

Minutes



ORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS,
953 SOUTH COAST HIGHWAY, DENMARKON
TUESDAY, 27 SEPTEMBER 2016.

Contents	Page No.
4.00pm Commencement	
1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	2
2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	2
2.1 TABLE SEATING DRAW – RE-ALLOTMENT OF POSITIONS	2
3. ANNOUNCEMENTS BY THE PERSON PRESIDING	2
4. PUBLIC QUESTION TIME	3
4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4.1.1 MR MURRAY THORNTON – OPERATION OF COUNCIL	3
4.1.2 MR JOHN SAMPSON – OPERATION OF COUNCIL	4
4.1.3 MR JOHN DAVEY – DENMARK EAST DEVELOPMENT PROJECT	4
4.2 PUBLIC QUESTIONS	5
4.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	12
4.4 PRESENTATION, DEPUTATIONS & PETITIONS	12
5. APPLICATIONS FOR LEAVE OF ABSENCE	12
6. CONFIRMATION OF MINUTES& NOTES	13
6.1 ORDINARY COUNCIL MEETING – 6 SEPTEMBER 2016	13
6.2 STRATEGIC BRIEFING NOTES – 6 SEPTEMBER 2016	13
6.3 SPECIAL COUNCIL MEETING – 6 SEPTEMBER 2016	13
7. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	13
8. REPORTS OF OFFICERS	13
8.1 DIRECTOR OF PLANNING & SUSTAINABILITY- Nil	13
8.2 DIRECTOR OF COMMUNITY & REGULATORY SERVICES	14
8.2.1 RIVERMOUTH PRECINCT DEVELOPMENT CONCEPT PLAN WORKING GROUP	14
APOINMENT OF COMMUNITY MEMBERS	
8.3 DIRECTOR OF INFRASTRUCTURE SERVICES - Nil	18
8.4 DIRECTOR OF FINANCE & ADMINISTRATION	19
8.4.1 WRITE OFF – OUTSTANDING SUNDRY DEBTORS	19
8.5 CHIEF EXECUTIVE OFFICER	20
8.5.1 DENMARK TOURISM INC. – KEY PERFORMANCE INDICATORS	20
9. COMMITTEE REPORTS & RECOMMENDATIONS	24
9.1 DISABILITY SERVICES ADVISORY COMMITTEE – FUNDING FOR CARERS DURING	24
SCHOOL HOLIDAY PROGRAM	
10. MATTERS BEHIND CLOSED DOORS	28
11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	28
11.1 ADOPTION OF OUTCOMES OF THE DESTINATION MARKETING STRATEGIC – LOWER	29
GREAT SOUTHERN ALLIANCE	
6.00pm Conclusion	33
12. CLOSURE	33

Ordinary Council Meeting

27 September 2016

DISCLAIMER

These minutes and resolutions are subject to confirmation by Council and therefore prior to relying on them, one should refer to the subsequent meeting of Council with respect to their accuracy.

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

4.00pm – The Shire President, Cr Morrell, declared the meeting open.

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

MEMBERS:

- Cr David Morrell (Shire President)
- Cr Ceinwen Gearon (Deputy Shire President)
- Cr Mark Allen
- Cr Yasmin Bartlett
- Cr Peter Caron
- Cr Jan Lewis
- Vacant
- Vacant

STAFF:

- Mr Bill Parker (Chief Executive Officer)
- Mr Gilbert Arlandoo (Director of Infrastructure Services)
- Mrs Annette Harbron (Director of Planning & Sustainability)
- Mr Gregg Harwood (Director of Community & Regulatory Services)
- Ms Noni Entwisle (Finance Officer - Accounting)

APOLOGIES:

ON APPROVED LEAVE(S) OF ABSENCE:

Cr Rob Whooley (pursuant to Council Resolution No. 040916)

ABSENT:

VISITORS:

Members of the public in attendance at the commencement of the meeting: 50
 Members of the press in attendance at the commencement of the meeting: 3

DECLARATIONS OF INTEREST:

Name	Item No	Interest	Nature
Cr Lewis	8.2.1	Financial	Husband is a contractor for the Rivermouth Caravan Park
Cr Allen	8.2.1	Impartiality	On the Wilson Inlet Restoration Group with an applicant for the Working Group
Mr Harwood	8.2.1	Proximity	Has a yacht moored near Rivermouth Caravan Park

2.1 TABLE SEATING DRAW

Following the resignation of two Councillors and the call for such re-allotment of positions by a majority of Councillors at the meeting held on Tuesday, 6 September 2016, 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.

COUNCIL RESOLUTION

MOVED: CR LEWIS

SECONDED: CR BARTLETT

That the re-allotment of positions is conducted 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.

CARRIED UNANIMOUSLY: 6/0

Res: 140916

The Chief Executive Officer drew the names of Councillors in the following order;

*Cr Caron**Cr Allen**Cr Bartlett**Cr Whooley**Vacant Cr position 1**Cr Gearon**Vacant Cr position 2**Cr Lewis*

3. ANNOUNCEMENTS BY THE PERSON PRESIDING

Nil

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.1.1 Mr Murray Thornton – Operation of Council

At the meeting held on 6 September 2016 Mr Thornton made some comments and asked a number of questions which were taken on notice. A response in writing was provided to Mr Thornton and reads as follows;

“In response to your questions taken on notice at the Ordinary Council meeting held on Tuesday, 6 September 2016, regarding the 2016/17 Budget, I provide the following responses. Your questions and these written responses will be published in the next Council Agenda for the Ordinary meeting scheduled for Tuesday, 27 September 2016.

Question 1 - Mr Thornton referred to the Council’s Annual Report which stated that it was the view of the Council and Staff that some of the reserve funds, namely the plant replacement and waste management reserves, were underfunded to finance future expenditure and that a strategy was being implemented to address it. Mr Thornton asked why the Council did the exact opposite to their stated position the Annual Report when they bought down the budget.

Response:

The 2016/2017 Municipal Budget was adopted after Publication of the 2015/2016 Annual Report. It would appear that the wording and terminology has carried across from previous publications without enough scrutiny.

We will need to ensure that this does not occur into the future.

Question 2 - Mr Thornton referred to page 21 of the Budget which stated that the reserve (plant) was premised on the basis that Council transfer the equivalent of the value of the deemed depreciation for all motor vehicles and road plant each year to the reserve. Mr Thornton asked why the Council didn’t follow its stated plant depreciation policy and only transfer a fraction of the depreciation.

Response:

The words as recorded on page 21 of the 2016/2017 Municipal Budget should have been updated to reflect the current situation with respect to the purpose and the way in which the Plant Reserve and Waste Management Reserve is to be utilised, the Director of Finance and Administration apologises for this oversight.

Having made significant progress towards the completion of a 10-year Long Term Financial Plan, it is noted that there are peaks and troughs with respect to the spending requirement for renewal of Plant items. The Current Draft Long Term Financial Plan shows an average Plant Reserve Balance of \$1,059,837, it is however possible that once the plan is finalised this average holding may reduce to \$693,867, which is still considered significant.

Question 3 - Mr Thornton asked whether the legal expenses administration line item could be detailed in the financial report for each meeting with full cost disclosure of consultants and full cost accounting for administration time.

Response:

The current Statement of Financial Activity ("financial report") is compliant with the requirements of the Local Government Act 1995 and Financial Management Regulations (1996).

As the details of legal matters generally must be kept confidential it is not seen as appropriate to provide such detail with respect to these matters."

4.1.2 Mr John Sampson – Operation of Council

At the meeting held on 6 September 2016 Mr Sampson made some comments and asked a number of questions which were taken on notice. A response in writing was provided to Mr Sampson and reads as follows;

"In response to your questions taken on notice at the Ordinary Council meeting held on Tuesday, 6 September 2016, regarding contingency in the budget for legal costs, I provide the following responses. Your questions and these written responses will be published in the next Council Agenda for the Ordinary meeting scheduled for Tuesday, 27 September 2016.

Question 1 - Mr Sampson spoke about the connection between the budget process and the writ noting that he believed the Council were aware of the writ at the time of budget deliberations. Mr Sampson stated that if this was the case then why did the Council reduce the contingency in the budget for legal costs?

Response:

The 2016/2017 Municipal Budget contains the amount of \$10,000 as recorded under General Ledger Account Number 1420232 "Legal Expenses", the amount is \$2,000 less than the 2015/2016 Municipal Budget. Recent expenditure, in past years, with respect to this line item has been \$0.00 in 2015/2016, \$9,315.23 in 2014/2015 and \$64.00 in 2013/2014.

The writ in question is related to past employment and as such any cost associated with this action would be an employee cost not a legal expense. Council also has comprehensive Insurance Policies that also assist to mitigate any financial impact on the Shire of Denmark from such actions."

4.1.3 Mr John Davey – Denmark East Development Project

At the meeting held on 6 September 2016 correspondence from Mr Davey was read out. The correspondence contained a number of statements in relation to the Denmark East Development Project and a written response has been provided to Mr Davey which reads as follows;

"In response to your correspondence dated 31 August 2016, I can confirm that a summary was read out during the Ordinary Council meeting on 6 September 2016. Your correspondence contained a number of statements in relation to the Denmark East Development Project. I have not responded to the statements, although have addressed your request that no work commences until proper consultation has occurred.

A summary of your correspondence and this written response will be published in the next Council Agenda for the Ordinary Meeting scheduled for 27 September 2016.

Request: We are seeking that the Shire and the Council ensure that no actions shall take place to commence the building of the road or the bridge until the proper consultation has concluded and that the community have come to an agreeable result.

Response: The Shire of Denmark is committed to community consultation occurring on the bridge crossing point and road alignment associated with the Denmark East Development Precinct Project. Community consultation will occur during October and November 2016. Outcomes from the community consultation process will assist Council in making a decision on the bridge crossing point and the associated road alignments in December 2016."

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 wall near the entrance to the Council Chambers or can be downloaded from our website at <http://www.denmark.wa.gov.au/council-meetings>.

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

4.2.1 **Mr John Xanthis – Item 8.2.1 (Rivermouth Precinct Development Concept Plan Working Group Appointment of Community Members)**

Mr Xanthis spoke in support of the officer recommendation for the four community members to be included in the working group. Mr Xanthis thanked Council and Council Officers for their foresight and stated that he would like to see the Wilson Inlet Management Group reinstated.

4.2.2 **Ms Beverly Ford – Art Prize**

Ms Ford informed Council that Walpole, Plantagenet and Albany all hold art prizes and Denmark does not. Ms Ford asked if this could be included in an agenda in the future.

The Shire President stated this could be considered in the future.

4.2.3 **Mr Brian Humphries – Operations of Council**

Mr Humphries asked if the Chief Executive Officer was aware of election irregularities and asked for the rules relating to financial contributions:

1. What was the minimum amount that requires disclosure?
2. Did the Shire keep a register and could he get access?
3. If an agent collected multiple donations, did the agent need to make a declaration?
4. What penalties applied to non-disclosure?

The Chief Executive Officer advised that he would take the questions on notice and they would be responded to in writing.

Mr Humphries stated that Cr Bartlett was reported to have said that it didn't cost her a cent when she got elected but another councillor had spent a lot of money.

Cr Bartlett stated that she did not pay for an advert in the Bulletin therefore it had not cost her to advertise in the election campaign.

4.2.4 Mr Tony Pedro – Denmark East River Development

Mr Pedro spoke of his disappointment when he read the front page of the Weekender who published an article titled – “Bridge too far”. Mr Pedro said that the decision on the bridge location had been made and that the community comprised of clever people who should be involved.

The Chief Executive Officer advised that Landcorp were assessing five options and that no decisions had been made at this stage. Mr Parker added that public consultation would occur in October and November 2016.

4.2.5 Mr Brad Pierce – Operations of Council

Mr Pierce stated that the resignations of Kelli Gillies and Roger Seeney had caused further disruption and conflict for the community. Mr Pierce stated that he had heard different stories and asked the Shire President if it was true that Cr Whooley had spoken with him about taking leave?

The Shire President stated that Cr Whooley was not opposed to taking leave.

Mr Pierce asked the Shire President if Kelli Gillies had spoken with him prior to raising her motion and, if so, what his advice had been?

The Shire President stated that Kelli Gillies had spoken with him and that he had suggested not to proceed however it was not his place to tell another Councillor what to do.

Mr Pierce commented that there was negativity in the community caused by incorrect information and asked what was being done to ensure that the correct information was getting released.

The Chief Executive Officer advised that the issue was sensitive and that the distribution of information required careful consideration.

Cr Gearon acknowledged that there was stress and anxiety in the community and the review process of the Strategic Community Plan would provide a positive opportunity for the community to contribute toward Denmark's future.

4.2.6 Mr Andrew Gill – Operations of Council

Mr Gill stated that he thought that there was a strong feeling in the community for Cr Whooley to take leave.

4.2.7 Ms Wendy Edgely – Item 4.1.2 (Mr John Sampson – Operation of Council)

Ms Edgely requested more clarity to the response to Mr Sampson regarding Council's insurance policies, and asked if the claim was successful what the cost to ratepayers would be?

The Chief Executive Officer stated generally once a claim was accepted an excess amount is paid by the Shire and the balance would be covered by the insurer.

Ms Edgely asked how this could be communicated to the community.

The Chief Executive Officer stated that as it was a confidential matter, the amount of information that would be available for the public would be limited.

4.2.8 Mr Adrian Baer – Denmark East River Development

Mr Baer asked whether there was a timeframe for using the funding for the Denmark East River Development Project and what would happen if the money is not used?

The Chief Executive Officer advised that he would take the question on notice and it would be responded to in writing.

4.2.9 Dr Cyril Edwards – Operations of Council

Dr Edwards spoke on behalf of the Denmark Aquatic Centre Committee Inc. (DACC) regarding the petition and advised that the issue of the pool was being connected to the petition, which he believed was incorrect as the two are not linked. Dr Edwards disagreed with the claim that Council was guilty of not being transparent and congratulated Councillors on their independence and commitment.

Cr Caron responded advising that Council has no money allocated for an aquatic facility, it had included a reference to a future facility in a corporate planning document.

4.2.10 Mr Franz Benz – Septic Ponds

Mr Benz asked Council what was happening with the septic ponds located at the McIntosh Road Transfer Station as they were currently closed and he was transporting waste to Albany.

The Director of Infrastructure Services advised that there was a capacity issue at the McIntosh Road Transfer Station.

Mr Benz asked if new ponds will be built.

The Director of Infrastructure Services advised this was currently being investigated.

4.2.11 Mrs Bev Seeney – Operation of Council

Mrs Seeney expressed her concern with what Dr Edwards had spoken about and thought it was an attack on an individual.

4.2.12 Mr Rob Harben – Operation of Council

Mr Harben congratulated the Shire President on how he conducted himself at the last meeting, demonstrating his firmness.

The Shire President thanked Mr Harben for his comments.

4.2.13 Mr Jim King read out a letter from Mr Jesz Fleming – Operation of Council

Mr Fleming wrote advising of the outcomes of two different matters that he had passionately lobbied for. One of them he had lost and one he had won. Mr Fleming stated that that was how democracy works and he was now on the newly formed Sustainability Advisory Committee. Mr Fleming noted that he was looking forward to working with Council and fully supports the Councillors.

4.2.14 Mr Jim Kin – Operation of Council

Mr King expressed his support for Council and the current Councillors and that he saw no dysfunction. Mr King reminded everyone of the dissatisfaction with the previous Council when a public meeting was called in July 2015 and resulted in the reforming of the Denmark Ratepayers and Residents Association. Mr King asked that the Community let Council get on with the job.

4.2.15 Mr Doug Head – Operation of Council

Mr Head asked if Cr Whooley's claim had been accepted by Council's Insurance Company.

The Chief Executive Officer advised that it had not been accepted at this stage.

Mr Head asked if the Insurance Company would be accepting the claim.

The Chief Executive Officer advised he could not answer the question.

Mr Head asked if Cr Whooley was successful with the claim whether the ratepayers would be paying for it.

The Chief Executive Officer reiterated his previous comments that a normal insurance process would be followed and generally once a claim was accepted an excess amount would be paid by the Shire and the balance would be covered by the insurer.

4.2.16 Mr Noel Phillips – Operation of Council

Mr Phillips spoke in support of Councillors and stated that he was pleased with the approach of the new Chief Executive Officer who appeared to be happy to meet with community members.

4.2.17 Mr Adrian Baer – Operation of Council

Mr Baer stated that he believed that there had been a lot of pressure on Council and asked if the pressure continued and further Councillors resigned whether there would be a cost to the community.

The Shire President advised that if Council did not have a quorum the Minister would appoint a Commissioner at the Council's cost. Cr Morrell stated that the appointment of a Commissioner would cost the community in a number of areas including financially and reputationally.

Mr Baer asked whether public question time would still be held if an Administrator was appointed.

The Shire President responded that he believed that it would be up to the Commissioner.

Cr Caron spoke in support of his fellow Councillors and the great work they were all achieving. Cr Caron stated that the community had the right to voice

their opinions and would encourage people to nominate for Council as it was very rewarding.

4.2.18 Ms Mr Kim Lisson – Operation of Council

Ms Lisson thanked the Shire President for the way he was chairing the meeting and was impressed with the dialogue that was happening as ~~she~~ he believed that in past meetings ~~she~~ he had attended it hadn't occurred.

CORRECTION TO MINUTES.
Pursuant to Council Resolution No. 011016

4.2.19 Mrs Bev Seeney – Operation of Council

Mrs Seeney referred to the recent situation of Cr Whooley. Mrs Seeney stated that she was surprised that, given the amount of public discussion, Cr Lewis had previously stated that she only had two community members discuss concerns with her.

Cr Lewis stated that this was not about whether there had been a "behind closed door discussion" or a conversation in the public arena; it was about finding the method that effected the best outcome for the Council and the community. Cr Lewis said that she was aware that discussions were already being had with Cr Whooley on the matter of him taking leave and that she had informed Kelli Gillies that, in her view, moving a notice of motion requesting him to do so was not the best way to resolve the issue.

4.2.20 Mrs Fiona Ross – Operation of Council

Mrs Ross spoke in favour of openness and transparency but asked what the Council were doing to stop leaks of information, such as the Light Industrial Area documents which had been leaked to the public.

The Chief Executive Officer advised there was a Code of Conduct that set standards for staff and Councillors and that he was confident that the documents were not leaked by the Shire.

The Shire President took the opportunity to read out a media release which would be published the next day which was about - Councillors commitment to honouring their term.

4.2.21 Mr Doug Head – Operation of Council

Mr Head referred to the Key Performance Indicators in Item 8.5.1 for Denmark Tourism Inc. when they requested more funding. Mr Head suggested that as Council had increased their fees by 30% then perhaps they would consider Key Performance Indicators for themselves, such as attending all Council and Committee meetings.

The Shire President explained that a 30% increase on small amount is not a large overall increase.

Cr Caron stated that in the budget workshops it was discussed at length and it had been decided that increasing the Councillor fees might be a way of attracting new Councillors who had to give up working some hours to commit to the role.

Cr Bartlett stated that her election platform was based on reducing the cost of governance and that she had researched and undertaken training to improve her understanding of local government.

4.2.22 Mrs Pauline McHenry– Operation of Council

Mrs McHenry thanked the Council and stated that she had attended many meetings in the past. Mrs McHenry spoke of her understanding for the amount of time put in as a Councillor because she has had family members in various local governments. Mrs McHenry stated that she had been asked to nominate but was unable to dedicate the time required for such a position. Mrs McHenry felt that increased fees could help attract more candidates and that the petition had caused division in the community and wished the new Chief Executive Officer success for the future.

COUNCIL RESOLUTION

MOVED: CR GEARON

SECONDED: CR ALLEN

That the meeting be adjourned, the time being 5.45pm.

CARRIED UNANIMOUSLY: 6/0

Res: 150916

6.00pm – Councillors, Senior Officers and the Finance Officer - Accounting returned to the room.

COUNCIL RESOLUTION

MOVED: CR ALLEN

SECONDED: CR CARON

That the meeting resume.

CARRIED UNANIMOUSLY: 6/0

Res: 160916

4.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

4.4 PRESENTATIONS, DEPUTATIONS & PETITIONS

In accordance with Section 5.24 of the Local Government Act 1995, Sections 5, 6 and 7 of the Local Government (Administration) Regulations and section 3.3 and 3.13 of the Shire of Denmark Standing Orders Local Law, the procedure for persons seeking a deputation and for the Presiding Officer of a Council Meeting dealing with Presentations, Deputations and Petitions shall be as per Council Policy P040118 which can be downloaded from Council’s website at <http://www.denmark.wa.gov.au/council-meetings>.

In summary however, prior approval of the Presiding Person is required and deputations should be for no longer than 15 minutes and by a maximum of two persons addressing the Council.

Nil

5. APPLICATIONS FOR FUTURE LEAVE OF ABSENCE

A Council may, by resolution, grant leave of absence, to a member, for future meetings.

Nil

6. CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 6.1
MOVED: CR ALLEN	SECONDED: CR GEARON
<p>That the minutes of the Ordinary Meeting of Council held on the 6 September 2016 be confirmed as a true and correct record of the proceedings, subject to the following amendment:</p> <p>1. Page 8 – Item 4.2.12 be amended to read as follows;</p> <p><i>“Mr Owen Stokes-Hughes – Operation of Council</i> <i>Mr Stokes-Hughes spoke as a previous Councillor and expressed his disappointment that Councillors who had resigned were attacking the current Council and letting the Electors down.”</i></p>	
CARRIED UNANIMOUSLY: 6/0	Res: 170916

6.2 STRATEGIC BRIEFING NOTES

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 6.2
MOVED: CR CARON	SECONDED: CR ALLEN
<p>That the Notes from the Strategic Briefing held on Tuesday, 6 September 2016 be received.</p>	
CARRIED UNANIMOUSLY: 6/0	Res: 180916

6.3 SPECIAL COUNCIL MEETING

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 6.3
MOVED: CR GEARON	SECONDED: CR LEWIS
<p>That the Minutes of the Special Meeting of Council held on the 6 September 2016 be confirmed as a true and correct record of the proceedings.</p>	
CARRIED UNANIMOUSLY: 6/0	Res: 190916

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

8. REPORTS OF OFFICERS

8.1 Director of Planning & Sustainability
 Nil

Prior to consideration of Item 8.2.1 the Chief Executive Officer, through the Presiding Person, brought to the attention of the meeting the following disclosure(s) of interest:

Cr Allen is a member of the Wilson Inlet Restoration Group which one of the applicants is a member of. As a consequence there may be a perception that his impartiality on this matter may be affected. Cr Allen declares that he will consider this matter on its merits and vote accordingly.

Mr Harwood's yacht is informally moored in the river near the Rivermouth Caravan Park and as a consequence there may be a perception that his impartiality on this matter may be affected. Mr Harwood declares that he will consider this matter on its merits and advise Council accordingly.

Cr Lewis declares a financial interest on the basis that her husband is a contractor to the Rivermouth Caravan Park .

6.00pm - Cr Lewis left the room and did not participate in discussion or vote on the matter.

8.2 Director of Community & Regulatory Services

8.2.1 RIVERMOUTH PRECINCT DEVELOPMENT CONCEPT PLAN WORKING GROUP APPOINTMENT OF COMMUNITY MEMBERS
--

File Ref:	A3027 & A1324
Applicant / Proponent:	Shire of Denmark
Subject Land / Locality:	Rivermouth Precinct
Disclosure of Officer Interest:	Proximity interest as the author has a yacht moored at Rivermouth
Date:	11 September 2016
Author:	Gregg Harwood, Director of Community & Regulatory Services
Authorising Officer:	Gregg Harwood, Director of Community & Regulatory Services
Attachments:	8.2.1 – Nominations (CONFIDENTIAL to Councillors)

Summary:

At the 16 August 2016 Ordinary Meeting of Council, Council resolved to establish the Rivermouth Precinct Development Concept Plan (RPDCP) Working Group to develop a Concept Plan to guide the future usage and development of the Caravan Park and the Rivermouth Precinct and to advertise for two community members to serve on the Committee (Res: 090816).

At the close of the advertising period, four nominations were received and it is recommended that the working group's terms be amended to allow all four nominees to participate.

Background:

At the 16 August 2016 Ordinary Meeting of Council, Council resolved the following with respect to the RPDCP:

"That Council:

1. *Form a Rivermouth Precinct Development Concept Plan (RPDCP) Working Group to develop a Concept Plan to guide the future usage and development of the Rivermouth Caravan Park and the Rivermouth Precinct in accordance with the attached Terms of Reference.*
2. *Agree in principle to negotiate a new or extended 21 year lease for the caravan park with clauses that reflect the outcomes of the working group.*
3. *Officers voting rights are removed from the Working Group Terms of Reference."*

The membership of the RPDCP is as follows:

- 2 x Councillors (one of whom is to be elected Presiding Person)

- Director of Community & Regulatory Services (non-voting)
- Director of Planning and Sustainability (non-voting)
- 2 x representatives of Jenbrook Nominees Pty Ltd (lessee of Rivermouth Caravan Park)
- 2 x Community Representatives
- Caravan Industry Association & Appointed Architect – for the purpose of input only, both do not have voting rights.

Consultation:

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy P040123 and the associated Framework.

Public advertising of the community member positions commenced on 25 August 2016 and closed on 9 September 2016. During the advertising period the following consultation took place:

- Advertising notice in the Denmark Bulletin on 25 August 2016 inviting community nominations;
- Advertising notice inviting community nominations displayed at the Shire Administration Office, the Shire Library, the Shire's website and the Shire's Facebook page for the duration of the public advertising period; and,

At the close of the advertising period, a total of four (4) nominations were received (refer Attachment 8.1.2b).

Statutory Obligations:

There are no known statutory obligations.

Policy Implications:

The Shire's Organisation Wide Procedure OP040105: *Project Management or Working Groups of Committees* establishes the need for Working Groups and requirements of the Presiding Member as per the following:

"This procedure applies whenever the Council or a Council Officer determines that a Project Management Group (PMG) or Working Groups (WG) is desired to establish or oversee a consultancy or project wherever such a group has one or more elected members on that group.

To maximise the probability of Council support for the recommendations or outcomes of a consultancy project, officers that create or setup a PMG or WG, Steering Committee or Working Group, are to ensure that wherever such a group has one or more elected members on that group, that an elected member is appointed as the Chair. Under no circumstances should an officer of the Council be in a position of Chair.

Minutes or notes of agreed outcomes and attendances of these groups should always be taken by a Council Officer and retained on file."

Budget / Financial Implications:

There are no known financial implications upon either the Council's current Budget or Long Term Financial Plan in accepting community nominations to the Working Group.

Strategic Implications:

The report and officer recommendation is consistent with Council's adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects in the following specific ways:

Environment Objective - Denmark’s natural environment is regionally significant, wild and beautiful, yet so inviting and fragile that its protection and enhancement is carefully balanced in meeting the needs of current and future generations’ lifestyle, development and tourism needs.

Natural environment goal - That the Shire of Denmark acknowledge the importance of the natural environment to the residents of Denmark and the region, and works with residents and all relevant agencies to maintain a high standard of environmental protection and its integration with community life.

GovernanceObjective - The Shire of Denmark provides renowned leadership in sustainability, is effective with both its consultation with its people and its management of its assets, and provides transparent and fiscally responsible decision making.

Co-operation & Community Input - Acknowledge that it also has a regional role, and endeavours to work collaboratively with neighbouring local governments, the State Government and external organisations, whilst remaining responsive to the voice of its own community.

Co-operation & community input initiative 4.4.6 - Support strategic alliances, community groups, stakeholder forums and advisory committees that assist the Shire in policy development and service planning.

Sustainability Implications:

➤ **Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

Community members on Council Working Groups provide an important ‘community’ perspective on Council functions, service provisions and strategic direction. They also provides an additional conduit between the Council and the community.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That the RPDCP may miss out quality input by limiting its numbers to two community members	Possible (3)	Minor (2)	Moderate (5-9)	Inadequate Engagement - Community / Stakeholders / Crs	Accept Officer Recommendation

Comment/Conclusion:

The following four (4) nominations were received for the two (2) Community Member vacancies on the RPDCP Working Group:

- | | |
|----------------|--|
| John Taylor | Marine based tourism operator that uses the Rivermouth area as pickup/drop off most days during summer. |
| John Xanthis | Long term track record as a committed water ways volunteer and was involved in previous Rivermouth development plans. |
| Sonya Stewart | Denmark resident who is on maternity leave from the Swan River Trust and has parents who are Rivermouth Caravan Park long stay park home resident/lessees. |
| Peter Boardman | Rivermouth Caravan Park long stay park home resident/lessee. |

Copies of the nominations are attached, which are confidential to Councillors (refer Attachment 8.2.1).

The terms of reference, stipulate that the working groups membership is to comprise of a maximum of two (2) community members and Council is in the position where it has four excellent candidates for two positions leaving it with the following options:

- 1) Council can appoint two candidates in which case Peter Broadman is recommended and as a Caravan Park resident as is John Xanthis due to his long term track record as a committed water ways volunteer and his involvement in previous Rivermouth development plans.
- 2) The second option is to amend the terms of reference to include four (4) community members as they all have expertise, experience to add to the group and the multiple perspective will aid the lessees and Council staff in developing a balanced plan for Council’s consideration prior to going to community consultation and is the recommended approach.

The concept of having four community members and the actual nominations have been discussed with the Caravan Park lessees and they are supportive of the individual nominations and the expanded community membership.

Council also needs to appoint two Councillors to sit on the RPDCP Working Group and this is reflected in the officer recommendation.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION

ITEM 8.2.1

That Council:

1. Appoint Cr _____ & Cr _____ as Council Representatives on the Rivermouth Precinct Development Concept Plan (RPDCP) Working Group.
2. Amend the Rivermouth Precinct Development Concept Plan (RPDCP) Working Group Terms of Reference to allow for the participation of up to four (4) community members.
3. Appoint the following persons as community members on the Rivermouth Precinct Development Concept Plan (RPDCP) Working Group:
 - John Taylor
 - John Xanthis
 - Sonya Stewart
 - Peter Boardman

COUNCIL RESOLUTION

ITEM 8.2.1

MOVED: CR CARON

SECONDED: CR BARTLETT

That Council:

1. Appoint Cr Gearon & Cr Caron as Council Representatives on the Rivermouth Precinct Development Concept Plan (RPDCP) Working Group.
2. Amend the Rivermouth Precinct Development Concept Plan (RPDCP) Working Group Terms of Reference to allow for the participation of up to four (4) community members.
3. Appoint the following persons as community members on the Rivermouth Precinct Development Concept Plan (RPDCP) Working Group:
 - John Taylor
 - John Xanthis
 - Sonya Stewart
 - Barry Stewart

CARRIED UNANIMOUSLY: ~~6/0~~ 5/0

Res: 200916

6.10pm – Cr Lewis returned to the room.

CORRECTION TO MINUTES.
Pursuant to Council Resolution No. 011016

8.3 Director of Infrastructure Services
Nil

8.4 Director of Finance & Administration

8.4.1 WRITE OFF – OUTSTANDING SUNDRY DEBTORS

File Ref:	FIN 32
Applicant / Proponent:	Not Applicable
Subject Land / Locality:	Denmark
Disclosure of Officer Interest:	Nil
Date:	22 August 2016
Author:	Eva Overton, Debtors Officer
Authorising Officer:	Kim Dolzadelli, Director of Finance & Administration
Attachments:	Write-Off Table August 2016

Summary:

This report recommends Write-Off of unpaid Sundry Debtor invoices as listed in attached table titled Write-Off Table August 2016.

Background:

Sundry Debtors records show unpaid invoices totalling \$3,095.76(GST inclusive), which are considered unrecoverable.

Consultation:

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council’s Community Engagement Policy P040123 and the associated Framework and believes that no additional external/internal engagement or consultation is required.

To determine the outstanding sundry debts as unrecoverable, Debtors Officer consulted historical accounts records and conducted interviews with Library staff and members of Community and Regulatory Services

Statutory Obligations:

Section 6.12 of the Local Government Act 1995 provides that a Local Government may by way of an absolute majority resolution, “write off any amount of money”.

Policy Implications:

There are no policy implications.

Budget / Financial Implications:

Council’s current Budget contains an amount of \$5,000 (General Ledger Account 1422502 – Debt Write-off) which will accommodate the requested write-offs as contained within this report.

Strategic& Corporate Plan Implications:

The report and officer recommendation is consistent with Council’s adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects.

Sustainability Implications:

➤ **Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

Economic implication are detailed above in the Budget / Financial Implications section.

➤ **Social:**

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

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council decide not to write off the unpaid Sundry debts, requiring further follow up and investment of Officer time	Possible (3)	Minor (2)	Low (1-4)	Inadequate Financial, Accounting or Business Acumen	Accept Officer Recommendation

Comment/Conclusion:

The Debtors Officer recommends the write-off of all listed unpaid Sundry Debtor invoices totalling \$3,095.76(GST inclusive). All due processes were followed to obtain payment and debts are considered unrecoverable.

Voting Requirements:

Absolute majority pursuant to section 6.12 of the Local Government Act 1995.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 8.4.1
MOVED: CR CARON	SECONDED: CR BARTLETT
That Council authorise the write-off of all unpaid Sundry Debtors Invoices as tabled in the attachment "Write-Off Table August 2016", totalling \$3,095.76 (Inc. GST).	
CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY: 6/0	Res: 210916

8.5 Chief Executive Officer

8.5.1 DENMARK TOURISM INC. – KEY PERFORMANCE INDICATORS	
File Ref:	A3186
Applicant / Proponent:	Not applicable
Subject Land / Locality:	No. 73 (Lot 501), Reserve No. 48198, South Coast Highway, Denmark
Disclosure of Officer Interest:	Nil
Date:	14 September 2016
Author:	Bill Parker, Chief Executive Officer
Authorising Officer:	Bill Parker, Chief Executive Officer
Attachments:	Nil

Summary:

In July 2016, Council resolved to increase Denmark Tourism Inc. (DTI) operating contribution by \$10,000. In doing so, Council also resolved to finalise and approve a suite of Key Performance Indicators (KPI). Draft KPIs were discussed with Council during a strategic briefing session. This item seeks to endorse the KPIs for the forthcoming period in line with Resolution No. 220716.

Background:

At the meeting held on 26 July 2016, Council considered the annual subsidy provided to Denmark Tourism Inc. and resolved as follows (Resolution No. 220716);

“That Council:

- 1. Increase the operating contribution to DTI by \$10,000 to \$95,000 for the 2016/17 year; and*
- 2. Approve the marketing budget proposed by DTI for \$30,000 for 2016/17 financial year as outlined in this report and that payment be made upon request to the Chief Executive Officer.*
- 3. Finalise and approve Key Performance Indicators (KPIs) in accordance with the Agreement between the Shire of Denmark and the Denmark Tourism Inc. by 30 September 2016.”*

In accordance with part 3 of resolution 220716, DTI provided the Shire of Denmark with four (4) KPIs for the forthcoming period. The KPIs were discussed with Council at a Strategic Briefing Forum on 6 September 2016.

“Key Performance Indicators:

- provide to Council a quarterly activity report and financial statements in regards to DTI's operation (visitor servicing and attraction);*
- continue to promote and market Denmark as a key tourist hub and destination to domestic and international markets;*
- continue to work with community groups and the Shire of Denmark on initiatives that support tourism development; and*
- support, promote and encourage members in providing quality tourist facilities and assistance; and to always act for the common good of all members.”*

During the Briefing Forum, Council was generally satisfied with the KPIs, however wanted a KPI to ensure that DTI maintained its current accreditation rating. The Shire has subsequently liaised with DTI in relation to including a KPI that maintains such a rating.

In an email received from DTI's Chief Executive Officer, it became apparent that any KPIs in relation to accreditation could have far reaching implications. These implications include opening hours.

In accordance with the Australian Tourism Accreditation Program (WA) Visitor Centre Accreditation, a visitor centre must address a number of requirements to achieve and maintain a level 1 accreditation rating. Part 11 of the accreditation requirements state that a level 1 visitor centre;

Is open to the public 7 days per week;

- Monday – Friday 9am – 5pm, (or equivalent seasonal opening hours)
- Weekends and public holidays a minimum of 3 hours between 9am – 5pm.(excluding Christmas Day and Good Friday)

Including a KPI that determines opening hours does concern DTI. Although every effort is being made to maintain the level 1 accreditation rating, unforeseen financial circumstances may require the centre to reduce opening hours. Although this would appear unlikely in the shorter term, DTI does require some flexibility in its business model to cater for less than desirable financial circumstances.

Whilst not directly related to this matter, Council also needs to consider the changing tourism landscape with the creation of the Alliance (Denmark, Albany and Plantagenet) and consideration being given to various service delivery models from a tourism perspective.

Taking into consideration DTI's feedback, it is recommended that Council endorse the KPIs as presented.

Consultation:

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy P040123 and the associated Framework and believes that no additional external/internal engagement or consultation is required.

Statutory Obligations:

Although no statutory obligations apply, a Service Agreement with Denmark Visitor Centre provides the basis for this item.

Section 4 (d) of the agreement states that DTI will "annually present to the Shire a strategy and operating budget for the following three years, incorporating its plans for that period and all anticipated expenses of such plans, Key Performance Indicators for that period and a proposal for financial assistance by the Shire".

Policy Implications:

There are no policy implications however Policy P130201 "Tourism Policy" relates generally to Council policy position on tourism.

Budget / Financial Implications:

As the 2016/17 Budget has been adopted and allocations made, there are no further known financial implications upon the Council's current Budget.

Strategic & Corporate Plan Implications:

The report and officer recommendation is consistent with Council's adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects in the following specific ways:

Strategic Community Plan

Economic Objective - Denmark's economy is diverse and vibrant - its primary industries of tourism and agriculture rely on and enjoy natural and other assets that are sensibly managed and promoted.

Tourism: ...acknowledge the importance of tourism to the region, and, by innovative policies, practices and partnerships, facilitates and encourages the greater year-round sustainability of tourism, whilst monitoring and managing its impacts.

Corporate Business Plan

3.7.4 Work to further develop Denmark's iconic tourism product and its marketing to prospective visitors, and support the growth of a dynamic arts and creative sector with links to the tourism industry.

Sustainability Implications:**➤ Governance:**

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

➤ Environmental:

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

➤ **Economic:**

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

➤ **Social:**

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

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not set Key Performance Indicators for Denmark Tourism Inc.	Rare (1)	Insignificant (1)	Low (1-4)	Inadequate Supplier / Contract Management	Accept Risk

Comment/Conclusion:

Council has indicated a general level of satisfaction with the KPIs as proposed by DTI. Council had indicated that it wanted to include a KPI in relation to accreditation, however given the implications, it is recommended that such a KPI is not applied given the difficulties in achieving such a KPI in the event of unforeseen financial circumstances.

Voting Requirements:

Simple majority.

CORRECTION TO MINUTES.
Pursuant to Council Resolution No. 011016

COUNCIL RESOLUTION & OFFICER RECOMMENDATION ITEM 8.5.1
 MOVED: CR CARON SECONDED: CR LEWIS

That Council, in accordance with section 4(d) of the Service Agreement between the Shire of Denmark and Denmark Tourism Inc. endorse the following Key Performance Indicators for the forthcoming period;

1. Provide to Council a quarterly activity report and financial statements in regards to DTI's operation (visitor servicing and attraction);
2. Continue to promote and market Denmark as a key tourist hub and destination to domestic and international markets;
3. Continue to work with community groups and the Shire of Denmark on initiatives that support tourism development; and
4. Support, promote and encourage members in providing quality tourist facilities and assistance; and to always act for the common good of all members.

Cr Caron requested that his words be recorded in the Minutes to which the Shire President permitted. Cr Caron's words were as follows;

"Council is supportive of DTI and the tourism industry. This is evidenced in the minutes of Council meeting 25th July 2016 (ITEM 8.5.1) where Council voted unanimously to provide full funding to DTI. Wording recorded in the minutes begins with "This Council supports development of the tourism sector and our tourism operators" and accurately reflects Council's intent.

I encourage councillors to endorse the KPIs developed by DTI. Support for this motion indicates Council's support for DTI and allows DTI to move forward with agreed KPIs in place."

CARRIED UNANIMOUSLY: 6/0 Res: 220916

9. COMMITTEE REPORTS & RECOMMENDATIONS

9.1 DISABILITY SERVICES ADVISORY COMMITTEE – FUNDING FOR CARERS OF CHILDREN WITH DISABILITY – SCHOOL HOLIDAY PROGRAM

File Ref:	A3035 & SER.8
Applicant / Proponent:	Disability Services Advisory Committee
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	19 September 2016
Author:	Claire Thompson, Executive Assistant
Authorising Officer:	Bill Parker, Chief Executive Officer
Attachments:	9.1 – Schedules 1 & 2 – Disability Services Act 1993

Summary:

Council are requested to consider providing some funding to employ carers for children with disability wishing to attend the Recreation Centre's School Holiday Program.

Background:

The Council's Disability Access and Inclusion Plan (DAIP) 2013-2018 includes an Action under Outcome 1, Strategy 1.2, which states, "Consider employing a carer during the school holiday program to enable children with disability to participate in the program."

The Committee through the Denmark Recreation Centre have been monitoring requests for such a provision since the DAIP was adopted in 2013. Until recently the Recreation Centre had received one request from a family who did not proceed with the enrolment however, the Local Co-ordinator from the Disability Services Commission has advised that she is aware of a family in Denmark who have a child who is interested in attending the program.

At its meeting held on 21 April 2016, the Disability Services Advisory Committee considered the matter and resolved as follows;

"That the Disability Services Advisory Committee request that Council provide funds in the 2016/17 Budget for the carer or carers of children with disability to attend the School Holiday Vacation Program at the Denmark Recreation Centre."

Consultation:

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy P040123 and the associated Framework and believes that no additional external/internal engagement or consultation is required.

Consultation has occurred with the Disability Services Commission, Carers WA, Wanslea Family Services, Centrelink and the Denmark Recreation Centre Manager.

Statutory Obligations:

Disability Services Act 1993

Part 5 – Section 28 (1)

- (1) *Each public authority must have a disability access and inclusion plan to ensure that in so far as its functions involve dealings with the general public, the performance of those functions furthers the principles in Schedule 1 and meets the objectives in Schedule 2.*

A copy of Schedules 1 and 2 are attached (refer Attachment 9.1)

The desired Outcomes of a local authority's Disability Access & Inclusion Plan (DAIP) are determined under Schedule 3 of the Disability Services Regulations 2004 and the action that is the subject of this report comes under Outcome 7 which reads as follows;

"People with disabilities have the same opportunities as others to access the services of and any events organised by Council."

Section 6 of the Commonwealth's Disability Discrimination Act 1992 could relate with respect to "indirect disability discrimination" on the basis that the Council could be imposing a condition by requiring a child with certain types of disability to have a dedicated carer in order to attend the School Holiday Program however, this could be seen as "reasonable".

Policy Implications:

Council's Disability Access & Inclusion Policy Statement reads as follows (Policy No. P110710):

"The Shire of Denmark is committed to ensuring that the community is an accessible and inclusive community for people with disabilities, their families and carers."

The Shire of Denmark interprets an accessible and inclusive community as one in which all Council functions, facilities and services (both in-house and contracted) are open, available and accessible to people with disabilities, providing them with the same opportunities, rights and responsibilities enjoyed by all other people in the community.

The Shire of Denmark recognises that people with disabilities are valued members of the community who make a variety of contributions to local social, economic and cultural life. The Shire believes that a community that recognises its diversity and supports the participation and inclusion of all of its members makes for a richer community life.

The Shire of Denmark believes that people with disabilities, their families and carers who live in country areas should be supported to remain in the community of their choice."

The Officer has recommended the establishment of a new Policy under the Comment section of the report.

Budget / Financial Implications:

Should Council support the Committee and/or Officer Recommendation there could be implications on the Council's 2017/18 Budget.

Strategic & Corporate Plan Implications:

The report and officer recommendation is consistent with Council's adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects in the following specific ways:

STRATEGIC COMMUNITY PLAN

SOCIAL OBJECTIVE - Denmark's communities, people and places are connected and creative, vibrant and dynamic, healthy and safe.

SOCIAL GOALS

Population: ...closely monitors its population growth over the next two decades, to put into place advocacy, policies and infrastructure that reflect the needs of a diverse age range and which will be attractive to both present and new residents.

Youth: ...encourage opportunities, employment and facilities for young people, and aims to involve them in decisions made within the community.

Recreation: ...monitor all forms of recreational and cultural facilities and services, and take careful account of the level of community support for those in determining the improvements or new facilities to be supported together with their relative contribution to personal and community well-being.

CORPORATE BUSINESS PLAN

- 1.1.1 *Advocate for the provision and promotion of services and facilities that meet the needs of the community.*
- 1.1.3 *Support the provision of services for people with disability through the implementation the Shire’s Disability Access and Inclusion Plan and review annually.*
- 1.1.5 *Consider the diverse needs of various groups and communities in planning for the services required to cater for population growth.*

Sustainability Implications:

➤ **Governance:**

The Committee and Officer Recommendation supports the actions outlined in the adopted DAIP and Corporate Business Plan.

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

There are social benefits in supporting children with disability to attend programs such as the Recreation Centre’s School Holiday Program.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council decide not to provide any funding for carers.	Possible (3)	Insignificant (1)	Low (1-4)	Not Meeting Community expectations	Accept Officer Recommendation

Comment/Conclusion:

Following the recommendation of the Disability Services Advisory Committee (DSAC) Officers undertook some investigation as there were questions raised about accessing appropriate carers, general funding of carers and accreditation of the facility.

The Disability Services Commission advised that because the Denmark Recreation Centre is not an accredited child care facility, children with disability, who require a dedicated carer, are unable to attend the School Holiday Program the Centre as the Centre is unable to access funding for a carer.

The Denmark Recreation Centre was accredited in 2006 however this was discontinued in 2007 due a number of issues including the requirements to retain the licence, the need to employ additional, dedicated staff and the perceived inequality of subsidies provided through Centrelink for eligible parents (a difference of up to 95% in most cases).

For the reasons above and the process of achieving and retaining accreditation, Council Officers see minimal benefit (in fact more negatives) of obtaining a child care facility licence for the purposes of the recommendation from the DSAC. Indeed, it is likely that if the Recreation Centre was to become accredited then the cost of general admission would need to increase to cover application, registration, implementation of required policies/procedures and training of staff to levels of competency required for an accredited, licenced child care facility.

The “carers” referred to are persons qualified to look after a child with a particular type of disability, similar to those that are provided through the education system. Currently, if a child who is cared for by their parents and/or guardians would like to access the School Holiday Program the parent/guardian would either have to attend the program with them or they would have to access and pay for a dedicated carer. Whilst the Recreation Centre’s Holiday program is available and open to children all abilities, a child with Autism (for example) may require a higher level of care than the current staffing levels allow. They may need physical assistance, or assistance in areas of personal care or explaining activities to them etc.

Our Local Co-ordinator, and member of the DSAC, has advised that generally a child with disability would be assessed prior to entering public education. This allows the Education Department to assess the level of need for and assign an appropriate carer for that child. This same assessment could be used by the Recreation Centre to access an appropriately qualified carer through the Disability Services Commission.

The alternative is that the family engage their own carer and claim a subsidy through a new “Recreation Centre – School Holiday Program Inclusion Fund”. Some families who have expressed an interest in the having their child attend the holiday program have indicated that they would approach their child’s education assistant to attend with them however this is not the case for all children. Some families engage a carer themselves and all that is required is a policy clearance and Working with Children Check. Council Officers prefer this alternative because it ensures that the family retain the responsibility to ensure that the carer that is engaged is appropriate and adequately skilled to ensure the safety and well-being of their child. This removes that obligation and responsibility from Recreation Centre Staff and the Council.

To implement such a program the Officer recommends the establishment of the following Policy;

DRAFT POLICY

P110312 - RECREATION CENTRE – SCHOOL HOLIDAY PROGRAM INCLUSION FUND

Objective

To provide financial assistance to parents or guardians who need to engage a qualified carer to assist their child with disability to attend and participate in the Recreation Centre’s scheduled School Holiday Program.

Policy

- 1. Council will provide an amount annually in its Budget that parents or guardians of a child with disability can apply for to assist with the cost of engaging a carer for their child whilst attending the Recreation School Holiday Program.*
- 1. The amount available per family, per application, is \$150.00 per day or 6 hours (whichever is the less);*

2. *The carer must;*
 - a) *have a Working With Children Check, a Police Clearance and not be a family member;*
 - b) *clearly understand the needs of the person that they are working with and have been directed by the family as to the level of care needed;*
 - c) *understand that they are going into the Recreation Centre environment and may be directed by the Staff in the Centre in relation to the activities during the Holiday Program;*
4. *Funding applications are subject to funds being available in the Council's current budget.*

Voting Requirements:

Simple majority.

COMMITTEE RECOMMENDATION

ITEM 9.1

That the Disability Services Advisory Committee request that Council provide funds in the 2016/17 Budget for the carer or carers of children with disability to attend the School Holiday Vacation Program at the Denmark Recreation Centre.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION

ITEM 9.1

MOVED: CR ALLEN

SECONDED: CR GEARON

That with respect to the recommendation from the Disability Services Advisory Committee, Council;

1. Adopt the new draft Policy P110312 "Recreation Centre – School Holiday Program Inclusion Fund";
2. Request the Director of Community & Regulatory Services to develop an appropriate Application Form based on the Policy; and
3. Consider including \$3,000 in preparing the 2017/18 Budget towards the "School Holiday Inclusion Fund".

CARRIED UNANIMOUSLY: 6/0

Res: 230916

10. MATTERS BEHIND CLOSED DOORS

Nil

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

Pursuant to Clause 3.11 of the Shire of Denmark Standing Orders Local Law, the Shire President consented to an Item of new business being raised.

11.1 ADOPTION OF OUTCOMES OF THE DESTINATION MARKETING STRATEGIC – LOWER GREAT SOUTHERN ALLIANCE

File Ref:	LGSA
Applicant / Proponent:	Lower Great Southern Alliance
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	23 September 2016
Author:	Bill Parker, Chief Executive Officer
Authorising Officer:	Bill Parker, Chief Executive Officer
Attachments:	Nil

Summary:

This report is to seek Council endorsement of the findings of the Destination Marketing Strategy and adoption of the brand identity endorsed by the meeting of key local regional industry representatives.

Background:

In July 2015, an MOU was signed between the City of Albany, Shire of Denmark and Shire of Plantagenet to formalise the cooperation and collaboration in the economic development of the sub-region.

The Lower Great Southern Alliance roles and functions are:

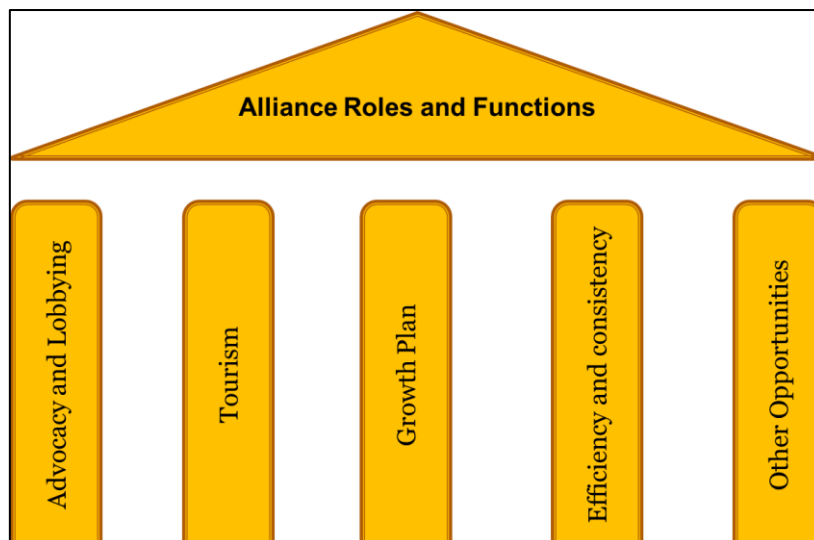


Figure 1

Tourism is one of the key focus project areas undertaken in collaboration with our Alliance partners for the economic growth and development of the Albany sub-region.

Marketforce consultants were engaged in May 2016 to undertake the development of a unique and unifying brand for the sub region with the primary objective, being:

“Development of a unique unifying brand identity for the Region that will increase brand awareness and motivation to visit the region.”

Engagement of a nonpartisan consultant was crucial to acceptance / adoption of the final recommendations by the key tourism stakeholders.

Consultation:

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy P040123 and the associated Framework and believes that no additional external/internal engagement or consultation is required.

Considerable consultation was undertaken by Marketforce through:

- 20 in depth interviews;
- 3 focus workshops with industry figures (26 attendees);
- 2 community forums (85 attendees); and
- an online survey of 145 persons (members of the public).

Tourism WA – the government lead agency in the tourism sector and Australia's South West the authorised regional tourism organisation (RTO) has been engaged and consulted as a key stakeholder throughout the entire process.

Statutory Obligations:

There are no known statutory obligations relating to this report or the officer recommendation.

The proposed brand name has been registered by the City of Albany and is not in breach of copyright.

Policy Implications:

The report and officer recommendation is consistent with the objectives and guidelines in the Council's Tourism Policy (P130201) and the Tourism Planning Strategy – Stage 1 (adopted in May 2010).

Budget / Financial Implications:

There are no known financial implications upon either the Council's current Budget or Long Term Financial Plan.

This project has been co-funded by alliance partners and Tourism WA.

At the time of writing this report the full implementation cost is currently being investigated; however it is anticipated that the current budget line for tourism and marketing will meet all the Shire's contributions for this financial year.

Working collaboratively with our alliance partners will optimise economies of scale and reduce duplication and waste.

Strategic & Corporate Plan Implications:

The report and officer recommendation is consistent with Council's adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects in the following specific ways:

STRATEGIC COMMUNITY PLAN**SOCIAL GOALS**

Regional Services: ...support objectives that manage the development of long-term growth settlement areas that ensures an acceptable level of services for its residents, regardless of where they live.

ECONOMIC OBJECTIVE - Denmark's economy is diverse and vibrant - its primary industries of tourism and agriculture rely on and enjoy natural and other assets that are sensibly managed and promoted.

ECONOMIC GOALS

Tourism: ...acknowledge the importance of tourism to the region, and, by innovative policies, practices and partnerships, facilitates and encourages the greater year-round sustainability of tourism, whilst monitoring and managing its impacts.

GOVERNANCE GOAL

Co-operation & Community Input: ...acknowledge that it also has a regional role, and endeavours to work collaboratively with neighbouring local governments, the State Government and external organisations, whilst remaining responsive to the voice of its own community.

CORPORATE BUSINESS PLAN

- 1.8.8 *Continue to implement the objectives contained in the Lower Great Southern Alliance MOU.*
- 3.7.4 *Work to further develop Denmark's iconic tourism product and its marketing to prospective visitors, and support the growth of a dynamic arts and creative sector with links to the tourism industry.*
- 3.7.6 *Finalise the Destination Marketing Strategy and Tourism Development Strategy in partnership with Alliance Partners and relevant tourism bodies.*
- 3.7.7 *Collaborate with tourism peak bodies to promoting and developing the region e.g. Great Southern Development Commission (regional Blueprint), Denmark Tourism Inc., Tourism Western Australia, Australia's South West.*
- 3.7.10 *Support the creation of a single Local Tourism Organisation (LTO), in collaboration with Albany and Plantagenet, that is consistent with the Great Southern Alliance, which represents, coordinates and plans for the interests of the industry including regional branding and strategy development.*
- 4.4.1 *Actively work with neighbouring Councils on a regional approach to relevant Local Government issues.*
- 4.4.6 *Support strategic alliances, community groups, stakeholder forums and advisory committees that assist the Shire in policy development and service planning.*

Sustainability Implications:**➤ Governance:**

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

➤ Environmental:

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

➤ Economic:

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

➤ Social:

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

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not support the proposed brand and be seen as unsupportive of the Lower Great Southern Alliance and regional tourism operators.	Possible (3)	Minor (2)	Moderate (5-9)	Inadequate Engagement - Community / Stakeholders / Crs	Accept Officer Recommendation

Comment/Conclusion:

This brand identity will represent the areas of City of Albany, Shire of Denmark, Shire of Plantagenet and may be extended to other local government authorities for specific marketing campaigns.

The clarification and adoption of a brand will:

- Increase destination awareness of our sub region;
- Increase visitation to the sub region; and
- Provide a unique brand identity for use by local businesses when marketing to the public.

The following stakeholders have endorsed the above mentioned brand name and tagline:

- Australia’s South West
- Tourism WA
- Great Southern Development Commission (GSDC)
- RDA Great Southern
- Discover Albany Foundation
- Denmark Tourism Inc.
- Albany Chamber of Commerce and Industry
- Denmark Chamber of Commerce
- The Lower Great Southern Alliance

Voting Requirements:

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 11.1
MOVED: CR GEARON	SECONDED: CR BARTLETT
That Council endorse the preferred brand name “The Amazing South Coast” and the positioning statement “Worth Every Moment” subject to the outcomes of market testing, so that the Lower Great Southern Alliance can instruct Marketforce to proceed with the development of logos and complete the Destination Marketing Strategy.	
CARRIED UNANIMOUSLY: 6/0	Res: 240916

12. CLOSURE OF MEETING

6.24pm - *There being no further business to discuss the Shire President, Cr Morrell, declared the meeting closed.*

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

Signed: _____
Bill Parker – Chief Executive Officer

Date: _____

These minutes were confirmed at a meeting on the _____.

Signed: _____
(Presiding Person at the meeting at which the minutes were confirmed.)