

Ordinary Council Meeting MINUTES

20 APRIL 2021



HELD IN THE COUNCIL CHAMBERS, 953 SOUTH COAST HIGHWAY, DENMARK ON TUESDAY, 20 APRIL 2021.



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Strategic Community Plan (snapshot)

E1.0

Our Economy

We are an attractive location to live, invest, study, visit and work

- E1.1 To have a stable and locally supported business community that embraces innovation, creativity, resourcefulness and originality
- E1.2 To be a vibrant and unique tourist destination, that celebrates our natural and historical assets
- E1.3 To have diverse education and employment opportunities
- E1.4 To recognise the importance of agriculture in our local economy and protect prime agricultural land

N2.0

Our Natural Environment

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

- N2.1 To preserve and protect the natural environment
- N2.2 To promote and encourage responsible development
- N2.3 To reduce human impact on natural resources, reduce waste and utilise renewable energy
- N2.4 To acknowledge and adapt to climate change

B3.0

Our Built Environment

We have a functional built environment that reflects our rural and village character and supports a connected, creative, active and safe community

- B3.1 To have public spaces and infrastructure that are accessible and appropriate for our community
- B3.2 To have community assets that are flexible, adaptable and of high quality to meet the purpose and needs of multiple users
- B3.3 To have a planning framework that is visionary, supports connectivity and enables participation
- B3.4 To manage assets in a consistent and sustainable manner
- B3.5 To have diverse and affordable housing, building and accommodation options

C4.0

Our Community

We live in a happy, healthy, diverse and safe community with services that support a vibrant lifestyle and foster community spirit

- C4.1 To have services that foster a happy, healthy, vibrant and safe community
- C4.2 To have services that are inclusive, promote cohesiveness and reflect our creative nature
- C4.3 To create a community that nurtures and integrates natural, cultural and historical values
- C4.4 To recognise and respect our local heritage and Aboriginal history

L5.0

Our Local Government

The Shire of Denmark is recognised as a transparent, well governed and effectively managed Local Government

- L5.1 To be high functioning, open, transparent, ethical and responsive
- L5.2 To have meaningful, respectful and proactive collaboration with the community
- L5.3 To be decisive and to make consistent and well considered decisions
- L5.4 To be fiscally responsible
- L5.5 To embrace change, apply technological advancement and pursue regional partnerships that drive business efficiency
- L5.6 To seek two-way communication that is open and effective

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DISCLAIMER

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

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1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

4.00pm – The Shire President, Cr Gearon, declared the meeting open.

Cr Gearon acknowledged the land on which the meeting was being held and the traditional custodians of the land, the Bibbulmun and Minang people.

Cr Gearon paid her respects to Elders past, present and emerging.

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

MEMBERS:

- Cr Ceinwen Gearon (Shire President)
- Cr Mark Allen (Deputy Shire President)
- Cr Geoff Bowley
- Cr Kingsley Gibson
- Cr Jan Lewis
- Cr Janine Phillips
- Cr Roger Seeney
- Vacant

STAFF:

- Mr David Schober (Chief Executive Officer)
- Mr David King (Director Assets & Sustainable Development)
- Mr Lee Sounness (Acting Director Corporate & Community Services)
- Ms Lisa Sanders (Executive Support Officer)

APOLOGIES

Cr Ian Osborne

ON APPROVED LEAVE(S) OF ABSENCE

Nil

ABSENT

Nil

VISITORS

Nil

3. DECLARATIONS OF INTEREST

Name	Item No	Interest	Nature
CR ALLEN	9.2.2	FINANCIAL	Financial Interest
CR BOWLEY	9.2.2	FINANCIAL	Active member of the Scotsdale/Mt Shadforth Volunteer Bush Fire Brigade
CR SEENEY	9.3.3	FINANCIAL	Currently dealing with the same Government Department regarding lease of personal rental property.
CR PHILLIPS	9.3.1	IMPARTIALITY	Part owner of the Peaceful Bay Caravan Park
CR LEWIS	9.2.2	IMPARTIALITY	Member of the Mt Lindsey Volunteer Bush Fire Brigade

4. ANNOUNCEMENTS BY THE PERSON PRESIDING

Nil

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

Questions from the Public

5.2.1 Mr Stick – Denmark Bridge Club

Mr Stick, representing the Denmark Bridge Club, said that they had previously spoken to the Councillors at an informal Briefing Session, regarding use of the house at Mclean Oval. Mr Stick requested the possibility of a longer period, rather than a 6-month booking, as offered by the Chief Executive Officer.

Cr Seeney asked the following questions of the CEO:

- *Has there has been any interest from other clubs in Denmark?*

Response: No regular bookings to date have been received by the Shire.

- *Is there a possibility of providing a longer lease with a conditional agreement of reclaiming the use of the House at McLean oval should the shire require it?*

Response: A lease would typically infer exclusive use over the site, which was understood not be the intent of both the Bridge Club or the Shire.

Cr Bowley asked Mr Stick;

- *could there be the opportunity for collaboration with another group?*

Response: No, each of the Clubs have different and unique requirements.

- *Do players outside of the Denmark Bridge Club attend? Who?*

Response: Yes, common for visiting players to join playing days.

Cr Lewis asked the CEO;

- *in support of Cr Seeneys question - if a lease was provided, would there be a clause for use of the property when the shire requires it?*

Response: Yes, all new leases have a provision that any Shire owned assets can be resumed if deemed necessary.

Cr Phillips asked the CEO;

- *What is the impediment of granting the Denmark Bridge Club a long-term rental?*

Response: No impediment other than appreciating the long-term objective for the venue which is not understood at present. The Mens' Shed were provided with 6 monthly booking in advance, as offered to the Bridge Club.

“Cr Lewis asked the CEO;

- *Does the Shire have any other suitable alternative venues available for hire to the Denmark Bridge Club for a longer period of time?”*

Response: For the past 3 years the Bridge Club have stated all venues proposed for use by staff have been rejected as unsuitable.

5.2.2 Mr Bart Lebbing – Prescribed Burning

Mr Lebbing congratulated Council on declaring the Climate Emergency, support for WA Forest Alliance and the recently released Sustainability Strategy. Mr Lebbing asked Council to consider taking a more active position to prescribe burning in light of Council’s decision to support the WA Forest Alliance and their adoption of the Shire of Denmark’s Sustainability Strategy.

Mr Lebbing questioned the Department of Biodiversity Conservation and Attractions annual burn plan and asked Council to negotiate with the Department around burns planned within the Shire of Denmark.

Cr Lewis asked the CEO;

- *How much internal correspondence is there between shire of Denmark and DBCA?*

Response: This is increasing and now regular information sessions are arranged between all stakeholders.

- *How much influence does the Shire of Denmark have in relation to these burns?*

Response: The Shire plays an advocacy role but is not a decision maker in relation to prescribed burning by the State.

Cr Bowley thanked Mr Lebbing and asked about the information received from DBCA?

5.2.3 Ms Yasmin Bartlett – 5G – Denmark for Safe Technology Group

Ms Bartlett, representing the Denmark for Safe Technology Group and its 158 members, spoke against the proposed Telstra 5G tower installation in Denmark. Ms Bartlett asked Council to consider the information provided, ahead of the opportunity to present at the May 2021 Council Meeting, regarding her presentation on the topic.

The Director of Assets and Sustainable Development outlined the Shire has no role in approving any 5G installation on existing infrastructure.

Cr Gearon asked Ms Bartlett to email in the request for presentation at the May Council Meeting.

5.2.4 Ms Sumer Addy – Item 9.3.1 - Proposal from Denmark Chamber of Commerce to extend Lease for the Denmark Visitor Centre to provide Visitor Servicing

Ms Sumer, Chief Executive Officer for the Denmark Chamber of Commerce, acknowledged and thanked Council for the opportunity to extend their lease of the Denmark Visitor Centre and reminded Council that the current visitor servicing model is an emergency relief until the Tourism Strategy was completed.

Ms Addy also explained the Denmark Chamber of Commerce would continue to support their previously presented distributed model pending the outcome of the Tourism Strategy and Council’s further consideration.

4.36pm - Cr Gibson left room.

5.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

5.3.1 QUESTIONS ON NOTICE – CR JAN LEWIS

The following Questions on Notice were received by the Chief Executive Officer from Councillor Jan Lewis in writing on the 29th March 2021 and therefore complies with the Shire of Denmark Standing Orders Local Law clause 3.10.

4.38pm - Cr Gibson returned to room.

1. When will Lights Beach be open?

“Previously released media statements by the Shire had indicated that the site would be open late April. The Contractor has been awarded contract variations to complete extra works that has resulted in the practical completion now being moved to early May. It is anticipated that the site will be open by mid may, but this may change depending on weather conditions between now and the proposed completion date.”

2. Is there any progress on the upgrading of Lights Beach Road, gravel section?

“The Great Southern Regional Roads Group have endorsed the inclusion of an upgrade to Lights Beach Road for detailed design and approvals for 21/22. An application relating to funding for construction costs will be made in 22/23 and 23/24. Applications are due by 30th June 2021. Approximate value is \$1.2M”

3. How is the updated feasibility study for the Aquatic Centre progressing and when can we expect to see the outcomes of this study?

“The Denmark Aquatic Centre Committee, Shire staff and consultants continue to meet to progress the Feasibility Study of an aquatic centre. The project brief is to re-examine the costs associated with project, both from a capital and operational perspective to determine the fiscal viability for Council and the community’s consideration. Progress to obtain costings have been delayed due to considerations being applied to location and new technologies. All parties have required more time to consider different perspectives under review.

All parties have agreed on a path forward and it is expected that costings may be achieved for public comment and feedback before the end of the year.”

4. What is happening with the Shire’s trial of organic herbicides and what are we currently using in public places such as playgrounds, parks, along walk trails etc?

Reference Res: 050619 “That with respect to glyphosate use in Shire controlled reserves Council support the continued trial of alternative methods in high use public areas including Berridge Park, Norm Thornton Park and Kwoorabup Park”

Areas outside these nominated locations generally use glyphosate where weed control is required.

However, it is worthwhile to note that Council will be presented with some revised recommendations based on the evidence gathered through the trial over the last two years.”

SUPPLEMENTARY QUESTIONS

Councillor Lewis asked further supplementary questions that were received prior to the meeting which gave Officers an opportunity to provide responses. The questions and responses are as follows:

A. When will Lights Beach be open?

Thank you for the response. Can the officer please outline the 'extra works' that are now being undertaken?

RESPONSE: The contract awarded came in under budget through working with the contractor to achieve savings. These savings were then applied to obtain additional seating and grading to the beach to allow improved access. These works were considered important by the Working Group and officers in the concept and design phases.

B. Is there any progress on the upgrading of Lights Beach Road, gravel section?

i. Can the officer please explain what this \$1.2m upgrade is planned to include?

RESPONSE: Sealing of the gravel section through to South Coast Hwy

ii. Is the new road planned to follow the same route as the current road?

RESPONSE: Yes, please see below.

iii. If so, is it envisaged that the picturesque nature of the road will be retained i.e. the large trees to remain with pull ins/passing spots rather than major clearing to allow for dual lanes for the whole length of the road?

RESPONSE: The intention is to retain the current aesthetics of the road. Officers argued this point strongly through the Regional Road Group funding round as to align with community values. Dual lanes will be designed where possible with single lane and passing points where appropriate.

C. What is happening with the Shire's trial of organic herbicides and what are we currently using in public places such as playgrounds, parks, along walk trails etc?

i. When are Council likely to receive this report?

RESPONSE: Council is scheduled to receive a briefing in May this year, followed by a full report for Council's consideration at the June Ordinary Council meeting.

ii. Have we trialled steam weeding?

RESPONSE: Yes. This will be discussed with Council as noted above.

iii. Is the officer satisfied that the trials we have conducted are suitably rigorous and based on sound scientific principles?

RESPONSE: The rigour of all trials will be subject to the amount of resources (labour and money) expended. The trial has been largely anecdotal in nature as a result of the resources applied, but officers believe there is enough detail and information to provide a balanced and considered report to Council for consideration.

5.4 PRESENTATIONS, DEPUTATIONS & PETITIONS

In accordance with Section 5.24 of the Local Government Act 1995, Sections 5, 6 and 7 of the Local Government (Administration) Regulations and section 3.3 and 3.13 of the Shire of Denmark Standing Orders Local Law, the procedure for persons seeking a deputation and for the Presiding Officer of a Council Meeting dealing with Presentations, Deputations and Petitions shall be as per Council Policy P040118 which can be downloaded from Council's website at <http://www.denmark.wa.gov.au/council-meetings>.

In summary however, prior approval of the Presiding Person is required and deputations should be for no longer than 15 minutes and by a maximum of two persons addressing the Council.

Nil

6. APPLICATIONS FOR FUTURE LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES

7.1 ORDINARY COUNCIL MEETING – 16 MARCH 2021

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 7.1
MOVED: CR SEENEY	SECONDED CR GIBSON
That the minutes of the Ordinary Meeting of Council held on the 16 March 2021 be CONFIRMED as a true and correct record of the proceedings, subject to the following correction to resolution 140321:	
<p>1. Part 2 b), remove the words “and/or” and add the words “3 x” before the words “Health Industry Representatives”.</p>	
CARRIED UNANIMOUSLY: 7/0	Res: 010421

7.2 STRATEGIC BRIEFING NOTES – 16 MARCH 2021

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 7.2
MOVED: CR BOWLEY	SECONDED: CR PHILLIPS
That the Notes from the Strategic Briefing Forum held on the 16 March 2021 be RECEIVED.	
CARRIED UNANIMOUSLY: 7/0	Res: 020421

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

Nil

9. REPORTS OF OFFICERS

9.1 DIRECTOR ASSETS AND SUSTAINABLE DEVELOPMENT

Nil

9.2 DIRECTOR CORPORATE AND COMMUNITY SERVICES

9.2.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDED 28 FEBRUARY 2021

File Ref:	FIN.1
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	29 March 2021
Author:	Scott Sewell, Accountant
Authorising Officer:	Lee Sounness, Acting Director Corporate & Community Services
Attachments:	9.2.1 – February 2021 Monthly Financial Report

Summary:

The attached financial statements and supporting information for the period ending 28 February 2021 are presented for the consideration of Elected Members.

Background:

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

- Reconciliation of all bank accounts.

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

Consultation:

Nil

Statutory Obligations:

It is a requirement of the Local Government Act 1995 that monthly and quarterly financial statements are presented to Council, in order to allow for proper control of the Shire's finances. In addition, Council is required by legislation to undertake a mid-year review of the Municipal Budget to ensure that income and expenditure is in keeping with budget forecasts. It should be noted that the budget is monitored by management on a monthly basis in addition to the requirement for a mid-year review. Furthermore, in line with a commitment provided by the executive team as part of the budget adoption process and the ongoing management of the impacts of COVID with its potential to affect the operation of Council provided services and facilities at any time, a quarterly review of the budget performance was undertaken for the financial period ended 30 September 2020. As previously presented to Council, this required all Managers and responsible officers to review all aspects of the activities included within the budget which relate to areas under their control. The attached statements are prepared in accordance with the requirements of the Local Government Act 1995 (s.5.25(1)) and the Local Government (Financial Management) Regulations 1996.

Policy Implications:

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

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

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

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

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

Budget / Financial Implications:

There are no significant trends or issues to be reported from the budget adoption on 4th August 2020. The amendments made to the budget as part of the quarterly review adopted by Council at its Ordinary meeting held on 17th November 2020 and the outcome of the Mid-Year Budget Review adopted by Council at its Ordinary meeting held on 16th February 2021 are all incorporated into the February 2021 financial statements as presented.

Strategic & Corporate Plan Implications:

The report and officer recommendation are consistent with Council's adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects in the following specific ways:

Denmark 2027

L5.4 To be fiscally responsible

Corporate Business Plan

Nil

Sustainability Implications:**➤ Governance:**

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

➤ Environmental:

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

➤ Economic:

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

➤ Social:

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

➤ Risk:

Nil

Comment/Conclusion:

As at 28 February 2021, total cash funds held (excluding trust funds) totals \$9,991,038 (Note 1).

Shire Trust Funds total \$850 (Note 9).

Reserve Funds (restricted) total \$4,230,930 (Note 5).

Municipal Funds (unrestricted) total \$5,760,109 (Note 2).

Key Financial Indicators at a Glance

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

- Taking into consideration the adopted Municipal Budget, the 30 June 2021 end of year financial position was initially budgeted for a \$200,000 surplus. As part of the quarterly and mid-year budget reviews undertaken this has been amended to \$180,000 with \$20,000 of the originally adopted budgeted surplus to be utilised to fund additional projects and resourcing requirements as agreed by Council.
- Operating revenue and expenditure is in line with year to date budget predictions for the period ended 28 February 2021 (Statement of Financial Activity) except for items referenced in Note 3(a), some of the more significant of which relate to variances in the deployment of the depot workforce associated with wage and on-costs which will have no impact on the budget overall, other items may be adjusted as part of the third quarter review scheduled for 31st March 2021.
- The Rates Collection percentage currently sits at 85.95% and is in keeping with historical collection performance statistics (see Note 4)
- The 2020/2021 Capital Works Program has had 19.99% spent for the year to date with a total committed cost of 69.32% as at 28 February 2021 (see Note 10). It should be noted that a number of changes have been made to the initial timetable set for the capital works infrastructure program which show some

variances in the year-to-date budget when compared to actual spend. It is however quite usual for these projects to be undertaken in the second half of the financial year and with the exception of projects whose budgets were already adjusted as part of the mid-year review no significant variation to the total project budgeted cost is anticipated at this time.

- Most transfers to and from general Reserve Funds have not been made for the 2020/2021 year as they are undertaken in the latter part of the financial year, depending on the specific projects to which the transfers relate. One transfer of \$156,292 has been made from the Demark East Development Reserve for recoup of municipal fund expenditure previously incurred.
- Salaries and Wages expenditure is in line with year-to-date budget estimates (not reported specifically in Financial Statement).

Other Information

- Budget Surplus Brought Forward – The adopted budget for 2020/2021 was built on an estimated brought forward surplus position from 2019/2020 of \$1,504,620. The audited Annual Financial Report for 2020 confirms a surplus brought forward of \$1,659,492, a variance increase to the estimate used for the adopted budget of \$154,872. This variance was included in the calculations made and adopted by Council as part of the mid-year budget review and has been adjusted accordingly.

Voting Requirements:

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 9.2.1
MOVED: CR GIBSON	SECONDED: CR ALLEN
That Council with respect to Financial Statements for the period ending 28 February 2021, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.	
CARRIED UNANIMOUSLY: 7/0	Res: 030421

Cr Allen declared a financial interest.

4.49pm – Cr Allen left the room and did not participate in discussion or vote on the matter.

Cr Bowley declared a financial interest.

4.49pm – Cr Bowley left the room and did not participate in discussion or vote on the matter.

9.2.2 LIST OF PAYMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2021

File Ref:	FIN.1
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	23 March 2021
Author:	Gina McPharlin, Acting Director Corporate & Community Services
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	9.2.2 – February Monthly List of Accounts Submitted Report

Summary:

The purpose of this report is to advise the Council of payments made during the period 1 February 2021 to 28 February 2021.

Background:

Nil

Consultation:

Consultation was not required for this report.

Statutory Obligations:

Local Government (Financial Management) Regulation 13 relates:

Policy Implications:

Delegation Number D040201 relates:

Budget / Financial Implications:

There are no known significant trends or issues to be reported.

Strategic & Corporate Plan Implications:

Implement a financial strategy to ensure the Shire of Denmark's financial sustainability.

The report and officer recommendation is consistent with Council's adopted Strategic Community Plan Aspirations and Objectives and the Corporate Business Plan Actions and Projects in the following specific ways:

Denmark 2027

L5.4 To be fiscally responsible

Corporate Business Plan

Nil

Sustainability Implications:

➤ **Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

➤ **Risk:**

Nil

Comment/Conclusion:

Nil

Voting Requirements:

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 8.2.1
MOVED: CR GIBSON	SECONDED CR PHILLIPS
<p>That with respect to the attached Schedule of Payments, totalling \$1,405,061.46, for the month of February 2021, Council RECEIVE the following summary of accounts:</p> <ul style="list-style-type: none"> • Electronic Funds Transfers EFT29508 to EFT29754 - \$647,800.53; • Municipal Fund Cheque No's 60419 – 60423 - \$8,255.30; • Internal Account Transfers (Payroll) - \$611,344.63; and • Direct Debit - \$10,762.47; • Corporate Credit Card; \$1,162.88; • Department of Transport Remittances; \$109,162.70, and • Loan Payments: \$16,572.95 	
CARRIED UNANIMOUSLY: 5/0	Res: 040421

4.51pm - Cr Allen returned to the room.

4.51pm - Cr Bowley returned to the room.

9.2.3 INVESTMENT REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2021

File Ref:	FIN.19
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	26 March 2021
Author:	Gina McPharlin, Acting Director Corporate & Community Services
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	9.2.3 - February 2021 Investment Register

Summary

This report presents the Investment Register for the month ending 28 February 2021.

Background

This report is for Council to receive the Investment Register as at 28 February 2021.

Council's Investment of Funds Policy sets the criteria for making authorised investments of surplus funds after assessing credit risk and diversification limits to maximise earnings and ensure the security of the Shire's funds.

Consultation

Nil.

Statutory Obligations

The *Local Government Act 1995 – Section 6.14, the Trustees Act 1962 – Part III Investments, the Local Government (Financial Management) Regulations 1996 - Reg. 19, 28 and 49, and the Australian Accounting Standards*, sets out the statutory conditions under which funds may be invested.

Regulation 34 of the *Local Government (Financial Management) Regulations* requires a monthly report on the Shires Investment Portfolio to be provided to Council.

Policy Implications

All investments are made in accordance with Council Policy P040229 – Investments, which states that investments are to comply with the following 3 key criteria:

- a) Portfolio Credit Framework - limits the percentage of the portfolio exposed to any particular credit rating category (table a.)

Table a.

A. S&P Long Term Rating	B. S&P Short Term Rating	C. Direct Investment Maximum %	D. Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	60%	80%
A	A-2	40%	80%

- b) Counterparty Credit Framework – limits single entity exposure by restricting investment in an individual counterparty/institution by their credit rating (table b.)

Table b.

A. S&P Long Term Rating	B. S&P Short Term Rating	C. Direct Investment Maximum %	D. Managed Funds Maximum %
AAA	A1+	50%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

If any of the Council’s investments are downgraded such that they no longer fall within the investment policy, they will be divested as soon as practicable.

- c) Term to Maturity Framework - limits investment based upon maturity of securities (table c.)

Table c.

Overall Portfolio Return to Maturity		
Portfolio % <1 year	Min 40%	Max 100%
Portfolio % >1 year	Min 0%	Max 60%
Portfolio % >3 year	Min 0%	Max 50%
Portfolio % >3 year < 5 year	Min 0%	Max 25%

Investments fixed for greater than 12 months are to be reviewed on a regular basis and invested for no longer than 5 years.

Budget / Financial Implications

There are no significant trends or issues to be reported.

Strategic & Corporate Plan Implications

Implement a financial strategy to ensure the Shire of Denmark's financial sustainability.

The report and officer recommendation are consistent with Council's adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects in the following specific ways:

Denmark 2027

L5.4 To be fiscally responsible

Corporate Business Plan

Nil

Sustainability Implications

➤ **Governance:**

Council's investment portfolio does not meet Council Policy P040229 and Officers will modify the Investment Register to provide greater clarity and insert a mechanism to ensure compliance with the policy.

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

➤ **Risk:**

Nil.

Comment / Conclusion

The attached Investment Register summarises how funds are invested as per the Shires Investment Policy and reports on the Investment Portfolio balance as at 28 February 2021.

At 28 February 2021 Council had a total of \$8,642,637 invested and in accordance with Council Policy P040229 exposure to a particular credit rating category is limited and an appropriate portfolio credit rating mix is maintained by investing with four banking institutions.

Council policy P040229 restricts investment in an individual counterparty/institution by their credit rating to limit single entity exposure. Council cannot invest more than 20% of its investment portfolio in an institution with a Standard & Poor (S&P) rating of A-2. With 27.95% (\$2,415,548) of funds invested with the Bendigo Bank (current S&P rating A-2) at the end of February 2021, the Council's Investment Portfolio does not meet this requirement. In accordance with policy, this will be rectified as soon as practicable.

To ensure transparency, the Investment Register has been updated and now includes institutions S&P rating and the corresponding policy maximum direct investment percentage allowed.

The total Reserve Funds invested as at 28 February 2021 totals \$4,230,957.

The total Municipal Funds Invested as at 28 February 2021 totals \$4,411,680.

The Reserve Bank of Australia (RBA) has not altered its cash rate for this month. The cash rate remains set at 0.10%.

Voting Requirements

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION		ITEM 9.2.3
MOVED: CR SEENEY		SECONDED: CR LEWIS
That Council;		
<ol style="list-style-type: none"> 1. RECEIVE the Investment Register (attachment 9.2.3) for the period ended 28 February 2021 and direct Officers to correct the investment portfolio to meet all of the Council Policy P040229 – Investments criteria as soon as practical; and 2. REQUEST the Chief Executive Officer to implement administrative Mechanisms to minimise the risk of non-compliance with Council Policy P040229. 		
CARRIED UNANIMOUSLY: 7/0		Res: 050421

9.2.4 SHIRE OF DENMARK RECORD KEEPING PLAN

File Ref:	INFO.8
Applicant / Proponent:	Not Applicable
Subject Land / Locality:	Not Applicable
Disclosure of Officer Interest:	Nil
Date:	29 March 2021
Author:	Wendy Dembowski, Senior Records Officer
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	9.2.4 – Draft Record Keeping Plan

Summary:

Council is requested to adopt the Shire of Denmark’s Record Keeping Plan.

Background:

The attached plan is a review and substantial update of the record keeping plan adopted by Council on 22nd of December 2009. A major review was conducted in December 2013.

Consultation:

The State Records Office and internal employees.

Statutory Obligations:

The *State Records Act 2000 (Part 3, Section 19)* requires that every government organisation have a record keeping plan that has been approved for the State Records Commission.

Section 29 (5) of the Act states that the record keeping plan is to be reviewed, updated as required and approved at intervals no greater than 5 years.

The *State Records Principles and Standards 2002 – SRC Standard 2* outlines the contents that a Record Keeping Plan must contain.

Policy Implications:

There are no policy implications.

Budget / Financial Implications:

There are no known financial implications upon either the Council’s current budget or Long Term Financial Plan arising from the adoption of this Record Keeping Plan.

Strategic & Corporate Plan Implications:

The report and officer recommendation are consistent with Council’s adopted Strategic Community Plan Aspirations and Objectives and the Corporate Business Plan Actions and Projects in the following specific ways:

Denmark 2027

L5.0 - Our Local Government.

The Shire of Denmark is recognised as a transparent, well governed and effectively managed Local Government.

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

Corporate Business Plan

L5.5.21 – Develop an Information Management and Records Strategy (Including a record management audit) to ensure the accurate creation, management and disposal of Shire records.

L5.5.22 – Implement actions from the Information Management and Records Strategy to ensure the accurate creation, management and disposal of Shire records.

Sustainability Implications:

➤ **Governance:**

Adoption of a reviewed, up to date Record Keeping Plan will ensure that the Shire complies with the *State Records Act 2000*.

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That the Council chooses not to adopt an up-to-date Record Keeping Plan.	Rare (1)	Insignificant (1)	Low (1-4)	Failure to meet Statutory, Regulatory or Compliance Requirements	Accept Officer Recommendation

Comment/Conclusion:

The Record Keeping Plan is a document that demonstrates the Shire of Denmark has reviewed and considered its approach to statutory compliance to record, maintain and dispose of information. Managing information validates decision making in the event of public and government scrutiny. Failing to dispose of information also leaves the Shire of Denmark open to litigation.

The reviewed plan is presented for adoption by Council.

Voting Requirements:

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 9.2.4
MOVED: CR GEARON	SECONDED: CR BOWLEY
That Council ADOPT the Record Keeping Plan (as per Attachment 9.2.4).	
CARRIED UNANIMOUSLY: 7/0	Res: 060421

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 PROPOSAL FROM DENMARK CHAMBER OF COMMERCE TO EXTEND LEASE FOR THE DENMARK VISITOR CENTRE TO PROVIDE VISITOR SERVICING

File Ref:	A3186 & PLN.55
Applicant / Proponent:	Not applicable
Subject Land / Locality:	Not applicable
Disclosure of Officer Interest:	Nil
Date:	5 April 2021
Authors:	David Schober, Chief Executive Officer
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	Nil

Summary:

This report recommends that Council allow the Denmark Chamber of Commerce (DCC) to continue to use the Denmark Visitor Centre (DVC) until 31 August 2021 and provide a monthly cash contribution of \$4,625 (total \$18,500) for the purposes of visitor servicing, from 30 April to 31 August 2021.

Background:

On 1 December 2020 Council convened a Special Council meeting and resolved (resolution numbers 021220 and 031220) to:

1. *AUTHORISE the CEO to execute a new lease to the Denmark Chamber of Commerce, subject to Ministerial Approval, for the occupation of the Denmark Visitor Centre for the purpose of visitor servicing, based on the following conditions;*
 - a) *the term of the lease will be from 7 December 2020 to 30 April 2021; and*
 - b) *the general terms of the lease shall be consistent with the Shire of Denmark’s standard community group lease; and*
 - c) *an annual rent of \$1.00 per annum; and*
 - d) *the requirement for the Lessee to adhere to a Service Agreement with the Shire.*
2. *REQUEST the Chief Executive Officer to work with the Denmark Chamber of Commerce regarding the “market place” element of the proposal, prior to the matter being brought back to Council for consideration;*
3. *ALLOCATE \$40,000 from account GL1327802 for the purpose of supporting the Denmark Chamber of Commerce to deliver visitor servicing from 7 December 2020 through to 30 April 2021 as per the Service Agreement.*
4. *APPROVE additional expenditure of \$8,000 the purpose of cleaning the Denmark Visitor Centre toilets each Tuesday, Wednesday, Thursday, Friday and Saturday for the length of the lease term, noting that the over-expenditure will be included in the mid-year budget review.*
5. *GRANT a 100% concession of the rates payable for 2020/2021 financial year, pursuant to section 6.47 of the Local Government Act 1995, with respect to the lease of the Denmark Visitor Centre.*

The DCC re-opened the DVC in December 2020 with the following opening hours:

Wednesday	10:00am to 2:00pm
Thursday	10:00am to 2:00pm
Friday	10:00am to 2:00pm
Saturday	10:00am to 2:00pm
Sunday	10:00am to 2:00pm

Monday Closed
 Tuesday Closed

The DVC has been staffed with one (1) part-time (paid) coordinator and a volunteer roster. The volunteer roster has 35 active members. In addition, Shire Officers note that considerable time and resources from the DCC Chief Executive Officer and Board has also been required.

On 9 March 2021 DCC presented its quarterly report to Council. The presentation included the following opportunity from the DCC for the Shire’s consideration:

1. An offer to extend the temporary service by four (4) months to allow for the completion of the tourism strategy.
2. The offer would require a further investment of \$18,500, or \$4,625 per month, to support DVC operations.
3. Adjusting the hours of operation slightly to better suit the needs of visitors. This would be determined, and agreed by both parties, subject to the Shire accepting DCC’s extension proposal.
4. DCC welcome the opportunity to work directly with other key stakeholders to develop a viable long-term model for DVC operations.

Consultation:

Considerable consultation has taken place with community, business, stakeholders and the not-for-profit sector with respect to both the Denmark Visitors Centre and the development of a Tourism Strategy. Officers do not believe additional consultation is required for Council’s consideration of this recommendation.

Statutory Obligations:

The Shire of Denmark has management order for Reserve 48198 for community purposes. The Order provides the Shire power to lease for up to 21 years.

Local Government Act 1995

Section 3.58 enables a local government to dispose of property (includes leasing). Section 6.47 allows a local government to grant a concession or waive a rate or service charge. (Absolute majority required for waiver).

Local Government (Functions & General) Regulations 1996

Regulation 30 (b) provides exemption from disposal provisions if the land is disposed to a body;

- ... (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body’s transactions;

Land Administration Act 1997

Section 18 requires that Ministerial Approval is required to lease crown land.

Policy Implications:

The Shire has engaged a consultant to develop a draft Tourism Strategy for Council’s consideration. It is anticipated the draft strategy will be presented to Council in June 2021.

Budget / Financial Implications:

The tourism budget allocation for the 2020/21 financial year is \$95,000. Council has previously committed \$45,000 to the development of a draft Tourism Strategy and \$40,000 to the DCC to re-establish operations at the DVC until 30 April 2021.

Council has a further \$10,000 available within the existing 2021 budget to support tourism related activity.

Should Council provide DCC with an additional \$18,500 to operate the DVC from May to August 2021, it would require a commitment in the 2021/22 annual budget of \$8,500 for the months of July and August 2021.

As the proposal covers two (2) months of the next financial year, being July and August, the Officer recommends waiving rates for the whole financial year, providing the same support to the DCC as the original proposal.

Officers also recommend a separate provision of \$8,000 be applied to the 2021/22 budget for the purposes of cleaning the public toilets at the DVC. This was applied to the 2020/21 budget in the original agreement between the Shire and DCC.

Strategic & Corporate Plan Implications:

The report and officer recommendations are consistent with Council's adopted Strategic Plan Objectives and Goals and the Corporate Business Plan Actions and Projects in the following specific ways:

Strategic Community Plan

E1.2 To be a vibrant and unique tourist destination, that celebrates our natural and historical assets.

Corporate Business Plan

Within the economic development component of the Corporate Business Plan a Tourism Development Strategy is listed. This is not a specific reference to the DVC and refers to the partnership with the South Coast Alliance Inc. member local governments.

Workforce Plan

Tourism, including oversight of the DVC, currently sits in the CEO/Governance team with no dedicated staff resources assigned to it.

Sustainability Implications:

Governance:

The aim of this report is to address the offer provided by the DCC to extend a temporary level of visitor servicing to meet community and business expectations. Continuing face-to-face visitor servicing, temporarily, until a tourism strategy is developed is seen as important by the DCC. The short-term nature of this lease and agreement provides some time for the Shire to develop a comprehensive tourism strategy to guide future decision making, including visitor servicing and use of the Visitor Centre building and land.

Environmental:

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

Economic:

There are no known significant economic implications relating to the report or officer recommendation other than that listed under budget / financial implications.

Social:

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

Risk:

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputational: Decide not support the DCC extension and the decision results in a public perception that the Shire does not support tourism.	Rare (1)	Moderate (3)	Low (1-4)	Not Meeting Community expectations	Accept Risk

Comment/Conclusion:

Officers recognise the governance and due diligence provided by DCC, both in previous submissions and discussions, as well as the current proposal. The adaptable nature of the proposal, along with strong community sentiment could serve to address community expectations with respect to the continued operations of the Denmark Visitor Centre. DCC’s strong membership base serves as an advocacy and reference point for the business community more broadly. DCC have also indicated strong support for a Tourism Strategy.

For these reasons, officers recommend that Council consents to allow the DCC to occupy and use the premises, with the terms of their existing lease dated 7 December 2020, until 31 August 2021 by enacting the *Monthly Tenancy* clause (clause 2.3).

Voting Requirements:

Simple majority.

Absolute majority required for Recommendation 9.3.1.b)

OFFICER RECOMMENDATION

ITEM 9.3.1a)

That Council;

1. CONSENT the Denmark Chamber of Commerce to continue their use and occupation of the Denmark Visitor Centre, as per the terms of their current lease dated 7 December 2020, until the 31 August 2021 under clause 2.3 (Monthly Tenancy);
2. ALLOCATE \$18,500 from account GL1327802 for the purpose of supporting the Denmark Chamber of Commerce to deliver visitor servicing from 1 May to 31 August 2021, as per the Service Agreement, and that the payments be made monthly upon receipt of a Tax Invoice; and
3. APPROVE the following minimum allocations in the 2021/2022 Budget;
 - a) \$8,000 for the purpose of cleaning the Denmark Visitor Centre toilets each week; and
 - b) \$8,500 for the purpose of visitor servicing by the Denmark Chamber of Commerce for the months of July and August 2021.

OFFICER RECOMMENDATION

ITEM 9.3.1b)

That with respect to the lease for the Denmark Chamber of Commerce, Council GRANT a 100% concession of the rates payable for 2021/2022 financial year, pursuant to section 6.47 of the Local Government Act 1995.

5.04pm - Cr Gibson left the room.

COUNCIL RESOLUTION	ITEM 9.3.1a)
MOVED: CR BOWLEY	SECONDED: CR SEENEY
That Council;	
<ol style="list-style-type: none"> 1. CONSENT to the Denmark Chamber of Commerce continuing their use and occupation of the Denmark Visitor Centre, as per the terms of their current lease dated 7 December 2020, until the 31 August 2021 under clause 2.3 (Monthly Tenancy); 2. ALLOCATE \$18,500 from account GL1327802 for the purpose of supporting the Denmark Chamber of Commerce to deliver visitor servicing from 1 May to 31 August 2021, as per the Service Agreement, and that the payments be made monthly upon receipt of a Tax Invoice; and 3. AGREE to consider the following minimum allocations in the 2021/2022 Budget; <ol style="list-style-type: none"> a) \$8,000 for the purpose of cleaning the Denmark Visitor Centre toilets each week; and b) \$8,500 for the purpose of visitor servicing by the Denmark Chamber of Commerce for the months of July and August 2021. 	
CARRIED UNANIMOUSLY: 6/0	Res: 070421

REASONS FOR CHANGE

For clarity and that Council believe it is not good practice to forward approve budget allocations.

COUNCIL RESOLUTION	ITEM 9.3.1b)
MOVED: CR BOWLEY	SECONDED: CR SEENEY
That with respect to the lease for the Denmark Chamber of Commerce, Council AGREE to consider a 100% concession of the rates payable for 2021/2022 financial year, pursuant to section 6.47 of the Local Government Act 1995.	
CARRIED UNANIMOUSLY AND BY ABSOLUTE MAJORITY: 6/0	Res: 080421

REASONS FOR CHANGE

For clarity and that Council believe it is not good practice to forward approve budget allocations.

9.3.2 DENMARK CRAFTY QUILTERS 2021 EXHIBITION – REQUEST FOR SPONSORSHIP

File Ref:	PBR.10
Applicant / Proponent:	Denmark Crafty Quilters
Subject Land / Locality:	Not Applicable
Disclosure of Officer Interest:	NIL
Date:	6 th April 2021
Author:	Lisa Sanders, Executive Support Officer
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	9.3.2 – Denmark Crafty Quilters request for sponsorship

Summary:

Council are asked to consider a request from the Denmark Crafty Quilters to use the Council Chambers and Reception Room for their 2021 Exhibition and for Council to sponsor the event by donating the cost of hire. It is also requested that Council adopt a policy for use of the rooms by the Denmark Crafty Quilters for their triennial exhibition.

Background:

The Denmark Crafty Quilters exhibition has been held since the early 1990’s. Since 2007 the event has been held in the Council Chambers / Reception Room. When the request was made in 2012, 2015 and 2018 (resolutions 300212, 080315 and 070318 respectively),

Council donated the hire charge in exchange for sponsorship rights to the event and a contra journal entry was made.

Consultation:

The Officer has considered the requirement for consultation and/or engagement with persons or organisations that may be unduly affected by the proposal and considered Council’s Community Engagement Policy P040123 and the associated Framework and believes that no additional external/internal engagement or consultation is required.

Statutory Obligations:

Section 6.12 of the Local Government Act 1995 relates and reads as follows;

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.

* Absolute majority required.

...

- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

...

Policy Implications:

Policy PO40120 – Use of Council Chamber/Reception Room relates and reads as follows:

“Objective

To ensure this meeting venue is available for Council purposes at the times and dates required.

Policy

That the Council Chamber and/or Reception Area be used only for meetings of the Council, Council Committees and/or approved regular events (refer also Policy P110711 – Woodturners of Denmark Annual Exhibition) and otherwise at the discretion of the Shire President or the Chief Executive Officer.”

Policy P110711 relates to the use of the rooms by the Woodturners for their annual exhibition and reads as follows;

“WOODTURNERS OF DENMARK ANNUAL EXHIBITION

Council authorises the Woodturners of Denmark Inc. to hold their annual Excellence in Woodcraft Exhibition in the Council Chambers & the Reception Area free of charge in exchange for sponsorship rights to the event, subject to the event not conflicting with Council meeting days or times.” ADDED by Res: 151214 / 2 December 2014

It is suggested a new Policy be endorsed by Council, which authorises use of the Council Chambers and the Reception Room by the Denmark Crafty Quilters on a triennial basis, unless reviewed by Council. Should Council wish to implement a Policy with respect to the Denmark Crafty Quilters triennial exhibition, the following draft Policy is provided.

P110712 DENMARK CRAFTY QUILTERS – TRIENNIAL EXHIBITION

Council authorises the Denmark Crafty Quilters to hold their triennial Exhibition in the Council Chambers & the Reception Room Area free of charge in exchange for sponsorship rights to the event, subject to the event not conflicting with Council meeting days or times.

Budget / Financial Implications:

The options available to Council are as follows:

1. Decline the request to waive or donate the hire fee in return for sponsorship; or
2. Waive the bond for hire, being \$250.00 without alcohol, and the hire fee, resulting in a nil impact on the Council’s budget by;
 - a) Decreasing expense account GL1410602 (Donated Use of Council Facilities) by \$2,875.00, current balance is \$5,550.00; and
 - b) Increase income account GL1410103 (Reception Room Hire) by \$2,875.00.

Strategic & Corporate Plan Implications:

The report and officer recommendation is consistent with Council’s adopted Strategic Community Plan Aspirations and Objectives and the Corporate Business Plan Actions and Projects in the following specific ways:

Denmark 2027

E1.0 Our Economy

We are an attractive location to live, invest, study, visit and work.

E1.1 To have a stable and locally supported business community that embraces innovation, creativity, resourcefulness and originality.

C4.0 Our Community

We live in a happy, healthy, diverse and safe community with services that support a vibrant lifestyle and foster community spirit.

C4.0 To have services that are inclusive, promote cohesiveness and reflect our creative nature

Corporate Business Plan

NIL

Sustainability Implications:

➤ **Governance:**

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

➤ **Environmental:**

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

➤ **Economic:**

The Exhibition is scheduled to be held over the long weekend in September 2021; being Friday 24th to Monday 27th September 2021. This coincides with the first week of the School Holidays and the Southern Art & Craft Trail. Although not actually being party of the “Art Trail” the exhibition brings the diversity of local art and craft for residents and visitors to the region during this time to all enjoy.

➤ **Social:**

The Quilting exhibition is an excellent opportunity to give local quilters and small crafts people the ability to display their work to residents and visitors.

The public profile over the Exhibition period, provides the opportunity for interested residents to make contact with a craft focused organisation, which may expand their social and creative interests and allow them to join a group where they can become more involved.

Proceeds raised by Crafty Quilters throughout the year are donated to a number of local clubs and charity organisations which have included the Denmark Animal Carers, Bush Fire Appeals, Women’s Refuge Albany, Royal Flying Doctor Services and Solaris Cancer Support.

➤ **Risk:**
Nil

Comment/Conclusion:

With currently up to 40 members, Denmark Crafty Quilters has been established for over 30 years and have been holding their triennial exhibition since the mid 1990's. The Council Chamber and Reception Room areas provide an excellent venue to showcase the exhibition. The not-for-profit event requires a gold coin entry donation from the public, which is then in turn donated to local groups and/or charities.

The Officer recommends that Council waive the bond and donate the hire fee (as sponsorship) for the following reasons;

- It is a not-for-profit local organisation who provide for an important social connection between its members and others who share similar interests;
- The event is not-for-profit and facilitated at the expense and time of members;
- Any funds generated, after acquitting all expenses relating to the event, will be donated to local community groups and for charities;
- The event is a regular occurrence, and is held over the same long weekend every three (3) years; and
- The event is only one of two regular events requested to be held in the Council Chambers / Reception Room Area.

Officers have had no concerns with the Denmark Crafty Quilters use of the Council Chambers / Reception Room area in the past and the Denmark Crafty Quilters have always been extremely diligent in ensuring that they do not impede on day-to-day business to The Shire.

Voting Requirements:
Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 9.3.2
MOVED: CR LEWIS	SECONDED: CR BOWLEY
<p>That, with respect to the Denmark Crafty Quilters request to use the Council Chambers and Reception Area from Friday 24 September 2021 to Tuesday 28 September 2021 for their triennial event, Council;</p> <ol style="list-style-type: none"> 1. WAIVE the \$250 bond, without alcohol, for hire of the Council Chambers / Reception Room area; 2. DONATE the cost of the hire of the Council Chambers / Reception Room area as an in-kind sponsorship towards the event. The value of which is \$2,875 (ex GST). In exchange, the Shire of Denmark are to be acknowledged at the event and on any promotional material; and 3. ADOPT a Policy relating to future requests to read as follows; <i>P110712 DENMARK CRAFTY QUILTERS – TRIENNIAL EXHIBITION</i> <i>Council authorises the Denmark Crafty Quilters to hold their triennial Exhibition in the Council Chambers and the Reception Room area free of charge in exchange for sponsorship rights to the event, subject to the event not conflicting with Council meeting days or times.</i> 	
CARRIED UNANIMOUSLY: 6/0	Res: 090421

5.11pm – Cr Seeney left room and did not return.

9.3.3 LEASE OF 7 BEVERIDGE ROAD DENMARK TO GOVERNMENT REGIONAL OFFICER HOUSING PROGRAM

File Ref:	A3032 & LEA.56
Applicant / Proponent:	Department of Communities (Housing), WA Government
Subject Land / Locality:	Lot 152 on Deposited Plan 224101
Disclosure of Officer Interest:	David Schober, Employment contract provisions
Date:	7 April 2021
Authors:	David Schober, Chief Executive Officer Claire Thompson, Governance Coordinator
Authorising Officer:	David Schober, Chief Executive Officer
Attachments:	9.3.3 - Government Regional Officer Housing contract/lease

Summary:

This report recommends that Council grant the Government Regional Officer Housing (GROH) program with a short term three (3) month residential tenancy lease to occupy premises at 7 Beveridge Road Denmark, owned by the Shire of Denmark.

Background:

On 16 March 2021 Council appointed Mr David Schober to the position of Chief Executive Officer with the Shire of Denmark.

As part of Mr Schober's employment package a four (4) bedroom residential house, located at 7 Beveridge Road Denmark, owned by the Shire of Denmark, is provided for use. Mr Schober and his family have declined the offer to move into the Shire house for the next 12 months on the basis he lives on a farm nearby whereby a family business has been operating for the past 17 years.

The Department of Education, through GROH, have asked the Shire to consider leasing the property on either a short or long-term basis.

The Shire has three (3) designated senior officer positions where housing, or a housing allowance, is provided as part of the remuneration package. These positions include the Chief Executive Officer, Director of Assets and Sustainable Development and the Director of Corporate and Community Services.

Along with the Beveridge Road property the Shire owns a second house in Ocean Beach which is currently occupied by the Director of Assets and Sustainable Development.

The position of Director of Corporate and Community Services is currently held in an acting capacity where there is no housing allowance provided. The substantive role will be advertised within the next month and the recruitment process is expected to be completed by July 2021. Once the role is filled the remuneration package will include a house, or housing allowance. It is in the Shire's best interests to offer a house owned by the Shire, rather than renting a house in the current market for the newly appointed Director of Corporate and Community Services. For this reason this reports recommends a short-term three (3) month lease be provided to GROH in recognition that the Shire may require the house for its own staff.

Current Denmark rental market as at 7 April 2021

There are only two (2) rental properties currently listed for rent in Denmark. In the previous two (2) months there have been no properties available for rent in Denmark.

Ray White Denmark were commissioned to provide an approximate rental valuation for 7 Beveridge Road Denmark. The estimate provided, based on current market conditions is \$550 per week. The full report has been made available to Councillors.

GROH have indicated they value properties based on a number of factors which generally result in a reduced weekly rate, relative to the current market, given the following:

1. Lower risk associated with guaranteed State Government income,
2. Lower risk associated with letting to State Government senior employees,
3. Improvements made to properties by GROH, and
4. Long-term lease opportunity (up to 10-year agreements).

No assessment by GROH has been conducted over the property to establish a weekly rental amount. GROH have indicated they will require their own valuation to be applied.

In March 2021, the Education Department requested the Shire to assist one family, consisting of two Education Department employees, who would have to leave Denmark if no short-term housing could be located.

Consultation:

Shire of Denmark Executive Team and Governance Coordinator.

Statutory Obligations:

Local Government Act 1995

- Section 3.58 enables a local government to dispose of property (includes leasing).

Local Government (Functions & General) Regulations 1996

Regulation 30 provides an exemption to disposal provisions under s 3.58 if the land is disposed to 'a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth ...' (r 30(2)(c)(ii)).

Policy Implications:

There are no policy implications noted for consideration.

Budget / Financial Implications:

Should Council provide GROH with a lease over 7 Beveridge Road the expected rental return is valued at \$25,000 (inc. GST) per annum.

This is a non-budgeted item that would provide additional revenue to the Shire.

The cost of the lease agreement is to be borne by GROH.

Strategic & Corporate Plan Implications:

The report and officer recommendations are consistent with Council's adopted Strategic Plan Objectives and Goals in the following specific ways:

Strategic Community Plan

E1.3 To have diverse education and employment opportunities.

Sustainability Implications:

➤ **Governance:**

It is acknowledged that there is a housing shortage in Denmark and Council could decide to put the house on the open market, or offer the Education Department a lease, for a longer term.

As mentioned above, it is recommended that the house be made available for the permanent Director Corporate and Community Services following their appointment. At that time, if the Director chooses not to live in the house then the Council have the option to consider a longer term lease, either to the Education Department or on the open market.

➤ **Environmental:**

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

➤ **Economic:**

There are no known significant economic implications relating to the report or officer recommendation other than that listed under budget / financial implications.

➤ **Social:**

The potential loss of two (2) senior Education Department staff due to the lack of housing availability is noted as a significant social impact on the community.

➤ **Risk:**

Risk	Risk Likelihood (based on history and with existing controls)	Risk Impact / Consequence	Risk Rating (Prior to Treatment or Control)	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputational: Decide not support GROH by offering a short-term lease.	Rare (1)	Moderate (3)	Low (1-4)	Not Meeting Community expectations	Accept Risk

Comment/Conclusion:

The proliferation of development approvals to turn residential properties into short stay accommodation, as a result of supply and demand issues created by the COVID-19 pandemic, has caused very few houses to be available for rent in Denmark.

Denmark Senior High School has an urgent need in the short-term to keep a family and two (2) senior staff in Denmark. Due to the Beveridge Road property being vacant, Council has the opportunity to realise a portion of the approximate \$25,000 annual rent available through the GROH program.

Officers consider the risk in leasing a Shire house to GROH and senior Education staff as low and the benefit to the community as significant.

Officers recommend that Council approve the Chief Executive Officer and Shire President to execute a short-term three (3) month lease to GROH if a weekly rental close to the market value is achieved.

Voting Requirements:

Simple majority.

COUNCIL RESOLUTION & OFFICER RECOMMENDATION	ITEM 9.3.3
MOVED: CR ALLEN	SECONDED: CR GEARON
That Council;	
1. AUTHORISE the Chief Executive Officer and Shire President to execute a lease with Government Regional Officer Housing for the occupation of 7 Beveridge Road Denmark, subject to the following conditions;	
a) The lease term is no greater than 3 months; and	
b) Weekly rental is greater than \$475.00 (inc. GST); and	
c) Include a provision in the lease to allow for a further six-month term should the permanent Director Corporate & Community Services choose not to reside at the property.	
2. Should the lease be extended under Part 1c), REQUEST the Chief Executive Officer to report back to Council, prior to the expiry of the further term, on the future use of the property at 7 Beveridge Road, Denmark.	
CARRIED UNANIMOUSLY: 5/0	Res: 100421

10. COMMITTEE REPORTS AND RECOMMENDATIONS

Nil

11. MATTERS BEHIND CLOSED DOORS

Nil

12. NEW BUSINESS OF AN URGENT NATURE

Nil

13. CLOSURE OF MEETING

5.19pm - There being no further business to discuss the Shire President, Cr Gearon, declared the meeting closed.

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

Signed: _____
David Schober – Chief Executive Officer

Date: _____

These minutes were confirmed at a meeting on the _____.

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