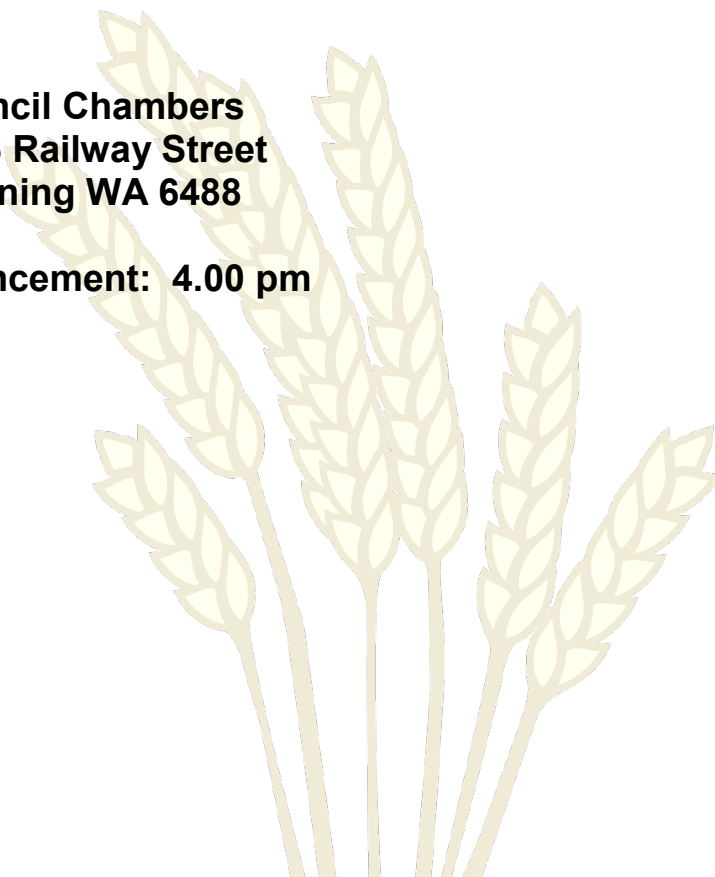




**AGENDA
FOR
ORDINARY COUNCIL MEETING OF COUNCIL
Wednesday 21 February 2024**

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

Commencement: 4.00 pm



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No responsibility whatsoever is implied or accepted by the Shire of Trayning for any act, omission or statement, or intimation occurring during Council or committee meetings.

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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 in the Council Chambers, Lot 66 Railway Street, Trayning,
on Wednesday 21 February 2024, commencing at 4.00 pm

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

MEMBERS:

Cr Melanie Brown (Shire President)
Cr Clayton Marchant (Deputy Shire President)
Cr Peter Barnes
Cr Corey Harken
Cr Mark Leslie
Cr Michelle McHugh
Cr Dale Naughton

STAFF:

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

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 13 December 2023 be confirmed as a true and correct record of the proceedings.

7.2 Other Meetings

Officer Recommendation

That the minutes of the following meetings:

- a) Electors General Meeting held 7 February 2024
- b) Audit Committee Meeting held 7 February 2024
- c) NEWROC Council Meeting held 4 December 2023

be received.

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

9 REPORTS OF OFFICERS

9.1 REGULATORY SERVICES

9.1.1 Local Planning Policy No 1 Moveable Buildings

Date of Report:	12 February 2024
File Ref:	10.1.1 Town Planning Schemes
Officer's Disclosure of Interest:	Nil
Attachments:	Draft Local Planning Policy No 1 Moveable Buildings T Nicholls Submission
Voting Requirements:	Simple Majority

Purpose of Report

To consider replacing Local Planning Policy No 1 Moveable Buildings.

Background

The Shire of Trayning Local Planning Policy No 1 Moveable Buildings does not allow the use of 'containers' within non-industrial areas of townsites.

There are a large number of properties within the townsites that have sea containers on them and have had them for a significant period.

Officer's Comment

There are currently a large number of residential and townsite properties within the Shire with sea containers which is not allowed under the current Local Planning Policy No 1 Moveable buildings.

Councillors have been provided a copy of a list of known sea containers (including photos) for information under separate cover.

Consultation

A Councillors Forum held 15 December 2021, Councillors requested that the Chief Executive Officer advertise for submissions on amending Local Planning Policy No 1 Moveable Buildings to allow sea containers if they are modified or screened to address amenity concerns (eg clad/painted similarly to the house).

A draft replacement Local Planning Policy No 1 Moveable Buildings has been advertised for public submissions with advertisements appearing in *The West Australian* on 17 January and 24 January 2024.

Submissions closed on 9 February 2024, with one submission received from Ms Taraeta Nicholls as attached. Ms Nicholls does not support the proposed amendments to the Local Planning Policy No 1. Moveable Buildings.

Statutory Environment

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

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

Policy Implications

There are no other policy implications.

Financial Implications

There are no direct financial implications in adopting the replacement policy, however action taken by the Shire to require people to comply with the policy will result in additional costs.

There is adequate funding within the 2023/2024 Annual Budget for Town Planning Consultants.

Strategic Implications

There are no other strategic implications.

Risk Implications

In consideration of the Risk Matrix below it is assessed that this recommendation constitutes a 'Low risk based on the potential for cost overruns resulting from the enforcement of the policy.

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

Officer Recommendation

That:

- 1) Local Planning Policy No 1 Moveable buildings be replaced as attached.
- 2) Notice be given to owners of non-industrial properties with sea containers to meet compliance with Local Planning Policy No 1 Moveable buildings by 30 June 2024.

9.2 FINANCE REPORTS

9.2.1 Monthly Payment List December 2023

Date of Report:	7 February 2024
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 December 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 December 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's Recommendation

That Council receives the list of payments, as presented, for the month of December 2023, totalling \$632,029.77.

9.2.2 Monthly Financial Report for December 2023

Date of Report:	25 January 2024
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 December 2023
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 31 December 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 31 December 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's Recommendation

That the Monthly Financial Report for the period ending 31 December 2023 be accepted as presented.

9.2.3 Monthly Payment List January 2024

Date of Report:	7 February 2024
Proponent:	N/A
File Ref:	9.2.3 – Accounts Payable (Creditors)
Officer:	Jessi Shannon - Finance Officer
Senior Officer:	Abbie Herrick – Senior Finance Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.3 Monthly Payment List January 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 January 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 January 2024, totalling \$691,219.88.

9.2.4 Monthly Financial Report for January 2024

Date of Report:	13 February 2024
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:	9.2.4 Monthly Financial Report January 2024
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 31 January 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 January 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 31 January 2024 be accepted as presented.

9.2.5 Budget Review 2023/2024

Date of Report:	14 February 2024
Proponent:	Chief Executive Officer
File Ref:	3.2.7.6 – Budget Review
Officer's Disclosure of Interest:	Nil
Attachments:	2023/2024 Budget Review
Voting Requirements:	Absolute Majority

Purpose of Report

To consider a review of the 2023/2024 Budget and approve budget variations.

Background

A review of actual expenditure to budgeted expenditure to 31 December 2023 has been undertaken by staff.

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

Council when adopting its 2023/24 budget endorsed a variance of 10% and a minimum of \$10,000 to be used in the statements of financial activity and annual budget review, which is the basis of reporting for the Mid-Year Budget Review.

Consultation

Manager of Works

Statutory Environment

Local Government (Financial Management) Regulations, 33A. Review of budget

Policy Implications

There are no direct policy implications.

Financial Implications

Opening Surplus

Council budgeted for an opening surplus of \$3,041,135 at 1 July 2023. The actual opening surplus, as per the draft financial statements is \$3,223,825 which meant that the opening surplus was \$182,690 more than budgeted.

Budgeted Income and Expenditure

Staff have reviewed the budget operating and capital income and expenditure for the year to 31 December 2023 and the following accounts are estimated to vary more than \$10,000 from budget:

GL	Description	IE	Current Budget	Estimated Actual	Estimated Variance	Comment
2041019	Election Expenses	028	(15,000)	(5,700)	9,300	Savings as positions filled unopposed
2042055	Consultancy Costs	020	(138,000)	(188,000)	(50,000)	Increase to cover additional staff leave and address audit outcomes
2042058	Audit Fees/Expenses	020	(56,925)	(36,925)	20,000	Audit cost less than budgeted
2042059	Valuation Expenses	020	(1,000)	(26,000)	(25,000)	2023 Infrastructure Revaluation costs carried forward from 2022/2023
2042290	Depreciation – Other Governance	050	(66,816)	(96,816)	30,000	Depreciation less than budgeted
2051012	Standpipe Expenses	032	(14,196)	(4,196)	10,000	Used less water than budgeted
2091001	Staff Housing Maintenance	028	(10,366)	(20,366)	(10,000)	More unplanned maintenance than budgeted
2092005	Community Housing/SPQ Building Mtce	028	(3,658)	(13,658)	(10,000)	More unplanned maintenance than budgeted
2092010	Aged Persons Units Maintenance	028	(12,778)	(22,778)	(10,000)	Minor renewal works unbudgeted
2092026	Interest on Loan 72	060	(8,908)	(4,456)	4,452	Loan taken out later than budgeted
2092027	Interest on Loan 73	060	(26,726)	(13,363)	13,363	Loan taken out later than budgeted
2092290	Depreciation – Other Housing	050	(26,408)	(45,408)	(19,000)	Depreciation more than budgeted
2111002	Town Halls & Public Building Maintenance	028	(7,292)	(27,292)	(20,000)	Pigeon proofing and unbudgeted repairs
2112290	Depreciation – Swimming Areas	050	(46,804)	(68,804)	(22,000)	Depreciation more than budgeted following revaluations
2113290	Depreciation – Other Rec & Sport	050	(93,516)	(103,516)	(10,000)	Depreciation more than budgeted following revaluations
2122001	Road Maintenance – Council	001	(189,953)	(144,953)	45,000	Multiple positions vacant part of year
2122001	Road Maintenance – Council	028	(90,439)	(143,827)	(53,388)	Increase use of contractors for grading, drainage, clearing
2122290	Depreciation – Roads, Depot etc	050	(776,153)	(2,056,000)	(1,280,000)	Depreciation more than budgeted following revaluations

2124290	Depreciation – Airstrip	050	(8,995)	(31,995)	(23,000)	Depreciation more than budgeted following revaluations
2132002	Caravan Park Maintenance	028	(5,170)	(15,170)	(10,000)	More unplanned maintenance than budgeted
2132019	Community Events	028	(14,000)	(24,000)	(10,000)	Additional income/expenses for Smoke N Dirt Event
2132290	Depreciation – Tourism & Area Promotion	050	(6,905)	(15,905)	(9,000)	Depreciation more than budgeted following revaluations
2142003	Works Supervisor – Administration	001	(125,842)	(115,842)	10,000	Position vacant part of year
2142003	Works Supervisor – Administration	020	0	(32,000)	(32,000)	Use of contract Acting Managers while position was vacant
2142010	Works Team – Superannuation	002	(64,979)	(54,979)	10,000	Multiple positions vacant part of year
2142013	Works Team – Long Service Leave	001	0	(15,000)	(15,000)	Payout Long Service Leave of departing staff
2142022	Works Team – Rental Subsidy	011	(15,742)	(5,742)	10,000	Positions vacant part of year
2143002	Parts, Repairs & Hire External	028	(106,132)	(156,132)	(50,000)	Increased maintenance of vehicles
2143003	Tyres and Tubes	028	(30,000)	(40,000)	(10,000)	Expected to be more than budgeted
2143005	Fuels and Oils	033	(134,593)	(154,593)	(20,000)	Fuel costs higher than budgeted
2143100	Depreciation – Plant Operation	050	(118,219)	(198,219)	(80,000)	Depreciation more than budgeted
2145002	Workers Compensation	001	0	(25,000)	-25,000	Workers Compensation income/costs not budgeted for
3032306	Grants Commission – Untied Grant	110	0	67,783	67,783	Unbudgeted funds to be received
3032328	Interest Earned Municipal	180	1,539	61,539	60,000	More interest earned than budgeted
3042350	Reimbursements – Other Governance	130	518	12,518	12,000	Trainee employment subsidies received
3042352	Admin Grant Income	124	29,153	8,153	(21,000)	Timing of LRCIP funds
3092350	Grant Income - Growing Regions	124	1,350,000	0	(1,350,000)	Carry forward to 2024/2025 if grant received
3113316	Contributions & Donations Other	131	0	12,000	12,000	Additional income/expenses for Smoke N Dirt Event
3113323	Grant Income Capital Sport & Rec	124	30,070	60,070	30,000	Timing of LRCIP funds
3121300	Grants Commission – Road Grant	110	0	28,817	28,817	Unbudgeted funds to be received

3121301	Regional Road Group Grants	121	342,842	327,015	(15,827)	Funding reduced for Harrod Road by RRG
3121320	Footpath Grant	124	285,602	150,000	(135,000)	Timing of LRCIP funds
3141001	Private Works Income	174	0	10,000	10,000	Unbudgeted private works jobs
3142301	Works Supervisor – Reimb Other	130	0	22,000	22,000	Long Service Leave Contributions from other Shires
3142303	Works Team – Contributions & Reimbursements	130	0	15,000	15,000	Trainee employment subsidies received
3143300	Sale of Scrap/Surplus Items	174	0	20,000	20,000	Metal waste at refuse sites recycled
3145300	Reimbursements – Workers Compensation	130	0	25,000	25,000	Workers Compensation income/costs not budgeted for
4092511	Principal Repayment Loan 73 – Staff House	600	(16,202)	0	16,202	Loan not taken out until 2024
4092512	Principal Repayment Loan 74 – GROH House	600	(48,608)	0	48,608	Loan not taken out until 2024
4092541	Capital Works – Staff Housing	500	(25,000)	(70,000)	(45,000)	Replace two fences, replace ceiling and Hot Water System
4092542	Capital Works – Other Housing	500	(670,180)	(680,180)	(10,000)	Renew additional Aged Persons Unit
4092543	WACHS Housing Capital	500	(1,800,000)	0	1,800,000	Carry forward to 2024/2025 if grant received
4111540	Trayning Hall Refurbishment	500	(20,000)	(5,000)	15,000	Works carried out under operating budget
4113539	Trayning Sports Precinct Capital	500	(230,790)	(280,790)	(50,000)	Reticulation to Pioneer Park, relocate water tanks
4121002	Road Construction – RRG	500	(584,035)	(634,035)	(50,000)	Increased use of contractors due to staff vacancies
5092713	Proceeds of New Loan – WACHS	220	450,000	0	(450,000)	Carry forward to 2024/2025 if grant received

Strategic Implications

There are no direct strategic implications.

Risk Implications

In consideration of the Risk Matrix below it is assessed that this request constitutes a 'low' risk based on the rationale detailed in the Comment Section of this report.

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Officer Recommendation

That the 2023/2024 Budget Review be received as presented and the following budget amendments be made:

GL	Description	IE	Current Budget \$	Amended Budget \$
	Opening Surplus/(Deficit)		3,041,135	3,223,825
2041019	Election Expenses	028	(15,000)	(5,700)
2042055	Consultancy Costs	020	(138,000)	(188,000)
2042058	Audit Fees/Expenses	020	(56,925)	(36,925)
2042059	Valuation Expenses	020	(1,000)	(26,000)
2042290	Depreciation – Other Governance	050	(66,816)	(96,816)
2051012	Standpipe Expenses	032	(14,196)	(4,196)
2091001	Staff Housing Maintenance	028	(10,366)	(20,366)
2092005	Community Housing/SPQ Building Mtce	028	(3,658)	(13,658)
2092010	Aged Persons Units Maintenance	028	(12,778)	(22,778)
2092026	Interest on Loan 72	060	(8,908)	(4,456)
2092027	Interest on Loan 73	060	(26,726)	(13,363)
2092290	Depreciation – Other Housing	050	(26,408)	(45,408)
2111002	Town Halls & Public Building Maintenance	028	(7,292)	(27,292)
2112290	Depreciation – Swimming Areas	050	(46,804)	(68,804)
2113290	Depreciation – Other Rec & Sport	050	(93,516)	(103,516)
2122001	Road Maintenance – Council	001	(189,953)	(144,953)
2122001	Road Maintenance – Council	028	(90,439)	(143,827)



2122290	Depreciation – Roads, Depot etc	050	(776,153)	(2,056,000)
2124290	Depreciation – Airstrip	050	(8,995)	(31,995)
2132002	Caravan Park Maintenance	028	(5,170)	(15,170)
2132019	Community Events	028	(14,000)	(24,000)
2132290	Depreciation – Tourism & Area Promotion	050	(6,905)	(15,905)
2142003	Works Supervisor – Administration	001	(125,842)	(115,842)
2142003	Works Supervisor – Administration	020	0	(32,000)
2142010	Works Team – Superannuation	002	(64,979)	(54,979)
2142013	Works Team – Long Service Leave	001	0	(15,000)
2142022	Works Team – Rental Subsidy	011	(15,742)	(5,742)
2143002	Parts, Repairs & Hire External	028	(106,132)	(156,132)
2143003	Tyres and Tubes	028	(30,000)	(40,000)
2143005	Fuels and Oils	033	(134,593)	(154,593)
2143100	Depreciation – Plant Operation	050	(118,219)	(198,219)
2145002	Workers Compensation	001	0	(25,000)
3032306	Grants Commission – Untied Grant	110	0	67,783
3032328	Interest Earned Municipal	180	1,539	61,539
3042350	Reimbursements – Other Governance	130	518	12,518
3042352	Admin Grant Income	124	29,153	8,153
3092350	Grant Income - Growing Regions	124	1,350,000	0
3113316	Contributions & Donations Other	131	0	12,000
3113323	Grant Income Capital Sport & Rec	124	30,070	60,070
3121300	Grants Commission – Road Grant	110	0	28,817
3121301	Regional Road Group Grants	121	342,842	327,015
3121320	Footpath Grant	124	285,602	150,000
3141001	Private Works Income	174	0	10,000
3142301	Works Supervisor – Reimb Other	130	0	22,000
3142303	Works Team – Contributions & Reimbursements	130	0	15,000
3143300	Sale of Scrap/Surplus Items	174	0	20,000
3145300	Reimbursements – Workers Compensation	130	0	25,000
4092511	Principal Repayment Loan 73 – Staff House	600	(16,202)	0
4092512	Principal Repayment Loan 74 – GROH House	600	(48,608)	0
4092541	Capital Works – Staff Housing	500	(25,000)	(70,000)
4092542	Capital Works – Other Housing	500	(670,180)	(680,180)
4092543	WACHS Housing Capital	500	(1,800,000)	0
4111540	Trayning Hall Refurbishment	500	(20,000)	(5,000)
4113539	Trayning Sports Precinct Capital	500	(230,790)	(280,790)
4121002	Road Construction – RRG	500	(584,035)	(634,035)
5092713	Proceeds of New Loan – WACHS	220	450,000	0



9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Excessive Annual Leave

Date of Report:	6 February 2024
File Ref:	4.2.6.3 Workplace Solutions
Officer's Disclosure of Interest:	Author has excessive annual leave
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider offering to pay out staff for annual leave balances in excess of eight weeks.

Background

The auditors have identified staff members with excessive annual leave as an organisational risk for the Shire in the last two audits.

Officer's Comment

Excessive annual leave entitlements are defined by the auditors as more than two years of annual leave entitlements (304 hours for a full time staff member).

At the time of writing this report, there were four out of 13 permanent employees with more than eight weeks annual leave accrued, three of these were Administrative Staff.

Projected leave balances at 30 June 2024, taking into account the accumulation of leave and leave approved, indicate that five staff are likely to have excessive leave balances at that time.

If Administrative Staff were to bring their individual annual leave entitlements under eight weeks in the next twelve months, there will be an employee on leave at least 50% of the time which will place staff under additional pressure to deliver services.

The use of external consultants and temporary employees to carry out operational activities will need to be increased to meet organisational requirements.

Consultation

The issue of excessive amounts of annual leave being accrued by staff was discussed with Councillors at the Councillors Forum held 13 December 2023.

Staff have been encouraged to make arrangements to take their annual leave to reduce leave entitlement balances and a number have now taken or applied to take leave.



Statutory Environment

Section 8 of the Minimum Conditions of Employment Act 1993 allows an employee to cash out up to 50% of their annual leave entitlements should an agreement be made in writing signed by the employee and employer.

Section 25 of the *Minimum Conditions of Employment Act 1993* (WA) prohibits an employer from directing an employee to take annual leave at a particular time.

Policy Implications

Council Policy 11.8 Leave Accruals – Annual and Long Service states accrual of annual leave is not to exceed the entitlement for 2 years service, in addition to the pro-rata accrual for current year of service.

While Council Policy 11.9 Administration Staff – Rostered Day Office allows unused RDOs to be paid out, there are no policies in relation to paying out annual leave.

Financial Implications

The value of all excessive amounts of annual leave is expected to be \$18,237 at 30 June 2024. If leave is not taken or cashed out, the Shire is required to pay it out in an employee's termination pay. It is likely that this would be at a higher rate of pay due to salary rises over time.

Paying out excessive leave is more cost effective for the Shire than hiring replacement staff/contractors while an employee is on leave.

The budget review at item 9.2.1 of this agenda recommends an increase in operational expenses for employee and contractor costs this financial year. This will be necessary to hire additional staff/contractors to cover periods of leave and/or pay out excessive leave.

2024/2025 annual budget will need to include increased salaries, wages and consulting budgets to allow staff to take annual and long service leave when due and to reduce the Shire's leave liabilities.

Strategic Implications

There are no direct strategic implications, but having adequate staffing levels is essential to delivering services, meeting statutory requirements and has an impact on organisational culture and staff morale.

Risk Implications

The Auditors identified the amount of excessive annual leave as a moderate risk to the Shire in the last two audits. At 30 June 2023 there were three employees with annual leave balances of more than 40 days.



Offering to only pay out leave in excess of eight weeks balances the risk of staff burnout by not taking annual leave with that of reduced staffing levels due to people taking leave.

Officer Recommendation

That employees be offered the opportunity to cash out annual leave balances in excess of eight weeks to reduce the Shire's leave liability.



9.3.2 Business Continuity and Disaster Recovery Plan

Date of Report:	15 December 2023
File Ref:	Nil
Officer's Disclosure of Interest:	Nil
Attachments:	Draft Business Continuity and Disaster Recovery Plan
Voting Requirements:	Simple Majority

Purpose of Report

To endorse a Business Continuity and Disaster Recovery Plan.

Background

The auditors have recommended the Shire prepare a formal Business Continuity Plan and Disaster Recovery Plan.

Officer's Comment

The attached draft Business Continuity and Disaster Plan have been prepared by staff for adoption by Council.

Consultation

The Shire's Regional Risk Coordinator reviewed the original draft and made a number of recommendations for staff consideration.

Statutory Environment

There are not statutory requirements.

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications in adopting the plan.

Strategic Implications

There are no direct strategic implications.

Risk Implications

The Auditors identified the lack of a formal Business Continuity Plan and Disaster Recovery Plan as a moderate risk as part of the annual audit process.



Officer Recommendation

That the attached Business Continuity Plan and Disaster Recovery Plan be endorsed.



9.3.3 Proposed Public Auction of Properties

Date of Report:	15 January 2024
File Ref:	14.4.1 Council Properties - Acquisition and Disposal
Officer's Disclosure of Interest:	Nil
Attachments:	Potential Properties for Disposal
Voting Requirements:	Simple Majority

Purpose of Report

To consider offering a number of Shire properties for sale by public auction.

Background

Expressions of interest were invited for the purchase and/or lease a number of properties within the Shire of Trayning, with expressions of interest requested by 7 December 2022.

The following table includes the properties and the current status of each:

Property	Status
Lot 1 Railway Street, Trayning – Hall	No expression of interest received
Lot 3 Wilson Street, Kununoppin – Hall	No expression of interest received
Lot 12 Wilson Street, Kununoppin – Shop	No expression of interest received, offered for sale by public tender, no tender received
Lot 50 Kellerberrin Yelbeni Road, South Yelbeni – Rural	Sold following public notice
Lot 124 on Deposited Plan 222730 (Cnr Alexandra St & Thomson Rd Kununoppin) – Vacant, uncleared townsite lot	No expression of interest received, offered for sale by public tender, no tender received
Lot 340 Coronation Street, Trayning - Former Anglican Church	Sold by public tender
Portion of Lot 79 Adams Street, Trayning - Former DFES Shed (with office, kitchenette and bathroom)	Leased following public notice
Portion of Lot 82 Adams Street, Trayning - Former DFES Shed	Council retained for own use

The sale of the former Anglican Church and leasing the former DFES Shed resulted in an additional resident and business within the Shire.



Officer's Comment

The Shire is in the process of taking possession of two properties for non-payment of rates and is expected to hold a public auction on 6 April 2024 to sell them. These properties are vacant residential blocks as follows:

- Lot 110, 42 Coronation Street, Trayning
- Lot 24, 26 Lamond Street, Kununoppin

There are a number of properties owned by the Shire which are surplus to requirements could be included in the auction should Council agree. A summary of each property is attached.

Consultation

As no expression of interest to use either hall was received, a community needs and satisfaction survey was carried out in 2023 that included the following question:

The Kununoppin and Trayning Town Halls both need significant repairs but aren't being used. Should the Shire repair them now without any identified users, or put money into the building reserve until someone wants to use them? What do you think the halls could be used for?

Eight responses were received with mixed results, ie:

- *Put money into the building reserve until someone wants to use them*
- *Put into Reserve*
- *It probably should be used instead of the Don Mason Centre*
- *If the Trayning Hall had repairs done instead of leaving them for 50 years the state of it would be not as it is now. The pigeons are wrecking the historical ceiling & complaints made now for a least 12 months. If repaired it could be used by who can use it now. Picture it gone from where it stand now a centre piece of the square?*
- *Trayning Town Hall could be used for badminton Thursday nights once a fortnight. If the Shire could give us a small amount of funding and advertising we could trial this*
- *I don't think these buildings are worthy of further repairs, money would be better spent on facilities that are required and going to be used*
- *If they were repaired school concerts, movie nights etc weekend markets*
- *Decision should be for Councillors, their job. I would think hall could be used for discos, dances or indoor sport - soccer, badminton, cricket*

While the Trayning Hall is on freehold land and can be sold, the Kununoppin Hall is currently on a reserve. Staff have contacted the Department of of Planning Lands and Heritage to determine whether it can be converted to freehold to enable its sale.



Statutory Environment

Local Government Act 1995, Section 3.58 provides three options for the disposal of local government property (either by sale or lease):

- Public auction (to the highest bidder)
- Public tender (to the most acceptable tender, not necessarily the highest)
- Private treaty (have to advertise details including market value and invite submissions for two weeks)

Policy Implications

Policy 15.2 Acquisition and Disposal of Land requires the disposals of properties to be referred to Council.

Financial Implications

There has been no budget provision for the demolition of the building on Lot 12 Wilson Street, Kununoppin. If Council support the demolition it will be done largely with Shire staff and equipment to minimise the impact on the 2023/24 Annual Budget.

The proposed sale of these properties will result in a slight increase in annual operating revenue for the Shire through rates income and reduce operating expenditure relation to the Halls in future budgets.

Proceeds from the sale of properties could be transferred to the Buildings Reserve for future renewal of Shire building assets.

The cost to auction the properties will be minimised by including them in the proposed auction of properties to be sold for non-payment of rates.

Strategic Implications

A Community Survey conducted as part of the last review of the Shire of Trayning Strategic Community & Corporate Business Plan found that Halls were the fourth lowest priority for respondents, while housing and land were in the top ten priorities.

The Shire of Trayning Strategic Community & Corporate Business Plan includes a Strategic Action to review the future use of both Town Halls. No viable uses have been identified.

Community Priority 3.1 within the Plan is safe, and well-maintained shire owned facilities. The Asset Management Plan and Long Term Financial Plan have identified that maintaining the Trayning and Kununoppin Halls is not possible and they have been excluded from the building renewal program.

Disposing of these assets would improve the Shire's operating ratios by reducing maintenance and depreciation costs and increasing operating revenue and improve the asset renewal ratios by removing assets that will not be renewed.



Selling surplus vacant land and unutilised buildings could enable new residents and/or businesses to move to the Shire.

Risk Implications

In consideration of the Risk Matrix below it is assessed that this recommendation constitutes a 'Medium' risk of reputational damage by selling one or both of the Halls.

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
Low	Monitor for continuous improvement
Medium	Comply with risk reduction measures to keep risk as low as reasonably practical
High	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable
Severe	Unacceptable. Risk reduction measures must be implemented before proceeding

There has been significant public consultation re the future of the Town Halls with mixed, but limited, response from the community. If the Halls are retained, and no funding is allocated to renew them, they will continue to deteriorate.

Officer Recommendation

That:

- 1) The derelict store on Lot 12 Wilson Street, Kununoppin be demolished as soon as possible.
- 2) The following properties be offered for sale by public auction:
 - a. Lot 1 Railway Street, Trayning (Trayning Hall)
 - b. Lot 12 Wilson Street, Kununoppin (former shop)
 - c. Lot 124 on Deposited Plan 222730 (uncleared residential block, cnr Alexandra St & Thomson Rd, Kununoppin)
 - d. 23 Adams Street, Trayning (residential block)
- 3) Lot 3 Wilson Street, Kununoppin (Kununoppin Hall) also be offered for sale by public auction if it can be made freehold.
- 4) Reserve prices for the auction should be set at \$20,000 for each of the Halls and \$2,000 for vacant residential or townsite blocks.



9.3.4 WALGA Zone Position – Provision of Line Marking

Date of Report:	15 January 2024
File Ref:	12.2.2 General Road Safety Correspondence
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider whether to support a proposal to allow Local Governments to install and maintain line marking, with Main Roads' approval, at their own cost.

Background

Following a submission from the Central Country Zone, WALGA State Council delegates will be asked at the March meeting to consider a proposed process whereby Local Governments can install and maintain line marking, with Main Roads's approval, at their own cost on roads that carry low traffic volumes, but otherwise meet the warrant for line marking installation.

The Western Australian Local Government Association has written to local governments asking them to consider their position on whether they will support an item to be included on the Agenda for the WALGA Great Eastern Country Zone meeting to be held on 22 February 2024.

Officer's Comment

The proposed process would be voluntary and would not impact on roads with line marking currently maintained by Main Roads.

Consultation

There has been no consultation in this regard.

Statutory Environment

There are no statutory implications.

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications, however if the proposal is approved, there may be long term financial implications for the Shire if it chooses to install line marking.



Strategic Implications

The Shire of Trayning Strategic Community & Corporate Business Plan includes the following community priority:

3.2 Safe, efficient, and well-maintained road and footpath network

The Shire of Trayning is a Roadwise Council.

Risk Implications

In consideration of the Risk Matrix below it is assessed that this recommendation constitutes a 'low' risk based as it does not commit the Shire to any future line marking costs or liabilities.

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

Officer Recommendation

That the Shire of Trayning representative at that WALGA Great Eastern Country Zone meeting to be held on 22 February 2024 be authorised to support the proposal to allow Local Governments to install and maintain line marking, with Main Roads' approval, at their own cost



9.3.5 2023 Compliance Audit Return

Date of Report:	8 February 2024
File Ref:	43.1.2 Compliance Audit Report
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.5 2023 Compliance Audit Return
Voting Requirements:	Simple Majority

Purpose of Report

To receive the 2023 Compliance Audit Return.

Background

A copy of the 2023 Compliance Audit Return has been completed by staff and considered by the Audit Committee at a meeting held 7 February 2024.

Officer's Comment

The Shire complied with all legislative requirements included in the 2023 Compliance Audit Return.

Consultation

At the Audit Committee Meeting held 7 February 2024, the audit committee resolved:

Moved Cr Harken	Seconded Cr Barnes
That the Audit Committee receive the Compliance Audit Report 2023 as presented by the Chief Executive Officer and present the report to Council for adoption.	
Carried 6/0	

Statutory Environment

Local Government (Audit) Regulations 1996:

14. Compliance audits by local governments – requires local governments to carry out a compliance audit for each calendar year for review by the Audit Committee before reporting to Council

15. Certified copy of compliance audit return and other documents to be given to Departmental CEO – a copy of the return signed by the President and Chief Executive Officer and an extract of the minutes of the Council Minutes have to be submitted to the Department of Local Government, Sport and Cultural Industries by 31 March

Policy Implications

There are no policy implications.



Financial Implications

There are no financial implications.

Strategic Implications

There are no strategic implications.

Risk Implications

The annual Compliance Audit Return is a tool to assist local governments in assessing whether they comply with the Local Government Act 1995 and associated Regulations.

Officer/Audit Committee Recommendation

That the 2023 Compliance Audit Report as presented by the Chief Executive Officer be adopted and submitted to the Department of Local Government, Sport and Cultural Industries.



10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

11.1 Tender For Administration Building Remodelling
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**SHIRE OF
TRAYNING**
Rock Solid

12 CLOSURE