



Agenda Briefing

20 March 2024

Notes

Unconfirmed Notes

These notes were approved for distribution on 21 March 2024.

Tabitha Bateman

ACTING 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 March 2024.

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 3.06pm.

2 RECORDS OF ATTENDANCE

Members

Cr M McKeown	Shire President
Cr S Dival	Deputy Shire President
Cr C Duri	Councillor
Cr R Madacsi	Councillor
Cr S McCormick	Councillor
Cr J Prater	Councillor
Cr D Wrench	Councillor (<i>arrived 3.13pm via zoom</i>)

Staff

Ms T Bateman	Acting Chief Executive Officer
Mr C Sullivan	Executive Manager Infrastructure, Assets & Services
Mr H de Vos	Executive Manager Development and Regulation
Mrs N Mwale	Finance Coordinator
Mr R Koch	Community Emergency Services Manager
Mr M Werder	Project Manager
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

Nil.

3 DISCLOSURE OF INTERESTS

The Presiding Member advised that disclosures of interest in the form of a written notice had been received prior to the commencement of the meeting as follows:

Cr Prater declared an impartiality interest pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021 as he is a life member of the Race Club and past President, no longer on the Committee.

4 PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

It was stated in the livestream that there were no public questions taken on notice, however, there were two questions taken on notice at the February

2024 Council Meeting, the responses of which will be considered at the February meeting.

4.2 PUBLIC QUESTION TIME

Nil.

5 CONFIRMATION OF MINUTES

As per Council Meeting Agenda

6 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil.

6.2 DEPUTATIONS

Nil.

6.3 PRESENTATIONS

Nil.

6.4 SUBMISSIONS

Nil.

7 BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)

Nil.

8 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

As per Council Meeting Agenda.

9 OFFICER REPORTS

9.1 DEVELOPMENT AND REGULATION

Nil.

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 MOU Approval for Avon Valley Alliance

Item 9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO
McKeown	Would the Acting give a brief rundown of what this is about?	<i>The Avon Valley Alliance is a collaboration between five shires – Beverley, Goomalling, Northam, Toodyay, and York. They have been working collaboratively to build tourism in the region and promote the Avon Valley as a sub-region of Destination Perth. The MOU will confirm Council’s financial support for the next three years.</i>

Item 9.2.1 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO
Dival	Could you provide some examples of the positive and productive collaboration and some examples of the positivity of the alliance	<i>The Alliance has been working with Destination Perth on marketing initiatives, in particular, branding for the group, advertising and promotional media content.</i>
McCormick	After going to Destination Perth and clicking through to Toodyay, in all the attractions and features on the Toodyay page I do not see any indigenous cultural attractions or topics and wonder if we have approached the right people to ask if they are interested in contributing to our attractions here from an aboriginal cultural tour, etc.	<i>This is good feedback that will be provided to the group.</i>

Cr Wrench joined the briefing on line at 3.13pm.

9.2.2 Monthly Financial Statements - February 2024

Item 9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Acting CEO unless otherwise stated:
Madacsi	Given interest term deposits held at the 29 February were \$5,717,100.27 of which \$2,531,145.57 were reserve funds, what comprised the balance of \$3,185,954.70?	<u><i>Finance Coordinator response:</i></u> <i>The Shire have funds in the following accounts:</i> <ol style="list-style-type: none"><i>1. Muni@Call account is \$1,023,922.80</i><i>2. Muni Saver account \$2,162,031.90</i>
Madacsi	How much of those term deposits are surplus?	<i>These funds are not considered surplus to requirements – they are earmarked for projects included in the budget. The term deposits represent funds not required at this point in time but can be utilised as and when required. They have been invested in the short term to capitalise on interest earnings.</i>

Item 9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Acting CEO unless otherwise stated:
Madacsi	Are they tagged for particular tasks?	<i>Yes – the funds in these term deposits form part of the annual budget and are made up of budgeted income such as rates, grant, fees and charges. They are held in a term deposit to earn interest until they're required to be called upon</i>
Madacsi	In the Statement of Comprehensive Income (Nature and Type) (p.39) The total for 2023/24 Actual (a) income reads \$284,426 but totals \$10,362,222 - Therefore, the running total and Net Results for the Period are incorrect and should read \$2,207,201 not \$5,921,365	<p><u>Finance Coordinator response:</u></p> <p><i>The formula in the spreadsheet did not flow through.</i></p> <p><i>Yes the correct actual total will read \$10,363,222</i></p> <p><i>Net result will be \$4,156,430</i></p> <p><i>The document has been amended and will be updated for the agenda.</i></p>
Madacsi	In the Statement of Comprehensive Income Please explain the Changes in asset revaluation surplus \$2,445,794.	<p><u>Finance Coordinator response:</u></p> <p><i>This is a result of the asset revaluations undertaken in 2022/23. The surplus movements relate to infrastructure assets, such as drainage, bridges, parks and buildings.</i></p>
Madacsi	In the Statement of Comprehensive Income Please explain the Fair value adjustments to financial assets, at fair value through profit or loss of \$2,764	<p><u>Finance Coordinator response:</u></p> <p><i>The fair value adjustment of \$2,764 is the increase of units the Shire holds in the LG House Trust.</i></p>
Madacsi	In the Statement of Financial Activity p.40 Is the Net Financial Assets figure at the end of the year \$5,357,840 correct ?	<p><u>Finance Coordinator response:</u></p> <p><i>The Financial Assets figure at the end of the Year is \$5,158,802.</i></p> <p><i>Again, it was the issue with the formula not flowing through. The document has been amended and will be updated for the agenda..</i></p>
Madacsi	In the Statement of Financial Activity p.40 Why is there no depreciation	<p><u>Finance Coordinator response:</u></p> <p><i>Depreciation for 2023/2024 will be posted after 2023 audit is finalised.</i></p>

Item 9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Acting CEO unless otherwise stated:
	listed for 2023/24 Actual(a)?	
McKeown	If depreciation can be calculated at any time why don't we calculate it?	<i>Officers are waiting until the 2022/2023 audit is finalised in the event further adjustments are identified.</i>
Madacsi	In the Statement of Financial Activity p.40 Why is there a 244% variance in Principal elements of finance lease payments - separate from Capex?	<u>Finance Coordinator response:</u> <i>The response is taken on notice.</i> <u>Response after meeting:</u> The YTD budget is higher than YTD actual by more than 200%
Madacsi	Statement of Financial Position p.41 In Current Assets what accounts for the significant increase (\$1,583,427) in Trade and other receivables?	<u>Finance Coordinator response:</u> <i>The response is taken on notice.</i> <u>Response after meeting:</u> The outstanding balance comprises outstanding balances from all receivable categories such as rates receivables, rates prepayments, sundry debtors' receivables, GST receivable which will be cleared once BAS is posted.
Madacsi	Statement of Financial Position p.41 In Current Assets what accounts for the increase of \$835,863 in Trade & other liabilities?	<u>Finance Coordinator response:</u> <i>The response is taken on notice.</i> <u>Response after meeting:</u> This comprises of outstanding balances from all payables categories such as the suspense account, creditors control account, PAYG account which will be cleared once BAS is posted.
Madacsi	Net Current Asset Report p.43 Why is the Closing balance for the Cash Restricted – Term Deposits for 2023 zero dollars?	<u>Finance Coordinator response:</u> <i>The formula in the spreadsheet did not flow through.</i> <i>The correct amount is \$1,212,267.</i> <i>The document has been amended and will be updated for the agenda.</i>
Madacsi	Variance Report p.44 Explanation of Variance – Fees and Charges for a	<i>There was an issue with the flow of formulas in the spreadsheet.</i>

Item 9.2.2 - Questions and Points raised		
Councillor	Discussion	Response from the Acting CEO unless otherwise stated:
	variance of -77.20% (-\$962,974) does not match the p.39 actual variance of 12% (\$149,456) the Statement of Comprehensive Income?	<i>The figure was amended to reflect the correct figure of \$149,456</i> <i>The document has been amended and will be updated for the agenda.</i>
<i>Madacsi</i>	What were the AROC recoupments that were higher than anticipated?	<u>Finance Coordinator response:</u> <i>The response is taken on notice.</i> <u>Response after meeting:</u> This variance is considered immaterial. The detail has been amended in the revised attachments.
<i>Madacsi</i>	Rates Account Reconciliation as at 29 February 2024 (p.48) Do these figures refer to rates outstanding other than 2023/24, as to 29 February, rates were over budget by \$16.197 due to instalment interest, yet the reconciliation states a Current overdue of \$1,873,782?	<u>Finance Coordinator response:</u> <i>The response is taken on notice.</i> <u>Response after meeting:</u> \$1,873,782.01 relates to the current outstanding amount from the rates raised in September 2023

9.2.3 Mid-Year Budget Review 2023/2024

Item 9.2.3 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
<i>Note: The attachments to the mid-year budget review was tabled at 3.19pm.</i>		
Clarification was sought in regard to questions asked by Cr Madacsi, and responses provided to her by Officers.		
<i>Madacsi</i>	In the Project Briefs and new ongoing operational costs of the 2023/24 Budget	<i>The response is taken on notice.</i> <u>Response after meeting:</u> The budget allocation was based on the quote received from Landgate. The Shire is yet to receive the invoice and final cost.

Item 9.2.3 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
	Was the budgeted GRV Revaluation amount of \$91,000 sufficient?	
<i>Madacsi</i>	Why does the Chitty Road Upgrade - SLK 4.34 - 6.75 final seal require the Bejoording Rd allocation if fully funded by Roads to Recovery?	<p><u><i>Executive Manager Infrastructure, Assets and Services response:</i></u></p> <p><i>It is not the final seal, but an extension needing to be remedied and money allocated for Bejoording Road was for design. Officers have asked for a revision of the expenditure against the budget and will be approaching Roads to Recovery to request that the additional work, which was primarily the seal in front of the Austral Bricks property, be considered for funding.</i></p>
<i>Madacsi</i>	Why are Nottingham Road and North Street carried forward when I was advised the funding was confirmed by January?	<p><u>Response after meeting from Executive Manager Infrastructure, Assets and Services:</u></p> <p><i>Advice was received in February from the funding agency that the grant submission was not successful - the funding decision was unknown in January.</i></p>
<i>McKeown</i>	<p>In the documents tabled today on page 5 it is talking about the Bejoording Fire Station and two items about the Bejoording Fire Station. One is regarding transfer from the asset development reserve, which did not happen, the reason being the construction has not been approved.</p> <p>The next one is Item 054733.50 and a movement of funding saying we have more cash because we did not have to contribute to the project?</p>	<p><i>That is correct. During the budget adoption process seed-funding was allocated to the project in the hope that DFES would fund the remaining component.</i></p> <p><i>Because the construction will not go ahead this financial year, there will be a reduction to capital expenditure and also no requirement to draw funds from the Reserve. There will be a zero impact to the budget.</i></p>
<i>McKeown</i>	So the problem was that DFES did not approve the grant funding application for	<i>They did. Other options put forward was a self-supporting loan; halving the project over 2 years , or entering into a ten year self-supporting loan. At this stage we are looking</i>

Item 9.2.3 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
	the fire station. Did they provide alternatives to that?	<i>at reapplying for next year. It is likely the project will be carried forward to 2024/25.</i>
McKeown	What is a self-supporting loan?	<i>DFES had so many requests for funding and were unable to service them all. So, to smooth out the impact, they had requested that local governments consider entering into a self-supporting loan arrangement whereby the local government would seek funding from the WA Treasury Corporation and service the loan but DFES would continue to repay the payments to the local government over the next ten years. This is an arrangement that they have entered into with other local governments. The Shire is unable to consider that option for this year based on the status of our financials. The idea is to go back and reapply next year.</i>
Prater	Was there any other alternative where we could go somewhere else to get the money, e.g. government? Why can't we do that?	<i>The Shire sought significant funding from DFES. Securing a loan was problematic due to receiving a disclaimer opinion on the last two audits. This would likely be the case if we were to approach a different lending authority.</i>
Duri	What is a disclaimer opinion?	<i>In issuing disclaimer opinion, the Office of Auditor General concluded that the financial report was not materially correct, or that financial report could not be relied upon due to their inability to gather sufficient appropriate audit evidence.</i>
Dival	There are numerous items where money has not been spent for whatever reason we have not got funds like the Bejoording road widening; bridge repair on Bindi-Bindi Toodyay and Picnic Hill Road and being transferred to other projects. Particularly the bridge repair is being transferred to a solar lighting project. I am not sure what that is about Why are we transferring to other	<i>The item you are referring to was a particular funding agency which is the community LCRI and we are just waiting on agreement from the funding agency that community infrastructure covers what we are proposing to transfer the money to. One of the projects was a request from the Police force for solar lights at either end of the Newcastle Park pedestrian bridge, for example; where there has been (as I understand it) vandalism to the bridge and anti-social behaviour that the police were unable to issue infringements because the CCTV camera did not have a good enough</i>

Item 9.2.3 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
	projects instead of putting into reserve accounts?	<i>image of the offenders We believe it is still appropriate because it covers community infrastructure which includes other such things besides bridges.</i>
<i>Dival</i>	Timber Deck repairs. It says it is an unbudgeted item but in the columns it says there was funding in the adopted budget and proposed budget there is funding listed. I did not think the repairs were what those figures stated it was.	<p><u><i>Executive Manager Infrastructure, Assets and Services response:</i></u></p> <p><i>The timber decking was not in the adopted budget. It was extra, or over budget.</i></p> <p><u><i>Acting CEO response:</i></u></p> <p><i>That budget allocation of \$108,000 relates to the GL code. That is not a GL code specifically for the timber decking which is only \$19,000. The balance contains other amounts for other projects.</i></p>
<i>Madacsi</i>	Shifting the bridge allocation to the lighting – The question it will arise is why is it not being used on the bridge. Can we clarify that for the public?	<p><u><i>Executive Manager Infrastructure, Assets and Services response:</i></u></p> <p><i>Maintenance activities on the bridge was organised and implemented before I joined the organisation. They are largely complete now. There is only the asphaltting of the surface of four more bridges left to go now. The Newcastle Pedestrian Bridge is a separate grant amount that was held up due to delays associated with approvals under the Aboriginal Heritage Act but in terms of the other bridges all work has been completed except for the asphalt underlays.</i></p>
<i>Madacsi</i>	In transferring that amount we still have funds for the asphaltting?	<p><u><i>Executive Manager Infrastructure, Assets and Services response:</i></u></p> <p><i>Yes</i></p>
<i>Prater</i>	Has the disclaimer stopped our credit?	<i>There is a level of information that the Shire needs to provide in order to receive loan funding from WATC. We cannot provide the information because we did not have audited financial statements for the 2022 year.</i>
<i>Madacsi</i>	If there is an item within the budget review that at the point of adoption of the review at the OCM we are	<i>Council can at any time approve a budget amendment or consider a budget amendment throughout the year. The mid-year budget review process is not the only opportunity to amend the adopted budget.</i>

Item 9.2.3 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
	still uncertain about can it be added at the next OCM? Can alterations be made after reporting?	
McKeown	It doesn't necessarily have to be done as a budget item does it? We could propose some expenditure as a separate item to make a decision on can't we without changing the budget, to have a resolution ?	<i>The Shire would not formally change the budget and re-submit to the DLGSC.</i>
Madacsi	How much is the cost to undertake the unbudgeted showground lighting?	<i>The response is taken on notice.</i> <u>Response after meeting:</u> <i>The approximate cost of the temporary lighting repairs is \$8000 excluding GST pending receipt of final costs of electrical controls.</i>
Madacsi	Could the LRCI money be diverted to the racecourse restoration to relieve the Asset Reserve account and the lighting considered as part of the budget process?	<i>The response is taken on notice.</i> <u>Response after meeting:</u> <i>This would require a project submission to the LRCI fund to determine if the building improvements at the Toodyay Race Club meets the definition of community infrastructure. Proposed lighting upgrade to the Showground can be considered by Council in future budgets in the same way as any other project submission.</i>
Madacsi	If the overall deficit in the operating budget is \$208,141 and the estimated surplus in the budget of \$693,596 consists of deferred or carried forward projects or reserve funding— What savings does the shire have that is not restricted, deferred or carried forward works, or in reserves?	<i>The response is taken on notice.</i>

Item 9.2.3 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
<i>Madacsi</i>	<p>Regarding the racecourse restoration and the January resolution SCM002/01/24</p> <p>Has the shire received the list of intended works to be undertaken by the race club’s pledge of \$80,000 as requested ?</p> <p>Have possible funding sources been investigated to support the shire’s contribution?</p> <p>Should the draft Officers Report to adopt the Budget Review be amended to remove the \$200,000 from reserves before adoption given the resolution and public perception its approved?</p> <p>As the budget can be amended at any time by resolution, can the review of the racecourse costs be deferred until the April OCM to consider the above information?</p>	<p><i>The response is taken on notice.</i></p> <p><u>Response after meeting:</u></p> <p><i>The Toodyay Race Club has already carried out works on site at their own expense including the following:</i></p> <ul style="list-style-type: none"> • <i>Removal of redundant and unsafe wiring from Tote area.</i> • <i>Upgrading of electrical switchboards to meet regulatory requirements.</i> • <i>Install a gravel floor in the maintenance shed.</i> • <i>Repairs to plumbing underneath the Livery area.</i> • <i>Large scale tree lopping and green waste removal.</i> • <i>New garden bed established at the public entry point.</i> • <i>Relocate the Joe Broderick memorial to the new garden bed.</i> • <i>Engage a licenced electrician to negotiate with Western Power for the relocation of the main transformer pole.</i> • <i>Re-establish the rose beds by the Livery and Finish Post. Install reticulation to the beds.</i> • <i>General tidy up of all garden areas.</i> • <i>Engage a licenced builder to perform repairs to the Ticket Booth and Members area outside deck.</i> • <i>Negotiate with RAAWA with regards to the supply and installation of the new plastic running rail. This has been delivered and will be installed closer to race day.</i> <p><i>Slashing of the track in preparation for the coming wet season. A qualified greenkeeper will aerate the track and rye grass will be planted once the track has received its first significant rain.</i></p>

Item 9.2.3 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
		<p><i>Shire staff are checking possible funding applications through Lottery West and other community infrastructure funds. This would be for next financial year based on the timeframes of the funding applications.</i></p> <p><i>It is a decision for Council whether the allocation in the mid-year review is approved.</i></p>

9.2.4 List of Payments - February 2024

Item 9.2.4 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
<i>McCormick</i>	<p>On page 62 of the attachments a payment No. 229 Blackwell Plumbing associated with Morangup and Coondle Fire Stations Redbrook Circle x 2 as quoted. Can we have some detail from the Officer on what those works were?</p>	<p><i>The response is taken on notice.</i></p> <p><u>Response after meeting from Executive Manager Infrastructure, Assets and Services:</u></p> <p><i>Blackwell Plumbing</i></p> <p><i>This relates to four jobs at three sites.</i></p> <p><i>5286 – Morangup Collocated Emergency Facility – replacement of pressure pump (LGGS funded 50% BFS, 50% SES)</i></p> <p><i>5288 & 5389 – Red Brook Circuit - Replacement of end of life fire emergency water overhead stand pipe. Included investigate works and actual replacement. Funded by recurrent ES/EM budget and Fire Emergency Water budget respectively.</i></p> <p><i>5324 – Coondle Fire Station – This represented upgrade works to the sites fire emergency water facility. This was funded by the DFES Water Tank grant.</i></p>
<i>McCormick</i>	<p>Were local contractors given the opportunity to quote for that work or perform it?</p>	<p><i>Our first preference is always local companies first.</i></p>

Item 9.2.4 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
Madacsi	<p>What was the signage requested from Jason Signmakers (21) for \$2,616.26?</p> <p>What was the Allstrong Outdoor garage doors, there was a repair of roller doors at the Toodyay Recreation Centre of \$1,144. Why was that?</p> <p>What was the Wacwil Community Centre path and steps \$9,570 as the Community Centre a Budget 2023/24 allocation?</p> <p>What was the plumbing required through Blackwell Plumbing for the Morangup Coondle, Red Brook Circle of \$18,995.20 (229) and was it a funded or budget item?</p>	<p><u>Executive Manager Infrastructure, Assets and Services response:</u></p> <p>Signage – This relates to purchase of signage for Coondle Fire Station (and some sundry signage for other Stations). The primary objective was to replace missing street signage on Bindi Bindi Road and add site access/parking signage to address issues with other parties (internal and external) using the fire station driveway and carparking for gravel dump and plant parking effecting brigade operations. Line marking and signage were agreed outcome of management and funded through recurrent ES/EM budget. Please note while purchased, this signage is awaiting installation.</p> <p><i>At the Toodyay Recreation Centre there were a number of roller doors causing trouble.</i></p> <p><i>All of them were checked by an experienced contractor because what was happening is that the tensioning in the vertical ropes controlling the descending of the door was an issue. You could lift it but it would fall down and there was a risk of injury to users of the facility if it was not fixed. We got a contractor in to adjust the tension in the vertical ropes.</i></p> <p><u>Response after meeting:</u></p> <p>The Community Centre funding was approved in the 2022/23 FY and carried forward in the 2023/24 FY. The Shire received 50% funding under the Stronger Communities Fund.</p>
McCormick	<p>The total budget for steps for the CRC was there a need for the handrail</p>	<p><u>Executive Manager Infrastructure, Assets and Services response:</u></p> <p><i>There is a need for the rail in terms of the Aust Standard requirements for potential falling over the side of the stairs. That was not a budget item and will be part of a grant funding project.</i></p>

Item 9.2.4 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated.
McCormick	Steps been built for six months but taped off because of no hand rail	<u>Executive Manager Infrastructure, Assets and Services response:</u> <i>Yes. That is correct.</i>

9.3 EXECUTIVE SERVICES

9.3.1 Adoption of Amended Local Laws: Cats and Dogs

Item 9.3.1 - Questions and Points raised		
Councillor	Discussion	Response
Madacsi	Proposed Cat Local Law 2024: Is there any advantage to having a Toodyay local law for cats given the Cat Act 2011 and Cat Regulations 2012 are adequate, under review and more stringent?	<i>The response is taken on notice.</i> <u>Response after meeting from Executive Manager Development and Regulation:</u> While the Cat Act 2011 and Cat Regulations 2012 provide a comprehensive framework for the welfare and management of cats in Western Australia, the local law can supplement these regulations to address unique local challenges and preferences.
Madacsi	Is there any reason we do not regulate if three or less cats, given the aggregate impact on the environment is greater than cat management facilities?	<u>Response after meeting from Executive Manager Development and Regulation:</u> There is an option for a Local Government to include a limit in cat numbers in a Local Law. Kalamunda’s Local Law limits the number to two cats for example. Bassendean also limits to two.
Madacsi	Proposed Dog Local Law 2024: Regarding 3.2: Did we not amend the number of dogs to be kept outside the townsite to two, with an exception for working dogs?	<i>The response is taken on notice.</i> <u>Response after meeting from Executive Manager Development and Regulation:</u> Yes. Farm dog - no greater than 4, two of which are in training and on a rural property of 40ha or greater. Or, where it can be demonstrated an additional dog is required because of an increase in stock or landholding.
Madacsi	Regarding 5.2: Places which are dog exercise area refers to the Dog Act 1976, however s.32(1)(b) refers to	<i>The response is taken on notice.</i> <u>Response after meeting from Executive Manager Development and Regulation:</u>

Item 9.3.1 - Questions and Points raised		
Councillor	Discussion	Response
	rural leashing areas can be specified by the local government. Where have we specified any areas within this local law?	<i>No areas have been specified within this local law.</i>

9.3.2 Committee Membership: Deputy Committee Members

Item 9.3.2 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated:
<i>Dival</i>	Question the entire item – further in the agenda with recommendation from ARC to review the deputy requirements under the Act. This report goes further by actually suggesting deputies without consultation with Councillors. The guidelines from the Dept have said if you have a deputy it should be someone who aligns with your principles, to be confident of voting on the committee. Question given all committees work with quorums not seen anywhere where mechanisms kick into gear. Also do not have deputies for community members.	<p><u>Response after meeting from Executive Assistant:</u></p> <p>There were two deputies who resigned from their positions as deputy members.</p> <p>As per the Officer’s Report, the procedures that the ARC wished to be revised are in place however the appointment of deputy delegates was not done pursuant to the <i>Local Government Act 1995</i>.</p> <p>In order to not delay the issue it was decided to ask Council to make the decision and this is why the report has been part of the March agenda.</p>
<i>McKeown</i>	Why has this item come up?	<i>The Act stipulates a deputy is to be appointed to a specific member. In the past we appointed deputies to cover all or any members on the committees. This report was to bring our situation into line with the wording of the act which is what we attempted to do by assigning deputy members to individual members of the committee.</i>

Item 9.3.2 - Questions and Points raised		
Councillor	Discussion	Response from Acting CEO unless otherwise stated:
<i>Madacsi</i>	Has the ARC recommended we do that at this meeting?	<i>No. The Audit Committee requested we review our processes around the appointment of deputies.</i>
<i>McKeown</i>	It is not compulsory to appoint deputies to any position is it?	<i>No.</i>
<i>McKeown</i>	If we do decide to appoint deputies do we appoint deputies to all members of the Committee?	<u>Response after meeting from Executive Assistant:</u> <i>Council is restricted, through the legislation, to only appoint Council Members to other Council Members on the Committee. Council Members cannot represent Community Members on the Committee.</i>

9.3.3 Department of Local Government, Sport & Cultural Industries correspondence

Questions and Points raised		
Councillor	Discussion	Response from the Shire President
<i>Madacsi</i>	Could Councillors be briefed on those two items of correspondence?	<i>The detail is in the attachments.</i>

9.4 INFRASTRUCTURE AND ASSETS

9.4.1 Bush Fire Mitigation Works Program Tender

The President ruled that this item be discussed at the end of the meeting so the meeting would be able to go behind closed doors.

9.4.2 Bush Fire Advisory Committee Recommendations - 7 February 2024

Nil.

9.5 COMMITTEE REPORTS

9.5.1 EAC recommendations from meetings held on 29 November 2023 and 10 January 2024

Nil.

9.5.2 ARC recommendations from meeting held on 14 Feb 2024

Nil.

9.5.3 ARC Recommendations from Meeting held on 6 March 2024**Item 9.5.3 - Questions and Points raised**

Councillor	Discussion	Response
<i>McKeown</i>	Numbering problem – 1, 2, 3, 4 5 and 6 then 2	<i>This will be fixed.</i>
<i>McKeown</i>	Recommendation No 8	<i>This will be fixed.</i>

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**12.1 Questions from the February 2024 Council Meeting**

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

12.2 Questions raised by Cr Madacsi

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

The Shire President ruled at 3.55pm that the meeting move behind closed doors.

The Shire President ruled at 4.03pm that the meeting come from behind closed doors.

15 NEXT MEETINGS

As per Council Meeting Agenda.

16 CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.06pm.