



Agenda

Special Council Meeting to be held Wednesday 14 June 2023

4.30 pm in Council Chambers, 15 Adam Street, Nannup

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A G E N D A

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS/ACKNOWLEDGEMENT OF COUNTRY:

Deputy President to declare the meeting open and welcome the public gallery.

Deputy President to acknowledge the traditional custodians of the land, the Wardandi and Bibbulmun people; paying respects to Elders past, present, and emerging.

2. ATTENDANCE/APOLOGIES:

2.1 ATTENDANCE

2.2 APOLOGIES

3. PUBLIC QUESTION TIME:

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

4.1 APPROVED LEAVE OF ABSENCE:

4.2 APPLICATION FOR A LEAVE OF ABSENCE:

5. CONFIRMATION OF MINUTES:

6. ANNOUNCEMENTS FROM PRESIDING MEMBER:

7. DISCLOSURE OF INTEREST:

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Where a member has disclosed a financial or proximity interest in an item, they must leave the Chamber for consideration of that item.

Where a member has disclosed an impartiality interest in an item, they may remain in the Chamber. The member is required to bring an independent mind to the item and decide impartially on behalf of the Shire of Nannup and its community.

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

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

9. PRESENTATIONS/DEPUTATIONS/PETITIONS:

10. REPORTS OF OFFICERS:

AGENDA NUMBER & SUBJECT:	10.1 –2020 - 2021 Annual Report
LOCATION/ADDRESS:	Shire of Nannup
NAME OF APPLICANT:	Shire of Nannup
FILE REFERENCE:	ADM 17
AUTHOR:	Sarah Dean – Governance, Risk & Assurance Officer
REPORTING OFFICER:	Kellie Jenkins – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	16 May 2023
ATTACHMENTS:	10.1.1 –Annual Report including Audited Financial Statements for the 2020/21 financial year

PURPOSE OF REPORT:

The purpose of this report is for Council to accept the Annual Report, including the Audited Financial Statements for the 2020/21 financial year.

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 and is to be presented to an Annual General Meeting of Electors. The Independent Audit Report is also required to be included in Council’s Annual Report.

The Shire prepared its Annual Financial Report for the year ending 30 June 2021, in accordance with the Australian Accounting Standards and the specific requirements of the *Local Government Act 1995* and associated Regulations.

COMMENT:

The audited Annual Financial Report for the year ended 30 June 2021 and the Officer of the Auditor General's Report were received by Council at the 10 March 2022 Special Council Meeting (Council resolution # 22034).

The draft 2020/2021 Annual Report including the audited Annual Financial Statements is presented to Council in Attachment 10.1.1 to be endorsed.

STATUTORY ENVIRONMENT:*Local Government Act 1995*

Section 5.53 – Local governments are to prepare an Annual Report each financial year.

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

Section 5.55 – CEO to give notice of the availability of an accepted Annual Report.

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

*Local Government (Financial Management) Regulations 1996**Local Government (Audit) Regulations 1996 – Regulation 16**Local Government (Administration) Regulations 1996***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 accepts the Annual Report including Audited Annual Financial Statements for the 2020/21 financial year, attached as Attachment 10.1.1.

AGENDA NUMBER & SUBJECT:	10.2 –2021-2022 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:	Sarah Dean – Governance, Risk & Assurance Officer
REPORTING OFFICER:	Kellie Jenkins – Acting Chief Executive Officer
DISCLOSURE OF INTEREST:	Nil
DATE OF REPORT:	16 May 2023
ATTACHMENTS:	10.2.1 –Annual Report including Audited Financial Statements for the 2021/22 financial year

PURPOSE OF REPORT:

For Council to accept the 2021-2022 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 2022, 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 May 2023 the Audit Advisory Committee received the audited Annual Financial Report for the year ended 30 June 2022 and the Officer of the Auditor General's Report. These reports are included within the Annual Report for year ended 30 June 2022 (attachment 10.2.1) and is recommended to be accepted by Council.

Annual Report 2021/2022

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 10.2.1 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.

In order to comply with its statutory obligations, following the adoption of the 2021/22 Annual Report, it is recommended that the Annual General Meeting of Electors be held on 29 June 2023, 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 time and place of the Annual Electors Meeting.

Section 5.53 – Local governments are to prepare an Annual Report each financial year.

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

Section 5.55 – CEO to give notice of the availability of an accepted Annual Report.

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

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

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- 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 2021/22 financial year, attached as Attachment 10.2.1.
2. That Council determines that the Annual General Meeting of Electors be held on Thursday 29 June 2023, commencing at 5pm.

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

12. MEETING MAY BE CLOSED:

13. CLOSURE OF MEETING:
