



**AGENDA
FOR
ORDINARY COUNCIL MEETING OF COUNCIL
Wednesday 18 September 2024**

**Trayning & Districts Sporting Club
Sutherland Street
Trayning WA 6488**

Commencement: 4.00 pm





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

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

Signed

Leanne Parola
Chief Executive Officer



AGENDA

Ordinary Meeting of the Trayning Shire Council,
To be held at the Trayning & Districts Sporting Club,
Sutherland Street, Trayning,
on Wednesday 18 September 2024, 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 Clayton Marchant (Deputy Shire President)
Cr Michelle McHugh
Cr Peter Barnes
Cr Mark Leslie
Cr Dale Naughton

STAFF:

Mrs Leanne Parola (Chief Executive Officer)
Mr Grant Cross (Manager of Works)
Ms Belinda Taylor (Manager of Corporate Services)

APOLOGIES:

ON APPROVED LEAVE(S) OF ABSENCE:

Cr Melanie Brown (Shire President)
Cr Corey Harken

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

Cr CF Harken, applied for a Leave of Absence for the 18 September 2024 Ordinary Meeting of Council.



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 Special Meeting of Council held 13 August 2024 be confirmed as a true and correct record of the proceedings.

7.2 Other Meetings

Officer Recommendation

That the minutes of the following meetings be received.

7.2.1 Newtravel GM Minutes

7.2.2 GECZ Minutes - 15 August 2024

7.2.3 LEMC Minutes - 20 August 2024

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS



9 REPORTS

9.1 REGULATORY SERVICES

9.1.1 Rural Home Business Application – Firearm Storage

Date of Report:	27 August 2024
Proponent:	Filippo Galipo
File Ref:	7.1.1.1
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider a Planning Application submitted by Filippo Galipo to store firearms as a licenced firearm dealer on Lot 15552 on Deposited Plan 225632.

Background

Mr Galipo contacted the Shire of Trayning seeking approval to store firearms at his property on Baker Road in North Kununoppin. He has indicated that the property would not be used as a retail shopfront or for the direct sale of firearms to the public.

Officer's Comment

Staff believe that a formal planning application and decision is required to provide this approval. While the application is to use existing sheds on a rural property for the storage of firearms, not a dwelling, staff are treating the application as if it were a Rural Home Business.

The footprint of the sheds shown in red below is only a small portion of the landholding (yellow border).



Consultation

Staff contacted the Shire's contract Environmental Health Officer who has advised:

It is important to be aware that all categories include the following provision:

- *Does not involve the retail sale, display or hire of goods of any nature*
- *Would need to be servicing/repair, and not selling/distribution of firearms or ammunition.*

Statutory Environment

Shire of Trayning Local Planning Scheme No. 1 under the powers conferred by the *Planning and Development Act 2005*.

The property is zoned Rural under Local Planning Scheme No 1, the objectives of which are:

- *To provide for a range of rural pursuits that are compatible with the capability of the land and retain the rural character and amenity of the locality.*
- *To protect the land from closer development that would detract from the rural character and amenity of the area.*
- *To prevent any development that may affect the viability of a holding.*
- *To encourage small scale, low impact tourist accommodation in rural locations.*
- *To encourage a diversification of rural activities that will reduce the dependency of the rural sector on traditional crops.*
- *To support mining activities where an environmental management plan has been prepared and is acceptable to the Council and EPA.*
- *To preclude the disposal of used tyres or any other material that may be detrimental to the quality of the land.*
- *To provide for the mining of nuclear resources but not the use or storage of such materials.*



If the proposed firearm storage is considered a 'Rural Home Business', it will only be permitted within the Rural Zone if the Shire exercises its discretion by granting planning approval.

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications.

Strategic Implications

There are no direct strategic implications.

Risk Implications

Any storage of firearms will be subject to conditions imposed by the WA Police.

Officer Recommendation

That planning approval to store firearms at Lot 15552 on Deposited Plan 225632 by Filippo Galipo be approved subject to the following conditions:

- 1) Compliance with WA Police requirements for the storage of firearms
- 2) No direct sale of firearms or ammunition to the public
- 3) This approval is non transferrable.



9.1.2 Application to Keep Additional Dog – 33 Glass Street Trayning

Date of Report:	29 August 2024
Proponent:	Hone & Celia Tumata
File Ref:	5.2.1.1 Dog Registrations
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider a request to keep an additional dog at 33 Glass Street, Trayning.

Background

Mrs Tumata was granted permission to keep four dogs at her former property at 33 King Street Yelbeni in 2019.

The applicants have recently relocated to 33 Glass Street, Trayning and have registered two dogs at the property, but also have a six month old dog. They have applied for approval to keep the additional dog.

Officer's Comment

Staff have inspected the property and can confirm that the dogs are well cared for and housed appropriately and that the back yard is adequately fenced to contain the dogs.

Consultation

Letters were sent to adjoining neighbours on 29 August 2024 inviting submissions for consideration by 10 September 2024. No submissions were received.

Statutory Environment

Clause 3.2 of the Shire of Trayning Dogs Local Law limits the number of dogs that can be kept in a townsite to two but allows exemptions under Section 26(3) of the Dog Act 1976.

The proposed conditions would comply with Section 26(3) of the Dog Act 1976.

Policy Implications

There are no direct policy implications.

Financial Implications

If approval is granted to keep the additional dog, the applicants will be required to register it for a small fee.



Strategic Implications

There are no direct strategic implications.

Risk Implications

There are no significant risks associated with considering this application.

Officer Recommendation

That:

- 1) Approval be given to Hone & Celia Tumata to keep the following three (3) dogs at 33 Glass Street, Trayning:

Name	Tag No	Breed	Microchip
Hooch	2400099	American Bully	991003002588682
Jackx	2400100	American Bully	991003001809555
Jimmy	TBA	American Bully	991003002590425

- 2) Approval is subject to the following conditions:
 - a) Approval is only for the property situated at 33 Glass Street, Trayning and cannot be transferred to any other property;
 - b) Approval is confined to the dogs registered with the Shire and once any of these dogs are deceased they are not to be replaced, with the intention to reduce the number of dogs on the property, over the age of three (3) months, to comply with the Shire's local law which is two dogs. Any approval to keep more than two dogs, other than these currently approved, over the age of three (3) months will require a future separate approval of the Shire; and
 - c) This approval may be removed or varied at any time.
- 3) The applicant be advised that if they are aggrieved by this decision, they may apply to the State Administrative Tribunal for a review of the decision within 28 days of notification.



9.2 FINANCE REPORTS

9.2.1 Monthly Payment List August 2024

Date of Report:	09 September 2024
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 August 2024
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 August 2024 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 August 2024, totalling \$712,765.07.



9.2.2 Monthly Financial Report for September 2024

Date of Report:	9 September 2024
File Ref:	N/A
Officer:	Rhona Hawkins – LG Best Practices
Senior Officer:	Leanne Parola - Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.2 Monthly Financial Report August 2024
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 31 August 2024.

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 31 August 2024, 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 31 August 2024 be accepted as presented.



9.2.3 Budget Variation - Purchase of Skid Steer Tracked Loader

Date of Report:	23 August 2024
Proponent:	Chief Executive Officer
File Ref:	3.2.7.8 Finance – Budget Amendments
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.3 Confidential – Quotations for new equipment
Voting Requirements:	Absolute Majority

Purpose of Report

To consider amending the 2024/25 Annual Budget to allow the purchase of a new skid steer tracked loader with attachments and disposal of the Shire's current skid steer, tractor and flail mower.

Background

The Long-Term Financial Plan and original 2024/25 Draft Budget presented to the Ordinary Meeting of Council held July 2024 included the purchase of a new tracked loader and sale of a number of other items of plant.

The adopted budget did not include the purchase of any major items of plant and transferred funds into the Plant Reserve instead.

Officer's Comment

The Shire currently owns the following plant and equipment:

- 2015 Mustang 2044 Skid Steer Loader which is used predominantly for reserve maintenance and some road maintenance
- 2022 New Holland TD5.110 Tractor which is used predominantly for slashing the airstrip, Kununoppin Sports Ground and Yelbeni Golf Course (69%) and roadside slashing (31%)
- 2023 Kubota SE2230P Flail Mower which is used predominantly for slashing the airstrip, Kununoppin Sports Ground and Yelbeni Golf Course (69%) and roadside slashing (31%)

A summary of costs (excluding GST and labour) and hours used for each is below:

	Purchase Price	Costs 23/24	Hrs Used 23/24	Effective hourly rate
Skid Steer	\$48,500	\$3,415	121.5	\$20
Tractor/Mower	\$128,318	\$12,016	138.5	\$86

Many of the Shire's current rural road verges require heavy duty slashing/mulching as the regrowth is too substantial for the flail mower to be used.

Staff have investigated the following options:



1) Retain current equipment and hire contract roadside mulcher

The Shire hired a contractor to slash/mulch a 1.5 km section of the Kununoppin-Mukinbudin Road verge in 2023 at a cost of \$260/hour which totalled \$10,660 + GST (plus traffic management costs of \$3,054).

If similar rates were charged this year, it would cost the Shire approximately \$55,800 to clear 5 km of road verge (one mobilisation fee only), assuming the Shire provides in house traffic management.

2) Retain current equipment and dry hire bobcat/mulcher

Staff have received a quotation of \$95/hour to dry hire a bobcat/mulcher. Based on the distance covered by the contractor last year, using a casual staff operator and allowing for fuel etc, the Shire could clear approximately 12 km for \$55,800.

3) Trade in or dispose of current equipment and purchase tracked loader, attachments and plant trailer

Staff have received quotations from a number of suppliers as per confidential attachments. The proposed budget variation would enable the following purchase/disposals:

- New skid steer track loader with attachments \$160,000
- Dispose of skid steer \$10,000
- Dispose of tractor and flail mower \$60,000

The budgeted transfer of funds to the Plant Reserve would need to be reduced by \$90,000.

If \$55,800 was used to fund casual staff and operate the skid steer track loader and assuming wages and operating costs of \$100/hour, the Shire could clear approximately 20 km of road verges.

4) Trade in skid steer and purchase skid steer tracked loader, attachments and plant trailer

Staff have received quotations from a number of suppliers as per confidential attachments. The proposed budget variation would enable the following purchase/disposals:

- New skid steer track loader with attachments \$160,000
- Dispose of skid steer \$10,000

The budgeted transfer of funds to the Plant Reserve would need to be reduced by \$150,000.

If \$55,800 was used to fund casual staff and operate the skid steer track loader and assuming operating costs of \$100/hour, the Shire could clear approximately 20 km of road verges.



The tractor and flail mower could be retained to determine whether there is still a use for them and disposed of at a later date if there isn't.

A confidential copy of the quotations and specifications for various machines received by staff is attached.

Consultation

Senior staff, plant operators, suppliers and contractors.

A bus tour for Councillors was conducted on 19 June 2024 where it was noted that a large number of verges needed to be cleared due to overgrowth.

Statutory Environment

Section 6.8 of the Local Government Act 1995 requires authorisation in advance by absolute majority to incur any expenditure not in the annual budget.

Policy Implications

Policy 7.4 Purchasing and Tenders requires at least three written quotations to be obtained for purchases over \$50,000.

Financial Implications

The current operating budget includes \$191,689 for materials and contracts within General Ledger 2122001 Road Maintenance. As at 13 August 2024, the Shire had spent \$31,570 on contract grading and a contract roller operator for three weeks in July.

Materials and contracts for Road Maintenance totalled \$147,620 in 2023/24 so there is the potential for additional contractors to be used this year. Assuming the additional funds were all used for a contract slasher/mulcher for a single stretch of road, 4 km of road verge could be cleared.

The recommended budget variation will reduce the budgeted transfer to the Plant Reserve by \$90,000.

Strategic Implications

The Shire recently adopted a Long-Term Financial Plan which included the purchase of a new tracked loader and disposal of the current skid steer as well as the tractor and flail mower.

The agenda item to present the Long-Term Financial Plan to Council for consideration noted that the Shire is unable to maintain its roads in good condition as there is a structural deficit between what asset renewals are required and what can be funded.

Instead of a business as usual approach, Staff are exploring opportunities to better use the Shire's scarce resources including the use of casual staff and equipment or dry hiring



equipment instead of using contractors where savings and/or more outputs can be achieved.

Risk Implications

Uncleared rural verges pose a risk to the safety of road users, as well as having a negative impact on roadside drainage which in turn impacts on overall road condition.

The proposed budget variation will enable the Shire to carry out more roadside clearing within its annual budget allocations.

Officer Recommendation

That the following variations be approved to the 2024/2025 annual budget to allow the purchase of a skid steer tracked loader including attachments and a plant trailer and the disposal of the skid steer, tractor and flail mower:

GL	Description	Current Budget	Proposed Budget
4123500	Transfer to Plant Reserve	(270,000)	(180,000)
4123615	Purchase of Plant	(20,000)	(180,000)
5123730	Proceeds on Disposal of Assets	0	70,000
2123291	Loss on Sale of Asset – Road Plant	0	(48,362)
3123491	Profit on Disposal of Assets – Road Plant	0	1,533



9.2.4 Financial Management Review 2024

Date of Report:	22 August 2024
File Ref:	3.2.6.3 Financial Management Review
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.4 Attachment Financial Management Review 2024
Voting Requirements:	Simple Majority

Purpose of Report

To receive a report on the appropriateness and effectiveness of the financial management systems and procedures of the Shire of Trayning.

Background

LG Best Practices was engaged by the Shire to review the Shire's financial management systems and procedures in 2024. A copy of the review report is attached.

The last review was presented to Council on 29 July 2020.

Officer's Comment

The Financial Management Review included the Shire's internal systems relating to:

- (a) collection of money owing
- (b) safe custody and security of money collected or held
- (c) maintenance and security of financial records
- (d) accounting for municipal or trust
 - (i) revenue received or receivable
 - (ii) expenses paid or payable
 - (iii) assets and liabilities
- (e) authorisation of purchases and payments
- (f) maintenance of payroll, stock control and costing records
- (g) preparation of budgets, budget reviews, accounts and reports required by the Act and regulations
- (h) management of local government resources
- (i) regular reviews of fees and charges by the council
- (j) regular reviews of financial management systems and procedures

The report makes a number of recommendations for staff to implement. The Consultant will hold a workshop with the relevant staff to discuss the recommendations once the annual financial statements and the bulk of the audit process has been completed.

Consultation

LG Best Practices



Shire Staff

Statutory Environment

Local Government (Financial Management) Regulation 5(2)(c) requires the Chief Executive Officer to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications.

Strategic Implications

There are no direct strategic implications.

Risk Implications

There are no known risks associated with this report or the Officer Recommendation. The key principle of the review is to identify any risks associated with the Shire's financial management processes and controls.

Officer Recommendation

That Council receive the Financial Management Review 2024, as presented.



9.2.5 Budget Variation – Wheatbelt Secondary Freight Network

Date of Report:	4 September 2024
Proponent:	Chief Executive Officer
File Ref:	3.2.7.8 Finance – Budget Amendments
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

Purpose of Report

To consider a variation to the 2024/25 Budget to recognise grant income and associated expenditure in relation to Wheatbelt Secondary Freight Network funding.

Background

The Shire applied for funding from the Wheatbelt Secondary Freight Network to carry out development works for a 16.32 km section of the Bencubbin-Kellerberrin Road (South). The application was successful.

Officer's Comment

The 2024/25 did not include grant funding or expenditure in relation to the proposed development costs for a section of the Bencubbin-Kellerberrin Road under the Wheatbelt Secondary Freight Network funding.

Funding of \$80,000 has been approved by the Wheatbelt Secondary Freight Network, with the Shire expected to contribute the remaining portion of the costs to carry out surveying, pavement design and geotesting for a section of the Bencubbin-Kellerberrin Road to be reconstructed (minimum of \$5,336).

While the grant funds or expenditure had not been expressly included in the 2024/25 Annual Budget, provision was made within the operating budget of \$15,000 in case approval was received.

Consultation

Wheatbelt Secondary Freight Network

Statutory Environment

Section 6.8 of the Local Government Act 1995 requires authorisation in advance by absolute majority to incur any expenditure not in the annual budget.

Policy Implications

There are no direct policy implications.



Financial Implications

The following budget variations are proposed:

GL	Description	Current Budget	Proposed Budget
2122039	Wheatbelt Secondary Freight Network	(15,000)	0
3121303	Road Projects – Other Capital Grants	0	80,000
GRF002	GRF Bencubbin Kellerberrin Road	0	(95,000)

Strategic Implications

One of the priorities within the Shire of Trayning Strategic Community and Corporate Business Plan is a “safe, efficient and well-maintained road and footpath network”.

Risk Implications

Staff have allowed a Shire contribution of up to \$15,000 in case there are any cost overruns.

Officer Recommendation

That the following variations be approved to the 2024/2025 annual budget to recognise income and expenditure in relation to a Wheatbelt Secondary Freight Network development project:

GL	Description	Current Budget	Proposed Budget
2122039	Wheatbelt Secondary Freight Network	(15,000)	0
3121303	Road Projects – Other Capital Grants	0	80,000
GRF002	GRF Bencubbin Kellerberrin Road	0	(95,000)



9.2.6 Budget Variation – Emergency Repairs 46 Coronation Street Trayning

Date of Report:	5 September 2024
Proponent:	Chief Executive Officer
File Ref:	3.2.7.8 Finance – Budget Amendments
Officer’s Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

Purpose of Report

To consider a variation to the 2024/25 Budget to cover the cost of emergency repairs to 46 Coronation Street Trayning.

Background

A water leak in the bathroom at 46 Coronation Street Trayning has resulted in damage to walls, frames and floor coverings. The Chief Executive Officer has liaised with the Deputy Shire President to authorise emergency repairs.

Officer’s Comment

A leak has been discovered in the ensuite shower at 46 Coronation Street Trayning. The leak has damaged the wall, steel framing and floor covering of the adjoining walk-in robe.

A quotation has been received to completely strip the shower recess wall and sheeting, then reframe it at the bottom to remove the rusted steel, resheet, retile and put everything back together.

The carpet is also ruined in the walk-in robe area and will be replaced with some timber floating floor.

Consultation

The Deputy Shire President authorised the emergency repairs verbally on 5 September 2024.

Statutory Environment

Section 6.8 of the Local Government Act 1995 requires authorisation in advance by absolute majority to incur any expenditure not in the annual budget.

It allows expenditure to be authorised in advance by the President in an emergency. As the President is currently overseas, authorisation was sought from the Deputy President.

Policy Implications

There are no direct policy implications.



Financial Implications

The following budget variations are proposed:

Job/GL	Description	Current Budget	Proposed Budget
BC83	Lot 112 Coronation Street (Capital)	0	16,500
5092544	Transfer from Building Reserve	0	(16,500)

Strategic Implications

The transfer of funds from the Building Reserve will have a small impact on interest earnings in future versions of the Long-Term Financial Plan.

Risk Implications

There are no significant risks in the officer recommendation.

Officer Recommendation

That the following variations be approved to the 2024/2025 annual budget to cover emergency repairs at 46 Coronation Street Trayning:

GL	Description	Current Budget	Proposed Budget
BC83	Lot 112 Coronation Street (Capital)	0	16,500
5092544	Transfer from Building Reserve	0	(16,500)



9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Appointment of Fire Control Officers

Date of Report:	16 August 2024
File Ref:	5.1.4.1
Officer:	Leanne Parola – Chief Executive Officer
Senior Officer:	Not Applicable
Officer’s Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

Council is requested to amend the appointment of Fire Control Officers.

Background

At the Ordinary Meeting of Council held June 2023, the following Fire Control Officers were appointed.

- Chief Bush Fire Control Officer Peter Barnes
- Deputy Chief Bush Fire Control Officer Murray Leahy
- Bush Fire Control Officer (permits only) Leanne Parola
- Bush Fire Control Officer (permits only) Belinda Taylor

Consultation

As the Trayning Volunteer Fire and Emergency Services Annual General Meeting held 15 August 2024, the following Office Bearers were elected:

- Captain – Peter Barnes
- Lieutenant – Bryce Mullins
- Appliances Officer – Matt Harben
- Training Officer – Tim Woodfield
- Secretary – Leanne Parola

Statutory Environment

Bush Fire Act, Section 38 (1) states, in part:

A Local Government may from time to time appoint such persons as it thinks necessary to be its Bush Fire Control Officers under and for the purpose of this Act and of those officers shall appoint 2 as Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.



Policy Implications

Policy 8.1 Notification of Harvest Bans etc provides authorisations based on position instead of nominating individuals so does not need to be updated as a result of a change in appointments.

Policy 8.2 Fire Control Officer also refers to position holders instead of individuals.

Financial Implications

There are no financial implications.

Strategic Implications

There are no strategic implications.

Environmental Implications

There are no environmental implications.

Social Implications

There are no social implications.

Officer's Comments

The Officer Recommendation will ensure that the Shire's appointed Fire Control Officers reflect those of the Trayning Volunteer Fire and Emergency Services and allow staff members to sign fire permits.

Officer Recommendation

That in accordance with the Bush Fire Act 1954, the following appointments be made for the Shire of Trayning:

- | | |
|--|----------------|
| • Chief Bush Fire Control Officer | Peter Barnes |
| • Deputy Chief Bush Fire Control Officer | Bryce Mullins |
| • Bush Fire Control Officer (permits only) | Leanne Parola |
| • Bush Fire Control Officer (permits only) | Belinda Taylor |



9.3.2 Crisp Wireless - License Agreement

Date of Report:	14 August 2024
Proponent:	Crisp Wireless Pty Ltd
File Ref:	C65
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.2 Attachment Crisp Wireless –Licence Agreement
Voting Requirements:	Simple Majority

Purpose of Report

To consider entering into a new Licence Agreement with Crisp Wireless Pty Ltd to allow them to continue utilising the Shire of Trayning communication tower located at the rear of the Administration building.

Background

The original Licence Agreement between the Shire of Trayning and Crisp Wireless expired on 1 May 2024. Crisp Wireless have prepared a new licence agreement for consideration.

Officer's Comment

The proposed Licence Agreement will commence on 1 September 2024 and expire on 31 August 2034.

The purpose of the agreement is to allow Crisp Wireless to operate antenna equipment at the Shire of Trayning Administration Centre.

There are no significant variations from the previous agreement, and it does not prevent the Shire allowing other users to access the tower.

Consultation

There has been no consultation.

Statutory Environment

There are no direct statutory implications.

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications.



Strategic Implications

There are no direct strategic implications.

Officer Recommendation

That the Deputy Shire President and Chief Executive Officer be authorised to sign and seal the attached Licence Agreement with Crisp Wireless Pty Ltd.



9.3.3 Proposed Relocation of Ninghan Fitness Centre

Date of Report:	21 August 2024
File Ref:	11.3.4 Ninghan Fitness Centre
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.3 Attachment Trayning Tourism & Recreation Precinct Plan
Voting Requirements:	Simple Majority

Purpose of Report

To consider relocating the Ninghan Fitness Centre to the Don Mason Community Centre.

Background

Council endorsed the Trayning Tourism & Recreation Precinct Plan at its Ordinary Meeting held 15 May 2024.

One of the projects within the Plan is the relocation of the Ninghan Fitness Centre to the Don Mason Community Centre.

Officer's Comment

The Ninghan Fitness Centre is currently located in a small room adjacent to the Trayning Caravan Park. Staff have received informal feedback from users that there wasn't enough room for the number of people using it.

The gym was used 779 times in 2023, with 39% of users accessing the facility after 4 pm.

Staff are recommending that the equipment be moved to the Don Mason Community Centre. Moving to the Hall had been considered, but it is in very poor condition and would require significant repairs and upgrades to make it suitable.

The Don Mason Community Centre is not well utilised, having only been used 17 times in 2023.

Renovations to the Administration Centre required administration staff to relocate to the Don Mason Community Centre for several months, with works expected to be completed soon.

There has been little negative impact to the community in not being able to use the Don Mason Community Centre during that time with people able to use the Trayning & Districts Sporting Club or other facilities for meetings and functions instead.



Consultation

Public submissions were called on the draft Trayning Tourism & Recreation Precinct Plan. The majority of comments received supported moving the gym to a larger facility.

A survey of Gym Members was carried out in May 2024 with a total of 15 responses. 80% of respondents supported relocating the facility to the Don Mason Community Centre and there were a lot of comments about the need for additional space and equipment.

Statutory Environment

There are no direct statutory implications.

Policy Implications

Policy 5.12 Ninghan Fitness Centre regulates the use of the Gym, including hours of access.

A number of changes to the policy are recommended to make the gym accessible at all hours and to remove the requirement for a key bond. The Don Mason Community Centre will not require a key to access the building, instead an individualised code can be provided.

Financial Implications

There would be minimal financial cost of moving the gym equipment to the Don Mason Community Centre, the majority of costs would be staff time to carry out the move, with minor expenditure for signage etc.



The materials and contracts budget for the Ninghan Fitness Centre was increased by \$700 this year to cover one off additional costs. There is no provision within the current budget for additional equipment.

Strategic Implications

The proposed relocation of the Ninghan Fitness Centre is one of the projects in the Trayning Tourism & Recreation Precinct Plan and is in keeping with the following Priority Area in the Shire of Trayning Public Health Plan:

Deliver and promote activities and programs that contribute to increased physical activity including local sports and fitness activities.

Risk Implications

Moving the Ninghan Fitness Centre to another building will allow equipment to be more spread out, reducing the risk of injury currently experienced by patrons and staff in the crowded facility.

Officer Recommendation

That:

- 1) The Ninghan Fitness Centre be relocated to the Don Mason Community Centre.
- 2) Policy 5.12 Ninghan Fitness Centre be amended as attached.



9.3.4 WALGA Annual General Meeting Items

Date of Report:	09 September 2024
Proponent:	Chief Executive Officer
File Ref:	4.3.5.8 WALGA - Local Government Convention
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.4 WALGA AGM Agenda
Voting Requirements:	Simple Majority

Purpose of Report

To consider the items on the Agenda for the Western Australian Local Government Association Annual General Meeting to be held 9 October 2024.

Background

At the Ordinary Meeting of Council held 28 June 2023, Council resolved that:

- 1) *Councillors Naughton, Leslie and Marchant and the Chief Executive Officer be registered to attend the 2024 Western Australian Local Government Association Local Government Convention.*
- 2) *Councillors Marchant and Leslie be registered as delegates and Councillor Naughton the proxy for the Western Australian Local Government Association Annual General Meeting.*

Consultation

There has been no consultation.

Statutory Environment

There are no statutory implications.

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications.

Strategic Implications

There are no direct strategic implications.



Officer's Comment

There are six motions listed on the attached agenda for the Annual General Meeting as follows:

7.1 Amendments to the Cat Act 2011 – Allow Local Governments to Make Local Laws to Contain Cats to the Owner's Property

That WALGA advocate to the State Government to make changes to the Cat Act 2011 to permit local laws to be made to the following effect:

- 1. Cats are to be confined to the cat owner's residence premises;*
- 2. Cats within public places are to be under effective control and not to create a nuisance;*
- 3. Cats are not allowed on other private properties where the cat does not have the expressed permission of the occupier of that premises, and are not to create a nuisance;*
- 4. Cats are prohibited from ecologically sensitive areas designated as Cat Prohibited Areas by Absolute majority of Council, and clearly demarcated as such on a sign displayed at the area, without the need to modify the local law*

7.2 Advocacy For Legislative Reforms to Counter Land-Banking

That WALGA:

- 1. In line with its 2020-2025 Strategic Plan to provide a Sector Vision that enables Local Governments to be agile enhancing community wellbeing and economic prosperity, develops a draft Advocacy Position for Legislative Reforms to address Land-Banking practices including, but not limited to consideration of the following:*
 - a. Prohibiting demolition of habitable housing until a Development Application (DA) has been approved;*
 - b. development applications that result in the demolition of existing habitable housing be time limited so that reasonable time periods for project commencement and project completion are conditions of the development application.*
 - c. provide Local Authorities with the ability to apply a "penalty fee" over and above any differential rating on vacant land, where the time conditions on the development application in (b) have not been met.*
 - d. Development of a mandatory register of unoccupied residential properties, with the ability of Local Governments to apply rates or levies on long term unoccupied residential properties, which could increase incrementally over time.*
- 2. Distributes the draft "WALGA Advocacy Position for Legislative Reforms to counter Land-Banking" to all West Australian Local Authorities for comment, and that a subsequent report be provided for consideration by WALGA Zones.*

7.3 Advocacy for Expansion of Differential Rating to Include Long Term Unoccupied Commercial Buildings (Property Activation Levy)

That WALGA:

- 1. Explores expanding Item 2.1.8 Differential Rates of its Advocacy Position Statement to consider inclusion of the following:*



- a. *Advocating for Local Authorities to have the ability to apply a differential rate to long term unoccupied commercial buildings; and*
 - b. *Developing legislation that requires commercial property owners to demonstrate that in order to avoid the imposition of a differential rate on unoccupied commercial property the property;*
 - i. *is commercially habitable with annual investment in maintenance*
 - ii. *remains connected to essential services*
 - iii. *is undergoing periodic compliance checks and,*
 - iv. *has a plan in place to redevelop or make operational.*
 - c. *Develop legislation that enables Local Government to provide exemptions to the above differential rating based on an approved periodic activation program for the vacant commercial property by the Local Government.*
2. *Distributes the draft expanded WALGA Advocacy Position for Differential Rates to counter long term unoccupied commercial buildings to all West Australian Local Authorities for comment, and that a subsequent report be made available for consideration by WALGA Zones.*

7.4 Action on Asbestos for Western Australia

That WALGA advocates for the state and federal governments to take urgent action to assist Local Governments and their communities in safely removing asbestos, including providing targeting funding programs and support for regional areas.

7.5 Addressing the Impracticality of Local Governments Funding Department of Communities and Government Regional Officer Housing

That WALGA advocates to the State Government for the State Government to fully fund Department of Communities (Social) and Government Regional Officer Housing.

7.6 Advocacy for Accessibility

That WALGA develops an Advocacy Position calling for the WA Government to adopt the Liveable Housing Design Standards for accessibility as part of the National Construction Code, consistent with WALGA's 2020-2025 Strategic Plan Sector Vision to enable inclusive Local Governments enhancing community wellbeing and economic prosperity.

The WALGA Annual General Meeting agenda items include a comment from the Member explaining the motion and one from the WALGA Secretariat. Each of the motions will either have little impact on the Shire of Trayning, or potential benefits.

Officer's Recommendation

That all motions listed in the Agenda for the Western Australian Local Government Association Annual General Meeting to be held 9 October 2024 be supported.



9.3.5 September 2024 Monthly Operational Report

Date of Report:	11 September 2024
File Ref:	4.2.15 Administration
Officer's Disclosure of Interest:	Nil
Attachments:	Confidential – September 2024 Operational Report
Voting Requirements:	Simple Majority

Purpose of Report

To enable the Council to receive a Monthly Operational Report which includes reports from designated senior staff, namely the Chief Executive Officer and Manager of Works.

Background

The Monthly Operational Report serves as a means to provide Council with updates on various operational matters within the Shire of Trayning. This report has been requested by Councillors to offer insights into the performance and progress of the respective areas under the purview of the aforementioned personnel.

Officer's Comment

Refer to Confidential September 2024 Monthly Operational Report attached.

Consultation

Manager of Works

Statutory Environment

The Monthly Operating Report includes activities carried out by staff in accordance with Section 5.41 of the Local Government Act 1995 which outlines the functions of the Chief Executive Officer, i.e.:

- (a) *advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) *ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) *cause council decisions to be implemented; and*
- (d) *manage the day to day operations of the local government; and*
- (e) *liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) *speak on behalf of the local government if the mayor or president agrees; and*



- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications.

Strategic Implications

There are no direct strategic implications.

Risk Implications

There are no direct risk implications.

Officer Recommendation

That the September 2024 Monthly Operational Report be received.



9.3.6 Removal of Tennis Hit Up Wall & Infrastructure

Date of Report:	3 September 2024
Proponent:	Chief Executive Officer
File Ref:	11.3.6 Community Recreation Centre
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To approve the removal of the Tennis Hit Up Wall and associated infrastructure.

Background

Council adopted the Tourism & Recreation Precinct Plan at its Ordinary Meeting held 15 May 2024. One of the actions within the Plan is to remove the hit-up wall.

Officer's Comment

The tennis hit up wall is an asbestos structure with asphalt surface and fencing. The asphalt surface and fencing are in poor condition, and the asbestos wall has some small holes in it.





Consultation

The Tennis Club were invited to make a submission on the draft Tourism & Recreation Precinct Plan before it was considered by Council but did not provide any comments or feedback.

Councillors met on site to discuss the draft Tourism & Recreation Precinct Plan and verbally agreed that the hit-up wall should be removed.

Statutory Environment

As the wall is asbestos it will need to be removed by a licensed asbestos removalist and disposed of appropriately.

Policy Implications

There are no direct policy implications.

Financial Implications

The cost to remove the hit-up wall by a licensed asbestos removalist and the in kind costs to remove the other infrastructure can be accommodated within the operating budget for Trayning Parks & Gardens.

Strategic Implications

The removal of the Tennis Hit Up Wall and associated infrastructure is an action within the Tourism & Recreation Precinct Plan adopted by Council on 15 May 2024.

Risk Implications

Removing the asbestos hit up wall and substandard asphalt/fencing will reduce the Shire's public liability risk.

Officer Recommendation

That the tennis hit up wall and associated infrastructure be removed.



9.4 SHIRE PRESIDENT

9.4.1 Shire President Report

No report this month.

10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

12 CLOSURE