

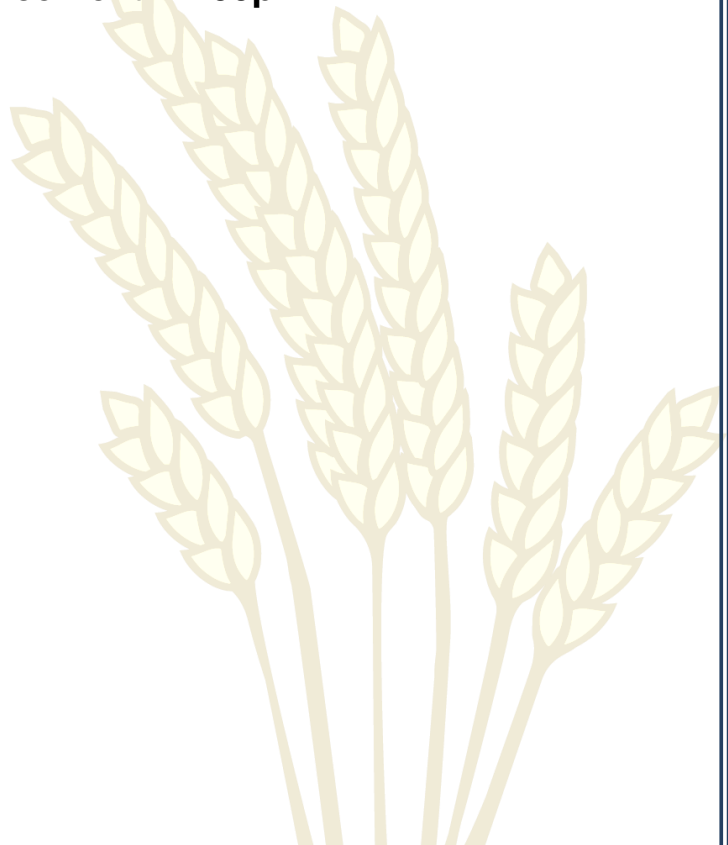


**AGENDA  
FOR  
ORDINARY MEETING OF COUNCIL  
Wednesday 17 February 2021**

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

**Commencement: 4:00pm**

Forum Meeting – 3:00pm



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

Signed



Leanne Parola  
Chief Executive Officer

## AGENDA

Ordinary Meeting of the Trayning Shire Council,  
Held in the Council Chambers, Lot 66 Railway Street, Trayning,  
on Wednesday 17 February 2021, commencing at 4:00pm.

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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 Geoff Waters (Deputy Shire President)  
Cr Michelle McHugh  
Cr Freda Tarr  
Cr Jim Wilkins  
Cr Clayton Marchant

STAFF:

Mrs Leanne Parola (Chief Executive Officer)  
Miss Belinda Taylor (Manager of Corporate Services)  
Mr Parthiv Parekh (Manager of Financial Services)  
Mr Stephen Thomson (Works Supervisor)

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 Ordinary Meeting of Council held on 9 December 2020 be confirmed as a true and correct record of the proceedings.

*It is to be noted that unwittingly there was no motion moved to allow the two late items 10.1.1 Submission of Final Draft Policy and Criteria Significant LG Roads and 10.1.2 Quotations – Supply and Delivery of an 8 Wheel Tip Truck, both items were passed unanimously.*

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

## **9 REPORTS OF OFFICERS**

### **9.1 REGULATORY SERVICES**

## 9.2 MANAGER OF FINANCE

### 9.2.1 Monthly Financial Report for December 2020

Date of Report:	5 <sup>th</sup> February 2021
Proponent:	N/A
File Ref:	N/A
Officer:	Parthiv Parekh – Manager of Financial Services
Senior Officer:	Leanne Parola – CEO
Officer's Disclosure of Interest:	Nil
Attachments:	10.1.1 Monthly Financial Report for December 2020
Voting Requirements:	Simple Majority

#### **Purpose of Report**

This report presents for consideration the Monthly Financial Report, for the period ending 31<sup>st</sup> December 2020.

#### **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 are prescribed.

##### Local Government (Financial Management) Regulations 1996 -

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

- (1A) In this regulation —

*committed assets* means 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 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 documents referred to in sub 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 Councils investments within the Monthly Financial Report.

### **Financial Implications**

A copy of the Monthly Financial Report for the period ending 31<sup>st</sup> December 2020, including the report on significant variances, Investment of Councils reserve and surplus funds and the reconciliation of Councils bank accounts, has been provided to Council via attachment to this report.

### **Strategic Implications**

There are no strategic implications.

**Environmental Implications**

There are no environmental implications.

**Social Implications**

There are no social implications.

**Officer's Comment**

Nil

**Officer's Recommendation**

That Council accepts the Monthly Financial Report for the period ending 31<sup>st</sup> December 2020 as presented.



## 9.2.2 Monthly Payment List December 2020

Date of Report:	5th February 2021
File Ref:	3.2.2.3 – Accounts Payable (Creditors)
Officer	Abbie Herrick – Finance Officer
Senior Officer:	Parthiv Parekh – Manager of Financial Services
Officer's Disclosure of Interest:	Nil
Attachments:	10.1.2 Attachment Monthly Payments and Sundry Debtor List
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 December 2020 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

### **Officer's Recommendation**

That Council receives the list of payments, as presented, for the month of December 2020, totalling \$260,277.13

### 9.2.3 Monthly Financial Report for January 2021

Date of Report:	8 <sup>th</sup> February 2021
Proponent:	N/A
File Ref:	N/A
Officer:	Parthiv Parekh – Manager of Financial Services
Senior Officer:	Leanne Parola – CEO
Officer's Disclosure of Interest:	Nil
Attachments:	10.1.1 Monthly Financial Report for January 2021
Voting Requirements:	Simple Majority

#### **Purpose of Report**

This report presents for consideration the Monthly Financial Report, for the period ending 31<sup>st</sup> January 2021.

#### **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 are prescribed.

##### Local Government (Financial Management) Regulations 1996 -

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

- (1A) In this regulation —  
*committed assets* means 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 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 documents referred to in sub 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 Councils investments within the Monthly Financial Report.

### **Financial Implications**

A copy of the Monthly Financial Report for the period ending 31<sup>st</sup> January 2021, including the report on significant variances, Investment of Councils reserve and surplus funds and the reconciliation of Councils bank accounts, has been provided to Council via attachment to this report.

### **Strategic Implications**

There are no strategic implications.

**Environmental Implications**

There are no environmental implications.

**Social Implications**

There are no social implications.

**Officer's Comment**

Nil

**Officer's Recommendation**

That Council accepts the Monthly Financial Report for the period ending 31<sup>st</sup> January 2021 as presented.

## 9.2.4 Monthly Payment List January 2021

Date of Report:	8 <sup>th</sup> February 2021
File Ref:	3.2.2.3 – Accounts Payable (Creditors)
Officer:	Abbie Herrick – Finance Officer
Senior Officer:	Parthiv Parekh – Manager of Financial Services
Officer's Disclosure of Interest:	Nil
Attachments:	10.1.2 Attachment Monthly Payments and Sundry Debtor List
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 January 2021 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

### **Officer's Recommendation**

That Council receives the list of payments, as presented, for the month of January 2021, totalling \$221,758.17

## 9.3 CHIEF EXECUTIVE OFFICER

### 9.3.1 Donation to Lord Mayor's Distress Relief Fund

Date of Report:	11 February 2021
Proponent:	N/A
File Ref:	3.2.7.5
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider making a donation to the Lord Mayor's Distress Relief Fund for the Wooroloo and Hills Bushfire Appeal 2021.

#### **Background**

A fire broke out in Wooroloo on 1 February 2021 and at the time of writing this report had burnt 10,900 hectares and destroyed 86 homes within the Shires of Mundaring and the City of Swan.

#### **Officer's Comment**

The Lord Mayor's Distress Relief Fund (LMDRF) is Western Australia's official State emergency fund. It was established in 1961, following the Dwellingup fires where 123 people were left homeless and the timber towns of Holyoake, Nanga Brook, Marrinup and Banksiadale were completely burnt out.

The LMDRF was established in conjunction with the State Government to provide financial assistance to individuals for the alleviation and relief of distress, suffering and personal hardships, brought about by any disaster or emergency within Western Australia declared by the Western Australian Government or for which the LMDRF Board considers assistance is warranted.

The perpetual fund is incorporated under the Charitable Collections Act and has Australian Taxation Office tax deductibility status. The LMDRF is administered by an independent Board which consists of up to 15 members.

The City of Perth has donated administrative and other support services to the LMDRF since its inception. The City of Perth seeks no reimbursement for the costs associated with providing support to the LMDRF. This means 100% of donations raised through appeals goes directly to those in need.

The Board's method of operation for coordinating the appeal once a formal announcement has been made is direct liaison with the local government of the district or districts affected.

The local committee is made up of local government, community representatives, lead combat authority representatives and local state government representatives.

This committee works with the community in question and acts as a communication line to the LMDRF's Board. They follow set Board guidelines, pass claims to the Board, and also with their local knowledge, make recommendations on disbursement. The Board then makes a final determination on disbursement of funds.

The Lord Mayor's Distress Relief Fund was activated to help those in the Wooroloo and Hills bushfires on 3 February 2021.

### **Consultation**

Shire President

### **Statutory Environment**

There are no statutory implications.

### **Policy Implications**

Policy 7.7 Donations and Sponsorship

### **Financial Implications**

There is \$2,750 available in the 2020/21 donations budget (GL 2041028 - Donations to Community & Sporting Groups).

### **Strategic Implications**

There are no strategic implications.

### **Environmental Implications**

There are no known environmental implications.

### **Social Implications**

There are no known social implications.

### **Officer's Recommendation**

That a donation of \$\_\_\_\_\_ be made to the Lord Mayor's Distress Relief Fund to help those impacted by the Wooroloo and Hills bushfires.

### 9.3.2 Standards for Recruitment for CEOs

Date of Report:	4 February 2021
Proponent:	Chief Executive Officer
File Ref:	4.2.5.15 CEO Recruitment
Officer's Disclosure of Interest:	Will be the subject of the new Standards
Attachments:	Draft Standards for Recruitment, Selection, Performance Review and Termination of CEOs
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To adopt the Model Standards for the Recruitment, Selection, Performance Review and Termination of Local Government CEOs.

#### **Background**

The Local Government Legislation Amendment Act 2019 includes a requirement for model standards covering the recruitment and selection, performance review and termination of employment of local government Chief Executive Officers (CEOs). These reforms were intended to ensure best practice and greater consistency in these processes between local governments.

The Local Government (Administration) Amendment Regulations 2021 came into effect on 3 February 2021 and include the new Model Standards for the Recruitment, Selection, Performance Review and Termination of Local Government CEOs.

#### **Officer's Comment**

The attached draft Standards for Recruitment, Selection, Performance Review and Termination of CEOs is the model provided in the Local Government (Administration) Regulations 1996 with the Shire of Trayning inserted where appropriate. There are no other changes to the content of the Standards proposed.

#### **Consultation**

The Department of Local Government, Sport and Cultural Industries has engaged in a comprehensive public consultation process regarding a range of changes to the Local Government Act 1995 and associated Regulations.

#### **Statutory Environment**

Local Government Act 1995:

- Section 5.39A Model standards for CEO recruitment, performance and termination
- Section 5.39B Adoption of model standards

Local Government (Administration) Regulations 1996

- Regulation 18FA - Model standards for CEO recruitment, performance and termination
- Schedule 2 - Model standards for CEO recruitment, performance and termination



### **Policy Implications**

The Shire does not have any current policies regarding the recruitment, performance or termination of the Chief Executive Officer.

### **Financial Implications**

There are no immediate financial implications in adopting the Standards. The future impact of the standards may be to increase the costs associated with advertising, meeting fees and payment to independent persons.

### **Strategic Implications**

The Shire of Trayning Community Strategic Plan includes a strategy to “Recruit, retain and develop suitably qualified, experienced and skilled staff”.

The proposed Standards will provide an appropriate framework for the recruitment of and development of Chief Executive Officers.

### **Environmental Implications**

There are no known environmental implications.

### **Social Implications**

There are no known social implications.

### **Officer’s Recommendation**

That the attached Standards for Recruitment, Selection, Performance Review and Termination of CEOs be adopted and made available on the Shire’s website.

### 9.3.3 Budget Review 2020-21

Date of Report:	11 January 2020
Proponent:	Chief Executive Officer
File Ref:	3.2.7.6 – Budget Review
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Actual to Budgeted Expenditure as at 31 December 2020
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To consider a review of the 2020/21 Budget.

#### **Background**

A review of actual expenditure to budgeted expenditure has been undertaken by staff.

The budget review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards.

Council when adopting its 2019/20 budget endorsed a variance of 10% and a minimum of \$10,000 to be used in the statements of financial activity and annual budget review, which is the basis of reporting for the Mid-Year Budget Review.

#### **Consultation**

Manager of Finance  
Works Supervisor

#### **Statutory Environment**

*Local Government (Financial Management) Regulations*

*33A. Review of budget*

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) The review of an annual budget for a financial year must —*
  - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) consider the local government's financial position as at the date of the review; and*
  - (c) review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\*Absolute majority required.*

- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

#### **Policy Implications**

Nil

## **Financial Implications**

### **Budget Review Outcomes**

#### **Opening Surplus**

Council budgeted for an opening surplus of \$1,250,052 at 1 July 2020. The actual opening surplus, as per the audited financial statements was \$1,074,107 which meant that the opening surplus was \$175,945 less than budgeted.

This variance is largely as a result of DFES Grant funding of \$178,170 that was received in advance being transferred to restricted funds. The budget will need to be amended to recognise the transfer out of restricted funds when expenditure on the new FESA shed is incurred. There will be an overall impact on the estimated surplus of (\$2,225).

#### **Budgeted Income and Expenditure**

Staff have reviewed the budget operating and capital income and expenditure for the year and the following accounts are estimated to vary more than \$10,000 from budget:

GL	Description	IE	Current Budget \$	Estimated Actual \$	Estimated Variance \$	Comment
3031300	Rates Levied	10	1,189,8847	1,172,031	17,853	Actual rates levied were less than budgeted
3031302	Discount on Rates	10	(51,000)	(25,506)	(25,494)	Actual discounts claimed were less than budgeted
2042046	Admin Ground Maintenance	02	(14,695)	(3,000)	(11,695)	Majority of works will be capital expense
2042055	Consultancy Costs	02	(60,000)	(45,000)	(15,000)	Financial work to be done in house
3102324	Black Water Disposal Fee	17	2,250	16,000	(13,750)	Large backlog of fees raised in 2020/21
2122001	Road Maintenance – Council	02	(125,000)	(115,597)	(9,403)	Reduce materials/contracts to balance budget
2143004	Plant Licences & Insurance	07	(49,500)	(62,460)	\$12,960	Vehicle insurance higher than budgeted
4121003	Road Construction – R2R		(299,396)	(331,450)	\$32,054	More gravel & work required than budgeted
	<b>Overall Impact on Surplus</b>				<b>(12,475)</b>	

The following additional changes are recommended to the budget:

GL	Description	IE	Current Budget \$	Proposed Budget \$	Proposed Variance \$	Comment
2042032	Computer Equipment Maintenance	02	(76,250)	(116,250)	40,000	Purchase/implementation of new software for record keeping and bank reconciliations
4042563	1 x PC, 3 laptops		(13,500)	0	(13,500)	Should be operating, move to 2042032
4142570	New Works Supervisor's Ute		(50,000)	0	(50,000)	Defer changeover of vehicle
5142570	Proceeds from Works Supervisor's Ute		38,200	0	38,200	Defer changeover of vehicle
4092542	Capital Works – Other Housing		0	(10,000)	(10,000)	Replace floor coverings, repaint vacant Aged Care Unit in Trayning
4123500	Transfer to Plant Reserve		(78,013)	(68,013)	10,000	Reduction in transfer to reserve to balance budget
	<b>Overall Impact on Surplus</b>				<b>14,700</b>	

## **Strategic Implications**

Deferring the changeover of the Works Supervisor's vehicle will have an impact on the 2021/22 budget.

## **Officer's Comment**

As above

## **Officer's Recommendation**

That the budget review be received as presented and the following budget amendments be made:

<b>GL</b>	<b>Description</b>	<b>IE</b>	<b>Current Budget \$</b>	<b>Amended Budget \$</b>
	Opening Surplus/(Deficit)		1,250,052	1,074,107
3031300	Rates Levied	10	1,189,8847	1,172,031
3031302	Discount on Rates	10	(51,000)	(25,506)
2042046	Admin Ground Maintenance	02	(14,695)	(3,000)
2042055	Consultancy Costs	02	(60,000)	(45,000)
3102324	Black Water Disposal Fee	17	2,250	16,000
2122001	Road Maintenance – Council	02	(125,000)	(115,597)
2143004	Plant Licences & Insurance	07	(49,500)	(62,460)
4121003	Road Construction – R2R		(299,396)	(331,450)
2042032	Computer Equipment Maintenance	02	(76,250)	(116,250)
4042563	1 x PC, 3 laptops		(13,500)	0
4142570	New Works Supervisor's Ute		(50,000)	0
5142570	Proceeds from Works Supervisor's Ute		38,200	0
4092542	Capital Works – Other Housing		0	(10,000)
4123500	Transfer to Plant Reserve		(78,013)	(68,013)
	Transfer from Contract Liabilities		0	178,170



### 9.3.4 CEACA Application for Rates Exemption

Date of Report:	11 January 2020
Proponent:	Chief Executive Officer
File Ref:	3.1.1.3 Rate Exemptions
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	CEACA Rates Exemption
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider an application from the Central East Aged Care Alliance Inc. (CEACA) to exempt A1148, Lot 300 Leake Street Kununoppin from municipal rates.

#### **Background**

A special CEACA Committee Meeting was held on 3 July 2019 where it was resolved that the Committee request Members to consider delaying the implementation of the valuation on the completed CEACA aged housing until July 2020.

It would appear that the matter of exempting or waiving the rates for the CEACA property in Kununoppin was not referred to Council by the Chief Executive Officer.

#### **Consultation**

The Chief Executive Officers of local governments involved in CEACA have met informally and agreed to accept the legal advice provided to CEACA that they are eligible for rates exemption.

#### **Statutory Environment**

Local Government Act 1995, section 6.26 – Rateable land

#### **Policy Implications**

There are no direct policy implications.

#### **Financial Implications**

The 2020/21 budget did not include raising rates for this property as a valuation had not been received at the time of rates modelling.

A valuation has been received and rates have now been raised as follows:

2020/21 Rates	\$2,512.94
2019/20 Back Rates	2,260.80
2018/19 Back Rates	701.30

**Agenda:** Ordinary Meeting of Shire of Trayning Council to be held on Wednesday 17 February 2021 22



2020/21 Rubbish/Recycling	471.95
2020/21 ESL	84.00
<b>TOTAL</b>	<b>\$6,030.99</b>

If the rates exemption is granted, the rubbish, recycling and ESL charges will still be applicable and a total of \$5,475.04 will be credited to the assessment leaving a balance of \$555.95.

### **Strategic Implications**

The loss of rates income from this property would be approximately \$2,500-\$3,000 per annum which would have a minor impact on future iterations of the Long Term Financial Plan.

The current Shire of Trayning Corporate Business Plan includes an annual contribution of \$20,000 to CEACA. The Shire has previously advised CEACA that it does not support the current methodology of determining individual member's subscription/membership fee and that it supports a subscription/membership fee methodology based upon a fee for dwelling to be constructed in each of the member's local government.

### **Officer's Comment**

The Shire of Trayning is one of eleven Shires in the Wheatbelt who created CEACA to address a shortfall of aged accommodation within the region. All of the Shires made cash and in kind contributions to set up the accommodation units and operating costs.

The property in question has two housing units on it which are currently occupied.

### **Officer's Recommendation**

That:

- 1) The Central East Aged Care Alliance Inc rate exemption application for Assessment 1148, Lot 300 Leake Street Kununoppin be approved as the land is deemed to be used exclusively for Charitable purposes in accordance with Local Government Act 1995, Section 6.26,2,(g) as of 1 July 2018, to be reviewed on 30 June 2023.
- 2) An opportunity be taken to formally advise the Central East Aged Care Alliance Inc. that the Shire of Trayning does not support the current methodology of determining individual member's subscription/membership fees and that it supports a subscription/membership fee methodology based upon a fee for dwelling in future budgets.



### 9.3.5 Local Govt Child Safety Officers & Proposed Reportable Conduct

Date of Report:	11 January 2020
Proponent:	N/A
File Ref:	4.3.1.1 DLG – General Correspondence
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Child Safety Officers – Discussion Paper
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider a response to the Department of Local Government, Sport and Cultural Industries' Discussion Paper regarding implementation of child safety officers.

#### **Background**

The Department of Local Government, Sport and Cultural Industries is part of the State Government implementing reforms from the recommendations of the Royal Commission into Institutional responses to Child Sexual Abuse (the Royal Commission).

The Royal Commission was established to investigate systemic failures by institutions in relation to allegations and incidents of child sexual abuse. It found that across many decades, many of society's institutions failed to protect children.

The Royal Commission's final report contained 409 recommendations directed towards the development of effective government regulation, improvement in institutional governance and increased community awareness of child sexual abuse in institutions.

The development of an independent oversight system comprises the following four areas:

- organisations to report certain types of misconduct by their employees (including contractors and volunteers) involving children (known as reportable conduct) to an independent oversight body;
- organisations engaged in child related work to comply with child safe standards (known as the National Principles for Child Safe Organisations) and their compliance be monitored by an independent oversight body;
- out-of-home care providers be accredited by an independent oversight body;
- youth detention environment to comply with the National Principles and their compliance be monitored by an independent oversight body.

Ombudsman WA has drafted the Parliamentary Commissioners Amendment (Reportable Conduct) Bill 2020. The Bill obliges heads of organisations, including local governments, to notify an independent body of misconduct involving children, known as reportable conduct, by their employees, volunteers and contractors. Consultation on the draft legislation closes 31 January 2021.





The Royal Commission recommended 10 child safe standards to improve child safe cultures and practices across all sectors providing services to children and young people. The standards have since been incorporated into the National Principles for Child Safe Organisations which were endorsed by the Council of Australian Governments in February 2019. The National Principles guide organisations to create child safe cultures and practices. The Department of the Premier and Cabinet (DPC) is leading community consultation about how the legal compliance with the National Principles should be implemented. Organisations undertaking child-related work, such as local governments, are encouraged to provide comment by completing an online survey before 26 February 2021.

Royal Commission Recommendation 6.12 states that local governments should designate child safety officer positions from within existing staff profiles. The Department of Communities and DLGSC have drafted a discussion paper for the WA Local Government sector to better understand and respond to this recommendation (see attached).

The State Government is seeking a formal response to the discussion paper, preferably through the relevant council, from local governments by 2 April 2021. Responses will inform the development of the State Government's policy position.

### **Consultation**

Local Governments have until 2 April 2021 to respond to the Department's Discussion Paper regarding implementation of child safety officers. A structured survey has been provided for local governments' responses.

### **Statutory Environment**

There is currently no specific legislative requirement for local governments to provide child safety officers or child safety services. The proposal includes new legislation that will mandate the role of anyone involved in provision of children's facilities or services to ensure that the relevant employee reports potential misconduct and the relevant organisation via its Principal Officer (or Chief Executive Officer) has appropriate mechanisms in place to encourage and receive reporting.

The requirement for every local government in Australia to mandate a Child Safety Officer, either as a new position dedicated to the role, or an existing employee with designated responsibility, is a suggested approach (by the Royal Commission and State Government) to meet the principles espoused by the Commonwealth via the Royal Commission.

Whilst hard to argue against the principle, there are two salient points – resources and funding to make it effective. Otherwise, in the opinion of the Administration, it is purely an example of cost shifting by the State and Commonwealth Governments, without any productive means to make it actionable at the local level.

One can't simply give someone a title, in for example, an existing administration role, without appropriate skillsets or training, and expect them to act as and be a 'Child Safety



Officer'. It would be in name only and therefore in the opinion of the Administration, an attempt at cost shifting and a tokenistic approach.

What is the role of the State Government here with its various officers throughout the Regions and State in the Department of Child Protection's role?

Staff believe a hub and spoke model with centralised officers in the Perth Metropolitan Region and community based officers at existing or expanded regional branches such as Narrogin, Albany, Bunbury, is more practical and realistic, given the relative size of most local governments in WA that cannot afford or justify a standalone officer (or title of a position in name only).

### **Policy Implications**

There are no current policy implications.

### **Financial Implications**

There are no direct financial implications in responding to the discussion paper, but there may be future costs imposed on the Shire in relation to child safety by the State Government.

The requirement or expectation to appoint (and implement) State and Commonwealth principles associated with Child Safety Officers at every local government in Australia however, will come at a cost, either by reducing services in another area or adding cost to rates, without appropriate financial and administrative resources from the government agencies already entrusted with this role.

The State Government Agency in WA entrusted with Child Welfare, is primarily the Department of Child Protection (and Police Department). Effectively the State is asking that local governments be 'an extension' or arm of this agency, without offering any promise of resources or financial assistance.

The risk, over time, if not initially, is that this burden will grow and expectation of service delivery will grow, such that it will be seen as part of the 'business' of local government, without appropriate resources.

### **Strategic Implications**

The Shire of Trayning does not currently provide child safety services and there has been nothing included in the Community Strategic Plan, Corporate Business Plan or Long Term Financial Plan to introduce any.

### **Environmental Implications**

There are no direct environmental implications.



### **Social Implications**

There are no direct social implications in responding to the discussion paper.

### **Officer's Comment**

The intention from the Royal Commission was that Child Safety Officers would be provided from the existing staff of local governments.

The proposed role of the Child Safety Officers is to:

- Develop child safe messages in local government venues, grounds and facilities
- Assist local institutions to access online child safe resources
- Provide child safety information and support to local institutions on a needs basis
- Support local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds

While this approach may make sense for larger local governments with staff who are experienced in child and/or youth services, smaller local governments like the Shire of Trayning are not likely to have staff members with suitable skills and knowledge.

The Shire of Trayning has only 15 staff members, none of whose positions require experience in child protection matters. There is also no provision in the budget for child or youth welfare services.

### **Officer's Recommendation**

That the draft response be endorsed as attached.



## Draft Consultation Question Response

- 1) Please specify which local government you are responding on behalf of.

Shire of Trayning

- 2) What is your role within the organisation?

Council

- 3) Please consider each of the functions of a child safety officer and the three accompanying questions for each.

- a) Developing child safe messages in local government venues, grounds and facilities

In what ways is the function already being delivered within your local government and by which existing role/s and portfolio/s?

The Shire of Trayning is not delivering child safe messages in their venues, grounds or facilities and does not have any existing roles or portfolios able to carry out these functions.

In what ways can this existing work be built on to implement the function, as recommended by the Royal Commission?

If appropriate materials are provided to the Shire, we would be able to display them at our venues and facilities.

What supports or training might be needed to achieve full implementation of this function?

As there are no staff members at the Shire with knowledge or experience in child safety and/or youth services, there would need to be readily available training, resources and support for them to access free of charge.

Instead of each small local government trying to carry out the function, it would be more cost effective for a regional position to be established by the Department of Communities who has suitable expertise in this area.

It would ensure a consistent messaging and avoid of duplication effort by small shires with minimal resources.

- b) Assisting local institutions to access online child safe resources

In what ways is the function already being delivered within your local government and by which existing role/s and portfolio/s?



The Shire of Trayning does not deliver online child safe resources. There are two members of staff who can load content onto the Shire's website, but there are no roles or portfolios who would be able to develop appropriate content.

In what ways can this existing work be built on to implement the function, as recommended by the Royal Commission?

If appropriate content was provided, staff could load it onto the Shire's website.

What supports or training might be needed to achieve full implementation of this function?

Provision of appropriate content, although content can become outdated so it may be better to have the information on the Department of Communities' website (or another appropriate Government Department), with a link from the Shire's website instead. It would ensure a consistent message and avoid of duplication effort by small shires with minimal resources.

- c) Providing child safety information and support to local institutions on a need's basis

In what ways is the function already being delivered within your local government and by which existing role/s and portfolio/s?

The Shire of Trayning does not deliver any child safety information or support to local institutions. There no existing roles or portfolios that would be able to provide suitable information or support.

In what ways can this existing work be built on to implement the function, as recommended by the Royal Commission?

The only way that the Shire of Trayning could offer this service would be to outsource a specialist officer and the Shire does not have the financial capacity to do so.

What supports or training might be needed to achieve full implementation of this function?

Instead of each small local government engaging a consultant to carry out the function, it would be more cost effective for a regional position to be established by the Department of Communities who has suitable expertise in this area.

- d) Supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.



In what ways is the function already being delivered within your local government and by which existing role/s and portfolio/s?

The Shire of Trayning does not have any existing roles or portfolios that currently work collaboratively with key services in this space.

In what ways can this existing work be built on to implement the function, as recommended by the Royal Commission?

The only way that the Shire of Trayning could offer this service would be to outsource a specialist officer and the Shire does not have the financial capacity to do so.

What supports or training might be needed to achieve full implementation of this function?

Instead of each small local government engaging a consultant to carry out the function, it would be more cost effective for a regional position to be established by the Department of Communities who has suitable expertise in this area.

- 4) Please specify any additional feedback in relation to the proposed implementation of child safety officers within Western Australia.

While the Shire of Trayning is supportive of the idea of child safety officers, it does not consider the proposal to have the responsibility for the position to be sourced from existing local government staff in small local governments practical or reasonable.

The Shire of Trayning has 15 staff members, none of whom have any qualifications or experience in child safety or youth services. At the 2016 Census the Shire had a total population of 350 of which 45 were under the age of 15. There is little demand for any child or youth services which would justify the appointment of a specialist and the Shire has many other competing priorities for its scarce resources.



### 9.3.6 Attendance at Events Policy

Date of Report:	15 January 2021
Proponent:	Chief Executive Officer
File Ref:	4.1.5.1 Policy Manual
Officer's Disclosure of Interest:	Nil
Attachments:	Draft Policy 1.14 Attendance of Councillors and CEO at Events
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To consider a new Policy 1.14 – Attendance of Councillors and CEO at Events.

#### **Background**

While completing the 2020 Compliance Audit Return it was identified that the Shire does not have the Attendance at Events policy as required by Section 5.90A of the Local Government Act 1995.

#### **Consultation**

There has been no consultation; however, the Department of Local Government, Sport and Cultural Industries Operational Guideline for Attendance at Events Policy and associated template policy have been used in drafting the attached policy.

#### **Statutory Environment**

Local Government Act 1995, section 5.90A requires a local government to prepare and adopt a policy that details with matters relating to the attendance of Council Members and the Chief Executive Officer at events and publish it on its website.

#### **Policy Implications**

A draft policy is attached for consideration.

#### **Financial Implications**

There are no direct financial implications.

#### **Strategic Implications**

There are no direct strategic implications.

#### **Officer's Comment**

It is not expected that Councillors nor the Chief Executive Officer would receive many invitations that will require an application for attendance.



**Officer's Recommendation**

That Policy 1.14 – Attendance of Councillors and CEO at Events be adopted and published on the Shire's website.





### **9.3.7 Code of Conduct - Elected & Committees Members & Candidates**

Date of Report:	5 February 2021
Proponent:	Chief Executive Officer
File Ref:	4.1.5.1 Policy Manual
Officer's Disclosure of Interest:	Nil
Attachments:	Draft Policy 1.1 – Code of Conduct for Elected Members, Committee Members and Candidates
Voting Requirements:	Simple Majority

#### **Purpose of Report**

For Council consideration.

#### **Background**

Amendments have been made to the Local Government Act 1995 and Local Government (Administration) Regulations 1996, which require the adoption of a new Code of Conduct for Council Members, Committee Members and Candidates based on the new Model Code of Conduct provided in the Regulations.

#### **Officer's Comment**

The attached Draft Policy 1.1 Code of Conduct for Council Members, Committee Members and Candidates is based on the Code of Conduct within the Local Government (Administration) Regulations 1996, with only the amendment to include the name of the Shire of Trayning.

#### **Consultation**

The Department of Local Government, Sport and Cultural Industries has undertaken comprehensive community consultation in this regard.

#### **Statutory Environment**

Local Government Act 1995:

- Section 5.103 - Model code of conduct for council members, committee members and candidates
- Section 5.104 - Adoption of model code of conduct

#### **Policy Implications**

Policy 1.1 Code of Conduct needs to be replaced with a Code of Conduct based on the Model Code of Conduct for Council Members, Committee Members and Candidates.



**Financial Implications**

There are no direct financial implications

**Strategic Implications**

There are no strategic implications.

**Environmental Implications**

There are no known environmental implications.

**Social Implications**

There are no known social implications.

**Officer's Recommendation**

That Policy 1.1 Code of Conduct be replaced with Policy 1.1 Code of Conduct for Council Members, Committee Members and Candidates as attached and be made available on the Shire's official website.



### 9.3.8 Future Direction for Former Trayning Church

Date of Report:	4 February 2021
Proponent:	Chief Executive Officer
File Ref:	11.5.1.2 - Museums
Officer's Disclosure of Interest:	Nil
Attachments:	Structural Engineering Services Assessment – Summary of Findings
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider whether to retain the Church on the corner of Mary and Coronation Streets for the development of an unmanned museum with the assistance of volunteers or to sell it by public tender.

#### **Background**

The Shire of Trayning purchased the former Anglican Church on the corner of Mary and Coronation Streets in 2011 with the intention of establishing it as a museum. The Shire does not however have the resources to pay for the necessary maintenance on the building, establishment of professional displays or staff a museum.

In December 2018 the Shire offered to lease the Church to the KTY Development Association (or another incorporated body). Council resolved that if a suitable lease couldn't be arranged, the property would be sold.

#### **Officer's Comment**

A Structural Engineer was engaged to do a detailed inspection of the building and to provide an assessment of its condition. While the detailed Building Condition Assessment Report has yet to be received, he has provided a summary of his findings (see attached).

Estimates to repair the walls and external woodwork have yet to be received, but the Building Surveyor from the Shire of Mukinbudin has inspected the building and indicated that they could be around \$50,000 to \$70,000. The report by the structural engineer outlines a staged approach, which could be undertaken over a number of years.

Pledges have been received from members of the community for cash contributions/pew sponsorships totalling \$15,000 if the Church is retained by the Shire and turned into a museum. Volunteers have offered clean and man the museum on a regular basis.

The financial pledges received could be utilised to repair the ceiling and install appropriate signage, which would enable to church to be made available as an unmanned museum with keys available at the Post Office and Hotel in the short term.



Volunteers have held a busy bee to clean up the Trayning District Hall and have started to set up a proposed community emporium to raise funds for the maintenance of the Church should Council decide to retain the building and utilise it as a museum.

Takings from the proposed Trayning Community Emporium and any other funds raised by the community could be held by the Shire utilising its trust module to ensure they are quarantined from general revenue and only utilised on the museum.

### **Consultation**

Community consultation has been ongoing for a number of years. The KTY Development Association have indicated that they are not in a position to prepare a plan on how they could lease and run the former church as a museum.

Two community meetings were held in late 2020 to discuss the future of the church and a request for people to pledge financial or volunteer support was widely distributed.

### **Statutory Environment**

The Church is listed on the State Heritage List.

### **Policy Implications**

Policy 5.9 Anglican Church Museum

### **Financial Implications**

There is no current provision within the 2020/21 Annual Budget or the Long Term Financial Plan for the works required to repair the ceiling, walls and external woodwork on the Church.

There is approximately \$60,000 in the Shire's Building Reserve; however the purpose of the reserve is currently 'To be used for the construction of housing and other facilities' which would not encompass building renewal.

Council could consider including a provision in the 2021/22 annual budget to match community funds raised for the maintenance of the Church, or to utilise a portion of the second round of Local Roads and Community Infrastructure Program funding.

If the building were to be sold, the proceeds could be put into the renewal or improvements to other Shire owned buildings. The last unsolicited offer to purchase the property received by the Shire was in 2017 for \$16,000.

### **Strategic Implications**

The Shire's Asset Management Plan and the current Long Term Financial Plan do not include any capital expenditure for the Church.



### **Environmental Implications**

There are no known environmental implications.

### **Social Implications**

The former Anglican Church has cultural, spiritual and social associations for many of the Shire's current and former residents.

Some of the people who have volunteered to either raise funds and/or assist with cleaning and maintaining the Church are not currently active in other community organisations. In an environment of reducing number of volunteers, it would be desirable to encourage them to become more engaged members of the community.

The District Hall is rarely used, it would be a positive move to have it utilised on a more regular basis and to offer a new business/attraction to the Shire by opening the proposed Trayning Community Emporium several times per week.

### **Officer's Recommendation**

That:

- 1) The former Anglican Church building on the corner of Mary and Coronation Streets be retained as an unmanned Museum with keys available at the Trayning Post Office and Trayning Hotel.
- 2) Pledges received from the community be utilised to undertake repairs to the ceiling in the former Church, other minor repairs, plaques recognising sponsors of pews and appropriate signage.
- 3) The Shire allow a group of volunteers known as 'Friends of the Church' to be established and coordinated by Louise Masser under the umbrella of the Shire. The purpose of the group would be to raise funds for the maintenance of the Church and to clean/maintain it on an ongoing basis for use as an unmanned Museum.
- 4) Provide the District Hall free of charge to the Friends of the Church for fundraising activities.
- 5) Apply for Local Roads and Community Infrastructure Program funding to match community pledges and funds raised by the Group for maintenance works to the Church.
- 6) A review of the use of the former Church as a museum and associated costs be carried out in 2026.



### **9.3.9 Local Roads & Community Infrastructure Budget Amendment**

Date of Report:	4 February 2021
Proponent:	Chief Executive Officer
File Ref:	3.2.7.8 Budget Amendments
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To consider budget variations to determine priorities and enable works funded by the second round of Local Roads and Community Infrastructure Program in 2020/21 to proceed.

#### **Background**

The Department of Infrastructure, Transport, Regional Development and Communications have advised that the Shire of Trayning is eligible to apply for an additional \$288,528 under the Local Roads and Community Infrastructure Program. Projects must be completed by 31 December 2021.

#### **Consultation**

At a Councillor Briefing Forum held in November 2020, Councillors expressed an interest in staff pursuing costs etc. for the following projects for Council consideration:

- Kununoppin Community Centre – shade structure and barbecue
- Footpath renewal – complete Glass and Mary Streets, Coronation Street to George Street (950 m)
- Water catchment improvements
- Building renewal
- New footpaths to join existing footpaths in Kununoppin

#### **Statutory Environment**

Local Government Act 1995, section 6.8 – Expenditure from municipal fund not included in annual budget

#### **Policy Implications**

There are no policy implications

#### **Financial Implications**

The proposed budget variation will increase income and expenditure by the same amount, resulting in no change to the budgeted end of year position. The balance of the funding will be considered in the 2021/22 annual budget process.



There may be some savings in operating costs if the works are done and it rains early enough.

### **Strategic Implications**

The Shire of Trayning Corporate Business Plan identified reduced run off being collected by into the Trayning dam as an issue. The proposed works to the town dams, catchment and channels will increase the amount of water captured and retained for reuse.

The use of harvested water instead of scheme water for road construction/maintenance purposes and watering the tennis courts and oval can save the Shire between \$25,000 to \$50,000 per annum. These savings are currently constrained as not enough water is captured for reuse and there is a heavy reliance on scheme water.

### **Environmental Implications**

There are no known environmental implications.

### **Social Implications**

There are no known social implications.

### **Officer's Comment**

While staff would recommend utilising the bulk of the funding in the 2021/22 financial year to even out the workload for staff, there would be an advantage in making improvements to the water harvesting scheme as soon as possible to take advantage of better construction and refurbishment conditions offered by late Summer and early Autumn works and the flow on superior water catchment for the upcoming winter.

The following works/budget is proposed in this regard:

Refurbish bottom town dam (dozer work when dry, tree disposal, fence replacement)	\$17,000
Refurbish top town dam (vegetation removal)	3,000
Maintain and refurbish town dam catchment and channels	8,000
Pump arrangement to get water from town dam to fire storage tanks	8,000
Change top town dam pump arrangement to pull from fire storage tanks	3,000
Improve access at fire tanks	1,000
<b>Total</b>	<b>\$40,000</b>

### **Officer's Recommendation**

That:

- 1) An application be made for \$40,000 to the second round of the Local Roads and Community Infrastructure Program for maintenance and improvements to the Trayning Water harvesting infrastructure



- 2) Consideration be given in preparing the 2021/22 budget to utilise the remaining Local Roads and Community Infrastructure Program funds of \$248,528
- 3) The 2020/21 Annual Budget be amended as follows:

<b>GL/Job Number</b>	<b>Description</b>	<b>Current Budget</b>	<b>Amended Budget</b>
3113323	Grant Income Capital Sport & Rec	\$249,266	\$289,266
4113543/ BC35	Trayning Town Dam Renewal	\$0	(\$40,000)





### 9.3.10 Central Wheatbelt Riding Club

Date of Report:	11 February 2021
Proponent:	Chief Executive Officer
File Ref:	11.6.1.11 Central Wheatbelt Riding Group
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simply Majority

#### **Purpose of Report**

To consider formalising the use of the Kununoppin Sporting Ground by the Central Wheatbelt Riding Club and assistance in relocating their infrastructure from the Trayning townsite.

#### **Background**

The Central Wheatbelt Riding Club had utilised Lot 173 and a portion of Lot 172 Sutherland Street Trayning for their Club house, arena and an agistment paddock. The Club house and facilities were demolished by the Shire and the area they used for parking was redeveloped for the fuel facility. Lot 172 is now going to be the site for the new Trayning Emergency Services shed.





### **Consultation**

Central Wheatbelt Riding Club

### **Statutory Environment**

Local Government (Functions and General) Regulations 1996, Regulation 30 - Dispositions of property excluded from Act (s 3.58)

### **Policy Implications**

5.13 Insurance Requirements for Usage of Council Owned Facilities Policy

### **Financial Implications**

There are no direct financial implications in establishing an agreement with the Central Wheatbelt Riding Club regarding the Kununoppin Recreation Ground. Under the terms of the proposed Memorandum of Understanding, the Shire would still be responsible for insuring the buildings, and performing annual RCD, exit sign and termite inspections.

### **Strategic Implications**

The Shire of Trayning Strategic Community Plan includes the development of the Kununoppin Oval for new uses such as equestrian events and the relocation of the Central Wheatbelt Riding Club to the Kununoppin Recreation Ground.

It also includes the strategies of encouraging community events and greater usage of Shire owned facilities.

### **Environmental Implications**

There are no known environmental implications.

### **Social Implications**

The Central Wheatbelt Riding Club will provide an opportunity for local and regional social interaction and public events, which should be encouraged.

### **Officer's Comment**

Representatives from the Central Wheatbelt Riding Club have met with the Chief Executive Officer, expressing a desire to enter into an arrangement for the use of the Kununoppin Recreation Grounds and associated buildings.

They have been using the grounds informally, it would be in the best interests of the Club and the Shire to agree on terms of use etc.



The Club is planning to hold an Annual General Meeting and a meet and greet event on 20 March 2021. There are currently 15 members of the Club and they aspire to hold between 6 to 8 events per annum.

To better set up the grounds, the Club would need a fenced area to secure horses and at least one water trough. They have also asked if the Shire could continue to mow the oval in winter.

The horse arena on Lot 173 Sutherland Street is not suitable for Club use in its current location as there will not be an adequate area for parking or other infrastructure once the new Emergency Services Shed is constructed on Lot 172. The Club would be interested in relocating the fencing to Kununoppin if possible, however do not have capacity to move it by themselves.

The Works Supervisor has inspected the fencing and advised that the works crew could carry out the work to remove and relocate the fencing.

#### **Officer's Recommendation**

That:

- 1) The attached draft Memorandum of Understanding be signed and sealed by the Shire president and Chief Executive Officer.
- 2) In kind support for the relocation of the horse arena from Lot 173 Sutherland Street Trayning to the Kununoppin Recreation Centre be approved to a maximum value of \$15,000.
- 3) In kind support by way of mowing the Kununoppin Oval during winter be approved.



### 9.3.11 Compliance Audit Return 2020

Date of Report:	12 February 2021
Proponent:	Chief Executive Officer
File Ref:	4.3.1.2 Compliance Audit Report
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.11 Compliance Audit Return 2020
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To review the Compliance Audit Return 2020 and to report to the Council the results of that review.

#### **Background**

A copy of the 2020 Compliance Audit Return has been completed by staff and is attached.

#### **Consultation**

Nil

#### **Statutory Environment**

*Local Government (Audit) Regulations 1996*

*14. Compliance audits by local governments*

*(1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*

*(2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*

*(3A) The local government's audit committee is to review the compliance audit return and is to report to the council the results of that review.*

*(3) After the audit committee has reported to the council under subregulation (3A), the compliance audit return is to be —*

*(a) presented to the council at a meeting of the council; and*

*(b) adopted by the council; and*

*(c) recorded in the minutes of the meeting at which it is adopted.*

*15. Certified copy of compliance audit return and other documents to be given to Departmental CEO*

*(1) After the compliance audit return has been presented to the council in accordance with regulation 14(3) a certified copy of the return together with —*

*(a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*

*(b) any additional information explaining or qualifying the compliance audit, is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*

*(2) In this regulation — certified in relation to a compliance audit return means signed by —*

*(a) the mayor or president; and*

*(b) the CEO.*



### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Officer's Comment**

The Shire did not comply with the legislative requirements with regards to the following matters:

#### **Attendance of Council Members and CEO at Events**

Section 5.90A(2) of the Local Government Act 1995 requires a local government to prepare and adopt a policy that deals with matters relating to the attendance of council members and the CEO at events.

The Shire of Trayning did not prepare or adopt a policy in this regard during 2020. Staff have prepared a draft policy which meets the statutory requirements for consideration by Council at its Ordinary Meeting to be held on 17 February 2021 and will publish it on the website when adopted.

#### **Electoral Gift Register**

Regulation 30G of the Local Government (Elections) Regulations 1997 require the CEO to establish and maintain an electoral gift register. It requires any disclosure of gift forms relating to an unsuccessful candidate or a successful candidate who has completed the term of office resulting from an election, to be removed. An up to date copy of the electoral gifts register must also be published on the local government's official website.

There were a number of disclosure of gift forms in the electoral gift register that should have been removed and an electronic copy of the register was not available on the Shire's website. These two non-compliance matters have now been rectified.

### **Committee Recommendation**

That Council

- Receive the Compliance Audit Report 2020 as presented by the Audit Committee Meeting.
- Accept the Review of the Compliance Audit Return as contained within this report.



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

## 11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

*In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:*

*(b) the personal affairs of any person;*

Confidential Item

### 11.1.1 CEO Performance Assessment

Date of Report:	10 February 2021
Proponent:	Shire President, Cr Brown
File Ref:	Personnel
Officer:	Nil
Officer's Disclosure of Interest:	Nil
Attachments:	Simple Majority
Voting Requirements:	10 February 2021

## 12 CLOSURE