



# Agenda Briefing

## 15 May 2024

# Notes

### Unconfirmed Notes

These notes were approved for distribution on 16 May 2024.

Tabitha Bateman

**ACTING CEO**

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 May 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 .....	1
5	CONFIRMATION OF MINUTES .....	2
6	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....	2
6.1	PETITIONS .....	2
6.2	DEPUTATIONS .....	2
6.3	PRESENTATIONS .....	2
6.4	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	P2023-87 - Lo1 1 (No. 1010) Morangup Road, Morangup - Renewal of Extractive Industry Licence - Austral Bricks Pty Ltd .....	2
9.1.2	P2024-16 - Lot 3 (No. 34) Stirling Terrace, Toodyay - Proposed fence in Catholic Church Precinct .....	2
9.1.3	P2024-22 - Lot 4 (No. 3) Mercy Retreat, Toodyay - Proposed fence in Catholic Church Precinct .....	2
9.2	CORPORATE AND COMMUNITY SERVICES .....	3
9.2.1	Monthly Financial Statements - April 2024 .....	3
9.2.2	List of Payments - April 2024 .....	3
9.3	EXECUTIVE SERVICES .....	4
9.3.1	Audit and Risk Committee Charter .....	4
9.3.2	Lease and Agreements Update .....	5
9.4	INFRASTRUCTURE AND ASSETS .....	5

---

9.4.1	Tender Evaluation TEN 95 04/2024 Waste Transfer Station and Bulk Waste Transfer .....	5
9.4.2	Concept Design of Bridge 4085 Toodyay West Road.....	5
9.5	COMMITTEE REPORTS.....	6
9.5.1	HAC recommendations from meeting held on 8 May 2024.....	6
9.5.2	BFAC recommendations from meeting held on 1 May 2024.....	6
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	6
11	NOTICES OF MOTION GIVEN AT THE MEETING FOR CONSIDERATION AT NEXT MEETING .....	6
12	QUESTIONS OF MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN .....	7
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....	7
13.1	MEMBERS .....	7
13.2	EMPLOYEES .....	7
14	CONFIDENTIAL BUSINESS .....	7
15	NEXT MEETINGS .....	7
16	CLOSURE OF MEETING.....	7

**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

Cr M McKeown, Shire President, declared the meeting open at 3.09pm.

**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

Staff

Ms T Bateman	Acting Chief Executive Officer
Mr C Sullivan	Executive Manager Infrastructure, Assets & Services
Mrs M Rebane	Executive Assistant
Mrs N Mwale	Finance Coordinator
Mr M Werder	Project Manager

Visitors

Nil.

**2.1 APOLOGIES**

Mr H de Vos	Executive Manager Development and Regulation
Cr J Prater	Councillor

**2.2 APPROVED LEAVE OF ABSENCE**

Cr Wrench – till 26 May 2024.

**2.3 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

**3 DISCLOSURE OF INTERESTS**

Nil.

**4 PUBLIC QUESTIONS****4.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4.2 PUBLIC QUESTION TIME**

Nil.

**5 CONFIRMATION OF MINUTES**

As per Council Meeting Agenda

**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 P2023-87 - Lo1 1 (No. 1010) Morangup Road, Morangup - Renewal of Extractive Industry Licence - Austral Bricks Pty Ltd**

Nil.

**9.1.2 P2024-16 - Lot 3 (No. 34) Stirling Terrace, Toodyay - Proposed fence in Catholic Church Precinct**

Nil.

**9.1.3 P2024-22 - Lot 4 (No. 3) Mercy Retreat, Toodyay - Proposed fence in Catholic Church Precinct**

Item 9.1.3 - Questions and Points raised		
Councillor	Discussion	Response
<i>McKeown</i>	Two different style of fencing on two adjoining properties. How is that dealt with?	<p><i>Taken on notice.</i></p> <p><b><u>Response after meeting:</u></b></p> <p>Both applicants have been contacted for comment. An update will be provided at the Ordinary Council Meeting.</p>

9.2 CORPORATE AND COMMUNITY SERVICES

9.2.1 Monthly Financial Statements - April 2024

Nil.

9.2.2 List of Payments - April 2024

Item 9.2.2. - Questions and Points raised

Councillor	Discussion	Response
Madacsi	<p>Water Corporation account 9007935002 for 2023 and 2024</p> <ul style="list-style-type: none"> <li>• What accounts were received, when and for how much?</li> <li>• Was any of these accounts reimbursed, if so when and for how much?</li> </ul>	<p><i>Taken on notice.</i></p> <p><b>Response after meeting:</b></p> <p>The table below details accounts paid for water at the Fiennes Street Tennis Courts.</p> <p>The water accounts for this property are generally paid by the Toodyay Tennis Club (TTC) however, for different reasons, some bills may be paid by the Shire and on charged to the TTC.</p> <p>Until June 2023 all accounts had been paid/ reimbursed by the TTC. Recently the TTC disputed the charges with Water Corporation. The TTC advised the Shire of the situation.</p> <p>In the meantime the Shire paid the overdue account while TTC sought resolution, to ensure that the water was not cut off. Currently there is a credit on the account of \$1,102.52.</p>

Transaction ID	Reference	Description	Amount	Transaction Date
12448	Water Corporation – 800	Water Account – 9007935002 Tennis Courts for period from 241023-151223	\$573.40	1/1/2024
13110	Water Corporation – 0213 – 9007935002	Water Account – 9007935002 Tennis Courts for period December 2023	\$814.23	22/02/2024
10470	Water Corporation – 0205 – 9007935002	Water Account – 9007935002 Tennis Courts	\$64.33	15/06/2023
10162	Water Corporation – 0202 – 9007935002	Water Account – 9007935002 Tennis Courts	\$559.40	1/5/2023
9288	Water Corporation – 0200 – 9007935002	Water Account – 9007935002 Tennis Courts	\$483.88	24/02/2023

McKeown	<p>Expenditure for Water accounts and at the showgrounds for \$14,000 – compared this year to last year or even the year before is that a</p>	<p><i>Taken on notice.</i></p> <p><b>Response after meeting:</b></p> <p>Water usage at the showgrounds and other parks is seasonal, dictated by the need to maintain turf/lawn areas. Over the summer months the cricket pitch needs to be watered from the</p>
---------	---	---

Item 9.2.2. - Questions and Points raised		
Councillor	Discussion	Response
	big increase for use of water over those years?	<p>scheme given the high salt content of the bore. Additionally, last summer was exceptionally dry, with no rainfall from mid-October to late March, leading to increased reliance on scheme water.</p> <p>This summer has also been hot and dry, further depleting bore water resources.</p> <p>Based on information from the accounts, the cost and use of water has more than doubled.</p>

**9.3 EXECUTIVE SERVICES**

**9.3.1 Audit and Risk Committee Charter**

Item 9.3.1 - Questions and Points raised		
Councillor	Discussion	Response provided by the Acting CEO unless otherwise specified
<i>McKeown</i>	Clarification to be given	<p><i>Councillors have an update to the Charter report. This was not included in the original draft agenda sent out last week as we were seeking feedback from the ARC.</i></p> <p><i>A few updates have been made throughout the new document compared to the new document around responsibilities of the ARC, review periods, etc.</i></p>
<i>Madacsi</i>	This seems to be the original charter adopted and cannot see the changes made. Will we get an emailed copy?	<p><i>Yes that will come as part of the Agenda to be circulated on Thursday 16 May 2024.</i></p>
<i>Madacsi</i>	Were the changes from what was recommended by the Department?	<p><i>Yes the changes were due to the department advice received. The draft was sent out to the ARC for feedback and there have been tweaks that have been incorporated into the REVISED Charter.</i></p>

**9.3.2 Lease and Agreements Update**

Item 9.3.2 - Questions and Points raised		
Councillor	Discussion	Response from the Acting CEO unless otherwise specified
<i>Duri</i>	Toodyay Tennis Club When will the six month term commence from?	<i>The comment in the attachment will be updated.</i>

**9.4 INFRASTRUCTURE AND ASSETS**

**9.4.1 Tender Evaluation TEN 95 04/2024 Waste Transfer Station and Bulk Waste Transfer**

Item 9.4.1 - Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Infrastructure, Assets and Services unless otherwise specified
<i>McCormick</i>	Point (b) of the OREC about transportation of general waste to Northam. Can we look at options within our own Shire for disposing of the waste in Toodyay rather than promoting continual use of taking it to Northam to a tip environmentally non sustainable?	<i>We have not considered that option. The landfill in the district was not considered as part of the tender process.</i>

**9.4.2 Concept Design of Bridge 4085 Toodyay West Road**

Item 9.4.2 - Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Infrastructure, Assets and Services unless otherwise specified
<i>McKeown</i>	Clarification on this regarding the Officer's Recommendation.	<i>The recommendation was drafted before the Council Forum so it will be Council's decision as to whether they wish to move any kind of motion to change the Officer's Recommendation at the meeting.</i>



Item 9.4.2 - Questions and Points raised		
Councillor	Discussion	Response from Executive Manager Infrastructure, Assets and Services unless otherwise specified
Madacsi	Looking at road realignments. Are they separate to the bridge funding or were they planned to be an additional expenditure?	<i>This was a point of clarification through Main Roads WA (MRWA). Any roadworks changes either side of the bridge, particularly if it is not a declared road is a local government responsibility.</i>
Madacsi	What is the rough cost estimate of that?	<i>If there is a road realignment associated with the road reconstruction MRWA would still design that for the local government, but the Shire would be paying for it.</i>

**9.5 COMMITTEE REPORTS**

**9.5.1 HAC recommendations from meeting held on 8 May 2024**

Item 9.5.1 - Questions and Points raised		
Councillor	Discussion	Response from Cr Dival
McCormick	Can the Presiding person of that committee please provide some background into the recommendation 1, point 2 where it says "Council considers the periodic schedule of preventative maintenance of Shire buildings."	<i>The Shire has assets and buildings that it owns and maintains. It was brought up that heritage buildings can at times have specialised needs because modern environmental factors can affect those buildings. The Committee felt that periodic inspections and maintenance scheduled to be undertaken on a regular basis by suitably qualified personnel could be beneficial.</i>

**9.5.2 BFAC recommendations from meeting held on 1 May 2024**

Nil.

**10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

A Notice of Motion has been received to consider the establishment of a Works Advisory Committee and Officers will include a report for the Agenda for next week's meeting.

**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 3.26pm.