

# Late Items (Replacement Reports) BUSINESS PAPER

**Ordinary Council Meeting** 

To be held on

Thursday,

24 October 2024





Notice is herewith given of an

### **ORDINARY MEETING**

That will be held at the Glen Innes Severn Learning Centre, William Gardner Conference Room, Grey Street, Glen Innes on:

## Thursday, 24 October 2024 at 9:00 am ORDER OF BUSINESS

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Bernard Smith General Manager

#### L REPLACEMENT REPORTS

REPORT TITLE: L.1 INVESTMENTS REPORT - SEPTEMBER 2024 - UPDATED

**REPORT FROM:** Corporate and Community Services

#### **PURPOSE**

This report has been updated with the unrestricted cash position table as at 30 September 2024 and replaces report number 7.13 included in the Business Paper.

The purpose of this report is to provide details of all funds that Council has invested.

#### **RECOMMENDATION**

That Council notes the Investment Report as of 30 September 2024, including the certification by the Responsible Accounting Officer.

#### **REPORT**

#### (a) Background

In accordance with section 212 of the Local Government (General) Regulation 2021 (Regulation), the Responsible Accounting Officer must provide Council with a written report on a monthly basis setting out details of all money that the Council has invested under section 625 of the Local Government Act 1993.

#### (b) Discussion

Council has \$23.4M invested in term deposits, equating to 100% of Council's total financial investment portfolio as at the end of the reporting month.

Council selects banks based on rating, return and term of investment. It is expected that future investments will continue to target returns while aiming to select institutions with a high **Standard and Poor's (S&P)** rating. This is done by rolling investments between banks that meet Council's criteria and cash requirements.

If Council has two comparable investment fund options, investment will be made in the fund that does not fund fossil fuels.

Currently Council has four responsible investments, being four \$1M investments with Westpac's Green Tailored Deposits. Four investments are with institutions that do not fund fossil fuels: \$1M with BOQ, \$1M with My State Bank, and two \$1M investments with Bendigo Bank.

The Bank Reconciliation Statement shown below details what Council held in its bank account as at the end of the reporting month. This considers unpresented cheques, unpresented deposits and unpresented debits compared to what is stated in the General Ledger:

\$4,415,073.73
\$6,561,588.24
-\$2,183,296.15
\$4,378,292.09
-\$36,781.64
\$0.00
\$4,415,073.73
\$0.00

The unpresented receipts and payments of \$37K is being investigated by the ReadyTech support team. A current high priority/critical support ticket is open with ReadyTech.

The Summary of Investments set out in the following table details each of Council's investments, where each investment is held, maturity date, interest rate and the rating of each investment as at the end of the reporting month.

#### **SUMMARY OF INVESTMENTS**

Rating (S&P)	Maturity	%	Institution	Bank funds Fossil Fuels	Invested \$	Return \$
A1+/AA-	14/10/2024	5.10%	NAB	Yes	1,000,000	12,715
A1/A	16/10/2024	5.14%	ING	Yes	1,000,000	42,387
A1+/AA-	06/11/2024	5.15%	NAB	Yes	1,000,000	46,562
A1+/AA-	21/11/2024	5.10%	NAB	Yes	1,000,000	42,058
A1+/AA-	11/12/2024	5.27%	Westpac **	Yes	1,000,000	52,844
A1+/AA-	12/12/2024	5.25%	Westpac **	Yes	1,000,000	52,644
A1+/AA-	03/01/2025	5.05%	NAB	Yes	1,000,000	50,500
A2/A-	13/01/2025	5.15%	BOQ	No	1,000,000	25,679
A1+/AA-	06/02/2025	5.12%	Westpac **	Yes	1,000,000	51,340
A1+/AA-	13/02/2025	5.10%	NAB	Yes	700,000	35,700
A2/BBB+	07/03/2025	5.10%	My State	No	1,000,000	50,860
A2/BBB	14/03/2025	5.11%	Regional Australia Bank	Yes	1,000,000	50,960
A1/A	14/04/2025	5.20%	ING	Yes	1,000,000	38,893
A1/A	22/04/2025	5.12%	ING	Yes	700,000	26,905
A2/A-	22/05/2025	4.95%	Rabobank	Yes	1,000,000	37,023
A2/A-	23/05/2025	5.10%	Bendigo	No	1,000,000	42,058
A2/A-	11/06/2025	4.98%	Rabobank	Yes	1,000,000	41,068
A2/BBB+	19/06/2025	5.02%	AMP	Yes	1,000,000	41,398
A2/A-	15/07/2025	5.15%	Bendigo	No	1,000,000	51,500
A2/A-	22/07/2025	4.90%	Rabobank	Yes	1,000,000	44,838
A1+/AA-	08/08/2025	5.05%	NAB	Yes	1,000,000	50,500
A1+/AA-	22/08/2025	4.95%	NAB	Yes	1,000,000	49,500
A1+/AA-	05/09/2025	4.90%	NAB	Yes	1,000,000	48,866
A1+/AA-	10/09/2025	4.83%	Westpac **	Yes	1,000,000	48,300
Expected R	eturn FY24	5.07%	Total Investments		23,400,000	1,035,098
Avg. Headline Rate Return 5.07% Cash on Hand		Cash on Hand		4,378,292		
Total Cash and Investments			27,778,292			

<sup>\*\*</sup> green deposit

The table below details the interest received for the current financial year as at the end of the reporting month:

Interest received for the year to 30 September 2024	\$262,617.92
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The table below details the monthly movements of investments for the reporting month:

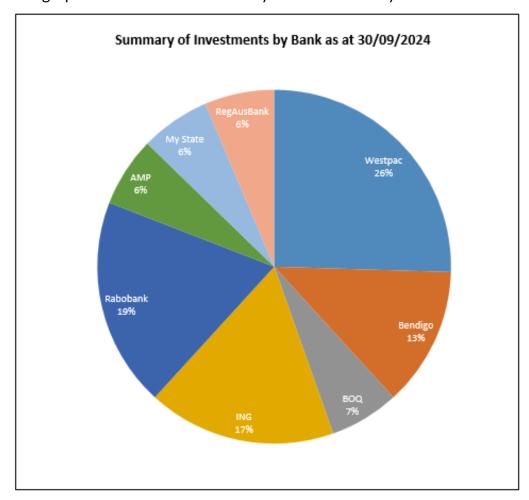
Investment Movements					
Opening Balance as at 1 September 2024	23,100,000				
Less:					
Maturities (2)	1,700,000				
Subtotal	21,400,000				
Plus :					
Rollovers (1)	1,000,000				
New Investments (1)	1,000,000				
Current Balance as at 30 September 2024	23,400,000				

During the reporting month two term deposits matured: \$700K with NAB was rolled over and \$1M with CBA was reinvested with Westpac.

A summary of maturities is set out below:

Period	No. of Term Deposits Maturing	Value
Oct-24	2	2,000,000
Nov-24	2	2,000,000
Dec-24	2	2,000,000
Jan-25	2	2,000,000
Feb-25	2	1,700,000
Mar-25	2	2,000,000
Apr-25	2	1,700,000
May-25	2	2,000,000
Jun-25	2	2,000,000
Jul-25	2	2,000,000
Aug-25	2	2,000,000
Sep-25	2	2,000,000
Oct-25	0	0
Nov-25	0	0
Dec-25	0	0
Total	24	\$23,400,000

The graph below shows the summary of investments by bank:



Restricted funds and trust funds are limited to a particular purpose and must be set aside for that purpose. Therefore, they may not be available to meet certain obligations, and this should be kept in mind when determining the short-term liquidity of Council.

The table below is reporting all restricted funds balances as at 30 June 2024. Contract assets and liabilities need to be updated on a monthly basis; a project has commenced to enable a monthly reconciliation of contract assets & liabilities.

Externally restricted cash, cash equivalents and investments as at 30 September 2024				
	\$'000			
Trust Funds	-	as at 30 June 2024		
Included in Grant related contract liabilities	10,121	as at 30 June 2024		
CHSP	402	as at 30 June 2024		
Developer contributions - Rangers Valley Feedlot S7.11	1,094	as at 30 June 2024		
Water Fund	3,288	as at 30 June 2024		
Sewer Fund	4,919	as at 30 June 2024		
Waste management	5,189	as at 30 June 2024		
Drainage	827	as at 30 June 2024		
Council Committees	390	as at 30 June 2024		
Total external restrictions	26,230			
Total Cash & investments as at 30 September 2024	27,778			
		(negative \$6.049M		
Unrestricted (i.e. available after the above restrictions)	1,548	as at 30 June 2024)		
The Contract Assets balance as at 30 June 2024	11,881			

#### Certification

I, Shageer Mohammed, Chief Financial Officer, do hereby certify that the above investments have been made in accordance with the Regulation (Section 212), the *Local Government Act 1993* (the Act) (Section 625), and Council's Investment Policy (the Policy).

#### **KEY CONSIDERATIONS**

#### (a) Financial/Asset Management

The actual average return on Council investments for the 2023/2024 Financial Year was 5.17%. The current actual average return for the 2024/2025 Financial Year is 5.07%, a decrease of 0.10% reflecting declining interest rates.

The following table compares information on investment balances from this year to last year:

Investment Balances	This Year	Last Year
Opening Balance 1 September	23,100,000	21,700,000
Closing Balance 30 September	23,400,000	22,800,000

#### (b) Policy/Legislation

Monthly financial reporting ensures transparency, to enable councillors to make financially sustainable and accountable decisions. The Policy states that short-medium term funds can be invested for up to five years.

Investments are to be considered in conjunction with the following key criteria:

- At the time of investment, no institution at any time shall hold more than 45% of Council's total investments. The maximum will be determined by the long-term rating of the institution AAA up to 45%; AA up to 35%; A up to 15% and BBB up to five percent,
- At the time of investment, the maximum portfolio limits per rating are AAA up to 100%; AA up to 100%; A up to 45%; BBB up to 25% and Government up to 100%, and
- Council's Investments can be placed in a mixture of short (0-12 months), short-medium (1-2 years) and medium (2-5 years) term investments whilst ensuring that liquidity and income requirements are met.

The portfolio is split across three of the credit rating categories (AA, A and BBB).

#### **Credit Quality Portfolio Compliance**

The following table details the credit rating of each of the categories where Council has money invested. All investments were compliant with the Policy at time of investment:

Compliant	Credit Rating	Invested	Invested \$	Policy Limit	Available \$
Yes	AAA	0.0%	-	100%	23,400,000
Yes	AA	50.0%	11,700,000	100%	11,700,000
Yes	Α	37.2%	8,700,000	45%	1,830,000
Yes	BBB	12.8%	3,000,000	25%	2,850,000
Yes	Government	0.0%	-	100%	23,400,000
		100.0%	23,400,000		

A credit rating is an evaluation of the credit risk of a prospective financial institution, predicting its ability to pay back the investment and interest maturity and an implicit forecast of the likelihood of the institution defaulting. The credit ratings are an opinion based on the creditworthiness of the company issuing the security and are assigned by Australian Ratings based on publicly available information at a point in time.

All investments continue to be made in accordance with the requirements of the Act and the Policy.

Section 625 of the Act states the following:

#### How may Councils invest?

- (1) A Council may invest money that is not, for the time being, required by the Council for any other purpose.
- (2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.
- (3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.

(4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.

Section 212 of the Regulation states the following:

#### Report on Council's Investments

- (1) The responsible accounting officer of a council:
  - (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:
    - (i) if only one ordinary meeting of the council is held in a month, at that meeting, or
    - (ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and
  - (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.
- (2) The report must be made up to the last day of the month immediately preceding the meeting.

#### (c) Risk

The following table provides information on investment types including a risk assessment and the amount and percentage invested compared to the total investment portfolio:

#### RISK ASSESSMENT OF INVESTMENT PORTFOLIO

Investment	Risk Ass	essment	Amount ¢	% of Portfolio	
Туре	Capital	Interest	Amount		
Term Deposits	Low	Low	23,400,000	100%	
Total			23,400,000	100%	

The Policy defines the principal objective of the investment portfolio as the preservation of capital. There is a risk that the investment portfolio does not perform on par with or greater than the **Consumer Price Index (CPI)**. It is possible therefore that Council does not meet the principal objective of the Policy. In addition, consideration must be given to the potential that the investment restrictions provided in the Policy (both legislatively and by Council) may increase this risk.

Council is currently only investing in fixed term deposits which are similar to or below the CPI. To gain returns higher than CPI, long term investments are needed that are not fixed term deposits and may pose a higher risk. Given the total cash position and no clear oversight of the restricted and unrestricted cash positions at this stage, it is prudent to continue with the fixed term deposits that are risk free. With investments maturing every month, this allows the ability to not reinvest if funds need to be directed to major projects.

A review of the aggregate performance on Council investments, comparative to the CPI, over a significant period (greater than five years) may ascertain if the investment strategy has been meeting the Policy's principal objective. This may then advise if changes are required to Council's investment strategy.

#### (d) Consultation

Council makes investments through Curve Securities and deals directly with the Commonwealth Bank and the Westpac Bank. During the month, all three advisors were contacted to gain advice on daily interest rates.

The Manager of Governance, Risk and Corporate Planning was consulted previously regarding the risk implications section of this report.

#### LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.4.2: Ensure Council's Investment and Borrowings Policies and practices meet the requirements of STC 5.4 Responsible custodianship of the community's assets.

#### **CONCLUSION**

Funds have been restricted to ensure all areas of Council continue to operate in accordance with both the annual Operational Plan and Budget and the Long-Term Financial Plan. Further, all investments continue to be made in accordance with the requirements of the Act, the Regulation, and the Policy.

#### **ECM INDEXES**

Subject Index: FINANCIAL MANAGEMENT: Investments

Customer Index: NIL Property Index: NIL

#### **ATTACHMENTS**

There are no annexures to this report.

REPORT TITLE: L.2 DRAFT GENERAL PURPOSE AND SPECIAL PURPOSE FINANCIAL STATEMENTS AND SPECIAL SCHEDULES

FOR THE 2023/2024 FINANCIAL YEAR - UPDATED

**REPORT FROM:** Corporate and Community Services

#### **PURPOSE**

The Draft Financial Statements for the year ended 30 June 2024 are required to be referred to Council's Auditor after adoption by the Council. The prescribed statement requires the signatures of the Mayor, a Councillor, the General Manager and the Responsible Accounting Officer.

This report replaces report number 7.5 included in the Business Paper.

The following sections have been updated for the attached Draft General Purpose and Special Purpose Financial Statements and Special Schedules:

- 1. Statement of Councillors and Management (both GPFS and SPFS) positive unrestricted cash @ 30/9/2024 Page 4
- 2. Income Statement budget input corrected Page 5
- 3. Note B5-1 variance analysis provided for > 10% Page 31
- 4. Note G1-1 line item returning Nil in both years removed Page 74
- 5. Note G3-1 information on NEWA provided Page 76

#### **RECOMMENDATION**

#### **THAT Council:**

- 1. In accordance with Section 413 (2) (c) of the Local Government Act 1993:
  - a. Resolves that, in its opinion, the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2024 are properly drawn up in accordance with the provisions of the Local Government Act 1993 and the Regulations.
  - b. Authorises for the Financial Statements for the year ending 30 June 2024 to be certified and signed by the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer on behalf of Council.
- 2. Refers the Financial Statements to Council's Auditor for audit.
- 3. Delegates authority to the General Manager to forward the Audited Financial Statements to the Office of Local Government.
- 4. Delegates Authority to the General Manager to place the Audited Financial Statements on public exhibition and give notice that Council will present its Audited Financial Statements at the next Ordinary Council Meeting.

#### **REPORT**

#### (a) Background

The 2023/2024 Financial Statements have been prepared in Council's financial management system, Dynamics. Several key reporting tools, for example Rates and Property and Interfund have not supported report preparation as they were not fully developed by ReadyTech, this has resulted in a significant delay in the preparation in the 2023/2024 Financial Statements.

Council received the Financial Audit Engagement Plan for 2023-2024 from the NSW Audit Office on 10 October. The Financial Audit will begin on 4 November and is planned for complete between 16 and 20 December.

Council has requested an extension to 28 February 2025 from the **NSW Office** of Local Government (OLG) and is waiting on approval from the OLG.

The Draft 2023/2024 Financial Statements have been tabled at a special meeting of the **Audit Risk and Improvement Committee (ARIC)** on 15 October 2024 for its information and comment.

#### (b) Discussion

In accordance with Section 416 (1) of the *Local Government Act 1993 (the Act)*, a Council's Financial Statements for a year must be prepared and audited within four months of the end of the reporting period concerned.

The statutory process that must be followed is that:

- 1. A statement as required under section 413 (2)(c) of the Act, must be made by resolution and signed by the Mayor, one Councillor, the General Manager and the Responsible Accounting Officer.
- 2. The Financial Statements must then be referred to the Council's Auditor for audit and once audited the statements must be included in Council's Annual Report.
- 3. Copies of the Audited Financial Statements must be lodged with the Office of Local Government by 31 October.
- 4. As soon as practicable after Council receives a copy of the Auditor's report, the Statements must be placed on public exhibition and notice given of a meeting at which Council proposes to present its Audited Financial Statements, together with the Auditor's report.

This act of giving notice of the meeting is required to be delegated to the General Manager as technically the notice of meeting cannot be set until the Auditor's Reports are received.

The Draft General Purpose Financial Statements and Draft Special Purpose Financial Statements for the year ended 30 June 2024 are distributed with this report under separate cover (*Annexures A*) and will be provided for audit.

The net operating surplus for the year of \$19.583M (\$12.547M in 2022/23) is an improvement on the previous year of \$7.036M.

Council received \$23.231M (\$11.978 in 2022/23) in capital grant funding, an increase of \$11.253M over the previous year), resulting in a deficit before capital items of \$3.648M (Surplus of \$569k in 2022/23).

The Statement of Financial Position as at 30 June 2024 and its supporting notes, in particular Note C1-3, shows that there was insufficient cash to cover all external restrictions placed on those holdings with a deficit of \$6.049M. It should be noted that there was insufficient cash at balance date to set aside funds for planned expenditure in future years, viz., the Financial Assistance Grant paid in advance \$4.898M or to provide working capital over and above the 2024/25 Operating Plan in the event of the need to reinstate assets that are damaged by unplanned and unforeseen events such as bushfires and floods.

Grant Contract assets of \$11.881M (\$7.179M in 2022/23) at balance date shows the amount of funds expended for grant related projects that have not yet been received. This should be taken into consideration when assessing the unrestricted cash balance.

#### <u>Planned Improvements to Financial Management</u>

Council has undertaken Review of the Information System to inform improvements to support financial management. Council has also undertaken the following reviews and improvements in 2024 to improve financial management and sustainability:

- Financial Sustainability Review,
- Waste and Water Pricing Strategy Review,
- Grants management register.

The new Grants Management Register and Contracts Management Policy will improve Council's financial data.

#### Certification

Section 413 (2) (c) of the Act, requires that before audit certificates can be issued, Council is to adopt a resolution to be attached to the Financial Statements stating that:

Council's General Purpose Financial Statements and Special Purpose Financial Statements are being prepared in accordance with:

- The Act and the Regulations made thereunder,
- The Australian Accounting Standards and professional pronouncements,
- The Local Government Code of Accounting Practice and Financial Reporting,

- The Department of Water and Energy Practice Management of Water Supply and Sewerage Guidelines,
- NSW Government Policy Statement 'Application of National Competition Policy to Local Government',
- Department of Local Government Guidelines 'Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality'.

These Statements must be signed by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer.

A copy of the required statement to be signed is included in the attached Draft Financial Statements.

#### **KEY CONSIDERATIONS**

#### (a) Financial/Asset Management

The Financial Statements are Council's primary form of review on Council's sustainability and the financial performance of Council throughout the reporting period.

For this reason, they remain a crucial part of the performance measurement framework and the financial performance as disclosed should be a serious consideration in any future decision making.

#### (b) Policy/Legislation

- The Australian Accounting Standards and professional pronouncements,
- The Local Government Code of Accounting Practice and Financial Reporting,
- The Department of Water and Energy Practice Management of Water Supply and Sewerage Guidelines,
- NSW Government Policy Statement 'Application of National Competition Policy to Local Government',
- Office of Local Government Guidelines 'Pricing and Costing for Council Businesses: A Guide to Competitive Neutrality',
- The Local Government Act 1993.

#### The relevant sections of the Local Government Act 1993 are as follows:

#### 415 Preparation of Financial Reports

- (1) A council <u>must</u> prepare financial reports for each year and <u>must</u> refer them for audit as soon as practicable.
- (2) A Council's Financial Reports must include:
  - (a) A General-Purpose Financial Report, and
  - (b) Any other matters prescribed by the regulations, and

- (c) A statement in the approved form by the Council as to its opinion on the General-Purpose Financial Report.
- (3) The General-Purpose Financial Report <u>must</u> be prepared in accordance with this Act and the regulations and the requirements of:
  - (a) The publications issued by the Australian Accounting Standards Board, as in force for the time being, subject to the regulations, and
  - (b) Such other standards as may be prescribed by the regulations.

#### 416 Time for preparation and auditing of Financial Reports

- (1) A Council's Financial Reports for a year <u>must</u> be prepared and audited within the period of 4 months after the end of the year.
- (2) A Council may from time to time apply to the Departmental Chief Executive for an extension of that period.
- (3) A Council must make such an application if requested to do so by its auditor.
- (4) Before deciding whether to grant an extension, the Departmental Chief Executive may require the Council to give reasons, additional to those set out in the application, as to why the extension should be granted.
- (5) The Departmental Chief Executive may grant an extension of such period as, in the opinion of the Departmental Chief Executive, is necessary in the circumstances of the case.
- (6) A Council must notify its auditor of any application for an extension made under this section and of the outcome of the application.

#### 418 Public notice to be given of presentation of Financial Reports

- (1) As soon as practicable after a Council receives a copy of the Auditor's Reports:
  - (a) It must fix a date for the meeting at which it proposes to present its Audited Financial Reports, together with the Auditor's Reports, to the public, and
  - (b) it must give public notice of the date so fixed.
- (2) The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the Auditor's Report are given to the Council.

#### Note

Unless an extension is granted under section 416, the meeting must be held on or before 5 December after the end of the year to which the reports relate.

#### (3) The public notice must include:

- (a) A statement that the business of the meeting will include the presentation of the Audited Financial Reports and the Auditor's Reports, and
- (b) A summary in the approved form, of the Financial Reports, and
- (c) A statement to the effect that any person may, in accordance with section 420, make submissions (within the time provided by that section and specified in the statement) to the Council with respect of the Council's Audited Financial Reports or with respect to the Auditor's Reports.
- (4) Copies of the Council's Audited Financial Reports, together with the Auditor's Reports, must be kept available at the office of the Council for inspection by members of the public on and from the date on which public notice of the holding of the meeting is given and until the day after the meeting (or any postponement of the meeting).

#### 419 Presentation of Council's Financial Reports

- (1) A Council must present its Audited Financial Reports, together with the Auditor's Reports, at a meeting of the Council held on the date fixed for the meeting.
- (2) The Council's auditor may attend the meeting at which the Financial Reports are presented.
- (3) A Council's auditor who carries out the functions of the auditor under an appointment by the Auditor-General <u>must</u> attend the meeting at which the Financial Reports are presented if the Council gives not less than 7 days notice in writing that it requires the auditor to do so.

#### (c) Risk

Non-compliance with the NSW Local Government Act 1993.

#### (d) Consultation

Council Management has provided regular updates to the Mayor and the Chair of Council Audit Risk and Improvement Committee.

#### LINK/S TO THE DELIVERY PROGRAM/OPERATIONAL PLAN

This report links to Council's Delivery Program Council Sustainability, Transparency and Communication Principal Activity STC 5.3.1: Provide financial and budget compliance reporting to Council and the community.

#### **CONCLUSION**

In accordance with the *Local Government Act 1993* Council authorises the Financial Statements for the year ending 30 June 2024 to be certified and signed by the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer on behalf of Council and be referred to the Auditor for audit and that the audited financials be presented at the next Ordinary Council Meeting following the audit and placed on public exhibition.

The Draft General Purpose Financial Statements and Draft Special Purpose Financial Statements for the year ended 30 June 2024 are attached to this report.

#### **ECM INDEXES**

Subject Index: FINANCIAL MANAGEMENT: Financial Reporting, Audit

Customer Index: NIL Property Index: NIL

#### **ATTACHMENTS**

Annexure A Draft AFS-2024\_20241022