

Agenda Briefing

15 June 2022

Notes

Unconfirmed Notes

These notes were approved for distribution on 16 June 2022.



Suzie Haslehurst
CHIEF EXECUTIVE OFFICER

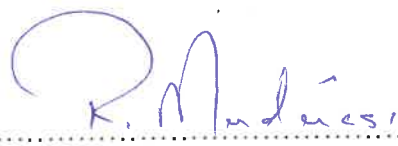
When the Chief Executive Officer approves these Notes for distribution they are in essence "informal notes" that will be received at the next Ordinary Council Meeting, subject to any amendments being made by Council.

The "Received" Notes are then signed off by the Presiding Person.

Attachments that formed part of the Agenda, in addition to those tabled at the Agenda Briefing are included in the attachments to the Ordinary Council Meeting with the exception of confidential items or attachments that are confidential which will be included in Confidential Minutes of the Ordinary Council Meeting.

Received Notes

These notes were received at an Ordinary Council Meeting held on 22 June 2022.

Signed: 

Note: The Presiding Member at the meeting at which the notes were received is the person who signs above.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr R Madacsi, Shire President, declared the meeting open at 1.01pm.

2 RECORDS OF ATTENDANCEMembers

| | |
|----------------|--|
| Cr R Madacsi | Shire President |
| Cr B Ruthven | Deputy Shire President (via zoom) |
| Cr C Duri | Councillor |
| Cr P Hart | Councillor (via zoom) |
| Cr S McCormick | Councillor |
| Cr S Pearce | Councillor |
| Cr D Wrench | Councillor (via zoom) – online at 1.03pm |

Staff

| | |
|-----------------|--|
| Ms S Haslehurst | Chief Executive Officer |
| Mr J Augustin | Manager Infrastructure and Assets |
| Ms T Bateman | Manager Corporate and Community Services |
| Mr H de Vos | Manager Development and Regulation |
| Mrs N Mwale | Finance Coordinator |
| Mrs M Rebane | Executive Assistant |

Visitors

J Brady

2.1 APOLOGIES

Cr M McKeown

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

3 DISCLOSURE OF INTERESTS

The Chairperson advised that no disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting.

4 PUBLIC QUESTIONS**4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

4.2 PUBLIC QUESTION TIME

Nil.

5 CONFIRMATION OF MINUTES

As per Council Meeting Agenda

6 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**6.1 PETITIONS**

Nil.

6.2 DEPUTATIONS

Nil.

6.3 PRESENTATIONS

Nil.

6.4 SUBMISSIONS

J Brady addressed Council regarding the Agenda Item No. 9.1.2.

7 BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil.

9 OFFICER REPORTS**9.1 DEVELOPMENT AND REGULATION**

| |
|---|
| 9.1.1 Lot 4 Mercy Retreat, Toodyay - Proposed construction of driveway, path and free-standing carport |
|---|

Nil.

| |
|---|
| 9.1.2 Lot 20 Railway Rd, Toodyay - Expansion to Toodyay Caravan Park - Stage 1 |
|---|

| 9.1.2 - Questions and Points raised | | |
|-------------------------------------|--|--|
| Councillor | Discussion | Response from Manager Development and Regulation <i>(unless otherwise noted)</i> |
| Duri | Open plan ablution rooms – classed as a wet room (as per example photo in attachment figure 3. Camp kitchen/ablution plans). If a person has used this facility prior to another person coming in to use the toilet – will the toilet floor, vanity and toilet be wet, therefore presenting a slippery surface to walk on? | <u>Proponent response:</u> <i>As per the floor plan in Figure 3 of the report, there will be a shower screen inserted between the shower and the basin to contain water spray. Apologies that the photo used does not include the shower screen as it was not a requirement in our last building and we found that it worked well. However, in this case we will include the shower screen as per the floor plans. Commercial non-slip R11 rated tiles will be used to prevent slippage on the floor.</i> |

| 9.1.2 - Questions and Points raised | | |
|-------------------------------------|--|--|
| Councillor | Discussion | Response from Manager Development and Regulation <i>(unless otherwise noted)</i> |
| Duri | Open plan ablution rooms – classed as a wet room (as per example photo in attachment figure 3. Camp kitchen/ablution plans). If a person has used this facility prior to another person coming in to use the toilet – will the toilet floor, vanity and toilet be wet, therefore presenting a slippery surface to walk on? | <u>Proponent response:</u> <i>As per the floor plan in Figure 3 of the report, there will be a shower screen inserted between the shower and the basin to contain water spray. Apologies that the photo used does not include the shower screen as it was not a requirement in our last building and we found that it worked well. However, in this case we will include the shower screen as per the floor plans. Commercial non-slip R11 rated tiles will be used to prevent slippage on the floor.</i> |

| 9.1.2 - Questions and Points raised | | |
|-------------------------------------|--|---|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| Duri | Will the existing ablution block be remaining? There is no facility in the proposed the ablution blocks for laundry facilities. | <i>Proponent response:</i> <i>Yes the existing ablution block will remain, which includes laundry facilities. The table on page 18 of the report represents all infrastructure in the park after the proposed development.</i> |
| Duri | Page 17-21 of attachment 1.7 3rd paragraph – word correction from flood fridge – change to fringe | <i>Proponent response:</i> <i>Yes required correcting.</i> |
| Duri | Page 18 – include the word site after new caravan | <i>Proponent response:</i> <i>Corrected</i> |
| Duri | Page 18 – table – Proposed 6M 6F ablutions – the submission is proposing 6 Unisex ablutions. Which is correct please? | <i>Proponent Response:</i> <i>As noted above, the table on page 18 represented the total development on the site on completion of Stage 1 and 2. As noted on page 6 and Figure 2 of the report, the new camp kitchen/ablution building will contain 6 unisex toilets/showers.</i> |
| Duri | Page 20 – 2.9 insert the word BE after The new reception area will BE of modular | <i>Proponent response:</i> <i>Corrected</i> |
| Duri | 4.5 Stormwater and Wastewater- No new effluent system for stage 1. Can you please advise if this is due to no new camping, caravan, cabins etc. being proposed at this time/stage? | <i>Proponent response:</i> <i>Yes no new effluent system is proposed as there will be no additional occupants in the caravan park at any one time.</i> <i>We are not proposing a new effluent system as part of Stage 1. While there will be additional bathrooms in the new camp kitchen/ablution building and reception building, there will be no addition occupants in the caravan park at any one time as there will be no additional cabins or sites in Stage 1 (i.e. the same number of people will just have access to more bathrooms). The volume of effluent will therefore remain the same.</i> <i>As part of Stage 2, we will construct a new effluent disposal system. Water Corporation has now confirmed in writing that connection</i> |

| 9.1.2 - Questions and Points raised | | |
|-------------------------------------|--|---|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| | | <i>to the existing town sewer network is possible via a private pump station. We are current sourcing quotes for an engineering consultant to prepare an application for this connection as part of Stage 2. If there are any issues identified with connecting to the mains sewer during the detailed planning stage, we will revert to developing the leach drain effluent disposal system onsite. As noted, this is all part of Stage 2.</i> |
| Pearce | Are you expanding past what is there now? | <u>Proponent response:</u> <i>The footprint will not be expanding. It will be increase in facilities and cabins (redevelopment rather than expansion).</i> |
| McCormick | What are the numbers for increased camping sites, caravan bays, etc? | <u>Proponent response:</u> <i>Looking to do development in 2 stages. This application first stage just the facility. New camp kitchen; redevelopment of playground and pool and standalone reception office. Six cabins, 20 new caravan sites and 7 camping sites. Almost a doubling in the caravan sites currently identified.</i> |

9.1.3 Update on sale of properties

| 9.1.3 - Questions and Points raised | | |
|-------------------------------------|--|--|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| Madacsi | p.13 - the sale of 33 and 35 Telegraph Road was omitted from Comments and Details. I was referring to the chronology of actions taken today which included the sale of Duke street but had not included the sale of the Telegraph Road property. | <i>These properties have been sold. I hadn't included them in the comments. Procedurally I am not sure how to add them as the agenda has been published. I was going to add into an officer recommendation "Notes that the sale of 33 and 35 Telegraph Road has occurred on date XXXXXXXX."</i> <u>CEO response:</u> <i>We can make a note in the minutes.</i> |
| Madacsi | 9.1.4 Ancillary Dwellings p.18 – does the wording under Risk Related, | <i>I don't think the wording necessarily needs to change here. The intent of that phrase is to do with the new process we have started doing – a collaborative development one. It</i> |

| 9.1.3 - Questions and Points raised | | |
|-------------------------------------|--|--|
| Councillor | Discussion | Response from Manager Development and Regulation (<i>unless otherwise noted</i>) |
| | ...desire by the Elected Members to become more involved in the development and review of policies - accurately reflect Elected Member obligation under s.2.7(2)(b) of the Local Government Act 1995? | <i>doesn't lessen the obligation under s.2.7(2)(b) of the Local Government Act 1995.</i> |
| <i>Madacsi</i> | 9.1.6 Draft LPP – Use of Shipping Containers and Similar Storage Structures Attached Policy - Remove: p.79 4(d) – no more than one sea container or similar storage structure will be to size greater than one hundred hectares (100ha). | <i>Will amend before advertising.</i> |
| <i>Madacsi</i> | 9.1.6 Draft LPP – Use of Shipping Containers and Similar Storage Structures Attached Policy – Proposed amendments for p.3 exceptions Farm dog - add: or, where it can demonstrated an additional dog is required because of an increase in stock or landholding. Compassionate – New residents with pre-existing dogs provided; The dogs were registered at the previous locality. The dogs have no history of aggression. The owner has no previous breaches or offences under the Dog Act 1976 Attached Policy – Amend mandatory sterilization to – sterilization is to be compliant with current | <i>Noted, will amend prior to advertising.</i> |

| 9.1.3 - Questions and Points raised | | |
|-------------------------------------|--|---|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| | State legislation, or words to that effect. There are a few grammar errors and word omissions in 4. | |
| <i>Duri</i> | Lot 16 and 17 Wilson street – could they be amalgamated at some stage if someone purchased it? | <i>The block size would be too large for the R10 zone.</i> |

9.1.4 Draft Local Planning Policy - Ancillary Dwellings

| 9.1.4 - Questions and Points raised | | |
|-------------------------------------|---|---|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| <i>Pearce</i> | The citation 1.0 reads this policy made be as sited Local Planning Policy ###. Will the Office please indicate when this will be amended in the policy. | <i>Yes, this will be taken out prior to publication.</i> |
| <i>Pearce</i> | Resolution does say to do typographical additions? | <u>CEO Response:</u> <i>Yes it will be part of the Officer's Recommendation.</i> |

9.1.5 Draft Local Planning Policy - Advertising for Planning Proposals

| 9.1.5 - Questions and Points raised | | |
|-------------------------------------|--|---|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| <i>Duri</i> | 6.5 (vi) Please advise what would institute a minor amendment? | <i>Generally, this would be a spelling or grammatical error, or to update terminology i.e. referencing Local Planning Scheme No. 4 – No. 5. Anything that does not dramatically alter the intent of the policy.</i> |

| 9.1.5 - Questions and Points raised | | |
|-------------------------------------|---|--|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| Duri | (vii) What would “adversely affect” owners, occupiers that is not portrayed in the policy? | <p><i>Not sure I follow your question. The clause states:</i></p> <p><i>Local government may decide not to advertise a local development plan if the local government is satisfied that the plan is not likely to adversely affect any owners or occupiers within the area covered by the plan or adjoining area.</i></p> <p><i>Therefore, it is the intent of this clause to allow discretion of officers to determine that the local government may choose not to advertise a local development plan – if it is our opinion that the plan will not adversely impact any owners or occupiers in or adjacent to the plan area.</i></p> |
| Duri | 6.6 Who would be the decision maker? | <p><i>This is for when the Shire is purely a referral agency and not the decision maker. Most common thing would be subdivisions. The Shire is not the decision maker – the WAPC is.</i></p> |
| Duri | 6.10 Would it be possible to have the community information sessions at least 2 weeks prior to advertising end. This would enable community to process/analyse the proposal to put forward a submission | <p><i>This can be modified. However the way it is written is a suggestion – not concrete. If and when there is significant development, there should be a communication plan worked out in advance.</i></p> |
| Duri | 6.12 Page 68 Requests for changes to Public Notice: Can the wording be changed to read: Staff will ensure that council receives submissions after closure of notice periods. | <p><i>This can be modified.</i></p> |

9.1.6 Draft Local Planning Policy - Use of Shipping Containers and Similar Storage Structures

| 9.1.6 - Questions and Points raised | | |
|-------------------------------------|--|---|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| Pearce | Will the officer check pg. 79 of the attachments pt. 3. (e) (f) – may be a formatting issue and does not follow from the applicant will provide the following information... Also 4 (d) (e) | <i>Formatting will be corrected.</i> |
| Hart | Item 9.1.6 (Sea Containers) Policy Statement 3 (e) "As sea container and other similar structures may have an adverse effect" appears to be an incomplete clause in the context in which it appears. Could I have clarification on this, please? | <i>Should read..... As sea containers and other similar structures may have an adverse effect on the visual amenity of an area, their location in Residential or Town Centre zones will not be supported unless the structure is for temporary building site works, as described in Part 2 Will amend prior to advertising.</i> |
| Madacsi | I will seek to make an amendment to the use of one container over 100 hectares – proposing that condition be removed. | <i>n/a</i> |

9.1.7 Draft Dogs Policy

| 9.1.7 - Questions and Points raised | | |
|-------------------------------------|--|---|
| Councillor | Discussion | Response from Manager Development and Regulation (unless otherwise noted) |
| Pearce | Mandatory requirements All dogs to be sterilized. Would the officer please clarify as in the workshop, Councillor discussion did | <i>Apologies. The CEO indicated that under new Puppy Farming legislation there would be a requirement for mandatory sterilization coming. I think I left it in knowing it will need to be included at some point. Council can choose to remove.</i> |

| 9.1.7 - Questions and Points raised | | |
|-------------------------------------|---|--|
| Councillor | Discussion | Response from Manager Development and Regulation <i>(unless otherwise noted)</i> |
| | not think this should be added. | |
| Pearce | Pg 85 Foster care details provided to Council. Would the Officer clarify if this should read Shire Officer rather than Council? | <i>Yes, administration is performed by the Shire. Not the Council. Can amend.</i> |
| Pearce | Please check 4 th dot pointregisters human to have ...how could this be rephrased? | <i>Typo, will amend.</i> |
| Pearce | Would the officer please clarify Point 6 where delegation refers to Part 8. | <i>Typo, will amend.</i> |
| Duri | 9.1.7 Dog Act: If a dog is being fostered at a home in Shire of Toodyay which means it is only a temporary home stay and may not be adopted within the Shire of Toodyay, is it necessary for the fostered dog to be sterilised? Can you please clarify the reason for this? | <i>The clause about mandatory sterilization is in there as a pre-cursor to the change in legislation where it will formally be required.</i> |
| Madacsi | Amendments to the table to be incorporated in the OCM. | <i>n/a</i> |

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 Disability Access and Inclusion Plan Progress Report 2021/2022

Nil.

9.2.2 Community Funding Program 2022/23

| 9.2.2 - Questions and Points raised | | |
|-------------------------------------|---|---|
| Councillor | Discussion | Response from Manager Corporate and Community Services (unless otherwise noted) |
| Pearce | Point 3 The officer's resolution for CEO to update the LFTP to reflect the multi-year funding proposals. Would the officer please explain what this process involves? | <i>There is a great deal of detail that sits behind the financial statements of the LFTP. When Council agrees to ongoing commitments such as multi-year funding agreements, it's important that this detail is captured so that funds are not allocated elsewhere during the annual budget process.</i> |

9.2.3 Disposal of Syred's Cottage

| 9.2.3 - Questions and Points raised | | |
|-------------------------------------|--|--|
| Councillor | Discussion | Response from Manager Corporate and Community Services (unless otherwise noted) |
| Pearce | <p>Officers resolution Point 2</p> <p>Requests the Chief Executive Officer to commence the process to formally transfer ownership of the property.</p> <p>Would the officer please advise if a time frame to define when to commence this process should be added to the recommendation? If so, I would appreciate assistance with an amendment to the resolution.</p> | <p><u>CEO response:</u></p> <p><i>The reason no timeframe was included was because we are at the mercy of other departments. You could ask the CEO to commence the process within 3 months to formally transfer.</i></p> |

9.2.4 Monthly Financial Statements - May 2022**9.2.4 QUESTION ABOUT MONTHLY FINANCIAL STATEMENTS**

Cr Susan Pearce asked the following question:

\$1,205,647.74 compared to April 2022 closing balance of \$1,406,895.80. Further detail regarding the composition of outstanding rates is included in Attachment 1

Currently \$307,230.97 sundry debts. \$124,000 is an ADCO account

Approx. balance of \$180,000 would officer please explain the bases for of these debts and is it anticipated these balances will be paid in this Fin Yr?

Response from Finance Coordinator:

Apologies for not attaching the detailed rates report regarding the composition of outstanding rates as at 31 May 2021. This was an oversight.

At the time of the composition of May 2022 Monthly Financial Statements, the outstanding balance was \$1,205,647.74. As of today, the outstanding rates balance is \$971,458.92.

This is because some rate payers have made some payments towards their outstanding rates since the last week.

Last instalment notices were sent out on 18 May 2022.

All ratepayers with outstanding balances will be contacted by email or letter.

\$124,980 owed by ADCO Construction Pty Ltd has been overdue for more than 90 days. The total outstanding amounts in the 90 days and over category is standing at \$141,970.44.

\$307,230.97 is owed for 30 days or over and is made up of several debtors, one of which is the Dept of Fire and Emergency Services authority who owes \$300,905.00.

Attached herewith is both aged Sundry debtors and aged Rates trial balances which show the detailed reports.

Attachments

- 1 Aged Debtor Trial Balance by Period and Account Group as at 31 May 2022
- 2 Aged Rates Trial Balance as at 31 May 2022.

9.2.4 - Questions and Points raised

| Councillor | Discussion | Response from Finance Coordinator (unless otherwise noted) |
|------------|---|---|
| Pearce | No 12926 & 12927 Registration \$81.40 and \$500 Honorarium – are these switched | <i>Fixed.</i> |

| 9.2.4 - Questions and Points raised | | |
|-------------------------------------|--|---|
| Councillor | Discussion | Response from Finance Coordinator (unless otherwise noted) |
| Pearce | No 22 Avon Concrete Road Stabilization Race Course Rd 24,000 was this included Works budget 2021/22 | <i>These were emergency expenses from the Road maintenance budget.</i> |
| Pearce | 27 Bellingarni Fabrication Lot 12 Folewood Rd SoT Firebreak \$660. Is this a Shire of Toodyay property and is it usual to employ a contractor to do firebreaks | <i>The Shire engaged a contractor to carry out the works and the charges will be paid for by the owner of the property.</i> |
| Pearce | 66 Noongar Our Truth @museum \$19,800. What did that involve? | <i>It is not from Shire funds and it is a Lotterywest Grant auspiced by the SOT. The Shire auspices Lotterywest funding on behalf of NKAC which is carrying out the project.</i> |
| Pearce | 80 Stephen Carrick Heritage Advice 112 Stirling Tc \$330. What was that for? | <i><u>Manager Development and Regulation:</u> Heritage advice regarding heritage for a property development application.</i> |
| Pearce | 182 & 183 Hills Concrete 18 water tanks total \$68,000 | <i>Grant funded – part of Community Water Supply Project</i> |
| Pearce | 211 & 212 Cola Café Community Engagement \$552 and \$184. What was the community date for payment 122 | <i>Catering for 'Let's Talk' community engagement dates 16 Feb, 6 Apr & 18 May.</i> |
| Ruthven | No. 29 Blackwell Plumbing – unblocking drains on Connor's Cottage. Is the Shire responsible for paying this as landlord or does the tenant pay that? | <i>I will take the question on notice. <u>Response after Agenda Briefing:</u> Payment for this invoice is the Shire's responsibility. Due to the location of Connor's Cottage, water and debris runs down the hill into the drains, in addition to tree roots interfering with the drainage system.</i> |

9.2.5 List of Payments - May 2022

| 9.2.5 - Questions and Points raised | | |
|-------------------------------------|--|--|
| Councillor | Discussion | Response from Manager Corporate and Community Services <i>(unless otherwise noted)</i> |
| <i>Duri</i> | Please see adjustments to be made to Payments below: 12926 Old Goal Museum 12 month Registration 1HEW 473 \$81.40 | <i>Corrected</i> |
| <i>Duri</i> | Please see adjustments to be made to Payments below: 12927 Shire of Toodyay Goal Honorariums June 2022 \$300.00 | <i>Corrected</i> |
| <i>Duri</i> | Please see adjustments to be made to Payments below: 12928 Telstra Corporation Purchase Library Books \$1,000.00 | <i>Corrected</i> |

9.3 EXECUTIVE SERVICES**9.3.1 Process for Review the Shire of Toodyay Strategic Community Plan**

Nil.

9.3.2 Correspondence - Department of Local Government, Sport & Cultural Industries

| 9.3.2 - Questions and Points raised | | |
|-------------------------------------|---|--|
| Councillor | Discussion | Response from CEO <i>(unless otherwise noted)</i> |
| <i>Pearce</i> | Noticed this in response to resolution. Does it say that the time period has to be documented by? | <i>No.</i> <u><i>Response after Agenda Briefing:</i></u> <i>The resolution refers to correspondence received since the previous OCM.</i> |

9.4 INFRASTRUCTURE AND ASSETS

Nil.

9.5 COMMITTEE REPORTS**9.5.1 Audit and Risk Committee Recommendations**

Nil.

9.5.2 Museum Advisory Committee Recommendations

Nil.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11 NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING

Nil.

12 QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

8 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**8.1 MEMBERS**

Nil.

8.2 EMPLOYEES

Nil.

9 CONFIDENTIAL BUSINESS**14.1 Toodyay Recreation Centre Management**

Nil.

14.2 Management of Rosedale Village

Captured in the Consultation Implications of the Officer's Report.

10 NEXT MEETINGS

As per Council Meeting Agenda.

11 CLOSURE OF MEETING

The Shire President declared the meeting closed at 1.26pm.