SHIRE OF DENMARK

Ordinary Council Meeting

AGENDA

24 NOVEMBER 2026

TO BE HELD IN THE COUNCIL CHAMBERS, 953 SOUTH COAST HIGHWAY, DENMARK, ON TUESDAY 24 NOVEMBER 2026, COMMENCING AT 4.00PM.

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCE

MEMBERS

Cr Aaron Wiggins (Shire President)
Cr Clare Campbell (Deputy Shire President)
Cr Nathan Davenport
Cr Kingsley Gibson
Cr Jay Hockey
Cr Jan Lewis
Cr Janine Phillips
Cr Alex Sleeman
Cr Dominic Youel

STAFF

David King (Chief Executive Officer)
Kellie Jenkins (Executive Manager Corporate Services)
Rob Westerberg (Director Infrastructure & Assets)
Claire Thompson (Governance Coordinator)

ON APPROVED LEAVE OF ABSENCE

ABSENT WITHOUT LEAVE

VISITORS

3 DECLARATION OF INTEREST

Name	Item No.	Interest Type	Nature

4 ANNOUNCEMENTS BY THE PRESIDING PERSON

5 PUBLIC QUESTION TIME

5.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5.2 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 clauses 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

5.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

5.4 PRESENTATIONS, DEPUATIONS & 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 the http://www.denmark.wa.gov.au/council-meetings. Shire's website at

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.

6 APPLICATIONS FOR FUTURE LEAVE OF ABSENCE

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

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING – 27 OCTOBER 2026

OFFICER RECOMMENDATION	ITEM 7.1
That the Minutes of the Ordinary Meeting of Council held on 27 October 2026 be CONFIRMED as the true and correct record of the proceedings.	

8 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

8.1 NOTICE OF MOTION – PROVISION OF ALCOHOL AT COUNCIL MEETINGS

File Reference	File
Date	10 November 2026
Author	Cr Aaron Wiggins, Shire President
Attachments	Nil

CR WIGGINS' MOTION 1 ITEM 8.1

That Council AMEND the Meeting Framework Policy by adding Section 3.9 - That no alcohol is provided by the Shire before, during or after any meetings prescribed in this policy.

COUNCILLOR COMMENT

Duty of care and risk management: The provision of alcohol at Council meetings creates an unnecessary organisational risk, particularly where consumption is not formally controlled or managed through responsible service arrangements. Removing alcohol from these meetings provides a clear and consistent approach to managing that risk.

Financial responsibility: The provision of alcohol following routine Council meetings is not considered an appropriate or necessary use of ratepayer funds. Council should demonstrate prudent stewardship of public resources and ensure expenditure associated with meetings is reasonable and defensible.

Community responsibility and expectations: Contemporary community expectations increasingly favour inclusive, safe and family-friendly public environments. An alcohol-free approach to Council meetings supports this objective and demonstrates responsible leadership by Council.

OFFICER COMMENT

The proposed amendment represent a policy decision for Council regarding the level of hospitality it considers appropriate in connection with Council meetings, briefings and other meetings covered by the Meeting Framework Policy.

The proposed prohibition is more restrictive than the approach expressly adopted by some Western Australian local governments, including local governments whose published policies provide food or beverages to elected members in connection with Council meetings. Many published elected-member entitlement policies do not expressly address meeting catering; however, this should not be taken to mean that catering is not provided, as these arrangements may operate as an administrative

practice rather than being documented as an elected-member entitlement. The provision of food or beverages to elected members in connection with Council meetings has historically been an administrative practise at the Shire of Denmark, and anecdotally a consistent practise across Local Government in WA.

If Council adopts Motion 8.1, alcohol would no longer be purchased or provided by the Shire before, during or after any meeting covered by the Meeting Framework Policy.

If Council adopts Motion 8.2 as drafted, elected members and staff attending meetings prescribed by the policy would be expected to make their own meal arrangements even where a meeting, workshop or briefing extends through a normal meal period. The stated exceptions would be limited to tea, coffee, water, small confectionery items and food provided at Locality Meetings primarily for members of the public. Light hospitality would continue to be provided, where appropriate, at Locality meetings, Citizenship Ceremonies and other civic functions not covered by the meeting policy.

It is to be noted that the Elected Member Reimbursement Policy only allows for reimbursement of meals associated with travel outside the Shire of Denmark.

Administration has no operational impediment to implementing either motion as proposed. The motions as stated are compliant with Statutory requirements and would represent an approximate saving of $8,000 annually.

8.2 NOTICE OF MOTION – PROVISION OF NON-ALCOHOLIC REFRESHMENTS AT COUNCIL MEETINGS

File Reference	File
Date	10 November 2026
Author	Cr Aaron Wiggins, Shire President
Attachments	Nil

CR WIGGINS' MOTION 2 ITEM 8.2

That Council AMEND the Meeting Framework Policy by adding the following wording to Section 3.9:

"Food is not to be provided by the Shire before, during or after any meeting prescribed by this Policy, other than:

a) tea, coffee, water, and small confectionery items; and
b) at Locality Meetings, where food may be provided primarily for members of the public attending the meeting."

COUNCILLOR COMMENT

Financial responsibility: Councillor allowances recognise the time and commitment associated with undertaking the role. The routine provision of meals in addition to those allowances is not considered necessary or a reasonable ongoing expenditure of ratepayer funds. Councillor allowances recognise the time and commitment associated with undertaking the role. The mover considers that elected members should ordinarily be responsible for their own meal arrangements when performing Council duties, in the same way that individuals generally meet their own ordinary meal costs while undertaking their employment or professional responsibilities. On this basis, the routine provision of meals is not considered a necessary expenditure of ratepayer funds.

Removing unnecessary expectations around catering: The provision of meals and catering can create unnecessary expectations and administrative complexity around dietary requirements, food selection, ordering and service. Removing routine meal provision provides a simple and equitable approach, reduces the administrative burden on staff and allows Council meetings to remain focused on their primary purpose.

Supporting an inclusive and cohesive Council: Council should operate in a manner that enables elected members from different backgrounds and with different personal, family and work commitments to participate equally. Informal meals associated with meetings can unintentionally create an additional forum in which Council matters may be discussed when not all elected members are present. This can create perceptions that those unable to attend are less engaged, or that views expressed by those present represent a broader consensus. Removing routine Council dinners helps ensure that substantive Council discussions occur through forums where all elected members have an equal opportunity to participate.

OFFICER COMMENT

As per comments for motion 8.2

9 REPORTS OF OFFICERS

9.1 PUBLIC HEALTH PLAN

File Reference	PLN.88
Applicant	Not Applicable
Disclosure of Officer Interest	Nil
Date	9 November 2026
Author	Angela Simpson, Corporate Planning and Policy Officer
Authorising Officer	David King, Chief Executive Officer
Attachments	9.1 Public Health Plan 2026-2031

EXECUTIVE SUMMARY

(1) Council is requested to adopt the Shire of Denmark Public Health Plan 2026–2031.

(2) The Plan identifies five priority areas for the Shire's contribution to public health and wellbeing.

(3) It recognises the limits of the Shire's role and focuses primarily on existing services, facilities, regulatory functions, community programs, partnerships and advocacy.

(4) Proposed new actions requiring additional funding will be considered through future Council Plan reviews and annual budget processes.

VOTING REQUIREMENTS

(5) Simple Majority

OFFICER RECOMMENDATION ITEM 9.1.
That Council ADOPTS the Shire of Denmark Public Health Plan 2026–2031, as contained in Attachment 9.1

LOCATION

(6) Not Applicable

BACKGROUND

(7) The Public Health Act 2016 requires local governments to prepare a local public health plan. The Shire's existing Public Health Plan is required to be reviewed and to conform to the new requirements of the Act.

(8) The attached revised Plan sets out the Shire's priorities and actions for supporting the health and wellbeing of the Denmark community over the period 2026 to 2031.

(9) The Plan has been informed by available local health and demographic information, existing Shire plans and services, and consultation undertaken during its development. It is intended to provide a practical framework for the Shire's contribution to public

health rather than duplicate the responsibilities of health agencies and other service providers.

DISCUSSION / OFFICER COMMENTS

(10) The Plan recognises that the Shire contributes to public health through the facilities, services and public places it provides, its planning and regulatory responsibilities, emergency preparedness, community programs and its work with other organisations.

(11) It also recognises that many health services and outcomes sit primarily with the Australian and State governments, health agencies and other service providers. The Plan therefore distinguishes between matters the Shire can directly influence and those more appropriately addressed through partnership, advocacy or monitoring.

(12) The evidence identifies several local strengths, including high levels of volunteering and community participation, relatively favourable childhood development outcomes and lower rates of premature death and preventable hospitalisation.

(13) The action plan has deliberately been kept focused. Much of the Shire's existing work already contributes to public health through recreation, libraries, community development, youth services, environmental health, infrastructure, accessibility, emergency management and regulatory services.

(14) Some actions can be delivered within existing resources. Others may require a future budget allocation or external funding. Adoption of the Plan does not, by itself, approve additional expenditure. Any new funding requirement will be considered through the Council Plan and annual budget processes alongside other Council priorities.

(15) The Plan will be reviewed annually to consider progress, changes in local evidence, emerging public health risks and whether its priorities or actions remain appropriate. It will be replaced within five years.

CONSULTATION AND EXTERNAL ADVICE

(16) The Plan was informed by health and wellbeing data provided by WA Health, together with other available data sources including the Australian Bureau of Statistics Census and SEIFA data, Australian Immunisation Register, WA Tomorrow population forecasts, REMPLAN, REIWA, Scanlon Foundation Research Institute and BreastScreen WA.

(17) The Shire also convened a workshop with frontline staff and managers involved in delivering or supporting a range of public health-related services. The workshop provided local context for the available data, identified existing Shire services and programs that are working well, and highlighted areas where the Shire could improve its contribution to community health and wellbeing.

(18) Councillors have provided input into the draft plan through Concept forums on 13 October 2026 and 10th November 2026.

STATUTORY / LEGAL IMPLICATIONS

Public Health Act 2016

(19) Section 45(1) requires a local government to prepare a local public health plan for its district.

(20) Section 45(2) requires the local public health plan to be consistent with the State Public Health Plan.

(21) Section 45(4) sets out the required content of the Plan, including local public health needs and data, objectives and priorities, proposed actions, collaboration arrangements and a framework for identifying, evaluating and managing public health risks.

(22) Sections 45(5) and (6) require the Plan to be reviewed annually and replaced within five years.

(23) Section 46 requires the Shire to make its current local public health plan publicly available without charge, including through publication on the Shire's website.

(24) Section 47 provides that the Chief Health Officer may direct the Shire to provide a copy of its current local public health plan or any amendments to the Plan.

STRATEGIC / POLICY IMPLICATIONS

Council Plan – Our Future 2035 and Corporate Business Plan 2024–2028

(25) The Public Health Plan supports existing Council priorities and services relating to community wellbeing, youth, seniors, accessibility, recreation, community safety and environmental protection. New actions requiring additional resources will be considered through future Council Plan and budget processes.

State Public Health Plan 2025–2030

(26) The Public Health Plan is consistent with the State Public Health Plan 2025–2030 and applies its priorities having regard to local evidence and the Shire's role and responsibilities.

Other Shire Plans and Policies

(27) The Public Health Plan complements existing Shire plans and policies, including the Disability Access and Inclusion Plan 2024–2029, Youth Action Plan 2025–2029, and Housing Affordability Policy.

FINANCIAL IMPLICATIONS

(28) There are no immediate financial implications arising solely from adoption of the Plan.

(29) Most existing commitments and several proposed actions are intended to be delivered within existing service delivery and budget allocations. Actions identified as requiring a new budget allocation or external funding will be subject to a separate Council decision through the Council Plan, annual budget or relevant grant-funding process.

Adoption of the Plan does not commit Council to funding an action outside these established processes.

OTHER IMPLICATIONS

Environmental

(30) The Plan supports the Shire's existing environmental health responsibilities, including food safety, drinking and recreational water, wastewater, public buildings, events, mosquitoes, and other environmental health matters. It also recognises bushfire as a local public health risk and provides for the monitoring of emerging climate-related health risks throughout the life of the Plan.

Economic

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

Social

(32) The Plan provides a coordinated framework for the Shire's contribution to community health and wellbeing. It places particular emphasis on participation, accessibility, social connection, emergency preparedness and equitable access to Shire facilities, services, programs and information. It also recognises the circumstances of older residents, people with disability, carers, young people, lower-income households and residents living outside the Denmark townsite.

RISK MANAGEMENT

(33) Risk Table

Risk	Risk based on history and with existing controls			Proposed Treatment/Control
	Likelihood	Consequence	Risk Rating	
Legal / Regulatory Compliance: The Shire does not have a current Public Health Plan that complies with the new requirements of the Act. There is a risk of compliance action against the Shire if a conforming plan is not adopted.	2	2	Low	Finalise the Public Health Plan and implement the required annual review process to maintain legislative compliance.

9.2 COUNCIL PLAN MAJOR REVIEW ENGAGEMENT PLAN

File Reference	PBR.23
Applicant	Not Applicable
Disclosure of Officer Interest	Nil
Date	05 November 2026
Author	Courtney Robinson, Communications and Engagement Officer
Authorising Officer	David King, Chief Executive Officer
Attachments	9.2 – Council Plan Major Review Community Engagement Plan

EXECUTIVE SUMMARY

(1) The Shire is required to undertake a major review of its Council Plan in 2027. To inform that review, officers have prepared a Community Engagement Plan that combines broad quantitative community feedback with targeted qualitative engagement activities.

(2) The proposed engagement approach comprises three components:

- Community Scorecard survey as the principal broad-based engagement activity;
- Councillor Listening Conversations undertaken following analysis of the Scorecard results; and
- Community Representative Forum to explore selected issues in greater depth.

(3) The approach is designed to assist Council in understanding current community perceptions, priorities and emerging issues.

(4) The purpose of this report is to seek endorsement of the Council Plan Major Review Community Engagement Plan prior to implementation.

VOTING REQUIREMENTS

(5) Simple Majority

OFFICER RECOMMENDATION ITEM 9.2.

That Council ENDORSE the Council Plan Major Review Community Engagement Plan, provided as Attachment 9.2.

BACKGROUND

(6) The Council Plan establishes the Shire's long-term strategic direction and forms a key component of the Shire's Integrated Planning and Reporting framework. A major review of the Plan is due for completion in 2027.

(7) To support the review, officers have developed a Community Engagement Plan that guides the process to gather contemporary community feedback regarding perceptions of Shire services and facilities, community priorities and emerging issues.

DISCUSSION / OFFICER COMMENTS

(8) The proposed Plan has been developed to engage with the community at the IAP2 Consult level and is intended to provide Council with a combination of broad community feedback and more detailed community stakeholder insights.

(9) The Community Scorecard survey will serve as the principal engagement activity. The survey will seek community feedback regarding Shire services, facilities and areas considered most important for improvement. The proposed Scorecard will be the sixth undertaken by the Shire, allowing comparison with previous surveys conducted in 2018, 2019, 2020, 2022 and 2025.

(10) Following analysis of the Scorecard findings, issues requiring further clarification will be identified. Councillors will then undertake informal listening conversations with community members using consistent discussion prompts.

(11) A facilitated Community Representative Forum will follow to consider the identified topics in greater depth, with Councillors able to bring their learnings from their informal listening conversations to contribute to the forum. Representatives from a cross-section of community organisations and interests will be invited to participate.

(12) The proposed approach is intended to ensure that quantitative and qualitative feedback is captured to inform the major review of the Council Plan.

CONSULTATION AND EXTERNAL ADVICE

(13) This approach aligns with Council's Community Engagement Policy.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

(14) Section 5.56(1) – requires all local governments to plan for the future.

Local Government (Administration) Regulations 1996

(15) Regulation 19C(4) requires the local government to review its current Strategic Community Plan at least once every four years.

(16) Regulation 19C(9) provides that a local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.

STRATEGIC / POLICY IMPLICATIONS

Council Plan

(17) The Community Engagement Plan directly supports the review and development of the Council Plan, which establishes the Shire's strategic direction and informs future organisational planning and resource allocation decisions.

FINANCIAL IMPLICATIONS

(18) Nil.

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(22) Risk Table

Risk	Risk based on history and with existing controls			Proposed Treatment/Control
	Likelihood	Consequence	Risk Rating	
Reputational Impacts: That community feedback is perceived as insufficient or unrepresentative.	3	3	9	Utilise multiple engagement methods and widely promote opportunities to engage.

9.3 LONG TERM FINANCIAL PLAN 2027-2036

File Reference	ADMIN.27
Applicant	Not Applicable
Disclosure of Officer Interest	Nil
Date	9 November 2026
Author	Angela Simpson, Corporate Planning and Policy Officer
Authorising Officer	David King, Chief Executive Officer
Attachments	9.3 – Draft LTFP 2027-2036

EXECUTIVE SUMMARY

(1) Council is asked to adopt the Long Term Financial Plan 2027–2036, which sets out the Shire's financial direction over the next ten years and links the Council Plan – Our Future 2035 with annual budgeting, asset management, workforce planning and major capital projects.

VOTING REQUIREMENTS

(2) Simple Majority

OFFICER RECOMMENDATION	ITEM 9.3.
That Council That Council ENDORSE the Long Term Financial Plan 2027–2036, as contained in Attachment 9.3	

LOCATION

(3) Not Applicable

BACKGROUND

(4) The Long Term Financial Plan (LTFP) is the Shire's ten-year financial planning document. It provides the financial framework for delivering the priorities in the Council Plan – Our Future 2035 and informs annual budgeting, asset management, workforce planning and capital delivery. The LTFP is intended to be a living plan. It will be reviewed alongside the Annual Budget each year so that assumptions, project timing and funding can be adjusted as better information becomes available. Every second year, the review will also reflect changes arising from the updated Council Plan.

DISCUSSION / OFFICER COMMENTS

Guiding Principles

(5) The Plan is built on 10 guiding principles. Principles 1–9 are consistent with the previous plan. It is recommended that a tenth principle be added: “For all capital upgrades or new infrastructure, external grant funding should be sourced.”

(6) This principle is important because additional grant funding is rarely available for the renewal of existing assets. Renewal projects, such as a roof replacement, are therefore expected to be funded directly from general revenue, and the Plan has been prepared on that basis.

(7) External grant funding is typically available for upgrades and new infrastructure, so it is financially sensible to maximise these opportunities. Where a project needs to be delivered to suit the timing and availability of grant funding, the opportunity should be taken and the Plan revised to suit.

Financial outlook

(8) The LTFP provides a balanced ten-year pathway based on the information currently available. Key assumptions include CPI of 3.75% in 2026/27, 2.75% in 2027/28 and 2.5% thereafter, together with rates growth of 3.5% for three years reducing to 2.0% in later years, plus the existing above-CPI contribution for asset renewal.

(9) The Plan includes a ten-year capital works program of $74.5 million and relies significantly on competitive State and Federal grant funding. If expected grants are delayed, reduced or unsuccessful, projects may need to be deferred, reprioritised, reduced in scope or removed. Inclusion of a project in the LTFP does not commit Council to deliver it in the year shown.

(10) The Plan provides for $5.25 million in new borrowings. Debt is forecast to peak at $3.1 million in 2029/30 and reduce to $2.68 million by the end of the Plan. Reserve balances are projected to increase from $6.37 million to approximately $745 million over the ten-year period.

Asset renewal and revaluation

(11) The current Asset Renewal Funding Ratio averages 99.6%, meaning the Plan provides about $1 for every $1 of forecast renewal need. This result needs to be viewed with caution given the pending revaluation. The revaluation will increase asset values and depreciation, resulting in a more challenging asset renewal position than the current figures show. While the extent of the change will not be known until the revaluation is complete, the current 99.6% result should not be regarded as the Shire’s likely long-term position.

(12) Strategic Infrastructure projects have been outlined in the plan, showing the expected timing, total cost and the expected external funding that will be sought to deliver each project.

Other Assumptions and Risks

Road funding

(13) Road funding is received through the Regional Road Group as direct grants, allocated by formula, and competitive funding, which is limited to eligible projects on significant roads. The Shire has been very successful in securing competitive funding and has built its civil workforce around the combined roadworks program, but this has concentrated investment on the significant road network rather than minor roads. As eligible works are completed, competitive funding may reduce, which could shrink the roadworks program, pressure minor road funding and affect the Shire's ability to sustain its civil workforce. Future competitive road funding should therefore be treated as a risk rather than an assured source of funding.

Grant funding and new capital works

(14) The LTFP assumes a significant level of external grant funding to support the capital works program. This is a key assumption and carries risk. Grants may not be received at the level anticipated, within the assumed timeframe, or at all, and State and Federal funding priorities, budget settings and programs may change over the ten-year life of the Plan. Funding programs that are available today may be amended, paused or discontinued before later projects are ready to proceed. The annual review of the LTFP will therefore be used to test this assumption and revise the Plan where funding changes. Upgrade and new capital projects should generally proceed only where meaningful external funding has been secured. Where it is not, Council should reconsider the strategic need for the project and whether its community benefit justifies the Shire funding it and accepting its ongoing operating, maintenance and renewal costs.

Building maintenance

(15) The ageing building portfolio, particularly older timber buildings, presents a growing financial risk. Substructure deterioration can be advanced before it is visible, and detailed inspection is costly, time-consuming and intrusive. This creates a risk of significant unplanned expenditure that the existing maintenance budget cannot easily absorb, and similar issues are likely to emerge across the portfolio during the life of the LTFP. Council may face difficult decisions about whether further investment in individual buildings is sustainable, and for buildings on the Municipal Heritage Inventory, removal or disposal may not be straightforward.

CONSULTATION AND EXTERNAL ADVICE

(16) The LTFP has been informed by the Council Plan together with updated project timing and economic assumptions. Economic forecasts and indexing assumptions are informed by advice from WA Treasury and through the WALGA economic briefings, helping to ensure the Plan reflects the best available information at the time it is prepared.

STATUTORY / LEGAL IMPLICATIONS

(17) The Long-Term Financial Plan has been prepared as a core informing strategy under the Western Australian Government's Integrated Planning and Reporting Framework. It supports the Shire's future planning under section 5.56 of the Local Government Act 1995 and the related requirements of the Local Government (Administration) Regulations 1996.

STRATEGIC / POLICY IMPLICATIONS

The Council Plan – Our Future 2035

(18) The Council Plan – Our Future 2035 is the Shire's highest-level strategic plan, and the LTFP provides the long-term financial pathway to support its delivery. The LTFP also supports the Shire's Asset Management Policy by planning for the funding needed to maintain, renew and replace assets over their life. Together, these documents help ensure Council's priorities are supported by realistic financial planning and sustainable management of the Shire's assets.

FINANCIAL IMPLICATIONS

(19) Adoption of the LTFP does not itself authorise expenditure. Annual expenditure and revenue decisions will continue to be considered through the Annual Budget. The LTFP provides the long-term assumptions and financial direction that inform those decisions.

OTHER IMPLICATIONS

Environmental

(20) No direct environmental implications arise from adoption of the LTFP. Individual projects will be assessed as they are developed.

Economic

(21) The LTFP supports long-term financial planning and provides a framework for considering the affordability and timing of major capital investment. The Plan also recognises the continuing risk of higher construction, labour, fuel and transport costs and reliance on external grant funding.

Social

(22) The Plan supports continued investment in community infrastructure and services while seeking to balance long-term renewal needs with the impact of rates and other revenue decisions on the community.

RISK MANAGEMENT

(23) Risk Table

Risk	Risk based on history and with existing controls			Proposed Treatment/Control
	Likelihood	Consequence	Risk Rating	
Legal / Regulatory Compliance: Failure to endorse the LTFP would create a risk that the Shire cannot demonstrate compliance with the Integrated Planning and Reporting Framework	Unlikely	Moderate	Moderate	Adopt and annually review the LTFP in accordance with the Integrated Planning and Reporting Framework.

9.4 SANDBAR OPENING POLICY

File Ref:	File
Applicant / Proponent:	'Not Applicable'
Subject Land / Locality:	'Not applicable'
Disclosure of Officer Interest:	'Nil'
Date:	10
Author:	Angela Simpson, Corporate Planning and Policy Officer
Authorising Officer:	Rob Westerberg, Director Infrastructure and Assets
Attachments:	9.4a – Sandbar Opening Policy 9.4b – Redacted Operational Standard – Sandbar Opening 9.4c – P100513 – Irwin Inlet Sandbar Opening Protocol (including Appendix 4) 9.4d – P100514 – Parry Inlet Sandbar Opening Protocol (including Appendix 5)

EXECUTIVE SUMMARY

(1) The purpose of this report is to seek Council adoption of the Sandbar Opening Policy for Quarram / Irwin Inlet and Kordalup / Parry Inlet.

(2) The Policy establishes a consistent governance framework for considering artificial sandbar openings. It identifies the respective roles of the Shire and the Department of Water and Environmental Regulation (DWER), sets out the circumstances in which an opening may be considered, and records water-level triggers for each inlet.

(3) A supporting Operational Standard has also been prepared to guide staff in monitoring water levels, assessing flood and environmental conditions, seeking DWER approval, undertaking an opening safely, notifying stakeholders, and maintaining records. The Operational Standard is an administrative document and does not require Council adoption.

VOTING REQUIREMENTS

(4) Simple majority.

OFFICER RECOMMENDATION ITEM 9.4

That Council;

1. ADOPTS the Sandbar Opening Policy - Quarram / Irwin Inlet and Kordalup / Parry Inlet, as at Attachment 9.x.xa;
2. NOTES the redacted Operational Standard Sandbar Opening; and
3. REPEALS P100513 - Irwin Inlet Sandbar Opening Protocol and P100514 - Parry Inlet Sandbar Opening Protocol.

LOCATION

(5) The Policy applies to Quarram / Irwin Inlet and Kordalup / Parry Inlet.

BACKGROUND

(6) Quarram / Irwin Inlet and Kordalup / Parry Inlet are wave-dominated estuaries that may open naturally but generally require managed intervention.

(7) Artificial opening may be necessary where rising water levels create a risk to public safety, access, Council infrastructure, adjacent property or farmland. Any decision on when to manually open the sandbars must also consider whether conditions are suitable to achieve effective scouring and flushing and minimise environmental impacts.

(8) The draft Policy has been prepared to provide clear governance for these decisions and to distinguish Council-level policy direction from the detailed operational process followed by staff.

(9) The new Policy will replace the separate P100513 - Irwin Inlet Sandbar Opening Protocol and P100514 - Parry Inlet Sandbar Opening Protocol, which are proposed to be repealed on adoption. P100515 - Wilson Inlet Sandbar Opening Protocol has already been repealed because the decision to manage an opening at Wilson Inlet is not within the Shire of Denmark's purview.

DISCUSSION / OFFICER COMMENTS

(10) The draft Policy establishes the following principles for sandbar opening decisions:

- public safety and protection of access and infrastructure;
- environmental sustainability and maintenance of water quality and ecological function;
- seasonal alignment, favouring winter-spring flow periods;
- evidence-based decision-making using water levels and environmental conditions; and
- consultation and transparency with relevant agencies and stakeholders.

(11) The Policy provides that an opening may be considered where flooding or imminent flooding affects Peaceful Bay Road or Parry Road, public safety risks arise, Council infrastructure is threatened, adjacent properties or farmland are impacted, or water levels are sufficient to support effective scouring and flushing.

(12) The Policy records minimum, optimal and maximum trigger levels for each inlet. These levels guide assessment but do not remove the need to consider rainfall, inflows, tides, ocean conditions, access, public safety and environmental risks before proceeding.

(13) DWER remains responsible for approving an artificial inlet opening. The Shire is responsible for managing its infrastructure and flood-mitigation response and for assembling the information required to seek DWER approval.

CONSULTATION AND EXTERNAL ADVICE

(14) The draft documents have been developed with internal input from the Infrastructure and Assets service area. The proposed framework also recognises the roles of DWER and relevant stakeholders, including the Parry Beach Voluntary Management Group, in individual opening decisions.

(15) No broad community consultation is proposed before adoption. The Policy formalises an existing operational activity and does not itself authorise an opening. Stakeholder consultation and notification will occur when an opening is being considered, in accordance with the Operational Standard and any requirements imposed by DWER.

STATUTORY / LEGAL IMPLICATIONS

(16) Artificial sandbar openings are subject to approval by the Department of Water and Environmental Regulation (DWER). Approval is administered under the Waterways Conservation Act 1976 and associated regulations and may be subject to conditions relating to environmental management, public safety, monitoring and reporting requirements.

STRATEGIC / POLICY IMPLICATIONS

(17) The proposed Policy provides a clear and consistent governance framework for managing flood, access, infrastructure, public safety and environmental considerations at the two inlets.

(18) Adoption of the new Policy will consolidate the governance arrangements for Quarram / Irwin Inlet and Kordalup / Parry Inlet into one policy framework. The separate Irwin and Parry Inlet protocols will no longer be required and are proposed to be repealed.

FINANCIAL IMPLICATIONS

(19) Adoption of the Policy does not, of itself, commit Council to additional expenditure. Costs associated with monitoring, site preparation, contractor excavation, signage and post-opening management will be considered through the Shire's adopted budget and normal operational arrangements.

OTHER IMPLICATIONS

Environmental

(20) Artificial sandbar openings can affect water quality, estuarine ecology, fish, coastal processes and dune stability. The Policy requires environmental conditions to be considered and favours openings during winter-spring flow periods. The Operational Standard also requires monitoring for fish kills, water-quality decline and algal blooms following an opening, with concerns reported to DWER.

Economic

(21) The Policy supports management of flood risks that may affect roads, adjacent properties and farmland. There are no other known significant economic implications arising directly from adoption of the Policy.

Social

(22) The Policy supports continued access, public safety and transparent communication with affected communities and stakeholders when an opening is proposed.

RISK MANAGEMENT

(23) Risk Table

Risk	Risk based on history and with existing controls			Proposed Treatment/Control
	Likelihood	Consequence	Risk Rating	
Human Impacts: Flooding or sandbar opening works result in injury or harm to road users, beach users, workers, or members of the public.	Unlikely	Major	Moderate	Apply trigger monitoring, site assessment, exclusion zones, signage, Ranger checks and stakeholder notifications.
Legal / Regulatory Compliance: That opening proceeds without the necessary agency approval or conditions being met	Unlikely	Major	Moderate	Require written DWER approval before proceeding; retain decision and approval records.
Environmental Impacts: That an opening occurs under unsuitable conditions and contributes to poor flushing, erosion or ecological impacts.	Possible	Moderate	Moderate	Assess seasonal, rainfall, tidal, ocean and environmental conditions; seek DWER approval; undertake post-opening monitoring.

9.5 DRAFT BUSH FIRE BRIGADE LOCAL LAW

File Reference	LEG.1
Applicant	Not applicable
Disclosure of Officer Interest	Nil
Date	10 November 2026
Author	David King, Chief Executive Officer
Authorising Officer	David King, Chief Executive Officer
Attachments	9.5a – Draft Bush Fire Brigade Local Law 2026 9.5b – Bush Fire Brigade Local Law 2017

EXECUTIVE SUMMARY

(1) Historically, the Bush Fire Brigades Local Law has contained a high level of operational and administrative detail, and the process for amending these provisions has been a consistent source of frustration for the Bush Fire Advisory Committee due to the time and complexity involved in updating a statutory instrument.

(2) This review proposes a more streamlined approach that ensures the Local Law is limited to the minimum matters required under the Bush Fires Act 1954, specifically the establishment of brigades and the appointment and duties of officers, while transferring remaining operational, governance and procedural matters to Bush Fire Advisory Committee Operational Procedures.

(3) This approach will enable these aspects to be reviewed and updated more efficiently and responsively, supporting contemporary bush fire management practices and improving overall governance flexibility.

VOTING REQUIREMENTS

(4) Absolute Majority.

OFFICER RECOMMENDATION ITEM 9.5

That Council:

1. NOTES that no submissions were received in response to the local public notice of the review, as contained in the consultation section of this report.
2. DETERMINES, under section 3.16(4) of the Local Government Act 1995, that the Shire of Denmark Bush Fire Bridgae Local Law 2017 should be repealed and replaced by a new local law.
3. PROPOSES TO MAKE, under section 3.12 of the Local Government Act 1995, the Shire of Denmark Bush Fire Brigades Local Law 2026, as contained in Attachment 9.5a.
4. NOTES, for the purposes of section 3.12(2) of the Local Government Act 1995 and regulation 3 of the Local Government (Functions and General) Regulations 1996, the following:

Purpose – To provide for the establishment, organisation and maintenance of bush fire brigades within the Shire of Denmark and for the appointment and functions of brigade officers.

Effect – To establish a statutory framework for the operation and administration of bush fire brigades within the Shire of Denmark in accordance with the Bush Fires Act 1954.

5. AUTHORISES the Chief Executive Officer to:

   (a) give local public notice of the proposed local law in accordance with sections 1.7 and 3.12(3) of the Local Government Act 1995;
   (b) make a copy of the proposed local law available for public inspection;
   (c) invite submissions on the proposed local law for a period of not less than six weeks after the local public notice is given; and
   (d) provide a copy of the proposed local law and the local public notice to the Department of Local Government, Industry Regulation and Safety.
   (e) Provide a copy of the proposed local law and the local public notice to the Department of Fire & Emergency Services being the agency responsible for administering the Bush Fires Act 1954.

LOCATION

(5) Not Applicable

BACKGROUND

(6) Council initiated a review of Bush Fire Brigade Local Law in March 2026. The review was advertised in accordance with statutory requirements.

DISCUSSION / OFFICER COMMENTS

Review Process

(7) Prior to changes in 2024, local government local laws were required to be reviewed every 8 years. It is now every 15 years.

(8) Any local laws not reviewed within the 15 year timeframe will automatically be repealed [s 3.16(5)]. Given the last review of these local laws was 2008, if they are not reviewed by 7 December 2026, they will automatically be repealed.

(9) Having given public notice, considered any submissions (of which there were none), Council is deemed to comply with the required view if it resolves to repeal, amend or not vary to the Local Law.

Review

(10) Historically, the Bush Fire Brigades Local Law has contained a high level of operational and administrative detail, and the process for amending these provisions has been a

consistent source of frustration for the Bush Fire Advisory Committee (BFAC) due to the time and complexity involved in updating a statutory instrument.

Matters Required in the Local Law

(11) Based on the Bush Fires Act 1954, the Local Law only need to address in some form:

- the appointment, employment, payment, dismissal and duties of bush fire control officers; and
- the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
- any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.

(12) The local law must provide for:

- Establishment of bush fire brigades (s.41)
- Appointment of brigade officers: Captain/Lieutenants (s.43)
- Duties of those officers
- Provision for an annual meeting/election process (to give effect to s.43).

Matters NOT Required in the Local Law

(13) A review of the current Local Law identifies that many provisions are not required by the Act and can be removed.

(14) These include:

- Brigade structure and governance
- Advisory Committee roles and functions
- Membership categories and processes
- Internal brigade rules and disciplinary matters
- Meeting procedures (quorum, voting, proxies, etc.)
- Equipment management and operational procedures
- Administrative roles (Secretary, Treasurer, Equipment Officer)
- Financial management provisions

(15) These matters are not mandated by sections 41 or 43. Some are already addressed in the Bush Fires Act 1954, including Fire Control Officer roles under section 38, and others are dealt with under the Local Government Act 1995. The remaining matters are operational in nature rather than legislative and therefore do not need to be included in the Local Law and can be managed though Standard Operating Procedures (SOPs).

Recommendation

(16) A streamlined local law should focus on statutory compliance with sections 41 and 43 and remove unnecessary administrative and operational provisions. It should rely on BFAC SOPs for governance and operational matters, and on the Firebreak Management Notice for land management requirements.

(17) This approach will reduce regulatory complexity, improve flexibility and responsiveness, and align with contemporary practice across Western Australian local governments.

CONSULTATION AND EXTERNAL ADVICE

(18) A review of the local law was initiated by Council and subsequently advertised for a period of six weeks. No submissions were received.

(19) The matter was tabled at the Bushfires Advisory Committee Meeting on the 8th June 2026 with the following recommendation made:

"That the Bush Fire Advisory Committee ENDORSES the concept of a streamlined Local Law with:

- *A focus on statutory compliance with sections 41 and 43*
- *Removal of unnecessary administrative and operational provisions"*

STATUTORY / LEGAL IMPLICATIONS

Bush Fires Act 1954

(20) Section 41 – in accordance with local laws, a local government may establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.

(21) Section 43 – local government which establishes a brigade shall by its local laws provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.

(22) Section 62 – Provides the power to make a local law in relation to

- the appointment, employment, payment, dismissal and duties of bush fire control officers; and
- the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and
- any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.

Local Government Act 1995

(23) Part 3, Division 2 – Local Government may make local laws.

(24) Section 3.12(2) – presiding person at Council meeting is to give notice of the purpose and effect of the proposed local law.

(25) Section 3.12(3)(a) – public notice is to be given for a for not less than 6 weeks, inviting for submissions.

(26) Section 3.12(3)(b) – copy is to be given to the Department once public notice is given and the Department of Fire and Emergency Services who administer the Bush Fires Act 1954.

(27) Section 3.12(4) – Local government is to consider any submissions.

(28) Section 3.13 – if after considering submissions, the local government decides to significantly vary that which was advertised, the process must commence again.

STRATEGIC / POLICY IMPLICATIONS

(29) Nil

FINANCIAL IMPLICATIONS

(30) The cost of advertising the draft local law can be accommodated within the Council's current adopted Budget.

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(34) A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.6 STANDING ORDERS LOCAL LAW REVIEW

File Reference	LEG.1
Applicant	Not applicable
Disclosure of Officer Interest	Nil
Date	10 November 2026
Author	Claire Thompson, Governance Coordinator
Authorising Officer	David King, Chief Executive Officer
Attachments	9.6a – Standing Orders Local Law 1998 9.6b – draft Standing Orders Amendment Local Law 2026

EXECUTIVE SUMMARY

(1) Council is requested to note that there no submissions received relating to the initiated review of the Shire of Denmark Standing Orders Local Law 2000 and determine to amend it to incorporate gender neutral language.

VOTING REQUIREMENTS

(2) Simple Majority

OFFICER RECOMMENDATION ITEM 9.6

That Council:

1. NOTES that there were no submissions received; and
2. DETERMINES, pursuant to section 3.16 of the local Government Act 1995, that the Shire of Denmark Standing Orders Local Law 1998 be amended to ensure gender neutral language is used throughout.
3. ADVERTISE the draft Standing Orders Amendment Local Law 2026, as per Attachment 9.6b, for public comment with the following purpose and effect.

   Purpose – to change any gender specific language to be gender neutral, where appropriate.

   Effect – amend gender specific language in the Standing Orders Local Law 1998 to be gender neutral.

4. PROVIDE a copy to the Department of Local Government, Industry and Safety Regulation.

LOCATION

(3) Not applicable.

BACKGROUND

(4) A local government is required to review its local laws at least every 15 years to determine whether they should remain unchanged, be amended or be repealed.

(5) Council initiated a review of the Standing Orders Local Law in March 2026.

(6) In May 2026, Council requested that all future local law reviews consider gender neutral language, where appropriate.

DISCUSSION / OFFICER COMMENTS

(7) Officers are not recommending any significant changes to the current local law at this time given the imminent introduction and commencement of State Government Regulations that will prescribe standardised meeting proceedings for all local governments in Western Australia.

(8) The following table shows the provisions within the current local law that could be amended to be gender neutral, as requested by Council's May 2026 resolution.

Clause	Gendered wording
3.2(6)	"which he or she considers is appropriately"
3.3(2)(a)	"state his or her name and address"
3.5(1)	"then he or she is to"
3.5(1)(a)	"with which he or she is dissatisfied"
3.9(1)	"such business as he or she considers"
3.9(4)(b)	"may on his or her own"
3.9(4)(c)	"may under his or her name"
3.9(6)(a)	"authorised by him or her"
4.2(2)	"carrying out his or her duties"
9.4	"restrict his or her remarks"
10.7	"vote if he or she"
15.1	"in his or her opinion"
19.1(2)	"authorised by him or her"

(9) In addition, Officers recommend extending the timeframe within which a notice of motion must be given from 7 working days to 10 working days as stipulated in Section 3.9(2). The Shire of Denmark issues agendas 11 calendar days ahead of a meeting effectively providing a single working day to assess a notice of motion. Clause 3.9(4) provides that the CEO may, with the concurrence of the President, exclude from the notice paper any notice of motion deemed to be out of order; make amendments to the form, but not the substance, of a notice of motion to bring it into due form; and provide relevant and material facts and circumstances on matters such as policy, budget and law. Amending the clause to 10 working days will provide appropriate time to carry out these provisions.

(10) See Attachment 9.6b for a draft Standing Orders Amendment Local Law 2026 to change the above clauses to be gender neutral.

CONSULTATION AND EXTERNAL ADVICE

(11) Following a six week advertising period, no submission was received.

(12) The proposed amendment local law is required to advertised for a period of six weeks, calling for submissions, and a copy provided to the Department of Local Government.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

(13) Section 3.12 – sets out the process of reviewing a local law and the procedure for making local laws.

(14) Section 3.16 – requires a local government to periodically review its local laws.

(15) Section 3.16(4) – following the consideration of any submissions, Council must determine whether the local law should be repealed, amended or remain unchanged.

STRATEGIC / POLICY IMPLICATIONS

(16) Nil

FINANCIAL IMPLICATIONS

(17) The cost of advertising can be accommodated within the Council's adopted Budget.

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(21) A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.7 HEALTH LOCAL LAW REVIEW

File Reference	LEG.1
Applicant	Not applicable
Disclosure of Officer Interest	Nil
Date	9 November 2026
Author	Claire Thompson, Governance Coordinator
Authorising Officer	David King, Chief Executive Officer
Attachments	9.7a – Submission 9.7b – Health Local Law 1998

EXECUTIVE SUMMARY

(1) Council is requested to note that there was one public submission relating to the initiated review of the Shire of Denmark Health Local Law 1998 and determine to it retain it given the pending State Government legislative changes.

VOTING REQUIREMENTS

(2) Absolute Majority.

OFFICER RECOMMENDATION ITEM 9.7

That Council:

5. NOTES the submission received; and
6. DETERMINES, pursuant to section 3.16 of the local Government Act 1995, that the Shire of Denmark Health Local Law 1998 should be retained until it is formally repealed as a result of new State legislative framework, having regard to the State Government's continuing implementation of the Public Health Act 2016.

LOCATION

(3) Not applicable.

BACKGROUND

(4) A local government is required to review its local laws at least every 15 years to determine whether they should remain unchanged, be amended or be repealed.

(5) Council initiated a review of the Health Local Law in March 2026.

DISCUSSION / OFFICER COMMENTS

(6) The Shire's Health Local Law was reviewed in accordance with section 3.16 of the Local Government Act 1995. The review included public notice of the local law and an invitation for submissions. One submission was received and has been considered as part of the review.

(7) The existing local law was originally made under the former Health Act 1911, now the Health (Miscellaneous Provisions) Act 1911. Since that time, Western Australia's public health legislative framework has changed substantially through the introduction and staged implementation of the Public Health Act 2016.

(8) The State Government is progressively replacing matters historically regulated via local laws with contemporary regulations under the Public Health Act 2016. The content of new regulations, and the timeframe for implementation is unknown and could be years away.

(9) This transition means that a number of provisions of the current health local laws will likely become obsolete, be duplicated by State legislation or rely on regulations that have since been repealed. Other aspects of the health local law may require retention, should regulations not be developed for key public health determinants such as housing and pest control.

(10) The review has therefore identified that the existing local law should ultimately be retained as it contains functions and powers not currently provided for in State legislation.

(11) It is not considered necessary or efficient to prepare a replacement health local law at this time. Further implementation of the State's public health regulatory framework is expected to determine which health matters, if any, will continue to require governance via health local laws. Preparing a comprehensive replacement local law before that framework is settled may result in unnecessary duplication, administrative cost and the likely need for another review shortly afterwards.

(12) Similarly, proceeding with a separate amendment local law solely to update gender-specific terminology is not considered proportionate when such an amendment would require the full statutory local-law-making process under section 3.12 of the Local Government Act 1995, including advertising, gazettal and parliamentary scrutiny, without addressing the broader currency and operation of the local law. In addition, where provisions of the existing local law are already superseded by State legislation, these matters may cause issues for a Joint Standing Committee review.

(13) The continued operation of the current local law is also subject to overriding State legislation and the validity and enforceability of its individual provisions.

(14) Each new public health regulation will be enacted 12 months after they have been approved by parliament. This lead in time will give the Shire sufficient opportunity to assess whether a new local law is required under the Local Government Act 1995 and to address any matters not adequately covered by the new regulatory framework.

(15) This approach completes the statutory review, avoids unnecessary expenditure on an interim amendment or replacement, and preserves the existing regulatory framework while the State's reforms are being implemented.

CONSULTATION AND EXTERNAL ADVICE

(16) Following a six week advertising period, one submission was received.

STATUTORY / LEGAL IMPLICATIONS

Health (Miscellaneous Provisions) Act 1911

(17) Upon the introduction of the Public Health Act 2016 the remaining provisions of the Health Act 1911 were renamed the Health (Miscellaneous Provisions) Act 1911.

(18) Section 342 provides authority for a local government to make local laws, in accordance with the Local Government Act 1995.

Public Health Act 2016

(19) Implementation of the Public Health Act has occurred progressively with Stage 5B being phased in currently. Stage 5C will include the automatic repeal of all local laws made under Section 342 of the Health (Miscellaneous Provisions) Act 1911.

(20) Advice from the Department of Local Government, Industry Regulation and Safety is that until the new regulations are settled, local governments should continue to operate under their existing local laws.

Local Government Act 1995

(21) Section 3.12 – sets out the process of reviewing a local law.

(22) Section 3.16 – requires a local government to periodically review its local laws.

(23) Section 3.16(4) – following the consideration of any submissions, Council must determine whether the local law should be repealed, amendment or remain unchanged.

STRATEGIC / POLICY IMPLICATIONS

(24) Nil

FINANCIAL IMPLICATIONS

(25) Nil

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(29) A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.8 PARKING AND PARKING FACILITIES LOCAL LAW REVIEW

File Reference	LEG.1
Applicant	Not applicable
Disclosure of Officer Interest	Nil
Date	11 November 2026
Author	Claire Thompson, Governance Coordinator
Authorising Officer	David King, Chief Executive Officer
Attachments	9.8 – Parking and Parking Facilities Local Law 2001

EXECUTIVE SUMMARY

(1) Council is requested to note that there were no public submissions relating to the initiated review of the Parking and Parking Facilities Local Law and agree to amend it for the purposes stated in the recommendation.

VOTING REQUIREMENTS

(2) Absolute Majority

OFFICER RECOMMENDATION ITEM 9.8

That Council:

1. NOTES that there were no submissions received in response to the local public notice of the review of the Parking and Parking Facilities Local Law 2001.
2. DETERMINES, pursuant to section 3.16 of the Local Government Act 1995, that the Parking and Parking Facilities Local Law 2001 be amended.
3. REQUESTS the Chief Executive Officer to draft an amendment local law for Council's consideration to, where appropriate:
   (a) Ensure gender neutral language is used throughout; and
   (b) align it with the updated Western Australian Local Government's model Parking Local Law.

LOCATION

(3) Not applicable.

BACKGROUND

(4) Section 3.16 of the Local Government Act 1995 requires each local government to review its local laws at least once every 15 years to determine whether they should remain unchanged, be amended or be repealed.

(5) Council initiated a review of the Parking & Parking Facilities Local Law in March 2026. The review was advertised in accordance with statutory requirements.

(6) In May 2026, Council requested that gender neutral language be considered in local law reviews, where appropriate.

DISCUSSION / OFFICER COMMENTS

(7) Having given public notice, considered any submissions (of which there were none), Council is deemed to comply with the required view if it resolves to repeal, amend or not vary to the Local Law.

(8) Officers compared the Shire of Denmark's Parking & Parking Facilities Local Law with the WALGA model local law and identified a number of variances.

(9) Officers recommend amending the local law to align it with the current model local law.

CONSULTATION AND EXTERNAL ADVICE

(10) Following a six week consultation period, there were no submissions received.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

(11) Section 3.12 – sets out the process of reviewing a Local Law.

(12) Section 3.16 – requires a local government to periodically review its local laws.

(13) Section 3.16(4) – following the consideration of any submissions (of which there were none), Council must determine whether the local law should be repealed, amended or remain unchanged.

STRATEGIC / POLICY IMPLICATIONS

(14) Nil

FINANCIAL IMPLICATIONS

(15) Nil

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(19) A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.9 REVIEW OF DELEGATIONS

File Reference	ADMIN.9
Applicant	Not applicable
Disclosure of Officer Interest	Nil
Date	5 November 2026
Author	Claire Thompson, Governance Coordinator
Authorising Officer	David King, Chief Executive Officer
Attachments	9.9 – Delegations Register

EXECUTIVE SUMMARY

(20) Council is required to review it delegations to the CEO each year.

VOTING REQUIREMENTS

(21) Absolute Majority.

OFFICER RECOMMENDATION	ITEM 9.9
That having reviewed delegations to the Chief Executive Officer, Council retain the delegations as detailed in Attachment 9.9.	

LOCATION

(22) Not applicable.

BACKGROUND

(23) Nil

DISCUSSION / OFFICER COMMENTS

(24) Attachment 9.9 is the register of delegations with tracked recommended changes.

(25) The register contains delegations from external departments / agencies as well as delegations from the CEO.

(26) Council are only required to review the delegations from Council to the CEO or other employees.

Delegation No.	Title	Recommended Change
1.2.31	Execution of Documents	Section 9.49(4) explicitly states that Council, by resolution, may authorise the CEO, another employee or agent, to sign documents. Therefore, this function is an authorisation not a delegation.

		Corrected to reflect that Council are authorising the CEO, Executive Manager and Director rather than referring to it as a delegation.
1.2.32	Authorise Persons or Classes of Persons to Perform Specified Functions	Created a new delegation relating to authorising persons to perform the following specified functions. s.9.24(1)(c) and (2)(b) Prosecutions, commencing s.3.24 Authorise persons under this Subdivision s3.31(2) General Procedure for entering property s.3.39(1) Power to remove and impound s.3.40A(1) Abandoned vehicle wreck may be taken In the above provisions, a local government (Council) may authorise or appoint a person. This is different to a specific power or function of the local government (eg. a local government may do XYZ), therefore they are not considered delegations. The new delegation, delegates the power to authorise or appoint a person or employee to the CEO.
1.2.4	Declare Vehicle is Abandoned Vehicle Wreck	Repeal. 3.40A states that Council may authorise a person to remove and impounds a vehicle that has been determined as an abandoned vehicle wreck. Power to authorise is recommended to be delegated to the CEO. See 1.2.32.
2.1.5	Designate Employees as Authorised Persons	Replaced r.5A with r.4A and 4B. R.5A was replaced in 2023.

CONSULTATION AND EXTERNAL ADVICE

(27) 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 and believes that no additional external/internal engagement or consultation is required.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

(28) Section 5.42 – Council may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the *Local Government Act 1995*, or sections 214(2), (3) or (5) of the *Planning and Development Act 2005*.

(29) Section 5.43 – provides some limitations on what can be delegated.

(30) Section 5.44 – CEO may sub-delegate powers and duties to other employees, unless Council delegation expressly excludes sub-delegation.

(31) Section 5.46(1) – CEO is to keep a register of delegations.

(32) Section 5.46(2) – Delegations are to be reviewed at lease once every financial year.

Local Government (Administration) Regulations 1996

(33) Regulation 18G – provides a further limit on what can be delegated.

STRATEGIC / POLICY IMPLICATIONS

(34) Nil

FINANCIAL IMPLICATIONS

(35) Nil

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(39) A risk assessment has been undertaken per the Council’s Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.10 2027 ORDINARY COUNCIL MEETING SCHEDULE

File Reference	CR.2
Applicant	Not applicable
Disclosure of Officer Interest	Nil
Date	5 November 2026
Author	Claire Thompson, Governance Coordinator
Authorising Officer	David King, Chief Executive Officer
Attachments	9.10a – Meeting Framework Policy 9.10b – draft 2027 Meeting Schedule

EXECUTIVE SUMMARY

(1) Council is required to set the dates, times and locations for Ordinary Meetings to be held in 2027.

VOTING REQUIREMENTS

(2) Simple Majority.

OFFICER RECOMMENDATION ITEM 9.10

That Council:
1. HOLD the Ordinary Meetings for 2027 on the dates in Attachment 9.10a;
2. DETERMINE that all of those meetings will commence at 4.00pm and be held in the Council Chambers, 953 South Coast Highway, Denmark; and
3. HOST the Locality Meetings for 2027 in Peaceful Bay and Nornalup.

LOCATION

(3) Not applicable.

BACKGROUND

(4) The 2026 meeting times, dates and locations were the last Tuesday or each month, commencing in January and excluding December. Start time was 4.00pm and they were all held in the Council Chambers.

(5) The two Locality Meetings were held in Peaceful Bay and Tingledale.

DISCUSSION / OFFICER COMMENTS

(6) Officers are recommending that the Ordinary Council meeting day, time and location remain the same as 2026, as it appears to be working well and retains consistency for Elected Members and the public.

(7) The only exception will be the last Tuesday in January as it is the Australia Day public holiday, therefore officers are recommending the first meeting be scheduled for Wednesday, 27 January 2027.

(8) In accordance with Council's Meeting Framework Policy December 2027 is excluded.

(9) The draft proposed Meeting Schedule for 2027 is Attachment 9.10b.

CONSULTATION AND EXTERNAL ADVICE

(10) It is a statutory requirement that Ordinary Council Meeting details be published on the Shire's website.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

(11) Section 5.3(1) – A council is to hold ordinary meetings and may hold special meetings.

(12) Section 5.3(2) – Ordinary meetings are to be held not more than 3 months apart.

(13) Section 5.4 – Ordinary or special meetings can be called by the president, or one third of councillors, or if so decided by council.

Local Government (Administration) Regulations 1996

(14) Regulation 12 – The CEO must publish on the Shire's website the meeting details for ordinary council meetings before the beginning of the year in which the meetings are to be held.

STRATEGIC / POLICY IMPLICATIONS

Meeting Framework Policy

(15) See Attachment 9.10a.

(16) Locality Meetings – Council hosts one in Peaceful Bay and one in either Tingledale or Nornalup each year. The 2026 Locality Meeting was held in Tingledale therefore the 2027 meeting is recommended to be held in Nornalup.

(17) Officers are not recommending any change to the policy.

FINANCIAL IMPLICATIONS

(18) The cost of advertising and hosting meetings can be accommodated within the Council's adopted Budget.

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(22) A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.11 RECREATION CENTRE FEES – SCHOOL USE

File Reference	SER.15
Applicant	Not applicable
Disclosure of Officer Interest	Nil
Date	6 November 2026
Author	David King, Chief Executive Officer
Authorising Officer	David King, Chief Executive Officer
Attachments	Nil

EXECUTIVE SUMMARY

(1) Council is requested to adopt an Active Kids school-use fee of $18 per hour per court, inclusive of GST, from 1 January 2027, subject to completion of statutory public notice requirements. The fee would apply consistently to local Denmark schools and home-school groups for eligible bookings between 9.00am and 3.00pm.

(2) The proposal replaces the longstanding discounted per-student arrangement with an hourly charge linked to the court space reserved. It combines support for children's participation with advance semester schedules, bookings matched to reasonable need, cancellation conditions and conditional access to otherwise unused adjoining courts.

VOTING REQUIREMENTS

(3) Absolute Majority.

OFFICER RECOMMENDATION ITEM 9.11

That Council ADOPT a Fees and Charge, named 'Active Kids school-use', and set a fee of $18 per hour per court, inclusive of GST, for bookings by local Denmark schools and home-school groups between 9.00am and 3.00pm, with commencement proposed for 1 January 2027, subject to completion of statutory public notice requirements.

LOCATION

(4) Denmark Recreation Centre.

BACKGROUND

(5) Denmark Senior High School (DSHS) has operated its Specialist Basketball Program from the Recreation Centre for many years under a discounted per-student entry arrangement rather than the standard hourly court-hire rate.

(6) The arrangement is longstanding. Approximately six to seven years ago, the charge was around $0.50 per student. During 2025/26, the charge stood at $1.20 per student entry. Based on recent attendance patterns, the $1.20 charge generally equated to

approximately $20 per hour. The school has indicated that it currently pays approximately $10,000 to $12,000 per year for use of the Centre.

(7) While the arrangement has supported the basketball program, the per-person model has become increasingly difficult for Recreation Centre staff to administer as daytime demand has increased. Courts are booked without a direct fee being attached to the amount of space reserved, there has been no defined cancellation fee, attendance can vary from anticipated numbers, and booked courts may remain unused following cancellations or no-shows. This limits the ability to program the facility efficiently and make unused space available to other users.

(8) The existing discounted arrangement also differs from the arrangements applying to other schools and daytime users, raising issues of fairness and consistency.

DISCUSSION / OFFICER COMMENTS

2026/27 Budget Decision

(9) Through the 2026/27 Budget, Council adopted an hourly court-hire rate of $25 per hour per court, with the former per-student arrangement to be discontinued from January 2027. Existing fees were effectively retained until January 2027 to provide time for affected users to be notified and for practical issues to be considered before implementation.

(10) The hourly model was intended to provide a more transparent and equitable fee structure, link charges to the space reserved, improve certainty when programming the facility, encourage efficient court use and make unused capacity available to other users.

Concerns Raised by Denmark Senior High School

(11) On 31 August 2026, the DSHS advised that the Specialist Basketball Program currently uses two courts for many sessions. The school calculated that paying $25 per hour for each court across 16 hours per week could result in a theoretical annual cost of approximately $32,000, compared with current annual expenditure of around $10,000 to $12,000.

(12) The school advised that an increase of this scale could place the program at risk or require a substantial increase in the amount charged to participating families. The school was also concerned that the financial effect of moving from a per-student charge to hourly court hire had not been fully understood when the revised fee was adopted.

Subsequent Discussions

(13) Further analysis confirmed that the $32,000 estimate assumed two courts would continue to be booked for every session. This reflected the school's historical practice of reserving the entire two-court facility, irrespective of actual attendance or the space reasonably required for the participating group. However, attendance records, together with the school's own forecast participation numbers, showed that this often resulted in both courts being reserved for fewer than 20 students.

(14) An assessment of normal basketball training use indicates that a group of up to approximately 20 students can undertake a quality session on one full court. About 20 participants per court provides sufficient space for skills stations, small-group drills, shooting activities and modified games, while maintaining reasonable ball contact and active participation. It is also consistent with the City of Albany performance club training patterns, where comparable development squads operate with similar participant numbers rather than reserving a second court as a matter of course.

(15) Accordingly, a second court is not required simply because it is available; it is justified where the scheduled group size or the structure of a particular session reasonably requires it. Matching the number of courts booked to expected attendance should not reduce training quality. Rather, it encourages sessions to be planned around appropriately sized groups, while avoiding the exclusive reservation, setup and servicing of space that is not being used. It would also release valuable capacity during the morning and early afternoon, reduce unnecessary equipment setup and pack-down, provide greater flexibility for other users and simplify day-to-day facility management.

Proposed Way Forward

(16) The Schools current participation numbers are provided below along with a high level representation of what costs would look like if courts were booked efficiently as described.

Year Group	Students	Frequency/Week	Existing Individual Court Bookings (hrs/week)	Proposed Bookings (hrs/wk)
7	23	2	4	2
8	40	3	6	6
9	22	4	8	4
10	22	4	8	4
TOTAL			26	16
Annual Fee based on current charges of $25/hr and 40wks/year			$26,000	$16,000
Adjusted for historical cancellations (conservatively 10%)			$23,400	$14,400
Av Student numbers per court*			10	16

*Takes into account overall historical no-shows.

(17) As part of the discussions and negotiations, with the acceptance of changing the usage patterns to benefit the shire from a court availability perspective officers have considered the concept of introducing a school fee that would reflect the current invoicing from the DSHS.

(18) Following discussions with DSHS and Recreation Centre staff, it is proposed that councillors consider introducing a school-use rate applying consistently to Denmark schools and home school children:

- An 'Active Kids' fee of $18 per hour per court, inclusive of GST. (approx. $11,000 for DSHS annual fee similar to the existing annual cost).
- The fee would apply to all school bookings between 9.00am and 3.00pm.
- Schools would book the number of courts reasonably required for the scheduled group.
- Schools would provide semester booking schedules in advance to support facility programming.
- A clear and practical cancellation policy would apply, allowing staff to release unused courts for other users.
- Where adjoining courts are not booked, school groups could temporarily use the additional space at no further charge, subject to staff retaining the right to reclaim the space for another booking.
- The arrangement would apply consistently across local schools rather than operating as an individual concession for Denmark Senior High School.
- The arrangement would also apply to home school participants where there is a clear co-ordinated approach.

Assessment

(19) The proposed arrangement represents a reasonable compromise between the former heavily discounted per-student model and the standard hourly court-hire rate. A subsidised school-use rate is consistent with Council's broader approach of offering concessions to groups whose participation delivers a clear community benefit, including children and young people, seniors and other eligible community users. These concessions recognise that applying the full commercial or adult rate in every circumstance can create a barrier to participation, particularly where costs must ultimately be met by families, students or people on fixed incomes.

The proposed rate is therefore not an exceptional benefit for one school, but a defined concession for eligible school use that reflects an established principle already applied to youth and senior participation in other Council fees and charges. Importantly, the subsidy would be accompanied by clear conditions: it would apply consistently to local Denmark schools (including home school), be limited to school-hour bookings, require the number of courts booked to reflect actual need, and be supported by advance schedules and cancellation arrangements. This ensures Council continues to support access and participation without subsidising avoidable inefficiency or preventing other users from accessing the facility.

CONSULTATION AND EXTERNAL ADVICE

(20) Officers have consulted and discuss the proposal with the DSHS. The briefing note sought Councillor guidance at the Concept Forum of 13 October 2026.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

(21) Section 6.16 permits fees for the use of local government facilities and the imposition or amendment of fees during a financial year. An absolute majority is required for the proposed fee amendment.

(22) Section 6.19 requires local public notice before introducing fees or charges after adoption of the annual budget, stating the intention to impose the fee and the proposed commencement date. The recommendation makes commencement subject to completion of this requirement.

STRATEGIC / POLICY IMPLICATIONS

Council Plan

(23) The proposal supports the Youth-based programs action in Council Plan: Our Future 2035: “LEAD programs at the Rec Centre that improve youth mental health and connection.” The proposed school-use fee would help maintain affordable access to organised recreation for local students.

FINANCIAL IMPLICATIONS

(24) The 2026/27 Annual Budget assumed equivalent income to the 2025/26 Annual Budget. As such there is not expected to be a material impact to the budget as a result of adoption these fees and charges as proposed.

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(28) A risk assessment has been undertaken per the Council’s Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.12 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 OCTOBER 2026

File Reference	FIN.66.2026/27
Applicant	Not Applicable
Disclosure of Officer Interest	Nil
Date	11 November 2026
Author	Scott Sewell, Financial Accountant
Authorising Officer	Kellie Jenkins, Executive Manager Corporate Services
Attachments	9.12 – October 2026 Monthly Financial Report

EXECUTIVE SUMMARY

(1) In accordance with the Local Government Financial Management Regulations 1996, local governments must prepare a monthly Statement of Financial Activity reporting financial performance against the adopted budget.

(2) The Shire of Denmark has prepared its Statement of Financial Activity for the period ending 31 October 2026.

(3) A monthly Investment Register is also provided to Council to ensure compliance with the Shire's Investment Policy.

(4) An $8,000 budget amendment is proposed for capital works associated with new fencing at the Shire's Chiltern Road property, with funding to be transferred from the Infrastructure Reserve.

VOTING REQUIREMENTS

(5) Simple Majority

OFFICER RECOMMENDATION ITEM 9.12a

That Council RECEIVE the Financial Activity Statements for the period ending 31 October 2026, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.12.

(6) Absolute Majority

OFFICER RECOMMENDATION ITEM 9.12b

That Council APPROVE a 2026/2027 budget amendment as follows:

1. Increase capital expenditure for Land and Buildings by $8,000; and
2. Increase transfer from Infrastructure Reserve by $8,000.

LOCATION

(7) Nil.

BACKGROUND

(8) To meet statutory reporting obligations, the Monthly Financial Report provides a snapshot of the Shire's year-to-date financial performance. The report includes the following:

- Statement of Financial Activity by Nature or Type;
- Explanation of Material Variances;
- Net Current Funding Position;
- Receivables;
- Capital Acquisitions;
- Cash Backed Reserve Balances;
- Loan Schedule;
- Investment Register; and
- Cash and Investments Summary.

(9) Council has endorsed a materiality threshold of greater than 10% or $50,000 for reporting variances (Resolution 030826). Variances meeting or exceeding this threshold must be explained.

DISCUSSION / OFFICER COMMENTS

(10) The Statement of Financial Activity for October 2026 reports a closing funding surplus of $10,251,180, compared with a balanced year-end position in the adopted budget. The primary year-to-date variances are:

a. Operating expenditure, which is $1,796,122 below budget;

b. Capital revenue, grants and contributions, which is $145,259 over budget;

c. Capital expenditure, which is $1,299,249 below budget

(11) Further details are provided in Note 1 of the Statement of Financial Activity, Explanation of Material Variances.

(12) A summary of the financial position for October 2026 is provided in the table below:

	Adopted Annual Budget (as amended)	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)	Var. % (b)-(a)/(a)
	$	$	$	$	%
Opening Funding Surplus	**1,883,267**	**1,883,267**	**1,805,184**	**-78,084**	**-4%**
Revenue					
Operating revenue	16,501,156	13,999,788	14,122,972	123,184	1%

Capital revenue, grants and contributions	14,460,040	820,248	965,507	145,259	18%
	30,961,196	**14,820,036**	**15,088,479**	**268,443**	
Expenditure					
Operating Expenditure	-21,395,542	-7,402,847	-5,606,725	1,796,122	24%
Capital Expenditure	-17,337,727	-2,336,025	-1,036,776	1,299,249	56%
	-38,7333,269	**-9,738,872**	**-6,643,500**	**3,095,372**	
Funding balance adjustments	5,888,806	2,002,908	1,018	-2,001,890	-100%
Closing Funding Surplus	**0**	**8,967,339**	**10,251,180**	**1,283,841**	**14.32%**

OTHER INFORMATION

(13) Depreciation for all asset classes has not yet been calculated for this reporting period. It will be recognised for the 2026/2027 financial year once the audit of the financial statements for the year ended 30 June 2026 is complete.

BUDGET AMENDMENT

(14) A budget amendment of $8,000 is requested for the installation of new fencing at the Shire owned property at Chiltern Road. The expenditure is proposed to be funded from the Infrastructure Reserve.

INVESTMENT REPORT

(15) In accordance with the Shire's Investment Policy, the monthly Investment Register reports on portfolio performance, counterparty exposure, and investment income earned against budget. It also confirms whether the portfolio complies with relevant legislative and policy limits.

(16) As at 31 October 2026, total cash holdings, including trust funds, were $15,914,344. This comprised:

- Municipal Funds totalling $9,410,857;
- Shire Trust Funds totalling $55,850;
- Restricted Reserve Funds invested totalling $6,447,636; and
- Unrestricted Municipal Funds invested totalling $7,813,808.

(17) The Reserve Bank of Australia's official cash rate is currently 4.85%. On 3 November 2026, the Monetary Policy Board increased the rate by 0.25 basis points from 4.60% to 4.85%, noting that inflation remains elevated and that it will continue to assess economic conditions and the impact of previous rate increases.

CONSULTATION AND EXTERNAL ADVICE

(18) The officer has considered whether consultation or engagement is required under Council's Community Engagement Policy and determined that no additional internal or external consultation is necessary for this matter.

STATUTORY / LEGAL IMPLICATIONS

Local Government Act 1995

(19) Section 6.8 relates to a local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by Council resolution.

(20) Section 6.14 outlines the power to invest for local governments.

Local Government (Financial Management) Regulations 1996

(21) Regulation 34 (1-5) outlines the requirements for financial activity statements.

(22) Regulation 19,28 and 49; and the Australian Accounting Standards, sets out the statutory conditions under which Council funds may be invested.

The Trustees Act 1962

(23) Part III Investments covers the investment powers and responsibilities of trustees.

STRATEGIC / POLICY IMPLICATIONS

Budget Variation Policy

(24) Provides direction for budget amendments outside the formal budget review process.

(25) Council endorsement is required for amendments involving additional purposes.

Investment Policy

(26) A monthly report will be provided to Council on the investment portfolio. The report will include portfolio performance, counterparty exposure as a percentage of the total portfolio, investment maturity dates, investment income earned against the year-to-date budget, and confirmation that investments comply with legislative and Policy limits.

FINANCIAL IMPLICATIONS

(27) The 2026/2027 Annual Budget provides the framework for the Shire's financial management.

(28) Financial impacts are addressed in this report.

OTHER IMPLICATIONS

Environmental

(29) There are no known significant environmental implications arising from the report or officer recommendation.

Economic

(30) There are no known significant economic implications arising from the report or officer recommendation.

Social

(31) There are no known significant social implications arising from the report or officer recommendation.

RISK MANAGEMENT

(32) A risk assessment has been undertaken in accordance with Council's Risk Management Policy. No material risks have been identified in relation to the report or officer recommendation.

9.13 PAYMENT OF ACCOUNTS FOR PERIOD ENDING 31 OCTOBER 2026

File Reference	FIN.66.2026/27
Applicant	Not Applicable
Disclosure of Officer Interest	Nil
Date	12 November, 2026
Author	Nikki Westerberg, Senior Finance Officer
Authorising Officer	Kellie Jenkins, Executive Manager Corporate Services
Attachments	9.13 – Payment of Accounts – October 2026

EXECUTIVE SUMMARY

(1) To advise Council of payments for the period 1 October to 31 October 2026.

VOTING REQUIREMENTS

(2) Simple Majority

OFFICER RECOMMENDATION ITEM 9.13

That Council RECEIVE the payment of accounts totalling $2,415,042.12 for the month of October 2026, as per Attachment 9.13.

LOCATION

(3) Not applicable.

BACKGROUND

(4) Nil.

DISCUSSION / OFFICER COMMENTS

(5) Nil.

CONSULTATION AND EXTERNAL ADVICE

(6) 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 and believes that no additional external/internal engagement or consultation is required.

STATUTORY / LEGAL IMPLICATIONS

Local Government (Financial Management) Regulations 1996

(7) Regulation 13 – list of accounts to be prepared each month and presented to Council.

STRATEGIC / POLICY IMPLICATIONS

(8) Nil.

FINANCIAL IMPLICATIONS

(9) Nil.

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(13) A risk assessment has been undertaken per the Council's Risk Management Policy, and no risks have been identified in relation to the officer recommendation or the report.

9.14 2026 CITIZEN OF THE YEAR AWARDS

File Reference	PBR.1.B.2026
Applicant	Various
Disclosure of Officer Interest	Nil
Date	3 November 2026
Author	Andy Percy, Community Development Officer
Authorising Officer	Renee Wiggins, Manager Community Services
Attachments	9.14a - Nominations (Confidential) 9.14b - Assessment Matrix (Confidential) 9.14c - Nomination Guidelines 9.14d - Denmark Citizen of the Year Awards Policy

EXECUTIVE SUMMARY

(1) Twelve nominations have been received for the 2026 Citizen of the Year Awards across four categories: Community, Seniors, Youth and Group.

(2) Council is requested to consider the nominations and select the winner for each category.

VOTING REQUIREMENTS

(3) Simple majority.

OFFICER RECOMMENDATION ITEM 9.14

That Council SELECT;

a) _____ as the successful recipient of the 2026 Community Citizen of the Year.

b) _____as the successful recipient of the 2026 Senior Citizen of the Year.

c) _____ as the successful recipient of the 2026 Youth Citizen of the Year;

d) _____as the successful recipient of the 2026 Group Citizen of the Year.

That the winners names remain EMBARGOED until the presentation at the Shire's community Christmas function in December 2026.

LOCATION

(4) Not applicable.

BACKGROUND

(5) Each year the Shire of Denmark coordinates the Citizen of the Year Awards to recognise the significant and positive contributions of individuals and groups within our community. The awards recognise individuals and organisations making notable contributions during the current year and/or those who have given outstanding service over several years.

(6) The awards for the Citizen of the Year are presented at the Shire's Community Christmas Event – This year the event will be held on the 12th December 2026.

DISCUSSION / OFFICER COMMENTS

(7) Nominations for the Denmark Citizen of the Year Awards are across four categories:

- Citizen of the Year – Community (Any age)
- Citizen of the Year – Youth (Under 25 years of age)
- Citizen of the Year – Seniors (Over 65 years of age)
- Citizen of the Year – Group

(8) All nominations meet the award requirements and have been forwarded to Councillors under a separate confidential cover at Attachment 9.12a. along with the assessment matrix, nomination guidelines and policy.

CONSULTATION AND EXTERNAL ADVICE

(9) 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 and the associated Framework and believes that no additional external/internal engagement or consultation is required.

STATUTORY / LEGAL IMPLICATIONS

(10) Nil

STRATEGIC / POLICY IMPLICATIONS

(11) The report and officer recommendation supports the aspirations and objectives of:

a. Shire of Denmark Council Plan – Our Future 2035
b. Shire of Denmark Citizen of the Year Policy

FINANCIAL IMPLICATIONS

(12) The Council's 2026/2027 Budget includes an allocation for the Community Citizen of the Year Awards as part of the Christmas and Volunteer Celebration (GL113287420).

OTHER IMPLICATIONS

Environmental

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

Economic

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

Social

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

RISK MANAGEMENT

(16) A risk assessment has been undertaken per the Shire's Risk Management Governance Framework, and no risks have been identified in relation to the officer recommendation or the report.

10 MATTERS BEHIND CLOSED DOORS

OFFICER RECOMMENDATION That, in accordance with section 5.23(2)(b) of the Local Government Act 1995, Council MOVE behind closed doors to deal with Item 10.1 as it is relates to the employment of the Chief Executive Officer

10.1 CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT

File Reference	Personnel File
Applicant	David King, Chief Executive Officer
Disclosure of Officer Interest	The CEO, David King, declares a Direct financial interest in this item as it relates directly to employment conditions. The Author, Claire Thompson, declares an impartiality interest in this item as the author is a direct report to the Chief Executive Officer
Date	11 November 2026
Author	Claire Thompson, Governance Coordinator
Authorising Officer	David King, Chief Executive Officer
Attachments	10.1a – 2023 Employment Contract (confidential) 10.1b - draft 2026 Employment Contract (confidential) 10.1c – External Contract Review (confidential)

(1) The report and attachments associated with this item have been provided to Councillors under separate confidential cover.

(2) In accordance with section 5.23(2)(b) Council must close the meeting for an item relating to the recruitment, employment, termination or performance review of the Chief Executive Officer.

11 NEW BUSINESS OF AN URGENT NATURE

12 CLOSURE OF MEETING