



Agenda

ORDINARY MEETING OF COUNCIL

TO BE HELD IN THE COUNCIL CHAMBERS,
953 SOUTH COAST HIGHWAY, DENMARK
ON TUESDAY, 16 OCTOBER 2018, COMMENCING AT 4.00PM.

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

MEMBERS:

Cr Ceinwen Gearon (Shire President)
 Cr Peter Caron (Deputy Shire President)
 Cr Mark Allen
 Cr Kingsley Gibson
 Cr 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 David Schober (Acting Director Corporate and Community Services)
 Ms Claire Thompson (Executive Assistant)

APOLOGIES:

Mr Cary Green (Director Corporate and Community Services)

ON APPROVED LEAVE(S) OF ABSENCE:

Cr Jan Lewis (pursuant to Council Resolution No. 020718)

ABSENT:

VISITORS:

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

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

DECLARATIONS OF INTEREST:

Name	Item No	Interest	Nature

3. ANNOUNCEMENTS BY THE PERSON PRESIDING

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTIONS

In accordance with Section 5.24 of the Local Government Act 1995, Council conducts a public question time to enable members of the public to address Council or ask questions of Council. The procedure for public question time can be found on the wall near the entrance to the Council Chambers or can be downloaded from our website at <http://www.denmark.wa.gov.au/council-meetings>.

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

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

Questions from the Public

4.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

4.4 PRESENTATIONS, DEPUTATIONS & PETITIONS

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

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

Nil.

5. APPLICATIONS FOR FUTURE LEAVE OF ABSENCE

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

6. CONFIRMATION OF MINUTES**6.1 ORDINARY COUNCIL MEETING – 18 SEPTEMBER 2018****OFFICER RECOMMENDATION****ITEM 6.1**

That the minutes of the Ordinary Meeting of Council held on the 18 September 2018 be confirmed as a true and correct record of the proceedings, subject to the following correction;

- a. Page 6 – adjust the response by the Director Sustainable Development as follows –
 - Change the words ‘any relocation’ to read ‘the location’;
 - Change the words ‘a government’ to read ‘two non-government schools’;
 - Change the words ‘to a non-government school was not desirable’ to read ‘to each other was not the former Department of Education Services preferred option’.
- b. Page 17 – Resolution No. 020918, to be corrected by removing the word ‘subsequent’ from the introduction sentence of Condition 2.

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

Nil

8. REPORTS OF OFFICERS

8.1 Director Sustainable Development

8.1.1 REQUEST TO INITIATE AMENDMENT TO LOCAL PLANNING STRATEGY (2011) TO MODIFY THE DESIGNATION FOR NO. 833 (LOT 50) MOUNT SHADFORTH ROAD, SHADFORTH AND NO. 44 (LOT 52) MIDDLETON CLOSE SHADFORTH FROM “PRIORITY AGRICULTURE” TO “RURAL SMALLHOLDINGS’

File Ref:	LPS2011/SA1 (A2260)
Applicant / Proponent:	Williams Consulting on behalf of G Robertson
Subject Land / Locality:	No. 833 (Lot 50) Mount Shadforth Road, Shadforth & No. 44 (Lot 52) Middleton Close, Shadforth
Disclosure of Officer Interest:	Nil.
Date:	4 October 2018
Author:	Annette Harbron, Director Sustainable Development
Authorising Officer:	Annette Harbron, Director Sustainable Development
	8.1.1a – Strategy Amendment Report
Attachments:	8.1.1b – Agenda Item to Statutory Planning Committee on Final Endorsement of the Local Planning Strategy
	8.1.1c – Shire Comments on Subdivision Application 154899

Summary:

Planning Services have received a request to amend Local Planning Strategy (2011) such that the designation for No. 833 (Lot 50) Mount Shadforth Road, Shadforth and No. 44 (Lot 52) Middleton Close, Shadforth is changed from “Priority Agriculture” to “Rural Smallholdings”.

The ultimate development scenario sought by the landowner is to create a ‘rural smallholding’ subdivision comprising of nine (9) lots ranging in size from 5.2184 ha to 12.6164 ha for rural living purposes coupled with opportunities for intensive agriculture pursuits.

Having due regard to the Local Planning Strategy (2011), relevant State Planning Policies and Town Planning Scheme Policies and the Shire’s Strategic Community Plan (Denmark 2027), it is recommended that Council do not initiate this amendment.

Background:

Current Application

A request to amend Local Planning Strategy (2011) such that the designation for No. 833 (Lot 50) Mount Shadforth Road, Shadforth and No. 44 (Lot 52) Middleton Close, Shadforth is changed from “Priority Agriculture” to “Rural Smallholdings” was lodged with Planning Services in late January 2018.

Attached at Attachment 8.1.1a is the Strategy Amendment report as prepared by the proponent.

In summary the applicant’s justification for the amendment is review of key WAPC policies (namely State Planning Policy 3.4: Planning in Bushfire Prone Areas), market trends and the need for commercially viable and affordable rural land for agricultural pursuits.

A report was prepared for consideration at the 21 August 2018 Ordinary Meeting of Council. Prior to the meeting the proponent contacted the Chief Executive Officer and requested that the matter not be considered at the meeting as the proponent believed that further information was needed to be discussed and explored to enable an informed decision to be made by the Council. As a result of the request by the proponent, Council resolved as follows (Res No: 080818):

That with respect to the request to initiate an amendment to Local Planning Strategy (2011) to modify the designation for No. 833 (Lot 50) Mount Shadforth Road, Shadforth and No. 44 (Lot 52) Middleton Close, Shadforth from "Priority Agriculture" to "Rural Smallholdings", Council not consider this item at this meeting at the request of the proponent."

The proponent has now requested the matter be placed on this agenda, noting that advice provided now is that the withdrawal request was based on the proponent's not being able to discuss the matter with enough Councillors prior to the meeting.

Local Planning Strategy (2011)

At the Special Meeting of Council held on 4 October 2011, Council adopted the draft Local Planning Strategy (LPS) with modifications (Res No: 181011).

Specifically in relation to the proposed extent of rural residential and rural smallholdings designations, Council resolved the following (Res No: 111011):

1. *That Council with respect to the proposed extent of 'rural residential' and 'rural smallholdings' designations as provided for in the draft Local Planning Strategy, resolve that the document should be modified such that:*
 - a) *A 'rural residential' designation applies to all of the land generally bordered by South Coast Highway, Wilson Inlet, Rudgyard Place and the Seaview Special Rural subdivision (area referenced as SR23 in TPS 3); and*
 - b) *A 'rural smallholdings/rural residential' designation applies to the land generally bounded by South Coast Highway, Cussons Road, Mt Shadforth Road and McLeod Road.*
2. *That negotiations with the WAPC on the extent of the rural residential and rural smallholdings be progressed until the 4 March 2012.*

Following the adoption of the LPS, the then Department of Planning (DOP) sought formal comment from the then Department of Agriculture and Food WA (DAFWA) as part of their due consideration.

In light of Council's resolution to progress discussions until 4 March 2012 – which was on the basis of ensuring that the remainder of the LPS was not held up due to the issue of rural residential and rural smallholdings designations – a report was presented to the Ordinary Meeting of Council held on 20 March 2012 wherein Council resolved as follows (Res No: 040312):

That with respect to the update provided in relation to the extent of proposed Rural Residential/Rural Smallholdings designations in the Local Planning Strategy, Council:

1. *Notes that the Department of Planning are seeking formal comment from the Department of Agriculture & Food Western Australia; and*
2. *Progresses discussions with the Western Australian Planning Commission /Department of Planning accordingly.*

In April 2012, a meeting was convened between the DOP, DAFWA, Graeme Robertson's consultants at the time (planning and land capability consultants) and Shire staff to discuss the broader rural smallholdings designations in the LPS and then more specifically in relation to Graeme Robertson's landholdings off Sunrise Road. Following this meeting, the LPS was presented to the Statutory Planning Committee Meeting of the Western Australian Planning Commission held on 22 May 2012 for consideration, wherein they resolved as follows:

That the Western Australian Planning Commission resolves to:

1. *Determine the submissions in accordance with the attached Schedule of Submissions;*
2. *Endorse the Local Planning Strategy subject to the attached Schedule of Modifications being carried out;*

3. Advise the Shire that future variations to State Policy in regard to rural living proposals could be applied for via an amendment to the local planning strategy. Please liaise with the Department of Planning to discuss evidence-based approach to such variation.

Attached at Attachment 8.1.1b is the Agenda Report (minus attachments) to the Statutory Planning Committee that provides background to the reasoning behind the removal of the Rural Smallholdings designation on the subject land.

Subdivision Application 154899

In March 2017, Williams Consulting on behalf of G Robertson, lodged a subdivision application for the subject lots to create nine (9) rural lots ranging in size from 5.2184 ha to 12.6164 ha – noting that this subdivision proposal is the same development scenario provided for in the application to amend the Local Planning Strategy (2011).

In June 2017, the Western Australian Planning Commission issued a refusal on the following grounds:

1. The proposal is inconsistent with *State Planning Policy 2.5 – Rural Planning and Development Control Policy 3.4 – Subdivision of Rural Land* in that it does not meet any of the exceptional circumstances of subdivision allowed for within the Rural zone and thus is considered ad hoc, unplanned subdivision that will fragment priority agricultural land and create lots more akin to a rural living zone which is unplanned for the locality and which would encourage land uses unrelated to agriculture.
2. The Western Australian Planning Commission is not prepared to support the proposal in that it introduces additional sensitive land uses, thus reducing the currently available land for primary production and increasing the potential of land use conflict between the proposed lots and within the surrounding agricultural land which is contrary to:
 - Shire of Denmark Town Planning Scheme No. 3;
 - Shire of Denmark Local Planning Strategy;
 - State Planning Policy 2.5 – Rural Planning;
 - State Planning Policy 2 ‘Environment and Natural Resource Policy’;
 - Development Control Policy 3.4 – Subdivision of Rural Land; and
 - Environmental Protection Guidance Statement No. 3: Separation Distances between Industrial and Sensitive Land Uses.
3. The proposal does not demonstrate that it can protect and sustainably manage environmental, landscape and water resource assets which is contrary to:
 - State Planning Policy 2.5 – Rural Planning;
 - State Planning Policy 2 ‘Environment and Natural Resource Policy’;
 - Development Control Policy 3.4 – Subdivision of Rural Land; and
 - Local Planning Policy No. 37 ‘Dams’.
4. The proposal is inconsistent with the state planning framework in that there is no existing or proposed regional variation to introduce additional circumstances for rural subdivision either within Shire of Denmark Town Planning Scheme No. 3 or the Shire of Denmark Local Planning Strategy.
5. The proposal would create an undesirable precedent to support subdivision proposals within rural land which are not in accordance with relevant provisions of the State and Local Government policy framework.

For information, and more detail on issues relating to the subdivision proposal, attached at Attachment 8.1.1c is the Shire’s response on the subdivision proposal.

The proponent did lodge a Right of Review with the State Administrative Tribunal – noting that the application was subsequently withdrawn following the mediation process.

Consultation:

In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, a Local Planning Strategy (including an amendment) is required to be the subject of public advertising for a minimum period of 21 days once it has been assessed by the Western Australian Planning Commission for compliance with regulation 11(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Preliminary consultation has occurred on the amendment request with the Department of Planning, Lands and Heritage (Land Use Planning) and Department of Primary Industries and Regional Development (Land and Water Assessment – Sustainability and Biosecurity) and both have indicated that they do not support the amendment – refer comments section for more information.

Statutory Obligations:

Part 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* deals with the requirement and processes associated with Local Planning Strategies (including amendments to Local Planning Strategies).

Policy Implications:

The following policies have been given due consideration in relation to this proposal:

- State Planning Policy No. 1: State Planning Framework Policy
- State Planning Policy No. 2.5: Land Use Planning in Rural Areas
- State Planning Policy 3.7: Planning in Bushfire Prone Areas
- Town Planning Scheme Policy No. 29: Rural Settlement Strategy

Budget / Financial Implications:

Fees associated with this Local Planning Strategy Amendment Request have been paid as per Council's operative Fees and Charges Schedule.

Strategic & Corporate Plan Implications:

The site is designated 'Priority Agriculture' in the Shire of Denmark's Local Planning Strategy (2011). One of the key objectives in the Local Planning Strategy is to "*Identify and protect Priority Agriculture Land which is of State and regional significance and General Agriculture land which is the balance of the rural land not identified for settlement or future subdivision*".

The report and officer recommendation is consistent with Council's adopted Strategic 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

E1.4 To recognise the importance of agriculture in our local economy and protect prime agricultural land.

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.

Corporate Business Plan

3.1.2 Encourage and promote the use of agricultural land.

3.1.3 Ensure that local planning development and long term growth needs are met to ensure a viable agricultural sector.

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

Sustainability Implications:

➤ **Governance:**

Part 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* deals with the requirement and processes associated with Local Planning Strategies (including amendments to Local Planning Strategies).

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council approve Local Planning Strategy Amendment 1 for consent to advertise	Possible (3)	Minor (2)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation

Comment/Conclusion:

The request to amend Local Planning Strategy (2011) such that the designation for No. 833 (Lot 50) Mount Shadforth Road, Shadforth and No. 44 (Lot 52) Middleton Close, Shadforth is changed from “Priority Agriculture” to “Rural Smallholding” is not supported by Planning Services having regard to the following:

- Insufficient demonstration that there is deficient land available for rural living purposes – noting the following:
 - Total number of “Special Rural” zoned lots: 392
 - Total number of vacant “Special Rural” zoned lots: 86
 - Take-up rate of “Special Rural” zoned lots from 2011/12-2017/18: 37 dwellings approved during this period which is an average take-up rate of 5.28 dwellings/year. For information the take-up rate from 2006-2011 was 7 dwellings/year.
 - The Western Australian Planning Commission’s Denmark: Regional Land Supply Assessment (December 2017) report acknowledges that rural living developments have been popular in recent years and will continue to be sought after by new residents; noting that there is approximately 1620 hectares of land zoned for rural living purposes (for this

purpose this included all land zoned “Special Rural” and “Rural Multiple Occupancy”), with the Local Planning Strategy (2011) identifying an additional 560 hectares of land for future rural residential and rural smallholding developments (with at least 280 hectares already zoned for such purpose in TPS No. 3). Overall the report identifies that there are sufficient stocks of residential and rural living land identified in TPS No. 3 and the Local Planning Strategy (2011), with a hypothetical temporal land supply of 30 years (36 years if the stock of vacant lots is included in the supply capacity) to meet the population growth into the long term (catering for an additional population of approximately 9000 people).

- The Department of Planning, Lands and Heritage (Land Use Planning) preliminary comments on the proposal – being as follows:
 - *The amendment to the strategy is not supported.*
 - *The current Strategy is less than 10 year old therefore not considered out of date.*
 - *This land has previously been considered by the Commission and the Minister, and not supported for Rural living as it is identified as Priority Agricultural Land, and it is removed from the service and community centre of Denmark.*
 - *Rural Planning Policies have been reviewed and updated recently. State Planning Policy 2.5 Rural Planning (SPP2.5) applies to this land and states land identified as Priority Agriculture should be retained for that purpose (ie not changed to rural living, which rural smallholding is a subset of).*
 - *Given the changes in Rural Planning Policy and Planning for Bushfire since the 2011 Strategy, this office supports the Shire of Denmark reviewing its Local Planning Strategy, however this should be done for the entire Shire, rather than for a particular lot.*
 - *Issues identified by the proponent can be addressed by the Shire when it reviews the Local Planning Strategy.*
 - *Finally it is the view of the WAPC that there are sufficient, suitable sized and located rural lots to cater for intensive and emerging primary production land uses.*

- The Department of Primary Industries and Regional Development (Land and Water Assessment – Sustainability and Biosecurity) preliminary comments on the proposal – being as follows:

In relation to the preliminary comment sought – the Department does not dispute the horticultural potential for the Mt Shadforth area in the Shire of Denmark, or even the opportunity for some high-value horticulture to be grown from a variety of lot sizes. The Department agrees with the findings by land assessment consultant Martin Wells in a report identifying that the landform and soil conditions within the subject land area are generally of high capability for most land uses, including horticulture; and the Department acknowledges the supporting comments in the recent proposal response by Mr Johnson. The Department also does not dispute the findings that the soils have a high PRI and will have sufficient capacity for onsite effluent management.

However, the Department generally does not support the subdivision of larger land lots identified as Priority Agriculture Land (PAL) on the basis that it fragments rural land. Also, the caveat in the comment by Martin Wells is important to acknowledge because it highlights the assumption that there is the availability of good quality water for irrigation. The challenge of subdividing land into smaller lots, while proposing that those lots will have high horticulture potential assumes that each lot will still have a sufficient land area available to support a building envelope for house and sheds (with sufficient setbacks) together with a suitable area to develop a surface water catchment and dam to supply both domestic use and a potential horticulture development - together with the land area for any potential perennial horticulture development onsite. The Agricultural Report goes into detail about the economic value of avocados and the suitability of the land for such land use, but mentions very little about irrigation and water supply requirements.

On this basis, DPIRD would likely not support the development proposal to subdivide.

- The amendment justification is purely premised on the basis that the creation of these rural smallholding lots will ensure rural living proposals are accommodated whilst also creating commercially viable and affordable land for agricultural pursuits. As referenced in the Shire's comments on Subdivision Application 154899 (refer Attachment 8.1.1c), the subdivision proposal (in terms of lot sizes and configuration) does not adequately support the undertaking of intensive agricultural pursuits having regard to protection of the remnant vegetation on-site, buffers to future on-site dwellings and/or existing and proposed dwellings on adjoining land parcels and general environmental management of the land. Consequently the ability for intensive agricultural pursuits of a scale beyond domestic/small-scale quantities is questionable at best and essentially reinforces that the primary purpose of this proposal is for rural living purposes and not for intensive agriculture considerations at all – noting that once the land is subdivided and created there is nothing to say that any of the landowners would undertake intensive agricultural pursuits on the property.

It should be noted that as per Local Planning Strategy (2011), 'rural smallholdings' is defined as "land, typically in the order of 4 ha – 40 ha, used for minor rural pursuits, hobby farms, conservation lots and alternative residential lifestyle purposes where part-time income from cottage industries, home occupation and use of the land for agriculture may be derived. This land use may also seek to preserve and enhance landscape quality, environmental and conservation attributes". Having regard to this definition this also reinforces that the primary intent of such lots is for rural living purposes – with any use of the land for other purposes being of a hobby/part-time income basis.

- As per the Shire's Strategic Community Plan (Denmark 2027), a key objective is "To recognise the importance of agriculture in our local economy and protect priority agricultural land".

This proposal seeks to designate land currently identified as priority agricultural land for rural living purposes; which would be in conflict with the above mentioned key objective from Denmark 2027 without any substantial justification to do so – noting that the current justification provided by the proponent is not considered sufficient.

Consideration towards the broadening and diversification of the agriculture industry is vital to ensure long term sustainability however the subdivision/development of such land for rural living purposes as the primary landuse does not achieve this outcome at all.

- The proposal for these two (2) sites to be considered for rural living purposes only is very short-sighted and does not represent a strategic approach to consideration of rural living opportunities or intensive agricultural opportunities. "Spot" considerations of this nature represents an ad-hoc, uncoordinated approach.

It therefore would be more appropriate to undertake a strategic approach to the consideration of rural living proposals and/or intensive agriculture opportunities as part of the broader review of the Local Planning Strategy in due course.

- The proposal is not consistent with Town Planning Scheme Policy No. 29: Rural Settlement Strategy – refer Attachment 8.1.1c for details on the relevant policy objectives, statements and criteria.
- Notwithstanding the above that the proposal is essentially a rural living development that is espoused as having intensive agricultural opportunities, the following is relevant for Council's consideration – particularly given intensive agricultural opportunities throughout the Shire

should be explored further but that due regard needs to be given to location, appropriate lot sizes, land use conflicts etc.

If the proposal was seriously wanting to entertain intensive agriculture opportunities on-site, then it is considered that lot sizes in the order of 5 – 12 ha would not be adequate at all and there would be no need to have zoning of the site changed accordingly; that is intensive agriculture proposals can be entertained on rural zoned property and there is no specific need to subdivide – although one could argue that consideration of lot sizes smaller than 50 ha may be more appropriate. In this regard the subject lot sizes are 29.1097 ha (Lot 50) and 33.2837 ha (Lot 52) thus are of an appropriate size already to facilitate intensive agricultural pursuits whilst ensuring appropriate buffers (both on-site and off-site), coupled with associated infrastructure can be provided.

For information, Planning Services have undertaken preliminary research into other local government's requirements for intensive agriculture pursuits and it is evident that lot sizes are in the order of 15 ha – 30 ha (minimum). A summary of the preliminary research findings is provided below:

- City of Albany:
 - Council may support the subdivision of General Agriculture and Priority Agriculture land for existing intensive agricultural enterprises on the basis of a comprehensive submission demonstrating that all the following requirements are satisfied:
 - A report has been prepared which demonstrates the following:
 - There is a low risk of soil salinity build-up;
 - There is a low susceptibility to water logging;
 - Favourable soil acidity or alkalinity;
 - Suitable plant rooting and cultivation conditions;
 - A low potential to contribute to eutrophication of water bodies;
 - It can satisfy all relevant "Codes of Practice" and Environmental Planning documents and utilises best management practices; and
 - A Nutrient and Irrigation Management Plan has been agreed.
 - The proposed new lot contains a minimum of 15 ha of land with a high capability rating for annual or perennial horticultural production including the existing use.
 - The proponent demonstrates that each new lot has the capacity to capture and store a sufficient quantity of high quality water for that level of agricultural production and that DEWCP is prepared to agree that the capture of that water is within limits of the sustainable yield for that sub-catchment.
 - The total lot area is sufficient for the 15 ha minimum of high capability land, plus the water capture and storage area, plus an area for the dwelling and other farm infrastructure and buildings with sufficient setback from adjoining properties so as to not restrict potential agricultural productivity on those properties, plus the retention of any remnant vegetation that should be protected from clearing.
 - The enterprise would be unlikely to cause land use conflict or other unreasonable impacts on adjoining land uses or residents.
 - That the remaining parcel of the General Agriculture and Priority Agriculture lot (i.e. the balance of the original lot) is of sufficient area to be consistent with lot sizes in the surrounding General Agriculture and Priority Agriculture area and will not constitute a de facto residential development or where the remaining portion comprises remnant vegetation it should be consistent with the Policy for Conservation Lots Clause 3.3 in DC 3.4.
 - That all resulting lots are capable of being both profitable and sustainable for the proposed use; and
 - If the use ceases the land is suitable for other permitted uses.

- o Shire of Manjimup:
 - In order to protect the productive capacity of agricultural land and the basis of State, regional and local economies, there is a general presumption against the further subdivision of land in the Priority Agriculture zone, except where it can be clearly demonstrated that the subdivision will be beneficial to viable and sustainable agricultural production and management on adjoining lands. Subdivision supported by the local government under these criteria shall have a minimum lot size of 80 ha.
 - In the case of subdivisions creating new or additional lots in the Priority Agriculture zone, new lots of less than 80 ha will not be supported except where the lot is a minimum of 40 ha and all of the following criteria are met:
 - An agronomist’s report or similar demonstrates that each new lot will contain a minimum of 30 ha of land with a high-capability rating (class 1 or 2) for annual or perennial horticultural production;
 - A hydrologist’s report or similar demonstrates that each new lot has the capacity to capture and store water of a sufficient quantity and quality as applicable to the potential agricultural production on that lot and the State water management agency is prepared to agree that the capture of that water is within the limits of an endorsed Water Allocation Management Plan or is within the sustainable yield for that sub-catchment;
 - The total lot area incorporates the minimum area of 30 ha of high-capability land, plus the water capture and storage area, plus an area for farm infrastructure and buildings with sufficient setback from adjoining properties so as not to restrict potential agricultural productivity on those properties, setbacks from watercourses and wetlands, plus the retention of any remnant vegetation that should be protected from clearing; and
 - That the remaining rural holding is a minimum of 40 ha and is considered suitable for continued agricultural production based on lot size, land capability, water availability, has appropriate fire protection measures in place, lot configuration and advice from any relevant government agency.

Having regard to the above, and Council’s commitment to preparing a new Local Planning Scheme – which will include a review of the current Local Planning Strategy (2011) – it is recommended that Council not support this request to initiate an amendment such that the designation for No. 833 (Lot 50) Mount Shadforth Road, Shadforth and No. 44 (Lot 52) Middleton Close, Shadforth is changed from “Priority Agriculture” to “Rural Smallholdings”.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.1.1
<p>That with respect to the request to initiate an amendment to Local Planning Strategy (2011) to modify the designation for No. 833 (Lot 50) Mount Shadforth Road, Shadforth and No. 44 (Lot 52) Middleton Close, Shadforth from “Priority Agriculture” to “Rural Smallholdings”, Council:</p> <ol style="list-style-type: none"> 1. Resolves to not initiate such amendment for the following reasons: <ol style="list-style-type: none"> a) Insufficient demonstration there is deficient land available for rural living purposes within the Shire of Denmark; b) The preliminary comments provided by the Department of Planning, Lands & Heritage (Land Use Planning) and Department of Primary Industries and Regional Development (Land and Water Assessment – Sustainability and Biosecurity) wherein support was not forthcoming due to lack of strategic justification and the subject land being identified as Priority Agriculture Land; c) The proposal is not consistent with Town Planning Scheme Policy No. 29: Rural Settlement Strategy; 	

- d) The proposal for the subject land to be developed primarily for rural living purposes is in conflict with the key objective in Denmark 2027 to ‘protect prime agricultural land’; and
 - e) Consideration of this proposal for the subject sites only is an ad-hoc uncoordinated approach and consequently does not represent orderly and proper planning.
2. Request that as part of the review of the Local Planning Strategy (2011) that due consideration be given to providing criteria for intensive horticulture developments with matters being looked at including but not limited to appropriate locations, minimum lot sizes, addressing of land use conflicts etc.

8.2 Director Infrastructure and Assets

Nil

8.3 Director Corporate and Community Services

8.3.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 AUGUST 2018	
File Ref:	FIN.1
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Denmark
Disclosure of Officer Interest:	Nil
Date:	5 October 2018
Author:	Lee Sounness, Manager Corporate Services
Authorising Officer:	Cary Green, Director Corporate & Community Services
Attachments:	8.3.1 – August 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:

There are no significant trends or issues to be reported.

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 August 2018 total cash funds held total \$16,082,823 (Note 4).

Shire Trust Funds total \$186,011.

- \$183,348 of this is invested for 6 months with the National Aust. Bank, maturing 18 December 2018 at the quoted rate of 2.47%.

Reserve Funds (restricted) total \$9,974,179

- \$5,361,581 of this has been placed on investment for 31 days with the Western Australian Treasury Corporation at the quoted rate of 1.45%,
- \$4,612,598 has been invested with the National Aust. Bank in 3 term deposits, maturing at various dates at the quoted rates of 2.55% and

Municipal Funds (unrestricted) total \$1,157,094

- \$657,094 is invested with the National Aust. Bank in 2 term deposits, maturing at various dates at an average rate 2.10%
- \$500,000 is invested with Westpac, maturing 28 December 2018 at the quoted rate of 2.70%

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 2019 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 31 August 2018 (Statement of Financial Activity) except for depreciation expense, which is yet to be applied this financial year.

- The Rates Collection percentage currently sits at 17.87%, is in keeping with historical collection rates (see Note 6).
- The 2018/2019 Capital Works Program is 1.03% complete utilising actual year to date figures and the total committed cost is 5.52% as at 31 August 2018 (see Note 12).
- Various transfers to and from Reserve Funds have not been made for 2018/2019 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).

Other Information

- Depreciation Expense

Depreciation of assets has not been calculated for the reporting period as the Annual Financial Audit for the year ended 30 June 2018 has not been concluded at the time of producing this report.

- Capital Works Program (Roads Infrastructure)

The Capital Works program for Roads Infrastructure does not commence until late September, meaning the % actual YTD expenditure (\$72,300) against annual budget (\$4,250,000) is tracking at 1.7%.

Road Infrastructure is estimated to be \$180,000 in September and \$600,000 in October as per forecast expenditure.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.3.1
<p>That with respect to Financial Statements for the period ending 31 August 2018, Council;</p> <ol style="list-style-type: none"> 1. Receive the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation. 2. Endorse the Accounts for Payment for the month of September 2018 as listed. 	

8.3.2 GREAT SOUTHERN OUTDOOR RECREATION STRATEGY

File Ref:	GOV.73
Applicant / Proponent:	Shire of Denmark
Subject Land / Locality:	N/A
Disclosure of Officer Interest:	N/A
Date:	19 September 2018
Author:	Damian Schwarzbach, Manager Recreation Services
Authorising Officer:	Cary Green, Director Corporate and Community Services
Attachments:	8.3.2 - Great Southern Outdoor Recreation Strategy 2018-2021

Summary:

This report recommends that Council receive the Great Southern Outdoor Recreation Strategy (GSORS), prepared by the Great Southern Centre for Outdoor Recreation Excellence (GSCORE) and instruct the Chief Executive Officer to support the Department of Local Government, Sport and Cultural Industries (DLGSC) and GSCORE with a partnered community engagement strategy for the release of the plan for public review and comment for a four-week period scheduled for November 2018.

Background:

GSCORE works collaboratively with local governments across the region with the aim of supporting the growth and development of the outdoor recreation sector.

The purpose of the GSORS is to encourage collaboration to improve the provision of outdoor infrastructure and increase levels of participation in outdoor recreation activities. The Strategy delivers an integrated, whole-of-region approach to outdoor recreation across the Great Southern over a three-year period. It will enable stakeholders to plan, develop, manage and promote outdoor recreation in the Great Southern into the future.

The objectives of the Strategy are to:

- Establish strong partnerships that will guide infrastructure development and management.
- Build and manage world-class trails and facilities.
- Promote the Great Southern as an adventure tourism destination.
- Build capacity and capability amongst outdoor recreation providers.
- Ensure all people have more opportunities to participate in outdoor recreation.

Successful implementation of this Strategy will result in a strong and connected outdoor recreation system that helps make residents healthier, stimulates economic growth and jobs, encourages environmental stewardship and contributes to all residents and visitors enjoying lives enriched through their participation in high quality, diverse, safe outdoor recreational pursuits.

The DLGSC encourages all regions to develop outdoor recreation strategies that will support the state-level Outdoor Recreation Framework.

In the Great Southern, GSCORE undertook to produce the Great Southern Outdoor Recreation Strategy (GSORS).

The eleven local governments that constitute the Great Southern region requested to receive the GSORS.

Support is requested to assist DLGSC and GSCORE with a partnered community engagement strategy for the release of the plan for public review and comment for a four-week period scheduled for November 2018.

Note: There is another agenda item presented at this October Ordinary Council meeting requesting a similar recommendation for the Great Southern Regional Sport & Recreation Plan. Briefly, the GRSRP was undertaken to identify the condition and utilisation of current facilities in addition to identifying the future facility and services needs across the region. The Plan contemplates the future population growth and community needs over a 20-year planning horizon. This timeframe aligns with higher order planning documents such as the State Planning Strategy and the Great Southern Regional Investment Blueprint.

At the last Great Southern Recreational Advisory Group meeting, it was agreed that both the GRSRP and the GSORS should be presented to Councils at the same time and that there would be a joint community engagement process for both documents. It was felt that this approach would be more efficient and reduce the consultation burden on regional communities. It was further suggested that although there will be a joint community engagement process, that the two documents be presented as separate items on each Council's Agenda.

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.

Consultation was undertaken by GSCORE as evidenced in the documentation provided. The proposed public review and comment period proposed will allow each local government to refer the GSORS back to community for a final review.

A four-week community and stakeholder review and comment period is scheduled for November 2018.

Local governments will collate feedback from their respective communities. This information will be referred to the GSRAG for consideration.

At present, Council has the draft Shire of Denmark Sport and Recreation Master Plan developed by ABV Consultants out for public comment. The draft report identifies a range of the projects mentioned in the GRSRP.

Statutory Obligations:

There are no Statutory Obligations.

Policy Implications:

P110304 Sustainability & Co-location (Sport & Recreation Facilities) relates and reads as follows: *Council will give priority support to facility development or redevelopment that shows capacity for co-locating or the sharing of resources.*

Applicants must be community based organisations 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

This Strategy supports the capacity for co-locating with the community infrastructure and sharing of resources.

Budget / Financial Implications:

There was no financial contribution required from Council for this strategy.

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

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**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.

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

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.

C4.1 To have services that foster a happy, healthy, vibrant and safe community

C4.2 To have services that are inclusive, promote cohesiveness and reflect our creative nature.

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.

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

L5.4 To be fiscally responsible.

Corporate Business Plan

1.1.1 Advocate for the provision and promotion of services and facilities that meet the needs of the community.

1.1.5 Consider the diverse needs of various groups and communities in planning for the services required to cater for population growth.

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

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

Sustainability Implications:**➤ Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

Implementation of the final GOSRS recommendations may require consideration for funding in the Long Term Financial Plan, budget and/or external funds obtained through grants.

➤ **Social:**

Sport and recreation can bring people together for the good of their community. Community members participating, volunteering, utilising their expertise in positive social settings assists in developing stronger and more resilient communities.

➤ **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 do not accept the Great Southern Outdoor Recreation Strategy	Possible (3)	Minor (2)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation

Comment/Conclusion:

Each local government across the Great Southern region has various strategic objectives based on location and corporate imperatives. It was revealed through this project there are geographic alignments based on communities of interest and economic and social objectives. Discussions with all the participating local governments have revealed a strong sense of collaboration and a commitment to align across the region to maximise the opportunity to attain future trails development and resources for other forms of outdoor recreation infrastructure.

Throughout the extensive collaboration in the development of the GSORS, the region has demonstrated its recognition that outdoor recreation is an integral part of creating a liveable region with thriving communities.

The Strategy is an agreement to collaborate, rather than a prescription as to what any one individual, organisation, jurisdiction or sphere of government should do. It aims to minimise the duplication of initiatives and maximise efforts to reach common goals by establishing shared priorities across the transport, planning, environment, education, health, sport and recreation and tourism sectors.

This planning process is now at a pivotal point whereby each member local government within the Great Southern region needs to receive the GSORS. Support is also requested to continue the collaborative approach in the form of a partnered community engagement strategy. This will facilitate a community and stakeholder public review and comment testing and acceptance of the GSORS.

The Great Southern Centre for Outdoor Recreation Excellence (GSCORE) participated in the consultation process with regard to the Shire of Denmark’s Sport and Recreation Masterplan. GSCORE staff facilitated the participation of Outdoor Recreation individuals and groups, leading to the Masterplan authors including a suite of Outdoor Recreation components and considerations. The GSCORE supports the Shire of Denmark’s Sport and Recreation Masterplan objectives and methodology and the Strategy provides the Shire with the ability to successfully apply for State and Federal funding to support Outdoor Recreation capital works programs.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.3.2
<p>That with respect to the Great Southern Outdoor Recreation Strategy, Council;</p> <ol style="list-style-type: none"> 1. Receive the Report. 2. Support the Department of Local Government, Sport and Cultural Industries and the Great Southern Centre for Outdoor Recreation Excellence with a partnered community engagement strategy for the release of the plan for public review and comment for a four-week period scheduled for late 2018. 	

8.3.3	GREAT SOUTHERN REGIONAL SPORT AND RECREATION PLAN
File Ref:	GOV.73
Applicant / Proponent:	Shire of Denmark
Subject Land / Locality:	N/A
Disclosure of Officer Interest:	N/A
Date:	17 September 2018
Author:	Damian Schwarzbach, Manager Recreation Services
Authorising Officer:	Cary Green, Director Corporate and Community Services
Attachments:	8.3.3a - GSSR Plan Executive Summary 8.3.3b – Great Southern Regional Sport and Recreation Plan 8.3.3c – GSSR Plan Appendices

Summary:

This report recommends that Council receive the Great Southern Regional Sport and Recreation Plan (GSRSRP), prepared by Dave Lanfear Consulting, and instruct the Chief Executive Officer to support the Department of Local Government, Sport and Cultural Industries (DLGSC) with a partnered community engagement strategy for the release of the plan for public review and comment for a four-week period scheduled for November 2018.

Background:

The DLGSC works collaboratively with local governments across the State with the aim of enhancing the life style and well-being of Western Australians. This collaborative approach was adopted to successfully deliver the Bunbury Wellington Regional Facilities study. The success of this strategy has been the department’s ability to work with local governments to demonstrate the value of working collaboratively to secure funding for future facility provision across the region.

The GSRSRP was undertaken to identify the condition and utilisation of current facilities in addition to identifying the future facility and services needs across the region. The Plan recognises the future population growth and community needs over a 20-year planning horizon. This timeframe aligns with higher order planning documents such as the State Planning Strategy and the Great Southern Regional Investment Blueprint.

Each of the Great Southern local governments have provided funding towards the cost of developing the GSRSRP and the project steering committee includes representatives of several of the participant local governments.

Dave Lanfear Consulting was appointed in May 2017 to deliver the GSRSRP by the DLGSC in consultation with the Great Southern Regional Recreation Advisory Group (GSRAG)

In delivering the GRSRP, the consultant was required to investigate and present findings and key issues as follows:

- In conjunction with each local government, provide an audit to confirm the location and current condition of sport and recreation facilities.
- Review the use, functionality, and standard of each facility, including capacity to support competition and training.
- Determine the future sporting requirements of each facility through to 2036, including the requirements of sport on a regional basis and quantify the provision gap based on this timeframe.
- Investigate opportunities and constraints associated with the staging of facility development over this timeframe.
- Identify the opportunities and constraints relating to the acquisition of land for proposed future sporting and recreation developments.
- Make recommendations on the appropriate method of implementation of the key findings of the strategy.

The GRSRP includes an overview of the value of sport and recreation to communities across the Great Southern Region including its value in supporting current and emerging health and well-being trends impacting the community.

The GRSRP should be considered as the Great Southern's highest level strategic document relating to sport and recreation. The GRSRP identifies both regional and individual local government needs. It provides support for the Shire of Denmark's Sport and Recreation Masterplan through its needs analysis and participation within the Great Southern Alliance partnership program. It also provides the Shire with the ability to successfully apply for State and Federal funding to support Sport and Recreation Capital works.

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.

Extensive consultation was undertaken by the appointed consultant as evidence in the documentation provided.

The proposed public review and comment period proposed will allow each local government to refer the GRSRP back to community for a final review. The DLGSC will circulate the GRSRP to relevant State Government agencies and State Sporting Associations (SSAs) as part of its obligations as per the partnered community engagement strategy.

A four-week community and stakeholder review and comment period is scheduled for November 2018.

Local government will collate feedback from their respective communities and the DLGSC will collate State Government stakeholder and SSAs feedback. This information will be referred to the GSRAG for consideration.

At present, Council has the draft Shire of Denmark Sport and Recreation Master Plan developed by ABV Consultants out for public comment. The draft report identifies a range of the projects mentioned in the GRSRP.

Statutory Obligations:

There are no Statutory Obligations.

Policy Implications:

P110304 Sustainability & Co-location (Sport & Recreation Facilities) relates and reads as follows: *Council will give priority support to facility development or redevelopment that shows capacity for co-locating or the sharing of resources.*

Applicants must be community based organisations 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

This Plan supports the capacity for co-locating with the community infrastructure and sharing of resources.

Budget / Financial Implications:

Council's contribution to the 14071 GRSRP of \$2,000, was paid in the 2015/16 financial year.

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

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

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.

- C4.1 To have services that foster a happy, healthy, vibrant and safe community
- C4.2 To have services that are inclusive, promote cohesiveness and reflect our creative nature.

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.
- L5.3 To be decisive and to make consistent and well considered decisions.
- L5.4 To be fiscally responsible.

Corporate Business Plan

- 1.1.2 Advocate for the provision and promotion of services and facilities that meet the needs of the community.
- 1.1.6 Consider the diverse needs of various groups and communities in planning for the services required to cater for population growth.
- 1.2.6 Maintain and plan parks, gardens, recreational areas and open space at standards acceptable to the community.
- 1.10.3 Support the Denmark Surf Club Redevelopment/Upgrade.
- 1.10.16 Maintain and improve sporting and recreational facilities (including dog parks) in the District based on catchment needs.

Sustainability Implications:

➤ **Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

Implementation of the final Shire of Denmark Sport and Recreation Master Plan recommendations, supported by the Great Southern Regional Sport and Recreation Plan, may require consideration for funding in the Long Term Financial Plan and/or budget and/or external funds obtained through grants.

➤ **Social:**

Sport and recreation can bring people together for the good of their community. Community members participating, volunteering, utilising their expertise in positive social settings assists in developing stronger and more resilient communities.

➤ **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 do not accept the Great Southern Regional Sport and Recreation Plan	Possible (3)	Minor (2)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation

Comment/Conclusion:

Each of the local governments across the Great Southern region has various strategic objectives based on location and corporate imperatives. It was revealed through this project there are geographic alignments based on communities of interest and economic and social objectives. Discussions with all the participating local governments have revealed a strong sense of collaboration and a commitment to align across the region to maximise the opportunity to attain future facility development and resources for services. For the Shire of Denmark this has included the identification of mountain biking as a significant regional opportunity along with various other outdoor recreation trail developments which have been supported by the region.

Throughout the extensive collaboration in the development of the GRSRP, the region has demonstrated its recognition that sport and recreation is an integral part of creating a liveable region with thriving communities.

Recognising that communities evolve over time, it is intended that the GRSRP will be an iterative document to ensure continuous improvement and responsive to community’s needs. Continual review and revision of strategic planning documents is a vital component of the strategic planning process. To ensure the successful implementation of the GRSRP, it’s expected that policy makers and planners will maintain an ongoing dialogue with all stakeholders to ensure their needs and objectives are being considered.

This planning process is now at a pivotal point whereby each member local government within the Great Southern region needs to receive the GRSRP. Support is also requested to continue the collaborative approach in the form of a partnered community engagement strategy. This will facilitate a community and stakeholder public review and comment testing and acceptance of the GRSRP.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.3.3
<p>That with respect to the Great Southern Regional Sport and Recreation Plan, Council;</p> <ol style="list-style-type: none"> 1. Receive the Report. 2. Support the Department of Local Government, Sport and Cultural Industries (DLGSC) with a partnered community engagement strategy for the release of the plan for public review and comment for a four-week period scheduled for late 2018. 	

8.3.4 MCLEAN OVAL RE-DEVELOPMENT PROJECT

File Ref:	GRT.144
Applicant / Proponent:	Shire of Denmark
Subject Land / Locality:	McLean Park Precinct / Reserve 15513
Disclosure of Officer Interest:	Author is involved with the Denmark Walpole Football Club, Denmark Cricket Club and Denmark Little Athletics Club
Date:	4 October 2018
Author:	Damian Schwarzbach, Manager Recreation Services
Authorising Officer:	Cary Green, Director Corporate and Community Services
Attachments:	Nil

Summary:

This report recommends that Council receive and acknowledge the community feedback and endorse the concept plan for the McLean Oval Redevelopment. The item also provides additional information in relation to project scheduling and a further funding application that has been submitted.

Background:

The McLean Park precinct is the major sporting and recreational facility in the Shire of Denmark. The precinct is part of Reserve 15513 which is an “A” class reserve that is the subject of a management order to the Shire of Denmark (with power to lease provisions for a maximum 21 years) for the purpose of “Recreation & Showground”.

The Shire has been assessing the redevelopment of McLean Park since 2002 when a concept plan was commissioned to look at the future uses for this precinct.

In 2008, the McLean Park User Group was formed, comprising representatives from all the user groups at the facility and the Shire's Manager Recreation Services. Over time, the group has highlighted safety concerns in relation to the playing surface as a result of inadequate drainage.

In 2016, the western side of the oval reached failure point, with above average rainfall resulting in water pooling, damage to the playing surface and teams subsequently relocating training and matches to alternative locations in Albany.

The Shire of Denmark received written or verbal complaints from the Denmark Walpole Football Club, North Albany Football Club, Albany Soccer Association and Denmark Soccer Club in relation to the standard of the playing surface and the potential for injury.

In January 2017, Council engaged A Balanced View Leisure Consultants (ABV) to develop the Shire of Denmark Sport and Recreation Master Plan. An objective of the consultancy was to include a Master Plan for the McLean Park precinct. The draft Plan has been advertised for community feedback and will be presented to Council at the November 2018 meeting. The Plan's overall objectives are to provide specific recommendations into future sport, recreation and leisure facilities and service developments, prioritise these recommendations and provide an implementation plan with indicative costs for commissioning.

The draft plan recommends various improvements to the entire precinct, however as a matter of priority, upgrades are required to the playing surface, drainage, oval layout, lighting infrastructure, relocation of cricket nets and new athletic jumps area.

The above components were subject to various funding applications and subsequently have been included in the 2018/19 budget. The scope of works to be undertaken this financial year includes;

1. Earthworks – remove the top 100mm of topsoil and build up with sand including final trim of oval to desired shape;
2. Install subsoil and mainline drainage;
3. Replace irrigation;
4. Replace hard wicket cricket pitch;
5. Lay Jumbo Roll Turf (20,000sqm);
6. Install fencing around perimeter of playing surface;
7. Relocate cricket nets and athletics jumps area;
8. Upgrade sport lighting infrastructure;
9. Car Park modifications.

Given the changes to the oval configuration, extensive consultation occurred with the McLean Park User Group. Of significance is the closure of the road that surrounds the playing surface and the relocation of the cricket nets and athletics jumps area. The aim of the variations is to improve asset utilisation and participation in sport and recreation.



Figure 1: Schematic for the McLean Park Redevelopment

Once endorsed by the McLean Park User Group, the proposed changes were subject to a public consultation process. This item seeks to acknowledge and receive the submission and endorse the Concept Plan for the McLean Park redevelopment.

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.

The concept plan was endorsed by the McLean Park user group and subject to a four-week (28 day) community consultation process.

The Shire of Denmark has also received 37 comments on the draft Sport and Recreation Master Plan, developed by ABV Consultants, which will be presented at the November 2018 Council meeting.

Statutory Obligations:

There are no Statutory Obligations.

Policy Implications:

There are no Policy Obligations.

Budget / Financial Implications:

The Mclean Oval redevelopment project is part of Council’s 2018/19 budget. The total project cost is \$1,143,000 with a grant contribution of \$320,000 and Council \$823,000.

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**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.
- L5.3 To be decisive and to make consistent and well considered decisions.
- L5.4 To be fiscally responsible.

Corporate Business Plan

- 1.1.3 Advocate for the provision and promotion of services and facilities that meet the needs of the community.
- 1.1.7 Consider the diverse needs of various groups and communities in planning for the services required to cater for population growth.
- 1.2.7 Maintain and plan parks, gardens, recreational areas and open space at standards acceptable to the community.
- 1.10.16 Maintain and improve sporting and recreational facilities (including dog parks) in the District based on catchment needs.

Sustainability Implications:**➤ Governance:**

In undertaking this project, the Shire of Denmark has formed a Project Management Team to oversee the planning and execution of the project deliverables. The team comprises;

1. Project Director – Director Corporate and Community Services
2. Project Managers – Manager Community Services, Manager Recreation Services
3. Client Representative – Fred Wallefeld, Wood & Grieve Engineers,
4. Technical Support – Shire Technical Officer
5. Works Support – Supervisor Works and Gardens,
6. Alliance partners – City of Albany Officers including Manager of Works, Project Supervisor and Manager of Parks

Given the complexity of the project, the Shire has engaged Wood & Grieve Engineers. Wood & Grieve have developed the technical documents for the redevelopment. The specification will be circulated to the Shire's Panel of Pre-Qualified Suppliers to ensure compliance from a procurement perspective.

The Assessment Panel consisting of the project management team, will assess all quotes and award the contract(s).

➤ **Environmental:**

The redevelopment of McLean Oval will be subject to contemporary best practice in respect to construction and on-going management. Council policies with respect to environmental considerations will be central to the operations of the playing oval.

➤ **Economic:**

The redevelopment of McLean oval will deliver various economic benefits. The extent of these benefits will depend on the procurement process and the utilisation of local contractors.

➤ **Social:**

Sport and recreation can bring people together for the good of their community. Community members participating, volunteering, utilising their expertise in positive social settings assists in developing stronger and more resilient communities.

➤ **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 do not accept the concept plan and therefore don't proceed with the McLean Oval Redevelopment	Rare (1)	Major (4)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation

Comment/Conclusion:

The following comments relate to the public consultation process, scheduling and a further funding application that has been submitted;

Public Consultation

In relation to the public consultation process, one (1) submission was received. The comments made in the submission included:

1. Where are the spectators going to park?
2. Where do they go in inclement weather?
3. Great to hear the sound of a car horn when a goal is scored.
4. Where do the visiting supporters park?
5. No other country sporting facility doesn't have parking around the oval.

In response, extensive consultation was undertaken with the McLean Park User Group. The group comprises;

- Denmark Walpole Football Club;
- Denmark Walpole Junior Football Club;
- Denmark Cricket Club;
- Denmark Little Athletics Club;
- Denmark Junior Soccer Club;
- Denmark Soccer Club.

In direct response to the issues raised in the submission;

1. There will still be areas where cars are able to be parked around the perimeter. Both the senior and junior clubs were supportive of the idea of part of the ring road being closed. The senior clubs responded that it would get more people watching from the food and drink area, leading to an increase in revenue and atmosphere. The junior clubs said that it would benefit them by getting the parents out of the cars and on to the sidelines to support their child and also potentially fulfilling some volunteer duties.
2. The Club house veranda and change room veranda will provide some shelter from inclement weather.
3. There will still be the sound of car horns when a goal is scored.
4. Visiting supporters will be able to either park around some of the oval or in the dedicated parking areas and then watch from the club house, or on the lawn or on the tiered seating provided.
5. Contemporary oval design seeks to remove traffic from playing areas for both player and spectator safety. The recent Centennial Oval precinct development in Albany, which includes a number of ovals, also follows this planning strategy and has limited car parking around many of the new ovals to encourage participation and increased safety.

Scheduling

The project plan suggests that the successful contractor is expected to take control of the McLean Oval site by the end of October 2018.

Planned timeframes for the scheduled works include (projects will overlap and be worked on concurrently);

- Demolition works (removal of Irrigation, scoreboard/boundary fencing, centre cricket pitch, power line to centre of oval, camping infrastructure, dug outs) – 7 days,
- Earthworks – shape subgrade (create safe entrance to site for heavy vehicles, strip topsoil and stockpile at rear of recreation centre, trim and shape subgrade) 31 days,
- Drainage – subsoil (lay subsoil drainage lines) 13 days,
- Earthworks - Import sand and fill (screen sand at Bornholm, haulage, place, shape and compact 400mm across surface) 81 days,
- Irrigation – (lay mainline and laterals) 8 days
- Turfing – (site prep, deliver turf, lay turf) 12 days,
- Lighting – (relocate western poles, new footings, install LED lights) 8 days,
- Car Park Modifications (realign existing drainage, kerbing, line marking) – 3 days,
- Athletics Jump Pits / Cricket Nets (new centre wicket, cricket nets x 3, jump pits) – 7 days
- Fencing perimeter of playing surface – 6 days,
- Clean Up – 5 days

The project completion date is scheduled for 9th April 2019.

Further funding opportunities

In addition to the redevelopment of McLean Oval, a further funding opportunity has presented that will allow the Shire of Denmark to complete further elements from the Sport and Recreation Master Plan.

In August 2018, Sport Aus (previously Australian Sports Commission) announced a new funding program - Community Sport Infrastructure Grant. In accordance with delegation D040223, the Chief Executive Officer has delegated authority to make submissions for grants and/or subsidies from State and Commonwealth Governments without prior approval of Council, for projects that are not included in the Municipal Budget. This delegation is subject to two conditions;

1. The grant/subsidy shall not be accepted without Council's endorsement.
2. The undertaking is to be in accordance with Council's established strategic objectives.

The Shire has submitted an application for \$500,000 that uses Council's existing contribution to the McLean Park Redevelopment as leverage to deliver additional outcomes at the precinct. If this application is successful, it will deliver additional storage areas for user groups, complete upgrade to the lighting infrastructure, additional all abilities/female change room facility and relocation of the gym to the current function room area.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.3.4
<p>That in respect to the McLean Oval Redevelopment Project, Council;</p> <ol style="list-style-type: none"> 1. Note the submission received. 2. Endorse the McLean Oval Redevelopment Schematic as presented within this report. 3. Authorise the redevelopment to proceed in accordance with the Schematic and 2018/19 budget allocations. 	

8.4 Chief Executive Officer

Nil

9. COMMITTEE REPORTS & RECOMMENDATIONS

Nil

10. MATTERS BEHIND CLOSED DOORS

OFFICER RECOMMENDATION	ITEM 10
<p>That pursuant to Section 5.23 (2) (b) of the Local Government Act 1995 and Clause 3.7 of the Shire of Denmark Standing Orders Local Law, Council move behind closed doors for the consideration of Item 10.1 to enable discussion on a matter affecting an employee and the personal affairs of that person, Item 10.2. to enable discussion on a matter regarding a contract which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and would reveal information that has information about the business, professional, commercial or financial affairs of a person and Item 10.3 to allow the successful applicant's name to remain confidential to Council until the official announcement at the Agricultural College Presentation Night.</p>	

10.1 CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE REVIEW

File Ref:	Personal File
Applicant / Proponent:	Nil
Subject Land / Locality:	Nil
Disclosure of Officer Interest:	No
Date:	2 October 2018
Author:	Cary Green, Director Corporate and Community Services
Authorising Officer:	Cary Green, Director Corporate and Community Services
Attachments:	10.1 – CEO Report including 2018/19 Key Performance criteria (Confidential to Councillors)

This item is confidential and has been provided to Councillors under separate cover.

10.2 PROPOSED AGREEMENT – DESTINATION MARKETING ORGANISATION (DMO)

File Ref:	LGSEA
Applicant / Proponent:	Lower Great Southern Economic Alliance
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	2 October 2018
Author:	Bill Parker, Chief Executive Officer
Authorising Officer:	Bill Parker, Chief Executive Officer
Attachments:	10.2 - Destination Marketing Organisation Project Funding Agreement 2018 (Confidential to Councillors)

This item is confidential and has been provided to Councillors under separate cover.

10.3 2018 AGRICULTURAL SCHOLARSHIP AWARD

File Ref:	PBR.1.A.1819
Applicant / Proponent:	Various
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	4 October 2018
Author:	Claudia Simpson, Community Development Officer
Authorising Officer:	Cary Green, Director Corporate and Community Services
Attachments:	10.3 a - List of Previous Recipients 10.3 b - Applications (Confidential to Councillors) 10.3 c - Review of the Agricultural Scholarship 10.3 d – Proposed amended Council Policy P080201

Summary:

Council is requested to peruse the attached applications for the Shire of Denmark Agricultural Scholarship and determine the successful applicant for 2018.

Due to low applicant numbers in 2017 Council was prompted to resolve at its November 2017 Ordinary Council meeting (Resolution 301117) to review the Agricultural Scholarship. Following a review by Officers of the Scholarship policy, Council is now requested to adopt the proposed changes to the Shire of Denmark Agricultural Scholarship Policy P080201.

Background:

The Shire of Denmark Agricultural Scholarship has been a Council Policy for over 10 years. The purpose of the Agricultural College Scholarship is to encourage Year 10 students with an interest in agriculture to pursue higher education. The Scholarship is offered to Shire of Denmark residents intending to complete Year 11 and Year 12 at the WA College of Agriculture Denmark.

A review of the Agricultural Scholarship revealed that only allowing students that reside in Denmark who are commencing Year 11 at Agricultural College, limits the pool of applicants to a small number of students. However including students at the commencement of Year 10 would increase the interest and subsequent pool of applicants.

The Scholarship review report and a proposed change to Policy P080201 is attached for Council consideration. The proposed change relates to the inclusion of students intending to complete Year 10 at the WA College of Agriculture Denmark to be eligible to apply for the Scholarship.

A list of the previous Scholarship recipients is also attached.

Consultation:

The 2018 Agricultural Scholarship was marketed and promoted as follows:

- General advertisement in the Denmark Bulletin.
- Promotion on Shire of Denmark Notice Boards
- Promotion on Shire of Denmark website & Facebook page.
- Promotion on dedicated 4Youth Facebook page.
- Email to Councillors & Employees
- Liaison with the Denmark Agricultural College Student Coordinator.
- Liaison with Denmark Senior High School Student Coordinator.

Statutory Obligations:

There are no statutory obligations.

Policy Implications:

Council Policy P080201 reads as follows:

Denmark Agricultural College Scholarship

Council shall make available an annual Denmark Agricultural College Scholarship.

Objective

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

Guidelines

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

Budget / Financial Implications:

The 2018/19 Council Budget includes an amount of \$1,000 for the 2018 Leadership Award (GL1610832).

Strategic & Corporate Plan Implications:Denmark 2027

E1.0 Our Economy

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

E1.3 To have diverse education and employment opportunities.

E1.4 To recognise the importance of Agriculture in our local economy and protect prime agricultural land.

C4.0 Community

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

C4.1 To have services that foster a happy, healthy, vibrant and safe community.

Corporate Business Plan

1.1.4 Advocate for the provision and promotion of services and facilities that meet the needs of the community.

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:**

The Shire of Denmark Agricultural Scholarship is an opportunity for Council to encourage and assist a local young person to pursue a career in Agriculture and related fields of study.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That no application is suitable and therefore the 2018 Agricultural Scholarship is not awarded.	Rare (1)	Insignificant (1)	Low (1-4)	Not Meeting Community expectations	Accept Risk

Comment/Conclusion:

Two student applications have been received and have been forwarded to Councillors for consideration under separate confidential cover.

As per Council Resolution 301117 a review of the Agricultural Scholarship is attached. The Officer recommendation seeks to include, and provide eligibility for students intending to complete Year 10 at the WA College of Agriculture Denmark. This is in addition to the Year 11 and Year 12 students currently included in the Scholarship.

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION	ITEM 10.3
<p>That with respect to the 2018 Shire of Denmark Agricultural Scholarship, Council;</p> <ol style="list-style-type: none"> 1. Announce _____ as the successful recipient at the 2018 Agricultural College Presentation Night; 2. Keep the name of the recipient of the scholarship and the decision of this meeting confidential to Council, Seniors Officers and the Executive Assistant and embargo until announcement at the 2018 Agricultural College Presentation Night. 3. Continue to offer the Agricultural College Scholarship. 4. Amend Council Policy P080201 as per Attachment 10.3d. 	

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

12. CLOSURE OF MEETING