



AGENDA

FOR
ORDINARY MEETING OF COUNCIL
Wednesday 17 December 2025

Shire of Trayning Council Chambers
66 Railway Street
Trayning WA 6488

Commencement: 4.00 pm



Audit Risk and Improvement Committee Meeting – 3.45pm

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Trayning for any act, omission or statement, or intimation occurring during Council or committee meetings.

The Shire of Trayning disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement, or intimation occurring during Council or committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act, or omission made in a Council or committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the Shire of Trayning during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Trayning.

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

A handwritten signature in black ink, appearing to read 'Peter Naylor', with a stylized, flowing script.

Peter Naylor
Chief Executive Officer

AGENDA

Ordinary Meeting of the Trayning Shire Council,
To be held in Council Chambers,
66 Railway Street, Trayning,
on Wednesday 17 December 2025, 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 Dale Naughton
Cr Corey Harken

STAFF:

Mr Peter Naylor (Chief Executive Officer)
Ms Belinda Taylor (Manager of Corporate Services)
Mr Paul Healy (Manager of Works)

APOLOGIES:

ON APPROVED LEAVE(S) OF ABSENCE:

ABSENT:

VISITORS:

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

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 Meeting of Council held 19 November 2025 be confirmed as a true and correct record of the proceedings.

7.2 Audit Risk and Improvement Committee

Officer Recommendation

That the minutes of the Audit Risk and Improvement Committee held 17 December 2025 be received.

7.3 Other Committee

Officer Recommendation

That the minutes of the following Committee meetings be received.

7.3 NEWROC Council MINUTES 2 December 2025

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

9 REPORTS

9.1 REGULATORY SERVICES

9.2 FINANCE REPORTS

9.2.1 Monthly Payment List November 2025

Date of Report:	3 December 2025
File Ref:	9.2.1 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Abbie Harken – Senior Finance Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 Monthly Payment List November 2025
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 2025 and is being presented at this meeting due to the September Ordinary Council Meeting being moved forward. 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 November 2025, totalling \$413,229.19.

9.2.2 Monthly Financial Report for November 2025

Date of Report:	3 December 2025
File Ref:	N/A
Officer:	Wendy Stringer – LG Best Practices
Senior Officer:	Peter Naylor CEO
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.2 Monthly Financial Report November 2025
Voting Requirements:	Simply Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 30 November 2025.

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 30 November 2025, 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

The Monthly Financial Report for 30 November 2025 is being presented at this meeting due to the September meeting being moved forward.

Officer's Recommendation

That the Monthly Financial Report for the period ending 30 November 2025 be accepted as presented.

9.2.3 Shire of Trayning Annual Report 2024/2025

Date of Report:	11 December 2025
File Ref:	3.2.6.4 – Annual Report
Officer:	Belinda Taylor - MOCS
Officer's Disclosure of Interest:	Nil
Attachments:	2024/2025 Annual Report
Voting Requirements:	Simple Majority

Purpose of Report

To adopt the Shire of Trayning Annual Report for the year ended 30 June 2025.

Background

The Shire of Trayning Annual Report that includes the Audited Financial Statements and Auditors Report (Opinion) for the year ending 30 June 2025 was referred to the Shire of Trayning Audit, Risk and Improvement Committee at its meeting to be held 17 December 2025.

Consultation

The completion of the annual financial report and audit required staff to undertake extensive consultation with the audit staff and no further consultation is required.

Statutory Environment

Local Government Act 1995, Section 5.27 requires a general meeting of the electors of the district to be held not more than 56 days after the local government accepts the annual report from the previous financial year.

Local Government Act 1995, Section 7.9 requires the Auditor to examine the accounts and annual financial report by 31 December following the end of the financial year.

Local Government Act 1995, Section 7.12A sets out the requirements for local governments in respect to audits.

Policy Implications

The Shire's Accounting Policies are included in the notes to the Financial Statements.

Financial Implications

The Office of the Auditor General has provided an invoice of costs for performing the audit.

Strategic Implications

There are no strategic implications relevant to the adoption of the Annual Report.

Environmental Implications

There are no significant environmental implications.

Social Implications

There are no social implications.

Officer's Comments

The auditors completed the audit for the financial year ended 30 June 2025 in September /October 2025 and issued the Audit Report on 2 December 2025.

The Auditor provided an unmodified audit opinion in regard to the financial statements and provided findings and recommendations in a Management Letter which has been referred to the Audit, Risk and Improvement Committee.

Officer/ Audit, Risk and Improvement Committee Recommendation

That Council:

- 1) Accept the Shire of Trayning Annual Report that includes the Audited Financial Statements and Auditors Report for the year ending 30 June 2025.
- 2) Hold an Electors' General Meeting at 6:00pm on Wednesday 18 February 2026.

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Thoroughfares and Public Places & Trading Local Laws 2025

Date of Report:	3 December 2025
Proponent:	Nil
File Ref:	4.1.6.11
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.1 Confidential Attachment Activities in and Public Places and Trading Local Laws
Voting Requirements:	Absolute Majority

Purpose of Report

Council is requested to endorse the recommendations of The Joint Standing Committee on Delegated Legislation (the Committee).

Background

Council staff have been working on the Review, Repeal and Making of the Shire of Trayning Local Laws (5) for approx. 12 months.

The process was initially commenced by the former CEO and then progressed by the Acting CEO and then finalised by the current incumbent CEO.

The legislative requirements for conducting this overall process are very detailed and the Committee is very strict on ensuring that all of the steps are followed to the absolute letter before they will approve of the local laws.

Unfortunately, during the whole process there were a couple of steps that were overlooked, and the Committee has resolved to not approve the laws.

Consultation

Joint Standing Committee on Delegated Legislation.

Statutory Environment

Section 3.16 Local Government Act 1995 (as amended)

Policy Implications

There are no direct policy implications.

Financial Implications

A cost will be incurred to commence the process once again and then publishing the local laws in the government gazette.

Strategic Implications

The Shire of Trayning Council Plan 2022-2032 included the review of Local Laws.

Environmental Implications

There are no environmental implications

Social Implications

There are no social implications.

Officer's Comment

The Committee has provided Council with a recommended resolution to adopt which provides a 12-month window in which the Review, Repeal, and Making of new Local Laws can be recommenced and completed strictly in accordance with the legislative requirements.

During this period the former local laws will stay in effect.

Whilst the outcome is disappointing it is imperative to get the process right and approval from the Committee to prevent Council being challenged at some future time with regards to the validity of one or more of the local laws.

It is recommended that Council:

- A) Adopt the resolution as recommended by the Committee; and
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

Officer Recommendation

- A) Adopt the resolution as recommended by the Committee as follows

The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will within 12 months:

1. Amend subclause 2.4(2)(a) so that it states:
 - (2) The person responsible for the works in subclause (1) is to be taken to be-
 - (a) The person named on the building permit issued under the Building Act 207 7, if one has been issued in relation to the works; or
 - (b) the registered proprietor of the lot, if no building permit has been issued under the Building Act 207 7, in relation to the works.
2. Amend the term 'fee' to 'free' in clause 3.1 - the definition of 'portable sign'

3. Amend the term " not' in the second line to 'nor' in clause 3.2(2) - Advertising signs and portable direction signs.
4. Amend the definition of 'competition Principles Agreement ' In clause 6.1 so that it states:

'Competition Principles Agreement' means the Competition Principles Agreement executed by the Treasurers of each State and Territory of the Commonwealth of Australia on 29 November 2024;'
5. Amend the reference to the 'Health Act 7997' in clause 6.17(b) so that it states:

(b) any abutting food premises are registered in accordance with the Food Act 2008 and whether the use of the premises is permitted under the town planning scheme.
6. Delete clause 6.17(c).
7. Amend clause 6.1S(a) to state:

The permit holder of a Facility shall -

a) ensure that the Facility is conducted at all times in accordance with the provisions of this local law.
8. Amend the Heading to Pa rt 8 so that it states: 'Objections and Appeals'.
9. Amend clause 10.3(2) by deleting the full stop after the term 'exceeding' in the second line.
10. Make all consequential amendments arising from the above amendments.
11. Not enforce the Local Law to the contrary before it is amended in accordance with these undertakings.
12. Ensure that a copy of these undertakings accompanies the Local Law wherever the Shire makes it publicly available, whether in hard copy or electronic form.
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

9.3.2 Cemeteries Local Law 2025

Date of Report:	3 December 2025
Proponent:	Nil
File Ref:	4.1.6.11
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.2 Confidential Attachment Cemeteries Local Law 2025
Voting Requirements:	Absolute Majority

Purpose of Report

Council is requested to endorse the recommendations of The Joint Standing Committee on Delegated Legislation (the Committee).

Background

Council staff have been working on the Review, Repeal and Making of the Shire of Trayning Local Laws (5) for approx. 12 months.

The process was initially commenced by the former CEO and then progressed by the Acting CEO and then finalised by the current incumbent CEO.

The legislative requirements for conducting this overall process are very detailed and the Committee is very strict on ensuring that all of the steps are followed to the absolute letter before they will approve of the local laws.

Unfortunately, during the whole process there were a couple of steps that were overlooked, and the Committee has resolved to not approve the laws.

Consultation

Joint Standing Committee on Delegated Legislation.

Statutory Environment

Section 3.16 Local Government Act 1995 (as amended)

Policy Implications

There are no direct policy implications.

Financial Implications

A cost will be incurred to commence the process once again and then publishing the local laws in the government gazette.

Strategic Implications

The Shire of Trayning Council Plan 2022-2032 included the review of Local Laws.

Agenda: Ordinary Council Meeting of Shire of Trayning Council to be held on Wednesday 17 December 2025

Environmental Implications

There are no environmental implications

Social Implications

There are no social implications.

Officer's Comment

The Committee has provided Council with a recommended resolution to adopt which provides a 12-month window in which the Review, Repeal, and Making of new Local Laws can be recommenced and completed strictly in accordance with the legislative requirements.

During this period the former local laws will stay in effect.

Whilst the outcome is disappointing it is imperative to get the process right and approval from the Committee to prevent Council being challenged at some future time with regards to the validity of one or more of the local laws.

It is recommended that Council:

- A) Adopt the resolution as recommended by the Committee; and
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

Officer Recommendation

- A) Adopt the resolution as recommended by the Committee as follows

The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:

1. within 12 months, amend the local law as follows:
 - a) in clause 5.7(3)(b), delete the words after 'by the Board.'
 - b) in clause 6.1(1)(a), replace the reference to 'paragraph (9b)' with 'paragraph (b)'
 - c) in clause 6.2(1), replace the word 'grace' with 'grave.'
 - d) in clause 7.17(3), replace:
 - the word 'appeal' with 'applies.'
 - the reference to 'section 19(2) of the Act' with 'section 9.7 of the *Local Government Act 7995*'
 - e) amend clause 8.2 as follows:

8.2 Guide dogs

Clause 8.1 shall not apply to a hearing-impaired person or a person '<Nho is blind or partially blind and person who is accompanied by a hearing or guide an assistance dog pursuant to section 8 of the Dog Act 7976.

2. not enforce the local law to the contrary before it is amended in accordance with undertaking 1.
 3. ensure that a copy of these undertakings accompanies the local law wherever it is made publicly available by the Shire, whether in hard copy or electronic form.
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

9.3.3 Dogs Local Law 2025

Date of Report:	3 December 2025
Proponent:	Nil
File Ref:	4.1.6.11
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.3 Confidential Attachment Dogs Local Law
Voting Requirements:	Absolute Majority

Purpose of Report

Council is requested to endorse the recommendations of The Joint Standing Committee on Delegated Legislation (the Committee).

Background

Council staff have been working on the Review, Repeal and Making of the Shire of Trayning Local Laws (5) for approx. 12 months.

The process was initially commenced by the former CEO and then progressed by the Acting CEO and then finalised by the current incumbent CEO.

The legislative requirements for conducting this overall process are very detailed and the Committee is very strict on ensuring that all of the steps are followed to the absolute letter before they will approve of the local laws.

Unfortunately, during the whole process there were a couple of steps that were overlooked, and the Committee has resolved to not approve the laws.

Consultation

Joint Standing Committee on Delegated Legislation.

Statutory Environment

Section 3.16 Local Government Act 1995 (as amended)

Policy Implications

There are no direct policy implications.

Financial Implications

A cost will be incurred to commence the process once again and then publishing the local laws in the government gazette.

Strategic Implications

The Shire of Trayning Council Plan 2022-2032 included the review of Local Laws.

Environmental Implications

There are no environmental implications

Social Implications

There are no social implications.

Officer's Comment

The Committee has provided Council with a recommended resolution to adopt which provides a 12-month window in which the Review, Repeal, and Making of new Local Laws can be recommenced and completed strictly in accordance with the legislative requirements.

During this period the former local laws will stay in effect.

Whilst the outcome is disappointing it is imperative to get the process right and approval from the Committee to prevent Council being challenged at some future time with regards to the validity of one or more of the local laws.

It is recommended that Council:

- A) Adopt the resolution as recommended by the Committee; and
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

Officers Recommendation

- A) Adopt the resolution as recommended by the Committee as follows

The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:

1. within 12 months, amend the local law as follows:
 - a) amend clause 1.2 by inserting the following phrase after
'respectively,': and the *Shire of Trayning Dogs Local Law* gazetted on 28 September 2001,
 - b) in the clause 1.3 definition of 'local planning scheme':
 - (i) replace the phrase 'town planning scheme' with 'local planning scheme.'
 - (ii) replace the phrase ' *Town Planning and Development Act 1928*' with '*Planning and Development Act 2005*.'

- c) amend clause 5.2 to read as follows:

Designation of places which are dog exercise areas is dealt with in the Act.

- d) in clause 7.2(1), replace the reference to 'Schedule 2' with 'Schedule 3.'
 - e) in clause 7.3, replace the reference to 'Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*' with 'Form 8 in Schedule 1 of the *Dog Regulations 20 73*.'
 - f) in clause 7.6(1), replace the reference to 'FORM 8' with 'Form 9.'
- 2. not enforce the local law to the contrary before it is amended in accordance with undertaking 1.
 - 3. ensure that a copy of these undertakings accompanies the local law wherever it is made publicly available by the Shire, whether in hard copy or electronic form.
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

9.3.4 Public Places and Local Government Property Local Law 2025

Date of Report:	3 December 2025
Proponent:	Nil
File Ref:	4.1.6.11
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.4 Confidential Attachment Public Places and Local Government Property Local Law 2025
Voting Requirements:	Absolute Majority

Purpose of Report

Council is requested to endorse the recommendations of The Joint Standing Committee on Delegated Legislation (the Committee).

Background

Council staff have been working on the Review, Repeal and Making of the Shire of Trayning Local Laws (5) for approx. 12 months.

The process was initially commenced by the former CEO and then progressed by the Acting CEO and then finalised by the current incumbent CEO.

The legislative requirements for conducting this overall process are very detailed and the Committee is very strict on ensuring that all of the steps are followed to the absolute letter before they will approve of the local laws.

Unfortunately, during the whole process there were a couple of steps that were overlooked, and the Committee has resolved to not approve the laws.

Consultation

Joint Standing Committee on Delegated Legislation.

Statutory Environment

Section 3.16 Local Government Act 1995 (as amended)

Policy Implications

There are no direct policy implications.

Financial Implications

A cost will be incurred to commence the process once again and then publishing the local laws in the government gazette.

Strategic Implications

The Shire of Trayning Council Plan 2022-2032 included the review of Local Laws.

Environmental Implications

There are no environmental implications

Social Implications

There are no social implications.

Officer's Comment

The Committee has provided Council with a recommended resolution to adopt which provides a 12-month window in which the Review, Repeal, and Making of new Local Laws can be recommenced and completed strictly in accordance with the legislative requirements.

During this period the former local laws will stay in effect.

Whilst the outcome is disappointing it is imperative to get the process right and approval from the Committee to prevent Council being challenged at some future time with regards to the validity of one or more of the local laws.

It is recommended that Council:

- A) Adopt the resolution as recommended by the Committee; and
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

Officer's Recommendation

- A) Adopt the resolution as recommended by the Committee as follows

The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:

1. within 12 months, amend the local law as follows:
 - a) amend clause 1.4 to repeal the *Shire of Trayning Public Places and Local Government Property Local Law 2075*
 - b) insert the following definition of 'animal' into clause 1.5:

animal means any living thing that is not a human being or plant but excludes a cat.
 - c) delete the clause 1.5 definitions of 'eating at house', 'food' and 'proprietor.'
 - d) in the clause 1.5 definition of 'Health Act', replace the reference to the *'Health Act*

797 7' with *'Health (Miscellaneous Provisions) Act 197 7'*

- e) in the clause 1.5 definition of 'permissible verge treatment', delete the number '4' and replace the word 'off' with 'of.'
- f) in clause 2.2(2)(a), replace the reference to 'local government' with 'Council.'
- g) in clause 2.7(1)(f)(ii), replace the reference to *'Firearms Act 1973'* with *'Firearms Act 2024.'*
- h) in clause 3.2(4), replace the reference to 'regulation 11(2)(a)' with 'regulation 11.'
- i) if the amendment in undertaking 1(b) is made, amend or delete the definition of 'animal' in clause 4.3(2) consequentially.
- j) in clause 4.10(b), replace the reference to *'Associations Incorporations Act 7987'* with *'Associations Incorporation Act 20 75'*
- k) amend clause 11.10(2) as follows:

If evidence of a determination is provided under subclause (1), it is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied, unless evidence to the contrary is provided.

- l) in the Schedule 1, clause 1.1 definition of 'local law', replace the reference to *'Public Places and Local Government Property Local Law 2075'* with *'Shire of Trayning Public Places and Local Government Property Local Law 2025'*
 - m) in the note immediately below the heading to Schedule 2, replace the reference to 'Clause 10.8' with 'clause 11.8.'
 - n) in the Schedule 2 table, replace the reference to clause '4.8' with '4.7' and replace the reference to clause '4.9' with '4.8.'
- 2. not enforce the local law to the contrary before it is amended in accordance with undertaking 1.
 - 3. ensure that a copy of these undertakings accompanies the local law

wherever it is made publicly available by the Shire, whether in hard copy or electronic form.

B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

9.3.5 Standing Orders Local Law 2025

Date of Report:	3 December 2025
Proponent:	Nil
File Ref:	4.1.6.11
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.5 Confidential Attachment Shire of Trayning Standing Orders Local Law 2025
Voting Requirements:	Absolute Majority

Purpose of Report

Council is requested to endorse the recommendations of The Joint Standing Committee on Delegated Legislation (the Committee).

Background

Council staff have been working on the Review, Repeal and Making of the Shire of Trayning Local Laws (5) for approx. 12 months.

The process was initially commenced by the former CEO and then progressed by the Acting CEO and then finalised by the current incumbent CEO.

The legislative requirements for conducting this overall process are very detailed and the Committee is very strict on ensuring that all of the steps are followed to the absolute letter before they will approve of the local laws.

Unfortunately, during the whole process there were a couple of steps that were overlooked, and the Committee has resolved to not approve the laws.

Consultation

Joint Standing Committee on Delegated Legislation.

Statutory Environment

Section 3.16 Local Government Act 1995 (as amended)

Policy Implications

There are no direct policy implications.

Financial Implications

A cost will be incurred to commence the process once again and then publishing the local laws in the government gazette.

Strategic Implications

The Shire of Trayning Council Plan 2022-2032 included the review of Local Laws.

Environmental Implications

There are no environmental implications

Social Implications

There are no social implications.

Officer's Comment

The Committee has provided Council with a recommended resolution to adopt which provides a 12-month window in which the Review, Repeal, and Making of new Local Laws can be recommenced and completed strictly in accordance with the legislative requirements.

During this period the former local laws will stay in effect.

Whilst the outcome is disappointing it is imperative to get the process right and approval from the Committee to prevent Council being challenged at some future time with regards to the validity of one or more of the local laws.

It is recommended that Council:

- A) Adopt the resolution as recommended by the Committee; and
- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to.

Officer's Recommendation

- A) Adopt the resolution as recommended by the Committee as follows

The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will within 12 months:

1. Draft a Table of Contents to the Local Law.
2. Amend subclause 16.3(3) of the Local Law by deleting the words '*Local Government (Rules of Conduct) Regulations 2007*' and inserting instead. the words '*Local Government (Model Code of Conduct) Regulations 2021.*'
3. Make all consequential amendments arising from the above amendments.
4. 4 Not enforce the Local Law to the contrary before it is amended in accordance with these undertakings.
5. Ensure that a copy of these undertakings accompanies the Local Law wherever the Shire makes it publicly available, whether in

hard copy or electronic form.

- B) Considers making provision during the 2025/26 Budget Review and the 2026/27 Budget process to engage an external consultant experienced in the Local Laws process to work with Council staff to ensure the correct legislative procedure is adhered to

9.4 SHIRE PRESIDENT

Date	Calendar Meeting and Events
25th – 27th November	<p>GECZ Delegate - Canberra</p> <ul style="list-style-type: none"> • Meeting with Senator Bragg – Shadow Minister Housing • Meeting with Rick Wilson MP Federal Member O'Connor – Key Worker Housing, Local Government Rural Health Funding, Live Sheep Transition • Question Time at Parliament House • Meeting with Rebecca Matson advisor for Senator Ruston – Shadow Minister for Health & Aged Care • Meeting with Sam Birrell – Shadow Assistant Minister for Regional Health and Regional Education • Meeting with Melissa Price MP Federal Member for Durack - Key Worker Housing, Local Government Rural Health Funding, Live Sheep Transition, Roads • Regional Housing Forum
Monday 1st December	<ul style="list-style-type: none"> • Audit Exit Meeting
Tuesday 2nd December	<ul style="list-style-type: none"> • KMPC Meeting – Mukinbudin • NEWROC Meeting – Mukinbudin
Continued to meet with the CEO weekly to discuss current and future Shire matters.	

10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

12 CLOSURE