



Minutes

Ordinary Council Meeting

Wednesday 18th June 2025

Commenced at 5:04PM

Held in the Council Chambers,
Railway Avenue Nungarin



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ORDINARY COUNCIL MEETING

HELD ON

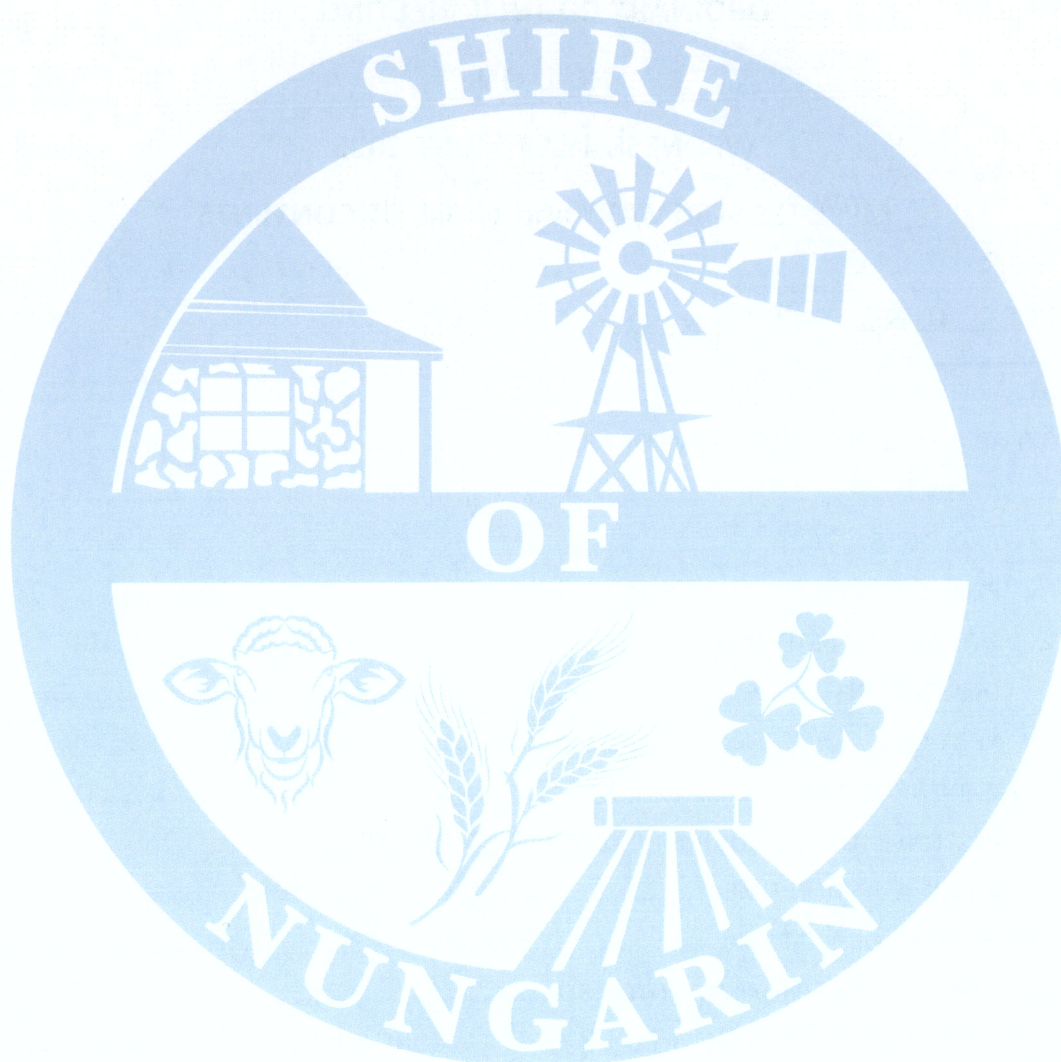
WEDNESDAY 18th JUNE 2025

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MINUTES and STAFF REPORTS

ORDINARY COUNCIL MEETING

HELD IN COUNCIL CHAMBERS, NUNGARIN

ON WEDNESDAY 18th JUNE 2025

1. DECLARATION OF OPENING

The Presiding Member to declare the meeting open at 5:04pm.

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
Deputy Shire President
Elected Member
Elected Member
Elected Member
Elected Member

Cr P de Lacy
Cr G Coumbe
Cr RE O'Connell
Cr K Dayman
Cr A Eksanow
Cr W Lee

Elected Member

Cr M Caughey

Council Officers

Chief Executive Officer

Mr D Nayda

Manager Works & Services

Mr A Wootton

Manager Corporate Services

Miss S Sergeant

Observers / Visitors

Nil

2.2 APOLOGIES

Nil

2.3 REQUEST FOR LEAVE OF ABSENCE

Nil

3. DEPUTATIONS AND PETITIONS

3.1 DEPUTATIONS

Nil

3.2 PETITIONS

Nil

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

Nil

4.2 PUBLIC QUESTION TIME

Nil

5. DECLARATIONS OF INTEREST

5.1 FINANCIAL AND PROXIMITY INTEREST

Nil

5.2 DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT

Nil

6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Nil

7. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION

7.1 CONFIRMATION MINUTES ORDINARY COUNCIL MEETING – 21st MAY 2025

COUNCIL RESOLUTION 49/06/25

Moved: Cr A Eksanow

Seconded: Cr K Dayman

**That the Minutes of the Ordinary Council Meeting held on 21st May 2025
be confirmed as being a true and accurate record.**

Carried by Simple Majority: 7/0

For: Cr de Lacy; Cr Coumbe; Cr O’Connell; Cr Dayman; Cr Eksanow; Cr Lee; Cr Caughey

Against: Nil

8. OFFICER REPORTS

8.1 LISTING OF PAYMENTS FOR THE MONTH OF MAY 2025	
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 May 2025

COUNCIL RESOLUTION 50/06/25

Moved: Cr G Coumbe

Seconded: Cr M Caughey

That Council in relation to the Payment Listing for May 2025, resolves to formally accept and acknowledge the contents of the report.

The following payments were outgoing throughout May 2025:

Municipal:

- EFT: \$716,812.37
- Cheque: \$0.00
- Direct Debit: \$136,324.64
- Credit Card: \$0.00
- Direct Wages: \$64,192.36
- Trust: \$0.00
-
- Grand Total: \$917,329.37

Carried by Simple Majority: 7/0

For: Cr de Lacy; Cr Coumbe; Cr O'Connell; Cr Dayman; Cr Eksanow; Cr Lee; Cr Caughey

Against: Nil

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 May 2025.

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 MAY 2025	
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 May 2025

<u>COUNCIL RESOLUTION</u>		51/06/25
Moved:	Cr A Eksanow	Seconded: Cr RE O'Connell
<p>That Council, regarding the Monthly Financial Report for May 2025, resolves to formally accept and acknowledge the contents of the report</p> <p>Carried by Simple Majority: 7/0</p> <p>For: Cr de Lacy; Cr Coumbe; Cr O'Connell; Cr Dayman; Cr Eksanow; Cr Lee; Cr Caughey</p> <p>Against: Nil</p>		

IN BRIEF

For Council to consider the monthly financial report for the period ending 31st May 2025

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) S 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 31st May 2025 shows a closing surplus of \$943,422.00.

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 31st MAY 2025	
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

COUNCIL RESOLUTION**52/06/25****Moved: Cr K Dayman****Seconded: Cr W Lee****That the Investment Report as at 31st May 2025 be received.****Carried by Simple Majority:7/0****For: Cr de Lacy; Cr Coumbe; Cr O'Connell; Cr Dayman; Cr Eksanow; Cr Lee; Cr Caughey****Against: Nil****IN BRIEF**For Council to receive the investment Report as at 31st May 2025**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 DETAILThe table below details the investments held by the Shire as at 31st May 2025:

INVESTMENT REGISTER						
1 MAY 2025 TO 31 MAY 2025						
COMMONWEALTH BANK – FIXED TERM DEPOSIT						
ACCOUNT N^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.05.2025	INVESTMENT TRANSFERS	CLOSING BALANCE 31.05.2025
38132004.59	30/06/2025	4.36%	\$914,913.29	\$0.00	\$0.00	\$914,913.29

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 ELECTED MEMBERS ALLOWANCES AND MEETING ATTENDANCE FEES	
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:	Absolute Majority
Attachment Number	8.4 A

COUNCIL RESOLUTION**53/06/25****Moved: Cr RE O'Connell****Seconded: Cr M Caughey****That Council resolves to:**

1) Discuss the following meeting attendance fees and allowances per Elected Member for the 2025/2026 financial year.

- | | |
|--------------------------------------------------------------------------------------------------------------------|--------------------|
| a) President's Annual Allowance | \$16,000.00 |
| b) President's Council Meeting Attendance Fee | \$300.00 |
| c) Deputy President's Annual Allowance | \$4,000.00 |
| d) Elected Members' Council Meeting Attendance Fee | \$220.00 |
| e) Elected Members' Annual ICT Allowance | \$1,000.00 |
| f) Committee Meetings | \$100.00 |
| g) Travel Allowance as per Council Policy GEM 2 – Council Members' Fees, Allowances and Reimbursement of Expenses. | |

2) That Council resolves to approve the discussed meeting attendance fees and allowances per Elected Member for the 2025/2026 financial year.

Moved: Cr Eksanow**Seconder Cr Caughey****Carried by Absolute Majority: 7/0****For: Cr de Lacy; Cr Coumbe; Cr O'Connell; Cr Dayman; Cr Eksanow; Cr Lee; Cr Caughey****Against: Nil**

IN BRIEF

Council is requested to consider and set the Elected Members Sitting Fees and Allowances which are to be incorporated into the 2025/26 Financial Budget.

BACKGROUND

On Friday, 4 April, SAT released its latest Local Government Chief Executive Officers and Elected Members Determination.

In summary, the 2025 Determination provides for the following to come into operation on 1 July 2025:

- A 3.5% increase to CEO remuneration band ranges (plus the 0.5% additional Superannuation Guarantee).
- A 3.5% increase to the fee band ranges and some allowances for Elected Members (exclusive of superannuation where relevant).
- A reduction of the four band ranges for independent committee members to one band, with the range to be from \$0 to \$450.
- Provision for reimbursement of expenses for independent committee members has also been determined for the first time.

A determination as to the rates for the independent chair of the audit, risk and improvement committee will be determined at a future date, to coincide with the commencement of the legislative changes.

REPORT DETAIL**President and Deputy President Allowances:**

Currently the Shire President Allowance is \$12,000 and the Deputy Shire President Allowance is \$3,000. In terms of table 10 of the *Salaries and Allowances Act 1975*, the Shire President should be paid a minimum allowance of \$575 and a maximum of \$22,470.

With regard to the Deputy Shire President, s5.98A of the *Local Government Act 1995* gives a local government the ability to decide to pay the Deputy Shire President an allowance of up to a percentage determined by the Salaries and Allowances Tribunal. In terms of s7.3(1) of the *Salaries and Allowances Act 1975*, this percentage has been determined to be up to 25% of the Shire Presidents allowance.

Elected Members Meeting Fees:

In terms of the *Salaries and Allowances Act 1975*, the Shire of Nungarin is listed as a band 4 local government. There are two (2) options of payment available to Elected Members, payment per meeting or annual meeting attendance fees.

Council currently utilises the option of fees per meeting, in terms of table 4 of the *Salaries and Allowances Act 1975*, a band 4 local government should pay between \$105 (minimum) and \$270 (maximum) to a council member other than the president to attend Council meetings. Currently elected members are paid \$210 per meeting. In terms of the same table (table 4) the president should be paid between \$105(minimum) and \$550 (maximum) to attend Council meetings. Currently the president is paid \$260 per meeting.

In addition to attending Council meetings, elected members also attend numerous committee meetings, as a representative of Council. Using the current payment system, table 6 of the *Salaries and Allowances Act 1975*, indicates the minimum payment for elected members including the Shire President and Deputy Shire President should be \$52 and a maximum of \$130 per committee meeting.

However, it should be considered Elected Members attend a number of meetings where they may not be directly representing Council but would be of interest to Council. These meetings are attended without the ability for Elected Members to claim payment or out of pocket costs.

Although the role of Elected Members is very much a voluntary role it should not result in a financial loss to the Elected Member.

Taking the above into consideration, as well as the potential loss of income incurred by Elected Members due to the attendance of Council and Committee meetings as well as various other Council functions it is recommended Council move from the current payment option to an annual payment option for the attendance of all meetings related to Council business.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995;*
- *Local Government (Administration) Regulations 1996;*
- *Salaries and Allowances Act 1975.*

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and / or affected landowners)

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	Although Elected Member positions are largely considered to be voluntary, it is imperative to ensure Elected Members are not left out of pocket as a result of being on Council. This could result in a situation where nobody in the community is willing to become an Elected Member which could have a significant negative impact on the operations of the Shire.

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Should the recommendation be approved, the required funds will be incorporated in the 2025/26 Financial Budget.

Workforce

Nil.

9. CORRESPONDENCE RECEIVED

Nil

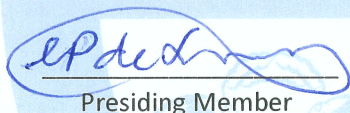
10. NEW BUSINESS OF AN URGENT NATURE

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

11. CONFIDENTIAL ITEMS OF BUSINESS

12. CLOSURE

There being no further business the meeting closed at 5:18pm



Presiding Member

25/07/2025
Date

