

# Shire of Denmark Minutes



## ORDINARY (DISCUSSION ONLY) MEETING OF COUNCIL

HELD IN THE COUNCIL CHAMBERS,  
953 SOUTH COAST HIGHWAY, DENMARK,  
ON TUESDAY, 21 SEPTEMBER 2010.

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# Ordinary Council Meeting

21 September 2010

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## 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

4.02pm - *The Shire President, Cr Thornton, declared the meeting open.*

### 1.1 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

#### MEMBERS:

Cr Ross Thornton (Shire President)  
Cr Ken Richardson-Newton (Deputy Shire President)  
Cr Phil Barnes  
Cr George Ebbett  
Cr Adrian Hinds  
Cr Richard Phair  
Cr John Sampson  
Cr Alex Syme  
Cr John Wakka

#### STAFF:

Mr Dale Stewart (Chief Executive Officer)  
Mr Garry Bird (Director of Finance & Administration)  
Mr Gregg Harwood (Director of Community & Regulatory Services) (*from 4.04pm*)  
Mr Sam Williams (Director of Planning & Sustainability)  
Ms Claire Thompson (Executive Assistant)

#### APOLOGIES:

Mr Rob Whooley (Director of Infrastructure Services)  
Cr Kim Barrow

#### ON LEAVE OF ABSENCE:

Cr Robert Laing  
Cr Dawn Pedro

#### ABSENT:

Nil

#### VISITORS:

Members of the public in attendance at the commencement of the meeting: 2  
Members of the press in attendance at the commencement of the meeting: 0

#### DECLARATIONS OF INTEREST:

Nil

4.03pm – *The Director of Finance & Administration left the meeting.*

4.04pm – *The Director of Finance & Administration returned to the meeting.*

4.04pm – *The Director of Community & Regulatory Services entered the meeting.*

## 2. ANNOUNCEMENTS BY THE PERSON PRESIDING

### 2.1 Community Emergency Services Manager

The Shire President noted that Mr Nathan Hall had been appointed as Council's new Community Emergency Services Manager and would be introduced at the next Council meeting as he was currently on a training course.

### 2.2 Environmental Health Technical Officer

*The Shire President noted that Council's newly appointed Environmental Health Technical Officer, Mr Robert Ohle has been introduced at last month's Council meeting.*

### 3. PUBLIC QUESTION TIME

#### 3.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

#### 3.2 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 back of the front cover of this Agenda.

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, no later than 6.00pm.

##### Questions from the Public

There were no questions from members of the public.

#### 3.3 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

##### 3.3.1 Question from Cr Hinds – Climate Change Sceptic Definition

When will Cr Hinds be provided with the officer's definition of the word "sceptic", as used in the background notes to Item 8.1.2 of the Agenda for the Council Discussion Meeting of 17 August 2010?

##### The CEO responds as follows:

*I advise that the following words, extracted from the Minutes of the Meeting of 24 August 2010, attempted to answer your concern by removing reference to the word sceptic from the report. As indicated by the officer the removal of the word sceptic was a practical alternative rather than in his opinion needing to define what the definition of 'sceptic' was.*

*Accordingly no definition was provided and there was no service promise by the officer that it was going to be provided.*

##### Extract from the Council Meeting of 24 August 2010.

*"At the meeting held on the 17 August 2010;*

- Cr Phair stated that he disagreed with Officer reports including links to website and noted that Minutes should be stand alone and if there are items on websites that should be referenced by Councillors for the purpose of making a decision, then the information should be downloaded and attached to the Minutes;*
- Cr Sampson tabled a document published by the Australian Academy of Science titled The Science of Climate Change for the information of Councillors;*
- Cr Hinds requested that a definition of the term "Climate Change sceptic" be included within the Officers report;*
- Cr Barrow expressed concern regarding the use of the words "compulsory" and "mandatory" which was endorsed by Cr Phair who requested the Director of Planning & Sustainability provide an Alternate Officer Recommendation does not refer to 'compulsory' or 'mandatory'.*
- Cr Syme requested that the document that Cr Sampson tabled titled "The Science of Climate Change" be included as an attachment to Item 8.1.2;*

- Cr Phair referred to information that he had printed from the Climate Change Australia website and requested that the information also be attached as an amendment to Item 8.1.2; and
- Cr Syme requested that an additional Recommendation be included in next week's Agenda to allow Councillors to vote on whether or not Cr Sampson's & Cr Phair's information should be included as attachments in the Minutes.

The Director of Planning & Sustainability has removed the website references from the report and included Cr Sampson's and Cr Phair's documents as attachments and therefore has not provided an additional recommendation as per Cr Syme's request. With regard to Cr Hinds' request, the Director of Planning & Sustainability advised that he has removed reference to the word "sceptic" from the document."

Cr Hinds asked whether the CEO would reconsider his reply and consider providing him with a definition of the term "Climate Change sceptic".

The CEO advised that he would endeavour to provide Cr Hinds with definitions of the word 'sceptic' and if able, that of 'Climate Change Sceptic' which would be included in the Agenda for next week's meeting.

4.06pm – The Director of Community & Regulatory Services left the meeting.

4.07pm – The Director of Community & Regulatory Services returned to the meeting.

**3.4 PRESENTATIONS, DEPUTATIONS & PETITIONS**

Nil

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**5. CONFIRMATION OF MINUTES**

**5.1 ORDINARY COUNCIL MEETING**

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 5.1</b>
MOVED: CR SAMPSON	SECONDED: CR RICHARDSON-NEWTON
That the minutes of the Ordinary Meeting of Council held on the 24 August 2010 be confirmed as a true and correct record of the proceedings.	
CARRIED: 9/0	Res: 010910

**6. SUSPENSION OF STANDING ORDERS**

<b>COUNCIL RESOLUTION &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 6</b>
MOVED: CR RICHARDSON-NEWTON	SECONDED: CR WAKKA
That all Standing Orders be suspended for the remainder of the agenda items to enable detailed discussion, Councillors' questions and briefing by staff on the agenda items in accordance with Council's policy that the meeting on the third Tuesday of each month is a briefing/discussion meeting only and no decisions will be made on agenda items at this meeting. Decisions on the agenda items listed will be made at the meeting on the fourth Tuesday of the month.	
CARRIED: 9/0	Res: 020910

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

The following Notice of Motions were received on the 8 September 2010 and therefore both comply with the Shire of Denmark Standing Orders Local Law clause 3.10.

**7.1 PILOT STUDY OF SUPPLYING A GREEN WASTE REMOVAL SERVICE**

<b>File Ref:</b>	WASTE.8 / CR.1
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Shire of Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	8 September 2010
<b>Author:</b>	Cr Hinds
<b>Attachments:</b>	No

**Summary:**

It is expected that Council staff would arrange with one or more of the local suppliers of green waste mulching services to mulch the green waste which householders have piled on their road verges. The householder would be offered the option of keeping their mulch or having it removed.

**Background:**

The Shire has recently been discussing the issue of dealing with green waste and this is offered as another option to consider.

**Comment:**

Director of Infrastructure Services comment:

Burning green waste can cause safety, nuisance and health problems across a neighbourhood. There are a range of alternatives to burning green waste. One of the alternatives is mulching. Many metropolitan Councils have an annual green waste collection because of the positive benefits derived from such an undertaking. The collection programs are easy to implement and it is not envisaged that Denmark would present any unique challenges.

Local contractors are able to undertake large scale mulching works with the only limitations being the size of material that 2 men could physically handle.

It is estimated that an annual mulching program, for the urban area, would take 2-3 weeks and cost \$20,000-\$25,000.

CEO comment:

If Council supports the principle suggested by Cr Hinds, then it may initially be more appropriate to request the CEO to prepare a detailed report on the various options regarding a green waste and/or bulk refuse pick up service. Council at its meeting of 24 August 2010 resolved as follows;

*“That with respect to the burning of green waste within the Shire of Denmark, Council;*

1. *Continue the current approach where Council staff act on the basis of written complaints and speak to problem residents who regularly burn green garden waste with the following improvements:*
  - a. *Education programs in problem areas using activities such as letter box drops and articles in the media.*
  - b. *Council's Rangers stopping and talking to people they see burning inappropriately when on patrols.*
2. *Investigate the cost and suitability of a monthly 240 litre composting "bio bin" green waste collection service.*

*AMENDMENT*

*MOVED: CR HINDS*

*That Council add a part 3 that reads:*

*“That Council devise and carry out a small pilot study of providing a kerbside green waste mulching and collection service on a seasonal basis.”*

*LAPSED FOR WANT OF A SECONDER*

*THE ORIGINAL MOTION WAS THEN PUT & CARRIED: 10/1*

*Res: 280810”*

**Consultation with Public:**

Nil

**Statutory Obligations:**

Nil

**Policy Implications:**

Part of Shire’s waste removal portfolio.

**Budget/Financial Implications:**

Unbudgeted. Therefore small trial recommended.

**Strategic Implications:**

Nil

**Sustainability Implications:**

➤ **Environmental**

Green waste is not burnt creating a public nuisance and possible adverse health effects.

➤ **Economic**

Small cost to Council in trial stage as charging customers is not recommended. A full scale adoption would be financed by additional service charges. Accumulated mulch may be considered to be a resource. Local mulchers are supported by Council as are local artists.

➤ **Social**

Residents perception of reduced fire risk and that Council is responding to their needs. Less aggro in the hood.

**Voting requirement:**

Absolute majority.

COUNCILLOR NOTICE OF MOTION	ITEM 7.1
That Council staff devise and carry out a small pilot study of supplying a Green Waste removal service to selected urban streets on a temporary seasonal cycle.	

*\*Absolute majority required.*

*No discussion.*

<b>7.2</b>	<b>ROYALTIES FOR REGIONS FUNDING – CONSULTATION WITH NEARBY LOCAL AUTHORITIES</b>
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<b>File Ref:</b>	CR.1
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	8 September 2010
<b>Author:</b>	Cr Hinds
<b>Attachments:</b>	No

**Summary:**

Changes to Royalties for Regions funding need to be dealt with.

**Background:**

Consultation with nearby local authorities is occurring. It should be officially recognised and authorised by Council with an additional requirement for adequate reporting of the details.

**Comment:**

Nil

**Consultation with Public:**

Nil

**Statutory Obligations:**

Nil

**Policy Implications:**

There are no known Policy Implications.

**Budget/Financial Implications:**

May require major changes to Budget.

**Strategic Implications:**

May have a major effect on any Strategic planning.

**Sustainability Implications:**➤ **Environmental**

Unknown but possible major effects.

➤ **Economic**

Unknown but possible major effects.

➤ **Social**

Unknown effects.

**Voting requirement:**

Simple majority.

**CEO comment:**

Cr Hinds is referring to negotiations that have occurred and continue to occur between the Shire President, Deputy Shire President, CEO and Director of Finance with adjoining local authorities including;

Manjimup, Nannup, Boyup Brook and Bridgetown-Greenbushes (the current Warren-Blackwood Alliance) to the west and with Albany to the East (noting that Plantagenet and formed a VROC with three Councils to the north).



The alternative officer recommendation is preferred for a number of minor reasons, including the correct name of the Directors title and referring the matter to monthly briefing sessions rather than Council Meetings, to enable full and frank conversations and discussions to occur whilst still in negotiation with adjoining Councils and to provide an end point to the resolution.

**COUNCILLOR NOTICE OF MOTION****ITEM 7.1**

That, as a consequence of changes in the system of allocation of Royalties for Regions funding, this Council authorise a team consisting of the Shire President, Shire Deputy President, Chief Executive Officer and Chief Financial Officer, to seek linkages to the local government authorities to the West and East of the Shire of Denmark and provide monthly reports of progress to each Council monthly Discussion Meeting.

In the event of the Cr Notice of Motion being withdrawn or if not withdrawn, lost, the alternative officer recommendation is submitted.

**ALTERNATE OFFICER RECOMMENDATION****ITEM 7.1**

That, as a consequence of reviewing the Shire of Denmark's proposed allocation of Royalties for Regions funding, Council authorise a team consisting of the Shire President, Shire Deputy President, Chief Executive Officer and Director of Finance & Administration, to investigate regional projects and agreements with local government authorities to the West and East of the Shire of Denmark and provide monthly reports of progress to each Council monthly briefing session until such time as a Council decision on projects, timing, allocations and regional partners is required and made.

*Cr Richardson-Newton asked whether the Alternate Officer Recommendation could include the Shire of Plantagenet.*

*Discussion ensued.*

*The CEO agreed that he would amend the Recommendation to include the Shire of Plantagenet for next week's Agenda.*

**8. REPORTS OF OFFICERS**

**8.1 Director of Planning & Sustainability**

**8.1.1 REQUEST FOR ROAD CLOSURE AND AMALGAMATION**

<b>File Ref:</b>	A70
<b>Applicant / Proponent:</b>	Department of Regional Development and Lands
<b>Subject Land / Locality:</b>	Lots 3450 and 51 South Coast Highway, Kentdale
<b>Disclosure of Officer Interest:</b>	YES - The daughter-in-law of the landowner works at the Shire of Denmark. This disclosed interest has not affected the author's recommendation.
<b>Date:</b>	25 August 2010
<b>Author:</b>	Duncan Ross, Senior Planning Officer
<b>Authorising Officer:</b>	Sam Williams, Director of Planning & Sustainability
<b>Attachments:</b>	Yes – page 1

**Summary:**

As part of a recent boundary realignment and reconfiguration of titles owned by the landowner, the Department of Regional Development and Lands (the Department) has become aware that portions of a closed road exist along the northern boundaries of Lots 3450 and 51 South Coast Highway (refer to Attachment 1).

The Department are seeking Council's comments on whether closure and amalgamation of the closed road into the adjoining private lots is supported or not.

The closure and amalgamation is supported by Council officers for reasons outlined below.

**Background:**

Refer to Summary above.

In terms of future process and assuming Council supports the closure and amalgamation, a positive response will be prepared for the Department. The Department will then need to follow the necessary legislative process which may include advertising of the proposed closure and amalgamation in accordance with Section 58 of the Land Administration Act 1997.

Following the above, amalgamation of the closed road is acquired from the Crown by the adjoining landowner, with an acquisition cost established by a licensed valuer.

**Comment:**

The primary consideration relating to this request is the future use of any such road reserves. In this instance the road reserve serves no immediate purpose, follows a historical alignment which terminates in a Crown reserve and is not deemed to be required in the future.

The landowner has been farming this portion of the closed road for at period of not less than 30 years. An existing farm (shearing) shed is currently constructed across the closed road.

The proposal has been viewed by the Director of Infrastructure Services, who confirms the road reserve is not required for any strategic purposes and that amalgamation into the adjoining lots is supported.

**Consultation:**

No consultation has been undertaken as a result of this application. The Department of Regional Development and Lands who are initiating and overseeing this process, have sought the views of Council on this matter.

**Statutory Obligations:**

- Land Administration Act – Section 58 Closure of Roads.
- Land Administration Regulation – Section 9.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

There are no financial implications for the road closure. It is noted any payment of funds for the acquisition of the road reserve will be borne by the landowner and payable to the Crown.

**Strategic Implications:**

There are no strategic implications relating to the report or the officer recommendation. The road reserve serves no current or future purpose.

**Sustainability Implications:**

➤ **Environmental:**

There are no environmental considerations relating to the report or officer recommendation.

➤ **Economic:**

There are no economic considerations relating to the report or officer recommendation.

➤ **Social:**

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

**Voting Requirements:**

Simple majority.

<p><b>OFFICER RECOMMENDATION</b></p> <p>That with respect to the closure and amalgamation of the unmade road at Lots 3450 and 51 South Coast Highway, Denmark, Council resolve to undertake the following:</p> <ol style="list-style-type: none"> <li>1. Support the closure and amalgamation of the closed road into Lots 3450 and 51 South Coast Highway;</li> <li>2. Authorise the Director of Planning and Sustainability to prepare a response to the Department of Regional Development and Lands with a recommendation to support the permanent closure and amalgamation of the closed road into the adjoining lots.</li> </ol>	<p><b>ITEM 8.1.1</b></p>
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*Discussion ensued.*

<b>8.1.2 PROTECTION OF ENVIRONMENTAL VALUES POLICY AND CHECKLIST</b>
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<b>File Ref:</b>	A 3168 and 30110 and Policy Manual
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	Shire tenure
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	1 September 2010
<b>Author:</b>	Yvette Caruso, Natural Resource Management Officer
<b>Authorising Officer:</b>	Sam Williams, Director of Planning & Sustainability
<b>Attachments:</b>	Yes – page 5

**Summary:**

It is recommended that Council adopt the Protection of Environmental Values Policy and associated Environmental Impact Form and Checklist to ensure that Shire operational activities do not compromise existing environmental and heritage values.

**Background:**

In response to works conducted by Shire operations, a Council Resolution 050410 from 27<sup>th</sup> April Council meeting Item 8.1 (2) stated that training was to be arranged for relevant Shire staff in the area of catchment management. A Protection of Environmental Values workshop has since been arranged to be held on 12 October 2010 for Shire of Denmark staff. The aim of the workshop is to raise awareness and understanding of Shire staff and contractors of existing environmental and heritage values and the need to undertake Shire works in a sensitive manner to ensure these values are not compromised through operational disturbance activities. Associated with the workshop has been the development of a Protection of Environmental Values Policy and associated Environmental Impact Form and Checklist as the means by which this can be achieved.

**Comment:**

The Protection of Environmental Values Policy aims to ensure the protection of natural and cultural values from operational activities that may have the potential to disturb or compromise existing environmental or heritage values and is to be applied to all operational disturbance activities occurring on Council managed lands. The means by which the policy is enforced is via a consistent protocol through the Environmental Impact Form and associated Checklist.

**Consultation:**

The Protection of Environmental Values Policy would apply to all operations occurring on Council managed lands. The protocol by which the policy is achieved is via the Environmental Impact Form and Checklist and has been developed to ensure thorough consultation across directorates and external contractors regarding operational works on Council managed lands and associated values. The Shire GIS system has information and datasets that correspond to each environmental and heritage value to assist with completing the checklist.

It is noted however that consultation has yet to occur with the Infrastructure Services Directorate which will be most impacted by the proposed Policy. It may be for example that the definition of “disturbance” in the policy and forms needs some greater level of definition and /or listed examples and/or exemptions.

**Statutory Obligations:**

There are existing statutory obligations that the Council must abide by outlined in various pieces of legislation in order to ensure the continued protection of environmental and heritage values. The Protection of Environmental Values Policy

and Environmental Impact form and checklist is the means by which these statutory obligations can be met at a centralised local level.

**Policy Implications:**

The Policy is in keeping with Council's existing Environmental Policy (P100503) which states that "*Council supports the ethos of ecological sustainability. It will endeavour in all its activities to apply the principles associated with conserving natural resources, integrate environmental accounting procedures into its management decisions...*" The Protection of Environmental Values Policy and corresponding Environmental Impact Checklist is the means by which the application of environmental principles and environmental accounting is achieved.

**Budget / Financial Implications:**

There are no known financial implications upon the Councils current Budget or Plan for the Future.

**Strategic Implications:**

All Shire operational works will require an environmental impact assessment to be completed prior to commencement of works. This is via the environmental impact form and associated checklist and a signature of approval from the relevant directorates.

**Sustainability Implications:**

➤ **Environmental:**

The adoption of the Protection of Environmental Values Policy and associated Environmental Impact Form and Checklist will ensure the continued protection of existing environmental values on Council managed lands at a local level from potential impacts from operational disturbance activities.

➤ **Economic:**

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

➤ **Social:**

The adoption of the Protection of Environmental Values Policy and associated Environmental Impact Form and Checklist will ensure the continued protection of existing heritage values on Council managed lands at a local level from potential impacts from operational disturbance activities.

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION

ITEM 8.1.2

That Council receive the Draft Protection of Environmental Values Policy and associated Draft Environmental Impact Form and Checklists and workshop the Policy and Forms with Council's Infrastructure Directorate at the proposed Environmental Values Training Workshop scheduled on the 12 October 2010.

*Discussion ensued.*

*4.34pm – The Director of Finance & Administration left the meeting.*

*4.36pm – The Director of Finance & Administration returned to the meeting.*

### 8.1.3 DRAFT TOWN PLANNING SCHEME POLICY – NORNALUP DEVELOPMENT GUIDELINES

<b>File Ref:</b>	PLN69
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 September 2010
<b>Author:</b>	Cindy Simpson, Senior Planning Officer
<b>Authorising Officer:</b>	Sam Williams, Director of Planning & Sustainability
<b>Attachments:</b>	Yes – page 9

#### Summary:

A draft town planning scheme policy – Nornalup Development Guidelines has been prepared to provide criteria against which Council will assess development applications in Nornalup. It is recommended the draft policy be adopted to enable consultation to take place prior to the policy being finalised.

#### Background:

At its meeting of 24 August 2010, Council resolved to advertise the Nornalup Character Study for a period of 90 days to allow public comment to be received. Council also resolved to request staff to prepare a Town Planning Scheme Policy for Nornalup based on the Character Study.

#### Comment:

#### Draft Policy

The draft policy contains background, definitions, objectives and policy provisions.

The objectives of the Policy are as follows:

- To protect and enhance the unique special character of the Nornalup settlement.
- To provide guidance to both Council and landholders as to appropriate form of development to ensure the character is maintained.

The policy provides guidance on new buildings and conservation and adaptation of existing buildings as follows:

- **New Buildings**
  - Built form
  - Garages and carports
  - Street Frontages and setbacks
  - Materials
  - Retaining walls
  - Driveways
  - Fencing and landscaping
- **Conservation and Adaptation of Existing Buildings**
  - Demolition of existing buildings
  - Additions and alternations to existing houses on Riverside Drive

#### Consultation:

The draft Policy is required to be advertised in accordance with Clause 8.2.2 of the Scheme being once a week for two consecutive weeks in a newspaper circulating in the area giving details of the draft and inviting submissions for a period of not less than 21 days.

In addition to this refer the draft policy directly to relevant government agencies including Department of Planning.

**Statutory Obligations:**

Clause 8.2 “Town Planning Scheme Policies” sets out the requirements for the preparation and adoption of town planning scheme policies.

**Policy Implications:**

The policy is only a draft at this stage. If formally adopted by Council following the consultation phase it will become and adopted TPS policy under the provisions of the Clause 8.2 of the Scheme and will apply as set out in the Policy.

**Budget / Financial Implications:**

There are no known financial implications upon the Councils current Budget or Plan for the Future. The cost of advertising and referral of the draft policy are provided for within the existing 2010/11 Budget.

**Strategic Implications:**

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

**Sustainability Implications:**

➤ **Environmental:**

The application of the Nornalup Development Guidelines will ensure that the built environment of the Nornalup Townsite retains its unique feel and identity.

➤ **Economic:**

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

➤ **Social:**

The application of the Nornalup Development Guidelines will facilitate visual amenity and ‘sense of place’.

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.1.3
<p>That Council in accordance with Clause 8.2.2 of TPS No. 3 adopt the draft Town Planning Scheme Policy ‘Nornalup Development Guidelines’ and:</p> <ol style="list-style-type: none"> <li>1. Advertise the draft in the local newspaper(s) for a period of 21 days for public inspection and comment: and</li> <li>2. Refer the draft policy to the relevant government agencies including the Department of Planning.</li> <li>3. Upon closure of advertising and government agency comment, consider any submissions to the advertising of the Nornalup Character Study and Guidelines and amend the Policy accordingly.</li> </ol>	

*Discussion ensued.*

*Cr Syme asked whether the term ‘Settlement’ could be defined in the document for clarification.*

*The Director of Planning & Sustainability replied that he would either provide a map or a definition of the settlement area for next week’s meeting.*

### 8.1.4 DECOMMISSION EXISTING INFORMATION BAY AT EASTERN APPROACH TO TOWN

<b>File Ref:</b>	PLN-36
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	Existing 'Information Bay' – Eastern approach to Denmark.
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	14 September 2010
<b>Author:</b>	Duncan Ross, Senior Planning Officer
<b>Authorising Officer:</b>	Sam Williams, Director of Planning & Sustainability
<b>Attachments:</b>	Yes – page 15

#### Summary:

In May 2009 the Shire of Denmark approached Eugene Stankevicius (Manager Brand WA – Tourism, Western Australia) to undertake an audit of existing tourism signs within the Shire. This document was subsequently presented to Council in April 2010 where it was resolved to (Resolution No. 120410):

- “1. Receive the Tourism Signage Review and instruct the Director of Planning and Sustainability to review the document;*
- 2. Subject to a review to be undertaken by the Director of Planning and Sustainability, in consultation with the Denmark Tourism Inc, Denmark Historical Society, Denmark Chamber of Commerce and affected operators undertake the recommendations numbered 1-175 (Part D) within the Tourism Signage Review; and*
- 3. Review the Shire’s Local Planning Policy No. 32.”*

Council is now seeking to progress one of the Priority Projects as stipulated in Section F of the audit not specifically mentioned in the above resolution.

#### Background:

Priority Project No. 1 recommends the decommissioning of the existing Information Bay on the eastern approach to town, situated adjacent to the Denmark Golf Club. Tourism WA’s reason for this decommissioning is as follows:

*Tourism WA does not support roadside information bays, particularly ones that are almost in the town centre. All visitors should be directed to the Visitor Centre which should provide the same visitor information on boards in front of their premises. Maps and information on accommodation facilities, attractions and other salient information should be in a well lit area for visitor who arrive outside of the Visitor Centre opening hours. The information boards and keeping it current is easier and cheaper to manage in the grounds of the Visitor Centre.*

Council officers support this approach.

#### Comment:

The existing Information Bay is of little tourism value to visitors entering the town centre and does not leave the sort of first impression the Shire should be seeking. Having visited the site with the Director of Planning and Sustainability and spoken to in-coming visitors, they are often confused at the quality, value and usefulness of this existing Information Bay.

A new sign will be ordered to replace the existing 'INFORMATION BAY' sign located on South Coast Highway. The replacement sign (in the same location and utilising the same poles) will direct visitors to the Denmark Visitor Centre (DVC), 1.7km through town. This new sign will promote the DVC as the primary source of visitor information and as the DVC provides a high level of service, this simple change is expected to be greatly beneficial to Denmark’s wider image.



Decommissioning the Information Bay, by removing the existing signs will have minimal impacts on the majority of existing business owners linked to the existing signs. A number of the signs relate to businesses that no longer exist, are located in the City of Albany, are duplicated on the Information Bay or are of a standard that appear old and illegible. The removal of these signs should occur immediately.

There are however, various new signs that have been provided relatively recently, of a good standard and relate to businesses that are still operating in Denmark. As these signs are privately owned it is recommended the Director of Planning and Sustainability write to all owners seeking the signs be removed within 21 days of this resolution. At the end of the 21 day period Council will remove any remaining signs and retain any that relate to existing businesses and redisplay these once a new location is determined for them.

**Consultation:**

A letter has been sent to both the Denmark Visitor Centre and the Denmark Chamber of Commerce. No response has yet been received. It is recommended the Council endorse this recommendation subject to any comments received by both organisations under the delegation of the Director of Planning and Sustainability.

**Statutory Obligations:**

There are no statutory obligations.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

There are financial implications relating to this recommendation. In order to undertake the works, the Shire's Works Department will need to remove the existing signs and poles, estimated at four hours work (\$400). The cost of this will be covered by the recent allocation of funds as stipulated in the 2010/11 budget. The sum of \$5,000 has been allocated for works relating to implementing sign priorities and it is suggested that this could assist provide an appropriate signage structure on the ground of the Visitors Centre to provide information for visitors outside of the operating hours of the Visitors Centre (a Shire & townsite map etc..).

**Strategic Implications:**

There are no strategic implications relating to the report or the officer recommendation. The Information Bay is dilapidated and serves limited purpose.

**Sustainability Implications:**

➤ **Environmental:**

There are no environmental considerations relating to the report or officer recommendation.

➤ **Economic:**

There are no economic considerations relating to the report or officer recommendation.

➤ **Social:**

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

**Voting Requirements:**

Simple majority.

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 8.1.4</b>
<p>That with respect to the existing Information Bay at the eastern approach to Denmark, Council resolve to undertake the following:</p> <ol style="list-style-type: none"> <li>1. Decommission the existing Information Bay Signage at the eastern approach to town subject to support being given by the Denmark Visitor Centre and the Denmark Chamber of Commerce.</li> <li>2. Authorise the Director of Planning and Sustainability to contact all owners of relevant signs asking the signs to be removed within 21 days from the date of this resolution.</li> <li>3. Relocate any suitable signs to the Denmark Visitor Centre in liaison with the Denmark Visitors Centre and Denmark Tourism Inc. in due course as determined by the Director of Planning and Sustainability.</li> <li>4. Enter into negotiations with the board of Denmark Tourism Inc. regarding design of an appropriate sign board or similar structure on the grounds of the Denmark Visitors Centre to address the needs of visitors outside of the Visitors Centre opening hours.</li> </ol>	

4.48pm – The Director of Finance & Administration left the meeting.

4.49pm – The Director of Finance & Administration left the meeting.

Discussion ensued.

**8.2 Director of Community & Regulatory Services**

<b>8.2.1 REPLACEMENT OF MCLEAN OVAL CRICKET PITCH SURFACE</b>
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<b>File Ref:</b>	A3035, ICR1082406
<b>Applicant / Proponent:</b>	Denmark Cricket Club
<b>Subject Land / Locality:</b>	Mc Lean Oval, Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	10 September 2010
<b>Author:</b>	Gregg Harwood, Director of Community & Regulatory Services
<b>Authorising Officer:</b>	Gregg Harwood, Director of Community & Regulatory Services
<b>Attachments:</b>	Yes – page 15

**Summary:**

This report considers a request (letter) from the Denmark Cricket Club for out of budget funding for the replacement and upgrading of the artificial turf at the Mc Lean Oval practice nets and recommends that Council refuse the request and ask the club to submit a proposal to fully renovate practice nets and their surrounds for consideration a CRFS funding proposal.

**Background:**

The Denmark Cricket Club submitted a similar request for consideration as part of Council’s 2010/2011 budget deliberations but this request was deleted from the budget that was presented to Council as part of an effort by the Director of Finance & Administration to present Council with a balanced budget that was based on a minimal rate rise.

The club is of the opinion that the practice pitches have deteriorated to the point where they are not safe to play on and on this basis are asking Council to consider their request for out of budget funding.

Currently the practice pitches are concrete for their entire length with artificial turf cover for approximately half their length. The club are proposing to remove the existing turf and replace it with a full length covering. They are also intending to replace the netting with second hand netting that they have obtained from the tennis club. It is the club's intention to contribute \$1,500 towards the cost of the \$6,446 cost of replacing the turf with the remaining \$4,946 being funded by Council. The total cost request of Council is estimated at \$4,946.

**Comment:**

The cricket club are maintaining that the surface of the practice nets has deteriorated to the point where they are no longer safe to be used and on this basis are seeking immediate Council funding so that artificial surface on both pitches can be replaced prior to the start of the cricket season.

An inspection has been made of the nets and while they are unattractive and appear dilapidated and in need of refurbishment when compared to the rest of the infrastructure at Mclean Oval it is difficult to see how the surface has noticeably deteriorated since the previous cricket season. This lack of noticeable accelerated deterioration together with the fact that practice nets are available at the high school oval somewhat negates the club's claim the Council must make an immediate out of budget allocation so that the pitch surfaces can be replaced before the cricket season.

Having said this however there is a need in the short to midterm for the entire practice net complex to be substantially renovated so it reflects the standard that Council has set with its other facilities at Mclean Oval and is an attractive facility for players to use. These renovations in addition to a full length artificial surface should include the where needed the grinding and filling of the concrete under the pitch, the installation of or improved/ irrigated grass either side of the pitch, the replacement of the netting and the erection of appropriate signage relating to the practice nets and their use.

In order to achieve these renovations it is recommended that Council reject the Cricket Club's out of budget request and ask them to submit a request to Council for State Government CRSF funding (Community Sport & Recreational Facility Fund) to fully renovate the facility. The advantage of the CRSF funding model is that it is typically 1/3 CRSF and 1/3 from Council and 1/3 from the club or the community and the club has the ability make its contribution in kind through the value of donated materials and labour.

Given that the majority of the material costs of the project will be associated with the laying of the full length artificial surface and the majority of the labour costs will be associated with the netting the usage of a CRSF funding may well mean that the club does not need to make a cash contribution at all and Council's contribution will most likely be reduced for a superior overall outcome. The risk with CRSF funding however is that the club (and Council) will need to compete with other communities for these funds and assuming that the application was successful the project would not be ready for use until the 2011-2012 season.

**Consultation:**

The pitch was inspected with a representative of the Denmark Cricket Club.

**Statutory Obligations:**

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

**Policy Implications:**

It is good local government practice to avoid expanding funds raised through general revenue streams when through strategic planning alternative funding can be sourced from elsewhere.

**Budget / Financial Implications:**

The club's request for out of budget funding will have an impact on the current budget unless a surplus can be found in other areas of the budget.

**Strategic Implications:**

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

**Sustainability Implications:**

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

The presence of quality recreation facilities enhances the community's health and well being.

**Voting Requirements:**

Simple majority.

<b>COMMITTEE &amp; OFFICER RECOMMENDATION</b>	<b>ITEM 8.2.1</b>
<p>That Council advise the Denmark Cricket Club that;</p> <ol style="list-style-type: none"> <li>1. It is not prepared to make an out of budget allocation towards the cost of replacing and extending the artificial surface on the pitches at the McLean Oval practice nets.</li> <li>2. That it supports in principle the Denmark Cricket Club and/or Council on their behalf making a Community Sport &amp; Recreational Facility Fund funding submission to fully refurbish practice pitches, their surrounds, fencing and signage at McLean Oval.</li> </ol>	

*No discussion.*

<b>8.2.2 SPORTING HISTORY OF THE GREAT SOUTHERN CONTRIBUTION</b>	
<b>File Ref:</b>	PBR.9, ICR1041001
<b>Applicant / Proponent:</b>	Shire of Cranbrook
<b>Subject Land / Locality:</b>	All Member Councils of the Great Southern Recreational Advisory Group
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	7 September 2010
<b>Author:</b>	Gregg Harwood, Director of Community & Regulatory Services
<b>Authorising Officer:</b>	Gregg Harwood, Director of Community & Regulatory Services
<b>Attachments:</b>	Yes – page 17

**Summary:**

This report considers a request from the Shire of Cranbrook for a contribution towards the cost of compiling the sporting history of the Great Southern and

recommends that Council offer to contribute up to \$1,500 towards the project on the basis that the contribution will be made in the 2011-2012 financial year.

**Background:**

The Great Southern Recreational Advisory Group (correspondence attached) wants to compile a sporting history of the Great Southern and is seeking a total of \$15000 in funding from its eleven member Councils to match Lotteries Commission funding of the project.

The project is being coordinated by the Shire of Cranbrook and pledges are being sought on the basis that Councils who contribute to the study will have portions of their sporting history included in the project.

Two authors have expressed an interest in the project and it is envisaged that the outcome of the project will be a coffee table style book.

**Comment:**

It is Shire of Cranbrook's intent to establish a committee of volunteers to oversee the project on behalf of their respective Shires and to report back to the Great Southern Recreational Advisory Group on the projects progress.

While the final worth of this project will be determined by the skills and diligence of both the persons engaged to compile history and that of supervising committee it is a worthwhile exercise as a community's sporting achievements are a critical part of their social history and all too often lost when the people who participated in the sports leave the district or pass on.

By contributing to the study Council will help to ensure that the Denmark's sporting history recorded.

**Consultation:**

Nil

**Statutory Obligations:**

Health Act nuisance provisions, Council's Health Local Laws

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

The officer recommendation commits Council to a \$1500 pledge in the 2011-2012 budget.

**Strategic Implications:**

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

**Sustainability Implications:**

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

Sport is an important part of rural communities that provides a relational connection point for many community members. The compiling of the sporting histories of the Great Southern will record this interaction.

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.2.2
<p>That Council contribute up to \$1,500 towards the cost of compiling the sporting history of the Great Southern on the basis that the contribution will be made in the 2011-2012 financial year.</p>	

*No discussion.*

**8.3 Director of Infrastructure Services**

**8.3.1 RECREATIONAL BOATING FACILITY SCHEME UNBUDGETED INCOME**

<b>File Ref:</b>	GRT.36
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	Peaceful Bay Foreshore
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 September 2010
<b>Author:</b>	Rob Whooley, Director of Infrastructure Services
<b>Authorising Officer:</b>	Rob Whooley, Director of Infrastructure Services
<b>Attachments:</b>	No

**Summary:**

This item advises Council of success in obtaining funding for finalising the details for a proposed jetty at Peaceful Bay and recommends Council accept the funding.

**Background:**

In 2005 Council, with funding through the Recreational Boating Facility Scheme, had approximately \$90,000.00 for the construction of a jetty at Peaceful Bay.

Council put the work out to tender and the lowest price obtained for the construction of the jetty was approximately \$230,000.00.

No tenders were accepted, the funding was not claimed and the project stalled.

In subsequent years more realistic funding has been sought for this jetty, but the applications have been unsuccessful. The reasons given for the project not being funded have ranged from “great demand for available funds” to “requiring an overall concept plan for the whole area”.

Applications for both funding of the jetty and funding to meet the “overall concept plan” requirements were submitted. The funding for the construction of the jetty was once again unsuccessful.

The funding we have been successful with is provided for the purpose of a jetty investigative study.

The Department of Transport will need to approve any consulting engineer we use prior to their engagement.

It is a requirement that the funding must produce detailed documentation which includes a site plan and management plans.

**Comment:**

The Department of Transport is concerned that a jetty may cause some conflicts in the area and would like the following addressed:

- Location of jetty identifying both high water access to the jetty and maintaining trafficability along the beach
- Parking area for boat trailers
- Separation of boating activities and recreational water users
- Possible future user services eg ablution facilities
- Cost of installing the jetty.

The study funding will be used to examine these issues, produce certified drawings and detail the costs associated with construction of the jetty and ancillary services. Any concept plans produced will be referred to Council for endorsement.

**Consultation:**

An informal on-site meeting was held with the RFBS representatives, Peaceful Bay Sea Rescue, Peaceful Bay Progress Association members, local Councilor and Council staff. The purpose of the meeting was to familiarise the RBFS officers with the proposed location of the jetty.

The consulting engineer will be tasked with consultation with Peaceful Bay stakeholders.

**Statutory Obligations:**

Local Government Act 1995

**Policy Implications:**

Nil

**Budget / Financial Implications:**

No income or expenditure was allowed within the 2010/11 budget. The grant monies available is \$42,000 to be matched with \$14,000 of Council funds.

The total project cost is \$56,000.

In the event of the project costing more Council will have to meet the additional cost. If the project costs less than \$56,000 the cost basis remains at a 75:25 ratio with the unspent monies being returned to the Recreational Boating Facilities Scheme.

There is some indication that some of the Council's contribution might be able to be provided 'in -lieu' which might be able to reduce the net cost impost on the Budget. It is yet to be confirmed to what extent this might be possible.

**Strategic Implications:**

The development of a plan will help guide marine focussed infrastructure improvements at Peaceful Bay.

**Sustainability Implications:**

➤ **Environmental:**

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

➤ **Economic:**

Facilities like jetties do provide a boost to economic activity.

➤ **Social:**

Demarcation of the boating interests and other recreational users will assist in reducing conflicts. A jetty will greatly improve safety for people launching and retrieving vessels.

**Voting Requirements:**

Absolute majority.

OFFICER RECOMMENDATION	ITEM 8.3.1
<p>That Council accept the Recreational Boating Facilities Scheme grant and the 2010/11 Budget be adjusted to reflect the additional income and expenditure noting that Council will need to identify up to \$14,000 of savings during the Budget Review scheduled for February 2011.</p>	

*\*Absolute majority required.*

*Discussion ensued.*

**8.3.2 REQUEST FOR ROAD CLOSURE AND AMALGAMATION**

<b>File Ref:</b>	R30132
<b>Applicant / Proponent:</b>	Mr G Townley
<b>Subject Land / Locality:</b>	Settler Boundary Road, Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	14 September 2010
<b>Author:</b>	Rob Whooley, Director of Infrastructure Services
<b>Authorising Officer:</b>	Rob Whooley, Director of Infrastructure Services
<b>Attachments:</b>	Yes – page 29

**Summary:**

The Applicant requests the closure of a portion of Settler Boundary Road abutting Lot 1717. This item recommends Council support the application subject to community comment and certain conditions.

**Background:**

The Applicant states various reasons why they feel road reserve should be closed.

The Applicant has indicated in a letter from a planning consultant that he intends to negotiate the purchase of the land if the closure is supported.

The process for the road closure involves an item being presented to Council with a recommendation for the closure. Following Council’s consent the proposed closure will be advertised and based on the outcome of submissions the item will be presented to Department of Regional Development and Lands with an endorsement for road closure. Following closure the land comprising the road reserve is acquired from the Crown by the adjoining owner, with an acquisition cost established by a licensed valuer.

Council has previously supported closure of the adjoining road reserve which used to abut Lot 1716 (see attached map).

**Comment:**

The primary consideration relating to this request is the future use of the road reserve and any current use by the wider community.



In this instance the road reserve serves no immediate Council purpose and it will not be required in the future.

Advertising the closure will assist in determining any community interest in that portion of the road.

**Consultation:**

A period of advertising will be required.

No wider consultation by Council has been undertaken to date as a result of this application. Ferraro Planning and Development Consultancy is acting on behalf of the Applicant.

**Statutory Obligations:**

- Local Government Act 1995 – Section 3.5 Road Closures
- Land Administration Act 1995 – Section 58 (2) & (3)
- Land Administration Act 1995 - Section 129BA

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

There are no financial implications for the road closure.

It is noted that all costs associated with the acquisition of the road reserve will be expected to be borne by the applicant.

**Strategic Implications:**

There are no known significant strategic implications relating to the report or the officer recommendation. The road reserve serves no current or future Council purpose and terminates at the Applicants northern boundary.

**Sustainability Implications:**

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

At this stage, pending the result of advertising, there are no known significant social considerations relating to the report or officer recommendation.

**Voting Requirements:**

Simple majority.

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 8.3.2</b>
<p>That Council support the closure and subsequent amalgamation of the road reserve of Settlers Boundary Road subject to:</p> <ol style="list-style-type: none"> <li>1. It being that portion of the road which abuts Lot 1717.</li> <li>2. All costs associated with the closure being met by the Applicant.</li> <li>3. Advertising and notifying the closure in accordance with relevant statutory requirements.</li> <li>4. A recommendation of support by the Director of Infrastructure to the Department of Regional Development and Lands based upon the outcome of any submissions received during the advertising period.</li> <li>5. Appropriate infrastructure such as gates, cul-de-sac turning area, road signage etc being installed to the satisfaction of the Director of Infrastructure.</li> </ol>	

*Discussion ensued.*

*Cr Syme queried reference in the Summary and Officer Recommendation to “Lot 1717” and suggested that perhaps it should be “Lot 1716”.*

*The CEO agreed that it should read “Lot 1716” and noted that he would amend the report and recommendation for next week’s Agenda.*

*Cr Syme asked whether the road reserve was still open or whether it had been closed. The CEO noted that the cadastre map on Councils financial and rating software indicated that it had been permanently closed and amalgamated into the title of lot 1717.*

*The CEO advised that he would amend the Recommendation to include the words “subject to Lots 1716 & 1717 retaining legal access”.*

*Cr Syme queried whether the applicant was the current owner or was seeking to purchase the property.*

*The CEO replied that the applicant was seeking to purchase the property and would include the words “Subject to no objections from the current landowner” in the Recommendation.*

<b>8.3.3 REGIONAL ROAD GROUP CAPPING LIMIT</b>
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<b>File Ref:</b>	GOV 21A
<b>Applicant / Proponent:</b>	City of Albany
<b>Subject Land / Locality:</b>	All roads, Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	14 September 2010
<b>Author:</b>	Rob Whooley, Director of Infrastructure Services
<b>Authorising Officer:</b>	Rob Whooley, Director of Infrastructure Services
<b>Attachments:</b>	No

**Summary:**

This item presents issues raised by the City of Albany in relation to State funding arrangements through the Regional Road Group and recommends Council support lifting the capping limit on funding to a maximum of 30%.

**Background:**

Through Regional Road Groups the State Government provides Local Government with a voice in how the State’s contribution to local roads is spent. This organisational structure and regional framework is in recognition of the greater understanding of

the local community's road needs that Local Government elected representatives have.

The delegation of responsibility provided to Regional Road Groups is through the statutory powers of the Commissioner of Main Roads to provide local road funding from a statewide perspective.

Through the various Regional Road Groups (ours being the Great Southern – or GSRRG) Elected Members are able to influence road funding decisions and make recommendations that are of direct benefit to local communities and the general Western Australian road user.

The Regional Road Groups make recommendations to the State Advisory Committee which oversees the program and reports to the Minister through the Commissioner of Main Roads.

There are 10 Regional Road Groups in WA.

At the Regional level RRGs are responsible for:

- Assessing Local Government road funding needs;
- Prioritising Road Projects and Black Spot Projects;
- Development of a long term plan (5 years) to distribute Road Projects and Black Spot Grants;
- Developing and improving methodology for the prioritization of projects and the distribution of State funds;
- Monitoring and reporting on program effectiveness;
- Implementing Performance Indicators and open and accountable processes;
- Ensuring grants are expended in the year of allocation;
- Monitoring Local Government expenditure on approved local roads projects;
- Recommending improved procedures to the Advisory Committee;
- Raising relevant issues on the Local Roads Program and the overall road needs of the Region with the Advisory Committee; and
- Providing advice to member Local Governments.

The share of State Road Funds to Local Government allocated to local government roads is 27% of the estimated vehicle licence fees for that year. Funding is distributed under three categories:

1. **Category One (60%)** this includes:
  - a. Direct Grant based on an asset preservation model determined by the type of road, it's length, traffic volumes, etc.
  - b. Project Grants based upon competitive local prioritisation
  - c. Supplementary Fund for flood damage etc
  - d. Technical Support to the ROMAN and reporting systems.
2. **Category Two (25%)** based on traffic management needs under the Blackspot Program, Remote community roads, Bridge maintenance needs and National Park and State Forest.
3. **Category Three (15%)** comprises of State initiatives on local roads which is reserved for more complex projects.

The relationship between the State funding body and the various Regional Road Groups is governed by an Agreement which specifies the allocation of funding from the Regional Road Group to the member Councils.

The guidelines show that funds are to be allocated using the following criteria, weightings and formulae:

		<b>Raw Score</b>	<b>Factor Weight</b>	<b>Net Score</b>
Transport	Traffic	0	2.376	0.00
	Tourism	0	0.648	0.00
	All Weather	0	0.648	0.00
	Travel Time	0	0.648	0.00
	Economic Activity	0	1.08	0.00
Safety	Accident History	0	0.96	0.00
	Accident Geometry	0	0.64	0.00
Environment	Surface Water	0	0.24	0.00
	Ground Water	0	0.14	0.00
	Air & Dust Pollution	0	0.18	0.00
	Noise	0	0.14	0.00
	Flora & Fauna	0	0.3	0.00
Social	Emergency Access Route	0	0.54	0.00
	Inter Community Access Route	0	0.46	0.00
	School/Pedestrian/Cyclist Facilities	0	0.50	0.00
	Community Expectations	0	0.50	0.00

FIG 1 Total Project Score

The highest scoring projects within a region are then prioritised by the Technical Working Group with a recommendation being made to the Regional Road Group for endorsement (Note: TWG comprises of members of the regions sub-groups and is made up of non-technical as well as technical members- ie where Shires do not have engineers the CEO may represent a sub-group)

The State allocates funds to the various Regional Road Groups based on their current total expenditure on roads (asset preservation model = APM) and the local authority population (2008 data) on a 75% (APM) / 25% (pop) basis. In terms of this formula, the GSRRG was allocated a total of \$3,410,429 for the 09/10 financial year, made up of \$2,592,911 contributed by asset preservation and \$819,642 as a result of population.

If distribution of the funds available locally was based upon the way the State allocated funding the amount available to each Shire would be as follows:

	<b>APM % contribution</b>	<b>Population % contribution</b>	<b>Net Contribution % (APM x 0.75 + Population x 0.25)</b>
City of Albany	21.4	58.0	30.6
Broomehill / Tambellup	7.1	2.0	5.8
Cranbrook	7.7	1.9	6.3
Denmark	5.5	8.6	6.3
Gnowangerup	7.2	2.4	6.0
Jerramungup	7.0	1.9	5.7
Katanning	5.9	7.4	6.3
Kent	7.7	1.0	6.0
Kojonup	8.1	3.8	7.0
Plantagenet	10.2	8.2	9.7
Ravensthorpe	8.6	4.1	7.5
Woodanilling	3.5	0.7	2.8

FIG 2

However each Regional Road Group tends to set a either a minimum, maximum, or some combination of both in terms of the distributed money.

The Great Southern Regional Road Group (GSRRG) currently has a maximum set at 20% of the available pool to any one Shire.

Measured against the above, and in terms of the allocation of State funding for the maintenance and expansion of roads infrastructure through the GSRRG, Albany should qualify for the greatest allocation of funding, but has been restricted to a maximum allocation of 20% of the available funding through the adoption of a capping system.

It is the opinion of the City of Albany that this capping system has been implemented improperly and against the principles and spirit of the State Roads Funds to Local Government Agreement.

The City of Albany has protested to WALGA and the Commissioner of Main Roads.

**Comment:**

In terms of the State Agreement there is no limit to the amount of money any one particular Council can receive. Similarly there is no guarantee that any Council will receive any funding.

Funding is intended to be distributed on a priority needs basis as recommended by the Technical Working Group. The funding is generally intended to improve roads that have both a local and regional importance.

The reality of distributing funding without a capping system is that the City of Albany would only be prevented from taking the whole pool based upon the funding its Council could afford to match in any year. Funding is provided on a \$1(local)/\$2(state) basis.

As can be seen from the criteria table above (Fig 1) that traffic has a high weighting. This would generally tend to make it very difficult for smaller Shires to compete with the City of Albany.

The minutes of the Regional Road Group held on the 21st October 2002 reveal that members had concerns with relation to the distribution of funding. At that meeting it was resolved 10-3 to cap the maximum allowable funding per council to 20% of the available funds. The smaller councils centred the debate on the following facts:

- Funding should not be population based
- No residential streets should be funded
- The City's roads were all residential
- Public utilities should not be funded
- Lower Denmark was a parallel road anyway
- The money should be spread
- Smaller councils may not be able to operate
- The Country is missing funding.

**Consultation:**

Nil

**Statutory Obligations:**

There are no statutory obligations.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

The raising of the capping to 30% would mean that the City of Albany could attract approximately \$1,300,000 funding instead of its current \$700,000 average maximum. The fund continues to rise with traffic growth.

Any change to the capping limit may affect the 2011/2012 & subsequent budgets.

**Strategic Implications:**

There are complex strategic implications relating to the whole issue of roads and funding.

**Sustainability Implications:**

➤ **Environmental:**

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

➤ **Economic:**

There are complex economic considerations relating to the whole issue of roads and funding.

➤ **Social:**

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

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.3.3
That Council support the lifting of the capping on funds through the Great Southern Regional Road Group to a maximum of 30%.	

*No discussion.*

*5.10pm – The Director of Community & Regulatory Services left the meeting.*

**8.3.4 TENDER 1 – 2010/11 – SUPPLY AND DELIVERY OF TWO WAY TIPPING TRUCK**

<b>File Ref:</b>	TEN1 10/11
<b>Applicant / Proponent:</b>	Shire of Denmark
<b>Subject Land / Locality:</b>	All roads, Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	15 September 2010
<b>Author:</b>	Rob Whooley, Director of Infrastructure Services
<b>Authorising Officer:</b>	Rob Whooley, Director of Infrastructure Services
<b>Attachments:</b>	No

**Summary:**

This item recommends Council purchase a \_\_\_\_\_ from \_\_\_\_\_. (Further details to be provided at the meeting by the Director of Infrastructure Services).

**Background:**

In accordance with the Local Government Act (1995) tenders were called for the Supply & Delivery of a new two way tipping truck.

Council currently owns 2 x UD Nissan tipping trucks, and the performance of the UD Nissans fitted with Evertrans bodies has been quite satisfactory.

The Tender period closed on the 27 August 2010. Ten different machines, from six different internationally recognised machinery suppliers, are offered for Councils consideration.

The offers, as presented, are reflected in Attachment 9.3.1.

**Comment:**

Evaluation Criteria:

Tenders were also let on the basis that an evaluation criterion would apply. Evaluation of this tender was carried out in accordance with Section 7.3 (Selection Criteria of Tenders), General Conditions of Tendering. As stated in the tender documents, the evaluation criteria can be found in Attachment 9.3.1

Example of derivation of weighted Evaluation Criteria Score  
Criteria D: Local Content (Score 10%)

Tenderer	1	2	3	4	5	6
Score max 10%	10	6	4	3.5	2	0

Score:

- 10 – Meets / exceeds requirement (Locally made, Supplied and Serviced)
- 8 – Meets requirement (Locally supplied and serviced )
- 6 – Meets some but not all requirements (Significant Branch Regionally located)
- 3 – Meets some but not most requirements (Field servicing within local region)
- 2 – Below minimum requirements (Minimal technical and parts support in WA )
- 0 – Does not meet requirements (No technical or servicing support within the State)

Tenderer:

- Tenderer 1: Albany City Motors
- Tenderer 2: WA Hino
- Tenderer 3: Evertrans
- Tenderer 4: Truck Centre WA
- Tenderer 5: Jem Truck Sales
- Tenderer 6: Coastal Transport Engineering

The attachment interprets the following:

- Jem Motors Pty Ltd submitted the lowest conforming Tender.
- Albany City Motors and WA Hino submitted the next lowest conforming tenders respectively.
- Supply and delivery dates are approximately 18-30 weeks.
- Of the three conforming tenders, the best warranty is provided by WA Hino, Jem Motors Pty Ltd, Albany City Motors and the Truck Centre 3 years / 500,000Km. The Shires current fleet average approximately 40-50,000Km's per year.
- Council owns 2x UD Nissans, the performance, parts and service backup over the last ten years has been sound.
- All Council trucks are currently fitted with Evertrans bodies. Evertrans is an Albany based body builder which makes it convenient and cost effective for repairs.
- Howard Porter bodies have been used widely by the Local Governments throughout WA. The build quality and durability is reported as very satisfactory.
- Both Evertrans and HP Engineering can supply the truck body.

Table 2 - Comparison of vehicle price vs weighted price:

<b>Machine</b>	<b>Vehicle Price</b>	<b>Weighted Price</b>
Isuzu Giga CXZ 455	\$200,079.83	\$200,079.83
Hino E13CUY	\$196,401.84 (EverTrans body)	\$203,641.63
	\$205,441.84 (Howard Porter body)	\$230,095.44
UD Nissan SW400	\$240,000	\$230,095.44
UD GW470	\$231,800	\$263,098.70
UD GW400	\$219,800	\$263,143.67
Isuzu Giga CXZ 455	\$185,148	\$197,948.38
Mitsubishi FUSO FV54JL	\$246,850	\$314,522.94
Mitsubishi FUSO FV51J	\$227,950	\$280,870.92
Nissan UD GW400	\$243,464	\$296,336.98
Isuzu Giga CXZ 455	\$229,990	\$284,470.48

NOTE: The assessments and consequent weightings are subjective and relative observations based upon documents submitted. All tenders have been treated fairly, impartially and with due diligence.

**Consultation:**

Nil

**Statutory Obligations:**

This tender was called in accordance with the Local Government Act (1995).

**Policy Implications:**

Local procurement preference applies and adhered to.

**Financial Implications:**

The 2010/11 Municipal Budget contains no provision for the purchase of a replacement truck.

Payout of the insurance claim on the damaged vehicle totalled \$149,700 which can now be used towards the purchase of the replacement vehicle.

Any shortfall in funds will need to be funded and given the tight budget constraints it is recommended that such a shortfall be financed from the Plant Replacement Reserve (current balance \$177,257 as at 31 August 2010).

**Strategic Implications:**

Nil

**Sustainability Implications:**

➤ **Environmental:**

No significant environmental difference in any of the tendered machines.

➤ **Economic:**

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

➤ **Social:**

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



**Voting Requirements:**

Absolute majority.

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 8.3.4</b>
<p>That Council in accordance with the received tender documentation and the tender specifications purchase a new _____ from _____ at a net cost to Council of \$ _____ and fund this acquisition by the following Budget amendments:</p> <ol style="list-style-type: none"> <li>1. Increase Capital (truck) expenditure from \$Nil to \$ _____;</li> <li>2. Increase Insurance reimbursement from \$Nil to \$149,700; and</li> <li>3. Increase transfer from Plant Reserve by \$ _____ to \$ _____.</li> </ol>	

*\*Absolute majority required.*

*The CEO advised that the Director of Infrastructure Services was still investigating the vehicle specifications and would provide the information required in the Summary and Officer Recommendation for next week's meeting.*

*Discussion ensued.*

**8.4 Director of Finance & Administration**

<b>8.4.1 FINANCIAL STATEMENT FOR THE MONTH ENDING 31 AUGUST 2010</b>
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<b>File Ref:</b>	FIN 1
<b>Applicant / Proponent:</b>	Not Applicable
<b>Subject Land / Locality:</b>	Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 September 2010
<b>Author:</b>	Garry Bird, Director of Finance and Administration
<b>Authorising Officer:</b>	Garry Bird, Director of Finance And Administration
<b>Attachments:</b>	Yes – page 43

**Summary:**

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

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

**Background:**

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

- Reconciliation of all bank accounts.
- Reconciliation of the Rates Book, including outstanding debtors and the raising of interim rates.
- Reconciliation of all assets and liabilities, including payroll, taxation and postal services.
- Reconciliation of the Sundry Debtors Ledger.
- Reconciliation of the Sundry 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.

**Comment:**

No municipal investments have been placed for this month, with these funds required to meet cashflow needs for the first month of the financial year.

**Consultation:**

Nil

**Statutory Obligations:**

Local Government Act 1995 Section 5.25 (1)

Local Government (Financial Management) Regulations 1996 .

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

**Policy Implications:**

Policy P040222 relates as follows;

**P040222 MATERIAL VARIANCES IN BUDGET AND ACTUAL EXPENDITURE**

*For the purposes of Local Government (Financial Management) Regulation 34 regarding levels of variances for financial reporting, Council adopt a variance of 10% or greater of the annual budget for each program area in the budget, as a level that requires an explanation or report, with a minimum dollar variance of \$5,000.*

*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.*

*ADDED by Res: 020808 / 19 August 2008*

Upon completion of the above reconciliations and procedures, various matters have been identified as requiring the attention of Council, in accordance with the following Resolution of Council, adopted at the Special Meeting held 28 July 2009. These matters are addressed in the Budget verses Actual Variance Report included within the Statement of Financial Activity.

**Budget / Financial Implications:**

Other than the matters identified in the Budget verses Actual Variance Report, income and expenditure is proceeding as per budget forecasts and the end of year position should be as per that projected in the 2009/10 Municipal Budget, assuming all projects proceed and are completed in this timeframe.

**Strategic Implications:**

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

**Sustainability Implications:****➤ Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

**Voting Requirements:**

Simple Majority

OFFICER RECOMMENDATION	ITEM 8.4.1
<p>That with respect to Financial Statements for the month ending 31 August 2010, Council;</p> <ol style="list-style-type: none"> <li>1. Receive the financial report, incorporating the Statement of Financial Activity and Budget verses Actual Variance Report.</li> <li>2. Endorse the Accounts for Payment as listed.</li> </ol>	

*Discussion ensued.*

5.17pm – Cr Hinds left the meeting.

**8.5 Chief Executive Officer**

<b>8.5.1 REQUEST FOR FINANCIAL CONTRIBUTION – COMMUNITY BIODIVERSITY PROJECTS</b>
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<b>File Ref:</b>	ORG.39
<b>Applicant / Proponent:</b>	Green Skills Inc
<b>Subject Land / Locality:</b>	Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	10 August 2010
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – page 63

**Summary:**

Correspondence has been received from Green Skills Inc requesting a discount or donation from Council of 2570 native seedlings to be planted by Greenskills organised community planting days on Council and Department of Agriculture Land within the Denmark Townsite in the 2010/11 growing season.

A copy of the correspondence received from the Association is attached for the information of Elected Members.

**Background:**

Nil

**Comment:**

Green Skills is planning two revegetation projects on public land in 2011 for which they are seeking local species grown from local provenance seed. The first project is on Denmark River foreshore land (section of riverbank upstream from the foot bridge adjacent to the Denmark Agricultural College land) for which we are seeking around 1680 local plants (see Table 1 below). The second project is for understory planting at the Wetland centre, Atkinson Road, adjacent to the Golf Course reserve for which they are seeking around 840 native plants.

The Council normally charges 73c + GST per seedling. In previous years Green Skills has applied to the Council for a grant of an allocation of plants for specific projects on Shire or public land (ie Rail Trail reserve or beside the High School oval). In return Green Skills has normally arranged volunteer labour to assist Mark Parre (Council’s Revegetation Officer) with nursery propagation and related tasks.

Green Skills seek either :

- 1) To be provided with an allocation of these 1680 + 890 (=2570) plants by the Shire in return for them organising at least 120 hours of community labour to assist with nursery work over the 2010/2011 growing season) or
- 2) to pay for these 1680 + 890 plants for a reduced fee (perhaps 50% of the 73c/plant cost) by the Shire in return for them organizing at least 120 hours of labour to assist with nursery work over the 2010/2011 growing season.

Green Skills advise “These are community planting projects and we would be working with the Denmark High School and Denmark College of Agriculture to have their students participate in the plantings”.

Table 1 Plants sought for Denmark River Foreshore planting (adjacent to Denmark Agricultural College on foreshore land) (Council Reserve # 13039).

<i>Name of Species (available for propagation)</i>	<i>Number (trays 56 in each tray)</i>
Hakea oleifolia	112
Taxandria parviceps	168
Bossiea linophylla	112
Acacia pentadenia	168
Acacia browniana	168
Banksia grandis	56
Macrozamia reidley	56
Melaleuca thymoides	112
Hovea elliptica	168
Acacia pulchella	112
Acacia alata	168
Anigosanthos flavidus	168
Patersonia occidentalis	112
<b>Total</b>	<b>1680</b>

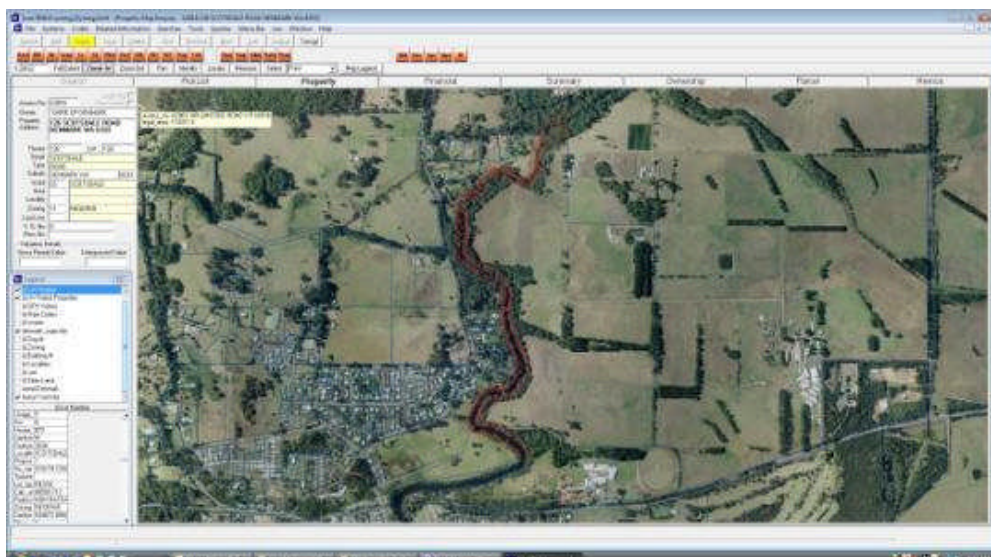
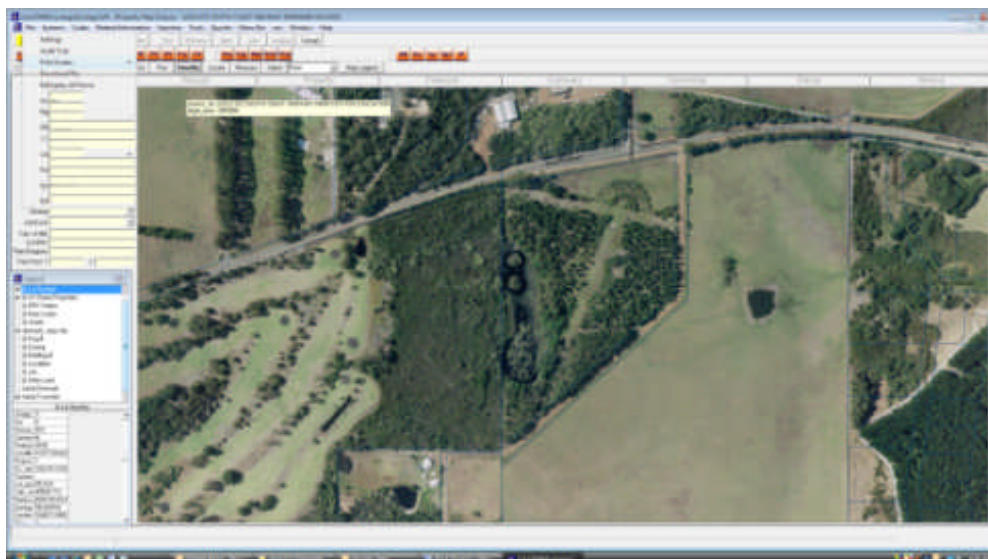


Table 2

Plants sought for Wetland Centre buffer (understorey planting). (Adjacent to Golf Course Reserve, Atkinson Road, Denmark)(Minister for Education land).

Name	Number (trays 56 in each tray)
Hakea oleifolia	56
Kunzea recurva	56
Kunzea ericifolia	112
Taxandria fragrans	56
Acacia pentadenia	112
Acacia urophylla	56
Banksia grandis	56
Billardiera fuisformis	56
Callistachys lanceolata	56
Anigosanthos flavidus	112
Patersonia occidentalis	56
Bossiea linophylla	56
<b>Subtotal</b>	<b>840</b>



**Statutory Obligations:**

The proposed planting of portion of Reserve 13039 will involve activities on a known Aboriginal Heritage site and as such this will require necessary approvals.

The response from Green Skills regarding this is “Yes, the plantings arise out of the recommendations of the Kwoorabup Trail management Plan, prepared by Graham Townley of the Dept of Indigenous Affairs, and also are supported by Dave Guilfoyle’s coordinated project. I also attach the original letter of approval from the DIA regarding the proposal for the Kwoorabup walk trail and associated revegetation which these plantings help to progress”.

Agreeing to a donation or waiver of fees requires an Absolute Majority pursuant to section 6.12 of the Local Government Act 1995.

**Policy Implications:**

Nil

**Budget / Financial Implications:**

The 2010/11 Municipal Budget contains no specific allocation for this purpose, although Account # 1410082 Donations Gifts and Gratuities has a budget of \$11,000

of which \$3,860 was allocated last month. It is noted that that these two requests are quite large (in respect of the available total budget for the year) and at the very early stage of the financial year. This notwithstanding, the Budget can accommodate this request.

It is proposed that Council donate 50% of the cost of the seedlings and make then available to Green Skills at 0.365c ea. Total donation \$938.05.

Council's Plant Nursery budgets for \$3,000 (Budget A/c 1351003) during the financial year.

Council's Revegetation officer supports the requested donation, species selection and also the intended planting project. One of the projects is indeed on Council land (Reserve 13039).

**Strategic Implications:**

Nil

**Sustainability Implications:**

➤ **Environmental:**

There are positive environmental outcomes in supporting the donation and activity with some 2570 seedlings to be planted in environmentally sensitive areas.

➤ **Economic:**

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

➤ **Social:**

The plantings will provide for community engagement and acknowledgement of the Council's role with revegetation and protection of the environment.

**Voting Requirements:**

Absolute majority.

OFFICER RECOMMENDATION	ITEM 8.5.1
<p>That Council agree to contribute up to 2570 plants at a 50% discount to the adopted fee towards revegetation projects within the Denmark Townsite in 2010/11, with such funding to be provided from Acc# 1410082 Donations, Gifts and Gratuities.</p>	

*\*Absolute majority required.*

*No discussion.*

**8.5.2 POSSIBLE CREATION OF COUNTRY SHIRE COUNCILS ASSOCIATION**

<b>File Ref:</b>	PBR9
<b>Applicant / Proponent:</b>	Fitz Gerald Strategies
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	6 September 2010
<b>Author:</b>	Dale Stewart, Chief Executive Officer
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	Yes – page 67

**Summary:**

Fitz Gerald Strategies, an independent private company predominantly operating in the industrial relations sphere, specialising in local government, writes to Council seeking advice on whether Council wishes to participate in forming a new

Association, possibly to be called the Country Shire Councils Association (Inc.) (CSCA).

**Background:**

Twenty Two Shires recently met during Local Government Week, as a meeting convened and conducted by Fitz Gerald Strategies, to consider the merits of 'reforming' an Association not dissimilar to the former CSCA. The former CSCA dissolved some 10 years ago to form the consolidated Western Australian Municipal Association (WAMA), and then became the Western Australian Local Government Association (WALGA) from the Local Government Association (LGA) (metropolitan Councils) and CSCA. There was also an Association called the Country Urban Councils Association or CUCA, which represented larger rural towns and cities (for example Narrogin, Albany, Bunbury etc).

The amalgamation and consolidation was intended to provide a single voice for local government within the State and to provide economies of scale and greater advocacy.

**Comment:**

Whilst a copy of the letter from Fitz Gerald Strategies and meeting notes are attached, the essence of the concerns raised by Fitz Gerald Strategies, on behalf of the Working Group formed are;

- Lack of an effective country local government voice;
- Imbalance of country representation on WALGA State Council;
- Lack of advocacy for rural local government;
- Inadequate secretariat understanding and /or support in providing explanatory commentator agenda items submitted by rural local governments;
- Lack of undertaking of issues facing country local government.

The following motions were carried;

1. That this meeting form a working group to pursue a range of options to improve the representation of country local governments at a State level.
2. That this meeting conform the Working Group shall comprise the following persons (6 individuals);
3. That the outcomes of this meeting be circulated to all country Shires in WA to allow them the opportunity to comment and participate.

It should be noted that the Principal of Fitz Gerald Strategies is a former senior employee of WALGA (more correctly its former Association known as WAMA) and represents a number of local authorities as their Industrial Relations Advocate, in direct competition with WALGA. Any new Association formed in this area would probably need to employ a firm or individual with appropriate expertise and Fitz Gerald Strategies would probably be well positioned to provide that resource and expertise.

Whilst there are always opportunities for improvement, it is the view of the officer that WALGA has been an effective and strong advocate for local government in this State since its formation in 2001. It consolidated three Associations into a single entity with democratic processes to ensure that there is adequate representation from both rural and metropolitan local authorities and the role of Chair rotates from a metropolitan to country member every term. The officers view is that the strength of the single association, in 'only' 10 years is already significantly proving its worth with members services and advocacy and it is only due to its size and representative nature that this can be achieved and be 'recognised' by the State and Federal Governments. To disaggregate and encourage a 'break away' group of Councils would be to the detriment of the whole, and thereafter to all of the individual parts (each Council). WALGA provides for numerous forums and mechanisms to provide

for individual and group concern such as through the zones, through the 24 zone delegates, by direct approval letter and at the AGM.

**Consultation:**

The officer supports the response of Troy Pickard, Mayor of the City of Joondalup and current President of WALGA who responds to the Fitz Gerald Strategies invitation as follows;

*“Recently you would have received a letter from Fitz Gerald Strategies (Mike Fitz Gerald is an ex-employee of WALGA and now working as a consultant in the sector) advising you of the outcome of a meeting that they organized for interested country shires to discuss the ‘perceived lack of representation of country Shires in respect of issues relevant to rural local government and the possibility of forming an association representing rural interests’. (sic). The meeting was held on 4<sup>th</sup> August during the Local Government Convention.*

*I have decided to write to you to clarify some of the misinformation that was contained within the minutes taken of that meeting. This was not necessarily generated by Mr Fitz Gerald, however, some of the views expressed by people at that meeting may not accurately reflect the facts.*

*One of the more interesting observations around this meeting is that while there were 22 Councils represented only a handful of people provided the comments contained in the report.*

*It is also worth noting that no one has contacted the CEO or myself indicating specifically what concerns they may have, or where WALGA has not provided country Local Governments with representation and support. There are no facts to support the claims that WALGA does not have the capacity to understand country issues or that the ‘bush is underrepresented’.*

*Of course I do appreciate why some Councils may be feeling anxious at the moment when there is such a strong push for reform. You will have heard me encouraging Councils to face these challenges and to look at ways that reform can benefit them. Reform in this sense is about doing things differently; improving systems and processes and looking at ways to share resources; improving the way we do things, and yes, amalgamations where it makes sense. I have not supported ‘forced amalgamations’ nor amalgamations that simply don’t make sense. However, as a sector we do need to demonstrate that we have the wherewithal to deal with this crisis of sustainability, and of course reform applies to all Local Governments, not just those in rural areas.*

*There will always be people who see an opportunity where people are vulnerable and where it is easy to incite a level of panic amongst those who are already anxious. I would appreciate it if you would do everything you can to counter the misinformation that is circulating, and clarify any questions that members in your Zone have about the work that WALGA is doing on their behalf. I am taking the opportunity to précis the issues raised and documented by Fitz Gerald Strategies and also provide a brief comment on those issues.*

*The meeting appointed a working group to pursue a range of options to improve the representation of country Local Governments at a State level and it is my intention to invite the members of this group to a meeting where we can discuss for the first time what their concerns are and how WALGA can better meet their needs.*

**Issues from the Fitz Gerald Meeting and WALGA response**

**WALGA does not have a country focus and does not have the capacity to understand country issues**



*WALGA has a Local Government focus. The diverse background of State Councillors, executive and staff reflects the diverse nature of the Local Government sector.*

***There are significant issues with country representation.***

*The Association has a long list of issues that demonstrate strong country representation eg – responding to the GP crisis in the country and arranging a GP Health Forum; responding to the closure of Country Police Stations and arranging for a deputation of Presidents/Councillors to meet with the Commissioner of Police; responding to and working with Councils who provide services to Indigenous Communities etc.*

***WALGA people have no concept of how country Shires work and do not understand the issues of distance.***

*The past President and current Deputy President have a country background. Senior staff within the organization have worked in country Councils. The CEO has represented country Local Government for more than 10 years and has a deep appreciation of the difficulties that rural Shires face.*

***Country Shires are not being heard***

*This is actually a criticism of the State Councillors. In reality this is suggesting that the State Councillors can't argue their case. It is the Zone that determines who represents them as their delegate – not WALGA. There has never been a time in State Council where country votes were not supported by metropolitan councils.*

***WALGA needs to be audited as to its effectiveness***

*It's difficult to audit for effectiveness – perhaps WALGA could provide a list of achievements across its policy units and its business units each year. These could be assessed against metropolitan interests and country interests.*

***Lack of information in the annual financial statements***

*What specific information are members seeking?*

***WALGA does not understand the impact of one-vote-one-value***

*At the end of the day it's about resources and service provision in the regions regardless of the voting system.*

***WALGA needs to know that we are not happy***

*WALGA can only support and assist country Local Government if they are able to identify exactly what it is they are unhappy about? We are continually looking at improving the communication between Councillors, CEOs and WALGA and are keen to hear the issues that members are concerned about.*

***Loss of regional road group money***

*WALGA did not take regional road group money away – the then Minister of Transport, the Hon Alannah MacTiernan, removed the funding. The Past President, Bill Mitchell pursued this vigorously to have the money reinstated and it was!*

***Previous State Councillor didn't get a fair hearing***

*The issue that was provided was on the road-rail grain freight issue which is still being vigorously pursued and argued on behalf of country Local Government. WALGA has never simplified the issue into one of 'we like trains'. It is insulting to the Local*

*Government Councillors who have been pursuing this issue. It is a complex issue that is being fought hard by those involved. It is also fair to say that country Councils themselves are split over this issue, depending on their own proximity to the various rail lines and local road conditions.*

**The current 12/12 voting entitlement is not representative as it is weighted towards metropolitan-urban areas**

*In the 10 years that the Associations have been amalgamated into a single Association there has not been a country issue that has not been fairly debated and more often than not it is the metropolitan State Councillors who are responsible for supporting the issue and ensuring its smooth transition through State Council. There has never been a problem with either Metropolitan or Country Councils getting a fair hearing and a good outcome. It is a furphy!*

*The commentary in Fitz Gerald's letter also criticizes the Peel Zone as not being truly country. The question arises: "what is country? What is metropolitan?"*

*The country is not a uniform demographic. There are coastal locations; grazing communities; cropping communities; wine producing regions; resource sector communities; high environmental value communities; regional country centres etc.*

*Equally, there are metropolitan divides along coastal issues; outer growth areas; riverside/estuary communities; inner metropolitan areas; heritage locations; low socio-economic areas; industrial/commercial/residential mix; etc.*

*The simplification of the discussion into "country vs metropolitan" divides is indicative of the lack of understanding the authors of the letter have of the task of representing the sector and the nature of the issues we deal with.*

*I am keen to hear from you and where possible meet with you and your Councillors. In the meantime, please take the opportunity to provide either myself, or the CEO, Ricky Burges, with your thoughts and comments about how we can continue to improve our services and representation on your behalf."*

**Statutory Obligations:**

There are no statutory obligations.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

Council is a financial member of the WALGA. The concept suggested is that there would be the re-creation of the CSCA in addition to WALGA, which would in all probability require an additional membership.

**Strategic Implications:**

The concept is to provide an additional avenue for country Councils to utilise for lobbying to WALGA and or State and Federal Government. Whilst there will always be issues that need to be managed by WALGA that have different priorities for country versus metropolitan Councils, it is the view of the officer that in 10 years, WALGA has performed very well in balancing the 141 distinct and diverse members views.

On the other hand, If Council was inclined to hearing more about the possible Association and or supporting the principle, it should resolve to instruct the CEO and its zone WALGA delegates to attend the next meeting of the group and, ideally, document any concerns that exist with the current Association, or endorse the general nature of the concerns raised by the group at their meeting of 4 August 2010.

**Sustainability Implications:**

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

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

**Voting Requirements:**

Simple majority.

<b>OFFICER RECOMMENDATION</b>	<b>ITEM 8.5.2</b>
<p>That Council advise Fitz Gerald Strategies, the Working Group of the proposed new Country Shire Councils Association and the Western Australian Local Government Association (WALGA), that the Shire of Denmark is more than satisfied with the performance of WALGA in representing both local authority and country issues and therefore does not see a need to create a new and / or additional association to represent country Local Authorities, which in our view would only prove to compete with and ‘water down’ our collective position and strength as an industry.</p>	

*Discussion ensued.*

*5.23pm – Cr Richardson-Newton left the meeting.*

**8.5.3 POLICY MANUAL REVIEW – POLICIES P050202 TO P090101**

<b>File Ref:</b>	ADMIN 2
<b>Applicant / Proponent:</b>	Not applicable
<b>Subject Land / Locality:</b>	Not applicable
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	13 September 2010
<b>Author:</b>	Claire Thompson, Executive Assistant
<b>Authorising Officer:</b>	Dale Stewart, Chief Executive Officer
<b>Attachments:</b>	No

**Summary:**

This report recommends amendments to Council’s Policy Manual following discussion by Councillors at a briefing session held in August 2010.

**Background:**

In August 2010 the following policies were reviewed by Councillors during a briefing session;

P050202	Attending to Snakes
P050301	Graffiti Policy
P050302	Mayors for Peace
P070401	Smoke Free
P070402	Noise Management
P070601	Genetically Modified Organisms

P080201	Scholarships
P080301	Provision of Youth Services
P080601	Seniors Policy
P090101	Designated Senior Staff Housing Policy

**Comment:**

The Policies reviewed which were discussed as requiring referral to Councillor for debate / consideration are detailed below together with comments and recommendations from the author.

**P050202      ATTENDING TO SNAKES**

Council in acknowledging it is not the responsible authority with respect to snake protection and removal and that there is the potential for competition with businesses that offer a competing service within the Shire, supports its Law Enforcement Officers (Rangers) providing a licensed Department of Environment and Conservation service to capture, remove and relocate snakes in the Shire on a 'user pays' principle subject to the following circumstances;

- a) From within any residence in the Shire \$ 'fee determined annually in the budget' (2009/10 \$25 plus GST) or;
- b) From any building or land which is zoned residential or special residential in the Shire \$ 'fee determined annually in the budget' (2009/10 \$50 plus GST) or;
- c) From any other building or land in the Shire \$ 'fee determined annually in the budget' (2009/10 \$100 plus GST) and;
- d) The applicants only being invoiced if the Snake is successfully located and relocated to a suitable reserve and habitat and;
- e) There being a 50% rebate for eligible Pensioner Concession Card Holders."

**Staff Comment**

*This policy appears to be working well with a large reduction in the number of snake removing requests coming to Council.*

**CEO Decision based on Councillor input**

*That the policy be retained with administrative modification only to the new budget year (no change to the fees).*

**P070402      NOISE MANAGEMENT**

Council acknowledges that enforcement of Noise Abatement Legislation is the responsibility of the Department of Environment and Conservation; therefore Council through its Environment Health Officer will only advise ratepayers and residents of their responsibilities under the relevant legislation and refer the disputing parties to the Department of Environment and Conservation.

The procedure for taking a noise complaint can be found in the Principal Environmental Health Officer Position Procedure Manual.

**Staff Comment**

*This policy appears to be working well and providing staff with the appropriate guidance.*

**CEO Decision based on Councillor input**

*That the Policy be reviewed in greater detail to examine possible inconsistencies with Delegations D100503 Pollution Abatement and D100504 Noise Management Plans and the proposed Home Occupation Policy.*

**P080201      SCHOLARSHIPS**

Council shall make available two education scholarships per annum –

- ANZAC Scholarship
- Agricultural College Scholarship

### Objective

To encourage and assist Year 10 students attending the Denmark District High School or Year 10 students residing in the Denmark Shire to pursue higher education.

### Guidelines

#### Anzac scholarship

- a) Must be a student completing Year 10 at the Denmark High School;  
OR  
a Year 10 student residing in the Denmark Shire.
- b) The Scholarship will not be based wholly on academic record.
- c) The Scholarship amount will be determined by Council and 50% will be paid at the start of the first year and upon successful completion and continuation, 50% will be paid at the start of the second year.
- d) A Scholarship will not be awarded if no applicants are suitable.
- e) The decision of Council and/or the delegated Committee shall be final.
- f) Students applying for the ANZAC Scholarship are not eligible to apply for the Agricultural College Scholarship.

#### Agricultural college scholarship

- a) Must be a student who intends to complete Years 11 and 12 at the WA College of Agriculture, Denmark Campus and is either completing Year 10 at the Denmark District High School or a Year 10 student residing in the Denmark Shire.
- b) The Scholarship will not be based wholly on academic record. Interest in agriculture and family need is a consideration.
- c) Preference will be given to those students who are likely to continue agricultural pursuits within the Shire boundaries.
- d) The Scholarship amount will be determined by Council and 50% will be paid at the start of the first year and upon successful completion and continuation, 50% will be paid at the start of the second year.
- e) A Scholarship will not be awarded if no applicants are suitable.
- f) The decision of Council and/or the delegated Committee shall be final.
- g) Students applying for the Agricultural College Scholarship are not eligible to apply for the ANZAC Scholarship.

#### Staff Comment

*The officer seeks guidance from Councillors on this policy as to whether it is achieving its aims. The ANZAC wasn't awarded in 2010 and the CEO questions the term ANZAC scholarship and whether this is suited / appropriate and or relevant to the awarding of the scholarship (or is it just a title in honour?). The CEO understands that the RSL issues an annual award (book prize or similar) to the High School as well.*

#### CEO Decision based on Councillor input

*That the Policy be reviewed in greater detail to determine the origins of the ANZAC Scholarship.*

#### Officer comment - further information based on investigation

*Council's ANZAC Scholarship was initiated upon a request from the Principal of the Agricultural Junior High School and was subsequently adopted by Council at their meeting held on the 8 April 1965. The Minutes state that the Award was named the Denmark Shire ANZAC Scholarship as an ANZAC Memorial.*

*There have been very few nominations for either of Council's Scholarships over the past four years which is shown in the table below.*

<b>Scholarship</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>
ANZAC	2	4	2	0
Agricultural	1	1	2	1

*In an effort to understand why there are so few nominations and review the title, objectives, nomination process and guidelines, the Denmark Agricultural College, the Denmark High School, the Denmark Primary School and the Golden Hill Steiner School are being consulted and investigation into other awards / scholarships / donations is being undertaken.*

*It is recommended that an Officer's Report on the matter be placed on the Agenda for the next meeting of the Awards Selection Committee for a complete review of the Scholarships Policy.*

#### P080601 SENIORS POLICY

The Shire of Denmark acknowledges that the majority of services and facilities provided by Council are directed at the community at large rather than specifically for Seniors. In formulating a Seniors Policy the Shire recognises that older people within the community have a right to quality facilities, services and programs that enable them to remain living in their own homes and continue to be active in the community. Council also recognises the significant contribution many Seniors make to the community through volunteer activity, enriching family life, and lending wisdom and experience through their participation in a wide range of community activities.

#### A. THE IMPORTANCE OF SENIORS

##### Policy

The Shire of Denmark recognises the importance of Seniors in the community and identifies Seniors as a significant group to be considered and consulted on appropriate planning and strategic decisions undertaken by Council.

##### Objective 1

To identify, provide and coordinate services, facilities and opportunities to meet the needs of older residents and maximise their quality of life.

##### Strategies

- Identify all services, facilities and opportunities that are available for Seniors in the Shire.
- To liaise with Federal and State Government initiatives and programs for Seniors to ensure maximum use of available resources.
- To list key items from the Seniors Policy to be included as major Planning priorities by Council.
- Council to regularly monitor Seniors' demographic data as part of its Planning process.

##### Objective 2

To have Seniors participate in identifying and meeting specific needs of older persons in the community and in being active in the community.

##### Strategies

- To support a Seniors Advisory Committee to provide Council with information and advice regarding ongoing needs of Seniors.
- To encourage Seniors to participate actively in the community especially in new ventures and community projects.

- To review, at reasonable intervals, Council's Seniors Policy to ensure its ongoing accuracy and relevance.

## B. HOUSING AND ACCOMMODATION

### Policy

The Shire of Denmark recognises that many Seniors have special accommodation needs and will establish appropriate planning and control mechanisms to ensure Senior residents remain in the Shire in their latter years.

### Objective 1

Continue lending support for an independent living village for the elderly with emphasis on the need for affordable accommodation for all.

### Strategies

- Shire to locate land suitable for an independent living village for Seniors.
- Identify and liaise with private parties to develop the village in Denmark.
- Communicate through public meetings the development of the village.

### Objective 2

Consider strategies to encourage appropriate low-rental accommodation for needy Seniors in the Shire.

### Strategies

- Develop strategies to encourage the development of such housing for Denmark Seniors.
- Survey the need for such housing and work with State agencies to encourage their participation in its development.

### Objective 3

Develop plans for dependent facilities and services for the elderly.

### Strategies

- Advocate the new Health and Aged Care Facility to include beds for both aged residential and acute elderly patients.
- Support retaining and expanding home and community care services.
- As appropriate seek funding from State and Commonwealth agencies to assist with planning stages.

### Objective 4

Ensure Seniors are consulted and included within the decision-making process in relation to the design and location of Seniors housing developments.

### Strategies

- Denmark Shire staff to maintain regular contact with the Seniors Advisory Committee in relation to senior housing development opportunities and the identification of land suitable for such housing.
- In keeping with Council's commitment to the local environment encourage the use of solar and passive energy in all housing developments sponsored or supported by Council for Seniors.

## C. HEALTH AND WELFARE

### Policy

The Shire of Denmark recognises that Seniors have more specific health and welfare needs than other sectors in the community and these needs may necessitate changes in the services required. While much of the health and welfare provision is a Federal or State responsibility Council acknowledges its role to ensure that proper services are being met and, where possible, to support the provision of these services.

### Objective 1

Improve the general health and wellbeing of the Seniors community through reasonable provision of medical, health and welfare services.

#### Strategies

- Provide support and assistance for programs specific to Seniors health and welfare issues.
- Evaluate services to ensure they remain appropriate, affordable and inclusive for Seniors.
- Develop and maintain liaison between the Seniors and the Great Southern Public Health Service and other health agencies.

### Objective 2

Support the provision of specialist services for the region.

#### Strategies

- Develop formal mechanism for ongoing communication between relevant profession groups, Seniors and Council.
- Advocate and support the provision of mental health services.

### Objective 3

Identify the numbers of Seniors in the community with specific medical, health and welfare issues.

#### Strategies

- Shire to build a data base including quantitative and qualitative data on Seniors needs.
- Use data to identify services required to meet needs.

### Objective 4

To improve quality of life of Seniors by addressing the issues of loneliness, isolation and depression.

#### Strategies

- Facilitate the provision of social and recreational programs for Seniors.
- Identify community programs that could include and involve Seniors and encourage their participation.

### Objective 5

Ensure Seniors are consulted on their health and welfare needs.

#### Strategies

- Council to consult with relevant Seniors for information and guidance about health and welfare issues and appropriate actions steps to be taken.

### Objective 6

To ensure the Health Community Project Officer addresses key issues relating to the needs of Seniors.

#### Strategies

- The Seniors Advisory Committee to meet with the Healthy Community Project Officer to give support to the project and assist in identifying areas of need and develop appropriate strategies to meet these needs.
- The Seniors Advisory Committee be encouraged to offer a Senior to represent Seniors' interests on the Denmark Health Community Steering Committee.



### Objective 7

Link the World Health Organisation accreditation to relevant areas pertaining to Seniors.

#### Strategies

- Seniors Advisory Committee to be consulted for advice on this matter and to lend assistance as appropriate.

## D. RECREATION AND LEISURE

### Policy

The Shire of Denmark recognises the importance of having a physically active and health community. It acknowledges the importance of exercise and sporting activities for Seniors for the health and social opportunities these provide and identifies a role for council in assisting in the provision of such activities.

### Objective 1

To consider building a Centre for Senior activities and involvement.

#### Strategies

- Liaise with Seniors on the development of a Community Centre.
- Explore cooperative opportunities with developers and others for building a Community Centre available to all Seniors.
- Identify suitable land for the Community Centre.
- Explore ways of funding the running of the Centre including grants and sponsorship.

### Objective 2

To encourage Seniors to participate in sporting, recreational and leisure activities to enhance their health and wellbeing.

#### Strategies

- Seek funding to promote and hold a series of sporting and leisure activities for Seniors.
- Liaise with Seniors to develop and promote activities they identify as priorities for leisure and recreation.
- Encourage appropriate fees be used to make participation in local leisure activities affordable for Seniors.
- Council shall convene/host an afternoon tea for the senior citizens of the Denmark community once annually in November.

### Objective 3

To ensure that parks, recreational areas, beaches, paths and trails are easily accessible and user-friendly for Seniors.

#### Strategies

- Council to review access of its recreational sites and parks for Seniors.
- Involve Seniors in discussions on improving access and upgrading sites for Seniors.

### Objective 4

To recognise the growing demand among Seniors for a local therapy pool and explore opportunities to site a therapy pool in the Shire.

#### Strategies

- Quantify the demand for a therapy pool in the community.
- Explore the opportunity of including a therapy pool in the design of the planned new Health Facility for Denmark.

- Explore the possibility of having a therapy pool as part of any community swimming pool planned for Denmark.

## E. EDUCATION AND TRAINING

### Policy

The Shire of Denmark is committed to the concept of Denmark being a Learning Community. This concept extends to supporting educational and learning opportunities for Seniors across a wide variety of activities. As well the Shire recognises that within the ranks of Seniors lie a wide and broad range of practical and professional expertise that can provide significant richness and opportunity to the whole community. The Shire wishes to assist in providing access to the richness Seniors can provide.

### Objective 1

To provide opportunities for older people to participate in a range of educational and training activities.

### Strategies

- Council to assist in identifying appropriate educational and training activities for Seniors.
- Council to assist in seeking funding to help provide such activities.
- Council to encourage partnerships with Learning and Training bodies to provide educational and training opportunities for older people.

### Objective 2

To assist the participation by Seniors in a range of educational and training activities.

### Strategies

- Council to assist in providing affordable and accessible meeting places for Seniors.
- Council to consult with Seniors in supporting key educational and training programs.

### Objective 3

To encourage Seniors to participate in education and training programs in which their own practical and professional skills can be used.

### Strategies

- Council encourage a Seniors Mentors list of older people willing to assist educational and training programs at all levels of the Denmark community.

## F. SAFETY AND SECURITY

### Policy

Council recognises each person in our community has a right to feel safe and secure within the home, out on walkways, streets and roads, in parks, on beaches and trails or anywhere else in the Shire. Not all safety and security issues are responsibilities of Council. Nevertheless the Shire of Denmark is committed to providing a safe and secure environment for all citizens. In this regard Seniors may highlight certain safety and security concerns and Council accepts these concerns must be addressed.

### Objective 1

To create and maintain a Shire that is safe, welcoming and friendly for Seniors.

### Strategies

- Make upgrading of key walkways close to town facilities a major priority with secure road-crossings at key intersections, with special regard for the transport of handicapped and older persons.

- Improve streets, footpaths and trails to address concerns such as slipping, trips and falls.
- Check signage, lighting, seating and parking with Seniors in mind.
- Include Seniors in Council discussions on relevant planning issues relating to safety and security.
- Support programs and activities targeting Seniors' safety and security.

### Objective 2

To endeavour to protect Seniors from crime.

### Strategies

Actively support the local Police wherever possible, especially with reference to Seniors and safety.

- Monitor, with police support, incidence of crime against seniors and support efforts to keep this as low as possible.

### Objective 3

To consult with and include Seniors in the decision-making process on matters of safety and security.

### Strategies

- Council to ensure that the Seniors Advisory Committee is contacted regularly by staff to discuss matters of safety and security.
- Regular contact to be maintained with the Police on these matters.
- Support Police in educational programs targeting Seniors.

## G. TRANSPORT, ROADS AND INFRASTRUCTURE

### Policy

The Shire of Denmark recognises the importance of transportation to Seniors in order to access services and facilities in the community, to enjoy an active lifestyle and to socialise with family and friends. The Shire is aware that many older Seniors, unable to drive, have to rely on other means of transportation. It also recognises the importance of safe, well-built walkways, especially around the township for access to shopping and services.

### Objective 1

To develop a safe, user-friendly pathway system especially close to main shopping and service facilities.

### Strategies

- Upgrade key walkways close to town facilities as a major priority.
- Educate public, but especially Seniors, to availability of such walkways.
- Ensure new residential & commercial developments include safe walkways designed on Disability Access and Inclusiveness principals.
- Include shelter and rest facilities on long stretches of walkways.

### Objective 2

To improve public transport availability within the Denmark Shire.

### Strategies

- Council to consult with Seniors and others on key concerns regarding access to transport.
- Council to explore ways of improving access to transport, including use of the Community Bus.

### Objective 3

To consider ways in which Council services can assist Seniors in maintaining their homes and properties.

**Strategies**

- Council to examine how Seniors and handicapped persons unable to use trailers can get waste materials to the tip.
- Seniors Advisory Committee to meet with Council staff to consider ways of solving this issue including a possible green waste roadside collection.

**Staff Comment**

*This policy was reviewed by the Seniors Advisory Committee in March 2008 and will be reviewed as part of the outcomes of the Age Friendly Grant recently received. For these reasons, it would be premature to review the policy (beyond adding reference to the Transport pamphlet) in detail at this point in time.*

**CEO Recommendation**

*That the policy be amended to reference the recently produced "Transport Options in the Shire of Denmark" Pamphlet (designed particularly with Seniors in mind).*

**CEO Decision based on Councillor input**

*That the Policy be reviewed in conjunction with the Aged Friendly Grant project and further that this review be referred to the Disability Services Advisory Committee for their input prior to referring any recommendations to Council.*

**Consultation:**

Councillors and Directors.

**Statutory Obligations:**

There are no statutory obligations.

**Policy Implications:**

Should Council agree to amend the policies as recommended then Council's Policy Manual will be updated accordingly to reflect those changes.

**Budget / Financial Implications:**

There are no known financial implications upon the Councils current Budget or Plan for the Future.

**Strategic Implications:**

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

**Sustainability Implications:****➤ Environmental:**

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

**➤ Economic:**

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

**➤ Social:**

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

**Voting Requirements:**

Simple majority.

OFFICER RECOMMENDATION	ITEM 8.5.3
<p>That with respect to Council’s Policy Manual, the following Policies be amended or reviewed as follows;</p>	
<p>1. P050202 <u>ATTENDING TO SNAKES</u> That the policy be retained with administrative modification only to the new budget year (no change to the fees).</p>	
<p>2. P070402 <u>NOISE MANAGEMENT</u> That the Policy be reviewed in greater detail to review possible inconsistencies with Delegations D100503 Pollution Abatement and D100504 Noise Management Plans and the proposed Home Occupation Policy.</p>	
<p>3. P080201 <u>SCHOLARSHIPS</u> That the Policy be reviewed at the next meeting of the Awards Selection Committee to be held in December 2010.</p>	
<p>4. P080601 <u>SENIORS POLICY</u> That the Policy be reviewed in conjunction with the Aged Friendly Grant project and further that this review be referred to the Disability Services Advisory Committee for their input prior to referring any recommendations to Council.</p>	

No discussion.

**9. COMMITTEE REPORTS & RECOMENDATIONS**

5.25pm – Cr Richardson-Newton returned to the meeting.

<b>9.1</b>	<b>DISABILITY SERVICES COMMITTEE - OFFICE REAR ACCESS RAMP TO LOT 216 MOUNT SHADFORTH RD, DENMARK</b>
<b>File Ref:</b>	PBR.9, ICR1041001
<b>Applicant / Proponent:</b>	Maxwell Design on behalf of the Owner
<b>Subject Land / Locality:</b>	Lot 216 North St, Denmark
<b>Disclosure of Officer Interest:</b>	Nil
<b>Date:</b>	7 September 2010
<b>Author:</b>	Gregg Harwood, Director of Community & Regulatory Services
<b>Authorising Officer:</b>	Gregg Harwood, Director of Community & Regulatory Services
<b>Attachments:</b>	Yes – page 73

**Summary:**

This report considers a request from Maxwell Design on behalf of the owner of lot 216 Mount Shadforth Rd Denmark for the rear entrance of the building to be classed as the principal point of access negating the need for ramps at the front of the property and recommends that Council adopt this request.

**Background:**

The owner of lot 216 Mount Shadforth Rd Denmark is converting the former dwelling from a chiropractor’s premises to an office that will be used by a person who works electronically and will not have walk in clients.

The building is being extensively renovated and the new owner is seeking to upgrade the premises so that it complies with the requirements of Australian Standard 1428 and the Building Code of Australia in terms of universal (disability) access and as a result is required to provide dignified universal access universal access to the primary point of access to the building.

**Comment:**

The property slopes towards the road and the dwelling (office) which looks to have been built in the 1950s has an elevated floor level that reaches a height of approximately 2.1m at the front of the property. The proponent as part of the renovations is looking to put a veranda on the front of the property for decorative purposes which will further increase the floor level when compared to the natural ground level.

When a building is reclassified from “dwelling” to “office” it is required to comply with Part D3 of the Building Code and Australian Standard 1428 (parts 1 & 4). Design for access and mobility, including –

- Access path from designated car parking bay to building entry.
- Provision of ramp to landing and entry.
- Eliminate threshold obstructions in entry doorways.
- Exit door to open in direction of egress.
- Designated car parking bay for disabled persons to comply with AS 2890.1
- Dimensions of door openings to comply with standards.
- Provide Council with layout of bathroom/WC modifications for disabled persons.



Under the Building Code of Australia access would normally be deemed to be through the front of the premises with the goal of providing equal dignity of access. Given that the floor level of the veranda is around 2.4m above ground level criss crossing ramps with landings would be required to achieve acceptable grade of 1 in 14. These ramps would make access to the building difficult when compared to a rear access and would spoil the aesthetics of the building and the vista of the streetscape once the building has been renovated.

The reason why the owner is asking that the rear of the building be classed as the principle point access is that given the design of building it is the most logical point of access for all users and will provide superior access for disabled people when compared to the front access option.

In order to obtain community feedback the proposal was referred to the 18 August 2010 Disability Services Committee who inspected the building and supported the developer's request with the following recommendation.

*“That the Disability Services Committee recommends to Council that the rear entrance of Lot 216 North Rd be used as the primary entry of access, subject to ACCROD compliant parking at the rear of the building.”*

Due to an error in indentifying the property in the Committee agenda this needs to be corrected to Lot 216 Mount Shadforth Rd.

**Consultation:**

The item has been referred to the Shire of Denmark's Disability Services Committee. This committee consists of health and disability services professionals and members of the public who have a strong interest in benefiting members of the public who have disabilities.

**Statutory Obligations:**

Building Code of Australia, Equal Opportunity Act 1984, and Disability Services Act 1993.

**Policy Implications:**

There are no policy implications.

**Budget / Financial Implications:**

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

**Strategic Implications:**

There are no known significant budgetary / financial implications relating to the report or the officer recommendation.

**Sustainability Implications:**

➤ **Environmental:**

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

➤ **Economic:**

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

➤ **Social:**

Dignified universal access to buildings and community facilities is an important part social equality factor.

**Voting Requirements:**

Simple majority.

<p>COMMITTEE &amp; OFFICER RECOMMENDATION</p> <p>That the rear entrance of Lot 216 Mount Shadforth Rd be nominated as the primary point of access to the building, subject to ACROD compliant parking being provided at the rear of the building.</p>	<p>ITEM 9.1</p>
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5.33pm - Cr Hinds returned to the meeting.

Discussion ensued.

**10. MATTERS BEHIND CLOSED DOORS**

Nil

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

Nil

**12. CLOSURE OF MEETING**

*5.35pm – There being no further business to discuss the Shire President, Cr Thornton, declared the meeting closed.*

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

Signed: \_\_\_\_\_  
*Dale Stewart – Chief Executive Officer*

Date: 22 September 2010

These minutes were confirmed at the meeting of the \_\_\_\_\_

Signed: \_\_\_\_\_  
*(Presiding Person at the meeting at which the minutes were confirmed.)*