



## **Council Committees, Working Groups & Delegates**

Version: 16 November 2021

Copies of the Committee Charters and the Working Group's Terms of Reference can be found on Council's website at <http://www.denmark.wa.gov.au/our-council/council-committees.aspx>.

21 December 2021 - Attachment 9.3.5a

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## ADVISORY COMMITTEES OF COUNCIL

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### Audit Advisory Committee

6 x Councillors

Cr Kingsley Gibson  
 Cr Donna Carman  
 Cr Donald Clarke  
 Cr Clare Campbell  
 Cr Jackie Ormsby  
 Cr Nathan Devenport

*Officer Secretary: Director Corporate and Community Services or Nominee*  
*Charter Adopted: 16 November 2021 / Resolution No. 291121*

### Behaviour Complaints Committee

5 x Councillor

Cr Mark Allen  
 Cr Jan Lewis  
 Cr Roger Seeney  
 Cr Kingsley Gibson  
 Cr Geoff Bowley

*Officer Secretary: Chief Executive Officer or Nominee*  
*Charter Adopted: 20 July 2021 / Resolution No. 160721*

### Bush Fire Advisory Committee

#### Voting Members

Chief Bush Fire Control Officer

Mr Lez Baines

Deputy Chief Bush Fire Control Officer

Mr Bryce Edwards

Councillor Delegate

Cr Ceinwen Gearon  
 Cr Clare Campbell

Fire Weather Officer

Adrian Kranendonk

Brigade representatives (Fire Control Officers)

Carmarthen Brigade  
 East Denmark Brigade  
 Harewood Brigade  
 Hazelvale/Tingledale Brigade

Kordabup Brigade  
 Owingup Brigade  
 Mehniup Brigade  
 Mt Lindesay Brigade  
 Nornalup Brigade  
 Ocean Beach Brigade  
 Parryville Brigade  
 Peaceful Bay Brigade  
 Scotsdale/Shadforth Brigade

Craig Hughes  
 Bronnie Wallace  
 Mike Hills  
 Alex Williams  
 Brian Vigus  
 Craig Lilley  
 Bryce Edwards  
 Paul Moncrieff (Proxy)  
 Murray Brooker  
 Neville Brass  
 Marcus Owen  
 Kevin Hard  
 Ivars Sulcs  
 Sid Marshall

Somerset Hill Brigade  
William Bay Brigade

Carlton Wesley  
Callum Baxter  
Simon Coppock

Denmark Fire & Rescue (Volunteer Brigade)  
Captain – Lee Shelley  
Fire Control Officer – Paul Habron

Attendees (Non-Voting)

Community Emergency Services Manager

Lee Shelley, Acting

Bushfire Risk Planning Officer

Vacant

Fire & Emergency Services Authority Representative

Wes Bailye (Area Officer)

Department of Biodiversity, Conservation and Attractions – Parks & Wildlife Service Representative

Tristan Farmer (Fire Co-ordinator)

Other Agencies and strategic organisations or businesses such as major tree plantations as required.

*Officer Secretary: Community 16 November 2021 / Resolution No. 291121*

**Disability Services Advisory Committee**

1 x Councillor

Cr Donna Carman

1 x Denmark Health Service Representative

To be confirmed

1 x Community Professional (Private Sector)

To be appointed

5 x Community Members

To be appointed

To be appointed

To be appointed

To be appointed

To be appointed

*Officer Secretary: Manager Community Services or nominee*

*Charter Adopted: 16 November 2021 / Resolution No. 291121*

**Local Emergency Management Committee**

POSITION ..... ORGANISATION

*Voting Members*

Cr Ceinwen Gearon, Shire President / Chairperson ..... Shire of Denmark

Cr Donald Clarke ..... Shire of Denmark

Officer in Charge ..... Denmark Police Service

Officer in Charge ..... Walpole Police Service

Chief Bush Fire Control Officer ..... Bushfire Advisory Committee

Director of Nursing ..... Denmark District Hospital

Centre Manager ..... Walpole Silver Chain

Unit Manager ..... Denmark State Emergency Service

Unit Manager ..... Walpole State Emergency Service

Officer in Charge ..... Denmark St John Ambulance

Officer in Charge .....	Walpole St John Ambulance
Commander .....	Denmark Volunteer Marine Sea Rescue
Commander .....	Peaceful Bay Vol. Marine Sea Rescue
Commander .....	Walpole Volunteer Marine Sea Rescue
Captain.....	Denmark Fire & Rescue Service
District Operations Officer.....	Dept. of Parks & Wildlife
District Officer .....	Dept. of Child Protection
President.....	Denmark Surf Life Saving Club

*Non Voting Members*

Community Emergency Services Manager..... Shire of Denmark / DFES

With the exception of the Shire President (as this is covered by the Local Government Act 1995), each position holder is entitled to nominate a Deputy Delegate from their organisation for an individual meeting.

*Officer Secretary: Community Emergency Services Manager or nominee  
Charter Adopted: 16 November 2021 / Resolution No. 291121*

## OTHER COMMITTEES

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### Occupational Safety & Health Committee

The Committee is established by the Chief Executive Officer in accordance with obligations under the Occupational Safety & Health Act 1984.

Terms of Reference (as per Committee Charter)

- Enable and assist consultation and cooperation between the employer and employees;
- Help to initiate, develop, implement and review safety and health measures including;
  - Policy Development;
  - Emergency procedures;
  - Training and supervision;
  - Accident and illness reports,
  - Resolution of safety and health issues;
  - Risk Management.
- Keep itself informed about safety and health standards in similar workplaces;
- Make recommendations on safety and health rules, programs, measures and procedures at the workplace(s);
- Ensure information on hazards is kept where it is readily accessible;
- Consider and make recommendations about changes that may affect the safety and health of employees;
- Consider matters referred to it by safety and health representatives; and
- Perform other functions prescribed by Regulations or assigned to it by the employer (with the Committee's consent and in keeping with the Committee's vision).

### Membership

2 x Elected Safety Representatives – Works

1 x Elected Safety Representative – Office

1 x Elected Safety Representative – Recreation / Youth Services

1 x Appointed Management Representative – Works

1 x Appointed Management Representative – Administration / Community Services

*Officer Secretary: Chief Executive Officer*

## **WORKING GROUPS**

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### **Denmark Bushfire Mitigation Working Group**

Established pursuant to Council Resolution No. 090519 / 21 May 2019.

#### Objectives

- To support the Shire of Denmark in its development and review of bushfire mitigation plans.
- Looking to encourage synergies and communication between agencies and groups to deliver effective and efficient bushfire mitigation programs to increase the safety and resilience of the Denmark community from the impacts of bushfire.
- Provide a forum for continuous improvement, collaboration and the exchange of knowledge on initiatives and issues relating to bushfire mitigation.
- Facilitate delivery of applicable aspects of the community strategic plan relevant to Bushfire mitigation
- Provide advice and recommendations regarding best practice in bushfire mitigation for Council and Officers consideration.

#### Sunset Clause

The Working Group will be reviewed prior to 2021. Any proposed changes resulting from a review of the Bushfire Risk Management Plan are to be approved by Council.

#### Membership

Membership of the Working Group will comprise of a total of 15 members consisting of;

3 x Councillor;

Cr Ceinwen Gearon

Cr Roger Seeney

Cr Janine Phillips

1 x Department Biodiversity Conservation and attractions

1 x Department Fire and Emergency Services

1 x Water Corporation

1 x Western power

1 x Denmark Environment centre

1 x Denmark Weed Action Group

1 x Wilson Inlet Catchment Group

1 x Wagyl Kaip Group delegate

1 x Central Zone Brigade Representative (Appointed by BFAC)

1 x East Zone Brigade Representative (Appointed by BFAC)

1 x West Zone Brigade Representative (Appointed by BFAC)

1 x Chief Bush Fire control Officer (CBFCO) or delegate

#### Invited staff members

Bushfire Risk Planning Coordinator and /or Bushfire Risk Management Officer

Community Emergency Services Manager

Shire of Denmark Ranger

Sustainability Officer

The Director Assets & Sustainable Development and/ or that Officer's nominee

The Director Corporate and Community Services and/ or that Officer's nominee

*Officer Secretary: Bushfire Risk Planning Coordinator or nominee*

**Laing Park Dog Exercise Area Development Concept Plan Working Group**

Established pursuant to Council Resolution No. 130419 / 16 April 2019.

Objectives

To develop a Dog Exercise Area Development Concept Plan for Laing Park located on Reserve 45377, No. 104 (Lot 1001) Ocean Beach Road, Ocean Beach.

The park is to be accessible and inclusive to all for the socialisation, exercise and training of dogs and the design is to consider parking and the needs of adjoining property owners and trail users. The plan will provide a sustainable, effective and economical park for funding consideration by Council and/or external funding bodies.

Sunset Clause

The Working Group will cease to exist following completion of a Laing Park Dog Exercise Area Development Concept Plan approved by Council.

Membership

Membership of the Working Group will comprise of a total of 9 members consisting of;

2 x Councillors;

Cr Jan Lewis

Cr Ian Osborne

1 x Veterinarian;

2 x Dog Trainers;

1 x Secretary Denmark Dog Club

3 x Community members;

The Director Assets & Sustainable Development and/ or that Officer's nominee

The Director Corporate and Community Services and/ or that Officer's nominee

*Officer Secretary: Director Assets and Sustainable Development or nominee*

**Paths and Trails Development Plan Working Group**

Established pursuant to Council Resolution No. 151117 / 21 November 2017

Objectives

To implement and prioritise outcomes from regional plans or strategies associated with recreational trails within the Shire of Denmark.

Sunset Clause

The Working Group will cease to exist once outcomes and priorities have been determined from regional plans or strategies associated with recreational trails within the Shire of Denmark.

Membership

Membership of the Working Group will comprise of a total of 9 members consisting of;

3 x Councillors;

Cr Jan Lewis

Cr Kingsley Gibson

Cr Mark Allen

1 x Disability Services Advisory Committee representative;

Vacant

2 x Community representatives;



Graham Townley  
 Roslyn Burnside  
 Director Assets and Sustainable Development;  
 Coordinator Assets and Maintenance;  
 Manager of Community Services.

*Officer Secretary: Director Assets and Sustainable Development or nominee*

### **Local Planning Strategy Working Group**

Established pursuant to Council Resolution No. 211119 / 19 November 2019.

#### Objective

- To support the Shire of Denmark in its update of the Shire of Denmark Local Planning Strategy (LPS).
- Provide advice and encourage synergies and communication between agencies and groups involved in land use planning in the Shire of Denmark.
- Facilitate delivery of applicable aspects of the Strategic Community Plan relevant to land use planning.
- Provide advice and recommendations regarding best practice in strategic land use planning for Council and Officers consideration.
- Assist and participate in community consultation as appropriate.
- Review the draft LPS document throughout its preparation.

#### Sunset Clause

The Working Group will cease to exist following final adoption of the endorsement of the LPS by the Western Australian Planning Commission.

#### Membership

Membership of the Working Group will comprise of a total of 7 members consisting of;

3 x Councillors;

Cr Kingsley Gibson

Cr Jan Lewis

Cr \_\_\_\_\_ (left vacant by resolution 291121 / 16 November 2021)

2 x Department Planning Lands & Heritage representatives

1 x The Director Assets & Sustainable Development and/ or that Officer's nominee

1 x Manager Sustainable Development and/ or that Officer's nominee

1 x Shire appointed Planning Consultant

Note: Relevant government agencies and community members/organisation representatives are to be invited on an 'as needs' basis in response to identified issues.

*Officer Secretary: Manager Sustainable Development or nominee*

**Waste Reform Working Group**

Established pursuant to Council Resolution No. 211119 / 19 November 2019.

Objective

To develop a waste services reform for implementation in 2020-21 financial year. This will include:

- Contracting Model
- Extent of Household Waste Services (General, Recycling, Food Organics Green Organics)
- Resolution on the Green Waste Disposal at the Macintosh Road Waste Facility
- Resolution on bin lid issues

Sunset Clause

The Working Group will cease to exist following completion of a Waste reform adopted by Council.

Membership

4 x Councillors;

Cr Janine Phillips

Cr Kingsley Gibson

Cr Jan Lewis

Cr \_\_\_\_\_ (left vacant following Councillor resignation January 2021)

Director Assets & Sustainable Development;  
Sustainability Officer.

*Officer Secretary: Director Assets & Sustainable Development or nominee*

**Public Health Plan Working Group**

- Established pursuant to Council Resolution No. 211119 / 19 November 2019.
- May 2020 – Working Group stood down due to insufficient human and financial resources during COVID-19.
- Re-established pursuant to Council Resolution No. 140321 / 16 March 2021.

Objective

To develop a draft Public Health Plan for the Shire of Denmark in accordance with the Department of Health's 'Public Health Planning Guide for Local Government'.

Sunset Clause

The Working Group will cease to exist following completion of a Public Health Plan adopted by Council.

Membership

Membership of the Working Group will comprise of a total of 7 members consisting of;

1 x Councillor;

Cr Jackie Ormsby

5 x Community Representatives;

Elizabeth Foster

Kristin Haefner

Emily Harper

Anwar McHenry

Susan Morison

1 x Project Officer / Consultant.

*Officer Secretary: Project Officer, Public Health Plan*

## **Strategic Community Plan Working Group**

Established pursuant to Council Resolution No. 150821 / 17 August 2021.

### Objective

To develop a Strategic Community Plan consultation and delivery plan to ensure that wide-ranging community engagement is undertaken in the building of the Strategic Community Plan (2022-2031).

In accordance with the Integrated Planning and Reporting Advisory Standard a Strategic Community Plan:

- (i) is for a minimum 10-year timeframe.
- (ii) states community vision, aspirations, and objectives.
- (iii) was developed, or modified through engagement with the community, and this is documented.
- (iv) has regard to current and future resource capacity, demographic trends and strategic performance measurement.
- (v) is adopted, or modifications to it are adopted, by an absolute majority of council.
- (vi) is subject to a full review scheduled for 4 years from when it is adopted.

### Sunset Clause

The Working Group will cease to exist following adoption of the Strategic Community Plan 2021/22 by Council.

### Membership

Membership of the Working Group will comprise of a total of 9 members consisting of;

3 x Councillors;

Cr Kingsley Gibson

Cr Janine Phillips

Cr Donald Clarke

4 x Community Representatives;

Belinda Ross

Aaron Olszewski

Sue March

Adlan Fiocco-Ramos.

2 x Shire Officers

Corporate Planning Officer

Community Engagement Officer

*Officer Secretary: Corporate Planning Officer*

## **APPOINTED DELEGATES TO EXTERNAL AGENCIES, ADVISORY GROUPS, ORGANISATIONS AND COMMITTEES**

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### Council Officer Appointments (no Elected Member Delegate)

#### **A Smart Start Community Committee**

Senior Librarian

#### **Amazing South Coast Inc. Board**

Director Corporate and Community Services

#### **South Coast Sustainable Waste Alliance**

Director Assets and Sustainable Development  
Waste & Compliance Officer

#### **Great Southern Regional Water Reference Advisory Group**

Chief Executive Officer or nominee

#### **Timber Roads Operations Group (TROG) – Great Southern**

Director Assets and Sustainable Development

### External Agencies or Organisations that require an Elected Member Delegate due to legislation, their charter / constitution or in accordance with a Deed, MOU or Agreement.

#### **Denmark Chamber of Commerce Inc.**

Cr \_\_\_\_\_

#### **Denmark High School Oval Management Committee**

Manager of Community Services

Cr Geoff Bowley

#### **Great Southern Regional Road Group**

Director Assets and Sustainable Development (non-voting)

Cr Roger Seeney

#### **South Coast Alliance Inc. Committee (SCA)**

Shire President, Cr Ceinwen Gearon

Deputy Shire President, Cr Mark Allen

Cr Jan Lewis (appointed by SCA 26 November 2021)

*Shire President and Deputy Shire President automatic members pursuant to the Rules of Association.*

*One additional Council delegate to be appointed annually and put forward for appointment to the Committee at the South Coast Alliance Annual General Meeting.*

#### **Joint Development Assessment Panel**

*Note: Appointment are subject to the approval of the Minister for Planning. Current membership*

Cr Kingsley Gibson (Member 1)

Cr Janine Phillips (Member 2)

Cr Ian Osborne (Alternate Member 1)

Cr Geoff Bowley (Alternate Member 2)

**WA Local Government Association (WALGA) – Great Southern Zone**

Cr Janine Phillips

Cr Ian Osborne

External Organisations or Committees that seek an Elected Member Delegate or the Council has determined that it should have ongoing representation with.

**Denmark Aquatic Centre Committee Inc.**

Cr Kingsley Gibson

**Denmark Arts Inc.**

Cr Kingsley Gibson

**Denmark Community Foundation (WA) Inc.**

Cr Mark Allen

**Denmark Community Resource Centre Inc. Committee**

Cr Mark Allen

**Denmark Historical Society Inc.**

Cr Ian Osborne

**Denmark Residents and Ratepayers Association**

Cr Kingsley Gibson

**Great Southern Recreation Advisory Group**

Manager of Community Services

Cr Mark Allen

**Lake Muir / Denbarker Community Feral Pig Eradication Group**

Cr Mark Allen

**Nornalup Ratepayers & Residents Association Inc. (NRRA)**

Cr Janine Phillips

Cr Roger Seeney (Proxy)

**Parry's Beach Voluntary Management Group Inc.**

Cr Jan Lewis

**Peaceful Bay Progress Association Inc. (PBPA)**

Cr Janine Phillips

**Walpole Work Camp Committee (Department of Corrective Services)**

Cr Roger Seeney

Cr Janine Phillips

**Wilson Inlet Catchment Committee Inc. (WICC)**

Cr Roger Seeney

# Shire of Denmark

# Charter

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## BEVAHIOUR COMPLAINTS COMMITTEE

This Charter document defines the membership, authority, purpose, operational guidelines, responsibilities and resources of the Shire of Denmark Behaviour Complaints Committee.

### 1.0 NAME

The name of the Committee shall be the Shire of Denmark Behaviour Complaints Committee, hereinafter referred to in its abbreviated form as the Committee, established 15 June 2021.

### 2.0 ESTABLISHMENT

The Committee is established pursuant to section 5.8 of the Local Government Act 1995.

### 3.0 DISTRICT

The Committee shall operate within the local government boundaries of the Shire of Denmark.

### 4.0 GUIDING PRINCIPLES

This Committee is established with the guiding principles in accordance with the Local Government Act 1995, sections 5.8 through to 5.25.

### 5.0 VISION

To consider any behaviour complaints received in accordance with the Code of Conduct for Council Members, Committee Members and Candidates.

### 6.0 TERMS OF REFERENCE

The Committee's purpose will be to deal with Behaviour Complaints made under Division 3 of the Shire of Denmark's Code of Conduct for Council Members, Committee Members and Candidates.

The extent of authority is detailed in Item 9 of this Charter, Delegation No. D040116;

### 7.0 MEMBERSHIP

Membership of the Committee will be appointed by an absolute majority decision of Council.

Membership of the Committee will comprise a total of 5 members consisting of:

5 x Councillors

21 December 2021 - Attachment 9.3.5b

## **8.0 MEETINGS**

### **8.1 Annual General Meeting:**

Nil

### **8.2 Committee Meetings:**

Meetings shall be held as required.

### **8.3 Quorum:**

The quorum for any meeting of the Committee is at least 50% of the number of member positions prescribed on the Committee, whether vacant or not.

### **8.4 Voting:**

Shall be in accordance with Sections 5.21 of the Act, with all members of the Committee entitled and required to vote.

### **8.5 Minutes:**

Shall be in accordance with the Act, Section 5.22.

### **8.6 Presiding Person**

The members will elect the Presiding Person and Deputy Presiding Person of the Committee pursuant to the section 5.12 of the Act.

### **8.7 Who acts if no presiding member?**

Shall be in accordance with the section 5.14 of the Act.

### **8.8 Meetings**

Meetings are open to the public pursuant to section 5.23 of the Act as the Committee has delegated functions.

### **8.9 Public Question Time**

Public Question Time shall be held in accordance with the section 5.24 of the Act and Regulations 5, 6 and 7 of the Local Government (Administration) Regulations 1996.

### **8.10 Members Conduct**

Members of the Committee are bound by the:

- provisions of Section 5.65 of the Act relating to disclosure of interest;
- Shire of Denmark Standing Orders Local Law 2000;
- Code of Conduct for Council Members, Committee Members and Candidates.

### **8.11 Secretary**

The Chief Executive Officer or that Officer's nominee will fulfil the role of non-voting secretary who will also be responsible for preparation and distribution of agendas and minutes.

### **8.12 Meeting Attendance Fees**

Nil.

## **9.0 DELEGATED AUTHORITY OF THE COMMITTEE**

Delegation No. D040116.

1. Authority to make a finding as to whether an alleged breach the subject of a complaint has or has not occurred, based upon evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur *[r12 (1) and (3)]*.

In making any finding the Committee must also determine reasons for the finding *[r12(7)]*.

2. Where a finding is made that a breach has occurred, authority to:
  - a. Take no further action *[r12(7)]*.
  - b. Prepare an implement a plan to address the behaviour of the person to whom the complaint relates *[r12(4)(b), (5) and (6)]*.
3. Authority to dismiss a complaint and if dismissed, the Committee must also determine reasons for the dismissal *[r13(1) and (2)]*.

### **CONDITIONS**

1. The Committee will make decisions in accordance with the principles and specified requirements established in Council Policy "Code of Conduct Behaviour Complaints Management".
2. That part of a Committee meeting which deals with a complaint will be held behind closed doors in accordance with s5.23(2)(b) of the Act.
3. The Committee is prohibited from exercising this delegation where a Committee Member in attendance at a Committee meeting is either the complainant or respondent to the complaint subject of a Committee agenda item.

## **10.0 STRATEGIC ALIGNMENT**

The specific tasks and actions undertaken by this committee will assist the Shire of Denmark in achieving the following aspirations and objectives as contained within the Strategic Community Plan;

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

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



- L5.1 To be high functioning, open, transparent, ethical and responsive.
- L5.4 To be fiscally responsible.

Adopted by Council 20 July 2021 / Resolution No. 160721



# Code of Conduct Behaviour Complaints Management Policy

for Council Members, Committee Members and Candidates

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## Policy Objective

To establish, in accordance with Clause 15(2) of the *Local Government (Model Code of Conduct) Regulations 2021* the procedure for dealing with complaints about alleged breaches of the behaviour requirements included in Division 3 of the Shire of Denmark's Code of Conduct for Council Members, Committee Members and Candidates.

To give effect to the Shire of Denmark's commitment to an effective, transparent, fair and accessible complaints handling process that supports high standards of behaviour of Council Members, Committee Members and Candidates.

## Policy Scope

This Policy applies to complaints made in accordance with Clause 11 of the Shire of Denmark's Code of Conduct for Council Members, Committee Members and Candidates.

This Policy applies to Council Members, Committee Members, Candidates and any person who submits a complaint in accordance with this Policy.

## Definitions

**Act** means the *Local Government Act 1995*.

**Behaviour Complaints Committee** means the Committee established by the Council in accordance with s.5.8 of the Act for the purpose of dealing with complaints. The role of the Behaviour Complaints Committee is outlined in Part 2.3 of this Policy.

**Behaviour Complaints Officer** means a person authorised in writing under clause 11(3) of the Code of Conduct to receive complaints and withdrawals of complaints. The role of the Behaviour Complaints Officer is addressed in Part 2.1 of this Policy.

**Breach** means a breach of Division 3 of the Shire of Denmark's Code of Conduct for Council Members, Committee Members and Candidates.

**Candidate** means a candidate for election as a Council Member, whose nomination has been accepted by the Returning Officer under s.4.49 of the Act, but does not include a Council Member who has nominated for re-election. A person is a Candidate from the date on which their nomination is accepted, until the Returning Officer declares the election result in accordance with s.4.77 of the Act.

**Candidate Complaint** means a Complaint alleging a Breach by a Candidate. Candidate Complaints are dealt with in Part 3.2 of this Policy.

**Code of Conduct** means the Shire of Denmark's Code of Conduct for Council Members, Committee Members and Candidates.

**Committee** means a committee of Council, established in accordance with s.5.8 of the Act.

**Committee Member** means a Council Member, employee of the Shire of Denmark's or other person who has been appointed by the Council to be a member of a Committee, in accordance

with s.5.10(1) of the Act. A person is a Committee Member from the date on which they are appointed, until their appointment expires or is terminated by Council resolution.

**Complaint** means a complaint submitted under Clause 11 of the Code of Conduct.

**Complainant** means a person who has submitted a Complaint in accordance with this Policy.

**Complaint Documents** means the Complaint Form and any supporting information, evidence, or attachments provided by the Complainant.

**Complaint Form** means the form approved under clause 11(2)(a) of the Code of Conduct [*by Council resolution or by the CEO exercising delegated authority*].

**Council** means the Council of the Shire of Denmark.

**Council or Committee Meeting** means a formal meeting of the Council or a Committee that is called and convened in accordance with the Act. It does not include informal meetings, such as workshops or briefings.

**Council Member** means a person who is currently serving a term of office as an elected member of the Council in accordance with the Act.

**Finding** means a finding made in accordance with clause 12(1) of the Code of Conduct as to whether the alleged Breach has or has not occurred.

**Plan** means a Plan that may be prepared and implemented under clause 12(4)(b) of the Code of Conduct, to address the behaviour of the person to whom the complaint relates (the Respondent), if a Finding has been made that a Breach has occurred.

**Response Documents** means the response provided by the Respondent to the Complaint, and includes any supporting information or evidence that is supplied.

# Policy Statement

## 1. Principles

### 1.1. Procedural fairness

The principles of procedural fairness, or natural justice, will apply when dealing with a Complaint under this Policy. In particular:

- the Respondent will be afforded a reasonable opportunity to be heard before any findings are made, or a plan implemented;
- the decision maker should be objective and impartial, with an absence of bias or the perception of bias; and
- any findings made will be based on proper and genuine consideration of the evidence.

### 1.2. Consistency

The application of this Policy should lead to consistency in process and outcomes. While each Complainant and Respondent will be dealt with according to their circumstances, and each complaint considered and determined on its merits, similar circumstances will result in similar decisions.

### 1.3. Confidentiality

The Shire of Denmark will take all reasonable steps to maintain confidentiality when dealing with the complaint, in order to protect both the Complainant and Respondent.

Council Members, Local Government employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely, and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

In order to allow the Respondent to understand and respond to the complaint against them, the name of the Complainant will be provided to the Respondent, unless the Complainant provides reasons this should not occur.

The Complainant's contact information will not be provided to the Respondent.

The Complainant's name and contact information will not be included in any publicly available documents such as meeting agenda or minutes.

The Complainant should be aware that Complaint Documents may be subject to a Freedom of Information (FOI) request, noting that they must be consulted before any documents are released, any exemptions may apply.

## **1.4. Accessibility**

The Shire of Denmark will ensure that information on how to make a complaint, including this Policy, is available at the Shire of Denmark's Administration Building and on the Shire of Denmark's website. The Shire of Denmark will make information available in alternative formats if requested.

Any person wishing to make a complaint may contact the Behaviour Complaints Officer if they require assistance in completing the complaint form or otherwise navigating the complaints process.

## **2. Roles**

### **2.1. Behaviour Complaints Officer**

The Behaviour Complaints Officer is authorised in accordance with clause 11(3) of the Code of Conduct to accept complaints and withdrawal of complaints.

The Behaviour Complaints Officer is not an advocate for the complainant or the respondent. The Behaviour Complaints Officer provides procedural information and assistance to both Complainant and Respondent.

The Behaviour Complaints Officer will liaise with and provide administrative support to a Behaviour Complaints Committee, including the calling and convening of meetings if required.

### **2.2. Behaviour Complaints Committee**

The Behaviour Complaints Committee is a Committee of Council established in accordance with s.5.8 of the Act for the purpose of dealing with Complaints.

The Behaviour Complaints Committee is a Committee of Council Members only. The membership, purpose and Term of Reference of the Behaviour Complaints Committee is outlined in the Committee Charter.

## **3. Procedure**

### **3.1. Making a Complaint**

A complaint must be made by completing the Behaviour Complaint Form in full, specifying which requirement(s) of the Code of Conduct is alleged to have been breached and providing the completed forms, and any supporting documentation, to the Behaviour Complaints Officer.

Anonymous complaints cannot be accepted.

Further information may be requested from the Complainant by the Behaviour Complaints Officer in order for the complaint to be progressed.

### **3.2. Candidate Complaints**

A complaint in relation to a Candidate must be made in accordance with 3.1, above, but cannot be dealt with unless the Candidate is subsequently declared elected as a Council Member.

Within 7 days after receiving a Candidate Complaint, the Behaviour Complaints Officer will provide written notice:

- To the Complainant confirming receipt, and advising of the procedure for candidate complaints; and
- To the Respondent, including a summary of the complaint, and advising of the procedure for candidate complaints.

No action will be taken until the results of the election are declared by the Returning Officer. If the respondent is elected, then the complaint will be dealt with in accordance with this Policy.

Timeframes that would otherwise commence on the receipt of a complaint will be taken to commence on the election date.

If the Respondent is not elected, the Behaviour Complaints Officer will provide the Complainant with notice that the Respondent has not been elected and that the complaint cannot be dealt with.

### **3.3. Withdrawing a Complaint**

A Complainant may withdraw a complaint by advising the Behaviour Complaints Officer in writing that they wish to do so.

After receiving a written withdrawal of a complaint, the Behaviour Complaints Officer will take all necessary steps to terminate the process commenced under this Policy.

### **3.4. Notice to Complainant**

Within 7 days after receiving a complaint, the Behaviour Complaints Officer will provide written notice to the Complainant that:

- confirms receipt of the complaint;
- outlines the process that will be followed and possible outcomes;
- explains the application of confidentiality to the complaint;
- includes a copy of this Policy; and
- if necessary, seeks clarifications or additional information.

If the Complaint Form indicates that the Complainant agrees to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will advise the Complainant of the process in accordance with Part 3.6 of this Policy.

### **3.5. Notice to Respondent**

Within 14 days after receiving a complaint, the Behaviour Complaints Officer will provide written notice to the Respondent that:

- advises that a complaint has been made in accordance with the Code of Conduct and this Policy;



- includes a copy of the complaint documents;
- outlines the process that will be followed, the opportunities that will be afforded to the Respondent to be heard and the possible outcomes;
- includes a copy of this Policy; and
- if applicable, advises that further information has been requested from the Complainant and will be provided in due course.

If the Complainant has agreed to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will ask the Respondent if they are also willing to participate in accordance with Part 3.6 of this Policy.

### **3.6. Alternative Dispute Resolution**

The Shire of Denmark recognises that Alternative Dispute Resolution may support both parties to reach a mutually satisfactory outcome that resolves the issues giving rise to the complaint. Alternative Dispute Resolution requires the consent of both parties to the complaint and may not be appropriate in all circumstances.

To commence the process, the Behaviour Complaints Officer will, as the first course of action upon receiving a complaint, offer the Complainant and the Respondent the option of Alternative Dispute Resolution. If both parties agree to participate in Alternative Dispute Resolution, the Behaviour Complaints Officer will pause the formal process.

The objective of Alternative Dispute Resolution will be to reach an agreed resolution that satisfies the Complainant that the formal process is no longer required, allowing them to withdraw the complaint, in accordance with Part 3.3 of this Policy.

Examples of Alternative Dispute Resolution;

- An offer by a Respondent to issue a voluntary apology to the Complainant; or
- Negotiation of an appropriate resolution with the assistance of the Behaviour Complaints Officer.

If Alternative Dispute Resolution is commenced, both the Complainant and Respondent may decline to proceed with the process at any time. The process may also be terminated by the Behaviour Complaints Officer should they deem it to be unproductive.

If Alternative Dispute Resolution is terminated or does not achieve an agreed outcome that results in the withdrawal of the complaint, the Behaviour Complaints Officer will resume the formal process required under this Policy.

### **3.7. Order of Complaints**

Complaints will normally be dealt with in the order in which they are received.

If more than one complaint is received that relates to the same alleged behaviour, the Behaviour Complaints Officer may decide to progress those complaints concurrently.

### **3.8. Search of Local Government Records**

Any local government records that are identified by the Behaviour Complaints Officer that are deemed to be directly related to the complaint must be provided to the Respondent.

### **3.9. Assessment of the Complaint**

The Behaviour Complaints Officer will undertake an assessment of the complaint in accordance with the process outlined in the Notices given under Part 3.4 and Part 3.5 of this Policy.

The Behaviour Complaints Officer must ensure that the Respondent is provided with a reasonable opportunity to be heard before forming any opinions, or drafting the Complaint Report or recommendations.

### **3.10. Complaint Report**

The Behaviour Complaints Officer will prepare a Complaint Report that will:

- outline the process followed, including how the Respondent was provided with an opportunity to be heard;
- include the complaint documents, the response documents and any relevant Shire of Denmark records as attachments; and
- include recommendations on each decision that may be made by the Behaviour Complaints Committee; and
- include reasons for each recommendation, with reference to Part 4 of this Policy.

The Respondent is to be provided a copy of the draft Complaint Report including any recommendations to the Committee and afforded the opportunity to make a submission prior to the Complaint Report being finalised for the Behaviour Complaints Committee's consideration.

If the Complaint Report recommends that a Plan is prepared and implemented in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy, the Complaint Report must include a Proposed Plan.

The Complaint Report will be included in an Agenda for a meeting of the Behaviour Complaints Committee as a confidential attachment.

### **3.11. Behaviour Complaints Committee Meeting**

The Agenda will be prepared on the basis that the part of the meeting that deals with the Complaint Report will be held behind closed doors in accordance with s.5.23(2) of the Act.

The Behaviour Complaints Committee will consider the Complaint Report and attachments and give due regard to the recommendations.

In accordance with Regulation 11(d)(a) of the *Local Government (Administration) Regulations 1996*, reasons for any decision that is significantly different from the Officer Recommendation must be recorded in the meeting minutes.

If the behaviour that is the subject of the complaint is alleged to have occurred at a Council or Committee Meeting, the Behaviour Complaints Committee will determine whether or not to dismiss the complaint in accordance with Clause 13 of the Code of Conduct and Part 4.2 of this Policy.

If the Behaviour Complaints Committee dismisses a complaint, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the decision and the reasons for the decision in accordance with clause 13(2) of the Code of Conduct. This concludes the process for the complaint.

If the complaint is not dismissed, the Behaviour Complaints Committee will consider the complaint and make a Finding as to whether the alleged Breach has or has not occurred, in accordance with clause 12 of the Code of Conduct and Part 4.3 of this Policy.

If the Behaviour Complaints Committee finds that the alleged Breach **did not** occur, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of the Finding and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for the complaint.

If the Behaviour Complaints Committee finds that the alleged breach **did** occur, the Committee will decide whether to take no further action in accordance with clause 12(4)(a) of the Code of Conduct or prepare a plan to address the behaviour in accordance with clause 12(4)(b) of the Code of Conduct and Part 4.4 of this Policy.

If the Behaviour Complaints Committee decides to take no further action, the Behaviour Complaints Officer must give the Complainant and the Respondent written notice of this decision and the reasons for the Finding in accordance with clause 12(7)(a) of the Code of Conduct. This concludes the process for the complaint.

If the Behaviour Complaints Committee decides to prepare a Plan, the Committee will first consult with the Respondent in accordance with clause 12(5) of the Code of Conduct. The Behaviour Complaints Committee will consider any submissions made by the Respondent before preparing and implementing a Plan.

### **3.12. Compliance with Plan Requirement**

The Behaviour Complaints Officer will monitor the actions in timeframes set out in a Plan.

Failure to comply with a requirement included in a Plan is a minor breach under section 5.105(1) of the Act and clause 23 of the Code of Conduct.

The Behaviour Complaints Officer must provide a report advising Council of any failure to comply with a requirement included in a Plan.

## **4. Decision Making**

### **4.1. Objective and Principles**

All decisions made under this Policy will reflect the Policy Objectives and the Principles included in Part 1 of this Policy.

### **4.2. Dismissal**

The Behaviour Complaints Committee must dismiss a complaint in accordance with clause 13(1)(a) and (b) of the Code of Conduct if it is satisfied that -

- (a) the behaviour to which the complaint relates occurred at a Council or Committee Meeting; and
- (b) either —
  - (i) the behaviour was dealt with by the person presiding at the meeting;
  - or

- (ii) the Respondent has taken remedial action in accordance with the Shire of Denmark Standing Orders Local Law.

### **4.3. Finding**

A Finding that the alleged breach has occurred must be based on evidence from which it may be concluded that it is more likely that the breach occurred than that it did not occur.

This may involve first considering whether the behaviour occurred, on the balance of probabilities, and then whether that behaviour constituted a breach of a requirement of Division 3 of the Code of Conduct.

### **4.4. Action**

In deciding whether to take no further action, or prepare and implement a Plan, the Behaviour Complaints Committee may consider:

- the nature and seriousness of the breach(es);
- the Respondent's submission in relation to the contravention;
- whether the Respondent has breached the Code of Conduct knowingly or carelessly;
- whether the Respondent has breached the Code of Conduct on previous occasions;
- likelihood or not of the Respondent committing further breaches of the Code of Conduct;
- personal circumstances at the time of conduct;
- need to protect the public through general deterrence and maintain public confidence in the local government; and
- any other matters which may be regarded as contributing to or the conduct or mitigating its seriousness.

### **4.5. Plan Requirements**

The Proposed Plan may include requirements for the Respondent to do one (1) or more of the following:

- engage in mediation;
- undertake counselling;
- undertake training;
- take other action the Behaviour Complaints Committee considers appropriate (eg. an apology).

The proposed Plan should be designed to provide the Respondent with the opportunity and support to demonstrate the professional and ethical behaviour expected of elected representatives expressed in the Code of Conduct.

The Proposed Plan may also outline:

- the actions to be taken to address the behaviour(s);
- who is responsible for the actions;
- any assistance the Shire of Denmark will provide to assist achieve the intent of the Plan; and
- a reasonable timeframe for the Plan action(s) to be addressed by the Respondent.

Any administrative arrangements will be managed in accordance with the Shire of Denmark's Continuing Professional Development Policy.

<b>Document Control Box</b>			
<b>Document Responsibilities:</b>			
<b>Owner:</b>	Governance Coordinator	<b>Owner Business Unit:</b>	Governance
<b>Reviewer:</b>	Chief Executive Officer	<b>Decision Maker:</b>	Council
<b>Compliance Requirements:</b>			
<b>Legislation:</b>	<a href="#">Local Government Act 1995</a> <a href="#">Local Government (Model Code of Conduct) Regulations 2021</a>		
<b>Document Management:</b>			
<b>Synergy Ref:</b>	IPP21853	<b>Review Frequency:</b>	As required
<b>Version #</b>	<b>Date:</b>	<b>Action:</b>	<b>Resolution No.</b>
1.	20 July 2021	ADOPTED by Council	160721
2.			

# Shire of Denmark



## DENMARK BUSHFIRE MITIGATION WORKING GROUP

### TERMS OF REFERENCE

---

#### 1.0 NAME

The name of the Working Group shall be the Denmark Bushfire Mitigation Working Group, hereinafter referred to in its abbreviated form as the Working Group.

#### 2.0 ESTABLISHMENT

The Working Group was established 21 May 2019 (Resolution No. 090519).

#### 3.0 OBJECTIVE's

- To support the Shire of Denmark in its development and review of bushfire mitigation plans.
- Looking to encourage synergies and communication between agencies and groups to deliver effective and efficient bushfire mitigation programs to increase the safety and resilience of the Denmark community from the impacts of bushfire.
- Provide a forum for continuous improvement, collaboration and the exchange of knowledge on initiatives and issues relating to bushfire mitigation.
- Facilitate delivery of applicable aspects of the community strategic plan relevant to Bushfire mitigation
- Provide advice and recommendations regarding best practice in bushfire mitigation for Council and Officers consideration.

#### 4.0 MEMBERSHIP

Membership of the Working Group will comprise of a total of 15 members consisting of;

- 3 x Councillors;
- 1 x Department Biodiversity Conservation and attractions
- 1 x Department Fire and Emergency Services
- 1 x Water Corporation
- 1 x Western power
- 1 x Denmark Environment centre
- 1 x Denmark Weed Action Group
- 1 x Wilson Inlet Catchment Group
- 1 x Wagyl Kaip Group delegate
- 1 x Central Zone Brigade Representative (Appointed by BFAC)
- 1 x East Zone Brigade Representative (Appointed by BFAC)
- 1 x West Zone Brigade Representative (Appointed by BFAC)

1 x Chief Bush Fire control Officer (CBFCO) or delegate

**Invited staff members**

Bushfire Risk Planning Coordinator and /or Bushfire Risk Management Officer

Community Emergency Services Manager

Shire of Denmark Ranger

Sustainability Officer

The Director Assets & Sustainable Development and/ or that Officer's nominee

The Director Corporate and Community Services and/ or that Officer's nominee

## **5.0 MEETINGS**

### **5.1 Meetings:**

Meetings shall be held on the second Wednesday/Thursday and can be called by the Presiding Person and/or the Secretary.

Nominated months will be decided by the group at the initial meeting, however it is suggested two meetings per annum are convened.

### **5.2 Meeting Notes:**

Outcomes and decisions of Working Groups are to be recorded and retained on the relevant file(s).

### **5.3 Presiding Person**

The members will elect a Presiding Person, and if required a Deputy, of the Working Group using the same method as detailed in the Local Government Act 1995, Section 5.12.

Pursuant to Council Policy P040235 the Working Group should elect an Elected Member to the role of Presiding Person.

### **5.4 Who acts if no presiding member?**

The Working Group members present at the meeting are to choose one of themselves to preside at the meeting.

### **5.5 Public Question Time**

Nil.

### **5.6 Members Conduct**

Members of the Working Group are bound by the Shire of Denmark Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007

### **5.7 Secretary**

The Bushfire Risk Planning Coordinator and/ or that Officer's nominee will fulfil the role of Secretary who will also be responsible for preparation and distribution of Agendas and any notes.

## **5.8 Meeting Attendance Fees**

Nil.

## **6.0 STRATEGIC ALIGNMENT**

The specific tasks and actions undertaken by this Working Group will assist the Shire of Denmark in achieving the following aspirations and objectives as contained within the Strategic Community Plan, Denmark 2027;

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

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

### **N2.0 Our Natural Environment**

N2.1 To preserve and protect the natural environment

### **B3.0 Our Built Environment**

B3.4 To manage assets in a consistent and sustainable manner

### **C4.0 Our Community**

C4.4 To recognise and respect our local heritage and Aboriginal history

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

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

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

## **7.0 SUNSET CLAUSE**

The Working Group will be reviewed prior to 2021. Any proposed changes resulting from a review of the Bushfire Risk Management Plan are to be approved by Council.

Adopted by Council 21 May 2019 / Resolution No. 090519  
Continuation supported by Council 19 November 2019 / Resolution No. 211119





**LAING PARK DOG EXERCISE AREA  
DEVELOPMENT CONCEPT PLAN  
WORKING GROUP**

**TERMS OF REFERENCE**

---

**1.0 NAME**

The name of the Working Group shall be the Laing Park Dog Exercise Area Development Concept Plan Working Group, hereinafter referred to in its abbreviated form as the Working Group.

**2.0 ESTABLISHMENT**

The Working Group was established 16 April 2019 (Resolution No. 130419).

**3.0 OBJECTIVE**

To develop a Dog Exercise Area Development Concept Plan for Laing Park located on Reserve 45377, No. 104 (Lot 1001) Ocean Beach Road, Ocean Beach.

The park is to be accessible and inclusive to all for the socialisation, exercise and training of dogs and the design is to consider parking and the needs of adjoining property owners and trail users. The plan will provide a sustainable, effective and economical park for funding consideration by Council and/or external funding bodies.

**4.0 MEMBERSHIP**

Membership of the Working Group will comprise of a total of 9 members consisting of;

2 x Councillors;

1 x Veterinarian;

2 x Dog Trainers;

1 x Secretary Denmark Dog Club

3 x Community members;

The Director Assets & Sustainable Development and/ or that Officer's nominee

The Director Corporate and Community Services and/ or that Officer's nominee

Vacancies for Community representatives will be advertised in a local newspaper circulating within the district, with selection and appointment being made by Council.

## 5.0 MEETINGS

### 5.1 Meetings:

Meetings shall be held as required and can be called by the Presiding Person and/or the Secretary.

### 5.2 Meeting Notes:

Outcomes and decisions of Working Groups are to be recorded and retained on the relevant file(s).

### 5.3 Presiding Person

The members will elect a Presiding Person and if required a Deputy of the Working Group using the same method as detailed in the Local Government Act 1995, Section 5.12.

Pursuant to Council Policy P040235 the Working Group should elect an Elected Member to the role of Presiding Person.

### 5.4 Who acts if no presiding member?

The Working Group members present at the meeting are to choose one of themselves to preside at the meeting.

### 5.5 Public Question Time

Nil.

### 5.6 Members Conduct

Members of the Working Group are bound by the Shire of Denmark Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007 (Elected Members only).

### 5.7 Secretary

The Director Assets & Sustainable Development and/ or that Officer's nominee will fulfil the role of secretary who will also be responsible for preparation and distribution of Agendas and any Notes.

### 5.8 Meeting Attendance Fees

Nil.

## 6.0 STRATEGIC ALIGNMENT

The specific tasks and actions undertaken by this Working Group will assist the Shire of Denmark in achieving the following aspirations and objectives as contained within the Strategic Community Plan;

### E1.0 Our Economy

ASPIRATION: 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 assets.

**N2.0 Our Natural Environment**

**ASPIRATION:** 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.

**B3.0 Our Built Environment**

**ASPIRATION:** We have a functional built environment that reflects our 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.

**C4.0 Our Community**

**ASPIRATION:** 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

**7.0 SUNSET CLAUSE**

The Working Group will cease to exist following completion of a Laing Park Dog Exercise Area Development Concept Plan approved by Council.

Adopted by Council 16 April 2019 / Resolution No. 130419  
Continuation supported by Council 19 November 2019 / Resolution No. 211119



## **PATHS & TRAILS DEVELOPMENT PLAN WORKING GROUP**

### **TERMS OF REFERENCE**

---

#### **1.0 NAME**

The name of the Working Group shall be the Shire of Denmark Paths & Trails Development Plan Working Group, hereinafter referred to in its abbreviated form as the Working Group.

#### **2.0 ESTABLISHMENT**

The Working Group was established 21 November 2017 (Resolution No. 151117).

#### **3.0 OBJECTIVE**

To implement and prioritise outcomes from regional plans or strategies associated with recreational trails within the Shire of Denmark.

#### **4.0 MEMBERSHIP**

Membership of the Working Group will comprise of a total of 9 members consisting of;

- 3 x Councillors;
- 1 x Disability Services Advisory Committee representative;
- 2 x Community representatives;
- Director Corporate and Community Services;
- Manager Community Services.

Vacancies for Community representatives will be advertised in a local newspaper circulating within the district, with selection and appointment being made by Council.

#### **5.0 MEETINGS**

##### **5.1 Meetings:**

Meetings shall be held as required and can be called by the Presiding Person and/or the Secretary.

##### **5.2 Meeting Notes:**

Outcomes and decisions of Working Groups are to be recorded and retained on the relevant file(s).

### **5.3 Presiding Person**

The members will elect a Presiding Person and if required a Deputy of the Working Group using the same method as detailed in the Local Government Act 1995, Section 5.12.

Pursuant to Council Policy P040235 the Working Group should elect an Elected Member to the role of Presiding Person.

### **5.4 Who acts if no presiding member?**

The Working Group members present at the meeting are to choose one of themselves to preside at the meeting.

### **5.5 Public Question Time**

Nil

### **5.6 Members Conduct**

Members of the Working Group are bound by the Shire of Denmark Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007 (Elected Members only).

### **5.7 Secretary**

The Director Corporate and Community Services or that Officer's nominee will fulfil the role of secretary who will also be responsible for preparation and distribution of Agendas and any Notes.

### **5.8 Meeting Attendance Fees**

Nil.

## **6.0 STRATEGIC ALIGNMENT**

The specific tasks and actions undertaken by this Working Group will assist the Shire of Denmark in achieving the following aspirations and objectives as contained within the Strategic Community Plan;

### **N2.0 Our Natural Environment**

ASPIRATION: 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.

### **B3.0 Our Built Environment**

ASPIRATION: We have a functional built environment that reflects our 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.

B3.4 To manage assets in a consistent and sustainable manner.

## **7.0 SUNSET CLAUSE**

The Working Group will cease to exist once outcomes and priorities have been determined from regional plans or strategies associated with recreational trails within the Shire of Denmark.

Adopted by Council 21 November 2017 / Resolution No. 151117  
Amended by Council 19 November 2019 / Resolution No. 211119



## WASTE REFORM WORKING GROUP

### TERMS OF REFERENCE

---

#### 1.0 NAME

The name of the Working Group shall be the Shire of Denmark Waste Reform Working Group, hereinafter referred to in its abbreviated form as the Working Group.

#### 2.0 ESTABLISHMENT

The Working Group was established 19 November 2019 (Resolution No. 211119).

#### 3.0 OBJECTIVE

To develop a waste services reform for implementation in 2020-21 financial year. This will include:

- Contracting Model
- Extent of Household Waste Services (General, Recycling, Food Organics Green Organics)
- Resolution on the Green Waste Disposal at the Macintosh Road Waste Facility
- Resolution on bin lid issues

#### 4.0 MEMBERSHIP

Membership of the Working Group will comprise of a total of 6 members consisting of;

- 4 x Councillors;
- Director Sustainable Development;
- Sustainability Officer.

#### 5.0 MEETINGS

##### 5.1 Meetings:

Meetings shall be held as required and can be called by the Presiding Person and/or the Secretary.

##### 5.2 Meeting Notes:

Outcomes and decisions of Working Groups are to be recorded and retained on the relevant file(s).

##### 5.3 Presiding Person

The members will appoint a Presiding Person and if required a Deputy of the Working Group using the same method as detailed in the Local Government Act 1995, Section 5.12.

Pursuant to Council Policy P040235 the Working Group should elect an Elected Member to the role of Presiding Person.

**5.4 Who acts if no presiding member?**

The Working Group members present at the meeting are to choose one of themselves to preside at the meeting.

**5.5 Public Question Time**

Nil

**5.6 Members Conduct**

Members of the Working Group are bound by the Shire of Denmark Code of Conduct and the Local Government (Rules of Conduct) Regulations 2007 (Elected Members only).

**5.7 Secretary**

The Director Assets and Sustainable Development or that Officer's nominee will fulfil the role of secretary who will also be responsible for preparation and distribution of Agendas and any Notes.

**5.8 Meeting Attendance Fees**

Nil.

**6.0 STRATEGIC ALIGNMENT**

The specific tasks and actions undertaken by this Working Group will assist the Shire of Denmark in achieving the following aspirations and objectives as contained within the Strategic Community Plan;

**N2.0 Our Natural Environment**

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

The aspiration and objectives within this area reflect our location, stunning forests and coastline and irreplaceable natural assets.

We will:

- Promote incentives that encourage environmentally sensitive development;
- Formalise a collaborative approach to waste management;
- Encourage the expansion of the infill sewerage program; and
- Implement controls and guidelines to ensure development is sensitive to the natural environment.

**OBJECTIVES**

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

**7.0 SUNSET CLAUSE**

The Working Group will cease to exist following completion of a Waste reform adopted by Council.

Adopted by Council 19 November 2019 / Resolution No. 211119