

Shire of Denmark - Council Resolutions 2023

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
21-February-2023	9.1.1	PROPOSED REVISED LOCAL PLANNING POLICY NO. 49: ANCILLARY DWELLINGS & DETACHED HABITABLE ROOMS	60223	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1.ADOPT the revised Local Planning Policy No. 49: Ancillary Dwellings & Detached Habitable Rooms as provided at Attachment 9.1.1a, inclusive of the minor modifications detailed in this report. 2.FORWARD the revised Local Planning Policy No. 49: Ancillary Dwellings & Detached Habitable Rooms to the WA Planning Commission requesting their endorsement. 3.Following the receipt of advice from the WA Planning Commission, PUBLISH notice of the adoption of Local Planning Policy No. 49: Ancillary Dwellings & Detached Habitable Rooms on the Shire's website.
21-February-2023	9.1.2	PROPOSED LOCAL PLANNING POLICY NO. 50: BUILDING ENVELOPES	070223	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1.ADOPT Local Planning Policy No. 50: Building Envelopes without modification. 2.PUBLISH notice of the adoption of Local Planning Policy No. 50: Building Envelopes on the Shire's website within 14 days of the Council resolution.
21-February-2023	9.1.3	AMENDMENT TO SCHEDULE OF FEES AND CHARGES 2022/2023 - PROPOSED ELECTRIC VEHICLE CHARGING STATION TARIFF	080223	That Council: 1.ADOPT a Duration and Energy Tariff at a rate of \$0.45 p/kWh + \$0.10 per minute parking fee after 3 hours for the Berridge Park EV charger; 2.APPROVE the inclusion of an Electric Vehicle Charging Tariff to the 2022/23 Schedule of Fees and Charges; and 3.GIVE public notice of the proposed fee a minimum of seven (7) days prior to the commissioning of the EV charger.
21-February-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 NOVEMBER 2022	090223	That with respect to the Financial Statements for the period ending 30 November 2022, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
21-February-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 NOVEMBER 2022	100223	That with respect to the attached Schedule of Payments, totalling \$1,282,446.17, for the month of November 2022, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT34090 to EFT34313 - \$696,983.01. •Municipal Fund Cheque No's 60510 – 60511 - \$4,257.50; •Internal Account Transfers (Payroll) - \$429,986.39; and •Direct Debit - \$9,604.89; •Corporate Credit Card; \$4,396.78; •Department of Transport Remittances; \$93,966.70 and •Loan Payments: \$43,250.90
21-February-2023	9.2.3	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 DECEMBER 2022	110223	That with respect to the Financial Statements for the period ending 31 December 2022, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
21-February-2023	9.2.4	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 DECEMBER 2022	120223	That with respect to the attached Schedule of Payments, totalling \$2,159,538.05, for the month of December 2022, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT34314 to EFT34608 - \$1,410,085.35; •Municipal Fund Cheque No's 60512 – 60520 - \$9,431.11; •Internal Account Transfers (Payroll) - \$610,697.82; and •Direct Debit - \$9,529.26; •Corporate Credit Card; \$6,409.10; •Department of Transport Remittances; \$67,036.25 and •Loan Payments: \$46,349.16
21-February-2023	9.2.5	ADOPTION OF 2022/2023 BUDGET REVIEW	130223	That Council ADOPT the 2022/2023 Budget Review in accordance with regulation 33A of the Local Government (Financial Management) Regulations 1996, including endorsement of proposed amendments to the 2022/2023 Municipal Budget as detailed in the attached Statement of Budget Review.
21-February-2023	9.3.1	LEASE AND CONTAINERS FOR CHANGE HANDOVER TO GREEN SKILLS INC.	140223	That with respect to the Denmark Containers for Change Scheme, Council: 1.AGREE to relinquish the operation to Green Skills Incorporated; 2.AUTHORISE the Chief Executive Officer to negotiate with WA Return Recycle Renew Ltd, the transfer of the Shire's Containers for Change Agreement to Green Skills Inc.; 3.AGREE to lease the premises to Green Skills Inc, in accordance with the terms and conditions contained in the draft lease, as per Attachment 9.3.1; and 4.Subject to Ministerial Consent, AUTHORISE the Shire President and Chief Executive Officer to execute the lease, with the expiry date of 1 October 2025.
21-March-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 JANUARY 2023	030323	That with respect to the Financial Statements for the period ending 31 January 2023, Council RECEIVE the Financial Reports for the period ending 31 January 2023, as per Attachment 9.2.1a.
21-March-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 JANUARY 2023	040323	That with respect to the attached Schedule of Payments, totalling \$1,454,098.49 for the month of January 2023, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT34609 to EFT34801 - \$859,064.04; •Municipal Fund Cheque No's 60521 – 60523 - \$9,013.90; •Internal Account Transfers (Payroll) - \$437,183.45; and •Direct Debit - \$9,070.87; •Corporate Credit Card; \$6,361.44; •Department of Transport Remittances; \$116,899.50 and •Loan Payments: \$16,505.79
21-March-2023	9.3.1	DENMARK CHAMBER OF COMMERCE INC. REQUEST TO SUB-LEASE	100323	Although Council does not support the Denmark Chamber of Commerce Inc.'s request to sub-let a portion of their leased premises to the Denmark Bulletin, Council AUTHORISE the Chief Executive Officer to issue a licence for six months, from the date of this resolution, to enable the Denmark Bulletin to find an alternative premises.
21-March-2023	9.3.2	LOCAL GOVERNMENT ORDINARY ELECTION 2023	140323	That with respect to the Shire of Denmark Local Government Elections 2023, Council: 1.DECLARE, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the election, together with any other elections or polls which may be required; and 2.DECIDE, in accordance with section 4.61(2) of the Local Government Act 1995 that the method of conducting the election will be a postal election; and 3.ACCEPT the quote provided by the Western Australian Electoral Commissioner and include \$45,000 (excluding GST) in the 2023/24 Budget.
21-March-2023	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES 7 FEBRUARY 2023 & RECOMMENDATIONS	150323	That Council RECEIVE the Committee Minutes for the meeting held on 7 February 2023.
21-March-2023	10.2	AUDIT ADVISORY COMMITTEE – 2022 COMPLIANCE AUDIT RETURN AND MINUTES	160323	That with respect to the 2022 Compliance Audit Return, Council: 1.Note the one area of non-compliance; 2.Endorse the 2022 Compliance Audit Return, subject to the answers to the following questions being corrected from 'No' to 'N/A': a)Questions 8 and 19 under the Tenders for Providing Goods and Services section; and 3.Submit a certified copy to the Director General of the Department of Local Government, Sport and Cultural Industries by 31 March 2023.
18-April-2023	9.1.1	PROPOSED REVISED LOCAL PLANNING POLICY NO. 51: CARAVAN PARKS & CAMPING GROUNDS	080423	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1. ADOPT draft Local Planning Policy No. 51: Caravan Parks & Camping Grounds (as shown at Attachment 9.1.1a) for the purpose of public consultation. 2. Publish notice of the Council's decision to advertise draft Local Planning Policy No. 51: Caravan Parks & Camping Grounds for a period of 30 days on the Shire's website, in the Shire's offices and in a local newspaper.
18-April-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 28 FEBRUARY 2023	100423	That Council with respect to: 1. The Financial Statements for the period ending 28 February 2023, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1a; and 2. The plant replacement program, AUTHORISE the CEO to issue purchase orders for three (3) light vehicles scheduled for replacement in the 2023-2024 financial year for a value not exceeding \$112,500 (GST Exclusive). The new vehicles are to be Battery Electric Vehicles (BEVs).
18-April-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2023	110423	That with respect to the attached Schedule of Payments, totalling \$1,544,785.30 for the month of February 2023, Council RECEIVE the following summary of accounts: • Electronic Funds Transfers EFT34802 to EFT34993 - \$997,508.62; • Municipal Fund Cheque No's 60524 – 60525 - \$5,182.20; • Internal Account Transfers (Payroll) - \$431,495.05; and • Direct Debit - \$8,686.79; • Corporate Credit Card - \$3,584.69; • Department of Transport Remittances - \$81,755.00; and • Loan Payments - \$16,572.95.
18-April-2023	9.2.3	SHIRE OF DENMARK EVENTS PROGRAM 2023/2024	130423	That Council PROVIDES in principle support towards the proposed 2023/2024 Shire of Denmark Events Program and associated budget allocations for: 1. Seniors Week Luncheon (\$5,000); 2. International Day of People with Disability (IDPWD) (\$1,000); 3. Christmas Pageant (\$10,000).

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18-April-2023	9.3.1	KWOORABUP NATURE SCHOOL PROPOSAL	060423	That Council: 1. ENDORSE the expanded lease areas for the Kwoorabup Nature School such that: a) The lease areas and shared areas are in accordance with Attachment 9.3.1a, subject to the existing shed being relocated at the School's cost. b) Development of the lease areas shall be in accordance with a revised concept plan to be adopted by Council, following actions in part 3 and 4 of this resolution. 2. REQUEST the Chief Executive Officer to: a) Obtain, at the Kwoorabup Natures School's cost, a commercial valuation for the proposed lease. b) Draft a lease in accordance with (1) above and advertise for public comment for no less than 14 days. c) Provide a report back to council to consider submissions and a draft lease. d) Advise the Lions club of the implications to their existing lease. 3. REQUEST the Chief Executive Officer to engage key stakeholders in developing a revised concept plan that considers the following: a) Enhancement of the key railway reserve aspects including, but not limited to, the restoration of the Ash Pit (including carriage) and the Turntable. b) Minimisation of any fencing, especially around heritage features such as the Old Post Office building and the Stationmasters House. c) Appropriate locations of the new infrastructure and buildings. d) Installation of appropriate interpretative signage of heritage assets. 4. ADVERTISE a revised concept plan for public consultation and present back to Council, with any submissions received. 5. REQUEST the Chief Executive Officer to work with the Lions Club to facilitate solutions to replace their current lease.
18-April-2023	9.3.2	REVIEW OF ACTIVITIES ON THOROUGHFARES AND TRADING IN THOROUGHFARES AND PUBLIC PLACES LOCAL LAW AND FENCING LOCAL LAW	140423	That Council – 1. NOTES the completion of a periodic review of the following local laws in accordance with the Local Government Act 1995 section 3.16 – (a) Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law; and (b) Fencing Local Law. 2. with respect to the Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law – (a) MERGE the provisions of the Activities in Thoroughfares & Public Places and Trading Local Law, with the Local Government Property Local Law and develop a single Public Places and Local Government Property Local Law; (b) SEEK the Governor's approval under the Local Government Act 1995 Section 3.6 for extension of powers in any local law dealing with both public places and local government property for power to control activities – (i) 200 metres seawards from the coastline, (ii) 50 metres over water only, from the western shore line in Wilson Inlet, subject to the prior agreement of the City of Albany, and (iii) to the whole of Irwin Inlet. (c) the current local laws be REPEALED as part of the adoption of the new local law – (i) Activities in Thoroughfares & Public Places and Trading Local Law 2001, (ii) Local Government Property Local Law 2001. 3. with respect to the Fencing Local Law – (a) DEVELOP a new Fencing Local Law, and (b) REPEAL the Fencing Local Law 2001 as part of the adoption of the new local law.
18-April-2023	9.3.3	DENMARK WALPOLE FOOTBALL CLUB INC. LEASE	150423	That with respect to the Denmark Walpole Football Club Incorporated's occupation of a portion of Reserve 15513, being part of Lot 1087 on Deposited Plan 193666, Council defer consideration of this matter until May 2023 to allow officers time to consult with other sporting organisations that use the facility, to ascertain their interest in being a tenant in common with the Denmark Walpole Football Club.
18-April-2023	9.3.4	SALE OF LIGHT INDUSTRIAL AREA LOT 8, 39 CORYMBIA CRESCENT	160423	That Council APPROVE the sale of Lot 8 on Deposited Plan 413974 to Joeri and Naomi De Hert for \$280,000 (excluding GST) with the sale proceeds to be transferred to the Infrastructure Reserve.
18-April-2023	9.3.5	GOLDEN HILL STEINER SCHOOL LEASE	170423	That with respect to No. 23 (Lot 1) Riverbend Lane, Council: 1. ACKNOWLEDGE that the Golden Hill Steiner School have agreed to purchase the land, subject to a successful re-zoning process. 2. NOTE that the re-zoning process can take 12 – 18 months. 3. AGREE to enter into a 20 year, commercial lease with the Golden Hill Steiner School subject to conditions including: a) Two year option to purchase; b) If purchase is to be made after two years, it will be the subject of a new valuation, legislative disposal provisions and Council's approval; c) Development of the site remaining at the absolute discretion of the Shire during the lease period; and d) The current on site residential dwelling and surrounds do not form part of the lease area. 4. AUTHORISE the Chief Executive Officer to: a) negotiate the lease terms, including conditions in part 3 above; and b) obtain an independent market rental valuation and apply the valuation to the lease. 5. REQUEST that the Chief Executive Officer present the draft lease back to Council.
18-April-2023	10.1	DISABILITY SERVICES ADVISORY COMMITTEE MINUTES 9 FEBRUARY 2023 AND RECOMMENDATIONS	220423	That Council: 1. RECEIVE the Committee Minutes for the meeting held on 9 February 2023 and; 2. REQUESTS the CEO to write a letter to Denmark Pharmacy recommending they install a bell at the entrance of the pharmacy and a non-slip coating be applied to the access ramp.
18-April-2023	10.2	BUSH FIRE ADVISORY COMMITTEE – MINUTES AND RECOMMENDATIONS	230423	That with respect to the Bush Fire Advisory Committee's comments about the correspondence received from the State Government on its prescribed burning policy and procedures, Council NOTE their comments and thank them for their support.
			230423	That with respect to public donations made to Volunteer Bush Fire Brigades, Council: 1. APPROVE the release of accumulative donations to the value of \$3,049 to the Mt Shadforth Bush Fire Brigade to coordinate the purchasing of a tablet, tablet mount, sim and charger for each brigade appliance; and 2. NOTE that the Shire Administration will advise the brigades that future public donations are to be directly deposited into individual brigade accounts for those brigades to manage.
			230423	That Council: 1. CONSIDER including a local law review project in the Corporate Business Plan for the 2023/24 financial year; and 2. CONSIDER including funds in the 2023/24 Budget to facilitate a review of at least two of the Shire of Denmark Local Laws, one being the Bush Fire Brigades Local Law.
			230423	That with respect to the purchase or an Electronic Fire Danger Rating Sign, Council: 1. REQUEST the Chief Executive Officer to source quotes; and 2. CONSIDER including the funds in the 2023/24 Budget.
			230423	That Council RECEIVE the Minutes of the Bush Fire Advisory Committee meeting held on the 19 January 2023, as per Attachment 10.2.
18-April-2023	11.1	2023 CITIZEN OF THE YEAR AWARDS	270423	That with respect to the Citizen of the Year Awards, Council: 1. SELECT a) EMBARGOED as the successful recipient of the 2023 Community Citizen of the Year. b) EMBARGOED as the successful recipient of the 2023 Senior Citizen of the Year. c) EMBARGOED as the successful recipient of the Youth Citizen of the Year d) EMBARGOED as the successful recipient of the 2023 Group Citizen of the Year. 2. REQUEST that the names of the recipients of the awards remain confidential until the official announcement by Shire President or delegate at the award ceremony on the 20 May 2023.
18-April-2023	11.2	2023 SPORTSPERSON OF THE YEAR AWARDS	300423	That with respect to the 2023 Sportsperson of the Year Awards, Council: 1. SELECT a) EMBARGOED as the successful recipient of the 2023 Senior Sportsperson of the Year. b) EMBARGOED as the successful recipient of the 2023 Junior Sportsperson of the Year. 2. NOTE that Service to Sport Award will not be awarded as there were no nominations. 3. REQUEST that the names of the recipients of the awards remain confidential until the official announcement by Shire President, or delegate, at the award ceremony on the 20 May 2023.
09-May-2023	5.1	DESIGNATED SENIOR EMPLOYEES	020523	That Council AMEND the Temporary Employment or Appointment of CEO and Designation of Senior Employees Policy by designating the positions of Acting Director Corporate & Community Services and Manager Sustainable Development as Senior Employees.
	6.1	RESIGNATION OF CEO AND VARIATION OF NOTICE PERIOD	040523	That Council: 1.ACCEPT David Schober's resignation from his position as the Shire of Denmark's Chief Executive Officer and thanks David for his contributions and service to the Council and the Community; and 2.AGREE with Proposal 1, as detailed within the report.
	6.2	APPOINTMENT OF TEMPORARY CHIEF EXECUTIVE OFFICER	050523	That Council: 1.AUTHORISE the Shire President to negotiate an Employment Contract with David King, Deputy CEO, for the position of Temporary CEO and that the contract terminates upon employment of a substantive CEO; and 2.ADVISE the Shire President that the Total Remuneration Package plus any additional allowances should not exceed the incumbent CEO's entitlements, as detailed within the report; and 3.REQUEST that the draft Employment Contract will be brought back to the Council for approval, in accordance with s.5.36(2) of the Local Government Act 1995.
16-May-2023	9.1.1	PROPOSED REVOCATION OF LOCAL PLANNING POLICY NO. 8: HOME OCCUPATION	110523	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1. REVOKE Local Planning Policy No. 8: Home Occupation. 2. PUBLISH notice of the Council's decision to revoke Local Planning Policy No. 8: Home Occupation on the Shire's website and in the Shire's offices for a period of no less than 21 days.
16-May-2023	9.1.2	PROPOSED DRAFT REVISED LOCAL PLANNING POLICY NO. 13: OUTBUILDINGS & WATER TANKS	120523	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1. ADOPT draft revised Local Planning Policy No. 13: Outbuildings & Water Tanks (as shown at Attachment 9.1.2c) for the purpose of public consultation. 2. Publish notice of the Council's decision to advertise draft revised Local Planning Policy No. 13: Outbuildings & Water Tanks for a period of 30 days on the Shire's website, in the Shire's offices and in a local newspaper.
16-May-2023	9.1.3	REGIONAL ROAD GROUP FUNDING 2023/24	130523	That Council NOTES the indicative 2023/24 Regional Road Group Funding allocation to the Shire of Denmark

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16-May-2023	9.1.4	SCHEME AMENDMENT 146 – REZONING FROM RURAL TO RESIDENTIAL R20-40 LOT 621 HARLEQUIN STREET AND LOT 1 SOUTH COAST HIGHWAY, DENMARK	140523	That Council: 1. In accordance with Regulation 50(2) of the Planning and Development (Local Planning Schemes) Regulations 2015: a) NOTES the submissions received in respect to Amendment No. 146 to the Shire of Denmark Town Planning Scheme No.3; and b) ENDORSE the response to the submissions as contained at Attachment 9.1.1d of this report. 2. In accordance with Regulation 50(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, SUPPORT with modifications Amendment No. 146 to the Shire of Denmark Town Planning Scheme No.3 as detailed in Attachment 9.1.1e. 3. AUTHORISES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the Local Government Act 1995, to execute under Common Seal Amendment No.146 to the Shire of Denmark Town Planning Scheme No.3. 4. ADVISES the Western Australian Planning Commission that it does not support the Indicative Structure Plan as a basis to support future subdivision of the property due to unacceptable environmental and landscape amenity outcomes and deficiencies identified within the supporting documents. 5. ADVISES those who provided a submission of the Council's resolution.
16-May-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MARCH 2023	150523	That Council; 1. With respect to the Financial Statements for the period ending 31 March 2023, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1a.a.; 2. With respect to the 2022 – 2023 adopted and amended budget, APPROVE a budget amendment to increase the expenditure provision to account 1121072 by \$120,000 and increase the income estimate for account 1137063 by \$120,000 to maintain a balanced budget and facilitate the required preparatory works to commence on the Surf Club Precinct Redevelopment Project.
16-May-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 MARCH 2023	160523	That with respect to the attached Schedule of Payments, totalling \$2,042,250.27 for the month of March 2023, Council RECEIVE the following summary of accounts: • Electronic Funds Transfers EFT34994 to EFT35259 - \$1,437,194.53; • Municipal Fund Cheque No's 60526 - 60528 - \$9,610.00; • Internal Account Transfers (Payroll) - \$453,377.08; • Direct Debit - \$9,733.37; • Corporate Credit Card - \$7,864.09; • Department of Transport Remittances - \$124,471.20; and • Loan Payments – Nil
16-May-2023	9.3.1	DRAFT WASTE LOCAL LAW	170523	That Council – 1. pursuant to section 3.12(3) and (3a) of the Local Government Act 1995, and all other legislation enabling it, GIVE local public notice of the intention to make a Waste Local Law – • Purpose – to regulate the collection, disposal and storage of waste and recyclable materials, • Effect – to control the collection, disposal and storage of waste and recyclable materials for the benefit and health of the community and protection of the environment; 2. in accordance with section 3.12(3) of the Local Government Act 1995, ADVISE the relevant Ministers and Departments of the proposed local law.
16-May-2023	9.3.2	2021-22 ANNUAL REPORT AND ANNUAL ELECTORS MEETING	180523	That in relation to the 2021-22 Annual Report, Council: 1. ACKNOWLEDGE the resolution of the Audit Advisory Committee meeting, held 9 May 2023; 2. ACCEPT the Annual Report including the Annual Financial Report and Audit Report for the 2021-22 year; and 3. HOLD the Annual Electors meeting on Tuesday, 20 June 2023 in the Council Chambers, commencing at 6.00pm.
16-May-2023	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES 7 MARCH 2023 & RECOMMENDATIONS	190523	That Council RECEIVE the Committee Minutes for the meeting held on 7 March 2023.
23-May-2023	5.1	APPOINTMENT OF INDEPENDENT MEMBER TO THE CEO SELECTION PANEL AND APPOINTMENT OF HUMAN RESOURCES CONSULTANT	200523	That Council APPOINT Belby Downing Teal as the Human Resources Consultant to assist the CEO Selection Panel, and Council, to undertake a CEO Recruitment process.
			210523	AGREE to reimburse Trevor for reasonable, related travel costs in accordance with the Council's Elected Member Allowances and Expenses Policy.
20-June-2023	9.1.1	PROPOSED REVISED LOCAL PLANNING POLICY NO. 51: CARAVAN PARKS & CAMPING GROUNDS	060623	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1. ADOPT Local Planning Policy No. 51: Caravan Parks & Camping Grounds (as shown at Attachment 9.1.1a) which includes the following modifications from the advertised draft: a) Amend part 5.1.5 of the Policy to read: "Contact details of the designated park manager and an approved guest code of conduct are to be provided to adjoining landowners." b) Include the following additional wording into part 4 of the Policy: "In addition to the requirement for development approval, all caravan parks and camping grounds are required to apply for a license to operate and meet the servicing, infrastructure and safety requirements of the Caravan Parks and Camping Grounds Regulations 1997." 2. Publish notice of the adoption of Local Planning Policy No. 51: Caravan Parks & Camping Grounds for a period of 30 days on the Shire's website, in the Shire's offices and in a local newspaper within 14 days of the Council resolution.
20-June-2023	9.1.2	PROPOSED REVOCATION OF LOCAL PLANNING POLICY NO. 12.1: RELOCATED DWELLINGS	070623	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1. REVOKE Local Planning Policy No. 12.1: Relocated Dwellings. 2. PROVIDE public notice of the Council's decision to revoke Local Planning Policy No. 12.1: Relocated Dwellings on the Shire's website and in the Shire's offices for a period of no less than 21 days.
20-June-2023	9.1.3	PROPOSED SCHEME AMENDMENT 149	080623	That Council: 1. In accordance with Regulation 41(2) of the Planning and Development (Local Planning Schemes) Regulations 2015: a) NOTES the submissions received in respect to Amendment No. 149 to the Shire of Denmark Town Planning Scheme No.3; a) ENDORSES the response to the submissions as contained at Attachment 9.1.3f of this report; and b) ENDORSES the response to WAPC's Advice to Local Government as contained at Attachment 9.1.3e of this report. 2. In accordance with Regulation 41(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, SUPPORT with modifications Amendment No. 149 to the Shire of Denmark Town Planning Scheme No.3 as detailed in Attachment 9.1.3g. 3. AUTHORISES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the Local Government Act 1995, to execute under Common Seal Amendment No.149 to the Shire of Denmark Town Planning Scheme No.3. 4. ADVISES those who provided a submission of the Council's resolution.
20-June-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 APRIL 2023	090623	That with respect to the Financial Statements for the period ending 30 April 2023, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1.
20-June-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 APRIL 2023	100623	That with respect to the attached Schedule of Payments, totalling \$1,594,343.62 for the month of April 2023, Council RECEIVE the following summary of accounts: • Electronic Funds Transfers EFT 35260 to EFT 35481- \$1,041,028.73; • Municipal Fund Cheque No's 60529 - 60531 - \$9,045.00; • Internal Account Transfers (Payroll) - \$440,743.78; • Direct Debit - \$8,846.45; • Corporate Credit Card - \$2,867.16; • Department of Transport Remittances - \$91,812.50; and • Loan Payments – Nil
20-June-2023	9.2.3	2023-24 PROPOSED DIFFERENTIAL RATES AND MINIMUM PAYMENTS FOR PUBLIC COMMENT	110623	That Council 1. REQUESTS the CEO prepare the 2023-24 Annual Budget to incorporate a 5.50% increase in rates revenue in addition to property growth, and; 2. APPROVES the 2023-24 Statement of Objectives and Reasons for Differential Rates and Minimum Payments, as per Attachment A, and; 3. APPROVES advertising in accordance with Section 6.36 of the Local Government Act 1995 for public submissions on the proposed 2023-24 differential general rates and minimum payments as set out in the table below: [SEE FULL RESOLUTION]
20-June-2023	9.2.4	DENMARK FUTURES – PROJECT SUPPORT & CONTRIBUTION REQUEST	120623	That with respect to the request from Denmark Futures Ltd, Council: 1. SUPPORT the project as outlined in the Officer's report; and 2. REQUEST the Chief Executive Officer to include \$10,000 in the draft 2023/24 Budget as a contribution towards the project.
20-June-2023	9.2.5	TEMPORARY CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT	140623	That with respect to the Temporary CEO, David King, Council: 1. APPROVE the negotiated salary package, as per the breakdown provided in the confidential attachment; 2. APPROVE the Employment Contract as provided in the confidential attachments, being the Employment Contract and the modifications detailed in the letter of offer; and 3. AGREE that the salary package applies from the 22 May 2023, being the date that David was appointed to the position.
20-June-2023	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES 2 MAY 2023 & RECOMMENDATIONS	160623	That Council RECEIVE the Sustainable Projects Committee Minutes for the meeting held on 2 May 2023.
20-June-2023	10.2	BUSH FIRE ADVISORY COMMITTEE MINUTES 20 APRIL 2023	170623	That Council RECEIVE the Bush Fire Advisory Committee Minutes for the meeting held on 20 April 2023.

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
27-June-2023	5.1	KWOORABUP NATURE SCHOOL LEASE	200623	That with respect to a new lease and lease area for the Kwoorabup Nature School, for a portion of Lot 952 on Deposited Plan 39348, Council: 1. NOTE the submissions received. 2. APPROVE the draft Lease in Attachment 5.1b subject to the following amendments: a. Clause 8.3 – include reference to the Station Masters House. b. Item 11.2(1)(b) of the Schedule, replace the words "[Insert Date]" with "1 July 2025". c. Item 11.2(1)(e) of the Schedule, replace the word "two" with the word "five". d. Replace Appendix 1 with the survey as per Attachment 5.1c. e. Item 1 of the Schedule, replace the entire wording under the sub-heading "Premises" to read, "The portion of the Land (comprising an area of 6,520sqm) and "Public Shared Use Area" (comprising an area of 1,150sqm), as shown in Appendix 1 and referred to as Current School Lease, Proposed School Lease and Current Shared Use Area, including all buildings, structures, alterations, additions and improvements on that part of the Land, or erected on that part of the Land during the term, excluding the School Buildings." f. Item 5 of the schedule , replace the words "[Insert rent]" with "\$29,000 (ex GST)" g. Add to the Schedule: "11.4 Station Masters House (1) The Lessee agrees with the Lessor: (a) that the Station Masters House be made available to community groups at times outside school hours. (b) terms and conditions relating to the community group use shall be negotiated in good faith by both parties and approved by the Lessor.18 (c) Add to the end of Clause 23.1(2), 'unless otherwise approved by the Lessor'. 3. ADVISE the applicant that any development of the new lease area, shall be in accordance with a new adopted Concept Plan, which will be the subject of further consultation prior to it being considered by the Council. 4. REQUEST the Chief Executive Officer to seek Ministerial Consent, and if received, AUTHORISE the Chief Executive Officer and the Shire President to execute the final lease documentation subject to written agreement from the Kwoorabup Nature School that the Station Masters House, and/or the Old Post Office Building be offered for full time community use once additional buildings are constructed and they are no longer required as classrooms.
27-June-2023	5.2	STRATEGIC COMMUNITY PLAN MAJOR REVIEW	210623	That Council, with respect to the Integrated Planning and Reporting Framework, 1.NOTE the community engagement feedback received during the Strategic Community Plan major review; 2.RECEIVE the Strategic Community Plan Engagement Report and MARRVT Community Scorecard Report; 3.ADOPT the Shire of Denmark Strategic Community Plan Our Future 2033; and 4.ENDORSE the vision, commitment, objectives, priorities and decision-making principles included within Our Future 2033.
27-June-2023	5.3	ACCEPT 2021/22 ANNUAL REPORT AND SCHEDULE ANNUAL ELECTORS MEETING	220623	That in relation to the 2021/22 Annual Report, Council: 1.ACCEPT the Annual Report as per Attachment 5.3b, including the Annual Financial Report and Audit Report for the 2021/22 year; and 2.HOLD the Annual Electors meeting on Tuesday, 18 July 2023, in the Council Chambers, commencing at 6.00pm.
18-July-2023	9.1.1	PROPOSED ROAD CLOSURES – DENMARK AIRFIELD	060723	That Council, pursuant to clause 58 of the Land Administration Act 1997 and Reg. 9 of the Land Administration Regulations 1998, REQUEST the Chief Executive Officer to provide public notice, seeking submissions for a period of no less than 35 days, of Council's intent to close Paxillus Way and Macartney End and amalgamate these road reserves with Reserve 41390.
18-July-2023	9.1.2	PROPOSED DRAFT REVISED LOCAL PLANNING POLICY NO. 13: OUTBUILDINGS & WATER TANKS	070723	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1.REVOKE Local Planning Policy 13.4: Outbuildings and Local Planning Policy 40: Rainwater Tanks and Greywater Re-use Systems 2.ADOPT Local Planning Policy No. 13: Outbuildings & Water Tanks (as shown at Attachment 9.1.2c) which includes the following modifications from the advertised draft: (SEE FULL RESOLUTION).
18-July-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MAY 2023	080723	That with respect to the Financial Statements for the period ending 31 May 2023, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1.
18-July-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 MAY 2023	090723	That with respect to the attached Schedule of Payments, totalling \$1,998,580.03 for the month of May 2023, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT 35482 to EFT 35683 - \$1,173,829.95; •Municipal Fund Cheque No's 60532 - 60537 - \$8,698.60; •Internal Account Transfers (Payroll) - \$655,865.07; •Direct Debit - \$8,066.90; •Corporate Credit Card - \$7,791.66; •Department of Transport Remittances - \$101,076.95; and •Loan Payments – \$43,250.90
18-July-2023	9.4.1	DENMARK WALPOLE FOOTBALL CLUB INC. LEASE	100723	That with respect to the Denmark Walpole Football Club Incorporated's occupation of a portion of Reserve 15513, being part of Lot 1087 on Deposited Plan 193666, Council: 1.AGREE to lease the premises for a period of 21 years for an annual rent of \$1.00, as per Attachment 9.4.1; and 2.AUTHORISE the Shire President and the Chief Executive Officer to execute the lease, subject to obtaining Ministerial Approval.
18-July-2023	9.4.2	PROPOSED NAMING – PORTION OF WILSON INLET FORESHORE, 'HART COVE'	120723	That with respect to the proposal to name a portion of the northern shoreline of Wilson Inlet 'Hart Cove', located within the Shire of Denmark local government area, Council: 1.SUPPORT the proposal in principle; 2.ADVERTISE the proposal broadly seeking public comment; 3.SEEK comment from residents and ratepayers who live near the location; 4.SEEK specific comment from the following stakeholders: (SEE FULL RESOLUTION)
18-July-2023	9.4.3	SALE OF INDUSTRIAL AREA LOT 9, 47 CORYMBIA CRESCENT, HAY	130723	That Council: 1.APPROVE the sale of Lot 9 on Deposited Plan 413974 to Judith Lucre for \$225,000 (excluding GST); and 2.ENDORSE the net proceeds being placed into Shire's Infrastructure Reserve.
18-July-2023	12.1	SALE OF INDUSTRIAL AREA LOT 10, 105 EAST RIVER ROAD, HAY	140723	That Council: 1.APPROVE the sale of Lot 10 on Deposited Plan 413974 to Tellbareena Pty Ltd for \$240,000 (excluding GST); and 2.ENDORSE the net proceeds being placed into Shire's Infrastructure Reserve.
01-August-2023	5.1	GOLDEN HILL STEINER SCHOOL LEASE	010823	That Council: 1.APPROVE the draft lease as per Attachment 5.1 2.AUTHORISE the Shire President and the Chief Executive Officer to execute the lease document.
01-August-2023	5.2	ADOPTION OF 2023/2024 ANNUAL BUDGET	020823	That Council: 1.Differential General Rates and Minimum Payment Rates. NOTES three (3) submissions were received in response to the Notice published in accordance with section 6.36(1) of the Local Government Act 1995, and pursuant to Sections 6.32, 6.33 and 6.35 of the Local Government Act 1995, ADOPTS the following differential general rates and minimum payments on the Gross Rental and Unimproved Values: (SEE FULL RESOLUTION). 2.Waste Collection Charges ADOPTS the following Waste Collection charges for the Shire of Denmark (including domestic kerbside waste collection and collection of recyclables) for the 2023/2024 financial year: (SEE FULL RESOLUTION). 3.Waste Facilities Maintenance Rate In addition to the full domestic refuse service, ADOPT an annual rate under section 66(1) of the Waste Avoidance and Resource Recovery Act 2007 (WARR Act) and, in accordance section 66(3) of the WARR Act, apply the minimum payment provisions of section 6.35 of the Local Government Act 1995. The rate is proposed to be called the "Waste Facilities Maintenance Rate". The minimum payment will be \$75. (SEE FULL RESOLUTION). 4.Rate Payment Options Pursuant to Section 6.45 of the Local Government Act 1995 and Regulation 64(2) of the Local Government (Financial Management) Regulations 1996, APPROVES the following due dates for the payment of rates and waste collection charges in full by one payment on the due date or in instalments as follows: (SEE FULL RESOLUTION). 5.IMPOSES the following Rates and Charges to provide for Administration and Interest Charges on Rating, Waste Collection and General Debtor Collection charges during the 2023/2024 financial year: (SEE FULL RESOLUTION).
			030823	That Council: 1.2023/2024 Annual Budget Pursuant to the provisions of Section 6.2(1) of the Local Government Act 1995 and Part 3 of the Local Government (Financial Management) Regulations 1996, ADOPTS the Shire of Denmark Annual Budget for the year ended 30 June 2024 as contained in Attachment 5.2a, excluding the following budget items: a)Turner Road Concept Plan – Bike Trails (GL106022) of \$80,000; and b)Bike Trail Construction – Turner Road (Job No. 51006) of \$30,000. 2.Material Variance Reporting for 2023/2024 Pursuant to Local Government (Financial Management) Regulation 34 regarding levels of variances for financial reporting, ADOPTS the monthly reporting variance for the 2023/2024 financial year of 10% or greater for each program area in the budget, as a level that requires an explanation or report, with a minimum dollar variance of \$10,000; 3.Elected Members Fees and Allowances for 2023/2024 Pursuant to Section 5.99 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1996, ADOPT the following annual fees for payment of elected members in lieu of individual meeting member's fees: (SEE FULL RESOLUTION). Pursuant to Section 5.98 (5) of the Local Government Act 1995 and regulation 33 of the Local Government (Financial Management) Regulations 1996, ADOPT the following annual local government allowance to be paid in addition to the annual meeting allowance: (SEE FULL RESOLUTION). Pursuant to Section 5.98A of the Local Government Act 1995 and regulation 33A of the Local Government (Financial Management) Regulations 1996, ADOPT the following annual local government allowance to be paid in addition to the annual meeting allowance: (SEE FULL RESOLUTION). Pursuant to Section 5.99A of the Local Government Act 1995 and regulation 34A and 34AA of the Local Government (Financial Management) Regulations 1996, ADOPT the following annual allowances for elected members: (SEE FULL RESOLUTION) 4.Pursuant to Section 6.16 of the Local Government Act 1995, ADOPT the Fees and Charges of the 2023/2024 Budget included as Attachment 5.1b of this agenda and minutes.

Shire of Denmark - Council Resolutions 2023

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
			040823	That Council; 1.Rate Waivers Pursuant to Section 6.47 of the Local Government Act 1995, WAIVES the 2023/2024 local government rate charge, including any and all future interim adjustments for the property assessments listed in Note 1 of the 2023/2024 Municipal Budget, noting that the amount totalling \$81,617 is subject to final confirmation during the 2023/2024 rate billing process.
			050823	That Council adopt the following budget allocations as detailed in the 2023/2024 Budget as presented in Attachment 5.2: a)Turner Road Concept Plan – Bike Trails (GL1060222) of \$80,000; and b)Bike Trail Construction – Turner Road (Job No. 51006) of \$30,000.
15-August-2023	9.4.1	SPECIAL ELECTORS MEETING DECISIONS, DENMARK MACHINERY RESTORATION GROUP LEASE AND PROPOSED HERITAGE RESERVE FUND	090823	That with respect to Motion 1 carried during the Special Electors Meeting on August 1, 2023, the Council acknowledges the motion and acknowledges the concerns raised by the Electors. However, after considering the technical advice provided in this report by the officers, it is concluded that no additional steps or actions are deemed necessary.
			100823	That with respect to Motion 3 carried during the Special Electors Meeting on August 1, 2023, the Council acknowledges the motion and acknowledges the concerns raised by the Electors. However, after considering the technical advice provided in this report by the officers, it is concluded that no additional steps or actions are deemed necessary.
			110823	That with respect to Motion 4 carried during the Special Electors Meeting on 1 August 2023, Council request that the Chief Executive Officer: 1.INCLUDE additional provisions in the Kwoorabup Nature School lease to: a)Ensure that the Denmark Lions Club be given first right of refusal to use the Station Masters House outside of school hours. b)Ensure that an area within the Station Masters House is provided for them to display their memorabilia. 2.PROVIDE the following statement in response to the request: (SEE FULL RESOLUTION)
			120823	That with respect to Motion 5 carried during the Special Electors Meeting on August 1, 2023, the Council acknowledges the motion and acknowledges the concerns raised by the Electors. However, after considering the technical advice provided in this report by the officers, it is concluded that no additional steps or actions are deemed necessary.
			130823	That Council REQUEST the Chief Executive Officer to: 1.Liaise with the Denmark Machinery Restoration Group to negotiate a lease renewal for their current tenure on Reserve 20277. 2.Present a draft lease back to the October Ordinary Council Meeting for consideration. The draft lease is to be consistent with recent community lease provisions including, but not limited to: a)Peppercorn Rent b)21-year term.
			140823	That Council REQUEST the Chief Executive Officer to present options to a Strategic Briefing for the creation of a heritage reserve fund for the purpose of community heritage projects. The consideration should include: 1.How the reserve is funded, including the potential to utilise all or part of the increase in KHS lease income. 2.What aspects of heritage the funding can be used for. 3.Process on how and when Community Groups can access the funding.
15-August-2023	9.1.1	DRAFT LOCAL PLANNING STRATEGY – WAPC SCHEDULE OF MODIFICATIONS	160823	That Council NOTE the schedule of modifications and resolution within the WAPC Statutory Planning Committee agenda, minutes and Shire officer responses at attachments 9.1.1a, 9.1.1b and 9.1.1c.
15-August-2023	9.1.2	PROPOSED DENMARK SURF LIFE SAVING CLUB REDEVELOPMENT	170823	That Council APPROVE the redevelopment of the Denmark Surf Life Saving facility and public amenities including: •Demolition of the front patrol and kiosk building •Demolition of the public amenity building •Refurbishment of the current Surf Life Saving Club building •New public amenity building, kiosk and undercover alfresco area •New storage building, and •Public realm enhancements including landscaping, retaining walls, bicycle parking, stairs, viewing areas and a new sea wall with handrail. at Reserve 24913, Lot 556 (#908) Ocean Beach Road, Ocean Beach subject to the following conditions: Approval Terms 1.The development shall be carried out and fully implemented in accordance with the stamped approved plans and details dated 19 July 2023. Prior to Commencement of Works (SEE FULL RESOLUTION)
15-August-2023	9.1.3	DRAFT REVISED LOCAL PLANNING POLICY NO. 18: TOURISM & COMMERCIAL LAND USES IN THE RESIDENTIAL, SPECIAL RESIDENTIAL & SPECIAL RURAL ZONES	180823	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1.ADDOPT Draft Local Planning Policy No. 18: Tourism & Commercial Land Uses in the Residential, Special Residential & Special Rural Zones (as shown at Attachment 9.1.3b) for the purpose of public consultation. 2.Publish notice of the Council's decision to advertise Draft Local Planning Policy No. 18: Tourism & Commercial Land Uses in the Residential, Special Residential & Special Rural Zones for a period of 30 days on the Shire's website, in the Shire's offices and in a local newspaper.
15-August-2023	9.1.4	DRAFT REVISED LOCAL PLANNING POLICY NO. 44: EXEMPTIONS FROM DEVELOPMENT APPROVAL	190823	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1.ADDOPT Draft Local Planning Policy No. 44: Exemptions from Development Approval (as shown at Attachment 9.1.4c) for the purpose of public consultation. 2.Publish notice of the Council's decision to advertise Draft Local Planning Policy No. 44: Exemptions from Development Approval for a period of 30 days on the Shire's website, in the Shire's offices and in a local newspaper.
15-August-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30 JUNE 2023	200823	That with respect to the Financial Statements for the period ending 30 June 2023, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1.
15-August-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 JUNE 2023	210823	That with respect to the attached Schedule of Payments, totalling \$3,226,238.43 for the month of June 2023, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT 35684 to EFT 35945 - \$2,563,524.97 •Municipal Fund Cheque No's 60538 - 60541 - \$17,662.25 •Internal Account Transfers (Payroll) - \$462,788.86 •Direct Debit - \$7,346.51 •Corporate Credit Card - \$6,097.63 •Department of Transport Remittances - \$122,469.05 •Loan Payments – \$46,349.16
15-August-2023	9.4.2	PROPOSED NEW ROAD OR RESERVE NAME - PHOEBE	220823	That Council; 1.ENDORSE the name "Phoebé" as a future road name in recognition of David and Norma Phoebé's contributions to the Denmark community; and 2.REQUEST the Chief Executive Officer to add the name "Phoebé" to the Council's Road Naming Policy in the category of "local identity".
15-August-2023	10.1	BUSH FIRE ADVISORY COMMITTEE – MINUTES AND RECOMMENDATIONS	230823	That Council APPOINTS the following persons as Fire Control Officers for the financial year 2023/2024 and advertises the appointments in the Denmark Bulletin. (SEE FULL RESOLUTION)
			240823	That Council APPOINT Lez Baines as the Shire of Denmark's Chief Bushfire Control Officer for the 2023/24 financial year.
			250823	That Council APPOINT Nigel Marsh as the Shire of Denmark's Deputy Chief Bushfire Control Officer for the 2023/24 financial year.
			260823	That Council; 1.REJECT the Committee Recommendation to appoint Shane Howlett as a second Deputy Chief Bushfire Control Officer, due to the Bush Fires Act 1954 only permitting one Deputy; and 2.In acknowledging the Committee's attempt to establish additional seniority to the Chief and Deputy, REQUEST the Chief Executive Officer to investigate the establishment of Bush Fire Operating Procedure for chain of command, in accordance with clause 3.1 of the Shire of Denmark Bush Fire Brigades Local Law.
			270823	That Council APPOINT Adrian Kranendonk for the financial year 2023/24 as a Fire Control Officer and Fire Weather Officer to be authorised within the entire Shire of Denmark.
			280823	That Bush Fire Advisory Committee meet four (4) times a year, commencing on the last Thursday in October and then at an equal time across that period plus one annual general meeting aligned to the meeting closest to the financial year start/end.
			300823	That Council REQUEST the Chief Executive Officer to formally seek the timetable for the delivery of overdue fire appliances scheduled for replacement in accordance with the Department of Fire & Emergency Services replacement criteria, and detailed in Local Government Grant Scheme Application.
			300823	That Council RECEIVE the Minutes of the Bush Fire Advisory Committee meeting held on 3 August 2023.
05-September-2023	6.1	OFFER OF CHIEF EXECUTIVE OFFICER EMPLOYMENT CONTRACT	040923	That Council; 1.APPROVE the terms of the Contract of Employment, as per Attachment 6.1c; 2.OFFER the position of Chief Executive Officer for the Shire of Denmark to David King, as the most suitably experienced and qualified candidate; and 3.AUTHORISE the Shire President to sign the Contract of Employment should the Council's offer be accepted.
19-September-2023	6.1	REQUEST FOR LEAVE OF ABSENCE - CR LEWIS	060923	That Cr Lewis be granted leave of absence from 23 October 2023 to 10 November 2023.
19-September-2023	6.2	REQUEST FOR LEAVE OF ABSENCE - CR CAMPBELL	070923	That Cr Campbell be granted leave of absence from 13 to 17 November 2023.
19-September-2023	9.1.1	PROPOSED TEN MULTIPLE DWELLINGS AT UNIT 1, 31 STRICKLAND STREET, DENMARK	110923	1.ADVISE the applicant that the Council considers multiple dwellings to be an appropriate land use in the Commercial Zone and adaptive reuse of the heritage building for residential purposes is generally supported. 2.REQUEST the applicant consider submitting a revised proposal for a maximum of 6 multiple dwellings at Lot 111 (#31) Strata Lot 1 Strickland Street, Denmark, as the Council considers this to be the maximum appropriate number of dwellings when accounting for the availability of car parking and requirements of the Apartment Codes. 3.DELEGATE determination of the application to the Chief Executive Officer.
19-September-2023	9.1.2	SCHEME AMENDMENT 148 - PROPOSED TOURIST ZONE: LOT 305 (No. 40) WENTWORTH ROAD, OCEAN BEACH	120923	That Council; 1.In accordance with Regulation 41(2) of the Planning and Development (Local Planning Schemes) Regulations 2015: a)NOTES the submissions received in respect to Amendment No. 148 to the Shire of Denmark Town Planning Scheme No.3; b)ENDORSES the response to the submissions as contained at Attachment 9.1.2e of this report; and 2.In accordance with Regulation 41(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, SUPPORT with modifications Amendment No. 148 to the Shire of Denmark Town Planning Scheme No.3 as detailed in Attachment 9.1.2g. 3.AUTHORISES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the Local Government Act 1995, to execute under Common Seal Amendment No.148 to the Shire of Denmark Town Planning Scheme No.3. 4.ADVISES those who provided a submission of the Council's resolution.

Shire of Denmark - Council Resolutions 2023

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
19-September-2023	9.1.3	PROPOSED LAND EXCHANGE - REALIGNMENT OF BOUNDARIES BETWEEN RESERVE 45473 AND ADJOINING LOT 9003 (NO. 16) HONEYMYRTLE CIRCUIT	130923	That Council: 1.ENDORSE the proposed realignment of boundaries between portions of Reserve 45473 and Lot 9003 (No. 16) Honeymyrtle Circuit, Denmark (shown in Attachment 9.1.3c – Proposed Lots) for the purpose of public consultation. 2.ADVVERTISE the proposed changes to Reserve 45473 for a period of 30 days on the Shire's website, in the Shire's offices, in a local newspaper and via signage on site.
19-September-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 JULY 2023	140923	That Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, for the period ending 31 July 2023, as per Attachment 9.2.1.
19-September-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 JULY 2023	150923	That with respect to the attached Schedule of Payments totalling \$1,920,852.56 for the month of July 2023, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT 35921 to EFT 36144 - \$1,368,532.28 •Municipal Fund Cheque No. 60542 - \$90.20 •Internal Account Transfers (Payroll) - \$438,573.15 •Direct Debit - \$8,536.37 •Corporate Credit Card - \$4,348.47 •Department of Transport Remittances - \$84,265.70 •Loan Payments – \$16,506.39
19-September-2023	9.4.1	VARIATION TO CONTRACT OF SALE OF LOT 9, 47 CORYMBIA CRESCENT, HAY	160923	That Council: 1.APPROVE the Deed of Variation of Contract to amend the name of the purchaser of Lot 9 on Deposited Plan 413974 from Judith Lucre to Denmark Freightlines Pty Ltd; 2.CONFIRM the agreed sale price of \$225,000 (excluding GST). 3.REQUEST the Chief Executive Officer to advertise the disposal in accordance with the Local Government Act 1995 and associated Regulations; and 4.AUTHORISE the Chief Executive Officer to consider any submissions.
19-September-2023	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES 5 SEPTEMBER 2023 & RECOMMENDATIONS	180923	That Council APPROVE the following amendment to the 2023/2024 adopted budget in relation to a Western Power Network Upgrade to allow future installation of DC fast charging infrastructure: Increase capital expenditure for a Western Power Network Upgrade by \$40,000 excluding GST to be fully funded by a transfer from the Infrastructure Reserve to A/c 1220104 – Job 50130.
19-September-2023	12.1	DESIGNATED SENIOR EMPLOYEES	220923	That Council AMEND the Temporary Employment or Appointment of CEO and Designation of Seniors Employees Policy by: 1.REMOVING the: a)Director Assets & Sustainable Development / Deputy CEO; b)Director Corporate & Community Services; and c)Acting Director Corporate & Community Services. 2.DESIGNATING the following positions and position classes as senior employees, for the purposes of section 5.37(1) of the Local Government Act 1995. a)Positions prefixed with Director b)Positions prefixed with Executive Manager c)Manager Development Services.
17-October-2023	6.1	REQUEST FOR LEAVE OF ABSENCE - CR CAMPBELL	021023	That Cr Campbell be granted leave of absence from the 6th November to the 10th November 2023.
17-October-2023	9.1.1	FINAL ADOPTION OF PROPOSED LOCAL PLANNING POLICY NO. 18: TOURISM & COMMERCIAL LAND USES IN THE RESIDENTIAL, SPECIAL RESIDENTIAL & SPECIAL RURAL ZONES	051023	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1.ADOPT Local Planning Policy No. 18: Tourism & Commercial Land Uses in the Residential, Special Residential & Special Rural Zones (as shown at Attachment 9.1.1b). 2.Publish notice of the adoption of Local Planning Policy No. 18: Tourism & Commercial Land Uses in the Residential, Special Residential & Special Rural Zones on the Shire's website and in the Shire's offices.
17-October-2023	9.1.2	FINAL ADOPTION OF PROPOSED LOCAL PLANNING POLICY NO. 44: EXEMPTIONS FROM DEVELOPMENT APPROVAL	061023	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1.ADOPT Local Planning Policy No. 44: Exemptions from Development Approval (as shown at Attachment 9.1.2c). 2.Publish notice of the adoption of Local Planning Policy No. 44: Exemptions from Development Approval on the Shire's website and in the Shire's offices.
17-October-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 AUGUST	071023	That with respect to the Financial Statements for the period ending 31 August 2023, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1.
17-October-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 AUGUST 2023	081023	That with respect to the attached Schedule of Payments totalling \$1,556,279.58 for the month of August 2023, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT 36145 to EFT 36401 - \$992,953.35 •Municipal Fund Cheque No's 60543 to 60547 - \$1,175.75 •Internal Account Transfers (Payroll) - \$431,942.08 •Direct Debit - \$7,513.94 •Corporate Credit Card - \$1,409.66 •Department of Transport Remittances - \$104,711.85 •Loan Payments – \$16,572.95
17-October-2023	9.5.1	2023/24 COMMUNITY GRANT PROGRAM	091023	That Council ENDORSE the following Community Program applications totalling \$25,000 for 2023/2024: Breaking the Silence/Trading as DV Assist Domestic Violence Community Education Program & App Launch in Denmark.\$4,000.00 Denmark Dance Company (auspice by Denmark Arts Council) Dance Generators Project - intergenerational community dance project.\$3,810.00 Denmark Chamber of Commerce Youth Activation Project – youth art exhibition, career expo, acrobatic workshops & performance during the month of April.\$8,979.00 Denmark FM (auspice by Denmark Community Resource Centre) The Sounds of Silent Disco! - Purchase of silent disco headphones & transmitters.\$4,249.00 Denmark Table Tennis The Golden Bat Community Table Tennis Competition – an intergenerational event aimed at increasing youth participation in table tennis.\$962.00 Sarabande Early Music Ensemble (auspice by Denmark CRC) Summer Early Music Workshops – for tutor's fee & scholarship for youth aged 12-24.\$2,500.00 Denmark Community Resource Centre To host a Gingerbread House decorating workshop for young people.\$500.00
17-October-2023	10.1	DISABILITY SERVICES ADVISORY COMMITTEE MINUTES	101023	That Council RECEIVE the Committee Minutes for the meeting held on 25 July 2023.
14-November-2023	5.1	SENIOR OFFICER PROPOSALS AND RECOMMENDATIONS	011123	That Council ACCEPT the Chief Executive Officer's recommendations in accordance with Attachment 5.1a and 5.1b.
21-November-2023	9.1.1	SCHEME AMENDMENT 154 – PROPOSED EXTENSION OF ADDITIONAL USE SITE NO. 12 TO LOT 1 RIVERBEND LANE, SCOTSDALE	061123	That Council REMOVE the moratorium on the acceptance and initiation of any further standard or complex amendments to Town Planning Scheme No. 3.
			071123	1.in accordance with Section 75 of the Planning and Development Act 2005, resolve to ADOPT (initiate) Amendment 154 of the Shire of Denmark Town Planning Scheme No.3 by: (SEE FULL RESOLUTION).
			081123	That Council ADOPT a moratorium on the acceptance and initiation of any further standard or complex amendments to Town Planning Scheme No. 3 until such time as Local Planning Scheme No. 4 has been gazetted.
21-November-2023	9.1.2	SCHEME AMENDMENT 147 - PROPOSED TOURIST ZONE: LOT 3 (No. 2446) SOUTH COAST HIGHWAY, WILLIAM BAY	091123	That Council: 1.in accordance with Regulation 41(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, a.NOTES the submissions received in respect to Amendment No. 147 to the Shire of Denmark Town Planning Scheme No.3; and b.ENDORSES the response to the submissions as contained at Attachments 9.1.2e, 9.1.2f and 9.1.2g of this report. 2.in accordance with Regulation 41(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, SUPPORT Amendment No. 147 to the Shire of Denmark Town Planning Scheme No.3 with modifications as detailed in Attachment 9.1.2h. (SEE FULL RESOLUTION).
21-November-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDING 30 SEPTEMBER 2023	101123	That Council: 1.RECEIVE the Financial Reports for the period ending 30 September 2023, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1. 2.APPROVE a budget amendment to increase the expenditure provision to account 1021004 (Job 53006) by \$7,000, increase the expenditure provision to account 1021154 (Job 53015) by \$20,000 and increase the transfer from the Waste Services Reserve by \$27,000 to maintain a balanced budget.
	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 SEPTEMBER 2023	111123	That with respect to the attached Schedule of Payments totalling \$1,538,030.56 for the month of September 2023, Council RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT 36402 to EFT 36625 - \$972,172.55 •Municipal Fund Cheque payments – Nil •Internal Account Transfers (Payroll) - \$464,613.70 •Direct Debit - \$7,773.38 •Corporate Credit Card - \$2,792.18 •Department of Transport Remittances - \$90,678.75 •Loan Payments – Nil
	9.3.1	WALGA ROADWISE COUNCIL	121123	That Council: 1.ACCEPT the invitation from WALGA to register the Shire of Denmark as a Roadwise Council; 2.REQUEST the CEO to formally thank WALGA for the opportunity.
21-November-2023	9.4.1	CONTINUED PROFESSIONAL DEVELOPMENT POLICY REVIEW	131123	That Council APPROVE the Continued Professional Development Policy (Attachment 9.4.1) without change.

Shire of Denmark - Council Resolutions 2023

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
21-November-2023	9.4.2	APPOINTMENT OF COUNCILLOR DELEGATES TO STATUTORY COMMITTEES AND EXTERNAL ORGANISATIONS	161123	That with respect to the Audit Advisory Committee, Council: 1.APPROVE the Charter, as per Attachment 9.4.2a; and 2.APPPOINT Cr Gibson, Cr Carman, Cr Campbell, Cr Wiggins, Cr Devenport and Cr Ormsby as members. That with respect to the Behaviour Management Committee, Council: 1.APPROVE the Charter, as per Attachment 9.4.2c; and 2.APPPOINT Cr Youel, Cr Phillips, Cr Ormsby and Cr Devenport as members. That with respect to the Local Emergency Management Committee, Council: 1.APPROVE the Charter, as per Attachment 9.4.2d; 2.NOTE that the Shire President is an automatic member according to the Charter; 3.APPPOINT the Shire President as Chair of the Committee; and 4.APPPOINT Cr Campbell as the additional councillor member. That with respect to the South Coast Alliance Inc Committee, Council APPPOINT Cr Campbell as the additional councillor member. That with respect to the Joint Development Assessment Panel, Council: 1.NOTE that the current members appointments are valid until 26 January 2024; and 2.Upon expiry, NOMINATE Cr Carman and Cr Devenport as the members and Cr Youel and Cr Phillips as the alternate members. That Council APPPOINT Cr Wiggins to the Great Southern Regional Road Group. That with respect to the WALGA Great Southern Zone, Council APPPOINT: 1.Cr Youel and Cr Ormsby as members; and 2.Cr Carman and Cr Phillips as deputy members.
21-November-2023	9.4.3	REVIEW OF DELEGATIONS	171123	That Council: 1.APPROVE the delegations contained in the Delegations Register (Attachment 9.4.3) subject to the following amendments: a)Remove clause 5.2.4 from Delegation No. 1.4.7 – Health Local Law; b)Remove Bush Fire Control Officers from Delegation 3.1.7 – Prosecution of Offences, Issuing of Infringements and Withdrawals. 2.AUTHORISE the Governance Coordinator to be the Complaints Officer for the purposes of regulation 11(3) of the Local Government (Model Code of Conduct) Regulations 2021.
21-November-2023	9.4.4	DENMARK MACHINERY RESTORATION GROUP INC. LEASE	181123	That Council: 1.APPROVE the draft lease with the Denmark Machinery Restoration Group Inc., as per Attachment 9.4.4; and 2.AUTHORISE the Shire President and the Chief Executive Officer to execute the lease, subject to obtaining consent from the Minister for Lands.
21-November-2023	11.1	CHIEF EXECUTIVE OFFICER - ADDITIONAL PERFORMANCE CRITERIA	201123	That Council: 1.In accordance with the Standards for CEO Recruitment, Performance and Termination Policy 16(1)(b), APPROVE the additional Performance Criteria detailed in within the report; and 2.AUTHORISE the Shire President to execute the contractual documents.
21-November-2023	12.1	CONTRACT AWARD – DEMOLITION OF EXISTING AND CONSTRUCTION OF NEW SEAWALL AT OCEAN BEACH (DENMARK WA)	231123	That Council APPROVE the award of the tender for the 'Demolition of existing and Construction of new Seawall at Ocean Beach (Denmark WA)' to Neo Civil Pty. Ltd.
12-December-2023	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 OCTOBER 2023	051223	That Council RECEIVE the Financial Reports for the period ending 31 October 2023, incorporating the Statement of Financial Activity and other supporting documentation, as per Attachment 9.2.1.
12-December-2023	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 OCTOBER 2023	061223	That Council, with respect to the attached Schedule of Payments totalling \$1,602,955.66 for the month of October 2023, RECEIVE the following summary of accounts: •Electronic Funds Transfers EFT 36627 to EFT 36806 - \$1,049,742.45 •Municipal Fund Cheque payments – \$1,023.92 •Internal Account Transfers (Payroll) - \$455,040.20 •Direct Debit - \$6,363.85 •Corporate Credit Card - \$4,527.14 •Department of Transport Remittances - \$86,258.10 •Loan Payments - Nil
12-December-2023	9.2.3	2022-2023 AUDIT, FINANCIAL AND ANNUAL REPORT, GENERAL MEETING OF ELECTORS	071223	That Council, with respect to the 2022-2023 Annual Report: 1)ACCEPT the Annual Financial Report and Auditor's Report for the financial year 2022-2023; and 2)ADOPT the annual report including the Annual Financial Report and Auditor's Report for the financial year 2022-2023; and 3)SET the date for the Annual General Meeting of Electors for Tuesday, 30 January 2024 in the Council Chambers, commencing at 6.00pm.
12-December-2023	9.4.1	ORDINARY COUNCIL MEETING DATES FOR 2024 AND LOCALITY MEETING POLICY	101223	That Council: 1.HOLD the Ordinary Council Meetings for 2024 on the dates shown in Attachment 9.4.1; 2.DETERMINE that all of those meetings will commence at 4.00pm and be held in the Council Chambers, 953 South Coast Highway, Denmark. 3.AMEND the Ordinary Council Meetings Policy by: a)Removing reference to meeting day, frequency and time; and b)Changing the title to Ordinary Council Meeting Agenda Publication. 4.AMEND the Locality (Kent/Nornalup Ward) Meetings Policy title by deleting the reference to the Kent/Nornalup Ward, as the ward no longer exists; and 5.REPEAL the Annual Closures of some Services & Operations over December and January Policy. 6.REPEAL the Meetings of Council and Committees – Distribution and Release of Minutes Policy. 7.NOTE that the Minister for Local Government is seeking to legislate that all local government Council Meetings be recorded, commencing January 2025, however request that the CEO investigate recording Shire of Denmark Council Meetings prior to it being a mandatory requirement.
12-December-2023	9.4.2	ELECTED MEMBER ALLOWANCES AND EXPENSES POLICY	111223	That Council adopt the Elected Member Allowances and Expenses Policy, as per Attachment 9.4.2.
12-December-2023	9.4.3	APPOINTMENT OF COUNCILLOR DELEGATES TO COMMITTEES AND EXTERNAL ORGANISATIONS	121223	That Council: 1.DISBAND the Disability Services Advisory Committee; 2.ESTABLISH an Accessibility Working Group, with the Terms of Reference to be as per Attachment 9.4.3a, subject to the following amendments: a.Non Councillor members are appointed by the Chief Executive Officer upon recommendation from the Manager Community Services; b.Remove the Denmark Health Service from the membership; c.Add to the membership: i.1 x representatives from the National Disability Insurance Agency; and ii.An additional community member (professional) position. 3.APPPOINT Cr Carman as a member; and 4.RETAIN all other members and representatives who were on the Disability Services Advisory Committee given that they are part way through existing projects and events.
			131223	That with respect to the Bush Fire Advisory Committee, Council: 1.APPROVE the Charter, as per Attachment 9.4.3b; and 2.APPPOINT Cr Gibson and Cr Campbell as members.
			141223	That Council: 1.DISBAND the Sustainable Projects Committee; 2.ESTABLISH a Sustainable Projects Working Group, with the Terms of Reference to be as per Attachment 9.4.3c; and 3.APPPOINT Cr Gibson, Cr Lewis, Cr Campbell and Cr Phillips as members.
			151223	That with respect to Bushfire Mitigation Working Group, Council: 1.APPROVE the Terms of Reference, as per Attachment 9.4.3d; and 2.APPPOINT Cr Carman, Cr Campbell and Cr Ormsby as members.
			161223	That with respect to Local Planning Strategy Working Group, Council: 1.APPROVE the Terms of Reference, as per Attachment 9.4.3e; and 2.APPPOINT Cr Gibson, Cr Lewis and Cr Carman as members.
			171223	That with respect to Trails Advisory Group, Council: 1.APPROVE the Terms of Reference, as per Attachment 9.4.3f; and 2.APPPOINT Cr Carman, Cr Devenport and Cr Lewis as members.

Shire of Denmark - Council Resolutions 2023

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
			181223	That with respect to the following external organisations, Council APPOINT the following councillor delegates: <ul style="list-style-type: none"> •Denmark Chamber of Commerce – Cr Gibson. •Denmark Arts – Cr Campbell. •Great Southern Recreation Advisory Group – Cr Devenport. •Wilson Inlet Catchment Committee – Cr Wiggins. •Denmark Community Resource Centre – Cr Carman. •Denmark Historical Society – Cr Youel. •Nornalup Residents & Ratepayers Association – Cr Phillips and Cr Ormsby as proxy. •Peaceful Bay Progress Association – Cr Phillips and Cr Wiggins as proxy.
			191223	That Council APPOINT Cr Youel as the proxy delegate to the Great Southern Regional Road Group.
			201223	That Council REMOVE paragraph three within the Presiding Members of Council Committees & Working Groups Policy as is it a duplication of what is already legislated under s 5.13 of the Local Government Act 1995.
12-December-2023	9.4.4	ELECTRIC SCOOTERS PERMIT REVIEW	221223	That Council AUTHORISE the Chief Executive Officer to renew the permit for Beam Mobility to provide up to 80 e-scooters for hire within the Shire of Denmark Townsite for a period no greater than two (2) years, subject to the following additional condition: Between the dates 1 December and 30 April, and the hours 8am-6pm, scooters that have not been returned to approved parking areas are collected and redistributed to approved parking areas within 3 hours of being left at the unapproved location.
12-December-2023	12.1	APPOINTMENT OF PROSECUTORS – BUSH FIRES ACT 1954	241223	That for the purpose of a local government's functions under section 59 and 59A of the Bush Fires Act 1954, Council delegates authority to the Shire's Fire Inspection Officer and the Manager Community Services to perform those functions.