



**MINUTES
FOR
ORDINARY MEETING OF COUNCIL
Wednesday 19 May 2021**

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

Commencement: 4:00pm





**SHIRE OF
TRAYNING**
Rock Solid

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Signed

Leanne Parola
Chief Executive Officer



MINUTES

Ordinary Meeting of the Trayning Shire Council,
Held in the Council Chambers, Lot 66 Railway Street, Trayning,
on Wednesday 19 May 2021, commencing at 4:00pm.

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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 25 May 2021.

Leanne Parola
CHIEF EXECUTIVE OFFICER

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 16 June 2021.

Signed:

Note: The Presiding Member at the meeting at which the minutes were confirmed is the person who signs above.



1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President Cr MA Brown welcomed Councillors and staff before declaring the meeting open at 4:08pm.

2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

MEMBERS:

Cr Melanie Brown (Shire President)
Cr Geoff Waters (Deputy Shire President)
Cr Michelle McHugh
Cr Freda Tarr
Cr Jim Wilkins

STAFF:

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

APOLOGIES:

Cr Clayton Marchant

ON APPROVED LEAVE(S) OF ABSENCE:

Nil

ABSENT:

Nil

VISITORS:

Nil

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil



4 PUBLIC QUESTION TIME

Ms Renate Cook– 53 Hughes Street, Kununoppin

Prior to the Ordinary Council Meeting, Council received the following questions in writing from Ms Cook.

Question

- 1. is my property residential, townsite, business, commercial, or industrial as previously doctors residence, and B&B*

Response to question 1.

As stated in the Officer's Report for Item 9.3.1, 53 Hughes Street is zoned Residential.

Question

- 2. can the policy be changed by council to allow sea containers in Kununoppin*

Response to question 2.

Local Planning Policies can be amended or revoked if a statutory process is followed. An extract from the Shire of Trayning Town Planning Scheme No 1 is available at this meeting and will be provided to Ms Cook.

Question

- 3. sea containers are fire proof, cyclone proof, and water proof*

Response to question 3

The functionality of sea containers are not in question. Using them at Shire of Trayning Townsites on properties that are not zoned Industrial is prohibited by Local Planning Policy 1 because Council considered "the appearance, scale, and materials of these structures to be inappropriate for use in an urban environment".

Question

- 4. what are my options in keeping the sea container*

Response to question 4

If Council rejects her application to keep the sea container, Ms Cook can appeal to the State Administrative Tribunal within 28 days of receiving notice of the decision. An application fee would cost \$736 and hearing fees are \$673 per day or part day allocated to a hearing.

Question

- 5. spoke with the previous CEO in regards to my sea container before moving here, was stated that it was ok*



Response to question 5

There is no record of the previous Chief Executive Officer having given approval to Ms Cook to having a sea container, if he did so it was outside of his authority because they are prohibited under Local Planning Policy No 1.

Question

6. *Why all of a sudden are the sea containers a problem in town?*

Response to question 6

Staff have recently written to all landholders within the Shire of Trayning townsites who have sea containers and/or illegal moveable buildings on their properties after a donga was placed on a vacant residential block without approval and a non-conforming front fence was built. Staff took the view that it would not be right to enforce regulations on one property owner and ignore the same non-compliance by others.

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 GF Waters

Seconded Cr FA Tarr

That the minutes of the Ordinary Meeting of Council held on 21 April 2021 be confirmed as a true and correct record of the proceedings.

Resolution 05-2021.38

Carried 5/0

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

New Motion

Moved Cr GF Waters

Seconded Cr ML McHugh

That Council accepts late item 10.1 Donation to Yelbeni Cancer Fundraising Event for discussion.

Resolution 05-2021.39

Carried 5/0

9 REPORTS OF OFFICERS

9.1 REGULATORY SERVICES

Nil



9.2 MANAGER OF FINANCE

9.2.1 Monthly Financial Report for April 2021

Date of Report:	5 May 2021
Proponent:	N/A
File Ref:	N/A
Officer	Parthiv Parekh – Manager of Financial Services
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 Monthly Financial Report for April 2021
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 30th April 2021.

Background

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

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

Consultation

There has been consultation with the Chief Executive Officer.

Statutory Environment

Local Government Act 1995 -

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

Local Government (Financial Management) Regulations 1996 -

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

- (1A) In this regulation —

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.



- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

The recommendation that follows is consistent with the legislative requirements.

Policy Implications

This proposal incorporates the requirements of policy 7.11 – Investment of Surplus Funds, specifically the requirement to report on Councils investments within the Monthly Financial Report.

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Financial Implications

A copy of the Monthly Financial Report for the period ending 30th April 2021, including the report on significant variances, Investment of Councils reserve and surplus funds and the reconciliation of Councils bank accounts, has been provided to Council via attachment to this report.

Strategic Implications

There are no strategic implications.

Environmental Implications

There are no environmental implications.

Social Implications

There are no social implications.

Officer's Comment

Nil

Officer Recommendation/Council Decision

Moved Cr FA Tarr

Seconded Cr JJ Wilkins

That Council accepts the Monthly Financial Report for the period ending 30th April 2021 as presented.

Resolution 05-2021.40

Carried 5/0



9.2.2 Monthly Payment List April 2021

Date of Report:	5 May 2021
Proponent:	N/A
File Ref:	3.2.2.3 – Accounts Payable (Creditors)
Officer:	Abbie Herrick – Finance Officer
Senior Officer:	Parthiv Parekh – Manager of Financial Services
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.3 Monthly Payments and Sundry Debtor List
Voting Requirements:	Simple Majority

Purpose of Report

To meet legislative requirements under the local government (financial management) regulations.

Background

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

Consultation

There has been consultation with the Chief Executive Officer.

Statutory Environment

Local Government (Financial Management) Regulations 1996.

Officer's Comment

The list of payments has been compiled for the month of April 2021 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

Officer Recommendation/Council Decision

Moved Cr GF Waters	Seconded Cr ML McHugh
That Council receives the list of payments, as presented, for the month of April 2021, totalling \$552,338.53.	
Resolution 05-2021.41	Carried 5/0



9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Application for Permission to Keep Sea Container

Date of Report:	10 May 2021
Proponent:	Chief Executive Officer
File Ref:	10.1.2.3 Development Control – Other Developments
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider a planning application to keep a sea container at 53 Hughes Street Kununoppin.

Background

A letter has been sent to the owner of 53 Hughes Street, Kununoppin advising that she is not able to keep a sea container on her property and that she has to remove it.

Officer's Comment

There are a number of properties within the Shire who have recently been given notice that they must remove sea containers from their properties.

The owner of the property, Renate Cook has advised staff that a previous Chief Executive Officer of the Shire gave her permission to have a sea container at her property. Staff have not been able to find any record or file note in this regard.

The sea container is clearly visible from the road and is unattractive in appearance:





Consultation

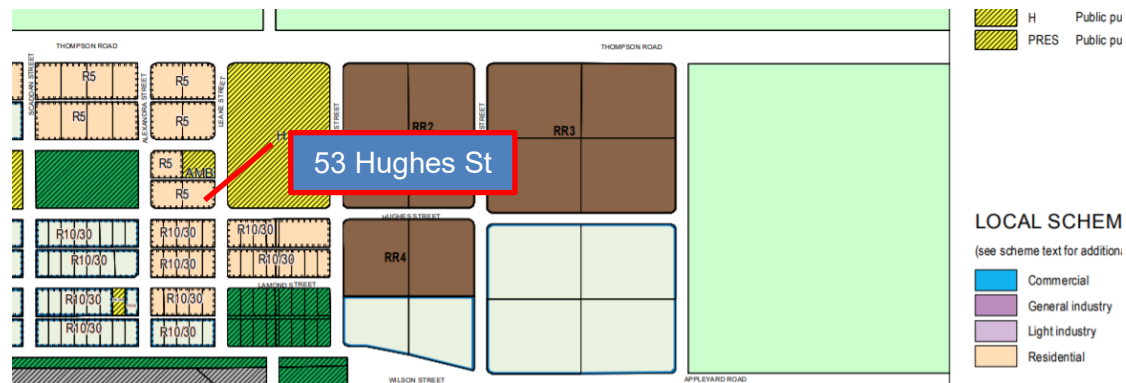
Contract Environmental Health Officer, Mr Peter Toboss.

Statutory Environment

Town Planning Scheme No 1 prohibits 'storage' as a use on properties zoned residential.

Town Planning Scheme No 1, Local Planning Policy No 1 Moveable buildings, prohibits the storing or use of 'containers' within the non-industrial areas of a townsite.

53 Hughes Street Kununoppin is on the corner of Leake and Hughes Street, opposite the Kununoppin Hospital, and as can be seen in the below extract from the zoning map, is zoned Residential. There are no properties within the Kununoppin townsite that are zoned Industrial.



If Council wishes to allow the use of sea containers within townsites on properties that are non-industrial, it would need to go through the process to revoke or amend its Local Planning Policy No 1.

Policy Implications

There are no other policy implications

Financial Implications

There are no direct financial implications in refusing the application. There will be costs associated with potential legal action against property owners who do not comply with the requirement to remove sea containers.

Strategic Implications

There are no strategic implications

Environmental Implications

There are no known environmental implications



Social Implications

There are no known social implications

Officer Recommendation

Moved Cr MA Brown	Seconded Nil
That the application for planning approval to keep a sea container at 53 Hughes Street, Kununoppin be rejected as it is prohibited by the Shire of Trayning Local Planning Policy No 1.	
Resolution 05-2021.42	Lapsed

New Motion

Moved Cr FA Tarr	Seconded Cr JJ Wilkins
To review the Shire of Trayning's current Local Planning Scheme No1, Policy 1. Moveable Buildings.	
Resolution 05-2021.43	Carried 4/1
Cr MA Brown recorded a No Vote against the motion.	



9.3.2 Policy 1.3 Acting Chief Executive Officer

Date of Report:	13 May 2021
Proponent:	N/A
File Ref:	4.2.5.12 Chief Executive Officer General
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.2 Attachment 1.3 Acting Chief Executive Officer Policy
Voting Requirements:	Absolute Majority

Purpose of Report

To update Policy 1.3 Acting Chief Executive Officer.

Background

The current version of the Acting Chief Executive Officer policy requires a Council decision to appoint or endorse the appointment of an Acting Chief Executive Officer.

Officer's Comment

The Chief Executive Officer is having an operation on 27 May 2021 and will require two weeks leave following the surgery. She has applied for leave from 27 May until 11 June 2021 (inclusive).

The Manager of Corporate Services has been appointed as the Acting Chief Executive Officer in the past and is appropriately experienced and capable of carrying out the role.

It is proposed to amend the current policy so that when the Chief Executive Officer is absent for periods of thirty (30) days or less, the Manager of Corporate Services is automatically appointed to the role of Acting Chief Executive Officer.

Under the current policy, a report would have to be referred to Council for them to appoint an Acting Chief Executive Officer, or if the Shire President used her authority to appoint an Acting Chief Executive Officer, endorse that action.

The proposed change to the policy will ensure the smooth operation of the Shire without the need for a report to be prepared for Council each time an Acting Chief Executive Officer is required for short periods.

Consultation

Shire President
Manager of Corporate Services



Statutory Environment

Local Government Act 1995, Section 5.39C

Policy Implications

There are no other policy implications

Financial Implications

There are adequate funds in the salaries budget to cover the higher rate of pay for the Manager of Corporate Services while she is Acting Chief Executive Officer.

Strategic Implications

There are no strategic implications.

Environmental Implications

There are no known environmental implications

Social Implications

There are no known social implications

Officer Recommendation/Council Decision

Moved Cr GF Water

Seconded Cr JJ Wilkins

That Policy 1.3 Acting Chief Executive Officer be updated as attached.

Resolution 05-2021.44

Carried by Absolute Majority 5/0



10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

10.1 Donation to Yelbeni Cancer Fundraising Event

Date of Report:	18 May 2021
Proponent:	Chief Executive Officer
File Ref:	3.2.7.4 Donation Requests
Officer's Disclosure of Interest:	The officer will attend a portion of the event at her own cost and has donated goods for a raffle
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider making a donation to the Yelbeni Cancer Fundraiser to be held on 21 May 2021.

Background

A fundraising event is held annually in Yelbeni to raise funds for the Cancer Council. This year the funds raised will be donated to the Leukaemia Foundation.

Officer's Comment

The Shire appears to have made the following donations to this fundraising event in recent years:

2016/17	\$150
2017/18	\$150
2018/19	\$50

Consultation

Shire President

Statutory Environment

There are no statutory implications

Policy Implications

Policy 7.7 Donations and Sponsorship provides a framework for consideration of requests for donations, sponsorship or in-kind support. A donation to, or sponsorship of, this event does not meet the criteria so is being referred to Council for their consideration.



Financial Implications

There is \$800 unspent in the Donation - Community Groups budget.

The Shire has placed advertisements promoting the event in the Ninghan News and has tidied up the surrounds of the venue (Yelbeni Golf Club) free of charge.

Strategic Implications

The Shire of Trayning Strategic Community Plan includes strategies to encourage community events and encourage greater usage of Shire owned facilities.

Environmental Implications

There are no known environmental implications

Social Implications

The annual fundraising event provides an opportunity for community members to get together and to show support for other members of the community who have been impacted by cancer.

Officer Recommendation/Council Decision

Moved Cr JJ Wilkins

Seconded Cr FA Tarr

That a donation of \$150 be made to the Yelbeni Cancer Fundraiser for the Leukaemia Foundation.

Resolution 05-2021.45

Carried 5/0

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 4.20pm.