



**MINUTES
FOR
ORDINARY COUNCIL MEETING OF COUNCIL
Wednesday 25 October 2023**

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

Commencement: 4.00 pm





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

Signed

Leanne Parola
Chief Executive Officer



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 31 October 2023.

Leanne Parola
CHIEF EXECUTIVE OFFICER

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on 15 November 2023.

Signed: 

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



MINUTES

Ordinary Meeting of the Trayning Shire Council,
held in the Council Chambers, Lot 66 Railway Street, Trayning,
on Wednesday 25 October 2023, commencing at 4.00 pm

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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 2023 election, the Chief Executive Officer Mrs Leanne Parola assumed the Chair and opened the meeting at 4:30pm.

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 MA 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 CL Marchant was elected as Deputy Shire President.

The newly 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 Peter Barnes
Cr Melanie Brown
Cr Corey Harken
Cr Clayton Marchant
Cr Michelle McHugh
Cr Dale Naughton

STAFF:

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

APOLOGIES:

Cr Mark Leslie

ON APPROVED LEAVE(S) OF ABSENCE:

Nil

ABSENT:

Nil

VISITORS:

Mrs Valda Knott OAM, Justice of the Peace 4:40pm

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

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

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of interest were made at the Council meeting.

<i>Councillor / Officer</i>	<i>Item No</i>	<i>Nature of Interest</i>	<i>Extent of Interest</i>
Cr CF Harken	9.3.6	Financial	Employer has provided a quote.
Cr CL Marchant	10.1	Proximity	Neighbor

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 PM Barnes

That the minutes of the Ordinary Meeting of Council held 13 September 2023 be confirmed as a true and correct record of the proceedings.

Resolution 10-2023.081

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



7.2 Great Eastern Country Zone Minutes 21 August 2023

Officer Recommendation/Council Decision

Moved Cr ML McHugh

Seconded Cr DA Naughton

That the minutes of the Great Eastern Country Zone held 21 August 2023 be received.

Resolution 10-2023.082

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton

7.3 NEWROC Council Meeting Minutes 21 August 2023

Officer Recommendation/Council Decision

Moved Cr ML McHugh

Seconded Cr CL Marchant

That the minutes of the NEWROC Council Meeting held 21 August 2023 be received.

Resolution 10-2023.083

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton

7.4 Local Health Advisory Group Meeting 22 September 2023

Officer Recommendation/Council Decision

Moved Cr CL Marchant

Seconded Cr DA Naughton

That the minutes of the Local Health Advisory Group Meeting held 22 September 2023 be received.

Resolution 10-2023.084

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



7.5 Local Emergency Management Committee meeting

Officer Recommendation/Council Decision

Moved Cr ML McHugh

Seconded Cr PM Barnes

That the minutes of the Shire of Nungarin and Trayning Local Emergency Management Committee meeting held 17 October 2023 be received.

Resolution 10-2023.085

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil

9 REPORTS OF OFFICERS

9.1 REGULATORY SERVICES

Nil



9.2 FINANCE REPORTS

9.2.1 Monthly Payment List September 2023

Date of Report:	17 October 2023
Proponent:	N/A
File Ref:	9.2.1 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Abbie Herrick – Senior Finance Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 Monthly Payment List July 2023
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 2023 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 CL Marchant

Seconded Cr ML McHugh

That Council receives the list of payments, as presented, for the month of September 2023, totalling \$496,050.95.

Resolution 10-2023.086

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



9.2.2 Monthly Financial Report for September 2023

Date of Report:	18 October 2023
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:	9.2.2 Monthly Financial Report September 2023
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 30 September 2023.

Background

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

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

Consultation

There has been consultation with the Chief Executive Officer.

Statutory Environment

Local Government Act 1995 -

6.4. Financial report

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

Local Government (Financial Management) Regulations 1996 -

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

- (1A) In this regulation —

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1) (d), for that month in the following detail —



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

The recommendation that follows is consistent with the legislative requirements.

Policy Implications

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



Financial Implications

A copy of the Monthly Financial Report for the period ending 30 September 2023, 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 PM Barnes

Seconded Cr CF Harken

That the Monthly Financial Report for the period ending 30 September 2023 be accepted as presented.

Resolution 10-2023.087

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Christmas/New Year Administration Office Hours

Date of Report:	5 October 2023
Proponent:	Chief Executive Officer
File Ref:	4.2.15.1
Officer's Disclosure of Interest:	The author will be required to use annual leave for the proposed office closure
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider Christmas/New Year Administration Office hours.

Background

Christmas Day 2023 and New Year's Day 2024 fall on Mondays.

The Shire usually closes the Shire administration office during the Christmas/New Year period. With Christmas falling on a Monday this year it is recommended that the administration office be closed from 3 pm on Friday 22 December 2023, reopening on Tuesday 2 January 2024.

Consultation

Preferred closing dates have been discussed with the administrative staff and they have not requested a longer break.

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.

Staff are recommending that this year the office be closed for that week and the public holiday on Monday 1 January 2024. During this time there will be three public holidays, so administration staff will be required to take three days leave.

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 ML McHugh

Seconded Cr PM Barnes

That the Shire Administration Office be closed from 3 pm Friday 22 December 2023 to Monday 1 January 2024, reopening on Tuesday 2 January 2024.

Resolution 10-2023.088

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



9.3.2 Appointment to Committees

Date of Report:	5 October 2023
Proponent:	Chief Executive Officer
File Ref:	4.1.1.10
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Absolute Majority

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
- CEO Performance Review 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. It is expected that legislative changes will be made in 2024 which will require an independent member to be appointed to the committee.

Previously Council has appointed all Councillors to this Committee.

Shires of Nungarin and Trayning 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 or Deputy Chairperson of the Joint 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 with and Councillor Marchant as proxy 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 Marchant as the proxy delegate.

NEW Travel (Wheatbelt Way):

This Committee deals with promoting the Wheatbelt Way. The Chief Executive Officer 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 Councillor Leslie 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 McHugh 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. The Chair and Deputy Chair positions are rotated every two years, the Shire of Trayning will be the Deputy Chair for the next two years, then Chair for the following two.



Councillor Barnes 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).

Councillors Brown and Waters were previously appointed as primary members and Councillors Marchant and McHugh as alternate members.

CEO Performance Review Panel

The CEO Performance Review Panel meets several times a year as part of the CEO Performance Review Process and is guided by a Terms of Reference adopted by Council.

The Shire President, Deputy Shire President and Councillor Barnes were previously appointed as members of the panel.



Officer Recommendation/Council Decision

Moved Cr CF Harken	Seconded Cr PM Barnes
That Council:	
<ol style="list-style-type: none">1. Appoint Cr Brown, Cr Barnes, Cr McHugh, Cr Leslie, Cr Marchant, Cr Harken, and Cr Naughton to the Audit Committee.2. Appoint the Shire President, Cr Brown as Chairperson of the Shire of Trayning Local Emergency Management Committee.3. Appoint the Shire President, Cr Brown as Council delegate and Cr McHugh as Council proxy delegate to the WALGA-Great Eastern Country Zone.4. Appoint the Shire President Cr Brown as Council delegate and Cr Marchant as Council proxy delegate to the North East Wheatbelt Regional Organisation of Council.5. Appoint Cr Naughton as Council delegate and Cr Marchant as a proxy delegate to the MRWA Wheatbelt North East Sub-Regional Road Group.6. Appoint Cr Brown as Council delegate and Cr Leslie and Council Proxy delegate to the Kununoppin Medical Practice Committee.7. Appoint Cr McHugh as Council delegate to the Local Health Advisory Committee.8. Appoint the CEO as Council delegate to NEW Travel (Wheatbelt Way).	
<ol style="list-style-type: none">9. Appoint Cr Barnes as Council delegate and Cr Harken as Council proxy delegate to the Eastern Wheatbelt Biosecurity Group.	
<ol style="list-style-type: none">10. Nominate Crs Brown and Cr Marchant as primary delegates and Crs Naughton and McHugh as alternate members to the Development Assessment Panel.	
<ol style="list-style-type: none">11. Appoint the Shire President Cr Brown, Deputy Shire President Cr Marchant and Cr Barnes to the CEO Performance Review Panel.	
Resolution 10-2023.089 For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton	Carried 6/0



9. Appoint Cr Barnes as Council delegate and Cr Harken as Council proxy delegate to the ***Eastern Wheatbelt Biosecurity Group***.
10. Nominate Crs Brown and Cr Marchant as primary delegates and Crs Naughton and McHugh as alternate members to the ***Development Assessment Panel***.
11. Appoint the Shire President Cr Brown, Deputy Shire President Cr Marchant and Cr Barnes to the ***CEO Performance Review Panel***.

Resolution 10-2023.089

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



9.3.3 Policy 1.16 Meeting Dress Standards

Date of Report:	6 October 2023
Proponent:	Chief Executive Officer
File Ref:	4.1.5 Policy Manual
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.3 Draft Policy 1.16 Meeting Dress Standards
Voting Requirements:	Simple Majority

Purpose of Report

To consider a new policy requiring a minimum standard of dress by Council Members, Committee Members and Staff when representing the Shire.

Background

The Shire President requested the Chief Executive Officer prepare a draft policy for Council consideration regarding the standard of dress expected for Council Meetings.

Consultation

Shire President.

Statutory Environment

There are no statutory implications.

Policy Implications

Policy 3.1 – Policy Manual – Changes to be Authorised requires any new Council policies to be adopted through an Agenda item.

Financial Implications

There are no financial implications.

Strategic Implications

There are no strategic implications.

Officer's Comment

The draft policy has been based on the policies of a number of other local governments.



Officer Recommendation/Council Decision

Moved Cr PM Barnes

Seconded Cr ML McHugh

That Policy 1.16 Meeting Dress Standards be adopted as attached.

Resolution 10-2023.090

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



9.3.4 Ordinary Meeting of Council Dates for 2024

Date of Report:	6 October 2023
Proponent:	Shire of Trayning
File Ref:	4.1.2.3
Officer:	Leanne Parola –Chief Executive Officer
Officer’s Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

Council is required to determine meeting dates for the 2024 calendar year.

Background

In accordance with Regulation 12 of the *Local Government (Administration) Regulations 1996*, Council is required to advertise Ordinary Council meeting and Committee Meeting dates at least once per annum.

Consultation

There has been no consultation.

Statutory Environment

Local Government (Administration) Regulations 1996, clause 12

Policy Implications

There are no direct policy implications.

Financial Implications

There will be no costs incurred as the public notice is placed in the Ninghan News and on the Shire’s website. There are costs relating to the attendance of Councillors at Ordinary Meetings of Council, including travel and meeting fees.

Strategic Implications

There are no strategic implications.

Environmental Implications

There are no environmental implications.



Social Implications

The advertising of Council meetings whilst meeting a statutory obligation also provides the opportunity for community members to be aware of when Council meetings are being held and attend if they choose which can improve the social interaction with Councillors.

Officer's Comments

Historically, the Shire had held an Ordinary Meeting of Council on the third Wednesday of every month, except January. In 2023 the Shire tried reducing the number of Council meetings by not holding meetings in March, September and November.

Below is a summary of the Ordinary Meetings of Council held since 2021, including the number of agenda items, attendance by members of the public, public questions and Councillor fees paid.

Month	Agenda Items	Public in Attendance	Public Questions	Length of Meeting	Fees Paid \$
February 2021	16	0	0	60 minutes	1,371
March 2021	4	0	0	10 minutes	1,371
April 2021	3	0	0	4 minutes	1,371
May 2021	5	0	1	12 minutes	1,186
June 2021	4	1	1	9 minutes	1,371
July 2021	9	1	0	25 minutes	1,374
August 2021	4	0	0	15 minutes	1,374
September 2021	3	4	0	5 minutes	1,374
October 2021	8	1	0	60 minutes	1,610
November 2021	7	0	0	18 minutes	1,425
December 2021	3	0	0	7 minutes	1,610
February 2022	11	0	0	35 minutes	1,402
March 2022	3	0	0	8 minutes	1,217
April 2022	5	0	0	30 minutes	1,217
May 2022	5	3	3	23 minutes	1,196
June 2022	3	1	1	9 minutes	1,217
July 2022	5	3	1	22 minutes	1,196
August 2022	3	0	0	11 minutes	1,217
September 2022	6	0	0	9 minutes	1,402
October 2022	6	0	0	12 minutes	1,402
November 2022	5	0	4	18 minutes	1,193
December 2022	7	0	0	71 minutes	1,402
February 2023	12	0	0	62 minutes	1,402
March 2023	No meetings				
April 2023	11	0	0	94 minutes	1,193
May 2023	7	0	0	35 minutes	1,402
June 2023	7	0	0	30 minutes	1,402
July 2023	5	0	0	20 minutes	1,217
SPECIAL August 2023	1	0	0	35 minutes	1,402



SPECIAL September 2023	1	0	0	20 minutes	1,402
September 2023	6	2	0	13 minutes	1,402

While there were no negative impacts created by not having an Ordinary Meeting in March, the planned month without an Ordinary Meeting of September was changed and two meetings were called.

There is only one more Ordinary Meeting of Council scheduled for 2023, being 13 December 2023. Staff are recommending that an Ordinary Meeting of Council be scheduled for 15 November 2023 to allow Council to receive the Auditors' Report and 2022/23 Annual Report to facilitate a December Annual Meeting of Electors.

Advertising will occur in the Ninghan News, Public Notice Boards, Shire Facebook page and website when the dates for Ordinary Meetings of Council are set.

Officer Recommendation/Council Decision

Moved Cr ML McHUGH

Seconded Cr PM Barnes

That:

- 1) An Ordinary Meeting of Council be held 15 November 2023 commencing at 4.00 pm in the Council Chambers.
- 2) Ordinary Meetings of Council in 2024 be held in the Council Chambers commencing at 4.00 pm on the following dates:
 - Wednesday 21 February 2024
 - Wednesday 13 March 2024
 - Wednesday 17 April 2024
 - Wednesday 15 May 2024
 - Wednesday 19 June 2024
 - Wednesday 17 July 2024
 - Wednesday 21 August 2024
 - Wednesday 18 September 2024
 - Wednesday 16 October 2024
 - Wednesday 20 November 2024
 - Wednesday 11 December 2024

Resolution 10-2023.091

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



9.3.5 2023 Review of Delegations

Date of Report:	06 October 2023
Proponent:	Chief Executive Officer
File Ref:	4.1.5.5 Delegations Register
Officer's Disclosure of Interest:	Delegated Authority to CEO
Attachments:	2023 Delegations Review
Voting Requirements:	Absolute Majority

Purpose of Report

To review current Delegations.

Background

The delegations were last reviewed at the Ordinary Meeting of Council held 19 October 2022.

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

The Planning and Development Amendment Bill 2023 was introduced to Parliament on 18 October 2023. One of the impacts of the bill is that decisions relating to development applications for single houses will have to be made by staff, unless they relate to Heritage listed property.

If/when proclaimed, this will make Delegation 1.1.16 obsolete, but in the meantime the Delegation is still required.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil



Officer's Comment

There are no proposed amendments to delegations.

Officer Recommendation/Council Decision

Moved Cr CF Harken

Seconded Cr CL Marchant

That Council, having reviewed the Register of Delegations, agree that no changes are required.

Resolution 10-2023.092

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton

Prior to any consideration of this Item;

Cr C Harken declared a Financial Interest in Item 9.3.6.

5:15 pm - C Harken left the meeting.

New Motion

Moved Cr ML Marchant

Seconded Cr PM Barnes

That the meeting be closed to the public at 5:16 pm for discussion of Item 9.3.6.

Resolution 10-2023.093

Carried 5/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Naughton



9.3.6 Changeover of SDLG L958F Loader

Date of Report:	13 October 2023
Proponent:	Chief Executive Officer
File Ref:	12.3.2 Quotations For Trade
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.6 CONFIDENTIAL Assessment of Quotations
Voting Requirements:	Absolute Majority

Purpose of Report

To consider quotations received to replace the Shire's existing loader.

Background

The 2023/24 Budget included the changeover of the Shire's SDLG L958F Loader.

Consultation

Shire President, Staff and Shire of Nungarin Manager of Works. The Shire's Acting Manager of Works has suggested that given the low trade in value of the current loader by the recommended vendor, it be retained for use at the Yelbeni and Kununoppin refuse sites and clearing roadside vegetation.

Currently the Shire only has one loader and it has to be taken off jobs and driven to the two refuse sites to push them up. This should be done on a more regular basis than it currently is, with the time taken to transport the loader from worksites to the tips being a deterrent to regular refuse site maintenance.

Statutory Environment

If Council decides not to trade the current loader in on a new one, it will need to vary the 2023/24 Annual Budget by Absolute Majority.

Policy Implications

Policy 7.4 Purchasing and Tenders requires at least three written quotations containing price and specification of goods and services for purchases with a value between \$50,001 and \$249,999.

Three written quotations were received for the changeover of the SDLG L958F Loader by companies who are WALGA Preferred Suppliers.



Financial Implications

The 2023/24 Annual Budget included the following amounts for the changeover of the loader:

GL	Description	Amount
4123615	New Loader	315,000
5123740	Proceeds on Disposal of Assets	120,000
	Changeover	195,000

Strategic Implications

The Shire of Trayning Long Term Financial Plan 2021/22 to 2031/32 had scheduled the changeover of the loader in 2025/26. This was bought forward in the 2023/24 budget as a result of the reliability issues of the loader impacting on the Shire's ability to complete its capital and operating programs.

If the loader was retained instead of being traded for the purpose of refuse site maintenance, it could be used at the Kununoppin Refuse Site and Yelbeni Refuse Site until the Kununoppin site closes sometime in the next two years. After that it could remain at the Yelbeni refuse site.

The poor reliability of the loader will have less of an impact with a reduced reliance on it for everyday use. It could also serve as a backup loader in case the primary loader is out of service for any reason.

Officer's Comment

The 2023/24 budget and quotations sought were based on trading the existing SDLG L958F Loader in on a new one. The loader has proven unreliable and negatively impacted on the Shire's capital works program due to multiple breakdowns.

Repairs to the loader which could not be claimed under warranty and excluding non-mechanical repairs (tyres/windcreens/consumables) cost \$22,339 last financial year.

The bulk of the repair work was carried out by CJD Equipment who have to travel from Perth, adding to the cost of repairs and downtime.

Staff have prepared a summary of the three quotations received in the attached confidential attachment.

Officer Recommendation

As per the confidential attachment.



Council Decision

Moved Cr CL Marchant

Seconded Cr DA Naughton

That:

1) The quotation from McIntosh & Son to supply a new LuiGong 85HX Max with the option of Certified Load Scales and printer be accepted with no trade at a cost of \$234,170.

2) That the 2023/24 Annual Budget be amended as follows:

GL	Description	Current Budget	Amended Budget
4123615	Purchase of Plant	(615,000)	(515,000)
5123740	Proceeds on Disposal of Assets	129,000	9,000
	Opening Surplus	3,041,135	3,061,135

Resolution 10-2023.094

Carried 5/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Naughton

New Motion

Moved Cr CL Marchant

Seconded Cr DA Naughton

That the meeting be reopened to the public at 5:22 pm.

Resolution 10-2023.095

Carried 5/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Naughton

5:22 pm – Cr C Harken returned to the meeting



9.3.7 Local Emergency Management Arrangements

Date of Report:	18 October 2023
Proponent:	Shire of Nungarin and Trayning Local Emergency Management Committee
File Ref:	5.1.1.11 LEMC
Officer's Disclosure of Interest:	Nil
Attachments:	Shire of Nungarin and Trayning Local Emergency Management Arrangements
Voting Requirements:	Simple Majority

Purpose of Report

To endorse the draft Shire of Nungarin and Trayning Local Emergency Management Arrangements.

Background

The Shire of Nungarin and Trayning Local Emergency Management Committee endorsed the attached Shire of Nungarin and Trayning Local Emergency Management Arrangements at a meeting held 17 October 2023.

Consultation

The District Emergency Management Advisor, Wheatbelt and Goldfields-Esperance District provided feedback on a draft prepared by the Shire of Nungarin and Trayning Local Emergency Management Committee before it was referred back to the with recommended changes and the contacts updated.

Minor changes have been made to the draft since it was adopted by the Local Emergency Management Committee on 17 October 2023 to reflect the new DFES Area Officer.

Statutory Environment

The Emergency Management Act 2005 requires local governments to prepare and review Local Emergency Management Arrangements. The attached draft Shire of Nungarin and Trayning Local Emergency Management Arrangements have been reviewed to ensure they meet current statutory requirements.

Policy Implications

There are no policy implications.

Financial Implications

There are no direct financial implications.



Strategic Implications

The Shire of Trayning Strategic Community and Corporate Business Plan includes the following indicators of success:

- *We collaboratively plan and respond with the LEMC to emergency situations*
- *We are recognized for our collaborative planning by key stakeholders and regional groups*

Environmental Implications

There are no direct environmental implications.

Social Implications

There are no direct social implications.

Officer's Comment

The draft Shire of Nungarin and Trayning Local Emergency Management Arrangements were prepared by using the Local Emergency Management Arrangements reviewed by the Shire of Nungarin on 21 September 2022 and inserting relevant information from the Shire of Trayning Local Emergency Management Arrangements and agreed by the Chief Executive Officers of each Shire.

Once endorsed by each Shire, the Shire of Nungarin and Trayning Local Emergency Management Arrangements will be forwarded to the District Emergency Management Committee for consideration then the State Emergency Management Committee for noting.

Officer Recommendation/Council Decision

Moved Cr ML McHugh

Seconded Cr PM Barnes

That the attached Shire of Nungarin and Trayning Local Emergency Management arrangements be endorsed and forwarded to the District Emergency Management Committee with the updated contact details for the DFES Area Officer.
Subject to the Contact list being updated with members legal names

Resolution 10-2023.096

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

New Motion

Moved Cr CL Marchant

Seconded Cr PM Barnes

To accept the new business of an urgent nature item 10.1 Application to Keep Poultry – Lot 154 Riley Road, Trayning.

Resolution 10-2023.097

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton

New Motion

Moved Cr ML McHugh

Seconded Cr CL Marchant

That Standing Order number 7.5 - Addressing the Meeting be suspended at 5:30 pm in order to discuss item 10.1.

Resolution 10-2023.098

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton

New Motion

Moved Cr CF Harken

Seconded: Cr PM Barnes

That Standing Orders be reinstated at 5:34 pm.

Resolution 10-2023.099

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton



10.1 Application to Keep Poultry – Lot 154 Riley Road, Trayning

Date of Report:	22 October 2023
Proponent:	Bianca Clark
File Ref:	7.1.1.1 Health Licences
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider an application to keep ten chickens, five geese and one gander at Lot 154 Riley Road, Trayning.

Background

The Shire has received an application to keep poultry, geese and a gander on a townsite lot, which necessitates Council approval due to its location within the Shire of Trayning Health Local Law 2002.

The applicant wishes to house various birds, including five geese, one gander and ten chickens, and is seeking permission for a reduced street setback. While the law stipulated a 9 meter street setback, the Shire has the authority to approve a lesser distance.

Consultation

There has not been any formal consultation on this proposal.

Statutory Environment

The Shire of Trayning Health Local Law 2002 stipulates the following



Division 4—Keeping of Poultry and Pigeons

Interpretation

5.4.1 In this Division, unless the context otherwise requires—

“poultry” includes bantams, ducks and other domestic fowls;

Limitation on Numbers of Poultry and Pigeons

5.4.2 An owner or occupier of premises within a townsite shall not keep a combined total of more than 12 poultry and pigeons without the approval of Council, on any one lot of land.

Conditions for Keeping Poultry in Limited Numbers

5.4.3 A person who keeps poultry or permits poultry to be kept shall ensure that—

- (a) no poultry is able to approach within 9 metres of a dwelling house, public building or premises where people are employed or where food is stored, prepared, manufactured or sold;
- (b) all poultry is kept in a properly constructed and securely fastened structure or enclosure;
- (c) the structure is in a yard having an otherwise unobstructed area of at least 30 square metres;
- (d) no poultry are able to approach within 9 metres of a street other than a right of way unless, in the case of land at the junction of two or more streets, Council has approved a lesser distance;
- (e) no poultry is able to approach within 1.2 metres of any side or rear boundary of the premises; and
- (f) all enclosures or cages within which poultry are kept shall be maintained at all times in a clean condition and shall be disinfected or otherwise dealt with in a way as directed by an Environmental Health Officer.

Roosters, Geese, Turkeys, Peafowl's and Gamebirds

5.4.4 (1) An occupier of premises within a townsite, shall not without the written approval of the Council, keep or permit to be kept on those premises, any one or more of the following fowl—

- (a) a rooster;
- (b) a goose or gander;
- (c) a turkey;
- (d) a peacock or peahen;
- (e) a gamebird (includes emus and ostriches).

(2) The Council may upon written application, grant approval with or without conditions to the owner or occupier of premises to keep any one or more birds as specified in subsection (1).

(3) A person who has been granted approval under this Section to keep a bird may keep the bird on the premises only while he is the occupier thereof.

(4) The Council may revoke an approval granted under this Section if it is of the opinion that the keeping of the birds specified in the approval is causing a nuisance or is injurious, offensive or dangerous to health.

Despite the legal requirement of a 9-meter street setback, Council has the authority to grant permission for a shorter distance. Given that this lot is designated as light industry and is situated across from a reserve area, with no footpaths traversing the lot, there is a valid rationale for reducing the setback to 1.2 meters to align with the rear and side boundary criteria.



Figure 1 Subject site Zone

Policy Implications

There are no policy implications.

Financial Implications

There are no direct financial implications.

Strategic Implications

There are no direct strategic implications.

Environmental Implications

There are no direct environmental implications.

Social Implications

There are no direct social implications.



Officer's Comment

Currently on the site there is a residential dwelling located on one side of the lot and an approved shed. The applicant has provided the below proposed layout:

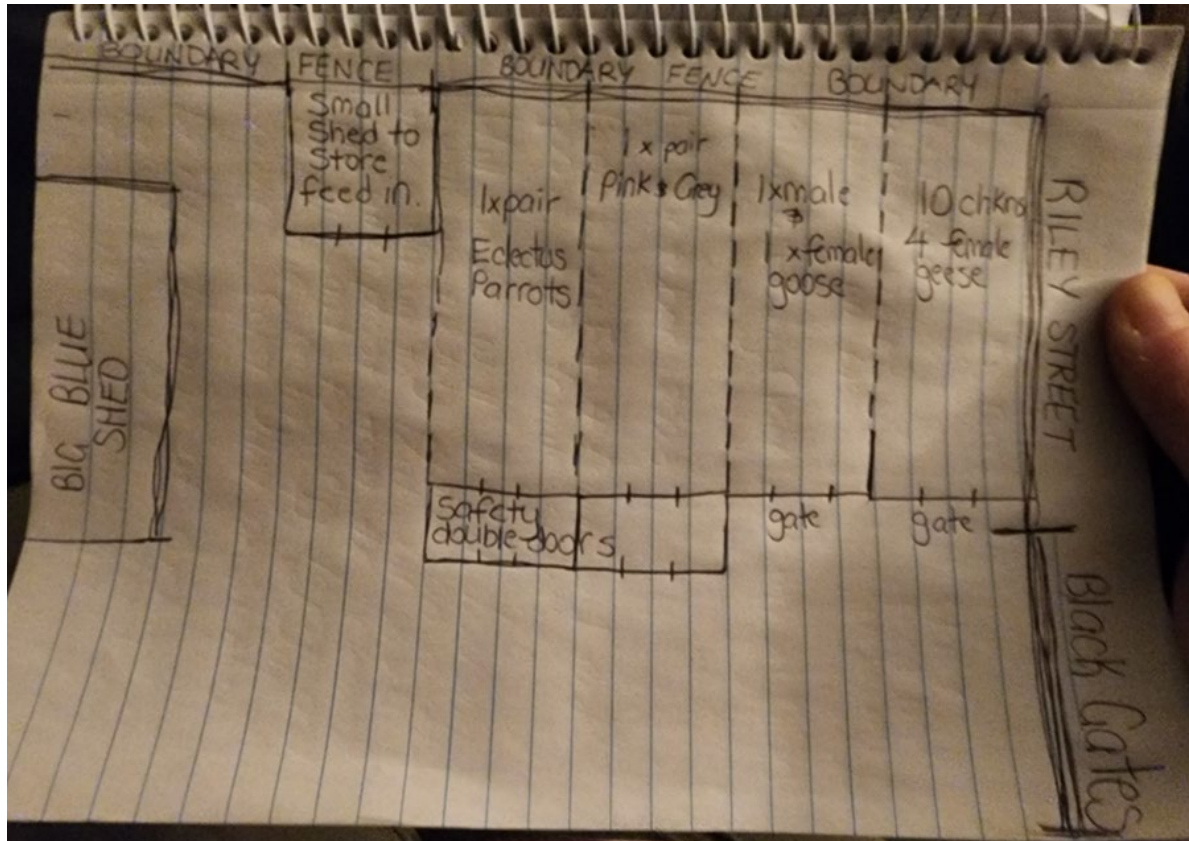


Figure 2 proposed Layout



Figure 3 Site location

Risk Assessment:

The risk assessment in relation to this development is low it poses no significant environmental implications to the site or neighbouring properties. The development is minor.



Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
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 Shire grant approval to keep up to six geese (including one gander) and ten chickens (no roosters) at Lot 154 Riley Street, Trayning subject to the following Conditions and Advice Note:

CONDITIONS

1. Poultry and pigeon enclosures must maintain a minimum setback of 1.2 meters from the front, side, and rear boundaries.
2. All feed storage should ensure it is rodent resistant.
3. Enclosures or cages housing poultry must always be kept clean to prevent the presence of rodents and other pests.
4. The council retains the right to withdraw approval in the event of complaints or any violation of these stipulated conditions.

ADVICE NOTE

The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.



Council Decision

Moved Cr CL Marchant

Seconded Cr PM Barnes

That the Shire do not grant approval to keep up to six geese (including one gander) at Lot 154 Riley Street, Trayning.

ADVICE NOTE

The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act, 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

Resolution 10-2023.100

Carried 6/0

For Cr Brown, Cr Barnes, Cr McHugh, Cr Marchant, Cr Harken, Cr Naughton

Reason for variation to Officer Recommendation:

Councillors do not believe geese should be allowed within a townsite.

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 5:35 pm.