

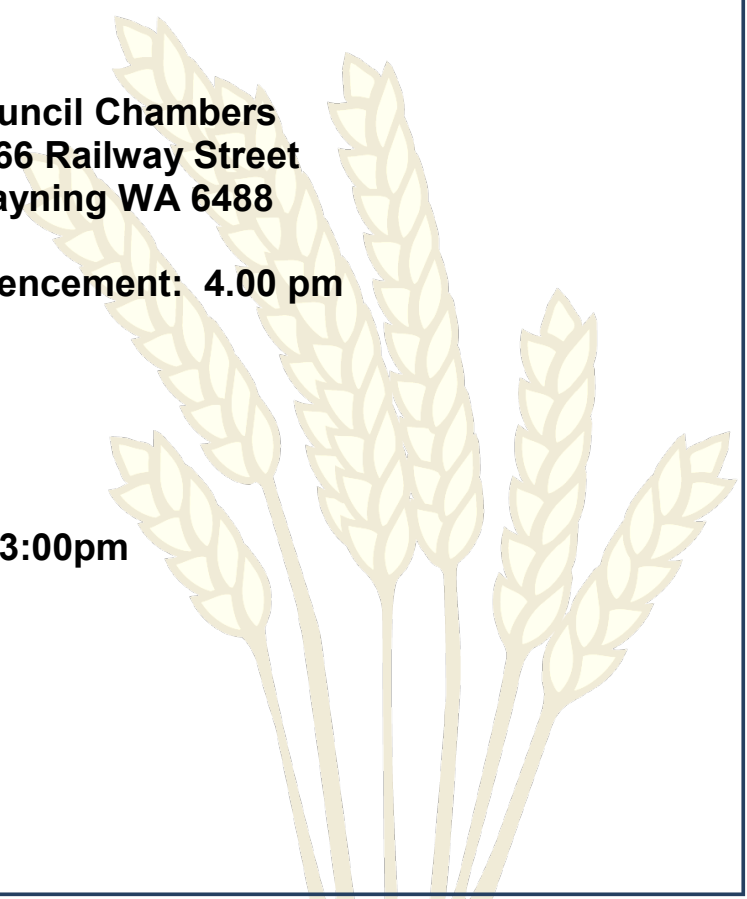


**AGENDA
FOR
ORDINARY COUNCIL MEETING OF COUNCIL
Wednesday 20 March 2024**

**Council Chambers
Lot 66 Railway Street
Trayning WA 6488**

Commencement: 4.00 pm

**IPR Workshop – 2:00pm
Council Forum Meeting – 3:00pm**





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The Shire of Trayning warns that anyone who has any application lodged with the Shire of Trayning must obtain and should only rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Trayning in respect of the application.

Signed

Leanne Parola
Chief Executive Officer



AGENDA

Ordinary Meeting of the Trayning Shire Council,
To be held in the Council Chambers, Lot 66 Railway Street, Trayning,
on Wednesday 20 March 2024, commencing at 4.00 pm

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

MEMBERS:

Cr Melanie Brown (Shire President)
Cr Clayton Marchant (Deputy Shire President)
Cr Michelle McHugh
Cr Peter Barnes
Cr Mark Leslie
Cr Corey Harken
Cr Dale Naughton

STAFF:

Mrs Leanne Parola (Chief Executive Officer)
Mr Grant Cross (Manager of Works)
Ms Belinda Taylor (Manager of Corporate Services)

APOLOGIES:

ON APPROVED LEAVE(S) OF ABSENCE:

ABSENT:

VISITORS:

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

5 APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST

5.1 Applications Previously Approved

5.2 Leave of Absence

5.3 Disclosure of Interest



6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Petitions

6.2 Deputations

6.3 Presentations

7 CONFIRMATION OF MINUTES

7.1 Ordinary Meeting of Council

Officer Recommendation

That the minutes of the Ordinary Meeting of Council held 21 February 2024 be confirmed as a true and correct record of the proceedings.

7.2 Other Meetings

Officer Recommendation

That the minutes of the following meetings:

- a) LEMC Meeting held 27 February 2024
be received.
- b) LHAG Meeting held 23 February 2024
be received.
- c) 29.02.2024 - Newtravel GM Minutes
be received.
- d) Minutes Great Eastern Country Zone 22 February 2024
be received

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS



9 REPORTS OF OFFICERS

9.1 REGULATORY SERVICES

9.2 FINANCE REPORTS

9.2.1 Monthly Payment List February 2024

Date of Report:	6 March 2024
Proponent:	N/A
File Ref:	9.2.1 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Abbie Herrick – Senior Finance Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 Monthly Payment List February 2024
Voting Requirements:	Simple Majority

Purpose of Report

To meet legislative requirements under the Local Government (Financial Management) Regulations.

Background

The Local Government (Financial Management) Regulations 1996 requires that Council is to be presented with a Statement of Payments each month.

Consultation

There has been consultation with the Chief Executive Officer.

Statutory Environment

Local Government (Financial Management) Regulations 1996.

Officer's Comment

The list of payments has been compiled for the month of February 2024 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

Officer's Recommendation

That Council receives the list of payments, as presented, for the month of February 2024, totalling \$468,193.09.



9.2.2 Monthly Financial Report for February 2024

Date of Report:	6 March 2024
Proponent:	N/A
File Ref:	N/A
Officer:	Wendy Stringer – LG Best Practices
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer’s Disclosure of Interest:	Nil
Attachments:	9.2.2 Monthly Financial Report February 2024
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 29 February 2024.

Background

All financial reports are required to be presented to Council within two meetings following the end of the month that they relate to.

These reports are prepared after all the end-of-month payments and receipts have been processed.

Consultation

There has been consultation with the Chief Executive Officer.

Statutory Environment

Local Government Act 1995 -

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as prescribed.

Local Government (Financial Management) Regulations 1996 -

34. Financial activity statement required each month (Act s. 6.4)

- (1A) In this regulation —

committed assets mean revenue unspent but set aside under the annual budget for a specific purpose.

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1) (d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and



- (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue, and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets, and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub-regulation (1) (d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of the financial activity may be shown —
- (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying document sub-regulations on regulation (2), are to be —
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

The recommendation that follows is consistent with the legislative requirements.

Policy Implications

This proposal incorporates the requirements of policy 7.11 – Investment of Surplus Funds, specifically the requirement to report on Council’s investments within the Monthly Financial Report.

Financial Implications

A copy of the Monthly Financial Report for the period ending 29 February 2024, including the report on significant variances, Investment of Councils reserve and, surplus funds and the reconciliation of Councils bank accounts, has been provided to Council via attachment to this report.



Strategic Implications

There are no strategic implications.

Environmental Implications

There are no environmental implications.

Social Implications

There are no social implications.

Officer's Comment

Nil

Officer's Recommendation

That the Monthly Financial Report for the period ending 29 February 2024 be accepted as presented.



9.2.3 Sundry Debt Write Off DWHBWM Investments Pty Ltd

Date of Report:	8 March 2024
File Ref:	3.2.2.2 Accounts – Receivable (Debtors)
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

Purpose of Report

To consider writing off the Sundry Debt of \$100 owed by DWHBWM Investments Pty Ltd.

Background

The sundry debt owed by DWHBWN Investments Pty Ltd has been identified as uneconomic to recover.

Officer's Comment

The following invoice was raised on 31 October 2022:

Invoice	Debtor	Total	Comment
6591	DWHBWN Investments Pty Ltd	100.00	Food Act 2008 - Section 110- Food Business Inspection Fee Food Business Inspection

A Food Business Inspection was not carried out and the business ceased operating in early 2023.

Consultation

The Shire's lawyers, McLeods, have advised they ran a search of the DWHBWM Investments Pty Ltd company details and found that the company was deregistered on 4 June 2023 and that the company's ABN was cancelled from 16 June 2023.

Statutory Environment

Local Government Act 1995, 6.12 Power to defer, grant discounts, waive or write off debts

Policy Implications

Policy 7.6 – Debt Recovery – Outstanding Rates and Sundry Debtors

Financial Implications

The amount to be written off will have a minor impact on the 2023/2024 budget and financial position.



The likely cost to take legal action to recover the debt outweighs the amount owed.

Strategic Implications

There are no direct strategic implications.

Risk Implications

There are no significant risks in writing off this sundry debt.

Officer Recommendation

That the Sundry Debt of \$100 owed by DWHBWN Investments Pty Ltd for Invoice 6591 be written off.



9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Budget Amendment - Event Marquee

Date of Report:	26 February 2024
File Ref:	3.2.7 Budget Amendments
Officer's Disclosure of Interest:	The Officer is a member of the KTY Town Teams and Trayning Tractor Pull Association
Attachments:	Nil
Voting Requirements:	Absolute Majority

Purpose of Report

To consider a budget variation to allow the purchase of an event marquee.

Background

The Shire has hired an event marquee for community events twice in the last two years. The organisers of a KTY Town Teams community event planned for May 2024 have requested the Shire again hire a large marquee in case of inclement weather.

Officer's Comment

The Shire hired a 10 m x 15 m event marquee from the Shire of Mukinbudin for the KTY Town Team Street Party in 2022 and the Trayning Tractor Pull Smoke N Dirt event in 2023. The marquee cost \$2,510 to hire for the Smoke N Dirt event. Both groups have events planned in 2024.

Consideration is requested to purchasing a large events marquee instead of hiring one as it would be more cost effective over time. Two quotations have been sought for the purchase of a 10 m x 15 m event marquee, with the recommended supplier quoting \$24,430 plus GST for a marquee freighted to Perth.

Consultation

Staff raised a request by the KTY Town Team for funding to hire the Shire of Mukinbudin marquee for a twilight market at the Councillors Forum held 21 February 2024.

Councillors indicated an interest in getting quotes to purchase a marquee for ongoing use instead of hiring one for individual events.

Staff contacted the Trayning Tractor Pull Association to see if they would be willing to contribute to the cost of a marquee, on the condition that they would be able to use it free of charge for their events. They have indicated they are willing to contribute \$5,000.

Statutory Environment

Section 6.8 of the Local Government Act 1995 requires authorisation in advance by absolute majority to incur any expenditure not in the annual budget.



Policy Implications

Policy 7.4 Purchasing and Tenders requires at least two written quotations to be obtained for purchases between \$20,001 and \$50,000. Two written quotations have been received.

Financial Implications

GL 4113460 included a budget of \$8,100 for the purchase of a new ride on mower in 2023/2024. Staff have decided to defer the purchase of a new mower for several years as it is rarely used.

A budget variation could be carried out to increase it to \$24,430 with an additional \$11,330 being transferred from the Plant Reserve and an additional \$5,000 contribution from the Trayning Tractor Pull Association Inc.

Strategic Implications

There are no direct strategic implications, but the provision of a marquee for community events is in keeping with the Community Priority of “Community connection and participation” within the Shire of Trayning Strategic Community & Corporate Business Plan.

Risk Implications

Having access to a quality event marquee will reduce the potential impact of adverse weather on future community events.

Officer Recommendation

That the following variations be approved to the 2023/2024 annual budget to allow the purchase of an events marquee:

GL	Description	Current Budget	Proposed Budget
3113316	Contributions and Donations – Other Recreation & Sport	12,000	17,000
4113460	Parks & Gardens Plant & Equipment	(8,100)	(24,430)
5123700	Transfers From Plant Reserve	200,000	211,330



9.3.2 Ranger Services Review

Date of Report:	7 March 2024
File Ref:	Nil
Officer's Disclosure of Interest:	Nil
Attachments:	Ranger Services Review
Voting Requirements:	Simple Majority

Purpose of Report

To consider public feedback on the Review of Ranger Services and determine future levels of serviced.

Background

The Shire of Trayning Community Strategic & Corporate Business Plan included an action to review Ranger Services in the 2023/2024 financial year.

The attached discussion document was released for public comment which included the following:

- Current Level of Service
- Statistics
- 2023 Community Satisfaction Survey Results
- Cost of Service
- Other factors
- Alternative methods of delivery

Officer's Comment

As per reminder of report.

Consultation

The draft discussion document was provided to the Shire's contract Ranger for feedback before advertising for public consultation.

The review of Ranger Services was advertised in the Ninghan News for feedback by 6 March 2024 and was available on the Shire's website. One submission was received that supported reducing the level of Ranger Services by changing the contractor service to an ad-hoc arrangement.

Staff have contacted the contract ranger service provider to ascertain whether it would be possible to trial a monthly ranger service and whether the current hourly rates/travel rates would apply.

The contractor has advised that it would not be viable for him to provide a monthly or ad-hoc service.



Statutory Environment

While there is no statutory requirement to review levels of service, but the Ranger Service is required to be provided by the Shire to meet the regulatory requirements of a number of pieces of legislation including the Dog Act 1976 and Cat Act 2011.

Policy Implications

The consultation matrix within Policy 1.11 Community Consultation requires issues relating to Service Planning be advertised in the Ninghan News and on the Shire Web Page.

Financial Implications

Any change to levels in service could have a financial impact by increasing or decreasing expenditure.

Strategic Implications

The Shire of Trayning Community Strategic & Corporate Business Plan included an action to review Ranger Services in the 2023/2024 financial year.

Risk Implications

In consideration of the Risk Matrix below it is assessed that the Ranger Service constitutes a 'Medium' risk based on the potential for legal action against the Shire by aggrieved ratepayers and the risk to staff safety enforcing legislation.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
Low	Monitor for continuous improvement
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical
High	Review risk reduction and take additional measures to ensure risk is a low as reasonably achievable
Severe	Unacceptable. Risk reduction measures must be implemented before proceeding

This risk has been reduced by the recommendation that the Shire continue to hire a suitably experienced and qualified contractor from outside the district to provide Ranger Services.

Officer Recommendation

That the current level of service for Ranger Services be retained.



9.3.3 Standardised Meeting Procedures Consultation

Date of Report:	28 February 2024
File Ref:	
Officer's Disclosure of Interest:	Nil
Attachments:	Standardised Meeting Procedures Consultation Paper
Voting Requirements:	Simple Majority

Purpose of Report

To endorse a submission to the Department of Local Government, Sport and Cultural Industries in relation to the Standardised Meeting Procedures Consultation Paper.

Background

The State Government has been working on statutory reform for local governments over the past few years. Part of the reform package is to standardise Council and Committee meeting procedures for all Western Australian local governments through new regulations.

Officer's Comment

The Standardised Meeting Procedures Consultation Paper is attached for information and includes a number of questions for feedback on the proposed regulations.

Consultation

Nil

Statutory Environment

The Local Government Amendment Act 2023 inserts section 5.33A into the Local Government Act 1995, to allow standardised meeting procedures for all local governments to be made in the form of Regulations or model provisions.

The State Government intends under section 5.33A to make Regulations that apply to all local governments and an order of the Governor under section 3.17 of the Act to repeal all existing local government meetings procedures, standing orders or council meeting local laws.

It is intended that the new standard meeting procedures (also known as "standing orders") apply to all council and committee meetings held by local governments. It is also intended that Regulations will contain consistent rules for how meetings are held.

It is envisaged that relevant elements of Parts 2 and 3 of the Local Government (Administration) Regulations 1996 (the Regulations) would be incorporated into the new standardised meeting procedures.



Policy Implications

There are no known policy implications.

Financial Implications

There are no financial implications.

Strategic Implications

There are no direct strategic implications.

Risk Implications

There are minimal risk implications.

Officer Recommendation

That the following responses be submitted to the Department of Local Government, Sport and Cultural Industries in relation to the Standardised Meeting Procedures Consultation Paper:

1. Is it suitable to allow for a special council meeting to be convened with less than 24 hours' notice if an absolute majority of council members call the meeting? Yes
2. Are there any circumstances where meetings must start earlier than 8 am or later than 8 pm? No
3. Is the proposed order of business suitable? Yes
4. Are the proposed requirements for urgent business suitable? Yes
5. Are the proposed requirements for when a quorum is not present or lost suitable? Yes
6. Is 11 pm an appropriate time for when a meeting must be adjourned? Yes
7. Is the existing minimum allocation of 15 minutes for public question time sufficient? Yes
8. Is 2 minutes enough time for a member of the public to ask a question? Yes
9. Should any other standard requirements for public question time be established? No
10. Should a personal representative be able to ask a question on behalf of another person? Yes
11. Should the Regulations specify that a request to make a presentation must relate to an item on the agenda for the relevant meeting? Yes



12. Is 48 Hours notice sufficient to administer an application from a member of the public to present to a meeting? Yes
13. Should a standard time limit be set for public presentations? Yes
14. Would 5 minutes be a suitable time limit for public presentations? Yes
15. Do the proposed regulations provide an effective system for managing petitions? Yes
16. Do these measures provide a suitable framework to maintain order in meetings? Yes
17. Is a period of 1 calendar week an appropriate notice period for motions? Yes
18. Are these proposals for motions suitable? Yes
19. Do you support these rules for formal debate on a motion or amendment? Yes
20. Is 5 minutes a suitable maximum speaking time during debate? Yes
21. Is a general principal against speaking twice on the same motion suitable? Yes
22. Should the new standardised provisions include a maximum time limit for the “questions from council members” in agenda item? Yes
23. Is 1 day of notice for a question from a council member sufficient? Yes
24. Is it appropriate for the presiding member to consider whether to allow a member to ask clarifying questions during debate? Yes
25. Should any of these procedural motions not be included? No
26. Are any additional procedural motions needed? No
27. Are there any circumstances where a person should be able to adversely reflect on another council member, an employee or a decision of the local government? No
28. Is 1 day sufficient notice for a proposed correction to the minutes? Yes
29. Has the change to enable electronic meetings to occur outside of emergency situations been helpful? Unsure
30. Has the ability for individual members to attend meetings electronically been beneficial? Yes
31. Do you think any changes to electronic meetings or electronic attendance are required? No
32. Are any other modifications needed for committee meetings? No
33. Should parts of the proposed standard apply at electors’ meetings? No
34. Do you have any other comments or suggestions for the proposed new Regulations?
No



9.3.4 Shire of Trayning Public Health Plan 2024-2028

Date of Report:	7 March 2024
File Ref:	7.1.8
Officer's Disclosure of Interest:	Nil
Attachments:	Shire of Trayning Public Health Plan 2024-2028
Voting Requirements:	Simple Majority

Purpose of Report

To adopt the Shire of Trayning Public Health Plan 2024-2028.

Background

The Shire of Trayning Community Strategic & Corporate Business Plan included an action to prepare a Public Health Plan.

Officer's Comment

The Public Health Plan was developed in accordance with the Public Health Act 2016 and has a prevention focus, which advocates for an approach that encourages individuals to change their attitudes and lifestyles, and focusses on the environment in which they live and work to provide the skills and support needed to lead a healthier, happier and longer life.

This plan does not address any clinical treatment instead it focusses on aspects that the Shire can directly affect to improve health.

Consultation

In drafting the public health plan, staff sought assistance and feedback from Caroline Robinson, Director of 150Square, Caroline Dewey, Senior Public Health Officer from the City of Vincent and Ionie Hall, Health Promotion Officer from WA Country Health Service – Wheatbelt.

A public survey was carried out in December/January 2024 with seven responses received.

Staff referred the Draft Shire of Trayning Public Health Plan and the survey responses to a Councillors Forum on 21 February 2024.

Statutory Environment

Section 16 of the Public Health Act 2016 requires a local government to initiate, support and manage public health planning for its local government district.



Policy Implications

The consultation matrix within Policy 1.11 Community Consultation requires issues relating to Service Planning be advertised in the Ninghan News and on the Shire Web Page. These requirements have been complied with by advertising the Public Health Survey.

Financial Implications

Any change to levels in service could have a financial impact by increasing or decreasing expenditure.

Strategic Implications

The Shire of Trayning Community Strategic & Corporate Business Plan includes an action to prepare a Public Health Plan.

Risk Implications

In consideration of the Risk Matrix below it is assessed that the Ranger Service constitutes a 'Low' risk based on the potential for action against the Shire by adopting the plan.

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
Low	Monitor for continuous improvement
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical
High	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable
Severe	Unacceptable. Risk reduction measures must be implemented before proceeding

Officer Recommendation

That the Shire of Trayning Public Health Plan 2024-2028 be adopted.



9.3.5 Licence Agreement for Trayning Primary School Oval

Date of Report:	6 March 2024
File Ref:	8.1.1.7
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.5 Licence Agreement for Trayning Primary School Oval
Voting Requirements:	Simple Majority

Purpose of Report

To authorise the Shire President and Chief Executive Officer to execute the proposed Licence Agreement for Trayning Primary School Oval.

Background

The Shire and Department of Education signed an Agreement regarding the Grassed Oval at the Trayning Primary School in 2001. The agreement has expired and staff have negotiated a new one with the Department of Education.

Officer's Comment

During the life of the previous agreement changes were made to the way the oval was maintained and funded. The terms of the proposed Licence Agreement are more reflective of the current practice, with the key elements being:

- Community are able to use the Oval out of school hours
- Shire to maintain the oval
- Department of Education to pay Shire \$10,000 per annum

Consultation

Staff have liaised with staff at the Trayning Primary School and the Department of Education. The Department has prepared the draft Licence and signed it.

Statutory Environment

There are no statutory requirements.

Policy Implications

Policy 15.2 requires all leasing or rental of properties for more than 12 months (apart from staff in Shire owned houses or residents of Seniors Units/Joint Venture Housing) to be referred to Council for decision.



Financial Implications

The 2023/2024 Annual Budget includes a contribution of \$10,000 from the Department of Education towards the maintenance of the oval as per the proposed Licence Agreement.

It also includes a budget of \$20,155 for the cost of maintaining the oval.

Strategic Implications

There are no direct strategic implications, but the maintenance of and access to the Trayning Primary School Oval is in keeping with the Community Priority of “Community health, safety and wellbeing” within the Shire of Trayning Strategic Community & Corporate Business Plan.

Officer Recommendation

That the Shire President and Chief Executive Officer be authorised to sign and seal the attached Licence Agreement for Trayning Primary School Oval.



10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

11.1 Tender 02-2023-24 for Concrete Footpaths

Date of Report:	1 March 2024
File Ref:	3.2.8.1 Tenders
Officer's Disclosure of Interest:	Nil
Attachments:	Confidential Attachment 11.1 Tender Assessment Report
Voting Requirements:	Simple Majority

12 CLOSURE