



Agenda

Ordinary Council Meeting

Wednesday 18th December 2024

Commencing at 4:30PM

To be held in the Council Chambers,
Railway Avenue Nungarin



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Date: 16 December 2024

**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 18th December 2024 at 4:30pm to consider and resolve the matters set out in the attached agenda.

**Chief Executive Officer
David Nayda**

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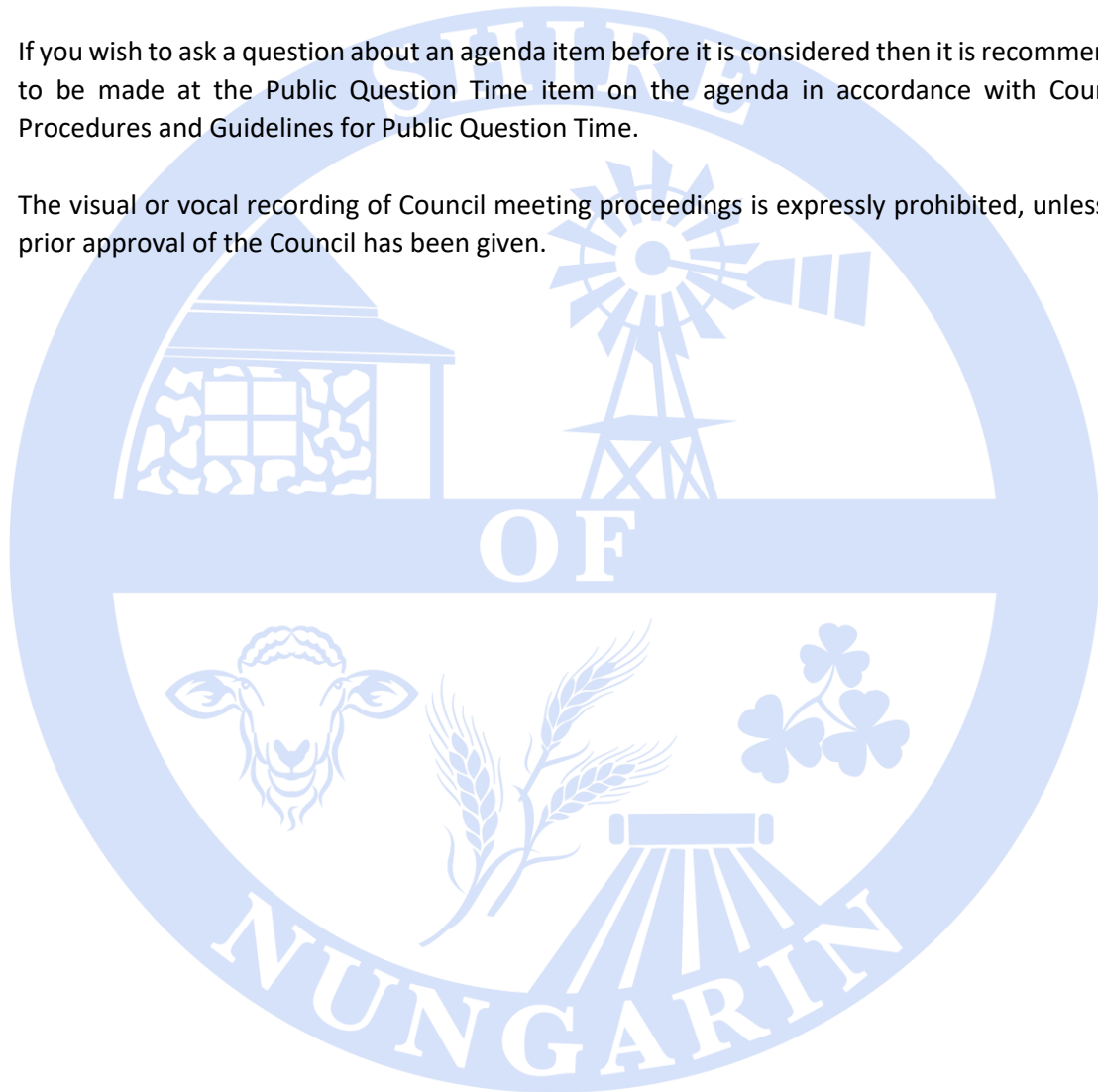
Any statement, comment or decision made at a Council or Forum meetings regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Forum meetings.

Any advice provided by an employee of the Shire on the operation of a written law, or the performance of a function by the Shire, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the Shire. Any advice on a matter of law, or anything sought to be relied upon as a representation by the Shire should be sought in writing and should make clear the purpose of the request.

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 18 December 2024

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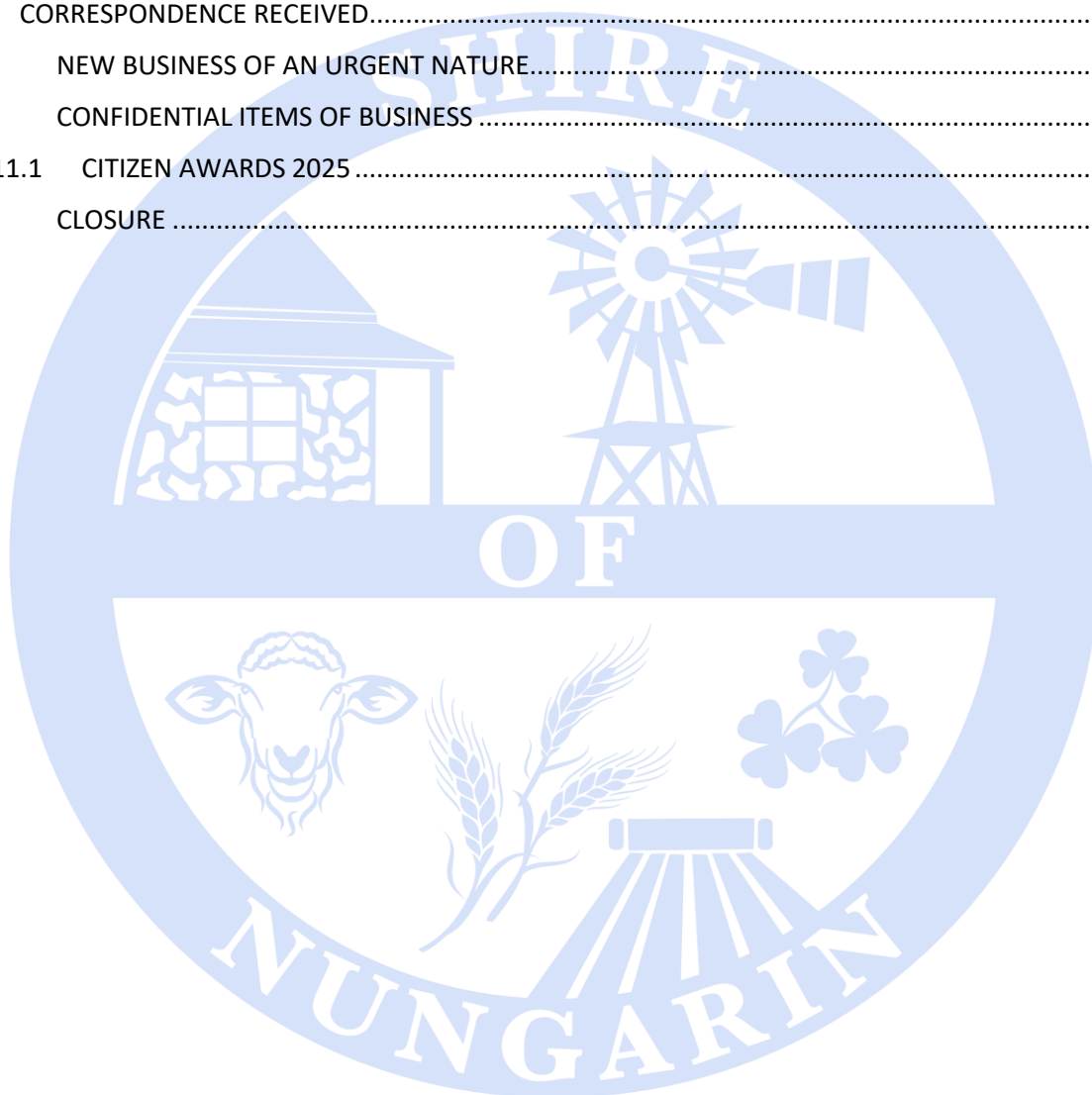
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AGENDA and STAFF REPORTS

ORDINARY COUNCIL MEETING

TO BE HELD IN COUNCIL CHAMBERS, NUNGARIN

ON WEDNESDAY 18th December 2024

1. DECLARATION OF OPENING

The Presiding Member to declare the meeting open at 4:30pm.

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

Shire President	Cr P de Lacy
Deputy Shire President	Cr G Coumbe
Elected Member	Cr RE O'Connell
Elected Member	Cr K Dayman
Elected Member	Cr A Eksanow

Elected Member
Elected Member

Cr W Lee
Cr M Caughey

Council Officers

Chief Executive Officer
Manager Works & Services
Manager Corporate Services

Mr D Nayda
Mr A Wootton
Miss S Sergeant

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 A CONFLICT

6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION

7.1 ORDINARY COUNCIL MEETING – 20th NOVEMBER 2024

OFFICER RECOMMENDATION

Moved:.....

Seconded:

For:

Against:

That the Minutes of the Ordinary Council Meeting held on 20th November 2024 be confirmed as being a true and accurate record.

(Not) Carried by Simple Majority /

8. OFFICER REPORTS

8.1 LISTING OF PAYMENTS FOR THE MONTH OF NOVEMBER 2024	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	David Nayda Chief Executive Officer
Author and Title:	Selina Sergeant Manager of Corporate Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	8.1A – Payment Listing November 2024

OFFICER RECOMMENDATION

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

For:

Against:

That Council in relation to the Payment Listing for November 2024, resolves to formally accept and acknowledge the contents of the report.
The following payments were outgoing throughout November 2024:

Municipal:

- EFT: \$241,536.54
- Cheque: \$0.00
- Direct Debit: \$185,068.28
- Credit Card: \$6,790.12
- Trust: \$0.00

• **Grand Total: \$433,394.94**

(Not) Carried by Simple Majority: /

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 November 2024.

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

Focus Area	Community
Aspiration	Responds to the needs of all residents
Objective	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

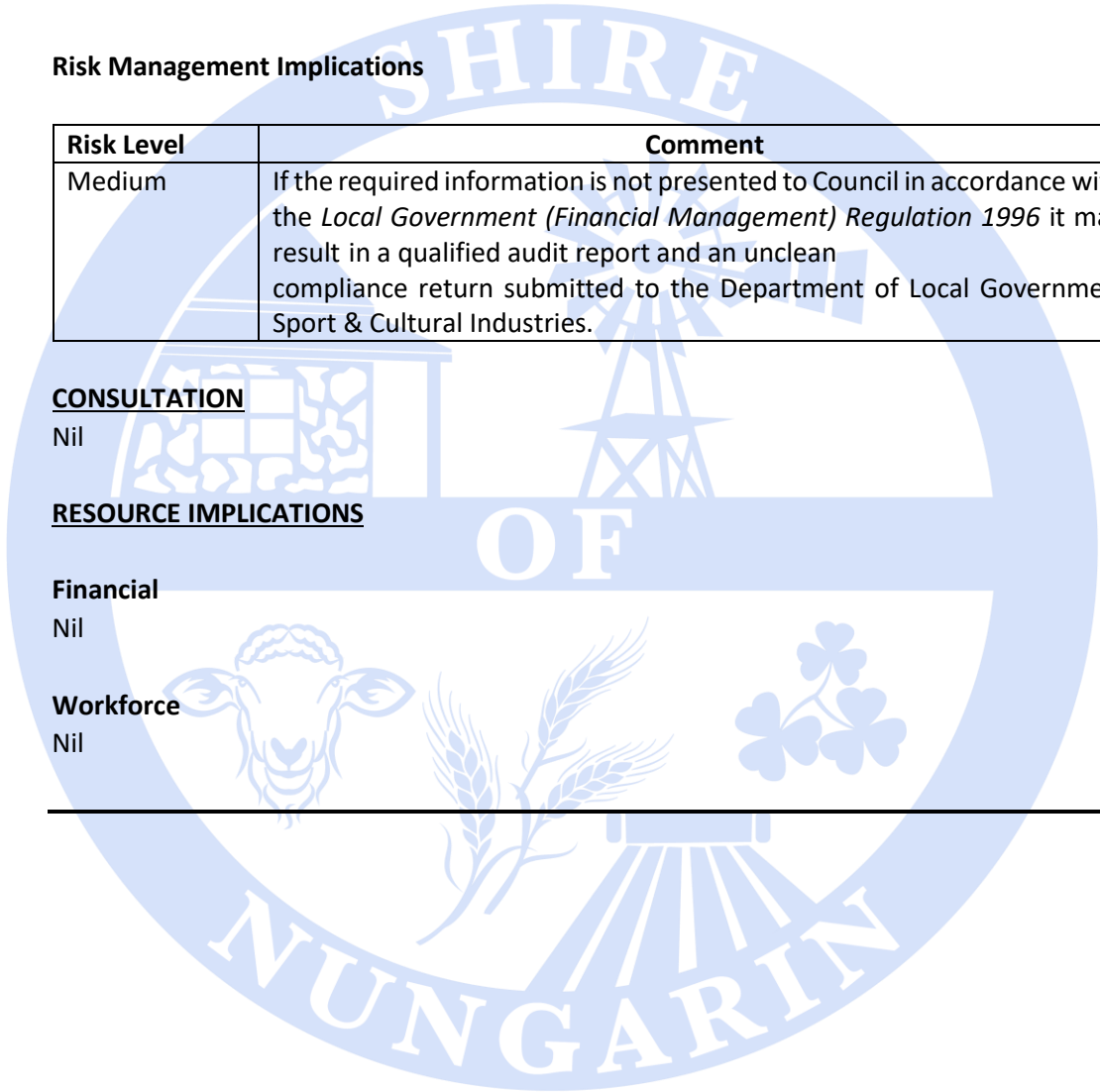
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



8.2 MONTHLY FINANCIAL REPORT NOVEMBER 2024	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	David Nayda Chief Executive Officer
Author and Title:	Darren Long Consultant
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	8.2A – Monthly Financial Report November 2024

OFFICER RECOMMENDATION

Moved: **Seconded:**

For:

Against:

That Council, regarding the Monthly Financial Report for November 2024, resolves to formally accept and acknowledge the contents of the report

(Not) Carried by Simple Majority /

IN BRIEF

For Council to consider the monthly financial report for the period ending 30 November 2024
 Repeat above format for additional reports

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

Focus Area	Our organisation
Aspiration	Effective forward planning, and engagement with our community
Objective	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 Cash Back Reserves;
- (j) Loan Borrowings Statement;
- (k) Trust Statement; and
- (l) 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 30th November 2024 shows a closing surplus of \$2,297,731.

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

8.3 INVESTMENT REPORT AS AT 30th NOVEMBER 2024	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	David Nayda Chief Executive Officer
Author and Title:	Darren Long Consultant
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	Nil

OFFICER RECOMMENDATION

Moved: **Seconded:**

For:

Against:

That the Investment Report as at 30th November 2024 be received.

(Not) Carried by Simple Majority /

IN BRIEF

For Council to receive the investment Report as at 30th November 2024.

BACKGROUND

Money held in the Municipal Fund of the Shire of Nungarin that is not required for the time being may be invested in accordance with the *Local Government Act 1995* and the *Trustees Act 1962* Part III.

REPORT DETAIL

The table below details the investments held by the Shire as at 30th November 2024.

INVESTMENT REGISTER						
1 NOVEMBER 2024 – 30 NOVEMBER 2024						
COMMONWEALTH BANK – FIXED TERM DEPOSIT						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 30/11/2024	INVESTMENT TRANSFERS	CLOSING BALANCE 30/11/2024
38132004.47	13/01/2025	4.82%	\$1,517,875.89	0.00	0.00	\$1,517,875.89
38132004.48	13/01/2025	4.82%	\$893,496.30	0.00	0.00	\$893,496.30

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

Focus Area	Our organisation
Aspiration	Effective forward planning, and engagement with our community
Objective	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 3.07 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

8.4 OFFICE OF THE AUDITOR GENERAL – AUDITOR’S REPORT AND MANAGEMENT LETTER	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	David Nayda Chief Executive Officer
Author and Title:	David Nayda Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	8.4A – OAG Annual Audit Completion Report 2024 8.4B – Findings identified during OAG Audit - Shire of Nungarin 8.4C – Management Letter 8.4D – OAG Stamped Financial Report – 30 June 2024

OFFICER RECOMMENDATION

Moved: **Seconded:**

For:

Against:

The Council Adopts the Finance and Audit Committee's recommendation regarding 2024 Auditor’s Report and Management Letter.

(Not) Carried by Simple Majority /

IN BRIEF

The Council is being requested to receive and note the above attachments for council recommendation.

The Council is obliged to conduct a thorough review of the Annual Financial Report, encompassing the Audit Report and Management Letter for the fiscal year concluded on 2023/2024. Furthermore, the Council is requested to acknowledge the auditor's recommendations and formulate a plan of action addressing the issues highlighted within the audit findings.

Overall, the Shire obtained a ‘satisfactory’ audit and received fourteen notices for improvement.

BACKGROUND

Under the stipulations of Section 7.12 (3) of the *Local Government Act 1995*, it is incumbent upon the local government to:

1. Conduct a detailed examination of any audit reports it receives;

2. Ascertain whether the audit report highlights any issues that necessitate action from the local government; and
3. Guarantee that suitable measures are implemented to address those issues.

The Annual Financial Statements for the fiscal year concluding on 30 June 2024 have been finalised. The financial statements have undergone an annual audit conducted by the Shire’s appointed auditors, Dry Kirkness, as well as by the Office of the Auditor General. The Auditor General has issued an "Independent Auditor’s Report" that provides the auditor's opinion on the financial statements. Additionally, a "Management Letter" has been issued by the Auditor General, which details the findings discovered during the audit process.

REPORT DETAIL

The Council's annual audit for the fiscal year 2023/2024 has been completed by the appointed auditing firm Dry Kirkness and has received formal approval from the Auditor General's Office. The Finance and audit Committee recommended the following

1. Receive the 2023/24 Auditor General’s Completion Report Attachment 5.3A
2. Adopt the findings identified during the OAG audit and the Shire’s processes moving forward Attachment 5.3B.
3. Receive the management responses as outlined in the Management Letter Attachment 5.3C
4. Adopt the Audited Annual Financial Report for the year ended 30 June 2024 Attachment 5.3D

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

Focus Area	Our Organisation
Aspiration	Effective forward planning, and engagement with our community
Objective	We deliver sound financial and asset management

OTHER STRATEGIC LINKS

No strategic planning links associated to the proposal.

STATUTORY ENVIRONMENT

Local Government Act 1995;
Local Government (Audit) Regulations 1996;
Local Government (Financial Management) Regulation 1996;

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic

The audit findings do not immediately impact the Council's economic position. However, it is imperative for the Council to recognise that a failure to address critical issues within IT and Financial Systems could lead to a significant escalation in resolution costs over time. It is in the Council's best interest to proactively manage these components to avoid future financial burdens.

Social

No social implications as a result of the report recommendations.

Policy Implications

The audit outcomes reveal that the absence of a Risk Management Policy presents a substantial corporate risk to the Shire. Moreover, the inefficiencies in the current IT and Financial systems, which are now antiquated, pose additional risks. It is crucial for the Shire to address these vulnerabilities to mitigate potential threats to its operations and financial integrity.

Risk Management Implications

Risk Level	Comment
Medium	Annual audits are an invaluable tool to use to ensure compliance with the Act, continued non-compliance may result in a report being presented to parliament.

CONSULTATION

Pursuant to the regulations, the Shire fulfilled its statutory obligations by consulting with the following: -

Shire of Nungarin, Finance & Audit Committee
Councillors (OAG exit meeting)

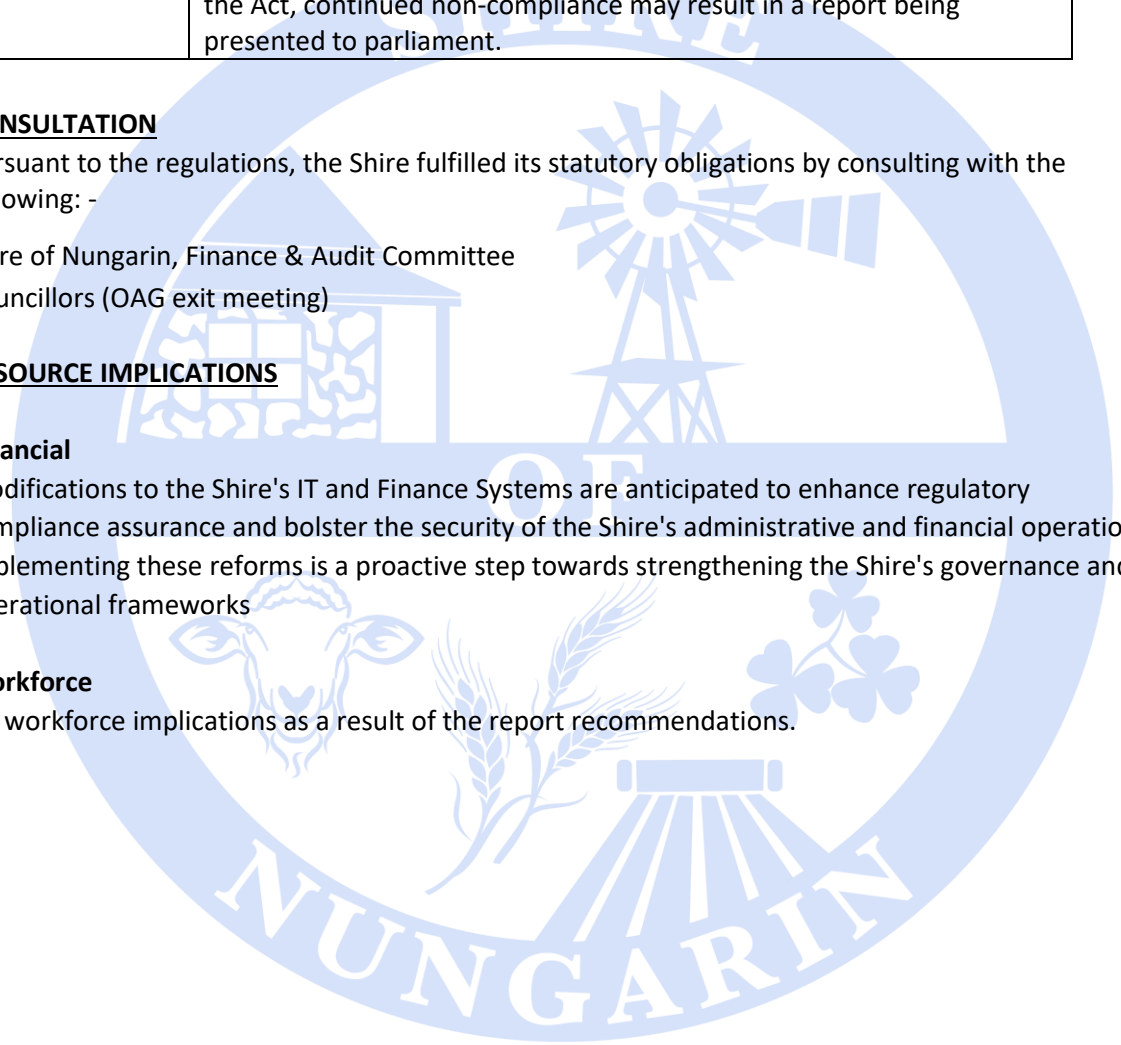
RESOURCE IMPLICATIONS

Financial

Modifications to the Shire's IT and Finance Systems are anticipated to enhance regulatory compliance assurance and bolster the security of the Shire's administrative and financial operations. Implementing these reforms is a proactive step towards strengthening the Shire's governance and operational frameworks

Workforce

No workforce implications as a result of the report recommendations.



8.5 CHIEF EXECUTIVE OFFICERS KEY PERFORMANCE INDICATORS	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	David Nayda Chief Executive Officer
Author and Title:	David Nayda Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simply majority
Attachment Number	

OFFICER RECOMMENDATION

Moved: **Seconded:**

For:

Against:

The Council

**Approves the following Key Performance Indicators for the period December 2024
October 2025:**

- 1 CEO to readdress shire map and grading program;**
- 2 Follow up on Community engagement a follow up on the one held in 2024 by April 2025;**
- 3 Policy addressing staff attraction and retention endorsed by Council by July 2025;**
- 4 WSFN Budget control, Timing for project Updates and completion 6 months and yearly after;**
- 5 Refuse Site fence Back side completed by 30th June 2025;**
- 6 Policies Framework on how all future projects to be completed to council for adoption by 30th June 2025.**

IN BRIEF

Council to consider and endorse the Chief Executive Officer’s Key Performance Indicators (KPIs) for the next 12 months.

BACKGROUND

In accordance with the Chief Executive Officers employment contract clause 4.1(1) within 3 months of the commencement date, the Council and the CEO must negotiate and determine the Performance Criteria.

REPORT DETAIL

The Chief Executive Officer and Councillors have held several discussions to finalise agreed Key Performance Indicators (KPI’s). Proposed KPI’s have been prepared based on these discussions and further consultation with the Shire President.

Key Performance Indicators	Outcomes	Time of completion
1 CEO to readdress shire map and grading program	The CEO will hold workshop and in consultation the council readdress the Road Hierarchy and maintenance schedule	End of October 2025
2 Follow up on Community engagement a follow up on the one held in 2024 by April 2025	CEO will hold a follow up community workshop address the result on the previous workshop	By April 2025
3 Policy addressing staff attraction and retention endorsed by council by July 2025	CEO to prepare a policy for adoption by council addressing staff attraction and retention.	By July2025
4 WSFN Budget control, Timing for project Updates and completion 6 months and yearly after	CEO to Report to council ongoing progress by monthly briefing and end of financial year budget report for The WSFN project on North Nungarin Road	Ongoing
5 Refuse Site fence Back side completed by 30th June 2025	CEO to have completed project and update at the Briefing in June	June 2025
6 Policies Framework on how all future projects to be completed to council for adoption by 30th June 2025	CEO to prepare policy for adoption by council on the Framework that all future projects will have to adhere to	June 2025

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

Focus Area	Civis Leadership
Aspiration	Effective forward planning, and engagement with our community
Objective	Human Resources excellence

OTHER STRATEGIC LINKS

nil

STATUTORY ENVIRONMENT

Local Government Act 1995 sections 5.38 and 5.39(3)(b)
Local Government (administration) Regulations

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic

Nil

Social

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Low	

CONSULTATION

Council and Chief Executive Officer

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

8.6 ANNUAL REPORT FOR 2023/24 AND ANNUAL ELECTORS MEETING	
File Ref:	
Previous Items:	Nil
Responsible Officer:	David Nayda Chief Executive Officer
Author and Title:	David Nayda Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number	8.6A 2023/24 Annual Report

OFFICER RECOMMENDATION

Moved: **Seconded:**

For:

Against:

The Council Resolves to:

- 1. Adopt the Annual Report including the Audited Financial Statements and Auditors Report for the year ending 30 June 2024.**
- 2. Endorse the content of the “Report Detail” in the agenda item as the Shire of Nungarin’s report to the Minister.**
- 3. Advertise an Electors’ General Meeting to be held on the 29th January 2025 at 2:30pm**

(Not) Carried by Simple Majority /

IN BRIEF

Council is requested to consider and adopt the Shire of Nungarin Annual Report for the 2023/24 financial year. Council is also being tasked to consider advertising an Annual Electors meeting to be held on Wednesday 29th January 2025 at 2:30pm.

BACKGROUND

In accordance with the *Local Government Act 1995*, local governments are required to accept the annual report by absolute majority no later than 31 December after the relevant financial year. However, due to significant executive staffing changes during the financial year, the annual report has only now been completed.

Further, a general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year. In this regard it is recommended the Electors’ General Meeting be held on 29th January 2025 to ensure compliance with the *Local Government Act 1995*.

REPORT DETAIL

The Shire of Nungarin’s Annual Report is an account of the Shire’s activities throughout the 2023/24 financial year which highlights the progression and achievements towards the strategic objectives detailed in Council’s Strategic Community Plan.

The annual report which includes the 2023/24 annual financial report and auditors report once adopted will be available on Council’s website as well as at the Administration Office for public viewing. Copies will be provided to ratepayers and community members upon request.

The OAG appointed Dry / Kirkness who completed the audit on behalf of the OAG.

Details of management issues, suggestions etc. are contained within a separate management report and are addressed on an ongoing basis. A copy of the 2023/24 Annual Financial Statements can be found at Attachment 8.4D.

Following adoption of the Annual Report, the Annual Financial Statements and the official audit report the document will be presented to the Electors at the Annual General Electors meeting. It is also a requirement that a copy of the audit report and Financial Statements be forwarded to the Dept. of Local Government.

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

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

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

5.53. Annual reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain —
 - (a) a report from the mayor or president; and
 - (b) a report from the CEO; and
 - [(c), (d) deleted]
 - (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and

- (f) the financial report for the financial year; and
- (g) such information as may be prescribed in relation to the payments made to employees; and
- (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and
 - (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
 - (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints; and
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require; and
 - (i) such other information as may be prescribed.

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.
* Absolute majority required.
- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

5.55. Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

5.55A. Publication of annual reports

The CEO is to publish the annual report on the local government's official website within 14 days after the report has been accepted by the local government.

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.

Local Government (Administration) Regulations 1996

15. Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors’ meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

Local Government Act 1995

7.9 Requires the Auditor to examine the accounts and annual financial report by 31 December following the end of the financial year. The Office of the Auditor General has not complied with this requirement.

7.12A Sets out the requirements for local governments in respect to audits. This includes the need to prepare a report to the Minister within 3 months of receiving the audit report if the auditor identifies any items it considers significant.

Local Government (Audit) Regulations 1996

10. Requires the audit report to be forwarded to the Audit Committee within 30 days of completing the audit.

16. Describes the functions of the audit committee.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic

The Annual Report demonstrates to the community sound management of the Shire’s resources during the 2023/24 financial year.

Social

The Annual Report outlines achievements that demonstrate the Shire’s commitment to improving the quality of life in the community.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
High	Council is required to prepare and accept an annual report at the conclusion of each financial year which is then publicised to the community. Council risks not being compliant with the Local Government Act 1995 and Regulations requirements. There is also a reputational factor where Council could fail to communicate to the community in a transparent and accountable way.

CONSULTATION

Throughout the preparation of the Annual Financial Report the Shire’s Auditors Dry / Kirkness consulted the Shires’ Financial Consultant Darren Long, as well as Shire staff.

In December 2024 the Auditors together with the Auditor Generals’ Office had an exit meeting to present the Annual financial Report.

RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil

9. CORRESPONDENCE RECEIVED

10. NEW BUSINESS OF AN URGENT NATURE

(New business of an urgent nature approved by the Presiding Member)

11. CONFIDENTIAL ITEMS OF BUSINESS

OFFICER RECOMMENDATION

Moved:.....

Seconded:

For:

Against:

That Council proceed behind closed doors as per Section 5.23 (2) of the *Local Government Act 1995* to consider item 8.4 atpm.

(Not) Carried by Simple Majority: /

11.1 CITIZEN AWARDS 2025	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	David Nayda - Chief Executive Officer
Author and Title:	David Nayda - Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	Confidential 11.1A – Citizen Awards 2025

OFFICER RECOMMENDATION

Moved: **Seconded:**

For:

Against:

That Council makes a nomination for each of the following categories:

- Over 30;
- Under 30;
- Group.

(Not) Carried by Simple Majority /

OFFICER RECOMMENDATION

Moved:.....

Seconded:

For:

Against:

That Council:

Proceed with the meeting in public, the time beingpm

(Not) Carried by Simple Majority: /

12. CLOSURE

The being no further business the meeting closed at

Presiding Member

Date

