



## ORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
953 SOUTH COAST HIGHWAY, DENMARK  
ON TUESDAY, 21 NOVEMBER 2017.

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# Ordinary Council Meeting

21 November 2017

## 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.

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

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

Cr Gearon acknowledged the land on which the meeting was being held and the traditional custodians of the land, the Bibbulman and Minang people.

Cr Gearon stated that she would also like to show her respect for their elders past, present and into the future.

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

MEMBERS:

- Cr Ceinwen Gearon (Shire President)
- Cr Peter Caron (Deputy Shire President)
- Cr Mark Allen
- Cr Kingsley Gibson
- Cr Jan Lewis
- Cr Ian Osborne
- Cr Janine Phillips
- Cr Roger Seeney
- Cr Rob Whooley

STAFF:

- Mr Bill Parker (Chief Executive Officer)
- Mr Gilbert Arlandoo (Director of Infrastructure Services)
- Mr Cary Green (Director of Finance & Administration)
- Mrs Annette Harbron (Director of Planning & Sustainability)
- Mr Graham Blackmore (Acting Director of Community & Regulatory Services)
- Ms Claire Thompson (Executive Assistant)
- Ms Noni Entwisle (Finance Officer – Accounting)

APOLOGIES:

Nil

ON APPROVED LEAVE(S) OF ABSENCE:

Nil

ABSENT:

Nil

VISITORS:

Members of the public in attendance at the commencement of the meeting: 20

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

DECLARATIONS OF INTEREST:

Name	Item No	Interest	Nature
Cr Roger Seeney	8.5.2	Impartiality	Cr Seeney is a member of the Denmark Lions Club.
Cr Janine Phillips	11.1	Impartiality	Cr Phillips is a Caravan Park proprietor.
Cr Janine Phillips	8.2.1	Impartiality	Cr Phillips is a Caravan Park proprietor.

Cr Ian Osborne	10.2	Impartiality	One of the applicant's parent's has been contracted to do some work on Cr Osborne's farm business.
Cr Mark Allen	10.2	Impartiality	Cr Allen works at the Denmark Agricultural College.

**3. ANNOUNCEMENTS BY THE PERSON PRESIDING**

*The Shire President announced that she would be introducing an item of new business later in the meeting in relation to the fees and charges for the Parry's Beach Campground. Cr Gearon stated that she would provide further information prior to the item being introduced.*

**4. PUBLIC QUESTION TIME**

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

Nil

**4.2 PUBLIC QUESTIONS**

In accordance with Section 5.24 of the Local Government Act 1995, Council conducts a public question time to enable members of the public to address Council or ask questions of Council. The procedure for public question time can be found on the 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 Craig Chappelle – Denmark Windfarm and Dogs**

Mr Chappelle congratulated Cr Gearon on her new position.

Mr Chappelle referred to a sign at the entrance to the Denmark Windfarm stating that dogs were not permitted however there was a sign at the commencement of the WOW Trail which stated that dogs were permitted on a lead. Mr Chappelle expressed concern that this was conflicting information and noted that the Denmark Community Windfarm's preference, as the leaseholder, was that there be no dogs permitted.

**4.2.2 Mr Craig Chappelle – Item 7.1 (Cr Lewis – Amendment to Policy P100608 Town Planning Scheme No. 3 – Colour Interpretations)**

Mr Chappelle stated that his property overlooked Springdale which meant that he overlooked a bright white houses on Springdale hill.

Mr Chappelle asked whether the white roofs at Springdale met the sub-division guidelines.

*The Shire President advised that the questions would be taken on notice and responded to in writing.*

**4.2.3 Mr Craig Chappelle – Item 8.2.1 (Draft Rivermouth Precinct Development Concept Plan)**

Mr Chappelle referred to the draft Concept Plan stating that he thought that it had been very professionally done. Mr Chappelle suggested that Council may want to keep in mind that the area could also, in the future, be a potential site for an alternative river crossing.

**4.2.4 Mr Craig Chappelle – Item 8.4.1 (Financial Statement for the Month Ending 30 September 2017)**

Mr Chappelle referred to page 16 of the statement which showed that 61% of rates had been collected. Mr Chappelle asked for what period it was for.

*The Director of Finance & Administration responded stating that it was the percentage of rates that had been collected as at the end of September 2017.*

**4.2.5 Mr Craig Chappelle – Item 8.4.2 (Request for Change of Method of Valuation – No. 23 (Lot 101) McIntosh Road, Hay)**

Mr Chappelle asked what the zoning for Lot 101 was.

*The Director of Planning & Sustainability stated that it zoned Landscape Protection No. 5.*

**4.2.6 Mr John Xanthis – Item 8.2.1 (Draft Rivermouth Precinct Development Concept Plan)**

Mr Xanthis stated that he was a community member on the Working Group and a member of the Wilson Inlet Restoration Group. Mr Xanthis acknowledged the contribution that former Council Officer, Mr Gregg Harwood had made to the process stating that Mr Harwood had been instrumental in bringing everyone together and ensuring the process was collaborative. Mr Xanthis urged Council to support the draft plan and commence implementation as soon as possible.

**4.2.7 Mr Graeme Robertson – Wilson Inlet**

Mr Robertson raised concerns about the current condition of the Wilson Inlet stating that he believed its health was deteriorating. Mr Robertson noted that there were signs around advising that people and dogs shouldn't swim in it. Mr Robertson spoke about the importance of the Inlet to Denmark particularly in relation to the community, tourism, sustainability and the economy noting that a healthy Inlet could also create new industry opportunities for Denmark such as aquaculture. Mr Robertson referred to a permanent opening report which had been put forward some years ago and encouraged Councillors to read it. Mr Robertson said that a permanent opening would ensure continual water exchange which could see the Inlet become as blue as the Prawn Rock Channel. Mr Robertson suggested that Council take back control of the Inlet.

*The Shire President thanked Mr Robertson for his comments noting that the health of the Inlet was high on Council's priorities and something that they would be discussing in the New Year.*

**4.2.8 Mr Brian Humphries – Election Conduct**

Mr Humphries asked Councillors Osborne and Seeney questions in relation to their election campaigns.

*Cr Osborne and Cr Seeney stated that they would individually seek advice regarding Mr Humphries allegations prior to responding.*

*Cr Whooley called a point of order stating that he did not believe that a Council meeting was an appropriate forum for Mr Humphries to be raising issues with individual Councillors.*

*The Shire President accepted Cr Whooley's point of order agreeing that it was not the appropriate forum to raise such matters.*

#### **4.2.9 Mr Brian Humphries – Strategic Community Plan**

Mr Humphries urged Council to ensure that the Strategic Community Plan was put on the Shire's website given that it was the result of a huge amount of community consultation and input.

*The Chief Executive Officer stated that the draft was already on the Shire's website and it was intended that Council would consider its adoption at the December 2017 Council meeting. Mr Parker advised that the adopted document would be available on Council's website as well as the informing documents.*

#### **4.2.10 Mr Brian Humphries – Item 8.5.2 (Council Committees and Working Groups and Appointment of Council Delegates)**

Mr Humphries suggested that Council remove the words "Super Shed" from the proposed "Super Shed" Building Proposal Working Group as he believed it was irrelevant.

*The Shire President responded stating that she believed that one of the Councillors had already indicated that they would likely be moving an amendment to change the name and remove the words "Super Shed".*

#### **4.2.11 Mr Murray Thornton – Clearing of Vegetation by Farmers**

Mr Thornton referred to a local farmer who had recently received a fine for clearing vegetation to erect a fence between his land and the road reserve being (being Shire managed land). Mr Thornton said that he believed the Shire was like an obnoxious neighbour who weren't required to contribute to the cost of dividing fencing but could then fine farmers if their stock got out.

Mr Thornton referred to sections of the Environmental Protection (Clearing of Native Vegetation) Regulations noting that he acknowledged that farmers were allowed to clear crown land adjacent to a fenceline which bounded their property with the owners' permission.

Mr Thornton stated that he is not aware of any farmers who have ever sought permission and it has been the Shire's culture for decades that they haven't required farmers to seek permission. Mr Thornton stated that he believed it was stupid, petty and vindictive that the Shire had now fined a farmer for undertaking this type of clearing.

Mr Thornton said that he believed that if the Shire were now, after so many years, going to start fining people then they should have done appropriate community consultation and education to ensure that people were aware of the Shire's new position instead of suddenly starting to fine people. Mr Thornton stated that he had also struggled to find any information about it on the Shire's website.

*The Director of Planning & Sustainability stated that the clearing had been brought to the attention of Shire's Rangers and it had been because there had been the removal of approximately 8 significant trees. Mrs Harbron stated that the Environmental Protection (Clearing of Native Vegetation) Regulations required that permission be sought. Mrs Harbron advised that she believed that the Shire and the Department of Water and Environmental Regulation had undertaken a process to educate and inform people of their obligations with respect to clearing, particularly farmers due to the major changes. Mrs Harbron took note of Mr Thornton's comments regarding the accessibility of information on the Shire's website.*

*The Shire President stated that she was disappointed that Mr Thornton believed that the Shire had acted in a vindictive way and that the Council would be looking to review its community consultation policy in due course.*

#### **4.2.12 Mr Tony Pedro – Prescribed Burning**

Mr Pedro welcomed Councillors Osborne, Gibson and Seeney and stated that he looked forward to them working with the other Councillors to achieve common ground.

Mr Pedro stated that the Department of Biodiversity, Conservation and Attractions (Department of Parks & Wildlife) had arranged to meet with him at the Walpole Nornalup National Park and the Valley of the Giants to compare fuel loads so that he could show them the difference between a two year old burn and an eighty year old burn. Mr Pedro said that he felt that it was a big achievement as it was the first time that an organisation had taken the time to meet with him and discuss concerns that he has had for a number of years. Mr Pedro invited Cr Allen, as the former Chair of the Bush Fire Advisory Committee, to attend the meeting with him.

*Cr Allen advised that Cr Caron had been keeping him informed and was very interested. Cr Allen stated that if he was available he would attend.*

#### **4.2.13 Mr Bart Lebbing – Notification of Fires**

Mr Lebbing referred to a fire which had occurred during the last fire season which had ignited on a property which was almost next door to his. Mr Lebbing said that because it was a hot day he had been inside and he had only found out about the fire because the details had been posted onto Facebook. Mr Lebbing said that he was aware of some other Shire's that used a SMS (Short Message Service) to alert residents and stated that he would like to see the Shire of Denmark implement a similar service.

*The Chief Executive Officer advised that he had had discussion with the Community Emergency Services Manager about resident alert systems as he had used the SMS system at another Shire and had found it to be a very effective communication tool.*

#### **4.2.14 Mr Mike Travers – Strategic Community Plan**

Mr Travers congratulated the Councillors who had been elected in the October elections and thanked the Chief Executive Officer for the Strategic Community Plan process stating that he believed it to be a good improvement on previous processes.

**4.2.15 Mr Mike Travers – Civic Centre Public Toilets**

Mr Travers advised that he believed the condition of the public toilets at the Civic Centre were appalling as they were smelly, dirty and didn't meet users expectations. Mr Travers said that he believed that tourists expected better and that the ones at the Visitors Centre were cleaner and more pleasant to use.

**4.2.16 Mr Mike Travers – Dissemination of Good News**

Mr Travers urged the Council to spread more good news noting that the Shire did so many good things and that these things should be promoted.

**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.

**6. CONFIRMATION OF MINUTES**

**6.1 ORDINARY COUNCIL MEETING**

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 6.1</b>
MOVED: CR WHOOLEY	SECONDED: CR GIBSON
That the minutes of the Ordinary Meeting of Council held on the 17 October 2017 be confirmed as a true and correct record of the proceedings.	
CARRIED UNANIMOUSLY: 9/0	Res: 011117

**6.2 STRATEGIC BRIEFING NOTES**

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 6.2</b>
MOVED: CR LEWIS	SECONDED: CR GIBSON
That the Notes from the Strategic Briefing held on 17 October 2017 be received.	
CARRIED UNANIMOUSLY: 9/0	Res: 021117



**6.3 SPECIAL COUNCIL MEETING**

**OFFICER RECOMMENDATION**

ITEM 6.3

That the minutes of the Special Meeting of Council held on the 24 October 2017 be confirmed as a true and correct record of the proceedings.

**COUNCIL RESOLUTION**

ITEM 6.3

MOVED: CR SEENEY

SECONDED: CR GIBSON

That the minutes of the Special Meeting of Council held on the 24 October 2017 be confirmed as a true and correct record of the proceedings, subject to the following correction;

1. Page 6 – in the third last paragraph, correct the word “Whooley” to “Seeney” and in the last paragraph, correct the word “Whooley” to “Seeney”.

CARRIED UNANIMOUSLY: 9/0

Res: 031117

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

The following Notice of Motion was received by the Chief Executive Officer in writing on the 9 November 2017 and therefore complies with the Shire of Denmark Standing Orders Local Law clause 3.9.

**7.1 AMENDMENT TO POLICY P100608 TOWN PLANNING SCHEME NO. 3 – COLOUR INTERPRETATIONS**

<b>File Ref:</b>	CR.3
<b>Applicant / Proponent:</b>	Cr Lewis
<b>Subject Land / Locality:</b>	Shire of Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	9 November 2017
<b>Author:</b>	Cr Lewis
<b>Attachments:</b>	7.1a – Policy P100608, Extract from Background of Manual and Extract from Town Planning Scheme No. 3 7.1b – What other Council’s say about Surfmist and Reflective Materials 7.1c – Extracts from Town Planning Scheme No. 3 – references to white and/or off white 7.1d – Information Sheet – Colour Requirements 7.1e – Surfmist as described by Colorbond & photo of Springdale Beach house 7.1f – Email from a resident of Springdale Beach

**Additional Information:**

Attachment 7.1a	P100608 Town Planning Scheme No. 3 – Colour Interpretations. Extract from the background to the Policy Manual. Shire of Denmark Town Planning Scheme No. 3. Part V - General Provisions 5.11 Amenity.
Attachment 7.1b	What other Councils say about Surfmist and reflective materials.
Attachment 7.1c	Town Planning Scheme No. 3 - References to White and/or Off White
Attachment 7.1d	Information Sheet: Colour Requirements
Attachment 7.1e	Surfmist as described by Colorbond, Photo of House at Springdale Beach
Attachment 7.1f	Email from a resident of Springdale Beach

**Reasons for Motion / Background:**

Policy Number 100608, TOWN PLANNING SCHEME NO. 3 – COLOUR INTERPRETATIONS currently references Surfmist is not considered to be an off-white colour. In this regard it is considered that Surfmist is ‘white’ or ‘off-white’ and therefore the current reference in the policy should be amended accordingly; noting that as per the current provisions in Town Planning

Scheme No.3 this will then result in surfmist being a prohibited colour in the zones where there is reference to white or off-white colours being prohibited.

SHIRE OF DENMARK TOWN PLANNING SCHEME NO. 3, PART V - GENERAL PROVISIONS, 5.11 AMENITY is very broad and a **Reflective Building Materials Planning Policy** will provide direction to developers, community and Shire officers.

<b>COUNCIL RESOLUTION &amp; CR LEWIS' NOTICE OF MOTION</b>	ITEM 7.1
MOVED: CR LEWIS	SECONDED: CR PHILLIPS
Council request that:	
<ol style="list-style-type: none"> <li>1. Council Policy 100608: Town Planning Scheme No. 3 – Colour Interpretations be amended to reference that surfmist is considered to be a white or “off-white” colour, such that where Town Planning Scheme No. 3 references white or off-white colours are prohibited (or similar) it is clear that ‘Surfmist’ is not an acceptable colour.</li> <li>2. The INFORMATION SHEET: COLOUR REQUIREMENTS be amended to reflect the above changes.</li> <li>3. The Chief Executive Officer prepare a draft Reflective Building Materials Planning Policy that gives guidance to SHIRE OF DENMARK TOWN PLANNING SCHEME NO. 3, PART V - GENERAL PROVISIONS, 5.11 AMENITY - <i>‘No buildings shall be constructed of materials, design, colour or texture of which in the opinion of the Council is detrimental to the amenity or character of the locality.’</i></li> </ol>	
5.06pm - The Chief Executive Officer left the room.	
CARRIED: 8/1	Res: 041117
<i>Pursuant to Resolution No.031115 all Councillors’ votes on the above resolution are recorded as follows;</i>	
FOR:	<i>Cr Osborne, Cr Lewis, Cr Whooley, Cr Phillips, Cr Gearon, Cr Gibson, Cr Caron and Cr Allen</i>
AGAINST:	<i>Cr Seeney.</i>

## 8. REPORTS OF OFFICERS

### 8.1 Director of Planning & Sustainability

#### 8.1.1 SCHEME AMENDMENT 139 – REMOVING “AGRICULTURAL RESEARCH STATION” DENOTION ON LOT 7648 KERNUTTS ROAD, HAY

<b>File Ref:</b>	TPS3/SA139 (A3807; A3246); TPS3/SA84
<b>Applicant / Proponent:</b>	Veris on behalf of Landcorp (on behalf of State of Western Australia)
<b>Subject Land / Locality:</b>	Lot 7648 Kernutts Road, Hay
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	24 October 2017
<b>Author:</b>	Annette Harbron, Director of Planning & Sustainability
<b>Authorising Officer:</b>	Annette Harbron, Director of Planning & Sustainability
<b>Attachments:</b>	8.1.1 – Item 8.1.4 from 20 June 2017 Council Meeting (including attachments)

#### Summary:

In June 2017 Council initiated Scheme Amendment 139 to Town Planning Scheme No. 3 (TPS No. 3) to remove the “Agricultural Research Station (AR)” denotation that is associated with the “Public Use” local scheme reservation over Lot 7648 Kernutts Road, Hay – with such initiation determining it being a ‘Basic’ Amendment as per the *Planning and Development (Local Planning Schemes) Regulations 2015*.

In September 2017 the Western Australian Planning Commission advised the Shire that although Scheme Amendment 139 is relatively simplistic in planning terms, it does not fall within the current terms for a ‘Basic’ amendment; therefore to progress this Scheme Amendment Council needs to initiate Scheme Amendment 139 as a ‘Standard’ amendment and then proceed to advertising of the Scheme Amendment accordingly.

#### Background:

At the Ordinary Meeting of Council held on 20 June 2017, Council considered a request to initiate a Scheme Amendment to TPS No. 3 to remove the “Agricultural Research Station (AR)” denotation that is associated with the “Public Use” Local scheme reservation over Lot 7648 Kernutts Road, Hay and resolved as follows (Res. No: 080617):

*That with respect to the request to initiate a Scheme Amendment to remove the “Agricultural Research Station” denotation on Lot 7648 Kernutts Road, Hay, Council:*

1. Pursuant to Section 75 of the Planning and Development Act 2005 initiate Town Planning Scheme No. 3 Amendment No. 139 by:
  - Amending the Scheme Map to remove the “Agricultural Research Station (AR)” denotation over Lot 7648 Kernutts Road, Hay.*
2. Determine that Town Planning Scheme No. 3 Scheme Amendment No. 139 is a ‘Basic Amendment’ as per the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as it is an amendment that will ensure the reservation over the land is consistent with other reservations in the scheme for land that forms part of the Denmark Catchment State Forest.
3. Refer Town Planning Scheme No. 3 Scheme Amendment No. 139 to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.
4. Authorises the Shire President and Chief Executive Officer to execute the documentation for forwarding to the Western Australian Planning Commission in accordance with Regulation 58 of the Planning and Development Act (Local Planning Schemes) Regulations 2015 seeking final approval by the Minister for Planning.

In line with Council's resolution the documentation was referred to the Environmental Protection Authority (EPA) in accordance with Section 81 of the *Planning and Development Act 2005* on 1 August 2017.

The EPA considered the proposal and determined that the proposed scheme amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* and that it was not necessary to provide any advice or recommendations.

Following receipt of the EPA's advice, the scheme amendment was referred to the Western Australian Planning Commission/Minister for Planning for final approval on 21 August 2017.

### **Consultation:**

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, public advertising of a 'standard amendment' (refer explanation under 'Statutory Obligations') is required to be undertaken for a minimum period of 42 days once the Environmental Protection Authority have considered the Scheme Amendment.

### External Consultation

- Veris (applicant)
- Department of Planning, Lands and Heritage (Planning Services) – noting that initial consultation occurred on this Scheme Amendment with the Department and the informal advice provided at the time was that this could be classified as a 'Basic' amendment and it was on this basis that the original initiation report referenced the associated process.

### **Statutory Obligations:**

- *Planning and Development Act 2005* – TPS No. 3 is an operative Local Planning Scheme under the Act;
- Town Planning Scheme No. 3 – Lot 7648 Kernutts Road is currently reserved as "Public Use – Agricultural Research Station"; and
- *Planning and Development (Local Planning Schemes) Regulations 2015* – The Regulations set the procedure for amending a town planning scheme.

The *Planning and Development (Local Planning Schemes) Regulations 2015* provide for complex, standard and basic amendments. In relation to Scheme Amendment No. 139, based on the latest advice from the Western Australian Planning Commission it is considered to be a standard amendment having regard to Regulation 34 which is defined as:

- (a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- (b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- (c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;
- (d) an amendment to the scheme map that is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;
- (e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- (f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- (g) any other amendment that is not a complex or basic amendment.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

Fees associated with the amendment have been paid as per Council's operative Fees and Charges Schedule.

**Strategic & Corporate Plan Implications:**

The subject land is designated in the adopted Local Planning Strategy as 'Public Use' – a designation that reflects the current scheme reservation in Town Planning Scheme No. 3. Due regard has been given to the relevant Local Planning Strategy provisions within Scheme Amendment No. 139, namely Part 1 Section 4.7 Natural Resource Management

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

Strategic Community Plan

*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.*

*Environment Goal: Natural Environment – 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.*

*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 Goal: Development – that the Shire of Denmark closely monitor development and associated infrastructure needs in the region, and acts in conjunction with other authorities and agencies to plan development which is sensitive, timely and appropriate to the community's needs.*

Corporate Business Plan

3.2.2 Work with other Government bodies on Local and State regional planning and development issues.

**Sustainability Implications:****➤ Governance:**

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

**➤ Environmental:**

Reservation of the land in the Scheme, and subsequent transfer of the land parcels to the adjoining Denmark Catchment State Forest, is an appropriate environmental outcome for the subject land.

**➤ Economic:**

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

**➤ Social:**

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

➤ **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 initiate Scheme Amendment No. 139	Possible (3)	Minor (2)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation

**Comment/Conclusion:**

In September 2017 the Western Australian Planning Commission advised the Shire that although Scheme Amendment 139 is relatively simplistic in planning terms, it does not fall within the current terms for a 'Basic' amendment at this point in time - noting that there are proposed modifications to the Regulations being considered in the next 12 months or so to capture Scheme Amendments of this nature as 'Basic' amendments.

Consequently Council is required to initiate Scheme Amendment 139 as a 'Standard' amendment and then proceed to advertising of the Scheme Amendment accordingly.

**Voting Requirements:**

Simple majority.

5.09pm – The Chief Executive Officer returned to the room.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.1.1
MOVED: CR GIBSON	SECONDED: CR WHOOLEY
That with respect to the request to initiate a Scheme Amendment to remove the "Agricultural Research Station" denotation on Lot 7648 Kernutts Road, Hay, Council:	
<ol style="list-style-type: none"> <li>1. Acknowledges the advice received from the Western Australian Planning Commission that Scheme Amendment 139 is not deemed to be a 'Basic Amendment'.</li> <li>2. Pursuant to Section 75 of the <i>Planning and Development Act 2005</i> initiate Town Planning Scheme No. 3 Amendment No. 139 by:                     <ul style="list-style-type: none"> <li><i>Amending the Scheme Map to remove the "Agricultural Research Station (AR)" denotation over Lot 7648 Kernutts Road, Hay.</i></li> </ul> </li> <li>3. Determines that Town Planning Scheme No. 3 Scheme Amendment No. 139 is a 'Standard Amendment' as per the provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> for the following reasons:                     <ol style="list-style-type: none"> <li>a) It is an amendment relating to the "Public Use" reservation that is consistent with the objectives identified in the scheme for that reserve;</li> <li>b) It is an amendment that is consistent with a local planning strategy that has been endorsed by the Western Australian Planning Commission;</li> <li>c) It is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;</li> <li>d) It is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and</li> <li>e) Is not a complex or basic amendment.</li> </ol> </li> <li>4. Notes that Town Planning Scheme No. 3 Scheme Amendment No. 139 has been referred to the Environmental Protection Authority in accordance with Section 81 of the <i>Planning and Development Act 2005</i>.</li> <li>5. Resolves to proceed to advertising of Town Planning Scheme No. 139 as per Regulation 47 of the <i>Planning and Development Act (Local Planning Schemes) Regulations 2015</i>.</li> </ol>	
CARRIED UNANIMOUSLY: 9/0	Res: 051117

## 8.2 Director of Community & Regulatory Services

5.17pm - Cr Phillips declared an impartiality interest on the basis that she is a Caravan Park proprietor and left the room.

8.2.1 DRAFT RIVERMOUTH PRECINCT DEVELOPMENT CONCEPT PLAN	
<b>File Ref:</b>	PLN.76
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	Smith Brothers Park (Portion of Reserve 14376) and Rivermouth Caravan Park (Reserve 46241)
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	8 November 2017
<b>Author:</b>	Graham Blackmore A/Director of Community & Regulatory Services Annette Harbron, Director of Planning & Sustainability Services
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	8.2.1 – Draft Rivermouth Precinct Development Concept Plan

### Summary:

A Draft Rivermouth Precinct Development Concept Plan (RPDCP) has been developed by the RPDCP Working Group. The key objective of the RPDCP is to guide the future usage and development of the area, recognising the tourist, recreation and social importance of the Rivermouth Precinct (including the Rivermouth Caravan Park) to the community and visitors alike.

It is recommended that Council adopt the draft RPDCP to facilitate public advertising.

### Background:

At the Ordinary Meeting of Council held on 16 August 2016, Council resolved as follows (Res. No: 090816):

#### *That Council:*

1. *Form a Rivermouth Foreshore 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.*

At the 27 September 2016 Ordinary Meeting of Council, Council considered the community member nominations and resolved as follows (Res. No: 200916):

#### *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*

**Consultation:**

Consideration has been given to *Council Policy P040123: Community Engagement Policy* in developing the Draft Concept Plan and its public advertising. The Draft Concept Plan was developed by a Working Group, which included two (2) councillors, four (4) community members, two (2) representatives of Jenbrook Nominees P/L (lessee of Caravan Park) and the appointed Architect. The Working Group held numerous meetings associated with the preparation of the Draft Concept Plan. As proposed below, there is opportunity for the wider community and relevant stakeholders to comment on the Draft Concept Plan.

With regards to public advertising of the Draft Concept Plan, the following is proposed:

- Public advertising period for a minimum period of 42 days (noting the actual advertising period will need to have regard to the Xmas and school holiday periods – noting that this could also be beneficial as usage of this area is very high during these periods by tourists and the community alike).
- Advertising notice to be published in the Denmark Bulletin inviting public comment.
- Advertising notice, and the associated plans, inviting public comment on the proposal being displayed at the Shire Administration Office, the Shire Library and the Shire's website for the duration of the public advertising period.
- Referral to key stakeholders including the Department of Transport, Department of Water and Environmental Regulation (Water), Department of Planning, Lands & Heritage (Aboriginal Services) inviting comment.

After the advertising period has concluded, the Working Group will review the submissions received and make recommendations to Council when considering the plan for final adoption.

**Statutory Obligations:**

Denmark River is a registered Aboriginal Heritage site (Site ID 22081). Development proposals for the area will require Regulation 10 (for revegetation/rehabilitation works primarily) or Section 18 approvals accordingly from the Department of Planning, Lands & Heritage (Aboriginal Services).

Approval and licensing of the proposed jetties will be required to be obtained from the Department of Transport.

**Policy Implications:**

The *Shire of Denmark Disability Access and Inclusion Plan June 2013 – 2018* makes recommendations relating to increasing accessibility to "Council's main active, passive and coastal recreation areas" and investigating "universal access opportunities along the Shire of Denmark's high value foreshore areas". As such the Draft Concept Plan seeks to improve the opportunities for disabled access to the river foreshore.

**Budget / Financial Implications:**

Advertising costs associated with the Draft Concept Plan are provided for within the 2017/18 Budget (Job No: 16300).

Implementation of the Concept Plan will be dependent upon access to grant funds and/or Council budget priorities to undertake the recommended works in due course.

**Strategic & Corporate Plan Implications:**Strategic Community Plan

*Social Objective – Denmark's communities, people and places are connected and creative, vibrant and dynamic, healthy and safe.*



*Social Goal: Lifestyle – endeavour to maintain and improve the standards and style of living, together with the creating and vibrant culture, that residents and visitors have come to expect.*

*Social Goal: 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 wellbeing.*

*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.*

*Environment Goal: Natural Environment – acknowledge the importance of natural environment to the residents of Denmark and the region, and work with residents and all relevant agencies to maintain a high standard of environmental protection and its integration with community life.*

*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 Goal: 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

- 1.2.5 *Maintain and plan parks, gardens, recreational areas and open space at standards acceptable to the community.*
- 1.10.6 *Investigate improvements to parks and reserves and implement improvements where appropriate.*
- 2.1.2 *Manage natural resources in a sustainable manner on land owned or managed by the Shire.*
- 3.7.1 *Continue to support new sustainable tourism development (across accommodation, activity, attraction, amenity, access sectors) that will contribute to growth in tourism; as well as supporting improvements to existing tourism.*
- 3.7.3 *Continue to engage in the management of local natural areas with associated recreation and tourism uses.*
- 3.7.8 *Provide infrastructure and services to support local tourism.*

#### **Sustainability Implications:**

##### ➤ **Governance:**

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

##### ➤ **Environmental:**

The Draft Concept Plan for the Rivermouth Precinct seeks to balance recreational use of the area while mitigating impacts and enhancing and restoring natural values.

##### ➤ **Economic:**

Implementation of the final Concept Plan will be dependent upon access to grant funds and/or Council budget priorities to undertake the recommended works in due course; noting that commercial use jetties may require full and/or partial funding from the relevant commercial entities.

➤ **Social:**

The Draft Concept Plan seeks to cater for future predicted increased use of the recreational area, by both local residents and visitors alike, and provide for (close-to) year-round access to the site. It also aims to provide greater opportunities for access by the disabled and elderly.

➤ **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 does not support the draft Rivermouth Precinct Development Concept Plan for advertising	Unlikely (2)	Minor (2)	Low (1-4)	Inadequate Engagement – Community/Stakeholder/Crs	Accept Officer Recommendation

**Comment/Conclusion:**

Attached at Attachment 8.2.1a is the draft RPDCP. In summary the key elements of the draft Concept Plan are:

- Improvements to entry to the Rivermouth Precinct for vehicular, pedestrian and bicycle access via measures such as signage, improvements to path connections and public art works.
- River bank stabilisation works and weed removal works.
- Establishment of local commercial fishing area, incorporating new jetties and area where parking/fish sales can occur.
- Improved recreational foreshore facilities opposite the caravan park administration/shop area such as shade facilities (vegetation), seating facilities, bike racks, paths, drinking fountain, tour boat and paddleboat jetty/mooring facilities.
- Redevelopment of existing jetty and fish cleaning station, as well as fixed stepped jetty with long term moorings.
- Boardwalk along the Wilson Inlet frontage of the caravan park through to Ricketts Reserve.
- Development plan for the Rivermouth Caravan Park that provides for a new reception office/café and shop, identification of recreation areas and recognises the current usage of the area by permanent residents, chalet development (existing and proposed) and caravan/camping areas.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 8.2.1</b>
<b>MOVED: CR CARON</b>	<b>SECONDED: CR ALLEN</b>
That with respect to the Draft Rivermouth Precinct Development Concept Plan, Council adopt the draft Concept Plan for the purposes of public advertising as per the following:	
<ol style="list-style-type: none"> <li>1. Public advertising period for a minimum of 42 days.</li> <li>2. Advertising notice to be published in the Denmark Bulletin inviting public comment.</li> <li>3. Advertising notice, and the associated plans, inviting public comment on the proposal being displayed at the Shire Administration Office, the Shire Library and the Shire’s website for the duration of the public advertising period.</li> <li>4. Referral to key stakeholders including the Department of Transport, Department of Water and Environmental Regulation (Water) and Department of Planning, Lands &amp; Heritage (Aboriginal Services) inviting comment.</li> </ol>	
<b>CARRIED UNANIMOUSLY: 8/0</b>	<b>Res: 061117</b>

5.25pm – Cr Phillips returned to the room.

**8.3 Director of Infrastructure Services**  
Nil

**8.4 Director of Finance & Administration**

<b>8.4.1 FINANCIAL STATEMENT FOR THE MONTH ENDING 30 SEPTEMBER 2017</b>
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<b>File Ref:</b>	FIN.1
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	8 November 2017
<b>Author:</b>	Steve Broad, Accountant
<b>Authorising Officer:</b>	Cary Green, Director of Finance & Administration
<b>Attachments:</b>	8.4.1 – September Monthly Financial Report

**Summary:**

It is a requirement of the Local Government Act 1995 that monthly and quarterly financial statements are presented to Council, in order to allow for proper control of the Shire’s finances. In addition, Council is required to review the Municipal Budget on a six monthly basis to ensure that income and expenditure is in keeping with budget forecasts. It should be noted that the budget is monitored on a monthly basis in addition to the requirement for a half yearly review.

The attached financial statements and supporting information are presented for the consideration of Elected Members. Council staff welcome enquiries in regard to the information contained within these reports.

**Background:**

In order to prepare the attached financial statements, the following reconciliations and financial procedures have been completed and verified;

- Reconciliation of all bank accounts.
- Reconciliation of the Rates Book, including outstanding debtors and the raising of interim rates.
- Reconciliation of all assets and liabilities, including payroll, taxation and postal services.
- Reconciliation of the Sundry Debtors and Creditors Ledger.
- Reconciliation of the Stock Ledger.
- Completion of all Works Costing transactions, including allocation of costs from the Ledger to the various works chart of accounts.

**Consultation:**

Nil

**Statutory Obligations:**

Local Government Act 1995 Section 5.25 (1)  
Local Government (Financial Management) Regulations 1996

The attached statements are prepared in accordance with the requirements of the Local Government Act 1995.

**Policy Implications:**

Policy P040222 - Material Variances in Budget and Actual Expenditure, relates

*For the purposes of Local Government (Financial Management) Regulation 34 regarding levels of variances for financial reporting, Council adopt a variance of 10% or greater of the annual budget for each program area in the budget, as a level that requires an explanation or report, with a minimum dollar variance of \$10,000.*

*The material variance is calculated by comparing budget estimates to the end of month actual amounts of expenditure, revenue and income to the end of the month to which the financial statement relates.*

*This same figure is also to be used in the Annual Budget Review to be undertaken after the first six months of the financial year to assess how the budget has progressed and to estimate the end of the financial year position.*

*A second tier reporting approach shall be a variance of 10% or greater of the annual budget estimates to the end of the month to which the report refers for each General Ledger/Job Account in the budget, as a level that requires an explanation, with a minimum dollar variance of \$10,000.*

**Budget / Financial Implications:**

There are no significant trends or issues to be reported.

**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

*Governance Objective: 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.*

Corporate Business Plan

4.4.12 Provide statutory and other relevant information to internal and external stakeholders on a timely basis.

**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)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Financial mismanagement and/or Budget overruns.	Rare (1)	Moderate (3)	Low (1-4)	Inadequate Financial, Accounting or Business Acumen	Control through robust systems with internal controls and appropriate reporting mechanisms

**Comment/Conclusion:**

As at 30 September 2017 total cash funds held total \$15,291,760 (Note 4).

Shire Trust Funds total \$195,967.

- \$179,025 of this is invested for 6 months with the National Bank, maturing 21 December 2017 at the quoted rate of 2.40%.

Reserve Funds (restricted) total \$10,690,274

- \$7,082,491 of this has been placed on investment for 30 days with the Western Australian Treasury Corporation at the quoted rate of 1.45%,
- \$3,018,482 has been invested with the National Bank, maturing 24 December 2017 at the quoted rate of 2.40% and
- \$589,301 has been invested with the National Bank, maturing 3 November 2017 at the quoted rate of 2.20%.

Municipal Funds (unrestricted) total \$4,405,519

- \$1,302,683 of this is invested with the National Bank, maturing on various dates up to the 24 December 2017 at an average rate of 2.26% (refer note 4 for detail).

Key Financial Indicators at a Glance

The following comments and/or statements provide a brief summary of major financial/budget indicators and are included to assist in the interpretation and understanding of the attached Financial Statements.

- Taking into consideration the adopted Municipal Budget and subsequent mid- year budget review amendments identified (Note 5), the 30 June 2018 end of year position is estimated to be \$0 as per budget projections (Statement of Financial Activity).
- Operating revenue and expenditure is in line with that predicted for 30 September 2017 (Statement of Financial Activity).
- Rates Collection percentage of 61.22% is in keeping with historical collection rates (Note 6).
- The 2017/18 Capital Works Program is 6.63% complete utilising actual year to date figures and total committed cost is 10.70% at 30 September 2017 (Note 12).
- Various transfers to and from Reserve Funds have not been made for 2017/18 and are generally undertaken in the latter half of the financial year, depending on specific projects to which these transfers relate.
- Salaries and Wages expenditure is in keeping with budget estimates (not reported specifically in Financial Statement).

Budget Amendments and Variances (Note 5 and 5a)

As detailed in Note 5a.

**The ad**

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.4.1
MOVED: CR PHILLIPS	SECONDED: CR SEENEY
That with respect to Financial Statements for the month ending September 2017, Council;	
1. Receive the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.	
2. Endorse the Accounts for Payment for September 2017 as listed.	
CARRIED UNANIMOUSLY: 9/0	Res: 071117

<b>8.4.2</b>	<b>REQUEST FOR CHANGE OF METHOD OF VALUATION – No. 23 (LOT 101) MOUNT LEAY ROAD, SCOTSDALE</b>
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<b>File Ref:</b>	A356
<b>Applicant / Proponent:</b>	K Sfreddo & L Low, Owner
<b>Subject Land / Locality:</b>	No. 23 (Lot 101) Mount Leay Road, Scotsdale
<b>Disclosure of Officer Interest:</b>	One of the applicants is an employee of the Shire of Denmark who is currently on maternity leave.
<b>Date:</b>	13 November 2017
<b>Author:</b>	Cary Green, Director of Finance & Administration
<b>Authorising Officer:</b>	Cary Green, Director of Finance & Administration
<b>Attachments</b>	No

**Summary:**

On 9 February 2017, the Shire of Denmark received an application from the landowner for a proposed change of method of valuation for their rates. Council is now requested to support a request to the Minister for Local Government to change the method of valuation of the subject land from unimproved valuation (UV) to gross rental valuation (GRV) due to the predominantly non-rural use of the 26-hectare land parcel.

**Background:**

The Applicant completed a proposed change of method of valuation, land use survey form on 9 February 2017, which is the document that reflects the requirements of the Department of Local Government, Sport and Cultural Industries. The information provided in the application provides an outline of the predominant uses on the property and gives the department a guide as to the most appropriate method of valuation for rating purposes.

Sec 6.28 (2) of the Local Government Act 1995, states basis of rates - “Valuation of Land” provides guidance as to how the minister shall determine the appropriate method of valuation of the subject land for rating purposes. This section states, where the land is used predominantly for non-rural purposes, the gross rental value of the land is to be used.

Council policy P030101 also supports this principle, stating where a land parcel is used predominantly for non-rural purposes, the GRV of the land will be used as the basis of rating.

Based on the information supplied in the application, the predominant use of the land is for residential purposes with no rural purposes being considered. As such, it is considered the

application is in line with the department guidelines and council policy for land used predominantly for non-rural purposes.

No. 23 (Lot 101) Mount Leay Road, Scotsdale was rezoned from "Rural" to "Landscape Protection (LP5)" as part of Scheme Amendment 105 to Town Planning Scheme No. 3 (gazetted on 20 November 2009).

**Consultation:**

The Department of Local Government and Landgate officers were consulted in regards the above seeking their professional input.

**Statutory Obligations:**

Section 6.28 of the Local Government Act 1995 states:

*"6.28. Basis of rates*

*(2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be -*

- a) where the land is used predominantly for rural purposes, the unimproved value of the land; and*
- b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.*

**Policy Implications:**

Council Policy P038.2.1

0101 "Council rating and equity policy" relates to this item.

Where a land parcel is used predominantly for non-rural purposes, the GRV of the land will be used as the basis of rating.

**Budget / Financial Implications:**

The notional decrease in rating income, based on the actual rate charge in 2016/2017 for the subject land, is (\$1,740.57). This interim rate is not expected to be processed until the 2017/2018 financial year. The Shire of Denmark does not incur any significant expense in seeking a determination from the Minister for Local Government. All State Government charges are recovered at full cost from the Applicant.

**Strategic & Corporate Plan Implications:**

This report ensures that Council is informed to be able to make a consistent and equitable method of valuation to land parcels which are predominantly used for non-rural purposes.

**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 or the Minister for Local Government does not approve a request for a change of method of valuation.	Unlikely (2)	Insignificant (1)	Low (1-4)	Not Meeting Community expectations	Accept Risk

**Comment/Conclusion:**

Based on the subject land being used for residential living only, with no known rural use, it is recommended that council support the request to the Minister for Local Government for a change of the method of valuation from UV to GRV.

In assessing the change of method of valuation the Ministers office will:

- Obtain technical descriptions of the property from Landgate
- Advertise the ministerial determination in the government gazette
- Write to the Shire of Denmark and Landgate, with a copy of the gazettal notice

The Shire will then inform the owner of the gazettal notice and seek a new valuation from Landgate before implementing the change of method of valuation.

**Voting Requirements:**

Simple majority.

5.35pm – Cr Allen left the room.

5.36pm – Cr Allen returned to the room.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.4.2
MOVED: CR SEENEY	SECONDED: CR CARON
That Council support the request to the Minister for Local Government for a change of the method of valuation from UV to GRV for the basis of rating, for No. 23 (Lot 101) Mount Leay Road Scotsdale.	
CARRIED: 7/2	Res: 081117
<i>Pursuant to Resolution No.031115 all Councillors' votes on the above resolution are recorded as follows;</i>	
<i>FOR: Cr Osborne, Cr Phillips, Cr Gearon, Cr Seeney, Cr Gibson, Cr Caron and Cr Allen.</i>	
<i>AGAINST: Cr Whooley and Cr Lewis.</i>	



## 8.5 Chief Executive Officer

### 8.5.1 ORDINARY COUNCIL MEETING DATES FOR 2018

<b>File Ref:</b>	CR.2
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	3 November 2017
<b>Author:</b>	Claire Thompson, Executive Assistant
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	8.5.1a – Draft Meeting Schedule

#### Summary:

This report recommends that Council set its Ordinary Meeting schedule for 2018.

#### Background:

At the Special Council Meeting held after the 2017 Local Government Election on Tuesday, 24 October 2017, Council resolved as follows (Resolution No. 131017);

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

- a) Every third Tuesday of every month commencing 21 November 2017; and*
- b) Commencing at 4.00pm; and*
- c) At the Council Chambers, 953 South Coast Highway, Denmark; and*
- d) Determine, by resolution, the meeting schedule for 2018 at its meeting scheduled for 21 November 2017.”*

#### 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:

The following legislation relates to Council meeting dates;

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

##### 5.3. Ordinary and special council meetings

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

##### 5.4. Calling council meetings

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

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

Section 12 (1) of the Local Government (Administration) Regulations relates to a local government's requirement to give local public notice of the dates on which and the time and place at which the ordinary council meetings are to be held in the next 12 months.

Pursuant to section 5.5 of the Local Government Act 1995 the Chief Executive Officer is to provide each Councillor an agenda at least 72 hours prior to the meeting.

**Policy Implications:**

The following policies relate to Council meetings;

*Policy P040101 – Ordinary Council Meetings*

*The Council shall meet on the third Tuesday of each month with the Ordinary Council meeting commencing at 4.00pm.*

*Policy P040103 – Locality (Kent/Nornalup Ward) Meetings*

*Council will host a meeting of citizens and community organisations at least once a year in Peaceful Bay and will alternate an additional meeting each year between the localities of Tingle Dale and Nornalup and it will be widely advertised prior to the meetings.*

*Policy P040238 – Annual Closures of Some Services & Operations over December & January*

*That Council authorise the closure of all Shire of Denmark services and operations, with the exception of Emergency Services, Waste Services, Ranger Services and Cleaning Services, annually from the Christmas Day holiday until normal working hours on the day following the New Year public holiday inclusive, with employees required to use their leave entitlements and the closure being well publicised prior to this date.*

**Budget / Financial Implications:**

The cost of advertising the Council and Locality meeting dates can be accommodated within Council's existing general administration advertising budget.

Each ordinary meeting of the Council typically involves two meals and refreshments for Councillors (dinner after the meeting and lunch depending upon the start time of the meetings for that day). These costs are accommodated under Council's Budget.

In addition, Councillors are entitled to claim travel for attending Council meetings based on a kilometre basis and allowance for such is included in Council's 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

Governance Objective - 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.

Corporate Business Plan

- 4.2.2 Ensure that agendas and minutes are prepared and Council and Committee meetings are held in accordance with the appropriate legislation, Local Law, policies and corporate standards.

**Sustainability Implications:**

➤ **Governance:**

Frequency of meeting provides for continuity of decision making and impacts turnaround times on applications and the like, some of which are governed by other statutes.

➤ **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 determine a meeting schedule for Ordinary Council Meetings in 2018.	Rare (1)	Low (1-4)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

**Comment/Conclusion:**

The proposed meeting schedule for 2018 is based on the Council’s current meeting frequency being on the third Tuesday of every month. The last meeting in 2017 is scheduled for 19 December and the first meeting of 2018 is proposed for 20 February 2018.

Council are at liberty to amend the meeting days, times and frequency for the next 12 months, noting that pursuant to Regulations, Council is required to provide public notice of its meeting schedule for the ensuing 12 months.

**PROPOSED MEETING SCHEDULE 2018**

- Commencing 20 February 2018.
- One Ordinary Council meeting per month.
- Held on the third Tuesday of each month.
- 11 meetings per year.

DATE	LOCATION
20 February	Council Chambers, 953 South Coast Highway, Denmark
20 March	Council Chambers, 953 South Coast Highway, Denmark
17 April	Council Chambers, 953 South Coast Highway, Denmark
15 May	Council Chambers, 953 South Coast Highway, Denmark
19 June	Council Chambers, 953 South Coast Highway, Denmark
17 July	Council Chambers, 953 South Coast Highway, Denmark
21 August	Council Chambers, 953 South Coast Highway, Denmark
18 September	Council Chambers, 953 South Coast Highway, Denmark

16 October	Council Chambers, 953 South Coast Highway, Denmark
20 November	Council Chambers, 953 South Coast Highway, Denmark
18 December	Council Chambers, 953 South Coast Highway, Denmark

The Officer recommends that the first meeting be held in February 2018. This will allow Officers sufficient time to prepare reports and the Agenda for distribution to Councillors prior to the meeting date, noting that the office will be closed from 25 December 2017 to 1 January 2018, re-opening on the 2 January 2018. To hold a meeting any earlier than this may result in there being no, or very few, items on the Agenda, given that a number of employees could also be taking extended leave over this Christmas / New Year period.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>		ITEM 8.5.1
MOVED: CR GIBSON		SECONDED: CR LEWIS
That with respect to the Meetings of Council to be held in 2018, Council;		
1. Retain a 4.00pm commencement time for all Ordinary Council meetings in 2018.		
2. Endorse the proposed dates for the Ordinary Council meetings in 2018 as shown in the Officer Report, with the first meeting commencing on Tuesday, 20 February 2018;		
3. Pursuant to Policy P040103, host two Locality (Kent/Nornalup) Ward Meetings for the interest of residents, ratepayers and community organisations at the Peaceful Bay Progress Association Hall and the Tingledale Hall at times and dates to be determined by the Chief Executive Officer in conjunction with the Shire President, the Progress Association and Tingledale Hall Committee, and widely advertise those times & dates prior to the meetings.		
4. Advertise the dates, times and locations in part 2 and 3 in the Denmark Bulletin, Walpole Weekly, on Council’s website and on Council’s Notice Boards.		
CARRIED UNANIMOUSLY: 9/0		Res: 091117

MOVED: CR LEWIS	SECONDED: CR WHOOLEY
That Council suspend Standing Orders to allow open discussion on Item 8.5.2.	
CR LEWIS WITHDREW THE MOTION	

**5.48pm - Public Question Time**

*The Shire President stated that given that the time was almost 6.00pm and Council was about to consider Item 8.5.2 which was expected to take some time, the second public question time would commence. Cr Gearon called for questions from members of the public.*

**Mr Geoff Bowley – Item 8.5.2 (Council Committees and Working Groups and Appointment of Council Delegates)**

Mr Bowley referred to the Sport and Recreation Plan Working Group and asked whether the Working Group could consider water based activities as part of the overall Sport & Recreation Plan for the Shire of Denmark. Mr Bowley referred to the terms of reference, noting that it referred to McLean Park and the High School Oval, and asked that it be broadened to include the Riverside Club Stage Two project.

The Chief Executive Officer advised that he was aware that the Riverside Club Stage Two proposal had been with the Shire for a few months and that the intention was for it to be submitted to the Council in order to advertise the proposal. Mr Parker stated that Council Officers would need to try and put some financial rigour round the project so that it could potentially be included in the Corporate Business Plan. Mr Parker said that the Sport & Recreation Plan consultant was

aware of the Riverside Club Stage Two project and now it was a matter of figuring out how it could all be considered together.

Cr Lewis added that she was a member of the Working Group and advised that they were considering all forms of sport and recreation including snorkel trails, mountain biking and horse riding. Cr Lewis invited the community to provide their input when the draft plan was advertised for public comment.

<b>COUNCIL RESOLUTION</b>	
MOVED: CR GIBSON	SECONDED: CR PHILLIPS
That Council adjourn for a short break, the time being 5.58pm	
CARRIED UNANIMOUSLY: 9/0	Res: 101117

<b>COUNCIL RESOLUTION</b>	
MOVED: CR GIBSON	SECONDED: CR CARON
That Council resume the meeting, the time being 6.06pm.	
CARRIED UNANIMOUSLY: 9/0	Res: 111117

*Prior to consideration of Item 8.5.2 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 Denmark Lions Club and as a consequence there may be a perception that his impartiality on this matter may be affected. Cr Seeney declared that he will consider this matter on its merits and vote accordingly.*

<b>COUNCIL RESOLUTION</b>	
MOVED: CR GIBSON	SECONDED: CR CARON
That Council suspend Standing Orders to allow open discussion on Item 8.5.2.	
CARRIED UNANIMOUSLY: 9/0	Res: 121117

*7.15pm – The Director of Planning & Sustainability left the room.*

<b>COUNCIL RESOLUTION</b>	
MOVED: CR WHOOLEY	SECONDED: CR LEWIS
That Council resume Standing Orders.	
CARRIED UNANIMOUSLY: 9/0	Res: 131117

<p><b>8.5.2 COUNCIL COMMITTEES AND WORKING GROUPS AND APPOINTMENT OF COUNCIL DELEGATES</b></p>
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<b>File Ref:</b>	Various
<b>Applicant / Proponent:</b>	Various
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	6 November 2017
<b>Author:</b>	Claire Thompson, Executive Assistant
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	8.5.2a – Committee Charters 8.5.2b – Working Group Terms of Reference (new and current) 8.5.2c – Current Committees and Delegates List

**Summary:**

Council are asked to review and/or establish Working Groups and Council Committees as well as nominate Council delegates to a number of external organisations and/or committees.

**Background:**

Whilst not a statutory requirement, following each Local Government Election it is considered good practice for Council to take the opportunity to review its committee and working group structure. This process also enables Council to appoint current Elected Member delegates to external organisations.

**Consultation:**

Council Committees and Working Groups were discussed at the Strategic Briefing held on Tuesday, 17 October 2017 with the CEO, Directors and the Executive Assistant who also provided comment and input.

**Statutory Obligations:**

Section 5.8 to 5.10 of the Local Government Act 1995 relates to Council Committees.

*5.8. Establishment of committees*

*A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

*5.9. Committees, types of*

*(1) In this section —*

*other person means a person who is not a council member or an employee.*

*(2) A committee is to comprise —*

- a) council members only; or*
- b) council members and employees; or*
- c) council members, employees and other persons; or*
- d) council members and other persons; or*
- e) employees and other persons; or*
- f) other persons only.*

*5.10. Committee members, appointment of*

*(1) A committee is to have as its members —*

- a) *persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- b) *persons who are appointed to be members of the committee under subsection (4) or (5).*
- (2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*
- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.*
- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*
- a) *to be a member of the committee; or*
- b) *that a representative of the CEO be a member of the committee,*
- the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee."*

Division 1A, Section 7.1A of the Local Government Act 1995 and the Local Government (Audit) Regulations 1996 relate to the Audit Advisory Committee and is referred to within the comment section of the report.

Section 67 of the Bush Fires Act 1954 relates to the Bush Fire Advisory Committee and is referred to within the comment section of the report.

Section 38 (1) of the Emergency Management Act 2005 relates to the Local Emergency Management Committee and is referred to within the comment section of the report.

Section 45 of the Heritage of Western Australia Act 1990 relates to the Municipal Heritage Inventory and is referred to within the comment section of the report.

**Policy Implications:**

Policy P040235 – Presiding Members of Council Committees relates and reads as follows;

“Objectives

- *To maximise the adherence of Council Committees to adopted policies and procedures;*
- *To maximise the likelihood of Council Committees having continuity of a Presiding Person for the duration of its term; and*
- *To maximise the efficiency and effectiveness of Committees by ensuring that the Chairperson has the appropriate training and support.*

Policy

Wherever there is one or more Elected Members appointed to a Council Committee, then it is Council Policy that the members of the Committee should elect one of those Elected Members to the role of Presiding Person of that Committee.

*In addition, a deputy or a member of a Committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause and a deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member (Section 5.11A of the Local Government Act 1995)."*

Given the recommended establishment and re-establishment of many Council Working Groups, the Author recommends that Council amend the policy such that it reads as follows.

*"P040235 – Presiding Members of Council Committees and Working Groups*

Objectives

- To maximise the adherence of Council Committees and Working Groups to adopted policies and procedures;
- To maximise the likelihood of Council Committees and Working Groups having continuity of a Presiding Person for the duration of its term; and
- To maximise the efficiency and effectiveness of Committees and Working Groups by ensuring that the Chairperson has the appropriate training and support.

Policy

Wherever there is one or more Elected Members appointed to a Council Committee or Working Group, then it is Council Policy that the members of the Committee should elect one of those Elected Members to the role of Presiding Person of that Committee.

*A Presiding Person, and if required a Deputy, is to be elected using the same method as detailed in Section 5.12 of the Local Government Act 1995.*

*In addition, a A deputy of a member of a Committee or Working Group may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause and a deputy of a member of a Committee or Working Group, while acting as a member, has all the functions of and all the protection given to a member (Section 5.11A of the Local Government Act 1995)."*

**Budget / Financial Implications:**

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

**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:

Draft Strategic Community Plan

## L5.0 Our Local Government

ASPIRATION: The Shire of Denmark is recognised as a transparent, well governed and effectively management Local Government.

L5.1 To be high functioning, open, transparent, ethical and responsive.

L5.3 To be decisive and to make consistent and well considered decisions.



Details of Strategic Alignment with the draft Strategic Community Plan has been included within each Committee Charter and Terms of Reference.

### Corporate Business Plan

GOVERNANCE OBJECTIVE – 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.

#### GOVERNANCE GOALS & ACTIONS

- 4.1 Planning – work with other relevant authorities and agencies to develop and implement planning policies and decisions that not only reflect the wishes of the community, but also provide the region with appropriate development options.
  - 4.1.2 Ensure that a system of processes through which the Shire conducts its decision making and directs, controls, and monitors the operation of the organisation, is implemented and maintained.
- 4.2 Structure – ensures that it has a structure that is transparent, trustworthy, flexible, consultative and collaborative, and is able to attract and retain a high standard of Councillors and Senior Management.
  - 4.2.2 Ensures that agendas and minutes are prepared and Council and Committee meetings are held in accordance with the appropriate legislation, Local Law, policies and corporate standards.
- 4.4 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 community.
  - 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:**

Council Committee and Working Groups provide consultative structure to assist the Council with its decision making and its delivery of projects and provision of services and facilities.

Council Delegates provides a conduit between the Council and external organisations as well as fulfilling the Council's role in some required positions, such as the Southern Joint Development Assessment Panel.

##### ➤ **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 economic implications 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 choose not to establish or appoint Councillors to Council Committees, Working Group or external organisations.	Rare (1)	Minor (2)	Low (1-4)	Not Meeting Community expectations	Accept Officer Recommendation

**Comment/Conclusion:**

A Committee can be defined as a group of people appointed for a specific function by a larger group and typically consisting of members of that group. A Committee is generally ongoing and does not have specific tasks to undertake within a required timeframe.

A Working Group can be defined as a group appointed to study, report and/or undertake a specific question or project. Generally a Working Group has a specific goal or project and has a sunset clause when they will cease to exist following conclusion of the project or set task.

A copy of the existing Committees, Working Groups and Delegates is attached (refer Attachment 8.5.2c).

The Charters for each Advisory Committee are attached (refer Attachment 8.5.2a).

The Terms of Reference and Membership for each Working Group are attached (refer Attachment 8.5.2b).

Information regarding appointments to external organisations or agencies is listed below.

**A. CURRENT COUNCIL COMMITTEES**

**AUDIT ADVISORY COMMITTEE**

This Committee is required to be established pursuant to Section. 7.1A of the Local Government Act 1995.

**7.1A. Audit committee**

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.  
\* Absolute majority required
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

**7.1B. Delegation of some powers and duties to audit committees**

- (1) *Despite section 5.16, the only powers and duties that a local government may delegate\* to its audit committee are any of its powers and duties under this Part other than this power of delegation.*

*\* Absolute majority required.*

- (2) *A delegation to an audit committee is not subject to section 5.17.*

#### Officer comment

In response to the Councillors discussion at the Strategic Briefing, the Officer has recommended that the membership of the Audit Advisory Committee be changed from 9 Councillors to 6 Councillors and 3 community members. The community member positions will be advertised and members will be appointed by the Council (pursuant to Section 5.10 of the Local Government Act 1995).

A draft Charter is attached (refer Attachment 8.5.2a) which includes a change to Item 6.5 being the deletion of Section 7.12A of the Local Government Act 1995. The requirement detailed under this Section is undertaken by the Chief Executive Officer pursuant to Section 5.41, Functions of CEO, and does not need to be delegated to the Audit Advisory Committee.

#### **BUSH FIRE ADVISORY COMMITTEE**

This Committee is not required to be established under legislation however Section 67 of the Bush Fires Act 1954 states that “a local government may” establish a bush fire committee.

#### **67. Advisory committees**

- (1) *A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.*
- (2) *A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.*
- (3) *In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —*
- a) make rules for the guidance of the committee; and*
  - b) accept the resignation in writing of, or remove, any member of the committee; and*
  - c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.*
- (4) *A committee appointed under this section —*
- a) may from time to time meet and adjourn as the committee thinks fit;*
  - b) shall not transact business at a meeting unless the quorum fixed by the local government is present;*
  - c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.*

#### Officer Comment

In response to the Councillors discussion at the Strategic Briefing, the Officer has recommended that the Bushfire Risk Planning Coordinator position be included as a non-voting member.

A draft Charter is attached (refer Attachment 8.5.2a).

#### CEMETERY ADVISORY COMMITTEE

This Committee is not required to be established under legislation. It has a general function, is ongoing and does not have specific tasks to undertake within a required timeframe. However, given that the Shire of Denmark is required to comply with the Cemeteries Act 1986 and the Cemetery Local Law, it is recommended that the Committee continue in its current form to provide guidance to Shire Administration Officers and make recommendations to Council if required.

A draft Charter is attached (refer Attachment 8.5.2a).

#### DISABILITY ADVISORY COMMITTEE

This Committee is not required to be established under legislation. It has general and specific functions, is ongoing and has some specific tasks to undertake within required statutory timeframes. All public authorities in WA (including local governments) are required to have a current Disability Access and Inclusion Plan (pursuant to the Disability Services Act 2003), implement and review the plan and report annually to the Minister on the 7 legislated outcomes. For this reason, it is recommended that the Committee continue in its current form to under the tasks as per its Terms of Reference.

A draft Charter is attached (refer Attachment 8.5.2a) which includes an amendment to the Committee's vision to make it consistent with Council Policies P110709 and P110710.

#### LOCAL EMERGENCY MANAGEMENT COMMITTEE

This Committee is required to be established pursuant to Section 38 (1) of the Emergency Management Act 2005.

#### 38. *Local emergency management committees*

- (1) *A local government is to establish one or more local emergency management committees for the local government's district.*
- (2) *If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.*
- (3) *A local emergency management committee consists of —*
  - a) *a chairman and other members appointed by the relevant local government in accordance with subsection (4); and*
  - b) *if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.*
- (4) *Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.*

A draft Charter is attached (refer Attachment 8.5.2a).

#### MUNICIPAL HERITAGE INVENTORY ADVISORY COMMITTEE

This Committee is not required to be established by legislation. In light of the new Heritage Act (which is anticipated to replace the current Heritage of Western Australia Act 1990 in mid 2018) introducing provisions to modify Municipal Heritage Inventories to Local Heritage Surveys and removal of the legislative requirement for a review process, it is recommended that the Advisory Committee be discontinued for the time being and in due course (i.e. as part of any review

provisions pertaining to a Local Heritage Survey and/or future Local Planning Scheme No. 4 considerations pertaining to Heritage Lists) a Working Group be established then.

#### PATHS AND TRAILS ADVISORY COMMITTEE

This Committee is not required to be established by legislation. The Director of Infrastructure Services recommends that the Paths and Trails Advisory Committee be discontinued as a Council Committee and established as the *Paths and Trails Development Plan Working Group* with the following objective, "To develop a Paths and Trails Development Plan consistent with the Transport and Recreation Asset Management Plans such that projects are prioritised for funding consideration by Council and/or external funding bodies".

A draft Working Group Terms of Reference is attached (refer Attachment 8.5.2b).

#### ROADWISE ADVISORY COMMITTEE

This Committee is not required to be established by legislation however the Director of Infrastructure Services recommends that the Roadwise Advisory Committee be retained in its current format given that it deals with a range of matters at each meeting.

A draft Charter is attached (refer Attachment 8.5.2a).

#### SENIORS ADVISORY COMMITTEE

This Committee is not required to be established by legislation. The Committee has been working on implementing the 2011 Age Friendly Community Study which is due for review however it was considered pertinent to await the adoption of the Strategic Community Plan (SCP) to ensure that any review was consistent with the aspirations and objectives of the SCP. Whilst the Committee is also tasked with reviewing the Council's Seniors Policy P080601, the Author considers that this should also be reviewed in line with the SCP.

The Chief Executive Officer recommends that the Seniors Advisory Committee be discontinued, at this stage, as a Council Committee and established as a Working Group(s) when specific projects are identified under the SCP and the Corporate Business Plan.

#### SUSTAINABILITY ADVISORY COMMITTEE

This Committee is not required to be established by legislation. The Director of Planning & Sustainability recommends that it be discontinued as a Council Committee and established as the *Sustainability Strategy Working Group* with the following objective, "Develop a Sustainability Strategy for the Shire of Denmark at a corporate level".

A draft Working Group Terms of Reference is attached (refer Attachment 8.5.2b).

#### WASTE MANAGEMENT ADVISORY COMMITTEE

This Committee is not required to be established by legislation. The Director of Infrastructure Services recommends that it be discontinued as a Council Committee and established as the *Peaceful Bay Waste Facility Development Plan Working Group* with the following objective, "To develop a Development Plan for the Peaceful Bay Waste Management Facility to guide future site works, operations and management in compliance with existing and potential upcoming regulatory requirements".

A draft Working Group Terms of Reference is attached (refer Attachment 8.5.2b).

#### OCCUPATIONAL SAFETY & HEALTH COMMITTEE

This Committee is established by the Chief Executive Officer. The Charter is developed by the CEO and amended from time to time as required.

## **B. REVIEW OF COUNCIL WORKING GROUPS**

The following Working Groups are currently already established.

### **MCLEAN PARK USER GROUP**

This User Group is operational only and was set up by the Manager of Recreation & Youth Services as a way of ensuring continuing consultation with the users of McLean Park.

The Author recommends that this user group be removed from the Council Committees and Delegates list as it does not require Council endorsement and does not have Councillor representation.

### **MCLEAN PARK OVERFLOW CAMPING GROUP WORKING GROUP**

This Working Group is established pursuant to the adopted McLean Park Overflow and Emergency Evacuation Accommodation Management Plan and the Author recommends that it be retained and a Council Delegate appointed.

A draft Terms of Reference is attached (refer Attachment 8.5.2b).

### **OCEAN BEACH AND PEACEFUL BAY FORESHORE CONCEPT PLAN WORKING GROUP**

Established in October 2015 the Working Group's project is ongoing and the Director of Planning & Sustainability recommends that it be continued.

It is also recommended that the membership be retained to enable continuity. The current members are as follows.

- 2 x Councillors;
  - Cr Mark Allen
  - Cr Ceinwen Gearon
- 1 x Denmark Surf Life Saving Club representative;
  - Martin Norwood
- 1 x Peaceful Bay Progress Association representative;
  - Mavis Jones
  - Janine Phillips (Deputy)
- 1 x South Coast Natural Resource Management representative;
  - Brett Dal Pozzo
- 2 x Community members;
  - Lee Shelley
  - Diane Harwood
- Director of Planning & Sustainability
- Director of Infrastructure Services
- Sustainability Officer

A draft Terms of Reference is attached (refer Attachment 8.5.2b).

### **RIVERMOUTH PRECINCT DEVELOPMENT CONCEPT PLAN WORKING GROUP**

The Director of Planning & Sustainability recommends that the Working Group be continued as it is envisaged that there will likely be another meeting after public advertising of the plan.

It is also recommended that the membership be retained to enable continuity. The current members are as follows.

- 2 x Councillors;

Cr Peter Caron  
 Cr Ceinwen Gearon  
 4 x Community members;  
 John Taylor  
 John Xanthis  
 Sonya Stewart  
 Barry Stewart  
 Director of Planning & Sustainability  
 Director of Community & Regulatory Services

A draft Terms of Reference is attached (refer Attachment 8.5.2b).

#### SPORT AND RECREATION PLAN WORKING GROUP

Established in February 2017 the Working Group's project is ongoing and the Director of Finance & Administration recommends that it be continued and that the membership be retained to enable continuity. The current members are as follows;

2 x Councillors;  
 Cr Mark Allen  
 Cr Jan Lewis  
 1 x McLean Park User Group representative;  
 Glen Burton  
 1 x Department of Education representative;  
 Ken Davies (Denmark Seniors High School)  
 3 x Community representatives;  
 Chris Venkatachalam  
 Bernie Wong  
 Katy Pearce  
 Director of Finance and Administration  
 Manager of Recreation and Youth Services

A draft Terms of Reference is attached (refer Attachment 8.5.2b).

#### YOUTH ADVISORY COUNCIL

The Director of Finance & Administration recommends that this group be discontinued for the time being until projects and themes are identified through the Strategic Community Plan.

### C. PROPOSED NEW COUNCIL WORKING GROUPS

As detailed under Part A the following Working Groups have been recommended to be established as opposed to the continuation of them as formal Council Committee.

- MUNICIPAL HERITAGE INVENTORY WORKING GROUP  
Formally the Municipal Heritage Inventory Advisory Committee.
- PATHS & TRAILS DEVELOPMENT PLAN WORKING GROUP  
Formally the Paths & Trails Advisory Committee.
- SUSTAINABILITY STRATEGY WORKING GROUP  
Formally the Sustainability Advisory Committee.
- PEACEFUL BAY WASTE FACILITY DEVELOPMENT PLAN WORKING GROUP  
Formally the Waste Management Advisory Committee.

“SUPER SHED” BUILDING PROPOSAL WORKING GROUP

The Director of Planning & Sustainability recommends that a new Working Group be established with the following objective, “To develop the “Super Shed” building proposal at the Denmark Historical Railway Station No. 3 Precinct such that the project is “shovel-ready” for funding consideration by Council and/or external funding bodies”.

A draft Terms of Reference is attached (refer Attachment 8.5.2b).

#### LIGHTS BEACH CONCEPT PLAN WORKING GROUP

The Director of Infrastructure Services recommends that a new Working Group be established with the following objective, “To develop a Concept Plan to provide detail on upgrade of existing and provision of new facilities in the proposed Lights Beach area such that the project is “shovel-ready” for funding consideration by Council and/or external funding bodies”.

A draft Terms of Reference is attached (refer Attachment 8.5.2b).

### **D. DELEGATES TO EXTERNAL ORGANISATIONS**

Council Officer Appointments (for Council’s information only)

- A SMART START COMMUNITY COMMITTEE  
Council’s Senior Librarian
- GREAT SOUTHERN GROUP OF COUNCILS – STRATEGIC WASTE MINIMISATION COMMITTEE  
Director of Infrastructure Services  
Waste & Compliance Officer
- GREAT SOUTHERN REGIONAL WATER REFERENCE ADVISORY GROUP  
Chief Executive Officer or nominee
- TIMBER ROADS OPERATIONS GROUP (TROG) – GREAT SOUTHERN  
Director of Infrastructure Services

External Organisations or Committees that require a Council Delegate due to legislation, their charter / constitution or in accordance with a Deed or Agreement.

Council is requested to nominate a delegate for each of the following Councillor positions.

- DENMARK CHAMBER OF COMMERCE INC.  
1 x Councillor
- DENMARK HIGH SCHOOL OVAL MANAGEMENT COMMITTEE  
Manager of Recreation & Youth Services  
1 x Councillor
- DENMARK TOURISM INC. BOARD  
1 x Councillor
- EQUESTRIAN CLUB WORKING GROUP  
1 x Councillor
- GREAT SOUTHERN REGIONAL ROAD GROUP  
Director of Infrastructure Services (non-voting)  
1 x Councillor



1 x Councillor (Deputy)

- LOWER GREAT SOUTHERN ALLIANCE  
Shire President, Cr Ceinwen Gearon  
2 x Councillor  
1 x Councillor (Deputy)
- SOUTHERN JOINT DEVELOPMENT ASSESSMENT PANEL  
Appointments are subject to the approval of the Minister for Planning. Ministerial approval received 26 July 2017. Current members were approved 26 July 2017 with their appointments due to expire 26 July 2018. There is a training requirement for Councillors that seek to nominate for the Assessment Panel.

Current membership is as follows;

Cr David Morrell (Member)  
Cr Rob Whooley (Member)  
Cr Ceinwen Gearon (Alternate Member)  
Cr Janine Phillips (Alternate Member)

Council need to appoint a new member to replace Cr Morrell.

Council has the option to:

- Nominate a replacement Member, in place of Cr Morrell.
  - Change one of the Alternate Members to a Member and nominate a replacement Alternate Member.
  - Nominate all new Members and/or Alternate Members.
- SOUTH COAST MANAGEMENT GROUP  
Sustainability Officer  
2 x Councillors  
Vacant (community representative)  
Vacant (community representative)
  - WA LOCAL GOVERNMENT ASSOCIATION (WALGA) – GREAT SOUTHERN ZONE  
There are 12 WALGA Zones which are each groups of geographically aligned members responsible for the purposes of:
    - Director Elections of State Councillors;
    - Input into policy formulation; and
    - Advise on matters.

Member Councils of the Great Southern Zone are: Albany, Broomehill-Tambellup, Cranbrook, Denmark, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Plantagenet and Woodanilling.

Meetings are typically held every two months at one of the member Council locations.

2 x Councillors

External Organisations or Committees that seek a Council Delegate or the Council has previously determined that it should have ongoing representation with.

- DENMARK AQUATIC CENTRE COMMITTEE INC.  
2 x Councillors

- DENMARK ARTS INC.  
1 x Councillor
- DENMARK COMMUNITY RESOURCE CENTRE INC. COMMITTEE  
1 x Councillor
- DENMARK HEALTH HUB  
1 x Councillor
- DENMARK HISTORICAL SOCIETY INC.  
1 x Councillor
- DENMARK TIDY TOWNS COMMITTEE INC.  
1 x Councillor
- GREAT SOUTHERN RECREATION ADVISORY GROUP  
Manager of Recreation & Youth Services  
1 x Councillor
- LAKE MUIR / DENBARKER COMMUNITY FERAL PIG ERADICATION GROUP  
1 x Councillor
- NORNALUP RATEPAYERS & RESIDENTS ASSOCIATION INC. (NRRA)  
1 x Councillor  
1 x Councillor (Deputy)
- PARRY'S BEACH VOLUNTARY MANAGEMENT GROUP INC.  
1 x Councillor
- PEACEFUL BAY PROGRESS ASSOCIATION INC. (PBPA)  
1 x Councillor  
1 x Councillor (Deputy)
- WA AGRICULTURAL COLLEGE – DENMARK AGRICULTURAL ADVISORY COMMITTEE  
1 x Councillor
- WA AGRICULTURAL COLLEGE – DENMARK DECISION MAKING COMMITTEE  
1 x Councillor
- WALPOLE WORK CAMP COMMITTEE (Department of Corrective Services)  
1 x Councillor
- WILSON INLET CATCHMENT COMMITTEE INC. (WICC)  
1 x Councillor

#### **E. DISCONTINUING DELEGATES TO EXTERNAL ORGANISATIONS**

The following are previous delegate positions which are no longer required and/or recommended to be removed.

- DEPARTMENT OF PLANNING – LOWER GREAT SOUTHERN STRATEGY

The Department of Planning, Lands and Heritage have advised that his advisory group is no longer required.

- **INTERAGENCY WEED COMMITTEE**  
This Committee is no longer operating, noting that it only operated at an Officer level and there were no Council Delegates.
- **NORNALUP FORESHORE COMMUNITY WORKING GROUP**  
The Department of Biodiversity, Conservation and Attractions have advised that this Committee is no longer required.
- **SOUTH COAST NATURAL RESOURCE MANAGEMENT INC. – PROJECT DIEBACK REFERENCE GROUP WEST**  
This Group has been disbanded as there are no funds available.
- **WILSON INLET MANAGEMENT STRATEGY MANAGEMENT GROUP**  
This Group is no longer required.
- **DENMARK RIVERSIDE PROJECT TEAM**  
Stage One of the project has been completed. Stage Two to be considered with the Sport & Recreational Plan.

**Voting Requirements:**

Absolute majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.5.2 a)
MOVED: CR GIBSON	SECONDED: CR LEWIS
That resolves to establish the following Council Committees with the membership and terms of reference as per the draft Charters attached to the report;	
<ol style="list-style-type: none"> <li>1. Audit Advisory Committee and appoint Cr Gibson, Cr Caron, Cr Whooley, Cr Phillips, Cr Gearon and Cr Osborne as the Council Members and advertise for community members;</li> <li>2. Bush Fire Advisory Committee and appoint Cr Allen as the Council Member and Cr Seeney as the Deputy Member;</li> <li>3. Cemetery Advisory Committee and appoint Cr Seeney as the Council Member and advertise for community members;</li> <li>4. Disability Advisory Committee and appoint Cr Allen as the Council Member and advertise for community members;</li> <li>5. Local Emergency Management Committee and appoint the Shire President, Cr Gearon and Cr Seeney as a member and appoint the Shire President as the Chairperson;</li> <li>6. Roadwise Advisory Committee and appoint Cr Seeney as the Council Member and Cr Gibson as the Deputy Member.</li> </ol>	
CARRIED UNANIMOUSLY AND BY AN ABSOLUTE MAJORITY: 9/0	
Res: 141117	

**OFFICER RECOMMENDATION**

ITEM 8.5.2 b)

That Council resolves to establish or continue the following Working Groups with the Terms of Reference and membership being as per the drafts attached to the report;

1. Establish a Municipal Heritage Inventory Working Group and appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as the Council Members and advertise for community members;
2. Establish a Paths and Trails Development Plan Working Group and appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as the Council Members and advertise for community members;

3. Establish a Sustainability Strategy Working Group and appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as the Council Members and advertise for community member positions;
4. Establish a Peaceful Bay Waste Facility Development Plan Working Group and appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as the Council Members and advertise for the community member position;
5. Retain the McLean Park Overflow Camping Ground Working Group and appoint Cr \_\_\_\_\_ as the Council member;
6. Continue the Ocean Beach and Peaceful Bay Foreshore Concept Plan Working Group and retain its current appointed members and reappoint Cr Allen and Cr Gearon as the Council Members;
7. Continue the Rivermouth Precinct Development Concept Plan Working Group and retain its current appointed members and reappoint Cr Caron and Cr Gearon as the Council Members;
8. Continue the Sport and Recreation Plan Working Group and retain its current appointed members and reappoint Cr Allen and Cr Lewis as the Council Members;
9. Establish a “Super Shed” Building Proposal Working Group and appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as the Council members;
10. Establish a Lights Beach Concept Plan Working Group and appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ as the Council members and advertise for the community member positions.

**COUNCIL RESOLUTION**

ITEM 8.5.2 b)

MOVED: CR GIBSON

SECONDED: CR PHILLIPS

That Council resolves to establish or continue the following Working Groups with the Terms of Reference and membership being as per the drafts attached to the report, subject to the word “Committee” being corrected to “Working Group” where it appears in each of the Terms of Reference documents;

1. Establish a Paths and Trails Development Plan Working Group, increase the Councillor membership from two to three, and appoint Cr Lewis, Cr Gibson and Cr Allen as the Council Members and advertise for community members;
2. Retain the McLean Park Overflow Camping Ground Working Group and appoint Cr Osborne as the Council member;
3. Continue the Ocean Beach and Peaceful Bay Foreshore Concept Plan Working Group and retain its current appointed members and reappoint Cr Allen and Cr Gearon as the Council Members;
4. Continue the Rivermouth Precinct Development Concept Plan Working Group and retain its current appointed members and reappoint Cr Caron and Cr Gearon as the Council Members;
5. Continue the Sport and Recreation Plan Working Group, increase the Councillor membership from two to three, retain its current appointed members, reappoint Cr Allen and Cr Lewis as the Council Members and appoint Cr Phillips as an additional member;
6. Establish a Lights Beach Concept Plan Working Group and appoint Cr Lewis and Cr Whooley as the Council members and advertise for the community member positions.

CARRIED UNANIMOUSLY: 9/0

Res: 151117

7.18pm – The Director of Planning & Sustainability returned to the room.

REASONS FOR CHANGE

- Corrections to all of the Terms of Reference wording;
- Removal of the Municipal Heritage Inventory Working Group as it was not to be established pursuant to the Officer’s comments within the report;
- Removal of the Sustainability Strategy Working Group as Council wished to consider this as a separate item;

- *Appointment of an additional Councillor member on the Paths and Trails Development Plan Working Group;*
- *Appointment of an additional Councillor member on the Sport and Recreation Plan Working Group; and*
- *Removal of the “Super Shed” Building Proposal Working Group as Council wished to consider this as a separate item.*

OFFICER RECOMMENDATION

ITEM 8.5.2 c)

Council nominates the following delegates to other external organisations, committees, groups or agencies;

- DENMARK CHAMBER OF COMMERCE INC.  
Cr \_\_\_\_\_
- DENMARK HIGH SCHOOL OVAL MANAGEMENT COMMITTEE  
Manager of Recreation & Youth Services  
Cr \_\_\_\_\_
- DENMARK TOURISM INC. BOARD  
Cr \_\_\_\_\_
- EQUESTRIAN CLUB WORKING GROUP  
Cr \_\_\_\_\_
- GREAT SOUTHERN REGIONAL ROAD GROUP  
Director of Infrastructure Services (non-voting)  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_ (Deputy)
- LOWER GREAT SOUTHERN ALLIANCE  
Shire President, Cr Ceinwen Gearon  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_ (Deputy)
- SOUTHERN JOINT DEVELOPMENT ASSESSMENT PANEL  
Cr \_\_\_\_\_ as a Member
- SOUTH COAST MANAGEMENT GROUP  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_ (Deputy)
- WA LOCAL GOVERNMENT ASSOCIATION (WALGA) – GREAT SOUTHERN ZONE  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_
- DENMARK AQUATIC CENTRE COMMITTEE INC.  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_
- DENMARK ARTS INC.  
Cr \_\_\_\_\_
- DENMARK COMMUNITY RESOURCE CENTRE INC. COMMITTEE  
Cr \_\_\_\_\_
- DENMARK HEALTH HUB  
Cr \_\_\_\_\_
- DENMARK HISTORICAL SOCIETY INC.  
Cr \_\_\_\_\_
- DENMARK RIVERSIDE PROJECT TEAM  
Manager of Recreation & Youth Services  
Cr \_\_\_\_\_
- DENMARK TIDY TOWNS COMMITTEE INC.  
Cr \_\_\_\_\_
- GREAT SOUTHERN RECREATION ADVISORY GROUP

- Manager of Recreation & Youth Services  
Cr \_\_\_\_\_
- LAKE MUIR / DENBARKER COMMUNITY FERAL PIG ERADICATION GROUP  
Cr \_\_\_\_\_
- NORNALUP RATEPAYERS & RESIDENTS ASSOCIATION INC. (NRRA)  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_ (Deputy)
- PARRY’S BEACH VOLUNTARY MANAGEMENT GROUP INC.  
Cr \_\_\_\_\_
- PEACEFUL BAY PROGRESS ASSOCIATION INC. (PBPA)  
Cr \_\_\_\_\_  
Cr \_\_\_\_\_ (Deputy)
- WA AGRICULTURAL COLLEGE – DENMARK AGRICULTURAL ADVISORY COMMITTEE  
Cr \_\_\_\_\_
- WA AGRICULTURAL COLLEGE – DENMARK DECISION MAKING COMMITTEE  
Cr \_\_\_\_\_
- WALPOLE WORK CAMP COMMITTEE (Department of Corrective Services)  
Cr \_\_\_\_\_
- WILSON INLET CATCHMENT COMMITTEE INC. (WICC)  
Cr \_\_\_\_\_

<b>COUNCIL RESOLUTION</b>	ITEM 8.5.2 c)
MOVED: CR ALLEN	SECONDED: CR CARON

Council nominates the following delegates to other external organisations, committees, groups or agencies;

- DENMARK CHAMBER OF COMMERCE INC.  
Cr Gibson
- DENMARK HIGH SCHOOL OVAL MANAGEMENT COMMITTEE  
Manager of Recreation & Youth Services  
Cr Lewis
- DENMARK TOURISM INC. BOARD  
Cr Allen
- EQUESTRIAN CLUB WORKING GROUP  
Cr Phillips
- GREAT SOUTHERN REGIONAL ROAD GROUP  
Director of Infrastructure Services (non-voting)  
Cr Whooley  
Cr Seeney (Deputy)
- LOWER GREAT SOUTHERN ALLIANCE  
Shire President, Cr Ceinwen Gearon  
Cr Caron  
Cr Lewis  
Cr Whooley (Deputy)
- SOUTHERN JOINT DEVELOPMENT ASSESSMENT PANEL  
Cr Phillips as a Member

Cr Osborne as an Alternate Member

- SOUTH COAST MANAGEMENT GROUP  
Cr Caron  
Cr Phillips (Deputy)
- WA LOCAL GOVERNMENT ASSOCIATION (WALGA) – GREAT SOUTHERN ZONE  
Cr Gearon  
Cr Phillips
- DENMARK AQUATIC CENTRE COMMITTEE INC.  
Cr Gibson  
Cr Whooley
- DENMARK ARTS INC.  
Cr Caron
- DENMARK COMMUNITY RESOURCE CENTRE INC. COMMITTEE  
Cr Whooley

6.55pm – *Cr Gibson left the room.*

- DENMARK HISTORICAL SOCIETY INC.  
Cr Caron
- DENMARK TIDY TOWNS COMMITTEE INC.  
Cr Osborne

6.57pm – *Cr Gibson returned to the room.*

- GREAT SOUTHERN RECREATION ADVISORY GROUP  
Manager of Recreation & Youth Services  
Cr Whooley
- LAKE MUIR / DENBARKER COMMUNITY FERAL PIG ERADICATION GROUP  
Cr Allen
- NORNALUP RATEPAYERS & RESIDENTS ASSOCIATION INC. (NRRA)  
Cr Seeney  
Cr Phillips (Deputy)
- PARRY'S BEACH VOLUNTARY MANAGEMENT GROUP INC.  
Cr Lewis
- PEACEFUL BAY PROGRESS ASSOCIATION INC. (PBPA)  
Cr Phillips  
Cr Lewis (Deputy)
- WA AGRICULTURAL COLLEGE – DENMARK AGRICULTURAL ADVISORY COMMITTEE  
Cr Osborne
- WA AGRICULTURAL COLLEGE – DENMARK DECISION MAKING COMMITTEE

<p>Cr Osborne</p> <ul style="list-style-type: none"> <li>• WALPOLE WORK CAMP COMMITTEE (Department of Corrective Services) Cr Seeney</li> <li>• WILSON INLET CATCHMENT COMMITTEE INC. (WICC) Cr Caron</li> </ul> <p>CARRIED UNANIMOUSLY: 9/0</p>	<p>Res: 161117</p>
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**REASONS FOR CHANGE**

*Council removed provision for Delegates to the Denmark Health Hub and the Denmark Riverside Project Team.*

<p><b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b></p> <p>MOVED: CR SEENEY</p> <p>That Council amend Council Policy P040235 – Presiding Members of Council Committees as per the recommendation in the Policy Implications section of the report.</p> <p>CARRIED UNANIMOUSLY: 9/0</p>	<p>ITEM 8.5.2 d) SECONDED: CR GIBSON</p> <p>Res: 171117</p>
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<p><b>COUNCIL RESOLUTION</b></p> <p>MOVED: CR LEWIS</p> <p>That Council resolves to establish a Sustainability Strategy Working Group with the Terms of Reference being as per the draft attached to the report;</p> <ol style="list-style-type: none"> <li>1. Subject to;             <ol style="list-style-type: none"> <li>a) The word “Committee” being corrected to “Working Group” where it appears in each of the Terms of Reference documents;</li> <li>b) Amending the membership to include three (3) Councillor positions and seven (7) community member positions.</li> </ol> </li> <li>2. Appoint Cr Lewis, Cr Gibson and Cr Gearon as the Council Members and advertise for community member positions.</li> </ol> <p>CARRIED UNANIMOUSLY: 9/0</p>	<p>ITEM 8.5.2 e) SECONDED: CR CARON</p> <p>Res: 181117</p>
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**REASONS FOR CHANGE**

*Councillors believed that the Sustainability Strategy Working Group was important and that there were many Councillors with expertise who could contribute to the strategy. Councillors wished to retain the seven (7) community members, as was the membership with the previous Sustainability Advisory Committee as they believed that there were also many community members with expertise in sustainability who could make valuable contribution to the strategy.*



<b>COUNCIL RESOLUTION</b>	ITEM 8.5.2 f)
MOVED: CR WHOOLEY	SECONDED: CR CARON
<p>That Council resolves to establish a Heritage Precinct Building Proposal Working Group with the Terms of Reference being as per the draft "Super Shed" Working Group attached to the report;</p>	
<p>1. Subject to;</p> <ul style="list-style-type: none"> <li>a) The title of the Working Group being amended to the Heritage Precinct Building Proposal Working Group;</li> <li>b) The word "Committee" being corrected to "Working Group" where it appears in each of the Terms of Reference documents; and</li> <li>c) Amend the objective to read as follows, "To develop a building proposal at the Denmark Historical Railway Station No. 3 Precinct, to accommodate the Denmark Machinery Restoration Group, the Denmark Men's Shed, the Denmark Woodturners and the Denmark Lions Club, such that the project is "shovel-ready" for funding consideration by Council and/or external funding bodies. The Working Group will consider, but not be limited to, a 'super shed' concept.</li> </ul>	
<p>2. Appoint Cr Seeney and Cr Whooley as the Council Members.</p>	
CARRIED UNANIMOUSLY: 9/0	Res: 191117

**REASONS FOR CHANGE**

*Councillors wished to amend the title and objective of the Working Group so that the group can consider options other than a super shed. Whilst Councillors believed that a super shed has advantages they would prefer the objective to allow for flexibility in case a more preferable solution exists.*

<b>COUNCIL RESOLUTION</b>	ITEM 8.5.2 b)
MOVED: CR GIBSON	SECONDED: CR CARON
<p>That Council requests Council Officers to prepare a draft Charter for a Waste Management Advisory Committee and that it be presented to Council for consideration at the meeting to be held on 19 December 2017</p>	
CARRIED UNANIMOUSLY: 9/0	Res: 201117

**8.5.3 PROPOSED LEASES FOR INDUSTRIAL AREA AT NO. 99 (LOT 556) MCINTOSH ROAD, HAY**

<b>File Ref:</b>	A5604
<b>Applicant / Proponent:</b>	Aspect Modular & Denmark Concrete
<b>Subject Land / Locality:</b>	No. 99 (Lot 556) McIntosh Road, Hay
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	10 November 2017
<b>Author:</b>	Bill Parker, Chief Executive Officer
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	No

**Summary:**

The Shire of Denmark has been progressing towards a new industrial area for many years. The rezoning of the site is nearing completion, with construction to commence in January 2018 and practical completion forecast for April/May 2018.

The Shire has received two applications for early entry into the industrial area. Council initiated a disposal process in September 2017.

This item takes into consideration the feedback received during the statutory advertising period and seeks Council approval to progress the disposal in accordance with the Local Government Act 1995 and associated Regulations.

**Background:**

Within the Great Southern Regional Blueprint (GSDC, 2015), the need for 'general industry' lots within the Shire of Denmark was listed as a high regional priority. The Shire of Denmark has been working towards a new industrial area for many years, with funding announced to progress the project in 2016 as part of the Denmark East Development Precinct Project (DEDPP).

The DEDPP is a major component of the Shire's long term plan to revitalise Denmark's Central Business District. Building a new industrial hub for businesses outside of the CBD will help free up land in the town centre as well as reduce the number of truck movements in the main street.

In responding to the need for industrial land, the Shire purchased 99 (lot 556) McIntosh Road, Hay in 2015. The subject property comprises 11.9834 hectares of rural land that was identified in the Local Planning Strategy (LPS) as suitable for general industry purposes.

When accepting the DEDPP funding proposal from the Department of Regional Development, Landcorp was appointed as project manager. In addition to delivering project management services across the entire project, Landcorp's main function was to establish the new industrial area.

Since 2016, Landcorp has worked with the Shire to rezone lot 556 to 'general industry' and complete the detailed design to create approximately 8 lots. The original proposal was to create a higher density product, comprising 2,000spm lots. Upon completing extensive market research, the original lot size was far too small. The proposed subdivision now reflects the requirements of the market and offers lots from 4,000sqm to 1.9 hectares.

A recent meeting with the Department of Planning, Lands and Heritage and Landcorp has indicated that the rezoning is nearing completion with construction to commence in late 2017 or early 2018. Construction is forecast to be complete in May 2018 with titles released at this time.

Given these timeframes, the Shire has received two applications for early entry into the industrial area. The basis of the applications is that the two businesses need to secure premises as soon as possible.

To consider such a proposal, the Shire is required to undertake a statutory process. Section 3.58 of the Local Government Act 1995 applies to the disposal of property.

In accordance with Section 3.58 of the Local Government Act 1995, Council initiated the disposal process in September 2017. At this meeting it was resolved (Resolution No. 070917);

*That in relation to disposing of a portion of No. 99 (Lot 556) McIntosh Road Hay, Council;*

- 1. In accordance with section 3.58 (3) of the Local Government Act 1995, authorises the Chief Executive Officer to give local public notice of the proposed disposal to Aspect Modular and Denmark Concrete for a portion of the subject property.*
- 2. Endorses the terms of the proposed disposal to include;*
  - i) a period of up to 5 years;*
  - ii) consideration received to be based on a market valuation;*
  - iii) annual rent reviews based on the Perth (All Groups) Consumer Price Index; and*
  - iv) an option to purchase the interest at the conclusion of the lease, subject to all legislative disposal requirements being met.*
- 3. Considers any submissions made and the proposed lease document at the October Council Meeting.*

Immediately after the meeting, the Shire commissioned a licensed valuer to undertake the valuation. Due to workload and other factors, the Shire experienced a delay in receiving the valuation report and therefore the disposal was not advertised until Thursday, 26 October 2017.

The Shire has also not progressed preparing the lease documentation to alleviate incurring unnecessary expenditure if Council decides not to pursue the disposal. The Shire has established that the lease could be prepared concurrently with any development application without causing any unnecessary delay for the applicant.

### **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. In applying the statutory framework, the Shire was required to undertake a consultation process.

The Shire of Denmark advertised the disposal from Thursday 26 October 2017. The advertisement appeared on the Shire's website and Denmark Bulletin (edition 944).

The Shire also invited all individuals that had registered interest in the industrial area to a presentation facilitated by the Chief Executive Officer (CEO). The presentation explained the progress made to date, when lots will become available and also outline the applications for early entry. This meeting was conducted on Wednesday 1<sup>st</sup> November 2017 and was attended by approximately 10 stakeholders.

The stakeholders that attended the meeting were invited to meet individually with the CEO to discuss any concerns or support for the proposal.

In response to the advertising period, the Shire did not receive any formal submissions. The CEO met individually with two business owners.

### **Statutory Obligations:**

Section 3.58 of the Local Government Act 1995 applies to the disposal of property.

In addition to the disposal process, any development on the site will require development approval from both a planning and building perspective.

#### *3.58. Disposing of property*

*(1) In this section —*

*dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.*

*(2) Except as stated in this section, a local government can only dispose of property to —*

*(a) the highest bidder at public auction; or*

*(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

*(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

*(a) it gives local public notice of the proposed disposition —*

*(i) describing the property concerned; and*

*(ii) giving details of the proposed disposition; and*

*(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and*

*(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

*(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

*(a) the names of all other parties concerned; and*

*(b) the consideration to be received by the local government for the disposition; and*

*(c) the market value of the disposition —*

*(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*

*(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

*(5) This section does not apply to —*

*(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*

*(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*

*(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*

*(d) any other disposition that is excluded by regulations from the application of this section.*

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

The process to undertake the valuation and prepare the lease document will cost approximately \$4,400. The applicants have agreed to pay this amount.

If the disposal is enacted by Council, the Shire will receive rental income for a period of up to five years. The market value has been determined as \$2.00 per square metre per annum.

**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

*Development: closely monitor development and associated infrastructure needs in the region, and acts in conjunction with other authorities and agencies to plan development which is sensitive, timely and appropriate to the community’s needs.*

Corporate Business Plan

*3.2.1 Finalise the Demark East Development Precinct industrial land subdivision works.*

**Sustainability Implications:**

➤ **Governance:**

The Shire of Denmark will be required to comply with section 3.58 of the Local Government Act 1995.

➤ **Environmental:**

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

➤ **Economic:**

The early entry of businesses into the industrial area will secure local businesses in town, therefore creating employment opportunities.

➤ **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 decides not to lease the property and a business leaves town	Possible (3)	Moderate (3)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation
That Council is criticised for leasing the property	Possible (3)	Major (4)	High (10-16)	Inadequate Engagement - Community / Stakeholders / Crs	Control through keeping the community informed and conducting a transparent disposal process

**Comment/Conclusion:**

As highlighted previously, the Shire has received two applications to move into the new industrial area prior to the subdivision occurring and the release of titles. This would occur on land held in the Shire’s ownership, not on the land that will be sold by Landcorp.

Applicant one (Aspect Modular) is looking to establish a modular building company in Denmark. The applicant has moved to town and had originally planned to construct premises on rural land. The Shire was unwilling to entertain this proposal given that the zoning did not support an industrial land use. The applicant needs to secure a site as soon as possible and is currently investigating other options in surrounding local government areas.

Applicant two (Denmark Concrete) is an existing Denmark business that is looking to expand. The business currently sub leases a site and recent growth requires the business to invest in infrastructure upgrades. The business owners are unwilling to invest further unless they can secure land in the new industrial area as soon as possible.

During the public consultation period, general feedback from stakeholders suggested that the rationale applied by the Shire in considering the proposal to provide early entry into the subdivision to Aspect Modular was reasonable. This was mainly due to the business being new to town, not having a facility to operate from and a desire to create and maintain jobs locally.

In terms of Denmark Concrete, the feedback received suggests that stakeholders were less comfortable with this proposal. The feedback received suggests that a number of businesses are in a similar position to Denmark Concrete e.g. they have an existing site, its less than ideal and they need to invest to grow their business.

The public consultation period has been an important process to gauge stakeholder sentiment. Based on the information received, it is recommended that Council approve the application made by Aspect Modular and refuse the application made by Denmark Concrete.

The differentiation between the two applications is due to Denmark Concrete being in a similar position to a number of other local businesses. It could be considered unreasonable if the Shire provided early access to Denmark Concrete and not the other businesses in a similar position.

The proposed lot 8 will not have services in the initial stage, with the proponent required to provide water and power to the site via alternative means (e.g. rainwater tanks and generator) until services are available to the lot.

The subdivision would occur around the proponent with interruptions expected whilst roads, drains and other infrastructure is constructed.

The previous item presented to Council incorrectly referenced that lots 1,2,4,5,6,7 and 8 will be fully serviced and sold by Landcorp. The correct configuration does not include lot 8.

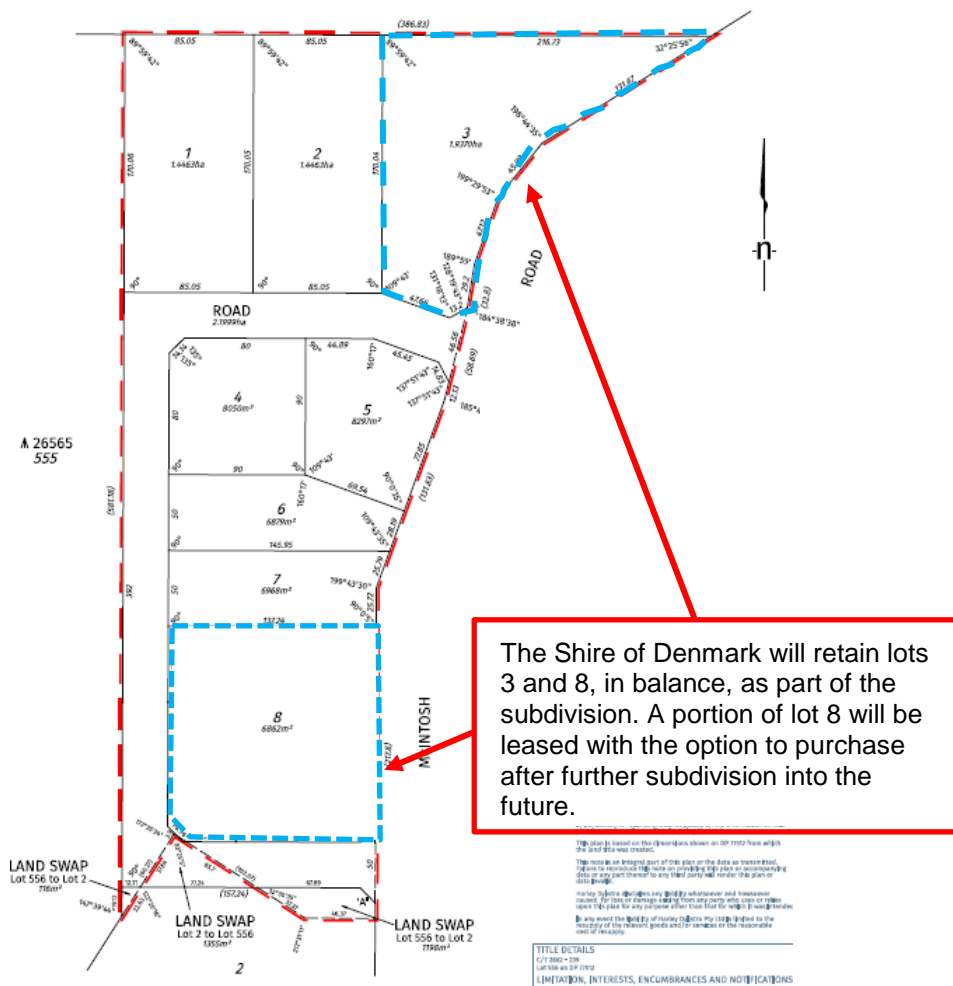


Figure 1: Proposed lot layout indicating the leased lot

The Shire has previously been criticised for not supporting local business and being inflexible and non-responsive. The recently drafted Strategic Community Plan was based on extensive community consultation and aims for the Shire of Denmark to be an attractive location to live, invest, study, visit and work. This includes providing diverse education and employment

opportunities. This disposal process demonstrates the Shire’s support for local business and the application of a proactive approach to support our local economy that will result in job creation.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.5.3a)
MOVED: CR ALLEN	SECONDED: CR LEWIS
That in relation to No. 99 (Lot 556) McIntosh Road Hay, Council;	
1. Agrees to dispose (lease) a portion of the subject property to Aspect Modular in accordance with the following conditions;	
i) A term not exceeding 5 years.	
ii) Consideration received to be based on market value (\$2.00 per square metre per annum).	
iii) Annual rent reviews based on the Perth (All Groups) Consumer Price Index.	
iv) An option to purchase the interest at the conclusion of the lease, subject to all legislative disposal requirements being met.	
v) Development approvals being obtained from all statutory authorities.	
2. Authorises the Chief Executive Officer to commence preparing the lease documentation.	
CARRIED UNANIMOUSLY: 9/0	Res: 211117

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.5.3b)
MOVED: CR ALLEN	SECONDED: CR SEENEY
That in relation to No. 99 (Lot 556) McIntosh Road Hay, Council refuses to dispose (lease) a portion of the subject property to Denmark Concrete as it could be considered unreasonable if the Shire provided early access to Denmark Concrete and not the other businesses in a similar position.	
CARRIED UNANIMOUSLY: 8/1	Res: 221117
<i>Pursuant to Resolution No.031115 all Councillors’ votes on the above resolution are recorded as follows;</i>	
<i>FOR:</i>	<i>Cr Osborne, Cr Lewis, Cr Phillips, Cr Gearon, Cr Seeneey, Cr Gibson, Cr Caron and Cr Allen.</i>
<i>AGAINST:</i>	<i>Cr Whooley.</i>

<b>8.5.4 APPOINTMENT OF BUSHFIRE RISK PLANNING COORDINATOR AS A BUSH FIRE CONTROL OFFICER</b>	
<b>File Ref:</b>	FIRE.1 & ADMIN.9
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Shire of Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	14 November 2017
<b>Author:</b>	Bill Parker, Chief Executive Officer
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	No

**Summary:**

In October 2017, Council accepted a funding agreement from the Department of Emergency and Fire Services (DFES) for the Bushfire Risk Management Planning Program. This included the

employment of a Bushfire Risk Planning Coordinator to undertake bushfire risk management planning activities.

This item seeks to provide the Bushfire Risk Planning Coordinator with appropriate authorisations under the Bush Fires Act 1954.

**Background:**

The Bushfire Risk Management Planning Program is a state-wide program led by the Department of Fire and Emergency Services (DFES) to support local governments to develop and implement an integrated bushfire risk management planning framework for their local area.

In October 2017, Council accepted the Bushfire Risk Management Planning Program Grant Agreement. The approved purpose of the grant is to enable the Shire of Denmark to purchase items and pay the salary of a Bushfire Risk Planning Coordinator to undertake bushfire risk management planning activities. This includes the delivery of a treatment plan in response to identified risks.

The Bushfire Risk Planning Coordinator commenced at the Shire of Denmark in late October 2017. The position has commenced preliminary project planning and consultation activities. As the project progresses, the position will be required to undertake field inspections to 'ground truth' mapping assumptions. Therefore, the position will require authorisation under the Bush Fires Act 1954 in relation to entering any land or building, whether private property or not.

**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.

The Bush Fires Act 1954 does require the local government to publish appointments made under the Act in a newspaper circulating in its district.

**Statutory Obligations:**

Section 38 of the Bush Fires Act 1954 relates to the appointment of Bush Fire Control Officers.

**38. Local government may appoint bush fire control officer**

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

(2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.

Section 39 outlines the special powers of bush fire control officers.

**Policy Implications:**

Council Delegation D050109 records the Shire of Denmark's authorised Officers under the Bush Fires Act 1954 and will be amended accordingly should Council agree to make the recommended appointment. It is proposed that the Bushfire Risk Planning Coordinator will be authorised within the entire Shire of Denmark.



**Budget / Financial Implications:**

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

**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.

**GOVERNANCE OBJECTIVE** - 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.

Corporate Business Plan

1.7.3 Support the functions of Community Emergency Services in achieving required actions and goals.

1.7.5 Maximise community safety through the management of the risks associated with fire, natural events and large scale emergencies, whilst supporting initiatives to improve community safety.

**Sustainability Implications:**

➤ **Governance:**

There are known governance considerations relating to the report as Council has the authority, under the Bush Fires Act 1954, to appoint Fire Control Officers.

➤ **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:**

Fire Control Officers play an important role in community safety by assisting the Shire with fire mitigation and control and assisting local volunteer brigades to carry out their activities.

➤ **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 appoint the Bushfire Risk Planning Coordinator as a Fire Control Officer	Unlikely (2)	Moderate (3)	Moderate (5-9)	Inadequate Organisation or Community Emergency Management	Accept Officer Recommendation

**Comment/Conclusion:**

In August 2017, Council appointed numerous Bush Fire Control Officers. This particular appointment will complement the Shire of Denmark’s Community Emergency Services Manager, Senior Ranger and Ranger as Shire of Denmark employees that are authorised Bush Fire Control Officers.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.5.4
MOVED: CR SEENEY	SECONDED: CR LEWIS
That in accordance with Section 38 of the Bush Fires Act 1954, Council;	
1. Appoint the Shire of Denmark’s Bushfire Risk Planning Coordinator, Melanie Haymont, to the position of Bush Fire Control Officer within the entire Shire of Denmark.	
2. Authorise the Chief Executive Officer to publish the appointment in the Denmark Bulletin and update Council’s Delegation (Appointments) D050109 to reflect the assignment.	
CARRIED UNANIMOUSLY: 9/0	Res: 231117

**9. COMMITTEE REPORTS & RECOMMENDATIONS**

Nil

**10. MATTERS BEHIND CLOSED DOORS**

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 10
MOVED: CR WHOOLEY	SECONDED: CR CARON
That pursuant to Section 5.23 (2) of the Local Government Act 1995 and Clause 3.7 of the Shire of Denmark Standing Orders Local Law, Council move behind closed doors to consider Item 10.1 and Item 10.2 which deal with the personal affairs of a person.	
CARRIED UNANIMOUSLY: 9/0	Res: 241117

*7.40pm – The Directors, the Finance Officer – Accounting and members of the public left the room.*

<b>COUNCIL RESOLUTION</b>	
MOVED: CR WHOOLEY	SECONDED: CR LEWIS
That Council suspend Standing Orders to enable discussion on Item 10.1.	
CARRIED UNANIMOUSLY: 9/0	Res: 251117

<b>COUNCIL RESOLUTION</b>	
MOVED: CR CARON	SECONDED: CR LEWIS
That Council resume Standing Orders.	
CARRIED UNANIMOUSLY: 9/0	Res: 261117

<b>10.1</b>	<b>2018 CITIZEN &amp; COMMUNITY GROUP OR EVENT OF THE YEAR AWARDS</b>
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<b>File Ref:</b>	PBR.1
<b>Applicant / Proponent:</b>	Various
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 November 2017
<b>Author:</b>	Claire Thompson, Executive Assistant
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	10.1a – Honour Board of Previous Recipients 10.1b – Nominations (Confidential to Councillors)

**Summary:**

Council is asked to consider the nominations received for the Shire of Denmark’s annual Citizen & Community Group or Event Awards and select winners for each category.

**Background:**

The Citizen & Community Group or Event of the Year Awards are annual Council awards which are provided pursuant to Policy P040113 and are presented at the Council’s Australia Day Function on 26 January of each year.

The closing date for nominations was 31 October 2017.

**Consultation:**

The marketing & promotion for these awards commenced on 3 September 2017 and included the following:

- Shire of Denmark Website (including banner on the front page)
- Shire of Denmark Notice Boards (x 2)
- Shire of Denmark Facebook page (plus reminder in early October)
- Denmark Recreation Centre – flier
- Denmark Library – flier
- Denmark Youth Centre – flier
- Letter to every known local community & sporting group / organisations
- Advertisement in the Denmark Bulletin (x 2)
- Advertisement in the Walpole Weekly
- Email to Councillors & Employees (plus reminder in early October)
- Post on the Community Noticeboard Facebook page

The Shire’s membership with the Australia Day WA includes an online nomination process, assistance with promotion and advertising, use of their logo with the Shire’s promotion and certificates and medallions for each recipient.

**Statutory Obligations:**

There are no statutory obligations.

**Policy Implications:**

Part A of Council Policy P040113 – Citizen & Sportspeople of the Year relates and reads as follows:

“AUSTRALIA DAY ACTIVE CITIZENSHIP AWARDS

*The Awards be advertised in September, inviting nominations for awards in the following categories:*

- *Citizen of the Year (no age restriction);*
- *Citizen of the Year – Youth (under 25 years);*
- *Citizen of the Year – Senior (over 65 years);*
- *Active Citizenship Award (for a community group or event).*

*A person may only be nominated for one category on a Nomination Form. A person may be nominated more than once on separate Nomination Forms.*

*Winners to be chosen at a meeting of the Council and the results kept strictly confidential until presentation.*

*Presentation to be at a local function celebrating Australia Day (January 26<sup>th</sup>).*

*Eligibility*

*For Citizen of the Year Awards, the nomination:*

- *must be made of person(s) who ordinarily reside in the Shire of Denmark; and*
- *must demonstrate that person(s) citizenship activities which occur within the Shire of Denmark however, external additional citizenship activities may be taken into consideration during the selection process.*

*For a Community Group or Event, the nomination can only be made for a Group or Event which is based, operated and held within the Shire of Denmark however, additional activities or events operated or based outside of the Shire may be taken into consideration during the selection process.*

**Budget / Financial Implications:**

Council has included provision in the 2017/2018 Budget for these Awards which will fund certificates for each nominee, Shire of Denmark plaques for each winner and updating of the Honour Board.

**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.

Corporate Business Plan

Nil.

**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:**

These Awards provide a way for Council & the Community to recognise and acknowledge local individuals and community groups (or events) who made positive contributions to the Denmark community and way of life.

➤ **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 select winners for the 2018 Citizen & Community Group or Event of the Year.	Rare (1)	Minor (2)	Low (1-4)	Not Meeting Community expectations	Accept Officer Recommendation

**Comment/Conclusion:**

19 nominations have been received and have been provided to Councillors under separate confidential cover.

The nominees are:

CATEGORY: Citizen of the Year

- Katy Pierce
- Gordon Harris (*dec.*)
- Josephine Lebbing
- Hazel Moon x 2
- Diane Harwood
- Joseph (Joe) Burton
- Pat Evans x 4
- Joseph (Joey) Williams x 3

CATEGORY: Citizen of the Year – Youth (under 25 years)

- Samuel Marsh

CATEGORY: Senior Citizen of the Year – Senior (65 years or over)

- Reg Copeman
- Roy Mercer

CATEGORY: Active Citizenship Award (for a community group or event)

- Denmark Historical Society
- DecoHousing Denmark Group

A table of previous recipients is attached (refer Attachment 10.1a).

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 10.1</b>
MOVED: CR CARON	SECONDED: CR GIBSON
<p>With respect to the Australia Day Active Citizen Awards for 2018, the following recipients be awarded in the respective categories and those names remain confidential to Councillors, Senior Officers and the Council’s Executive Assistant and those names also remain embargoed until the Awards Ceremony on 26 January 2018;</p> <p>a) 2018 Citizen of the Year to EMBARGOED;</p> <p>b) 2018 Citizen of the Year – Senior (person over 65 years) to EMBARGOED;</p> <p>c) 2018 Citizen of the Year – Youth (person under 25 years) to EMBARGOED; and</p> <p>d) 2018 Community Group or Event of the Year to EMBARGOED.</p>	
CARRIED UNANIMOUSLY: 9/0	Res: 271117

*Prior to consideration of Item 10.2 the Chief Executive Officer, through the Presiding Person, brought to the attention of the meeting the following disclosure(s) of interest:*

*Cr Allen works at the Denmark Agricultural College and as a consequence there may be a perception that his impartiality on this matter may be affected.*

*Cr Osborne declared that one of the applicant’s parents had been contracted to do some work on his farm business and as a consequence there may be a perception that his impartiality on this matter may be affected.*

*Cr Allen and Cr Osborne declared that they will consider this matter on its merits and vote accordingly.*

<b>COUNCIL RESOLUTION</b>	
MOVED: CR GIBSON	SECONDED: CR LEWIS
That Standing Orders be suspended to allow discussion on Item 10.2.	
CARRIED UNANIMOUSLY: 9/0	Res: 281117

<b>COUNCIL RESOLUTION</b>	
MOVED: CR ALLEN	SECONDED: CR GIBSON
That Standing Orders be resumed.	
CARRIED UNANIMOUSLY: 9/0	Res: 291117

<b>10.2 2017 AGRICULTURAL SCHOLARSHIP</b>
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<b>File Ref:</b>	PBR.10
<b>Applicant / Proponent:</b>	Various
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	14 November 2017
<b>Author:</b>	Claire Thompson, Executive Assistant
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	10.2a – List of Previous Recipients 10.2b – Applications (confidential to Councillors)

**Summary:**  
Council is requested to peruse the attached applications for the Shire of Denmark Agricultural Scholarship and determine the successful applicant for 2017.

**Background:**  
The Denmark Agricultural College Scholarship has been a Policy of Council’s for over 10 years.

A list of previous recipients is attached as Attachment 10.2a.

**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.

This Scholarship was marketed and promoted as follows;

- General Advertisement in the Denmark Bulletin & the Walpole Weekly;
- General Advertisement on Council's Notice Boards;
- General Advertisement for display at the Recreation Centre and Library;
- General Advertisement on Council's website;
- General Advertisement on Council's Facebook page;
- Email to Denmark Senior High School & Denmark Agricultural College Principals with link to application forms on Council's website.
- Email to Councillors & Employees advising that applications were being called and request for assistance with promoting the Scholarship.

**Statutory Obligations:**

There are no statutory obligations.

**Policy Implications:**

Council Policy P080201 relates as reads as follows;

**DENMARK AGRICULTURAL COLLEGE SCHOLARSHIP**

*Council shall make available an annual Denmark Agricultural College Scholarship.*

**Objective**

*To encourage and assist Year 10 students attending the Denmark District High School or Year 10 students residing in the Denmark Shire to pursue higher education.*

**Guidelines**

- a) *The applicant must be a student who intends to complete Years 11 & 12 at the WA College of Agriculture – Denmark and is either;*
  - *Completing Year 10 at the Denmark High School; or*
  - *Completing Year 10 at the WA College of Agriculture – Denmark; or*
  - *A Year 10 student residing in the Denmark Shire.*
- b) *The Scholarship will not be based wholly on academic record. Interest in agriculture and family need is a consideration.*
- c) *Preference will be given to those students who are likely to continue agricultural pursuits within the Shire boundaries.*
- d) *The Scholarship amount will be determined by Council and 50% will be paid at the start of the first year and upon successful completion and continuation, 50% will be paid at the start of the second year.*
- e) *The CEO and/or the Shire President address the Seniors School students at the commencement of the advertising of the program (generally in September) to promote the Scholarship;*
- f) *The Sponsorship be widely promoted in local papers, notice boards and Council's website to both potential nominees and their parents or guardians;*
- g) *A Scholarship will not be awarded if no applicants are suitable.*
- h) *The decision of Council and/or the delegated Committee shall be final.*

- i) *The closing date for applications will be determined each year by the CEO to allow sufficient time for determination of the winner by Council and presentation at the relevant school's graduation ceremony.*

**Budget / Financial Implications:**

Council's 2017/18 Budget includes an amount of \$1,000 for the Agricultural Scholarship (GL1610832).

**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**

*Education: ...work with relevant authorities and organisations that encourage the growth and diversity of educational opportunities and facilities for all age groups both in the town of Denmark and in its outlying communities.*

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

Corporation Business Plan

Nil.

**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:**

Council's Agricultural Scholarship provides financial assistance to a local student who intends to complete Years 11 and 12 at the Denmark Agricultural College.

➤ **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 no application is suitable and therefore the 2017 Agricultural Scholarship is not awarded.	Rare (1)	Insignificant (1)	Low (1-4)	Not Meeting Community expectations	Accept Risk



**Comment/Conclusion:**

At the close of the advertising period on 15 September 2017, no applications had been received. In consultation with the Chief Executive Officer it was decided to provide a report to Council to discuss the matter and determine whether the Council wanted to continue the Scholarship.

On the 6 November 2017, the Executive Assistant contacted the Agricultural College and advised that no nominations had been received and therefore there would be no presentation by the Shire at the College’s Graduation scheduled for 17 November 2017. The Agricultural College advised that they were surprised that there had been no applications and asked if they could try and canvas some applications by the end of the week. The Chief Executive Officer agreed and six applications were received by Friday, 10 November 2017.

Given that the scheduled Ordinary Council meeting was to be held after the Graduation Ceremony, the applications were presented to Councillors at the Concept Forum held on Tuesday, 14 November 2017. Councillors agreed that it would be better if the decision was a resolution of Council (pursuant to the Policy) and therefore requested that the applications be considered at the Ordinary Meeting.

Councillors noted that it would not provide sufficient time for the Scholarship, if awarded, to be presented at the Graduation Ceremony however agreed, by consensus, that the Scholarship could be awarded at a School Assembly either before the end of the School Year or at the beginning of the 2018 School Year.

The applications have been provided to Councillors as a confidential attachment.

Part g) of Council Policy states, “A Scholarship will not be awarded if no applicants are suitable.”

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 10.2</b>
MOVED: CR OSBORNE	SECONDED: CR WHOOLEY
That with respect to the 2017 Denmark Agricultural College Scholarship, Council;	
1. Announce <b>EMBARGOED</b> as the successful applicant at a suitable time at the College either prior to the conclusion of the 2017 School Year or at the commencement of the 2018 School Year.	
2. Keep the name of the recipient of this Scholarship and the decision of this meeting confidential to Council, Seniors Officers and the Executive Assistant and embargoed until the announcement.	
3. Request Council Officers prepare a report for Council’s consideration and include information on all of the education awards available to Denmark students at Denmark Schools, including those currently provided by the Council, in order for Council to review the Agricultural Scholarship.	
CARRIED UNANIMOUSLY: 9/0	Res: 301117

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

*The Shire President introduced an item of new business with respect to Parry’s Beach Campground Fees and Charges to rectify a misunderstanding in the interpretation of a previous resolution.*

*Prior to consideration of Item 11.1 the Chief Executive Officer, through the Presiding Person, brought to the attention of the meeting the following disclosure(s) of interest:*

*Cr Phillips is a Caravan Park proprietor and as a consequence there may be a perception that her impartiality on this matter may be affected. Cr Phillips declared that she will consider this matter on its merits and vote accordingly.*

<b>11.1 CHANGES TO PARRY’S BEACH CAMPGROUND FEES AND CHARGES</b>	
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<b>File Ref:</b>	FIN.9
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	20 November 2017
<b>Author:</b>	Cary Green, Director of Finance and Administration
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	Nil

**Summary:**

Council has expressed some concerns in relation to the 2017/18 Fees and Charges that relate to the Parry Beach Campground. This item recommends amending the fees and charges.

**Background:**

Council considered the 2017/18 Schedule of Fees and Charges as part of the budget process at its meeting held on 18 July 2017.

In considering the fees and charges, an amended motion was adopted by Council;

*“That Council adopts the 2017/18 Schedule of Fees and Charges included in Attachment 2, subject to the following amendment;*

- 1. That with respect to the Parry Beach Campground, the daily rate be \$8.50 per adult per site per night and the weekly rate be \$50.00 per person per site per week.”*

Based on the Resolution above, the administration updated the fees and charges to reflect Council’s adopted position.

The Shire of Denmark has subsequently received feedback from Councillors that the interpretation of the Council Resolution does not reflect the intent of Council’s decision.

As such, it is recommended that the 2017/18 Fees and Charges are amended to reflect the Council’s intent and to be consistent with the formatting of the 2016/17 Fees and Charges Schedule.

**Consultation:**

Direct consultation has occurred with the following:

- Chief Executive Officer
- Parry’s’ Beach Volunteer Management Group.
- Councillors

**Statutory Obligations:**

Sections 6.16 and 6.19 of the Local Government Act 1995 relate to this item.

*Section 6.16 - Imposition of fees and charges*

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed\* during a financial year; and
- (b) amended\* from time to time during a financial year.

\* Absolute majority required

*Section 6.19 - Local government to give notice of fees and charges*

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

The 2017/18 Annual Budget includes estimated income from Parry Beach camping charges. The proposed changes may result in a small increase in income in this account. No increase in income will be made at this point and will be reviewed as part of the statutory Budget review process.

The current fees and charges in the 2017/18 are as follows;

**PARRY BEACH**

**Parry Beach Nature Park Camping Fees**

*(per camp; 50% concession for significant voluntary work at Parry Beach; bookings are not taken)*

**Caravan/Campervan/Mobile Home/Trailer**

*Per adult, per site*

Per night	7.73	0.77	<b>8.50</b>	7.50
Per week	45.45	4.55	<b>50.00</b>	45.00
Each extra adult	6.82	0.68	<b>7.50</b>	7.50
School Aged Child (6-15) per night	2.73	0.27	<b>3.00</b>	3.00

**Tent/Swag/Other non vehicular camp**

*Per adult, per site*

Per night	7.73	0.77	<b>8.50</b>	7.50
Per week	45.45	4.55	<b>50.00</b>	45.00
Each extra adult	6.82	0.68	<b>7.50</b>	7.50
School Aged Child (6-15) per night	2.73	0.27	<b>3.00</b>	2.50

**Other Reserves** (no bond payable)

**Strategic & Corporate Plan Implications:**

The report and officer recommendation is consistent with Council’s adopted Strategic Plan Objectives and Goals in the following specific ways:

Strategic Community Plan

Governance Objective - 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.

**Sustainability Implications:**

➤ **Governance:**

By applying the Local Government Act 1995 and associated regulations, the Shire can ensure that the correct fees are applied and communicated effectively with the community.

➤ **Environmental:**

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

➤ **Economic:**

The application of the revised fees and charges may result in a small increase in income for the Shire of Denmark.

➤ **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 does not amend the fees and charges.	Unlikely (2)	Insignificant (1)	Low (1-4)	Not Meeting Community expectations	Accept Officer Recommendation

**Comment/Conclusion:**

The proposed amendment to the Parry Beach Campground Fees and Charges will result in an outcome that is consistent with Council’s original aim.

**Voting Requirements:**

Absolute majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>		ITEM 11.1	
MOVED: CR LEWIS		SECONDED: CR ALLEN	
That in relation to the Parry Beach Nature Park Camping Fees, Council;			
1. Amends the 2017/18 fees and charges as follows;			
<b>PARRY BEACH</b>			
<b>Parry Beach Nature Park Camping Fees</b>			
<i>(per camp; 50% concession for significant voluntary work at Parry Beach; bookings are not taken)</i>			
<b>Caravan/Campervan/Mobile Home/Trailer</b>			
<i>First two adults, per site</i>			
Per night	15.45	1.55	<b>17.00</b>
Per week	90.91	9.09	<b>100.00</b>
Each extra adult	7.73	0.77	<b>8.50</b>
School Aged Child (0-13) per night	2.73	0.27	<b>3.00</b>
<b>Tent/Swag/Other non vehicular camp</b>			
<i>First two people only</i>			
Per night	15.45	1.55	<b>17.00</b>
Per week	90.91	9.09	<b>100.00</b>
Each extra adult	7.73	0.77	<b>8.50</b>
School Aged Child (0-13) per night	2.73	0.27	<b>3.00</b>

2. In accordance with Section 6.19 of the Local Government Act 1995, gives local public notice of the intention to amend the 2017/18 fees and charges from 1<sup>st</sup> December 2017.

**AMENDMENT**

MOVED: CR WHOOLEY

SECONDED: CR GIBSON

Under the caravan / campervan / mobile home / trailer section and Tent / swag / other non-vehicular camp;

- a) replace the word “adults” with the word “people”; and
- b) remove the words “School Aged” and amend the age bracket from “(0-13)” to “(3-16)”.

CARRIED: 6/3

*Pursuant to Resolution No.031115 all Councillors’ votes on the above resolution are recorded as follows;*

*FOR: Cr Osborne, Cr Lewis, Cr Whooley, Cr Phillips, Cr Gibson and Cr Allen.*

*AGAINST: Cr Caron, Cr Seeney and Cr Gearon.*

**AMENDED MOTION**

That in relation to the Parry Beach Nature Park Camping Fees, Council;

1. Amends the 2017/18 fees and charges as follows;

**PARRY BEACH**

**Parry Beach Nature Park Camping Fees**

*(per camp; 50% concession for significant voluntary work at Parry Beach; bookings are not taken)*

**Caravan/Campervan/Mobile Home/Trailer**

*First two people, per site*

Per night	15.45	1.55	<b>17.00</b>
Per week	90.91	9.09	<b>100.00</b>
Each extra adult	7.73	0.77	<b>8.50</b>
Child (3-16) per night	2.73	0.27	<b>3.00</b>

**Tent/Swag/Other non vehicular camp**

*First two people only*

Per night	15.45	1.55	<b>17.00</b>
Per week	90.91	9.09	<b>100.00</b>
Each extra adult	7.73	0.77	<b>8.50</b>
Child (3-16) per night	2.73	0.27	<b>3.00</b>

2. In accordance with Section 6.19 of the Local Government Act 1995, gives local public notice of the intention to amend the 2017/18 fees and charges from 1<sup>st</sup> December 2017.

THE AMENDED MOTION BECAME THE SUBSTANTIVE MOTION WHICH WAS THEN PUT & CARRIED UNANIMOUSLY AND BY AN ABSOLUTE MAJORITY: 9/0 Res: 311117

**12. CLOSURE OF MEETING**

8.34pm – *There being no further business to discuss the Shire President, Cr Gearon, 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.)*