



**MINUTES  
FOR  
ORDINARY MEETING OF COUNCIL  
Wednesday 14 December 2022**

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

**Commencement: 4.00 pm**





**SHIRE OF  
TRAYNING**  
*Rock Solid*

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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



## **PREFACE**

When the Chief Executive Officer approves these Minutes for distribution, they are in essence “Unconfirmed” until the following Council Meeting, where the Minutes will be confirmed subject to any amendments made by the members of the Committee

The “Confirmed” Minutes are then signed off by the Presiding Person.

## **UNCONFIRMED MINUTES**

These minutes were approved for distribution on 19 December 2022.

Leanne Parola  
**CHIEF EXECUTIVE OFFICER**

## **CONFIRMED MINUTES**

These minutes were confirmed at a meeting held on 15 February 2023

Signed:

*Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.*



## MINUTES

Ordinary Meeting of the Trayning Shire Council,  
held in the Council Chambers, Lot 66 Railway Street, Trayning,  
on Wednesday 14 December 2022, commencing at 4.00 pm

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

The Shire President Cr MA Brown welcomed Councillors and staff, declaring the meeting open at 4:01 pm.

## **2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**

### MEMBERS:

Cr Melanie Brown - Shire President  
Cr Geoff Waters - Deputy Shire President  
Cr Michelle McHugh  
Cr Clayton Marchant  
Cr Peter Barnes  
Cr Mark Leslie

### STAFF:

Mrs Leanne Parola - Chief Executive Officer  
Mr Stephen Thomson - Works Supervisor – left 4:34 pm  
Miss Belinda Taylor - Manager of Corporate Services  
Mr Brett Mason – Project Manager – left 4.33 pm

### APOLOGIES:

Nil

### ON APPROVED LEAVE(S) OF ABSENCE:

Nil

### ABSENT:

Nil

### VISITORS:

Nil



### **3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

### **4 PUBLIC QUESTION TIME**

Nil

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

#### **5.1 Applications Previously Approved**

Nil

#### **5.2 Leave of Absence**

Nil

#### **5.3 Disclosure of Interest**

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of interest were made at the Council meeting.

<i>Councillor / Officer</i>	<i>Item No</i>	<i>Nature of Interest</i>	<i>Extent of Interest</i>
Cr ML McHugh	9.3.1	Financial	Current Employer
Mrs LA Parola	11.1	Financial	Officer the subject of Report

### **6 PETITIONS/DEPUTATIONS/PRESENTATIONS**

#### **6.1 Petitions**

Nil

#### **6.2 Deputations**

Nil

#### **6.3 Presentations**

Nil



## **7 CONFIRMATION OF MINUTES**

### **7.1 Ordinary Meeting of Council**

#### **Officer Recommendation/Council Decision**

**Moved Cr CL Marchant**

**Seconded Cr PM Barnes**

That the minutes of the Ordinary Meeting of Council held on 16 November 2022 be confirmed as a true and correct record of the proceedings.

**Resolution 12-2022.081**

**Carried 6/0**

## **8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS**

Nil

## **9 REPORTS OF OFFICERS**

### **9.1 REGULATORY SERVICES**

Nil

*4:03 pm – S Thomson left the meeting.*

*4:05 pm – S Thomson returned to the meeting.*



## 9.2 FINANCE REPORTS

### 9.2.1 Monthly Payment List November 2022

Date of Report:	7 December 2022
Proponent:	N/A
File Ref:	3.2.2.3 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Wendy Stringer – LG Best Practices
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 Monthly Payment List November 2022
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 November 2022 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

At the request of Councillors, the Credit Card statement is also attached for information.

#### **Officer Recommendation/Council Decision**

**Moved Cr ME Leslie**

**Seconded Cr GF Waters**

That Council receives the list of payments and credit card statement, as presented, for the month of November 2022, totalling \$507,893.32.

**Resolution 12-2022.082**

**Carried 6/0**





### 9.2.2 Monthly Financial Report for November 2022

Date of Report:	7 December 2022
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 Statement November 2022
Voting Requirements:	Simple Majority

#### **Purpose of Report**

This report presents for consideration the Monthly Financial Report, for the period ending 30 November 2022.

#### **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 31 October 2022, 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 Recommendation/Council Decision**

**Moved Cr ML McHugh**

**Seconded Cr ME Leslie**

That the Monthly Financial Report for the period ending 30 November 2022 be accepted as presented.

**Resolution 12-2022.083**

**Carried 6/0**

*Prior to any consideration of this Item;  
Cr ML McHugh declared a Financial Interest in Item 9.3.1.*

*4:06 pm – Cr ML McHugh left the meeting.*



## 9.3 CHIEF EXECUTIVE OFFICER

### 9.3.1 Kununoppin Medical Practice Committee - Proxy Delegate

Date of Report:	1 December 2022
Proponent:	Shire of Trayning
File Ref:	7.1.2.8
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

#### **Purpose of Report**

Council is requested to appoint a proxy member to the Kununoppin Medical Practice Committee.

#### **Background**

Councillor Tarr was appointed as the proxy member of the Kununoppin Medical Practice Committee at the Ordinary Meeting of Council held 20 October 2021. She has since resigned from Council and a replacement proxy has not been appointed.

#### **Consultation**

There has been no consultation in this regard.

#### **Statutory Environment**

There are no statutory implications as the Kununoppin Medical Practice Committee is an external committee.

#### **Policy Implications**

The following policies apply for Council Committee and external organisations:

- 1.5 External Organisations – Council Representatives and Expenses
- 3.2 Conferences, Meetings & Training – Attendance & Expenses

#### **Financial Implications**

Councillors are paid to attend Committee Meetings and for expenses incurred in attending other meetings on behalf of Council.

#### **Strategic Implications**

If there is no deputy or proxy member appointed to the Kununoppin Medical Practice Committee, the Shire will not have any voting rights should its current representative (Councillor Brown) be unable to attend the meeting.



### **Environmental Implications**

There are no environmental implications.

### **Social Implications**

There are no social implications.

### **Officer's Comments**

The Kununoppin Medical Practice Committee is made up of representatives from the Shires of Mt Marshall, Mukinbudin, Nungarin and Trayning. Each Shire can appoint up to two members each (only one of whom can vote).

The Committee meets as required, but at least annually, and is important in supporting the Doctor and the services provided.

### **Officer Recommendation/Council Decision**

**Moved Cr GF Waters**

**Seconded Cr CL Marchant**

That Councillor ME Leslie be appointed as a proxy delegate on the Kununoppin Medical Practice Committee.

**Resolution 12-2022.084**

**Carried by Absolute Majority 5/0**

*4:07 pm – Cr ML McHugh returned to the meeting.*



### **9.3.2 WALGA Best Practice Governance Review**

Date of Report:	25 November 2022
Proponent:	Shire of Trayning
File Ref:	4.1.2.3
Officer's Disclosure of Interest:	Nil
Attachments:	WALGA Best Practice Governance Review – Background Paper WALGA Best Practice Governance Review – Consultation Paper
Voting Requirements:	Simple Majority

#### **Purpose of Report**

Council is requested to consider governance model options for the Western Australian Local Government Association (WALGA) and provide a Council endorsed position to WALGA.

#### **Background**

WALGA has carried out a review of best practice governance models and released the attached Background Paper and Consultation Paper.

#### **Consultation**

WALGA have provided the attached papers. Councillors discussed the options at the Councillors Forum held on 16 November 2022. The Officer recommendation is based on the feedback from the Forum.

#### **Statutory Environment**

As part of the Local Government Act 1995 reforms, the Western Australian Local Government Association (WALGA) will be removed from the Act.

#### **Policy Implications**

There are no direct policy implications.

#### **Financial Implications**

There are no direct financial implications, but the model chosen by WALGA may have future cost savings for the Shire if it does not have representatives on a WALGA body (ie potentially no longer having Councillors attending WALGA Zone Meetings).

#### **Strategic Implications**

There are no strategic implications.



### Environmental Implications

There are no environmental implications.

### Social Implications
















There are no social implications.

### Officer's Comments

Five options have been provided by WALGA with a request that Council rank them according to preference. A summary of the options is below, with more detailed information on each one in the attached Consultation Paper.

## Options and Current Model

Five options, including the Current Model, with details of each of their key governance bodies

Option 1 – Two tier model, existing Zones	Option 2 – Board, Regional Bodies	Option 3 – Board, Amalgamated Zones	Option 4 – Member elected Board, Regional Groups	Option 5 – Current Model
 Board (11 members) 8 elected from Policy Council, incl. Board elected President Up to 3 independents	 Board (11 members) 8 elected from Regional Bodies, incl. Board elected President Up to 3 independents	 Board (15 members) 12 elected from Zones, incl. Board elected President Up to 2 independents	 Board (11 members) 8 elected via direct election, incl. Board elected President Up to 3 independents	 State Council (25 members) 24 State Councillors 1 President
 Policy Council (25 members) 24 members plus President	 Regional Bodies (4 metro, 4 country)	 Zones (6 metro, 6 country)	 Policy Teams / Forums / Committees	 Zones (5 metro, 12 country)
 Zones (5 metro, 12 country)	 Policy Teams / Forums / Committees	 Policy Teams / Forums / Committees	 Regional Groups	 Policy Teams / Forums / Committees

### Officer Recommendation/Council Decision

#### **Moved Cr PM Barnes**

#### **Seconded Cr ME Leslie**

The Western Australian Local Government Association be advised that in response to the WALGA Best Practice Governance Review Consultation Paper, the Shire of Trayning prefers Option 1 – Two tier model, existing Zones, followed in order of preference by:

- Option 3 - Board, Amalgamated Zones
- Option 4 – Member elected Board, Regional Groups
- Option 2 – Board, Regional Bodies
- Option 5 – Current Model

**Resolution 12-2022.085**

**Carried 6/0**



### **New Motion**

**Moved Cr ML McHugh**

**Seconded Cr PM Barnes**

That Standing Order number 7.5 - Addressing the Meeting be suspended at 4:10 pm in order to discuss item 9.3.3 Trayning Bowling Club.

**Resolution 12-2022.086**

**Carried 6/0**

### **New Motion**

**Moved Cr CL Marchant**

**Seconded: Cr PM Barnes**

That Standing Orders be reinstated at 4:32 pm.

**Resolution 12-2022.087**

### **9.3.3 Trayning Bowling Club Resurfacing Project**

Date of Report:	9 December 2022
Proponent:	Nil
File Ref:	3.2.7.2 Annual Budget
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

### **Purpose of Report**

Council is requested to consider a budget variation for the Trayning Bowling Club resurfacing project.

### **Background**

The new surface for the Trayning Bowling Club was due to be laid in December 2022. A new tank, pump and reticulation have been installed at the Trayning Bowling Green and members of the Bowling Club pulled up the old carpet and underlay in preparation for the installation of the new surface.

The contractors supplying the new surface had prepared the base and when they went to lay the new turf it was discovered that the incorrect measurements had been provided by the Shire when placing the order and the width ordered was approximately 2 m less than it needed to be.

A meeting was held on site between the contractors, staff and representatives of the Bowling Club to discuss the available options. Essentially there are three options that can be considered:





- 1) Order new turf and sell the other turf to another Shire with a smaller green. This was the preferred option as it would achieve a quality finish and not result in the loss of a rink. Another Shire with a smaller rink who was in the process of getting quotes for the same surface this financial year has been identified.
- 2) Construct a new gutter and side wall on one side of the green to fit the turf. This option would result in one less rink and may incur significant costs to build a new gutter and side wall and relocate services. There will also be risks associated with altering the existing base.
- 3) Lay the turf and purchase additional turf to add onto one side. This option would also result in one less rink and it was unlikely that additional turf would be an exact colour match.

### **Consultation**

A meeting was held on site between the contractors, staff and representatives of the Bowling Club to discuss the available options.

### **Statutory Environment**

Local Government Act 1995, Section 6.2 - Local government to prepare annual budget - a budget variation will need to be carried out to address any unbudgeted expenditure.

### **Policy Implications**

There are no direct policy implications.

### **Financial Implications**

The 2022/23 Budget included \$146,000 to replace the bowling green surface. The budget also included \$60,000 for capital works to the Don Mason Community Centre, of which \$41,000 is currently unspent.

A budget variation could be done to transfer these funds to the Bowling Club project to cover additional costs when they are determined and to allow the project to proceed in a timely manner.

### **Strategic Implications**

The replacement of the bowling green surface in 2022/23 has been identified in the Long Term Financial Plan and the Asset Management Plan.

### **Environmental Implications**

There are no environmental implications.



### **Social Implications**

The Trayning Bowling Club will not be able to play bowls at their facility until a new surface is installed and will need to travel to other towns for games and practice.

### **Officer's Comments**

The contractors providing the bowling green surface have been requested to provide a proposal to supply and lay new turf and to sell the existing surface to another Shire as well as a quotation to reduce the size of the green so that an informed decision can be made about which option to take.



### **Officer Recommendation**

The 2022/2023 Budget be amended as follows:

Job/GL	Description	Current Budget	Amended Budget
BC07	Synthetic Bowling Green (Capital)	(146,000)	(186,000)
BC84	Don Mason Community Centre (Capital)	(60,000)	(20,000)

*Item 9.3.3 Trayning Bowling Club Resurfacing Project has been withdrawn from this agenda.*

*4:32 pm - B Mason left the Meeting.*

## **10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING**

Nil

## **11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

### **Officer Recommendation**

That in accordance with Section 5.23 (3) of the Local Government Act 1995, the meeting move behind closed doors as items 11.1 and 11.2 relate to a matter affecting an employee and a matter that if disclosed would reveal information that has commercial value to a person.

### **New Motion**

**Moved Cr ML McHugh**

**Seconded Cr ME Leslie**

That Standing Order number 7.5 - Addressing the Meeting be suspended at 4:34 pm in order to discuss items 11.1 and 11.2.

**Resolution 12-2022.088**

**Carried 6/0**

### **New Motion**

**Moved Cr CL Marchant**

**Seconded Cr PM Barnes**

That the meeting be closed to the public at 4:35 pm for discussion of Items 11.1 and 11.2.

**Resolution 12-2022.089**

**Carried 6/0**



4:35 pm – B Taylor left the meeting.

4:35 pm – S Thomson left the meeting.

### **New Motion**

**Moved Cr GF Waters**

**Seconded: Cr CL Marchant**

That Standing Orders be reinstated at 4:56 pm.

**Resolution 12-2022.090**

**Carried 6/0**

LA Parola Decared a Finanical Intrested and left the meeting.

4:37 pm – L Parola left the meeting.

### **11.1 CEO Performance Review**

Date of Report:	7 December 2022
Proponent:	Stephen Tindale - Consultant
File Ref:	Personnel File
Officer's Disclosure of Interest:	Nil
Attachments:	11.1.1 CEO Performance Review Document 11.1.2 Proposed CEO KPIs
Voting Requirements:	Simple Majority

### **Purpose of Report**

To review the performance and remuneration of the Chief Executive Officer.

### **Background**

At its February 2021 meeting, Council adopted a new Policy 1.15 *Shire of Trayning Standards for the CEO Recruitment, Performance and Termination*.

At a subsequent Councillors Briefing Session, Councillors indicated a desire to engage an independent consultant to ensure that in any review of the CEO's performance, the requirements of Policy 1.15 were met.

At its August 2022 meeting, Council established the terms of reference for the CEO Performance Review Panel In accordance with the policy and appointed the Shire President, Deputy Shire President and Councillor Barnes to the panel.

Under Council delegation, the panel then appointed Stephen Tindale as the independent consultant to assist the panel with the CEO performance review process.

The CEO then provided the consultant with a response to the previously agreed Key Performance Indicators.



The consultant then worked with the CEO to develop an enlarged CEO Performance Review Document which incorporated specific Corporate Business Plan actions.

The revised review document was then circulated to all Councillors to “...*individually and independently rate and comment on the performance of the CEO against each of the KRAs and provide such assessment directly and confidentially to the independent facilitator*”.

The responses of all Councillors were tabulated by the consultant into a single review document with all comments and ratings which was then considered by the CEO Performance Review Panel. A consolidated CEO performance review document was then prepared for a meeting of the CEO, the consultant and the panel which was held on the 1<sup>st</sup> December 2022.

The results of that meeting in the form of the final CEO Performance Review Document are attached for Council’s consideration together with proposed CEO Key Performance Indicators for the next review period.

In relation to the CEO’s remuneration, Council is required to review the terms of the CEO’s remuneration within 3 months of her anniversary date and must have regard to the following factors. The CEO’s response to each of the factors is shown in italics.

- a) Any changes to the work value or responsibilities of the position.

*Over the last twelve months I have put a lot of effort into new initiatives such as the Town Teams Projects which has resulted in positive outcomes for the community.*

- b) The hours worked, including hours in addition to normal working hours.

*I participated in a number of meetings, busy bees and events outside of ‘normal’ working hours and worked additional hours in the office when necessary to meet deadlines and to save using the finance consultants where possible. I maintained a reasonable work/life balance when averaged over 12 months.*

- c) Condition of the market and the economy generally.

- *The economy is going through a period of significant cost increases, the ABS recorded an annual CPI rise of 7.4% for Perth to June 2022. The Federal Employment Awards increased by 4.6% from 1 July 2022 (non-minimum awards)*
- *Shire of Trayning staff received pay rises totalling \$2.50/hour instead of a set percentage increase (equivalent of \$4,940 or 3.7% of my current rate)*
- *The Shire of Mt Marshall has just appointed a first time CEO with a total remuneration package of \$178,525*

- d) Capacity of the Shire to pay an increase.



- *The current salaries & wages budget can accommodate a reasonable pay rise. I would respectfully request that my remuneration be increased by the same amount as the staff received, i.e. a 3.7% increase in salary, backdated to my anniversary date.*



The CEO's current remuneration package is as follows:

Salary (cash component)	\$133,250
Superannuation (11%)	14,657
Motor Vehicle	15,390
Superannuation (up to 3%)	3,998
Professional Membership	500
Professional Development	3,000
Housing	10,400
Utilities	4,500
Total	<u>\$185,695</u>

The maximum total reward package allowed for the position, as determined by the Salaries and Allowances Tribunal is \$206,141.

As part of her performance review last year, Council also agreed to pay the costs of her participation in the LG Professionals Executive Leadership Program in 2022 (cost approximately \$2,500). The CEO did not enrol in the program and instead, enrolled in the Graduate Certificate in Management and Executive Leadership through Edith Cowan University at her own cost (\$11K+) and in her own time by taking Annual Leave to attend in-person lectures. She intends completing the Graduate Certificate this year with the end goal of completing an MBA.

The CEO would like Council to consider increasing her Professional Development Allowance by \$2,500 per annum to assist with university fees and/or allow her some study leave so that she is not using her Annual Leave.

### **Comment**

The consultant is unable to make a recommendation on any remuneration increase due to a lack of information from surrounding NEWROC Councils. Only two have provided the consultant with detail at this point in time.

Much better information on remuneration levels for similar Shires can be obtained through WALGA for an annual subscription cost of \$1,025. The annual survey covers nearly all salaried positions for approximately 70 Shires.

Given the contractual obligation to review the terms of the CEO's remuneration within 3 months of her anniversary date, a recommendation is made to provide an interim salary increase of 2% together with an increase of \$2,500 in the professional development allowance pending the receipt of information from WALGA's subscription service which would support the requested overall increase of 3.7%.

### **Consultation**

Nil

### **Statutory Environment**

Local Government Act 1995, section 5.38 Annual review of employees' performance.

### **Policy Implications**

Policy 1.15 Standards for the Recruitment, Selection, Performance Review and Termination of CEOs.



### **Financial Implications**

The 2022/2023 budget did not expressly include a provision for an increase in the CEO's salary or professional development, however the administration staff salaries (which includes the CEO) were \$17,453 less than the year to date budget at 30 November 2022.

### **Strategic Implications**

There are no strategic implications.

### **Environmental Implications**

There are no environmental implications.

### **Social Implications**

There are no social implications.

### **Consultant's Recommendation**

That:

1. The Chief Executive Officer's Performance Review Document as presented in the Confidential Attachment 11.1.1 be received.
2. The attached Key Performance Indicators as presented in the Attachment 11.1.2 for October 2022 to September 2023 be endorsed.
3. The overall performance of the Chief Executive Officer for the period September 2020 to September 2021 be endorsed as meeting all expectations.
4. The Chief Executive Officer's salary be increased by an interim 2%, effective from 24 August 2022 together with an increase of \$2,500 in the professional development allowance subject to reconsideration on receipt of further advice from WALGA.

### **Council Decision**

#### **Moved Cr PM Barnes**

#### **Seconded Cr GF Waters**

That:

1. The Chief Executive Officer's Performance Review Document as presented in the Confidential Attachment 11.1.1 be received.
2. The attached Key Performance Indicators as presented in the Attachment 11.1.2 for October 2022 to September 2023 be endorsed.
3. The overall performance of the Chief Executive Officer for the period September 2020 to September 2021 be endorsed as meeting all expectations.
4. The Chief Executive Officer's salary be increased by 2%, from the 24 August 2022 together with 5 days study leave annually.

**Resolution 12-2022.091**

**Carried 6/0**





**New Motion**

**Moved Cr GF Waters**

**Seconded Cr CL Marchant**

That the meeting be reopened to the public at 4:57 pm.

**Resolution 12-2022.92**

**Carried 6/0**

*4:57 pm – L Parola returned to the meeting.*

*4:57 pm – B Taylor returned to the meeting.*



## 11.2 Expressions of Interest – Disposal of Properties

Date of Report:	8 December 2022
File Ref:	14.4.1 Council Properties - Acquisition and Disposal
Officer:	Leanne Parola – Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

### **Purpose of Report**

Council is requested to consider expressions of interest received for the sale or lease of a number of properties.

### **Background**

Council resolved at its Ordinary Meeting held 18 May 2022 to sell the former Anglican Church at Lot 340 Coronation Street, Trayning by public tender if the Friends of the Church elected not to sign the proposed Memorandum of Understanding with the Shire by 30 June 2022. The Memorandum of Understanding was not signed.

Expressions of interest were invited for the purchase and/or lease a number of properties within the Shire of Trayning, with expressions of interest requested by 4 pm on Wednesday 7 December 2022.

### **Consultation**

An advertisement calling for expressions of interest was included in the Ninghan News November 2022 edition and on the Shire's website and facebook page.

### **Statutory Environment**

Local Government Act 1995, Section 3.58 provides three options for the disposal of land (either by sale or lease):

- Public auction (to the highest bidder)
- Public tender (to the most acceptable tender, not necessarily the highest)
- Private treaty (have to advertise details including market value and invite submissions for two weeks)

Regulation 30 of the Local Government (Functions and General) Regulations 1996 excludes some dispositions from the requirements of Section 3.58.

### **Policy Implications**

Policy 15.2 Acquisition and Disposal of Land requires the disposals of these properties to be referred to Council.



Delegation 1.1.3 Disposal of Assets delegates authority to the Chief Executive Officer to dispose of property to the most acceptable tender or following public notice calling for submissions on the proposed disposal of property.

### **Financial Implications**

Neither the 2022/2023 Budget or the Long Term Financial include the sale or lease of these properties. Each disposal method would incur costs, ie seeking a market valuation and/or advertising unless the transaction is exempt under the Regulations.

Staff have yet to seek market valuations for any of the properties so that money isn't spent unnecessarily.

While there would be a cost to dispose of each property, this may be offset by ongoing savings on maintenance and operating costs and/or income through the sale price, lease fees or annual rates.

### **Strategic Implications**

There are no strategic implications.

### **Environmental Implications**

There are no environmental implications.

### **Social Implications**

There are no social implications.

### **Officer's Comments**

The following table includes the properties and a summary of expressions of interests received:

Property	EOI/s Received
Lot 1 Railway Street, Trayning – Hall	Nil
Lot 3 Wilson Street, Kununoppin – Hall	Nil
Lot 12 Wilson Street, Kununoppin – Shop	Nil
Lot 50 Kellerberrin Yelbeni Road, South Yelbeni – Rural	<ul style="list-style-type: none"><li>• TL &amp; EJ Naughton (adjoining property owner) purchase for \$3,000</li><li>• Roger Waldock purchase for \$2,000</li></ul>
Lot 124 on Deposited Plan 222730 (Cnr Alexandra St & Thomson Rd Kununoppin) – Vacant, uncleared townsite lot	Nil



Lot 340 Coronation Street, Trayning - Former Anglican Church	Helen Croke approx \$25,000 to purchase to convert to residence
Portion of Lot 79 Adams Street, Trayning - Current DFES Shed (with office, kitchenette and bathroom)	<ul style="list-style-type: none"><li>• Nikki McDonald lease for \$100 per week, 2 years with 2 year option</li><li>• Just Right Contracting lease for \$1,000 + outgoings for 12 months</li></ul>
Portion of Lot 82 Adams Street, Trayning - Current DFES Shed	Just Right Contracting lease for \$500 + outgoings for 12 months

Officer Recommendation

That:

- 1) The potential sale of Lot 50 Kellerberrin Yelbeni Road, South Yelbeni to Big Trees Nominees T/A TL & EJ Naughton be advertised in accordance with Section 3.58(3) of the Local Government Act 1995 once a market valuation has been received.
- 2) The potential lease of a portion of Lot 79 Adams Street, Trayning (current DFES Shed with office, kitchenette and bathroom) to Nikki Macdonald for \$100 per week be advertised in accordance with Section 3.58(3) of the Local Government Act 1995 once a market valuation has been received.
- 3) The potential lease of a portion of Lot 82 Adams Street, Trayning (current DFES Shed) to Just Right Contracting for \$500 per annum be advertised in accordance with Section 3.58(3) of the Local Government Act 1995 once a market valuation has been received.
- 4) Tenders be called for the sale of the following properties:
  - a. Lot 12 Wilson Street, Kununoppin
  - b. Lot 124 on Deposited Plan 222730
  - c. Lot 340 Coronation Street, Trayning



### **Council Decision**

**Moved Cr GF Waters**

**Seconded Cr ML McHugh**

That:

- 1) The potential sale of Lot 50 Kellerberrin Yelbeni Road, South Yelbeni to Big Trees Nominees T/A TL & EJ Naughton be advertised in accordance with Section 3.58(3) of the Local Government Act 1995 once a market valuation has been received.
- 2) The potential lease of a portion of Lot 79 Adams Street, Trayning (current DFES Shed with office, kitchenette and bathroom) to Nikki Macdonald for \$100 per week be advertised in accordance with Section 3.58(3) of the Local Government Act 1995 once a market valuation has been received.
- 3) Tenders be called for the sale of the following properties:
  - a. Lot 12 Wilson Street, Kununoppin
  - b. Lot 124 on Deposited Plan 222730
  - c. Lot 340 Coronation Street, Trayning

**Resolution 12-2022.093**

**Carried by Absolute Majority 6/0**

### **Reason for Change**

*Councillors felt that Lot 82 Adams Street would be better utilised for storing Shire equipment than renting it out.*

## **12 CLOSURE**

There being no further business, the Shire President thanked all Councillors and Staff for their attendance and declared the meeting closed at 5:12pm.