



Agenda

Ordinary Council Meeting

Wednesday 26th February 2025

Commencing at 3:30PM

To be held in the Council Chambers,
Railway Avenue Nungarin



**PLEASE NOTE:
THIS PAGE HAS BEEN INTENTIONALLY
LEFT BLANK**

Date: 21 February 2025

**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 26th of February 2025 at 3:30pm to consider and resolve the matters set out in the attached agenda.

**Chief Executive Officer
David Nayda**

DISCLAIMER

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

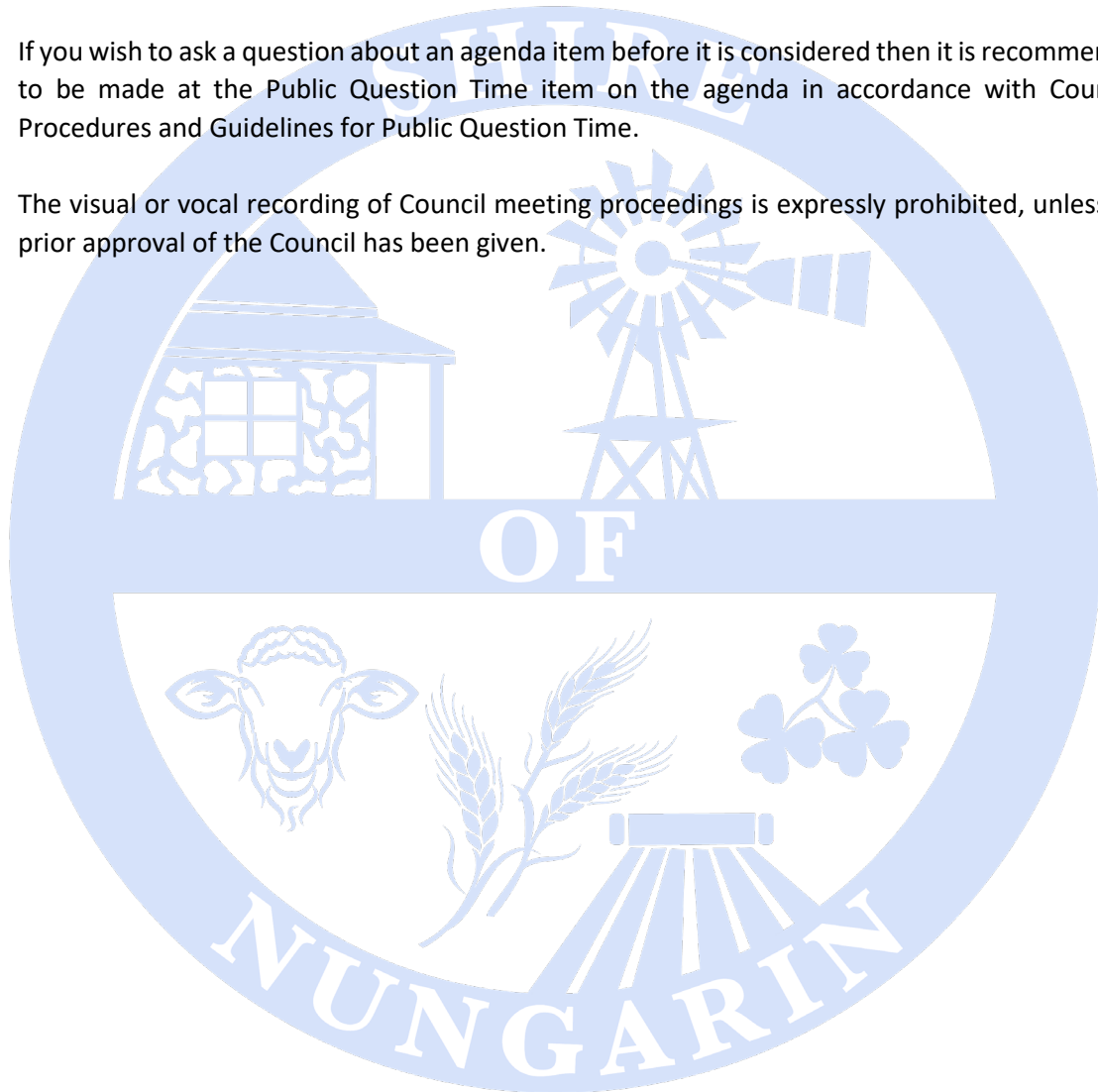
Any statement, comment or decision made at a Council or Forum meetings regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

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 26th FEBRUARY 2025
MINUTES SUMMARY and TABLE OF CONTENTS**

TABLE OF CONTENTS

1.	DECLARATION OF OPENING.....	7
2.	ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....	7
2.1	ATTENDANCE.....	7
2.2	APOLOGIES.....	8
2.3	REQUEST FOR LEAVE OF ABSENCE.....	8
3.	DEPUTATIONS AND PETITIONS.....	8
3.1	DEPUTATIONS.....	8
3.2	PETITIONS.....	8
4.	PUBLIC QUESTION TIME.....	8
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	9
4.2	PUBLIC QUESTION TIME.....	9
5.	DECLARATIONS OF INTEREST.....	9
5.1	FINANCIAL AND PROXIMITY INTEREST.....	9
5.2	DISCLOSURES OF INTEREST THAT MAY CAUSE A CONFLICT.....	9
6.	ANNOUNCEMENT BY THE PRESIDING MEMBER (WITHOUT DISCUSSION).....	9
7.	PREVIOUS COUNCIL MEETING MINUTES / OUT OF SESSION CONFIRMATION.....	9
7.1	ORDINARY COUNCIL MEETING – 18 th DECEMBER 2024.....	9

8. OFFICER REPORTS 10

8.1 LISTING OF PAYMENTS FOR THE MONTH OF DECEMBER 2024..... 10

8.2 LISTING OF PAYMENTS FOR THE MONTH OF JANUARY 2025..... 13

8.3 MONTHLY FINANCIAL REPORT DECEMBER 2024..... 16

8.4 MONTHLY FINANCIAL REPORT JANUARY 2025..... 19

8.5 INVESTMENT REPORT AS AT 31st DECEMBER 2024 22

8.6 INVESTMENT REPORT AS AT 31st JANUARY 2025 24

8.4 WHEATBELT RAIL TRAIL COMMITTEE..... 28

8.5 NEW PROVISIONS FOR LOCAL GOVERNMENTS TO PAY 30

SUPERANNUATION TO COUNCIL MEMBERS..... 30

8.6 WALGA SECTOR FEEDBACK – LOCAL GOVERNMENT AMENDMENT ACT 2024 33

8.7 STATUTORY BUDGET REVIEW AS AT 31 DECEMBER 2024 44

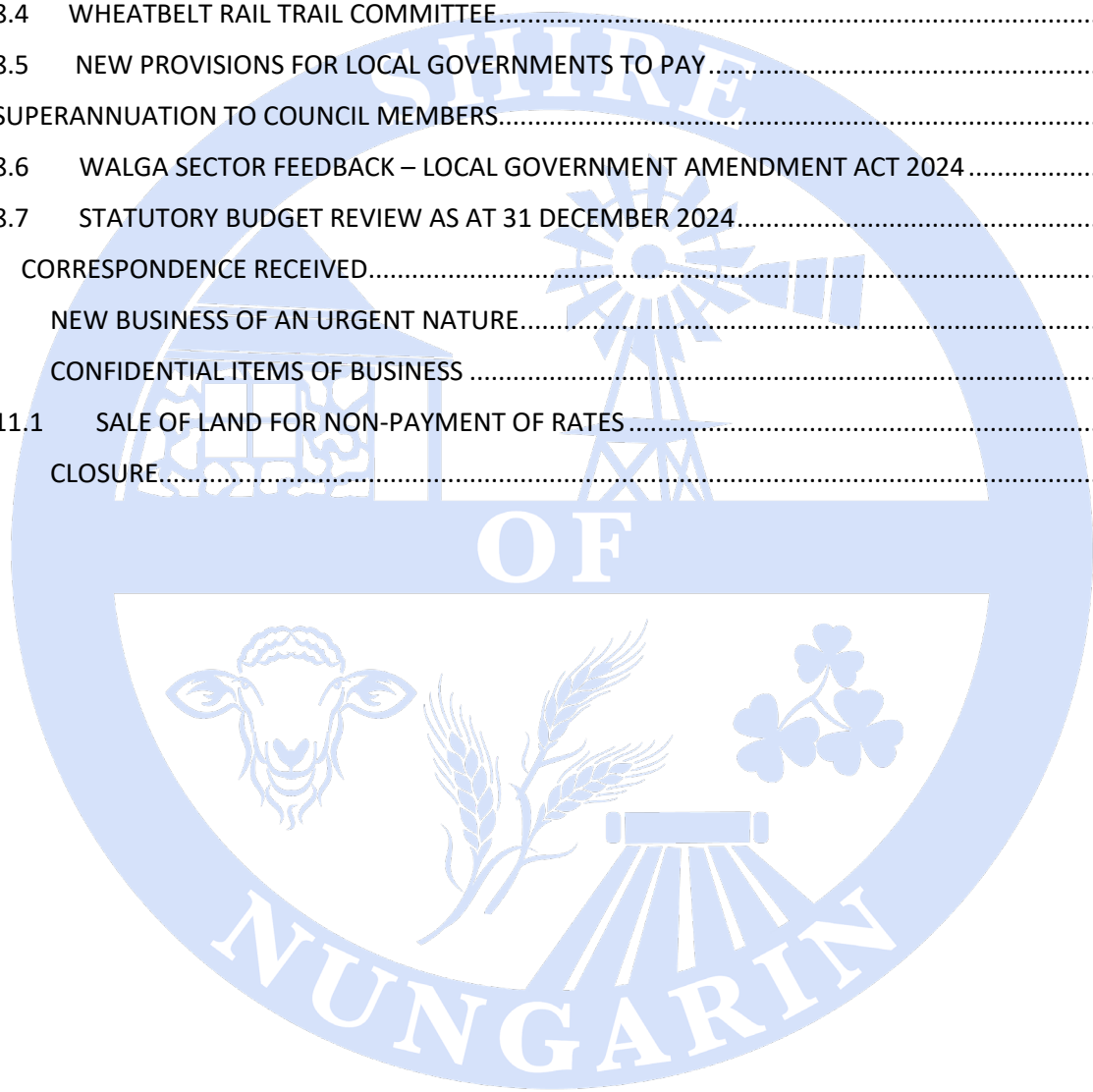
9. CORRESPONDENCE RECEIVED..... 54

10. NEW BUSINESS OF AN URGENT NATURE..... 54

11. CONFIDENTIAL ITEMS OF BUSINESS 54

11.1 SALE OF LAND FOR NON-PAYMENT OF RATES 54

12. CLOSURE..... 55





AGENDA and STAFF REPORTS

ORDINARY COUNCIL MEETING

TO BE HELD IN COUNCIL CHAMBERS, NUNGARIN

ON WEDNESDAY 26th FEBRUARY 2025

1. DECLARATION OF OPENING

The Presiding Member to declare the meeting open at ___pm.

Affirmation of Civic Duty and Responsibility as Read

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

Acknowledgement of Traditional Custodians

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

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

2.1 ATTENDANCE

Councillors

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
Elected Member

Cr W Lee
Cr M Caughey

Council Officers

Chief Executive Officer
Manager Works & Services
Manager Corporate Services

Mr D Nayda
Mr Aaron Wootton
Miss S Sergeant

Observers / Visitors

2.2 APOLOGIES

Elected Member

Cr A Eksanow

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 – 18th DECEMBER 2024

OFFICER RECOMMENDATION

Moved:.....

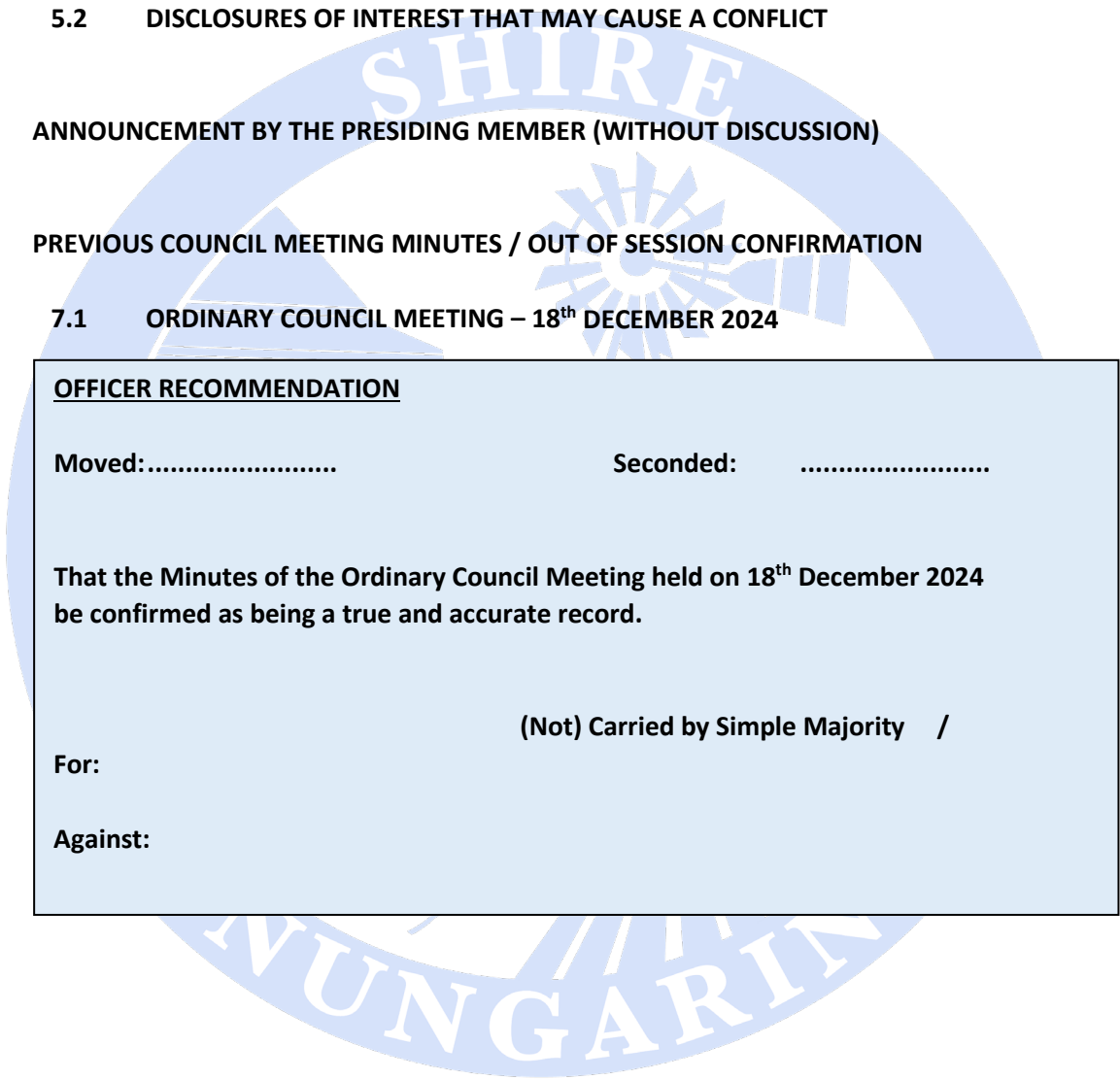
Seconded:

That the Minutes of the Ordinary Council Meeting held on 18th December 2024 be confirmed as being a true and accurate record.

(Not) Carried by Simple Majority /

For:

Against:



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	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

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 unclear compliance return submitted to the Department of Local Government, Sport & Cultural Industries.

CONSULTATION

Nil

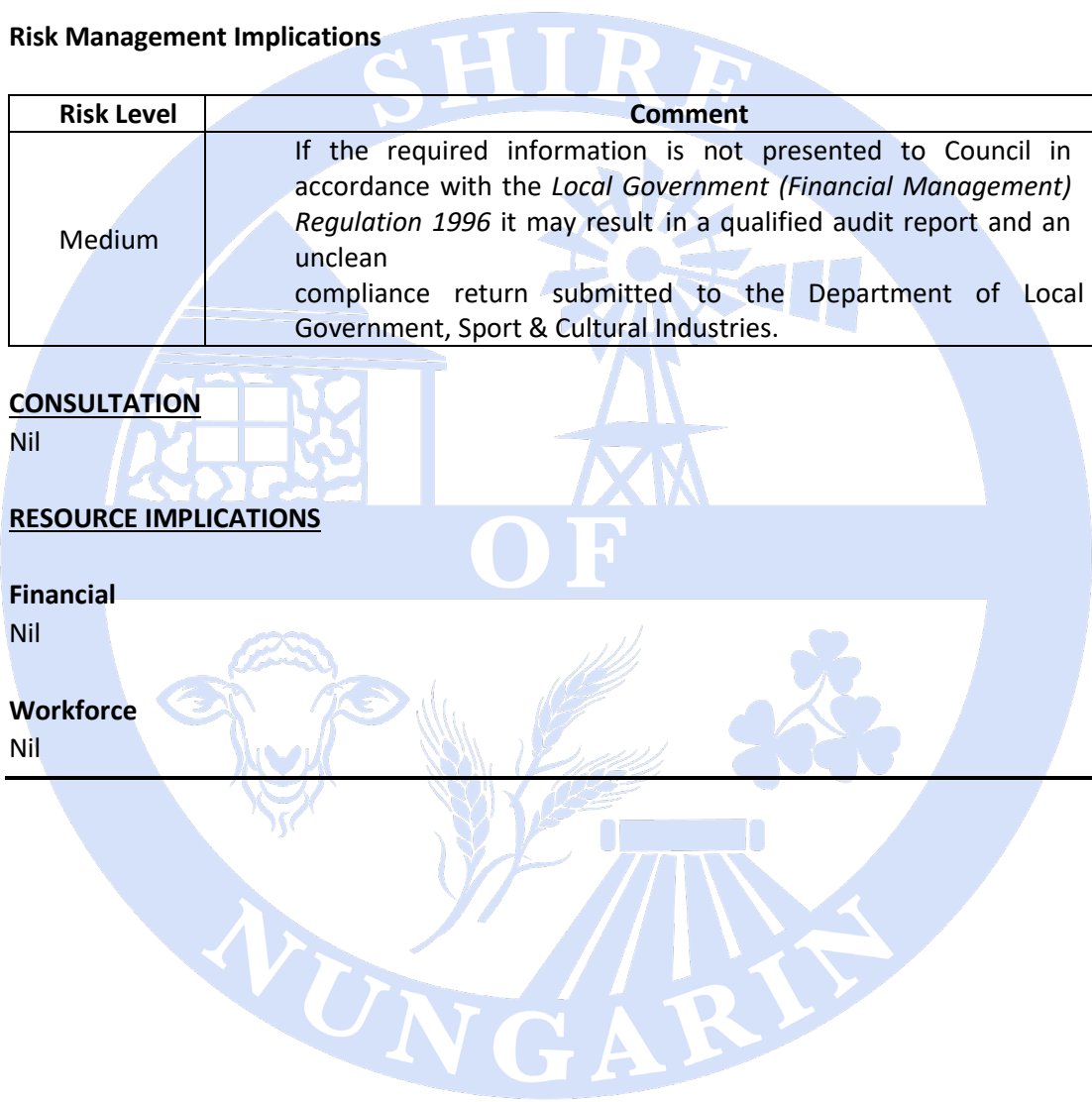
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



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	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

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

- (4) 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
 - (e) the payee’s name;
 - (f) the amount of the payment;
 - (g) the date of the payment; and
 - (h) sufficient information to identify the transaction.

- (5) 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:
 - (v) the payee’s name;
 - (vi) the amount of the payment;
 - (vii) sufficient information to identify the transaction and;
 - (viii) the date of the meeting of the council to which the list is to be presented.

- (6) A list prepared under sub regulation (1) or (2) is to be -
 - (c) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (d) 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 unclear compliance return submitted to the Department of Local Government, Sport & Cultural Industries.

CONSULTATION

Nil

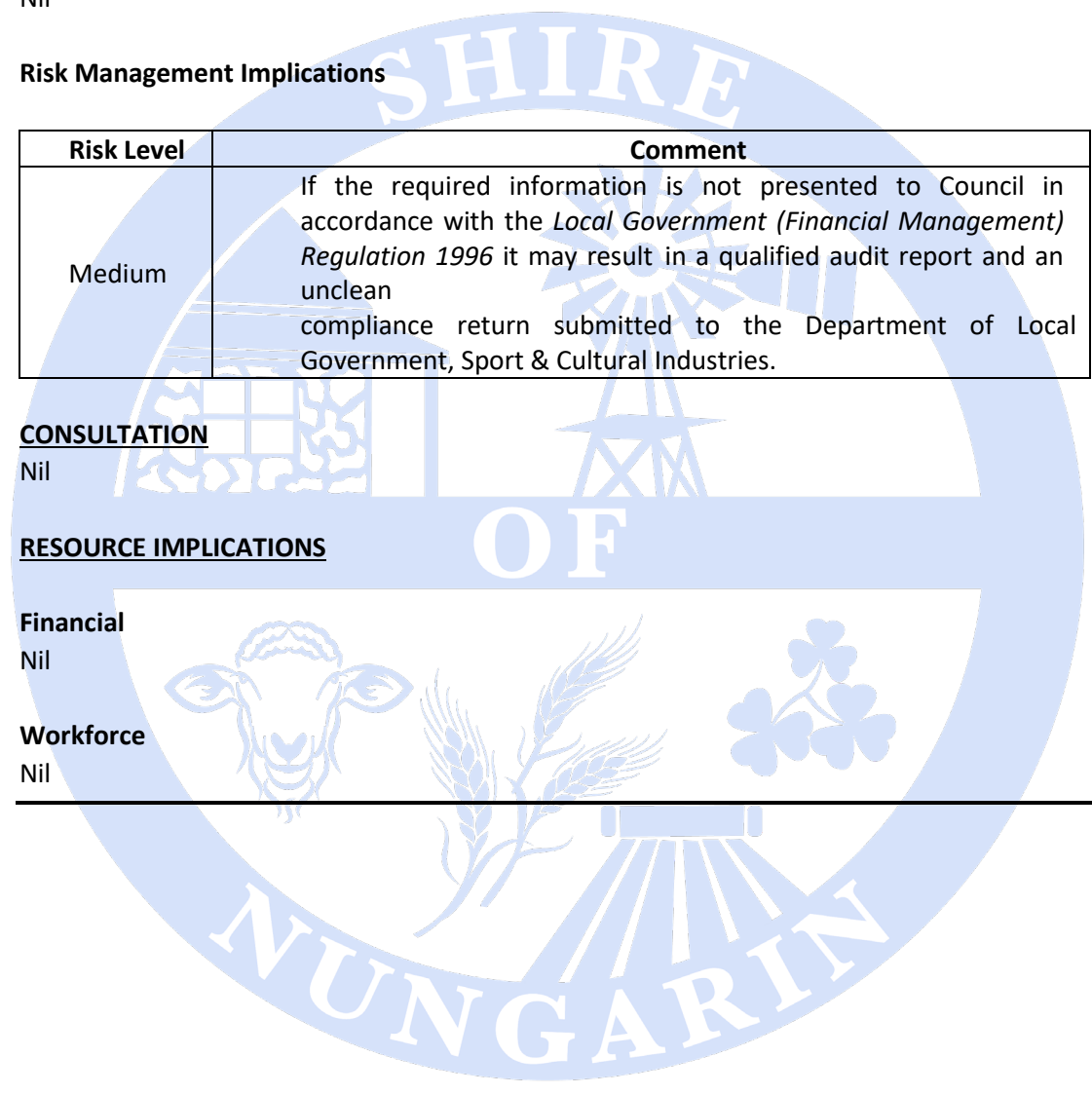
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



8.3 MONTHLY FINANCIAL REPORT DECEMBER 2024	
File Ref:	11.6.1.1.19.1
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	8.3A – Monthly Financial Report December 2024

OFFICER RECOMMENDATION

Moved: **Seconded:**

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

(Not) Carried by Simple Majority /

For:

Against:

IN BRIEF

For Council to consider the monthly financial report for the period ending 31 December 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 31 December 2024 shows a closing surplus of \$1,599,762.00.

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

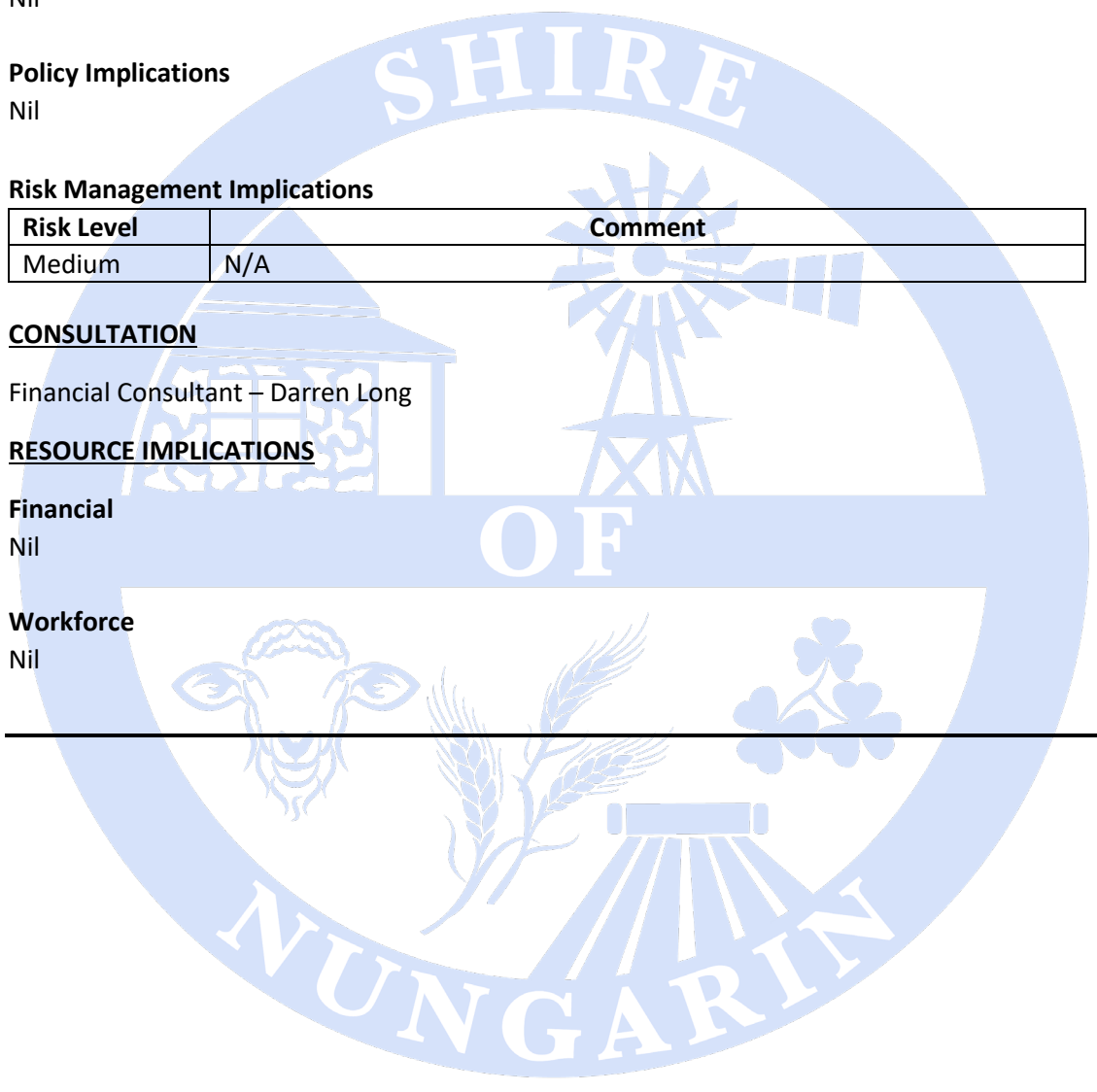
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



8.4 MONTHLY FINANCIAL REPORT JANUARY 2025	
File Ref:	11.6.1.1.19.1
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	8.4A – Monthly Financial Report January 2025

OFFICER RECOMMENDATION

Moved: **Seconded:**

That Council, regarding the Monthly Financial Report for January 2025, resolves to formally accept and acknowledge the contents of the report

(Not) Carried by Simple Majority /

For:

Against:

IN BRIEF

For Council to consider the monthly financial report for the period ending 31st January 2025. 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 31 January 2025 shows a closing surplus of \$1,266,304.

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

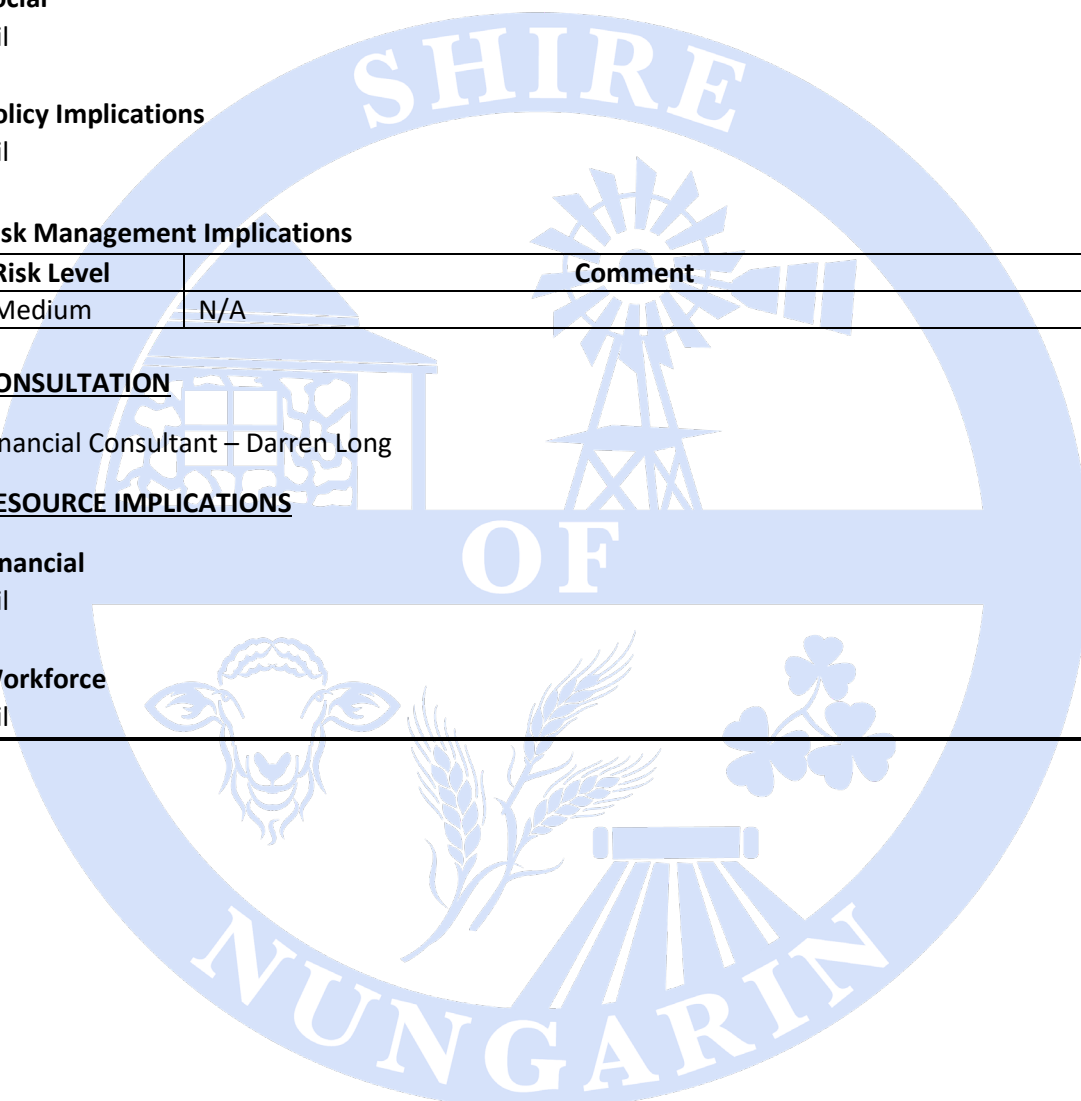
RESOURCE IMPLICATIONS

Financial

Nil

Workforce

Nil



8.5 INVESTMENT REPORT AS AT 31st DECEMBER 2024	
File Ref:	11.6.1.1.19.1
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:**

That the Investment Report as at 31st December 2024 be received.

(Not) Carried by Simple Majority /

For:

Against:

IN BRIEF

For Council to receive the investment Report as at 31st December 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 31st December 2024:

INVESTMENT REGISTER						
1 DECEMBER TO 31 DECEMBER 2024						
COMMONWEALTH BANK – FIXED TERM DEPOSIT						
ACCOUNT Nº	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNT TO 31.12.2024	INVESTMENT TRANSFERS	CLOSING BALANCE 31.12.2024
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

8.6 INVESTMENT REPORT AS AT 31st JANUARY 2025	
File Ref:	11.6.1.1.19.1
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:**

That the Investment Report as at 31st January 2025 be received.

(Not) Carried by Simple Majority /

For:

Against:

IN BRIEF

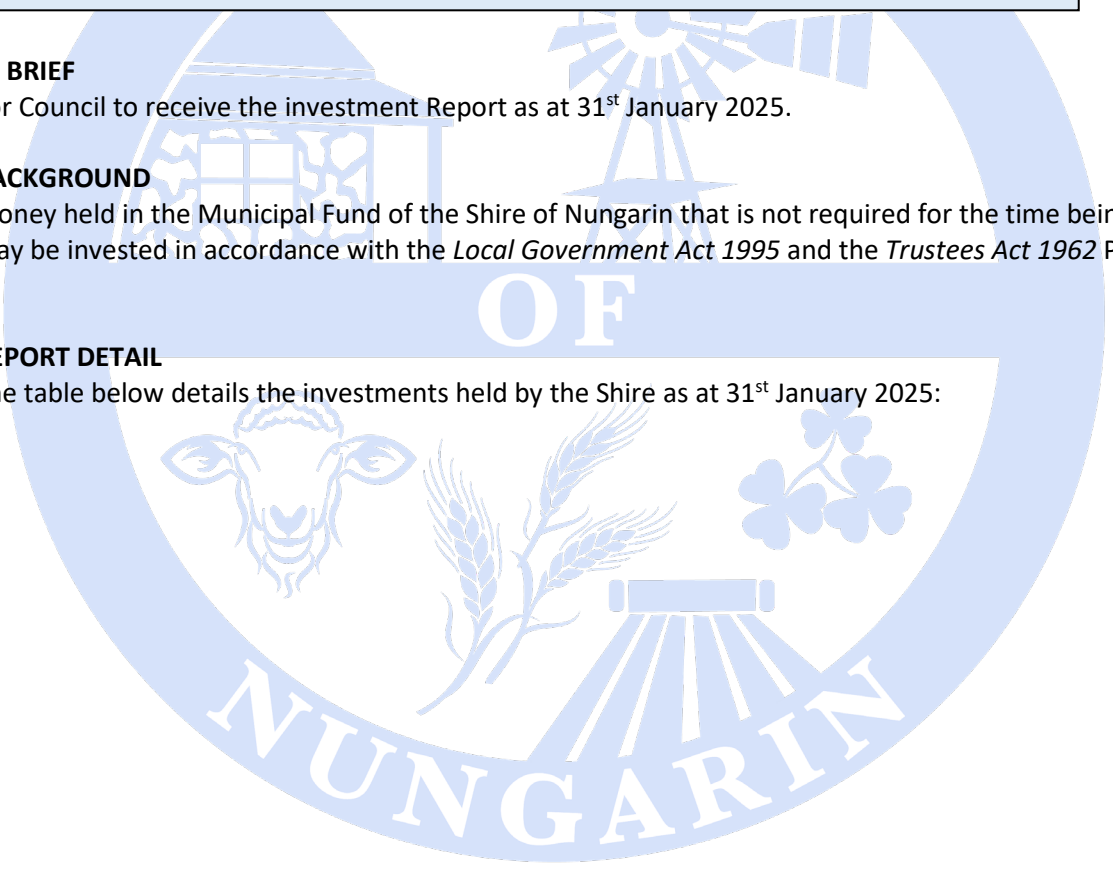
For Council to receive the investment Report as at 31st January 2025.

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

The table below details the investments held by the Shire as at 31st January 2025:



INVESTMENT REGISTER						
1 JANUARY TO 31 JANUARY 2025						
COMMONWEALTH BANK – FIXED TERM DEPOSIT						
ACCOUNT N ^o	DATE OF MATURITY	INTEREST RATE	OPENING BALANCE	INTEREST EARNED TO 31.01.2025	INVESTMENT TRANSFERS	CLOSING BALANCE 31.01.2025
38132004.47	13/01/2025	4.82%	\$1,517,875.89	\$18,240.29	\$0.00	\$1,536,116.18
38132004.48	13/01/2025	4.82%	\$893,496.30	\$10,737.13	\$0.00	\$904,233.43
38132004.53A	22/04/2025	4.79%	\$0.00	\$0.00	\$700,000.00	\$700,000.00
38132004.53B	22/04/2025	4.79%	\$0.00	\$0.00	\$904,233.43	\$904,233.43

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

- (3) 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).
- (4) 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];
 - (f) prescribe circumstances in which a local government is required to invest money held by it; and
 - (g) provide for the application of investment earnings; and
 - (h) generally provide for the management of those investments.

Local Government (Financial Management) Regulations 1996

19. Investments, control procedures for

- (3) A local government is to establish and document internal control procedures to be

followed by employees to ensure control over investments.

- (4) 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 —

- (f) deposit with an institution except an authorised institution;
- (g) deposit for a fixed term of more than 12 months;
- (h) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- (i) invest in bonds with a term to maturity of more than 3 years;
- (j) 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 WHEATBELT RAIL TRAIL COMMITTEE	
File Ref:	7.1.5
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

OFFICER RECOMMENDATION

Moved: **Seconded:**

That Council nominate Cr _____ as its representative on the Wheatbelt Rail trail Committee.

(Not) Carried by Simple Majority /

For:

Against:

IN BRIEF

Council is to nominate an elected member to a proposed new Committee for the development of the Wheatbelt Rail Trail.

BACKGROUND

The Shires of Trayning, Wyalkatchem and Nungarin have been successful in attracting a grant of \$213,570 for the creation of a dual use trail along the railway line between Wyalkatchem and Nungarin.

The CEO from the Shire of Merredin will be seeking a response from their Council as to whether they would support the inclusion of Merredin in the project which would result in an approach for additional funding for the Merredin component.

The inclusion of Merredin would open the possibility of attracting visitors on the Prospector to cycle or walk the trail between Merredin and Wyalkatchem.

It is suggested that the presence of elected members as part of the committee would strengthen the case for increased funding

REPORT DETAIL

The Nungarin CEO is to approach the traditional owners for their consideration for supporting the project in view of the leaseholder of the railway reserve, ARC, being reluctant to approve the project because of heritage concerns.

It is intended that the project will be managed by the respective Works Managers in each Shire and which will reflect our “in kind” contribution.

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

Focus Area	Tourism promotion and attractions
Aspiration	We work towards enhancing our tourism assets and experiences in a coordinated manner
Objective	We effectively promote our attractions and experiences

OTHER STRATEGIC LINKS

The project will deliver a valuable tourism opportunity

STATUTORY ENVIRONMENT

There are no direct statutory implications.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic

Social

Policy Implications

There are no direct policy implications.

Risk Management Implications

Risk Level	Comment
Medium	The on-going maintenance of the trail will have an impact on future budgets as weather events have the potential to erode the gravel surface.

CONSULTATION

The Department of Transport grant team and the four Shire CEO’s.

RESOURCE IMPLICATIONS

Financial

In-kind commitment equivalent to the grant funding of \$217,570.00, and annual maintenance of the trail.

Workforce

The in-kind contribution from staff for Nungarin contribution

8.5 NEW PROVISIONS FOR LOCAL GOVERNMENTS TO PAY SUPERANNUATION TO COUNCIL MEMBERS	
File Ref:	11.1.5
Previous Items:	41009
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	8.5A

OFFICER RECOMMENDATION

Moved: **Seconded:**

That Council in accordance with section 54, 62 and 63 of the Local Government Amendment Act 2024:

1. Elect to pay superannuation to all elected members
or
2. Elect to not pay superannuation to all elected members.

(Not) Carried by Absolute Majority /

For:

Against:

IN BRIEF

Councils’ consideration for the payment of Superannuation benefits to elected members as included in the provisions of the Local Government Amendment Act 2024.

BACKGROUND

New provisions streamline the provision of superannuation to council members. Following passage of the Local Government Amendment Act 2024, new sections 5.99B to 5.99E of the *Local Government*

Act 1995 (the Act) will allow local governments to resolve by absolute majority to make superannuation contributions for council members from 1 February 2025.

REPORT DETAIL

The Amendment Act provides for Council to resolve by absolute majority to contribute to a council member's retirement benefits into a superannuation fund nominated by the member, and to which applies to the Superannuation Guarantee Administration Act 1992. A council member may, by written notice to the CEO, "opt out" of superannuation contribution payments. This "opt out" notice remains in effect until the member revokes the notice, in writing to the CEO. The payment of superannuation contributions to elected members is not considered to be salary under any other law.

- From 1 February 2025 all local governments will have the option to resolve by absolute majority to make superannuation contributions for council members.
- From 19 October 2025, it will become mandatory for class 1 and 2 local governments to make superannuation contributions.
- For class 3 and 4 local governments, the payment will remain optional for each council to decide if they want to make superannuation contributions to council members. Where a local government is required to, or resolves to, make superannuation contributions, individual council members may choose to 'opt out' of receiving superannuation.

Superannuation contribution payments for council members will be made in addition to any other fees and allowances. These will sit outside the threshold for fees and allowances set by the Salaries and Allowances Tribunal. Council members may receive various types of fees and allowances, in accordance with the Act and the relevant determination of the Salaries and Allowance Tribunal. The requirement to make superannuation contribution payments in respect of these fees and allowances is to be determined in accordance with Commonwealth Superannuation Guarantee (Administration) Act 1992 (SG Act) and the further guidance provided in Superannuation Guarantee Ruling SGR 2009/2.

While council members are not considered employees under the SG Act, they are to be treated in the same manner as employees of the local government for the purposes of calculating superannuation contribution payments. The payment is to be the same required under the SG Act. By 1 July 2025, the superannuation guarantee rate will be 12 per cent. The superannuation contribution payment is to be paid at the same time as the remuneration of the council member is paid. In order to allow a superannuation contribution payment to be made, a council member must nominate a superannuation account from a scheme or fund to which the SG Act applies. Local governments must not make a superannuation contribution payment for a council member if they fail to nominate an eligible superannuation account before the end of the month to which the payment relates. Local governments must not make superannuation contribution payments for council members during any period in which they are suspended under the Act. Council members are also not entitled to a superannuation contribution payment during any period in which they are not entitled to receive their fees and allowances. Individual council members may opt out of receiving superannuation contribution payments by providing a notice in writing to the CEO.

Advance payments

If a council member is paid their fees and allowances in advance, in the event of their resignation or suspension, they will need to repay any overpaid superannuation contributions. As this typically cannot be taken from the superannuation fund, the council member will need to repay this from their

own finances.

The method of calculating the amount to be repaid is specified in regulations 32B and 34AE(2) of the Local Government (Administration) Regulations 1996.

Costs

The cost of paying superannuation for council members will need to be met by each local government out of its existing budget. This cost will vary depending on what fees and allowances the Salaries and Allowances Tribunal and the Council have determined to pay to the mayor / president and councillors and how many council members there are.

Non-compliance

In the event of non-compliance with the payment of superannuation the matter may be referred to the DLGSC as regulator of the local government sector. A council member could also seek to enforce the payment of their entitlements in court.

SHIRE OF NUNGARIN INTEGRATED STRATEGIC PLAN 2023 - 2033

Focus Area	Our organisation
Aspiration	Effective forward planning, and engagement with our community
Objective	To deliver transparency regarding Ordinary Council Meeting dates

STATUTORY ENVIRONMENT

Local Government Amendment Act 2024, Section 5.99 A, B, C, D, E.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic
Budget impact ongoing

Social
Nil

Policy Implications
Nil

Risk Management Implications

Risk Level	Comment
Low	Very little risk

CONSULTATION

Nil

RESOURCE IMPLICATIONS

Financial

Online Registers. In addition to the Consultation document, the Department released the *Local Government Regulations Amendment Regulations 2024* that will give effect to the amendments.

The Department’s Consultation process includes commentary on CEO Matters and Online Registers, which are summarised below.

CEO Matters include:

- CEO Selection Panel
- CEO Recruitment, Termination and Certification
- CEO KPIs

Online Registers include:

- Leasing Register
- Grants and Sponsorship Register
- Development / Applicant Contributions Register
- Goods and Services Contracts Register

WALGA seeks feedback from Local Governments to assist in the composition of a sector-wide response to the Department’s Consultation. Attached to the Info page is a brief Discussion Paper summarising the proposed regulatory amendments, together with commentary for your Local Government’s consideration.

To inform an item for the May 2025 meeting of State Council, Council decisions are requested by **19 March 2025**. Local Governments will also be able to provide feedback through the April round of Zone meetings.

REPORT DETAIL

CEO Matters – Publishing KPIs

Amendment Regulation 18AA (s.5.38(4)(c) of the *Local Government Amendment Act 2023*)

Amendment Regulation 18AA relates to the conduct and publication of the annual CEO performance review. Amendment Regulation 18AA(3) requires a statement to be published on the Local Government website stating the target to be achieved for the performance criterion to be met, including whether:

- the target was achieved
- the target was not achieved
- no determination reached on target

Amendment Regulation 18AA(4) requires the grouping of targets so that a statement can be made as to the percentage of targets achieved, or otherwise.

Amendment Regulation 18AA(5) provides for the exclusion of a target from publication, if:

- the reason a target was not achieved was beyond the CEOs control
- no determination could be made on whether target was achieved
- the Departmental CEO may direct the target be excluded from publication

WALGA Comment:

Amendment Regulation 18AA reports targets on an ‘achieved/not achieved’ basis where under current practice, substantial or partial achievement of a target may be satisfactory to a Local Government.

- Could Regulation 18AA(3)(b) and (4) be improved by publishing a target that is substantially (though not fully) achieved if to the satisfaction of the Local Government?
- Is it necessary to separately report on percentages of target achievement/non-achievement?
- In relation to the Departmental CEOs exclusion direction, should regulations
 - o specify that a Local Government may request such a direction, by resolution of Council?
 - o specify the Departmental CEO may give an exclusion direction for specific types of targets applicable to all Local Governments?

Local Government response:

Amendment Regulation 18FAA (s.5.39AA(1) of the *Local Government Amendment Act 2023* and s.5.96A(1)(i) of the *Local Government Act 1995*)

Amendment Regulation 18AA relates to the performance criteria specified in the CEO’s contract of employment.

Amendment Regulation 18FAA (1) to (7) sets out the provisions for publication on the Local Government website information relating to the CEO’s performance as set out in the employment contract, including that the Departmental CEO may direct the performance criterion be excluded from publication.

WALGA Comment:

- In relation to the Departmental CEOs exclusion direction, should regulations specify that a Local Government may request such a direction, by resolution of Council?

Local Government response:

CEO Matters – Independent Persons Panel

Amendment Regulation 18FAB (s.5.39A(4) and (5))

Amendment Regulation 18FAB relates to the establishment by the Departmental CEO of a panel of persons to serve as independent persons on a CEO selection panel.

Amendment Regulation 18FAB(1) to (8) established:

- (1) Updated definitions relating to independent persons and selection panels
- (2) Requires the Departmental CEO to appoint independent persons, and may establish undertakings relating to their conduct on a panel
- (3) and (4) appointing an independent person and serving on the panel in accordance with undertakings
- (5) Notifying of appointment or removal of independent person on a panel.
- (6) and (7) payment of fees to independent person
- (8) Publication by Departmental CEO of a list of independent persons

WALGA Comment:

Amendment Regulation 18FAB broadly aligns with s.5.39A(4) of the *Local Government Amendment Act 2023* as supported by WALGA in the 2022 Reform Proposals.

No provision is made for the appointment of an independent person other than from the Departmental CEOs panel. Attention is drawn to the following extract from Item 5.8 of the Reform Proposals:

‘Councils will be able to appoint people outside of the panel with the approval of the (Local Government) Inspector’

- Should Amendment Regulation 18FAB include a provision that permits the Departmental CEO or Local Government Inspector to appoint persons from outside the panel, particularly if the list of independent panel members does not include people that reside or live in approximation to rural and remote Local Governments?

Local Government response:

Amendment Regulation 18FAC (s.5.39A(4) and (5))

Amendment Regulation 18FAC introduces the definition of ‘disqualifying interest’ relating to a financial, indirect financial or impartiality interest in relation to independent panel members. If an independent panel member identifies the existence of a disqualifying interest, they must not continue to serve on the CEO selection panel.

WALGA Comment:

The ‘disqualifying interest’ provisions are closely related to financial, indirect financial and impartiality interests for Council Members. Newly elected Council Members are required to undergo mandatory training with one specific module of the Council Members’ Essentials dedicated to understanding conflicts of interest.

Presently, an independent panel member would only be required to declare a conflict of interest if the CEO selection panel was established as a Committee of Council under s.5.8 of the Act, when the Local Government’s Code of Conduct for Council Members, Committee Members and Candidates will apply. The Model Code of Conduct Regulations includes management of conflict of interest under Division 2, cl. 4 ‘Personal Integrity’. Item 5.8 of the 2022 Reform Proposals does not refer to conflicts of interest.

- Should those appointed to the independent persons panel (Amendment Regulation 18FAB) be required to participate in Conflicts of Interest training?
- The Department’s Guide to Interest Affecting Impartiality at Item 5.4 provides a broad definition of ‘friendship’. Does the inclusion of ‘impartiality’ as a disqualifying interest have potential to lead to a high number of exclusions from selection panels, should the independent person be well acquainted with any candidate?
- Should the declaration of an impartiality interest be treated in the same way as for Council Members, whereby a declaration is made but participation continues?

Local Government response:

CEO Matters – Recruitment, Termination and Certification

Amendment Regulation 18FBA (s.5.39B(7))

Amendment Regulation 18FBA adds an additional certification requirement to that already provided under current Administration Regulation 18FB. Under 18FBA, Council must certify by absolute majority that the recruitment of an incumbent CEO (i.e. one who has already served 10 years or more and was an applicant in the CEO recruitment process under Model Standards) was successful and their contract of employment was renewed.

WALGA Comment:

No information is provided in the Department’s Consultation of a reason why this regulation is necessary. Presently, Administration Regulation 18FB requires certification that a CEO recruitment process was conducted in compliance with Model Standards, regardless of the outcome.

- Is Amendment Regulation 18FBA necessary to the CEO recruitment process?

Local Government response:

Schedule 2 Clause 13 Replaced

This amendment clarifies the provision for recruitment of a CEO upon the incumbent CEO having served 10 or more consecutive years in the role. This amendment introduces a provision that having served 10 or more years, an incumbent CEO’s contract cannot be varied to extend the term and permits renewal of the contract of employment if the incumbent CEO is selected in the recruitment process.

WALGA Comment:

Presently, Schedule 2 clause 13(2)(b) places a requirement on an incumbent CEO to notify the Local Government if they wish to renew the contract of employment, having already served 10 or more consecutive years in the role. The serving of 10 or more years in the role triggers a CEO recruitment process.

Additionally, the current Schedule 2 clause 13(3) provides that before the expiry of the incumbent CEO’s contract of employment, a recruitment process must be conducted. The ‘before’ provision does not appear in the proposed replacement Schedule 2 clause 13.

- Should a CEO recruitment process continue to be held before the expiry of the incumbent CEO’s contract of employment, if the CEO has advised their intention to participate in the recruitment process?
- Does replaced Schedule 2 clause 13 have potential to create unintended contractual issues? (For example, is it possible to renew an expired contract?)

Local Government response:

Schedule 2 Clause 15A Inserted

The new Schedule introduces requirements for contractual and additional performance criteria.

WALGA Comment:

The introduction of mandated performance criterion is set out in Item 3.5 of the 2022 Reform Proposals. The new Schedule 2 clause 15A provides for standardised content of performance criterion.

- Do Local Governments adopt performance criterion additional to the content proposed?
- Would the additional clause be beneficial? *‘(e) any additional information that the Local Government and CEO agree should apply to performance criterion’*

Local Government response:

Schedule 2 Clause 25 Inserted

The intent of the new Schedule 2 clause 25 is to exclude certain provisions if termination occurs during the probationary period (if included in a contract of employment), but after reviewing the CEOs performance during this period.

WALGA Comment:

Dealing with probationary period performance in the proposed manner offers a dignified contract management approach. The new Schedule 2 clause 25 does not contemplate additional circumstances that might warrant consideration, such as a finding of serious misconduct following an independent inquiry conducted by the Local Government.

- Do Local Governments support including additional circumstances where the exclusion provision can be applied? Provide examples.

Local Government response:

Online Registers (s.5.96B)

Administration Regulation 29E Inserted

The new Regulation currently states online registers will commence from and must be up-to-date as at the beginning of 1 July 2025.

WALGA Comment:

With the Department’s Consultation process closing in May 2025, submissions will require consideration and there is the prospect some proposals may require redrafting prior to the Amendment Regulations commencing. WALGA suggests an extended commencement date for publication of online registers, to permit adequate time for preparation of information.

It is suggested that a (once off) 12-month grace period to ensure everything is included across the reporting period be provided.

Local Government response:

Administration Regulation 29F Inserted (Leases of Land)

Regulation 29F(1) sets out the types of lease agreements that require publication; Regulation 29F(2) requires the CEO to keep a register of current leases to which a Local Government is a party (i.e. lessee or lessor); Regulation 29F(3) establishes information to be included in the register for publication, but does not require publication of names of persons entering into a residential tenancy agreement; and Regulation 29F(4) provides exclusions from publication.

WALGA Comment:

The new Regulation broadly aligns with the 2022 Reform Proposal and appropriately excludes the names of persons entering into residential tenancy agreements.

The 2022 Reform Proposals pre-date the *Privacy and Responsible Information Sharing Bill 2024* which includes provisions relating to public registers, and associated rights of individuals in relation to registers required by a written law.

No provision is provided in relation to confidentiality provisions that may be included in current lease agreements; for example, a Local Government that is lessor of property that is subject of a confidentiality undertaking in the lease agreement.

- WALGA seeks comment from Local Governments that may be party to lease agreements that include confidentiality provisions.
- In keeping a lease register, does your Local Government foresee any potential implications of the *Privacy and Responsible Information Sharing Bill 2024*?
- Are there additional matters not yet considered that may compromise a lease agreement entered into by a Local Government?

Local Government response:**Administration Regulation 29G Inserted (Grants and Sponsorship)**

Regulation 29G introduces requirements for grants and sponsorships made in the previous 5-year period to be maintained by the CEO in a register as from 1 July 2025, including information that is set out in subregulation (3); Regulation 29G(4) excludes grants and sponsorships that are greater than 5 years old or valued at less than \$500 from inclusion in the register.

WALGA Comment:

Local Governments are very often the principal financial supporter of local community, sporting, arts, aged care and benevolent organisations within the district and the volume of grants and sponsorships issued over a 5 year period may be considerable. The prospective commencement date of 1 July 2025 is foreseeably problematic as it may prove difficult for Local Governments to apply the required administrative effort to develop the initial register of information.

Regulation 29G includes similar definitions for 'grant' and 'sponsorship'. Typically, a grant is provided net of the expectation of any benefit to the grantee, whereas a sponsorship normally includes an expectation of a benefit to the sponsoring body. Clearer definitions will assist Local Government administrators managing the publication requirements.

- Is it reasonable for the grants and sponsorship register to capture arrangements within the previous 5-year period?
- Is the register threshold of \$500 reasonable?
- Does the Local Government have adequate capacity to develop a register by 1 July 2025?
- Should regulations exclude publication of the name of a recipient where the recipient is a natural person, particularly if the recipient/beneficiary is a child?

Local Government response:

Administration Regulation 29H Inserted (Development Contributions)

Regulation 29H(1) established definitions that will apply to the keeping of a register of information; Regulation 29H(2) requires the CEO to maintain a register containing development contributions including information set out in Regulation 29H(3); Regulation 29H(4) provides for exclusions; and Regulation 29H(5) establishes a definition of an ‘exhausted’ development contribution.

WALGA Comment:

Local Governments collect a range of funds for contributions related to development applications. The regulations propose that all Local Governments will be required to establish a register of development contributions and cash in lieu payments to be kept and published.

The Regulations proposed the development of registers for contribution types that have existing legislative requirements in place to ensure appropriate receipt, holding and expenditure of collected funds. For example, those contributions required by Section 154 of the *Planning and Development Act 2005* for money paid in lieu of open space, and formal development contribution arrangements that fall under a development contribution plan developed under *State Planning Policy 3.6 Infrastructure Contributions*.

WALGA is concerned that there the potential for duplication of exiting process from the proposed regulations which will place undue regulatory burden on Local Government for limited improvements in transparency and accountability.

- Does the requirement to develop and implement registers for these contributions duplicate existing regulatory requirements?
- Will the proposed registers create unnecessary regulatory burden on Local Governments?
- Does the Local Government have adequate capacity to develop a register?
- Considering the details proposed to be included in the registers (set out in Regulation 29H(3)), would your Local Government have collected this information from historical contributions?
- Would a requirement to only record new contributions on the proposed registers reduce the regulatory burden on your Local Government?

Local Government response:

Administration Regulation 29I Inserted (Contracts for Goods and Services)

Regulation 29I(1) establishes that the CEO must maintain a register of contracts for goods and services that includes required information set out in subregulation (2). Regulation 29I also requires certain information to be updated in the register during the term of the contract. For example, subregulation (2)(f) requires the register to record a summary of variations and subregulation (2)(g) requires recording of the amount of payments made to contractors and amounts still to be paid to contractors.

WALGA Comment:

Regulation 29(3)(a) requires publication of contracts greater than \$50,000. Item 3.4 of the 2022 Reforms proposed the publication of contracts above \$100,000, and this was supported by WALGA. It is arguable that the list of accounts paid provides adequate reporting of goods and services transactions, with the register replicating some of the details.

It is noted there are similarities between some information required to be included in the register and information already published in a tenders register - reg. 17 of the *Local Government (Functions and General) Regulations*.

Regulation 29I differs from other online registers as certain information will need regular updating. Subregulations (2)(f) and (2)(g) will require rolling reporting of variations and payments made and payments pending, throughout the contract term. This requirement is likely to result in considerable administrative effort.

WALGA has previously notified the Department that Local Governments are concerned with the publication of sensitive information that could give rise to a risk of use for fraudulent or corrupt purposes¹:

<p>s.5.94</p> <p><i>Public can inspect certain local government information</i></p>	<p>The Act requires public access or inspection rights for documents that contain personal information, i.e. electoral roll, owner / occupier, rate record [s.5.94(m) and (s)]. The Act only limits the right to access this information where the CEO is unable to be satisfied that the information will not be used for a commercial purpose [Admin.r.29B]. WALGA members have expressed concern of the risks that may extend to information when combined with other personal information; for example, cyber security / identity theft risks OR personal safety risks.</p> <p><i>Recommend there be an analysis of the public benefit versus public risk arising from statutory provisions that ensures public disclosure of documents containing personal details (i.e. electoral rolls, rate record) in the context of the potential for this information to be manipulated or misused for improper purposes.</i></p>
---	--

Local Governments report the particular risk that public information (i.e. list of accounts paid) can be harvested for the purpose of falsifying creditor information, and the subsequent misdirection of creditor payments. The Office of the Auditor General has published guidance on the risk of fraud and corruption in this regard², and the extensive public availability of Local Government, as opposed to State or Federal Government, creditor information has potential to exacerbate that risk within the sector.

- Does the publication of the register of contracts have potential to elevate the risk of fraud or corruption in your Local Government? Could this risk be minimised if the information required to be published in the register was reviewed?

² Supplier Master Files Better Practice Guide; OAG WA Report 1: 2024-25 August 2024

- Has your Local Government assessed the current risk associated with the current level of publicly available information related to the purchase of goods and services? Do you have any suggestions relating to the required information
- The proposed threshold of \$50,000 is too low and not reasonably manageable; is a higher figure of \$100,000 or even the \$250,000 tender threshold amount more appropriate?

Local Government response:

Other comments

Any other comment on the proposed regulations

Local Government response:

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

STATUTORY ENVIRONMENT

[Local Government Amendment Act 2023](#)

Local Government Regulations Amendment Regulations 2024

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic
nil

Social
nil

Policy Implications

Minor amendment required to some policy

Risk Management Implications

Risk Level	Comment
Medium	

CONSULTATION

N/A

RESOURCE IMPLICATIONS

Financial

Workforce

8.7 STATUTORY BUDGET REVIEW AS AT 31 DECEMBER 2024	
File Ref:	N/A
Previous Items:	Nil
Responsible Officer:	D Long – Finance Consultant/ D Nayda CEO
Author and Title:	D Long Finance Consultant
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachment Number	8.7A

OFFICER RECOMMENDATION

Moved: Secoded:

The Council

1. Adopt the 2024/25 Annual Budget Review, as presented in Attachment 1, and note that the estimated closing funds are based on current revenue and expenditure trends; and

2. Approve the following budget amendments as authorised expenditure:

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
303210	Grants Commission General – Increase in General Purpose grant allocation for 2024/2025	(\$0)	(\$155,181)	(\$51,999)	
303235	Interest – Municipal Investments – Increase in interest earned on Municipal Funds invested.	(\$60,000)	(\$78,480)	(\$18,480)	
204110	Members Minor Expenses – Decrease in replacement laptop expenses	\$21,000	\$15,730	(\$5,270)	
204113	Members – Australia Day Expenses – Increase in event expenses offset by grant	\$7,000	\$12,633		\$5,633
204199	Members – Admin costs allocated – Decrease in administration allocations to members (non-cash)	\$483,841	\$475,173	(\$8,668)	
304102	Government Grants – Increase in grant for Australia Day	\$0	(\$5,000)	(\$5,000)	
204202	Governance Salaries – Decrease in salaries due to position vacancy	\$378,518	\$342,710	(\$35,808)	
204205	Governance Superannuation – Decrease in superannuation co-contribution take-up	\$53,534	\$43,534	(\$10,000)	
204206	Governance Admin Building Maintenance – Decrease in wages and overheads allocations and electricity expenses	\$42,789	\$31,111	(\$11,678)	
204216	Governance Computer Services – Increase in network and computer support services	\$58,775	\$108,766		\$49,991
20422	Governance – NEWROC Expenses – Decrease in materials expense for payment for Yilgarn wireless data access fee	\$48,000	\$26,250	(\$21,750)	
204222	Governance Accounting Services – Increase in accounting and support services expenses	\$72,000	\$78,249		\$6,249
204235	Governance Integrated Planning Expenses – Increase in asset management data collection expenses	\$19,680	\$32,000		\$12,320
204299	Governance Admin Costs Recovered – Decrease in administration expenses allocated to other programs	(\$982,418)	(\$974,387)		\$8,031
210102	Sanitation – Refuse Site Maintenance – Decrease in wages and overheads allocations, decrease in expenses for tip closure plan.	\$41,400	\$22,050	(\$19,350)	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
210504	Community Amenities – Cemetery Maintenance	\$8,500	\$21,800		\$13,300
210507	Community Amenities – Post Office Building – Decrease in wages, overheads and plant cost allocations	\$25,268	\$18,074	(\$7,194)	
211103	Public Halls – Decrease in wages and overheads allocations, decrease in pest control expenses.	\$19,488	\$13,290	(\$6,198)	
211302	Oval Maintenance – Decrease in wages and overheads allocations. Increase in contractor expenses for reticulation repairs	\$26,265	\$34,950		\$8,685
211306	Parks, Gardens and Reserves – Decrease in wages and overheads allocations. Increase in material expenses	\$50,850	\$37,313	(\$13,537)	
211307	Other Recreation – Water – Increase in water expenses for oval watering	\$25,000	\$40,000		\$15,000
211201	Swimming Pool Salaries – Decrease in salaries	\$76,744	\$70,862	(\$5,882)	
211605	Mangowine Homestead – Decrease in wages and overheads allocations	\$20,785	\$15,655	(\$5,130)	
312102	Local Road Grant Income – increase in local road grant allocation for 2024/2025.	(\$30,999)	(\$36,396)	(\$5,397)	
212201	Road Maintenance Expenses – Decrease in wages, overheads and plant operation expenses.	\$461,282	\$348,921	(\$112,361)	
212206	Street Trees & Watering – Increase in wages and overheads allocations	\$3,615	\$8,625		\$5,010
212210	Depot Maintenance – Increase in wages, overheads and plant cost allocations	\$44,585	\$63,292		\$18,707
213101	Noxious Weeds Control – Increase in wages, overheads and plant allocations	\$0	\$5,850		\$5,850
213202	Area Promotion – Increase in camping and entertainment expenses	\$14,900	\$20,505		\$5,605
214204	Public Works – Staff Training – Increase in wages allocations, increase in training expenses.	\$11,190	\$20,410		\$9,220
214210	Public Works – Allowances – Decrease in adverse allowances paid.	\$45,227	\$27,631	(\$17,596)	
214212	Public Works Minor Equipment Maintenance – Decrease in plant cost allocations for works vehicle	\$23,900	\$8,000	(\$15,900)	
214299	Less Allocation of Public Works Overheads - Decrease in overheads allocated to jobs	(\$440,217)	(\$419,669)		\$20,548
214301	Plant Operation Repairs Internal – Decrease in wages and overhead allocations	\$41,150	\$24,930	(\$16,220)	
214302	Parts & Repairs External – Decrease in materials expenses	\$54,500	\$46,600	(\$7,900)	
214303	Tyres and Tubes – Decrease in tyres expenses	\$20,000	\$15,000	(\$5,000)	
214306	Purchase Expendable Tools – Decrease in expendable tool purchases	\$15,000	\$8,500	(\$6,500)	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
214399	Less Plant costs allocated to works – increase in plant expenses allocated to jobs	(\$280,136)	(\$245,982)		\$34,154
214401	Gross Salaries and Wages – Decrease in total salaries and wages paid for year	\$1,102,780	\$850,000	(\$252,780)	
214402	Less Salaries and Wages Allocation – Decrease in salaries and wages allocated to jobs	(\$1,102,780)	(\$850,000)		\$252,780
214404	Workers Compensation Expenses – Decrease in workers compensation expenses	\$5,000	\$0	(\$5,000)	
314401	Reimbursements – Workers Compensation – Decrease in workers compensation reimbursements	(\$5,000)	\$0		\$5,000
214502	Licence Fee Expenses – Department of Transport – Decrease in expenditure – item shift to liability account in balance sheet	\$55,000	\$0	(\$55,000)	
314503	Licence Fees Income – Department of Transport - Decrease in income– item shift to liability account in balance sheet	(\$55,000)	\$0		\$55,000
404218	Transfer to Computer Reserve – increase in transfers to reserve	\$45,000	\$79,185		\$34,185
412310	Transfer to Plant Reserve – increase in transfer to reserve	\$94,519	\$109,939		\$15,420
000000	Surplus/Deficit Carried forward – Decrease in closing surplus due to year end audit adjustments for accrued LRCI expenses	(\$2,605,545)	(\$2,545,603)		\$59,942
404203	Administration Centre – increase in contractor expenses for replacement air conditioner	\$0	\$13,200		\$13,200
404211	40 Danberrin Street – increase in contractor expenses for replacement air conditioner	\$5,000	\$9,950		\$4,950
409102	Lot 192 (54) Danberrin St Capital – increase in contractor expenses for replacement air conditioner	\$0	\$5,000		\$5,000
411603	McCorry’s Hotel Capital – Increase in contractor expenses for ablution renovation	\$70,000	\$85,000		\$15,000
411336	Parks & Gardens Plant & Equipment – Increase in contractor expenses for purchase of replacement mower	\$0	\$12,500		\$12,500
412317	Purchase Tip Truck – Increase in materials cost for purchase of tip truck	\$323,656	\$331,158		\$7,502
412329	Purchase Heavy Duty Trailer – Increase in purchase cost	\$98,000	\$125,500		\$27,500
412109	WSFN Nungarin North Construction – Increase in materials expense for line marking	\$1,930,454	\$1,940,454		\$10,000
	Other Minor variations below the \$5,000 threshold			(\$79,574)	\$68,890
TOTAL				(\$805,172)	\$805,172
Net Adjustment to 2024/25 Budget				\$0	

(Not) Carried by Absolute Majority /

For:

Against:

IN BRIEF

The purpose of this report is for Council to consider and adopt the Budget Review Report, with any amendments, for the period 1 July 2024 to 31 December 2024.

SUMMARY AND KEY ISSUES

In summary, based on current trends, it is anticipated that a balanced budget can be achieved as at 30 June 2025.

BACKGROUND

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

*Absolute majority required.

The Local Government (Financial Management) Regulations 1996 require local governments to undertake a review of the Annual Budget.

33A. Review of Budget

(1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.

(2A) The review of an annual budget for a financial year must —

(a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and

(b) consider the local government’s financial position as at the date of the review; and

(c) review the outcomes for the end of that financial year that are forecast in the budget; and

(d) Include the following-

(i) the annual budget adopted by the local government;

(ii) an update of each of the estimates included in the annual budget;

(iii) the actual amounts of expenditure, revenue and income as at the date of the review;

(iv) adjacent to each item in the annual budget adopted by the local government that stated an amount, the estimated end-of-year amount for the item.

(2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.

(3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.

*Absolute majority required.

(4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2024, for the period ending 31 December 2023, is presented for consideration. Statements of Financial Activity at program level and nature/type level have been prepared to provide a summarisation of the budget review results, as well as a Statement of Closing Funds detailing the projected surplus as at 30 June 2024.

REPORT DETAIL

The budget review has been prepared to include the information required by the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996, and the Australian Accounting Standards. Council adopted a 10% or \$5,000 threshold minimum for the reporting of material variances to be used in the Statement of Financial Activity and the annual Budget Review Report.

In summary, based on current trends, it is anticipated that a balanced budget can be achieved as at 30 June 2025.

The following table details the proposed budget amendments:

The budget review has been prepared to include the information required by the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996, and the Australian Accounting Standards. Council adopted a 10% or \$5,000 threshold minimum for the reporting of material variances to be used in the Statement of Financial Activity and the annual Budget Review Report.

In summary, based on current trends, it is anticipated that a balanced budget can be achieved as at 30 June 2025.

The following table details the proposed budget amendments:

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
303210	Grants Commission General – Increase in General Purpose grant allocation for 2024/2025	(\$103,182)	(\$155,181)	(\$51,999)	
303235	Interest – Municipal Investments – Increase in interest earned on Municipal Funds invested.	(\$60,000)	(\$78,480)	(\$18,480)	
204110	Members Minor Expenses – Decrease in replacement laptop expenses	\$21,000	\$15,730	(\$5,270)	
204113	Members – Australia Day Expenses – Increase in event expenses offset by grant	\$7,000	\$12,633		\$5,633
204199	Members – Admin costs allocated – Decrease in administration allocations to members (non-cash)	\$483,841	\$475,173	(\$8,668)	
304102	Government Grants – Increase in grant for Australia Day	\$0	(\$5,000)	(\$5,000)	
204202	Governance Salaries – Decrease in salaries due to position vacancy	\$378,518	\$342,710	(\$35,808)	
204205	Governance Superannuation – Decrease in superannuation co-contribution take-up	\$53,534	\$43,534	(\$10,000)	
204206	Governance Admin Building Maintenance – Decrease in wages and overheads allocations and electricity expenses	\$42,789	\$31,111	(\$11,678)	
204216	Governance Computer Services – Increase in network and computer support services	\$58,775	\$108,766		\$49,991
20422	Governance – NEWROC Expenses – Decrease in materials expense for payment for Yilgarn wireless data access fee	\$48,000	\$26,250	(\$21,750)	
204222	Governance Accounting Services – Increase in accounting and support services expenses	\$72,000	\$78,249		\$6,249
204235	Governance Integrated Planning Expenses – Increase in asset management data collection expenses	\$19,680	\$32,000		\$12,320
204299	Governance Admin Costs Recovered – Decrease in administration expenses allocated to other programs	(\$982,418)	(\$974,387)		\$8,031
210102	Sanitation – Refuse Site Maintenance – Decrease in wages and overheads allocations, decrease in expenses for tip closure plan.	\$41,400	\$22,050	(\$19,350)	
210504	Community Amenities – Cemetery Maintenance	\$8,500	\$21,800		\$13,300
210507	Community Amenities – Post Office Building – Decrease in wages, overheads and plant cost allocations	\$25,268	\$18,074	(\$7,194)	
211103	Public Halls – Decrease in wages and overheads allocations, decrease in pest control expenses.	\$19,488	\$13,290	(\$6,198)	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
211302	Oval Maintenance – Decrease in wages and overheads allocations. Increase in contractor expenses for reticulation repairs	\$26,265	\$34,950		\$8,685
211306	Parks, Gardens and Reserves – Decrease in wages and overheads allocations. Increase in material expenses	\$50,850	\$37,313	(\$13,537)	
211307	Other Recreation – Water – Increase in water expenses for oval watering	\$25,000	\$40,000		\$15,000
211201	Swimming Pool Salaries – Decrease in salaries	\$76,744	\$70,862	(\$5,882)	
211605	Mangowine Homestead – Decrease in wages and overheads allocations	\$20,785	\$15,655	(\$5,130)	
312102	Local Road Grant Income – increase in local road grant allocation for 2024/2025.	(\$30,999)	(\$36,396)	(\$5,397)	
212201	Road Maintenance Expenses – Decrease in wages, overheads and plant operation expenses.	\$461,282	\$348,921	(\$112,361)	
212206	Street Trees & Watering – Increase in wages and overheads allocations	\$3,615	\$8,625		\$5,010
212210	Depot Maintenance – Increase in wages, overheads and plant cost allocations	\$44,585	\$63,292		\$18,707
213101	Noxious Weeds Control – Increase in wages, overheads and plant allocations	\$0	\$5,850		\$5,850
213202	Area Promotion – Increase in camping and entertainment expenses	\$14,900	\$20,505		\$5,605
214204	Public Works – Staff Training – Increase in wages allocations, increase in training expenses.	\$11,190	\$20,410		\$9,220
214210	Public Works – Allowances – Decrease in adverse allowances paid.	\$45,227	\$27,631	(\$17,596)	
214212	Public Works Minor Equipment Maintenance – Decrease in plant cost allocations for works vehicle	\$23,900	\$8,000	(\$15,900)	
214299	Less Allocation of Public Works Overheads - Decrease in overheads allocated to jobs	(\$440,217)	(\$419,669)		\$20,548
214301	Plant Operation Repairs Internal – Decrease in wages and overhead allocations	\$41,150	\$24,930	(\$16,220)	
214302	Parts & Repairs External – Decrease in materials expenses	\$54,500	\$46,600	(\$7,900)	
214303	Tyres and Tubes – Decrease in tyres expenses	\$20,000	\$15,000	(\$5,000)	
214306	Purchase Expendable Tools – Decrease in expendable tool purchases	\$15,000	\$8,500	(\$6,500)	
214399	Less Plant costs allocated to works – increase in plant expenses allocated to jobs	(\$280,136)	(\$245,982)		\$34,154
214401	Gross Salaries and Wages – Decrease in total salaries and wages paid for year	\$1,102,780	\$850,000	(\$252,780)	

ACCOUNT	DESCRIPTION	ORIGINAL BUDGET AMOUNT	REVISED BUDGET AMOUNT	POSITIVE OUTCOME	NEGATIVE OUTCOME
214402	Less Salaries and Wages Allocation – Decrease in salaries and wages allocated to jobs	(\$1,102,780)	(\$850,000)		\$252,780
214404	Workers Compensation Expenses – Decrease in workers compensation expenses	\$5,000	\$0	(\$5,000)	
314401	Reimbursements – Workers Compensation – Decrease in workers compensation reimbursements	(\$5,000)	\$0		\$5,000
214502	Licence Fee Expenses – Department of Transport – Decrease in expenditure – item shift to liability account in balance sheet	\$55,000	\$0	(\$55,000)	
314503	Licence Fees Income – Department of Transport - Decrease in income– item shift to liability account in balance sheet	(\$55,000)	\$0		\$55,000
404218	Transfer to Computer Reserve – increase in transfers to reserve	\$45,000	\$79,185		\$34,185
412310	Transfer to Plant Reserve – increase in transfer to reserve	\$94,519	\$109,939		\$15,420
000000	Surplus/Deficit Carried forward – Decrease in closing surplus due to year end audit adjustments for accrued LRCI expenses	(\$2,605,545)	(\$2,545,603)		\$59,942
404203	Administration Centre – increase in contractor expenses for replacement air conditioner	\$0	\$13,200		\$13,200
404211	40 Danberrin Street – increase in contractor expenses for replacement air conditioner	\$5,000	\$9,950		\$4,950
409102	Lot 192 (54) Danberrin St Capital – – increase in contractor expenses for replacement air conditioner	\$0	\$5,000		\$5,000
411603	McCorry’s Hotel Capital – Increase in contractor expenses for ablution renovation	\$70,000	\$85,000		\$15,000
411336	Parks & Gardens Plant & Equipment – Increase in contractor expenses for purchase of replacement mower	\$0	\$12,500		\$12,500
412317	Purchase Tip Truck – Increase in materials cost for purchase of tip truck	\$323,656	\$331,158		\$7,502
412329	Purchase Heavy Duty Trailer – Increase in purchase cost	\$98,000	\$125,500		\$27,500
412109	WSFN Nungarin North Construction – Increase in materials expense for line marking	\$1,930,454	\$1,940,454		\$10,000
	Other Minor variations below the \$5,000 threshold			(\$79,574)	\$68,890
TOTAL				(\$805,172)	\$805,172
Net Adjustment to 2024/25 Budget				\$0	

Estimated closing funds in 2024-25 Adopted Budget \$0
 Plus net savings as detailed in table above \$0
Net Estimated Closing Funds \$0

Based on current revenue and expenditure trends, and projections as at 31 December 2024, it is estimated that there will be a projected surplus of \$0 as at 30 June 2025.

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 Section 6.2
 Local Government (Financial Management) Regulations 1996, Regulation 33A.

SUSTAINABILITY AND RISK CONSIDERATIONS

Economic

Social

There are no social implications at this time.

Policy Implications

There are no significant policy implications evident at this time.

Risk Management Implications

Risk Level	Comment
Medium	

CONSULTATION

There has been no specific consultation undertaken in respect to this matter.

RESOURCE IMPLICATIONS

Financial

The financial implications of this report are detailed in the commentary section. Based on current trends, the budget review analysis predicts:

1. an overall increase in operating revenue of \$19,525;
2. an overall decrease in operating expenditure of \$187,893;
3. an overall increase in capital expenditure of \$94,641;
4. an overall increase in financing activity expenditure of \$49,605
5. A decrease in the opening surplus of \$59,942.

OFFICER RECOMMENDATION

Moved:

Seconded:

That Council resolves to:

Proceed with the meeting in public, the time beingpm.

(Not) Carried by Simple Majority /

For:

Against:

12. CLOSURE

The being no further business the meeting closed at

Presiding Member

Date

