



Agenda Briefing

20 July 2022

Notes

Unconfirmed Notes

These notes were approved for distribution on 22 July 2022.

pp 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 27 July 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 M McKeown	Councillor
Cr S Pearce	Councillor
Cr D Wrench	Councillor (via zoom)

Staff

Ms S Haslehurst	Chief Executive Officer
Mr J Augustin	Manager Infrastructure and Assets
Ms T Bateman	Manager Corporate and Community Services
Mrs N Mwale	Finance Coordinator
Mr H de Vos	Manager Development and Regulation
Mrs T Prater	Planning and Compliance Officer
Mr W MacMillan	Ranger
Mr L Couper	Ranger
Mrs M Rebane	Executive Assistant

Visitors

Nil.

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

As per Council Meeting Agenda.

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

5.1 Confirmation of OCM Minutes from Meeting held on 22 June 2022

5.1 Questions and Points raised		
Councillor	Question/Discussion	Response
<i>Duri – Typographical suggestions</i>	<p>Under Local Planning Policy – page 24 – 2nd paragraph reads:</p> <p>A local planning policy local planning policy, will only be a relevant consideration in the – words written twice.</p>	
<i>Duri – Typographical suggestions</i>	<p>Shipping containers – page 31:</p> <p>Whilst the Shire is not keen to see a plethora of shipping containers across the landscape, it recognises the economic benefits and sustainable nature of this form of development to the community. Therefore, this is an opportunity to revisit the policy and to look if there are any ways to make the application – change to - <i>if there are alternative ways to make</i> the application for shipping containers and similar storage structures more flexible – whilst maintaining amenity to the location. Ultimately the aim of this policy is to.</p>	<p><i>The revised Officer’s Recommendation will be as follows:</i></p> <p><i>That the Unconfirmed Minutes of the Ordinary Council meeting held on 22 June 2022 be confirmed, subject to the following amendments:</i></p> <ul style="list-style-type: none"> • <i>Page 21 – that the amendment to the motion by Cr McKeown read “That at Point 1(b) the words “progress of” be removed.</i> • <i>Note: the CRN OCM104/06/22 will be amended at Point 1 as a result.</i> • <i>Page 24 – that the duplication of the words “local planning policy” will be crossed out</i> • <i>Page 31 – that the words “alternate ways” will replace the words “any ways” in the second paragraph under the heading Policy Related.</i> • <i>Page 37 – the CRN: OCM108/06/22 be amended at Point 1(a)(i) to include the word “be” before the word “demonstrated”</i>
<i>Duri – Typographical suggestions</i>	<p>Dog Policy – page 36</p> <p>Working Dog, amend Farm dog – to include “or, where it can demonstrated an additional dog is required because of an increase in stock or landholding”. Adjust to read: where it can be demonstrated an additional</p>	

6 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil.

6.2 DEPUTATIONS

Nil.

6.3 PRESENTATIONS

Nil.

6.4 SUBMISSIONS

Nil.

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 Proposal to gift land to the Returned and Services League - Toodyay Sub-branch

9.1.1 Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
<i>Madacsi</i>	<p>p.5 May I suggest the last two sentences below be removed (Comments and Details), as this was raised by me in general discussion but not discussed by council, and does not form part of the Officers Recommendation</p> <p><i>This would not apply if the sale was to be used to supply another RSL building within Toodyay. However, if the sale resulted in the Toodyay RSL no longer having its own premises, then the Shire should receive some of the proceeds of the sale as it is considered a community asset.</i></p>	<i>Can remove.</i>

9.1.1 Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
Madacsi	p.6 Typo, the word not which is included in Regulations is missing in - the members of which are entitled or permitted to receive any pecuniary profit from the body's transaction.	<i>Will edit for final minutes.</i>
Pearce	Point 2 In order to ensure compliance with paragraph (a) Would the Officer please clarify to what (a) refers	<i>This should read "In order to ensure compliance with Condition 1....." we will amend.</i>
Madacsi	Re email rec'd today slight difference of opinion based on 4 May 2022 has a legal opinion been received? Believed the disposal subject to s.3.58(3) and (4). This is not included in the officer's recommendation nor makes reference to it.	<i>The CEO Response: Advice received was that that it was required to be publicly advertised under Parts 3 and 4 of s.3.58, however r.30 of the Administration regulations excludes any disposal of property to an organisation that is essentially a not-for-profit or charitable organisation, therefore the Shire is not required to publicly advertise the disposal.</i>
Pearce	In the body of the report it was mentioned the RSL disposes of the property and builds another property for their purposes that we would not receive the proceeds as per resolution. Concern that this was not discussed during workshops. Will it cause an issue down the track?	<i>No it has not been included in the resolution and the CEO will negotiate the terms of the legal agreement.</i>

9.1.2 Lot 18 Timber Creek Crescent, Coondle - Proposed Outbuilding and water tank - Setback Variation

9.1.2. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
Madacsi	Given the 49m2 footprint for the water tank with a setback of 27m and the 66m2 footprint for the out building with a setback of 16.88m, would the applicant be receptive to	<i>The neighbouring house (who put in the submission) is positioned approximately 120m away from the proposed outbuilding and cannot be seen by this neighbour due</i>

9.1.2. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
	reserving the positions to place the water tank at the 16.88m setback? This action would provide an approximate setback of 25m for the outbuilding. The water tank would provide a visual and acoustic dampening to the neighbouring property and a more compliant setback to centres of human activity.	<i>to topography of their block and trees screening any development next door.</i>
<i>Madacsi</i>	Is it possible for the water tank and the outbuilding to be swapped around?	<i>When we measured the distance between the neighbour's property, it is not visible from their property either and there is no requirement to swap them around.</i>
<i>Madacsi</i>	Can we approach the proponent to see if they would consider them swapping around the water tank and the outbuilding.	<p><i>We could hold it off and defer the item to gather that information.</i></p> <p><i>The neighbours were concerned if people moved out that other people might move in and not be as nice as existing neighbours. They also put the same submission in for the existing house.</i></p> <p><u>Response after Agenda Briefing</u></p> <p><i>We approached the proponent and the person who made the submission and we were advised that even if the swap was made the submitter would still be opposed to it.</i></p>

9.1.3 Lot 106 Roberts Vale, Hoddys Well - 3 Dog Application

9.1.3. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
<i>Duri</i>	Why have the dogs not been issued with a request to use Barking collars previously?	<i>The owners have not been requested to use barking dog collars for their dogs in the past as the Shire has not received a formal barking dog nuisance complaint and the reported barking dog nuisance has not been proven.</i>
<i>Duri</i>	Should it be stated that only 2 dogs be retained on the premises what is to stop the owners from releasing the Shitzu and retaining the two	<p><u><i>Applicant's Justification</i></u></p> <p><i>The Applicant's justification for keeping more than two dogs is, the applicants daughter has recently relocated back to WA, and due to her work</i></p>

9.1.3. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
	barking shepherds? The problem would still exist!	<i>commitments the applicants are looking after her dog the Maltese/Shih Tzu.</i>
<i>Duri</i>	Again, do the Rangers have documented notes on complaints and visits to the premises regarding the barking dogs?	<p>June 2022 – The Rangers received a phone call from a resident regarding the 3-6 dog permit application for Lot - 106 Roberts Vale, Hoddys Well and a verbal complaint regarding the dogs barking. The resident was requested to email the Shire of Toodyay records and informed that the Rangers will then provide them with the required paperwork to make a formal dog barking nuisance complaint.</p> <p>25 June 2022 - Rangers found file notes in the records system of the Shire related to dog barking nuisance complaints made between complainants and the Shire Rangers over the phone.</p> <p>1 June 2022 - The resident was sent an email with documentation that is required to make a formal barking dog nuisance complaint. This paperwork includes the Shire of Toodyay Barking complaint process form, a Neighbour notification form, and a Barking complaint form / Form 7.</p> <p>29 June 2022 - The Rangers followed up on the email previously sent to the resident, as no response had been received.</p> <p>1 July 2022 - The resident replied to the email, said that the dogs had improved for some time but they had now returned to being a nuisance and they may be looking to initiate the complaint.</p> <p>4 July 2022 - The Rangers responded to the email, provided further information, and reminded the resident that the formal documentation is required to be completed for the complaint to proceed.</p> <p>19 July 2022 - No response has been received to date.</p>
<i>Duri</i>	What is the reason for the dogs constant barking? Boredom, home alone,- have the owner's addressed this problem?	<p><i>The dogs bark at other dogs wandering from adjoining properties. The owners have addressed the problem with owners of the wandering dogs, with a good outcome.</i></p> <p><i>The dogs also bark at kangaroos at dusk when the kangaroos start to move around. To combat this problem, the dogs are kept inside at dusk.</i></p>
<i>Duri</i>	Owners are supplying safe yards, locks, night time confinement, good health care	Yes.

9.1.3. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
	so are doing their best for the dogs – except for barking problems	
<i>Duri</i>	It is stated that the German Shepherds are used as working dogs	<i>Incorrect information in the report: The Applicant's justification for keeping more than two dogs is, the applicants daughter has recently relocated back to WA, and due to her work commitments the applicants are looking after her dog the Maltese/Shih Tzu.</i>
<i>Duri</i>	Do we have documentation of complaints and visits to both sites to support the Officers recommendation?	<i>See responses below.</i>
<i>Madacsi</i>	How long have the dogs lived at this property?	<p><u>Mr L Couper (Ranger) response:</u></p> <ul style="list-style-type: none"> <i>Narla, the Maltese dog, reportedly lived at the property and was registered to the Shire of Toodyay in 2014. It reportedly left with the daughter when she moved away from home and returned to the property in 2022 due to the daughter reportedly requiring to return home.</i> <i>Aria the Sable German Sheppard dog has reportedly lived at the property since November 2021.</i> <i>Rocky the white German Sheppard dog has reportedly lived at the property since November 2021.</i>
<i>Madacsi</i>	How long have the rangers been dealing with the owners regarding the dogs barking?	<p><u>Mr L Couper (Ranger) response:</u></p> <ul style="list-style-type: none"> <i>June 2022 – The Rangers received a phone call from a resident regarding the 3-6 dog permit application for Lot - 106 Roberts Vale, Hoddys Well and a verbal complaint regarding the dogs barking.</i> <p><i>The resident was requested to email the Shire of Toodyay records and informed that the Rangers will then provide them with the required paperwork to make a formal dog barking nuisance complaint.</i></p> <ul style="list-style-type: none"> <i>25 June 2022 - The Rangers were provided with an email from Shire of Toodyay records regarding the dog barking nuisance complaint that had been discussed on the phone.</i>

9.1.3. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
		<ul style="list-style-type: none"> 1 June 2022 - The resident was sent an email with documentation that is required to make a formal barking dog nuisance complaint. This paperwork includes the Shire of Toodyay Barking complaint process form, a Neighbour notification form, and a Barking complaint form / Form 7. 29 June 2022 - The Rangers followed up on the email previously sent to the resident, as no response had been received. 1 July 2022 - The resident replied to the email, said that the dogs had improved for some time but they had now returned to being a nuisance and they may be looking to initiate the complaint. 4 July 2022 - The Rangers responded to the email, provided further information, and reminded the resident that the formal documentation is required to be completed for the complaint to proceed. 19 July 2022 - No response has been received as of yet.
Madacsi	Are any dogs sterilised?	<u>Mr L Couper (Ranger) response:</u> None of the three dogs are sterilised.
Madacsi	Is the owner employed or self-employed in managing sheep commercially?	<u>Mr L Couper (Ranger) response:</u> The owner is not requesting the 3-6 dog permit for working dogs.
Pearce	Would the officer, please indicate the purpose to include information on materials/height of fencing to include pool fencing and pool gate height.	<i>Copied information directly from the Rangers report to be consistent.</i>
Pearce	In the officers recommendation, (c) a reason not to approve the application concerns fencing. Would the officer please indicate if in ranger's report the fencing is suitable to contain the dogs.	<i>Fencing is suitable to contain dogs.</i>
Pearce	Multiple instances of complaints regarding these dogs barking. Are there reports indicating what time	<i>Leon, the Ranger, addressed this in his response above.</i>

9.1.3. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
	day barking occurs and which dogs create the issue?	
Pearce	Under Policy Related the maximum number of dogs that could be approved by Officers in the 'Special Residential' zone is 2. In Property paragraph...	<i>Under the Policy, the maximum number of dogs that could be approved by Officers in the 'Rural Residential' zone is 3.</i>
Pearce	Lot 106 (24) Roberts Vale, Hoddy's Well has an area of 4.5ha and is zoned 'Rural Residential' LPS 4 Which is the correct zoning?	<i>Rural Residential</i>
Ruthven	On page 14, the last paragraph under Policy Related ends with an incomplete sentence, so could that please be amended?	<i>Councillors should be relying on the advice of the Rangers and Officer writing this report.</i>
Ruthven	Re (d) in the OREC, rather than "the third dog", can the wording be changed to "one of the three dogs" must be removed?	<i>Yes</i>
Ruthven	Also, can we tighten the timing to something like "within 28 days of notification of the resolution of Council"?	<i>The letter of refusal does not always go out directly after the meeting. 28 days from the date of the letter gives the applicant more time to make arrangements for removal of the third dog or contact SAT.</i>
Ruthven	Was there a barking problem before the arrival of the third dog?	<i>No</i>
Ruthven	How often are Aria and Rocky used as sheepdogs and where?	<i>Incorrect information provided in officers report - The Applicant's justification for keeping more than two dogs is, the applicants daughter has recently relocated back to WA, and due to her work commitments the applicants are looking after her dog the Maltese/Shih Tzu.</i>
Ruthven	Has Aria, the 3YO unsterilised female shepherd, had any litters while living on this property?	<i>Yes – 1 litter 12months ago</i>

9.1.3. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
Ruthven	Can we add a condition that the applicant must have the remaining dog/s sterilised, within a specified time?	<u>Ranger response:</u> Only a dog declared dangerous can be made to be sterilised. Until the new puppy farming laws come into effect, this is not a condition the Shire can put in place.
Ruthven	Can we make bark collars a condition for the two remaining dogs?	<u>Planning and Compliance Officer response:</u> Yes – both German Shepherds currently wear barking collars, but as they have long hair, the collars are not very efficient.
Madacsi	Are there two owners to the dogs?	<u>Ranger response:</u> The dogs are registered to one person on the property. The daughter, who owned one of the dogs, had previously moved out of the home, taking her dog with her. In her absence, another dog was brought into the home. The daughter has since returned home, due to housing issues, which is why the issue has arisen.
Pearce	What time of day would the barking have occurred?	<u>Ranger response:</u> We have received complaints but nothing in writing. We provided information but nothing was provided further.
Pearce	The owners amended their latches and transferred the microchip data into their name. The third dog has come back because the daughter has come back?	<u>Ranger response:</u> Yes.
Pearce	The Rangers supported the application but the report does not support it. Is the fencing compliant?	<u>Ranger response:</u> The fencing was deemed to be suitable.
Pearce	Where there is no official complaint about barking, could we make a condition for a barking collar if we get complaints?	<u>Ranger response:</u> It needs to be a formal dog regulation complaint for us to take it to the next level, the same as other Shires in the cities. We may get complaints that are neighbourly disputes but not followed up with formal notice.
Pearce	Is it beneficial to include barking collars in the conditions of the recommendation	<u>Ranger response:</u> That may work effectively. <u>Planning and Compliance Officer response:</u>

9.1.3. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
		<i>The dogs do actually currently wear barking collars.</i>
<i>Madacsi</i>	Submissions on barking dogs. What will be done to reduce the issue so that the neighbours live well together? Just clarifying the 1.2m fence is not a containment fence?	<u>Ranger response:</u> <i>I have not received any complaints so at this point in time the modifications to the fence were adequate.</i>
<i>Pearce</i>	Is it in Council's realm to stop dogs from barking – how can council control dogs from barking?	<u>Manager Development and Regulation response:</u> <i>Council can limit the number of dogs per property because the likelihood of noise disturbance will increase with the number of dogs on the property.</i>
Clarification was sought		
<i>Duri</i>	3 dogs and one dog who sleeps most of the day if we decide only 2 dogs remaining on premises what is to stop the shiatzu from being taken away? Still have other dogs that will bark.	<u>Ranger response:</u> <i>There is nothing to stop the other dogs from barking except through wearing dog collars.</i>
<i>Ruthven</i>	Which is the most recent dog to have a right on the property?	<u>Ranger response:</u> <i>It was the Maltese shih tzu. It left with the daughter. Two other dogs included on the property.</i>
<i>Pearce</i>	Where is the evidence as no formal complaints ? How can it be determined that barking started when the third dog came.	<u>Ranger response:</u> <i>We will only act on a formal complaint. We cannot know whether it has happened since the third dog came.</i>

9.1.4 Lot 142 Powder Bark Road, Julimar - 3 Dog Application

9.1.4. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
<i>Duri</i>	Do we have documentation of complaints and visits to both sites to support the Officers recommendation?	<i>Yes.</i>
<i>Madacsi</i>	How long have the dogs lived at this property? (Area 100m2)	<u><i>Mr L Couper (Ranger) response:</i></u> <i>The dogs have reportedly lived at the property for approximately six (6) months</i>
<i>Madacsi</i>	How long have the rangers been dealing with the owners regarding the dogs wandering?	<u><i>Mr L Couper (Ranger) response:</i></u> <i>The Rangers have been dealing with the owners regarding wandering, involving all three dogs since they have moved to the area.</i> <i>The owners have received verbal education and directions regarding their dogs wandering and received an infringement for not effectively confining a dog on 12th April 2022.</i>
<i>Madacsi</i>	Please explain how the dogs are microchipped and local government information is current, if the dogs are not registered (p.10 Attachments)?	<u><i>Mr L Couper (Ranger) response:</i></u> <i>Two of the dogs are currently registered with the Shire of Toodyay local government, and the third dog will not be registered with the Shire of Toodyay local government unless a 3-6 dog permit is approved.</i>
<i>Ruthven</i>	How many times have the rangers been contacted about any of these dogs?	<i>10 times.</i>
<i>Ruthven</i>	Can we add a condition that the applicant must have the dog/s sterilised, within a specified time?	<i>Only a dog declared dangerous can be made to be sterilised. Until the new puppy farming laws come into effect, this is not a condition the Shire can put in place.</i>
<i>Ruthven</i>	Re point 4 in the OREC, rather than "the third dog", can the wording be changed to "one of the three dogs" must be removed?	<i>Yes.</i>
<i>Ruthven</i>	Also, can we tighten the timing to something like "within 28 days of notification of the resolution of Council"?	<i>The letter of refusal does not always go out directly after the meeting. 28 days from the date of the letter gives the applicant more time to make arrangements for removal of the third dog or contact SAT.</i>

9.1.4. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Development and Regulation unless otherwise indicated.
Duri	Will the yards and security of the dogs be addressed if they are to be kept	<u>Ranger response:</u> Yes. There was one dog attack on a horse. I have visited the property approximately ten times to educate the dog owners; who are a young family. They have had multiple chances to contain the dogs.
Ruthven	Given the assessment by the Ranger is that they cannot contain any of the dogs, but this application is 3-6 dogs if it is rejected they will still have 2 dogs. If they are a problem what happens them.	<u>Ranger response:</u> I would visit the property and the fencing would have to be sufficient. We would need to do an assessment. Meet a higher standard of confinement. <u>Manager Development and Regulation response:</u> Under the Dog Act we use the legislation to follow compliance courses of action with them.
Ruthven	The horse that was attacked, who owned it?	<u>Ranger response:</u> The property behind them.

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 Monthly Financial Statements - June 2022

9.2.1 Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Corporate and Community Services, unless otherwise indicated.
Madacsi	What main movements accounts for the \$4,190,161 difference in YTD Budget Revenue between May 31 (\$10,848,472) and June 30 (\$15,038,633) – from Law, Order and Public Safety, Community Amenities and Transport?	<u>Finance Coordinator response:</u> Budgets are usually fully allocated in June as annual budget period runs from July to June. The budgets reported for June should be the same as the Annual Budget. There is an error in the YTD column. Datacom have been notified and asked to rectify the issue.
Pearce	055.447.10 Contracts Final acquittal audit found ineligible expenses of \$5,400 to be repaid to DFES. Would the Officer indicate, if process is now in place to	For previous financial years, these types of expenses were approved by DFES. For the 2020/21 financial year however, DFES engaged an independent firm to undertake audits for a number of Shires. Recommendations for improvement to the grant process were made and applied retrospectively and relevant staff were

9.2.1 Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Corporate and Community Services, unless otherwise indicated.
	prevent this expenditure in the future?	<i>informed of these changes. Funding for this program ended 30 June 2022.</i>
<i>Madacsi</i>	What main movements accounts for the \$460,116 difference in YTD Actual Revenue between May 31 (\$10,667,323) and June 30 (\$11,127,439)?	<i><u>Finance Coordinator:</u> The difference of \$430,906 is from Operating Grants received for Fire and Land Management.</i>
<i>Madacsi</i>	What main movements accounted for the \$3,911,195 difference between the June YTD Budget Revenue and YTD Actual Revenue?	<i><u>Finance Coordinator:</u> Variances between June YTD Budget Revenue and YTD Actual Revenue mainly because of the following: ➤ <i>Transfer from Reserves under different programs not yet processed, to be completed before 2021/2022 Annual Financial Reports preparation.</i> ➤ <i>Fees and charges budgeted under various programs, but no revenue recorded.</i> ➤ <i>State grants budgeted for Budgets not yet received.</i> ➤ <i>Detailed analysis of variances provided in table below:</i></i>
<i>Detailed analysis provided by Finance Coordinator</i>	<i>The document used to prepare June 2022 monthly reports is the report prepared by Datascape. There is a big variance between adopted budget and YTD budget from this report and the one prepared manually using GL Transactions. Datascape has been notified and asked to rectify the issue Some of the movements contributing to the variances June YTD Budget Revenue and YTD Actual Revenue is as follows: Under Fire and Land Management the Shire budgeted \$441,094 for State grants but only \$18,611 have been received. Other Operating Income was budgeted for \$21,080 under Fire and Land Management but nothing has been received. Application fees was budgeted for \$15,000 under Public Health but nothing has been received. Other Income was budgeted for \$41,000 under Other Health but only \$248.27 has been received. Planning Assessment fees was budgeted for \$47,000 under Town Planning/Regional Development, but no revenue was recorded. The Shire budgeted \$47,000 for Rental/Lease Properties Income under Public Halls, Civic Centres but no revenue was recorded.</i>	

9.2.1 Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Corporate and Community Services, unless otherwise indicated.
	<p><i>The Shire Budgeted for Transfer from Reserve for \$353,306 under Public Halls, Civic Centres. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire budgeted for \$37,750 as admission fees for Swimming Pool, but no revenue has been recorded.</i></p> <p><i>The Shire budgeted for \$37,750 as fees for Recreation and Sport, but no revenue has been recorded.</i></p> <p><i>The Shire budgeted for Roads to Recovery funding grants for \$361,877 under Streets, Roads, Bridges and no revenue has been recorded.</i></p> <p><i>The Shire budgeted for Other Contributions Received for \$131,840 under Streets, Roads, Bridges, no revenue has been recorded.</i></p> <p><i>The Shire Budgeted for Transfer from Reserve for \$159,215 under Streets, Roads, Bridges. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire budgeted for \$25,100 as other income under Economic Development, but no revenue has been recorded.</i></p> <p><i>The Shire Budgeted for Transfer from Reserve for \$30,252 under Works and Services. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire Budgeted for Transfer from Reserve for \$89,780 under Plant Operations. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire budgeted \$78,470 for Rental/Lease Properties Income under Building Maintenance but no revenue was recorded.</i></p>	
Madacsi	<p>What main movements accounted for the \$9,560,968 difference between the June YTD Budget Expenditure and YTD Actual Expenditure?</p>	<p><i>Variances between June YTD Budget Expenditure and YTD Actual Expenditure mainly because of the following:</i></p> <ul style="list-style-type: none"> <i>➤ Transfer to Reserves under different programs not yet processed, to be completed before 2021/2022 Annual Financial Reports preparation.</i> <i>➤ Depreciation budgeted under various programs, not yet processed to be completed after 2020/2021 Annual Financial Reports are finalised.</i> <i>➤ Various expenditure budgeted for but either not expended or budget not fully utilised.</i> <i>➤ Detailed analysis of variances below.</i>
Detailed analysis	<p><i>Some of the movements contributing to the variances for June YTD Budget Expenditure and YTD Actual Expenditure is as follows:</i></p>	

9.2.1 Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Corporate and Community Services, unless otherwise indicated.
provided by Finance Coordinator	<p><i>The Shire budgeted \$20,000 for legal costs under Rates but no expenditure was recorded.</i></p> <p><i>The Shire budgeted \$20,000 for elected members expense under Members of Council but no expenditure was recorded.</i></p> <p><i>\$10,600 was budgeted for other insurance under Members of Council but no expenditure was recorded.</i></p> <p><i>The Shire Budgeted for depreciation of \$63,730 under Office of the CEO. No depreciation has been processed yet, to be completed after finalising 2020/2021 Annual Financial Reports.</i></p> <p><i>The Shire budgeted \$46,920 for other insurance under Corporate Services but only \$2,657.09 has been recorded as expenditure.</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$25,000 under Corporate Services. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire budgeted \$62,240 for other materials and contracts under Finance but only \$3,548.24 has been recorded as expenditure.</i></p> <p><i>The Shire budgeted \$35,000 for other computer software and licences under Records Management but no expenditure has been recorded.</i></p> <p><i>The Shire budgeted \$136,000 for material purchased under Fire Prevention but no expenditure has been recorded.</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$277,860 under Fire Prevention. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire budgeted \$377,701 for salaries & wages under Animal but only \$113.22 was recorded as expenditure.</i></p> <p><i>The Shire budgeted \$14,000 for material purchased under Public Health but only \$25.68 has been recorded as expenditure.</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$33,370 under Public Health. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$19,580 under Other Housing. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire budgeted \$25,000 for legal costs under Town Planning/Regional Development but no expenditure was recorded.</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$23,730 under Other Community Amenities. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$52,970 under Public Halls, Civic Centre. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p>	

9.2.1 Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Corporate and Community Services, unless otherwise indicated.
		<p><i>The Shire budgeted \$13,907 for salaries & wages under Recreation & Sport but only \$188.50 was recorded as expenditure.</i></p> <p><i>The Shire budgeted \$44,680 for minor Equipment purchased under Recreation & Sport but no expenditure has been recorded.</i></p> <p><i>The Shire budgeted \$70,000 for water expenses under Recreation & Sport, only \$1,799.44 has been recorded as expenditure.</i></p> <p><i>The Shire Budgeted for depreciation of \$428,080 under Recreation & Sport. No depreciation has been processed yet, to be completed after finalising 2020/2021 Annual Financial Reports</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$213,558 under Recreation & Sport. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire Budgeted for Transfer to Reserve of \$30,370 under Other Culture. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire Budgeted for depreciation of \$2,563,780 under Streets, Roads, Bridges. No depreciation has been processed yet, to be completed after finalising 2020/2021 Annual Financial Reports</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$184,780 under Streets, Roads Bridges. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p><i>The Shire Budgeted for depreciation of \$36,960 under Tourism & Area Promotion. No depreciation has been processed yet, to be completed after finalising 2020/2021 Annual Financial Reports</i></p> <p><i>The Shire budgeted \$43,857 for salaries & wages under Economic Development but only \$5,737.90 was recorded as expenditure.</i></p> <p><i>The Shire budgeted \$55,000 for other materials under Economic Development but no expenditure was recorded.</i></p> <p><i>The Shire budgeted \$89,880 for lease expenses under Works & Services but only \$2,303.10 was recorded as expenditure.</i></p> <p><i>The Shire Budgeted for depreciation of \$2,086,820 under Plant Operations. No depreciation has been processed yet, to be completed after finalising 2020/2021 Annual Financial Reports</i></p> <p><i>The Shire Budgeted for Transfer to Reserve for \$340,000 under unclassified Services. This has not yet been transferred, to be processed before preparation of 2021/2022 Annual Financial Reports.</i></p> <p>➤ <i>The other variances are immaterial added together.</i></p>

9.2.2 List of Payments - June 2022

9.2.2. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Corporate and Community Services, unless otherwise indicated.
Duri	Payment 107 – Natspec – Aus-spec subscription. Can the officer please advise who this company is and the purpose of the subscription? \$3,509.00.	<p><u>Manager Infrastructure and Assets response:</u> NATSPEC is a non-for-profit organisation who maintains the national and comprehensive master specification (Australian Standards) on behalf of the Australian industry, with input from many of the institute’s members, and reflects the latest national regulations and standards.</p> <p>The Shire’s Infrastructure and Assets Department uses these standards for road design, maintenance, and many other tasks. NETSPECs regularly updated information reduces the risk of expensive litigation for designers and improve the communication with construction companies.</p>
Madacsi	What main movements accounts for the \$460,116 difference in YTD Actual Revenue between May 31 (\$10,667,323) and June 30 (\$11,127,439)?	Mainly difference of \$430,906 is from Operating Grants received for Fire and Land Management.
Madacsi	Is pay type 78 – Galapagos (\$14,279.14) IT Vision Milestone 2 the last milestone?	Yes.
Madacsi	Why was item 57 – Cleanflow Environmental Solutions (\$2,286.90) required (TRC CCTV inspection of sewer and drainage pipe)?	<p><u>Manager Infrastructure and Assets response:</u> Infrastructure Department contracted Cleanflow Environmental Solutions to investigate a water leak at the basketball courts at the TRC. The CCTV inspection helped to inspect a subsoil drainage and sewer pipes to detect a leak in the pipe system.</p>
Madacsi	Why are there two entries for Chivers Asphalt (17/6 for \$5,659.50) and (30/6 for \$16,720.00) both for Red Asphalt Repairs (Stirling Tce, Anzac Avenue, Hamersley and Oddfellow)?	<p><u>Manager Infrastructure and Assets response:</u> Chivers Asphalt invoiced the Shire for two lots of asphalt works. Works for the first lot included Stirling Tce and Oddfellow Rd and works for the second area included Anzac Ave and Hamersley Rd. The dollar amounts of both invoices do not exceed the amount of the requisition.</p>
Pearce	242 30/06/202 Professional PC Support Pty Ltd Phone and Laptop AROC Executive Officer 2,909.50	An invoice for reimbursement of these costs has been prepared and will be forwarded to the Shire of Northam.

9.2.2. Questions and Points raised		
Councillor	Question/Discussion	Response from Manager Corporate and Community Services, unless otherwise indicated.
	Is this cost reimbursed from AROC	
Pearce	30/06/2022 Toodyay IGA Staff Amenities - May 2022 594. Would the officer please supply a breakdown of costs.	<p><u>Breakdown of costs as per below:</u></p> <ul style="list-style-type: none"> • TOODYAY IGA Staff Amenities - May 2022. • VC & Tourism - Milk, Garbage bags, Disinfectant. • Admin - Milk, Dishwash, Coffee, Hand soap, Air Freshener, Sugar. • Council - Milk, Cake, Coffee, Biscuits, Garbage Bags. • Staff training - Refreshments for Values Workshop. • Library - Newspapers, Milk, Cellophane Wrap. • Rangers - Batteries, Cat litter, Dishwash, Cleaning products. • Depot - Milk, Tea, USB. • Health – Water. • Museum - Milk, Juice.
Ruthven	A3763, Pensioner refund, \$794 – is this recouped from the government or is the cost borne by the shire?	<p><i>No, this cost is not borne by the Shire. Through the settlement process, the Shire seeks the full outstanding rates and charges for a property from the settlement agent. If there is a pension rebate due on a property, the Shire will claim this amount from Revenue WA and forward funds to the eligible pensioner (the seller) once approved. The reason for this is that in the event a rebate is not approved by Revenue WA, it can be difficult to recover funds from the previous owner after the property has been transferred.</i></p>

9.3 EXECUTIVE SERVICES

9.3.1 Discussion Paper - Review Councillor Representation

Nil.

9.3.2 Shire of Toodyay Information Statement

9.3.2 - Questions and Points raised		
Councillor	Question/Discussion	Response from Executive Services
<i>Duri</i>	<p>Quick links – Report an Issue/Change details/Subscribe: perhaps “Subscribe to receive the Community Newsletter” be removed as this is no longer issued. Page 49.</p>	<p>The section has been amended to read as follows:</p> <p><u>Forms and Applications:</u> From here you have access to (and can download):</p> <ul style="list-style-type: none"> • Ranger forms for cat registrations, dog registrations, infringement withdrawal requests and 3 to 6 dog applications. • Council Forms for disclosure of interest, expression of interest in Council Committees, petitions to Council, Deputations to Council and Public Question Time registration form. • Cemetery forms for Application for monumental work, authority for placement of ashes, reservation request GRB and applications for Burial and instructions for grave. • Health forms for Stallholders, traders, noise complaints and septic applications. • Other forms including FOI Application forms, infringement payment arrangement forms, public event applications, request for ratepayer information forms and customer service charter feedback forms • Planning and Development forms including applications for Directional signage; extractive industries; rural street numbering; development approval, planning approval rural pursuits plus land use declarations and plan search request forms. • Rates forms including Rates Fact Sheet, change of details, Corporate Services Pensioner Applications, Rates Fact Sheet, and the rates payment arrangement form. • Rubbish Bin Request forms including repair requests, reduction in bin services, replacement bins, additional bins and new bin service requests. • Works and Services forms including a request for works and services and application for a Crossover. <p><u>Council Meetings:</u> Link to Council Meetings open to the public, Council Committees, Avon Regional Organisation of Councils, Submissions, Deputations and Public Questions, Livestream Library, Agendas and Minutes and Notes.</p>

9.3.2 - Questions and Points raised		
Councillor	Question/Discussion	Response from Executive Services
		<p>Your Rates: How are my rates calculated? Valuations; Pay your rates; Plans and Instalments; Rate concessions; and Statement of Objects and Reasons for Differential Rating.</p> <p>Report an Issue : Request works or report an issue; change details and notify the Shire; Provide Feedback through customer service feedback form; and update your details in the Community Directory.</p> <p>Fire Information: Fire prevention and preparedness; Fire restrictions and permits; Harvest and Total fire bans; SMS Notification Service; Volunteering; Farmer Fire Information, Fire Break Notice; and managing fuel loads.</p> <p>Our Animals: Dogs; Cats; Animal Management Facility; Livestock; Lost and Found Animals; and Wildlife.</p> <p>Public Notices: These are any public notices the Shire has published.</p> <p>Visit Toodyay: leads you to Upcoming Events, Visitor News, Videos, Maps and Guides, what there is to see and do, accommodation, and bucket lists.</p> <p><i>As a consequence, the other links in the same table were checked and updates were made.</i></p>
Ruthven	Section on petitions – last paragraph after “CEO may at his discretion” change to “their’ discretion. Page 57 of attachments (12)	<i>This amendment has been done, as it was considered to be a typographical amendment that the CEO can ensure gets made before publication.</i>
Ruthven	Section Library Resources – 1st paragraph line 1 – change “don’t” to “doesn’t” page 64 (19)	<i>This amendment has been done, as it was considered to be a typographical amendment that the CEO can ensure gets made before publication.</i>
Duri	Notes – FOI Applications Point 4 – suggest change in wording: Your application will be dealt with as soon as practicable (and in any case within 45 days). To read: Your application will be dealt with as soon as practicable (within 45 days) – taking out “and in any case” Page 68.	<i>This amendment has been done, as it was considered to be a typographical amendment that the CEO can ensure gets made before publication.</i>
Pearce	Are there any consequences for non-compliance of the IS?	<i>No. If an audit was done it would be noted as a non-compliance. It is not clear to Officers whether</i>

9.3.2 - Questions and Points raised		
Councillor	Question/Discussion	Response from Executive Services
	Was the statement changed and not put onto the website	<i>is was reviewed. We believe it has not been officially reviewed.</i>
<i>Wrench</i>	On SOT Council structure Cr Duri and Cr McCormick – using lower case C	<i>These will be amended.</i>

9.3.3 Chief Executive Officer Performance Review 2022

9.3.3. - Questions and Points raised		
Councillor	Question/Discussion	Response from CEO
<i>Pearce</i>	<p>Quotations were included for the options - EM CEO performance review training, 360 degree and CEO remuneration Report.</p> <p>Would the officer please provide details of what was included in the 20220/21 review performance process?</p>	<p><i>The Officer recommendation is the same as last year.</i></p> <p><i>In 2020/21 Council chose not to include a 360 degree analysis and Councillors had already participated in training. The in-depth remuneration report is offered by some consultants but was not done last year.</i></p>

9.3.4 Copyright Policy.

9.3.4. - Questions and Points raised		
Councillor	Question/Discussion	Response from Executive Services
Hart	If Council rescinds the Copyright Policy, under what Delegated Authority or other Policy does the CEO have the authority to make Shire copyright material available to other parties?	<i>Copyright is an administrative responsibility the CEO has under s.5.41 of the LG Act 1995 as to managing the day to day operations of the local government.</i> <i>The Local Government Act already requires a range of documents to be provided on its website for the benefit of the community, as per Public Information Access Guides on the WALGA website. No other local governments have a copyright policy because it is an administrative function and not an executive function.</i>

9.3.5 Toodyay Recreation Centre - Management Reporting

Nil.

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

Nil.

9.4 INFRASTRUCTURE AND ASSETS

Nil.

9.5 COMMITTEE REPORTS

Nil.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

9 QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

10 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

10.1 MEMBERS

Nil.

10.2 EMPLOYEES

Nil.

11 CONFIDENTIAL BUSINESS

Nil.

12 NEXT MEETINGS

As per Council Meeting Agenda.

13 CLOSURE OF MEETING

The Shire President declared the meeting closed at 1.51pm.