



# Minutes

**Special Council Meeting held Tuesday 19 December 2023 -  
4.30 pm in Council Chambers, Nannup**

The purpose of the meeting is for Council to accept the 2022-2023 Annual Report, including the Annual Financial Statements, and determine a date for the Annual General Meeting of Electors.

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## MINUTES

### 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGMENT OF COUNTRY:

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Shire President declared the meeting open at 4.31 pm.

Shire President acknowledged the traditional custodians of the land, the Wardandi and Bibbulmun people, paying respects to Elders past, present, and emerging.

### 2. ATTENDANCE/APOLOGIES:

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Councillors	Officers
Cr Tony Dean (Shire President)	David Taylor – Chief Executive Officer
Cr Vicki Hansen (Deputy President)	Kellie Jenkins – Deputy Chief Executive Officer/Manager Corporate Services
Cr Cheryle Brown	Damon Lukins – Manager Infrastructure
Cr Patricia Fraser	Sarah Dean – Governance, Risk & Assurance Officer
Cr Bob Longmore	

Cr Buckland is an apology.

### 3. PUBLIC QUESTION TIME:

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Nil.

### 4. MEMBERS ON LEAVE OF ABSENCE AND APPLICATIONS FOR LEAVE OF ABSENCE:

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#### 4.1 APPROVED LEAVE OF ABSENCE:

Cr Gibb is on an approved leave of absence.

### 5. CONFIRMATION OF MINUTES:

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Nil.

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**6. ANNOUNCEMENTS FROM PRESIDING MEMBER:**


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Nil.

**7. DISCLOSURE OF INTEREST:**


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Nil.

The Shire of Nannup Disclosure of Interest Register is on our website [here](#).

**8. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN:**


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Nil.

**9. PRESENTATIONS/DEPUTATIONS/PETITIONS:**


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Nil.

**10. REPORTS OF OFFICERS:**


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AGENDA NUMBER & SUBJECT:	10.1 –2022-2023 Annual Report, Annual Financial Statements and Annual General Meeting of Electors
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 17
AUTHOR:	Kellie Jenkins – Deputy Chief Executive Officer/Manager Corporate Services
REPORTING OFFICER:	Kellie Jenkins – Deputy Chief Executive Officer/ Manager Corporate Services
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	12 December 2023
ATTACHMENTS:	10.1.1 –Annual Report including Audited Financial Statements for the 2022/23 financial year

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**PURPOSE OF REPORT:**

For Council to accept the 2022-2023 Annual Report, including the Annual Financial Statements, and determine a date for the Annual General Meeting of Electors.

**BACKGROUND:**

Each year, as part of the Council's audit process, an independent audit is undertaken to assess the Annual Financial Report and the legitimacy and accuracy of the Shire's accounts.

An Independent Audit Report is then issued by the Auditor. The Auditor, after completing the audit, is to forward a copy of the audit and/or management report to:

- a) The Shire President
- b) The Chief Executive Officer
- c) The Minister, via the Department of Local Government, Sport, and Cultural Industries

A Local Government, in accordance with Section 5.54(2) of the *Local Government Act 1995*, is to prepare an Annual Report for each financial year. The Annual Report is a record of the Council's activities for the financial year and forms part of the accountability principles established for local government.

The Independent Audit Report is also required to be included in Council's Annual Report. Any issues arising from the Independent Audit Report are to be reviewed by management and, where applicable, action taken to resolve those issues.

The Shire has prepared its Annual Financial Report for the year ending 30 June 2023, in accordance with the Australian Accounting Standards and the specific requirements of the *Local Government Act 1995* and associated Regulations.

**COMMENT:****Annual Financial Report**

On 19 December 2023 the Audit Advisory Committee received the audited Annual Financial Report for the year ended 30 June 2023 and the Officer of the Auditor General's Report. These reports are included within the Annual Report for year ended 30 June 2023 (attachment 10.1.1) and is recommended to be accepted by Council.

**Annual Report 2022/2023**

In accordance with section 5.53(1&2) of the *Local Government Act 1995*, the Shire is to prepare an annual report of each financial year that contains –

- i. A report from the president; and
- ii. A report from the CEO; and
- iii. The financial report for the financial year; and
- iv. Such other information as may be prescribed.

The Annual Report is attached at 10.1.1 and is recommended to be accepted by Council.

### **Annual Electors Meeting**

Section 5.27 of the *Local Government Act 1995* requires that the Annual General Meeting of Electors be held on a day and time selected by the local government, but not more than 56 days after the annual report is accepted by Council. The Shire also needs to give 14 days public notice of the meeting.

To comply with its statutory obligations, following the adoption of the 2022/23 Annual Report, it is recommended that the Annual General Meeting of Electors be held on 1 February 2024, commencing at 5pm.

### **STATUTORY ENVIRONMENT:**

#### *Local Government Act 1995*

Section 5.27 – An Annual General Meeting of Electors must be held within 56 days of Council accepting the Annual Report with appropriate notice of the meeting to be given.

Section 5.29 – fourteen (14) days public notice is to be given of the date, time, place and purpose of the Annual Electors Meeting.

Section 5.53 – Local government is to prepare an Annual Report for each financial year.

Section 5.54 – Local government is required to accept the Annual Report by an absolute majority

Section 5.55 – CEO is to publish the annual report on the local government website within fourteen (14) days after the report has been accepted by the local government.

Section 7.12A – Duties of local government with respect to audits.

### **POLICY IMPLICATIONS:**

Nil

### **FINANCIAL IMPLICATIONS:**

Nil

### **STRATEGIC IMPLICATIONS:**

Taken from the Shire of Nannup Strategic Community Plan 2021 – 2036

### 6.3 Lead, Listen, Advocate, Represent and Provide

- We will communicate the plans and decisions of the Shire with our residents, and seek input and insight from all our diverse groups.

### 6.4 We are one – we will strive to make decisions and deliver outcomes that are in the best interest of the majority of the community.

- Incorporate and deliver balanced outcomes including social, environmental, and financial, through triple bottom line decision making.
- Provide a stable, consistent and honest government.

### VOTING REQUIREMENTS:

Absolute Majority

#### OFFICER RECOMMENDATION:

That Council:

1. Accepts the Annual Report including the Audited Financial Statements for the 2022/23 financial year, attached as Attachment 10.1.1.
2. That Council determines that the Annual General Meeting of Electors be held on Thursday 1 February 2024, commencing at 5 pm.

#### **COUNCIL RESOLUTION 23194**

MOVED: CR HANSEN

SECONDED: CR BROWN

That Council:

1. Accepts the Annual Report including the Audited Financial Statements for the 2022/23 financial year, attached as Attachment 10.1.1.
2. That Council determines that the Annual General Meeting of Electors be held on Thursday 1 February 2024, commencing at 5 pm.

CARRIED BY ABSOLUTE MAJORITY

TOTAL VOTES FOR: 5

Cr Brown, Cr Dean, Cr Fraser, Cr Hansen, Cr Longmore.

TOTAL VOTES AGAINST: 0



**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

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Nil.

**12. MEETING MAY BE CLOSED:**

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Nil.

**13. CLOSURE OF MEETING:**

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Shire President Cr Dean declared the meeting closed at 4.35 pm.