



ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS,
953 SOUTH COAST HIGHWAY, DENMARK ON
TUESDAY, 20 OCTOBER 2015.

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Ordinary Council Meeting

20 October 2015

DISCLAIMER

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

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

4.03pm – The Shire President, Cr Morrell, declared the meeting open.

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

MEMBERS:

- Cr David Morrell (Shire President)
- Cr Gillies (Deputy Shire President)
- Cr Yasmin Bartlett
- Cr Ceinwen Gearon
- Cr Jan Lewis
- Cr Dawn Pedro
- Cr John Sampson
- Cr Roger Seeney
- Cr Rob Whooley

STAFF:

- Mr Dale Stewart (Chief Executive Officer)
- Mr Kim Dolzadelli (Director of Finance & Administration)
- Mrs Annette Harbron (Director of Planning & Sustainability)
- Mr Gregg Harwood (Director of Community & Regulatory Services)
- Ms Claire Thompson (Executive Assistant)

APOLOGIES:

- Mr Martin Buczak (Acting Director of Infrastructure Services)

ON APPROVED LEAVE(S) OF ABSENCE:

Nil

ABSENT:

Nil

VISITORS:

Members of the public in attendance at the commencement of the meeting: 24

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

DECLARATIONS OF INTEREST:

Name	Item No	Interest	Nature
Mr Dale Stewart	8.4.2	Impartiality	Mr Stewart is an employee to whom the report relates.
Mr Kim Dolzadelli	8.4.2	Impartiality	Mr Dolzadelli is an employee to whom the report relates.
Mrs Marcia Chamberlain	8.4.2	Impartiality	Mrs Chamberlain is an employee to whom the report relates.

3. ANNOUNCEMENTS BY THE PERSON PRESIDING

The Shire President referred to the recent local government elections and welcomed new Councillors, welcomed back re-elected Councillors and welcomed continuing Councillors.

The Shire President stated that he would like to record his thanks to former Councillor and Shire President, Cr Ross Thornton, Cr Belinda Rowland and Cr Ian Osborne for their contribution over the last four years.

The Shire President noted the attendance in the public gallery and stated that it was heartening to see the interest.

4. PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.1.1 Mr Rob Whooley – Item 4.1.3 (Mr Rob Whooley - Ocean Beach Road)

At the meeting held on Tuesday, 29 September 2015, Mr Whooley referred to the response to his questions taken on notice and asked the following further questions on notice.

“Thank you for your further questions relating to Ocean Beach Road, directed to the Council, taken on notice by the Shire President at the Council meeting of 29 September 2015.

My responses follow and these, together with your questions, will be included in the Agenda for the Council Meeting of 20 October 2015.

Question 1 – To the CEO. I refer to my previous questions taken on notice re Ocean Beach Road reconstruction – Council Meeting 8 September 2015. I acknowledge those questions were not in writing and feel the intent of what I was trying to convey has been missed.

*You replied “the project has already been determined and approved and **simply** (my emphasis) improves the surface, drainage and footpaths of the existing road alignment”*

If this is the case that the works are simple and nothing changes – why then has Council spent (what I estimate to be) around \$8,000 on survey and \$30,000 on design? Could you please advise cost for design and survey?

Response:

Noting that I did not say that the works are ‘simple’, I advise that the works for design and survey cost were \$29,150 and \$4,750 plus GST.

*Question 2 – You state that the “scope of works is per that submitted by yourself”. A **few lines** on a submission form does not reflect the depth of the scope of work, or the justification for this amount of total project money (\$837,518). The Regional road [sic] Group Technical and sub-committees (along with an independent engineer) review the projects. It is up to the Shire engineers, from 13 Shires, to justify their projects. A lot of in-depth discussion and validation occurs.*

The Regional Road Group does not generally support the reconstruction of existing paths. The reason why they are supported, in this case, is that they

would be destroyed by the works. The argued intent of works is to create a distributor road which will be suitable for the next 40 years.

If the works are to be limited – as you describe – then in my expert opinion – the external survey and design has been a complete waste of money. Council has the equipment, resources and capability to undertake all this work “in-house”. Why has this extraordinary amount of money been spent on external services and consultants?

Response:

Whilst it is not accepted that works / cost is ‘extraordinary’, Council is currently without the services of an incumbent Director and it was the view of both the Acting Director and supported by myself that the works would be best outsourced for operational reasons at this time.

Question 3 – Furthermore, in my experience and expert opinion, the “simple” work described by the CEO could be undertaken for \$225,000 negating the need for full path reconstruction, or for \$270,000 including asphalt resurfacing of the existing path. Current staff have no idea what the intended works were as there was no project “handover” permitted – despite the offer. Why has the CEO not made fundamental enquiries about the status and staff knowledge of current projects managed by the former engineer?

Response:

It is your assertion that I have not made fundamental enquiries about the status of current projects managed by the former Director, (yourself) - a statement to which I disagree.

Question 4 - Why has the CEO not sought a review of this major project, with validation of both the cost and scope of the works, prior to expending significant money?

Response:

As I have seen no need to do so as it has been approved by the Regional Road and Road Technical Group, supervised by independent representatives and Main Road WA.

Question 4 – What percentage of the existing Ocean Beach Road pavement (not surface) is unsound and what treatment is proposed for the unsound areas?

Response:

The detail of this question is one which is complex and technical in nature and I do not intend to allocate resources to respond to it via this process. You are invited to make an appointment with the Acting Director who may have that information to hand.

Question 5 – Could you please advise what pavement testing, prior to the spending of design money, occurred to determine the general structural soundness of the existing pavement?

Response:

The detail of this question is one which is complex and technical in nature and I do not intend to allocate resources to respond to it via this process. You are

invited to make an appointment with the Acting Director who may have that information to hand.

Question 6 – If none, what is proposed?

Response:

The detail of this question is one which is complex and technical in nature and I do not intend to allocate resources to respond to it via this process. You are invited to make an appointment with the Acting Director who may have that information to hand.

Question 7 – If testing is proposed, could the CEO advise how this is helpful to the designers, after the design has been done?

Response:

The detail of this question is one which is complex and technical in nature and I do not intend to allocate resources to respond to it via this process. You are invited to make an appointment with the Acting Director who may have that information to hand.

Question 8 – What percentage of the existing pavement (not surface) is unsound and what treatment is proposed for the unsound areas?

Response:

The detail of this question is one which is complex and technical in nature and I do not intend to allocate resources to respond to it via this process. You are invited to make an appointment with the Acting Director who may have that information to hand.

Question 9 – Does the CEO agree that reconstructing sound pavement, or paths, for the sake of it, is a waste of ratepayers money?

Response:

The question presupposes a stated theory that this applies in this particular case, the facts of which have not been agreed. However – in answer to your question – of course I concur that reconstructing sound pavement or paths for the sake of it is not efficient use of anyone's money.

Question 10 – Does the CEO still maintain this is a “simple” job?

Response:

As responded to earlier, I have not stated that the job was ‘simple’.

I thank you for your questions and should you require further information or advice on this matter please contact the Acting Director of Infrastructures Services, Mr Martin Buczak, on telephone (08) 9848 0300 or email enquiries@denmark.wa.gov.au.

4.1.2 Dr Ceinwen Gearon – Item 8.2.2 (Indoor Heated Aquatic Facility – Survey Outcome)

At the meeting held on Tuesday, 29 September 2015, Dr Gearon stated that she was a nominee for the Town Ward and had a number of comments and questions that she requested be directed to the author of the report, being the Director of Community & Regulatory Services, which were as follows;

“Thank you for your questions relating to Item 8.2.2 – Indoor Heated Aquatic Facility Survey Outcome, requested to be directed to the Director of Community & Regulatory Services, and taken on notice by the Shire President at the Council meeting of 29 September 2015.

The responses of Council Officers follow and these, together with your questions, will be included in the Agenda for the Council Meeting of 20 October 2015.

Question 1.

In your summary you state that the outcomes of both surveys have convincingly rejected both the large and the small pool options. Can you explain how you drew this conclusion?

Response:

The below information, from the 29 September 2015 Council Minutes, details a Confidence Level of 99%, with a Margin of Error of 2% for the 2013 Survey with its larger 62.68% response rate and a Confidence Level of 99%, Margin of Error 3%, for the 2015 survey with its lower 25.14% response rate.

2015 Survey Votes	Number of Votes Counted	Percentage
Total YES Votes	732	38.71%
Total NO Votes	1,159	61.29%
Total Valid Votes	1,891	100.00%
Total Votes Issued	7,522	
Total Invalid Votes (including drop outs, informal, duplicates and incorrectly issued)	131	
Total Attempted Votes	2,022	

The confidence levels of the 2015 survey based on the 25.14% return are as follows:

Population 7,522 Sample Size 1,891 (25.14%)

- *Confidence Level 99%, Margin of Error 3%*
- *Confidence Level 95%, Margin of Error 2%*
- *Confidence Level 90%, Margin of Error 2%*

March/ April 2013 Ratepayer Only Survey Results:

The March/ April 2013 ratepayer only survey regarding support for a 6 lane 25m pool produced a similar result which is tabulated below:

March/ April 2013 Survey Votes	Number of Votes Counted	Percentage
Total YES Votes	1,016	42.12%
Total NO Votes	1,396	57.88%
Total Valid Votes	2,412	100.00%
Total Votes Issued	3,848	
Total Invalid Votes	7	
Total Attempted Votes	2,419	

As a comparison the confidence levels of the 2013 survey based on a 62.68% return are as follows:

Population 3,848 Sample Size 2,412 (62.68%)

- Confidence Level 99%, Margin of Error 2%
- Confidence Level 95%, Margin of Error 2%
- Confidence Level 90%, Margin of Error 2%

Given that there is 15.76% margin between the winning “No” vote (57.88%) and the losing “Yes” vote (42.12%) in the 2013 Survey and a larger 22.58% margin between the winning “No” vote (61.29%) and the losing “Yes” vote (38.71%) in the 2015 Survey, it is, in the opinion of the officer and myself, reasonable to conclude that a convincing majority of persons who responded to both surveys had rejected both options as they had been presented.

Question 2.

In addition you recommended that Council resolve not to revisit the issue for a further five years (2021); do you acknowledge that both the community via the DACCI and the Shire have spent a considerable amount of money and invested significant human resource to progress this issue and that this effort will have been wasted and therefore this project will need to be started from the beginning in 2021, thus pushing back a likely build date by at least 5 years to 2026 at the earliest?

Response:

Has there been a significant investment in terms of in-kind and human resources on everyone’s part – absolutely. Has there been a considerable investment of money – in relative terms, to the potential capital and ongoing operating costs involved, in the opinion of the officer and myself, no.

While it is a given that the Department of Sport and Recreation will require a fresh feasibility study as part of its Community Sporting and Recreation Facilities Fund (CSRFF) in 5 or more years time, there is no reason why the feasibility study, concept design and modelling cannot be revisited and used as the basis to inform subsequent studies / models. As to how long that process may take, it could be undertaken within a 12 month time frame if the Council of the day so desired and resourced it accordingly.

Question 3.

With regards to the section titled Consultation – did Council actively seek community input into the design of the 2015 Survey and the 2013 Referendum? In other words was information presented to the community in a way, which was accessible to the community?

Response:

Council chose to specifically resolve the formats and questions contained in the 2013 and the 2015 Surveys and they were, together with their supporting information, intended to present relevant information to the community in a way that the Council believed that the community could make a reasonably informed decision. Do officers believe that the community was sufficiently informed and or accessible on the issues relating to the two options at either survey – yes. Did the Council seek specific input into the design of the 2013 Survey – yes – the DACCI Committee was specifically and extensively consulted. Did similar

consultation occur with respect to the 2015 survey – no, as it was clear that DACCI did not support this proposal.

Question 4.

With reference the Shire's Community Engagement Policy and Framework would you agree that the Shire is currently at the Inform stage of the IAP2 Spectrum of Public Participation, as articulated in the following statement under principles "keep the community informed of decisions made and actions take...? If this is the case how and when does the Shire intend to progress beyond this first stage to the Collaborate and Empower Stages. Specifically my question to the CEO is do you have an implementation plan for this policy and what are the key dates and outcomes?

Response:

With respect to the recent decision regarding a smaller staged aquatic centre, and indeed the decision regarding the larger facility two years earlier, the Council indeed went through each of the 5 elements of the spectrum (Inform, Consult, Involve, Collaborate and Empower), culminating, in both cases, with empowerment to the community via deciding the respective outcome via a survey to which the Council accepted in both cases.

With respect to the Policy, this has already been implemented through the organisation. The outcomes are that the Council will be seen and recognised as having increased its engagement with the community.

Question 5.

There is a statement under the title sustainability implications (social) as follows 'conversely there is a significant majority of people that do not support a smaller or staged approach. When and how was the community consulted with regards to a staged approach?'

Response:

The community were consulted with regards to a staged approach via the 2015 survey including the Council resolutions detailing the process, discussions with DACCI representatives during the preceding 12 months and the community forum undertaken.

I thank you for your questions and should you require further information or advice on this matter please contact the undersigned on telephone (08) 9848 0300 or email enquiries@denmark.wa.gov.au."

4.2 PUBLIC QUESTIONS

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

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

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

Questions from the Public

4.2.1 Mr Mike Travers – Communications with Ratepayers

Mr Travers congratulated the new Councillors and asked in what ways did Council envisage improving communications with Ratepayers.

The Shire President responded stating that it was their intention to be more welcoming of comments and to encourage Officers to be a little more proactive in their actions and processes with respect to advertising proposals and the like. Cr Morrell added that the idea was to try to communicate better with each other.

Cr ~~Yasmin~~ Bartlett added that the City of Busselton had developed a “Cuppa with a Councillor” initiative where Councillors were available to meet with members of the public to discuss any issues. Cr ~~Yasmin~~ Bartlett stated that she had heard that so far it had been an effective form of communication and suggested that it might be something that the Shire of Denmark could implement.

CORRECTION TO MINUTES.
Pursuant to Council Resolution No. 021115

The Chief Executive Officer added that a number of Council Officers had received training on community engagement since the Council had adopted its Community Engagement Policy and Framework. Mr Stewart stated that Officers would be prepared to look at alternative methods of engagement and the suggested “Cuppa with a Councillor” sounded like a good initiative.

4.2.2 Ms Beverley Ford – Denmark Chamber of Commerce and Council

Ms Ford, President of the Denmark Chamber of Commerce, congratulated Cr Morrell and Cr Gillies on their respective roles as President and Deputy President and welcomed new Councillors. Ms Ford stated that the Denmark Chamber of Commerce was looking forward to working closely with the Shire and extended an open invitation to all Councillors to attend their Business After Hours events which are held on a monthly basis.

4.2.3 Ms Beverley Ford – Item 8.5.1 (Shire of Denmark Trails Hub Assessment)

Ms Ford, President of the Denmark Chamber of Commerce, stated that they had had a sub-committee meeting and agreed that they would like to see a multi use path up Mt Shadforth Road rather than what was recommended in the current draft Plan. Ms Ford suggested that the branding of trails should be cohesive with the overall branding of Denmark.

4.2.4 Mr John Taylor – Risk Assessments at Ocean Beach & Peaceful Bay

Mr Taylor asked whether the risk assessments for Ocean Beach and Peaceful Bay would be undertaken prior to the closure of the Ocean Beach over beach launching area this Christmas.

The Chief Executive Officer advised that he had been in contact with Local Government Insurance Services about doing the risk assessments and believed that they would be done before this Christmas.

Cr Gillies asked the Chief Executive Officer whether the assessments would involve input from user groups to which Mr Stewart responded that they would.

4.2.5 Mr Kees Koning – Sound System in Chambers

Mr Koning stated that he was finding it difficult to hear what was being said at the meeting.

The Shire President stated that perhaps it was something that they could look into getting improved.

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.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 6.1
MOVED: CR SEENEY	SECONDED: CR SAMPSON
That Cr Gillies, Cr Gearon and Cr Lewis be granted leave of absence for the meeting scheduled for Tuesday, 22 December 2015.	
CARRIED UNANIMOUSLY: 9/0	Res: 261015

6. CONFIRMATION OF MINUTES

6.1 ORDINARY COUNCIL MEETING

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 6.1
MOVED: CR SAMPSON	SECONDED: CR GILLIES
<p>That the minutes of the Ordinary Meeting of Council held on the 29 September 2015 be confirmed as a true and correct record of the proceedings, subject to the following amendment;</p> <p>a) Page 21 – Replace the following words, “<i>Council has received no responses to these letters</i>” with the following, “<i>Council Officers had not received a response from the Denmark Chamber of Commerce and the Chief Executive Officer of Denmark Tourism Inc. had responded stating that she supported the idea, hoped that it meant that one or two of the “Community Welcomes Recreational Vehicles” signs would be erected near the long vehicle parking bays and wished the Shire the best with receiving the support it required to implement the project</i>”.</p>	
CARRIED UNANIMOUSLY: 9/0	Res: 271015

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

Nil

8. REPORTS OF OFFICERS

8.1 Director of Planning & Sustainability

Nil

8.2 Director of Community & Regulatory Services

Nil

8.3 Director of Infrastructure Services

Nil

8.4 Director of Finance & Administration

8.4.1 FINANCIAL STATEMENT FOR THE MONTH ENDING 30 SEPTEMBER 2015

File Ref:	FIN.1
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Denmark
Disclosure of Officer Interest:	Nil
Date:	7 October 2015
Author:	Steve Broad, Accountant
Authorising Officer:	Kim Dolzadelli, Director of Finance And Administration
Attachments:	8.4.1 – September Monthly Financial Report

Summary:

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

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

Background:

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

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

Consultation:

Nil

Statutory Obligations:

Local Government Act 1995 Section 5.25 (1)

Local Government (Financial Management) Regulations 1996

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

Policy Implications:

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

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

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

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

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

Budget / Financial Implications:

There are no significant trends or issues to be reported.

Strategic Implications:

The report and officer recommendation is consistent with Council's adopted Mission and Vision and assists achieve the following specific adopted Strategic Objectives and Goals.

Governance Objective: The Shire of Denmark provides renowned leadership in sustainability, is effective with both its consultation with its people and its management of its assets, and provides transparent and fiscally responsible decision making.

Sustainability Implications:

➤ **Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Not meeting Statutory Compliance	Rare (1)	Moderate (3)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
Financial mismanagement and/or Budget overruns.	Rare (1)	Moderate (3)	Low (1-4)	Inadequate Financial, Accounting or Business Acumen	Control through robust systems with internal controls and appropriate reporting mechanisms

Comment/Conclusion:

As at 30 September 2015 total cash funds held total \$9,954,550.

Shire Trust Funds total \$181,110 with the amount of \$170,717 invested for 91 days with the National Bank, maturing 19 December 2015 at the quoted rate of 2.25%.

Reserve Funds total \$4,151,331 and have been placed on investment for 90 days with the National Bank, maturing 3 December 2015 at the quoted rate of 2.80%.

Municipal Funds total \$5,622,109 with the amount of \$4,390,447 invested with the National Bank, maturing on various dates up to the 19 December 2015 at an average rate of 2.60% (refer note 4 for detail).

Key Financial Indicators at a Glance

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

Depreciation of non-current assets has not been calculated for the reporting period as the Annual Financial Audit for the year ended 30 June 2015 had not been concluded at the time of producing this report.

- Taking into consideration the adopted Municipal Budget and subsequent amendment identified, the estimated 30 June 2015 end of year position is estimated to be \$1,491, as per budget projections (Note 5).
- Operating revenue and expenditure is slightly higher than that predicted for 30 September 2015 (Statement of Financial Activity).
- Rates Collection percentage of 65.40% is in keeping with historical collection rates (Note 6).
- The 2015/16 Capital Works Program is 5.86% complete as at 30 September 2015 (Note 12).
- Various transfers to and from Reserve Funds have not yet been made for 2015/16 and are generally undertaken in the latter half of the financial year, depending on specific projects to which these transfers relate.
- Salaries and Wages expenditure is in keeping with budget estimates (not reported specifically in Financial Statement).

Budget Amendments and Variances (Note 5 and 5a)

As detailed in Note 5a.

Voting Requirements:

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 8.4.1
MOVED: CR SAMPSON	SECONDED: CR SEENEY
That with respect to Financial Statements for the month ending September 2015, Council;	
1. Receive the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.	
2. Endorse the Accounts for Payment for September 2015 as listed.	
CARRIED UNANIMOUSLY: 9/0	Res: 281015

Prior to consideration of Item 8.4.2 the Chief Executive Officer, through the Presiding Person, brought to the attention of the meeting the following disclosure(s) of interest:

Mr Stewart, Mr Dolzadelli and Mrs Chamberlain are employees to whom the report relates and as a consequence there may be a perception that their impartiality on this matter may be affected. Mr Stewart, Mr Dolzadelli and Mrs Chamberlain declare that they will consider this matter on its merits and advise Council accordingly.

8.4.2 PROPOSED CLOSURE OVER CHRISTMAS AND NEW YEAR	
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File Ref:	A3032
Applicant / Proponent:	Shire of Denmark
Subject Land / Locality:	Nil
Disclosure of Officer Interest:	The Chief Executive Officer, the Author and the Authorising Officer declare impartiality interests as they are employees to whom the report relates
Date:	6 October 2015
Author:	Marcia Chamberlain, HR/Risk Management Officer
Authorising Officer:	Kim Dolzadelli, Director of Finance & Administration
Attachments:	Nil

Summary:

To consider the closure of all Shire of Denmark services and operations, with the exception of Emergency Services, Waste Services, Ranger Services and Cleaning Services, from Friday 25th December 2015 until Friday 1st of January 2016 inclusive.

Background:

All local government staff are entitled to two extra public holidays per year over the New Year and Easter period which was a condition of previous industrial awards and has continued to be adopted by the Council as a condition of employment at the Shire. This public holiday entitlement is not specified for any day and is able to be taken at the discretion of the employer and employee.

It has always been the practice at the Denmark Shire that the Depot, Recreation Centre and Youth Centre close over the Christmas/New Year break, while the Administration Office, with the approval of Council, has for the past three years closed for the Christmas/New Year period.

Consultation:

Nil.

Statutory Obligations:

Local Government Act 1995.

Local Government Industry Award and Enterprise Agreement, relevant to Local Government employees.

Policy Implications:

The following proposed Policy is being recommended to Council for consideration:

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

Budget / Financial Implications:

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

Strategic Implications:

There are no strategic implications.

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:**

Previous experience has confirmed that the public have not been unduly inconvenienced by similar closures subject to appropriate advance notice. Consultation with employees has confirmed that the Council has received no documented or anecdotal negative feedback.

➤ **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 Community needs won't be met	Rare (1)	Minor (2)	Low (1-4)	Not Meeting Community expectations	Control through notification to the Community of impending office closure.

Comment/Conclusion:

Given the Shire of Denmark is a substantial distance from most other towns and cities and employees usually travel to visit families at Christmas time, it is proposed that the office and other operations of the Shire close from Friday the 25th of December until Friday the 1st of January. All employees will be required to take one day as a public holiday entitlement and the balance as annual leave, time in lieu, or RDO's.

It is proposed that the closure excludes the operations of emergency services, waste services, ranger services and cleaning services.

The closure of the office for three extra days is not considered to be significant in terms of the services provided by the Shire of Denmark and there is sufficient time to inform residents of the proposed closure.

The officer also notes that there have been no known recorded complaints with respect to previous closures of this nature and further notes that the Shire of Denmark now provides an after-hours call centre service during non-business hours every day of the year to ensure customers are able to reach a customer service representative at all times. This service effectively ensures that any urgent matters are referred immediately to appropriate staff via telephone and/or email for action.

This year, office staff will be required to have Friday the 25th and Monday the 28th of December as public holidays, work for three days on Tuesday 29th December through to Thursday 31st of December, then have Friday the 1st of January off as a public holiday.

Proposed days to be taken as follows:	
Friday 25 th & Monday the 28 th December	Public Holidays
Tuesday 29 th December	Public Holiday TOIL day

Wednesday 30th & Thursday 31 st December	Annual/Lve, RDO, Time in Lieu
Friday 1 st January	Public Holiday

The following Shires close for the Christmas period, following the same Christmas/New Year closure as has previously been adopted by their Council. Other Shires will also close as they have in previous years.

City of Albany Closed 25th December to 1st January.
 Shire of Plantagenet Closed 25th December to 1st January.

Voting Requirements:
 Simple majority.

OFFICER RECOMMENDATION ITEM 8.4.2a

That Council authorise the closure of all Shire of Denmark services and operations, with the exception of Emergency Services, Waste Services, Ranger Services and Cleaning Services, from Friday 25th December 2015 until Friday 1st of January 2016 inclusive, with employees required to use their leave entitlements and the closure being well publicised prior to this date.

OFFICER RECOMMENDATION ITEM 8.4.2b

That Council adopt the following policy in relation to authorised closures of Shire of Denmark services and operations over the Christmas and New Year period each year;

“Policy P040237

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

COUNCIL RESOLUTION ITEM 8.4.2

MOVED: CR GILLIES SECONDED: CR PEDRO

That Council authorise the closure of all Shire of Denmark services and operations, with the exception of Emergency Services, Waste Services, Ranger Services and Cleaning Services, from Friday 25th December 2015 until Friday 1st of January 2016 inclusive, with employees required to use their leave entitlements and the closure being well publicised prior to this date.

That Council adopt the following policy in relation to authorised closures of Shire of Denmark services and operations over the Christmas and New Year period each year;

“Policy P040237

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

CARRIED UNANIMOUSLY: 9/0 Res: 291015

REASONS FOR CHANGE

Council combined the two Officer Recommendations into one motion.

8.4.3 PURCHASING POLICY & TENDERS FOR PROVIDING GOODS & SERVICES DELEGATION REVIEW

File Ref:	ADMIN.2
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	9 October 2015
Author:	Teiga Murray, Finance Officer - Administration
Authorising Officer:	Kim Dolzadelli, Director of Finance & Administration
Attachments:	8.4.3a – P040220 Purchasing Policy (Current) 8.4.3b – P040220 Purchasing Policy (Amended) 8.4.3c – D040217 Tenders for Providing Goods & Services (Current) 8.4.3d – D040217 Tenders for Providing Goods & Services (Amended) 8.4.3e – DLGC Circular N° 16-2015

Summary:

This report considers the review of Council's existing Purchasing Policy and Tenders for Providing Goods and Services Delegation in the context of legislative amendments to the Local Government (Functions and General) Regulations 1996, and recommends Council retain the Purchasing Policy and Tenders for Providing Goods & Services Delegation with amendments as noted in the attachments.

Background:

Amendments to the Local Government (Functions and General) Regulations 1996 regarding purchase and tendering practices of Local Government have taken effect as of 1 October 2015, as published in the Government Gazette on 18 September 2015.

Consultation:

Chief Executive Officer and Director of Finance and Administration.

Statutory Obligations:

Local Government Act 1995, Section 3.57, *Tenders for providing goods or services*.
Local Government (Functions and General) Regulations 1996, Part 4, *Provision of goods and services*.

Policy Implications:

Policy P040220 – Purchasing Policy
Delegation D040217 – Tenders for Providing Goods & Services

Budget / Financial Implications:

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

Strategic Implications:

The report and officer recommendation is consistent with Council's adopted Mission and Vision and assists achieve the following specific adopted Strategic Objectives and Goals.

Governance Objective: The Shire of Denmark provides renowned leadership in sustainability, is effective with both its consultation with its people and its management of its assets, and provides transparent and fiscally responsible decision making.

Sustainability Implications:➤ **Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That the Shire of Denmark does not comply with Local Government Regulations regarding a Purchasing Policy for the supply of goods and services under the tender threshold.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation
That the Shire of Denmark does not amend the Delegations Register to reflect changes to the Local Government (Functions and General) Regulations 1996.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Providing Inaccurate Advice / Information	Accept Officer Recommendation

Comment/Conclusion:

At the Council meeting held 18 August 2015 Council made the following resolutions:

Resolution No. 130815

“That Council, with respect Regional Price Preference Policies generally, refer the matter to the Albany, Denmark and Plantagenet Strategic Regional Development Alliance to;

- 1. Obtain advice from the Department of Local Government and Communities, or failing that, appropriate legal counsel, on the question of whether Part 4A of the Local Government (Functions and General) Regulations 1996, provides authority to adopt a Regional Price Preference to purchases other than tenders; and*
- 2. Subject to the outcome of Part 1, request the Alliance to consider the preparation and recommendation to each authority of a consistent Policy across the three local authorities.”*

Resolution No. 140815

“That Council, with respect to its current Regional Price Preference and Purchasing Policies, refer them to the Denmark Chamber of Commerce for comment on any inadequacies and or improvements that the Chamber might suggest on behalf of its members and advise that the Council’s CEO and Director of Finance and Administration are willing to meet with the Board in addressing such concerns or opportunities.”

The item before Council does not in any way pre-empt the outcome of the above resolutions of Council and is only dealing with changes in law being the Local Government (Functions and General) Regulations 1996 effective 1 October 2015.

The Purchasing Policy and Tenders for Providing Goods & Services Delegation has been reviewed in consideration of amendments to the Local Government (Functions and General) Regulations 1996, with the recommended changes detailed in Attachments P040220 Purchasing Policy (Amended), and D040217 Tenders for Providing Goods & Services (Amended). Major changes (not including spelling, format or grammatical) are highlighted in the table below, together with an explanation of why the change is recommended.

Policy/ Delegation Number	Policy / Delegation Name	Recommended Change	Reason for Recommended Change
P040220	Purchasing Policy	Delete the words 'March 2007' and replace with 'October 2015'.	To reflect the current changes to the Local Government (Functions and General) Regulations, 1996.
		Delete the words 'Up to' and replace with 'Less than'.	To provide clarity to purchasing thresholds.
		Delete '\$5,001 to \$19,999' and replace with '\$5,000 to \$19,999.99'.	To provide clarity to purchasing thresholds.
		Delete '\$39,999' and replace with '\$39,999.99'	To provide clarity to purchasing thresholds.
		Delete '99,999' and replace with '\$149,999.99'	To provide clarity to purchasing thresholds and reflect the amendments to the Local Government (Functions and General) Regulations, 1996 tender threshold.
		Delete '\$100,000' and replace with '\$150,000'.	To reflect the amendments to the Local Government (Functions and General) Regulations, 1996 tender threshold.
		Delete the words 'only verbal quotations' and replace with 'at least one oral or written quotation'.	To provide clarity and to reflect the amendments to the Local Government (Functions and General) Regulations, 1996.
		Delete the word 'verbal' and replace with 'oral'.	To reflect the wording used in the Local Government (Functions and General) Regulations, 1996.
		Relocate the sentence 'The responsible officer is expected to demonstrate due diligence seeking quotes and to comply with any record keeping and audit requirements' to follow on from the Purchasing Thresholds table, and add the	To provide clarity and reflect Regulation 11A(3)(b).

		sentence 'including the recording and retention of all quotations received and all purchases made'.	
		Delete the words 'does not exceed' and replace with 'is less than'.	To provide clarity to purchasing thresholds.
		Add the words 'At least one oral or written quotation is required, with use of oral quotes recommended'.	To provide clarity to the form of quotations required.
		Add the words 'For the procurement of goods or services where the value is equal to or exceeds \$5,000 but is less than \$20,000'.	To provide clarity to purchasing thresholds.
		Add the words 'is equal to or' after the word "value" in the first line under the headings "\$5,000 to \$19,999.99", "\$20,000 to \$39,999.99" and "40,000 to \$149,999.99".	To provide clarity to purchasing thresholds.
		Delete '\$39,999' and replace with '\$40,000'.	To provide clarity to purchasing thresholds.
D040217	Tenders for Providing Goods & Services	Delete the words 'expected to be worth more than \$100,000' and replace with 'when the CEO believes that a tender process will deliver the best outcome for Council'.	To ensure the CEO is able to utilise a tender process if and/or when required for contracts under the tender threshold amount.
		Delete '\$100,000' and replace with '\$150,000' in part c).	To reflect the amendments to the Local Government (Functions and General) Regulations, 1996 tender threshold.

Voting Requirements:

Absolute majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 8.4.3
MOVED: CR SAMPSON	SECONDED: CR PEDRO
That with respect to the review of Council's Purchasing Policy and Tenders for Providing Goods and Services Delegation, Council,	
1. Amend the Purchasing Policy as per Attachment 'P040220 Purchasing Policy (Amended)'; and	
2. Amend the Tenders for Providing Goods & Services Delegation as per Attachment 'D040217 Tenders for Providing Goods & Services (Amended)'.	
CARRIED UNANIMOUSLY AND BY AN ABSOLUTE MAJORITY: 5/4	
Res: 301015	

Cr Whooley requested that all Councillors' votes on the above resolution be recorded.

FOR: Cr Morrell, Cr Pedro, Cr Sampson, Cr Gillies and Cr Seeney

AGAINST: Cr Whooley, Cr Gearon, Cr Bartlett and Cr Lewis

8.5 Chief Executive Officer

8.5.1 SHIRE OF DENMARK TRAILS HUB ASSESSMENT

File Ref:	COMM.PATAC
Applicant / Proponent:	Shire of Denmark
Subject Land / Locality:	Paths and Trails of Denmark
Disclosure of Officer Interest:	Nil
Date:	13 October 2015
Authors:	Erica Sayer, Engineering Administration Officer Dale Stewart, Chief Executive Officer
Authorising Officer:	Dale Stewart, Chief Executive Officer
Attachments:	8.5.1 – Denmark Trails Hub Project Assessment Report

Summary:

Council's Paths and Trails Advisory Committee (PATAC) has recommended that Council accept the Shire of Denmark Trails Hub Assessment presented to the Committee on 16 October 2014 and 19 January 2015, as amended in consultation with the consultant and the Committee's Chair.

This report now considers the submissions and Officer comments..

Background:

In 2012, in partnership with the Department of Parks and Wildlife, the Department of Sport & Recreation (DSR) commenced the "Trail Hubs Project" to provide WA communities with a blueprint of how to develop into a trail hub and in particular;

- Identify the critical elements of successful trail hubs world-wide;
- Analyse the community cost/benefits of successful trail hubs;
- Review the level of readiness of identified WA locations in becoming a world class trail hub (mapping against critical elements); and
- Develop a staged strategy for the creation of world-class trail hubs in WA, including concept development parameters, indicative costs, implementation planning and key promotional aspects.

The research in the initial Trails Hubs Project confirmed that the development of trail hubs in WA could:

- Increase active participation;
- Impact positively on physical and mental health issues
- Create regional employment; and
- Increase tourism related spending.

The project was completed with case studies/ assessments conducted for Pemberton, Dwellingup and Margaret River.

Following the success of the initial project, a number of other locations have been identified for in depth assessments and the development of related action plans.

With that, the Department of Sport and Recreation invited the Shire of Denmark to participate in the next round of assessments. Shire staff accepted an offer to have an in depth assessment of the local area to assist in establishing the Shire of Denmark as a potential Trail Hub.

The original letter stated that each in depth assessment will include but not be limited to;

- Executive summary;
- Site/area description and summary;
- Capacity Audit;
- Inventory Assessment;

- Assessment Report;
- Recommendations; and
- Prioritised and costed action list.

The Department of Sport and Recreation engaged the services of Jenny Nichol from NBD Marketing to complete the assessment with a requirement of Shire of Denmark to provide a venue for the community/stakeholder forums and to advocate for the assessment process and participate in the forums.

Council at its Ordinary Meeting held on 16 June 2015, Council moved to advertise the Trail Hub Assessment for a period of 60 days inviting the community to submit feedback relating to the assessment. This feedback period concluded on 21 August 2015.

Consultation:

A workshop was held on 12 May 2014 in the Shire Reception room. Community members, Paths and Trails Committee Members and business owners were all invited to attend. The intention of the workshop was to gain local knowledge of the Shire of Denmark and to contribute ideas to the consultant.

There were 16 attendees ranging from Committee Members through to Local business owners along with interested community members. The workshop ran for 2 hours in which the consultant facilitated a comprehensive question and answer 'type' activity.

At its 19 January 2015, meeting the Paths and Trails Advisory Committee resolved as follows;

"That the CEO request the Director of Infrastructure Services to recommend to Council they accept the Trail Hub Document Created via Department of Sport and Recreation funding."

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy P040123 and the associated Framework and subsequently resolved that additional external/internal engagement or consultation was required.

Council resolved to advertise the Trail Hub Assessment for general public comment for a minimum period of 60 days. This action took place via advertisements in the local and regional newspapers and contact of stakeholders by means of a mail out inviting feedback and comments on the document. Two (2) submissions were received, one from Denmark Tourism Inc., which supported the principles of the Plan and provided commentary as to off peak and tourism data and the second being internal, from the Council's Director of Planning & Sustainability which was as follows;

- a) It is assumed that this is to be a Shire of Denmark document. If this is the case then it should have the Shire of Denmark logo on the front cover and is probably more appropriate to be referenced as "Prepared for the Shire of Denmark and the Department of Sport and Recreation".*
- b) Section 1 Project Site (page 3) – currently references relates to Denmark town and surrounding forests and natural landscapes; from reviewing the document it is evident relates to the municipality so should be amended to read "... constitutes the whole Shire and surrounding"*
- c) Section 2 Tourism Analysis (pages 4 & 5) – data sources used in this section seem outdated; the author of these comments referred the document to Justine Nagorski at DTI for comment, response from CEO Justine Nagorski is; that accurate in depth tourism data for Denmark is limited however the section on seasonality should change the 'peak season' to include Easter plus December through to March. Remove December and March from the shoulder periods.*

- d) *Section 3 Capacity Audit (Table on pages 6& 7):*
- i. *In relation to cell 1 under desirable column, it references “gap” in relation to themed trails or tours; in this regard I consider we do have a themed cycle trail that is defined (being Munda Biddi Trail and Denmark-Nornalup Heritage Trail) thus would suggest the reference should be amended to “yes (or some); more needed”.*
 - ii. *In relation to cell 4 under essential column, it references “gap” in relation to directional and informational signage; in this regard I consider there is some signage but acknowledge needs improvement therefore would suggest reference be amended to “yes but more needed” (or similar).*
 - iii. *In relation to cell 6 under desirable column, it references Bibbulmun Track only; should reference Munda Biddi Trail as this is the State’s premier cycle trail that does traverse the Shire of Denmark.*
 - iv. *In relation to cell 7 under essential column, it references “yes but more needed” in relation to public transport access; in this regard wonder if this report was done before Noel Phillip’s “water taxi” service was up and running for not certain what else we can do as a Shire in this regard; suggest change reference to “yes”*
 - v. *In relation to Cell 14 under desirable column, consider should read “... with few seasonal or climatic issues that could ...”*
 - vi. *In relation to Cell 15 under essential column, consider this should be amended to read “yes but more work needed” to reflect current work of Shire, DPaW, Munda Biddi Trail Foundation, Bibbulmun Track Foundation etc.*
- e) *Section 3 Situation Assessment (page 7) – should read “Denmark Tourism Inc” not “Denmark Tourism Limited”.*
- f) *Section 4 Inventory Assessment Checklist (pages 8 – 16) – nowhere in the document is there a key/guide to the priority, current status or measure scores so it is not clear what each of the scores represents (i.e. is priority score 4 an urgent, medium or low priority???)*; should ensure final document has the scoring criteria/detail listed.
- g) *Section 4 Cultural Factors Table (page 8) – consider comments against Traditional owners cell should be amended to read “need further identification of aboriginal heritage sites (where appropriate)” noting that they are referenced in the Shire’s MHI, DAA sites and involvement in trail planning has been done for the Munda Biddi Trail etc; more work can and should be done (where appropriate) but to reference none is not quite right.*
- h) *Section 4 Existing Tracks & Trails Table (page 10) – in relation to Designated Drive Trails (road or 4wd) commentary of ‘potential for more of this’, do not consider any more 4wd trails (coastal) are needed (consistent with Coastal Management Plan) so unless this is talking about other types of trails/tracks other than coastal consider this comment needs amending accordingly.*
- i) *Section 4 Access Table (page 11) – in relation to Scheduled Public Transport Service commentary of ‘second daily bus service from Albany?’, presume the reference to first service is TransWA bus that operates from Albany to Perth (via Denmark)??*
- j) *Section 4 Access Table (page 11) in relation to Availability of good maps and travel information commentary of ‘visitor guide only source’, this is not quite correct; is a trails brochure and other trail information produced by DPaW/respective Bibbulmun Track and Munda Biddi Trail foundations as well – although could be improved; recommend commentary amends accordingly to reflect additional sources.*
- k) *Section 4 Services & Amenities Table (page 12) – numerous references to river site; what/where is this site – Berridge Park? Kwoorabup? Depending on what is meant by the reference may need to commentary to change as well accordingly.*
- l) *Section 5 Recommendations – what does low, medium and high priority mean in context of this document (ie. high – next 12 months; medium – 12 months to 3 years; low – 3 years +????). Once the priority contexts are known then review of priority recommendations references should be undertaken accordingly.*
- m) *Section 5 Cultural Factors Table (page 19) – Row 1; this should be the responsibility of trail owner/manager (i.e. Shire, DPaw, Foundation(s)) as this recommendation relates*

- to existing trails; do not consider should reference PATAC as this is not necessarily within their Terms of Reference (would be referred to them for comment accordingly as an advisory body (if considered relevant) and/or any established trails “committee” but essentially would be undertaken by Shire Administration staff).
- n) Section 5 Cultural Factors Table (page 19) – Row 2; again question responsibility body referenced but not certain who should be either; if relates to existing trails then should be trail owner/manager.
 - o) Section 5 Aesthetic Factors Table (page 19) – Row 1; responsibility should change to read relevant trail owners/managers as not all trails are Shire trails; may also need some consultation with DSR (or relevant body with the expertise) for input to what is considered inspirational and demanding to promote.
 - p) Section 5 Access Table (page 19) – Row 1; bus service from Albany increased reference???? Not certain DTI would wish to be the responsibility agency here. Shire should be responsible.
 - q) Section 5 Existing Tracks and Trails Table (page 19) – Row 1; recommend delete reference to PATAC (consistent with comments above).
 - r) Section 5 Existing Tracks and Trails Table (page 20) – Row 2; consider Trails WA/DSR/community could also be a responsibility here (particularly the potential for MTB park in town); equestrian centre – does exist (Pony Club etc) but underutilised as such (or is this reference to something else in addition??).
 - s) Section 5 Existing Tracks and Trails Table (page 20) – Rows 3, 4 & 5; consider Trails WA/DSR could also be a responsibility here as they may have expertise in this field given Shire has limited expertise and/or trail users.
 - t) Section 5 Existing Tracks and Trails Table (page 21) – Row 6; remove PATAC references.
 - u) Section 5 Existing Tracks and Trails Table (page 21) – Row 7; assume this is a reference to Stage 2 of Denmark Riverside Club as Stage 1 is not necessarily “public access/infrastructure”; not certain Stage 2 is looking at new toilets, parking either so question the reference to this.
 - v) Section 5 Existing Tracks and Trails Table (page 22) – Row 9; question Shire’s responsibility in dive/snorkel trails.
 - w) Section 5 Existing Tracks and Trails Table (page 22) – Row 10; as this relates to Bibbulmun Track and Munda Biddi Trail specifically this responsibility should be DPaW’s and/or the respective foundations and not necessarily the Shire’s.
 - x) Section 5 Access Table (page 22) – Row 1; incorrect reference in responsibility column (currently reads High); amend accordingly to Shire.
 - y) Section 5 Access Table (page 22) – Row 2; Not certain DTI would wish to be the responsibility agency here. Amend to the Shire.
 - z) Section 5 Services & Amenities Table (page 23) – Row 5; do not consider public showers should be provided at the Riverside Stage 2 development; other locations??
 - aa) Section 5 Services & Amenities Table (page 23) – Row 6; question if this is a Shire responsibility; should be Chamber/Industry responsibility.
 - bb) Section 5 Accommodation Table (page 23) – Row 1; not solely a Shire responsibility; Chamber/Industry/DTI??
 - cc) Section 5 Activities Table (page 23) – Row 1; spelling error in Opportunity cell – should read “through” in 2nd sentence.
 - dd) Section 5 Activities Table (page 23) – Row 1; broader than Shire responsibility – DTI? DSR? Events organisers?
 - ee) Section 5 Organisation and Management Table (page 24) – Row 1; commentary in opportunities regarding PATAC role and relationship to Council needs review in relation to their role, requirements of ‘Committees’ under LG Act etc. Appears trying to establish new committee structure but should not be a Council Committee with the limitations under LG Act etc – really depends on the charter being sought here to see who/what/how etc.

- ff) *Section 5 Organisation and Management Table (page 24) – Row 1; recommendation is for new committee to develop a maintenance schedule with DPaW & Shire – consider this should change to read input into maintenance schedules of DPaW & Shire respectively (noting if there is an external committee body established then way to do this would be via a representative on PATAC – if this function retains as this is avenue to provide advice on management of Shire’s paths and trails).*
- gg) *Section 5 Organisation and Management Table (page 24) – Row 3; spelling error in Opportunity cell – should read “formalised” in 1st sentence.*
- hh) *Section 5 Organisation and Management Table (page 24) – Row 3; is this solely Shire responsibility/capability? DSR and/or Trails WA input? Mapping of existing trails – consider current trail owner/manager’s responsibility (i.e. Shire and DPaW); question need for grants to do this – should just do.*
- ii) *Section 5 Community Engagement Table (page 25) – Row 1; consider likely to be others; bike club?? Maybe reference here should be an example of an interested community group but do not limit it to this group only.*
- jj) *Section 5 Business Engagement Table (page 26) – Row 5; not certain reference in this table is appropriate given Riverside Club is not a business (previously referenced in Services & Amenities Table).*
- kk) *Section 5 Business Engagement Table (page 26) – Row 6; question if this is a Shire responsibility; should be Chamber/Industry responsibility.*
- ll) *Section 5 Priority Action List (pages 29-30) – is this not duplication of tables although does not have responsibilities against it??*
- mm) *Section 5 Priority Action List (page 30) – Section 4 reference to within existing projects such as Riverside Club; not supported as referenced above.*
- nn) *Section 7 Appendices (pages 31-33) – Wilson Headland Loop reference (being WOW walk) needs amending as not currently under construction; Moriarty/Forest Trails missing; others????*
- oo) *General comment: should PATAC references remain in the document, an explanation of this abbreviation should be provided for the benefit of the reader.*

Statutory Obligations:

There are no relevant statutory obligations.

Policy Implications:

There are no current relevant policy implications.

Budget / Financial Implications:

The Denmark Trails Hub Project Assessment Report has a number of recommendations (page 18 of the Report) and priority actions items (page 29). Whilst the Bike Plan 2014 talks mostly to ‘construction’ and connectivity of paths and trails, this plan talks mostly about developing an overarching ‘Trail Hub’ Strategy and Master Plan with accompanying brand development and interpretation. The estimated budget for such matters all up is \$115,000, although these elements can be performed to some extent in-house, possibly with grants, and or as smaller components (they do not necessarily have to be done concurrently).

Strategic Implications:

There are significant strategic implications associated with accepting the Denmark Trail Hub Assessment.

Council’s Strategic Community Plan has the following relevant Goals that support the development of a Trails Hub for the Shire;

Recreation: ...monitor all forms of recreational and cultural facilities and services, and take careful account of the level of community support for those determining the improvements or new

facilities to be supported together with their relative contribution to personal and community wellbeing.

Tourism: ...acknowledge the importance of tourism to the region, and, by innovative policies, practices and partnerships, facilitates and encourages the greater year-round sustainability of tourism, whilst monitoring and managing its impacts.

Further, the officer is aware of business planning supporting the development of a Master Trails Network for the Great Southern, currently being prepared by the Great Southern Development Commission, which would help underpin opportunities for grants to assist with implementation of the Report.

Sustainability Implications:

➤ **Environmental:**

The element of interpretation in the proposed Trail Hub Report will provide opportunity to educate the community about the environmental values the community holds and shares.

➤ **Economic:**

The development and adoption of a Trails Hub Plan will assist provide opportunities to further the tourism product available to the community and businesses that rely on tourism.

➤ **Social:**

The development of a Trails Hub Plan will assist provide a valuable recreation option for locals and tourists alike of all ages.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That the Report is in conflict with the Bike Plan 2014.	Possible (3)	Minor (2)	Moderate (5-9)	Inadequate Document Management	Manage by advertising the Plan, receiving submissions from Directorates and the Community, and modifying one or both plans to not be in conflict.
That insufficient funds are allocated to implement the Plan if it is subsequently adopted.	Unlikely (2)	Minor (2)	Low (1-4)	Not Meeting Community expectations	Manage by subsequently adopting the plan with appropriate implementation recommendations.

Comment/Conclusion:

Whilst the document has some minor errors and modifications or clarification required as suggested by the Director of Planning & Sustainability, it also forms the basis of developing an implementation and action plan by the existing Paths and Trails Advisory Committee (PATAC).

Voting Requirements:

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION

ITEM 8.5.1

MOVED: CR SEENEY

SECONED: CR SAMPSON

That the Denmark Trails Hub Project Assessment be received and it, together with the suggested modifications supported by the Director of Planning and Sustainability and Chief Executive Officer, be utilised by the Council's Paths and Trails Advisory Committee as a strategic informing document in conjunction with the Path Development Plan (2007 as modified) and Bike Plan (2014) and the Committee be encouraged to look for in-house and grant opportunities to implement the following priority initiatives;

1. Undertaking a Trails Audit and;
2. Preparation of a Trails Hub Strategy and Master Plan, possibly in conjunction with the City of Albany, Shire of Plantagenet and Great Southern Development Commission and;
3. Development of Trail Branding following part 2.

CARRIED UNANIMOUSLY: 9/0

Res: 311015

Cr Seeney stated that he would like to thank the Director of Planning & Sustainability for her input in reviewing the document.

8.5.2 SHIRE OF DENMARK BIKE PLAN	
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File Ref:	COMM.PATAC
Applicant / Proponent:	Shire of Denmark
Subject Land / Locality:	Paths and Trails of Denmark
Disclosure of Officer Interest:	Nil
Date:	6 October 2015
Authors:	Erica Sayer, Engineering Administration Officer Dale Stewart, Chief Executive Officer
Authorising Officer:	Dale Stewart, Chief Executive Officer
Attachments:	8.5.2a – Bike Plan 8.5.2b – Schedule of Submissions

Summary:

At the Ordinary Meeting of Council held on 16 June 2015 Council resolved to advertise the draft Bike Plan for public comment. Advertising of the Bike Plan was undertaken, with one (1) submission received.

Background:

Through Regional Bicycle Network Funding from Department of Transport, Shire staff applied for funds to create a comprehensive Bike Plan to be integrated into the Path Development Plan 2007, which is a document used to assist the Infrastructure Services Directorate and the Paths and Trails Advisory Committee (PATAC) with recommending to Council priorities for current and future needs for the Shire of Denmark's Paths and Trails.

The Paths and Trails Advisory Committee played an active role in ensuring the current and future needs of Council were addressed when creating a scope for the successful consultant to address when compiling the plan.

Several workshops were held with the first being in September 2012 to address what PATAC and local stakeholders wanted to be addressed within the Community for future planning. As there are opportunities for funding annually from external sources PATAC felt the need to have a plan in place to assist the PATAC and staff with future planning and application for funding.

The PATAC, following extensive community engagement at the time, resolved at its meeting of 9 June 2014 as follows;

“That the Paths and Trails Advisory Committee recommend to Council that the Bike Plan jointly funded by Council and the Regional Bicycle Network and created by Greenskills be accepted and adopted by Council and integrated into the Paths and Trails Development Plan 2008.”

At the meeting held on 16 June 2015, Council resolved as follows (Resolution No. 120615);

“That Council note the extensive community engagement undertaken by the consultant and the Paths & Trails Advisory Committee during the documents preparation and now advertise the Denmark Bike Plan for general public comment for a minimum period of 60 days.”

This action took place via advertisements in the local and regional newspapers and contact of stakeholders by means of a mail out inviting feedback and comments on the document.

Consultation:

In developing the Scope for the Shire of Denmark Bike Plan Committee Members and Council Staff worked closely with several stakeholders including but not limited to Munda Biddi Representatives, Department of Parks and Wildlife staff and Greenskills. The membership of

PATAC also ensured a diverse group were in constant consultation to enable a broad view on the needs of the Community.

Feedback was received from the general public via stands and stalls set up in various locations during the draft period of the Shire of Denmark Bike Plan and comments and ratings from the Residents and Ratepayers 2012/13 Community Needs and Customer Satisfaction Surveys.

Council noted that extensive community engagement was undertaken by the consultant and the Paths & Trails Advisory Committee during the documents preparation and then moved to advertise the Denmark Bike Plan for general public comment for a minimum period of 60 days. This action took place via advertisements in the local and regional newspapers on the Shire Website and contact of stakeholders by means of a mail out inviting feedback and comments on the document.

At its meeting held on 20 July 2015, the Paths & Trails Advisory Committee (PATAC) resolved as follows;

“That PATAC recommend that Council amend the Bike Plan to include the following modification: The proposed path at Berridge Park should run alongside the Norm Thornton Reserve car park, go south under the western side of the South Coast Highway traffic bridge, then go back up the hill in a south westerly direction to link into the existing footpath along Hollings Road.”

One (1) submission was received (refer Attachment 8.5.2b).

Statutory Obligations:

There are no Statutory Obligations with respect to adopting this document.

Policy Implications:

The Plan proposes the following Strategic & Policy Recommendations;

5.1.1 Town Planning Scheme 4 - Incorporate requirement for bicycle path and bike lane provision in relevant sections of the Town Planning Scheme.

5.1.2 Requirements for Bicycle Parking Provisions in Town Planning Scheme - Include provisions for the supply of bicycle parking as well as on-site car parking.

5.1.3 Continue to take regard of WAPC DC Policy 1.5 Bicycle Planning - requiring that new subdivisions provide for safe cycling conditions within the subdivision and linkages to the bike plan network as outlined in this plan.

5.1.4 Develop a long-term Integrated Transport Strategy - In the longer term, the Shire of Denmark should develop a more comprehensive and integrated Sustainable Transport Strategy. The Shire's status as a high growth, coastal community means that the whole range of future transport options, including bicycles, needs to be considered in an integrated way.

5.1.5 Providing for safe on-road cycling - the needs of on-road cyclists should be incorporated into regular road building and maintenance and into the Local Planning Strategy.

Budget / Financial Implications:

The Bike Plan has a number of recommendations that will need to be considered and prioritised by the PATAC and subsequently adopted by the Council. These priorities would then be incorporated into the Long Term Financial Plan and considered with other Budget priorities from year to year. Total costs associated with the various recommendations in the plan total \$1,045,000 (refer page 96 of the Plan).

Strategic Implications:

The report and officer recommendation is consistent with Council’s adopted Mission and Vision and assists achieve the following specific adopted Strategic Objectives and Goals.

SOCIAL GOAL

Recreation: ...monitor all forms of recreational and cultural facilities and services, and take careful account of the level of community support for those in determining the improvements or new facilities to be supported together with their relative contribution to personal and community well being.

ECONOMIC GOAL

Tourism: ...acknowledge the importance of tourism to the region, and, by innovative policies, practices and partnerships, facilitates and encourages the greater year-round sustainability of tourism, whilst monitoring and managing its impacts.

Sustainability Implications:

➤ **Governance:**

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

➤ **Environmental:**

There are positive environmental implications with respect to encouraging cycling and improving cycling infrastructure and networks which include reduced air and noise pollution and land use efficiency.

➤ **Economic:**

One of the objectives of the plan is to incorporate eco-tourism opportunities into bicycle planning and states, “with the Munda Biddi Trail, local trails and the planning WOW trail, Denmark is well served by a variety of off-road trails for recreation and cycle tourism. Ensuring the end of trip facilities and other supporting facilities are in place is important to serve these growing group of cyclists.” Another objective of the Plan is to further develop the townsites of Denmark, Nornalup and Peaceful Bay as cycle friendly destinations.

➤ **Social:**

There are many social and health benefits to recreational cycling as stated in the Plan which states, “cycling combats physical inactivity, a major contributor to ill-health, and is also effective in reducing depression and anxiety. A daily 30 minute cycle halves an individual’s chance of becoming obese or diabetic.” Increasing and improving networks and connectivity has the potential to encourage more people (residents and visitors) to choose cycling (and walking) as their first choice of transport.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That the Council subsequently adopts the Plan and is unable to meet community expectations in funding its implementation in a timely manner.	Possible (3)	Minor (2)	Moderate (5-9)	Not Meeting Community expectations	Accept Officer Recommendation to advertise the Plan and with its subsequent adoption ensure that PATAAC is tasked with the challenge of recommending to Council the prioritising of its implementation.

Comment/Conclusion:

The Plan has a number of strategic and policy recommendations which will require consideration with its final incorporation into the Path Development Plan, which is a document that encompasses and outlines priorities for footpath, dual use and trail development within the Shire.

Planning & Sustainability Services comments, supported by the Chief Executive Officer, on the Bike Plan are as follows:

- *As this is to be a Shire of Denmark document, it should have the Shire of Denmark logo on the front cover and a reference (either on front cover or on page 2) when adopted (or received or whatever Council resolves to do with it).*
- *Executive Summary: Background (page 4) – 1st three bullet points in last paragraph should read:*
 - *Strategic Community Plan – Denmark 2031*
 - *Local Planning Strategy (2011)*
 - *Town Planning Scheme Policy No. 28: Settlement Strategy for Denmark*
- *Executive Summary: Background (page 4) – recommend the following additional policy and planning documents be added to the list in the last paragraph:*
 - *Town Planning Scheme Policy No. 15: Townscape Policy*
 - *Town Planning Scheme Policy No. 26.1: South Coast Highway Commercial Developments*
 - *Town Planning Scheme Policy No. 31: Commercial Strategy*
 - *Council Policy P110310: Denmark-Nornalup Heritage Rail Trail*
- *Executive Summary: Process (page 4) – should read “.. Paths and Trails Advisory Committee...” (NB: numerous other similar references throughout document that need correcting as well).*
- *Executive Summary: Denmark Priority Bike Network Plan (page 4) – third paragraph references that cycling easily outperforms walking or drive and park for short trips to town; consider this is an assumption by the authors thus should read “where cycling has the ability to outperform walking...”*
- *Executive Summary: Recommendations – pages 5 & 6; needs overall review to ensure consistency with all recommendations in Sections 4 – 6 that are supported.*
- *Section 1.1: Local Planning Strategy (page 8) – noting that the four goals referenced relate to the Shire’s previous Vision and Goals which are now no longer relevant given the adoption of the Strategic Community Plan – Denmark 2031 and that the Local Planning Strategy is dealt with in detail in Section 1.4 (page 11); recommend that this entire section be deleted as serves no purpose.*
- *Section 1.2: Bike Plan Development (page 9) – recommend dates of ‘2014’ be added to this section given the timeframes between compilation and final consideration.*
- *Section 1.4: Policy & Planning Context (page 11) – this whole section is in the wrong area noting that there is a Section 1.7 titled Policy & Planning Context as well which deals with Federal, State & Regional and then should incorporate the Shire context which is currently referenced in Section 1.4. Recommend this section be deleted and incorporated into current Section 1.7; noting re-numbering needs to occur accordingly if this section is deleted.*
- *Current Section 1.4: Shire of Denmark (page 11) – heading should read “Local Planning Strategy (2011)”.*
- *Current Section 1.4: Shire of Denmark (page 11) – under the Strategic Community Plan-Denmark 2031 heading there should be a lead-in as to where this quotation has come from; noting was a commentary statement compiled from review of comments made through the process, known background and/or issues on the topic. If keeping this quotation, from a preliminary review of the Strategic Community Plan report there are some others that deal with this matter as well that could be referenced also (e.g. comment on bottom of page 25 re: trail hub). As it currently stands in the document it is obscure*

and has no context/relationship about how it relates etc. Noting that earlier references to the Strategic Community Plan only provide commentary about the vision and objectives, it would be appropriate that this section now deal with relevant goals that relate to this matter, being Recreation, Development, Transport & Tourism.

- Current Section 1.4: Shire of Denmark (page 11) – heading should read “Town Planning Scheme Policy No. 28: Settlement Strategy for Denmark”.
- Current Section 1.4: Shire of Denmark (page 11) – noting reference under comments in relation to ‘Executive Summary’ that additional policy and planning documents should be added to the list they should also be referenced here accordingly with associated commentary.
- Current Section 1.4: Shire of Denmark (page 11) – under the section titled ‘Policy Implications’ there is reference to the Shire’s Local Tourism Strategy; the Shire does not have a local tourism strategy so not certain what this is referring to here – needs review accordingly.
- Section 1.5: Future Growth (page 12) – heading should read “Local Planning Strategy (2011)”.
- Section 1.5: Future Growth (page 12) – Local Planning Strategy paragraph needs lead-in to ensure there is some context to the references, with review of overall paragraph to ensure is correct with references as current wording is confusing.
- Section 1.5: Future Growth (page 12) – should be ‘Millars Creek’ not ‘Millers Creek’.
- Section 1.5: Future Growth (page 12) – Current Council Policy paragraph should read “..require developers of urban residential land to construct and/or contribute to, the pedestrian and cycle network having regard to WAPC Development Control Policy 1.5: Bicycle Planning, Liveable Neighbourhoods and the Shire’s Guidelines for Subdivision and Development of Land”.
- Section 1.6: Demographic Profile (page 13) – the census was held on 9 August 2011 so not certain what reference is to census day 2010.
- Section 1.7: WAPC Liveable Neighbourhoods Design Code section (page 14) – this section should be re-titled to read “Western Australian Planning Commission - Liveable Neighbourhoods”; noting draft document is currently out for public comment recommend section be amended to include reference to current documents provisions referenced as well as the draft 2015 provisions accordingly.
- Section 1.7: Main Roads – Policy for Cycling Infrastructure, WA Bicycle Network Plan and Our Bike Path – A Strategic Framework for Cycling in WA (pages 14/15) – these references need to come under “State” heading (where currently sits in document looks like are regional documents); there is a need for a lead-in to the Main Roads Policy document reference as not clear if what is documented is a policy objective, strategy, implementation action or what?
- Section 1.7: WA Bicycle Network Plan (page 15) – noting that the Shire has recently received funding for 2 paths under this program they should be referenced here accordingly, being Golden Hill Steiner School path (assume under this funding) and Denmark Ag College path.
- Section 1.8: Overview (page 16) – not certain that the Shire or PATAC would classify Kwoorabup Community Park as an important cycle trail.
- Section 2.1: Previous Community Consultation (page 18) – first bullet point references cycling survey undertaken by Shire of Denmark PATAC member Andi Adams – should be referenced as an endorsed survey by Shire/PATAC for clarity.
- Section 2.1: Previous Community Consultation (page 18) – given 2014/15 community needs survey results are now available these should be included/referenced as well (noting were not available at time of draft report prepared by Greenskills but are available now at time of final consideration by Council).
- Section 2.1: Previous Community Consultation (page 18) – references Appendix 1 whereas the referenced material is currently located in Appendix 2; noting however this is the first reference to Appendices should retain reference of Appendix 1 and ensure that

- Appendix 1 is corrected to reflect this reference and not the current Appendix 1 material (being the survey questions which is referenced in Section 2.3 (page 21) of the document.
- Section 2.2: Stakeholder Engagement (page 19) - what is meant by a “small community meeting”? 2nd bullet point in second bullet point list should read “...PATAAC and Councillor meeting...”
 - Section 2.2: Stakeholder Engagement (page 19) – question: did we as a Shire or PATAAC decide not to keep printing the Trails Map brochure (noting is on our website as a document still)? May be a correct statement by Lenore in this section but maybe needs a post-script note that this statement is not correct.
 - Section 2.3: Community Cycling Survey (page 21) – refer comments above in relation to Appendix 1, resulting in this Appendix being modified to ‘2’; noting needs changing in the appendices section as well.
 - Section 2.3: Community Cycling Survey (page 21) – in first bullet point should read “predominantly”.
 - Section 2.3: Community Cycling Survey (page 21) – it is noted that document references 195 responses yet only 143/144 respondent references on the 3 graphs on page 21; acknowledge sometimes respondents do not complete sections of a survey but maybe should reference this somewhere given is such a variance.
 - Section 2.3: Community Cycling Survey (page 23) – number of respondents referenced does not correlate with respondent numbers on page 22 (eg. reference that 27 respondents cycle daily for recreation whereas table on page 22 references in order of 38); review possibly needed and a reference about variances as well.
 - Table on page 24 seems out of place with this section on Community Cycling Survey - needs review accordingly to determine appropriate point in document for table to be.
 - Section 2.4: Community Survey (page 28) – 1st sentence under graph should read “.. less common than cycling ...”.
 - Section 3.1 (page 32): Layout of this page makes inference that Peaceful Bay Ring Road and Denmark-Nornalup Heritage Rail Trail are ‘neighbourhood connector roads”, which they are not; review needed to determine relevance where these comments should be if considered needed.
 - Section 3.1: Peaceful Bay Ring Rd section (page 32): if retain this reference in some form in the document (noting comment above) should be updated to reflect path construction finalised; 2nd paragraph in this section is not complete and does not make sense in this section anyway – recommend delete.
 - Section 3.1: Denmark-Nornalup Heritage Rail Trail (page 32): if retain this reference in some form in the document (noting comment above) should include reference in here that Munda Biddi Trail does cross paths with the rail trail.
 - Section 3.2: Community Consultation Outcomes (page 33) – in this section there are ‘suggestions’; from my first review of the document it appeared these may have been suggestions by the author of the document however upon reviewing the survey questions it is apparent are suggestions from respondents to the survey – this should be made clearer to the reader as to where the suggestions have come from in this section (noting that overall section title is Review of Existing Bike Network and there is minimal review of the existing situation undertaken by Shire/author at all; moreso relies on community review). Assuming they are suggestions from respondents to the survey, it should be noted that no consideration/commentary has been made in relation to the suggestions.
 - Section 3.2: (page 33) – figure legend needs to be enlarged so that is legible to interpret the colours on the figure (NB: this comment is relevant to all figures on the following pages as well).
 - Section 3.3: Secure Bike Storage (page 44) - paragraphs 1 and 3 in this section currently explain importance of secure bike storage and recommendations for consideration of provision of such whereas this section is to deal with review of existing facilities therefore needs modifying to reference there are currently no secure bike storage areas in the Shire.

- *Section 3.3: Secure Bike Storage (page 45) - 1st sentence has number missing however is considered whole sentence is not needed as duplicates reference on page 44; noting comment above that some references from page 44 may be appropriate to be referenced in this section.*
- *Section 3.4: Barriers (page 46) – in the ‘Safety Concerns’ paragraph should say “... box to the left.”*
- *Figure 3 (page 50): in relation to the recommendation for Mitchell Street and Walker Street to provide bicycle lanes, the capability of these two streets to accommodate such bicycle lanes (in particular Mitchell Street) is questioned giving car parking in these areas (for CBD usage as well as current school usage).*
- *Overall Comments from Community Consultation Survey (page 49): question relevance in this section; should be in the appropriate community consultation section (i.e. Section 3.2).*
- *Figures 5 and 6 (pages 52/53) – needs overall review to ensure consistency with all recommendations in Sections 4 – 6 that are supported.*
- *Plans on pages 56-60 may need review depending on review of other recommendations*
- *Plans (pages 56-60):*
 - *on the plans there are number references that correlate to the table of recommendations yet the descriptor in the legend contains words only whereas it should have the box and a number inserted such that it is clear what the number references on the plan relate to; noting that in the legend there is a ‘distances from CBD’ key – this key is not relevant to these plans at all and is confusing with the number references that are on the plan contained within a box thus should be removed.*
 - *noting that the plans on pages 57-60 are just blow-ups of what is contained on the plan on page 56, consider that this should be clearly referenced as such on the plan on page 56 (i.e. what areas that maps A-D (being the plans on pages 57-60) cover) for clarity.*
 - *on Plan 58 (and page 56) the alignment of the path from Wattle Way to Mt Shadforth Road should reflect what has been agreed to as part of development of No. 40 (Lot 11) Mt Shadforth Road – being usage of portion of current battleaxe leg from Mt Shadforth Road to just over Millars Creek, along the northern side of Millars Creek through to the western boundary of the lot and then utilisation of the adjoining Reserve 49637 battleaxe leg through to Wattle Way.*
 - *Plan denotations may need amending depending on the recommendation considerations.*
- *Section 4.2: Recommendations Tables (pages 61-72):*
 - *for ease of reference for the reader it is recommended that in the Map Ref column there be reference to what map(s) the path is denoted on.*
 - *need to ensure all references on plan and/or items referenced in section 6.0 are included in these tables (noting as an example #22 is on plan but not in tables in recommendations section but does appear in costings/implementation schedule).*
 - *the priority classifications are referenced in section 4.1 (summary of proposed bike network enhancements) however should also be included in this section for ease of reference for the reader.*
 - *some clarity around how the estimated cost has been calculated should be provided here rather than having to flick to page 96 to ascertain how costings have been calculated and a reference that is a 2014 figure (noting depending on construction timeframes the costs could be some 5 years old); question the figures quoted in the document noting that the footpath to the Ag College cost in the order of \$236k (albeit there was some kerbing needed to be done on South Coast Highway but this would not that substantial a cost in the context) yet the estimated cost referenced in the bike plan was \$77,600 – brings into question all other costings provided as a result of this major variance between estimated and actual in this one example.*

- **Construction of New Link Paths Recommendations:**
 - **South Coast Highway (East):**
 - *Stage 1 of the path has been completed since publication of the draft so all references should be removed now; Stage 2 is effectively now Stage 1 and should be described as extend the shared use path to Springdale Beach.*
 - *In the 'Notes' cell current references should be deleted given the referenced work has been completed and the fact that it is not path number 15a in the path development plan, with new references along lines of "a 'nib' connection to the Country Club access driveway being provided from the current path and developer has provided path in vicinity of Springdale Beach estate entrance on the southern side of South Coast Highway.*
 - **Riverside Path Under Bridge – West: what is reference in 'Estimated Cost' cell of "see above" in relation to?**
 - **Powley St to Scotsdale Rd:**
 - *Reference in 'Description' cell that this is an easement is incorrect and needs amending accordingly noting that portion of the land (approximately 1/3 of the total length with frontage to Powley Street) is Reserve 51411 which is for purpose of Right of Way with Management Order to Shire of Denmark and the remaining portion is privately owned land (Lot 67)*
 - *In 'Notes' cell needs to reference liaison needed with landowner of Lot 67 regarding potential access to land to facilitate development of path; also should reference that use of land for pedestrian accessway purposes is referenced in the Horsley Road/Rockford Road local structure plan (albeit not as a developer footpath requirement); reference to potential developer contributions should be amended to utilise Developer Contributions for Road Infrastructure funds to fund this construction (noting that adjoining developer will be responsible for numerous other dual use paths throughout the subdivision and local structure plan does not identify this as a path they are responsible for).*
 - *In terms of priority it is considered this should be modified to at least medium (if not high) for there is evidence is well utilised as a path connection currently and with the schools to the east of Scotsdale Road/Denmark River and large residential catchments in the area this connection is important – particularly if Horsley/Rockford subdivision does not progress for a few years.*
 - *In 'estimated cost' cell a figure should be able to be inserted here (noting should reference does not include any costs with securing access arrangements to Lot 67).*
 - **Hollings Rd to Mt Shadforth Rd: question whether this is needed link path given the recent construction of the path on the northern side of Scotsdale Road providing such a connection and the costs associated with works referenced here.**
 - **Wattle Way – Mt Shadforth Road Link (2nd row on page 63):**
 - *'Description' cell reference should be updated to "Develop new path to link Wattle Way and Mt Shadforth Road".*
 - *'Notes' cell reference amended to reference that a condition of planning approval 2014/199 for the development of No. 40 (Lot 11) Mount Shadforth Road has required the ceding of land on the northern boundary of Millars Creek and portion of the current battleaxe leg to the site to the Shire of Denmark for the purposes of providing a path in this vicinity to link Wattle Way through to Mount Shadforth Road; should also include references that timeframe for development of the path is dependent on the ceding of the land occurring and that utilisation of Developer Contributions for Road Infrastructure could be utilised to fund construction of this path.*
 - **Ti Tree Lane path:**

- *In 'Notes' cell reference it is considered should add notation that to be considered as part of road upgrading works (noting road is currently gravel whereas will be upgraded to bitumen seal road when sufficient developer contributions from adjoining developments are received).*
 - *It is noted on Map Sheet A (page 58) that this is referenced as "upgrade – widening or renewing existing path"; this reference on the plan is not correct as it is not a formal path currently – should be 'construction of new link path' denotation as it is in the recommendations table.*
 - *Hardy Street path: in 'Estimated Cost' cell should be referenced as path to be constructed by developer.*
 - *Offer Street path: provision of a path in this vicinity would need support/approval by the Education Department as appears would be on their land and not in the road reserve; funding sources likely then would be grant funds and/or Education Department (which should be referenced in either the 'notes' cell or the 'estimated cost' cell such that not seen as cost to Council).*
 - *Ocean Beach Road to Offer Street path: question need for this path given proximity to intersection and opportunity may exist for review of road configuration in this area with redevelopment potential in the broader locality.*
 - *Honeymyrtle Close to Clarke Close path:*
 - *Description reference to read "Honeymyrtle Circuit".*
 - *In 'Notes' cell should correctly reference that path in future Honeymyrtle Circuit to be constructed by developer; connection through adjoining Reserve 45473 (No. 12 (Lot 1088) Clarke Close) is Council responsibility. Priority of path then would correlate with development of Honeymyrtle Circuit extension – timeframe of which is unknown at this stage.*
 - *South Coast Highway (West):*
 - *Recommend reference to path could be constructed on north side be removed as this should be determined at design consideration stage and will be subject to Main Roads approval; noting path is currently on southern side of the Highway.*
 - *In the 'notes' cell should reference the actual future growth areas to ensure appropriate conditions imposed on subdivisions where relevant, being land including Lots 1 & 5 South Coast Highway (south-west of the Denmark Tavern); consider needs approval moreso than negotiation with Main Roads; portions of the path would be constructed by adjoining developer; other funding sources could be Developer Contributions for Road Infrastructure and/or municipal budget funds.*
- *On-Road Bike Lanes Recommendations:*
 - *Walker Street:*
 - *Question whether we want a bike lane (or lanes as recommended here) on Walker Street as well as a shared use path (which is what is referenced in path development plan and not footpath as noted in the bike plan); or if road seal has enough width to accommodate one bike lane (let alone two).*
 - *Mitchell Street:*
 - *Question whether we (Shire) and/or Education Department want Mitchell Street one-way; review of WALGA Road Safety Around Schools Guidelines would not advocate that Mitchell Street be one-way for it references that at least one road access to a school should be a local distributor/connector road and essentially Mitchell Street serves this function thus one-way of this street would not be appropriate.*
 - *Ideally a 2.5m wide path is more appropriate for dual use path but could get away with existing 2.0 metres; if issue is vegetation is overgrown then this should be addressed by the Shire with the school (given vegetation is on school land).*

- *Upgrading Existing Paths or Crossings Recommendations:*
 - *Kwoorabup Park: do not necessarily support references that the path next to the Nature Playground should be widened due to cost / need / priorities.*
 - *Hollings Road:*
 - *In 'Description' cell should read "...bridge and Walker Street..."*
 - *In 'Notes' cell reference to link to new path being constructed on Hollings Road should be amended to link to Hollings Road (western side) path (noting has now been constructed).*
 - *Hollings Road (near Haire Street) – this work has been done now so should be removed as a recommendation from the plan.*
 - *Denmark High School: this path is on Department of Education land therefore is their responsibility to maintain – this should be referenced accordingly in the 'Notes' section such that is not seen as Shire responsibility.*
 - *Ongoing Upgrade of Paths in CBD: Council position on footpaths in CBD is minimum 2.5 metre path (conditions imposed on shopping centre, Co-op, Randall Park footpath works etc) and not 3.0 metres as stated in 'Description' cell; should be amended accordingly to reflect 2.5 metre minimum.*
- *Improving Signage and Profile on Paths & Roads Recommendations:*
 - *Millar Street – consider that this could result in prolific signage; maybe just stencilling if anything and would await widening of the footpath before undertaking this work.*
- *Section 4.3: Recommendations Tables:*
 - *WOW Walk Trail (page 74) – 'notes/community consultation' cell needs updating as needs full funding (noting commentary relates to previous partial grant funds having been obtained which has now been returned as not expended); estimated costs should be able to be provided in document given is published in 15/16 budget document.*
 - *Lights Rd (to end of residential area): question whether this is a high priority in light of other recommendations.*
 - *Ocean Beach Rd (page 74) – likely future upgrades of Ocean Beach Road?*
 - *Inlet Drive (page 74) – likely future upgrades of Inlet Drive? Question if consideration would be given to another footpath on the other side of Inlet Drive.*
 - *Scotsdale Rd (page 75) – question if consideration would be given to another footpath on the other side of Scotsdale Road.*
 - *Lights Rd (page 76) – Lights Road is only part of Munda Biddi Route alignment until such time as WOW Trail is finalised.*
 - *Scotsdale Road (page 76) – was not this done (or at least considered) as part of Scotsdale Road widening works undertaken over last 2 years; if so review references here.*
 - *Mt Shadforth Road (page 76) – question why the shoulder seal should just be a designated bike lane noting quite a few people walk this route currently and the two could co-exist;*
 - *Denmark-Nornalup Heritage Rail Trail (page 78) – Condition of subdivision approval has already been imposed requiring developer of Lot 5 South Coast Highway upgrade Heritage Trail for frontage of property.*
 - *Regular maintenance of the Denmark-Nornalup Heritage Rail Trail (page 78) – recommendation in 'notes/community consultation' cell saying regular annual budget should be allocated should be amended to reflect continual annual budget allocation (with actual amount to be determined accordingly) given there is already an annual allocation (as currently worded infers this does not exist currently); question costings of \$2,000 pa to do an audit – this should be done as part of normal asset management practices by Infrastructure Services staff; recommend \$ figure included against general improvements not be listed here as this should be an annual budget consideration matter and not part of this document.*

- Denmark-Nornalup Heritage Rail Trail Loop with Ocean Beach Road shared use path (page 79) – disagree that this should be the location; noting there is an existing unmade (currently) road reserve on the north-eastern boundary of No. 322 (Lot 151) Ocean Beach Road that traverses the current trail and will connect back to South Coast Highway as Lot 5 develops – this alignment is more practical as no land acquisitions needed to facilitate and is more strategic in line with other access points for pedestrians, motorists etc. rather than creating new alignment.
- Lake View Place: this is actually a strategic fire break that people utilise for access; recommend that bike plan needs to reference this is the primary function of this access way but can also be promoted as an access point to DNHRT as well given should be constructed to strategic fire break purposes so could be used by cyclists etc (as off-road path as would be gravel construction); good opportunity to ensure strategic fire break signage (that also ensures pedestrian/bicycle access is available) is installed and bollards/gates as required (if needed).
- Denmark-Nornalup Heritage Rail Trail (page 79) – in the 'Description' cell the wording has just been taken from the Lake View Place cell; needs review accordingly to describe what seeking to achieve here.
- Section 5.1 Strategic Recommendations (page 82):
 - Remove 5.1.1 recommendations as this is now covered by structure plan provisions which are in the Planning Scheme Regulations.
 - Recommend a new strategic recommendation is review the current Path Development Plan in light of recommendations from the Bike Plan such that an overall Path Development Plan priority can be established rather than having in separate documents.
- Section 5.2.4 Information Hubs and Signage (page 83): recommend remove Plane Tree Precinct from list of sites.
- Section 5.2.5 Integrated End of Trip Facilities (page 83): do not consider Plane Tree Precinct is an appropriate site as opposed to Berridge Park.
- Section 5.2.7 Bike Racks & End of Trip Facilities (pages 84 & 85):
 - New Bike Racks at Primary School – this is actually a reference to the High School and not primary school so heading needs amending accordingly; question whether the Shire should be telling the Dept of Education where the bike racks should go – recommend reword along lines of Shire to liaise with Dept of Education regarding consideration of appropriate location for bike racks having regard to path locations etc in light of community consultation outcomes.
 - Upgrade Bike Racks at Primary School; question whether the Shire should be telling the Dept of Education where bike racks should go and that they require upgrading – recommend reword along lines of Shire to liaise with Dept of Education regarding consideration of appropriate locations for new bike racks and potential upgrading of current bike racks in light of community consultation outcomes.
 - Integrated End of Trip Facilities – corner of Mitchell Street & Strickland Street: not provided for in Plane Tree Precinct Development Concept Plan – that said provision of water fountain is appropriate and bike racks but not secure bike storage, showers etc in light of vision for the precinct.
 - Shire of Denmark Administration Building: bike racks have been installed at Admin building therefore this recommendation should be removed.
 - Riverside Club redevelopment – this should be reference to Riverside Stage 2 development in vicinity of Bandstand (as currently reads relates to Riverside Club which is leased land not public land).
- Section 5.3 Promoting Cycle Tourism – Recommendations (pages 86 & 87):
 - Recommendation 5.3.1 – in 'notes' cell should reference is/has been developed
 - Recommendation 5.3.7 – in 'notes' cell should read "The Shire to progress completion...". Potential key partner is also Conservation Commission of WA given is their land that majority of the connection is to be located in.

- *Section 5.4 Promoting Cycling in Denmark – Recommendations (page 89): in neighbourhoods where not signposted, speed limit is 50km/hour so question why need stickers that say “slow down to 50”; cost implications for Shire of doing this?*
- *Section 6.0 Costings and Implementation Schedule (pages 92 – 95): this information is primarily double up of information provided in Section 4.2 other than the “length of footpath” cell which is useful information; question if need both – if retain ensure information is the same in light of any amendments to Section 4.2.*
- **Additional Comments:**
 - *It is noted that the plan objectives reference Nornalup and Peaceful Bay townsites as well – there is no mention of these townsites even having been considered as part of this process; this needs review and/or commentary accordingly.*
 - *Document currently does not reference current Shire standards for path construction (noting provided for in Guidelines for Subdivision and Development of Land 2008) nor the Austroads standards etc – albeit the figures are provided in Appendix 3 but there is no cross-reference as such within the actual text. This is important criteria to be established/provided particularly noting that the Austroads documents are guidelines only and may be departed from where local conditions require (same as Liveable Neighbourhoods etc).*
 - *Should be reference about funding options available – particularly the reference to use of Developer Contributions for Road Infrastructure monies that can be utilised to fund such costs of development.*

Voting Requirements:

Simple majority.

OFFICER RECOMMENDATION

ITEM 8.5.2

That the Denmark Bike Plan (2014) be received and it, together with the suggested modifications supported by the Director of Planning and Sustainability and Chief Executive Officer, be utilised by the Council’s Paths and Trails Advisory Committee as a strategic informing document in reviewing and recommending the Path Development Plan (2007) as modified to Council for adoption.

COUNCIL RESOLUTION	ITEM 8.5.2
MOVED: CR WHOOLEY	SECONDED: CR SEENEY
<p>That the Denmark Bike Plan (2014) be received and it, together with the suggested modifications supported by the Director of Planning and Sustainability and Chief Executive Officer, subject to references to developer contributions as sources of potential funding being removed, and it be utilised by the Council’s Paths and Trails Advisory Committee as a strategic informing document in reviewing and recommending the Path Development Plan (2007) as modified to Council for adoption.</p>	
CARRIED UNANIMOUSLY: 9/0	Res: 321015

REASONS FOR CHANGE

Council requested that the reference to developer contributions as sources of potential funding be removed to ensure that those involved in implementing any actions under the plan did not perceive that developer contributions could be used for works at locations other than where contributions were dedicated for.

8.5.3 REFUGEE WELCOME ZONES

File Ref:	PBR.1
Applicant / Proponent:	Councillors
Subject Land / Locality:	Shire of Denmark
Disclosure of Officer Interest:	Nil
Date:	13 October 2015
Author:	Dale Stewart, Chief Executive Officer
Authorising Officer:	Dale Stewart, Chief Executive Officer
Attachments:	8.5.3 – Information Sheet

Summary:

Council are asked to consider whether the Shire of Denmark should become recognised as a “Refugee Welcome Zone” for Refugees who are bound for Western Australia.

Background:

At its Briefing Forum held on Tuesday, 29 September 2015, Council discussed a request received from a Ratepayer about Denmark becoming a Refugee Welcome Zone and the outcome from those discussions was that a Council Officer prepare a report for Council’s formal consideration on the matter.

The following article is from the 10 October 2015 issue of The West Australian Newspaper which provides some background information.

REFUGEE CAMPS RULED OUT by Andrew Tillett

One-thousand Syrian refugees bound for WA will be resettled in the community immediately rather than housed in makeshift accommodation when they arrive to begin their new lives.

Federal and WA officials met in Perth this week for the latest talks on the mammoth humanitarian mission, with the first families from the battle-scarred country still expected in Australia by Christmas.

But the State Government has ruled out settling the refugees in a temporary and centralised centre or camp.

The Royal Agricultural Society had volunteered Claremont Showground, while Leeuwin Barracks at East Fremantle had been suggested by local mayors.

With the 12,000 refugees selected to come to Australia undergoing the necessary health, security and character checks before they arrive, Colin Barnett is keen for them to embrace as quickly as possible life in WA.

“We are incredibly thankful for the offers of temporary accommodation sites but at the moment it’s looking more likely that we may be able to work with the resettlement agencies and relevant government and not-for-profit organisations to resettle arrivals directly into the community,” the Premier told The Weekend West.

“This would be the same process already in operation in WA for settling migrants.”

In the past five years, WA has resettled 5,500 humanitarian entrants.

“What these people will need is access to support — they will have been through a very traumatic experience and we will need to ensure there are the relevant counselling and other support services in place for their arrival,” Mr Barnett said.

Canberra has not said whether any more refugees on top of the 1,000 Mr Barnett offered places for would come to WA.

A pre-Christmas arrival was still expected but Mr Barnett said there would be a further update on timing soon.

Immigration Minister Peter Dutton said 1,000 Syrians had been referred to Australian officials in the Middle East for processing, with an undisclosed number of people screened out.

Mr Dutton said he did not have a breakdown on the religion of the applicants but the priority remained families and women and children facing persecution.

“Under no circumstance will we sacrifice the security screening,” he said. “It will take time for us to conduct the biometric searches.

“I don’t want places in the 12,000 taken by people who weren’t at threat of being persecuted because that means we are going to displace from the 12,000 those who are legitimately in need, at considerable risk and that would benefit from coming to our country who otherwise may have faced death or a terrible circumstance.”

Refugee Welcome Zones are an initiative of the Refugee Council of Australia Incorporated, an organisation incorporated as a not for profit association in the Australian Capital Territory (ACT).

The aim of the Refugee Council of Australia (RCOA) is to work with its members in promoting the development of humane, lawful and constructive policies towards refugees and asylum seekers by Australian and other governments and their communities.

In order to achieve this purpose, the RCOA pursues the following aims:

- To act as a unifying organisation and to represent its members.
- To promote the empowerment of refugee communities and individuals in Australia and internationally and support the capacity building of Australia’s refugee sector.
- To monitor, research and present information on issues relating to the needs and circumstances of refugees and asylum seekers.
- To assist governments and inter-governmental organisations to formulate policy and improve support and services for refugees and asylum seekers.
- To increase public awareness of, and media sensitivity towards, refugees and asylum seekers.

The RCOA is the national peak body for refugees and the organisations and individuals who support them.

RCOA promotes the adoption of flexible, humane and constructive policies towards refugees and asylum seekers through conducting policy analysis, research, advocacy and public education on refugee issues.

The following information has been sourced from the RCOA Website at <http://www.refugeecouncil.org.au/get-involved/refugee-welcome-zones/>.

“WHAT IS A REFUGEE WELCOME ZONE?”

A Refugee Welcome Zone is a Local Government Area which has made a commitment in spirit to welcoming refugees into the community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in the community.

This public commitment is also intended as an acknowledgment of the contributions refugees have made to Australian society in the fields of medicine, science, engineering, sport, education and the arts. By making this Declaration it is hoped by the RCOA that local governments will be encouraged in their continuing efforts to support the men, women and children who make the difficult journey to Australia to seek protection.

The Refugee Welcome Zone initiative began in June 2002 as part of Refugee Week celebrations. At the time, 15 local Councils in Victoria, New South Wales and South Australia were declared Refugee Welcome Zones.

By 2015, more than 100 Local Government Areas in Australia (only approximately 5 in WA) have declaring themselves Refugee Welcome Zones.

The initiative is stated as being proven to be a great success in connecting local governments with the issues facing refugees and asylum seekers.

WHAT IS THE PROCESS FOR BECOMING A REFUGEE WELCOME ZONE?

The process for becoming a Refugee Welcome Zone involves the Council signing the Refugee Welcome Zone Declaration, which is “a commitment in Spirit to welcoming refugees into our community, upholding the human rights of refugees, demonstrating compassion for refugees and enhancing cultural and religious diversity in our community”. An example of the Declaration is included at Appendix....

To mark the occasion of becoming a Refugee Welcome Zone, many Councils have chosen to hold public signing ceremonies. These provide an opportunity to highlight the initiative and acknowledge the work of local groups and individuals that support refugees and asylum seekers.

If possible, a representative from the Refugee Council of Australia would appreciate the opportunity to attend the ceremony to present a Certificate of Appreciation.

WHY BECOME A REFUGEE WELCOME ZONE?

Local Government has historically played an important role in assisting refugee settlement and promoting community harmony. Since Federation in 1901, Australia has become home to over 800,000 refugees and we have a proud history of settling refugees from all over the world who have gone on to make an enormous contribution to our economic, social and cultural life.

Becoming a Refugee Welcome Zone is a way to continue this proud tradition of supporting the settlement of refugees.

Signing the Declaration can also promote harmony, social cohesion and respect for human rights in your local community. It is a great way to demonstrate support for refugees and take a strong stand against racism and discrimination. It can help to raise awareness about the issues affecting refugees, foster a culture of mutual respect and promote an appreciation of cultural diversity.

Becoming a Refugee Welcome Zone can also encourage the development of a more coordinated approach to supporting refugee settlement. It can motivate Local Government and local organisations and support groups to work together more effectively so as to improve settlement outcomes for refugees.”

WHAT ARE THE OBLIGATIONS AND RESPONSIBILITIES OF REFUGEE WELCOME ZONES?

The Refugee Welcome Zone Declaration does not confer any formal obligations and Refugee Welcome Zones are not required to uphold any statutory responsibilities or financial commitments. The signing of the Declaration is simply a way of demonstrating broad support for the principles it contains. Any actions or activities undertaken by Refugee Welcome Zones to implement the Declaration are voluntary.

However, while signatories to the Refugee Welcome Zone Declaration are not required to undertake any specific activities, any initiatives which help to create a welcoming atmosphere and assist the settlement of refugees and their communities are welcomed and encouraged.

HOW CAN REFUGEE WELCOME ZONES SUPPORT REFUGEES?

The following are examples suggested by the RCOA that the Local Government area can do to welcome refugees to its community:

- Develop a Local Government policy relating to refugees and asylum seekers or review existing policies.*
- Offer funding for community-based projects which support the settlement of refugees.*
- Hold community picnics and gatherings to encourage families from different backgrounds and community organisations to meet.*
- Build partnerships and work collaboratively with local community groups and service providers to enhance support for refugees settling in your area.*
- Organise an event during Refugee Week, such as a street fair or festival.*
- Host a community meeting with newly arrived refugees and guest speakers from refugee support organisations to find out how your Council can best support refugees in your community.*
- Hold a multicultural film festival.*
- Coordinate with local libraries in the area to develop an English tutoring program for newly arrived refugees.*
- Liaise with the Red Cross to run information sessions for newly arrived refugees who have been separated from family members and relatives.*
- Hold a public forum to enable guest speakers from refugee backgrounds to share their stories.”*

Attachment 8.5.3 lists the current Refugee Welcome Zones however the Officer notes that they have received advice that the website states that there are currently five (5) zones in WA however there are six (6), with the addition of the Shire of Augusta-Margaret River.

Consultation:

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council's Community Engagement Policy P040123 and the associated Framework and believes that the Council may wish to give consideration to how it should engage with the community on this decision.

The Chief Executive Officer is unaware of any data on the current number and/or diversity demographics of refugees currently residing within the community, however anecdotally believes that the number would be low.

The Chief Executive Officer is aware that there is a newly formed community group within the Shire called the Denmark Rural Australians for Refugees, which does support the Declaration, however has little other information which would give confidence to the Officer or Council that signing a declaration without engaging with the community would be well supported or not.

If the Council believes that it requires additional engagement with the community prior to making a decision on whether to sign the Declaration or not, then it possibly should advertise the proposal in the Denmark Bulletin for a period, inviting comment.

Statutory Obligations:

There are no statutory obligations.

Policy Implications:

Were Council to become recognised as a “Refugee Welcome Zone” it would effectively be creating a policy that provided for that outcome.

There are no current policies of Council that relate.

Budget / Financial Implications:

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

Strategic Implications:

On the assumption that Council endorses the principle of being recognised as a “Refugee Welcome Zone”, and subsequently this leads to an increase in the number of refugees that may settle within the Shire in time, then it will become important to ensure that the Council and community have appropriate policies and practices that allows for both integration and support services, as well as providing for opportunities to recognise and celebrate the unique culture, linguistic and religious diversities of those refugees.

However, the Council’s Vision of “*Denmark in the year 2031 is a leading example of a dynamic, connected, caring and cohesive community, in tune with its environment*”, which is supported by the underpinning social objective that “Denmark's communities, people and places are connected and creative, vibrant and dynamic, healthy and safe”. Therefore, arguably it should, but it does not currently reflect any strategies, goals or values celebrating or promoting diversity.

This notwithstanding, if Council were to receive a number of refugees, then a policy such as this would assist achieve the overarching vision of a connected, caring and cohesive 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:**

As mentioned in the strategic implications, if Council were to receive a number of refugees, then a policy such as this would assist achieve the overarching vision of a connected, caring and cohesive community.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That the Council resolves to sign the Refugee Welcome Zone Declaration, contrary to the	Possible (3)	Minor (2)	Moderate (5-9)	Inadequate Engagement - Community / Stakeholders / Crs	Accept Risk and either advertise the intent to sign the Declaration or, if Councillors believe that they are aware

perceived desires of the community.					of community attitudes to resolve to sign the Declaration.
That the Council sign the Refugee Welcome Zone Declaration and as a result of this, additional services are required to support the additional refugees that may settle within the Shire.	Unlikely (2)	Moderate (3)	Moderate (5-9)	Not Meeting Community expectations	Accept Risk

Comment/Conclusion:

Signing the Refugee Welcome Zone Declaration indicates that Council, on behalf of the community, both welcomes Refugees to Denmark, as well as potentially being perceived as supporting an increase in the intake of refugees into Australia as a political statement.

Specifically the Declaration required of Council is as follows;

“The Denmark Shire Council
 Declares the Council of Denmark a
 Refugee Welcome Zone.

This Declaration is a Commitment in Spirit to
 Welcoming refugees into our community,
 Upholding the Human Rights of refugees,
 Demonstrating Compassion for refugees and

Enhancing cultural and religious Diversity in our community.”

As this is the first time that Council has considered the matter formally, it is difficult to gauge the community’s position and perhaps Council need to undertake some form of community engagement to assess the level of community support for these two elements.

The Officer is cognisant that the Council does not normally engage in what might be classified as international or Commonwealth policies.

In the Officer’s opinion, the principle purpose of the Declaration is intended to deal with the question of supporting refugees that have arrived in Australia, however it also has a very overt statement that the Council upholds the human rights of refugees and demonstrates compassion for refugees, which arguably purports to state a philosophical, political stance on the matter of an increase in Australian refugee intake.

The question is whether the Council wishes to engage in the philosophical or political debate at the Commonwealth level, on behalf of our community, and how it would judge the community’s values, if it wishes to do so?

The Council perhaps has three (3) general options as follows;

- That the Council sign the Declaration;
- That the Council not sign the Declaration on the basis that it relates to a philosophical and/or political debate at the Commonwealth level; or
- That the Council engage with the community on the question via a process such as an online ‘pulse of the community’ survey and submission period via a general advertisement.

Voting Requirements:
Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 8.5.3
MOVED: CR GILLIES	SECONDED: CR LEWIS
That with respect to the suggestion that the Council should sign the “Refugee Welcome Zone Declaration”, Council engage with the community on the question via an online ‘pulse of the community survey’ and submission period via a general advertisement for a period of 60 days.	
CARRIED UNANIMOUSLY: 9/0	Res: 331015

9. COMMITTEE REPORTS & RECOMMENDATIONS
Nil

10. MATTERS BEHIND CLOSED DOORS
Nil

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

12. CLOSURE OF MEETING

Prior to closing the meeting, Cr Morrell made the suggestion that going forward Councillors could have some time allocated to brief Councillors and the Community about their various attendances at Committee meetings or other organisations to which they had been appointed as Council’s Delegate. Cr Morrell stated that he would discuss the matter with the Chief Executive Officer.

5.28pm – There being no further business to discuss the Shire President, Cr Morrell, declared the meeting closed.

The Chief Executive Officer recommends the endorsement of these minutes at the next meeting.

Signed: _____
Dale Stewart – Chief Executive Officer

Date: _____

These minutes were confirmed at a meeting on the _____.

Signed: _____
(Presiding Person at the meeting at which the minutes were confirmed.)