

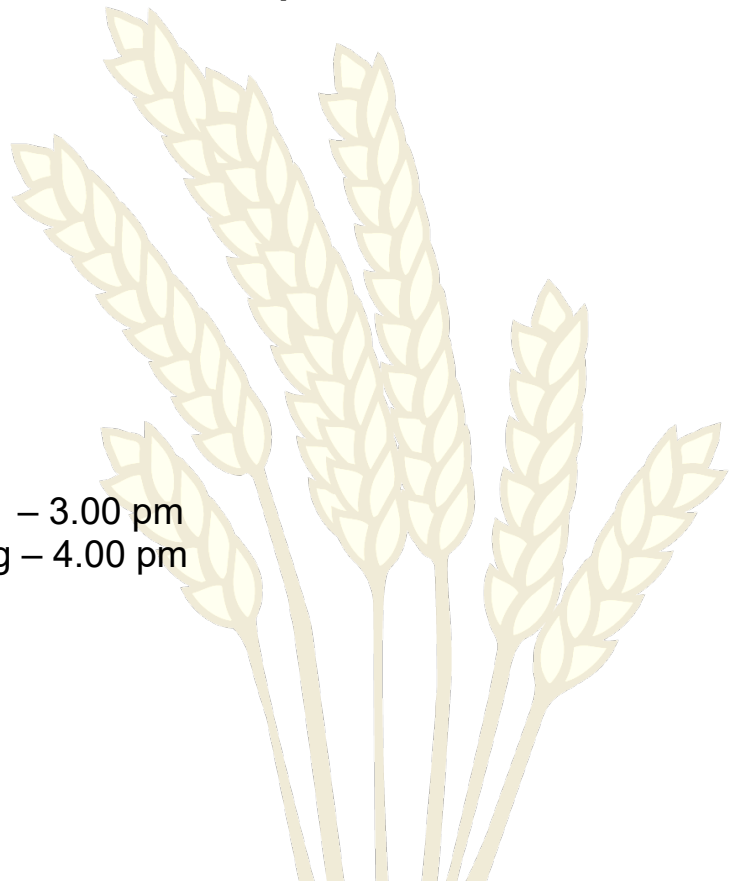


**AGENDA
FOR
ORDINARY MEETING OF COUNCIL
Wednesday 18 May 2022**

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

Commencement: 4.00 pm

Forum Meeting – 3.00 pm
Ordinary Council Meeting – 4.00 pm





**SHIRE OF
TRAYNING**
Rock Solid

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

Signed

Leanne Parola
Chief Executive Officer



AGENDA

Ordinary Meeting of the Trayning Shire Council,
To be held in the Council Chambers, Lot 66 Railway Street, Trayning,
on Wednesday 18 May 2022, commencing at 4.00 pm

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

MEMBERS:

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

STAFF:

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

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 20 April 2022 be confirmed as a true and correct record of the proceedings.

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

9 REPORTS OF OFFICERS

9.1 REGULATORY SERVICES



9.2 FINANCE REPORTS

9.2.1 Monthly Financial Report for April 2022

Date of Report:	5 May 2022
Proponent:	N/A
File Ref:	N/A
Officer	Wendy Stringer – LG Best Practices
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 April 2022 Monthly Financial Report
Voting Requirements:	Simple Majority

Purpose of Report

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

Background

All financial reports are required to be presented to Council within two meetings following the end of the month that they relate to.

These reports are prepared after all the end of month payments and receipts have been processed.

Consultation

There has been consultation with the Chief Executive Officer.

Statutory Environment

Local Government Act 1995 -

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as 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 Council's investments within the Monthly Financial Report.

Financial Implications

A copy of the Monthly Financial Report for the period ending 30 April 2022, including the report on significant variances, Investment of Councils reserve and surplus funds and the reconciliation of Councils bank accounts, has been provided to Council via attachment to this report.

Strategic Implications

There are no strategic implications.

Environmental Implications

There are no environmental implications.

Social Implications

There are no social implications.

Officer's Comment

Nil

Officer's Recommendation

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



9.2.2 Monthly Payment List April 2022

Date of Report:	5 May 2022
Proponent:	N/A
File Ref:	3.2.2.3 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Wendy Stringer – LG Best Practices
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.2 April Payments List for Council
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 April 2022 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

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

Officer's Recommendation

That Council receives the list of payments and credit card statement, as presented, for the month of April 2022, totalling \$399,971.99.



9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Friends of the Church Arrangement

Date of Report:	8 April 2022
Proponent:	N/A
File Ref:	Agreements
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.1 Letter from Friends of the Church 9.3.1b Summary of Trayning Church Income/Expenditure - 5 May 2022 9.3.1c Draft Friends of the Church MOU
Voting Requirements:	Simple Majority

Purpose of Report

To consider the Shire's contribution towards the maintenance and operation of the former Anglican Church in Trayning.

Background

An item was presented to the Ordinary Meeting of Council held 17 February 2021 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.

Council resolved 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 2023, and that the Friends of the Church be required to provide annual progress reports.*

The proposed application to the Local Roads and Community Infrastructure Program funding did not proceed as Council identified other priorities for the funding. Instead, the Shire had been operating on a \$ for \$ basis.

Consultation

The Friends of the Church held a meeting on 5 May 2022 where they expressed dissatisfaction with the method of splitting expenditure between the Shire and the funds held by the Shire for the group.

The attached letter has since been sent to the Shire outlining their requests.

Statutory Environment

The Church is listed on the State Heritage Register.

Policy Implications

Policy 5.9 Anglican Church Museum

Financial Implications

In December 2020 the Shire advertised for pledges to fund the repair and maintenance of an unmanned museum at the former Anglican Church Building. Cash contributions and sponsorships of pews received by the Shire totalled \$17,000.

The Friends of the Church have established an Emporium at the Trayning Hall and between February 2021 and the time of writing this report, had raised \$9,517.

The attached summary of income and expenditure was provided to the Friends of the Church meeting on 5 May 2022.

The Shire has quarantined the contributions/sponsorship and emporium takings from its general revenue by using the Shire's Trust Module. In December 2021 the Shire drew \$7,301 from these funds to reimburse 50% of the expenditure incurred by the Shire for costs incurred in the 2020/21 and 2021/22 financial years at that point in time. Since then an additional \$1,270 has been spent, but a 50% contribution has not been drawn.

Strategic Implications

The Council Plan includes the following measure:



Volunteer groups are encouraged and supported leading to a growth in shire partnerships with community groups.

Shire staff have actively supported the Friends of the Church in their fundraising activities and by arranging the building maintenance works at the Church, advertising meetings etc.

Environmental Implications

There are no direct environmental implications.

Social Implications

There are no direct social implications.

Officer's Comment

The Friends of the Church believe that they should not be required to contribute towards costs incurred before they were established in February 2021, costs relating to works carried out utilising Shire staff/equipment and operating costs that the Shire would usually pay for Shire owned buildings such as insurance.



The Friends of the Church have requested the Shire not deduct a 50% contribution for the following:

- Wages prior to February 2021
- Wages post February 2021
- Expenditure including ESL, insurance, pest control, RCD testing
- Structural engineering report

Staff have identified the following costs which they believe could be excluded from the Friends of the Church contribution:

Costs before February 2021

Shire staff/equipment - gardening/minor repairs	\$1,187
Building insurance	\$368
Spider and insect treatment	\$123
Emergency Services Levy	\$84

Works carried out utilising Shire staff/equipment post February 2021:

Repairing gateway	\$3,928
Removing pews	\$550
Removing tree branch	\$134
Tap replacement	\$147
2021/22 building insurance	\$980
Water usage and service charges	\$33
Spider and insect treatment	\$137
RCD testing	\$50
Emergency Services Levy	\$88

These costs total \$7,809. If Council agrees that the Friends of the Church should not contribute 50% of these costs, funds could be transferred back into the "Friends of the Church" trust account accordingly.

This would mean that the Friends of the Church and the sponsorship/donations funding held by the Shire would only contribute to 50% of the cost of:

- Contractor to replace ceilings, repair cracks \$3,909
- Consulting Engineer assessment \$1,863
- Plaques \$1,211
- Sundry materials \$1,080

The 50% contribution towards these costs would be \$4,031. The Shire has drawn down \$7,301, so if Council agree to reimburse the difference, an amount of \$3,270 would be transferred back to the Friends of the Church trust account.

Moving forward it would be reasonable to expect that the Friends of the Church will only contribute to any maintenance or other expenditure agreed to by both parties.

A quotation has been received from Keith Cream, the building contractor who has been carrying out repairs to the building, for works to the north internal and external



walls/woodwork. The quotation is for a lump sum and includes four pages of diagrams, photos and descriptions of the work proposed.

Staff have not accepted the quotation at this time and believe that if the Friends of the Church want more detailed information they should liaise directly with the builder.

Officer's Recommendation

That:

- 1) Shire staff or equipment not be utilised at the Trayning Church from now on.
- 2) The attached Draft Memorandum of Understanding be forwarded to the Coordinator of the Friends of the Church, Louise Masser, for consideration.
- 3) If the Draft Memorandum of Understanding is signed before 30 June 2022, funds of \$3,270 be transferred back into the "Friends of the Church" trust account from GL 3111305 (Halls – Reimbursements).
- 4) If the Friends of the Church do not accept the proposed Memorandum of Understanding by 30 June 2022, the property be advertised for sale by public tender and the \$17,000 that was donated to the Shire or paid to sponsor pews be returned to the donors/sponsors and any surplus funds be transferred to GL 3111305 (Halls – Reimbursements).



9.3.2 Swimming Pool Management Contract

Date of Report:	8 April 2022
Proponent:	N/A
File Ref:	Agreements
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.2 Confidential Tender Assessment
Voting Requirements:	Simple Majority

Purpose of Report

To consider the tenders received from a joint tender advertised with the Shire of Nungarin for the Management and Operations of the Nungarin and Trayning Aquatic Centres.

Background

Both of the Shire of Nungarin and Shire of Trayning had contracts with swimming pool operators that expired at the end of the 2021/22 swimming pool season. It was decided to advertise a joint tender to share costs and reduce the administrative burden for the Shires and potential tenderers.

The tender process has been completed by the Shire of Nungarin with the tenders received provided to the Shire of Trayning for assessment and a decision.

Consultation

Shire of Nungarin

Statutory Environment

Local Government Act 1995, section 3.57 - Tenders for providing goods or services

Local Government (Functions and General) Regulations 1996, Part 4 Division 2 — Tenders for providing goods or services

Policy Implications

Policy 7.4 Purchasing and Tenders

Financial Implications

The tender received is for a higher set annual fee and additional hourly fee than the Shire of Trayning's contract with Contract Aquatic Services.



The Shire has budgeted to carry out capital works at the pool this financial year and Contract Aquatic Services have offered a significantly discounted quote should the contract option be exercised.

Strategic Implications

There are no direct strategic implications; however, the service levels for the operation of the swimming pool are outlined in the Shire of Trayning Services and Facilities Plan 2022-2026.

Environmental Implications

There are no direct environmental implications.

Social Implications

There are no direct social implications.

Officer's Comment

Staff believe that the option to extend the current contract with Contract Aquatics for another three years should be taken as it offers better value for money than the tender received.

Officer's Recommendation

That:

- 1) No tender be awarded for the Management and Operation of the Shire of Trayning Aquatic Centre.
- 2) The option to extend the contract between the Shire of Trayning and Contract Aquatic Services for a further three (3) years be taken.



9.3.3 Take Possession of 13, Lot 133 Twine Street Trayning

Date of Report:	12 April 2022
Proponent:	Janine Eeles
File Ref:	3.1.1.4 – Rates Written Off
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

Purpose of Report

To consider a request from the owner of 13, Lot 133 Twine Street Trayning to take possession of the property in lieu of outstanding rates, legal and sundry debtor charges.

Background

At the time of writing this report, the owner of 13, Lot 133 Twine Street Trayning, Janine Tracy Eeles had the following outstanding debts with the Shire of Trayning:

Rates	750.00
Interest	25.39
Legal Charges/Fees	1,500.66
ESL	193.93
Sundry Debtors Invoices	1,524.25
TOTAL	\$4,379.23

Interest continues to accrue on the rates assessment at a rate of \$0.54 per day. Ms Eeles has been trying unsuccessfully to sell the block.

Consultation

Janine Eeles
AMPAC

Statutory Environment

Local Government Act 1995
Part 6 — Financial management
Division 5 — Financing local government
Subdivision 6 — Actions against land where rates or service charges unpaid
And section 6.12. Power to defer, grant discounts, waive or write off debts

Policy Implications

Policy 7.6 Debt Recovery – Outstanding Rates and Sundry Debtors



Financial Implications

There will be one off expenses incurred in transferring ownership of the block to the Shire and removing dilapidated garden structures etc.

Long term the Shire would be foregoing rates each financial year (currently \$400) and be responsible for annual ESL charges and maintenance.

The voluntary transfer of the property to the Shire will avoid the additional costs of the formal seizure of land process the Shire would otherwise be undertaking as the rates are more than three years overdue.

Strategic Implications

The draft Council Plan and the Long Term Financial Plan identify the need for additional employee housing to be constructed by the Shire.

This corner block is in a prominent position in the Trayning townsite which would be ideal for employee housing. Constructing a new residence on it would improve the amenity of a main artery in town as it is currently has poor street appeal.





Environmental Implications

There are no direct environmental implications.

Social Implications

There are no direct social implications.

Officer's Comment

There are no other comments.

Officer's Recommendation

That:

- 1) Ownership of 13, Lot 133 Twine Street Trayning be transferred to the Shire of Trayning.
- 2) The balance of Assessment A219 and Sundry Debtor 80203 be written off on the settlement of the property.

10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

12 CLOSURE