



**AGENDA  
FOR  
ORDINARY MEETING OF COUNCIL  
Thursday 20 February 2025**

**Shire of Trayning Council Chambers  
66 Railway 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

A handwritten signature in black ink, appearing to be 'J. Merrick', written over a horizontal line.

John Merrick  
Acting Chief Executive Officer

## AGENDA

Ordinary Meeting of the Trayning Shire Council,  
To be held in Council Chambers,  
66 Railway Street, Trayning,  
on Thursday 20 February 2025, 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 Clayton Marchant (Deputy Shire President)  
Cr Michelle McHugh  
Cr Peter Barnes  
Cr Mark Leslie  
Cr Dale Naughton

STAFF:

Mr John Merrick (Acting Chief Executive Officer)  
Mr Paul Healy (Manager of Works)  
Ms 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**

Cr Corey Harken

**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 Meeting of Council held 11 December 2024 be confirmed as a true and correct record of the proceedings.

### **7.2 Annual Electors Meeting**

#### **Officer Recommendation**

That the minutes of the Annual Electors Meeting held 5 February 2025 be confirmed as a true and correct record of the proceedings.

### **7.3 Other Committee Meetings**

#### **Officer Recommendation**

That the minutes of the following Committee meetings be confirmed as a true and correct record of the proceedings.

7.3a GECZ Minutes - 14 November 2024

7.3b NEWROC Council Minutes November 2024

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

## 9 REPORTS

### 9.1 REGULATORY SERVICES

#### 9.1.1 Application for Planning Approval - 40 Lamond St.

Date of Report:	11 February 2025
Proponent:	John Merrick
File Ref:	PDA1
Officer's Disclosure of Interest:	NIL
Attachments:	Nil
Voting Requirements:	Simple Majority

#### **Purpose of Report**

Councils' consideration of an application for planning approval for the placement of a sea-container on Lot 30 (40) Lamond Street Kununoppin.

#### **Background**

An application for planning approval has been received for the placement of a 6-metre sea-container within the residential townsite in Kununoppin for the purpose of storage. Councils draft Local Planning Policy- Sea-containers, provides for Councils discretion in approving a sea-container of up to 6 metres in length within a residential area. A conversation with the applicant, Mr Rodney Sing, it has been determined that the sea-container will be located at the rear of the property and will be for storage only.

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

Given the undertakings provided by the applicant, officers recommend approval with conditions.

#### **Consultation**

With the applicant

#### **Statutory Environment**

Town Planning and Development Act, Shire of Trayning Town Planning Scheme 1, Draft Local planning Policy – Sea-containers.

#### **Policy Implications**

As above

#### **Financial Implications**

An application fee is applicable.

#### **Strategic Implications**

Nil

## **Risk Implications**

Nil

## **Officer Recommendation**

That Council approve the application with the following conditions.

- The container will not be permitted for habitable use or converted to habitable use unless it meets the provisions of the Building Code of Australia.
- The container will be suitably screened and/or fenced from the road frontage and located at the rear of the property.
- The container cannot be located closer than 1 metre from the boundary and not located over septic tanks, leach drains or utilities.
- The container is to be used for storage purposes only.

## 9.2 FINANCE REPORTS

### 9.2.1 Monthly Payment List December 2024

Date of Report:	11 February 2025
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 December 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 December 2024 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's Recommendation**

That Council receives the list of payments, as presented, for the month of December 2024, totalling \$377,994.14.



## 9.2.2 Monthly Payment List January 2025

Date of Report:	11 February 2025
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 January 2025
Voting Requirements:	Simple Majority

### **Purpose of Report**

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

### **Background**

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

### **Consultation**

There has been consultation with the Chief Executive Officer.

### **Statutory Environment**

Local Government (Financial Management) Regulations 1996.

### **Officer's Comment**

The list of payments has been compiled for the month of January 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's Recommendation**

That Council receives the list of payments, as presented, for the month of January 2025, totalling \$407,384.91.

### 9.2.3 Monthly Financial Report for December 2024

Date of Report:	11 February 2025
File Ref:	N/A
Officer:	Wendy Stringer – LG Best Practices
Senior Officer:	John Merrick – A/ Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.2 Monthly Financial Report December 2024
Voting Requirements:	Simply Majority

#### **Purpose of Report**

This report presents for consideration the Monthly Financial Report, for the period ending 31 December 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 Acting 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 December 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**

The Monthly Financial Report will be presented prior to the meeting.

### **Officer's Recommendation**

That the Monthly Financial Report for the period ending 31 December 2024 be accepted as presented.

## 9.2.4 Monthly Financial Report for January 2025

Date of Report:	11 February 2025
File Ref:	N/A
Officer:	Wendy Stringer – LG Best Practices
Senior Officer:	John Merrick – A/ Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.2 Monthly Financial Report January 2025
Voting Requirements:	Simply Majority

### **Purpose of Report**

This report presents for consideration the Monthly Financial Report, for the period ending 31 January 2025.

### **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 Acting 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 December 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**

The Monthly Financial Report will be presented prior to the meeting.

**Officer's Recommendation**

That the Monthly Financial Report for the period ending 31 January 2025 be accepted as presented.

## 9.2.5 Budget Review 2024/2025

Date of Report:	7 February 2025
Proponent:	Rhona Hawkins, LGBP
File Ref:	3.2.7.6 – Budget Review
Officer's Disclosure of Interest:	Nil
Attachments:	2024/2025 Budget Review
Voting Requirements:	<b>Absolute Majority</b>

### **Purpose of Report**

To consider a review of the 2024/2025 Budget and approve budget variations.

### **Background**

A review of actual expenditure to budgeted expenditure to 31 January 2025 has been undertaken by staff.

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

Council when adopting its 2023/24 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**

Senior Finance Officer, 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 \$2,877,640 at 1 July 2024. The actual opening surplus, as per the adopted financial statements is \$2,678,056 which meant that the opening surplus was \$199,584 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 January 2025 and the following accounts are estimated to vary by \$10,000 or more from budget:



GL	Description	IE	Current Budget	Estimated Actual	Estimated Variance	Comment
3032306	Grants Commission – Untied Grant	110	146,036	266,998	(120,962)	More grant funding received than budgeted
3042350	Reimbursements – Other Governance	130	536	13,094	(12,558)	Reimbursement of CEO LSL entitlement from other Shires
3092300	Non-Employee Housing Rent	173	57,200	43,760	13,440	GROH House only rented from October, budgeted for full year
3092330	Rent – Kununoppin ILUs	173	17,760	32,760	(15,000)	More units rented than budgeted
3102324	Black Water Disposal Fee	174	518	38,334	(38,000)	Large amount of waste deposited some fees from prior year
3121300	Grants Commission – Road Grant	110	16,549	56,233	(39,684)	More grant funding received than budgeted
3121310	Roads to Recovery Grants	122	292,096	592,812	(300,716)	Claimed grant funding for Doodlakine-Kununoppin Road
3121320	Footpath Grant	124	70,082	184,205	(114,123)	Grant funding from prior year recognised
3143301	Fuel Tax Credit	192	8,578	33,578	(25,000)	Largely use of dry hire vehicles instead of contractors increased amount of fuel used
3145300	Reimbursements – Workers Comp	130	0	40,000	(40,000)	Workers' compensation not budgeted for, some reimbursement from prior year
2042001	Salaries – Other Governance	001	549,229	634,229	85,000	Payout CEO
2042002	Superannuation – Governance	002	66,606	76,606	10,000	Payout CEO
2092010	Aged Persons Bldg Mtce	028	19,433	39,433	20,000	Forensic clean, replace floor coverings etc following death of tenant
2101002	Refuse Site Maintenance	001	10,619	30,619	15,000	Used staff and dry hired equipment instead of using contractors, increased servicing
2101002	Refuse Site Maintenance	028	45,000	15,000	(30,000)	Used staff and dry hired equipment instead of using contractors
2101002	Refuse Site Maintenance	910 920	35,463	55,463	20,000	Used staff and dry hired equipment instead of using contractors, increased servicing
2113010	Recreation Facilities Grounds Maintenance	001	64,186	104,186	40,000	More works carried out on Parks & Gardens than budgeted
2113010	Recreation Facilities Grounds Maintenance	910 920	108,310	138,310	30,000	More works carried out on Parks & Gardens than budgeted

2122035	Depot Building Maintenance	001	1,514	11,514	10,000	More works carried out on Depot Maintenance than budgeted
2122035	Depot Building Maintenance	028	11,813	21,813	10,000	More works carried out on Depot Maintenance than budgeted
2122035	Depot Building Maintenance	910 920	2,556	12,556	10,000	More works carried out on Depot Maintenance than budgeted
2132002	Caravan Park Maintenance	028	8,170	23,170	15,000	More maintenance required than budgeted
2132032	Short Stay Accommodation Expense	001	26,314	14,314	(12,000)	One cottage being used by Acting CEO, reducing cleaning needs
2132032	Short Stay Accommodation Expense	910	41,292	21,292	(20,000)	One cottage being used by Acting CEO, reducing cleaning needs
2142003	Works Supervisor – Administration	001	115,300	145,300	30,000	Payout MWS
2142016	Works Team – Allowances	005	18,027	28,024	10,000	More allowances paid than budgeted
2143002	Parts, repairs & hire external	028	205,302	325,302	120,000	Dry hired more equipment than budgeted
2143005	Fuels and Oils	033	139,439	189,439	50,000	Dry hired more equipment than budgeted
2145002	Workers Compensation	001	0	30,000	30,000	Workers' compensation not budgeted for
BC01	Administration Building Capital	028	209,000	221,000	12,000	More expenditure than budgeted
BC02	Works Crew House Construction	500	133,000	143,000	10,000	More expenditure than budgeted
BC97	Tennis Club Shelter	500	19,000	29,000	10,000	Additional concreting works not budgeted
RRG007	Leake Street Kununoppin Capital	500	54,986	0	(54,986)	Remove reseal project
RTR020	Kununoppin Doodlakine Road	001	62,396	198,901	136,505	Project took longer than budgeted due to poor quality gravel requiring sections to be resheeted
RTR020	Kununoppin Doodlakine Road	028	103,500	39,096	(64,404)	Project took longer than budgeted due to poor quality gravel requiring sections to be resheeted
RTR020	Kununoppin Doodlakine Road	910 920	232,411	496,705	264,294	Project took longer than budgeted due to poor quality gravel requiring sections to be resheeted
RTR017	Sherzinger Road	001	83,881	106,255	22,374	Recalculated project budget
RTR017	Sherzinger Road	028	146,610	186,840	40,230	Recalculated project budget
RTR017	Sherzinger Road	910	294,725	122,000	(172,725)	Recalculated project budget

		920				
RRG002	Harrod Road Capex	001	75,876	113,454	37,578	Recalculated project budget
RRG002	Harrod Road Capex	028	418,097	317,410	(101,585)	Recalculated project budget
RRG002	Harrod Road Capex	910 920	242,863	144,600	(98,263)	Recalculated project budget
5042800	Transfer from Leave Reserve	240	0	30,000	30,000	Payout leave for CEO

## 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

That the 2024/2025 Budget Review be received as presented and the following budget amendments be made:

GL	Description	IE	Current Budget \$	Amended Budget \$
	Opening Surplus/(Deficit)		2,877,640	2,678,056
3032306	Grants Commission – Untied Grant	110	146,036	266,998
3042350	Reimbursements – Other Governance	130	536	13,094
3092300	Non-Employee Housing Rent	173	57,200	43,760
3092330	Rent – Kununoppin ILUs	173	17,760	32,760
3102324	Black Water Disposal Fee	174	518	38,334
3121300	Grants Commission – Road Grant	110	16,549	56,233
3121310	Roads to Recovery Grants	122	292,096	592,812
3121320	Footpath Grant	124	70,082	184,205
3143301	Fuel Tax Credit	192	8,578	33,578
3145300	Reimbursements – Workers Comp	130	0	40,000
2042001	Salaries – Other Governance	001	549,229	634,229
2042002	Superannuation – Governance	002	66,606	76,606
2092010	Aged Persons Bldg Mtce	028	19,433	39,433
2101002	Refuse Site Maintenance	001	10,619	30,619
2101002	Refuse Site Maintenance	028	45,000	15,000
2101002	Refuse Site Maintenance	910	35,463	55,463

		920		
2113010	Recreation Facilities Grounds Maintenance	001	64,186	104,186
2113010	Recreation Facilities Grounds Maintenance	910 920	108,310	138,310
2122035	Depot Building Maintenance	001	1,514	11,514
2122035	Depot Building Maintenance	028	11,813	21,813
2122035	Depot Building Maintenance	910 920	2,556	12,556
2132002	Caravan Park Maintenance	028	8,170	23,170
2132032	Short Stay Accommodation Expense	001	26,314	14,314
2132032	Short Stay Accommodation Expense	910	41,292	21,292
2142003	Works Supervisor – Administration	001	115,300	145,300
2142016	Works Team – Allowances	005	18,027	28,024
2143002	Parts, repairs & hire external	028	205,302	325,302
2143005	Fuels and Oils	033	139,439	189,439
2145002	Workers Compensation	001	0	30,000
BC01	Administration Building Capital	028	209,000	221,000
BC02	Works Crew House Construction	500	133,000	143,000
BC97	Tennis Club Shelter	500	19,000	29,000
RRG007	Leake Street Kununoppin Capital	500	54,986	0
RTR020	Kununoppin Doodlakine Road	001	62,396	198,901
RTR020	Kununoppin Doodlakine Road	028	103,500	39,096
RTR020	Kununoppin Doodlakine Road	910 920	232,411	496,705
RTR017	Sherzinger Road	001	83,881	106,255
RTR017	Sherzinger Road	028	146,610	186,840
RTR017	Sherzinger Road	910 920	294,725	122,000
RRG002	Harrod Road Capex	001	75,876	113,454
RRG002	Harrod Road Capex	028	418,097	317,410
RRG002	Harrod Road Capex	910 920	242,863	144,600
5042800	Transfer from Leave Reserve	240	0	30,000

## 9.2.6 Payment of Caveat Fee 12 Riley Street

Date of Report:	12 <sup>th</sup> February 2025
Proponent:	N/A
File Ref:	3.1.1.7
Officer:	Abbie Harken – Senior Finance Officer
Senior Officer:	John Merrick – Acting Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

### **Purpose of Report**

This report seeks Council's authority to remove the caveat and meet the cost to remove the caveat on 12 Riley Street, Trayning.

The rates have been paid in full each year since August 2020 and are currently up to date.

### **Background**

12<sup>th</sup> January 2017

The rate payer was recommended to Austral Mercantile Debt Collectors for outstanding rates totalling \$7,291.28.

20<sup>th</sup> January 2017

The ratepayer entered into a special payment arrangement to pay off the arrears which commenced on the 27<sup>th</sup> of January 2017.

12<sup>th</sup> September 2017

The Shire requested Austral Mercantile Debt Collectors to lodge a caveat on the property for outstanding rates. It is noted that the rate payer was still meeting their obligations of the signed payment arrangement.

6<sup>th</sup> November 2018

The current rates and all arrears were paid in full. Payments continued to 14<sup>th</sup> December 2018 which put the ratepayer in credit. Since then, the rates have been paid off in full each financial year either via instalments or one-off payment.

January 2025

The ratepayer contacted the Shire requesting the caveat to be removed since the rates have been paid in full for the last 6 years.

### **Consultation**

There has been consultation with the Acting Chief Executive Officer.

### **Statutory Environment**

Local Government Act 1995 section 6.12(1)(b)

6.12 Power to defer, grant discounts, waive or write off debts

(b) Waive or grant concessions in relation to any amount of money

Local Government Act 1995 section 6.64(3)

(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

*\* Absolute majority required.*

The recommendation that follows is consistent with these statutory requirements.

### **Policy Implications**

#### 7.6 Debt Recovery – Outstanding Rates and Sundry Debtors

Alternative payment arrangements

Should a ratepayer be experiencing difficulty in paying their rates or find the instalment method not suitable, application can be made to Council in writing specifying clearly the amount that can be paid and any reasons that would assist their application. This matter will then be referred to the Chief Executive Officer for determination.

### **Financial Implications**

If the recommendation that follows is accepted there is an amount of \$1,000 in the 2024/2025 budget for Debt Recovery Expenses - Schedule 04 Governance - Account 2042062.

### **Strategic Implications**

There are no strategic implications.

### **Risk Implications**

There are no risk implications.

### **Environmental Implications**

There are no environmental implications.

### **Social Implications**

Leaving the caveat on the property 12 Riley Street, Trayning when the ratepayer has maintained their obligation to pay the rates in full when due for the last 6 years could create a negative relationship between Council and the ratepayer. Agreeing to remove and pay the costs for removal, should assist in maintaining Council's positive image with the ratepayer.

### **Officer's Comment**

The lodging of caveats on properties when council rates are not being paid by the landowner has been a practice of past administration and complies with council's policy 7.6 where rates or service charges remain unpaid.

Where rates remain unpaid for a period in excess of one year, then a caveat may be lodged to preclude dealings in respect of the land to protect Council's interests. However, given that the ratepayer has now paid the rates in full.

It is therefore recommended that Council agree to remove the caveat and meet the cost of removing the caveat from the property.

### **Officer's Recommendation**

That:

- 1) Council agrees to remove the caveat imposed on the property 12 Riley Street, Trayning. Given the ratepayer is now meeting their obligations to pay the rates when due.
- 2) Council agrees to meet the cost of \$260.20 being to withdraw the caveat on 12 Riley Street, Trayning. This includes the cost of lodgement and ID verification



## 9.3 ACTING CHIEF EXECUTIVE OFFICER

### 9.3.1 Process for Recruitment of Chief Executive Officer

Date of Report:	11 February 2025
Proponent:	John Merrick – Acting CEO
File Ref:	
Officer's Disclosure of Interest:	Nil
Attachments:	9.1.1 Policy 1.15 – CEO recruitment Position Description and Selection Criteria. Applicant information.
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

Councils' determination of the process of recruiting a new CEO, together with the adoption of the Position Description, Selection Criteria, and Selection Panel.

#### **Background**

Council Policy 1.15 – Model standards for CEO Recruitment, Performance and Termination, sets out the standards to be observed by the Council in relation to the recruitment of a CEO. The policy is provided in Attachment 9.1.1A

The requirement exists where Council is to appoint a selection panel consisting of elected members and at least one independent member who is not an employee or a consultant engaged by the Council.

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

A Model Contract of Employment for a Chief Executive Officer has been developed by the industry and includes generic performance criteria which relate to the key duties and responsibilities described within the Position Description.

Council is required to negotiate specific performance goals with the newly appointed CEO within three months of the starting date of employment.

Council should also consider whether it intends to conduct the recruitment "in house" or to appoint a consultant to undertake the recruitment.

#### **Consultation**

Informal discussion has occurred between the ACEO and the Shire President.

#### **Statutory Environment**

Council is required by Section 5 of the Local government Act (1995) to employ a CEO to carry out those responsibilities described within the Position Description. Shire of Trayning Policy 1.15 provides the process for the recruitment.

#### **Policy Implications**

Shire of Trayning Policy 1.15 applies.

### **Financial Implications**

The salaries and Allowances Tribunal have determined that the total remuneration package for a CEO of a Band 4 Local Government is up to approximately \$240,000.00. The current budget provides for the CEO salary.

### **Strategic Implications**

There are no direct strategic implications

### **Risk Implications**

Moderate.

### **Officer's Recommendation**

That Council;

1. Endorse the Position Description for the position of Chief Executive Officer, as presented in attachment 9.3.1, which includes the duties and responsibilities of the position along with the selection criteria.
2. Determines that it will conduct the recruitment process "in house", with the Acting Chief Executive Officer providing the administrative support by advertising the position and collating applications for Council determination.
3. Nominates it's selection panel, inclusive of one independent member.

### 9.3.2 Wheatbelt Rail Trail Committee

Date of Report:	11 February 2025
Proponent:	John Merrick -ACEO
File Ref:	WRT 1
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

#### **Purpose of Report**

Nomination of an elected member to a proposed new Committee for the development of the Wheatbelt Rail Trail.

#### **Background**

The Shire's of Trayning, Wyalkatchem and Nungarin have been successful in attracting a grant of \$213,570 for the creation of a dual use trail along the railway line between Wyalkatchem and Nungarin.

The CEO from the Shire of Merredin will be seeking a response from his Council as to whether they would support the inclusion of Merredin in the project which would result in an approach for additional funding for the Merredin component.

The inclusion of Merredin would open up the possibility of attracting cyclists on the Prospector to cycle (or walk) the trail between Merredin and Wyalkatchem.

It is suggested that the presence of elected members as part of the committee would strengthen the case for increased funding.

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

The Nungarin CEO is to approach the traditional owners for their consideration for supporting the project in view of the leaseholder of the railway reserve, ARC, being reluctant to approve the project because of heritage concerns.

It is intended that the project will be managed by the respective Works Managers in each Shire, and which will reflect our "in kind" contribution.

#### **Consultation**

The Department of Transport grant team and the four Shire CEO's.

#### **Statutory Environment**

There are no direct statutory implications.

#### **Policy Implications**

There are no direct policy implications.

#### **Financial Implications**

In Kind commitment equivalent to the grant funding of \$217,570, and annual maintenance of the trail.

### **Strategic Implications**

The project will deliver a valuable tourism opportunity.

### **Risk Implications**

The on-going maintenance of the trail will have an impact on future budgets as weather events have the potential to erode the gravel surface.

### **Officer Recommendation**

That Council nominate Cr \_\_\_\_\_ as representative to the Wheatbelt Rail trail Committee for the Shire of Trayning.

### 9.3.3 Superannuation for Councillors

Date of Report:	11 February 2025
Proponent:	John Merrick - ACEO
File Ref:	LGA A 1
Officer's Disclosure of Interest:	NIL
Attachments:	
Voting Requirements:	Simple Majority

#### **Purpose of Report**

Councils' consideration for the payment of Superannuation benefits to elected members as included in the provisions of the Local Government Amendment Act 2024.

#### **Background**

The Amendment Act provides for Council to resolve by absolute majority to contribute to a council member's retirement benefits into a superannuation fund nominated by the member, and to which applies to the Superannuation Guarantee Administration Act 1992. A council member may, by written notice to the CEO, "opt out" of superannuation contribution payments. This "opt out" notice remains in effect until the member revokes the notice, in writing to the CEO.

The payment of superannuation contributions to elected members is not considered to be salary under any other law.

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

Nil

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Amendment Act 2024, Section 5.99 A, B, C, D, E.

#### **Policy Implications**

Nil

#### **Financial Implications**

An additional 12% of the total annual fee paid to elected members will be a budgetary line item in annual budgets.

#### **Strategic Implications**

Nil

#### **Risk Implications**

Nil

#### **Officer Recommendation**

For Council determination.

### **9.3.4 WALGA Sector Feedback – Amendment ACT 2024**

Date of Report:	12 February 2025
Proponent:	John Merrick
File Ref:	Walga1
Officer's Disclosure of Interest:	NIL
Attachments:	9.3.4 WALGA INFOPAGE
Voting Requirements:	Simple Majority

#### **Purpose of Report**

WALGA is seeking sector feedback in regard to Council's position on each of the amendments contained in the Local Government Amendment Act 2024.

#### **Background**

Attachment 9.1.5A provides the position of WALGA on the amendments along with a request for feedback from Councils likely to be affected by them. Council has discussed the amendments prior to this meeting, however, in the event that Council wished to formally respond to WALGA's request for feedback, it may be advantageous to respond through a resolution of Council.

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

Council will recall that a "minor" amendment introduced a few years ago required the Auditor General to conduct Local Government audits resulting in annual audit fees increasing from \$10 - \$15,000 to \$30 - \$35,000 overnight. Amendment 18FAB, for instance, provides for the Department to establish a panel of independent persons for a selection panel for the recruitment of a CEO. This author queries whether these persons would have knowledge of local issues sufficient to make sound judgement, and how much would this cost. Local Governments, smaller rural ones in particular, will be adversely affected financially through yet further compliance regulations.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995(as amended), and the Local Government Amendment Act 2024.

#### **Policy Implications**

Minor amendment required to some policy.

#### **Financial Implications**

Increased budgetary provisions are likely to impact the bottom line, particularly with the costs associated with increased compliance requirements.

**Strategic Implications**

Nil

**Risk Implications**

Nil

**Officer Recommendation**

That Council advise WALGA that it objects to a continuation of the erosion of the “general competency powers” bestowed on Local Government within the 1995 Act through the introduction of yet more regulation and compliance requirements.

### 9.3.5 Policy 7.5 – Corporate Credit Card

Date of Report:	12 February 2025
Proponent:	John Merrick
File Ref:	Fin1
Officer's Disclosure of Interest:	Nil
Attachments:	Policy 7.5 Credit Card
Voting Requirements:	Simple Majority

#### **Purpose of Report**

Council approval for a minor amendment to is Corporate Credit Card policy statement to reflect a clear understanding of how the \$20,000 limit across the two cards is administered.

#### **Background**

During the 2023/24 Audit process, the auditors indicated that the current policy was thought to be ambiguous as to the perceived limits on each card. Council has two credit cards, one for the CEO with a limit of \$15,000, and one for the Manager Corporate Services with a limit of \$5,000. Total = \$20,000. The card for the CEO has been cancelled and will be re-instated on the appointment of the new CEO.

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

Without changing the limit applicable to the two cards, it is suggested that the policy statement point 1 be amended to reflect a clear understanding.

#### **Consultation**

Internal staff and auditors.

#### **Statutory Environment**

Local Government Act 1995 and Financial Regulations.

#### **Policy Implications**

Minor amendment required to policy 7.5.

#### **Financial Implications**

Nil

#### **Strategic Implications**

Nil

#### **Risk Implications**

Nil



### **Officer Recommendation**

That Council amend Point 1 of the policy statement attached to Policy 7.5 by having the statement read – “That the following staff are authorised to hold a corporate credit card with a monthly maximum combined total of \$20,000 as follows;”

## 9.4 SHIRE PRESIDENT

Date	Calendar Meeting and Events
26 January 2025	Australia Day – Lunch time BBQ at the swimming pool. Well attended event considering it was a long weekend and still school holidays. Many thanks to all the Shire staff that attended and helped with the organising of the event. Special mention to our Acting CEO John, a fabulous effort to drive up for the day with his wife. This was very much appreciated by Council, staff and residents.
5 February 2025	<ul style="list-style-type: none"><li>• GECZ Executive Meeting via zoom</li><li>• Annual Electors Meeting. A good turn out from residents with some constructive feedback. Thanks to John for taking the minutes and Paul for attending.</li></ul>
6 February 2025	Kununoppin Medical Practice Meeting (KMPC)
13 February 2025	Great Eastern Country Zone Meeting (GECZ) at Kellerberrin

I have continued to catch up with John over the January period. February is always a busy month of meetings. LEMC will meet later in the month, and I will be attending an informal dinner with the NEWROC Shire Presidents.

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

## 11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

## 12 CLOSURE