 31 – Commercial Strategy.

**COUNCIL RESOLUTION & OFFICER RECOMMENDATION**

ITEM 8.1

MOVED: CR SYME

SECONDED: CR SAMPSON

That Council discontinue the CBD Streetscape Redevelopment Working Group and form the Denmark CBD and Kwoorabup Community Park Working Group as follows;

1. Membership
  - a) 3 x Councillors (one of whom is to be elected Presiding Person).
  - b) 1 x Denmark Chamber of Commerce representative or Deputy.
  - c) 1 x Shire of Denmark Disability Services Committee representative.
  - d) 1 x Denmark Arts Inc. representative or Deputy.
  - e) 1 x Denmark Tourism Inc. representative or Deputy.
  - f) 1 x People for Parklands representative or Deputy.
2. Appoint the following Councillors as members of the Working Group;
  - a) Cr Barnes
  - b) Cr Osborne
  - c) Cr Lewis
3. Terms of Reference
 

“To provide comment and recommendations to Council and the Director of Infrastructure Services in relation to the following matters;

  - a) Redevelopment works associated with the Denmark Central Business District CBD;
  - b) Development works associated with the Kwoorabup Community Park;
  - c) Monitoring expenditure with respect to parts 1 & 2 (above).
  - d) Implementation of the endorsed CBD Streetscape Plan with respect to Strickland Street between the South Coast Highway and North Road;
  - e) Evaluation of the traffic movement at the intersection of Strickland Street and Barnett Street, including the opportunity for the installation of a roundabout;
  - f) Evaluation of the need and opportunity for tourist (car and caravan) and/or long term car parking on Barnett Street between Strickland Street and Brazier Street, noting design impediments relating to the existing footpath;
  - g) Evaluation of the pedestrian movement and vehicle conflicts on Hollings Road between Barnett Street and Walker Street.
  - h) Reviewing parking arrangements and traffic and pedestrian movement concerns on both Mitchell & Bent Streets between Strickland Street and Price Street.

For the purpose of the Working Group the Denmark CBD is that area as generally defined in the Local Planning Policy No. 31 – Commercial Strategy.”

4. Invite member organisations to nominate their representative.

**AMENDMENT**

MOVED: CR THORNTON

SECONDED: CR LEWIS

1. That part e), the Denmark Tourism Inc. representative be deleted.
2. That part f) be amended to 2 x People for Parkland representatives; and
3. That Council's Parks Supervisor be added to the membership.

LOST: 4/7

Res: 361011

THE ORIGINAL MOTION WAS THEN PUT & CARRIED: 6/5

Res: 371011

*\*Absolute majority required.*

The Chief Executive Officer advised that as the motion had been carried without an absolute majority it was ineffective and could not be actioned. Council had the option to either rescind the motion, if at least four Councillors indicated that they would be prepared to do so, and move a new or alternate motion or he could re-present the Item to the next Ordinary Council Meeting together with a more substantive report and perhaps some amendments to address concerns raised by members of the public and some Councillors.

There was no indication from Councillors that they would be prepared to rescind the motion. The Shire President requested the Chief Executive Officer to prepare a report on the matter for the consideration of Council at their next Ordinary meeting to be held on 25 October 2011.

The following Item 8.2 was not dealt with given the outcome of Item 8.1 and will be included in the report to Council on 25 October 2011.

## 8.2 COMMUNITY PARK DEVELOPMENT WORKING GROUP

The Community Park Development Working Group was established on the 16 October 2007 (Resolution No. 362/07) and the Terms of Reference amended on the 24 August 2010 (Resolution No. 320810). The role of the Community Park Working Group is;

- To provide guidance to the Director of Infrastructure Services on matters as required in implementing the staged development of the Kwoorabup Community Park.

Number of Previous Members	3 Councillors (one of whom is to be elected Presiding Person)
Other Working Group Members	2 x Community representatives Council's Parks Supervisor 1 x People for Parklands Representative
Usual meeting frequency	Every 3 months or as required
Usual meeting duration	1 – 2 hours
Usual meeting day	Thursday
Usual meeting time	10.00am
Officer Secretariat	Director of Infrastructure Services or nominee

### OFFICER RECOMMENDATION

### ITEM 8.2

That the Community Park Development Working Group be discontinued and the functions of the Committee be performed by the Denmark CBD & Kwoorabup Community Park Working Group.

## 8.3 CENTENARY CELEBRATIONS WORKING GROUP

The Denmark Roads Board was established (Gazetted) on the 15 December 1911 with its first meeting being held on the 6 December 1911. The Centenary Celebrations Working Group was established in October 2009 to “*plan, promote & implement suitable celebration/s to commemorate the centenary of the establishment of the Shire of Denmark in accordance with the allocating budget.*”

Whilst the majority of the celebration projects have been completed, the Working Group will still need to meet with the final meeting being some time after the installation of the Time Capsule on the 10 December 2011.

<b>Number of Previous Councillor Members</b>	2 Councillors (one of whom is to be elected Presiding Person)
<b>Other Working Group Members</b>	<ul style="list-style-type: none"> <li>1 x Denmark Historical Society representatives</li> <li>1 x Denmark Arts Inc representative</li> </ul>

	<ul style="list-style-type: none"> <li>• 1 x Indigenous representative</li> <li>• 1 x Denmark Chamber of Commerce representative;</li> <li>• 1 x Denmark Tourism Inc representative</li> </ul>
<b>Usual meeting frequency</b>	Every month
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Thursday
<b>Usual meeting time</b>	9.00am
<b>Officer Secretariat</b>	Chief Executive Officer or nominee

OFFICER RECOMMENDATION	ITEM 8.3
MOVED: CR MARSHALL	SECONDED: CR SEENEY
That the Centenary Celebrations Working Group be continued and Council;	
<ol style="list-style-type: none"> <li>1. Reaffirm the Terms of Reference;</li> <li>2. Reappoint Cr Pedro &amp; Cr Sampson;</li> <li>3. Reappoint all current organisation representatives; and</li> <li>4. Discontinue the Working Group effective 31 December 2011.</li> </ol>	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 381011

#### 8.4 DENMARK AQUATIC CENTRE PROJECT TEAM

##### Terms of Reference

To assess the need for a sustainable indoor heated aquatic facility for the Shire of Denmark and oversee the development of a Needs Assessment for the project.

With respect to the progress of the Working Group (Project Team), Council at its meeting held on the 23 August 2011 resolved as follows;

*“That with respect to the Interim Report of the Denmark Aquatic Centre Project Team, Council;*

1. *Receive the Coffey Commercial Advisory report titled “Feasibility Study for a Sustainable Indoor Heated Aquatic Facility in Denmark”.*
2. *Receive the Interim Report of the Project Team.*
3. *Authorise the CEO to request the Director of Finance & Administration to;*
  - a) *Comment on and assess the financial models, scenarios, assumptions and projections of the Coffey Report and Project Team Interim Report with respect to the proposed Aquatic Centre and its implications on Council’s future Budgets and Long Term Financial Planning, with this assessment to be provided back to the Project Team by no later than 30 November 2011 and;*
  - b) *Convene no later than 31 October 2011, a risk analysis seminar for the Project Team, Councillors and the Senior Staff of Council relating to the Aquatic Centre decision making framework through the Local Government Insurance Service (Council’s Insurer) noting this is at no cost to Council.*
4. *Request the Project Team to report to Council by no later than 28 February 2012 on;*
  - a) *Its assessment of the Financial Analysis prepared by the Council’s Director of Finance & Administration and;*
  - b) *The risk analysis prepared pursuant to part 3 and;*
  - c) *Its ability or likely timing to make recommendation(s) to Council on how to proceed with the outstanding issues they note as requiring further study denoted as “G3-01” to “G3-06” and;*
  - d) *Comment on its progress towards recommending ‘a decision to implement, amend, postpone, stage development or abandon the proposal’ for the Aquatic Centre.*
5. *That Council consider including in the 2011/12 Budget the sum of \$3,000 to fund an intrastate study tour of relevant aquatic facilities in Western Australia for*

*interested and available members of the Project Team and the Director of Finance & Administration, and open to others Councillors, with this tour scheduled to be undertaken in approximately October 2011 to assist inform the attendees in their findings and financial analysis.”*

<b>Number of Previous Councillor Members</b>	2 Councillors (one of whom is to be elected Presiding Person)
<b>Other Working Group Members</b>	<ul style="list-style-type: none"> <li>• Council's Director of Community &amp; Regulatory Services.</li> <li>• Council's Manager of Recreation Services.</li> <li>• 3 x Denmark Aquatic Centre Committee Representatives.</li> <li>• 1 x Department of Sport &amp; Recreation Representative.</li> </ul>
<b>Usual meeting frequency</b>	As required.
<b>Usual meeting duration</b>	1 – 2 hours
<b>Usual meeting day</b>	Varies
<b>Usual meeting time</b>	Usually around 11.00 am.
<b>Officer Secretariat</b>	Director of Community & Regulatory Services or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.4
MOVED: CR SYME	SECONDED: CR HINDS
That the Denmark Aquatic Centre Project Team (Working Group) be continued and Council;	
<ol style="list-style-type: none"> <li>1. Reaffirm the Terms of Reference;</li> <li>2. Reappoint Cr Sampson &amp; Cr Barnes;</li> <li>3. Reappoint all current organisation representatives; and</li> <li>4. Review the status of the Working Group following their progress report to Council in early 2012.</li> </ol>	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 391011

### 8.5 MUNICIPAL HERITAGE INVENTORY REVIEW WORKING GROUP

The Municipal Heritage Inventory Review Working Group was established on the 27 April 2004 (Resolution 115/04). The Terms of Reference was reviewed and amended by Council on the 28 June 2011 (Resolution No. 170611);

#### Terms of Reference

The Working Group assists Council and administration in the following areas:

1. Ongoing update of the Municipal Heritage Inventory as and when required;
2. Continuing work and research on places referred to in the Review List;
3. The proposed Scheme Amendment as it relates to heritage and the preparation of a Heritage List;
4. The proposed Local Planning Policy on Heritage.

<b>Number of Previous Councillor Members</b>	2 Councillors (one of whom is to be elected Presiding Person)
<b>Other Working Group Members</b>	<ul style="list-style-type: none"> <li>• 2 x Denmark Historical Society representatives</li> <li>• 1 Department of Indigenous Affairs representative</li> <li>• 1 x Nornalup Residents &amp; Ratepayers Association Inc.</li> </ul>

	<ul style="list-style-type: none"> <li>• 1 x Peaceful Bay Progress Association Inc.</li> </ul>
<b>Usual meeting frequency</b>	As required
<b>Usual meeting duration</b>	2 – 3 hours
<b>Usual meeting day</b>	Wednesday
<b>Usual meeting time</b>	9.30am
<b>Officer Secretariat</b>	Director of Planning & Sustainability or nominee

**OFFICER RECOMMENDATION**

ITEM 8.5

That the Municipal Heritage Inventory Review Working Group be continued and Council:

1. Adopt the Terms of Reference & Membership as stated within the report;
2. Appoint Cr \_\_\_\_\_ & Cr \_\_\_\_\_
3. Advertise for Community Members to serve on the Committee for a term of two years, expiring in October 2013; and
4. Invite member organisations to nominate their representative.

**COUNCIL RESOLUTION**

ITEM 8.5

MOVED: CR SYME

SECONDED: CR PEDRO

That the Municipal Heritage Inventory Review Working Group be continued and Council:

1. Adopt the Terms of Reference & Membership as stated within the report with the following change:
  - a) "1 x Community representative from the Kent/Normalup Ward" be replaced with the words "1 x Normalup Residents & Ratepayers Association Inc. and 1 x Peaceful Bay Progress Association Inc.";
2. Appoint Cr Syme & Cr Osborne; and
3. Invite member organisations to nominate their representative.

CARRIED BY AN ABSOLUTE MAJORITY: 11/0

Res: 401011

**8.6 OLD HOSPITAL BUILDINGS WORKING GROUP**

The Old Hospital Buildings Working Group was established on the 28 July 2009 (Resolution 250709) with the following objectives;

- To oversee the development and management of a brief to appoint a local Architect;
- To work with the Architect to recommend to Council the potential complimentary and optimum strategic use of the buildings;
- To consider recommendation to Council of the proposed name of the facility.

**Comment**

The Working Group has concluded its role in presenting to Council an Adaptive Reuse Study for the facility in 2011 and disbanded thereafter. The Author is of the view that a Working Group should be established should Council be successful in obtaining grant funds for implementation of the Study (refurbishment of the buildings).



<b>Number of Suggested Councillor Members</b>	2 Councillors (one of whom is to be elected Presiding Person)
<b>Other Working Group Members</b>	<ul style="list-style-type: none"> <li>• 1 Denmark Over 50s Association representative</li> <li>• 1 Denmark Telecentre representative</li> <li>• 1 People for Parklands representative</li> <li>• 1 Denmark Arts Council representative</li> <li>• 1 Old Hospital Community Centre Group representative</li> </ul>
<b>Usual meeting frequency</b>	No set frequency
<b>Usual meeting duration</b>	No set duration
<b>Usual meeting day</b>	No set day
<b>Usual meeting time</b>	No set time
<b>Officer Secretariat</b>	Chief Executive Officer or nominee

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.6
MOVED: CR MARSHALL	SECONDED: CR ROWLAND
That the Old Hospital Building Working Group be discontinued and the Council consider the need for a Working Group should it be successful with obtaining grant funds for implementation of the Reuse Study.	
CARRIED BY AN ABSOLUTE MAJORITY: 11/0	Res: 411011

## 9. APPOINTMENT OF ELECTED MEMBERS & OFFICERS TO EXTERNAL AGENCIES, ADVISORY GROUPS, ORGANISATIONS & COMMITTEES

Note: The Delegates appointed may or may not be eligible to vote depending upon the organisation's Constitution, Terms of Reference or Charter.

The following appointments are requested to ensure ongoing connections and two way communication between Council and the identified Community Groups or Organisations. The groups or organisations listed have either requested a Council representative or the Chief Executive Officer believes a Council representative should be provided.

Most of the attendances are required on a monthly basis.

### 9.1 A Smart Start Community Committee (1 Delegate)

Council's Librarian

### 9.2 Agricultural College Farm Advisory Committee (1 Delegate)

<b>COUNCIL RESOLUTION</b>	ITEM 9.2
MOVED: CR SYME	SECONDED: CR LEWIS
That Cr Gillies be appointed as the Council's Delegate to the Agricultural College Farm Advisory Committee.	
CARRIED: 7/4	Res: 421011

### 9.3 Agricultural College Decision Making Committee (1 Delegate)

<b>COUNCIL RESOLUTION</b>	ITEM 9.3
MOVED: CR SYME	SECONDED: CR LEWIS
That Cr Gillies be appointed as the Council's Delegate to the Agricultural College Decision Making Committee.	
CARRIED: 11/0	Res: 431011

**9.4 Centre For Sustainable Living (1 Delegate)**

Note: the CEO questions whether this Delegate is still required or whether it can be merged with 9.10 (Denmark Education and Innovation Centre (DEIC)).

<b>COUNCIL RESOLUTION</b>	ITEM 9.4
MOVED: CR PEDRO	SECONDED: CR SEENEY
That Item 9.4 & item 9.10 be amalgamated.	
CARRIED: 11/0	Res: 441011

**9.5 Denmark Aquatic Centre Committee Inc. (DACCI) (1 Delegate)**

<b>COUNCIL RESOLUTION</b>	ITEM 9.5
MOVED: CR SYME	SECONDED: CR PEDRO
That Council appoint Cr Lewis as the Delegate and Cr Syme as the Deputy Delegate to the Denmark Aquatic Centre Committee Inc.	
CARRIED: 10/1	Res: 451011

**9.6 Denmark Arts Inc. (1 Delegate)**

Cr Lewis

**9.7 Denmark Chamber Of Commerce Inc. (1 Delegate)**

Cr Hinds

**9.8 Denmark Community Resource Centre Inc. Committee (1 Delegate)**

Cr Sampson

**9.9 Denmark Community Windfarm Inc. (DCW) (1 Delegate)**

Cr Syme

**9.10 Denmark Education & Innovation Centre Inc. Committee (DEIC) & Centre for Sustainable Living (1 Delegate)**

Cr Pedro

**9.11 Denmark-Fuiloro East Timor Project (1 Delegate)**

Note: the CEO questions whether this Delegate is still required.

*Cr Hinds spoke as the previous Delegate to this Project and advised that he did not believe that a Council Delegate was still required and that he could see no disadvantage to the Project or Council should a Delegate not be appointed.*

<b>COUNCIL RESOLUTION</b>	ITEM 9.11
MOVED: CR HINDS	SECONDED: CR MARSHALL
That Council no longer provide a Delegate to the Denmark-Fuiloro East Timor Project.	
CARRIED: 11/0	Res: 461011

- 9.12 Denmark Health Advisory Group (DHAG) (1 Delegate)**  
Cr Rowland
- 9.13 Denmark Historical Society (1 Delegate)**  
Cr Barnes
- 9.14 Denmark Safe Community Committee (1 Delegate)**  
(Also acts as the Communities Crime Prevention Committee)  
Cr Gillies
- 9.15 Denmark Tidy Towns Committee (1 Delegate)**  
Cr Syme
- 9.16 Denmark Tourism Inc. Board (1 Delegate)**  
Cr Thornton
- 9.17 Denmark Water Planning Advisory Group (CEO & 1 Delegate)**  
The Chief Executive Officer  
Cr Syme
- 9.18 Great Southern Joint Development Assessment Panel (2 Members & 2 Alternate Members)**  
Note: Appointment is subject to the approval of the Minister for Planning with the current appointments nominated by Council in July 2011 and valid until April 2013, unless one of the members resign.  
  
Cr Thornton (Member)  
Cr Syme (Member)  
Cr Sampson (Alternate Member)  
Cr Pedro (Alternate Member)
- 9.19 Great Southern Recreation Advisory Group (Manager of Recreation Services & 1 Delegate)**  
Manager of Recreation Services  
Cr Lewis
- 9.20 Lake Muir Denbarker Community Feral Pig Eradication Group (1 Delegate)**  
Cr Seeney
- 9.21 Lionsville Inc. (1 Delegate)**  
Cr Osborne

- 9.22 Local Drug Action Group (LDAG) (1 Delegate)**  
Cr Pedro
- 9.23 Nornalup Ratepayers & Residents Association Inc. (1 Delegate)**  
Cr Gillies
- 9.24 Parrys Beach Voluntary Management Group Inc. (1 Delegate)**  
Cr Marshall
- 9.25 Peaceful Bay Progress Association Inc. (1 Delegate)**  
Cr Seeney
- 9.26 Regional Road Group (1 Delegate & Director of Infrastructure Services)**  
Director of Infrastructure Services  
Cr Seeney
- 9.27 South Coast Management Group Inc. (Officer, 2 Delegates & 1 Deputy)**  
Sustainability Officer  
Cr Pedro  
Cr Syme  
Cr Gillies (Deputy for either Delegate)  
Vacant (Community Representative)  
Vacant (Community Representative)
- 9.28 South Coast Power Working Group (Officer & 1 Delegate)**  
Director of Planning & Sustainability or nominee  
Cr Sampson
- 9.29 Timber Industry Road Evaluation Strategy (TIRES) (1 Delegate)**  
Cr Seeney
- 9.30 UWA Albany Foundation (1 Delegate)**  
Note: the CEO questions whether this Delegate is still required.  
*Cr Thornton spoke as the previous Delegate to the UWA Albany Foundation and advised that he did not believe that a Council Delegate was still required.*

**COUNCIL RESOLUTION**

MOVED: CR SAMPSON

ITEM 9.30  
SECONDED: CR MARSHALL

That Council not appoint a Delegate to the UWA Albany Foundation.

CARRIED: 11/0

Res: 471011

6.52pm – The Director of Planning & Sustainability left the meeting.

**9.31 WA Local Government Association – Great Southern Zone (2 Delegates & 1 Deputy)**

Cr Thornton (Executive Delegate)

Cr Pedro

Cr Marshall (Deputy for either Delegate)

6.54pm – The Director of Planning & Sustainability returned to the meeting.

**9.32 Walpole Health Service Community Advisory Committee (1 Delegate)**

Cr Gillies

6.54pm – Cr Osborne left the meeting.

**9.33 Walpole-Tingledale Land Conservation District Committee (1 Delegate)**

Note: Appointment is subject to the approval of the Minister for Agriculture (and gazettal). Former Cr Barrow is the current Delegate.

**9.34 Walpole and Districts Seniors Accommodation Association Inc. (1 Delegate)**

Cr Gillies

6.58pm – Cr Osborne returned to the meeting.

**9.35 Wilson Inlet Catchment Committee Inc. (1 Delegate)**

Cr Pedro

OFFICER RECOMMENDATION

ITEM 9

That Council;

1. Appoint the above Delegates & Deputy Delegates as specified under Items 9.1 to 9.35;
2. Update Council's Committees & Delegates List accordingly; and
3. Advise each organisation of their appointed Council Delegate's name and contact details.

**COUNCIL RESOLUTION**

ITEM 9

MOVED: CR SAMPSON

SECONDED: CR PEDRO

That Council;

1. Appoint the above Delegates & Deputy Delegates as specified under Items 9.1, 9.6, 9.7, 9.8, 9.9, 9.10, 9.12, 9.13, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.20, 9.21, 9.22, 9.23, 9.24, 9.25, 9.26, 9.27, 9.28, 9.29, 9.31, 9.32, 9.34 and 9.35, as indicated;
2. Update Council's Committees & Delegates List accordingly;
3. Advise each organisation of their appointed Council Delegate's name and contact details; and
4. With respect to the Walpole-Tingledale Land Conservation District Committee (Item 9.33), request the Chief Executive Officer to liaise with Mr Kim Barrow to ascertain whether he will be continuing in his role on the Committee and that should Mr Barrow indicate that he no longer wishes to be the Delegate, authorise the Chief Executive Officer to write to the Minister for Agriculture and nominate Cr Gillies as the Council Delegate.

CARRIED: 11/0

Res: 481011

**REASONS FOR CHANGE**

Council dealt with a number of items through separate motions and added part 4.

**10. CLOSURE OF MEETING**

7.00pm – *There being no further business to discuss the Shire President, 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: 21 October 2011

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

Signed: \_\_\_\_\_  
*(Presiding Person at the meeting at which the minutes were confirmed.)*