

Agenda Briefing

17 August 2022

Notes

Unconfirmed Notes

These notes were approved for distribution on 18 August 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 24 August 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 B Ruthven, Deputy Shire President, declared the meeting open at 1.00pm.

2 RECORDS OF ATTENDANCEMembers

Cr B Ruthven	Deputy Shire President
Cr C Duri	Councillor
Cr P Hart	Councillor (via zoom)
Cr S McCormick	Councillor (via zoom)
Cr M McKeown	Councillor (via zoom)
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 (via zoom)
Mr H de Vos	Manager Development and Regulation
Mr M Werder	Project Manager
Mrs N Mwale	Finance Coordinator (via zoom)
Mrs T Prater	Planning and Compliance Officer
Mr L Couper	Ranger
Ms Kimberley Hardie	Economic Development Coordinator (via zoom)
Mr W Sutton	Community Development Officer (via zoom)
Ms Ebony Francis	Emergency Management Officer
Mrs M Rebane	Executive Assistant

Visitors

G Martin

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Cr R Madacsi, Shire President 1 Aug – 22 Aug

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**AMENDED OFFICER'S RECOMMENDATION**

That the Unconfirmed Minutes of the Ordinary Council Meeting held on 27 July 2022 be confirmed subject to an amendment being made to Item 9.1.3 Alternate Motion passed by Council (CRN: OCM135/07/22) as follows:

That at point 1(c) the words *“ensuring that the hair under the collar is shaved to ensure the collar works effectively”* are inserted after the words *“The dogs are to be fitted with effective barking collars”*.

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 Draft Local Planning Policy - Dams

9.1.1 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation response unless otherwise stated
Hart	<i>(page 1, third paragraph) Should the words "the Shire of" be added so as to read "...dams within the Shire of Toodyay."?</i>	<i>Noted. Will amend for publication.</i>
Pearce	<i>Are we going to allow exemptions and talk about the compliance – the addition of two paragraphs to be added as an amendment ** Is it moved by an amendment as a Councillor or an amended Officer's Recommendation.</i>	<i>These two paragraphs were added to the policy that is an attachment to the Agenda.</i>

9.1.2 Draft Dogs Policy

9.1.2 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise noted.
Ruthven	<i>Please correct the spelling of "sterilization" throughout the document to the Australian spelling of "sterilisation".</i>	<i>Noted. Will amend for publication.</i>
Pearce	<i>In The resolution passed by Council at April OCM, there were a number of amendments, that appear not to have been inserted into the policy.. These include:</i> <ul style="list-style-type: none"> <i>Working Dog, amend Farm dog – to include "or, where it can demonstrated an additional dog is required</i> 	<i>Thank you for bringing this matter to my attention. You are correct, these have been amended. It was a version control issue. After discussion with the Planning and Compliance Officer, the fees, which were to be amended to show \$250 (Admin plus inspection) will now infer that the fees will be as per the Shire of Toodyay Schedule of Fees and Charges. On the subject of the retrospective fee, as this is a fee set by the Council, it can be amended to include a form of penalty.</i>

9.1.2 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise noted.
	<p><i>because of an increase in stock or landholding”.</i></p> <ul style="list-style-type: none"> • <i>Amend mandatory sterilization to read – sterilization is to be compliant with current State government legislation at the time of application.</i> • <i>Existing dogs -new resident with pre-existing registered dogs and without a history of aggression. The owner must also not have a problematic history.</i> • <i>Insert Nuisance behaviour after word aggression</i> • <i>The owner has no previous breaches or offences under the Dog Act 1976</i> <p><i>I also believe council indicated there should be penalties for retrospective applications. It may have been this is covered in the Dog Act.</i></p> <p><i>Would you please offer assistance, to the omissions.</i></p>	
Pearce	<p><i>Next week will we have the policy that we are going to adopt?</i></p>	<p><i>The document attached to this Agenda will be the correct one sent to you yesterday with those changes.</i></p>

9.1.3 Lot Sub 101 Beaufort Street - 3 to 6 Dog Application - SATs. 31 reconsideration

9.1.3 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise noted
Duri	<p><i>A condition for the owners to keep the two Golden Retriever/Labrador cross</i></p>	<p><i>Thank you for raising this query. Yes, I agree and yes we can. I suggest Council foreshadows an amended recommendation</i></p>

9.1.3 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise noted
	<p><i>female dogs is for both dogs to be sterilised.</i></p> <p><i>The Officers Recommendation does not include proof of sterilisation. Can an amendment to the officer's recommendation include "Proof of Sterilisation" to be presented to the Shire on completion or "Sterilisation to be compliant with the current State Government Legislation".</i></p>	<p><i>to include this. Officers will discuss and provide alternative wording.</i></p>
Pearce	<p><i>Would the Officer please clarify if the addition of condition "subject to sterilisation of female dogs" would ensue applicant is compliant with agreement to sterilise the dogs to permit four dogs on the property?</i></p>	<p><i>Yes, given this was an agreed outcome with the owners to allow the reconsideration. However, I would suggest it as an advice note rather than a condition as you are correct that the new Dog Act requiring mandatory dog sterilisation has not been enacted.</i></p> <p><i>We could put a condition stating "Sterilisation to be compliant with the current State Government Legislation". This would be enforceable.</i></p> <p><i>Suggest as follows:</i></p> <p><i>Condition:</i></p> <p><i>"Sterilisation status to be compliant with the current State Government Legislation"</i></p> <p><i>Advice note:</i></p> <p><i>The applicant is advised to sterilise the two dogs within 21 days of the date of this approval. The Shire of Toodyay requests that it be provided with proof of sterilisation of the animals within this time. In the future, pending the gazettal of the amendments to the Dog Act developed to reduce instances of puppy farming, the requirement to have the animals sterilised will be mandatory. This is reflected in the Condition above.</i></p>
Pearce	<p><i>I understood that the dogs were for breeding and concerned no provided reason as per policy</i></p>	<p><i>With respect to sterilisation, it is an area which is in the process of being changed. Laws passed through parliament and not</i></p>

9.1.3 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise noted
		<i>gazetted as of yet. Discussion moving forward this is an expectation to be done but it is not enforceable that it be done. We can put an advice note into the determination requiring the dogs need to be sterilised.</i>
Pearce	What is the reason for keeping the four dogs and I cannot see in the application what the reason is. What is the reason?	<p><i>It is a compassionate reason they do have the additional dogs on the property because they were thinking of breeding them.</i></p> <p><i>T Prater response:</i></p> <p><i>The two extra dogs were originally going to be bred because there is a shortage of that particular dog for aged care. They do not want to give up their dogs, and not breed but continue to use them for the aged care as well.</i></p>
Pearce	Has there been documentation provided to the Shire that these dogs are used as therapy dogs. Is there evidence of this?	<p><i>T Prater response:</i></p> <p><i>Not that I am aware of.</i></p>
Ruthven	Once the dog legislation is enacted what happens with the unsterilised dogs in Toodyay? How do we go back and deal with that?	<i>The best way would be to do an educational campaign with the community. We will be given advanced warning. It can be done on an as needs basis through the application process.</i>
Pearce	In the Policy there is a clause that says the applicant must demonstrate the need to have more than two dogs. Does this applicant meet that condition?	<i>We have a condition that they provide that to us within 14 days of the approval of the application.</i>
Ruthven	Would these dogs be registered as sterilised or unsterilised?	<p><i>L Couper response:</i></p> <p><i>If they are sterilised, they would be registered as sterilised.</i></p>
Ruthven	We are being asked to allow the owners to keep the dogs with two of them unsterilised and they said they will sterilise the dogs. If they are registered this week or next week – are they registered on the promise of sterilisation?	<p><i>L Couper response:</i></p> <p><i>They would be registered as un-sterilised dogs and that would be updated</i></p> <p><i>CEO response:</i></p> <p><i>To register as a sterilised dog you need to provide proof of sterilisation.</i></p>

9.1.4 Lot 3 Stirling Terrace, Toodyay - Proposed external window changes and outbuilding/carport

9.1.4 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise stated.
Hart	<i>(page 17) Who and when will make the decision as to whether or not the like for like exterior work is indeed like for like?</i>	<i>The application is referred under statutory requirements to the Heritage Council WA. They assess the plans and make the call. They would inform us if they, in their opinion, thought the work was not like for like.</i>
Hart	<i>(page 17) Who will be the custodian of the photographic archival record?</i>	<i>The Shire of Toodyay would be the custodian and generally when referring matters to the Heritage Council of WA we would also forward the digital images to them.</i>
Pearce	<i>In the OREC the photographic record made according to the guide. Is it advisable to say where the record is stored or sent to? Does there need to be an amendment to that effect?</i>	<i>We would put that as an advice note rather than a condition. It will be part of the Officer's Recommendation and will be an amendment to the recommendation at the time of the meeting.</i>

9.1.5 Lot 120 (132) Whitfield Road, Dumbarton - Development Approval Where Development Has Commenced - Second - Hand Transportable Single Dwelling

9.1.5 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise stated.
Pearce	On 3 February 2022, Shire Toodyay it said that further information was requested. What information was that?	<i>T Prater response:</i> <i>Information I requested was engineer's reports, Bush Fire Attack Level and elevations and site plans.</i>
Pearce	Did the applicant place the dwelling on the property before approval?	<i>T Prater response:</i> <i>Yes that is correct.</i>
Pearce	Is the space of the block – is it significant the floor area is less than what the policy states and what effect will it have upon our community?	<i>The interesting thing is the size and bulk for a structure has adverse impact on a community if larger rather than smaller. This is considered to be more discreet. This policy is inconsistent with state government residential design codes and the way our scheme is working at the moment. It is only applies to second hand transported dwellings. If an applicant finds a transported dwelling that is brand new and brought onto the property there is no development control to limit that and nor would there be any development control if a brick and tile building was built on the property. From that point of view the policy is inconsistent and considered unreasonable and unfair given that there are no other constraints for other types of properties. We now look at how we can improve the outcome of having that structure on the property to have a better planning outcome for the amenities of the area. We then have opportunity to look at whether we need to revoke the policy or tweak it and if we tweaked it and council chose it did want to have development controls in place we would need to make sure the changes are consistent with State Planning Policies (SPP). Where we have inconsistencies the SPP will override it. If Council refused, it is very difficult for the Shire to defend its position.</i>

9.1.5 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise stated.
		<i>Council is not bound by the policy but must pay due regard. We need to look at each scenario on its merits.</i>
Pearce	<p><i>On 3 February 2022, Shire Toodyay received application for second hand transportable. It was placed on hold, awaiting further information. Applicant chose to position the building as inspection of property showed in May.</i></p> <p><i>The applicant was advised to apply for retrospective development approval under the provisions of the Shire of Toodyay Local Planning Scheme No.4 as soon as practicable.</i></p> <p><i>Points for clarification:</i></p> <p><i>1, Council has a LP policy on the location of Second-hand transportable dwellings. Council may accept Officers recommendation. What prevents this acceptance of Officers recommendation as an established pattern for approval of all other types of retrospective applications and used as a supporting argument in SAT review of Council decisions?</i></p>	<p><i>As the Council is aware, one of the main issues with compliance is dealing with retrospective development. It is noted in the Officer's report that this makes the matter a lot more complex to deal with. The law does provide an avenue for natural justice to occur in this instance, and the Shire is in a better position if the matter is finally put before a judge if we have shown ourselves to be allowing for this process to play out. It is acknowledged that it is frustrating. The Council could signal a desire for a harder lined approach in which the Shire infringes on these matters more frequently. Alternately, the Shire can issue a Directions Notice. Please bear in mind that all of those options are also challengeable through the SAT. Therefore, it is preferable to settle the matter of development approval before escalating the matter.</i></p> <p><i>This can be resolved by either strengthening policies or revoking them if they are seen to be inconsistent with the Scheme or State Planning Policies. Therefore, we are undertaking a review of all of the Local planning Policies. Unfortunately, the policy in question hasn't reached that stage.</i></p> <p><i>Also, the Officers, as part of due diligence will research relevant case law through the State Administrative Tribunal to determine if there is any existing precedent which may need attention drawn to it.</i></p>
Pearce	<p><i>With our policies is the situation that a community member can do what they wish to do and Council or the Shire has very little redress due to the natural justice and the ability to appeal to SAT?</i></p>	<p><i>We have options to go through legal process. I acknowledge the limitations with resources in terms of being able to adequately service those challenges. The way the planning framework works is very applicant friendly. It costs \$330 to an applicant to make a challenge and yet it can cost up to \$20-30,000 to get a Consultant to prepare a case. It is frustrating dealing</i></p>

9.1.5 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise stated.
		<i>with these kinds of compliance matters. That is the more complex nature of the application process.</i>
Ruthven	How much extra time is involved in a retrospective approval vs. an approval done before the building is situated?	<i>In terms of time it is not incredibly onerous. It is the relationship between the Shire and the applicant because there is a different level of emotion. If a structure is in place it is more difficult to remove rather than ones that are not in situ. To the applicant it is money they have lost. That isn't a reason why we should refuse an application but that is what makes it more complex.</i>
Pearce	<p><i>Officer had consultation with the Dept Planning, Dept indicated and that there were no equivalent minimum floor area requirements generally for a new transported dwelling – or a normal transported dwelling, that it would be hard to defend a position to refuse if the application was challenged at the tribunal.</i></p> <p><i>2,. Would Officer please define “normal transportable dwelling” and how the Dept consultation is relevant, as applicant's transportable is not new?</i></p>	<p><i>I believe a correction is required here. When the matter was explained to the Councillors at the workshop it was meant to say:</i></p> <p><i>New transportable dwelling or normal ‘non transported’ dwelling. In each instance there are no development controls outlining minimum floor area for a dwelling in this location for either a new transported dwelling, or a new ‘non-transported’ dwelling. The policy specifically states that it applies to second-hand transported dwellings and not new. The Department's advice is relevant because the Local Planning Policy is inconsistent with the R-Codes which is a state planning policy. And, more broadly it was considered by the Department that it would be difficult to defend a refusal based on size, when new transportable and/or new ‘non-transported’ dwellings are not encumbered in the same way.</i></p>
Pearce	Is it true that the policy is inconsistent and does not work?	<i>Yes that is true but Council is not bound by the policy. It only needs to pay due regard. There is nothing legally binding to the policy and we can look at each scenario on its merits as long as we pay due regard to the intention of the policy and I believe the objectives are being met.</i>
Pearce	What is the point of Council policy when it appears that it	<i>CEO response:</i>

9.1.5 - Questions and Points raised		
Councillor	Discussion	Response from Manager Development and Regulation unless otherwise stated.
	can be challenged retrospectively?	<i>As you are aware, we are undergoing a policy review at the moment because we recognise the shortcomings of many of the Shire's policies. The point of policies is to support Council decisions and to provide guidelines to staff and Council in their decision-making. We acknowledge that this particular policy is not ideal, however Council has an obligation to have due regard for the policy that exists at the moment and that is what Council needs to consider when making this decision.</i>

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 List of Payments - July 2022

9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from Manager Corporate and Community Services, unless otherwise stated.
Pearce	<p>No 148 29/07/2022 Building & Construction Industry Training Fund Payment of BCTIF remaining funds from June 2021 3,059.08</p> <p>No 149 29/07/2022 Building & Construction Industry Training Fund August 2021 to June 2022 BCTIF 3,376.45</p> <p>No 150 29/07/2022 Building & Construction Industry Training Fund BCTIF Levies - July 2022 3,030</p> <p>Would the officer please explain the use of BCIF?</p>	<p><i>Manager Development and Regulation response:</i></p> <p><i>Construction Training Fund is creating a skilled and sustainable workforce for the Western Australian building and construction industry. We collect a training levy and use it to reduce the cost of training a diverse, job-ready workforce and educate the next generation about the variety of exciting roles and opportunities on offer in our industry.</i></p> <p><i>The training levy applies to all residential, commercial and civil engineering works in Western Australia greater than \$20,000 in value, including construction projects in the resources sector. The project owner must pay the levy before construction commences, regardless of whether a permit is required.</i></p> <p><i>The levy is calculated at 0.2% of the estimated value of construction. The estimate includes the materials needed,</i></p>

9.2.1 - Questions and Points raised																										
Councillor	Discussion	Response from Manager Corporate and Community Services, unless otherwise stated.																								
		<i>labour, necessary services, payable fees, overheads, profit margin and GST.</i>																								
Pearce	<p>No 107 15/07/2022 Valuation Advisory (Australia) Pty Ltd Property Valuation of 26, 28, 30, 32 Hamersley Street, 15 & 17 Wilson Street 4,290</p> <p>Will the officer explain how the valuations will be used in the sale/auction of these properties.</p>	<p><i>The purpose of having these properties valued is to ascertain fair and accurate market value to enable us to set a reserve price and to ensure that if and when a property is sold, it is at the best possible price for the community.</i></p>																								
Pearce	<p>Similarly the various monthly payments 160 -168</p> <p>No 160 29/07/2022 Dept Of Mines Industry Regulation & Safety BSL levies - July 2021 551 and what determines the fluctuations in the monthly cost?</p>	<p><i>Manager Development and Regulation response:</i></p> <p><i>The amount of Building Services Levy payable will vary according to the type of application and, where applicable, the value of building works undertaken. The table below shows the application types that attract BSL and how much should be paid to the local government permit authority.</i></p> <table border="1"> <thead> <tr> <th>Application types</th><th colspan="2">Building Services Levy</th></tr> </thead> <tbody> <tr> <td></td><td>Over \$45,000</td><td>\$45,000 or less</td></tr> <tr> <td>Building permit</td><td>0.137% of the value of the work</td><td>\$61.65</td></tr> <tr> <td>Demolition permit</td><td>0.137% of the value of the work</td><td>\$61.65</td></tr> <tr> <td>Occupancy permit or building approval certificate for approved building work under s47, 49 or 52 of the Building Act</td><td>\$61.65</td><td>\$61.65</td></tr> <tr> <td>Occupancy permit or building approval certificate for unauthorised building work under s51 of the Building Act</td><td>0.274% of the value of the work</td><td>\$123.30</td></tr> <tr> <td>Occupancy permit under s46 of the Building Act</td><td>No levy is payable</td><td>No levy is payable</td></tr> <tr> <td>Modification of occupancy permit for additional use of building on temporary basis under s48 of the Building Act</td><td>No levy is payable</td><td>No levy is payable</td></tr> </tbody> </table> <p><i>The Building Services (Complaint Resolution and Administration) Regulations 2011 requires a permit authority to remit building services levy to the Building Commissioner within 14 days after the end of the month in which it issues or grants a permit or building approval certificate. Permit authorities are required to use 'Form 81 – Building Services Levy remittance advice' and to provide a supporting report</i></p>	Application types	Building Services Levy			Over \$45,000	\$45,000 or less	Building permit	0.137% of the value of the work	\$61.65	Demolition permit	0.137% of the value of the work	\$61.65	Occupancy permit or building approval certificate for approved building work under s47, 49 or 52 of the Building Act	\$61.65	\$61.65	Occupancy permit or building approval certificate for unauthorised building work under s51 of the Building Act	0.274% of the value of the work	\$123.30	Occupancy permit under s46 of the Building Act	No levy is payable	No levy is payable	Modification of occupancy permit for additional use of building on temporary basis under s48 of the Building Act	No levy is payable	No levy is payable
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9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from Manager Corporate and Community Services, unless otherwise stated.
		<p><i>which provides a breakdown of the remittance. The supporting report provided by permit authorities must include the following information:</i></p> <ul style="list-style-type: none"> <i>Permit number</i> <i>Site address</i> <i>Estimated value of works</i> <i>Amount of building services levy collected</i> <i>Date of issue or grant</i>
Pearce	<p>No 38 Avon Yard & Maintenance Services Nottingham fire access gate installation. 360.00</p> <p>Would the officer please explain, how the gate is to be used and the role in the event of a fire?</p>	<p><i>CESM response:</i></p> <p><i>The gate will serve as a secondary exit in the event of a fire. Please refer to RMO for further detail.</i></p> <p><i>CEO Response:</i></p> <p><i>RMO is currently unavailable for comment.</i></p>
Pearce	<p>No 43 15/07/2022 Blackwell Plumbing Repair faulty hot water system - Bendigo Bank, Repair toilet and unblock sink - Memorial Hall 423.50</p> <p>Councillors had a general discussion on promoting the use of local trades persons. Would Officer explain, the use of non-Toodyay contractor, as there are local plumbers?</p>	<p><i>Building Maintenance Officer (Works) response:</i></p> <p><i>Plumbing issues are generally reactive and need to be addressed almost immediately. Blackwell Plumbing have a team of plumbers and are generally available to address the issue quickly.</i></p> <p><i>The local contractors are one or two people operations and Fitzgerald Plumbing who we have used in the past are very busy at the moment and are working in Perth a lot.</i></p> <p><i>We have contacted local for the works but they have not always been able to assist within the timeframes that we require.</i></p>
Duri	<p>Payment 184 – Professional PC Support – Manage phone Agreement July 2022 \$1,156.25 – I am not sure in what capacity the company manages the phone agreement and is this a monthly account?</p>	<p><i>Yes – the Shire receives a monthly account from PPS for management and hardware rental of the 3CX telephone system. This contract included the supply and install of up to 50 handsets and management of the in-house switchboard. PPS provides software licensing, support and system updates in</i></p>

9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from Manager Corporate and Community Services, unless otherwise stated.
	<i>Payment 186 – Professional PC Support Pty Ltd – Manage phone agreement August 2022 \$1,156.25.</i>	<i>addition to training, performing backups and updates as required.</i>
<i>Duri</i>	<i>Payment 185 – Professional PC Support Pty Ltd – August 2022 \$9,411.23 - may I please have clarification as to the extent of the support received each month with this company and is the services provided documented?</i>	<p><i>Yes – PPS currently manages around 76 workstations (incl laptops) and 9 servers. The services are documented and billed in accordance with the existing contract which includes all 'in-scope' labour charges, Anti-Virus Software, Anti-Spam Software, Monitoring Agents, Monthly System Reports, etc.</i></p> <p><i>In-scope items include services like;</i></p> <ul style="list-style-type: none"> <i>• Trouble shooting via a support ticketing system</i> <i>• Support & set up of users & software on the Shire's servers</i> <i>• Monitoring of servers and workstations, daily backup reporting</i> <i>• Third party liaison for hardware engineers to ensure full working of all peripherals on network</i> <i>• General ongoing support carried out, on-site/remotely or by telephone regarding the function & operation of the entire computer system including file server/s & P.C.s'</i> <i>• Ensuring all critical equipment and software is maintained with all appropriate updates, patches & service packs</i>

9.2.2 Monthly Financial Statements - July 2022

9.2.2 - Questions and Points raised		
Councillor	Discussion	Response
<i>Pearce</i>	<i>From Statement of financial Activity Statement</i>	<i>Finance Coordinator response:</i>

9.2.2 - Questions and Points raised		
Councillor	Discussion	Response
	<p>KEY INFORMATION Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold</p> <p>Would the Officer please explain the difference between the above i.e. Year to Date (YTD) Actual and YTD Actual data</p>	<p><i>This was a typographical error. It should have read variance between Year to Date (YTD) Actual data and YTD Budget. I have attached the updated version.</i></p>
Pearce	<p>From the Debtor Reconciliation Control 31st July total of 506, 502. Would the officer explain in general terms what this debtor amount relates?</p> <p>I understand 205, 933 is from Rates prepaid.</p>	<p><i>As per commentary in the body of the report, the outstanding Sundry Debtors balance is \$714,215.89.</i></p> <p><i>There is a configuration error in Datascape, which is reporting the prepaid rates balance with the sundry debtors.</i></p> <p><i>Officers are working with Datascape to rectify the issues.</i></p>
Pearce	<p>There is a large %variance in rev and expenses operating. Would the officer please explain this as the budget is in the first month. I understand how the % is arrived, but do not understand how the figures come to be entered. [not sure if this makes sense]</p>	<p><i>The large variances in revenue and expenses between actual and budget is due to budget phasing issues.</i></p> <p><i>The budget is normally spread evenly across the months of the financial year.</i></p>

9.3 EXECUTIVE SERVICES

9.3.1 Governance Review Action Plan - Final Report

9.3.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified
Pearce	<p><i>I acknowledge officers report that areas not actioned are operational and have been affected by staffing issues.</i></p> <p><i>Point for clarification.</i></p> <p><i>What would be the best approach for Council to be notified when operational matters have been resolved.</i></p>	<p><i>I will report these as part of the weekly update with the Shire President.</i></p>
Pearce	<p><i>If it is discussed how is it brought to Council?</i></p>	<p><i>It will not be brought to Council because it is an operational matter, but it is recorded in the notes of meetings between the Shire President and the CEO which are distributed to all Councillors.</i></p>

9.3.2 Toodyay Recreation Centre - Management Review

9.3.2 - Questions and Points raised		
Councillor	Discussion	Response from Manager Corporate and Community Services unless otherwise stated.
Hart	<p><i>(page 36) Might there be advantage in adding the words "the end of" to item 2 so as to read "... no later than the end of November 2022, ...", or to change that to some other more appropriate date?</i></p>	<p><i>Yes – Council could amend the wording of the Officer's recommendation. The 30th could be put into the recommendation.</i></p>

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

9.3.3 - Questions and Points raised

Councillor	Discussion	Response
<i>Nil</i>		

9.4 INFRASTRUCTURE AND ASSETS

Nil.

9.5 COMMITTEE REPORTS

9.5.1 Recommendations of the Bush Fire Advisory Committee Meeting held 3 August 2022.

9.5.1 - Questions and Points raised

Councillor	Discussion	Response
<i>Nil</i>		

9.5.2 LEMC Committee Items and Recommendations

9.5.2 - Questions and Points raised

Councillor	Discussion	Response from the Emergency Management Officer unless otherwise specified
<i>Hart</i>	<i>(page 56) Officer's recommendation 4: What is the significance of Council endorsing the Report?</i>	<p><i>The Council endorsement of the Bush Fire Preparedness and Resilience Strategies Report gives officers a strategic direction to pursue and plan for the future (the concept of the recommendations being supported by Council), based on the recommendations within the report.</i></p> <p><i>Understanding that the endorsement itself does not commit Council to funding and that any recommendation pursued would be done so on a case by case basis, and either a report brought to Council if required, completed through existing budget, a budget project brief submitted or cost-free operational action taken.</i></p>

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.

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**13.1 MEMBERS****13.1.1 Voting Delegates – WALGA 2022 Annual General Meeting**

13.1.1 - Questions and Points raised		
Councillor	Discussion	Response from the Chief Executive Officer
Pearce	Do the delegates attend the State Conference?	<i>The Delegates do not need to attend the convention but they will need to attend the AGM if they wish to vote and if unable to then a proxy delegate can attend.</i>
McCormick	Acknowledgement that Cr Madacsi joined online at 1.58pm.	<i>Presiding Member acknowledged.</i>
Duri	With proxy voting if we wish to nominate someone do we ask them first and they agree to it.	<i>Yes they will be asked to agree to it.</i>

13.2 EMPLOYEES

Nil.

14 CONFIDENTIAL BUSINESS**14.1 Correspondence from Clublinks**

14.1 - Questions and Points raised		
Councillor	Discussion	Response from CEO unless otherwise stated.
<i>Pearce</i>	The total does not include the electricity?	<i>That is correct. It does not.</i>
<i>Hart</i>	Recommendation 2: suggest the date be amended	<i>Officers will provide an updated recommendation.</i>
<i>Pearce</i>	Is Council happy to reimburse those types of water costs?	<i>That is a decision of Council.</i>

15 NEXT MEETINGS

As per Council Meeting Agenda.

16 CLOSURE OF MEETING

The Shire President declared the meeting closed at 1.59pm.