

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
15-March-2022	9.1.1	PRAWN ROCK CHANNEL DOG EXERCISE AREA PETITION	050322	That Council: 1. AMEND Policy P050203 Dog Areas to include the following: "This policy will be formally reviewed biennially by Council"; and 2. REQUEST that the review of Policy P050203 - Dog Areas, occurs prior to July 2023 and includes further consultation with the community.
15-March-2022	9.1.2	BIRD SANCTUARY	070322	That Council, pursuant to section 2.2 of the Local Government Property Local Law, REQUEST the Chief Executive Officer to give public notice, for a period of 21 days and invite comment, of its intent to make a determination to develop a bird sanctuary by prohibiting the traversing of land, for all unauthorised persons, except on paths provided for that purpose, over the areas specified in Attachment 9.1.2a, with the following modification that the designated pathways are included in accordance with the bird walk outlined in Attachment 9.1.2b.
15-March-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 NOVEMBER 2021	090322	That Council, with respect to the Financial Statements for the period ending 30 November 2021, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
15-March-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 3 NOVEMBER 2021	100322	That with respect to the attached Schedule of Payments, totalling \$1,380,568.52, for the month of November 2021, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
15-March-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2021	110322	That Council RECEIVE the Investment Register (attachment 9.2.3) for the period ended 30 November 2021.
15-March-2022	9.2.4	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 DECEMBER 2021	120322	That Council, with respect to the Financial Statements for the period ending 31 December 2021, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
15-March-2022	9.2.5	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 DECEMBER 2021	130322	That with respect to the attached Schedule of Payments, totalling \$1,844,258.86, for the month of December 2021, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
15-March-2022	9.2.6	INVESTMENT REPORT FOR THE PERIOD ENDED 31 DECEMBER 2021	140322	That Council RECEIVE the Investment Register (attachment 9.2.6) for the period ended 31 December 2021.
15-March-2022	9.2.7	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 JANUARY 2022	150322	That with respect to the Financial Statements for the period ending 31 January 2022, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
15-March-2022	9.2.8	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 JANUARY 2022	150322	That with respect to the attached Schedule of Payments, totalling \$1,343,393.65, for the month of January 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION)
15-March-2022	9.2.9	INVESTMENT REPORT FOR THE PERIOD ENDED 31 JANUARY 2022	150322	That Council RECEIVE the Investment Register (attachment 9.2.9) for the period ended 31 January 2022.

To read any associated reports and/or the resolutions in their entirety, Council Minutes are available to read on the Shire's website at www.denmark.wa.gov.au/council-meetings

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
15-March-2022	9.3.1	SUSTAINABLE PROJECTS COMMITTEE	190322	That Council; <ol style="list-style-type: none"> 1. ESTABLISH a Sustainable Projects Committee of Council, according to the Charter, Attachment 9.3.1; and 2. ENDORSE the following Councillors as members of the Sustainable Projects Committee of Council; Cr Lewis, Cr Clarke, Cr Gibson and Cr Campbell.
15-March-2022	9.3.2	CEO PERFORMANCE REVIEW PROCESS	200322	That with respect to the position of Chief Executive Officer, Council: <ol style="list-style-type: none"> 1. SEEK at least three (3) quotations, from suitably qualified consultants, to appraise the CEO's performance from March 2021 to March 2022; 2. AUTHORISE the Shire President to engage with the CEO and seek mutual agreement on one of the consultants, subject to budget limitations; 3. AUTHORISE the Shire President to engage a suitably qualified external consultant up to the value of \$5,000 to: <ol style="list-style-type: none"> a) Facilitate a review of Mr Schober's performance as Chief Executive Officer from March 2021 to March 2022; and b) Assist the Council to determine, and set, new performance criteria for the office of Chief Executive Officer for the next 12 months.
15-March-2022	10.1	AUDIT ADVISORY COMMITTEE - 2021 COMPLIANCE AUDIT RETURN	210322	That with respect to the 2021 Compliance Audit Return, Council: <ol style="list-style-type: none"> 1. Note the one area of non-compliance; 2. Endorse the 2021 Compliance Audit Return; and 3. Submit a certified copy to the Director General of the Department of Local Government, Sport and Cultural Industries by 31 March 2022. <p>That Council NOTE the Minutes of the Audit Advisory Committee meeting held on 4 March 2022, as per Attachment 10.1b.</p>
19-April-2022	8.1	EXPLORATION LICENSE: OBJECTION TO APPROVAL	080422	That Council REQUEST the Chief Executive Officer: <ol style="list-style-type: none"> 1. To CONVENE a briefing of Councillors to determine if a policy position on mining and tenement applications in the Shire of Denmark should be progressed; and, 2. To LODGE a formal notice of objection to the Warden to Exploration Licence 70/5795; and, 3. To ISSUE a request to the Warden for general re-opening of the objection period, to allow landholders and occupiers in the area covered by the Exploration Licence 70/5795, and other community groups and members, to lodge submissions.
19-April-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 28 FEBRUARY 2022	100422	That Council; with respect to the Financial Statements for the period ending 28 February 2022, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
19-April-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2022	100422	That Council, with respect to the attached Schedule of Payments, totalling \$1,901,223.36, for the month of February 2022, RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
19-April-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2022	100422	That Council RECEIVE the Investment Register (Attachment 9.2.3) for the period ended 28 February 2022.
19-April-2022	9.2.4	APPOINTMENT OF COMMUNITY MEMBERS ON THE DISABILITY SERVICES ADVISORY COMMITTEE		That Council; with respect to the 2022 Disability Services Advisory Committee, APPOINTS; 1. Peter Ridge, Marion McDougall, Linda Eaton, Peter Boyes and Geoff Hill as the successful applicants for the positions of Community Members; and, 2. Emma Riley as the successful applicant for the position of Community Professional (Private Sector).
19-April-2022	9.3.1	PROPOSED HOUSING AFFORDABILITY POLICY	090422	That Council ADOPT the draft Housing Affordability Policy, as per Attachment 9.3.1a.
19-April-2022	9.3.2	ACCEPTANCE OF MINUTES AND CONSIDERATION OF DECISIONS FROM SPECIAL ELECTORS MEETING HELD 8 MARCH 2022	020422	That Council, with respect to the four decisions made at the Special Meeting of Electors, held on 8 March 2022; 1. RECEIVES the minutes; and, 2. ACKNOWLEDGES the concerns raised; 3. OFFERS a public written response to the decisions made (as per Attachment 9.3.2c); and 4. Takes no further action.
17-May-2022	6.1	Leave of Absence - CR CAMPBELL, CR GEARON AND CR PHILLIPS	010522	That the Cr Campbell, Cr Gearon and Cr Phillips be granted leave of absence for the Ordinary Council Meeting scheduled for 21 June 2022.
17-May-2022	9.1.1	PROPOSED NAMING OF ROAD RESERVE 'PINNIGER ROAD', REMOVING NAME FROM ROAD RESERVE AND AMALGAMATION INTO ADJOINING RESERVE	040522	That Council; 1. ADVISE the owners and occupiers of the land adjacent to the unnamed road reserve identified in Deposited Plan 422045, of Council's intention to name the road 'Pinniger Road', and if there is no objection received REQUEST the Geographical Names Committee to; a) REMOVE Pinniger Point Road from its gazetted road list for the Denmark local government area; and b) NAME the unnamed road reserve adjacent to South Coast Highway, as shown in Deposited Plan 422045 'Pinniger Road'.

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
			050522	That Council, 1. PURSUANT to section 58(3) and 58(1) of the Land Administration Act 1997, a) REQUEST the Chief Executive Officer to provide public notice, seeking submissions for a period of 35 days, or more, of Council's intent to permanently close Pinniger Point Road Reserve; b) AUTHORISE the Chief Executive Officer to consider the submissions and request that the Minister close Pinniger Point Road Reserve, subject to no objections being received during the submission period, and in accordance with section 9 of the Land Administration Regulations 1998. 2. REQUEST the Department of Planning, Lands and Heritage to amalgamate the road reserve into Lot 5433 on Deposited Plan 144747, once notification of the road closure is received from the Minister.
17-May-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MARCH 2022 AND BUDGET AMENDMENTS	060522	That Council: 1. RECEIVE the Financial Reports for the period ending 31 March 2022, incorporating the Statement of Financial Activity and other supporting
17-May-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 MARCH 2022	070522	That with respect to the attached Schedule of Payments, totalling \$1,877,790.26, for the month of March 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
17-May-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 31 MARCH 2022	080522	That Council RECEIVE the Investment Register (Attachment 9.2.3) for the period ended 31 March 2022.
17-May-2022	9.3.1	BEVANS (WA) PTY LTD – FISHERMANS LEASE RENEWAL	110522	That with respect to the draft lease for Site 303 on Deposited Plan 220017, Council: 1. AUTHORISE the Chief Executive Officer to seek Ministerial Approval, in accordance with section 18 of the Land Administration Act 1997; and 2. Should the Minister approve the draft lease, AUTHORISE the Shire President and the Chief Executive Officer to execute the draft lease, as per Attachment 9.3.1, subject to the following amendment: a. Replace the words "caravan park" with "commercial" in clause 3.5(d). b. The lease term in Item 4.1 of the Schedule be reduced from 10 years to 5 years.

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
17-May-2022	9.3.2	LEASE OF RESIDENTIAL PROPERTY AT 7 BEVERIDGE STREET, DENMARK	140522	That with respect to the Shire of Denmark's freehold property at Lot 152 on Deposited Plan 224101, Council: 1. ADVISE the Department of Communities that it is unable to offer a new, two (2) year lease as the Shire of Denmark may require the property for the retention or attraction of its employees; and 2. AUTHORISE the CEO to: a) Offer the property to any Shire employees who are in need of housing, or b) Should the house not be rented to an employee, engage a local real estate firm to manage the property; for maximum terms of 12 months at a time, for the weekly rent as determined by the market. NOTE that in the case of 2a) or 2b), the house may be required in 2026 for the retention or attraction of a CEO or Senior Employee.
21-June-2022	9.1.1	BIRD SANCTUARY – DETERMINATION UNDER THE SHIRE OF DENMARK PROPERTY LOCAL LAW	050622	1. NOTE the submissions received. 2. AMEND the proposed determination, as shown in the map below (which will be included in the Minutes as Attachment 9.1.1d), noting the discontinued and future paths. (SEE FULL RESOLUTION). 3. AUTHORISE the Chief Executive Officer to give public notice of the amendments and that the amended determination has effect as a determination on and from the publication date.
			060622	That Council AMEND Policy P050203 Dog Areas to ensure that the Prawn Rock Channel Map is not in conflict with the determination as per Attachment 9.1.1d.
			080622	That Council SUPPORT the: 1. Installation of a permanent fence across the island, on the boundary of the designated protected area. 2. Installation of a temporary, seasonal fence across exposed sand flats to delineate the southern boundary of the bird sanctuary area until completion of (3). 3. Investigation of the practicability of vertical marker posts on either side of the sand flats to delineate the protected area.
21-June-2022	9.1.2	PROPOSED STRUCTURE PLAN AMENDMENT – PLANNING UNIT C KEARSLEY ROAD	100622	That Council, in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 4, clause 20: 1. Resolve NOT TO APPROVE the proposed Amendment to the Local Structure Plan - Planning Unit C Kearsley Road by reason of: (SEE FULL RESOLUTION) 2. FORWARD its recommendation, with a copy of the Council report and schedule of submissions to the Western Australian Planning Commission for determination.

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
			110622	That Council advise of its in principle SUPPORT for the removal of the boulevard design of Kearsley Road in its consideration of any future structure plan, structure plan amendment or subdivision proposal.
21-June-2022	9.1.3	SCHEME AMENDMENT 149 – PROPOSED REZONING FROM TOURIST (9) ZONE TO SPECIAL RESIDENTIAL (6) ZONE, RATIONALISATION OF ZONING (VAROUS LOTS) AND AMENDMENT TO THE SPECIAL PROVISIONS FOR THE SPRINGDALE BEACH SPECIAL RESIDENTIAL (6) ZONE	120622	That Council: 1. Pursuant to Section 75 of the Planning and Development Act 2005 and Part 5, r.37(5) of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES NOT TO PROCEED with Scheme Amendment 149, in its current form (date of resolution 16 February 2021). 2. Pursuant to Section 75 of the Planning and Development Act 2005 and Part 5, r.35(2) and r.37(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES TO: a) PREPARE and ADVERTISE Complex Amendment No.149 to amend the Shire of Denmark Local Planning Scheme No.3 by: (SEE FULL RESOLUTION)
	9.1.4	PROPOSED AMENDMENT NO. 153 TO TOWN PLANNING SCHEME NO. 3 – MICROBREWERY DEFINITION	130622	1. In accordance with Section 75 of the Planning and Development Act (2005), resolves to ADOPT (initiate) Amendment No. 153 of the Shire of Denmark Local Planning Scheme No. 3 as shown in Attachment 9.1.4; 2. In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, DETERMINES that Amendment No. 153 of the Shire of Denmark Local Planning Scheme No. 3 is a basic amendment for the following reasons: (SEE FULL RESOLUTION) 3. AUTHORIZES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the Local Government Act 1995, to execute under Common Seal Amendment No. 153 to Shire of Denmark Local Planning Scheme No. 3

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
21-June-2022	9.1.5	SEALING OF GRAVEL ROADS ANALYSIS	140622	That with respect to Council's request for a Cost-Benefit Analysis on the sealing of one or more gravel roads in the Shire of Denmark: 1. NOTE the information provided in the report; and 2. ACKNOWLEDGE the operational activities of: a) Seal Lights Road 2022-24 (funding secured) as this road carries significantly more traffic than any other unsealed road in the Shire of Denmark. b) Continue a re-sheeting program ensuring appropriate material specifications. c) Continue an appropriate maintenance schedule. d) Continue to monitor traffic data and identify roads that may exceed 200AADT within 10 years (or similar Equivalent Standard Axles ESA). e) Consider a sealing upgrade program in conjunction with the LTFP for roads that are predicted to exceed 200AADT within 10 years.
	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 APRIL 2022 AND AMMENDMENT TO BUDGET	150622	That Council: 1. With respect to the Financial Statements for the period ending 30 April 2022, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation; and 2. APPROVE the following budget amendments to the budget: a) A/c 1117383 – increase non-operating grant income by \$40,000; and b) A/c 1111004 (Job 50212) – increase contract capital expenditure by \$40,000.
21-June-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 APRIL 2022	160622	That with respect to the attached Schedule of Payments, totalling \$1,440,955.16, for the month of April 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2022	170622	That Council RECEIVE the Investment Register (Attachment 9.2.3) for the period ended 30 April 2022.
21-June-2022	9.2.4	CIVIC CENTRE – CONVERSION OF THE COMMERCIAL KITCHEN TO A DRESSING ROOM	180622	That Council AUTHORISE the demolition of the commercial kitchen at the north end of the Civic Centre, and replace with a stage extension and dressing room.

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
	9.3.1	DENMARK EQUESTRIAN MANAGEMENT GROUP – LEASE AND PROPOSED CONCEPT PLAN	190622	That with respect to whole of Reserve 39067 being Lot 1004 on Deposited Plan 215923, Council: <ol style="list-style-type: none"> 1. AUTHORISE the Chief Executive Officer to offer a 21-year lease to the Denmark Equestrian Management Group Inc., as per Attachment 9.3.1, subject to obtaining Ministerial Approval in accordance with the Land Administration Act 1997; and 2. ADVISE the Denmark Equestrian Management Group Inc. that it supports the development of a draft concept plan for the reserve, in principle; and 3. REQUEST the Denmark Equestrian Management Group Inc. to present a draft concept plan to the Council for adoption should one be developed.
21-June-2022	9.3.2	DRAFT CATS LOCAL LAW	200622	That Council: <ol style="list-style-type: none"> 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, GIVES local public notice stating that: <ol style="list-style-type: none"> (a) is proposed to make a Shire of Denmark Cats Local Law, and a summary of its purpose and effect; (b) Copies of the proposed local law may be inspected at the Shire offices or on the Shire of Denmark's website; (c) Written submissions (including via email) about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given; 2. In accordance with section 3.12(3)(b) of the Act, as soon as the notice is given sends a copy of the proposed local law to the Minister for Local Government; 3. In accordance with section 3.12(3)(c) of the Act, supply a copy of the proposed local law to any person requesting it; and 4. Notes that the results of the public consultation be presented to Council for consideration of any submissions received.
			210622	That Council request the Chief Executive Officer to write to the Minister for Housing; Lands; Homelessness; Local Government requesting that the 2019 Department of Local Government review recommending changes to the Cat Act be progressed, particularly in relation to providing local governments increased power to confine the movement of cats within their respective local government areas.

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
21-June-2022	9.3.3	DENMARK LIONS CLUB SERVICE AGREEMENT FUNDING INCREASE	220622	That Council: <ol style="list-style-type: none"> 1. I NCLUDE a budget allocation of \$10,000 for the 2022/23 financial year, under Job No. 21201, noting that the funds are for the Denmark Lions and in accordance with a Service Agreement, to be negotiated and agreed between the Denmark Lions and the Chief Executive Officer; and 2. A PPROVE an additional payment of \$2,500, from account Cemetery Maintenance (Job no. 21201), to Denmark Lions for services rendered within the 2021/22 financial year.
	9.3.5	DENMARK HISTORICAL SOCIETY REQUEST FOR SUPPORT TO HOST ROYAL WESTERN AUSTRALIA HISTORICAL SOCIETY ANNUAL STATE HISTORY CONFERENCE OF AFFILIATED SOCIETIES	230622	That with respect to the 2022 State Historical Societies Conference being held in Denmark from 9 – 11 September 2022, Council: <ol style="list-style-type: none"> 1. A Sssist the Denmark Historical Society to host the official Welcome Function by DONATING the use of the Council Chambers and the Reception Room, valued at \$416 (including GST); and 2. R EQUEST that the Denmark Historical Society acknowledge the Council's sponsorship at the event.
21-June-2022	9.3.5	AMENDMENT OF DENMARK RECREATION CENTRE COMMERCIAL OPERATOR GYM AND FITNESS ROOM HIRE	090622	That with respect to the commercial hire of the Denmark Recreation Centre Gymnasium Council: <ol style="list-style-type: none"> 1. R EMOVE the existing Commercial Operator fee in the draft 2022/2023 Fees & Charges Schedule; 2. A DDD the following new fees and associated notes in the draft 2022/2023 Fees & Charges Schedule: <ul style="list-style-type: none"> a) H Ealth Practitioner gymnasium (group) booking (5 – 20 clients) Fee \$102.00 per hour <p>Notes: Available three (3) days a week from 11am to 3pm. Non-exclusive use and maximum 20 class participants during any one hire period. Fee includes participant user fee.</p> <ul style="list-style-type: none"> b) H Ealth Practitioner gymnasium use (under 5 clients) Relevant Gym Entry Fee <p>Notes: Non-exclusive use. Participants required to pay individual attendance fee, unless already gym members.</p> 3. R EQUEST the Chief Executive Officer to develop a Commercial Hire Form that includes conditions such as maximum number of participants, advice of non-exclusive use and insurance requirements.
21-June-2022	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES – 3 MAY 2022 & 7 JUNE 2022 INCLUDING COMMITTEE RECOMMENDATIONS	240622	That Council R ECEIVE the Committee Minutes for the meeting held on 3 May 2022 and 7 June 2022.

Shire of Denmark - Council Resolutions 2021

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
			250622	That Council request the Chief Executive Officer: 1. INITIATE a FOGO service in the 2023/24 financial year, and; 2. MAKES provision in 2022/23 budget for the associated costs.
			260622	That Council request the Chief Executive Officer, to REVIEW the kerbside collection Fees and Charges to ensure they are more cost reflective for the 2022/23 budget.
21-June-2022	12.1	SPECIAL MEETINGS OF COUNCIL – 5 JULY 2022 AND 2 AUGUST 2022	280622	That Council CONVENE a Special Meeting of Council on 5 July 2022 at 4.00pm to: 1. AUTHORISE the advertising of the proposed differential rates and minimum payments for 2022/23; and, 2. AUTHORISE the advertising of the Statement of Objects and Reasons.
			290622	That Council CONVENE a Special Meeting of Council on 2 August 2022 at 4.00pm for the Adoption of the Annual Budget 2022/2023.