



**MINUTES
FOR
ORDINARY COUNCIL MEETING OF COUNCIL
Wednesday 23 October 2024**

**Trayning & Districts Sporting Club
Sutherland 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 28 October 2024.



Leanne Parola
CHIEF EXECUTIVE OFFICER

CONFIRMED MINUTES

These minutes were confirmed at a meeting held on

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 at the Trayning & Districts Sporting Club,
Sutherland Street, Trayning,
on Wednesday 23 October 2024, commencing at 4.00 pm

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Deputy Shire President Cr CL Marchant welcomed Councillors and staff, declaring the meeting open at 4:00 pm.

2 ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

MEMBERS:

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

STAFF:

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

APOLOGIES:

Nil

ON APPROVED LEAVE(S) OF ABSENCE:

Nil

ABSENT:

Nil

VISITORS:

Mr Alf Ricetti
Mr Travis Bowman
Mr Peter Fisher
Mr Chris McIntosh
Mr Jamie Bishop
Ms Krystal Lee
Miss Sam Pike
Mr Peter Oldernhuis
Mr Paul Healy

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 ML McHugh	9.1.1	Impartiality	Have Sea Container on Property
Cr PM Barnes	9.3.3	Impartiality	Captain of DFES
Cr MA Brown	9.3.7	Proximity	Owned and Leased Property Adjoining Sherzinger Rd
Cr CL Marchant	9.3.7	Impartiality	Potential Road user Harvest Cartage

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 ME Leslie

That the minutes of the Meeting of Council held 18 September 2024 be confirmed as a true and correct record of the proceedings.

Resolution 10-2024.108

Carried 7/0

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

7.2 Other Meetings

Officer Recommendation/Council Decision

Moved Cr DA Naughton

Seconded Cr PM Barnes

That the minutes of the following meetings be received.

7.2.1 NEWROC Council Meeting Tuesday 24 September 2024.

Resolution 10-2024.109

Carried 7/0

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

8 ANNOUNCEMENT BY PRESIDING MEMBER WITHOUT DISCUSSIONS

Nil

9 REPORTS

9.1 REGULATORY SERVICES

9.1.1 Adoption of Local Planning Policy No 1 – Sea Containers

Date of Report:	27 September 2024
Proponent:	Chief Executive Officer
File Ref:	10.1.1 Town Planning Schemes
Officer's Disclosure of Interest:	Nil
Attachments:	Local Planning Policy No 1 – Sea Containers
Voting Requirements:	Simple Majority

Purpose of Report

To consider the adoption of a Local Planning Policy to govern the use and placement of sea containers in townsites within the Shire.

Background

At the Ordinary Council Meeting held 17 July 2024 Council resolved:

That Council adopt the draft Local Planning Policy – Sea Containers and advertise in accordance with the requirements of the Town Planning Scheme No.1.

Officer's Comment

The draft Local Planning Policy – Sea Containers was advertised in inviting public submissions for consideration by Council.

Consultation

The Shire of Trayning Town Planning Scheme No.1 includes the following clause:

2.4.1 If a local government resolves to prepare a Local Planning Policy, the local government –

- a) is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme area, giving details of -
 - (i) where the draft Policy may be inspected;
 - (ii) the subject and nature of the draft Policy;
 - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;
- b) may publish a notice of the proposed Policy in such other manner and carry out such other consultation as the local government considers appropriate.

2.4.2 After the expiry of the period within which submissions may be made, the local government is to –

- a) review the proposed Policy in the light of and submissions made; and

- b) resolve to adopt the Policy with or without modification, or not to proceed with the Policy

2.4.3 If the local government resolves to adopt the Policy, the local government is to publish notice of the Policy once in a newspaper circulating in the Scheme area.

The proposed policy was advertised in the Ninghan News on 26 August 2024 and 2 September inviting submissions before 23 September 2024. No submissions were received.

Statutory Environment

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

Policy Implications

Adoption of new Local Planning Policy.

Financial Implications

There are no direct financial implications in adopting the 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 2024/2025 Annual Budget for Town Planning Consultants.

Strategic Implications

There are no direct 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/Council Decision

Moved Cr PM Barnes

Seconded Cr ML McHugh

That Council adopt Local Planning Policy No 1 – Sea Containers as attached.

Resolution 10-2024.110

Carried 7/0

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

9.1.2 Application to Camp – 23 Glass Street Trayning

Date of Report:	12 September 2024
Proponent:	John Webb
File Ref:	4.1.6.16 Caravan Parks and Camping Grounds
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To consider an application to camp for up to 24 months on 23 Glass Street Trayning.

Background

The owner of 25 Glass Street Trayning has applied approval for a couple with three children to camp in a motorhome/coachliner on 23 Glass Street Trayning for up to 24 months while they look for a suitable home to rent.

Officer's Comment

The applicants are in the process of fitting out a coach liner to use as emergency accommodation while they seek an appropriate rental property.

They currently have the following facilities in place or planned:

Ablution facilities – on board toilet, {shower to be added}, {washing machine to be added}, access to town water via tap and access to electricity via meter box

Cooking facilities – LPG gas cooker, BBQ, microwave and fridge

Waste disposal - onboard septic tank which can be easily emptied at the RV dump point at the caravan park

The two school aged children have been enrolled at the Trayning Primary School.

Consultation

There has been no consultation in this regard.

Statutory Environment

Changes to the Caravan Parks and Camping Grounds Regulations 1997 came into effect on 1 September 2024 to streamline the application process for temporary accommodation approvals on private property, cut red tape and offer more flexibility for local governments.

The changes allow camping applications to be approved for up to 24 months, subject to conditions including meeting the health and safety requirements set out in the Caravan Parks and Camping Grounds Regulations 1997.

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

The applicants have not been able to find suitable rental accommodation. If this application is refused, they have nowhere to relocate to. They have been using shower and laundry facilities at the Trayning Caravan Park while converting the coach liner.

Officer Recommendation

That approval be given to camp on 23 Glass Street, Trayning up to 31 August 2026, subject to the following conditions:

- a. Approval is only valid for the two adults and three children listed on the request for approval to camp form
- b. All waste to be disposed of off-site at appropriate facilities
- c. Works to install shower and washing machine in coach liner to be completed by 30 November 2024

Motion

Moved Cr CL Marchant

Seconded Cr DA Naughton

That approval be given to camp on 23 Glass Street, Trayning up to 31 January 2025 subject to the following conditions:

- a) Approval is only valid for the two adults and three children listed on the request for approval to camp form
- b) All waste to be disposed of at appropriate facilities
- c) Works to install a shower and washing machine in an ablution block to be completed by 31 January 2025

Resolution 10-2024.111

Carried 5/2

**For Cr Marchant, Cr Naughton, Cr Bown, Cr Harken, Cr Barnes
Against Cr Leslie, Cr McHugh**

Amendment

Moved Cr ML McHugh

Seconded Cr ME Leslie

That the motion be amended to reflect the officer recommendation.

Resolution 10-2024.112

Lost 2/5

**For Cr McHugh, Cr Leslie
Against Cr Marchant, Cr Naughton, Cr Bown, Cr Harken, Cr Barnes**

Council Decision

The substantive motion was put and carried 5/2.

The reason the Council did not accept the officer recommendation was that they felt 24 months was too long and that shower and washing machine waste should be disposed of on site.

9.2 FINANCE REPORTS

9.2.1 Monthly Payment List September 2024

Date of Report:	8 October 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 September 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 September 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 Recommendation/Council Decision

Moved Cr ME Leslie

Seconded Cr DA Naughton

That Council receives the list of payments, as presented, for the month of September 2024, totalling \$474,635.41.

Resolution 10-2024.113

Carried 7/0

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

9.2.2 Monthly Financial Report for September 2024

Date of Report:	9 September 2024
File Ref:	N/A
Officer:	Rhona Hawkins – LG Best Practices
Senior Officer:	Leanne Parola - Chief Executive Officer
Officer's Disclosure of Interest:	Nil
Attachments:	9.2.2 Monthly Financial Report September 2024
Voting Requirements:	Simple Majority

Purpose of Report

This report presents for consideration the Monthly Financial Report, for the period ending 30 September 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 30 September 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 Recommendation/Council Decision

Moved Cr CL Marchant

Seconded Cr CF Harken

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

Resolution 10-2024.114

Carried 7/0

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

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 Christmas/New Year Administration Office Hours

Date of Report:	30 September 2024
Proponent:	N/A
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 2024 and New Year's Day 2025 fall on a Wednesday.

The Shire usually closes the Shire Administration Office during the Christmas/New Year period. With Christmas falling on a Wednesday this year it is recommended that the Administration Office be closed from close of business Friday 20 December 2024, reopening on Monday 6 January 2024.

Consultation

Preferred closing dates have been discussed with the administrative staff and they are supportive of the dates being recommended.

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 two full weeks and reopen on Monday 6 January. During this time there will be four public holidays, administration staff will be required to take six days leave for the balance of that period.

Risk Implications

Three Administration based staff currently have excessive amounts of Annual Leave and/or Rostered Days Off. Closing the office will provide an opportunity to reduce these balances as well as providing a continuous and more meaningful period of time off work for all Administrative staff.

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

Officer Recommendation/Council Decision

Moved Cr PM Barnes

Seconded Cr DA Naughton

That the Shire Administration Office be closed from 4 pm Friday 20 December 2024 to Friday 3 January 2025, reopening on Monday 6 January 2025.

Resolution 10-2024.115

Carried 7/0

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

9.3.2 LG Elections – Review of WALGA Advocacy Positions

Date of Report:	13 September 2024
Proponent:	WALGA
File Ref:	4.3.5.9 WALGA State Council
Officer's Disclosure of Interest:	Nil
Attachments:	Nil
Voting Requirements:	Simple Majority

Purpose of Report

To advise the Western Australian Local Government Association (WALGA) the Shire of Trayning position on Local Government Elections.

Background

The *Local Government Amendment Act 2023* introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- the introduction of Optional Preferential Voting (OPV)
- extending the election period to account for delays in postal services
- changes to the publication of information about candidates
- backfilling provisions for extraordinary vacancies after the 2023 election
- public election of the Mayor or President for larger Local Governments
- abolishing wards for smaller Local Governments and
- aligning the size of councils with the size of populations of each Local Government (change to representation)

Following requests from several Zone's, WALGA undertook a comprehensive review and analysis of five ordinary election cycles up to and including the 2023 Local Government election against the backdrop of these legislative reforms.

The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting Local Government elections in Western Australia.

Officer's Comment

The Elections Analysis Review and Report was presented to State Council 4 September 2024, with State Council supporting a review of WALGA's Local Government Elections Advocacy Positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council meeting.

WALGA State Council current advocacy positions:

The following is a summary of WALGA's current Advocacy Positions in relation to Local Government Elections:

2.5.15 ELECTIONS

2.5.16 METHOD OF ELECTION OF MAYOR

Position Statement Local Governments should determine whether their Mayor or President will be elected by the Council or elected by the community.

State Council Resolution February 2022 – 312.1/2022
March 2019 – 06.3/2019
December 2017 – 121.6/2017

2.5.18 CONDUCT OF POSTAL ELECTIONS

Position Statement The *Local Government Act 1995* should be amended to allow the Australian Electoral Commission (AEC) and any other third party provider including Local Governments to conduct postal elections.

Background Currently, the WAEC has a legislatively enshrined monopoly on the conduct of postal elections that has not been tested by the market.

State Council Resolution May 2023 – 452.2/2023
March 2019 – 06.3/2019
December 2017 – 121.6/2017
March 2012 – 24.2/2012

WALGA has requested the following advocacy positions be considered by Councils:

1. PARTICIPATION

(a) The sector continues to support voluntary voting at Local Government elections.

OR

(b) The sector supports compulsory voting at Local Governments elections.

2. TERMS OF OFFICE

(a) The sector continues to support four-year terms with a two year spill;

OR

(b) The sector supports four-year terms on an all in/all out basis.

3. VOTING METHODS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

4. INTERNAL ELECTIONS

(a) The sector supports First Past the Post (FPTP) as the preferred voting method for all internal elections.

OR

(b) The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

5. VOTING ACCESSIBILITY

The sector supports the option to hold general elections through:

(a) Electronic voting; and/or

(b) Postal voting; and/or

(c) In-Person voting.

6. METHOD OF ELECTION OF MAYOR

The sector supports:

(a) As per the current legislation with no change – Class 1 and 2 local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

(b) Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

(c) Apply current provisions to all Bands of Local Governments – apply the election by electors method to all classes of local governments.

Consultation

There has been no consultation.

Statutory Environment

There are no direct statutory implications.

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 risk implications.

Officer Recommendation/Council Decision

Moved Cr CL Marchant

Seconded Cr PM Barnes

That the Shire of Trayning recommends that WALGA adopt the following Local Government Election Advocacy Positions:

1. PARTICIPATION – Council support advocacy position (a)
2. TERMS OF OFFICE - Council support advocacy position (a)
3. VOTING METHODS - Council support advocacy position (a)
4. INTERNAL ELECTIONS - Council support advocacy position (a)
5. VOTING ACCESSIBILITY - Council support advocacy position (b)
6. METHOLD OF ELECTION OF MAYOR - Council support advocacy position (b)

Resolution 10-2024.116

Carried 7/0

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

9.3.3 Trayning DFES Shed Lease

Date of Report:	16 September 2024
Proponent:	ACORPP
File Ref:	5.1.1 Fire and Emergency Services Authority
Officer's Disclosure of Interest:	Nil
Attachments:	Lease Part Lot 172 Sutherland Street
Voting Requirements:	Simple Majority

Purpose of Report

To authorise the execution of a lease for Part Lot 172 Sutherland Street, Trayning with the FES Ministerial Body.

Background

The Shire of Trayning received funding from the Department of Fire and Emergency Services for the construction of a four bay appliance shed on Part Lot 172 Sutherland Street, Trayning in 2018.

A special condition of the grant funding was:

At the completion of the facility the Grantor and Organisation agree that they will enter into a lease agreement of 50 years with two 10 year options at a lease cost of one (1) peppercorn per annum. The Grantor would pay to the Organisation agreed outgoings and be responsible for the maintenance costs of the facility during the term of the lease.

Officer's Comment

ACORPP (Projects) PTY LTD have prepared the attached lease document for Part Lot 172 Sutherland Street, Trayning for executing by the Shire of Trayning and FES Ministerial Body.

The lease formalises current arrangements and do not impose any additional responsibilities on the Shire of Trayning.

Consultation

There has been no consultation.

Statutory Environment

The Shire of Trayning has a Management Order over Reserve 17909 (Lot 502 on Deposited Plan 417727 QCLT 3175-586) which has been set aside for the purpose of "Recreation, Water Supply and Emergency Services" and managed by the Shire of Trayning with power to lease, subject to the consent of the Minister for Lands.

The consent has been received and forms part of the lease agreement.

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 significant risks.

Officer Recommendation/Council Decision

Moved Cr DA Naughton

Seconded Cr ME Leslie

That the Deputy President and Chief Executive Officer be authorised to execute the attached Lease of Part Lot 172 Sutherland Street, Trayning with the FES Ministerial Body.

Resolution 10-2024.117

Carried 7/0

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

9.3.4 2024 Review of Delegations

Date of Report:	16 September 2024
Proponent:	Chief Executive Officer
File Ref:	4.1.5.5 Delegations Register
Officer's Disclosure of Interest:	Delegated Authority to CEO
Attachments:	2024 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 25 October 2023.

Consultation

Nil

Statutory Environment

Local Government Act 1995 sections:

5.16 Delegation of some powers and duties to certain committees

5.43 Limits on delegations to CEO

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Officer's Comment

There is one proposed amendment to delegation 1.1.4 Creditor Payments to reflect the current organisational structure. The amendment will change the reference of "MOFS" (former Manager of Finance role) to "MCS" (Manager Corporate Services role).

Officer Recommendation/Council Decision

Moved Cr ML McHugh

Seconded Cr PM Barnes

That Council, having reviewed the Register of Delegations, agree to amend Delegation 1.1.4 by replacing "MOFS" with "MCS" where it appears.

Resolution 10-2024.118

Carried By Absolute Majority 7/0

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

9.3.5 Ordinary Meeting of Council Dates for 2025

Date of Report:	16 September 2024
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 2025 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, however reverted back to having eleven Ordinary Meetings per year in 2024.

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 ME Leslie	Seconded Cr PM Barnes
That Ordinary Meetings of Council in 2025 be held in the Council Chambers commencing at 4.00 pm on the following dates:	
<ul style="list-style-type: none">• Wednesday 19 February 2025• Wednesday 19 March 2025• Wednesday 16 April 2025• Wednesday 21 May 2025• Wednesday 18 June 2025• Wednesday 16 July 2025• Wednesday 20 August 2025• Wednesday 17 September 2025• Wednesday 16 October 2025• Wednesday 19 November 2025• Wednesday 17 December 2025	
Resolution 10-2024.119	Carried 7/0
For Cr Leslie, Cr Barnes, Cr Marchant, Cr McHugh, Cr Naughton, Cr Harken, Cr Brown	

9.3.6 DFES Communications Tower Agreement

Date of Report:	26 September 2024
Proponent:	ACORRP
File Ref:	New Agreement File
Officer's Disclosure of Interest:	Nil
Attachments:	9.3.6 FES Ministerial Body – Licence Agreement
Voting Requirements:	Simple Majority

Purpose of Report

To consider entering into a Licence Agreement with FES Ministerial Body to allow them to continue utilising the Shire of Trayning communication tower located at the rear of the Administration building.

Background

There is currently no agreement in place for the DFES to occupy and access the communications tower behind the Shire Administration Building at Lot 66 Railway Street Trayning.

ACORRP have prepared a licence agreement on behalf of FES Ministerial for consideration.

Officer's Comment

The proposed Licence Agreement will commence on 1 October 2024 and expire on 30 September 2034, with an option of a further two terms of five years.

The purpose of the agreement is to allow the Department of Fire and Emergency Services to operate antenna equipment at the Shire of Trayning Administration Centre.

The proposed agreement does not prevent the Shire allowing other users to access the tower including the other current user, Crisp Wireless Pty Ltd.

Consultation

There has been no consultation.

Statutory Environment

There are no direct statutory implications.

Policy Implications

There are no direct policy implications.

Financial Implications

There are no direct financial implications.

Strategic Implications

There are no direct strategic implications.

Officer Recommendation/Council Decision

Moved Cr DA Naughton

Seconded Cr PM Barnes

That the Deputy Shire President and Chief Executive Officer be authorised to sign and seal the attached Licence Agreement with FES Ministerial.

Resolution 10-2024.120

Carried 7/0

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

4:19pm Cr Brown left the meeting.

New Motion

Moved Cr ML McHugh

Seconded Cr DA Naughton

That Standing Order 7.5 Addressing the Meeting be suspended at 4:20pm. To further discuss Item 9.3.7.

Resolution 10-2024.121

Carried 6/0

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

New Motion

Moved Cr ML McHugh

Seconded Cr ME Leslie

That Standing Order 7.5 Addressing the Meeting be re-instated at 4:30pm.

Resolution 10-2024.122

Carried 6/0

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

9.3.7 Proposed Harvest and Road Works Coordination Policy

Date of Report:	4 October 2024
Proponent:	Cr Marchant
File Ref:	4.1.5.1 Policy Manual
Officer's Disclosure of Interest:	Nil
Attachments:	Draft Policy 12.4 Harvest and Road Works Coordination
Voting Requirements:	Simple Majority

Purpose of Report

To consider a request from the Deputy Shire President that a policy be prepared prohibiting road works for two months commencing 20 October to 20 December.

Background

The Deputy Shire President contacted the Chief Executive Officer on 27 September 2024 requesting a policy be prepared for Council to adopt which states no road works will be carried out during harvest.

He further sent an email on 30 September 2024 with the following request/information:

As per our phone call on Friday, could you please draft up a new policy on roadworks during harvest and have it ready to present at the October OCM?

I have spoken to all of council, bar one, and we all agree on a time frame from October 20 to December 20 that there is to be no major roadworks or road construction to be performed during this period, with exception to maintenance grading and emergency repairs.

Officer's Comment

The summer months are usually a local government's peak capital road works period for a number of reasons:

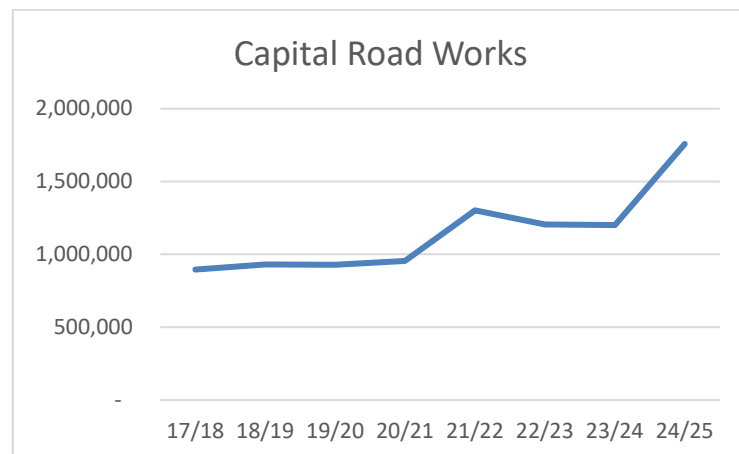
- Weather conditions are more stable and suitable for construction works in summer
- Materials bind together and give a better product in warmer weather
- Moisture content is more controlled in the warmer months
- Curing factor of roads is better when they are built before winter
- Sealing works should only be carried out at temperatures exceeding 26 degrees Celsius
- Timing wise, most of the roadworks are determined by the sealing and wet mixing contractors. Sealing contractors will not guarantee the quality of roadworks done in the wet and they will not seal if rain is eminent, adding costs to jobs if contractors stand down and if final trim grading needs to be done again due to delays and vehicle usage
- Winter months more suitable for maintenance grading due to water content in roads

Ideally, capital roads programs should be finished before April in case of a cold or wet start to autumn and to allow gravel road maintenance grading to be undertaken from April onwards. This an industry wide practice.

The Shire of Trayning has traditionally carried out capital road works through the harvest period and the size of the annual capital road works program has increased over the past few years putting more pressure on staff to deliver projects within the available time frame.

Staff have always endeavoured to ensure that the needs of primary producers are taken into consideration as a high priority.

The budgeted value of capital road works for 2024/25 is substantially higher than previous years as a result of Local Roads and Community Infrastructure Program funding. Future years are expected to be of a similar amount as the Commonwealth Government have increased the Roads to Recovery funding for the next four years.



If Council resolve not to allow staff to do roadworks from 20 October to 20 December 2024, effectively cutting the timeframe for capital works by one third, either the Sherzinger Road project or Harrod Road project will need to be cancelled and the associated grant funding be either unclaimed or handed back.

The Sherzinger Road project is a Roads to Recovery funded project so would be the easiest project to cancel.

If the road program does proceed as planned, staff will make all endeavours to minimise the impact to local primary producers during harvest, including:

- Reopening Kununoppin-Doodlakine Road to traffic for remainder of works
- Liaising with local farmers to determine their individual needs
- Keeping Sherzinger Road open with the road works during harvest being shoulder works

The following capital road works are planned for 2024/2025 summer period but will be dependent on the timing of sealing and wetmix contractors:

Job/Tasks	Week Ending																											
	4-Oct	11-Oct	18-Oct	25-Oct	1-Nov	8-Nov	15-Nov	22-Nov	29-Nov	6-Dec	13-Dec	20-Dec	27-Dec	3-Jan	10-Jan	17-Jan	24-Jan	31-Jan	7-Feb	14-Feb	21-Feb	28-Feb	7-Mar	14-Mar	21-Mar	28-Mar		
Doodlakine-Kununoppin Road																												
Gravel carting to site																												
Reforming road																												
Signs/guideposts etc*																												
Sherzinger Road																												
Demobilisation - one day																												
Gravel carting to Yelbeni Tip																												
Edge repairs (emulsion etc)																												
Topping up gravel/grading shoulders																												
Aggregate Carting																												
Reseal (contractor dependent)																												
Signs/guideposts etc*																												
North Trayning Road																												
Reaseal (contractor dependent)																												
Harrod Road																												
Culvert, drainage, clearing etc (close road)																												
Aggregate Carting																												
Shaping first 480 m																												
Ripping balance of 4.2 km																												
Gravel sheeting																												
Wetmixing																												
Final trim grading																												
Sealing																												
Reopen Road																												
Signs/guideposts etc*																												
Sutherland Street																												
Rip up road section (close road)																												
Address underlying issue																												
Asphalt (contractor dependent)																												
Reopen Road																												

Xmas Shut Down

Minutes: Ordinar * Signs/guideposts etc post Construction Works

The first week of January has been left unallocated to allow for delays due to total fire bans, Harvest & Movement of Machinery in Paddocks Bans, machinery breakdowns and staff leave.

Consultation

The Deputy Shire President has advised that he had spoken to all Councillors except one and they all agreed the Shire should have a policy prohibiting major road works during harvest.

Staff have not been able to identify any other local governments who have a policy that says no major road works can be done during harvest.

Statutory Environment

The Shire currently has four full time staff on the roads crew who will be required to be paid whether they are working or not. While the four local casual staff members can be stood down, there is a risk that in doing so they will seek alternative employment elsewhere and will be difficult to replace.

Under the Local Government Act 1995, the role of Council includes determining the local government's policies.

Section 5.41 of the Act details the functions of the Chief Executive Officer which include the following:

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

Policy Implications

There are no direct implications from current policies.

Financial Implications

The Shire has three major capital road projects in the 2024/25 budget, each with tied grant funding as follows:

Project	Budgeted Cost	Tied Grant Funds	Grant Details
Doodlakine Kununoppin Road - resheeting	398,307	299,637	LRCIP funding – job almost complete
Sherzinger Road – shoulders and resealing	525,216	292,096	Roads to Recovery Funding
Harrod Road – shoulder widening and reseal	736,836	377,143	Regional Road Group Funds – project must be complete by 30 June



Strategic Implications

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

Community Priorities	We know we are succeeding when
3. OUR INFRASTRUCTURE AND NATURAL ENVIRONMENT	
3.2 Safe, efficient, and well-maintained road and footpath network	We deliver a safe and fit for purpose road and footpath network
	Upgrades and improvements are delivered on time and on budget

The policy proposed by Cr Marchant will have significant implications on the Shire’s Strategic Community & Corporate Business Plan, Asset Management Plan, Long Term Financial Plan and Workforce Development Plan.

The current Asset Management Plan states that \$16M of the Shire’s Road pavements are in poor condition and that with current rates of expenditure on gravel road resheeting, only 50% of the required resheeting of the Shire’s gravel road work will occur.

Reducing the time available each summer for road works will accelerate the deterioration of the Shire’s gravel road network.

Risk Implications

Several years ago, the Shire cut its road expenditure levels and were at risk of losing its Roads to Recovery Funding as a result of not having enough ‘own source’ expenditure on roads.

With an expected increase in Roads to Recovery Funding for the next four years and funding on a ‘use it or lose it basis’, the Shire would be at risk of not being able to utilise all of its grant funding if it reduces planned capital road works.

Alternative Motion

That:

- 1) The following policy position be adopted:

No major roadworks or road construction will be performed between 20 October and 20 December each year, with exception of maintenance grading and emergency repairs.

In some cases, roadworks and/ or road construction may be allowed if brought to council as an agenda item, or if discussed in depth with dates at the time the budget is adopted.



- 2) The 2024/25 Annual Budget be amended to remove the 2024/25 Roads to Recovery Project as follows:

GL	Description	Current Budget	Proposed Budget
3121310	Roads to Recovery Grant Funds	292,096	0
RTR017	Sherzinger Road (Capital)	(525,216)	0
RM999	Road Maintenance – General	(219,981)	(453,101)

- 3) It be noted that the Doodlakine-Kununoppin Road works will need to be completed in October/November as planned as they have already commenced and cannot be left.

Officer Recommendation

That:

- 1) Policy 12.4 Harvest and Road Works Coordination be adopted as attached.
- 2) The Shire of Trayning's 2024/25 proposed capital works program proceed as outlined and that care be taken to minimise the impact of works to traffic wherever possible.

Council Decision

Moved Cr ML McHugh

Seconded Cr ME Leslie

That:

The Shire of Trayning's 2024/25 proposed capital works program proceed as outlined and that care be taken to minimise the impact of works to traffic wherever possible.

Resolution 10-2024.123

Carried 6/0

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



4:30pm Cr Brown returned to the meeting.

9.4 SHIRE PRESIDENT

9.4.1 Shire President Report

No report this month.

10 NEW BUSINESS OF AN URGENT NATURE BY DECISION OF MEETING

11 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

- (b) the personal affairs of any person;*
- (e) a matter that if disclosed, would reveal —*
 - (i) a trade secret; or*
 - (ii) information that has a commercial value to a person; or*
 - (iii) information about the business, professional, commercial or financial affairs of a person,*

New Motion

Moved Cr CL Marchant

Seconded Cr CF Harken

That the meeting be closed to the public at 4:31pm for discussion of Item 11.1.

Resolution 10-2024.124

Carried 7/0

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



New Motion

Moved Cr CL Marchant

Seconded Cr DA Naughton

That Standing Order 7.5 Addressing the Meeting be suspended at 4:31pm. To further discuss Item 11.1.

Resolution 10-2024.125

Carried 7/0

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

New Motion

Moved Cr ML McHugh

Seconded Cr ME Leslie

That Standing Order 7.5 Addressing the Meeting be re-instated at 4:37pm.

Resolution 10-2024.126

Carried 7/0

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



11.1 Quotations – 2024/25 Bituminous Surfacing Application Works

Date of Report:	4 October 2024
Proponent:	Chief Executive Officer
File Ref:	3.2.8.1 Tenders
Officer's Disclosure of Interest:	Nil
Attachments:	Summary of Quotations Received
Voting Requirements:	Simple Majority

New Motion

Moved Cr CL Marchant

Seconded Cr PM Barnes

That Council re-open the meeting to members of the public at 4:39pm.

Resolution 10-2024.128

Carried 7/0

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

12 CLOSURE

There being no further business, the Deputy Shire President thanked all Councillors and Staff for their attendance and declared the meeting closed at 4:39 pm.