



# Agenda

## Ordinary Council Meeting

Wednesday 15<sup>th</sup> April 2026

Commencing at 5:00PM

To be held in the Council Chambers,  
Railway Avenue Nungarin



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**Date: 10 April 2026**

**To: Shire President  
Deputy Shire President  
Councillors**



## **NOTICE AND AGENDA - ORDINARY COUNCIL MEETING**

**An Ordinary Council Meeting of the Shire of Nungarin will be held in the Council Chambers on 15<sup>th</sup> April 2026 at 5:00pm to consider and resolve the matters set out in the attached agenda.**

**Chief Executive Officer  
David Nayda**

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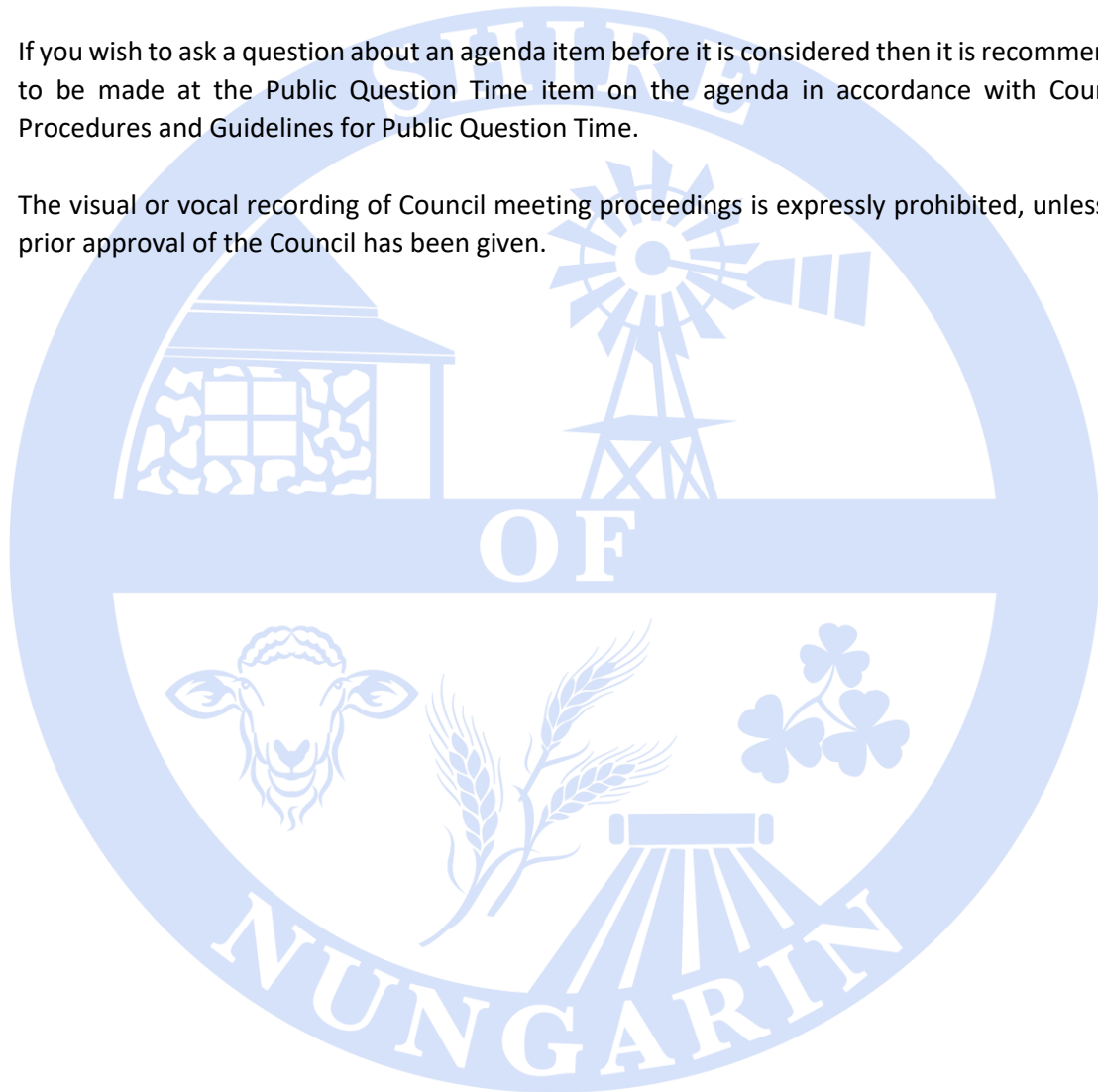
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### **PUBLIC QUESTION TIME**

1. The order of business allows for a Public Question time at the beginning of the meeting.
2. If you wish to ask a question about an agenda item before it is considered then it is recommended to be made at the Public Question Time item on the agenda in accordance with Council's Procedures and Guidelines for Public Question Time.
3. The visual or vocal recording of Council meeting proceedings is expressly prohibited, unless the prior approval of the Council has been given.





**ORDINARY COUNCIL MEETING**

**TO BE HELD ON**

**WEDNESDAY 15<sup>th</sup> APRIL 2026**

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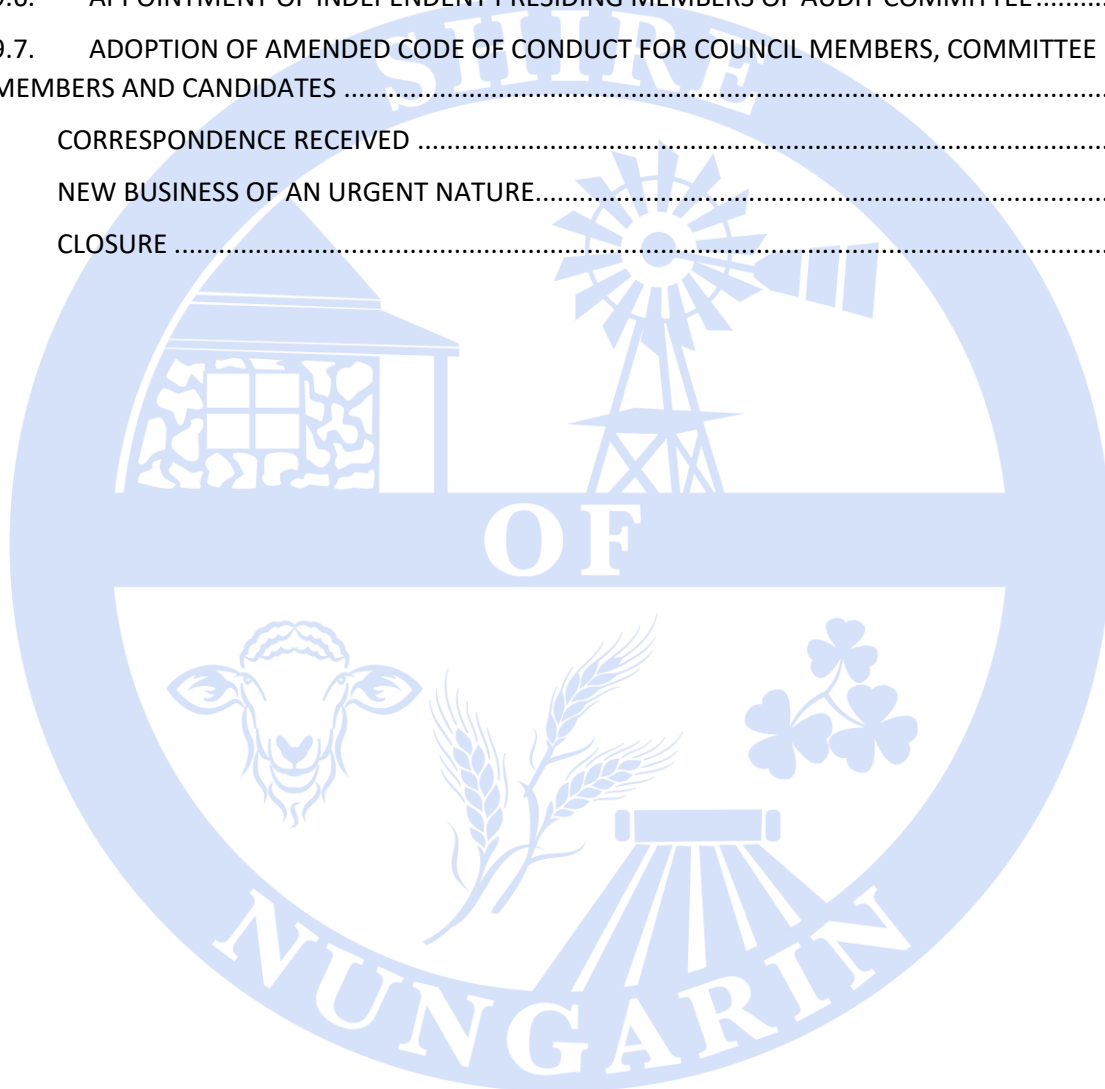
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## AGENDA and STAFF REPORTS

ORDINARY COUNCIL MEETING  
TO BE HELD IN COUNCIL CHAMBERS, NUNGARIN  
ON WEDNESDAY 15<sup>th</sup> APRIL 2026

### 1. DECLARATION OF OPENING

The Presiding Member to declare the meeting open at \_\_\_pm.

#### **Affirmation of Civic Duty and Responsibility as Read**

*I make this Affirmation in good faith on behalf of Councillors and Officers of the Shire of Nungarin. We collectively declare we will duly, faithfully, honestly and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgment and ability.*

#### **Acknowledgement of Traditional Custodians**

We wish to acknowledge the Traditional Custodians of the land we are meeting on, the Njaki Njaki Nyoongar people, and recognise the contribution of Elders past, present and future.

### 2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

#### 2.1. ATTENDANCE

##### **Councillors**

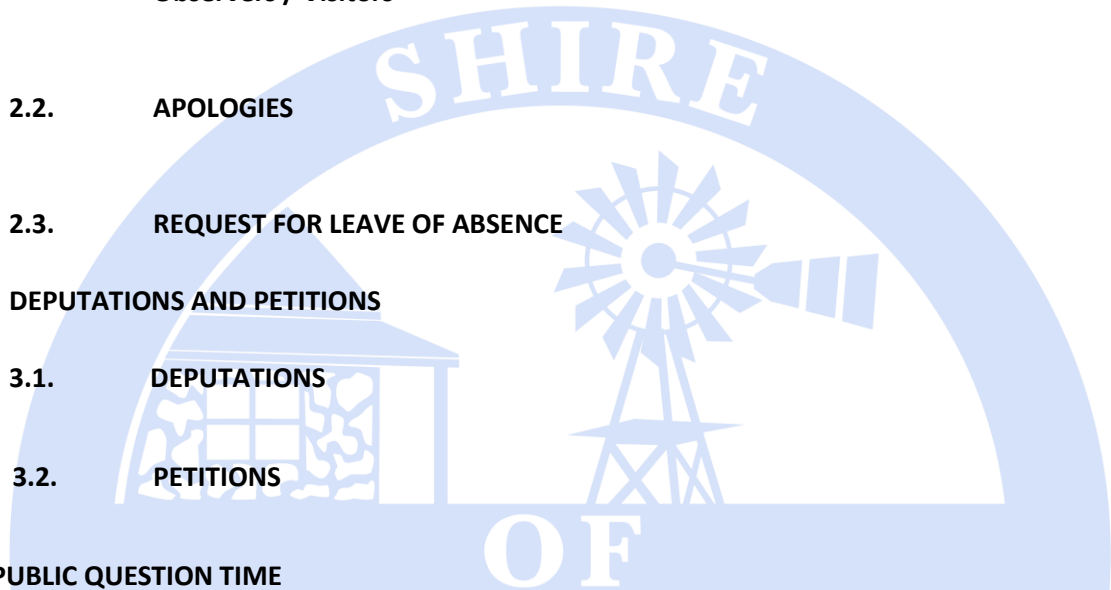
President	Cr P de Lacy
Deputy President	Cr G Coumbe
Elected Member	Cr B Wegner
Elected Member	Cr K Dayman
Elected Member	Cr A Eksanow

Elected Member	Cr W Lee
Elected Member	Cr C Stobie

**Council Officers**

Chief Executive Officer	Mr D Nayda
Manager Works & Services	Mr D. Dhu
Manager Corporate Services	Miss S Sergeant
Executive Assistant	Ms C Morrell

**Observers / Visitors**



**2.2. APOLOGIES**

**2.3. REQUEST FOR LEAVE OF ABSENCE**

**3. DEPUTATIONS AND PETITIONS**

**3.1. DEPUTATIONS**

**3.2. PETITIONS**

**4. PUBLIC QUESTION TIME**

- a. Public Question Time provides the public with an opportunity to put questions to the Council. Questions should only relate to the business of the Council and should not be a statement or personal opinion.
- b. During the Council meeting, after Public Question Time no member of the public may interrupt the meeting’s proceedings or enter into conversation.
- c. Whenever possible, questions should be submitted in writing at least 48 hours prior to the start of the meeting.
- d. All questions should be directed to the President and only questions relating to matters affecting Council may be answered at an Ordinary Council Meeting, and at a Special Council Meeting only questions that relate to the purpose of the meeting may be answered. Questions may be taken on notice and responded to after the meeting, at the discretion of the Presiding Member.
- e. The Presiding member will control Question Time and ensure each person wishing to ask a question states their name and address before asking the question. If the question relates to an item on the agenda, the item number should also be stated. In general, persons seeking to ask questions will be given two (2) minutes within which to address their question to Council. The Presiding Member may shorten or lengthen this time at their discretion.

**4.1. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

**4.2. PUBLIC QUESTION TIME**

**5. DECLARATIONS OF INTEREST**

**5.1. FINANCIAL AND PROXIMITY INTEREST**

**5.2. DISCLOSURES OF INTEREST THAT MAY CAUSE CONFLICT**

**6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

**7. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION**

**7.1. CONFIRMATION MINUTES ORDINARY COUNCIL MEETING – 18<sup>th</sup> MARCH 2026**

**OFFICER RECOMMENDATION**

Moved:.....

Seconded: .....

**That the Minutes of the Ordinary Council Meeting held on 18<sup>th</sup> March 2026 be confirmed as being a true and accurate record.**

**(Not) Carried by Simple Majority: /**

**For:**

**Against:**



**IN BRIEF**

The purpose of this report is to present the listing of payments made from the Shire's Municipal, Trust and Credit Card funds throughout the month of March 2026.

**BACKGROUND**

The attached appendix lists the payments from Council Municipal and Trust funds for the month applicable as per requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following information is required to be presented to Council;

- The Payee's name;
- The amount of the payment;
- The date of the Payment; and
- Sufficient information to identify the transaction.

**REPORT DETAIL**

As Council has delegated authority to the Chief Executive Officer to execute payments from the municipal fund and the trust fund a list of accounts paid is required to be submitted to Council showing the prescribe information.

**SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033**

<b>Focus Area</b>	Community
<b>Aspiration</b>	Responds to the needs of all residents
<b>Objective</b>	Celebration of local culture, heritage and place

**OTHER STRATEGIC LINKS**

Nil

**STATUTORY ENVIRONMENT**

As per Regulation 13 of the *Local Government (Financial Management) Regulations 1996* the following is required;

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared
  - (a) the payee's name;
  - (b) the amount of the payment;
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing for each account which requires council authorization in that month:
  - (i) the payee's name;
  - (ii) the amount of the payment;
  - (iii) sufficient information to identify the transaction and;
  - (iv) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under sub regulation (1) or (2) is to be -

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic**

Nil

**Social**

Nil

**Policy Implications**

Nil

**Risk Management Implications**

Risk Level	Comment
Medium	If the required information is not presented to Council in accordance with the <i>Local Government (Financial Management) Regulation 1996</i> it may result in a qualified audit report and an unclean compliance return submitted to the Department of Local Government, Sport & Cultural Industries.

**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**

Nil

**Workforce**

Nil

<b>9.2. MONTHLY FINANCIAL REPORT MARCH 2026</b>	
<b>File Ref:</b>	N/A
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	David Nayda Chief Executive Officer
<b>Author and Title:</b>	Darren Long Consultant
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.2 A – Monthly Financial Report March 2026

**OFFICER RECOMMENDATION**

**Moved:** ..... **Seconded:** .....

**That Council, regarding the Monthly Financial Report for March 2026, resolves to formally accept and acknowledge the contents of the report**

**(Not) Carried by Simple Majority: /**

**For:**

**Against:**

**IN BRIEF**

For Council to consider the monthly financial report for the period ending 31<sup>st</sup> March 2026.

**SUMMARY KEY ISSUES**

The *Local Government Act 1995* and Regulations require local government to prepare monthly reports containing the information that is prescribed.

**BACKGROUND**

The *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* require local governments to prepare monthly reports containing the information that is prescribed.

**SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033**

<b>Focus Area</b>	Our organisation
<b>Aspiration</b>	Effective forward planning, and engagement with our community
<b>Objective</b>	Deliver sound financial and asset management

## **STRATEGIC IMPLICATIONS**

There are no Strategic Plan implications evident at this time.

## **STATUTORY ENVIRONMENT**

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Finance) Regulations 1996*.

*Local Government (Financial Management) Regulations 1996*:

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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);
  - (b) budget estimates to the end of month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
  - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
  - (e) the net current assets at the end of the month to which the statement relates.
- (2) Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

## **OFFICER COMMENT**

The Shire prepares the monthly financial statements in the statutory format along with other supplementary financial reports consisting of:

- (a) Statement of Comprehensive Income by Function/Program;
- (b) Statement of Comprehensive Income by Nature/Type;
- (c) Statement of Financial Activity by Nature/Type;
- (d) Statement of Financial Activity by Program;
- (e) Summary of Net Current Asset Position;
- (f) Statement of Explanation of Material Variances;
- (g) Statement of Financial Position;
- (h) Statement of Cash Flows;
- (i) Statement of Capital Grants and Contract Liabilities;
- (j) Statement of Capital Expenditure;
- (k) Statement of Cash Back Reserves;
- (l) Statement of Loan Borrowings;
- (m) Statement of Trust Funds held; and
- (n) Detailed Operating and Non-Operating Schedules.

## **MATERIAL VARIANCE COMMENTARY ON YEAR TO DATE**

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* require local governments to prepare annual budget estimates and month by month budget estimates so that

comparatives can be made to Year to Date (YTD) Actual amounts of expenditure, revenue and income.

Attached to this report is a copy of the month by month cumulative budget estimates, set out in the Statement of Financial Activity format.

The Statement of Financial Activity as at 31<sup>st</sup> March 2026 shows a closing surplus of \$854,954.

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic**

Nil

**Social**

Nil

**Policy Implications**

Nil

**Risk Management Implications**

Risk Level	Comment
Medium	N/A

**CONSULTATION**

Financial Consultant – Darren Long

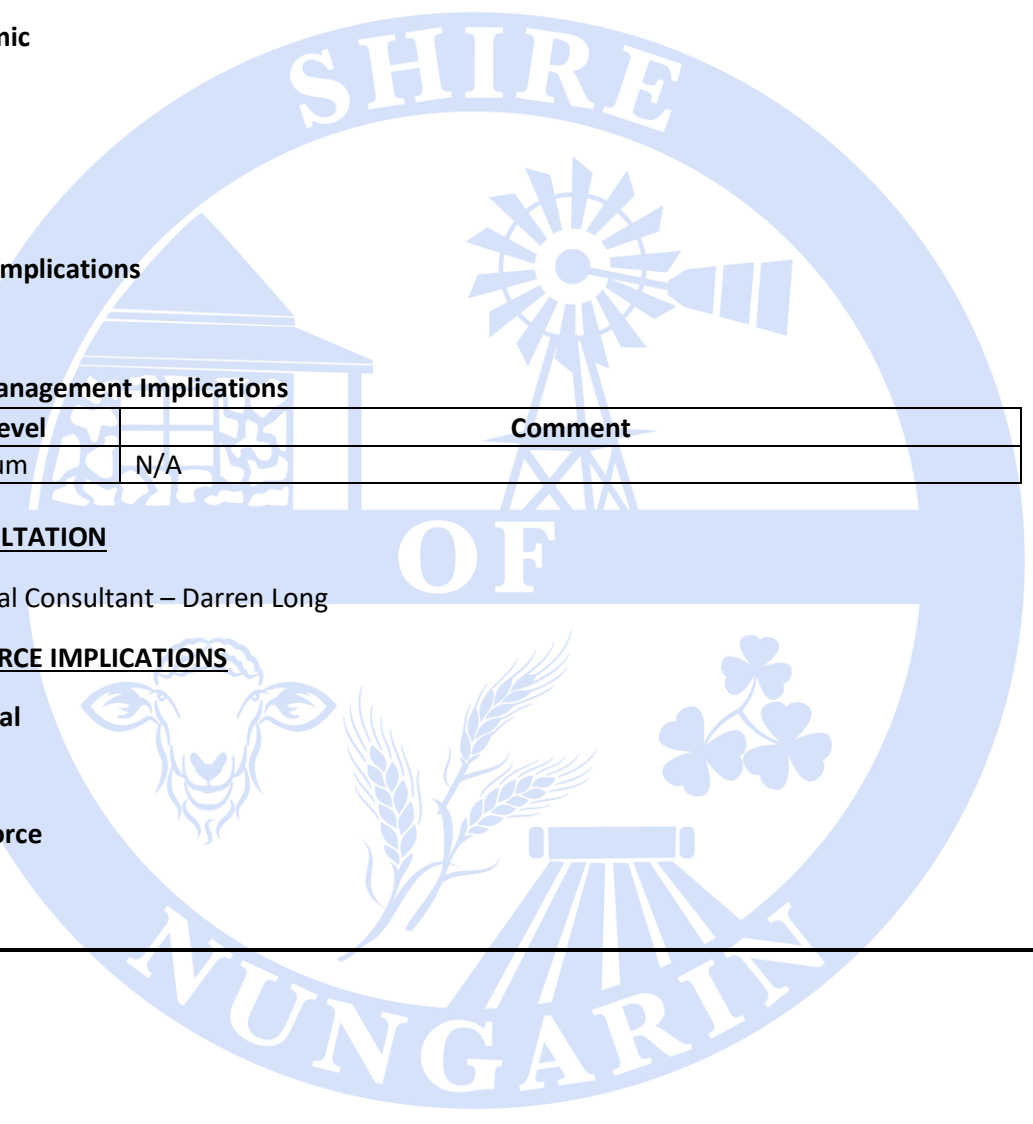
**RESOURCE IMPLICATIONS**

**Financial**

Nil

**Workforce**

Nil





INVESTMENT REGISTER						
01 <sup>st</sup> MARCH TO 31 <sup>st</sup> MARCH 2026						
COMMONWEALTH BANK – FIXED TERM DEPOSIT						
ACCOUNT N <sup>o</sup>	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31/03/2026	INVESTMENT TRANSFERS	CLOSING BALANCE 31/03/2026
38132004.70	18/05/2026	4.43%	\$1,139,067.49	\$0.00	\$0.00	\$1,139,067.49

### SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

<b>Focus Area</b>	Our organisation
<b>Aspiration</b>	Effective forward planning, and engagement with our community
<b>Objective</b>	We deliver sound financial and asset management

### OTHER STRATEGIC LINKS

No Strategic Plan implications

### STATUTORY ENVIRONMENT

#### *Local Government Act 1995*

#### **6.14. Power to invest**

- (1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the *Trustees Act 1962* Part III.
- (2A) A local government is to comply with the regulations when investing money referred to in subsection (1).
- (2) Regulations in relation to investments by local governments may —
  - (a) make provision in respect of the investment of money referred to in subsection (1); and
  - (b) [deleted];
  - (c) prescribe circumstances in which a local government is required to invest money held by it; and
  - (d) provide for the application of investment earnings; and
  - (e) generally provide for the management of those investments.

#### *Local Government (Financial Management) Regulations 1996*

#### **19. Investments, control procedures for**

- (1) A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.
- (2) The control procedures are to enable the identification of —

- (a) the nature and location of all investments; and
- (b) the transactions related to each investment.

**19C. Investment of money, restrictions on (Act s. 6.14(2)(a))**

(1) In this regulation –

**authorised institution** means –

- (a) an authorised deposit-taking institution as defined in the *Banking Act 1959 (Commonwealth)* section 5; or
- (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

**foreign currency** means a currency except the currency of Australia.

(2) When investing money under section 6.14(1), a local government may not do any of the following –

- (a) deposit with an institution except an authorised institution;
- (b) deposit for a fixed term of more than 12 months;
- (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- (d) invest in bonds with a term to maturity of more than 3 years;
- (e) invest in a foreign currency.

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic**

Nil

**Social**

Nil

**Policy Implications**

Council Policy F2 applies to the investment of surplus funds.

**Risk Management Implications**

Risk Level	Comment
Low	

**CONSULTATION**

Financial Consultant – Darren Long

**RESOURCE IMPLICATIONS**

**Financial**

Nil

**Workforce**

Nil

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<b>9.4. BUDGET AMENDMENT FOR SQL SHADOWING</b>	
<b>File Ref:</b>	N/A
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	David Nayda Chief Executive Officer
<b>Author and Title:</b>	Selina Sergeant Manager Corporate Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	9.4A ITVision Quote for SQL Shadowing

**OFFICER RECOMMENDATION**

Moved: ..... Seconded: .....

That Council authorise the following amendments to the 2025/2026 budget to accommodate SQL Shadowing, enabling information transfer from SynergySoft to MAGIQ Software.

Account Number	Account Description	Increase	(Decrease)	Original Budget
204216	Computer services	\$20,351.00	\$0.00	\$
504206	Transfer from Computer Equipment and Software Reverse	(\$20,351.00)	\$0.00	\$0

(Not) Carried by Absolute Majority: /

For:

Against:

**IN BRIEF**

It is proposed to transfer \$20,351.00 from the Computer Equipment and Software Reserve to fund the implementation of SynergySoft SQL Shadowing services to enable data transfer from SynergySoft to MAGIQ Software.

**BACKGROUND**

The Shire is in the process of transitioning its Enterprise Resource Planning (ERP) system from SynergySoft to MAGIQ Software. As part of this transition, historical and current data must be transferred from the existing system to the new ERP platform to ensure business continuity, data integrity and operational readiness.

**REPORT DETAIL**

The Shire is currently transitioning to a new ERP program, MAGIQ Software. During the planning phase of the transition, it was identified that SQL Shadowing is required to enable the secure and accurate transfer of data from SynergySoft to MAGIQ Software. This requirement was not identified during the

original scoping or budgeting phase of the ERP transition project and was therefore not included in the approved budget.

To enable the data transfer, the Shire is required to engage ITVision to configure and establish the necessary SQL Shadowing environment. A formal quotation has been received from ITVision, which is included as an attachment to the Agenda. The quote totals \$20,351.00 excl GST, inclusive of an annual license fee of \$2,437.00 excl. GST.

Council is requested to consider approving a transfer of \$20,351.00 from Computer Equipment and Software Reserve to fund the installation and licensing cost for SQL Shadowing. Account 204216 – Computer Services will be increased by \$20,351.00 to accommodate the cost of the SQL Shadowing expense.

The proposed expenditure is consistent with the purpose of the Computer Equipment and Software Reserve.

#### **OTHER STRATEGIC LINKS**

Nil

#### **STATUTORY ENVIRONMENT**

##### 2.7. Role of council

- (2) The council's governing role includes the following —
- (a) overseeing the allocation of the local government's finances and resources;

##### 6.11. Reserve accounts

(1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

(3) A local government is not required to give local public notice under subsection (2) —

- (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or

- (b) in such other circumstances as are prescribed.

(5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

#### **SUSTAINABILITY AND RISK CONSIDERATIONS**

##### **Economic**

Nil

**Social**

Nil

**Policy Implications**

Nil

**Risk Management Implications**

Risk Level	Comment
Low	

**CONSULTATION**

Darren Long  
MAGIQ Software  
ITVision

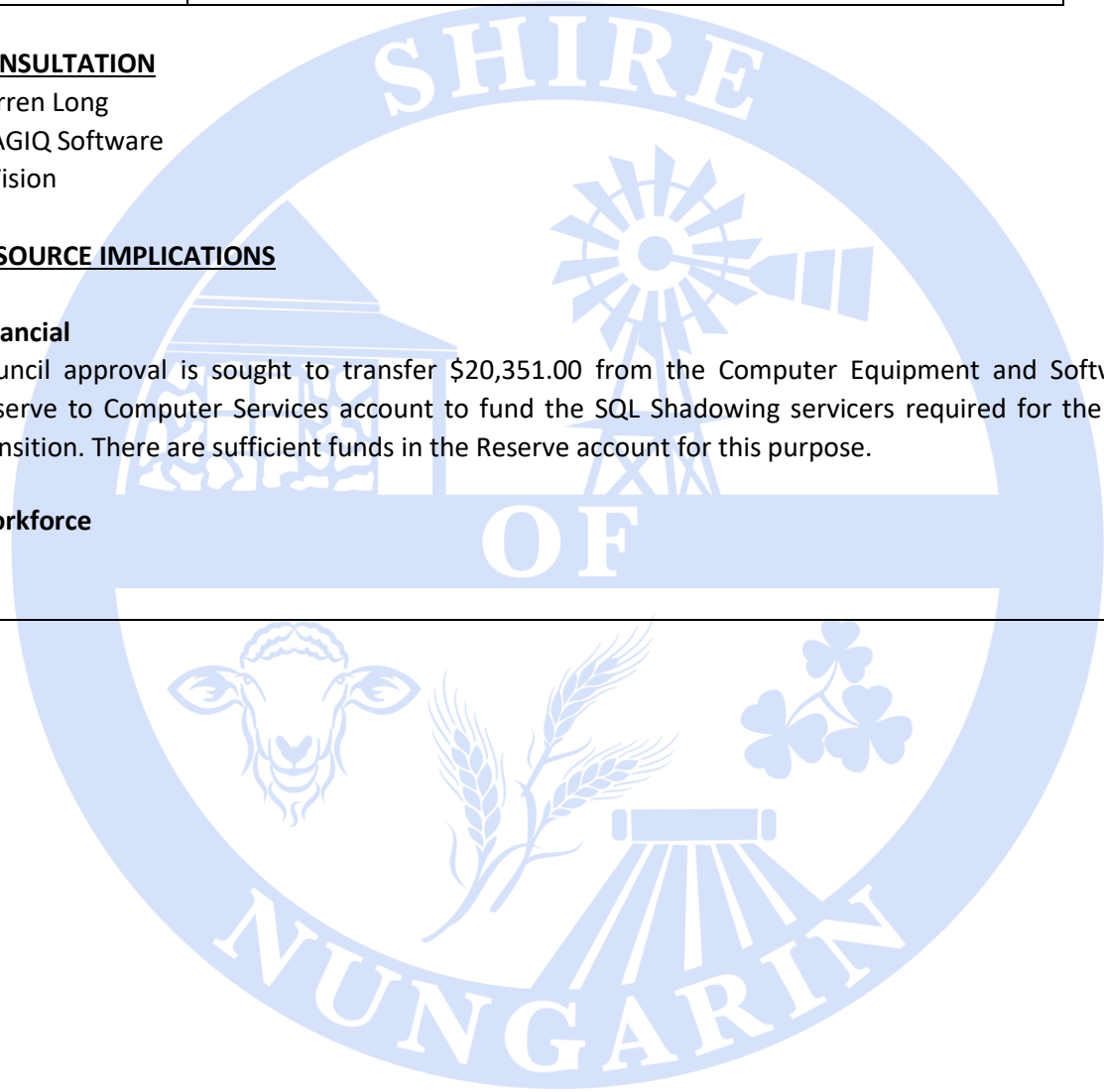
**RESOURCE IMPLICATIONS**

**Financial**

Council approval is sought to transfer \$20,351.00 from the Computer Equipment and Software Reserve to Computer Services account to fund the SQL Shadowing services required for the ERP transition. There are sufficient funds in the Reserve account for this purpose.

**Workforce**

Nil



<b>9.5. FEES AND CHARGES – RENT - 2 BEDROOM, 1 BATHROOM UNITS</b>	
<b>File Ref:</b>	N/A
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	David Nayda Chief Executive Officer
<b>Author and Title:</b>	Selina Sergeant Manager Corporate Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	Nil

**OFFICER RECOMMENDATION**

**Moved:** ..... **Seconded:** .....

**That Council in accordance with Sections 6.16 and 6.19 of the *Local Government Act 1995*:**

(a) adopt a weekly rental fee of \$180.00 for a two-bedroom, one bathroom (2x1) unit.

(b) give local public notice of the proposed new fee.

**(Not) Carried by Absolute Majority: /**

**For:**

**Against:**

**IN BRIEF**

Council is requested to consider the inclusion of a weekly rent fee of \$180 in the Schedule of Fees and Charges for the current financial year for two-bedroom, one bathroom and one toilet (2x1) units recently acquired from CEACA.

**BACKGROUND**

The Shire recently acquired two residential units. At present, no rental fee has been formally adopted in the Schedule of Fees and Charges for these properties.

**REPORT DETAIL**

The two residential units are two-bedroom dwellings comprising one bathroom and a separate toilet (2x1 units).

At the time of acquisition, the existing tenancy agreements transferred to the Shire, with rent currently set at \$180.00 per week, as specified in the lease agreements.

In order to ensure consistency with Council’s adopted Fees and charges and to support transparent financial administration, Council approval is required to formally include the weekly rental fee of \$180.00 for 2x1 units in the Schedule of Fees and Charges for the current financial year.

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

Subdivision 2 — Fees and charges

#### 6.16. Imposition of fees and charges

(1) A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

*\* Absolute majority required.*

(2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (b) supplying a service or carrying out work at the request of a person;
- (c) subject to section 5.94, providing information from local government records;
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
- (e) supplying goods;
- (f) such other service as may be prescribed.

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed\* during a financial year; and
- (b) amended\* from time to time during a financial year.

*\* Absolute majority required.*

#### 6.19 Local Government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees and charges, give local public notice of

-

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

**1.7 local public notice**

Where under this Act local public notice of a matter is required to be given, notice of the matter must be –

- (a) published on the official website of the local government concerned in accordance with the regulations; and
- (b) given in at least 3 of ways prescribed for the purpose of this section.

Administration Regulation 3A.

**3A Requirement for local public notice (Act s. 1.7)**

(1) For the purpose of section 1.7(a), notice of a matter must be published on the local government's official website for –

- (a) the period specified in order under the Act in relation to the notice; or
- (b) if no period is specified in relation to the notice – a period of not less than 7 days,

(2) For the purposes of section 1.7(b), each of the following ways of giving notice of a matter is prescribed –

- (a) publication in a newspaper circulating generally in the State;
- (b) publication in a newspaper circulating generally in the district;
- (c) publication in 1 or more newsletters circulating generally in the district;
- (d) publication on the official website of the Department or another State agency, as appropriate having regard to the nature of the matter and the persons likely to be affected by it, for –
  - (i) the period specified in or under the Act in relation to the notice; or
  - (ii) if no period is specified in relation to the notice – a period of not less than 7 days;
- (e) circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;
- (f) exhibition on a notice board at the local government offices and each local government library in the district for –
  - (i) the period specified in or under the Act in relation to the notice; or
  - (ii) if no period is specified in relation to the notice – a period of not less than 7 days;
- (g) posting on a social media account administered by the local government for –
  - (i) the period specified in or under the Act in relation to the notice; or
  - (ii) if no period is specified in relation to the notice – a period of not less than 7 days.

**SUSTAINABILITY AND RISK CONSIDERATIONS****Economic**

Nil

**Social**

Nil

**Policy Implications**

Nil

**Risk Management Implications**

Risk Level	Comment
Low	

**CONSULTATION**

Nil

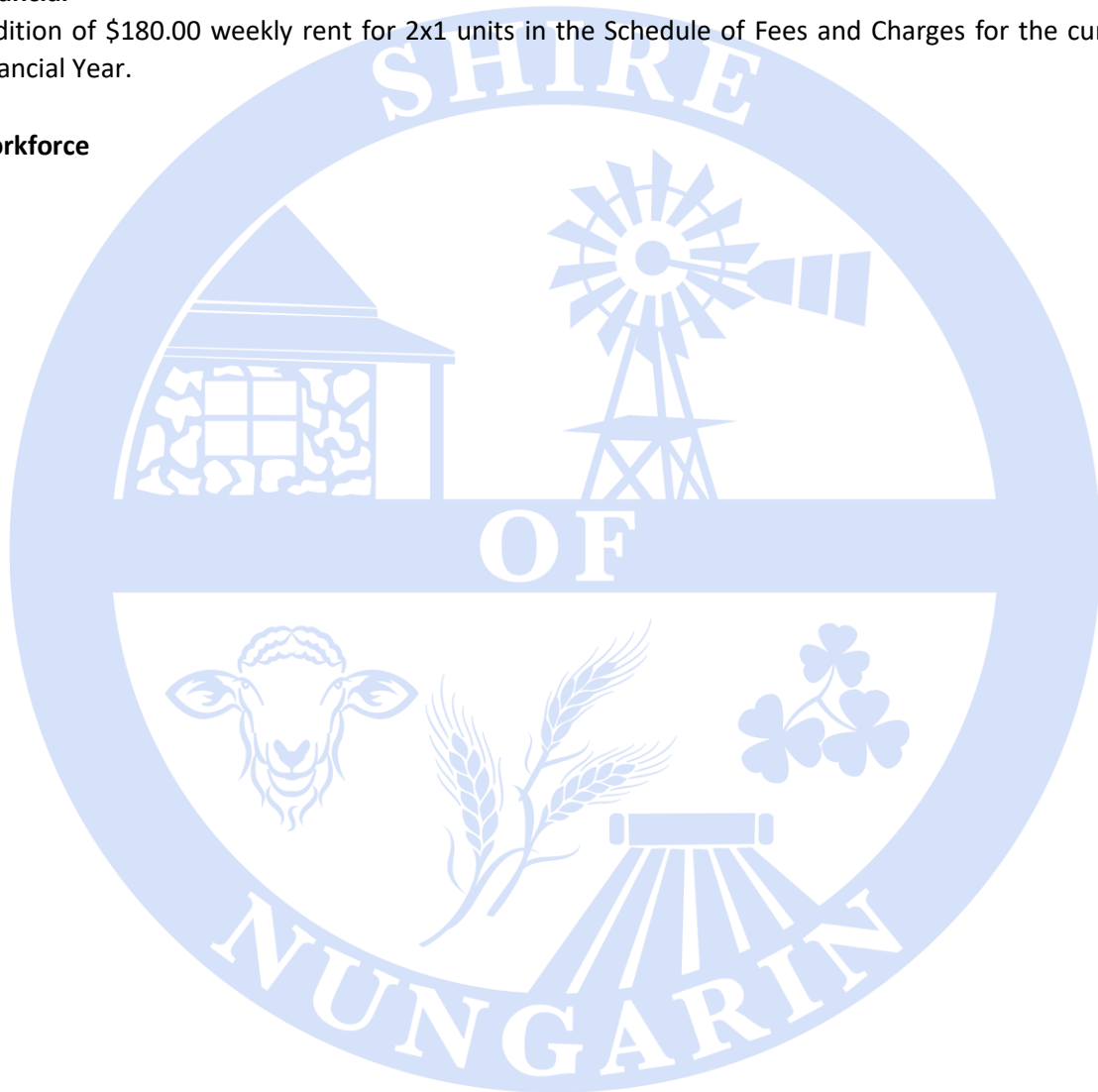
**RESOURCE IMPLICATIONS**

**Financial**

Addition of \$180.00 weekly rent for 2x1 units in the Schedule of Fees and Charges for the current Financial Year.

**Workforce**

Nil



<b>9.6. APPOINTMENT OF INDEPENDENT PRESIDING MEMBERS OF AUDIT COMMITTEE</b>	
<b>File Ref:</b>	N/A
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	David Nayda Chief Executive Officer
<b>Author and Title:</b>	Selina Sergeant Manager Corporate Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	

**OFFICER RECOMMENDATION**

**Moved:** ..... **Seconded:** .....

**That Council:**

- **Appoints Darren Mollenoyux as the Independent Chairperson of the Shire of Nungarin Committee, effective immediately;**
- **Appoints Michael Caughey as the Independent Deputy Chairperson of the Shire of Nungarin Committee, effective immediately;**
- **Notes that the appointment is made without a formal Expression of Interest process, based on the candidates demonstrated qualifications, experience and independence;**
- **Approve the Sitting Fee of the Chairperson and Deputy Chairperson of \$110.00 per meeting and travel of \$0.95 per km.**

**(Not) Carried by Absolute Majority: /**

**For:**

**IN BRIEF**

Requirements for Audit, Risk and Improvement Committees (ARICs) have now been inserted in Part 7 of the *Local Government Act 1995* (the Act) and the *Local Government (Audit) Regulations 1996* (the Audit Regulations).

**BACKGROUND**

Significant amendments to the Act and Audit Regulations took effect on 01<sup>st</sup> January 2026 as part of the State Government’s second tranche of local government governance reforms, fundamentally changing how audit oversight operates in Western Australian local governments.

**REPORT DETAIL**

From 01<sup>st</sup> January 2026, traditional Audit Committees were replaced by Audit, Risk and Improvement Committees (ARICs).

The amendments as contained in Part 7, Division 1A of the *Local Government Act 1995*, expanded the scope of audit committees to explicitly include risk management and continuous improvement and clarified the advisory and oversight role of these committees to Council.

A key reform introduced was the requirement that the presiding member (chair) of the ARIC must be independent and must not be a council member of any local government. This requirement also applies to the Deputy Presiding Member.

These provisions are set out in Section 7.1A of the Act and supported by amendments to section 5.12 regarding presiding members and voting requirements.

Appointments must be made by Absolute Majority.

While the Shire could initiate a formal EOI process, the candidates identified are both qualified and experienced. Given the Shire's limited resource environment and the benefit of timely progression, it is proposed that Council proceeds with a direct appointment.

The candidates have previously served in executive and governance roles in local government sectors and hold formal qualifications in accounting and risk management.

#### **OTHER STRATEGIC LINKS**

Nil

#### **STATUTORY ENVIRONMENT**

Part 7, Division 1A – Audit, Risk and Improvement Committee

*(Inserted by the Local Government Amendment Act 2024; commenced 1 January 2026)*

7.1A Establishment of audit, risk and improvement committee

(1) A local government must establish a committee of its council to be called the audit, risk and improvement committee.

(3) The presiding member of the audit, risk and improvement committee cannot be a council member of the local government or of any other local government."

5.12 Presiding members and deputies

(1) The local government must appoint\* a member of a committee to be the presiding member of the committee.

*\*Absolute majority required.*

(2) The local government may appoint\* a member of a committee to be the deputy presiding member of the committee.

*\*Absolute majority required.*

#### **SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic**

Nil

**Social**

Nil

**Policy Implications**

Nil

**Risk Management Implications**

Risk Level	Comment
Low	

**CONSULTATION**

Nil

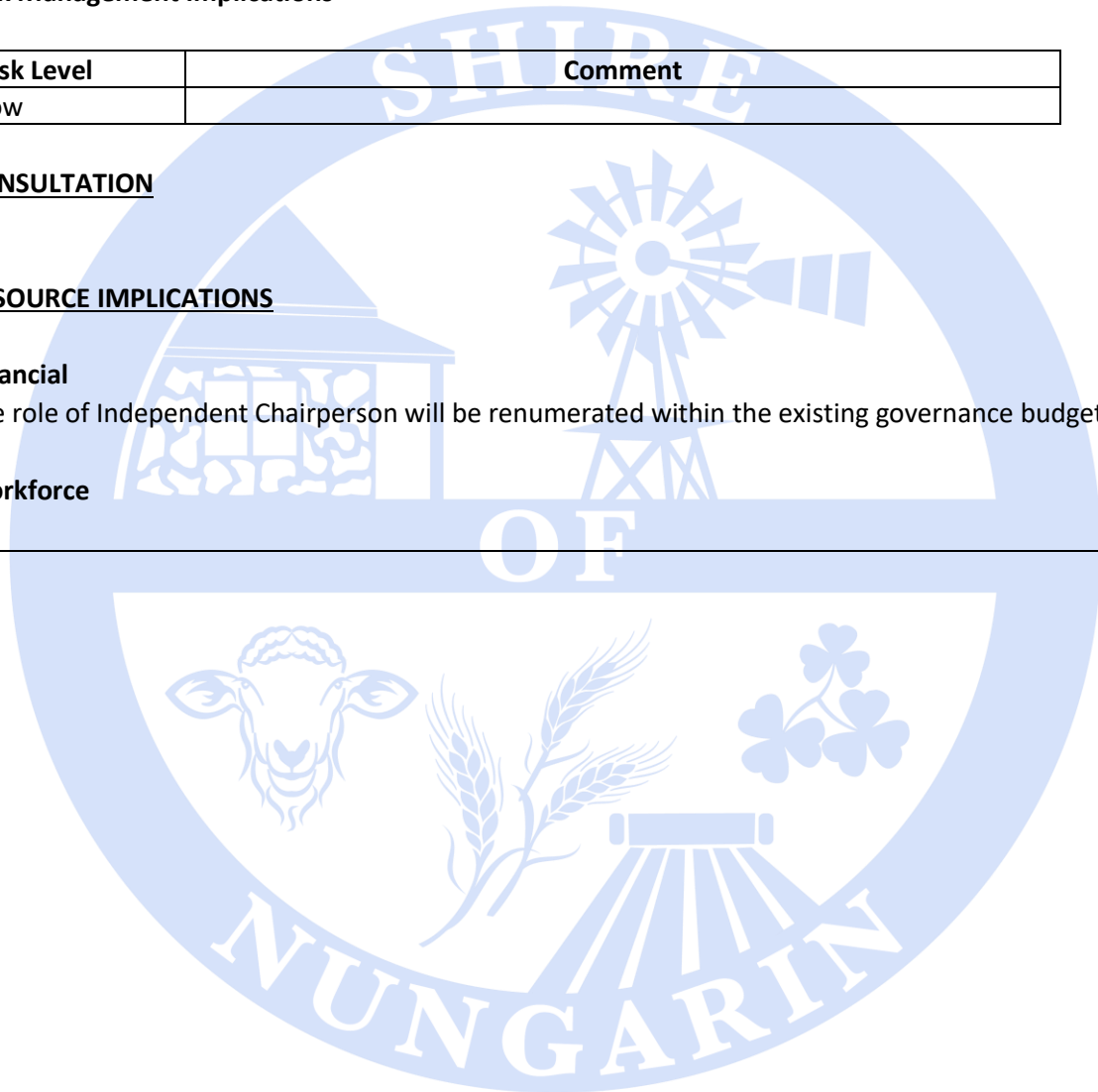
**RESOURCE IMPLICATIONS**

**Financial**

The role of Independent Chairperson will be remunerated within the existing governance budget.

**Workforce**

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<b>9.7. ADOPTION OF AMENDED CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES</b>	
<b>File Ref:</b>	N/A
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	David Nayda Chief Executive Officer
<b>Author and Title:</b>	Selina Sergeant Manager Corporate Services
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachment Number</b>	9.7A Policy GEM 8 – Amended Code of Conduct for Council Members, Committee Members and Candidates

**OFFICER RECOMMENDATION**

**Moved:** ..... **Seconded:** .....

**That Council:**

(a) adopts the amended Code of Conduct for Council Members, Committee Members and Candidates, as attached;

(b) notes that the amendments have been made to ensure alignment with the Local Government Amendment Act 2024 and the associated changes to the Councillor Code of Conduct and Complaints Framework that commenced on 1 January 2026.

**(Not) Carried by Absolute Majority: /**

**For:**

**Against:**

**IN BRIEF**

Councils is requested to adopt an amended Code of Conduct for Council Members, Committee Members and Candidates to ensure compliance with amendments to the *Local Government Act 1995* and the *Local Government (Model Code of Conduct) Regulations 2021* that commenced in January 2026.

**BACKGROUND**

The Local Government Amendment Act 2024 introduced significant reforms to councillor conduct, governance, and complaint-handling arrangements.

Key provisions of the Act commenced on 1 January 2026, replacing the previous councillor conduct framework with a revised regime that includes new breach categories, revised referral pathways, and enhanced oversight by the Local Government Inspector.

The Shire was required to maintain a Code of Conduct that is consistent with the Model Code prescribed in the Regulations, as amended, by 31<sup>st</sup> March 2026, and to ensure its local governance documents accurately reflect the current legislative framework.

As the statutory deadline of 31 March 2026 could not be met, the Local Government Inspector was contacted to request an extension. An extension was granted, permitted the matter to be submitted to Council for consideration at the 15<sup>th</sup> April 2026 Council Meeting.

### **REPORT DETAIL**

Amendments commencing on 1 January 2026 introduced the following changes relevant to councillor conduct:

- Replacement of the former *minor breach* framework with behavioural breaches, conduct breaches and specified breaches;
- Revised complaint-handling and escalation processes, including mandatory referral to the Local Government Inspector in certain circumstances;
- Updated terminology and enforcement pathways under Parts 5 and 8A of the *Local Government Act 1995*.

An amended Code of Conduct for Council Members, Committee Members and Candidates has been prepared to align with these legislative changes and the current Model Code of Conduct prescribed under the Regulations.

Adoption of the amended Code will ensure:

- Legislative compliance from 1 January 2026 onward;
- Clear expectations and obligations for Elected Members and Committee Members;
- Consistent and transparent handling of conduct matters.

### **OTHER STRATEGIC LINKS**

Nil

### **STATUTORY ENVIRONMENT**

#### **5.103. Model code of conduct for council members, committee members and candidates**

- (1) Regulations must prescribe a model code of conduct for council members, committee members and candidates.
- (2) The model code of conduct must include —
  - (a) general principles to guide behaviour; and
  - (b) requirements relating to behaviour; and
  - (c) provisions specified to be rules of conduct.
- (3) The model code of conduct may include provisions about how the following are to be dealt with —
  - (a) alleged breaches of the requirements referred to in subsection (2)(b);
  - (b) alleged breaches of the rules of conduct by committee members.

(3A) Without limiting subsection (3), the provisions of the model code of conduct may —

(a) provide for the Inspector to appoint a monitor for a local government to assist the local government to deal with matters raised by a complaint of a behavioural breach; and

(b) confer other functions on the Inspector in relation to a complaint of a behavioural breach.

(4) The model code of conduct cannot include a rule of conduct if contravention of the rule would, in addition to being a conduct breach, also be a specified breach.

(5) Regulations may amend the model code of conduct.

*[Section 5.103 inserted: No. 16 of 2019 s. 50; amended: No. 47 of 2024 s. 68.]*

#### **5.104. Adoption of model code of conduct**

(1) Within 3 months after the day on which regulations prescribing the model code come into operation, a local government must prepare and adopt\* a code of conduct to be observed by council members, committee members and candidates that incorporates the model code.

*\* Absolute majority required.*

(2) Within 3 months after the day on which regulations amending the model code come into operation, the local government must amend\* the adopted code of conduct to incorporate the amendments made to the model code.

*\* Absolute majority required.*

(3) A local government may include in the adopted code of conduct requirements in addition to the requirements referred to in section 5.103(2)(b), but any additional requirements —

(a) can only be expressed to apply to council members or committee members; and

(b) are of no effect to the extent that they are inconsistent with the model code.

(4) A local government cannot include in the adopted code of conduct provisions in addition to the principles referred to in section 5.103(2)(a) or the rules of conduct.

(5) The model code is taken to be a local government's adopted code of conduct until the local government adopts a code of conduct.

(6) An alleged breach of a local government's adopted code of conduct by a candidate cannot be dealt with under this Division or the adopted code of conduct unless the candidate has been elected as a council member.

(7) The CEO must publish an up-to-date version of a local government's adopted code of conduct on the local government's official website.

*[Section 5.104 inserted: No. 16 of 2019 s. 50.]*

#### **SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic**

Nil

**Social**

Nil

**Policy Implications**

Adoption of the amended code of conduct supports good governance and ethical standards, compliance with statutory obligations and transparency and accountability in elected member conduct.

**Risk Management Implications**

Risk Level	Comment
Low	Minimal Changes

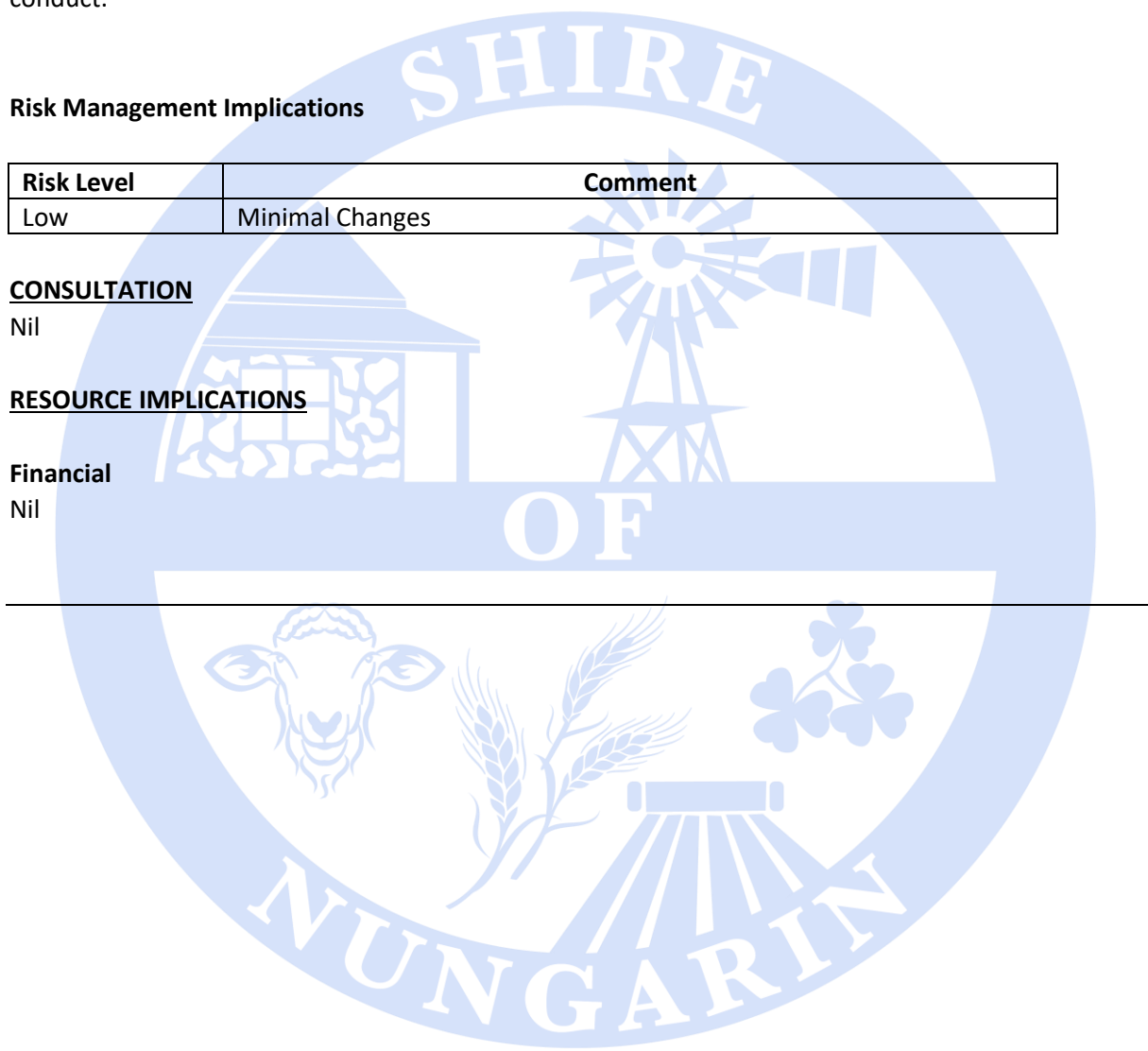
**CONSULTATION**

Nil

**RESOURCE IMPLICATIONS**

**Financial**

Nil



<b>9.8. STREETS ALIVE GRANT – STREAM 2</b>	
<b>File Ref:</b>	N/A
<b>Previous Items:</b>	Nil
<b>Responsible Officer:</b>	David Nayda Chief Executive Officer
<b>Author and Title:</b>	David Nayda Chief Executive Officer
<b>Declaration of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple Majority
<b>Attachment Number</b>	9.8.A

**OFFICER RECOMMENDATION**

**Moved:** ..... **Seconded:** .....

**That Council notes the Streets Alive Grant – Stream 2 project update and receives the concept mock-ups for consideration and select the final placement of the metal artwork and street art mural.**

**(Not) Carried by Simple Majority: /**

**For:**

**Against:**

commenced.

**REPORT DETAIL**

The CRC was advised by the Town Team Movement and Main Roads WA that a minor modification to the original project plan was required. The original scope included the purchase of five bins. The modification allows for the reallocation of funding from one bin towards the inclusion of a street mural.

Council considered this request and at the Ordinary Council Meeting held on 18 March 2026, resolved as follows:

Council Resolution 25/03/26

The CRC has since prepared concept mock-ups to demonstrate indicative placement options for project elements along Railway Avenue. These include:

- Metal soldier art
- Corrugated Grass Trees
- Flat-top road humps
- Solar speed radar signage

The mock-ups are provided for consideration and do not represent metal artwork confirmed locations.

The street mural remains at an early concept stage only. The artist will be in Nungarin on April 10, 2026 to discuss potential ideas. The final street artwork will be presented to Council for consideration at a later date. Placement for the street mural will need to be determined by Council to understand the working space for design parameters.

**OTHER STRATEGIC LINKS**

**STATUTORY ENVIRONMENT**

**SUSTAINABILITY AND RISK CONSIDERATIONS**

**Economic**

Nil

**Social**

Nil

**Policy Implications**

Nil

**Risk Management Implications**

The use of concept mock-ups allows the identification of possible safety, design and placement issues prior to final implementation. Any final designs and installation locations will be subject to further Council consideration and approval.

Risk Level	Comment

**CONSULTATION**

Consultation has occurred with:

- Town Team Movement
- Main Roads WA
- Staff

Further consultation will occur as final designs are developed.

**RESOURCE IMPLICATIONS**

**Financial**

Nil (The project is fully funded through the Streets Alive Grant – Stream 2.)

**Workforce**

Minimal

**10. CORRESPONDENCE RECEIVED**

**11. NEW BUSINESS OF AN URGENT NATURE**

**OFFICER RECOMMENDATION**

**Moved:** .....

**Seconded:** .....

**That Council considers the following item is urgent business:**

**(Not) Carried by Simple Majority: /**

**For:**

**Against:**

**12. CLOSURE**

There being no further business the meeting closed at .....

\_\_\_\_\_  
Presiding Member

\_\_\_\_\_  
Date

