



Minutes

Ordinary Council Meeting

Wednesday 17th December 2025

Commenced at 5:00PM

Held in the Council Chambers,
Railway Avenue Nungarin



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**ORDINARY COUNCIL MEETING
HELD ON
WEDNESDAY 17th DECEMBER 2025
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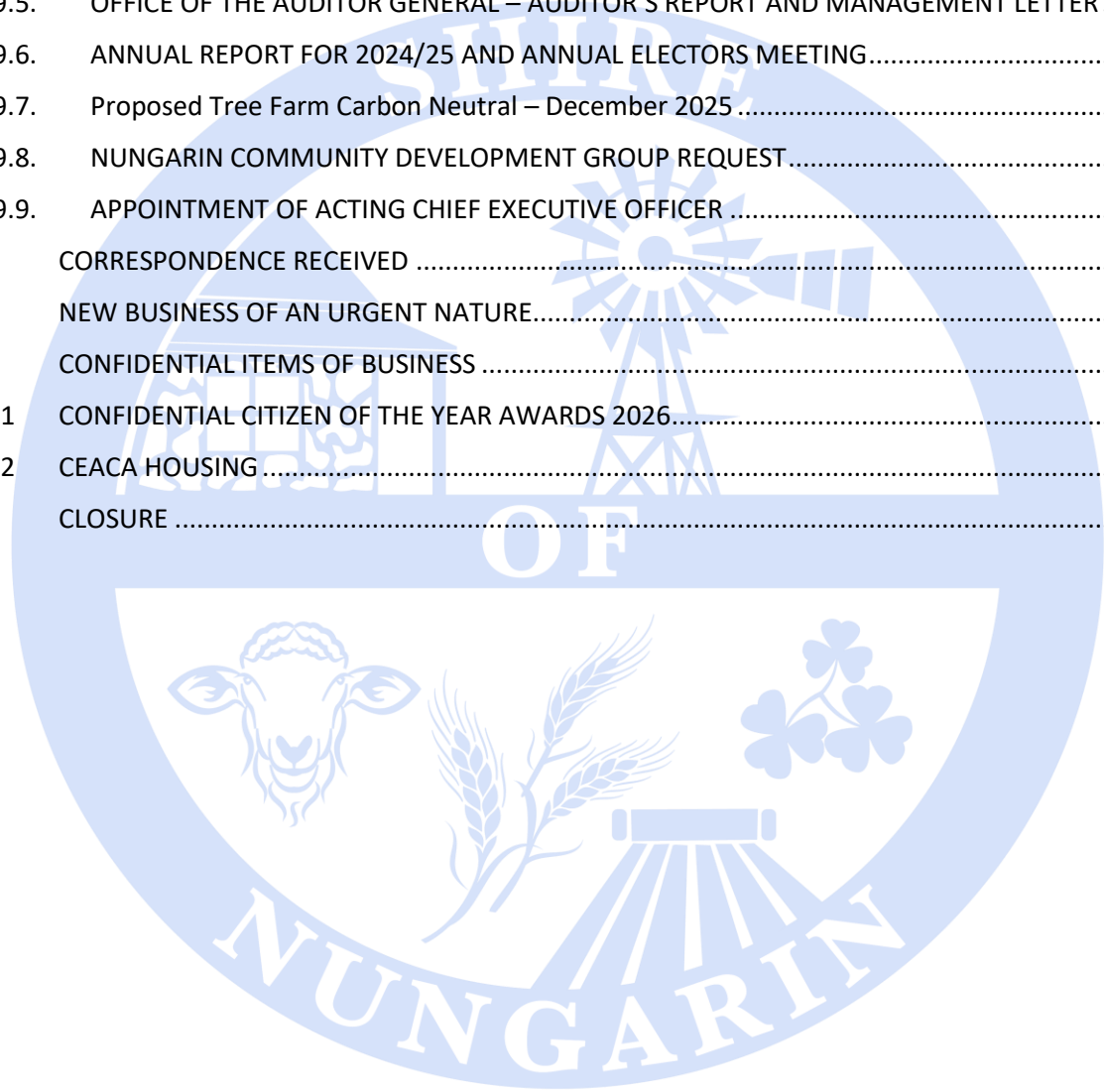
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MINUTES and STAFF REPORTS

ORDINARY COUNCIL MEETING

HELD IN COUNCIL CHAMBERS, NUNGARIN

ON WEDNESDAY 17th DECEMBER 2025

1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.00 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

Shire President	Cr P de Lacy
Deputy Shire 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
Acting Manager Works & Services	Mr D Dhu
Executive Assistant	Ms C Morrell

Observers / Visitors

Nevin Wittber Proposed Tree Farm Carbon Neutral

2.2. APOLOGIES

Manager Corporate Services Miss Selina Sergeant

2.3. REQUEST FOR LEAVE OF ABSENCE

Nil

3. DEPUTATIONS AND PETITIONS**3.1. DEPUTATIONS**

Nil

3.1.1. 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 CONFLICT

Nil

6. ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Cr de Lacy thanked the Nungarin CRC and Shire for their efforts in putting together a wonderful Community Christmas Party.

7. PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION

7.1. CONFIRMATION MINUTES ORDINARY COUNCIL MEETING – 19th OF NOVEMBER 2025

COUNCIL RESOLUTION 105/12/2025

Moved: Cr B Wegner Seconded: Cr W Lee

That the Minutes of the Ordinary Council Meeting held on 19th of November 2025 be confirmed as being a true and accurate record.

Carried by Simple Majority: 7/0

For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee

Against: Nil

8. CONFIRMATION OF MINUTES RECEIVED

8.1. RECEIPT OF MINUTES NEWROC MEETING HELD 2nd DECEMBER 2025

COUNCIL RESOLUTION 106/12/25

Moved: Cr K Dayman Seconded: Cr B Wegner

That the Minutes of the NEWROC Council Meeting held on the 2nd of December 2025 be received.

Carried by Simple Majority: 7/0

For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee

Against: Nil

8.2. RECEIPT OF MINUTES NUNGARIN MUSEUM MINUTES HELD 11TH NOVEMBER 2025

COUNCIL RESOLUTION 107/12/25

Moved: Cr A Eksanow Seconded: Cr G Coumbe

That the Minutes of the Nungarin Museum Minutes MEETING HELD 11th of November 2025 be received.

Carried by Simple Majority: 7/0

For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee

Against: Nil

8.3. RECEIPT OF MINUTES NCDG HELD 3rd DECEMBER 2025

COUNCIL RESOLUTION 108/12/25

Moved: Cr B Wegner

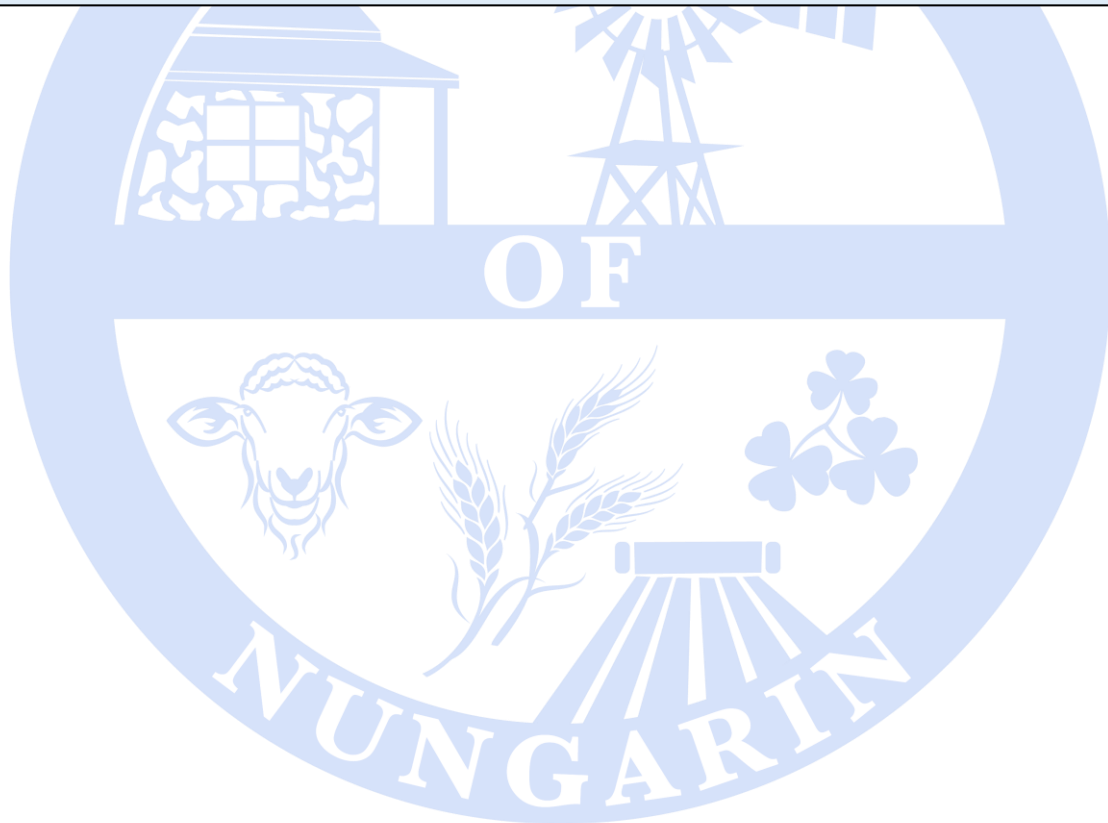
Seconded: Cr C Stobie

That the Minutes of the NCDG Meeting held on 03rd December 2025 be received.

Carried by Simple Majority: 7/0

For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee

Against: Nil



9. OFFICER REPORTS

9.1. LISTING OF PAYMENTS FOR THE MONTH OF NOVEMBER 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	9.1 A – Payment Listing November 2025

COUNCIL RESOLUTION**109/12/25****Moved: Cr G Coumbe****Seconded: Cr W Lee**

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

The following payments were outgoing throughout November 2025:

Municipal:

- **EFT: \$278,593.57**
- **Cheque: \$0.00**
- **Direct Debit: \$166,206.20**
- **Inclusive of Credit Card payments: \$931.94**
- **Direct Wages: \$67,549.09**
- **Trust: \$0.00**
- **Grand Total: \$512,348.86**

Carried by Simple Majority: 7/0

For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee

Against: Nil

IN BRIEF

The purpose of this report is to present the list of payments made from the Shire's Municipal, Trust and Credit Card funds throughout the month of November 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 are 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

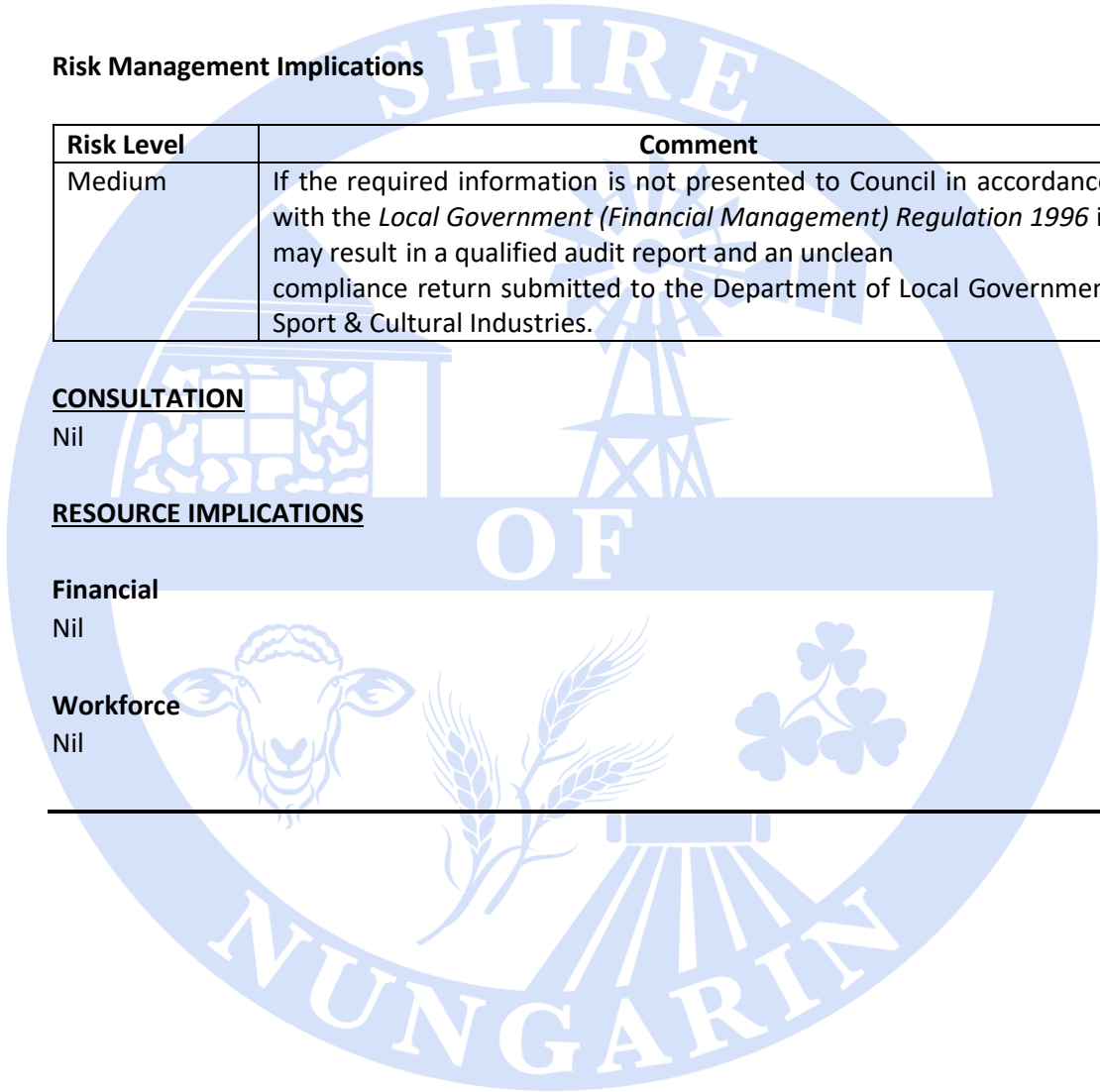
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



9.2. MONTHLY FINANCIAL REPORT NOVEMBER 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	9.2A – Monthly Financial Report November 2025

<u>COUNCIL RESOLUTION</u>	110/12/25
Moved:	Cr A Eksanow
Seconded:	Cr B Wegner
That Council, regarding the Monthly Financial Report for November 2025, resolves to formally accept and acknowledge the contents of the report	
Carried by Simple Majority: 7/0	
For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee	
Against: Nil	

IN BRIEF

For Council to consider the monthly financial report for the period ending 30th November 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) 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 30th November 2025 shows a closing surplus of \$1,665,551.

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

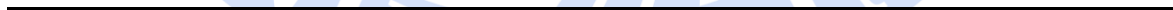
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



9.3. INVESTMENT REPORT AS AT 30TH NOVEMBER 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**111/12/25****Moved: Cr K Dayman****Seconded: Cr C Stobie****That the Investment Report as at 30th November 2025 be received.****Carried by Simple Majority: 7/0****For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee****Against: Nil****IN BRIEF**For Council to receive the investment Report as at 30th November 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 DETAIL

There were investments made during the month of November 2025

INVESTMENT REGISTER						
1 st November to 30 th November						
COMMONWEALTH BANK – FIXED TERM DEPOSIT						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 30/09/2025	INVESTMENT TRANSFERS	CLOSING BALANCE 30/09/2025
38132004.63	16/02/2026	4.08%	\$1,116,356.22	\$0.00	\$0.00	\$1,116,356.22
38132004.64	10/12/2025	4.09%	\$1,500,000.00	\$0.00	\$1,500,000.00	\$1,500,000.00

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 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

9.4. COUNCIL MEETING DATES 2026	
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	Nil

COUNCIL RESOLUTION**112/12/25****Moved: Cr G Coumbe****Seconded: Cr B Wegner****That Council Resolves to:**

- 1. Approve the 2026 Ordinary Council Meetings to be held on the third Wednesday of every month with the meetings to commence at 5:00pm and held at the Council Chambers.**
 - 18 February 2026
 - 18 March 2026
 - 15 April 2026
 - 20 May 2026
 - 17 June 2026
 - 15 July 2026
 - 19 August 2026
 - 16 September 2026
 - 21 October 2026
 - 18 November 2026
 - 16 December 2026
- 2. Requests the Chief Executive Officer to advertise the above dates accordingly.**

Carried by Simple Majority: 7/0**For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee****Against: Nil**

IN BRIEF

Council is requested to consider the recommended dates for the Ordinary Council Meetings to be held in 2026.

BACKGROUND

Ordinary Council Meetings have traditionally been held on the third Wednesday of the month.

REPORT DETAIL

Councils are generally required to meet monthly to consider matters that have not been delegated to the Chief Executive Officer.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

- *Local Government Act 1995*
s.5.25 Regulations about council and committee meetings and committees
- *Local Government (Administration) Regulations 1996*
r.12 Publication of meeting details

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic**

The timely consideration of Council matters may have a positive impact on the local economy.

Social

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Medium	For the Shire to operate efficiently it is important to set dates for Ordinary Council Meetings.

CONSULTATION

Nil

RESOURCE IMPLICATIONS**Financial**

Nil

Workforce

Nil

9.5. OFFICE OF THE AUDITOR GENERAL – AUDITOR’S REPORT AND MANAGEMENT LETTER	
File Ref:	11.11
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	9.5A – Closing Report 2025 9.5B – Findings identified during OAG Audit - Shire of Nungarin 9.5C – Management Letter 9.5D – OAG Stamped Financial Report – 30 June 2025

COUNCIL RESOLUTION**113/12/25****Moved: Cr W Lee****Seconded: Cr C Stobie**

The Council Adopts the Finance and Audit Committee's recommendation regarding 2025 Auditor's Report and Management Letter.

Carried by Simple Majority: 7/0

For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee

Against: Nil

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 2024/2025. 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 thirteen 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 2025 have been finalised. The financial statements have undergone an annual audit conducted by the Shire's appointed auditors, Pitcher Partners, 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 2024/2025 has been completed by the appointed auditing firm Pitcher Partners and has received formal approval from the Auditor General's Office. The Finance and audit Committee recommended the following

1. Receive the 2024/25 Closing Report Attachment 9.5A
2. Adopt the findings identified during the OAG audit and the Shire's processes moving forward Attachment 9.5B.
3. Receive the management responses as outlined in the Management Letter Attachment 9.5C
4. Adopt the Audited Annual Financial Report for the year ended 30 June 2025 Attachment 9.5D

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)

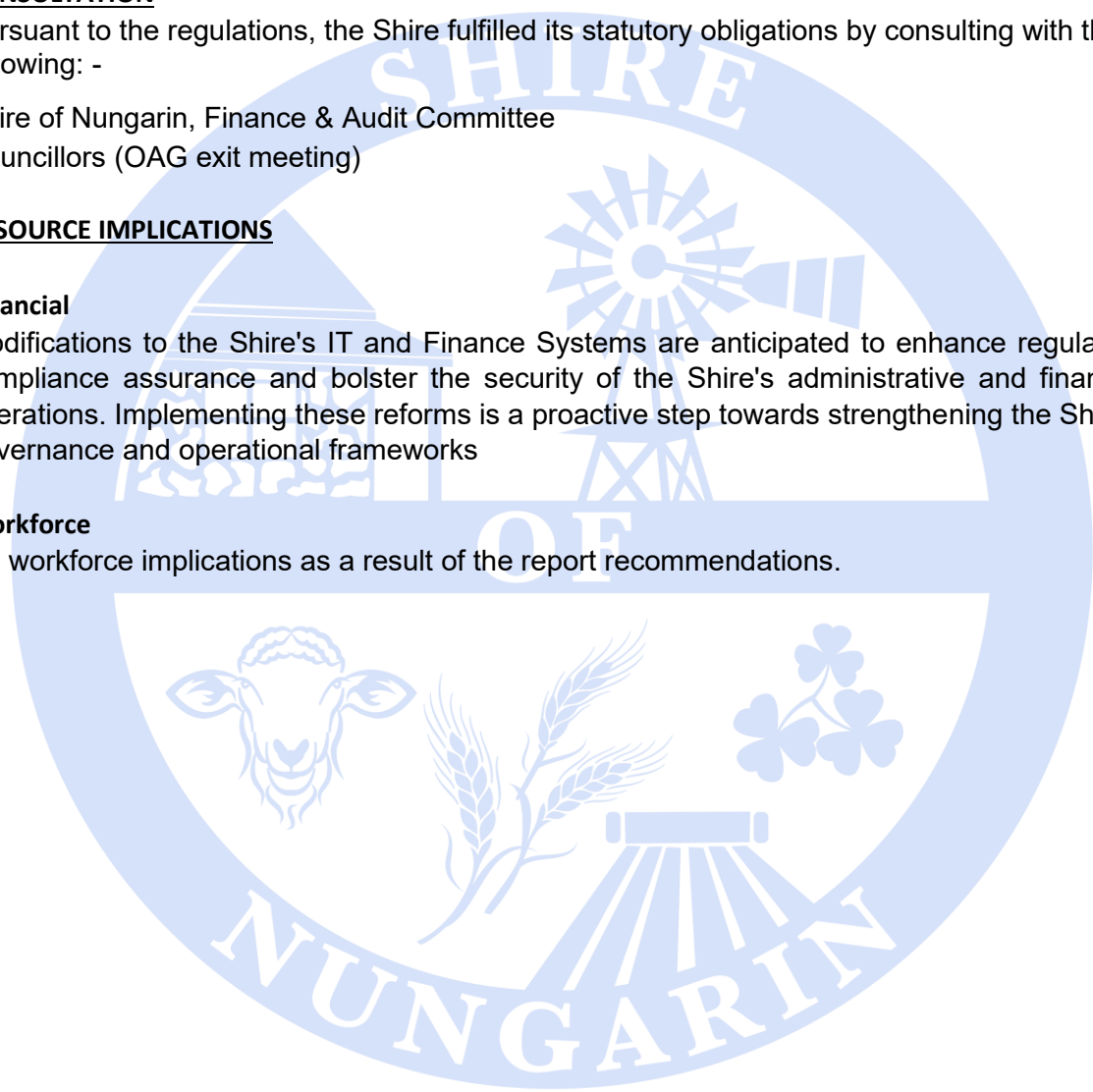
RESOURCE IMPLICATIONS

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.



9.6. ANNUAL REPORT FOR 2024/25 AND ANNUAL ELECTORS MEETING	
File Ref:	3.13 & 11.4.1
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	9.6A 2024/25 Annual Report

COUNCIL RESOLUTION**114/12/25****Moved: Cr G Coumbe****Seconded: Cr B Wegner****The Council Resolves to:**

1. Adopt the Annual Report including the Audited Financial Statements and Auditors Report for the year ending 30 June 2025.

2. Advertise an Electors' General Meeting to be held on the 6th February 2026 at 5.00pm

Carried by Simple Majority: 7/0**For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee****Against: Nil****IN BRIEF**

Council is requested to consider and adopt the Shire of Nungarin Annual Report for the 2024/25 financial year. Council is also being tasked to consider advertising an Annual Electors meeting to be held on 6th February 2026 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.

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

REPORT DETAIL

The Shire of Nungarin's Annual Report is an account of the Shire's activities throughout the 2024/25 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 2024/25 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 Pitcher Partners 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 2024/25 Annual Financial Statements can be found at **Attachment 9.5D**.

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
 - (iv) 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 2024/25 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 <i>Local Government Act 1995</i> 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 Auditor Pitcher Partners consulted the Shires’ Financial Consultant Darren Long, as well as Shire staff.

In December 2025 the Auditors together with the Auditor Generals’ Office had an exit meeting to present the Annual financial Report.

RESOURCE IMPLICATIONS**Financial**

Nil

Workforce

Nil

9.7. Proposed Tree Farm Carbon Neutral – December 2025	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	David Nayda Chief Executive Officer
Author and Title:	Paul Bashall, Consultant Planner - Planwest
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Attachment Number	9.7A Tree Management Plan 9.7B Cover Letter 9.7C Lots and Cadastral Information

COUNCIL RESOLUTION**115/12/25****Moved: Cr K Dayman****Seconded: Cr C Stobie**

That the Council -

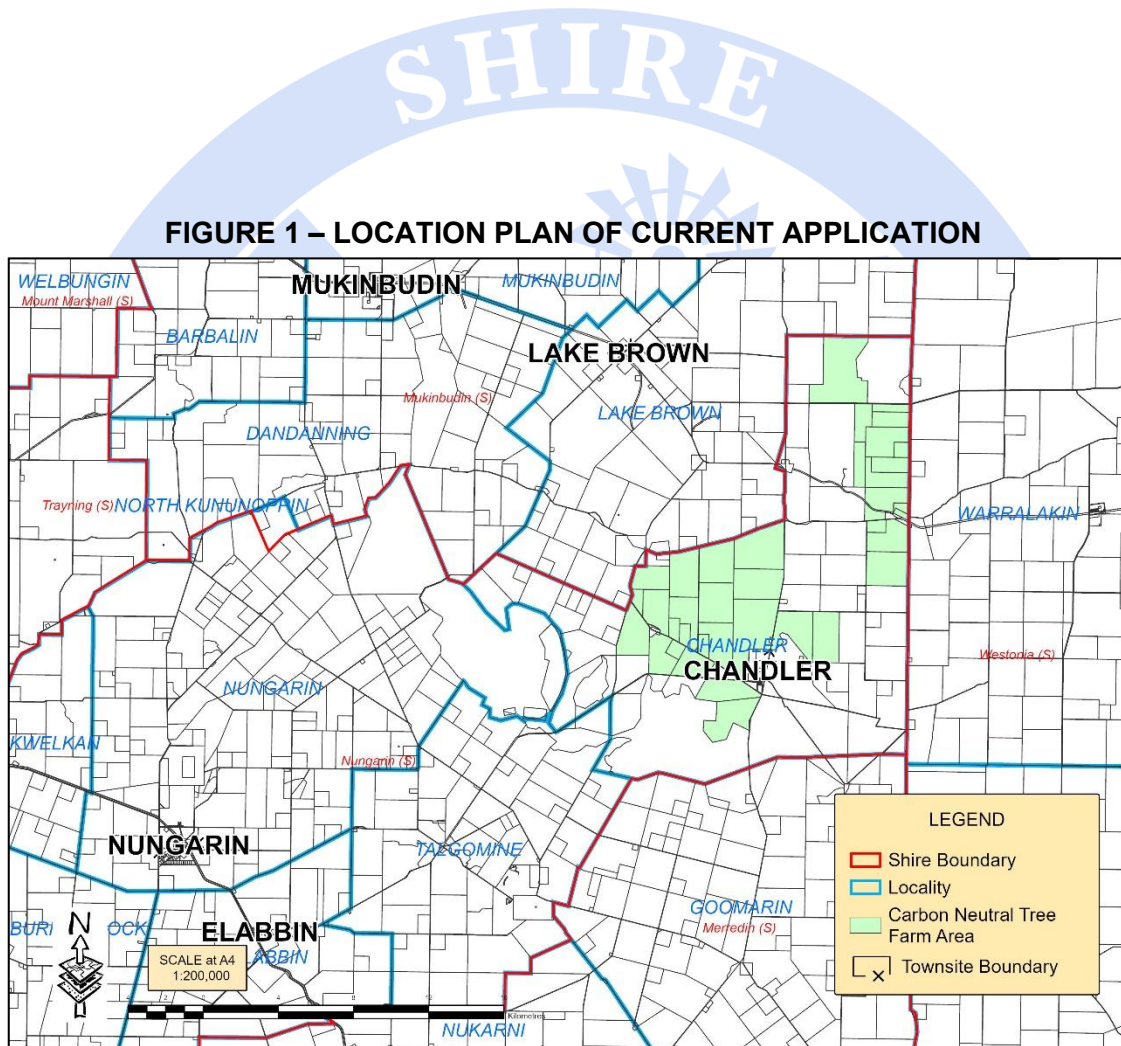
- a) Advertise the application on the Shire's web site and advising adjacent neighbours inviting submissions from interested parties within 28 days, and
- b) Refer the application to DFES, EPA, DWER, DAA and DBCA for comment to ensure compliance with current policies and requirements.

Carried by Simple Majority: 7/0**For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee****Against: Nil**

IN BRIEF

Carbon Neutral (CN) has applied for the Council’s approval for a tree farm over 39 lots in the locality of **Chandler**. The lots are owned by Apache Investments Australia Pty Ltd (Apache). The proposal has been lodged by the Chief Operating Officer (COO) of CN.

Figure 1 provides a location plan of the subject land measuring nearly 10,000 hectares.



Source: Landgate, Planwest

Figure 1 also shows the subject land in relation to the nearby townsites, the Shire boundary and locality boundaries.

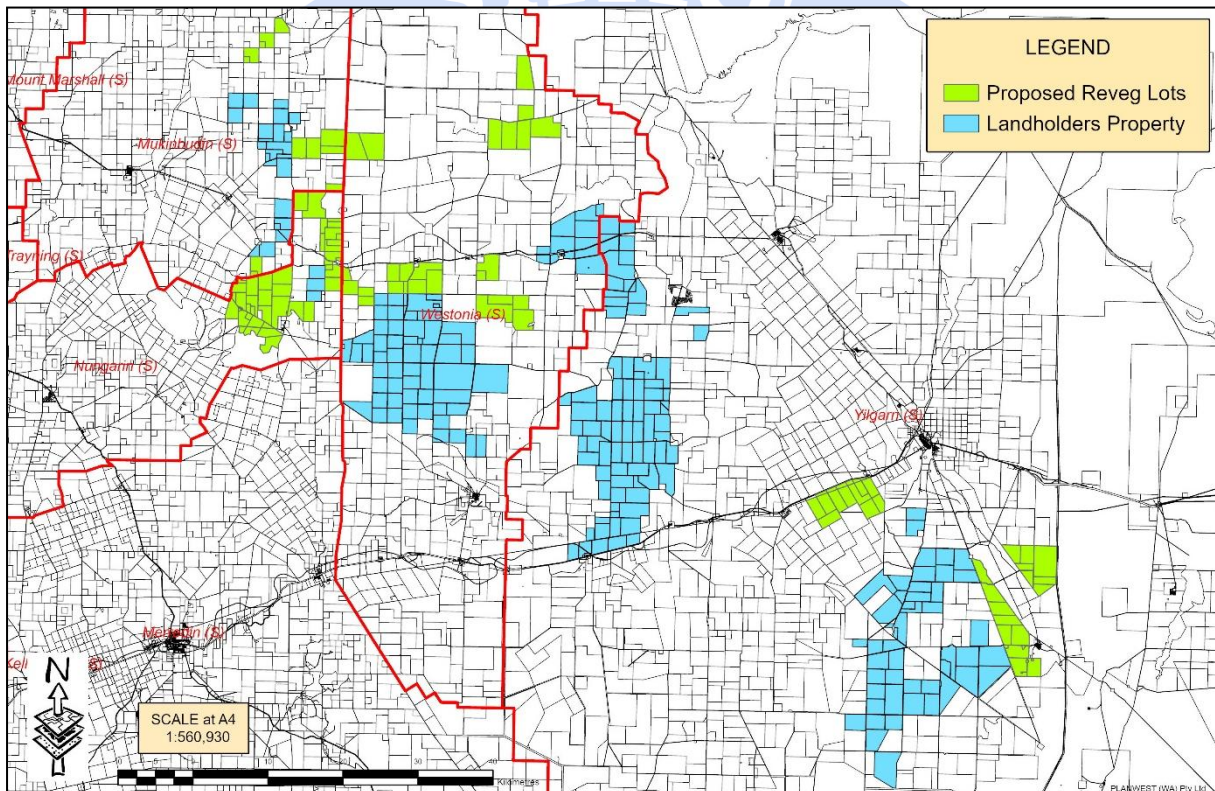
BACKGROUND

Other Apache Land

Apache is the owner of many properties spread across several Shires in the Eastern Wheatbelt area. It is likely that this project may extend to other landholdings in the future once the company has assessed the success and viability of the current proposal as it relates to different land types and species across the region.

Figure 2 shows other land holdings owned by Apache in the Eastern Wheatbelt area covering land in the Shires of Mukinbudin, Nungarin, Westonia and Yilgarn. This information has previously been provided as part of Carbon Neutral’s earlier discussions with these Shires.

FIGURE 2 – OTHER APACHE OWNED LAND



Source: Landgate, Carbon Neutral, Planwest

WAPC Tree Farm Fact Sheet

The WA Planning Commission (WAPC) and the Department of Planning, Lands and Heritage (DPLH) released a fact sheet on Tree Farms in November 2023. Fact sheets are a method in which these agencies can clarify the planning arrangements within the appropriate State Planning Policies (SPP) - in this case SPP 2.5- Rural Planning.

The fact sheet states that 70% of tree farms were established in the Southwest of the State due to the rainfall being over 600mm per annum. However, there appears to be a steady widening of these areas for tree farms as different methods, species and understanding of the techniques improves.

It should be noted that the most common tree farms, that are currently established, are for harvesting of the product, however, there appears to be a growing interest in tree farms for

carbon sequestration projects. In these cases, there is no requirement for harvesting but there maybe an increased focus on management requirements.

SPP 2.5 sets out 7 key policy positions to facilitate a co-ordinated approach to tree farms in WA. In summary, the intent of each **relevant** policy statement is explained below.

1. *tree farming is supported and encouraged on rural land as a means of diversifying rural economies and providing economic and environmental benefit* – this means the WAPC supports tree farms in rural areas and will implement this approach in assessment of local planning strategies and schemes;

3. *tree farming should generally be a permitted use on rural land,*

5. *in planning for tree farming, local government considerations should include but are not limited to, potential bushfire risk, environmental and economic factors, water availability and recharge, visual landscape impacts, transport impacts of tree farming (where harvesting is proposed), planting thresholds, appropriate buffers, and location relative to conservation estates and sensitive land uses* – this means that local governments should consider tree farms in the context of other existing and proposed land uses in their municipality, and set planning controls as required, based on demonstrated evidence that the control is needed;

Do tree farms have an impact on agricultural communities?

The WAPC Tree Farm fact sheet states that the Australian economy has been forced to adjust structurally over time, which has seen ongoing change in the agricultural sector. Research by Rural Industries Research and Development Corporation (RIRDC) in 2001 and 2007 highlights the impacts of globalised economic rationalism on family farms and subsequent issues of their declining viability, leading to farm amalgamation, reduced labour hire and the contraction of local economies.

Tree farms are part of the ever-changing agricultural sector. But they are not the underlying cause of the population or economic changes.

For local governments where pine tree farms are likely to be developed, population change data from the Australian Bureau of Statistics (Census 2001 to 2021), indicates that the general trend is for increasing or stable population figures, and the 'family' makeup of households has remained steady at around 70%. Family composition or population has not significantly declined in the last 20 years

What are the land use planning considerations with tree farms?

The WAPC Tree Farm fact sheet states that the growing of trees for timber is similar to other crops, however there are some planning issues associated with tree farming that may require further assessment and management, if relevant. As set out in SPP 2.5, these include:

- *Bushfire risk* – tree farms may establish a bushfire risk where not occurring before. The Department of Fire and Emergency Services has published guidelines to assist in the management of bushfire risk for tree farms. Any development conditions to manage bushfire risk should accord with these guidelines.

- *Environmental and economic issues*, including planting thresholds – the location of tree farms relative to environmental and/or biodiversity assets, and management of potential impacts (eg wildling spread). So too, ensuring there is a balanced supply of rural land for other economic activity can be addressed in local planning strategies.

- *Water availability and recharge* – potential impacts on groundwater and surface water systems may need to be considered.
- *Visual landscape impacts* – local governments may identify rural prominent landscapes to exclude tree farms for visual reasons. While the converse may occur, these areas can be identified in keeping with the Western Australian Planning Commission's (WAPC) Visual Landscape planning manual.
- *Transport impacts* – where tree farming involves harvesting, local governments may need to make arrangements with developers for road and/or intersection upgrades to manage potential haulage impacts.
- *Separation from sensitive land uses* – local governments may establish buffers to exclude tree farming around these land uses eg. electrical substations or transmission lines.

REPORT DETAIL

The application states that there are no structures on the subject land. It appears from aerial photographs that much of the land has been cleared with a few areas of remnant vegetation. It is unclear from aerial photographs how much of the land is currently used for agricultural purposes.

This project involves establishing permanent native revegetation and mixed environmental plantings on land currently being operated by Mr John Nicoletti on behalf of the owners. The proposed establishment will involve scalping, ripping, removal of stock, followed by planting and pest monitoring (including spraying). and then repeating the process the following year with infill planting.

The objectives of the project are to improve land condition, reduce salinity, enhance biodiversity, and contribute to long-term carbon sequestration. The project directly supports the Shire of Nungarin's Natural Resource Management (NRM) objectives by promoting sustainable land use and rehabilitating lower productivity farming areas

Carbon Neutral is proposing to develop a tree farm project across several lots within the Shire. As mentioned, the proposal also includes lots on neighbouring Shires. The project aims to re-forest lower quality or degraded landscapes and some higher risk farming areas with endemic native vegetation. Environmental planting of this nature will improve biodiversity, sequester carbon, assist to mitigate soil salinity, and stabilise the land.

DPIRD assessments show a significant proportion of the project area contain land that is classed at varying levels of suitability for broadacre cropping, and have a good suitability for grazing. Once the trees are sufficiently established to withstand grazing pressures, the managed grazing of stock can be facilitated across the project area.

In general terms, the proposed lots are considered less attractive components of the total agricultural area currently being operated by the owner.

Initially, the Project proposes to establish trees across a subset of the titles currently owned and operated under entities managed by Mr John Nicoletti. This subset of titles will be purchased by Carbon Neutral for the primary purpose of establishing a tree farm.

Discussions are continuing with Mr Nicoletti for the project to be expanded over 3-4 years as part of a broader proposal for ongoing agricultural production across higher yielding areas,

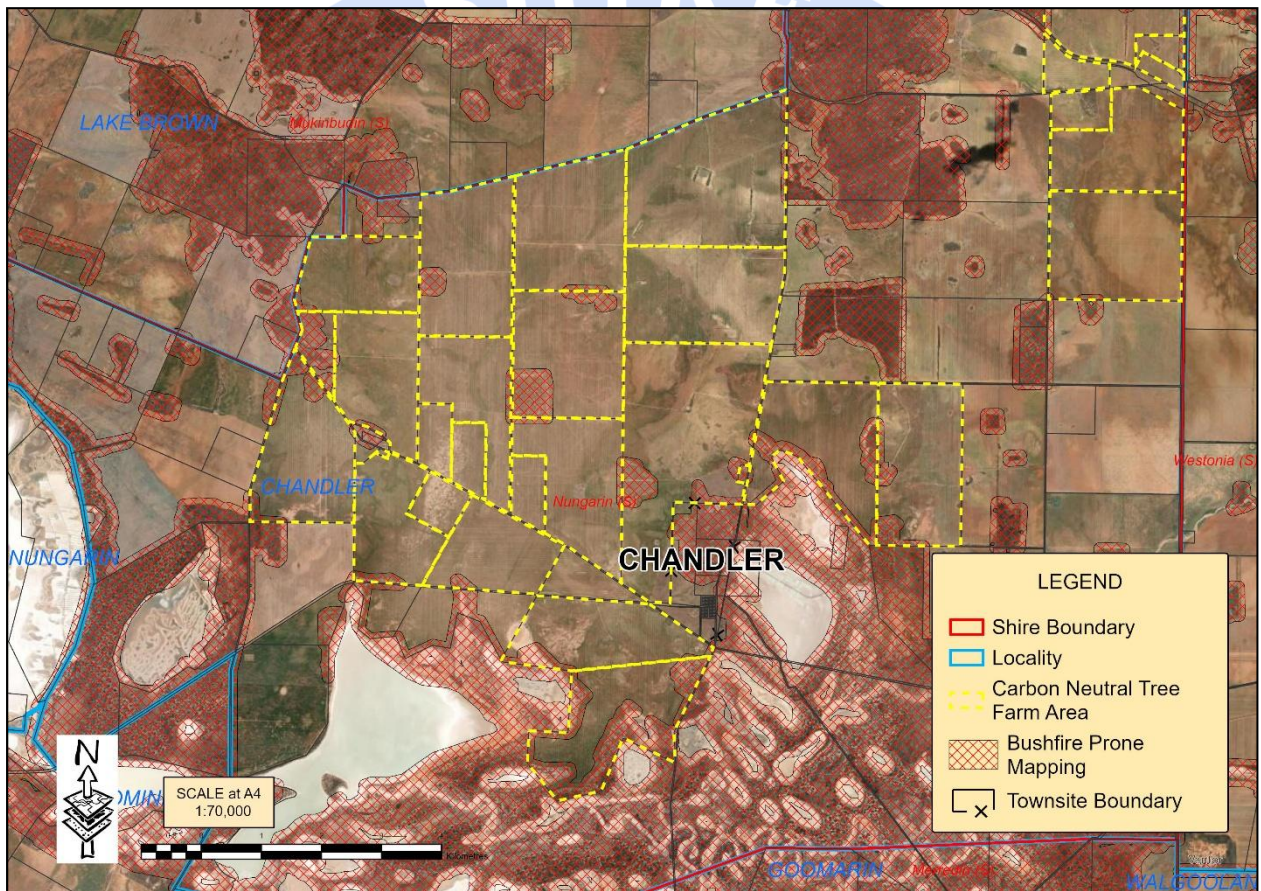
and planting blocks of native vegetation on areas of lower cropping productivity and around paddocks to create squarer paddocks for easier cropping.

In the shorter term, these initial lots will allow for future grazing activities but will not support broadacre cropping.

The 39 lots that are the subject of this application are shown in the two Figures that follow.

Area West includes 23 lots measuring a total of over 6,640 hectares. **Figure 3** provides an aerial photograph of this area showing that most of the land being used for agricultural uses. The figure also shows the Bushfire Prone mapping prepared by DFES. These bushfire prone areas probably correlate to areas of remnant vegetation.

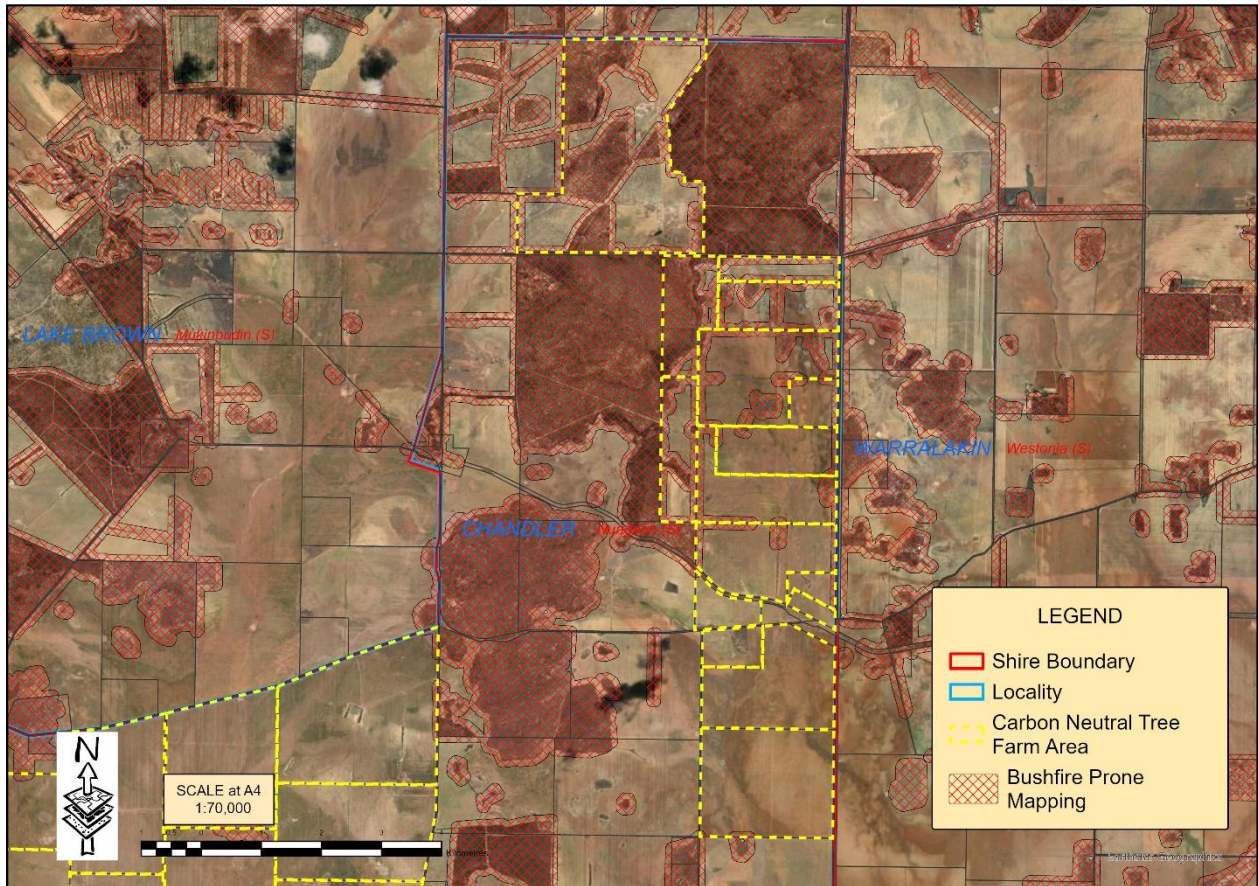
FIGURE 3 – AREA WEST



Source: Landgate, DFES, Planwest

Area East includes 16 lots measuring a total of 3,256 hectares. **Figure 4** provides an aerial photograph of this area, again showing that most of the land being used for agricultural uses. The figure also shows the Bushfire Prone mapping prepared by DFES. These bushfire prone areas probably correlate to areas of remnant vegetation.

FIGURE 4 – AREA EAST



Source: Landgate, DEFES, Planwest

Although the application report sets out measures to address bushfire threats, vermin control and general property management, these measures have not been prepared by suitably qualified consultants.

The proposal in principle is supported as it seeks to better use rural land that is considered marginal for traditional agricultural uses. At the same time, it promotes long-term carbon sequestration and permanent biodiversity restoration.

To ensure that the project is appropriately managed, it is recommended that the application be -

- a) advertised on the Shire's web site and adjacent neighbours be advised by inviting submissions from interested parties within 28 days, and
- b) referred to the following agencies for comment to ensure compliance with current policies and requirements.
 - DFES (Department of Fire and Emergency Services)
 - EPA (Environmental Protection Authority)
 - DWER (Department Water and Environmental Registration),

- DAA (Department of Aboriginal Affairs now part of Department of Local Government, Sport and Cultural Industries – Aboriginal Engagement and Culture Division), and
- DBCA (Department of Biodiversity, Conservation and Attractions)

Responses from these referrals should be requested within 28 days to ensure that the Council is able to determine the application within the prescribed time.

OTHER STRATEGIC LINKS

There is no Local Planning Strategy for the Shire however the Council sees no strategic or social implications of the proposed development provided the proposed development complies with State and local policies, standards and requirements.

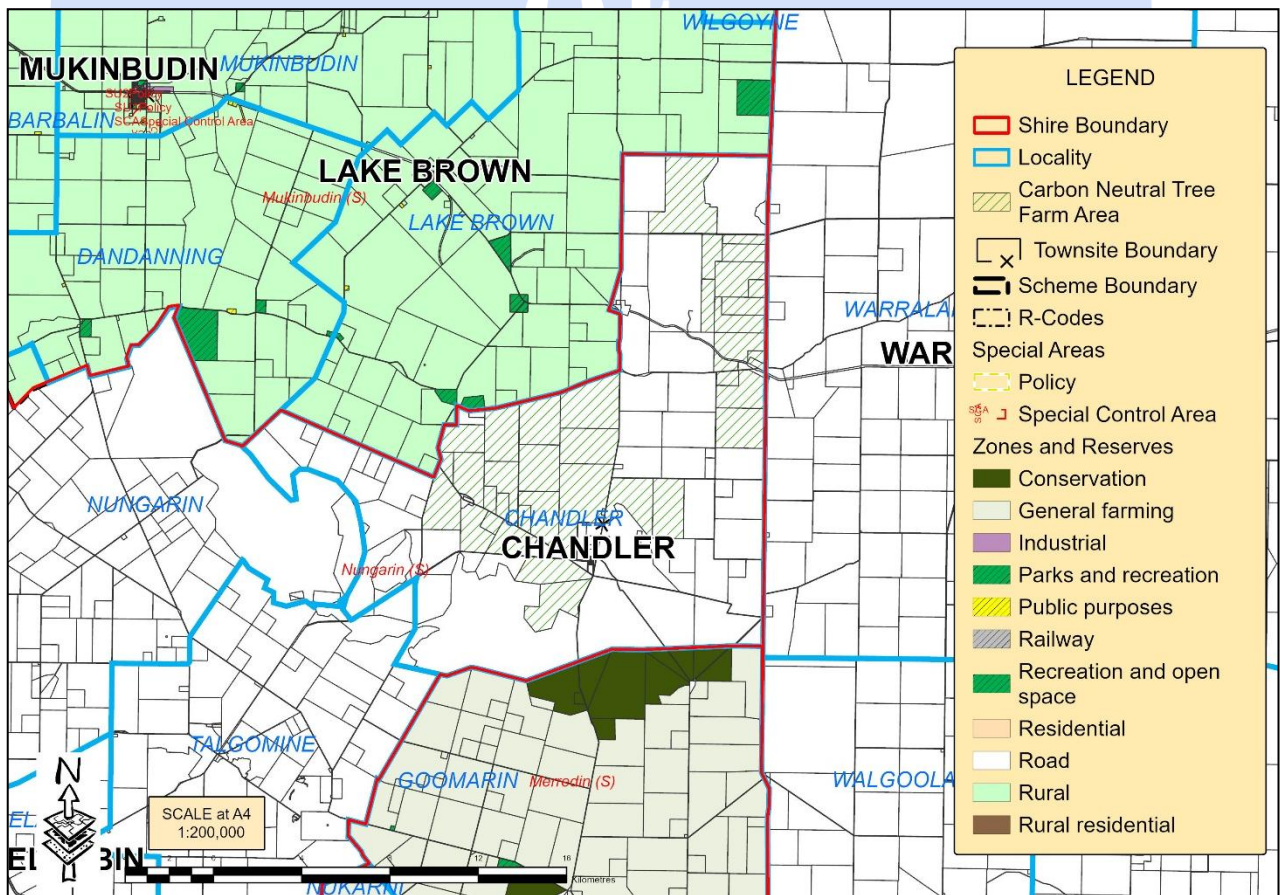
Although the Shire is currently in the process of reviewing its Local Planning Strategy, this has not yet been finalised or adopted.

STATUTORY ENVIRONMENT

The Shire of Nungarin has no Local Planning Scheme. A Scheme is considered to be the head of power for controlling development in the Shire. Without such a Scheme the Council’s ability to influence development is diminished.

Figure 5 below shows the Local Planning Schemes surrounding the Shires. This indicates, that, if the Shire did have a Scheme, it is likely that the subject land would be zoned Rural.

FIGURE 5 – EXTRACT FROM SURROUNDING SCHEMES



Source: Landgate, DPLH, Planwest.

Notwithstanding that the Shire has no scheme, the obligations of an applicant to comply with other state requirements are not diminished. These other requirements include State Planning Policies relating to rural planning, bushfires and development generally, but also environmental, cultural and conservation standards.

To assess compliance with these requirements it is necessary to receive comment from the various agencies that administer these standards.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic

Nil

Social

Nil

Policy Implications

There are no Council policy implications that relate to the proposed development.

Risk Management Implications

Risk Level	Comment
Low	

CONSULTATION

Nil, however, it is recommended that the application be referred to agencies including DFES, EPA, DWER, DAA and DBCA for comment.

RESOURCE IMPLICATIONS

Financial

Nil

9.8. NUNGARIN COMMUNITY DEVELOPMENT GROUP REQUEST	
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	9.8A Letter 9.8B Plaques

COUNCIL RESOLUTION**116/12/25****Moved: Cr K Dayman****Seconded: Cr G Coumbe****That Council approves Nungarin Community Development Groups request for Donation required limestone blocks****Carried by Simple Majority: 7/0****For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee****Against: Nil****IN BRIEF**

A request was emailed to the CEO, from the NCDG on the 9th of December

BACKGROUND

Last year the Shire approved the placement of the soldiers' plaques at the base of the tin Soldiers.

REPORT DETAIL

As letter states the NCDG are requesting bevelled limestone blocks to place A3 plaques on, after discussing with works the required blocks would be 4 with two being joined by mortar.

The Officer recommends we support this request to do what is required to place plaques at the base of the Soldiers.

OTHER STRATEGIC LINKS

Shire working closely with community groups

STATUTORY ENVIRONMENT

Nil

SUSTAINABILITY AND RISK CONSIDERATIONS**Economic**

Nil

Social

Nil

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Low	

CONSULTATION

NCGD

RESOURCE IMPLICATIONS

Financial

Minimal cost to shire

Workforce

Nil

9.9. APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER	
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	Nil

COUNCIL RESOLUTION

117/12/25

Moved: Cr G Coumbe

Seconded: Cr W Lee

That Council:

1. Approves the period of leave for the Chief Executive Officer, David Nayda, from 23 December 2025 to 5 February 2026, inclusive; and
2. Appoints Selina Sergeant as Acting Chief Executive Officer for the period 5 January 2026 to 5 February 2026, inclusive.

Carried by Simple Majority: 7/0

For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee

Against: Nil

IN BRIEF

The purpose of this agenda item is to ensure compliance with Section 5.36(2) of the Local Government Act 1995, which requires local governments to have a Chief Executive Officer (CEO) or Acting CEO in

place to manage the organisation's operations. The CEO, David Nayda, has requested leave from 23 December 2025 to 5 February 2026 and this item seeks Council's approval of his leave and appointing Selina Sergeant, Manager of Corporate Services, as Acting CEO for part of this period.

BACKGROUND

Under section 5.36(2) of the *Local Government Act 1995*, a local government must ensure that a Chief Executive Officer or Acting Chief Executive Officer is in place at all times to carry out the functions of the local government.

REPORT DETAIL

Chief Executive Officer, David Nayda, has requested leave from 23 December 2025 to 5 February 2026. The CEO would remain on call until the 5 of January when MCS will start acting. Selina Sergeant has demonstrated the leadership, operational knowledge and capacity to assume the responsibilities of Acting CEO during this period. Her appointment will ensure effective continuity of operations and governance during the CEO's absence.

OTHER STRATEGIC LINKS

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995

- Section 5.36(2): Local governments must ensure the employment of a CEO or acting CEO as necessary.
- Section 5.39(1a): Acting arrangements for CEOs are to be formalised as per Council resolutions or delegations. If the acting appointment is for a period exceeding 12 months, a formal contract of employment meeting the requirements under Section 5.39(1) of the Act must be in place.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic

Nil

Social

Nil

Policy Implications

CM 8 Appointment of Acting Chief Executive Officer

Risk Management Implications

Risk Level	Comment
Low	

CONSULTATION

Selina Sergeant

RESOURCE IMPLICATIONS**Financial**

If the recommendation is supported, Selina Sergeant will be paid higher duties for the period 5 January 2026 to 5 February 2026. Sufficient budget allowance has been made for this expense.

Workforce

Nil

10. CORRESPONDENCE RECEIVED

Nil

11. NEW BUSINESS OF AN URGENT NATURE

Nil

12. CONFIDENTIAL ITEMS OF BUSINESS**COUNCIL RESOLUTION****118/12/25****Moved: Cr A Eksanow****Seconded: Cr G Coumbe**

That in accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to the members to the public at 5.18 pm for this item as the following sub-section applies: (b) the personal affairs of any person

Carried by Simple Majority: 7/0**For: Cr de Lacy, Cr Coumbe, Cr Wegner, Cr Eksanow, Cr Dayman, Cr Stobie, Cr Lee****Against: Nil**

