



**MINUTES  
FOR  
ORDINARY MEETING OF COUNCIL  
Wednesday 20 October 2021**

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

**Commencement: 4:00pm**





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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 20 October 2021, commencing at 4:00pm.

## CONTENTS

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS .....	5
2	ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE.....	6
3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE .....	6
4	PUBLIC QUESTION TIME .....	9
5	APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST .....	9
	5.1 Applications Previously Approved .....	9
	5.2 Leave of Absence.....	9
	5.3 Disclosure of Interest.....	9
6	PETITIONS/DEPUTATIONS/PRESENTATIONS .....	10
	6.1 Petitions .....	10
	6.2 Deputations .....	10
	6.3 Presentations .....	10
7	CONFIRMATION OF MINUTES.....	10
	7.1 Ordinary Meeting of Council.....	10
8	ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS.....	10
9	REPORTS OF OFFICERS .....	11
	9.1 REGULATORY SERVICES.....	11
	9.2 FINANCE REPORTS.....	12
	9.2.1 Monthly Financial Report for September 2021 .....	12
	9.2.2 Monthly Payment List September 2021 .....	15
	9.3 CHIEF EXECUTIVE OFFICER.....	17
	9.3.1 Appointment to Committees .....	17
	9.3.2 Elected Member Superannuation .....	22
	9.3.3 Review of Delegations.....	24
	9.3.4 Review of Continuing Professional Development Policy .....	26
	9.3.5 South West Native Title Settlement .....	28
	9.3.6 Christmas/New Year Administration Office Hours.....	32
10	NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING .....	34
11	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	34
12	CLOSURE.....	34



## 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 26 October 2021.

Leanne Parola  
**CHIEF EXECUTIVE OFFICER**

## CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 15 November 2021

Signed

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



## **SWEARING IN OF COUNCIL MEMBERS**

The Councillor Elects made their declarations of office before Mrs Valda Knott OAM, JP.

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

In accordance with the provision of the Local Government Act 1995, and in the absence of an elected Shire President following the October 2021 election, the Chief Executive Officer, Mrs Leanne Parola assumed the Chair and opened the meeting at 4:00pm.

#### **ELECTION OF SHIRE PRESIDENT**

The Chief Executive Officer declared the position of Shire President vacant and called for nominations.

One nomination was received and Councillor Melanie Brown was re-elected as Shire President, unopposed.

The newly re-elected Shire President made her declaration of office before Mrs Valda Knott OAM, Justice of the Peace.

#### **ELECTION OF DEPUTY SHIRE PRESIDENT**

The Shire President declared the position of Deputy President vacant and called for nominations.

Two nominations were received and Councillor Geoff Waters was re-elected as Deputy Shire President, unopposed.

The newly re-elected Shire Deputy President made his declaration of office before Mrs Valda Knott OAM, Justice of the Peace.

#### **SEATING ALLOCATIONS**

The Chief Executive Officer then conducted a chance draw to allocate the chambers seating arrangements.



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

### MEMBERS:

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

### STAFF:

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

### APOLOGIES:

Nil

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

Nil

### ABSENT:

Nil

### VISITORS:.

Mrs Valda Knott OAM – Justice of the Peace 4:00pm – 4:15pm

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

The following questions were received via email prior to the meeting from Ms Narrelle Dixon, Rosevale Farmstay Bed & Breakfast, Purdy Road Kununoppin:

- 1. When is the next public town meeting going to be held?*
- 2. Will there be a BBQ area with shade sails within the improvements.*
- 3. If so, will the BBQ be built in for community use?*
- 4. When will residents/ratepayers be notified about what will actually be happening within the area.*
- 5. In regards to the Kununoppin oval, what uses can the oval be used for.  
As per the February council meeting approved minutes, the Trayning Strategic Community Plan has permitted the Central Wheatbelt Riding Club to perform Equestrian Events on the oval 6 to 8 events per year.*



6. *Why is the Central Wheatbelt Riding Club responsible for the upkeep, repairs and maintenance for the overall operations of the buildings, when they have limited use.*
7. *Should the upkeep of these facilities not be a Shire responsibility.*
8. *If other community groups wish to use the Kununoppin Recreation Grounds and the facilities, who do they need to get permission from as this is land belonging to the Shire and is rent free to the Riding Club for 6 to 8 times a year.*
9. *With the distribution of grant funding, why is it not evenly distributed among the three towns within our Shire?*

*So again my question for the council meeting on 20.10.2021, When is the next public meeting going to be held.*

*In regards to the items ordered who actually drew up plans as sizing and approved them for the community centre project.*

*I can see no information in any council meeting minutes for any approvals or discussions. Where the decisions made by an individual or a group.*

*When if at all will the residents/rate payers be notified with updates of what is happening at the community centre.*

*Apart from Belinda taking a builder to measure up some items on a Senior's Day, which particular Senior's were consulted?*

*Whilst discussing other uses for the Kununoppin Recreation Ground, would it not have been appropriate for yourself to inform all attendees that the Riding club was now in control of the Grounds and any one wishing to hold an event there would have to communicate and seek permission from the Riding Club.*

*It appears that community members were not aware of this decision that had been made back in February 2021.*

*In regards to Local Government Act 1995, could you advise the reference number for "ward accounting" within the 532 page document please.*



## Response

Staff have advised that in the Shires notes from the community meeting there was no reference to holding another meeting to discuss the works to the Kununoppin Community Centre. Staff had indicated at the meeting that there would be further consultation regarding potential projects for the third round of the Local Roads and Community Infrastructure Program and a community survey has since been carried out in that regard, as well as a Community Needs and Satisfaction Survey which will be used in preparing a new Community Strategic Plan.

There will be a public workshop in 2022 to get feedback on a draft Community Strategic Plan, there have been no other public meetings proposed by the Shire at this time.

The funding for the works to upgrade the Kununoppin Community Centre was through the second phase of the LRCIP funding which, until very recently, had a deadline of 31 December 2021 for completion. Given the tight timeframes and difficulties staff are having getting quotes and contractors, staff commenced the project with some consultation with Councillors and the seniors who use the facility each week.

The following have been ordered/purchased by staff to date:

- Patio structure for the western side of the building to cover a large area over the current barbeque
- Inserts for the barbeque
- Kitchen cupboards and wall panelling
- Wall oven and dishwasher
- Floor coverings

Staff have also applied for the Dowerin Work Camp to pave the undercover area and build a low limestone wall around it and are seeking quotes for the following:

- Restumping the northern part of the building
- Installing the new kitchen
- Lighting for over the barbecue
- Sealing a new half court

In regard to formal Council approval or decisions, Council adopted the 2021/22 Annual Budget at its Ordinary Meeting held 21 July 2021 which included a budget of \$65,000 for the Kununoppin Community Centre. Staff have the authority and responsibility to deliver projects within the budget, as long as expenditure is within budget and purchasing policies are adhered to, they do not need to seek further approval from Council.

All arrangements that have been made so far in relation to the Kununoppin Community Centre have either been done by or with the approval of the Chief Executive Officer.

Since the revamp of the Ninghan News earlier this year, the Shire regularly provides photos and updates on its building projects in the Ninghan News, it is likely that updates will be provided on the Kununoppin Community Centre as works progress.





Regarding the Kununoppin Recreation Grounds, the Central Wheatbelt Riding Club have been given the use of the facility free of charge and are responsible for maintaining and operating it. The Shire has agreed to mow the oval once per year and will consider other requests for assistance from the Club on a case by case basis. The Club are able to allow other people to use it, eg hire it out to other clubs, community groups etc, so if someone else wants to use it they need to approach the Riding Club. This is similar to the situation with the Sports Club in Trayning which is leased to the Trayning & Districts Sporting Club Inc.

If someone does not realise that the Club has taken over the Kununoppin Recreation Grounds and calls the Shire to arrange to use them, we will provide them with the Riding Club's contact details. So far this has only occurred once since February 2021.

Evenly distributing grant funding between the three towns would be contrary to the Local Government Act 1995 which took away the concept of 'ward accounting'. All decisions made by a local government should be made for the good of the district as a whole, instead of individual towns, localities or wards.

Regulation 7 of the Local Government (Financial Management) Regulations 1996 states:

*A local government is to have regard to the needs of the inhabitants of the district as a whole and is not to —*

*(a) keep separate ward accounts; or*

*(b) determine expenditure on the basis of revenue from a ward.*

#### **4 PUBLIC QUESTION TIME**

Nil

#### **5 APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST**

##### **5.1 Applications Previously Approved**

Nil

##### **5.2 Leave of Absence**

Nil

##### **5.3 Disclosure of Interest**

Nil



## 6 PETITIONS/DEPUTATIONS/PRESENTATIONS

### 6.1 Petitions

Nil

### 6.2 Deputations

Nil

### 6.3 Presentations

Nil

## 7 CONFIRMATION OF MINUTES

### 7.1 Ordinary Meeting of Council

#### Officer Recommendation/ Council Decision

**Moved Cr CL Marchant**

**Seconded Cr FA Tarr**

That the minutes of the Ordinary Meeting of Council held on 15 September 2021 be confirmed as a true and correct record of the proceedings.

**Resolution 10-2021.73**

**Carried 7/0**

## 8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Welcome to today's meeting. Thank you for your ongoing support of me in the role of Shire President & my congratulations to Cr Waters on his re-election as Deputy President.

On behalf of Council, congratulations to our three Councillors, Cr McHugh (returning), Cr Barnes and Cr Leslie, on being elected. It was wonderful to have five nominations for three vacancy's and pleasing to see excellent voter numbers. An induction will be held next week.

All Councillors are invited and encouraged to attend this session that has been put together by our CEO.

It is a privilege for us all to represent our community and as such we must do our best to reflect the views and needs of our whole Shire. Councillors must at all times adhere to our Code of Conduct and treat each other with a mutual respect when representing Council and in the community. We will not always agree with each other or decisions made, however, once the decision is made, we must be supportive of it and present as a united front.



Working together as Councillors and with our Shire staff, I am very confident that the Shire is in a good position to deliver some great projects in the coming years. We must also continue to maintain our current levels of service and look for areas of improvement.

I wish you all well in your role as Councillors and look forward to working with you.

## **9 REPORTS OF OFFICERS**

### **9.1 REGULATORY SERVICES**

Nil



## 9.2 FINANCE REPORTS

### 9.2.1 Monthly Financial Report for September 2021

Date of Report:	14 October 2021
Proponent:	N/A
File Ref:	N/A
Officer	Wendy Stringer – LG Best Practices
Senior Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 September 2021 Monthly Financial Report
Voting Requirements:	Simple Majority

#### **Purpose of Report**

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

**Minutes:** Ordinary Meeting of Shire of Trayning Council held on Wednesday 20 October 2021 13



### **Financial Implications**

A copy of the Monthly Financial Report for the period ending 30 September 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 GF Waters**

**Seconded Cr CL Marchant**

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

**Resolution 10-2021.74**

**Carried 7/0**



### 9.2.2 Monthly Payment List September 2021

Date of Report:	14 October 2021
Proponent:	N/A
File Ref:	3.2.2.3 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Wendy Stringer – LG Best Practices
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.2 September 2021 Payments List for Council
Voting Requirements:	Simple Majority

#### **Purpose of Report**

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

#### **Background**

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

#### **Consultation**

There has been consultation with the Chief Executive Officer.

#### **Statutory Environment**

Local Government (Financial Management) Regulations 1996.

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

The list of payments has been compiled for the month of September 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 ML McHugh**

**Seconded Cr ME Leslie**

That Council receives the list of payments, as presented, for the month of September 2021, totalling \$488,113.50.

**Resolution 10-2021.75**

**Carried 7/0**



New Motion

**Moved Cr CL Marchant**

**Seconded Cr ML McHugh**

That Standing Order number 7.5 - Addressing the Meeting be suspended at 4:23pm in order the discuss item 9.3.1 Appointment of Committees.

**Resolution 10-2021.76**

**Carried 7/0**

New Motion

**Moved Cr CL Marchant**

**Seconded: Cr PM Barnes**

That Standing Orders be reinstated at 4:38pm.

**Resolution 10-2021.77**

**Carried 7/0**





## 9.3 CHIEF EXECUTIVE OFFICER

### 9.3.1 Appointment to Committees

Date of Report:	18 September 2021
Proponent:	Chief Executive Officer
File Ref:	4.1.1.10
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To appoint members and delegates to Committees following the Ordinary Local Government Elections.

#### **Background**

All appointments by Council to committees expire at the ordinary election day every second year.

Council currently has the following committees:

- Audit Committee
- Local Emergency Management Committee

Council also has previously appointed representatives to the following external committees:

- Western Australian Local Government Association – Great Eastern Country Zone
- North East Wheatbelt Regional Organisation of Council
- Main Roads Western Australia Wheatbelt North East Sub-Regional Road Group
- NEW Travel (Wheatbelt Way)
- Kununoppin Medical Practice Committee
- Kununoppin Hospital Local Health Advisory Group
- Eastern Wheatbelt Biosecurity Group
- Development Assessment Panel

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995 sections:

5.8 Establishment of committees

5.9 Committees, types of



5.10 Committee members, appointment of  
7.1A Audit Committee  
Emergency Management Act 2005, section 38  
Planning & Development Act 2005, section 171C

### **Policy Implications**

The following policies apply for Council Committee and external organisations:

- 1.5 External Organisations – Council Representatives and Expenses
- 3.2 Conferences, Meetings & Training – Attendance & Expenses

### **Financial Implications**

Councillors are paid to attend Committee Meetings and for expenses incurred in attending other meetings on behalf of Council.

### **Strategic Implications**

Active participation in regional groupings is one of the strategies within the Strategic Community Plan.

### **Officer's Comment**

Council is required to consider the participation in, and the appointment of delegates, to various committees as detailed below:

#### **Audit Committee:**

This is a statutory requirement under the Local Government Act 1995. Meets a minimum of two times per annum. At least three of the members (and the majority of them), are to be Councillors.

Previously Council has appointed all Councillors to this Committee.

#### **Local Emergency Management Committee:**

A statutory requirement (Emergency Management Act). Meets quarterly and comprises the Shire President, employees and representatives from emergency and community organisations.

In accordance with the Shire of Trayning Local Emergency Management Arrangements, the Chairperson of the Local Emergency Management Committee is the Shire President. This is the only Council appointment to this Committee.

#### **WALGA-Great Eastern Country Zone (GECZ):**

By virtue of our membership of WALGA and our geographic location, we fall into this zone. A senior portfolio due to the lobbying and political influence this organisation can exert. Council is entitled to two representatives.



The CEO attends these meetings as well. Meets six (6) times per annum. Mainly in person and occasionally via teleconference. From this organisation, there is also an Executive Committee drawn from the representatives.

Previously Council has appointed the Shire President and Deputy Shire President to represent it.

North East Wheatbelt Regional Organisation of Council (NEWROC):

The Shire of Trayning is a financial member. An elected member and deputy is appointed to represent Council.

The Shire President would ordinarily be appointed plus a deputy to attend if the Shire President is unavailable. The CEO also attends these meetings and NEWROC meets six (6) times per annum generally on a Tuesday afternoon.

Previously Council appointed the Shire President and Councillor Tarr to represent it.

MRWA Wheatbelt North East Sub-Regional Road Group (RRG):

This is an important appointment due to the amount of funding available and the complexity of transport funding issues. Meetings are held in Mukinbudin or by teleconference.

Councillor Waters was previously appointed to represent Council, with Councillor McHugh as the proxy delegate.

NEW Travel (Wheatbelt Way):

This Committee deals with promoting the Wheatbelt Way. Councillor Tarr was previously appointed to represent Council.

Kununoppin Medical Practice Committee:

Meets as required but at least annually. A committee with two (2) members each from Trayning, Nungarin, Mt Marshall and Mukinbudin supporting the Kununoppin Medical Practice. Important in supporting the doctor and the services provided.

Councillors Brown and Wilkins were previously appointed to represent Council.

Kununoppin Hospital Local Health Advisory Group:

Meets on the last Friday of every second month. This is a support committee for the hospital. Council provides one delegate.

Councillor Tarr was previously appointed to represent Council.

Eastern Wheatbelt Biosecurity Group:

The Eastern Wheatbelt Biosecurity Group meetings twice per year in Merredin. Council provides one delegate.

Councillor Wilkins was previously appointed to represent Council.



#### Development Assessment Panel

Council is required to nominate two primary and two alternate members to its local Development Assessment Panel, however the likelihood of it meeting is remote (considers applications over \$2M).

The last appointments were made in 2016 for Councillors Tarr and Knott as primary members and Councillors Brown and Yates as alternate members.

#### Officer Recommendation

That Council:

1. Appoint \_\_\_\_\_ to the *Audit Committee*.
2. Appoint the Shire President, Cr \_\_\_\_\_ as Chairperson of the Shire of *Trayning Local Emergency Management Committee*.
3. Appoint the Shire President Cr \_\_\_\_\_ and the Deputy Shire President Cr \_\_\_\_\_ as Council delegates to the *WALGA-Great Eastern Country Zone*.
4. Appoint the Shire President Cr \_\_\_\_\_ as Council delegate and Cr \_\_\_\_\_ as Council proxy delegate to the *North East Wheatbelt Regional Organisation of Council*.
5. Appoint Cr \_\_\_\_\_ as Council delegate to the *MRWA Wheatbelt North East Sub-Regional Road Group* and Cr \_\_\_\_\_ as a proxy delegate.
6. Appoint Cr \_\_\_\_\_ as Council delegate to *NEW Travel (Wheatbelt Way)*
7. Appoint Cr \_\_\_\_\_ as Council delegate to the *Eastern Wheatbelt Biosecurity Group*
8. Nominate Crs \_\_\_\_\_ and \_\_\_\_\_ as primary delegates and Crs \_\_\_\_\_ and \_\_\_\_\_ as alternate members to the *Development Assessment Panel*



### Council Decision

**Moved Cr GF Waters**

**Seconded Cr FA Tarr**

That Council:

1. Appoint **All Councillors** to the **Audit Committee**.
2. Appoint the Shire President, **Cr MA Brown** as Chairperson of the Shire of **Trayning Local Emergency Management Committee**.
3. Appoint the Shire President **Cr MA Brown** and the Deputy Shire President **Cr GF Waters** as Council delegates to the **WALGA-Great Eastern Country Zone**.
4. Appoint the Shire President **Cr MA Brown** as Council delegate and **Cr CL Marchant** as Council proxy delegate to the **North East Wheatbelt Regional Organisation of Council**.
5. Appoint **Cr GF Waters** as Council delegate to the **MRWA Wheatbelt North East Sub-Regional Road Group and the Regional Road Group** and **Cr CL Marchant** as a proxy delegate.
6. Appoint **Chief Executive Officer** as Council delegate to **NEW Travel** (Wheatbelt Way)
7. Appoint **Cr PM Barnes** as Council delegate to the **Eastern Wheatbelt Biosecurity Group**
8. Nominate **Crs MA Brown and Cr GF Waters** as primary delegates and **Crs Cr CL Marchant and Cr ML McHugh** as alternate members to the **Development Assessment Panel**
9. Appoint the Shire President, **Cr MA Brown** as Council delegate and **Cr FA Tarr** as Council proxy delegate to the **Kununoppin Medical Practice Committee**.
10. Appoint **Cr ML McHugh** as Council delegate to the **Local Health Advisory Group**.

**Resolution 10-2021.78**

**Carried by Absolute Majority 7/0**



### **9.3.2 Elected Member Superannuation**

Date of Report:	30 September 2021
Proponent:	WALGA
File Ref:	4.1.1.11 Members Sitting Fees and Salaries
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.2 202109 Policy Paper Elected Member Superannuation
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To determine Council's position on superannuation for elected members.

#### **Background**

The Western Australian Local Government Association have drafted a policy paper on superannuation for elected members. They are seeking feedback on the draft before preparing agenda items for the November Zone meetings.

#### **Consultation**

Shire President  
Councillors

#### **Statutory Environment**

There is currently no statutory requirement for local governments to pay superannuation to elected members in addition to fees and allowances.

The Western Australian Local Government Association is proposing to advocate for the Local Government Act 1995 to be amended to facilitate the payment of superannuation to Elected Members in addition to fees and allowances.

#### **Policy Implications**

There are no current policy implications.

#### **Financial Implications**

There are no current financial implications, but the introduction of superannuation for elected members would have an impact on future budgets and the long-term financial plan.

Based on the Shire's current fees and allowances and assuming there would be no increases, the impact of paying superannuation on future budgets would be:



<b>Year</b>	<b>Super</b>	<b>Budget</b>
2022/23	10.5%	\$5,883
2023/24	11.0%	\$6,163
2024/25	11.5%	\$6,443
2025/26 onwards	12.0%	\$6,723

### **Strategic Implications**

Introducing superannuation for elected members will have a minor impact on the Long Term Financial Plan equivalent to approximately 0.5% of rates.

Increasing financial entitlements for elected members may increase the potential to attract nominations in future elections.

### **Environmental Implications**

There are no environmental implications.

### **Social Implications**

There are no social implications.

### **Officer's Comment**

The Western Australian Local Government Association are seeking feedback on the following questions:

*Should Local Governments be enabled or required to pay superannuation to Elected Members?*

*Why is that approach preferred?*

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

**Moved Cr GF Waters**

**Seconded Cr ML McHugh**

That Western Australian Local Government Association be advised that the Shire of Trayning believes that Local Governments should be enabled to pay superannuation to Elected Members if they chose in keeping with the principal of general competency, and that Local Governments should be able to determine their own position in this regard.

**Resolution 10-2021.79**

**Carried 6/1**



### 9.3.3 Review of Delegations

Date of Report:	18 September 2021
Proponent:	Chief Executive Officer
File Ref:	4.1.5.5 Delegations Register
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Delegated Authority to CEO
Attachments:	9.3.3 Review of Delegated Authority 2021
Voting Requirements:	<b>Absolute Majority</b>

#### **Purpose of Report**

To review current Delegations

#### **Background**

The delegations were last reviewed at the Ordinary Meeting of Council held 18 March 2020.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995 sections:

- 5.16 Delegation of some powers and duties to certain committees
- 5.43 Limits on delegations to CEO

#### **Policy Implications**

Nil

#### **Financial Implications**

Nil

#### **Strategic Implications**

Nil

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

The Delegations Register has reformatted reflect the form recommended by the Western Australian Local Government Association. In updating the formatting, there were no changes to the wording or intent of the delegations.





Officer Recommendation

That Council, having reviewed the Register of Delegations, agree to amend Delegation 1.1.5 Investment of Surplus Funds by replacing “SFO” and “Manager Finance” with “Works Supervisor”, with all other Delegations remaining in force.

Council Decision

**Moved Cr CL Marchant**

**Seconded Cr ME Leslie**

That Council, having reviewed the Register of Delegations, agree to all Delegations remaining in force.

**Resolution 10-2021.80**

**Carried by Absolute Majority 7/0**

Reason for Change

Councillors did not believe it is appropriate for the Works Supervisor to be involved in investing surplus funds.



### **9.3.4 Review of Continuing Professional Development Policy**

Date of Report:	12 October 2021
Proponent:	Chief Executive Officer
File Ref:	
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.4 - 1.9 Continuing Professional Development of Elected Members
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To review Policy 1.9 Continuing Professional Development of Elected Members.

#### **Background**

Local governments are required to have and a policy in relation to the continuing professional development of Council Members and to review it after each Ordinary Election.

#### **Consultation**

Nil

#### **Statutory Environment**

Local Government Act 1995 section 5.128, policy for continuing professional development

#### **Policy Implications**

Policy 3.1 – Policy Manual – Changes to be authorised will apply if an amendment was to be made of the policy

Policy 1.9 Continuing Professional Development of Elected Members was reviewed at the Ordinary Meeting of Council held 18 August 2021.

#### **Financial Implications**

There are no direct financial implications; the Shire has a budget for Elected Members training.

#### **Strategic Implications**

The Community Strategic Plan includes the following strategy:

Councillors are encouraged to attend training



### **Environmental Implications**

There are no direct environmental implications.

### **Social Implications**

There are no direct social implications.

### **Officer's Comment**

Nil

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

<b>Moved Cr GF Waters</b>	<b>Seconded Cr CL Marchant</b>
That Policy 1.9 Continuing Professional Development of Elected Members remain unchanged.	
<b>Resolution 10-2021.81</b>	<b>Carried 7/0</b>

### **New Motion**

<b>Moved Cr ML McHugh</b>	<b>Seconded Cr CL Marchant</b>
That Standing Order number 7.5 - Addressing the Meeting be suspended at 4:46 pm in order the discuss item 9.3.5 South West Native Title Settlement .	
<b>Resolution 10-2021.82</b>	<b>Carried 7/0</b>

### **New Motion**

<b>Moved Cr PM Barnes</b>	<b>Seconded: Cr GF Waters</b>
That Standing Orders be reinstated at 4:56pm.	
<b>Resolution 10-2021.83</b>	<b>Carried 7/0</b>



### 9.3.5 South West Native Title Settlement

Date of Report:	28 September 2021
Proponent:	Chief Executive Officer
File Ref:	
Officer:	Leanne Parola –Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider land identified for consideration in the Noongar Land Estate settlement.

#### **Background**

The South West Native Title Settlement (Settlement) is a landmark native title agreement reached between the State Government (State) and the six Noongar Agreement Groups. The six requisite Indigenous Land Use Agreements (ILUAs) were conclusively registered, leading to the Settlement commencing on 25 February 2021. The Settlement recognises the Agreement Groups as the Traditional Owners of the south west of Western Australia, while resolving native title in exchange for a negotiated package of benefits. The area subject to the Settlement is depicted in the attached map.

A key negotiated benefit is the delivery of a 320,000-hectare Noongar Land Estate, in accordance with the Noongar Land Base Strategy. The Noongar Land Estate will contain up to 300,000 hectares of land transferred in reserve or leasehold, and up to 20,000 hectares of land transferred in freehold. The Landholding Body for all land transferred is the Noongar Boodja Land Sub Pty Ltd, which will hold and manage the land in the Noongar Land Estate in consultation with the soon to be established Noongar Regional Corporations. All land will be used and managed in line with Noongar cultural, social and economic aspirations for the benefit of generations to come.

Over the next five years, the Department of Planning, Lands and Heritage (Department) will progress selected land parcels through to transfer under the Settlement, subject to all necessary consultation and approvals with stakeholders. Land eligible for inclusion in the Noongar Land Estate includes:

- unallocated Crown land;
- unmanaged reserves;
- land owned or held by the Aboriginal Lands Trust / Aboriginal Affairs Planning Authority; and
- land owner or held by State agencies or Local Government Authorities, at the discretion of the State agency or Local Government Authority.

#### **Consultation**

Nil



### **Statutory Environment**

Noongar Recognition Bill 2015

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

Nil

### **Officer's Comment**

Two parcels of land have been identified in the Shire of Trayning being Reserve 18220 (certificates of title LR3151/571 and LR3151/572), shown bordered in red:



The Shire has been asked to provide comments on the following questions:

1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?
2. Does the Shire have any interest in the land?

**Minutes:** Ordinary Meeting of Shire of Trayning Council held on Wednesday 20 October 2021 29



3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.
4. Is the land parcel subject to any mandatory connection to services?
5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?
6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?
7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?
8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).
9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.

#### Officer Recommendation

That the Department of Planning, Lands and Heritage be advised as follows in relation to Reserve 18220 (certificates of title LR3151/571 and LR3151/572):

1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?	Yes
2. Does the Shire have any interest in the land?	No
3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.	No
4. Is the land parcel subject to any mandatory connection to services?	No
5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?	No
6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?	No
7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?	Not applicable
8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).	None known
9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.	No additional comments



### Council Decision

**Moved Cr PM Barnes**

**Seconded Cr FA Tarr**

That the Department of Planning, Lands and Heritage be advised as follows in relation to Reserve 18220 (certificates of title LR3151/571 and LR3151/572):

1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?	Yes
2. Does the Shire have any interest in the land?	No
3. Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.	No
4. Is the land parcel subject to any mandatory connection to services?	No
5. Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?	No
6. Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?	No
7. Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?	Not applicable
8. Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).	None known
9. Please provide any additional comments on the proposed transfer of this land as part of the Settlement.	The reserve is currently used for access to the adjoining farming property and serves as a firebreak.

**Resolution 10-2021.84**

**Carried 6/1**





### **9.3.6 Christmas/New Year Administration Office Hours**

Date of Report:	29 September 2021
Proponent:	N/A
File Ref:	4.2.15.1
Officer:	Leanne Parola –Chief Executive Officer
Officer’s Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

#### **Purpose of Report**

To consider Christmas/New Year Administration Office hours.

#### **Background**

Christmas Day 2021 and New Year’s Day 2022 fall on a Saturday.

Council normally closes the Shire administration office during the Christmas/New Year period. With Christmas falling on a Saturday it is recommended that the administration office be closed from close of business Thursday 23 December 2021 reopening on Wednesday 5 January 2022.

#### **Consultation**

There has been no consultation.

#### **Statutory Environment**

There are no statutory implications.

#### **Policy Implications**

There are no policy implications.

#### **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 Comment**

Traditionally the administration office has been closed between Christmas and New Year. Closing the office from 23 December, as recommended, provides the benefit of allowing the administration staff to have an additional day of leave at a time when the office is very quiet.

Appropriate call out/on call arrangements will be put in place regardless of how long the administration office is closed.

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

**Moved Cr PM Barnes**

**Seconded Cr FA Tarr**

That the Shire Administration Office be closed from 4 pm Thursday 23 December 2021 to Tuesday 4 January 2022, reopening on Wednesday 5 January 2022.

**Resolution 10-2021.85**

**Carried 7/0**



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

Nil

**11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

Nil

The item previously listed on the agenda was removed by the Chief Executive Officer.

**12 CLOSURE**

There being no further business, the Shire President Cr MA Brown thanked Councillors and Staff for their attendance and declared the meeting closed at 5:00pm.