



**MINUTES**

**FOR  
ORDINARY MEETING OF COUNCIL  
Wednesday 18 March 2026**

**Shire of Trayning Council Chambers  
66 Railway Street  
Trayning WA 6488**

**Commencement: 4.00 pm**



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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



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 20 March 2026.



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 18 March 2026, commencing at 4.00 pm

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

The Shire President Cr MA Brown welcomed Councillors and Staff, declaring the meeting open at 4:00pm.

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

### MEMBERS:

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

### STAFF:

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

### APOLOGIES:

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

### ABSENT:

### VISITORS:

OIC Dan Back - Bencubbin Police - 4:02pm  
2OIC Rick Conti - Bencubbin Police - 4:02pm

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

Nil

## **4 PUBLIC QUESTION TIME**

Nil

*4:01pm – P Naylor left the meeting*

*4:02pm – P Naylor returned to the meeting.*

*4:02pm – OIC Dan Back joined the meeting.*

*4:02pm – 2OIC Rick Conti joined the meeting.*

## **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**

**Moved Cr CL Marchant**

**Seconded Cr CF Harken**

That the minutes of the Meeting of Council held 18 February 2026 be confirmed as a true and correct record of the proceedings.

**Resolution 03.2026.15**

**Carried 7/0**

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

## 7.2 Other Committees

### Officer Recommendation/ Council Decision

<b>Moved Cr ME Leslie</b>	<b>Seconded Cr PM Barnes</b>
That the minutes of the following Committee meetings be received.	
7.2.1 03.02.2026 - Newtravel GM Minutes	
7.2.2 LHAG Meeting MINUTES Friday 28.11.2025	
<b>Resolution 03.2026.16</b>	<b>Carried 7/0</b>
<b>For Cr Brown, Cr Marchant, Cr Naughton, Cr Harken, Cr Barnes, Cr McHugh, Cr Leslie</b>	

<b>Moved Cr ME Leslie</b>	<b>Seconded Cr PM Barnes</b>
That the minutes of the Annual General Electors Meeting held on 18 February 2026 be received and responses to questions tabled be noted.	
<b>Resolution 03.2026.17</b>	<b>Carried 7/0</b>
<b>For Cr Brown, Cr Marchant, Cr Naughton, Cr Harken, Cr Barnes, Cr McHugh, Cr Leslie</b>	

*A record of the questions and answers from the Annual General Electors Meeting is provided at Attachment 7.3a.*

## 8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

## 9 REPORTS

### 9.1 REGULATORY SERVICES

Nil

## 9.2 FINANCE REPORTS

### 9.2.1 Monthly Payment List February 2026

Date of Report:	10 March 2026
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 February 2026
Voting Requirements:	Simple Majority

#### **Purpose of Report**

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

#### **Background**

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

#### **Consultation**

There has been consultation with the Chief Executive Officer.

#### **Statutory Environment**

Local Government (Financial Management) Regulations 1996.

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

The list of payments has been compiled for the month of February 2025 will be provided prior to the meeting. These payments have already occurred, and Council are not making a decision as to whether payments are to be made.

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

<b>Moved Cr CL Marchant</b>	<b>Seconded Cr ME Leslie</b>
That Council receives the list of payments, as presented, for the month of February 2026, totalling <u>\$325,405.94</u>	
<b>Resolution 03.2026.18</b>	<b>Carried 7/0</b>
<b>For Cr Brown, Cr Marchant, Cr Naughton, Cr Harken, Cr Barnes, Cr McHugh, Cr Leslie</b>	

## 9.2.2 Monthly Financial Report for February 2026

Date of Report:	10 March 2026
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 February 2026
Voting Requirements:	Simply Majority

### **Purpose of Report**

This report presents for consideration the Monthly Financial Report, for the period ending 28 February 2026.

### **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 28 February 2026, 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 list of payments has been compiled for the month of February 2026. These payments have already occurred, and Council are not making a decision as to whether payments are to be made.

Please note the outcomes of the budget review hasn't been implemented yet.

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

**Moved Cr DA Naughton**

**Seconded Cr ML McHugh**

That the Monthly Financial Report for the period ending 28 February 2026 be accepted as presented.

**Resolution 03.2026.19**

**Carried 7/0**

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

### 9.2.3 2025/2026 Budget Review

Date of Report:	11 Febr 2026
Proponent	Rhona Hawkins, LGBP
File Ref:	3.2.7.6 – Budget Review
Senior Officer:	Peter Naylor CEO
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.3 2025/2026 Budget Review
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To consider a review of the 2025/2026 Budget and approve budget variations.

#### **Background**

A review of actual expenditure to budgeted expenditure to 31 December 2025 has been undertaken by staff and the Shire's finance contractors.

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 2025/26 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**

Chief Executive Officer, Manager of Corporate Services, Manager of Works

#### **Statutory Environment**

Local Government (Financial Management) Regulations, 33A. Review of budget

#### **Policy Implications**

There are no direct policy implications.

#### **Financial Implications**

##### Opening Surplus

Council budgeted for an opening surplus of \$2,254,104 at 1 July 2025. The actual opening surplus, as per the adopted financial statements is \$2,117,154 which meant that the opening surplus was \$136,950 less than budgeted. This figure was largely the result of the timing of grant funding recognition.

##### Budgeted Income and Expenditure

Staff have reviewed the budget operating and capital income and expenditure for the year to 31 December 2025 and the following accounts are estimated to vary by \$5,000 or more from budget:

GL/Job	Description	IE	Current Budget	Estimated Actual	Estimated Variance	Comment
2041002	Members Conference Expenses	080	(13,200)	0	13,200	No-one attended WALGA Convention
2041009	Members Training	080	(14,000)	0	14,000	No new Councillors, training not required
2041019	Election Expenses	028	(15,000)	(10,000)	5,000	No election required
2042001	Salaries – Other Governance	001	(676,427)	(526,427)	150,000	Little use of casual/acting staff to date
2042011	Staff Training – Other Governance	008	(11,240)	(1,240)	10,000	Little staff training has been conducted
2042034	Advertising – Other Governance	022	(2,058)	(12,000)	(9,942)	Local Law Gazettal not budgeted for
2042037	Subscriptions & Publications – Other Governance	026	(16,199)	(25,199)	(9,000)	MOW smart sheets & DAMSTRA etc more than anticipated + Canva \$300 + Survey Monkey \$300 & alternative to Publisher if decommissioned. Online booking system for CP & Short Stays - approx \$5k/year
BM02	Admin Office Bldg Maintenance	027	0	(12,000)	(12,000)	New split system not budgeted
2074001	Doctors Vehicle Expenses	920	(12,793)	(22,793)	(10,000)	Costs higher than budgeted due to new service provider
MP002	Practice Operating Expenses	028	0	(12,000)	(12,000)	Room hire not previously charged by WACHS
GG15	Primary School Oval Mtce – Watering	032	(7,000)	(15,000)	(8,000)	Increased use of scheme water due to low dam levels
BM23	Aged – Unit 6, Lot 500 Coronation St	028	(3,380)	(16,140)	(12,760)	Unbudgeted repairs, blinds and carpets (partly covered by insurance)
WO07	Yelbeni Refuse Site Maintenance	920	(9,000)	(4,000)	5,000	Less plant used than budgeted
WO25	Kununoppin Refuse Site Mtce	920	(9,000)	(4,000)	5,000	Less plant used than budgeted
2102004	Transfer Station Operations	028	(20,000)	0	20,000	Transfer station not constructed – tr to reserve
WO11	Tourist Information Bay	920	(5,000)	0	5,000	No plant used on this site
BM28	Kununoppin Town Hall	027	0	(5,000)	(5,000)	Unbudgeted expenditure – ceiling
BM66	Lot 12 Wilson Street	027	0	(12,862)	(12,862)	Demolition not budgeted for
BM67	Trayning Districts Sporting Club Building	027	0	(12,236)	(12,236)	Unbudgeted maintenance

GG02	Kununoppin Oval Maintenance	920	(5,960)	(960)	5,000	Little use of plant
GG06	Trayning Tennis Courts Maintenance	001	(7,477)	(77)	7,400	No staff time used to maintain courts
GG06	Trayning Tennis Courts Maintenance	910	(10,101)	(1)	10,100	No staff time used to maintain courts
GG09	BBQ/Playground Maintenance	001	(8,556)	(556)	8,000	Less staff time used than budgeted
GG09	BBQ/Playground Maintenance	910	(11,558)	(1,258)	10,300	Less staff time used than budgeted
GG09	BBQ/Playground Maintenance	920	(5,500)	0	5,500	No plant used on this site
GG21	Trayning Parks & Gardens Mtce	001	(17,535)	(67,535)	(50,000)	Significantly more time used than budgeted
GG21	Trayning Parks & Gardens Mtce	028	(45,000)	(15,000)	30,000	Significantly less contracts/materials used than budgeted
GG21	Trayning Parks & Gardens Mtce	910	(23,688)	(73,688)	(50,000)	Significantly more time used than budgeted
GG21	Trayning Parks & Gardens Mtce	920	(22,820)	(12,820)	10,000	Less plant used than budgeted
GG22	Kununoppin Parks & Gardens Mtce	920	(21,600)	(4,600)	17,000	Less plant used than budgeted
RM005	Mandiga-Trayning Rd – Maintenance	920	(3,440)	(18,440)	(15,000)	More plant used than budgeted
RM007	Doodlakine-Kununoppin Rd – Maintenance	920	(11,360)	(1,360)	10,000	Less plant used than budgeted
RM008	Kellerberrin-Yelbeni Rd – Maintenance	920	(5,745)	(745)	5,000	Less plant used than budgeted
RM015	Gabbin-Trayning Rd – Maintenance	920	(4,725)	(24,725)	(20,000)	More plant used than budgeted
RM019	Trayning North Rd – Maintenance	920	(2,600)	(22,600)	(20,000)	More plant used than budgeted
RM026	Perks-O’Meara Rd – Maintenance	920	(2,715)	(10,715)	(8,000)	More plant used than budgeted
RM039	Last Rd – Maintenance	920	(670)	(6,670)	(6,000)	More plant used than budgeted
RM999	Road Maintenance – General	910	(152,194)	(145,394)	6,800	Less time than budgeted
RM999	Road Maintenance – General	920	(95,638)	(25,638)	70,000	Less plant used than budgeted
FM01	Footpath Maintenance – General	001	(9,884)	(84)	9,800	No staff time used
FM01	Footpath Maintenance – General	028	(100,600)	(2,600)	98,000	Should have been capital budget
FM01	Footpath Maintenance – General	910	(13,352)	(52)	13,300	No staff time used

2132021	NEWTRAVEL	081	(10,900)	(15,900)	(5,000)	Newtravel subscription higher than budgeted
BO021	Condor Cottage Building Operations	001	(14,624)	(4,624)	10,000	Less cleaning and gardening than budgeted
BO021	Condor Cottage Building Operations	910	(19,755)	(4,755)	15,000	Less cleaning and gardening than budgeted
BO047	Rance Cottage Building Operations	001	(14,624)	(4,624)	10,000	Less cleaning and gardening than budgeted
BO047	Rance Cottage Building Operations	910	(19,755)	(4,755)	15,000	Less cleaning and gardening than budgeted
2142005	Works Team Vehicle	920	(18,123)	(23,123)	(5,000)	Higher plant costs than budgeted
2142001	Works Team – Sick Pay	001	(24,630)	(14,630)	10,000	Less sick leave taken than budgeted
2142012	Works Team – Annual Leav	001	(49,260)	(29,260)	20,000	Less annual leave taken than budgeted
2142016	Works Team – Allowances	005	(33,204)	(18,204)	15,000	Less allowances than budgeted
WO19	Works Training, Conferences & Travel	008	(15,000)	(5,000)	10,000	No conferences or training attended
WO20	OHS Meetings	001	(16,139)	(6,139)	10,000	No WHS meetings held to date
2142199	Less – Allocated to Works (PWOs)	910	959,707	894,707	(65,000)	Savings in Public Works Overheads
2143002	Parts, Repairs & Hire External	028	(334,736)	(234,736)	100,000	Less maintenance/plant hire than budgeted
2143005	Fuels and Oils	033	(194,933)	(144,933)	50,000	Less fuel used than budgeted
2143099	Less POCs Allocated to Works	920	846,435	696,435	(150,000)	Savings in Plant Operating Costs
2145002	Workers Compensation	001	0	(30,000)	(30,000)	Workers Compensation claim not budgeted for
3032306	Grants Commission – Untied Grant	110	952,234	1,021,551	69,317	More grant income than budgeted
3042350	Reimbursements – Other Governance	130	13,474	474	(13,000)	Reimbursement unlikely
3092300	Non-Employee Housing Rent	173	59,800	69,800	10,000	More rent received than budgeted
3092320	Reimbursements – Other Housing	130	1,544	14,500	12,956	Unbudgeted insurance claim Aged Persons Unit
3121300	Grants Commission – Road Grant	110	343,810	307,427	(36,383)	Less grant funding received than budgeted

3121301	Regional Road Group Grants	121	612,346	508,770	(103,576)	Total expected RRG for 25/26 as per RRG documents on file is \$508,770 (RRG002 Harrod Rd - \$75,779 (from 24/25), RRG014 Kuno-Muka Rd - \$211,264 & RRG001 Keller-Beni Rd - \$221,707)
3121310	Roads to Recovery Grant Funds	122	547,668	467,343	(80,325)	Less grant funding claimed than budgeted
LRCIPI05	LRCIP Phase 3 Footpath Project Income	122	0	137,390	137,390	Final payment from LRCIP phase 4 received in 25/26 after reporting
3142303	Works Team – Contributions & Reimbursements	130	40,000	20,500	(19,500)	Apprentice appointed instead of trainee – receives less funding
3145300	Reimbursement – Workers Comp	130	0	30,000	30,000	Ongoing workers compensation claim not budgeted for
4042566	Purchase Administration Vehicle	500	(83,912)	(77,936)	5,976	Savings on CEO Car
4074701	Purchase Doctors Vehicle	500	(83,912)	(77,500)	6,412	Savings on Drs' Car
BC13	KTY Playgroup Building Capital	500	0	(23,000)	(23,000)	Ramp and path unbudgeted
4092500	Transfer to Building Reserve	500	0	(300,000)	(300,000)	Transfer savings from budget amendments to Reserve
4101500	Transfer to Refuse Reserve	800	0	(20,000)	(20,000)	Budgeted funds for transfer station operations not required
4113460	Parks & Gardens Plant & Equipment	500	(44,550)	(35,977)	8,573	Savings on utility
4113500	Transfer to Facilities Reserve	800	(39,000)	(111,967)	(72,967)	Transfer savings from budget amendments to Reserve
BC98	Pioneer Park – Capital Improvements and Renewal	500	(42,018)	(18,018)	24,000	Savings
BC06	Gymnasium Construction	500	(20,000)	0	20,000	Project removed, transfer funds to Reserve
BC57	Upgrades to Sporting Club	500	0	(41,500)	(41,500)	Unbudgeted repairs due to termite & water damage
RCC013	Gabbin-Trayning Road	001	(18,566)	(13,566)	5,000	Less hours than budgeted
RCC013	Gabbin-Trayning Road	028	(61,800)	(16,000)	45,800	Less materials/contracts than budgeted
RCC013	Gabbin-Trayning Road	910	(25,080)	(15,080)	10,000	Overheads less than budgeted

RCC013	Gabbin-Trayning Road	920	(33,100)	(8,100)	25,000	Less plant use than budgeted
RRG001	Kellerberrin-Bencubbin Road	500	(344,050)	(376,708)	(32,658)	Materials/contracts higher than budgeted
RRG001	Kellerberrin-Bencubbin Road	920	(76,400)	(56,400)	20,000	Less plant use than budgeted
RRG002	Harrod Road Capex	500	(335,950)	(315,510)	20,440	Materials/contracts less than budgeted
RRG002	Harrod Road Capex	920	(61,960)	(42,760)	19,200	Less plant use than budgeted
RRG014	RRG – Kununoppin Mukinbudin Road – Capital	500	(260,000)	(299,472)	(39,472)	Materials/contracts higher than budgeted
RRG014	RRG – Kununoppin Mukinbudin Road – Capital	920	(65,750)	(45,750)	20,000	Less plant use than budgeted
RRG077	Leake Street Kununoppin Capital	500	(52,500)	0	52,500	Project deferred
RTR004	Letchford Huandanning Road	500	(55,050)	(45,050)	10,000	Materials/contracts less than budgeted
RTR004	Letchford Huandanning Road	910	(35,157)	(29,157)	6,000	Overheads less than budgeted
RTR004	Letchford Huandanning Road	920	(47,100)	(54,600)	(7,500)	More plant use than budgeted
RTR016	RTR – Stapleton Road	001	(28,311)	(19,311)	9,000	Less hours than budgeted
RTR016	RTR – Stapleton Road	500	(65,000)	(38,000)	27,000	Less materials/contracts than budgeted
RTR016	RTR – Stapleton Road	910	(38,245)	(23,745)	14,500	Overheads less than budgeted
RTR017	RTR – Sherzinger Road	500	(274,922)	(199,022)	75,900	Materials/contracts less than budgeted
RTR095	Barnes Road (RTR)	001	(25,496)	(17,496)	8,000	Less hours than budgeted
RTR095	Barnes Road (RTR)	500	(89,700)	(33,200)	56,500	Less materials/contracts than budgeted
RTR095	Barnes Road (RTR)	910	(34,442)	(20,442)	14,000	Overheads less than budgeted
RTR095	Barnes Road (RTR)	920	(44,450)	(24,650)	19,800	Less plant use than budgeted
FCC03	Coronation Steet Footpath	500	0	(8,000)	(8,000)	Transferred from maintenance
FCC70	Adam Street Footpath, Trayning	500	0	(17,000)	(17,000)	Transferred from maintenance
FCC76	Wilson Street Footpath – Capital	500	0	(110,000)	(110,000)	Transferred from maintenance/Adam St Kununoppin Footpath
FCC83	Adam Street Kununoppin Footpath	500	(45,000)	0	45,000	Project deferred, funds transferred to Wilson Street Footpath
4123600	Minor Plant and Equipment	500	0	(39,000)	(39,000)	Unbudgeted purchase of traffic lights, traffic counters
4123604	Purchase Light Vehicles	500	(44,550)	(35,977)	8,573	Ute less than budgeted
4123615	Purchase of Plant	500	(173,400)	(158,800)	14,600	Skid steer less than budgeted

BC36	Caravan Park Capex	500	(80,000)	(127,500)	(47,500)	Total works more than originally anticipated
5042730	Proceeds on Disposal of Assets	200	63,000	55,000	(8,000)	Trade price on CEO Prado less than budgeted
5042732	Proceeds on Disposal of Asset	200	63,000	50,000	(13,000)	Trade price on Drs' Prado less than budgeted
5113700	Transfers from Facilities Reserve	240	9,000	0	(9,000)	Funds no longer required
5123730	Proceeds on Disposal of Assets – Road Plant	200	134,500	129,045	(5,455)	Received more for water truck than budgeted, expecting less for wood chipper

## Strategic Implications

There are no direct strategic implications.

## Risk Implications

In consideration of the Risk Matrix below it is assessed that this request constitutes a 'low' risk based on the rationale detailed in the Comment Section of this report.

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

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

## Officer Recommendation/ Council Decision

Moved Cr CL Marchant	Seconded Cr ML McHugh
That the 2025/2026 Budget Review be received as presented and the following budget amendments be made:	

GL	Description	IE	Current Budget \$	Amended Budget \$
	Opening Surplus/(Deficit)		2,254,104	2,117,152
2041002	Members Conference Expenses	080	(13,200)	0
2041009	Members Training	080	(14,000)	0
2041019	Election Expenses	028	(15,000)	(10,000)
2042001	Salaries – Other Governance	001	(676,427)	(526,427)
2042011	Staff Training – Other Governance	008	(11,240)	(1,240)
2042034	Advertising – Other Governance	022	(2,058)	(12,000)
2042037	Subscriptions & Publications – Other Governance	026	(16,199)	(25,199)
BM02	Admin Office Bldg Maintenance	027	0	(12,000)
2074001	Doctors Vehicle Expenses	920	(12,793)	(22,793)
MP002	Practice Operating Expenses	028	0	(12,000)
GG15	Primary School Oval Mtce – Watering	032	(7,000)	(15,000)
BM23	Aged – Unit 6, Lot 500 Coronation St	028	(3,380)	(16,140)
WO07	Yelbeni Refuse Site Maintenance	920	(9,000)	(4,000)
WO25	Kununoppin Refuse Site Mtce	920	(9,000)	(4,000)
2102004	Transfer Station Operations	028	(20,000)	0
WO11	Tourist Information Bay	920	(5,000)	0
BM28	Kununoppin Town Hall	027	0	(5,000)

BM66	Lot 12 Wilson Street	027	0	(12,862)
BM67	Trayning Districts Sporting Club Building	027	0	(12,236)
GG02	Kununoppin Oval Maintenance	920	(5,960)	(960)
GG06	Trayning Tennis Courts Maintenance	001	(7,477)	(77)
GG06	Trayning Tennis Courts Maintenance	910	(10,101)	(1)
GG09	BBQ/Playground Maintenance	001	(8,556)	(556)
GG09	BBQ/Playground Maintenance	910	(11,558)	(1,258)
GG09	BBQ/Playground Maintenance	920	(5,500)	0
GG21	Trayning Parks & Gardens Mtce	001	(17,535)	(67,535)
GG21	Trayning Parks & Gardens Mtce	028	(45,000)	(15,000)
GG21	Trayning Parks & Gardens Mtce	910	(23,688)	(73,688)
GG21	Trayning Parks & Gardens Mtce	920	(22,820)	(12,820)
GG22	Kununoppin Parks & Gardens Mtce	920	(21,600)	(4,600)
RM005	Mandiga-Trayning Rd – Maintenance	920	(3,440)	(18,440)
RM007	Doodlakine-Kununoppin Rd – Maintenance	920	(11,360)	(1,360)
RM008	Kellerberrin-Yelbeni Rd – Maintenance	920	(5,745)	(745)
RM015	Gabbin-Trayning Rd – Maintenance	920	(4,725)	(24,725)
RM019	Trayning North Rd – Maintenance	920	(2,600)	(22,600)
RM026	Perks-O’Meara Rd – Maintenance	920	(2,715)	(10,715)
RM039	Last Rd – Maintenance	920	(670)	(6,670)
RM999	Road Maintenance – General	910	(152,194)	(145,394)
RM999	Road Maintenance – General	920	(95,638)	(25,638)
FM01	Footpath Maintenance – General	001	(9,884)	(84)
FM01	Footpath Maintenance – General	028	(100,600)	(2,600)
FM01	Footpath Maintenance – General	910	(13,352)	(52)
2132021	NEWTRAVEL	081	(10,900)	(15,900)
BO021	Condor Cottage Building Operations	001	(14,624)	(4,624)
BO021	Condor Cottage Building Operations	910	(19,755)	(4,755)
BO047	Rance Cottage Building Operations	001	(14,624)	(4,624)
BO047	Rance Cottage Building Operations	910	(19,755)	(4,755)
2142005	Works Team Vehicle	920	(18,123)	(23,123)
2142001	Works Team – Sick Pay	001	(24,630)	(14,630)
2142012	Works Team – Annual Leav	001	(49,260)	(29,260)
2142016	Works Team – Allowances	005	(33,204)	(18,204)
WO19	Works Training, Conferences & Travel	008	(15,000)	(5,000)
WO20	OHS Meetings	001	(16,139)	(6,139)

2142199	Less – Allocated to Works (PWOs)	910	959,707	894,707
2143002	Parts, Repairs & Hire External	028	(334,736)	(234,736)
2143005	Fuels and Oils	033	(194,933)	(144,933)
2143099	Less POCs Allocated to Works	920	846,435	696,435
2145002	Workers Compensation	001	0	(30,000)
3032306	Grants Commission – Untied Grant	110	952,234	1,021,551
3042350	Reimbursements – Other Governance	130	13,474	474
3092300	Non-Employee Housing Rent	173	59,800	69,800
3092320	Reimbursements – Other Housing	130	1,544	14,500
3121300	Grants Commission – Road Grant	110	343,810	307,427
3121301	Regional Road Group Grants	121	612,346	508,770
3121310	Roads to Recovery Grant Funds	122	547,668	467,343
LRCIP105	LRCIP Phase 3 Footpath Project Income	122	0	137,390
3142303	Works Team – Contributions & Reimbursements	130	40,000	20,500
3145300	Reimbursement – Workers Comp	130	0	30,000
4042566	Purchase Administration Vehicle	500	(83,912)	(77,936)
4074701	Purchase Doctors Vehicle	500	(83,912)	(77,500)
BC13	KTY Playgroup Building Capital	500	0	(23,000)
4092500	Transfer to Building Reserve	500	0	(300,000)
4101500	Transfer to Refuse Reserve	800	0	(20,000)
4113460	Parks & Gardens Plant & Equipment	500	(44,550)	(35,977)
4113500	Transfer to Facilities Reserve	800	(39,000)	(111,967)
BC98	Pioneer Park – Capital Improvements and Renewal	500	(42,018)	(18,018)
BC06	Gymnasium Construction	500	(20,000)	0
BC57	Upgrades to Sporting Club	500	0	(41,500)
RCC013	Gabbin-Trayning Road	001	(18,566)	(13,566)
RCC013	Gabbin-Trayning Road	028	(61,800)	(16,000)
RCC013	Gabbin-Trayning Road	910	(25,080)	(15,080)
RCC013	Gabbin-Trayning Road	920	(33,100)	(8,100)
RRG001	Kellerberrin-Bencubbin Road	500	(344,050)	(376,708)
RRG001	Kellerberrin-Bencubbin Road	920	(76,400)	(56,400)
RRG002	Harrod Road Capex	500	(335,950)	(315,510)
RRG002	Harrod Road Capex	920	(61,960)	(42,760)
RRG014	RRG – Kununoppin Mukinbudin Road – Capital	500	(260,000)	(299,472)
RRG014	RRG – Kununoppin Mukinbudin Road – Capital	920	(65,750)	(45,750)
RRG077	Leake Street Kununoppin Capital	500	(52,500)	0
RTR004	Letchford Huandanning Road	500	(55,050)	(45,050)
RTR004	Letchford Huandanning Road	910	(35,157)	(29,157)
RTR004	Letchford Huandanning Road	920	(47,100)	(54,600)
RTR016	RTR – Stapleton Road	001	(28,311)	(19,311)

RTR016	RTR – Stapleton Road	500	(65,000)	(38,000)
RTR016	RTR – Stapleton Road	910	(38,245)	(23,745)
RTR017	RTR – Sherzinger Road	500	(274,922)	(199,022)
RTR095	Barnes Road (RTR)	001	(25,496)	(17,496)
RTR095	Barnes Road (RTR)	500	(89,700)	(33,200)
RTR095	Barnes Road (RTR)	910	(34,442)	(20,442)
RTR095	Barnes Road (RTR)4	920	(44,450)	(24,650)
FCC03	Coronation Steet Footpath	500	0	(8,000)
FCC70	Adam Street Footpath, Trayning	500	0	(17,000)
FCC76	Wilson Street Footpath – Capital	500	0	(110,000)
FCC83	Adam Street Kununoppin Footpath	500	(45,000)	0
4123600	Minor Plant and Equipment	500	0	(39,000)
4123604	Purchase Light Vehicles	500	(44,550)	(35,977)
4123615	Purchase of Plant	500	(173,400)	(158,800)
BC36	Caravan Park Capex	500	(80,000)	(127,500)
5042730	Proceeds on Disposal of Assets	200	63,000	55,000
5042732	Proceeds on Disposal of Asset	200	63,000	50,000
5113700	Transfers from Facilities Reserve	240	9,000	0
5123730	Proceeds on Disposal of Assets – Road Plant	200	134,500	129,045

<b>Resolution 03.2026.20</b> <b>For Cr Brown, Cr Marchant, Cr Naughton, Cr Harken, Cr Barnes, Cr McHugh, Cr Leslie</b>	<b>Carried By Absolute Majority 7/0</b>
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### 9.3 CHIEF EXECUTIVE OFFICER

The CEO advised that he is in receipt of notification for the revocation of resolutions passed at the Ordinary Meeting of Council held on 17 December 2025.

The CEO  
Shire of Traying  
Railway Street  
TRAYNING WA 6488

Following review of the letters from the Joint Standing Committee on Delegated Legislation and in accordance with –

- *Local Government Act*, s.3.12 Procedure for making local laws includes amendment and repeal
- *Local Government (Administration) Regulations*, r.10(2) Notice of by 1/3<sup>rd</sup> of Council, and (3) Revoking or changing decisions must be by absolute majority
- *Standing Orders Local Law 2026*, cl.8.2 motion to revoke must comply with Admin Reg 10

we request that the following resolutions to provide undertaking to the JSCDL, be revoked –

- Item 9.3.1 Activities in Thoroughfares and Public Places and Trading Local Law, Resolution 12.2025.114
- Item 9.3.2 Cemeteries Local Law, Resolution 12.2025.115
- Item 9.3.3 Dogs Local Law, Resolution 12.2025.116
- Item 9.3.4 Public Places and Local Government Property Local Law, Resolution 12.2025.117

and that substitute recommendations to make the requested undertaking be prepared and presented to Council for decision.

Signature \_\_\_\_\_

Name Cr Melanie Brown

Date 18 March 2026

Signature \_\_\_\_\_

Name Cr Clayton Marchant

Date 18 March 2026

Signature \_\_\_\_\_

Name Cr Peter Barnes

Date 18 March 2026

## **Motion**

**Moved CF Harken**

**Seconded CL Marchant**

That:  
the following resolutions to provide undertaking to the JSCDL, be revoked –

- Item 9.3.1 Activities in Thoroughfares and Public Places and Trading Local Law, Resolution 12.2025.114
- Item 9.3.2 Cemeteries Local Law, Resolution 12.2025.115
- Item 9.3.3 Dogs Local Law, Resolution 12.2025.116
- Item 9.3.4 Public Places and Local Government Property Local Law, Resolution 12.2025.117

and that substitute recommendations to make the requested undertaking be prepared and presented to Council for decision.

**Resolution 03.2026.21**

**By Absolute Majority 7/0**

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

### **9.3.1 Activities in Thoroughfares and Public Places and Trading Local Law 2025 – Revocation and re-adoption of Undertaking**

Date of Report:	2 March 2026
Proponent:	Nil
File Ref:	4.1.6.1
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

In response to correspondence from the Joint Standing Committee on Delegated Legislation –

- to revoke Resolution 12.2025.114 relating to item 9.3.1 Activities in Thoroughfares and Public Places and Trading Local Law; and
- to adopt a new resolution for the undertaking requested by the JSCDL.

#### **Background**

The local law was published in the Government Gazette on 27 October 2025, and as required by the *Local Government Act 1995*, all necessary documentation was submitted to the JSCDL. The local law is to be considered by Parliament, and any disallowance made within 10 sitting days. The JSCDL considers local laws on behalf of Parliament, and in this case has required an undertaking from Council to amend the local law as the issues they identified were not considered fundamental to the operation of the local law.

Council resolved to make the requested undertaking at the Council meeting held on Wednesday, 17 December 2025.

The JSCDL has since advised that a number of additional issues have arisen and requested that these be included in the resolution previously made.

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

Please note that the CEO has received a valid Notice of Motion for Revocation of Item 9.3.1 Activities in Thoroughfares and Public Places and Trading Local Law, Resolution 12.2025.114.

The simplest and most straightforward way of meeting the JSCDL requests is to revoke the previous resolution and re-adopt, with any necessary changes incorporated.

In addition, several more matters were identified and are also included.

#### **Consultation**

Niel Mitchell, Strettle Pty Ltd, consultant

## **Statutory Environment**

### *Local Government Act*

s.3.12 Procedure for making local laws includes amendment and repeal

### *Local Government (Administration) Regulations*

r.10(2) Notice of by 1/3<sup>rd</sup> of Council and (3) Revoking or changing decisions must be by absolute majority

### *Interpretations Act*

s.42 Laying of ... local laws before Parliament and disallowance

The JSCDL have the role to review local laws and recommend to Parliament

### *Standing Orders Local Law 2026*

cl.8.2 motion to revoke must comply with Admin Reg 10

## **Policy Implications**

There are no direct policy implications.

## **Financial Implications**

Consultation cost to prepare amendment and oversee the process up to submission to the Joint Standing Committee on Delegated Legislation.

## **Strategic Implications**

There are no direct strategic implications.

## **Risk Implications**

Possibility of the local law being disallowed if amendments are not made.

## **Officer Recommendation/ Council Decision**

**Moved Cr ME Leslie**

**Seconded Cr CA Naughton**

- A) Resolution 12.2025.114 relating to item 9.3.1 Activities in Thoroughfares and Public Places and Trading Local Law made at the 17 December 2025 Ordinary Council Meeting be revoked.
- B) That the Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation will within 12 months –
1. Amend subclause 2.4(2)(a) so that it states:
    - (2) The **person responsible for the works** in subclause (1) is to be taken to be-
      - (a) The person named on the building permit issued under the *Building Act 2011*, if one has been issued in relation to the works; or
      - (b) the registered proprietor of the lot, if no building permit has been issued under the *Building Act 2011*, in relation to the works.
  2. Amend the term 'fee' to 'free' in clause 3.1 – the definition of 'portable sign'

3. Amend the term "not" in the second line to 'nor' in clause 3.2(2) - Advertising signs and portable direction signs.
4. Amend the definition of '**competition Principles Agreement**' in clause 6.1 so that it states:  
'**Competition Principles Agreement**' means the Competition Principles Agreement executed by the Treasurers of each State and Territory of the Commonwealth of Australia on 29 November 2024;
5. Amend 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 local planning scheme;
6. Delete clause 6.17(c)
7. Amend clause 6.18(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.

C) In addition, make additional amendments including but not limited to –

1. In clause 1.4 –  
(a) insert a definition of **local planning scheme**; and  
(b) delete the definition of **town planning scheme**.
2. In clause 6.17(b) amend to read 'local planning scheme'

**Resolution 03.2026.22**

**Carried by Absolute Majority 7/0**

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

### 9.3.2 Dogs Local Law 2025 – Revocation and re-adoption of Undertaking

Date of Report:	2 March 2026
Proponent:	Nil
File Ref:	4.1.6.3
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

#### **Purpose of Report**

In response to correspondence from the Joint Standing Committee on Delegated Legislation –

- to revoke Resolution 12.2025.116 relating to item 9.3.3 Dogs Local Law; and
- to adopt a new resolution for the undertaking requested by the JSCDL.

#### **Background**

The local law was published in the Government Gazette on 27 October 2025, and as required by the *Local Government Act 1995*, all necessary documentation was submitted to the JSCDL. The local law is to be considered by Parliament, and any disallowance made within 10 sitting days. The JSCDL considers local laws on behalf of Parliament, and in this case has required an undertaking from Council to amend the local law as the issues they identified were not considered fundamental to the operation of the local law.

Council resolved to make the requested undertaking at the Council meeting held on Wednesday, 17 December 2025.

The JSCDL has since advised that a number of additional issues have arisen and requested that these be included in the resolution previously made.

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

Please note that the CEO has received a valid Notice of Motion for Revocation of Item 9.3.3 Dogs Local Law, Resolution 12.2025.116.

The simplest and most straightforward way of meeting the JSCDL requests is to revoke the previous resolution and re-adopt, with any necessary changes incorporated.

In addition, several more matters were identified and are also included.

#### **Consultation**

Niel Mitchell, Strettle Pty Ltd, consultant

#### **Statutory Environment**

##### *Local Government Act*

s.3.12 Procedure for making local laws includes amendment and repeal

**Minutes:** Ordinary Council Meeting of Shire of Trayning Council held on Wednesday 18 March 2026

*Local Government (Administration) Regulations*

r.10(2) Notice of by 1/3<sup>rd</sup> of Council and (3) Revoking or changing decisions must be by absolute majority

*Interpretations Act*

s.42 Laying of ... local laws before Parliament and disallowance  
The JSCDL have the role to review local laws and recommend to Parliament

*Standing Orders Local Law 2026*

cl.8.2 motion to revoke must comply with Admin Reg 10

**Policy Implications**

There are no direct policy implications.

**Financial Implications**

Consultation cost to prepare amendment and oversee the process up to submission to the Joint Standing Committee on Delegated Legislation.

**Strategic Implications**

There are no direct strategic implications.

**Risk Implications**

Possibility of the local law being disallowed if amendments are not made.

**Officer Recommendation/ Council Decision**

**Moved Cr PM Barnes**

**Seconded Cr ML McHugh**

- A) Resolution 12.2025.116 relating to item 9.3.3 Dogs Local Law made at the 17 December 2025 Ordinary Council Meeting be revoked.
- B) That the Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation to –
1. within 12 months, amend the local law as follows:
    - (a) amend clause 1.2 by inserting the following phrase after 'respectively,':  
and the *Shire of Trayning Dogs Local Law* gazetted on 28 September 2001
    - (b) in the clause 1.3 definition of 'local planning scheme':
      - (i) replace the phrase 'town planning scheme' with 'local planning scheme'
      - (ii) replace the phrase '*Town Planning and Development Act 1928*' with '*Planning and Development Act 2005*'
    - (c) amend clause 5.2 to read as follows:  
Designation of places which are dog exercise areas is dealt with in the Act.
    - (d) in clause 7.2(1), replace the reference to 'Schedule 2' with 'Schedule 3'

- (e) in clause 7.3, replace the reference to 'Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*' with 'Form 8 in Schedule 1 of the *Dog Regulations 2013*'
  - (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.
- C) In addition, make additional amendments including but not limited to –
- 1) In clause 1.3 in the definition of “Schedule” amend the words ‘Schedule to this local law’ to plain text.
  - 2) In clause 4.3 after subclause (3)(b) amend the word ‘that’ to the word ‘then’.
  - 3) In the title to Schedule 1 amend the word ‘KENNERL’ to the word ‘KENNEL’.

**Resolution 03.2026.23**

**Carried By Absolute Majority 7/0**

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

### 9.3.3 Cemeteries Local Law 2025 – Revocation & re-adoption of Undertaking

Date of Report:	2 March 2026
Proponent:	Nil
File Ref:	4.1.6.2
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

#### **Purpose of Report**

In response to correspondence from the Joint Standing Committee on Delegated Legislation –

- to revoke Resolution 12.2025.115 relating to item 9.3.2 Cemeteries Local Law; and
- to adopt a new resolution for the undertaking requested by the JSCDL.

#### **Background**

The local law was published in the Government Gazette on 27 October 2025, and as required by the *Local Government Act 1995*, all necessary documentation was submitted to the JSCDL. The local law is to be considered by Parliament, and any disallowance made within 10 sitting days. The JSCDL considers local laws on behalf of Parliament, and in this case has required an undertaking from Council to amend the local law as the issues they identified were not considered fundamental to the operation of the local law.

Council resolved to make the requested undertaking at the Council meeting held on Wednesday, 17 December 2025.

The JSCDL has since advised that a number of additional issues have arisen and requested that these be included in the resolution previously made.

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

Please note that the CEO has received a valid Notice of Motion for Revocation of Item 9.3.2 Cemeteries Local Law, Resolution 12.2025.115.

The simplest and most straightforward way of meeting the JSCDL requests is to revoke the previous resolution and re-adopt, with any necessary changes incorporated.

In addition, several more matters were identified and are also included.

#### **Consultation**

Niel Mitchell, Strettle Pty Ltd, consultant

#### **Statutory Environment**

##### *Local Government Act*

**Minutes:** Ordinary Council Meeting of Shire of Trayning Council held on Wednesday 18 March 2026

s.3.12 Procedure for making local laws includes amendment and repeal

*Local Government (Administration) Regulations*

r.10(2) Notice of by 1/3<sup>rd</sup> of Council and (3) Revoking or changing decisions must be by absolute majority

*Interpretations Act*

s.42 Laying of ... local laws before Parliament and disallowance  
The JSCDL have the role to review local laws and recommend to Parliament

*Standing Orders Local Law 2026*

cl.8.2 motion to revoke must comply with Admin Reg 10

**Policy Implications**

There are no direct policy implications.

**Financial Implications**

Consultation cost to prepare amendment and oversee the process up to submission to the Joint Standing Committee on Delegated Legislation.

**Strategic Implications**

There are no direct strategic implications.

**Risk Implications**

Possibility of the local law being disallowed if amendments are not made.

**Officer Recommendation/ Council Decision**

**Moved Cr DA Naughton**

**Seconded Cr CL Marchant**

- A) Resolution 12.2025.115 relating to item 9.3.2 Cemeteries Local Law made at the 17 December 2025 Ordinary Council Meeting be revoked.
- B) That the Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation will –
  - 1. within 12 months, amend the local law as follows:
    - (a) in clause 5.7(3)(b), delete the words after 'by the Board.'
    - (b) in clause 6.1(1)(a), replace the reference to 'paragraph (9b)' with 'paragraph (b)'
    - (c) in clause 6.2(1), replace the word 'grace' with 'grave'
    - (d) delete clause 7.17(3)
    - (e) amend clause 8.2 to read:
      - 8.2 Guide dogs**
      - Clause 8.1 shall not apply to a person who is accompanied by an assistance dog pursuant to section 8 of the *Dog Act 1976*.
  - 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.
- C) In addition, make additional amendments including but not limited to –
1. In clause 1.1 italicise the words Shire of Trayning Cemeteries Local Law 2025.
  2. In clause 1.4 and elsewhere in the local law as the context requires –
    - (a) in the definition of “Funeral Director” amend ‘directors’ to read ‘director’s’;
    - (b) in the definition of “monumental masonry” amend the word ‘masons’ to read ‘mason’s’;
  3. Prior to Part 9 add –

**PART 8A - OBJECTIONS AND REVIEW**

**8A.1 Objections and review**

Division 1 of Part 9 of the *Local Government Act 1995* applies to a decision under this local law to –

- (a) refuse an application for a permit.
- (b) impose or vary a condition of a permit; or
- (c) revoke a permit.

**Resolution 03.2026.24**

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

**Carried By Absolute Majority 7/0**

### 9.3.4 Public Places and Local Government Property Local Law 2025 – Revocation and re-adoption of Undertaking

Date of Report:	2 March 2026
Proponent:	Nil
File Ref:	4.1.6.2
Officer:	Peter Naylor - CEO
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

#### **Purpose of Report**

In response to correspondence from the Joint Standing Committee on Delegated Legislation –

- to revoke Resolution 12.2025.117 relating to item 9.3.4 Activities in Thoroughfares and Public Places and Trading Local Law; and
- to adopt a new resolution for the undertaking requested by the JSCDL.

#### **Background**

The local law was published in the Government Gazette on 27 October 2025, and as required by the *Local Government Act 1995*, all necessary documentation was submitted to the JSCDL. The local law is to be considered by Parliament, and any disallowance made within 10 sitting days. The JSCDL considers local laws on behalf of Parliament, and in this case has required an undertaking from Council to amend the local law as the issues they identified were not considered fundamental to the operation of the local law.

Council resolved to make the requested undertaking at the Council meeting held on Wednesday, 17 December 2025.

The JSCDL has since advised that a number of additional issues have arisen and requested that these be included in the resolution previously made.

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

Please note that the CEO has received a valid Notice of Motion for Revocation of Item 9.3.4 Public Places and Local Government Property Local Law, Resolution 12.2025.117.

The simplest and most straightforward way of meeting the JSCDL requests is to revoke the previous resolution and re-adopt, with any necessary changes incorporated.

In addition, several more matters were identified and are also included.

#### **Consultation**

Niel Mitchell, Strettle Pty Ltd, consultant

## **Statutory Environment**

### *Local Government Act*

s.3.12 Procedure for making local laws includes amendment and repeal

### *Local Government (Administration) Regulations*

r.10(2) Notice of by 1/3<sup>rd</sup> of Council and (3) Revoking or changing decisions must be by absolute majority

### *Interpretations Act*

s.42 Laying of ... local laws before Parliament and disallowance

The JSCDL have the role to review local laws and recommend to Parliament

### *Standing Orders Local Law 2026*

cl.8.2 motion to revoke must comply with Admin Reg 10

## **Policy Implications**

There are no direct policy implications.

## **Financial Implications**

Consultation cost to prepare amendment and oversee the process up to submission to the Joint Standing Committee on Delegated Legislation.

## **Strategic Implications**

There are no direct strategic implications.

## **Risk Implications**

Possibility of the local law being disallowed if amendments are not made.

## **Officer Recommendation/ Council Decision**

<b>Moved Cr ML McHugh</b>	<b>Seconded Cr CF Harken</b>
A) Resolution 12.2025.117 relating to item 9.3.4 Public Places and Local Government Property Local Law made at the 17 December 2025 Ordinary Council Meeting be revoked.	
B) That the Council of the Shire of Trayning resolves to undertake to the Joint Standing Committee on Delegated Legislation to –	
1. within 12 months, amend the local law as follows:	
(a) amend clause 1.4 to repeal the <i>Shire of Trayning Public Places and Local Government Property Local Law 2015</i>	
(b) insert the following definition of 'animal' into clause 1.5:	
<b>animal</b> means any living thing that is not a human being or plant, but excludes a cat	
(c) delete the clause 1.5 definitions of 'eating house', 'food' and 'proprietor'	

- (d) in the clause 1.5 definition of 'Health Act', replace the reference to the '*Health Act 1911*' with '*Health (Miscellaneous Provisions) Act 1911*'
  - (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 2015*'
  - (k) amend clause 11.10(2) as follows:
    - If evidence of a determination is provided under subclause (1), it is to be presumed that the determination was properly made and that every requirement for it to be made and have effect has been satisfied, unless evidence to the contrary is provided.
  - (l) in the Schedule 1, clause 1.1 definition of 'local law', replace the reference to '*Public Places and Local Government Property Local Law 2015*' 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 these undertakings.
  3. 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.
- C) In addition, make additional amendments including but not limited to –
- 1) In clause 10.1 amend the word 'CEO' to 'Council', consistent with the *Local Government Act 1995* section 2.7(2)(b) Role of Council.
  - 2) In clauses 10.2, 10.3, 10.4 and 10.6 make consequential amendments to give effect to the amendment of clause 10.1.
  - 3) In Schedule 1 amend the numbering of the subclauses to (i), (ii) and (iii).

**Resolution 03.2026.25**

**Carried By Absolute Majority 7/0**

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

**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 4:18 pm.