



*Rock Solid*

MINUTES

FOR  
ORDINARY MEETING OF COUNCIL  
Wednesday 17 December 2025

Shire of Trayning Council Chambers  
66 Railway Street  
Trayning WA 6488

Commencement: 4.00 pm



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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



Peter Naylor  
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 2025.



Peter Naylor  
**CHIEF EXECUTIVE OFFICER**

## CONFIRMED MINUTES

These minutes were confirmed at a meeting held on.....

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 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**

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

## **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

### STAFF:

Mr Peter Naylor (Chief Executive Officer)  
Ms Belinda Taylor (Manager of Corporate Services)  
Mr Paul Healy (Manager of Works)  
Mrs Abbie Harken (Senior Finance Officer)

### APOLOGIES:

Cr Dale Naughton  
Cr Corey Harken

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

Nil

### ABSENT:

Nil

### VISITORS:

Ms Taraeta Nicholls

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

Nil

## 4 PUBLIC QUESTION TIME

The President declared Public Question Time opened at 4:02pm.

The following questions were received by Ms Nicholls during public question time in relation to the following matters.

Question

Why is the Annual Report Agenda not listed as confidential item on Agenda but is not available to the public?

Response

The CEO explained that the Draft Annual Report is a confidential document until adopted by Council and this not being explained in the Agenda was an oversight.

Question

Are expenses for delegates when they are representing the various organisations paid for by the Shire of Trayning or the respective group?

Response

The Committee who is being represented, is responsible for the delegate cost.

Question

How many membership based organisations incorporated or otherwise including collectives, alliances are the Shire of Trayning part of, either directly or indirectly?

Response

WALGA (inc GECZ), NEWROC, NEW Travel

Cr Barnes added that we are members of the Eastern Wheatbelt Biosecurity Group.

Question

Who are the Shires that are members of the Local Government Rural West Funding Alliance?

Response

The Rural Health Alliance is a collaboration of rural Councils which includes the Shires of Gnowangerup, Jerramungup, Kojonup, Lake Grace, Narembeen and Ravensthorpe, with the lead Shire being Lake Grace, to bring to the attention of the State Government, the high costs associated with the provision of medical facilities and Doctors in rural and remote areas and seeking funding through the financial assistance grants.

Please note: In her initial response the Shire President mentioned Ravensthorpe and Gnowangerup, however this question was taken on notice as we will need to check and confirm.

Question

Waste Management Education.

Response

The Shire of Trayning was the lead applicant for a Waste Sorted Grant to support the NEWROC deliver community information sessions across the communities, ensuring residents and businesses are informed about the proposed regional waste

facility and local tip upgrades as part of the NEWROC Regional Waste Project. We were unsuccessful.

Question

Housing Funding (Key Worker).

Response

The seven local governments have worked with the Wheatbelt Development Commission. The NEWROC completed three pieces of work: Feasibility Study, Business Case and Cost Benefit Analysis. The purpose of the work is to seek funding for the construction of affordable residential accommodation dwellings across the North Eastern Wheatbelt Regional Organisation of Councils (NEWROC) to meet key worker accommodation and housing needs in the regional communities for the benefit of the local economies.

Being no further questions, the President closed Public Question Time at 4:07pm.

**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**

Nil

**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

<b>Moved Cr PM Barnes</b>	<b>Seconded Cr ME Leslie</b>
That the minutes of the Meeting of Council held 19 November 2025 be confirmed as a true and correct record of the proceedings.	
<b>Resolution 12.2025.108</b>	<b>Carried 5/0</b>
<b>For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie</b>	

### **7.2 Audit Risk and Improvement Committee**

#### Officer Recommendation/ Council Decision

<b>Moved Cr CL Marchant</b>	<b>Seconded Cr PM Barnes</b>
That the minutes of the Audit Risk and Improvement Committee held 17 December 2025 be received.	
<b>Resolution 12.2025.109</b>	<b>Carried 5/0</b>
<b>For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie</b>	

### **7.3 Other Committee**

#### Officer Recommendation/ Council Decision

<b>Moved Cr PM Barnes</b>	<b>Seconded Cr ME Leslie</b>
That the minutes of the following Committee meetings be received.	
7.3 NEWROC Council MINUTES 2 December 2025	
<b>Resolution 12.2025.110</b>	<b>Carried 5/0</b>
<b>For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie</b>	

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

Nil

## **9 REPORTS**

### **9.1 REGULATORY SERVICES**

Nil

## 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 Recommendation/ Council Decision

**Moved Cr CL Marchant**

**Seconded Cr PM Barnes**

That Council receives the list of payments, as presented, for the month of November 2025, totalling \$413,229.19.

**Resolution 12.2025.111**

**Carried 5/0**

**For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie**

## 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 Recommendation/ Council Decision**

<b>Moved Cr ME Leslie</b>	<b>Seconded Cr PM Barnes</b>
That the Monthly Financial Report for the period ending 30 November 2025 be accepted as presented.	
<b>Resolution 12.2025.112</b> <b>For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie</b>	<b>Carried 5/0</b>

### **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.

### **Audit, Risk and Improvement Committee Recommendation / Council Decision**

<b>Moved Cr ML McHugh</b>	<b>Seconded Cr PM Barnes</b>
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.	
<b>Resolution 12.2025.113</b> <b>For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie</b>	<b>Carried 5/0</b>

## 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 Thoroughfares 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/ Council Decision**

<b>Moved Cr CL Marchant</b>	<b>Seconded Cr PM Barnes</b>
<p>A) Adopt the resolution as recommended by the Committee as follows</p> <p>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:</p> <ol style="list-style-type: none"><li>1. Amend subclause 2.4(2)(a) so that it states:<ul style="list-style-type: none"><li>(2) The person responsible for the works in subclause (1) is to be taken to be-<ul style="list-style-type: none"><li>(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</li><li>(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.</li></ul></li></ul></li></ol>	

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 Part 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.

**Resolution 12.2025.114**

**For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie**

**Carried 5/0**

### **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 ensuing 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/ Council Decision**

<b>Moved Cr ML McHugh</b>	<b>Seconded Cr PM Barnes</b>
<p>A) Adopt the resolution as recommended by the Committee as follows</p> <p>The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:</p> <ol style="list-style-type: none"><li>1. within 12 months, amend the local law as follows:<ol style="list-style-type: none"><li>a) in clause 5.7(3)(b), delete the words after 'by the Board.'</li><li>b) in clause 6.1(1)(a), replace the reference to 'paragraph (9b)' with 'paragraph (b)'</li><li>c) in clause 6.2(1), replace the word 'grace' with 'grave.'</li><li>d) in clause 7.17(3), replace:<ul style="list-style-type: none"><li>• the word 'appeal' with 'applies.'</li><li>• the reference to 'section 19(2) of the Act' with 'section'</li></ul></li></ol></li></ol>	

- 9.7 of the *Local Government Act 1995*'
- 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 1976.

- f) not enforce the local law to the contrary before it is amended in accordance with undertaking 1.
- g) 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.

**Resolution 12.2025.115**

**Carried 5/0**

**For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie**

### **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 ensuing 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/ Council Decision**

<b>Moved Cr PM Barnes</b>	<b>Seconded Cr ME Leslie</b>
<p>A) Adopt the resolution as recommended by the Committee as follows</p> <p>The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:</p> <ol style="list-style-type: none"><li>1. within 12 months, amend the local law as follows:<ol style="list-style-type: none"><li>a) amend clause 1.2 by inserting the following phrase <i>after 'respectively,': and the Shire of Trayning Dogs</i> <i>Local Law gazetted on 28 September 2001,</i></li><li>b) in the clause 1.3 definition of 'local planning scheme':<ol style="list-style-type: none"><li>(i) replace the phrase 'town planning scheme' with 'local planning scheme.'</li></ol></li></ol></li></ol>	

(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 2007*.'
- 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.

**Resolution 12.2025.116**

**Carried 5/0**

**For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie**

### **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 ensuing 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/ Council Decision**

<b>Moved Cr CL Marchant</b>	<b>Seconded Cr PM Barnes</b>
<p>A) Adopt the resolution as recommended by the Committee as follows</p> <p>The Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation that the Council will:</p> <ol style="list-style-type: none"><li>1. within 12 months, amend the local law as follows:<ol style="list-style-type: none"><li>a) amend clause 1.4 to repeal the <i>Shire of Trayning Public Places and Local Government Property Local Law 2075</i></li><li>b) insert the following definition of 'animal' into clause 1.5:<p><b>animal</b> means any living thing that is not a human being or plant but excludes a cat.</p></li><li>c) delete the clause 1.5 definitions of 'eating at house', 'food' and 'proprietor.'</li></ol></li></ol>	

- d) in the clause 1.5 definition of 'Health Act', replace the reference to the '*Health Act 1977*' with '*Health (Miscellaneous Provisions) Act 1977*'
- 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 1987*' with '*Associations Incorporation Act 2075*'
- 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 Act 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.

**Resolution 12.2025.117**

**For Cr Brown, Cr Marchant, Barnes, Cr McHugh, Cr Leslie**

**Carried 5/0**

### **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 ensuing 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/ Council Decision**

<b>Moved Cr PM Barnes</b>	<b>Seconded Cr ME Leslie</b>
<p>A) Adopt the resolution as recommended by the Committee as follows</p> <p>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:</p> <ol style="list-style-type: none"><li>1. Draft a Table of Contents to the Local Law.</li><li>2. Amend subclause 16.3(3) of the Local Law by deleting the words '<i>Local Government (Rules of Conduct) Regulations 2007</i>' and inserting instead. the words '<i>Local Government (Model Code of Conduct) Regulations 2021.</i>'</li><li>3. Make all consequential amendments arising from the above amendments.</li><li>4. Not enforce the Local Law to the contrary before it is amended in accordance with these undertakings.</li></ol>	

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.

**Resolution 12.2025.118**

**For Cr Brown, Cr Marchant, Cr Barnes, Cr McHugh, Cr Leslie**

**Carried 5/0**

## 9.4 SHIRE PRESIDENT

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

Nil

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

Nil

**12 CLOSURE**

There being no further business, the Shire President thanked all Councillors and Staff for their attendance and declared the meeting closed at 4:22pm.