



**AGENDA
FOR
ORDINARY COUNCIL MEETING OF COUNCIL
Wednesday 15 May 2024**

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

Commencement: 3.00 pm





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

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

Signed

Leanne Parola
Chief Executive Officer



AGENDA

Ordinary Meeting of the Trayning Shire Council,
To be held at the Trayning & Districts Sporting Club,
Sutherland Street, Trayning,
on Wednesday 15 May 2024, commencing at 3.00 pm

CONTENTS

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	4
2	ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE	4
3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	4
4	PUBLIC QUESTION TIME	4
5	APPLICATIONS FOR, AND PREVIOUSLY APPROVED, LEAVE OF ABSENCE AND DISCLOSURES OF INTEREST	4
	5.1 Applications Previously Approved	4
	5.2 Leave of Absence.....	4
	5.3 Disclosure of Interest.....	4
6	PETITIONS/DEPUTATIONS/PRESENTATIONS	5
	6.1 Petitions	5
	6.2 Deputations	5
	6.3 Presentations	5
7	CONFIRMATION OF MINUTES	5
	7.1 Ordinary Meeting of Council	5
	7.2 Other Meetings.....	5
8	ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS.....	5
9	REPORTS OF OFFICERS	5
	9.1 REGULATORY SERVICES.....	5
	9.2 FINANCE REPORTS	6
	9.2.1 Monthly Payment List April 2024	6
	9.2.2 Monthly Financial Report for April 2024	7
	9.3 CHIEF EXECUTIVE OFFICER	10
	9.3.1 Trayning Tourism & Recreation Precinct Plan	10
	9.3.2 Ranger Services Review	12
	9.3.3 South West Native Title Settlement	16
	9.3.4 May 2024 Operational Report.....	20
10	NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING	21
11	MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....	21
12	CLOSURE.....	21



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 Corey Harken
Cr Dale Naughton

STAFF:

Mrs Leanne Parola (Chief Executive Officer)
Mr Grant Cross (Manager of Works)
Mrs Jessica Bell (Administration Officer)

APOLOGIES:

Ms Belinda Taylor (Manager of Corporate Services)

ON APPROVED LEAVE(S) OF ABSENCE:

ABSENT:

VISITORS:

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

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

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 Ordinary Meeting of Council held 17 April 2024 be confirmed as a true and correct record of the proceedings.

7.2 Other Meetings

Officer Recommendation

That the minutes of the following meetings:

7.2 Great Eastern Country Zone Minutes
be received.

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

9 REPORTS OF OFFICERS

9.1 REGULATORY SERVICES



9.2 FINANCE REPORTS

9.2.1 Monthly Payment List April 2024

Date of Report:	9 May 2024
File Ref:	9.2.1 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Abbie Harken – Senior Finance Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.1 Monthly Payment List April 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 April 2024 and is attached. These payments have already occurred and Council are not making a decision as to whether payments are to be made.

Officer's Recommendation

That Council receives the list of payments, as presented, for the month of April 2024, totalling \$714,443.85.



9.2.2 Monthly Financial Report for April 2024

Date of Report:	10 May 2024
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 April 2024
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 30 April 2024.

Background

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

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

Consultation

There has been consultation with the Chief Executive Officer.

Statutory Environment

Local Government Act 1995 -

6.4. Financial report

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

Local Government (Financial Management) Regulations 1996 -

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

- (1A) In this regulation —

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1) (d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and



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

The recommendation that follows is consistent with the legislative requirements.

Policy Implications

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

Financial Implications

A copy of the Monthly Financial Report for the period ending 31 March 2024, including the report on significant variances, Investment of Councils reserve and, surplus funds and the reconciliation of Councils bank accounts, has been provided to Council via attachment to this report.



Strategic Implications

There are no strategic implications.

Environmental Implications

There are no environmental implications.

Social Implications

There are no social implications.

Officer's Comment

Nil

Officer's Recommendation

That the Monthly Financial Report for the period ending 30 April 2024 be accepted as presented.



9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Trayning Tourism & Recreation Precinct Plan

Date of Report:	23 April 2024
File Ref:	
Officer's Disclosure of Interest:	Nil
Attachments:	Trayning Tourism & Recreation Precinct Plan
Voting Requirements:	Simple Majority

Purpose of Report

To endorse the proposed Trayning Tourism & Recreation Precinct Plan.

Background

The proposed Trayning Tourism & Recreation Precinct Plan has been developed to provide direction to staff when planning future use or development in the area.

Officer's Comment

The attached Trayning Tourism & Recreation Precinct Plan relates to Reserve 24850 shown outlined in red below.





The Reserve includes the area currently utilised for the Swimming Pool, Trayning & Districts Sporting Club, Caravan Park, Pioneer Park and outdoor tennis/basketball courts.

Consultation

A draft Trayning Tourism/Recreation Precinct Plan was advertised calling for public submissions in late 2023, with five public comments received and a later request by the Trayning & Districts Sporting Club that the water tanks next to the bowling green be relocated.

The draft plan and submissions were discussed at a Councillors Forum held 21 February 2024. Subsequently a revised plan was provided to Councillors and discussed on site on 17 April 2024.

Statutory Environment

There are no direct statutory implications.

Policy Implications

Policy 1.11 Community Consultation has been complied with.

Financial Implications

There are no direct financial implications in adopting the proposed plan, but implementing it will impact on the current and future budgets.

Strategic Implications

The Shire of Trayning Strategic Community & Corporate Business Plan includes a strategic action to “review future use of reserves/locations at recreation precincts”.

If adopted, the Trayning Tourism & Recreation Precinct Plan will inform future versions of the Shire’s strategic integrated planning documents.

Risk Implications

Adopting a Tourism & Recreation Precinct Plan for Reserve 24850 will reduce the risk of ad hoc decisions being made in the future and will provide guidance to Shire staff when seeking grant applications and opportunities for improvements.

It is expected that more detailed project planning will occur when components of the plan are carried out in the future to reduce risks to the Shire.

Officer Recommendation

That the attached Trayning Tourism & Recreation Precinct Plan be endorsed.



9.3.2 Ranger Services Review

Date of Report:	3 May 2024
File Ref:	5.2.3 Ranger General
Officer's Disclosure of Interest:	Nil
Attachments:	Ranger Services Review
Voting Requirements:	Simple Majority

Purpose of Report

To consider public feedback on the Review of Ranger Services and determine future levels of service.

Background

The Shire of Trayning Community Strategic & Corporate Business Plan included an action to review Ranger Services in the 2023/2024 financial year.

The attached discussion document was released for public comment which included the following:

- Current Level of Service
- Statistics
- 2023 Community Satisfaction Survey Results
- Cost of Service
- Other factors
- Alternative methods of delivery

Officer's Comment

The Ranger Services Review was referred to Council at their Ordinary Meetings held 20 March and 17 April 2024 with an officer recommendation that the current level of service for Ranger Services be retained.

No decision was made at the meeting held 20 March 2024 and at the 17 April 2024 Ordinary Meeting of Council it was resolved:

That item 9.3.4 Ranger Services Review be laid on the table until the May Ordinary Meeting of Council to allow further investigation of other options.

Staff approached the other North Eastern Wheatbelt Regional Organisation of Councils and the Shire of Kellerberrin to ascertain their current arrangements for ranger services and whether they were interested in changing them with the following responses:

- Shire of Koorda – weekly service by WA Contract Ranger Services, satisfied with current arrangements
- Shire of Mt Marshall – fortnightly service by WA Contract Ranger Services, satisfied with current arrangements
- Shire of Wyalkatchem – fortnightly service by WA Contract Ranger Services, interested in exploring opportunities to reduce levels of service



- Shire of Mukinbudin – weekly service by WA Contract Ranger Services, satisfied with current arrangements
- Shire of Nungarin – satisfied with current arrangements
- Shire of Kellerberrin – fortnightly service by WA Contract Ranger Services
- Shire of Dowerin – did not respond

An approach was made to the Shire of Northam to see if they would be interested in providing an ad hoc or monthly ranger service using their staff/vehicles. They have advised that they do not have the capacity to offer a service and are currently having difficulty recruiting staff to fill their current requirements.

Consultation

The draft discussion document was provided to the Shire’s contract Ranger for feedback before advertising for public consultation.

The review of Ranger Services was advertised in the Ninghan News for feedback by 6 March 2024 and was available on the Shire’s website. One submission was received that supported reducing the level of Ranger Services by changing the contractor service to an ad-hoc arrangement.

Staff have contacted the contract ranger service provider to ascertain whether it would be possible to trial a monthly ranger service and whether the current hourly rates/travel rates would apply. The contractor has advised that it would not be viable for him to provide a monthly or ad-hoc service.

Staff also contacted another contract Ranger who provides services in the central wheatbelt. They advised they would consider whether they had the capacity to provide a monthly service, but did not respond to follow up calls by staff.

Statutory Environment

While there is no statutory requirement to review levels of service, the Ranger Service is required to be provided by the Shire to meet regulatory requirements of a number of pieces of legislation including the Dog Act 1976 and Cat Act 2011.

The current purchase order for services ends on 30 June 2024.

Policy Implications

The consultation matrix within Policy 1.11 Community Consultation requires issues relating to Service Planning be advertised in the Ninghan News and on the Shire Web Page.

Financial Implications

Any change to levels in service could have a financial impact by increasing or decreasing expenditure, depending on the change implemented.



For example, if the ranger service was carried out by an existing staff member, the minimum amount of training expected would be the following:

- Regulatory Officer Compliance Skills (ROCS) 1 - \$642.95
- Regulatory Officer Compliance Skills (ROCS) 2 - \$264.06

Each of these training courses run for four days, so it is likely that there will be the cost of meals and accommodation in addition to the course fees, on top of wages and travel.

Other recommended courses cost between \$372 and \$826 and include:

- Prosecutions
- Dog and Cat Management and Control
- Microchip Implementation for Dogs and Cats
- Livestock Management and Control
- Firearms Handling and Safety
- Reptile Handling and Capture

Equipment likely to be required includes:

- Cat traps
- Dog catching poles
- Personal Protection Equipment (gloves etc)
- Cage for back of utility (assuming using existing vehicle)
- Firearm
- Gun safe
- Mobile telephone

Strategic Implications

The Shire of Trayning Community Strategic & Corporate Business Plan included an action to review Ranger Services in the 2023/2024 financial year.

Risk Implications

In consideration of the Risk Matrix below it is assessed that the Ranger Service constitutes a 'Medium' risk based on the potential for legal action against the Shire by aggrieved ratepayers and the risk to staff safety enforcing legislation.

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 a low as reasonably achievable



Severe	Unacceptable. Risk reduction measures must be implemented before proceeding
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This risk has been reduced by the recommendation that the Shire continue to hire a suitably experienced and qualified contractor from outside the district to provide Ranger Services.

If Council decides to discontinue using a contract ranger, a staff member will be required to carry out compliance activities. Without appropriate training or equipment, this will increase the risk to the Shire of legal action and compensation claims.

Officer Recommendation

That the Shire continue to use a contract ranger service and reduce the frequency of visits after 30 June 2024.



9.3.3 South West Native Title Settlement

Date of Report:	29 April 2024
Proponent:	Chief Executive Officer
File Ref:	
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.3 Native Title Settlement Parcels
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 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.

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.

The Department of Planning, Lands and Heritage (Department) is progressively selecting 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

The Shire has previously been consulted on two parcels of land being Reserve 18220 (certificates of title LR3151/571 and LR3151/572), shown bordered in red below:



and resolved to support the transfer of the land to the Noongar People under settlement.

Statutory Environment

Noongar Recognition Bill 2015

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officer's Comment

A further twenty-two parcels of land have been identified in the Shire of Trayning as shown on the attached document.



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?
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's Recommendation

That the Department of Planning, Lands and Heritage be advised as follows in relation to the attached land parcels:

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.	



Three of the parcels have no public road access, ie Reserves 12356, 13606 and 11765	
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9.3.4 May 2024 Operational Report

Date of Report:	8 May 2024
File Ref:	4.2.15 Administration
Officer's Disclosure of Interest:	Nil
Attachments:	Confidential – May 2024 Operational Report
Voting Requirements:	Simple Majority

Purpose of Report

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

Background

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

Officer's Comment

Refer to Confidential April 2024 Monthly Operational Report attached.

Consultation

Manager of Works and Manager of Corporate Services

Statutory Environment

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

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



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

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications.

Strategic Implications

There are no direct strategic implications.

Risk Implications

There are no direct risk implications.

Officer Recommendation

That the May 2024 Monthly Operational Report be received.

10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

12 CLOSURE