



## ORDINARY MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
953 SOUTH COAST HIGHWAY, DENMARK  
ON TUESDAY, 17 JULY 2018.

<b>Contents</b>	<b>Page No.</b>
DISCLAIMER	2
1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	3
2. RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	3
3. ANNOUNCEMENTS BY THE PERSON PRESIDING	3
4. PUBLIC QUESTION TIME	3
4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4.1.1 MR CHRIS HOWDEN – COMMUNITY SURVEY AND PRIVACY	3
4.2 PUBLIC QUESTIONS	5
4.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	11
4.4 PRESENTATION, DEPUTATIONS & PETITIONS	12
5. APPLICATIONS FOR LEAVE OF ABSENCE	12
6. CONFIRMATION OF MINUTES & NOTES	12
6.2 ORDINARY COUNCIL MEETING – 19 JUNE 2018	12
6.3 STRATEGIC BRIEFING NOTES – 19 JUNE 2018	12
7. ELECTED MEMBERS MOTIONS OF WHICH PRE NOTICE HAS BEEN GIVEN	12
8. REPORTS OF OFFICERS	12
<b>8.1 DIRECTOR SUSTAINABLE DEVELOPMENT</b>	13
8.1.1 SCHEME AMENDMENT 145 – REMOVAL OF CONDITION XXIV) FROM THE “TOURIST (T1)” ZONE PROVISIONS – NO. 429 (LOT 2) MOUNT SHADFORTH ROAD, SHADFORTH	13
<b>8.2 DIRECTOR INFRASTRUCTURE AND ASSETS - Nil</b>	16
<b>8.3 DIRECTOR CORPORATE AND COMMUNITY SERVICES</b>	17
8.3.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MAY 2018	17
8.3.2 ACCEPTANCE OF SHIRE OF DENMARK SPORT AND RECREATION DRAFT MASTERPLAN	21
8.3.3 DENMARK MOUNTAIN BIKE CLUB – MONKEY ROCK SPEED RUN	26
<b>8.4 CHIEF EXECUTIVE OFFICER</b>	32
8.4.1 DENMARK EAST DEVELOPMENT PRECINCT PROJECT	32
9. COMMITTEE REPORTS & RECOMMENDATIONS	41
9.1 BUSH FIRE ADVISORY COMMITTEE - FIRE CONTROL OFFICER & FIRE WEATHER OFFICER APPOINTMENTS FOR 2018/2019	41
10. MATTERS BEHIND CLOSED DOORS	45
11. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	45
11.1 APPOINTMENT OF COUNCILLOR DELEGATES – AMAZING SOUTH COAST INC. BOARD AND DENMARK RESIDENTS AND RATEPAYERS ASSOCIATION	45
12. CLOSURE	48

# Ordinary Council Meeting

17 July 2018

## DISCLAIMER

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

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

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

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

## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

4.02pm – The Deputy Shire President, Cr Caron, declared the meeting open.

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

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

### MEMBERS:

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 Infrastructure and Assets)  
Mrs Annette Harbron (Director Sustainable Development)  
Mr Cary Green (Director Corporate and Community Services)  
Ms Claire Thompson (Executive Assistant)

### APOLOGIES:

Cr Ceinwen Gearon (Shire President)

### ON APPROVED LEAVE(S) OF ABSENCE:

Nil

### ABSENT:

Nil

### VISITORS:

Members of the public in attendance at the commencement of the meeting: 43  
Members of the press in attendance at the commencement of the meeting: 2

### DECLARATIONS OF INTEREST:

Nil

## 3. ANNOUNCEMENTS BY THE PERSON PRESIDING

Nil

## 4. PUBLIC QUESTION TIME

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

#### 4.1.1 Mr Chris Howden – Community Survey and Privacy

At the meeting held on 17 June 2018 Mr Howden made some comments and asked some questions relating to the community survey and privacy. The questions were taken on notice and Mr Howden has been provided with the following response in writing.

Extract from Council Minutes – 19 June 2018

*“Mr Howden referred to the Chief Executive Officer’s response to his previous questions on notice and said that one question had not been answered and he sought clarification on the exact information that was disclosed, such as telephone numbers, mobile numbers, street addresses, email addresses etc.*

*Mr Howden asked that his previous question be taken on notice again and answered in writing which was, “Prior to this survey, did the Shire take advice as to what the legal issues were in conducting such a survey and the residents/ratepayers statutory privacy rights?”*

*Mr Howden asked two further questions;*

- 1. “The CEO has stated that the Privacy Statement of the Shire needs revisiting as it is currently ambiguous. Would the Council please inform me together with the residents, ratepayers and holiday home makers, what they consider as ambiguous about the statement, “The Shire of Denmark will never knowingly distribute such details to third parties”?; and*
- 2. Was the CEO aware of Catalyse own privacy statement. The below is an excerpt from the Catalyse privacy statement. Would the CEO please comment?*

*This policy is effective from 1 March 2016. We may change this policy from time to time. Although we intend to observe this Privacy Policy at all times, it is not legally binding on Catalyse in any way. From time to time we may regard it as necessary or desirable to act outside the policy.”*

*Responses:*

- 1. The Shire did not take advice as to what the legal issues were in conducting such a survey.*
- 2. The policy appears to be broken into two sections. The first section refers to Freedom of Information, with the second making reference to a Privacy Statement. The Privacy Statement section states “By using the Shire of Denmark Web Services clients will from time to time provide information to the Shire in order to ensure the most effective provision of services. Some of this information will be collected automatically by website equipment and some will be specifically requested by client input. **This statement seeks to provide clear advice as to how such personal information shall be utilised by the Shire**”.*

*The policy then refers to how the Shire may collect personal information using cookies, usage logs, web specific databases, online and other surveys. The policy then states “the Shire of Denmark will never knowingly distribute such details to third parties”.*

*From a staff perspective, is the statement referring to personal information collected using cookies, usage logs, web specific databases, online and other surveys or is the statement more general? For this reason, the Privacy Statement of the Shire needs revisiting.*

- 2. The Shire was aware that Catalyse had a Privacy Statement. The Shire had various discussions with other local governments in relation to using this service. The Shire has no evidence to suggest that Catalyse will act outside the policy.*

## 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 **Ms Yasmin Bartlett – Item 8.3.2 (Acceptance of Shire of Denmark Sport and Recreation Draft Masterplan) and Item 8.3.3 (Denmark Mountain Bike Club – Monkey Rock Speed Run)**

Ms Bartlett discussed a proposal to undertake a land swap with the Denmark Agricultural College of the area near the High School Oval and the unused four hectares at the Denmark Airport. Ms Bartlett said that she believed that this could result in an additional oval and perhaps a kiosk and change rooms.

Ms Bartlett expressed her support for the event as she believed it would bring significant visitors to town in the “off peak” season. Ms Bartlett asked whether Council could consider providing an undercover area at the finish to allow cover in the event of heavy rain or protection from the sun. Ms Bartlett also said that she believed that there should be a permanent rain water tank at the site to encourage refilling of water bottles and less waste.

*Cr Caron thanked Ms Bartlett for her suggestions and said that he was sure that Councillors and Officers would take them on board.*

#### 4.2.2 **Mr Adrian Baer – Emergency Management**

Mr Baer expressed his gratitude for the volunteers who attended recent fires at Peaceful Bay in May. Mr Baer said that he had only come to realise the effect that it had had on residents in the area and that many had expected to be saved or protected by the firefighters.

Mr Baer said that the event had raised the question of what information was available to local residents to assist them to prepare for an emergency and let people know what they needed to do to plan and protect themselves. Mr Baer acknowledged the material already provided on the Shire’s website but suggested that more information could be provided such as what visitors should do in an emergency situation. Mr Baer suggested that perhaps Denmark could even undertake a fire drill.

*The Deputy Shire President thanked Mr Baer for his suggestion and advised that the Shire was already looking into ways to improve emergency management.*

*The Chief Executive Officer added that the Shire had discussed the recent incidents and were placing a focus on emergency management and with the commencement of the Community Emergency Services Manager, the Shire would be reviewing the Emergency Management Arrangements and the procedures for the Incident Control Room.*

*Mr Parker said he was very interested in Mr Baer's suggestions and requested they get together to discuss them further.*

#### **4.2.3 Mrs Stella Hondros - Pesticides**

Mrs Hondros advised that since 1980 she had had a history of episodic fast irregular heartbeat caused by a sensitivity to exposure to chemicals. Mrs Hondros explained the background to her condition stating the immense impact it had had on her life. Mrs Hondros said that escaping council spraying over the years had resulted in significant costs with respect to travel and accommodation. Mrs Hondros asked the following questions;

1. In order to have transparency and disclosure on pesticide use could you please notify residents by letter of your intentions to spray, advise what you intending to use, what strength it would be, the volumes and what residents should do if they do not want to be exposed? Please inform and issue the Roundup MSDS [Materials Safety Data Sheet] to residents.
2. Do you propose to relocate residents? If not, why not?
3. How do you treat the problem of exposing children knowing that 450% could suffer breathing problems, asthma and eczema?
4. How do you protect the elderly?
5. Do you have exclusion zones and how do you keep the chemicals from drifting?

Mrs Hondros urged Councillors to exercise the "precautionary principle" and exercise their duty of care to their constituents and vote the practice out.

*The Chief Executive Officer advised that the issue of using weed control alternatives had been raised previously but he would need to take the questions on notice to enable him to liaise with Officers.*

*Cr Phillips asked whether Mrs Hondros was aware of the No Spray Register where people could request that their verges not be sprayed.*

Mrs Hondros said the problem was not just on the property but was drifting of chemicals.

*The Director Infrastructure and Assets said that they were aware of Mrs Hondros' sensitivities as she travelled from her property in Bunbury to Denmark each time the City of Bunbury were undertaking their spraying regime.*

#### **4.2.4 Mr Jack Hondros - Pesticides**

Mr Hondros expressed his concerns about the dangers of pesticides and provided a number of statements to support his claim including that they were known carcinogens, harmful to water ways and soil and a danger to sprayers, bystanders, flora and fauna.

Mr Hondros spoke about a number of places which have banned the use of glyphosate and stated that he believed Council's needed to ensure a safe environment for humans, fauna and flora as a top priority.

*The Deputy Shire President stated that Councillors had had a number of informal discussions surrounding the Shire's current weed control practices and that they were investigating alternative methods of weed control.*

**4.2.5 Mr Nathan Davenport – Item 8.3.3 (Denmark Mountain Bike Club – Monkey Rock Speed Run)**

As the organiser of the event, Mr Davenport said that he believed it would be a great opportunity to showcase Denmark, particularly the natural environment away from the beaches. Mr Davenport said that their club had held other events and they had always been well managed.

*The Deputy Shire President noted that a number of Councillors and Staff had met with Mr Davenport with other stakeholders to inspect the site for the event.*

**4.2.6 Mr Geoff Bowley – Item 8.3.2 (Acceptance of Shire of Denmark Sport and Recreation Draft Masterplan)**

Mr Bowley thanked Officers for including the Riverside Club's comments but said that he would have still like to have seen the Riverside Club Stage Two Concept Plan included.

**4.2.7 Ms Beverley Ford – Item 8.3.3 (Denmark Mountain Bike Club – Monkey Rock Speed Run), Shire President Appointment to the Amazing South Coast Inc. Board and Item 8.4.1 (Denmark East Development Precinct Project)**

Ms Ford, on behalf of the Denmark Residents and Ratepayers Association, commended Mr Davenport and the Mountain Bike Club for initiating the Monkey Rock Speed Run and expressed her support for the event.

Ms Ford commended the Shire President, Cr Gearon, for stepping into a position on the Amazing South Coast Inc. Board.

Ms Ford said that the Denmark Residents and Ratepayers Association Committee largely supported the Officers Recommendation for Item 8.4.1 however would like Council to consider including reference to the Traffic Management Study in part 3 to ensure that the State Government were aware of it.

*Cr Caron said that the Traffic Management Study had been commissioned at the request of Councillors to provide additional information and that the suggested addition would be considered when the item was deliberated.*

**4.2.8 Mr Tony Chinnock – Item 8.4.1 (Denmark East Development Precinct Project)**

Mr Chinnock referred to part 3 and sought clarification of the words "take over and deliver the project".

*The Chief Executive Officer said that the Traffic Management Study suggested that there was no immediate need for a bridge however there would be at some point in the future. Mr Parker advised that part 3 referred to the State Government determining when that might be and where it might go.*

Mr Chinnock referred to the vegetation north of East River Road, opposite Wrightson Road, noting that he was aware that there had been some clearing done when residents had been told that there wouldn't.

*The Chief Executive Officer advised that a number of residents had met with some Council Officers on site and had advised that the clearing would need to be done however the Shire would endeavour to keep it at a minimum. Mr Parker acknowledged that following that meeting, there had been some*

*miscommunication and some substantial clearing had been done. Mr Parker advised that the Shire had apologised to the residents who had been aggrieved and that whilst the clearing was not ideal the Shire was doing what it could to minimise any negative impacts.*

**4.2.9 Mr Geoff Bowley – Item 8.4.1 (Denmark East Development Precinct Project)**

Mr Bowley referred to a reference in the Traffic Management Study which assumed that an evacuation would be orderly and free of unforeseen chaotic incidents and advised that in his experience evacuations generally involved people who were generally panicking and in a state of chaos. Mr Bowley referred to a number of extracts taken from media reports of emergency situations, all which mentioned chaos.

*The Deputy Shire President advised that the Councillors had workshopped the Study prior to the meeting and had noted that there were a number of difficulties in modelling emergency situations. Cr Caron stated that Councillors were aware of the reports limitations.*

**4.2.10 Mr Martin Greenwood – Item 8.4.1 (Denmark East Development Precinct Project)**

As an engineer, Mr Greenwood expressed concerns about a number of flaws that he believed the Traffic Management Study contained including assumptions with respect to peak hour traffic and population increase calculations. Mr Greenwood said that he was also concerned that the study had used water and sewerage levels to establish population increases during peak tourist periods. Mr Greenwood said that the three main factors that the study should have addressed were: how quickly traffic can be cleared; how many cars there would be; and how long there would be to complete an evacuation. Mr Greenwood noted that he did not believe the study had addressed these factors.

*The Deputy Shire President advised that the Councillors had workshopped the Study prior to the meeting and had noted that there were a number of difficulties in modelling emergency situations. Cr Caron stated that Councillors were aware of the reports limitations.*

**4.2.11 Mr John Davey – Item 8.4.1 (Denmark East Development Precinct Project)**

Mr Davey thanked Council for their work so far in getting the report and considering the additional information contained in it. Mr Davey said that he felt it was important to value Denmark's natural environment, especially when considering infrastructure and roads.

*4.45pm – Cr Osborne left the room.*

Mr Davey referred to a location overseas where they have retained narrower roads so as to retain the natural environment and character of the area.

Mr Davey expressed concerns regarding part 3 in that the Shire would essentially be giving away the project to the State Government who may not give due consideration to Denmark's natural environment.

*The Deputy Shire President said that Councillors were aware of the flora and fauna report associated with the Western Precinct project.*



**4.2.12 Ms Lydia Kenyon – Item 8.4.1 (Denmark East Development Precinct Project)**

Mrs Kenyon commended the Council on commissioning the Traffic Management Study and suggested that Mr Bowley's comments regarding chaos were pertinent given the Study's reference to the intersection of Scotsdale and Horsley Roads.

Mrs Kenyon commended the Save East River networkers who had been engaged with people who supported the bridge noting that they had raised some interesting points. Mrs Kenyon noted that it had been a difficult issue however she believed that the community were united with the concern about fire safety.

Mrs Kenyon said that she thought it would be good if the Shire had a report which looked at environmental assets and how they would be managed from 2018 onwards. Mrs Kenyon asked if there was one.

*The Chief Executive Officer advised that the Shire was well underway with establishing a comprehensive asset and infrastructure management structure however there was not one for the environment. Mr Parker noted that there were many comments made during the Strategic Community Plan review process regarding the preservation and protection of the natural environment and that he would suggest that this would be done via a number of plans. Mr Parker said that these types of projects could be included in the Corporate Business Plan to be considered over a period of time.*

Mrs Kenyon said that she had recently been advised that the Shire did not have any emergency management in place for people with disability and asked whether this would be addressed.

*The Chief Executive Officer advised that the Shire's Bush Fire Mitigation Officer was working on establishing programs for the whole community and a big part of the program would be guiding community members to form smaller groups to look after themselves. Mr Parker said that he was hopeful that the programs would capture different sectors of the community such as people with disability.*

**4.2.13 Mr Miguel Pez – Item 8.4.1 (Denmark East Development Precinct Project)**

Mr Pez congratulated the Chief Executive Officer and Councillors on commissioning the study noting that he had been fascinated that some people had supported building a new bridge before the Council had a study to determine whether the Shire actually needed one.

Mr Pez noted that the report stated that the Shire did not need a bridge now but maybe would in the future and that a southern option would be preferable.

5.12pm – Cr Osborne returned to the room.

Mr Pez expressed gratitude to community members who had recognised that the bridge project had not been one that had had sufficient community consultation or was the result of appropriate initial investigation.

5.14pm – Cr Phillips left the room.

**4.2.14 Mr Brian Humphries – Comments in the Denmark Bulletin re Staff Ratios & Item 8.4.1 (Denmark East Development Precinct Project)**

Mr Humphries apologised for his recent letter to the Denmark Bulletin which had noted the number of full time employees as 85 providing a ratio of 1 in 60 residents. Mr Humphries said that he had been corrected that the number of employees was less and actually provided a ratio of approximately 1 in 85 residents. Mr Humphries noted that the Shire had higher staff numbers than the City of Albany which had a ratio of approximately 1 in 100.

Mr Humphries referred to the Chief Executive Officer's advice that the Shire of Denmark was one of the worst performing local governments in the state in terms of Financial Health Indication. Mr Humphries said that incurring more debt or increasing rates should not be options.

*5.17pm – Cr Phillips returned to the room.*

*5.17pm – The Chief Executive Officer left the room.*

**4.2.15 Mr Murray Thornton – Item 8.4.1 (Denmark East Development Precinct Project)**

Mr Thornton stated that he believed that the Traffic Management Study contained erroneous logic and the essence of the ability to not being able to build a bridge was financial.

*5.18pm – The Chief Executive Officer returned to the room.*

Mr Thornton noted that the report referred to a Shire of Denmark contribution of \$1.9m which he did not believe was accurate as the money was sourced from Roads to Recovery and Royalties for Regions funds. Mr Thornton said that he did not believe that any Ratepayers had contributed anything towards the project. Mr Thornton said that the report only referred to Roads to Recovery money as a source of income for the project however he believed that there were other avenues of funding which could be sourced which the Shire had not looked into.

**4.2.16 Ms Julie Marsh – Item 8.4.1 (Denmark East Development Precinct Project)**

Ms Marsh referred to the Western Precinct and requested that Council make any decision on the basis of the facts that they've learnt.

**4.2.17 Ms Yasmin Bartlett – Item 8.4.1 (Denmark East Development Precinct Project)**

Ms Bartlett requested Council to consider an alternate route which would run off South Coast Highway, behind the Senior High School to Scotsdale Road. Ms Bartlett showed a map to Councillors of her proposal noting that she believed it was worth considering.

**4.2.18 Mr John Sampson – Item 8.4.1 (Denmark East Development Precinct Project)**

Mr Sampson acknowledged Mr Greenwood's earlier comments and expressed his own concerns with the Traffic Management Study, particularly with respect to the report stating that in peak tourist times the population only increases by 20%. Mr Sampson said that he was aware of a previous report which had been done by Tourism WA which has reported an increase of approximately 250%.

Mr Sampson said that he understood that Council needed to make a decision but he was concerned that they would be making a decision based on incorrect information. Mr Sampson asked if the Chief Executive Officer believed that the peak tourist population increased by more than 20%.

*The Deputy Shire President advised that the Councillors were aware of the Study's limitations.*

*The Chief Executive Officer said that the peak numbers in the study were for less than expected and that his report stated this. Mr Parker advised that the consultant would be keeping the model live and would be remodelling the flows based on traffic flows at the peak period.*

5.45pm – Cr Allen left the room.

**4.2.19 Mr Mike Travers – Item 8.4.1 (Denmark East Development Precinct Project) and Shire Office Photovoltaic System**

Mr Travers asked whether the Shire would have to pay back any interest on any grant money to be returned for the Western Precinct.

Mr Travers referred to the Shire office photovoltaic system and asked what the value of power generated by the system over the last five years was, at current Synergy unit prices.

*The Deputy Shire President responded that the Shire may have to pay back any interest and with respect to savings from the photovoltaic system, he would take the question on notice and it would be responded to in writing.*

5.46pm – Cr Allen returned to the room.

5.46pm – Cr Gibson left the room.

5.48pm – Cr Gibson returned to the room.

**4.2.20 Ms Katie Bewley – Item 8.4.1 (Denmark East Development Precinct Project)**

Ms Bewley referred to Mr Thornton's comments noting that seeking alternative funding sources was creative and that there were lots of options that could be explored.

**COUNCIL RESOLUTION**

MOVED: CR GIBSON

SECONDED: CR LEWIS

That the meeting be adjourned for a short break the time being 5.55pm.

CARRIED UNANIMOUSLY: 8/0

Res: 010718

6.10pm – The meeting resumed with all Councillors and Officers who were present prior to the adjournment.

**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.

<b>COUNCIL RESOLUTION</b>	
MOVED: CR GIBSON	SECONDED: CR ALLEN
That Cr Lewis be granted leave of absence from the 23 August to 13 October 2018	
CARRIED UNANIMOUSLY: 8/0	Res: 020718

**6. CONFIRMATION OF MINUTES**

**6.1 ORDINARY COUNCIL MEETING – 19 JUNE 2018**

OFFICER RECOMMENDATION ITEM 6.1

That the minutes of the Ordinary Meeting of Council held on the 19 June 2018 be confirmed as a true and correct record of the proceedings.

<b>COUNCIL RESOLUTION</b>		ITEM 6.1
MOVED: CR OSBORNE	SECONDED: CR SEENEY	
That the minutes of the Ordinary Meeting of Council held on the 19 June 2018 be confirmed as a true and correct record of the proceedings, subject to the following amendment;		
1. Page 29, vote recording for Resolution No. 080618 – amend the vote from ‘6/1’ to ‘7/0 and amend Cr Osborne from voting against to voting for.		
CARRIED UNANIMOUSLY: 8/0		Res: 030718

**6.2 STRATEGIC BRIEFING NOTES – 19 JUNE 2018**

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>		ITEM 6.2
MOVED: CR LEWIS	SECONDED: CR ALLEN	
That the Notes from the Strategic Briefing held on 19 June 2018 be received.		
CARRIED UNANIMOUSLY: 8/0		Res: 040718

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

Nil

## 8. REPORTS OF OFFICERS

### 8.1 Director Sustainable Development

#### 8.1.1 SCHEME AMENDMENT 145 – REMOVAL OF CONDITION XXIV) FROM THE “TOURIST (T1)” ZONE PROVISIONS – NO. 429 (LOT 2) MOUNT SHADFORTH ROAD, SHADFORTH

<b>File Ref:</b>	TPS3/SA145 (A5668)
<b>Applicant / Proponent:</b>	Williams Consulting on behalf of Bennet Range Pastoral Co. P/L
<b>Subject Land / Locality:</b>	No. 429 (Lot 2) Mount Shadforth Road, Shadforth
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	29 June 2018
<b>Author:</b>	Jasmine Tothill, Senior Town Planner
<b>Authorising Officer:</b>	Annette Harbron, Director Sustainable Development
<b>Attachments:</b>	8.1.1a – Advertised Scheme Text Provisions 8.1.1b – Schedule of Submissions

#### Summary:

In February 2018 Council resolved to initiate Scheme Amendment 145 to Town Planning Scheme No. 3 (TPS No. 3) to remove Condition xxiv) (Condition 24) from the current “Tourist (T1)” zone (Karri Mia) provisions that relate to No. 429 (Lot 2) Mount Shadforth Road, Shadforth (referred to in the T1 zone provisions as Lot 84 (proposed Lot 2)).

Condition 24 prohibits the creation and sale of individual strata lots intended to accommodate a permanent residence and holiday accommodation units without a holiday accommodation unit first being constructed. This has proven overly restrictive in allowing the release of further strata lots, limiting investment and development of the site.

Scheme Amendment No. 145 was advertised for public comment, with two (2) submissions received.

It is recommended that Council grant final approval to Scheme Amendment No. 145 and refer the document to the Western Australian Planning Commission/Minister for Planning for final approval.

#### Background:

At the Ordinary Meeting of Council held on 20 February 2018, Council considered initiating Scheme Amendment No.145 wherein they resolved the following (Res No:070218):

*That with respect to the request to initiate a Scheme Amendment to remove Condition xxiv) from the Tourist (T1) zone provisions as they relate to No. 429 (Lot 2) Mount Shadforth Road, Shadforth, Council:*

1. Pursuant to Section 75 of the Planning and Development Act 2005 initiate Town Planning Scheme No. 3 Amendment No. 145 by:
  - Removing Condition xxiv) from the ‘Tourist (T1)’ zone provisions as it relates to No. 429 (Lot 2) Mount Shadforth Road, Shadforth.*
2. Determine that Town Planning Scheme No. 3 Scheme Amendment No. 145 is a ‘Standard Amendment’ as per the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 as:
  - *The amendment is consistent with the objectives identified in the scheme for Tourist zone;*
  - *The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and*

- *The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*
3. *Refer Town Planning Scheme No.3 Scheme Amendment No.145 to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.*
  4. *Resolve to proceed to advertising of Town Planning Scheme No. 145 as per Regulation 47 of the Planning and Development Act (Local Planning Schemes) Regulations 2015.*

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 14 March 2018.

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.

#### **Consultation:**

Public advertising of Scheme Amendment No.145 (refer Attachment 8.1.1a for the advertised Scheme Text provisions) commenced on 26 April 2018 and closed on 15 June 2018 (being 50 days; statutory requirement is minimum 42 days). During the advertising period the following consultation took place:

- Advertising notice in the Denmark Bulletin on 26 April 2018 inviting public comment;
- Referral of the Scheme Amendment documentation to the Department of Jobs, Tourism, Science and Innovation (Tourism WA) inviting comment;
- Referral to forty two (42) landowners generally within a 1km radius of the subject lot inviting comment; and
- Scheme Amendment documentation was available for viewing at the Shire Administration Office and on the Shire's website.

At the close of the advertising period, a total of two (2) submissions were received –Attached as Attachment 8.1.1b is the Schedule of Submissions – with all submissions received being entered into the schedule as verbatim. Column 4 of the Schedule of Submissions represents Planning Services comments/response to the submissions with no modifications recommended arising from submissions.

#### **Statutory Obligations:**

- *Planning and Development Act 2005* – TPS No. 3 is an operative Local Planning Scheme under the Act;
- Town Planning Scheme No. 3 – No. 429 (Lot 2) Mount Shadforth Road, Shadforth is currently zoned "Touris (T1)" with Special Provisions applicable under Appendix XIII (13) of the Scheme; and
- *Planning and Development (Local Planning Schemes) Regulations 2015* – The Regulations set the procedure for amending a town planning scheme.

#### **Policy Implications:**

The following Town Planning Scheme Policies and Council Policies are relevant and have been taken into account as part of Planning Services consideration of the proposal:

- P130201: Tourism Policy
- Town Planning Scheme Policy No. 46: Karri Mia Tourist Zone Design Guidelines.

WAPC Planning Bulletin 83/2013: Planning for Tourism (January 2013) is generally relevant to this application and has been considered as part of Planning Services consideration of the proposal.

**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 site is designated 'Tourist' in the Shire of Denmark's Local Planning Strategy (2011). The proposal is consistent with one of the key planning objectives in the Local Planning Strategy "*To encourage eco-tourism and facilitate new tourism developments and choices of tourist accommodation types to enhance the Denmark Shire as a destination of choice for visitors.*"

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

Denmark Strategic Community Plan 2027

## E1.0 Our Economy

*We are an attractive location to live, invest, study, visit and work*

E1.2 To be a vibrant and unique tourist destination, that celebrates our natural and historical assets.

## B3.0 Our Built Environment

*We have a functional built environment that reflects our rural and village character and supports a connected, creative and active community.*

B3.3 To have a planning framework that is visionary, supports connectivity and enables participation.

B3.5 To have diverse and affordable housing, building and accommodation options.

Corporate Business Plan

3.2.6 Provide supportive planning and development guidance on appropriate major land developments.

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.

4.1.1 Ensure quality, consistent and responsive development and building assessment approval processes and enforcement.

**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:**

Tourism is a significant contributor to Denmark's economy.

➤ **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 the WAPC/Minister for Planning do not support the Amendment proposal.	Possible (3)	Minor (2)	Low (1-4)	Not Meeting Community expectations	Accept Officer Recommendation

**Comment/Conclusion:**

Scheme Amendment No.145 proposes to delete Condition 24 from the Special Provisions applicable to the Tourist (T1) zone. The effect of Condition 24 has been to preclude further strata subdivision from occurring in the absence of a tourist accommodation unit having first been constructed on each lot.

Condition iii(b), which is also applicable to the Tourist (T1) zone is to be retained and will ensure that short stay accommodation units are established in conjunction with, or prior to, construction of a permanent residence on each strata lot. This will ensure that future strata lots are not created solely for permanent residential occupation and the purpose and intent of the Tourist zone under TPS No. 3 is maintained.

It is recommended that Council adopt Scheme Amendment No.145 with no modifications.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.1.1
MOVED: CR ALLEN	SECONDED: CR LEWIS
That with respect to Scheme Amendment No. 145 to remove Condition xxiv) from the Tourist (T1) zone provisions, Council:	
<ol style="list-style-type: none"> <li>1. Notes the submissions received.</li> <li>2. Adopts Scheme Amendment No. 145 for final approval, with no modifications, by: <i>Removing Condition xxiv) from the "Tourist (T1)" zone provisions under Appendix XIII – Schedule of Tourist Zones.</i></li> <li>3. Authorises the Shire President and Chief Executive Officer to execute the documentation for forwarding to the Western Australian Planning Commission seeking final approval by the Minister for Planning.</li> <li>4. Advises the submitters of Council's resolution.</li> </ol>	
CARRIED UNANIMOUSLY: 8/0	Res: 050718

6.14pm – The Director Sustainable Development left the room and did not return.

**8.2 Director Infrastructure and Assets**

Nil



### 8.3 Director Corporate and Community Services

#### 8.3.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MAY 2018

<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>	6 July 2018
<b>Author:</b>	Lee Sounness, Corporate Services Manager
<b>Authorising Officer:</b>	Cary Green, Director of Finance & Administration
<b>Attachments:</b>	8.3.1 – May 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 by legislation to undertake a mid-year review of the Municipal Budget to ensure that income and expenditure is in keeping with budget forecasts. It should be noted that the budget is monitored by management on a monthly basis in addition to the requirement for a mid-year review.

The attached financial statements and supporting information are presented for the consideration of Elected Members.

#### 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 adopted 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:**

Depreciation for Infrastructure Assets (roads) has not been expensed since April 1, 2018 due to a revaluation of this asset class. Once accepted, the asset figures and depreciation will be adjusted to new valuations as at June 30, 2018.

**Strategic & Corporate Plan Implications:**

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

Denmark 2027

L5.4 To be fiscally responsible

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 31 May 2018 total cash funds held total \$12,133,413 (Note 4).

Shire Trust Funds total \$201,285.

- \$181,179 of this is invested for 6 months with the National Bank, maturing 18 June 2018 at the quoted rate of 2.40%.

Reserve Funds (restricted) total \$10,427,178

- \$7,142,355 of this has been placed on investment for 30 days with the Western Australian Treasury Corporation at the quoted rate of 1.45%,
- \$3,053,939 has been invested with the National Bank, maturing 28 June 2018 at the quoted rate of 2.40% and
- \$230,855 has been invested with the National Bank, maturing 2 August 2018 at the quoted rate of 2.40%.

Municipal Funds (unrestricted) total \$1,504,951

- \$1,302,583 of this is invested with the National Bank, maturing on various dates up to the 28 June 2018 at an average rate of 2.05% (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 any subsequent year to date budget amendments identified including the mid-year budget review (refer Note 5), the 30 June 2018 end of year position is estimated to be \$0 which is in line with budget projections (Statement of Financial Activity).
- Operating revenue and expenditure is generally in line with year to date budget predictions for 30 April 2018 (Statement of Financial Activity).
- The Rates Collection percentage currently sits at 92.81% which is approximately 1.98% lower than for the same period last year (Note 6).
- The 2017/18 Capital Works Program is 56.01% complete utilising actual year to date figures and the total committed cost is 60.63% as at 31 May 2018 (Note 12). – see table below for forecast to June 30, 2018.
- Various transfers to and from Reserve Funds have not been made for 2017/18 as they are generally undertaken in the latter half of the financial year, depending on the specific projects to which the transfers relate.

- Salaries and Wages expenditure is generally in line with year to date budget estimates (not reported specifically in Financial Statement).

<b>Capital Expenditure Program 2017/2018</b>				
forecast as at June 30, 2018				
	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>% Complete</u>
<b>Capital Exp Program</b>	6,012,013	4,421,132	1,590,881	73.54%
<b><u>17/18 Capital Exp Projects for Re-budget in 2018/19</u></b>				
Ocean Beach Fire Station	285135	0	285,135	
Purchase of Plant	79000	0	79,000	
MRWA Project McLeod Rd	516403	409,632	106,771	
Cemetery Bridge	25000	0	25,000	
Plane Tree Precinct	531245	58,384	472,861	
Denmark East	2600000	2,030,830	569,170	
			<b>1,537,937</b>	

Budget Amendments and Variances (Note 5 and 5a)

Refer to more detailed information contained in Note 5a of the attachment.

Other Information

- Outstanding Rates  
The administration is currently taking action to follow up all outstanding rates owed to Council, with the exception of properties owned by eligible pension or other concession entitlement holders. This process may include referral of any or all amounts overdue to debt recovery specialists for action, and, where necessary, will result in legal proceedings being initiated to assist in pursuing full settlement of the debt.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.3.1
MOVED: CR GIBSON	SECONDED: CR PHILLIPS
That with respect to Financial Statements for the period ending 31 May 2018, Council;	
1. Receive the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.	
2. Endorse the Accounts for Payment for the months of June 2018 as listed.	
CARRIED UNANIMOUSLY: 8/0	Res: 060718

<b>8.3.2</b>	<b>ACCEPTANCE OF SHIRE OF DENMARK SPORT AND RECREATION DRAFT MASTERPLAN</b>
--------------	---

<b>File Ref:</b>	A3035
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	3 July 2018
<b>Author:</b>	David Schober, Manager, Community Services
<b>Authorising Officer:</b>	Cary Green, Director Corporate and Community Services
<b>Attachments:</b>	8.3.2 – Draft Shire of Denmark Sport and Recreation Masterplan

**Summary:**

This report recommends that Council accept the draft Shire of Denmark Sport and Recreation Masterplan, prepared by ABV Consultants, and instruct the Chief Executive Officer to make available to the public, for a period of 28 days, through Council's adopted Community Consultation process.

**Background:**

A small grant CSRFF application was lodged with the Department of Sport and Recreation. In December 2016 Council was officially notified that they had been successful with their application for a one third contribution towards the Shire of Denmark Sport and Recreation Plan incorporating a Master Plan for the McLean Park Precinct and High School Oval Precinct.

The purpose of these plans is to research and document current and proposed sport and recreation opportunities for the next 15 years to assist in informing future decision making for investment. The plan is to assess the efficiency and effectiveness of sport and recreation facilities whether provided by Council, not for profit or community based providers. Part of the work will include an assessment of current infrastructure to identify where facilities may be improved, rationalised or consolidated and made more suitable to the emerging needs of existing and future residents of the Shire.

It is envisaged that this process will give Council;

- An adopted Sport and Recreation Masterplan for the Shire of Denmark; and,
- An implementation strategy for Sport and Recreation facility development for the Shire of Denmark;
- Specific information relative to the McLean Park Precinct and High School Ovals to guide future development at these two facilities.

These strategic documents once completed, with the appropriate community consultation, will provide Council with the tools to consider sport and recreation decisions for the long-term future.

At its meeting held on 21<sup>st</sup> February 2017, Council established the Shire of Denmark Sport and Recreation Plan Working Group with the following membership (Resolution No. 090217);

*Voting Rights*

- 2 x Councillors (Cr Mark Allen & Cr Jan Lewis)
- Director Corporate and Community Services (Cary Green)
- Manager Recreation & Youth Services (Damian Schwarzbach)
- McLean Park User Group representative (Glen Burton)
- Department of Education representative (Ken Davies)
- 2 x Community Member Representatives (Katy Pierce, Bernie Wong and Dan Robson)

*Non-Voting*

- Department of Sport & Recreation Representative (Chris Thompson)
- Consultant

While there has been significant community consultation as part of the information collection and needs analysis performed by ABV Consultants, the 11 person Working Group identified that “reporting back” to the community and obtaining specific feedback on all elements identified, or not, within the Masterplan should form an integral component before reaching Council for final adoption. It is therefore offered that the attached draft Sport and Recreation Masterplan should be offered to the community and all comments and feedback obtained be considered before Council adopts the final Shire of Denmark Sport and Recreation Masterplan.

At its meeting held on 19th June 2018 Council resolved (Resolution No. 080618);

*“That the matter be deferred to allow;*

1. *Sufficient consultations with residents and ratepayers in the western part of the Shire for inclusion in the draft Masterplan;*
2. *For minor corrections and amendments including but not limited to typographical errors, definitions, moving text within the report, rewording text for increased clarity, additional text relating to aboriginal heritage and removal of superfluous detail;*
3. *The inclusion of all submissions; and  
Final consideration by the Working Group before returning the draft Masterplan to Council in July 2018.”*

**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.

Community consultation for this project has utilised (4) four integrated strategies to harvest the widest and most detailed level of consultation possible. This has included:

1. *Formation of the Shire of Denmark Sport and Recreation Masterplan Working Group.*

Vacancies for Community representatives were advertised for a minimum period of 14 days in the Denmark Bulletin, on the Shire website and on notice boards. Selection and appointment was made by Council considering the merits of all applications.

Working Group members held regular meetings and provided both “end user” insight and strategic input for both the Shire and consultants.

2. *Consultant meetings, briefings and public forums.*

a. *Consultant meetings.*

As part of the Masterplan’s development ABV Consultants directly contacted over 80 user groups, clubs and individuals to provide an opportunity for a 30 minute one on one meeting, either in person or by telephone. The invitation allowed stakeholders to provide comment and feedback from their perspective.

b. *Consultant briefings.*

The Consultants met with all Executive staff, Council and peak industry bodies including the Department of Sport and Recreation, Great Southern Centre for Outdoor Excellence and numerous State sporting bodies. This approach ensured a best practice model was considered from a utilisation, sustainability and funding perspective.

- c. *Public forums.*  
The Consultants offered 2 public forums which were advertised within the Shire of Denmark on the website, through social media, by way of invitation and through public notices. This provided any interested community member the opportunity to speak directly to the Masterplan's authors.
3. *Shire of Denmark advertisements, messaging and announcements.*  
The Shire sought comment from the community and received various individual submissions for consideration. This included website and social media messaging, advertisements in the Denmark Bulletin and announcements at community, sport and recreation events.
4. *Harvested related Sport and Recreation feedback from community consultation from the Shire of Denmark's Strategic Community Plan – Denmark 2027.*

**Statutory Obligations:**

There are no statutory obligations.

**Policy Implications:**

P110304 SUSTAINABILITY & COLLOCATION (SPORT & RECREATION FACILITIES) reads as follows:

*Council will give priority support to facility development or redevelopment that shows capacity for collocating or the sharing of resources.*

*Applicants must be community based organizations and incorporated under the WA Association Incorporations Act 1997.*

*Council will require community based organisations seeking public funds of greater than \$10,000 for developing new or refurbishing current facilities to have a business plan appropriate to the size of their organisation.*

*Council will contribute to a maximum of one-third (1/3) only of major facility development / redevelopment with a project cost greater than \$50,000 to demonstrate the need for such development and their strategies to ensure that the development will be viable for a least the next 10 years or such period requested by Council.*

The following internal organisation procedure relates;

**“OP040105 PROJECT MANAGEMENT OR WORKING GROUPS OF COMMITTEES**

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

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

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

**Budget / Financial Implications:**

Council received 2 quotes from Sport & Recreation Consultants that were used as the basis for the grant application to the Department of Sport & Recreation. These quotes were both around \$40,000.

The successful application received the maximum one third funding of \$13,927 towards a total project cost of \$41,780.

Thus Council's two thirds contribution is \$27,853. The following accounts in Council's 2016/17 adopted budget were utilised:

- 17040 Recreation Master/Strategic Plan \$15,000
- 14071 GSSRFP – Local Plan \$10,000
- 15092 High School Oval Concept Plan \$ 3,000

Total funds Available \$28,000

Council's contribution to the 14071 GSSRFP (Great Southern Sport and Recreation Facilities Plan), was paid in the 2015/16 financial year and these funds for 2016/17 were earmarked for the Local Plan.

### **Strategic & Corporate Plan Implications:**

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

#### Denmark 2027

##### N2.0 Our Natural Environment

*Our natural environment is highly valued and carefully managed to meet the needs of our community, now and in the future.*

N2.2 To promote and encourage responsible development.

N2.4 To acknowledge and adapt to climate change.

##### B3.0 Our Built Environment

*We have a functional built environment that reflects our rural and village character and supports a connected, creative and active community.*

B3.1 To have public spaces and infrastructure that are accessible and appropriate for our community.

B3.2 To have community assets that are flexible, adaptable and of high quality to meet the purpose and needs of multiple users.

#### Corporate Business Plan

1.2.5 Maintain and plan parks, gardens, recreational areas and open space at standards acceptable to the community.

1.2.6 Establish outdoor amenities that suit the needs of the community.

1.10.3 Support the Denmark Surf Club Redevelopment/Upgrade.

1.10.6 Investigate improvements to parks and reserves and implement improvements where appropriate.

1.10.16 Maintain and improve sporting and recreation facilities (including dog parks) in the District based on catchment needs.

2.1.2 Manage natural resources in a sustainable manner on land owned or managed by the Shire.

2.2.9 Assess coastal vulnerability of high risk Shire assets along the coastline.

3.7.3 Continue to engage in the management of local natural areas with associated recreation and tourism uses.



**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:**

Implementation of the final Sport and Recreation Masterplan's recommendations may require future allocation in Council's Municipal Budget and/or external funds obtained through grants.

➤ **Social:**

Council has recognised the significant community value of organised competitive sport and less formal passive and active recreational activities.

The positive social interaction between members, as well as the health benefits derived from the physical exercise of active participation in sport and recreation result in a sense of personal well-being / good health in each member and, collectively, within the community.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not accept the Shire of Denmark Sport and Recreation Masterplan	Possible (3)	Minor (2)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation

**Comment/Conclusion:**

The Sport and Recreation Masterplan will assist Council to understand the community's sport and recreation needs, to better manage its provision, assist future sport and recreation decision making and map a justified implementation plan with indicative staged costings. The Masterplan will therefore inform Long Term Financial Plans in a fiscally responsible manner while serving to inform the Denmark community of realistic and timely outcomes appropriate to the needs of the community.

The Masterplan will identify opportunities for Council to upgrade, develop new and/or co-locate facilities to provide the community with opportunities to better participate in physical activity pursuits, both competitive and passive.

New or improved facilities which are well located in partnership with key stakeholders, like the Department of Sport and Recreation, will enable greater utilisation by Shire of Denmark community members. Communicating and addressing community needs against expectations will serve as a key outcome.

Following the resolution from the June Council Meeting Officers have conducted consultation with representatives of the following groups to capture requested representation:

- Sport and Recreation Working Group members;
- Nornalup Residents and Ratepayers members;
- Peaceful Bay Residents and Ratepayers members and
- Riverside Stage 2 concept plan members and

Feedback and submissions from these groups has been included and referenced in the Masterplan. A further two written submissions have now also been included on request.

The Masterplan also acknowledges and references heritage, indigenous, historical and disability service considerations in respect to any new projects.

A number of minor amendments have been made by the Consultant including typographical errors, formatting, re-wording for increased clarity and removal of superfluous detail has also been actioned.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.3.2
MOVED: CR PHILLIPS	SECONDED: CR ALLEN
That with respect to the Shire of Denmark Sport and Recreation Masterplan, Council:	
1. Accept the draft Shire of Denmark Sport and Recreation Masterplan report, and	
2. Instruct the CEO to advertise the draft Shire of Denmark Sport and Recreation Masterplan report for a period of 28 days inviting comment from the community.	
CARRIED UNANIMOUSLY: 8/0	Res: 070718

**8.3.3 DENMARK MOUNTAIN BIKE CLUB – MONKEY ROCK SPEED RUN**

<b>File Ref:</b>	PBR10
<b>Applicant / Proponent:</b>	Denmark Mountain Bike Club
<b>Subject Land / Locality:</b>	Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	9 July 2018
<b>Author:</b>	David Schober, Manager, Community Services
<b>Authorising Officer:</b>	Cary Green, Director, Corporate and Community Services
<b>Attachments:</b>	8.3.3 - Maps

**Summary:**

An application has been received from the Denmark Mountain Bike Club to conduct a downhill speed event called the “Monkey Rock Speed Run” in the Mount Hallowell reserve within the Shire of Denmark. The event is proposed for Sunday 5<sup>th</sup> August 2018. The organisers have submitted comprehensive details of the event and have obtained permission from the Department of Biodiversity, Conservations and Attractions for permission to cross the Bibbulmun Track.

Maps of the proposed course and Phytophthora dieback disease distribution, showing sample and cleandown locations, is attached to this report for the information of Elected Members.

Based on the information contained in this report Council is asked to support the Officer recommendation and approve the event.

**Background:**

The Denmark Mountain Bike Club is a not for profit sporting club formed in 2017 and now has over 100 regular members participating in events. The club has grown very quickly since its inception. The Club has appropriate insurance coverage to conduct events and has already conducted a series of events around Denmark since their formation.

A management plan for the event has been outlined by the Club which addresses protection of vegetation, management of dieback spread, safety and logistics. The start point begins on the granite outcrop known as "Monkey Rock" and then has been designed to follow the existing fire break track.

The Denmark Mountain Bike Club has been approached to include the Monkey Rock Speed Run, if approved by Council, into the State series of events in 2019, which would provide significant visitation to Denmark in future years from mountain bike users across the State.

Denmark Police have provided support for the event and will participate with a speed gun to record the speed of participants during the event.

It is the view of Community Services staff that the hosting of such events has the potential to attract a large number of visitors to the Shire, at a time of the year when visitor numbers are at their lowest. This would provide a stimulus to the local economy, particularly to local suppliers and the adventure tourism industry.

The Shire of Denmark is perfectly positioned to offer some world class mountain bike experiences, given the outstanding natural environment available, and is currently liaising with the Great Southern Centre of Outdoor Excellence to understand how this may be achieved in the future.

While adventure tourism opportunities and the benefits in providing recreational pursuits to residents are understood, there are some environmental and logistical concerns that need to be addressed. Further details regarding these concerns are included in the Sustainability Implications of this report.

The Mount Hallowell Reserve Management Plan 2008 does allow for recreational use. The site requested by the event organisers, Monkey Rock, has previously been used and further information is noted in this report under Sustainability Implications: Governance.

It should be noted, that in discussions with the organisers of the Denmark Mountain Bike Club, they are fully aware of the need to minimise the environmental impact of their race and would work cooperatively with Council to address any logistical concerns that may arise from the event.

There is no formal Council Policy that controls recreational activities in Council managed reserves. Given the recent increase in participation in adventure sports, like mountain biking, it may be timely for Council to consider such a Policy as well as updating the Mount Hallowell Reserve Management Plan 2008 which is now 10 years old. Over the last 10 years there has been significant growth in adventure tourism. More than 19% of Western Australians now own a mountain bike and in excess of 120,000 mountain bikes are purchased every year in Western Australia.

*(Source: West Australian Mountain Bike Strategy 2015-2020)*

It should also be noted there is widespread informal use of mountain biking on the Mount Hallowell reserve. Currently there is no protection or management plans in place to protect the natural environment and simply ignoring the issue poses a significant threat to vegetation and trails. The Officer has recommended that should Council approve the event, a number of management controls be put into place with respect to Denmark Mountain Bike Club's activity within the reserve.

**Consultation:**

Upon receipt of the Denmark Mountain Bike Club's request to conduct this event, the following consultation has taken place:

- Shire of Denmark internal consultation.

This allows Officers from Council's three Directorates to provide feedback and make comment relative to their function. Shire Rangers noted parking, protection of assets and traffic management measures as considerations. These considerations have been addressed by the Denmark Mountain Bike Club through consultation with neighbouring land owners, to secure parking, and with Shire of Denmark staff to assist in planning and protection of assets.

Staff within the Sustainable Development directorate, through this process, identified a number of environmental issues. These are included in the Sustainability Implications of this report.

- Applicant consultation (Site visit – June 7<sup>th</sup> 2018)  
Nathan Davenport, President of the Denmark Mountain Bike Club  
David Schober, Manager, Community Services – Shire of Denmark  
Donna Sampey, Sustainability Officer – Shire of Denmark
- Key Stakeholder consultation (Site visit – July 11<sup>th</sup> 2018)  
Dianne Harwood and representatives of the Denmark Environment Centre  
Nathan Davenport – President, Denmark Mountain Bike Club  
Lenore Lyons – Great Southern Centre for Outdoor Excellence  
President Ceinwen Gearon and invited Councillors  
Cary Green, David Schober – Shire of Denmark

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 at this point in time.

The Officer does recommend reviewing the Mount Hallowell Reserve Management Plan 2008 following feedback received from the Sport and Recreation Masterplan. It is recommended that extensive consultation should be undertaken with key stakeholders and the community during any such review in the future.

**Statutory Obligations:**

Nil.

**Policy Implications:**

Town Planning Policy No. 1 Dieback.  
Mt Hallowell Management Plan.

**Budget / Financial Implications:**

Council is currently considering the draft Sport and Recreation Masterplan. The Consultants have recommended trail development, including mountain biking, be considered. Whilst this particular request does not contain any financial implications, subsequent development of trails, including provision for mountain biking, is recommended to be considered in the short and medium terms.

The Denmark Mountain Bike Club are not seeking any financial assistance from Council.

**Strategic & Corporate Plan Implications:**

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

Denmark 2027

## N2.0 Our Natural Environment

*Our natural environment is highly valued and carefully managed to meet the needs of our community, now and in the future.*

N2.1 To preserve and protect the natural environment.

N2.2 To promote and encourage responsible development.

N2.3 To reduce human impact on natural resources, reduce waste and utilise renewable energy.

## B3.0 Our Built Environment

*We have a functional built environment that reflects our rural and village character and supports a connected, creative and active community.*

B3.1 To have public spaces and infrastructure that are accessible and appropriate for our community.

B3.2 To have community assets that are flexible, adaptable and of high quality to meet the purpose and needs of multiple users.

## L5.0 Our Local Government

*The Shire of Denmark is recognised as a transparent, well governed and effectively managed Local Government.*

L5.2 To have meaningful, respectful and proactive collaboration with the community.

Corporate Business Plan

1.2.5 Maintain and plan parks, gardens, recreational areas and open space at standards acceptable to the community.

1.2.6 Establish outdoor amenities that suit the needs of the community.

1.2.8 Support, encourage and advocate for the hosting of local events and festivals.

1.10.1 Improve the Regional Bicycle Network in line with Council's Bike Plan and Regional Trails Hub.

1.10.2 Upgrade and construct paths and trails in line with the Priority Table for Path Development.

1.10.5 Investigate the feasibility of a Mountain Bike Trail.

1.10.6 Investigate improvements to parks and reserves and implement improvements where appropriate.

1.10.16 Maintain and improve sporting and recreation facilities (including dog parks) in the District based on catchment needs.

1.10.21 Encourage and support the establishment of new sport and recreation clubs in the district.

2.1.2 Manage natural resources in a sustainable manner on land owned or managed by the Shire.

2.1.6 Maintain the natural values present on bush reserves controlled by the Shire including Dieback management.

3.7.1 Continue to support new sustainable tourism development (across accommodation, activity, attractions, 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.

3.7.9 In recognition of Denmark's potential to develop world-class nature-based tourism assets, continue to support and promote new trail development to complement the existing Munda Biddi and Bibbulmun Tracks e.g. the Wilderness Ocean Walk (WOW) and Ride Trail experience.

### **Sustainability Implications:**

#### ➤ **Governance:**

The Mount Hallowell Reserve Management Plan 2008 states “school groups and outdoor education tour operators have been allowed to use an area near Monkey Rock for abseiling and rock climbing. Case specific permission is required from the Shire CEO or endorsed by Council for these activities to take place”. There is no mention specifically of mountain biking or recreational pursuits other than walking.

#### ➤ **Environmental:**

The State Government’s Management Order to the Shire for Mount Hallowell Reserve, an A-class listed reserve, states that management is to be in accordance with the “Mount Hallowell Reserve Management Plan 2008” and for the purposes of ‘Conservation and Recreation’.

There are a number of environmental impacts to consider as a result of the proposed event, which are a result of Mount Hallowell Reserve not being currently designed to manage mountain biking as a recreational use:

- Although the proposed event is confined largely to an existing strategic fire access track, user-induced erosion of the track is likely given the steep grade (12.5%).
- The event proposes to use the granite outcrops of Monkey Rock as a starting point. This could result in impacts associated with the use of bikes on the outcrops and additional pedestrian traffic associated with marshalling and spectators. This use could impact flora on the granite outcrops. The “Mount Hallowell Reserve Management Plan” recommends “Monitor and control recreational activities on fragile areas such as granite outcrops” (recommendation 2.3a).  
The significance of the granite outcrops is associated with the unique and sensitive floral assemblages that reside there. The Management Plan states: “Monitoring of, and controlling access to, fragile areas such as granite outcrops which harbour specific and restricted vegetation habitats such as moss beds is particularly important”. Moss and lichen are important in the nutrient cycling within the granite outcrop ecosystem.
- The proposed event course is located within an area surveyed as “uninterpretable” for *Phytophthora dieback* in the “Broad scale survey of *Phytophthora Dieback* Distribution across Mt Hallowell Reserve, Denmark and Reserve Hygiene Management Plan” (2014). It also traverses areas mapped as “unprotectable” and “protectable”. The effective clean down standards for traversing these two areas requires cleaning of all vehicles, footwear, equipment and footwear. There is a boot cleaning station located on the Bibbulmun Track/Sheila Hill Memorial Trail at this junction between “protectable” and “unprotectable” areas, and in maintaining this clean down standard, all footwear and bicycles would need to be cleaned at this junction during the proposed event.

Community Services believe that if the following conditions form part of the approval process then the above concerns can be addressed in full to meet the objectives of the Mount Hallowell Reserve Management Plan 2008:

- Appropriate waste collection bins are to be provided for use during the event.
- The proponent will be responsible for remediating any damage to the tracks and trails caused during the event.
- Granite outcrops can be sectioned off, where no vegetation exists, during the event.
- An appropriate bicycle and footwear clean down station is to be established with approval by the Shire’s Sustainability Services.
- No hay to be brought onto the reserve. Weed-free straw is acceptable.
- The entirety of the event is to be located within the existing tracks and trails. This includes spectator management. There is to be no disturbance or clearing of vegetation.

➤ **Economic:**

The Monkey Rock Speed Run is expected to attract visitors from across the State. Exact numbers are not known being the inaugural event. The event organisers anticipate between 100 and 150 competitors, with more than half of the competitors expected to reside outside of Denmark. Adventure tourism data reports suggest for each competitor a visitor multiplier of 2.5 is applied representing an additional 125 people to Denmark, based on 100 competitors.

(Source: *Nature Based Tourism Strategy: Your Margaret River Strategy*).

➤ **Social:**

The community would be offered the opportunity to attend and participate in a developing and attractive community based event.

➤ **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)
Dieback spread	Possible (3)	Moderate (3)	Moderate (5-9)	Inadequate Natural Environ. Management Practices	Accept Officer Recommendation
Incorrect use post event	Likely (4)	Moderate (3)	Moderate (5-9)	Inadequate Natural Environ. Management Practices	Manage by treatment plan
Impact on vegetation	Unlikely (2)	Moderate (3)	Low (1-4)	Inadequate Natural Environ. Management Practices	Manage by treatment plan

**Comment/Conclusion:**

There exists a need to develop a management plan with respect to adventure tourism in the Mount Hallowell nature reserve, and more broadly across all reserves, managed by the Shire of Denmark. This process should involve a comprehensive consultation process with key stakeholders and the community. It was anticipated this process would occur late in 2018 or early 2019 following feedback from the Sport and Recreation Masterplan.

A number of Local Governments in Western Australia have recently announced plans for the development of mountain biking infrastructure, including trails within A Class reserves. The South West Mountain Bike Masterplan has just released its vision for 495kms of new trails to address the demand for managing informal use of reserves.

Given the timing of this application a level of community discussion has needed to occur, at least in part, to enable Council to consider, as much as possible, all aspects to the application. While this consultation is not sufficient for the broader application of mountain bike use and events across the Shire, it has allowed Council to obtain information to assist in the assessment of this particular event.

The Officer recommends Council support this application, noting strict environmental management controls that will apply, as determined reasonable by the Chief Executive Officer. In assessing this application it would be prudent to acknowledge that support of this application does not provide precedent, as each application will be assessed on its merits, and does not allow unrestricted access by the public until a management plan over the area can be completed, including all appropriate consultation.

The Officer notes that development of adventure tourism, economic growth and recreational opportunities are all key elements to Denmark 2027. It is equally understood that protection of the environment, maintaining and developing our natural reserves are also central to the adopted Strategic Community Plan.

The Officer believes the controls that have been identified will be effective in managing the environmental concerns raised. These controls should form part of the approval process and have been included in the Officer Recommendation.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 8.3.3
MOVED: CR GIBSON	SECONDED: CR ALLEN
<p>That with respect to the Denmark Mountain Bike Club Monkey Rock Speed Run 2018, Council approve the Denmark Mountain Bike Club application for the Monkey Rock Speed Run event within the Mount Hallowell nature reserve for the dates outlined in the proposal, subject to the following conditions;</p> <ol style="list-style-type: none"> <li>1. Appropriate waste collection bins are to be provided for use during the event.</li> <li>2. The proponent will be responsible for remediating any damage to the tracks and trails caused during the event.</li> <li>3. Granite outcrops can be sectioned off, where no vegetation exists, during the event.</li> <li>4. An appropriate bicycle and footwear clean down station is to be established with approval by the Shire’s Sustainability Services.</li> <li>5. No hay to be brought onto the reserve. Weed-free straw is acceptable.</li> <li>6. The entirety of the event is to be located within the existing tracks and trails. This includes spectator management. There is to be no disturbance or clearing of vegetation.</li> </ol>	
CARRIED UNANIMOUSLY: 8/0	Res: 080718

**8.4 Chief Executive Officer**

<b>8.4.1 DENMARK EAST DEVELOPMENT PRECINCT PROJECT</b>	
<b>File Ref:</b>	PLN.74
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Shire of Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	5 July 2018
<b>Author:</b>	Bill Parker, Chief Executive Officer
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	8.4.1 – Denmark Traffic and Evacuation Management Study Final Report

**Summary:**

In December 2017, Councillors requested that a traffic and evacuation management study be undertaken to inform the location of a bridge across the Denmark River. In addition to the study, the Shire has also progressed asset management plans for various asset classes.

This item seeks to receive the study and discuss the Shire’s broader financial position in relation to the Denmark East Development Precinct Project (DEDPP).



**Background:**

In October 2016, Council decided on an alignment for the eastern component of the DEDPP from Denmark-Mt Barker Road to McIntosh Road that included the proposed industrial area. Work has subsequently commenced and has significantly progressed on this part of the project.

In December 2016, Council resolved to suspend work associated with the Western Precinct of the DEDPP and request a 12-month extension to determine the best route for an additional bridge across the Denmark River taking into consideration a detailed traffic analysis, bushfire evacuation planning, financial due diligence, further consultation with the community and a review of all alternatives.

The Department of Regional Development declined the Council's request for a 12 month extension. In an effort to avoid termination of the Financial Assistance Agreement (FAA), Council considered a further item in January 2017 to decide on a preferred crossing point of the Denmark River. At this meeting, Council was unable to decide on a preferred crossing point.

From January 2017, the Shire worked with Landcorp to further investigate and refine the alternative options. As the project progressed, additional costs were identified putting the entire project at risk.

To ensure that the industrial area and eastern precinct were completed, Council resolved to split the project into mutually exclusive components being;

1. Eastern Precinct (a series of connector roads that will service a new industrial area);
2. Western Precinct (bridge over the Denmark River).

On 11 July 2017, the Shire received written confirmation that the Minister was prepared to split the project into two separate components, each supported by a single financial assistance agreement. Under the arrangement, the Eastern Precinct would continue as planned. At the same time that the industrial area commenced, Council would continue working on the Western Precinct under a separate FAA that would progress this component of the project to detailed design. At this point, Council could determine the financial shortfall and potentially pursue alternative funding arrangements to complete the Western Precinct, using the remaining Royalties for Regions funding as leverage.

The new FAAs facilitated the redistribution of the project budget allocations and detailed new project milestones. The FAAs for both Precincts outline a series of milestones and obligations that are required to be completed by certain dates.

In December 2017, the CEO provided an overview to Councillors of the project to date and explained the financial implications and key milestones associated with the new Financial Assistance Agreements. At this meeting, the Councillors requested detailed information in relation to traffic and evacuation management.

In January 2018, the Shire commissioned GHD to undertake a traffic and evacuation management study. The study has recently been delivered.

In addition to the study, the Shire has also progressed various asset management plans in relation to transport, recreation, property, plant and equipment.

Both bodies of work seek to inform the elected group on the most appropriate way to move the DEDPP forward.

**Consultation:**

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

**Statutory Obligations:**

Although there are no legislative obligations that relate to this item, the Shire is bound by a FAA for the Western Precinct. The agreement outlines key milestones for the completion of certain tasks. The agreement requires Council to make a decision on a preferred crossing point of the Denmark River by July 2018.

**Policy Implications:**

There are no policy implications.

**Budget / Financial and Asset Management Implications:**

The financial assessment completed for this item seeks to discuss;

1. The immediate financial costs associated with the project;
2. The implications of continuing with the project from an asset management perspective; and
3. An indication of the Shire’s broader financial position taking into consideration the recently published Financial Health Score (FHI) data.

Given the size of the DEDPP, the project has the potential to impact all three components outlined above. For this reason, all three are discussed in detail below;

*The immediate financial costs*

The Shire of Denmark in partnership with Landcorp commissioned a comprehensive review of the project financials. The review highlighted a number of additional costs including the relocation of Telstra infrastructure and power poles and an increase in the project contingency budget.

The revised project financials have informed the two new financial assistance agreements that have been executed.

<b>Funding</b>	<b>Western Precinct</b>	<b>Eastern Precinct</b>	<b>Total</b>
Royalties for Regions	\$4,291,000	\$3,335,000	<b>\$7,626,000</b>
Shire of Denmark	\$2,305,000	\$1,933,400	<b>\$4,238,400</b>
External funding	\$3,100,000	\$0	<b>\$3,100,000</b>
Landcorp	\$0	\$2,500,000	<b>\$2,500,000</b>
<b>TOTAL</b>	<b>\$9,696,000</b>	<b>\$7,768,400</b>	<b>\$17,464,400</b>

In terms of the Western Precinct, the total cost of this component is \$9,696,000. This comprises;

<b>Item</b>	<b>Total</b>
Consultancies (project management, survey, engineering etc)	<b>\$906,000</b>
Provisional Items (fencing, Telstra, Western Power)	<b>\$565,000</b>
Civil Works (roads)	<b>\$2,550,000</b>
Bridge (culverts)	<b>\$4,830,000</b>
Land acquisitions (includes lot 1 Scotsdale Road)	<b>\$845,000</b>
<b>TOTAL</b>	<b>\$9,696,000</b>

To deliver the Western Precinct, the Shire would be required to draw on the remaining Royalties for Regions Funding, make a significant cash contribution and apply for external funding. In terms of the Shire’s cash contribution, \$795,000 was the acquisition of Lot 1 Scotsdale Road. The remaining cash contribution is therefore \$1,510,000. This would comprise a further 3 years of Roads to Recovery Funding.

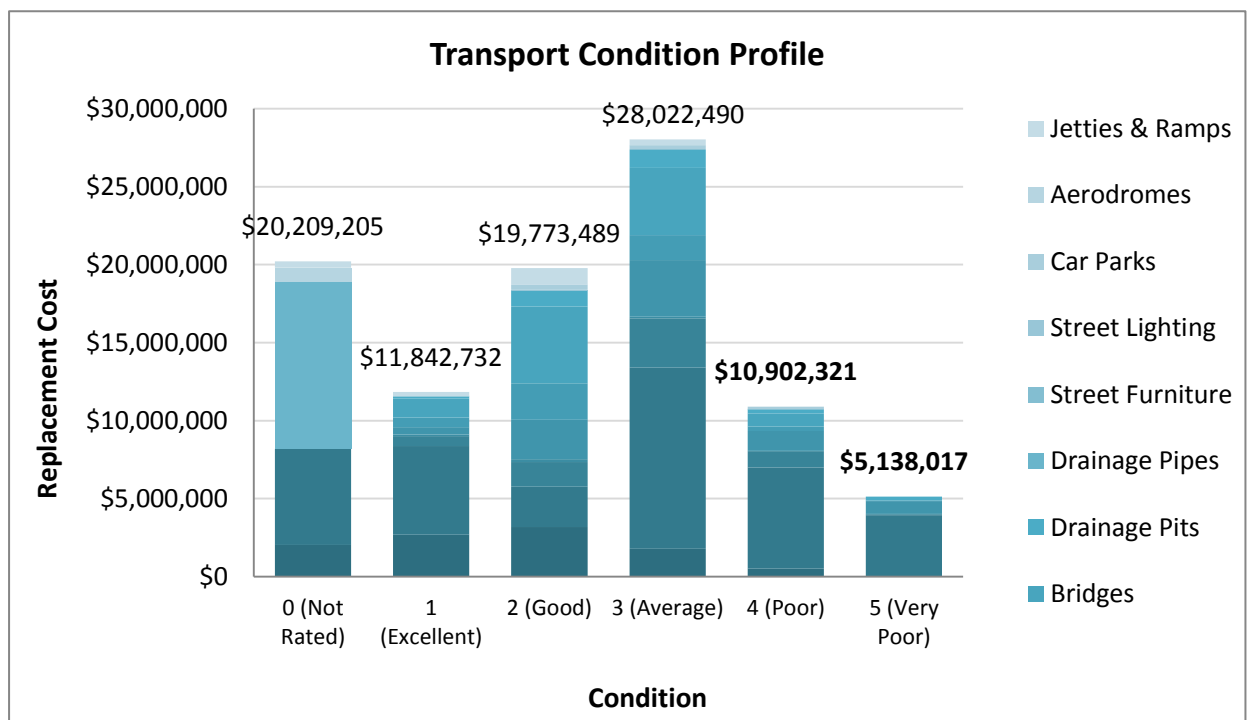
**Asset management**

The Shire of Denmark has recently undertaken a comprehensive asset management assessment. The Shire’s draft Asset Management Plan covers various asset classes including;

1. Recreation Assets – Parks, ovals, reserves, gardens, playgrounds, BBQs, gazebos, foreshores etc.
2. Property Assets – Buildings, freehold land and associated ancillary infrastructure.
3. Transport Assets – Roads, paths, bridges, culverts, drainage, aerodrome, street furniture, jetties, car parks, lighting etc.
4. Plant and Equipment Assets – Vehicles, tools, plant, Information Communication Technology (ICT), equipment etc.

The Shire’s focus in 2017/18 was Transport Assets as this is the largest asset class. In undertaking this assessment, the Shire’s transport assets were assessed in terms of condition (rating scale 1-5) and value. As a result of this assessment, the Shire now has a high degree of confidence in terms of the value and condition of transport assets under its control. The same detailed assessment will occur for the other asset classes in subsequent years.

The assessment confirmed that the Shire has numerous transport assets in either poor or very poor condition. The current replacement cost of these assets is approximately \$16m.



*Figure 1: Replacement Cost and Condition of the Shire's Transport Assets. Assets not rated include mainly drainage pipes and road pavements. This is due to the difficulty in assessing these assets.*

The number of assets in either poor or very poor condition suggests that the Shire has historically underspent in the transport portfolio. Although the value of the assets in either poor or very poor condition is a concern, equally concerning is the number (and value) of assets in average condition. Without intervention, these assets are at risk of declining in condition and further compounding the issue.

The Shire's under expenditure is reflected by the asset sustainability ratio, one of 7 financial ratios that the Shire is required to report on annually. This ratio is essentially past looking and is a measure of the extent to which assets managed by the Shire are being replaced as they reach the end of their useful lives. The asset sustainability ratio is calculated by measuring capital expenditure on renewal or replacement of assets, relative to their annual depreciation expense. Expenditure on new, upgraded and maintenance of assets is excluded from the calculation. Depreciation expense represents an estimate of the extent to which the assets have been consumed during that period.

In 2016/17, the Shire of Denmark's asset sustainability ratio was 40% (or 0.40). The required standard is met if the ratio can be measured and is 90% (or 0.90). The standard is improving if this ratio is between 90% and 110% (or 0.90 and 1.10). Essentially what this ratio aims to achieve is approximately a dollar for dollar match of renewal expenditure against the yearly depreciation expense of the Shire's asset base, i.e. for every dollar an asset loses, the Shire spends a dollar renewing the asset. The Shire's result of 40% indicates that for every dollar of renewal expenditure required, the Shire has spent 40 cents.

The asset management condition assessment and asset sustainability ratio suggests that the Shire will need to intervene and increase the amount of renewal expenditure applied annually. For the Shire to improve its performance in this area and start addressing the renewal backlog, the Shire would need to more than double its renewal expenditure each year.

#### *Financial Health Score*

The 2016/17 mycouncil.wa.gov.au statistics have been uploaded to the Department for Local Government, Sport and Cultural Industry's website. The website provides a platform to view and compare information about local governments in Western Australia. The Shire of Denmark's Financial Health Indicator (FHI) is 47, one of the lowest in the state.

The FHI is a measurement of a local government's overall financial health. It is calculated from the seven financial ratios that local governments are required to calculate annually. A FHI result of 70 and above indicates sound financial health. The maximum result achievable is 100. The FHI is one factor to consider in assessing overall performance.

One of the reasons for the Shire's low FHI is that the Shire has been unable to calculate two of the contributing ratios due to a lack of data associated with asset management and long term financial planning. Of the remaining five ratios, two fall below the required benchmarks (Asset Sustainability and Operating Surplus). Given the work that has occurred over the last 18 months, the Shire should be in a position to report on all required ratios in 2017/18.

Reporting on all the required ratios is not necessarily going to significantly improve the Shire's FHI. Some of the Shire's ratios fall well below the required benchmarks. Whilst elements of the Shire's performance is consistent with being a small rural local government, others will require a long term commitment to achieve sustained improvement.

Historically, the Shire of Denmark's poor performance from a ratio perspective has also resulted in the Shire being assessed as 'high risk' according to the Department of Local Government, Sport and Cultural Industries.

#### **Strategic & Corporate Plan Implications:**

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

#### Denmark 2027

##### L5.0 Our Local Government

The Shire of Denmark is recognised as a transparent, well governed and effectively managed 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
- L5.4 To be fiscally responsible

**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:**

Depending on the direction that Council takes, the project could have significant economic implications as indicated in the financial/asset management section of this report.

➤ **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 to proceed with the project	Possible (3)	Major (4)	Moderate (5-9)	Inadequate Financial, Accounting or Business Acumen	Accept Officer Recommendation
That Council decides to suspend or cancel the project	Possible (3)	Moderate (3)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation

**Comment/Conclusion:**

As highlighted above, the Shire of Denmark commissioned a traffic and evacuation management study to inform the location of a bridge across the Denmark River.

Using traffic data collected in February and April 2018, GHD developed and calibrated a 2018 AIMSUN traffic model of the Denmark CBD. The model was then used to assess four options for the west-to-east evacuation of Denmark under emergency conditions, across the Denmark River. The four options assessed were;

- Option 1 – Existing South Coast Highway Bridge;
- Option 2 – Existing Churchill Road Bridge;
- Option 3 – East River Road, with a new dual lane bridge; and
- Option 4 – Southern Bypass, with new dual lane bridge.

The model made a number of assumptions including;

- The population of the Shire of Denmark is assumed to be evacuated to the east of the South Coast Highway / Denmark–Mt Barker Road intersection (i.e. towards Albany).
- Based on a review of all adopted Structure Plans, subdivision approvals and local planning strategy data, the assumed high-level population distribution for Denmark is 45% of the population north of the South Coast Highway, and 55% south of the South Coast Highway.
- It is assumed that there would two broad types of household in the Shire, based on high level demographics;

- 65.7% of the population belong to families with children/dependents and hence each vehicle takes (on average) four people during the evacuation; and
- 34.3% of the population would be couples with no children/dependents, and hence each vehicle takes (on average) two people during the evaluation.
- It is assumed that 20% of the total Shire population would be evacuated during the peak hour of the evacuation, and the remainder would be evacuated during the rest of the evacuation period. The modelling addresses the peak hour of the evacuation when the largest proportion of the total population would evacuate.
- It is assumed that the evacuation is orderly and free of unforeseen chaotic incidents and therefore if the traffic operation during the peak period is without major issues, then the rest of the evacuation period would also be satisfactory in terms of traffic operation.
- During the evacuation, drivers would choose the best route(s) for evacuation. Therefore the minor roads, which were not modelled in the 2018 Base Models, were used in order for the models to choose the most desirable routes.

It should be noted that the opposite direction of the road can also be utilised for evacuation under emergency conditions. However, this analysis is not covered within this study.

As a part of the study and to develop the base model, the Shire also sought to identify traffic movements during the peak holiday period being the 52<sup>nd</sup> and 1<sup>st</sup> weeks of the year. Given the timing of the consultancy, the Shire was unable to measure traffic counts during this period. The consultancy attempted to find a statistical relationship between traffic counts and other service demands during the peak holiday period such a water and waste water rates.

The results suggested that both water and wastewater rates increase during the peak period. The increases were far less than anticipated. For this reason, the peak am and pm rates were used to underpin the base model.

The initial assessment tested the effectiveness of the existing South Coast Highway Bridge. The second part of the assessment assumed that the South Coast Highway Bridge was closed and therefore the population used Churchill Road or East River Road or the Southern Bypass. The results concluded;

1. Option 1 (South Coast Highway), which uses the existing bridge that crosses the Denmark River via South Coast Highway would perform satisfactorily.
2. Option 2 (Churchill Rd) would be the most time consuming with the highest average delay because the alternative route is the longest and it would take evacuees much longer to reach South Coast Highway.
3. Option 3 (East River Rd) achieves intermediate results.
4. Option 4 (Southern Bypass) has the shortest travel time and average delays, and from the traffic operation point of view, it would be the most preferred evacuation route.

In addition to testing each of the individual routes in isolation, the assessment also considered;

1. How long would it take to evacuate Denmark in an emergency using the existing infrastructure i.e. South Coast Highway and Churchill Road Bridge?
2. Would there be any improvement from an evacuation perspective if Churchill Road Bridge was upgraded to two lanes?
3. Would there be any improvement from an evacuation perspective if a second bridge was constructed in the vicinity of East River Road (as per the Local Planning Strategy and GHD options)?
4. Would there be any improvement from an evacuation perspective if a southern bypass road was constructed that roughly followed the rail trail alignment?
5. Recommendations on any other alternative locations for a crossing point of the Denmark River to achieve the most effective evacuation outcome for the Shire.

The assessment found that by using the existing South Coast Highway Bridge, all inhabitants could be orderly evacuated (free of unforeseen chaotic incidents) west-to-east within

approximately 1.5 hours. By comparison, using the existing Churchill Road bridge, all inhabitant could be orderly evacuated (free of unforeseen chaotic incidents) west-to-east within approximately 2 hours.

The assessment found that there would be no benefit by upgrading the Churchill Road Bridge. In saying this, the Shire is committed to upgrading the bridge from an asset renewal perspective.

The report found that the Southern Bypass was the most efficient from an evacuation perspective. This is due to the connectivity afforded by this option to Denmark residents south of the South Coast Highway. Consequently, under this model these residents are able to avoid the need to traverse other key intersections within the CBD (e.g. Ocean Beach Rd / South Coast Highway, Hollings Road / South Coast Highway).

The Shire also requested additional information from the consultancy in relation to network capacity limits. This part of the assessment concluded;

- Option 1 (South Coast Highway) is capable of accommodating the largest number of vehicles, and by extrapolation would handle an evacuation of approximately 60% of the town population in the peak hour.
- The modelling has shown that Option 2 (Churchill Road) and Option 3 (East River Road) are the least capable of handling an increase of traffic, under emergency conditions.

In conclusion and although based on a number of assumptions, the overall report concludes that the existing road network has capacity and that either a bridge at East River Road or a Southern Bypass would improve the evacuation performance of the existing road network.

The traffic management assessment provides Council with additional information that may assist in making an informed decision. Although a significant body of work, Council also needs to consider the broader financial and asset management implications by continuing with the project.

The Shire finds itself in a difficult position. Although the existing network has capacity and a new bridge across the Denmark River would improve west-to-east evacuation times; studies and improvement actions being undertaken concurrently suggest that the Shire is not in a financial position to fund the project.

Although the Asset Management Plan and Long Term Financial Plan have not formally been presented to Council, what the Shire does know is that;

1. To improve the condition of the Shire's existing transport assets, significant renewal investment needs to occur each year.
2. Large investments in new capital projects (such as the DEDPP) without corresponding increases in renewal expenditure will weaken the Shire's ratio performance.
3. Without a long term sustained improvement from an asset management perspective, the Shire will remain as a 'high risk' local government according to the Department of Local Government, Sport and Cultural Industries.

The financial assessment concludes that to complete this project, the Shire would be required to identify a \$3.1m funding partner and contribute a further \$1,510,000. This represents 3 years of Roads to Recovery Funding. The Shire can't afford to invest large sums of Roads to Recovery Funding in new assets to the detriment of the existing network. The \$1,510,000 earmarked for this project is desperately needed to address the Shire's renewal backlog.

To compound the financial assessment, Landcorp will withdraw project management services in August 2018 when the industrial area is complete. Without Landcorp's experience in project management, it is highly unlikely that the Shire will have the capacity internally to manage the project.

Given the above considerations and the strategic importance of an alternative crossing point of the Demark River, it is recommended that Council formally request that the State Government take control of the project.

**Voting Requirements:**

Simple majority.

**OFFICER RECOMMENDATION**

ITEM 8.4.1

That in relation to the Denmark East Development Precinct Project (Western Precinct) Council;

1. Receives the Denmark Traffic and Evacuation Management Study Final Report (attachment 8.4.1).
2. Informs the Department of Primary Industries and Regional Development that the Shire of Denmark is unable to proceed with the Western Precinct due to the Shire's broader financial and asset management position.
3. Given the longer term strategic importance of an additional crossing point of the Denmark River, requests that the Government of Western Australia takes over and delivers the project using the remaining Royalties for Regions Funding earmarked for the Western Precinct.

**COUNCIL RESOLUTION**

ITEM 8.4.1

MOVED: CR GIBSON

SECONDED: CR LEWIS

That in relation to the Denmark East Development Precinct Project (Western Precinct) Council;

1. Receives the Denmark Traffic and Evacuation Management Study Final Report (attachment 8.4.1).
2. Informs the Department of Primary Industries and Regional Development that the Shire of Denmark declines to proceed with the Western Precinct due to the Shire's broader financial and asset management position.
3. Requests that the State Government delivers any required future additional crossing over the Denmark River, including any associated infrastructure.
4. Authorise the President and CEO to enter into negotiations with the State Government in order to retain the Royalties for Regions funding earmarked for the Western Precinct of the Denmark East Development Project for use in an alternative project or projects within the Shire of Denmark, with Council's preference being for upgrades to infrastructure at Greens Pool.

**AMENDMENT**

MOVED: CR OSBORNE

SECONDED: CR ALLEN

Add the following words to the end of part 3, "in accordance with the provisions of the Shire of Denmark Local Planning Strategy."

LOST: 5/3

Res: 090718

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

*FOR: Cr Osborne, Cr Allen and Cr Seeney.*

*AGAINST: Cr Lewis, Cr Whooley, Cr Phillips, Cr Caron and Cr Gibson.*

**AMENDMENT**

MOVED: CR PHILLIPS

SECONDED: CR WHOOLEY

Add an additional part 5 to read as follows;

"In conjunction with Main Roads WA and other relevant agencies; review the need for and location of any additional crossing point over the Denmark River as part of Council's pending review of the Local Planning Strategy and Town Planning Scheme."



THE AMENDMENT WAS PUT AND TIED: 4/4

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

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

**AGAINST:** Cr Caron, Cr Allen, Cr Osborne and Cr Seeney.

THE DEPUTY SHIRE PRESIDENT USED HIS CASTING VOTE AND VOTED AGAINST THE AMENDMENT WHICH WAS THEN LOST: 5/4 Res: 100718

THE ORIGINAL MOTION WAS THEN PUT AND CARRIED: 7/1 Res: 110718

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

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

**AGAINST:** Cr Seeney.

**REASONS FOR CHANGE**

*Council amended the Officer Recommendation to include a request for the State Government to consider allowing the Shire to retain the funding for the benefit of the Denmark community.*

**9. COMMITTEE REPORTS & RECOMMENDATIONS**

**9.1 BUSH FIRE ADVISORY COMMITTEE - FIRE CONTROL OFFICER & FIRE WEATHER OFFICER APPOINTMENTS FOR 2018/2019**

File Ref:	FIRE.1
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Shire of Denmark
Disclosure of Officer Interest:	Nil
Date:	30 June 2017
Author:	David Schober, Manager Community Services
Authorising Officer:	Cary Green, Director Corporate and Community Services
Attachments:	Nil

**Summary:**

The officer report discusses Denmark Volunteer Bush Fire Brigades nominations for Fire Control Officers (FCO) for their respective Brigade areas, which have in turn been recommended by the Bush Fire Advisory Committee (BFAC) and are presented together with BFAC's recommendations for Chief Bush Fire Control Officer (CBFCO), Deputy Chief Bush Fire Control Officer (DFCO) and Fire Weather Officer (FWO) for consideration and adoption by Council.

The list includes Graeme Thallon, Council's retired CBFCO from 2016/17 who was included as an FCO for 2017/18.

**Background:**

While the Captains, Lieutenants, Secretaries, Equipment Officers and the like are elected by Brigades it is the local government's role to appoint Fire Control Officers, a Chief Bush Fire Control Officer, a Deputy Chief Bush Fire Control Officer and Fire Weather Officers.

Each Brigade has put forward their nominated FCO for 2018/19 which were considered at the recent Bush Fire Advisory Committee (BFAC) Annual General Meeting held on 26 June 2018.

The Committee has recommended these appointments together with some Council Officers and the 2016/17 Chief Bush Fire Control Officer.

**Consultation:**

Each of the Brigade's recommended Fire Control Officer appointments have been submitted via the Annual General Meeting of their Brigade and have subsequently been considered and endorsed by the BFAC.

**Statutory Obligations:**

Section 38 of the Bush Fires Act 1954 relates to the appointment of Fire Control Officers, Chief Bush Fire Control Officer and Deputy Bush Fire Control Officers.

The section states that a local government may appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act.

Section 38 (8) of the Bush Fires Act 1954 provides Council with the authority to appoint to the office of Fire Weather Officer such number of senior bush fire control officers as it thinks necessary.

**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 such appointments.

Council Delegation D050110 records the Shire of Denmark's appointment of Fire Weather Officers and will be amended accordingly should Council agree to make such appointment.

**Budget / Financial Implications:**

There are minor financial costs upon the Council's proposed budget with the costs associated with the official Gazetting of the Fire Weather Officer and the issuing of appointment cards as per the Bush Fires Act 1954. These costs are able to be covered under existing budget lines.

**Strategic Implications:**

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

Denmark 2027

C4.0 Our Community

We live in a happy, healthy, diverse and safe community with services that support a vibrant lifestyle and foster community spirit.

N2.0 Our Natural Environment

Our natural environment is highly valued and carefully managed to meet the needs of our community, now and in the future.

N2.1 To preserve and protect the natural environment

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:**

Council has the authority, under the Bush Fires Act 1954, to appoint a Chief and Deputy Chief Bush Fire Control Officer and as many Fire Control Officers as it deems necessary.

➤ **Environmental:**

Fire Control Officers play an important role in protecting and preserving the natural environment when faced with out of control bush fires.

➤ **Economic:**

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

➤ **Social:**

Fire Control Officers play an important role in public 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 Fire Control Officers and therefore by default the Council would be required to undertake the role pursuant to the Bush Fires Act 1954 and local volunteer brigades could lack necessary leadership, coordination leading to reduced efficiency and potential delays in fire response times.	Rare (1)	Catastrophic (5)	Moderate (5-9)	Inadequate Organisation or Community Emergency Management	Accept Officer Recommendation

**Comment/Conclusion:**

All of the Brigade Officers recommended have carried out senior/management roles in their respective brigades and have completed, or enrolled to complete, relevant training.

The appointment of additional FCO’s, such as the former Chief ensures that that person has the powers to assist with any local fire incident which may happen at the same time and provide backup to volunteers and the command structure at a fire.

This additional FCO position for the former CBFCO is recommended to be authorised within the entire Shire of Denmark and not on behalf of a specific Brigade area.

**Voting Requirements:**

Simple majority.

**COUNCIL RESOLUTION & COMMITTEE RECOMMENDATION**

ITEM 9.1

MOVED: CR ALLEN

SECONDED: CR SEENEY

That, pursuant to Section 38 (1) of the Bush Fires Act 1954, Council appoint the following persons for the financial year 2018/2019 and that the appointments be advertised in the Denmark Bulletin and Council's Delegation (Appointments) D050109 be updated accordingly;

Bush Fire Control Officers authorised within the entire Shire of Denmark

Senior Ranger	Charmaine Shelley
Ranger	David Lonie
Fire Control Officer	Melanie Haymont
Fire Control Officer & Chief Fire Control Officer	Ross McDougall
Fire Control Officer & Deputy Chief Fire Control Officer	Leslie (Lez) Baines
Fire Control Officer	Graeme Thallon

Bush Fire Control Officers authorised within the entire Shire of Denmark area on behalf of their respective Brigades

Carmarthen Volunteer Bush Fire Brigade	Craig Hughes
Denmark East Volunteer Bush Fire Brigade	Bronnie Wallace
Harewood Volunteer Bush Fire Brigade	Michael (Mike) Hills
Hazelvale/Tingledale Volunteer Bush Fire Brigade	Alex Williams
	Brian Vigus
Kordabup Volunteer Bush Fire Brigade	Craig Lilley
Owingup Volunteer Bush Fire Brigade	Bryce Edwards
Mehniup Volunteer Bush Fire Brigade	Dan Willans
Mt Lindesay Volunteer Bush Fire Brigade	Murray Brooker
Nornalup Volunteer Bush Fire Brigade	Jean-Marc Merat
Ocean Beach Volunteer Bush Fire Brigade	Derek (Joe) Baker
Parryville Volunteer Bush Fire Brigade	Kevin Hard
Peaceful Bay Volunteer Bush Fire Brigade	Ivars Sulcs
Scotsdale/Shadforth Volunteer Bush Fire Brigade	Arthur (Sid) Marshall
	Carlton Wesley
Somerset Hill Volunteer Bush Fire Brigade	Callum Baxter
William Bay Volunteer Bush Fire Brigade	Simon Coppock

Bush Fire Control Officers authorised within the prescribed Denmark Fire & Rescue Service Area Only

Denmark Fire & Rescue Service (Volunteer Brigade)	Lee Shelley
Denmark Fire & Rescue Service (Volunteer Brigade)	Don Atkinson

CARRIED UNANIMOUSLY: 8/0

Res: 120718

**COMMITTEE RECOMMENDATION**

ITEM 9.2b

That, pursuant to Section 38 (8) of the Bush Fires Act 1954, Council appoint Adrian Kranendonk for the financial year 2018/2019 as a Fire Control Officer and Fire Weather Officer to be authorised within the entire Shire of Denmark.

The following Officer Recommendation is provided which includes amending Delegation D050110 and the legislative requirement to gazette the appointment.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 9.1b
MOVED: CR SEENEY	SECONDED: CR GIBSON
That Council;	
<ol style="list-style-type: none"> <li>1. Pursuant to Section 38 (8) of the Bush Fires Act 1954 appoint Adrian Kranendonk as the Shire of Denmark’s Fire Weather Officer for 2018/2019; and</li> <li>2. Pursuant to Section 38 (13) of the Bush Fires Act 1954, advertise the appointment in the Denmark Bulletin and give notice of the appointment once in the Government Gazette; and</li> <li>3. Update Delegation (Appointment) D050110 accordingly.</li> </ol>	
CARRIED UNANIMOUSLY: 8/0	Res: 130718

**10. MATTERS BEHIND CLOSED DOORS**

Nil

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

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 11
MOVED: CR LEWIS	SECONDED: CR PHILLIPS
That pursuant to section 3.11 of the Shire of Denmark’s Standing Orders Local Law, the Council accept an item of new business of urgent nature to ratify the appointment of a Council Delegate on the Amazing South Coast Inc. Board and the appointment of a Council representative to the Denmark Residents and Ratepayers Association.	
CARRIED UNANIMOUSLY: 8/0	Res: 140718

<b>11.1</b>	<b>APPOINTMENT OF COUNCILLOR DELEGATES – AMAZING SOUTH COAST INC. BOARD AND DENMARK RESIDENTS AND RATEPAYERS ASSOCIATION</b>
-------------	--

<b>File Ref:</b>	LGSEA & ORG.30
<b>Applicant / Proponent:</b>	Lower Great Southern Economic Alliance; Denmark Residents and Ratepayers Association
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 July 2018
<b>Author:</b>	Claire Thompson, Executive Assistant
<b>Authorising Officer:</b>	Bill Parker, Chief Executive Officer
<b>Attachments:</b>	Nil

**Summary:**

This report recommends that Council ratify the informal appointment of the Shire President, Cr Gearon, to the Amazing South Coast Inc. Board and consider appointing a Council Delegate to the Denmark Residents and Ratepayers Association.

**Background:**

Amazing South Coast Inc. Board

At the Lower Great Southern Economic Alliance Special Meeting held on 4 July 2018 members discussed the need to progress the Destination Marketing Organisation and recommended that each member local government appoint a representative to expand the Board. It was recommended that the representatives be put forward prior to the next Board meeting which was scheduled for 13 July 2018.

At the Concept Forum held on 10 July 2018, Council informally discussed the situation and informally nominated the Shire President, Cr Gearon.

### Denmark Residents and Ratepayers Association

The Denmark Residents and Ratepayers Association have written to the CEO, on 12 July 2018, requesting that the Council appoint a delegate to their organisation to act as a conduit for information from them to the Shire of Denmark. Their next meeting is scheduled for 20 August 2018 and they have requested that a delegate be appointed prior to their meeting.

#### **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:**

Nil

#### **Policy Implications:**

There are no policy implications.

#### **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 Community Plan Aspirations and Objectives and the Corporate Business Plan Actions and Projects in the following specific ways:

#### Denmark 2027

##### *L5.0 Our Local Government*

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

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

L5.2 To have meaningful, respectful and proactive collaboration with the community.

L5.5 To embrace change, apply technology advancement and pursue regional partnerships that drive business efficiency.

##### *E1.0 Our Economy*

We are an attractive location to live, invest, study, visit and work.

E1.2 To be a vibrant and unique tourist destination, that celebrates our natural and historical assets.

#### Corporate Business Plan

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

3.7.5 Promote and support local and regional tourism initiatives.

- 3.7.7 Collaborate with tourism peak bodies to promoting and developing the region e.g. Great southern Development Commission (regional Blueprint), Denmark Tourism Inc., Tourism Western Australia, Australia’s South West.
- 3.7.10 Support the creation of a single Local Tourism Organisation (LTO), in collaboration with Albany and Plantagenet, that is consistent with the Great Southern Alliance, with represents, coordinates and plans for the interests of the industry including regional branding and strategy development.
- 4.3.1 Represent and promote the Council at appropriate Regional, State and Federal forums.
- 4.4.1 Actively work with neighbouring Councils on a regional approach to relevant Local Government issues.
- 4.4.6 Support strategic alliances, community groups, stakeholder forums and advisory committees that assist the Shire in policy development and service planning.

**Sustainability Implications:**

➤ **Governance:**

Having a Shire of Denmark Elected Member representation on the Amazing South Coast Inc. Board is consistent with a recommendation from the Lower Great Southern Economic Alliance and ensures equal representation from each of the member local governments.

Council Delegates to community organisations provide an important conduit between community members and the Council.

➤ **Environmental:**

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

➤ **Economic:**

The Lower Great Southern Economic Alliance agreed that expanding the Board, by adding a representative from each of the member local governments, may assist in progressing the Destination Marketing Organisation (DMO). The sooner that the DMO is operational the sooner that destination marketing objectives can start to be realised, including increased visitor numbers resulting in increased economic stimulation to the region.

➤ **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 approve the appointment of the Shire President, or other Council Delegate, to the Amazing South Coast Inc. Board.	Rare (1)	Minor (2)	Low (1-4)	Inadequate Engagement - Community / Stakeholders / Crs	Accept Risk
That Council not a Council Delegate, to the Denmark Residents and Ratepayers Association.	Rare (1)	Minor (2)	Low (1-4)	Not Meeting Community expectations	Accept Risk

**Comment/Conclusion:**

The City of Albany have appointed Mayor Dennis Wellington, who has also been elected Chair of the Amazing South Coast Inc. Board. The Shire of Plantagenet have elected their Deputy Shire

President, Cr Jon Oldfield. The Author considers it appropriate that the Shire of Denmark have equal representation on the Board to assist with progressing the Destination Marketing Organisation.

The Denmark Residents and Ratepayers have indicated that they have had preliminary discussions with Cr Gibson about being the Council Delegate.

The Council have delegates to the following locally based organisations, generally at the organisation’s request;

- Denmark Aquatic Centre Committee Inc.;
- Denmark Arts Inc.;
- Denmark Community Resource Centre Inc. Committee;
- Denmark Historical Society;
- Denmark Tidy Towns Committee Inc.;
- Nornalup Residents and Ratepayers Association;
- Parry’s Beach Voluntary Management Group Inc.; and
- Peaceful Bay Progress Association.

**Voting Requirements:**

Simple majority.

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 11.1a
MOVED: CR GIBSON	SECONDED: CR LEWIS
That Council endorse the appointment of the Shire President, Cr Gearon, to the Amazing South Coast Inc. Board.	
CARRIED UNANIMOUSLY: 8/0	Res: 150718

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	ITEM 11.1b
MOVED: CR ALLEN	SECONDED: CR OSBORNE
That Council appoint Cr Gibson as the Council’s Delegate to the Denmark Residents and Ratepayers Association.	
CARRIED UNANIMOUSLY: 8/0	Res: 160718

**12. CLOSURE OF MEETING**

7.13pm – *There being no further business to discuss the Deputy Shire President, Cr Caron, 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.)*