



## SHIRE OF YORK

### NOTES OF THE BRIEFING INFORMATION SESSION HELD ON MONDAY, 16<sup>TH</sup> MARCH, 2015, COMMENCING AT 5.05PM AT THE YORK RECREATION & CONVENTION CENTRE, YORK

The York Shire Council acknowledges the traditional owners of the land on which this meeting will be held.

#### 1. OPENING

##### 1.1 Declaration of Opening

*Commissioner James Best declared the meeting open at 5.05pm.*

##### 1.2 Suspension of Standing Orders

Clause 3.2 – Order of Business

*Commissioner declared Standing Orders will apply*

##### 1.3 Declarations of Interest that Might Cause a Conflict

###### Financial Interests

*Nil*

###### Disclosure of Interest that May Affect Impartiality

*Nil*

#### 2. ATTENDANCE

##### 2.1 Commissioner

*James Best*

##### 2.2 Staff

*Graeme Simpson, Acting Chief Executive Officer; Tyhscha Cochrane, Deputy Chief Executive Officer; Allan Rourke, Manager Works & Services; Kira Strange, Planning Officer; Gail Maziuk, Compliance/Human Resources; John Coles, Environmental Health Officer; Tabitha Bateman, Financial Controller; Helen D'Arcy-Walker, Executive Support Officer*

##### 2.3 Apologies

*Nil*

##### 2.4 Leave of Absence Previously Approved

*Nil*

##### 2.5 Number of People in Gallery at Commencement of Meeting

There were 11 people in the Gallery at the commencement of the meeting

### **3. DEPUTATIONS**

Kerry Bramley - Item 4.1.1 – Crawford Court Precinct

- Not For or Against the Item
- GHD have put forward a proposal which is prohibitive
- Have obtained another verbal quote and would like to go down this path and have been told it could be done in a month, therefore would like to defer today's decision for a month
- The reason for this is the new quotation needs to be tabled and discussed further. Would like to put forward another plan.

Julian Krieg – Item 4.2.1 – York Health Advisory Group

- Supports recommendation
- The York Health Advisory Group is more than the Hospital
- After hours care – doctors and hospital
- IPN have withdrawn this care
- Health Department is looking at putting in money to cover a Doctor and After Hours Support if Doctors provide after hours care
- The Shire was previously providing a car and house on the condition that Doctors provide care
- Purchasing a car is negotiable and Doctors may prefer to receive a car allowance

Chris Baker – Item 4.2.5 – Easter Fair

- Not present

Simon Saint – item 4.4.1 – Freedom of Information

- Withdrawn – not prepared for Deputation

### **4. OFFICER'S REPORTS**

# Development Services

## 4. OFFICER'S REPORTS

### 4.1 DEVELOPMENT REPORTS

#### 4.1.1 Crawford Court Precinct

#### Summary:

In accordance with Schedule 5 of the York Town Planning Scheme No. 2, the preparation of an overall drainage plan for the Crawford Court Precinct is required prior to any approval for subdivision in the Crawford Court Precinct.

Mrs Kerry Bramley and Mr John Wieske have enquired in relation to the Shire covering the cost of preparing an overall drainage plan for the Crawford Court Precinct.

As per the resolution of Council from 15 September 2014, further investigation was required into the feasibility of preparing an overall drainage plan. It has been advised that the only way the costs could be re-couped from the land owners is through the preparation of a Structure Plan.

It has been concluded that the Shire is not in a position to cover the initial expense or the responsibility of project managing this document, especially given that the rate of return and overall community benefit would be minimal.

It is therefore advised that the Commissioner uphold the requirements of the Scheme and resolve that the landowners be responsible for the costs associated with the requirements of Schedule 5 in the Shire of York Town Planning Scheme No. 2.

#### OFFICER RECOMMENDATION

*"That the Commissioner:*

- 1. Uphold the requirements of the Shire of York Town Planning Scheme No. 2, specifically Schedule 5, additional requirements for the Crawford Court Precinct;*
- 2. Write to the landowners to inform them that the cost of the requirements associated with Schedule 5 will be the responsibility of the landowners/developers of the area."*

#### Notes from Briefing Information Session

Planning Officer -

- Mid to late last year two land owners requested the Shire to fund the drainage plan – then recoup costs from the landowners.
- Only way you could undertake this was with a Construction Plan
- Not a budgeted item – Shire does not have resources to do project
- Commissioner stated the project requires a suitably qualified person to do the drainage plan
- Deferring items for a month – Planning Officer stated the urgency was by the landowners – quote given was a guide – the requirements for developing is the landowner
- Landowners responsibility to prepare the drainage plan.
- Shire normally do not pay for a subdivision drainage plan. Shire would not be able to pay for it.

# Administration Reports

- 4. OFFICER'S REPORTS
- 4.2 ADMINISTRATION REPORTS
- 4.2.1 York Health Advisory Group

## Summary:

The York Health Advisory Group (YHAG) Committee has requested the Shire to support its submission to have an on call doctor service for the York Hospital, particularly after Independent Practitioner Network (IPN) surgery hours and weekends.

## OFFICER RECOMMENDATION

*"That the Commissioner:*

*Advise the York Health Advisory Group Committee that:*

1. *It supports the need for an on-call doctor service for the York Hospital, particularly after IPN surgery hours and weekends.*
2. *Commits financial resources for the next three financial years to provide for a house and car allowance for an initial three financial years.*
3. *An extension to the initial tri-annum is to be negotiated during the first three months of 2018 in time for the Shires deliberation of the 2018/19 budget."*

## Notes from Briefing Information Session

Acting Chief Executive Officer-

- Is subject to Health Department supplying the finance
- A benefit to the community
- Commissioner – would like to commend YHAG for taking this issue on
- Property and vehicle allowance to be provided

4. OFFICER'S REPORTS  
4.2 ADMINISTRATION REPORTS  
4.2.2 Application To Keep Bees

**Summary:**

To consider the applicant's request for permission to place one beehive on the residential property at 81 Andrews Avenue, York

**OFFICER RECOMMENDATION**

*"That the Commissioner:*

*Approves the request for 1 (one) beehive to be kept at 81 Andrews Avenue, York, and that such an approval is subject to the following conditions:*

- *No more than 1 (one) beehive will be kept on the property at any one time;*
- *The bee keeper must hold a current Certificate of Registration under Regulation 13 of the Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013 and must be made available to the Shire for inspection upon request.*
- *If the bee keeper is not the owner of the property where the beehive is sited, the Shire is to be satisfied that the owner's consent is provided to the bee keeper to maintain the beehive to as part of sound hive management principals.*
- *To the satisfaction of the Shire's Environmental Health Officer: An adequate and permanent supply of water must be provided in a shaded area nearby, so as not to cause a nuisance to neighbours; The boundary adjacent to the beehive must be screened to prevent bees flying low over a thoroughfare, public place or adjoining land; and The beehive must be at least 5 (five) metres from the boundary of adjoining lots and at least 8 (eight) metres from the boundary of any public place or thoroughfare.*
- *The beehive must be kept in such a manner that they do not cause a nuisance to another person.*

*Approves that no bees will be introduced onto the property of 81 Andrews Avenue, York, until the Shire of York is satisfied that all of the above conditions have been met, and that written confirmation of this is received by the applicant.*

*Approves that where a complaint regarding bee keeping is received, the complaint will be investigated to ensure that any nuisance that exists is abated."*

**Notes from Briefing Information Session**

Environmental Health Officer -

- The applicant is not present today
- No issues to approving the application to keep bees – The Shire is able to put conditions on the approval
- Commissioner – bee hives can be managed so there will be no problems to neighbours or the neighbourhood
- Shire does not have a Local Law in place to cover the keeping of bees. Shire can withdraw approval if required.

**4. OFFICER'S REPORTS**  
**4.2 ADMINISTRATION REPORTS**  
**4.2.3 Corporate Bowls 2015**

**Notes from Briefing Information Session**

Acting Chief Executive Officer -

The organisers of the Corporate Bowls have requested this item be withdrawn

**4. OFFICER'S REPORTS**  
**4.2 ADMINISTRATION REPORTS**  
**4.2.4 Audit Committee**

**Summary:**

The provisions of Part 7, Division 1A require a Local Government to establish an Audit Committee. The loss of members and proposed change in purpose of the Committee means the existing Finance, Risk & Audit Committee needs to be disbanded.

**OFFICER RECOMMENDATION**

*"That the Commissioner:*

- 1. *Disband the existing Finance, Risk & Audit Committee in accordance with Section 5.11 (1) (c) of the Local Government Act.***
- 2. *Assume the role of the Audit Committee.***
- 3. *Consider inviting members of the public to act as Advisors to the Audit Committee."***

**Notes from Briefing Information Session**

Acting Chief Executive Officer -

- The item was placed on the Agenda as questions were raised because Councillors have been suspended.
- Commissioner to have the majority vote.
- Commissioner could invite members of the public to act as advisors on the Audit Committee. However invited members would not make decisions.
- Previous FRAC committee has been suspended and Commissioner is to take on the role of the Audit Committee.

**4. OFFICER'S REPORTS**  
**4.2 ADMINISTRATION REPORTS**  
**4.2.5 Easter Fair**

**Summary:**

Mr Chris Baker has again approached the Shire for financial assistance to conduct an Antique and Collectors Fair during the Easter period.

**OFFICER RECOMMENDATION**

*"That the Commissioner:*

- 1. Approve the application by Mr Chris Baker of York to conduct an Antiques and Collectors Fair in the York Town Hall during the period 3<sup>rd</sup> -6<sup>th</sup> April, 2015 inclusive.*
- 2. Waive hall hire fees amounting to \$2,470."*

**Notes from Briefing Information Session**

Acting Chief Executive Officer -

- Easter Fair is a traditional event
- Consistent with the view to encourage people to come to York
- Recommend waive Hall hire fees for the event to be held over Easter
- Commissioner – The Easter Fair is a good example of the community coming together over the Easter period

## Works Reports

Nil

## Financial Reports

### 4. OFFICER'S REPORTS 4.4 FINANCE REPORTS 4.4.1 Freedom of Information

#### **Summary:**

That the Commissioner considers the financial impact of Freedom of Information applications and limited staff resources.

#### **Background:**

History of FOI Applications:

#### 2012/13

Total 22 FOI applications received

#### 2013/14

Total of 16 FOI applications received

#### 2014/15 – February 2015

Total of 9 FOI applications received - 2 carried over from the previous year

#### **OFFICER RECOMMENDATION**

***"That the Commissioner:***

***Acknowledges the additional cost associated with Freedom of Information applications, ie. Consultants and staff time.***

***Advice Note:***

***The additional costs will be noted in the mid-year review document."***

#### **Notes from Briefing Information Session**

Deputy Chief Executive Officer -

- Item could be deferred for a month
- Commissioner stated it was Mr Saints decision to defer
- Commissioner – item to be deferred for one month



**4. OFFICER'S REPORTS**  
**4.4 FINANCE REPORTS**  
**4.4.2 Monthly Financial Reports – February 2015**

**Summary:**

The Financial Report for the period ending 28 February 2015 is presented for consideration.

Appendix A includes the following:

- Monthly Statements for the period ended 28 February 2015
- Bank Account Reconciliations
- List of Creditors Payments
- Corporate Credit Card Transaction Listing

**OFFICER RECOMMENDATION**

***“That the Commissioner:***

*Receive the Monthly Financial Report for February and ratify payments drawn from the Municipal and Trust accounts for the period ending 28 February 2015:*

	<u>AMOUNT</u>
<u>MUNICIPAL FUND</u>	
Cheque Payments	\$ 65,625.45
Electronic Funds Payments	\$ 386,933.40
Direct Debits Payroll	\$ 153,604.50
Bank Fees	\$ 1,072.54
Corporate Cards	\$ 435.20
Fire Messaging Service	\$ 619.22
TOTAL	<u>\$ 608,290.31</u>
<u>TRUST FUND</u>	
Cheque Payments	\$ 40.00
Electronic Funds Payments	\$ 3,057.37
Direct Debits Licensing	\$ 119,796.80
TOTAL	<u>\$ 122,894.17</u>
 <b>TOTAL DISBURSEMENTS</b>	 <b><u>\$ 731,184.48”</u></b>

**Notes from Briefing Information Session**

Financial Controller -

- Standard reports to receive and review the current financial situation

**4. OFFICER'S REPORTS**  
**4.4 FINANCE REPORTS**  
**4.4.3 Mid Year Review**

**Summary:**

The Local Government Act 1995 requires the Council to undertake a review of the Annual Budget each year.

The attached worksheets show a line by line analysis with projections to the 30<sup>th</sup> June 2015. The worksheets indicate that while amendments are required throughout the adopted budget, management has taken the approach to meet our objective of maintaining a balanced budget.

It is anticipated that further internal budget reviews will be undertaken for the 2014/15 financial year at the end of April and May and if changes are required these will be submitted to Council including any relevant end of year transfers or setting aside of funds for inclusion in the following year budget.

**OFFICER RECOMMENDATION**

***"That the Commissioner in accordance with section 6.8 of the Local Government Act:***

- 1. *authorise the following unbudgeted items, which have been provided for in the mid year review;***

***Exp – Account 42150 – \$11,538 – Parental Leave Payments***  
***Inc – Account 42250 - \$11,538 – Parental Leave Reimbursements***

***Exp – Account 112072 – \$30,000 – Swimming Pool Grant Income***  
***Inc – Account 112303 – \$30,000 – Swimming Pool Capital Expenditure***

***Exp – Account 146172 – \$14,387 – Lease Expenditure***

***Exp – Account NEW – \$6,000 – Old Gym Refurbishment***

- 2. *endorse the projections and variations to 30 June 2015 for the 2014/15 Annual Budget Mid Year Review and notes the comments section of the mid year budget review; and***
- 3. *that a copy of the review be forwarded to the Department of Local Government within 30 days of Council having given consideration."***

**Notes from Briefing Information Session**

Financial Controller -

- Major changes are mainly staff changes in the first six months of the year
- Grants – some of projects have had to be deferred
- Residency Museum Grant of \$34,000 and \$30,000 for costs associated with refurbishing the York War Memorial, weather proof housing for the Krupp Gun and creating a First World War sculpture and plaque under the ANZAC Centenary Local Grants Programme from the Hon Christian Porter MP
- Swimming Pool Manager received an unbudgeted grant of \$30,000 from the Department of Sport & Recreation - projects now up and running

4. OFFICER'S REPORTS  
4.4 FINANCE REPORTS  
4.4.4 Danceflight

**Summary:**

Danceflight dance school of York would like to propose that the Shire kindly allow them to hire and facilitate an upgrade of the unused former gym area of the Recreation Centre.

They would like to further propose that the Shire provide a subsidised hire rate in return for a guaranteed long term hire to Danceflight.

**OFFICER RECOMMENDATION**

*"That the Commissioner:*

- 1. allocates approximately \$6,000.00 to the upgrades of the old gymnasium area in relation to the stairs, mirrors and flooring subject to a long term leasing arrangement being met;*
- 2. authorises Danceflight to undertake the painting of the facility;*
- 3. advises Danceflight that all appropriate insurances to be in place for the business and public liability to be provided as per any agreement that is put in place.*

**Advice Note:**

*This report is to show that Council support of Danceflight's intent to assist youth in York."*

**Notes from Briefing Information Session**

Deputy Chief Executive Officer -

- No payments have been received so far this year for gym and squash
- Offering 5 days per week use for combined areas
- Area not regularly used in 2013/14
- By allowing this group to go into this space there is no conflict at this stage
- DCEO not sure about steps on outside of the building from a safety point of view
- Commissioner – could the dance studio be used by other groups?
- DCEO – could possibly be used by other groups
- Commissioner – investment for other groups

**4. OFFICER'S REPORTS**  
**4.4 FINANCE REPORTS**  
**4.4.5 Non-Rates Write Offs**

**Summary:**

The Commissioners' approval is sought to write off debts associated with two sundry debtors totalling \$371.48.

**OFFICER RECOMMENDATION**

*"That the Commissioner:*

*Resolve to write off \$371.48 from sundry debtors as per the following:*

*Debtor: 1187*  
*Description: Lost / Damaged Library Items*  
*Value: \$89.40*

*Debtor: 1204*  
*Description: Lost / Damaged Library Items*  
*Value: \$282.08"*

**Notes from Briefing Information Session**

Financial Controller -

- Standard report – have chased these sundry debtors – they can't be contacted either by the Shire or AMPAC without spending too much money
- Commissioner – the appropriate decision has been made

4. OFFICER'S REPORTS  
4.4 FINANCE REPORTS  
4.4.6 Rates – Three Year Sale of land

**Summary:**

It is proposed that the Shire of York utilise AMPAC Collection Services to sell the parcel of land attached to Assessment 9774 due to non-payment of rates and service for a period of three year of more, under Section 6.64 of the Local Government Act.

**OFFICER RECOMMENDATION**

***“That the Commissioner:***

***Pursuant to Section 6.64 (1)(b) of the Local Government Act 1995, proceed to sale of Lot 68 (37) Lewis Road, York due to rates and services outstanding for 3 or more years.”***

**Notes from Briefing Information Session**

Financial Controller -

- Proceed to sale for rates not being paid – vacant block in York Estates. Owners are a deregistered company and can't be found
- Commissioner – what are the rules?
- Financial Controller – Rates not paid in 3 years

4. OFFICER'S REPORTS  
4.4 FINANCE REPORTS  
4.4.7 Sale A8050

**Summary:**

Transfer of ownership of Lot 481 Georgiana Street, York is necessary from the current deceased estate into the name of a surviving family member.

**OFFICER RECOMMENDATION**

***“That the Commissioner;***

***Pursuant to section 6.68 (2)(b) of the Local Government Act allow sale of Lot 481 Georgiana Street, York to an interested party.”***

**Notes from Briefing Information Session**

Financial Controller -

- Deceased estate - have been looking for family members. Found one family member, however they were not in a position to take on the property and pay the outstanding rates.
- A distant family member has offered to buy the property.

## **Late Reports**

### **Notes from Briefing Information Session**

Acting Chief Executive Officer -

- Annual Report and Minutes to be presented at the next Ordinary Council meeting.

## **Confidential Reports**

Nil

## **5. CLOSURE**

Commissioner James Best thanked everyone for attending and closed the meeting at 5.39pm