



Agenda Briefing

20 November 2024

Notes

Unconfirmed Notes

These notes were approved for distribution on 22 November 2024.

Aaron Bowman

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 November 2024.

Signed:

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

CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	1
2	RECORDS OF ATTENDANCE	1
2.1	APOLOGIES	1
2.2	APPROVED LEAVE OF ABSENCE	1
2.3	APPLICATIONS FOR LEAVE OF ABSENCE	1
3	DISCLOSURE OF INTERESTS	1
4	PUBLIC QUESTIONS	1
4.1	RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4.2	PUBLIC QUESTION TIME	2
5	CONFIRMATION OF MINUTES	2
6	PETITIONS / PRESENTATIONS / SUBMISSIONS	2
6.1	PETITIONS	2
6.2	PRESENTATIONS	2
6.3	SUBMISSIONS	2
7	BUSINESS FROM PREVIOUS MEETING (IF ADJOURNED)	2
8	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	2
9	OFFICER REPORTS	2
9.1	DEVELOPMENT AND REGULATION	2
9.1.1	Draft Local Planning Policy - Setbacks of Caravans and Similar Mobile Habitable Structures	2
9.1.2	Modification of Delegation Register DAR8 - Development Application Delegations	6
9.1.3	Lot 239 (No. 67-89) Stirling Terrace, Toodyay - Toodyay Club Inc - Urgent Repair of Fencing	6
9.2	CORPORATE AND COMMUNITY SERVICES	7
9.2.1	Monthly Financial Statements - October 2024	7
9.2.2	List of Payments - October 2024	8
9.2.3	Sundry Debtor Write-offs	12
9.3	EXECUTIVE SERVICES	12
9.3.1	Council Forums Policy	12
9.3.2	Superannuation Policy	12
9.3.3	2025 Australia Day WA Community Citizen of the Year Awards	12

9.3.4	Committee restructure	13
9.3.5	Toodyay Recreation Centre	14
9.4	INFRASTRUCTURE AND ASSETS.....	16
9.5	COMMITTEE REPORTS.....	17
9.5.1	Bush Fire Advisory Committee Recommendations and the Adoption of Bush Fire Brigades Local Law 2024.....	17
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	17
11	NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING	17
12	QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN	17
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	17
13.1	MEMBERS	17
13.2	EMPLOYEES	17
14	CONFIDENTIAL BUSINESS	17
15	NEXT MEETINGS	17
16	CLOSURE OF MEETING.....	17

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Cr M McKeown, Shire President, declared the meeting open at 3.00pm.

2 RECORDS OF ATTENDANCE

Members

Cr R Madacsi	Councillor
Cr S McCormick	Councillor
Cr M McKeown	Shire President
Cr D Wrench	Councillor
Cr M Dival	Deputy Shire President
Cr J Prater	Councillor

Staff

Mr A Bowman	Chief Executive Officer
Ms T Bateman	Executive Manager Corporate and Community Services
Mr H de Vos	Executive Manager Development and Regulation
Mrs M Rebane	Governance Coordinator

Visitors

E. Hall

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Cr C Duri Councillor

2.3 APPLICATIONS FOR LEAVE OF ABSENCE

Name	Date from
Cr Madacsi	28 November 2024 until the 31 January 2025 inclusive.

3 DISCLOSURE OF INTERESTS

A disclosure of interest in the form of a written notice had been received prior to the commencement of the meeting as follows:

Cr McKeown declared an Impartiality interest pursuant to Regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021. The nature of his interest was that some of the payments made have been made to persons who he considers are friends. He indicated that there may be a perception that my impartiality on the matter may be affected and that he would consider the matter on its merits and vote accordingly.

4 PUBLIC QUESTIONS

4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

As per Council Meeting Agenda.

4.2 PUBLIC QUESTION TIME

Nil.

5 CONFIRMATION OF MINUTES

As per Council Meeting Agenda

6 PETITIONS / PRESENTATIONS / SUBMISSIONS

6.1 PETITIONS

Nil.

6.2 PRESENTATIONS

Nil.

6.3 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 - Setbacks of Caravans and Similar Mobile Habitable Structures

Item 9.1.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
<i>Dival</i>	Why do we need a separate planning policy?	<p><i>The issue is that without the policy Tiny Homes, Caravans or anything that can be moved is not considered a building as it is only considered a vehicle.</i></p> <p><i>In a rural residential area, for example, the setback is 30 m however someone could put a caravan right on the boundary therefore it is important to ensure the policy covers having setback for caravans similar to buildings.</i></p> <p><i>This is the reason why the policy has been put forward.</i></p>
<i>Dival</i>	Under application of the policy it says there are no exceptions	<p><i>There will be no exceptions to the setback variation albeit that staff have delegation up to 100%.</i></p>

Item 9.1.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
	to the policy. What is the intent?	
Dival	There are no exceptions to the policy however the policy says underneath that under the heading Discretion it says that where the application does not meet the setback provision that applicants can provide justification and decision makers/officers can exercise discretion. They seem to contradict each other. Can you clarify their meaning?	<p><i>The question was taken on notice.</i></p> <p><u>Response after meeting provided by Executive Manager Development and Regulation as follows:</u></p> <p><i>The WAPC’s Draft WA PLANNING MANUAL – LOCAL PLANNING POLICIES which is currently out for public consultations states:</i></p> <p><i>Exceptions - when establishing that the policy applies to specific types of development, geographic areas and/or scheme zones, are there any exceptions and under what circumstances these exceptions apply.</i></p> <p><i>In this instance there are no exceptions in this Policy as it applies to the whole Shire. The use of discretion is a different matter and is not affected by exemptions.</i></p>
Dival	Under Policy provisions item 3: environmental and visual aspect. Are we asking people to put in permanent structures like fencing and vegetation for a mobile vehicle?	<p><i>Under the changes to the Caravan and Camping Act applicants can ask for up to two years. Staff were of the view that two years of a neighbour having a visual impact needs to be minimised.</i></p>
Dival	Do people visiting have to ask for permission when parking for a temporary use, like when they are parked on the front lawn in their caravan when visiting temporarily?	<p><i>Under the Caravan and Camping Act visitors can spend up to 3 days every 28 days.</i></p> <p><i>If someone has visitors coming up for a long weekend there is no approval required however because the changes to the Caravan and Camping Act allow local governments to approve up to two years we are of a view that it is more semi-permanent and the implementation of this policy will make sure any impacts to neighbours is not significant.</i></p>
Dival	If they are behind their setback in their zoning do those people have to shield the caravan from view?	<p><i>No they only need to minimise the visual impact if it can be seen by the neighbour. Does not have to be permanent screening. It could be pot-plants. The policy talks about minimising visual impact. Each application would be assessed on its merits.</i></p>
Dival	Visual scale of locality. How will you assess or measure that?	<p><i>The question was taken on notice.</i></p> <p><u>Response after meeting provided by Executive Manager Development and Regulation as follows:</u></p>

Item 9.1.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
		<i>The visual scale of the locality will be assessed by comparing the size, height, and bulk of proposed structures against existing developments and natural features within the area, ensuring consistency with the visual character of the locality. This may involve mapping key features, evaluating the visibility of the structure from public vantage points, and ensuring compliance with setback and screening provisions in the relevant policy to minimise visual impacts and maintain harmony with the surroundings.</i>
<i>Dival</i>	Design and colour: if people buy a white caravan what are they expected to do?	<i>Where possible we will stop them from having something that stands out. No different to an outbuilding application.</i>
<i>McKeown</i>	Is a development application required?	<i>No</i>
<i>McKeown</i>	How different is that from an outbuilding?	<i>As a caravan is not considered a structure a development approval is not required. To protect neighbour's privacy, in instances of applications coming through for a tiny house on wheels parked for two years we need a policy to deal with the setback and the policy will replicate what would be required for a habitable building or permanent structure.</i>
<i>Dival</i>	Why could not this have been workshopped before coming to Council?	<i>This is a straight forward policy replicating exactly what is in our current management practices.</i>
<i>Prater</i>	Have we had complaints in the last 12 months	<i>We have had one complaint.</i>
<i>Prater</i>	Can Council see that complaint?	<i>No, as it is an operational matter.</i>
<i>Prater</i>	What happens if Councillor has been approached by someone in the community about a problem like that?	<i>They should pass it on to the CEO for allocation to staff.</i>
<i>Prater</i>	Does this just apply to rural residential blocks or town blocks?	<i>No. It will deal with every location.</i>
<i>Prater</i>	If people in town have a caravan in town next to their house will they have to apply?	<i>The policy does not cover it because they are not living in it.</i>

Item 9.1.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
Prater	What is to stop someone parking that caravan on their block but do not live in it	<i>This policy is for habitable mobile structures with a person living in it for up to two years.</i>
McKeown	The policy just says habitable – which means lived in or not Aren't they habitable whether or not they are lived in?	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Development and Regulation as follows:</u> "Habitable" means the structure is designed for human habitation and meets requirements for being lived in (e.g., safety, amenity, and functionality), the intent of this policy is to focus on IF the caravan or similar structure is being habited in – not if the caravan is being parked for storage. The purpose is to provide some framework to allow for issues such as privacy for occupiers AND adjoining landowners. Likely scenarios would be if someone is using these structures for short-term rental accommodation.
McCormick	Can we workshop this as a Council?	<i>Yes, if the policy is not approved it can be workshopped.</i>
Madacsi	If we need to ensure a person lives in it will it be added to the purpose to avoid workshopping it together?	<i>Yes. We will just change one or two words to cover that.</i>
Prater	Can we have a site visit on the issue that you are trying to address?	<i>I would strongly suggest not to as it would involve in operational matters.</i>
McKeown	The policy refers to a building envelope – the only place parking it is in the building envelope. What if it is taken up by the building? How can it be used with this policy?	<i>The reason properties have a building envelope is to protect impact to neighbouring properties. Anything a person lives in should be within the building envelope.</i>
McKeown	Can a caravan be parked outside the Building envelope without living in it?	<i>Yes.</i>
Madacsi	Is the purpose of the policy for when someone is living in it the external activities such as chairs, pets, etc for creating order? Where you have a	<i>That would be a reasonable assumption.</i>

Item 9.1.1 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
	vehicle to only go on holidays that is not creating the same perception if you could live in it?	

9.1.2 Modification of Delegation Register DAR8 - Development Application Delegations

Item 9.1.2 - Questions and Points raised		
Councillor	Discussion	Response from CEO unless otherwise stated.
<i>Madacsi</i>	Why is DAR8 - Development Application Delegations being reviewed when it was last reviewed on 28 June 2023?	<i>Delegations can be altered at any stage where it becomes evident that a change may result in better governance. The delegation Council were giving staff had no restrictions. The Executive Manager could have approved a setback of two metres. There was a need to review it as I could not find any other examples in any other local governments where Council approved an excessive delegation.</i>
<i>Madacsi</i>	Given the checks and balances of Development Applications being assessed by experienced planners first, please explain why the authority of the CEO to act independently has been increased?	<i>The revision of the delegation means that the authority has been decreased. At the moment my staff have delegation to approve applications with 100% variation.</i>

Cr McCormick departed at 3.28pm and returned at 3.30pm.

9.1.3 Lot 239 (No. 67-89) Stirling Terrace, Toodyay - Toodyay Club Inc - Urgent Repair of Fencing

Item 9.1.3 - Questions and Points raised		
Councillor	Discussion	Response from CEO unless otherwise stated.
<i>Prater</i>	Colour: How will that be in the Heritage Area	<i>That is a consideration of Council. This is the colour they put forward to best interact with other colorbond fences in close proximity.</i>
<i>Prater</i>	It is a very similar colour to limestone.	<i>Yes they are both creamy coloured.</i>

Item 9.1.3 - Questions and Points raised		
Councillor	Discussion	Response from CEO unless otherwise stated.
Dival	Is the cream and yellow part of the colour palette?	Executive Manager Development and Regulation response: Yes.

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 Monthly Financial Statements - October 2024

Item 9.2.1 - Questions and Points raised		
Councillor	Discussion	Responses from the Executive Manager Corporate and Community Services unless specified otherwise.
Madacsi	The 71.47% reduction in Interest Revenue to actuals – is this timing or something else?	<i>Timing – cash balance is usually lower between the months of June and September as we complete projects and await the new year's rates payments.</i>
Madacsi	The 23.76% increase in Materials and contracts expenditure?	<i>Timing – outflows at beginning of the financial year generally relate to maintenance and operational expenditure. As the focus shifts to capital projects, costs will be attributed to investing activities rather than operating activities.</i>
Madacsi	The 112.3% reduction in Finance Costs?	<i>Timing – the positive balance of \$5,473 relates to the accrued portion of loan interest and will be cleared as interest repayments are posted for the current financial year. The amount of \$133K comes directly from the loan schedules.</i>
Madacsi	And the reasons for the difference between 30 June 2024 and the 31 Oct 2024 Actuals (p.24). Cash and Cash Equivalents (\$5,250,021 → \$9,487,988)	<i>In addition to the timing for rates payments falling due in October, there is approx. \$1.5M in bonds and deposits which are offset within Other Liabilities (see question below).</i>
Madacsi	Right-of-Use Assets (\$153,940 → \$435,322)	<i>The 153K is an error relating to the FY2023 lease figures which will be corrected next month. The balance as at 30 June 2024 was \$435K – the increase between FY23 and FY24 is the result of 2 new truck leases last year.</i>
Madacsi	Other Liabilities (\$6,979 → \$1,795,000): given Total Equity is comparable, is this indicative of internal movements between ledgers?	Yes

Item 9.2.1 - Questions and Points raised		
Councillor	Discussion	Responses from the Executive Manager Corporate and Community Services unless specified otherwise.
Madacsi	On page 27: The 'Capital Expenses' graph (p.27) shows expenditure is below budget, is our works program behind schedule?	Yes. <u>Response from Executive Manager Infrastructure, Assets and Services:</u> Expenditure was above budget earlier in the financial year and has dropped below budget as road projects were getting underway. The spend will accelerate over summer as major road projects are completed.
Madacsi	The Asset Development Reserve is incorrectly displayed.	The physical transfer from reserve is yet to be processed.
Madacsi	On page 28: Sundry Debtors are substantially higher than this time in 2023, please explain?	Of the \$393K, \$250K relates to invoices for Main Roads (MRWA) and DFES – these are expected to be paid in the coming weeks.
Madacsi	Is this due to the loss of Mr Werder who was vigilant in managing outstanding debt?	No

9.2.2 List of Payments - October 2024

Item 9.2.2 (List of Payments) Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise stated.
Madacsi	Line item 13: Cheque 2 - Pelham Reserve toilets: the last water account was \$243.70 and this account \$336.99, as these accounts are usually below \$60 has a plumbing leak been investigated?	The question was taken on notice by the CEO. <u>Response after meeting provided by:</u> There have been no reports of a water leak at this location. There is sometimes illegal water draw off at these locations. A security tap will be installed.
Madacsi	Payment 32 - Beam Me Up Media Pty Ltd of \$3,410, was this a budgeted item? p.35	<u>CEO response:</u> Yes – expense relates to National Science Week programs organised by the CRC and are fully grant funded activities.

Item 9.2.2 (List of Payments) Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise stated.
Madacsi	Payment 114 – Perfect Gym Solutions \$3,272.50, what was this for? p.36	<u>CEO response:</u> Point of Sales system at the Pool – budget was \$11K – no further expenditure is required.
Madacsi	Payment 160– Staff amenities \$1,158.44, why is this amount climbing? p.38	<u>CEO response:</u> Incorrect description – payments regularly include purchases for programs, activities, newspapers, training sessions, etc.
Madacsi	Payment 214 & 215 – Cloud Collections Pty Ltd \$14,457.74 and \$15,026.00, what was the return for the community for this service? p.39	<u>CEO response:</u> These are recoverable costs relating to rates debt collection and are on charged to the property.
Madacsi	Do we have an overall forecasting of what we are going to receive for the payment of those rates?	<u>CEO response:</u> It would be the outstanding rate notice for those properties and we would recover all the outstanding rates plus the cost to collect the rates.
Madacsi	Payment 273 – LGIS Membership Policies 2024-25 1st Payment \$252,267.84 – further explanation requested	<u>CEO response:</u> Insurance premiums for FY2024/25. The Shire is charged in two instalments for the larger invoices.
Prater	Ref 23 Water Corporation Community Standpipe \$548.13 Is the standpipe being calibrated yet to collect revenue from the standpipe.	<u>CEO response:</u> Yes. We have received some money already.
Prater	Ref 24 ASB Sales and service Repairs per quote \$16,770.24 What is it?	The question was taken on notice. <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> This was for Replacement of main axle and rollers on the Positrak vehicle.
Prater	Ref 112 Northam Avon Descent Association Annual Sponsorship. Avon Descent 2024 event \$11,000. Have we not already paid that?	The question was taken on notice by the Executive Manager Corporate Services. <u>Response after meeting provided by Executive Manager Corporate Services:</u> No we had not.
Prater	Ref 129 Southern Cross Radio Advertising for the TIFF \$1,518. That has only just come through. Why?	Because the invoice was just received.

Item 9.2.2 (List of Payments) Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise stated.
Prater	Did the costings of the TIFF include this?	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Corporate Services:</u> Yes.
McCormick	Page 33 Ref 64. Supply and installation industrial dishwasher at Memorial Hall. Is it replacing an existing one and was it warranted?	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> This was for replacement of the existing machine. It was warranted and a half price machine was purchased.
McCormick	Page 34. Ref 69. Light switches at unknown facility replaced with push timers. What facility was that?	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> This was for the Shire Operations Centre
Prater	Ref 251 Electrical air conditioning and gas and a damaged power pole \$3824.37. Are we responsible for that pole and what prompted us to be doing it?	<i>A car ran into the pole which is what prompted the payment. The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> Emergency repair due to a vehicle colliding with the pole at the Men's Shed property. The site had to be made safe and an insurance claim will be submitted on the other party.
McCormick	Ref 243 CMF Building approvals. \$1,705. What building approval was that for?	<i>That was a periodic invoice from the contract planner for a number of buildings that were processed.</i>
Prater	Synergy group account Ref 299 Synergy group account. Why is this grouped together?	<i><u>Executive Manager Corporate Services response:</u></i> We get one bill with a lot of accounts on it. We received the group account bills for quite some time. A listing will be provided to Councillors via email.
Prater	Ref 309 Toodyay Hardware and farm purchases less than \$60. List of them from \$309, 310 and 311. There is no description on what it is, appears to be because it is under \$60.	<i>The purchases are very immaterial in nature.</i> <i><u>Executive Manager Corporate Services response:</u></i> \$60 is the limit for which we do not prepare a separate purchase order. A Standing Order exists as an internal procedure.
McCormick	Page 40: Ref 290291. Description says Donegan's	<i>We will look at the description and may need to amend the wording</i>

Item 9.2.2 (List of Payments) Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise stated.
	<i>render of outside walls were being re-rendered. I am after confirmation of that re-rendering. Has this occurred?</i>	<u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> First stage complete, rendering will be installed after the brick surface treatment is effective.
<i>Dival</i>	<i>Page 33 line item 65. LED's. What buildings ?</i>	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> Replacement of obsolete batten fluorescent lights at the Pavilion at the Showgrounds with LED.
<i>Dival</i>	<i>Page 40. 302-304. Telstra accounts. Are they for new phones?</i>	<i>These accounts are the mobile accounts and they sit around the \$1,300 per month. We do not receive the bills. We have to download them from the portal from Telstra so it looks like because there was an allocation issue with a payment and we had a rather large credit on one account and were not receiving payment reminders.</i>
<i>Dival</i>	<i>341 Altus Planning and Appeals. Are we using two contract planners for assessment?</i>	<u>Executive Manager Development and Regulation response:</u> <i>The Altus Planning were the first consultants we used and we received better value from the second consultant engaged.</i>
<i>Dival</i>	<i>Line item 392/397 and others throughout on page 43. Staff reimbursed for expenses added up to substantial amount. Why do they need to be reimbursed? How does it work with the policy?</i>	<i>Not every staff member is provided with a credit card and been times they purchased something or the Shire and were reimbursed.</i>
<i>McKeown</i>	<i>Why were the purchases so important a purchase order was not put through?</i>	<i>They are for a one off purchase where we do not have an account with suppliers.</i>
<i>Dival</i>	<i>507-508 Credit card of \$1141 for gift cards. What were they for?</i>	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> The gift cards are for fuel for the Fire Control officers which has been the practice in the Shire as the FCO's are excluded from the State fuel card access.

Item 9.2.2 (List of Payments) Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Corporate and Community Services unless otherwise stated.
Prater	Ref 230 for Avon Concrete \$12,320 and reference 236 and it says Avon Waste purchase for wheelie bins is an identical amount. Is that purely coincidence?	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> A check of the invoices shows this is a coincidence.
Prater	Wheelie Bins: do we buy in bulk and store them or get them as people want them?	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services:</u> Avon Waste store the bin deliveries and then replace bins as required.
McCormick	Ref 299 Synergy \$10,899.36 at what facility is that?	<i>That was a grouped account and we will provide a breakdown of the grouped buildings.</i>
Prater	Ref 489/page 14: Recovery of feral pig tracking colours \$650	<i>The question was taken on notice.</i> <u>Response after meeting provided by Executive Manager Development and Regulation:</u> This charge relates to the euthanasia of feral pigs and subsequent retrieval of tracking collars. The Shire engaged the service of a professional shooter to do this as we were still waiting for Firearms Licence arrangements to be settled for our new Rangers.
McKeown	520/521: accommodation – paying for it and then refunding it.	<i>We paid for it and then had it refunded.</i>

9.2.3 Sundry Debtor Write-offs

Nil.

9.3 EXECUTIVE SERVICES

9.3.1 Council Forums Policy

Nil.

9.3.2 Superannuation Policy

Nil.

9.3.3 2025 Australia Day WA Community Citizen of the Year Awards

Nil.

9.3.4 Committee restructure

Item 9.3.4 - Questions and Points raised		
Councillor	Discussion	Response from the CEO unless otherwise specified.
Madacsi	<i>Where was the information sourced on the functioning of the Environmental Advisory Committee as the report has numerous incorrect conclusions.</i>	<i>Lack of interest or minimal interest and the fact that been very minimal committee meetings held with the agenda. The committee last met in Jan 2024.</i>
Madacsi	<i>Was that not due to the second meeting one person did not arrive (no quorum) and at the third meeting the budget meeting over-ran the time of the EAC and the budget was more important at that time than the EAC?</i>	<i>Noted.</i>
Madacsi	<i>How will the local knowledge and expertise so critical to environmental outcomes be conveyed to officers and council?</i>	<i>Currently in reviewing anything in the Environment Committee I see no benefit that can be provided to my officers and in actual fact in some more informal meetings that have been arranged I have seen more benefits provided to my officers on various strategies and other issues.</i>
Madacsi	<i>Is it not correct that you have only just arrived so that the previous operation of this committee and what it was achieving has not been made apparent?</i>	<i>Yes it is correct I have been here for three months, one week however, in reviewing a number of factors including the level of interest there were only two community members that expressed an interest out of the population of 4,532 which showed me that the community is not interested or not available to provide assistance and in addition, when looking at previous agendas and minutes, there was nothing there to provide to my staff to assist them in doing their work in this area and in actual fact it created more work for staff.</i>
Madacsi	<i>Is it not true that throughout 2021, 2022 and 2023 a great deal of the work was taken off the staff and the lobbying undertaken on behalf of the EAC and the Shire was undertaken by myself with very positive outcomes which included recognition in the BAM act of funding areas like Toodyay.</i>	<i>I will not comment on previous history. It will be more productive to have items come to Council through the briefings process including regular feedback informally from the community to allow the Shire to do lobbying.</i>

9.3.5 Toodyay Recreation Centre

Questions and Points raised		
Councillor	Discussion	Response
Dival	<i>In regard to the lack of an operational manual, how have items, for example (in my observation) pool covers that have not been used previously, impacted the pool itself in terms of maintenance or running costs, and has patron usage been impacted? Are there other issues such as this that have been identified, and have they been addressed, or can you provide information on how they will be addressed for the benefit of patrons.</i>	<i>Feedback about the water temperature of the pool was that it was freezing because the pool covers were not being used. The temperature was at 20 degrees which is not a suitable temperature to be swimming in in the season. We were advised they do not use the covers if there are strong winds expected. Since having a new contract in place the pool blankets have been put on. If significant winds are expected the covers are not put on. The average temperature was improved and we have received positive feedback.</i>
Dival	<i>In regard to the budget items provided in the report, could you please provide explanation about how there will be a \$15,000 saving for electricity charges?</i>	<i>There is no need to run the pool pumps in the off season. A shut down provision can be implemented so pumps do not operate outside the season. Making process changes we will be able to save money.</i>
Dival	<i>Pumps have run over winter. What does that do to their life?</i>	<i>As the pumps were run over winter a three year old pump working all year round will equate to the condition of a six year pump. The change will maximise the use of the equipment.</i>
Madacsi	<i>The officers report states the “risk of doing nothing (Extreme (20)” and risk “should be contained and addressed immediately” as the reason to use the emergency provision of section 6.8(1)(c) of the Local Government Act.</i> <ul style="list-style-type: none"> • <i>Why was the pool not closed and secured, so council could consider the risk and financial merits of external management?</i> • <i>Why were the emergency provisions used to permit the shire president to authorise unbudgeted expenditure, without councils</i> 	<i>The pool would have had to be closed if another option was not found. It did not look likely however the option available that we have obtained has enabled us to keep the pool running. There were questions about it being an emergency however verbal legal advice is that it only needs to come to Council to be authorised.</i>

Questions and Points raised		
Councillor	Discussion	Response
	<p>approval, used if the pool could just be closed?</p> <ul style="list-style-type: none"> • Did an emergency exist as defined by the Department of Health and the Emergency Management Act 2005 or was it an operational matter to be managed? 	
<p>Madacsi 1</p>	<p>What is the current management arrangement in place with Contract Aquatic Services?</p> <ul style="list-style-type: none"> • How long are their services secured? • What period does the \$157,000 payment cover? • When will council be provided the scope and conditions of their employment? 	<p>The confidential attachment provides answers to all those questions.</p>
<p>Madacsi</p>	<p>As the Shire has managed the Recreation Centre since 1 July and council agreed at the July meeting “the management by the Shire will involve appropriate reporting mechanisms to be established that balance the need for commercial efficiency with accountability to the community”</p> <ol style="list-style-type: none"> 1. why were these matters were not identified earlier and reported to council? 	<p>Two months ago in October 2024, I took over supervision and management of community services.</p> <p>I asked questions and did reviews of the Aquatic Facility and became concerned.</p> <p>The Risk Management Framework and Council’s Policy requires that action be taken where there are risks involved.</p>
<p>Madacsi</p>	<p>The officers report states the “risk of doing nothing (Extreme (20)” and risk “should be contained and addressed immediately” as the reason to use the emergency provision of section 6.8(1)(c) of the Local Government Ac.</p> <ol style="list-style-type: none"> 1. Why was the pool not closed and secured, so council could consider the risk and financial 	<p>My job is to undertake operational matters of the Shire. I was able to minimise those risks and source a contract to keep the pool running.</p> <p>I did not think it would be a good decision to close the pool. Seasonal Swimming lessons have started and we would have received more community complaints if no action had been taken.</p>

Questions and Points raised		
Councillor	Discussion	Response
	merits of external management?	
Madacsi	What reporting and oversight procedures will the Shire put in place to ensure legacy issues are resolved and more issues won't occur, and when?	<i>I am working on that with other competing demands and priorities. It has been a busy two weeks with issues that are being documented so they can be addressed and followed up. I had a concern about the condition of the facility where little had been done to address.</i>
Madacsi	Current estimated costs for a shire run recreation centre were \$833,936 (without income), what will the recreation management cost with Contract Aquatic Services (without income)?	<i>The Contract Aquatic Services will not be running the Pavilion at the Toodyay Recreation Centre. That is being run by in house staff. The Contract Aquatic Services will operate the pool. The change is cost neutral to council and allocated another \$50,000 for a compliance matter as well.</i>
Madacsi	What was the organisational chart to manage the complex under the shire, and how will it change with Contract Aquatic Services?	<i>There was a Manager of Recreational Services reporting to the Executive Manager Community Services. I took over and that position directly reports to me.</i>
Madacsi	How does Net Impact (p.44) explain the cost of "accommodating" Contract Aquatic Services "within the existing allocations" which are based upon the option council chose?	<i>I have reviewed costs and have accounted for what the Shire is required to provide within existing allocations.</i>
Madacsi	Has the organisation chart for staff changed?	<i>Yes.</i>
Prater	Was a ledger/diary kept of readings of chemicals for the pool	<i>The question was taken on notice. <u>Response after meeting provided by Executive Manager Infrastructure, Assets and Services</u> Yes.</i>
McCormick	Are the legacy issues directly responsible from Clublinks and Shire admin at the time omitting some obligations of that contract?	<i>These matters are confidential. A number of issues have lead us to this stage. We will work through the lack of maintenance which is another matter.</i>

9.4 INFRASTRUCTURE AND ASSETS

Nil.

9.5 COMMITTEE REPORTS**9.5.1 Bush Fire Advisory Committee Recommendations and the Adoption of Bush Fire Brigades Local Law 2024**

Nil.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

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

Nil.

12 QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

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 4.24pm.