

Shire of Denmark - Council Resolutions 2022

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
15-March-2022	9.1.1	PRAWN ROCK CHANNEL DOG EXERCISE AREA PETITION	050322	That Council: 1. AMEND Policy P050203 Dog Areas to include the following: "This policy will be formally reviewed biennially by Council"; and 2. REQUEST that the review of Policy P050203 - Dog Areas, occurs prior to July 2023 and includes further consultation with the community.
15-March-2022	9.1.2	BIRD SANCTUARY	070322	That Council, pursuant to section 2.2 of the Local Government Property Local Law, REQUEST the Chief Executive Officer to give public notice, for a period of 21 days and invite comment, of its intent to make a determination to develop a bird sanctuary by prohibiting the traversing of land, for all unauthorised persons, except on paths provided for that purpose, over the areas specified in Attachment 9.1.2a, with the following modification that the designated pathways are included in accordance with the bird walk outlined in Attachment 9.1.2b.
15-March-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 NOVEMBER 2021	090322	That Council, with respect to the Financial Statements for the period ending 30 November 2021, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
15-March-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 3 NOVEMBER 2021	100322	That with respect to the attached Schedule of Payments, totalling \$1,380,568.52, for the month of November 2021, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
15-March-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2021	110322	That Council RECEIVE the Investment Register (attachment 9.2.3) for the period ended 30 November 2021.
15-March-2022	9.2.4	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 DECEMBER 2021	120322	That Council, with respect to the Financial Statements for the period ending 31 December 2021, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
15-March-2022	9.2.5	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 DECEMBER 2021	130322	That with respect to the attached Schedule of Payments, totalling \$1,844,258.86, for the month of December 2021, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
15-March-2022	9.2.6	INVESTMENT REPORT FOR THE PERIOD ENDED 31 DECEMBER 2021	140322	That Council RECEIVE the Investment Register (attachment 9.2.6) for the period ended 31 December 2021.
15-March-2022	9.2.7	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 JANUARY 2022	150322	That with respect to the Financial Statements for the period ending 31 January 2022, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
15-March-2022	9.2.8	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 JANUARY 2022	150322	That with respect to the attached Schedule of Payments, totalling \$1,343,393.65, for the month of January 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION)
15-March-2022	9.2.9	INVESTMENT REPORT FOR THE PERIOD ENDED 31 JANUARY 2022	150322	That Council RECEIVE the Investment Register (attachment 9.2.9) for the period ended 31 January 2022.
15-March-2022	9.3.1	SUSTAINABLE PROJECTS COMMITTEE	190322	That Council; 1. ESTABLISH a Sustainable Projects Committee of Council, according to the Charter, Attachment 9.3.1; and 2. ENDORSE the following Councillors as members of the Sustainable Projects Committee of Council; Cr Lewis, Cr Clarke, Cr Gibson and Cr Campbell.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
15-March-2022	9.3.2	CEO PERFORMANCE REVIEW PROCESS	200322	That with respect to the position of Chief Executive Officer, Council: 1. SEEK at least three (3) quotations, from suitably qualified consultants, to appraise the CEO's performance from March 2021 to March 2022; 2. AUTHORISE the Shire President to engage with the CEO and seek mutual agreement on one of the consultants, subject to budget limitations; 3. AUTHORISE the Shire President to engage a suitably qualified external consultant up to the value of \$5,000 to: a) facilitate a review of Mr Schober's performance as Chief Executive Officer from March 2021 to March 2022; and b) assist the Council to determine, and set, new performance criteria for the office of Chief Executive Officer for the next 12 months.
15-March-2022	10.1	AUDIT ADVISORY COMMITTEE - 2021 COMPLIANCE AUDIT RETURN	210322	That with respect to the 2021 Compliance Audit Return, Council: 1. Note the one area of non-compliance; 2. Endorse the 2021 Compliance Audit Return; and 3. Submit a certified copy to the Director General of the Department of Local Government, Sport and Cultural Industries by 31 March 2022. That Council NOTE the Minutes of the Audit Advisory Committee meeting held on 4 March 2022, as per Attachment 10.1b.
19-April-2022	8.1	EXPLORATION LICENSE: OBJECTION TO APPROVAL	080422	That Council REQUEST the Chief Executive Officer: 1. TO CONVENE a briefing of Councillors to determine if a policy position on mining and tenement applications in the Shire of Denmark should be progressed; and, 2. TO LODGE a formal notice of objection to the Warden to Exploration Licence 70/5795; and, 3. TO ISSUE a request to the Warden for general re-opening of the objection period, to allow landholders and occupiers in the area covered by the Exploration Licence 70/5795, and other community groups and members, to lodge submissions.
19-April-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 28 FEBRUARY 2022	100422	That Council; with respect to the Financial Statements for the period ending 28 February 2022, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
19-April-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2022	100422	That Council, with respect to the attached Schedule of Payments, totalling \$1,901,223.36, for the month of February 2022, RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
19-April-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2022	100422	That Council RECEIVE the Investment Register (Attachment 9.2.3) for the period ended 28 February 2022.
19-April-2022	9.2.4	APPOINTMENT OF COMMUNITY MEMBERS ON THE DISABILITY SERVICES ADVISORY COMMITTEE		That Council; with respect to the 2022 Disability Services Advisory Committee, APPOINTS; 1. Peter Ridge, Marion McDougall, Linda Eaton, Peter Boyes and Geoff Hill as the successful applicants for the positions of Community Members; and, 2. Emma Riley as the successful applicant for the position of Community Professional (Private Sector).
19-April-2022	9.3.1	PROPOSED HOUSING AFFORDABILITY POLICY	090422	That Council ADOPT the draft Housing Affordability Policy, as per Attachment 9.3.1a.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
19-April-2022	9.3.2	ACCEPTANCE OF MINUTES AND CONSIDERATION OF DECISIONS FROM SPECIAL ELECTORS MEETING HELD 8 MARCH 2022	020422	That Council, with respect to the four decisions made at the Special Meeting of Electors, held on 8 March 2022; 1. R ECEIVES the minutes; and, 2. A CKNOWLEDGES the concerns raised; 3. D EFFERS a public written response to the decisions made (as per Attachment 9.3.2c); and 4. T akes no further action.
17-May-2022	6.1	Leave of Absence - CR CAMPBELL, CR GEARON AND CR PHILLIPS	010522	That the Cr Campbell, Cr Gearon and Cr Phillips be granted leave of absence for the Ordinary Council Meeting scheduled for 21 June 2022.
17-May-2022	9.1.1	PROPOSED NAMING OF ROAD RESERVE 'PINNIGER ROAD', REMOVING NAME FROM ROAD RESERVE AND AMALGAMATION INTO ADJOINING RESERVE	040522	That Council; 1. A DVICE the owners and occupiers of the land adjacent to the unnamed road reserve identified in Deposited Plan 422045, of Council's intention to name the road 'Pinniger Road', and if there is no objection received R EQUEST the Geographical Names Committee to; a) R EMOVE Pinniger Point Road from its gazetted road list for the Denmark local government area; and b) N AME the unnamed road reserve adjacent to South Coast Highway, as shown in Deposited Plan 422045 'Pinniger Road'.
			050522	That Council, 1. P ursuant to section 58(3) and 58(1) of the Land Administration Act 1997, a) R EQUEST the Chief Executive Officer to provide public notice, seeking submissions for a period of 35 days, or more, of Council's intent to permanently close Pinniger Point Road Reserve; b) A UTHORISE the Chief Executive Officer to consider the submissions and request that the Minister close Pinniger Point Road Reserve, subject to no objections being received during the submission period, and in accordance with section 9 of the Land Administration Regulations 1998. 2. R EQUEST the Department of Planning, Lands and Heritage to amalgamate the road reserve into Lot 5433 on Deposited Plan 144747, once notification of the road closure is received from the Minister.
17-May-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MARCH 2022 AND BUDGET AMENDMENTS	060522	That Council: 1. R ECEIVE the Financial Reports for the period ending 31 March 2022, incorporating the Statement of Financial Activity and other supporting documentation; and 2. A PPROVE the following amendments to the 2021/2022 Budget:
17-May-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 MARCH 2022	070522	That with respect to the attached Schedule of Payments, totalling \$1,877,790.26, for the month of March 2022, Council R ECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
17-May-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 31 MARCH 2022	080522	That Council R ECEIVE the Investment Register (Attachment 9.2.3) for the period ended 31 March 2022.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
17-May-2022	9.3.1	BEVANS (WA) PTY LTD – FISHERMANS LEASE RENEWAL	110522	That with respect to the draft lease for Site 303 on Deposited Plan 220017, Council: 1. A UTHORISE the Chief Executive Officer to seek Ministerial Approval, in accordance with section 18 of the Land Administration Act 1997; and 2. S hould the Minister approve the draft lease, AUTHORISE the Shire President and the Chief Executive Officer to execute the draft lease, as per Attachment 9.3.1, subject to the following amendment: a. R eplace the words “caravan park” with “commercial” in clause 3.5(d). b. T he lease term in Item 4.1 of the Schedule be reduced from 10 years to 5 years.
17-May-2022	9.3.2	LEASE OF RESIDENTIAL PROPERTY AT 7 BEVERIDGE STREET, DENMARK	140522	That with respect to the Shire of Denmark’s freehold property at Lot 152 on Deposited Plan 224101, Council: 1. A DVICE the Department of Communities that it is unable to offer a new, two (2) year lease as the Shire of Denmark may require the property for the retention or attraction of its employees; and 2. A UTHORISE the CEO to: a) O ffer the property to any Shire employees who are in need of housing, or b) S hould the house not be rented to an employee, engage a local real estate firm to manage the property; for maximum terms of 12 months at a time, for the weekly rent as determined by the market. NOTE that in the case of 2a) or 2b), the house may be required in 2026 for the retention or attraction of a CEO or Senior Employee.
21-June-2022	9.1.1	BIRD SANCTUARY – DETERMINATION UNDER THE SHIRE OF DENMARK PROPERTY LOCAL LAW	050622	1. N OTE the submissions received. 2. A MEND the proposed determination, as shown in the map below (which will be included in the Minutes as Attachment 9.1.1d), noting the discontinued and future paths. (SEE FULL RESOLUTION). 3. A UTHORISE the Chief Executive Officer to give public notice of the amendments and that the amended determination has effect as a determination on and from the publication date.
			060622	That Council AMEND Policy P050203 Dog Areas to ensure that the Prawn Rock Channel Map is not in conflict with the determination as per Attachment 9.1.1d.
			080622	That Council SUPPORT the: 1. I nstallation of a permanent fence across the island, on the boundary of the designated protected area. 2. I nstallation of a temporary, seasonal fence across exposed sand flats to delineate the southern boundary of the bird sanctuary area until completion of (3). 3. I nvestigation of the practicability of vertical marker posts on either side of the sand flats to delineate the protected area.
21-June-2022	9.1.2	PROPOSED STRUCTURE PLAN AMENDMENT – PLANNING UNIT C KEARSLEY ROAD	100622	That Council, in accordance with the requirements of the Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Part 4, clause 20: 1. R esolve NOT TO APPROVE the proposed Amendment to the Local Structure Plan - Planning Unit C Kearsley Road by reason of: (SEE FULL RESOLUTION) 2. F ORWARD its recommendation, with a copy of the Council report and schedule of submissions to the Western Australian Planning Commission for determination.

To read any associated reports and/or the resolutions in their entirety, Council Minutes are available to read on the Shire's website at www.denmark.wa.gov.au/council-meetings

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
			110622	That Council advise of its in principle SUPPORT for the removal of the boulevard design of Kearsley Road in its consideration of any future structure plan, structure plan amendment or subdivision proposal.
21-June-2022	9.1.3	SCHEME AMENDMENT 149 – PROPOSED REZONING FROM TOURIST (9) ZONE TO SPECIAL RESIDENTIAL (6) ZONE, RATIONALISATION OF ZONING (VAROUS LOTS) AND AMENDMENT TO THE SPECIAL PROVISIONS FOR THE SPRINGDALE BEACH SPECIAL RESIDENTIAL (6) ZONE	120622	That Council: 1. Pursuant to Section 75 of the Planning and Development Act 2005 and Part 5, r.37(5) of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES NOT TO PROCEED with Scheme Amendment 149, in its current form (date of resolution 16 February 2021). 2. Pursuant to Section 75 of the Planning and Development Act 2005 and Part 5, r.35(2) and r.37(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES TO: a) PREPARE and ADVERTISE Complex Amendment No.149 to amend the Shire of Denmark Local Planning Scheme No.3 by: (SEE FULL RESOLUTION)
	9.1.4	PROPOSED AMENDMENT NO. 153 TO TOWN PLANNING SCHEME NO. 3 – MICROBREWERY DEFINITION	130622	1. In accordance with Section 75 of the Planning and Development Act (2005), resolves to ADOPT (initiate) Amendment No. 153 of the Shire of Denmark Local Planning Scheme No. 3 as shown in Attachment 9.1.4; 2. In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, DETERMINES that Amendment No. 153 of the Shire of Denmark Local Planning Scheme No. 3 is a basic amendment for the following reasons: (SEE FULL RESOLUTION) 3. AUTHORIZES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the Local Government Act 1995, to execute under Common Seal Amendment No. 153 to Shire of Denmark Local Planning Scheme No. 3
21-June-2022	9.1.5	SEALING OF GRAVEL ROADS ANALYSIS	140622	That with respect to Council's request for a Cost-Benefit Analysis on the sealing of one or more gravel roads in the Shire of Denmark: 1. NOTE the information provided in the report; and 2. ACKNOWLEDGE the operational activities of: a) Seal Lights Road 2022-24 (funding secured) as this road carries significantly more traffic than any other unsealed road in the Shire of Denmark. b) Continue a re-sheeting program ensuring appropriate material specifications. c) Continue an appropriate maintenance schedule. d) Continue to monitor traffic data and identify roads that may exceed 200AADT within 10 years (or similar Equivalent Standard Axles ESA). e) Consider a sealing upgrade program in conjunction with the LTFP for roads that are predicted to exceed 200AADT within 10 years.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 APRIL 2022 AND AMMENDMENT TO BUDGET	150622	That Council: 1. With respect to the Financial Statements for the period ending 30 April 2022, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation; and 2. APPROVE the following budget amendments to the budget: a) A/c 1117383 – increase non-operating grant income by \$40,000; and b) A/c 1111004 (Job 50212) – increase contract capital expenditure by \$40,000.
21-June-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 APRIL 2022	160622	That with respect to the attached Schedule of Payments, totalling \$1,440,955.16, for the month of April 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION).
	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2022	170622	That Council RECEIVE the Investment Register (Attachment 9.2.3) for the period ended 30 April 2022.
21-June-2022	9.2.4	CIVIC CENTRE – CONVERSION OF THE COMMERCIAL KITCHEN TO A DRESSING ROOM	180622	That Council AUTHORISE the demolition of the commercial kitchen at the north end of the Civic Centre, and replace with a stage extension and dressing room.
	9.3.1	DENMARK EQUESTRIAN MANAGEMENT GROUP – LEASE AND PROPOSED CONCEPT PLAN	190622	That with respect to whole of Reserve 39067 being Lot 1004 on Deposited Plan 215923, Council: 1. AUTHORISE the Chief Executive Officer to offer a 21-year lease to the Denmark Equestrian Management Group Inc., as per Attachment 9.3.1, subject to obtaining Ministerial Approval in accordance with the Land Administration Act 1997; and 2. ADVISE the Denmark Equestrian Management Group Inc. that it supports the development of a draft concept plan for the reserve, in principle; and 3. REQUEST the Denmark Equestrian Management Group Inc. to present a draft concept plan to the Council for adoption should one be developed.
21-June-2022	9.3.2	DRAFT CATS LOCAL LAW	200622	That Council: 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, GIVES local public notice stating that: (a) It is proposed to make a Shire of Denmark Cats Local Law, and a summary of its purpose and effect; (b) Copies of the proposed local law may be inspected at the Shire offices or on the Shire of Denmark's website; (c) Written submissions (including via email) about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given; 2. In accordance with section 3.12(3)(b) of the Act, as soon as the notice is given sends a copy of the proposed local law to the Minister for Local Government; 3. In accordance with section 3.12(3)(c) of the Act, supply a copy of the proposed local law to any person requesting it; and 4. Notes that the results of the public consultation be presented to Council for consideration of any submissions received.
			210622	That Council request the Chief Executive Officer to write to the Minister for Housing; Lands; Homelessness; Local Government requesting that the 2019 Department of Local Government review recommending changes to the Cat Act be progressed, particularly in relation to providing local governments increased power to confine the movement of cats within their respective local government areas.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
21-June-2022	9.3.3	DENMARK LIONS CLUB SERVICE AGREEMENT FUNDING INCREASE	220622	That Council: 1. INCLUDE a budget allocation of \$10,000 for the 2022/23 financial year, under Job No. 21201, noting that the funds are for the Denmark Lions and in accordance with a Service Agreement, to be negotiated and agreed between the Denmark Lions and the Chief Executive Officer; and 2. APPROVE an additional payment of \$2,500, from account Cemetery Maintenance (Job no. 21201), to Denmark Lions for services rendered within the 2021/22 financial year.
	9.3.5	DENMARK HISTORICAL SOCIETY REQUEST FOR SUPPORT TO HOST ROYAL WESTERN AUSTRALIA HISTORICAL SOCIETY ANNUAL STATE HISTORY CONFERENCE OF AFFILIATED SOCIETIES	230622	That with respect to the 2022 State Historical Societies Conference being held in Denmark from 9 – 11 September 2022, Council: 1. Assist the Denmark Historical Society to host the official Welcome Function by DONATING the use of the Council Chambers and the Reception Room, valued at \$416 (including GST); and 2. REQUEST that the Denmark Historical Society acknowledge the Council's sponsorship at the event.
21-June-2022	9.3.5	AMENDMENT OF DENMARK RECREATION CENTRE COMMERCIAL OPERATOR GYM AND FITNESS ROOM HIRE	090622	That with respect to the commercial hire of the Denmark Recreation Centre Gymnasium Council: 1. REMOVE the existing Commercial Operator fee in the draft 2022/2023 Fees & Charges Schedule; 2. ADD the following new fees and associated notes in the draft 2022/2023 Fees & Charges Schedule: a) Health Practitioner gymnasium (group) booking (5 – 20 clients) Fee \$102.00 per hour Notes: Available three (3) days a week from 11am to 3pm. Non-exclusive use and maximum 20 class participants during any one hire period. Fee includes participant user fee. b) Health Practitioner gymnasium use (under 5 clients) Relevant Gym Entry Fee Notes: Non-exclusive use. Participants required to pay individual attendance fee, unless already gym members. 3. REQUEST the Chief Executive Officer to develop a Commercial Hire Form that includes conditions such as maximum number of participants, advice of non-exclusive use and insurance requirements.
21-June-2022	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES – 3 MAY 2022 & 7 JUNE 2022 INCLUDING COMMITTEE RECOMMENDATIONS	240622	That Council RECEIVE the Committee Minutes for the meeting held on 3 May 2022 and 7 June 2022.
			250622	That Council request the Chief Executive Officer: 1. INITIATE a FOGO service in the 2023/24 financial year, and; 2. MAKES provision in 2022/23 budget for the associated costs.
			260622	That Council request the Chief Executive Officer, to REVIEW the kerbside collection Fees and Charges to ensure they are more cost reflective for the 2022/23 budget.
21-June-2022	12.1	SPECIAL MEETINGS OF COUNCIL – 5 JULY 2022 AND 2 AUGUST 2022	280622	That Council CONVENE a Special Meeting of Council on 5 July 2022 at 4.00pm to: 1. AUTHORISE the advertising of the proposed differential rates and minimum payments for 2022/23; and, 2. AUTHORISE the advertising of the Statement of Objects and Reasons.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
			290622	That Council CONVENE a Special Meeting of Council on 2 August 2022 at 4.00pm for the Adoption of the Annual Budget 2022/2023.
05-July-2022	5.1	2022-23 PROPOSED DIFFERENTIAL RATES AND MINIMUM PAYMENTS FOR PUBLIC COMMENT	010722	That Council: <ol style="list-style-type: none"> 1. APPROVES the 2022-23 Statement of Objectives and Reasons for Differential Rates and Minimum Payments as per Attachment A. 2. APPROVES advertising in accordance with Section 6.36 of the Local Government Act 1995 for public submissions on the proposed 2022-23 differential general rates and minimum payments as set out in the table below: (SEE FULL RESOLUTION).
19-July-2022	7.2	SPECIAL MEETING OF COUNCIL – 5 JULY 2022 - CORRECTION	040722	That the minutes of the Special Meeting of Council held on the 5 July 2022 be CONFIRMED as a true and correct record of the proceedings, subject to the following correction; <ol style="list-style-type: none"> 1. Item 5.1, correct the order of the figures in Table 3, Differential General Rate Valuation column from: (SEE FULL RESOLUTION)
19-July-2022	8.1	REQUEST FOR STATE GOVERNMENT TO REVIEW THE CURRENT PRESCRIBED BURN POLICY & PRACTICES TO ENSURE BOTH ARE EFFECTIVE IN PROTECTING LIVES, PROPERTY AND THE ENVIRONMENT AND ARE ALIGNED WITH CURRENT SCIENCE AND COMMUNITY SENTIMENT	060722	Council request that the Chief Executive Officer: <ol style="list-style-type: none"> 1. Write to the Premier: Hon Mark McGowan MLA, the Minister for Environment; Climate Action: Hon Reece Whitby MLA, the Deputy Premier; Minister for State Development, Jobs and Trade; Tourism; Commerce; Science: Hon Roger Cook MLA, the Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering: Hon Stephen Dawson ML, the Minister for Regional Development; Agriculture and Food; Hydrogen Industry: Hon Alannah MacTiernan ML, the Minister for Water; Forestry; Youth: Hon Dave Kelly BA MLA, the Minister for Health; Mental Health: Hon Amber Jade Sanderson BA MLA, Chair, Standing Committee on Environment and Public Affairs: Hon. Peter Foster MLC, and the Member for Warren-Blackwood: Jane Kelsbie MLA advising that Council respectfully request: <ol style="list-style-type: none"> a) a public review of the State’s prescribed burn policy and practices to ensure both are effective in protecting lives, property and the environment, and are aligned with current science and community sentiment, and that any such review provide for a 90 day consultation period to receive submissions, and b) that the State Government recognise that climate change is creating challenges in managing the increased risk of bushfires regionally and consider providing local governments with additional resources for early detection and rapid suppression. 2. Report back to Council by October 2022, with any responses that have been received as at that date.
19-July-2022	9.1.1	INDUSTRIAL AREA LOTS – EAST RIVER ROAD, HAY	070722	That with respect to Lots 8, 9,10 and 11 on Deposited Plan 413974, Council: <ol style="list-style-type: none"> 1. POINT Nutrien Harcourts WA (Denmark) to list them for sale for a price not less than the market value, as informed by the independent valuation dated 31 March 2022; 2. AUTHORISE the Chief Executive Officer to negotiate any prospective purchase and authority to advertise any intention to dispose, in accordance with s 3.58 of the Local Government Act 1995; and 3. REQUEST that any contract of sale be subject to the endorsement of the Council and presented to the Council for consideration.

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19-July-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 MAY 2022	080722	That Council with respect to the Financial Statements for the period ending 31 May 2022, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
19-July-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 MAY 2022	090722	That with respect to the attached Schedule of Payments, totalling \$1,244,413.47, for the month of May 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION)
19-July-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 30 MAY 2022	100722	That Council RECEIVE the Investment Register (Attachment 9.2.3) for the period ended 31 May 2022.
19-July-2022	9.3.1	WORKFORCE DEVELOPMENT PLAN	110722	That Council NOTE the Shire of Denmark 2022 – 2025 Workforce Development Plan as presented in Attachment 9.3.1.
19-July-2022	9.3.2	EXPRESSION OF INTEREST FOR A DESIGNATED AREA MIGRATION AGREEMENT	120722	That Council; 1. SUPPORT the development of a Great Southern Designated Area Migration Agreement; and 2. REQUEST the Chief Executive Officer to advise the West Australian Local Government Association Great Southern Country Zone Meeting, by 17 August 2022, of the Shire of Denmark’s intent to participate, subject to: c. Regional Development Australia Great Southern undertaking the role of the Designated Area Representative, and d. A contribution of \$10,000, or less, being confirmed as the Shire of Denmark’s contribution. 3. INCLUDE a \$10,000 contribution in the draft 2022/2023 Budget.
19-July-2022	9.3.3	VARIATION OF LEASE – DENMARK CONCRETE PTY LTD	130722	That Council AGREE to vary the lease between the Shire of Denmark and Denmark Concrete Pty Ltd to, as per Attachment 9.3.3b to: 1. CHANGE the name of the Tenant, to add a new partner; and 2. AMENDS the definition of “Tenant’s Property”.
19-July-2022	10.1	BUSH FIRE ADVISORY COMMITTEE – MINUTES AND RECOMMENDATION – 12 MAY 2022	150722	That Council: 1. ACCEPTS the updated Standard Operating Procedures relating to Training Standards and Personal Protective Equipment (PPE), including updating the PPE Form to include male and female sizing; and 2. REPEAL Council Policies P050112 (Training Standards) and Policy P050113 (Personal Protective Equipment), noting that they are operational procedures and not policies of Council.
			160722	That Council DELEGATES to the Chief Executive Officer powers under the Bush Fire Brigades Local Law to allow the establishment or updating of standard operational procedures relating to bush fire brigades and brigade members.
16-August-2022	6.1	APPLICATIONS FOR FUTURE LEAVE OF ABSENCE	060822	That Cr Ormsby be granted leave of absence from the 4th to the 15th October 2022.
16-August-2022	7.1	ORDINARY COUNCIL MEETING – 19 JULY 2022	070822	That the minutes of the Ordinary Meeting of Council held on the 19 July 2022 be CONFIRMED as a true and correct record of the proceedings, subject to the following correction: 1. Page 10 – correct the interest declared by Cr Clarke.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
16-August-2022	9.1.1	SCHEME AMENDMENT 146 – PROPOSED REZONING FROM RURAL TO RESIDENTIAL R20/ R30 – LOT 621 HARLEQUIN STREET AND LOT 1 SOUTH COAST HIGHWAY, DENMARK	110822	<p>1. REQUIRE the following modifications to Amendment No.146 of the Shire of Denmark Town Planning Scheme No.3: (SEE FULL RESOLUTION).</p> <p>2. ADOPT Amendment 146, in accordance with Section 75 of the Planning and Development Act 2005 subject to the modifications detailed in Council Resolution Part (1) above.</p> <p>3. CLASSIFY Scheme Amendment No. 146 as a ‘Standard Amendment’ in accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 given the amendment is consistent with the Shire of Denmark Local Planning Strategy which designates the site as ‘Urban Development’.</p> <p>4. REFER the Amendment to the Environmental Protection Authority in accordance with Section 81 of the Planning and Development Act 2005.</p> <p>5. In accordance with Part 5, r.47 of the Planning and Development (Local Planning Schemes) Regulations 2015, the Shire is to ADVERTISE the amendment for a period not less than 42 days.</p> <p>6. ADVISE the applicant that the Shire of Denmark will be seeking conditions requiring suitable capacity in the electricity infrastructure to allow for fully electrical households be applied to any future subdivision.</p>
16-August-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 JUNE 2022	120822	That Council RECEIVE the Financial Reports for the period ending 30 June 2022, incorporating the Statement of Financial Activity and other supporting documentation
16-August-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 JUNE 2022	130822	That with respect to the attached Schedule of Payments, totalling \$2,011,839.52, for the month of June 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION)
16-August-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2022	140822	That Council RECEIVE the Investment Register (Attachment 9.2.3) for the period ended 30 June 2022.
16-August-2022	9.3.1	DENMARK FM – LICENCE TO ACCESS TELECOMMUNICATIONS TOWER	150822	That Council APPROVE the draft Licence, as per Attachment 9.3.1, and authorise the Shire President and the Chief Executive Officer to execute the document.
16-August-2022	9.3.2	DOG ACT AND DOGS LOCAL LAW DELEGATIONS	160822	That Council DELEGATE its functions and powers as detailed in Attachment 9.3.2c and Attachment 9.3.2d.
16-August-2022	10.1	BUSH FIRE ADVISORY COMMITTEE MINUTES AND APPOINTMENT OF THE 2022/2023 FIRE CONTROL OFFICERS, CHIEF BUSH FIRE CONTROL OFFICER, DEPUTY CHIEF FIRE CONTROL OFFICER AND FIRE WEATHER OFFICER	180822	That Council RECEIVE the Minutes of the Bush Fire Advisory Committee Annual General Meeting held on 21 July 2022, as per Attachment 10.1a.
			180822	That Council RECEIVE the Minutes of the Bush Fire Advisory Committee meeting held on 21 July 2022, as per Attachment 10.1b.
			180822	That, pursuant to Section 38 (1) of the Bush Fires Act 1954, Council APPOINT the following persons [as Fire Control Officers] for the financial year 2022/2023 (SEE FULL RESOLUTION)
			180822	That, pursuant to Section 38 (8) of the Bush Fires Act 1954, Council APPOINT Adrian Kranendonk for the financial year 2022/2023 as a Fire Control Officer and Fire Weather Officer to be authorised within the entire Shire of Denmark;

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
16-August-2022	11.1	CHIEF EXECUTIVE OFFICER, PERFORMANCE REVIEW	220822	That Council: 1. NOTES that the appraisal of Mr David Schober, Chief Executive Officer, has been completed for the period of March 2021 to June 2022. 2. ENDORSES the findings of the 2021-22 Annual Performance Review Report as presented by Price Consulting and thanks Mr Schober for his efforts. 3. APPROVES an increase of 4% to the salary component of Mr Schober's Total Remuneration Package, effective 16 March 2022. 4. APPROVES the CEO's Performance Criteria for the 2022-2023 period, as per Attachment 1.
20-September-2022	9.1.1	SCHEME AMENDMENT 151	030922	That Council; 1. In accordance with Regulation 50(2) of the Planning and Development (Local Planning Schemes) Regulations 2015; a) NOTES the submissions received in respect to Amendment No. 151 to the Shire of Denmark Town Planning Scheme No.3; and, b) ENDORSES the response to the submissions as contained at attachment 9.1.2C of this report. 2. In accordance with Regulation 50(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, SUPPORT WITH MODIFICATION Amendment No. 151 to the Shire of Denmark Town Planning Scheme No.3 by: (SEE FULL RESOLUTION)
20-September-2022	9.1.2	SCHEME AMENDMENT 152	040922	THAT Council, pursuant to section 75 of the Planning and Development Act 2005, REFUSES to adopt Scheme Amendment 152 to the Shire of Denmark Local Planning Scheme No. 3 for the following reasons: (SEE FULL RESOLUTION)
20-September-2022	9.1.3	PREPARE NEW LOCAL PLANNING SCHEME	050922	That Council resolves to: 1. ENDORSE the Scheme Review Report prepared for Town Planning Scheme No. 3 pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 (Attachment 9.1.3a). 2. PREPARE , pursuant to Section 72 of the Planning and Development Act 2005, Local Planning Scheme No. 4 with reference to the entire area within the Shire of Denmark as shown on the 'Scheme Area Map' (Attachment 9.1.3b). 3. ADOPT a moratorium on the acceptance and initiation of any further standard or complex amendments to Town Planning Scheme No. 3 until such time as Local Planning Scheme No. 4 has been gazetted.
20-September-2022	9.1.4	DRAFT LOCAL PLANNING STRATEGY	060922	That Council: 1. ENDORSE the Draft Local Planning Strategy (Attachment 9.1.4a) for referral to the Western Australian Planning Commission, requesting the Commission's assessment and consent to commence public advertising for a period of 42 days. 2. NOTES that the WAPC may require changes to the document before providing its consent, and that officers, in consultation with the Local Planning Strategy Working Group, will make any necessary changes required. 3. REQUESTS that the Chief Executive Officer provide a report back to Council informing of any changes required in (2), prior to public advertising.
20-September-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 JULY 2022	070922	That with respect to the Financial Statements for the period ending 31 July 2022, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
20-September-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 JULY 2022	070922	That with respect to the attached Schedule of Payments, totalling \$1,388,291.89, for the month of July 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION)

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
20-September-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 31 JULY 2022 AND AMENDMENT COUNCIL POLICY P040229 – INVESTMENTS	080922	That Council; 1. RE PLACE the Investment Policy P040229 with the amended Investment Policy (Attachment 9.2.3c); and 2. RE CEIVE the Investment Register (Attachment 9.2.3a) for the period ended 31 July 2022.
20-September-2022	9.2.4	AMENDMENT OF P040113 CITIZENS & SPORTSPERSONS OF THE YEAR POLICY	100922	That Council; 1. RE PEAL Council Policy P040113 Citizens & Sportspersons of the Year (Attachment 9.2.4a); 2. AD OPT the Denmark Citizen of the Year Awards Policy, as per Attachment 9.2.4b; and 3. AD OPT the Sportsperson of the Year Awards Policy, as per Attachment 9.2.4c, subject to the removal of the words, “however the nominee will only be judged on their achievements within the Shire of Denmark”, from the eligibility section.
20-September-2022	9.2.5	REVIEW OF THE DENMARK AGRICULTURAL COLLEGE SCHOLARSHIP AND THE SHIRE OF DENMARK LEADERSHIP AWARD POLICIES	10922	That Council: 1. RE PEAL the Shire of Denmark Leadership Award policy; 2. RE PEAL the Denmark Agricultural College Scholarship policy; 3. AP PROVE payment of \$500 (GL 1610822) to the Denmark Senior High School for the purposes of the 2022 Denmark Senior High School Community Service Award; 4. AP PROVE payment of \$500 (GL 1610832) to the Denmark Agriculture College for the purposes of the 2022 Denmark Agricultural College Scholarship; 5. RE QUEST the CEO to review the Shire of Denmark Year 6 & Year 10 Student Awards policy (P080203).
20-September-2022	9.3.1	ELECTED MEMBER ALLOWANCES AND EXPENSES POLICY	120922	That Council adopt the Elected Member Allowances and Expenses Policy, as per Attachment 9.3.1.
20-September-2022	9.3.2	CORPORATE BUSINESS PLAN	130922	Council ADOPT the Corporate Business Plan, as per Attachment 9.3.2, for effect from the current financial year through to June 2026.
20-September-2022	9.3.3	DENMARK COTTAGE CRAFTS INC. LEASE	140922	That with respect to the lease between the Shire of Denmark and the Denmark Cottage Crafts Inc. for a portion of Lot 41 on Deposited Plan 222379, Reserve 26026, Council; 1. AP PROVE the draft lease, as per Attachment 9.3.4; and 2. AU THORISE the Chief Executive Officer and Shire President to execute the lease, subject to obtaining Ministerial Approval, in accordance with section 18 of the Land Administration Act 1997.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
20-September-2022	9.3.4	DRAFT CATS LOCAL LAW – CONSIDERATION OF SUBMISSIONS AND MAKING OF LOCAL LAW	150922	<p>That Council:</p> <ol style="list-style-type: none"> 1. NOTE that it has considered the submissions received; 2. MAKE the Cats Local Law, as per Attachment 9.3.4b, with the guiding legislation text boxes removed; 3. REQUEST the Chief Executive Officer to broadly promulgate the new laws locally and commence an educative campaign to raise awareness and encourage responsible cat ownership; and 4. DELEGATE to the Chief Executive Officer the power to: <ol style="list-style-type: none"> a) Determine an application for keeping more than the standard number of cats, in accordance with clause 2.5 of the local law; b) Determine an application to transfer the approval from an approved person to another person, in accordance with clause 2.8. c) Vary or cancel an approval, in accordance with clause 2.9 5. ADVERTISE its intention to impose the following new fees to commence at the time the Cats Local Law is gazetted in the Government Gazette: <p>Keeping more than the standard number of cats</p> <p>Application Fee (clause 2.5) \$250.00 Renewal Fee (clause 2.7) \$100.00 Transfer Fee (clause 2.8) \$100.00</p> 6. REQUEST the Chief Executive Officer to undertake a broad education campaign around the new local law and include information that raises the awareness of requirements under Cat Act 2011 and promotes responsible cat ownership
20-September-2022	9.3.5	PUBLIC HEALTH PLAN	160922	<p>That Council;</p> <ol style="list-style-type: none"> 1. ADOPT the 2022 – 2027 Public Health Plan as presented in Attachment 9.3.6. 2. REQUEST the Chief Executive Officer to review the following Council Policies and should they need reviewing or repealing, present them back to Council for consideration: <ol style="list-style-type: none"> a) 080301 – Seniors Policy b) 100103 – Provision of Rubbish Service for the Disabled / Infirm c) 110706 – Aboriginal Heritage (and Reconciliation) d) 110710 – Disability Access & Inclusion Plan Policy Statement e) 1130303 – Compliance with Mobility Standards by Denmark CBD Buildings (that are renovated)
20-September-2022	12.1	APPOINTMENT OF AUTHORISED PERSONS UNDER LOCAL GOVERNMENT ACT 1995 – CERTAIN PROVISIONS ABOUT LAND	170922	That in accordance with section 3.24 of the Local Government Act 1995, Council AUTHORISE the Chief Executive Officer, the Deputy Chief Executive Officer, the Director Corporate & Community Services, the Manager Sustainable Development and the Manager Community Services to perform the functions under part 3, division 3, subdivision 2 of the Local Government Act 1995.
18-October-2022	6.1	Leave of Absence - CR ORMSBY	011022	That Cr Ormsby be granted leave of absence for the 15 November 2022 Ordinary Council meeting.
18-October-2022	6.2	Leave of Absence - CR GIBSON	021022	That Cr Gibson be granted leave of absence from the 21 December 2022 to the 12 January 2023.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
18-October-2022	9.1.1	MOUNT HALLOWELL MOUNTAIN BIKE TRAILS CONCEPT PLAN	061022	<p>1. REQUEST the Chief Executive Officer to form a Trails Working Group to provide high-order advice on trails development within the Shire of Denmark in line with councils' priorities; with a terms of reference to be provided for Council's consideration at the December 2022 ordinary Council meeting;</p> <p>2. REQUEST the CEO, as first-priority actions, to:</p> <ul style="list-style-type: none"> a. Develop a project plan for Council's consideration with respect to the development of Mountain Bike Trails on Reserve R13255 (Turner Rd site) and report to Council by March 2023 on the Shire's capacity to incorporate into the 2023/24 Corporate Business and Long-Term Financial Plans. b. Select the major, or most used, trails which support walking, cycling and other modes of transport, in consultation with key stakeholder groups, to create a trail network map and / or suitable electronic equivalent to promote trail use. c. Identify and provide cost estimates for the installation of signage of major trails for Council's consideration in the 2023/24 Annual Budget and Corporate Business Plan. d. Develop cost estimates for a trail network map, and / or suitable electronic equivalent, for production and distribution, for Council's consideration in the 2023/24 Annual Budget and Corporate Business Plan. e. Incorporate a Park type trail network, as part of the Berridge Park concept planning process, allocated in the 2022/23 budget with consideration for expansion through to McLean Oval and other nearby reserves to create a connected precinct. f. Build collaborations with trail user-groups and interested members of the public to maintain and improve said trails including, where appropriate and possible, to allow for mountain-bike specific features on or adjacent to those trails which create interest and engagement for the cycling community but particularly for youth and families.
			071022	<p>That with respect to trail development within the Shire of Denmark, Council REQUEST the Chief Executive Officer as a second-priority action to:</p> <p>Continue the 8-stage process at Mt Hallowell to progress trails development in the project area identified in attachment 9.1.1, excluding that area which includes "the core". Such development should include at least one 'green' mountain-bike trail and shall be subject to the following:</p> <ul style="list-style-type: none"> a. An updated Mt Hallowell Management Plan, endorsed by Council; b. Completion of flora and fauna studies of the subject site, including dieback assessment; c. Obtaining the relevant licences and permits; d. Indigenous cultural survey; and e. Lodgement of a development application.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
18-October-2022	9.1.2	PROPOSED REVOCATION OF LOCAL PLANNING POLICY NO. 10 (PARKLAND CLEARING OUTSIDE BUILDING ENVELOPES) AND LOCAL PLANNING POLICY NO. 36 (BUILDING DESIGN FOR FIRE SAFETY IN SPECIFIED AREAS)	091022	That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to: 1. REVOKE Local Planning Policy No. 10: Parkland Clearing Outside Building Envelopes. 2. REVOKE Local Planning Policy No. 36: Building Design for Fire Safety in Specified Areas. 3. Publish notice of the Council's decision to revoke Local Planning Policy No. 10: Parkland Clearing Outside Building Envelopes and Local Planning Policy No. 36: Building Design for Fire Safety in Specified Areas on the Shire's website and in the Shire's offices for a period of no less than 21 days.
18-October-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 AUGUST 2022	101022	That Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation, for the period ending 31 August 2022.
18-October-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 AUGUST 2022	111022	That with respect to the attached Schedule of Payments, totalling \$1,564,091.59, for the month of August 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION)
18-October-2022	9.2.3	INVESTMENT REPORT FOR THE PERIOD ENDED 31 AUGUST 2022	121022	That Council RECEIVE the Investment Register (attachment 9.2.3) for the period ended 31 August 2022.
18-October-2022	9.3.1	PEACEFUL BAY FULL TIME OCCUPANCY APPROVALS	131022	That with respect to the fulltime occupancy at Peaceful Bay, Council; 1. GRANTS renewal to the following Peaceful Bay Leaseholders for full time occupancy for a further period of five years; (SEE FULL RESOLUTION) 2. AMEND the Peaceful Bay Full Time Occupancy Approvals Policy as shown in Attachment 9.3.1.
18-October-2022	9.3.2	LOCAL GOVERNMENT ACT REFORM – WARDS AND REPRESENTATION	141022	That Council INFORM the Minister for Local Government that the Shire of Denmark's preference is the default pathway.
18-October-2022	9.3.3	ULURU STATEMENT FROM THE HEART ACKNOWLEDGEMENT	051022	That Council: 1. ACKNOWLEDGE the Uluru Statement from the Heart as an address to the Australian people, inviting the nation to create a better future; 2. REQUEST the Chief Executive Officer to display a plain text copy of the Uluru Statement from the Heart in the following locations: a. Shire Administrative Building Foyer b. Library c. Denmark Recreation Centre 3. REQUEST the Chief Executive Officer to offer a community engagement program regarding the Uluru Statement from the Heart and its intent.
18-October-2022	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES 02 AUGUST 2022 & RECOMMENDATIONS	151022	That Council RECEIVE the Committee Minutes for the meeting held on 2 August 2022
			161022	That with respect to the Sustainable Projects Committee, Council AMEND the Committee Charter by: 1. REPLACING 5.0 VISION statement with "The Committee will assist the Shire of Denmark in achieving the key principles and objectives contained within the Sustainability Strategy." 2. AMENDING 9.2 COMMITTEE MEETINGS to "Meetings shall be held bi-monthly, or as required, and can be called by the Presiding Person and/or the Secretary." 3. REMOVING reference to the Sustainability Pillars under 10.0 Strategic Alignment.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
18-October-2022	11.1	TEN.1-2022/23 – OCEAN BEACH LIME QUARRY ON RESERVE 46273 – EXTRACTION, CRUSHING AND SCREENING OF LIMESTONE MATERIAL FOR THE PRODUCTION OF AGRICULTURAL LIME	181022	That Council: <ol style="list-style-type: none"> 1. ACCEPT the tender from Nexgen Crushing and Screening for TEN.1-2022/23 for Separable Portions 1, 2. SET the fee and charge for Lime Sand to be \$39/T ex GST for the 2022/23 financial year. 3. REQUEST that the Chief Executive Officer amend the budget at the mid year review to reflect updated forecasts.
15-November-2022	9.1.1	OCEAN BEACH PROJECT	041122	That Council ADOPT the revised Ocean Beach concept plan, as per Attachment 9.1.1b, including the following key elements; <ol style="list-style-type: none"> 1. Demolition of the front patrol and kiosk building 2. Demolition of the public amenity building 3. Refurbishment of the current Surf Life Saving Club building 4. New public amenity building, including a minimum of 2 indoor showers in each section 5. New storage building, and 6. Public realm enhancements.
15-November-2022	9.1.2	CONTRACT AWARD – TEN.2.22/23 LIGHTS ROAD UPGRADE	061122	That Council: <ol style="list-style-type: none"> 1. AWARD separable portion two (SP2) to MCC contractors for TEN.2.22/23 Lights Road Upgrade. 2. AMEND the 2022/2023 annual budget to reflect the following: <ul style="list-style-type: none"> • Mount Shadforth Road budget (Job No. 50371) be reduced by \$682,000 to \$50,000 for design componer only. • Lights Road budget (Job No. 50374) be increased by \$682.000.
15-November-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 30 SEPTEMBER 2022	081122	With respect to the Financial Statements for the period ending 30 September 2022, Council RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.
15-November-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 30 SEPTEMBER 2022	091122	That with respect to the attached Schedule of Payments, totalling \$1,458,686.39, for the month of September 2022, Council RECEIVE the following summary of accounts: (SEE FULL RESOLUTION)
15-November-2022	9.2.3	2022 COMMUNITY GRANT PROGRAM	101122	That Council APPROVE the following Community Program applications totalling \$25,000 for 2022/2023: (SEE FULL RESOLUTION)
15-November-2022	9.2.4	REPEAL SHIRE OF DENMARK YEAR 6 & YEAR 10 STUDENT AWARDS POLICY	111122	That Council REPEAL Policy (P080203) Shire of Denmark Year 6 & Year 10 Student Awards, as it is considered unnecessary to have a policy for a relatively small contribution

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
15-November-2022	9.3.1	PEACEFUL BAY LEASE RENEWAL POLICY	151122	That with respect to the Peaceful Bay leasehold area, located within Shire Managed Reserve 24510, Council: 1. NOTE the submissions received; 2. REQUEST the Chief Executive Officer to: a) Seek Ministerial consent, and if granted: i. Obtain a market rent valuation for the entire Peaceful Bay leasehold area based on the commercial use of the premises, to be applied only to any leasehold properties that obtain planning consent to operate a holiday home. ii. Amend the draft lease (in Attachment 9.3.1b) to permit commercial use. iii. Inform all lessees that they are required to apply for planning approval to legally operate a commercial holiday home, and for existing operations, Council have agreed to waive the requirement to pay a retrospective planning application fee. iv. Ensure that the applicable rating category be applied to premises that are approved to operate as a commercial Holiday Home. 3. DELEGATES to the Chief Executive Officer the power to: (SEE FULL RESOLUTION) 4. CONDITIONS the delegation provided in part 3 above, so that if any submissions against the disposal are received, the matter be brought to Council for determination. 6. AMEND the Peaceful Bay Holiday Cottages – Holiday Accommodation Use Policy to: a) Cap the number of approved commercial holiday homes be no more than 10% (or 20 out of 203) leasehold properties; b) Incorporate the requirement that lessees must have planning consent; c) Note that the annual rent will be based on commercial use; and d) Note that commercial use for holiday home may require the lessee to pay a higher rate in the dollar for the Rates.
15-November-2022	9.3.2	LEASE WITH TELSTRA - PREMISES FOR CARMARTHEN FIRE SHED	171122	That Council agree to enter into a new lease with Telstra Corporation Limited for a portion of Lot 1 on Diagram 27184 in accordance with the Heads of Agreement in Attachment 9.3.2b, noting that the terms and conditions of the lease will be the same as the current lease in Attachment 9.3.2a.
15-November-2022	9.3.3	DENMARK WOODTURNERS INC. LEASE	181122	That with respect to the lease between the Shire of Denmark and the Denmark Woodturners Inc. for a portion of Lot 501 on Deposited Plan 61023, Reserve 48198, Council; 1. APPROVE the draft lease, as per Attachment 9.3.3 and 2. AUTHORISE the Chief Executive Officer and Shire President to execute the lease, subject to obtaining Ministerial Approval, in accordance with section 18 of the Land Administration Act 1997.
15-November-2022	9.3.4	DELEGATIONS REVIEW 2022	191122	That following a review of the delegations contained in Attachment 9.3.4, Council RENEW each delegation until the next review period.
15-November-2022	9.3.5	NEW LEASE – OCEAN BEACH TELSTRA EXCHANGE	201122	That Council agree to enter into a new lease with Telstra Corporation Limited for the whole of Lot 8171 on Deposited Plan 30137, on the terms provided in the draft lease (Attachment 9.3.5), subject to the Minister's approval.
15-November-2022	10.1	BUSH FIRE ADVISORY COMMITTEE – MINUTES AND RECOMMENDATION – 27 OCT 2022	221122	That Council APPROVES the updated Spending Authority for Chief and Deputy Chief Bush Fire Control Officer Policy, as per Attachment 10.1b.
15-November-2022	11.1	POTENTIAL DISPOSAL OF LOT 1 RIVERBEND LANE	251122	That with respect to No. 23 (Lot 1) Riverbend Lane, Council AUTHORISE the Chief Executive Officer to advertise any intention to dispose, in accordance with s 3.58 of the Local Government Act 1995 subject to the conditions of negotiation contained within this report, subject to the minimum sale price being increased by \$62,500.

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
20-December-2022	9.1.1	PROPOSED AMENDMENT NO. 153 TO TOWN PLANNING SCHEME NO. 3	071222	<p>That Council;</p> <p>1. IN accordance with Regulation 50(2) of the Planning and Development (Local Planning Schemes) Regulations 2015;</p> <p>a) NOTES the submissions received in respect to Amendment No. 153 to the Shire of Denmark Town Planning Scheme No.3; and,</p> <p>b) ENDORSES the response to the submissions as contained at Attachment 9.1.1b of this report.</p> <p>2. IN accordance with Regulation 50(3)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015, SUPPORT without modification Amendment No. 153 to the Shire of Denmark Town Planning Scheme No.3 as detailed in attachment 9.1.1a.</p> <p>3. AUTHORISES the Shire President and the Chief Executive Officer, in accordance with Section 9.49a of the Local Government Act 1995, to execute under Common Seal Amendment No. 153 to the Shire of Denmark Town Planning Scheme No.3.</p> <p>4. ADVISES those who provided a submission of the Council's resolution.</p>
20-December-2022	9.1.2	PROPOSED REVISIONS TO LOCAL PLANNING POLICY NO. 49: ANCILLARY DWELLINGS	081222	<p>That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to:</p> <p>1. ADOPT a draft modified Local Planning Policy No. 49: Ancillary Dwellings & Detached Habitable Rooms for the purpose of public consultation.</p> <p>2. PUBLISH notice of the Council's decision to adopt a draft modified Local Planning Policy No. 49: Ancillary Dwellings & Detached Habitable Rooms for a period of 30 days on the Shire's website, in the Shire's offices and in a local newspaper.</p>
20-December-2022	9.1.3	PROPOSED LOCAL PLANNING POLICY NO. 50: BUILDING ENVELOPES	091222	<p>That Council, pursuant to Schedule 2, Part 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to:</p> <p>1. ADOPT draft Local Planning Policy No. 50: Building Envelopes for the purpose of public consultation.</p> <p>2. PUBLISH notice of the Council's decision to adopt draft Local Planning Policy No. 50: Building Envelopes for a period of 30 days on the Shire's website, in the Shire's offices and in a local newspaper.</p>
20-December-2022	9.2.1	FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31 OCTOBER 2022 AND BUDGET AMENDMENTS	101222	<p>That Council;</p> <p>1. RECEIVE the Financial Statements for the period ending 31 October 2022, RECEIVE the Financial Reports, incorporating the Statement of Financial Activity and other supporting documentation.</p> <p>2. APPROVE the following amendments to the 2022/2023 adopted budget to remove replacement of Ammann Multi Tyred Roller (Asset – ROLLER2) and increase the value for the replacement of the Nissan UD 320 tip Truck (Asset - TRUCK18) by making the following</p> <p>a) A/c 1230493 – reduce non cash operating income for profit on sale of asset by \$4,500;</p> <p>b) A/c 1231055 – reduce proceeds from sale of assets by \$30,000; and</p> <p>c) A/c 9502021 – increase transfer from Plant Reserve by \$30,000.</p> <p>3. APPROVE the following amendment to the 2022/2023 adopted budget in relation to the capital purchase of a vehicle for the Bushfire Risk Management Program Officer:</p> <p>a) A/c 1511054 – increase capital expenditure for purchase Plant and Equipment – Fire by \$45,000; and</p> <p>b) A/c 9502021 – increase transfer from Plant Reserve by \$45,000.</p>

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Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
20-December-2022	9.2.2	LIST OF PAYMENTS FOR THE PERIOD ENDING 31 OCTOBER 2022	111222	That with respect to the attached Schedule of Payments, totalling \$1,460,529.10, for the month of October 2022, Council RECEIVE the following summary of accounts: <ul style="list-style-type: none"> • Electronic Funds Transfers EFT33921 to EFT34089 - \$938,284.48; • Municipal Fund Cheque No's 60507 – 60509 - \$9,709.30; • Internal Account Transfers (Payroll) - \$431,839.01; and • Direct Debit - \$3,611.23; • Corporate Credit Card; \$2,438.18; • Department of Transport Remittances; \$74,646.90, and • Loan Payments: \$Nil.
20-December-2022	9.2.3	WRITE OFF – OUTSTANDING SUNDRY DEBTORS	121222	That Council APPROVE the write-off the following outstanding Sundry Debtor amounts: (SEE FULL RESOLUTION)
20-December-2022	9.2.4	CHANGE OF METHOD OF VALUATION – SPLIT RATING OF RURAL PROPERTIES WITH NON-RURAL USES	141222	That Council; <ol style="list-style-type: none"> 1. CONSIDERS the submissions by affected property owners subject to the application by the Shire to change their method of valuation; and 2. REQUESTS the Minister for Local Government to approve to change of method of valuation and split rate eighteen properties summarised in Attachment 9.2.4a for the basis of rating, with effect from 1 July 2023. 3. AGREES to phase in valuations, in accordance with Schedule 6.1 of the Local Government Act 1995, if the Minister for Local Government approves the application to change the method of valuation and split rate for the basis of rating.
20-December-2022	9.3.1	ORDINARY COUNCIL MEETING DATES FOR 2023	171222	That with respect to the Ordinary Meetings of Council to be held in 2023, Council; <ol style="list-style-type: none"> 1. RETAIN a 4.00pm commencement time for all Ordinary Council Meetings; and 2. ENDORSE the proposed dates as shown in the Officer Report, with the first meeting commencing on Tuesday, 21 February 2023, subject to the December meeting being changed from the 19th to the 12th December; and, 3. Pursuant to Policy P040103, HOST two Locality (Kent/Nornalup) Ward Meetings for the interest of residents, ratepayers and community organisations at the Peaceful Bay Community Hall and the Nornalup Community Hall, the times and dates to be determined by the Chief Executive Officer, in conjunction with the Shire President, the Peaceful Bay Progress Association and the Nornalup Residents & Ratepayers Association, and widely advertise those times & dates prior to the meetings; and 4. ADVERTISE the dates, times and locations in part 2 and 3 in the Denmark Bulletin, the Walpole Weekly, on Council's website, on Council's Notice Boards and on the Shire's Facebook page.
20-December-2022	9.3.2	RESPONSE REGARDING A REQUEST FOR THE STATE GOVERNMENT TO REVIEW THE CURRENT PRESCRIBED BURN POLICY AND PRACTICES	181222	That Council NOTE the response received by the Honourable Stephen Dawson, Minister for Emergency Services; Innovation and ICT; Medical Research; Volunteering; Deputy Leader of the Government in the Legislative Council, and invite feedback on the Minister's response from: <ol style="list-style-type: none"> 1. the Bush Fire Advisory Committee (BFAC) of Council; and 2. the Local Emergency Management Committee (LEMC) of Council.
20-December-2022	9.3.3	TRAILS ADVISORY GROUP AND TERMS OF REFERENCE	241222	That Council; <ol style="list-style-type: none"> 1. ESTABLISH a Trails Advisory Group, according to the Terms of Reference contained in attachment 9.3.3, subject to the inclusion of the Peaceful Bay Progress Association and the Nornalup Residents and Ratepayers Association as stakeholders; and 2. APPOINT the following Councillors as members of the Trails Advisory Group; Cr Gibson, Cr Clarke and Cr Carman.

Shire of Denmark - Council Resolutions 2022

Meeting Date	Item No:	Report Title:	Resolution No:	Resolution or Resolution Summary
20-December-2022	9.3.4	DISPOSAL OF LOT 1 RIVERBEND LANE	251222	That with respect to No. 23 (Lot 1) Riverbend Lane, Council: 1. NOTES the submission received in support of the disposal. 2. AUTHORISE the Chief Executive Officer to enter into a contract to dispose (sell) the property to Cultura Incorporated for \$900,000 (ex GST) subject to the following conditions prior to settlement: a) Western Australian Planning Commission approves a revised structure plan providing a minimum of 2,500sq.m of the lot allocated for educational purposes. b) The Minister for Planning approves a Scheme Amendment providing a minimum of 2,500sq.m of the lot allocated for educational purposes. c) Cultura Incorporated to draft and cover all costs for planning documents required for a) and b). 3. REQUEST the Chief Executive officer to include the sale in the revised Long Term Financial Plan and draft 2023/24 Municipal Budget.
20-December-2022	9.3.5	12 MONTH TRIAL OF ELECTRIC SCOOTERS	261222	AUTHORISES the Chief Executive Officer to negotiate and enter into an agreement with Beam Mobility to provide up to 80 electric scooters for hire within the Shire of Denmark Townsite as a 12 month trial. (SEE FULL RESOLUTION)
			271222	That the Council ADOPT a new fee under the Trading in Thoroughfares and Public Places Activity Permit section of the Council's Fees & Charges Schedule titled "E-scooter program – up to 30 parking stations" and set the annual fee at \$1,500 plus GST.
20-December-2022	10.1	SUSTAINABLE PROJECTS COMMITTEE MINUTES 1 NOVEMBER 2022 & RECOMMENDATIONS	281222 en bloc	That Council RECEIVE the Committee Minutes for the meeting held on 1 November 2022
20-December-2022	10.2	DISABILITY SERVICES COMMITTEE MINUTES – 25 OCTOBER 2022	281222 en bloc	That Council RECEIVE the Disability Services Advisory Committee Minutes for the meeting held on 25 October 2022.