

Agenda Briefing

15 November 2023

Notes

Unconfirmed Notes

These notes were approved for distribution on 16 November 2023.

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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 November 2023.

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 M McKeown, Shire President, declared the meeting open at 1.00pm.

2 RECORDS OF ATTENDANCE

<u>Members</u>					
Cr C Duri		Councillor			
Cr S McCormick		Councillor			
Cr M McKeown		Shire Presic	dent		
Cr S Dival		Deputy Shir	e President		
<u>Staff</u>					
Ms S Haslehurst		Chief Execu	tive Officer		
Mr C Sullivan		Executive N Services	Aanager Infr	astructure, Asso	ets &
Ms T Bateman		Executive Community	Manager Services	Corporate	and
Mr H de Vos		Executive Regulation	Manager	Development	and
Mrs M Rebane		Executive A	ssistant		
<u>Visitors</u>					
S Palmer					
2.1 APOLOG	IES				

Cr J Prater	Councillor
Cr D Wrench	Councillor

2.2 APPROVED LEAVE OF ABSENCE

Cr R Madacsi – 26 October 2023 to 28 November 2023 inclusive;

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

OFFICER'S RECOMMENDATION

That the Unconfirmed Minutes of the Ordinary Council Meeting held on 25 October 2023 be confirmed subject to the following amendments:

1. Inclusion of the following at Item No. 9.2.1 after the Voting Requirements heading:"

OFFICER'S RECOMMENDATION 1

That Council receives, for the month ending 31 July 2023 the following:

- (a) Monthly Financial Statements; and
- (b) Supplementary information

Cr Wrench moved the Officer's Recommendation with an amendment to change the month from July to August 2023.

The motion was put."

2. That Council Resolution No. 252/10/23 be amended by replacing the words "section 5.110(3A)" with the words "Section 5.123(1)"

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 Lot 5 Mercy Retreat , Toodyay - "Mercy House" - Restoration and change of use – Convent to Single Dwelling and Short-Term Accommodation

	9.1.1 - Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Development and Regulation, unless otherwise specified.	
Dival	It was a level E Consultation but there is no level E. Can you clarify what level of consultation there was?	I apologise for that. We have changed our policy now and the wording of that and so it was advertised in the newspaper and website and also with the adjoining landowners. The Heritage Council were also included.	

9.1.2 Discussion on Local Planning Strategy Review and Omnibus Scheme Amendment

9.1.2 - Questions and Points raised			
Councillor	Discussion	Response from Executive Manager Development and Regulation, unless otherwise specified.	
Madacsi	Local Planning Strategy 2018 is not available on the website	This is an oversight due to the strategy being accessed by staff through other means – mainly through the Department of Planning, Lands and Heritage (DPLH) website. This is the process of being corrected and the Communications Officer has been requested to upload the document.	
Madacsi	Local Planning Strategy is incorrectly mentioned in the first line of the officers report as 2017 although referred to as 2018 in the Officers Recommendation.	The DPLH has been contacted to advise the correct naming convention. Either Council approval date (2017) or WAPC endorsement (2018). The item will be updated accordingly once this information becomes available.	
Dival	Page 15. There is no 7.0 in the strategy. I am presuming you mean 7.1.?	Yes. <i>I will check that.</i> <u>Response after meeting:</u> In this instance the number can be renamed 7. in the agenda item to clarify.	

	9.1.2 - Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Development and Regulation, unless otherwise specified.	
		It refers to 'all actions listed in the sub- sections of Section 7.0' so not limited to 7.1	
Dival	There was a Point No 2(a) of the recommendation. Are you suggesting that the strategy section 7 is reviewed and amended to reflect the LPS5 that was passed?	The advice that I have received after consultation with both the department and independent planning advice about it to assist us with this process. As the report suggests they are happy with the way that the strategy is going in terms of timing. They do acknowledge though that there have potentially been some changes with community desires for what is happening with these areas and that is an opportunity to rejig those areas to represent what the community is after.	
Dival	So now the scheme is passed, we are catching up with the strategy?	There are some changes that the most recent Council had asked to be put in to the scheme at the last moment. Generally a strategy will inform the scheme so what they are saying is that they are giving us the opportunity to address these issues through community awareness campaigns etc to get those details in place to incorporate into a strategy to inform an Omnibus Scheme Amendment to either make those changes or to not make those changes.	

9.1.3 Lot 1 (No. 2A) Duke Street North, Toodyay - Single Dwelling - Variation to Local Planning Policy.

9.1.3 - Questions and Points raised			
Update from Officer	 Revised plans for Lot 1 Duke Street North were made available to councillors via email after the agenda was published. The main change is the cladding for the house which is now showing as fibre cement cladding. The previous plans indicated colorbond. The applicant has also included the colours being used for the house. 		
Councillor	Discussion	Response from the Executive Manager Development and Regulation unless otherwise specified	
Dival	They believed a BAL assessment was not required. That is not my understanding of the policy and the standards. Can you confirm that and get back to the meeting?	Yes. I will take that on notice. <u>Response after meeting:</u> 5.8.1 Habitable Buildings And Specified Buildings The LPS Regulations 2015 specifically require development involving single houses or ancillary dwellings on sites of 1,100m2 or greater, and any other habitable and specified buildings regardless of lot size, to undertake a BAL assessment where a BAL Contour Map does not exist. Development approval is required where the BAL is BAL-40 or BAL- FZ (Figures 8 and 9). This applies regardless of whether any existing exemptions under the scheme exist. If planning approval is required it should be obtained prior to submitting the building permit application. The LPS Regulations 2015 specifically exempt alterations, extensions and additions from requiring planning approval.	
Madacsi	What material and colour are the window frames? Do they comply with Central Toodyay Heritage Centre 3.4.17 (b)	Response after meeting: All external trims are the equivalent colour to the Colorbond 'Shale Grey' to contrast against the 'Bluegum' external walls. The frames are made of aluminium.	

	9.1.3 - Questions and Points raised			
Update from	Revised plans for Lot 1 Duke via email after the agenda wa	Street North were made available to councillors as published.		
Officer	8	ling for the house which is now showing as fibre ous plans indicated colorbond.		
	The applicant has also included the colours being used for the house.			
		Response from the Executive Manager Development and Regulation unless otherwise specified		
		The policy lists commercial quality, box powder-coated aluminium framed, as acceptable. (3.4.17(b))		

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 Monthly Financial Statements - October 2023					
	9.2.1 - Questions and Points raised				
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise specified.			
McKeown	Page 59 of the attachments. In the financial statement the amount listed for depreciation YTD is still listed as zero in all the different statements but we now have the valuation filled in and brought up to date but the depreciation is now showing in the books. When might that happen?	The depreciation is being managed for the 2023 financial year and balanced for the 2023 year until we finalise the audit and we are happy with our asset register.			
Madacsi	Comprehensive – Nature and Type What is accounting for the climb in employee costs and utility costs since the August 2023 financials?	The increase in employee costs is a result of the delayed posting of the overheads and oncost allocations that have not been posted for the last couple of pays due to a posting issue. They have been pushed through now. The utility cost has increased because of an invoice of \$4,345.65 paid in October for electricity for the following: 180 Nottingham Rd Lot 101 Bejoording Rd			

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9.2.1 - Questions and Points raised			
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise specified.	
		U A 19 Clinton St	
		U B 19 Clinton St	
		Lot 4 Stirling Tce	
		Lot 28563 Julimar Rd	
		U A 67 Stirling Tce	
		96 Stirling Tce	
		and Water bill for \$13,958.57 for Northam- Toodyay Rd.	
		I will take that question on notice.	
		Response after meeting:	
Madacsi	What accounts for the changes in and materials and contracts in the August, September and October financials? Is this timing?	This is because of payments for the following: Computer software and licences, Fire management Land program, Emergency Management program, Recreation and Sport Program (Clublinks Management Pty Ltd),waste management, rubbish collection all totalling \$810,525 and accumulative payments from various	
	Statement of Financial	units throughout the financial Year.	
Madacsi	Position There is a large increase in Cash Equivalents between September (\$3,414,061) and October (\$8,790,635), what accounts for this?	This is a result of \$3m being received in rates payments when they were due.	
Madacsi	What accounts for the fluctuations in Trade and Other Receivables and Liabilities in August, September and October?	The raising of the rates and waste and rubbish charges so the outstanding rates are sitting on the balance sheet now.	
Madacsi	What is the acronym WIP in Capital WIP?	Means Work in Progress. We allocate the costings to the WIP account until the project is finished and then we capitalise the whole amount.	

	9.2.1 - Questions and Points raised			
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise specified.		
Madacsi	While I understand employee costs are under budget by \$122,479 mostly due to unfilled vacant positions, what accounts for the increase in Current Employee Provisions of \$139,093 from September?	We recently posted the end of year leave accrual journals for the 2023 financial year.		

9.2.2 List of Payments - October 2023		
9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Executive Manager Corporate and Community Services, unless otherwise specified.
	Ref 27 / Page 76	
Madacsi	Creditor Trustee for D'Cunha Family Trust	communities. 50% payments were provide as per their quote.
	Description Painting CRC doors white from blue	
	Amount 3,019.50	
	Question: Plus 50% 107 p.249 \$3,000 Sept payments	
	Ref 51 / Page 77	This is a contract figure we pay monthly.
	Creditor Broderick Waste Solutions	
Madacsi	Description Cartage – Sept	
	Amount 5,412.00	
	Question: How is the invoicing based - on a fixed contracted amount, weight or other?	

9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Executive Manager Corporate and Community Services, unless otherwise specified.
Madacsi	Ref 56 / Page 77 Creditor C & F Building Approvals Description Bulk PO to cover contract building surveyor services until money used Question: What is the arrangement, how is this monitored/verified?	Executive Manager, Development and Regulation response: We have an allocation each budget based on assumptions of how many applications are expected to come through based on historical data. It can fluctuate up and down when we are getting close to the limit on the purchase order at which time we will fill another to put that through.
Madacsi	Ref 58/59 / Ref 237/238 Page 77 / Page 84 Creditor Carrington's (WA) Pty Ltd Description Bridge 4080 – Traffic Management rate card Amount 5,276.84 7,148.35 Question: What was the length of time these invoices cover?	Executive Manager, Infrastructure, Assets and Services response: As Councillors noticed that there have been maintenance activities happening in the Shire at the moment and Carrington's is one of the Traffic management companies whose quotations were sought from for work.
Madacsi	Ref 93 / Page 78 Creditor Landworx Description Repair Pelham Reserve access and erosion damage Amount 2,200.00 Question: How was provision for these works obtained if not in the budget?	ExecutiveManagerCorporateandCommunityServices response:I will take that on notice.Response after meeting:The response was not forthcoming at the publication of the agenda briefing notes and will be included once the notes are received.
Madacsi	Ref 108 / Page 79Creditor Moore AustraliaDescriptionFinancialManagement Review & Reg	That was the RFQ for the FMR and Audit Reg 17 review process which was included in the budget.

9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Executive Manager Corporate and Community Services, unless otherwise specified.
	17 Review including finalised Report	
	Amount 39,381.38	
	Question: Do we anticipate we will need further Moore Australia services to finalise the auditing and Datascape difficulties?	
McKeown	Has that report been completed?	No. Not yet.
	Ref 174 / Page 82 Creditor Western Tree Recyclers Description Sort and grind	Executive Manager, Infrastructure, Assets and Services response: That is mulching at various locations around the shire as a result of the various projects
	green waste	underway at the moment and also at the Waste Transfer Station.
Madacsi	Amount 25,006.30 Question: Is this service for the waste transfer station or roadside? If the waste transfer station how frequently does this occur, is the mulch for shire P&G or the public and is it charged or free?	In terms of how frequently this occurs, it is very much on an as needs basis like for example at the Waste Transfer Station, the operator of the facility waits until there is more than enough of green waste that members of the community have brought in, and then he calls the mulching service. For what we do it is on a project by project basis.
Madacsi	Ref 231/232 / Page 84 Creditor Avon Waste	
	Description Fortnightly rubbish collection	The fortnightly accounts vary because the number of bins they pick up vary. If you do not put your bin out, the lifts are not counted. Also, we deliver new bins.
	Amount 17,310.62	
	17.036.70 Question: The monthly accounts vary therefore how are the invoices evaluated – tonnage, trips etc?	

9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Executive Manager Corporate and Community Services, unless otherwise specified.
Madacsi	Ref 245/246 / Page 85 Creditor D.E.C Contracting Pty Ltd Description Roadside Maintenance Vegetation – Julimar Rd SLK 10.47 – 13.47 Amount 24,310.00 18,117.00 Question: Why are there two invoices of differing amounts for the same section of road?	Executive Manager, Infrastructure, Assets and Services response: There are actually three sections of Julimar that the team have been working on during the financial year which has required tree pruning for different parts of Julimar Road at different times. You will see different invoices for different parts of the work.
Madacsi	Are the Water Corporation accounts for O'Reilly's, Bendigo Bank, Connors Cottage, Medical Centre, Clinton St and Community Standpipe reimbursed expenses?	These are on charged to the tenants of the property. The Clinton street unit is where the Shire is responsible on their unit. The community standpipe fees are paid by the Shire.
McCormick	Purchase of three medical oxygen bottles. What is the purpose?	Executive Manager, Infrastructure, Assets and Services response: That comes from the Emergency management area where oxygen bottles are required in the event of someone being overcome by smoke inhalation. They have the bottles on hand to put on the masks for that. Cr McKeown confirmed that they carry oxygen bottles on the fire trucks.
Duri	SAPIO Pty Ltd. They are here for different things. What do they do?	They are the company that manage and repair our CCTV Network. There were a number of invoices the Shire had not received after year end they were doing their reconciliations and found the outstanding invoices. Those invoices relate to last financial year.
Dival	Line item 27 CRC painting. How many doors were there? \$6,000 seems high.	Executive Manager, Infrastructure, Assets and Services response:

9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Executive Manager Corporate and Community Services, unless otherwise specified.
		I do not know how many doors there are but as I understand it; it was all the internal doors and also the main corridor that you walk along, where the paintings are on display. This was to improve the consistency of the colour.
Dival	Line item 61 payment to Clublinks budgeted operating loss for quarter. Is that the budgeted operating loss – is that in the budget provided by Clublinks? Where is it budgeted?	Clublinks provide us with a budget and we put it into our budget. The quarterly invoices will vary based on their upcoming season and then any adjustments are made on that final payment. You can see they fluctuate but it will be adjusted at the final invoice.
Dival	What are the checks and balances in monitoring the budget	They send us their financials monthly and we review it and ensure that the quarterly payment matches their forecasted expenditure for the coming quarter.
McCormick	Line item 66 – Datascape monthly – SAAS fee. Is that software support or monthly set fee \$3,700 for September.	It standards for software as a service. We pay them a monthly fee to have access to as many users for the Datascape platform.

9.2.3 2024 Australia Day WA Community Citizen of the Year Awards

Nil.

9.3 EXECUTIVE SERVICES

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

9.3.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
McKeown	There is information in the correspondence about an action plan. Can we have an update.	The draft action plan had the Action plan coming to Council in November for adoption. We have not been able to meet that deadline because of a range of issues. One of them was to do with the Audit and the other was due to the availability of consultant that is assisting

9.3.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
		us with the action plan. We met with him today and I am having a catch up with Department staff tomorrow to discuss where we are at and give them an update on the progress.

9.3.2 Local Laws Review

Nil.

9.3.3 **Committee Membership and Council Representation**

Nil.

9.3.4 Code of Conduct for Council Members, Committee Members and Candidates Nil.

9.3.5 Lease and Agreements Update

Nil.

9.3.6 **CEO Recruitment Process**

Nil.

9.3.7 2024 Council and Committee Meeting Schedule

Nil.

INFRASTRUCTURE AND ASSETS 9.4

9.4.1 RFQ Evaluation – Resealing Clackline Toodyay Road SLK 5.55 to 10.55

Nil.

9.5 **COMMITTEE REPORTS**

Nil.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 **Notice of Motion**

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

12.1 Questions taken on notice - October 2023 Ordinary Council Meeting

As per Council Meeting Agenda with responses provided in the Council Meeting minutes.

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

13.1 MEMBERS

Nil.

13.2 EMPLOYEES Nil.

14 CONFIDENTIAL BUSINESS

Nil.

15 NEXT MEETINGS

As per Council Meeting Agenda.

16 CLOSURE OF MEETING

The Shire President declared the meeting closed at 1.32pm.