



VISION OF COUNCIL

*"Broome - a future for everyone."*

# AGENDA

FOR THE

ANNUAL ELECTORS MEETING

**4 FEBRUARY 2021**

# NOTICE OF MEETING

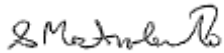
Dear Council Member,

The next Annual Electors Meeting will be held on Thursday, 4 February 2021 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 5:00 PM.

Due to Covid and the current capacity restrictions within public venues, the Shire asks that any members of the public planning on attending pre-register. Registrations can be made through the Shire website via the following link:

<https://www.broome.wa.gov.au/Council/Council-Meetings-and-Minutes/Annual-Electors-Meeting>.

Regards,



S MASTROLEMBO  
**Chief Executive Officer**

25/01/2021

## DISCLAIMER

The purpose of Council Meetings is to discuss, and where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions in section 5.25 of the *Local Government Act 1995* establish procedures for revocation or rescission of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person. The Shire of Broome expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council meeting.

*Should you require this document in an alternative format please contact us.*

**SHIRE OF BROOME**  
**ANNUAL ELECTORS MEETING**  
**THURSDAY 4 FEBRUARY 2021**  
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**1. OFFICIAL OPENING AND ATTENDANCE****2. ANNUAL MEETING OF ELECTORS**

Subdivision 4 of the *Local Government Act 1995* requires a general meeting of electors to be held once every financial year. As prescribed by Regulation 15 of the *Local Government (Administration) Regulations 1996*, the purpose of the meeting is to discuss the annual report for the previous financial year and then any other general business.

The procedures for a general meeting of electors are set out in sections 5.26–5.33 of the *Local Government Act 1995* and Regulations 15–18 of the *Local Government (Administration) Regulations 1996* as detailed below.

**Local Government Act 1995****Subdivision 4 — Electors' meetings****5.26. Term used: electors**

In this Subdivision —  
electors includes ratepayers.

**5.27. Electors' general meetings**

(1) A general meeting of the electors of a district is to be held once every financial year.

(2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.

(3) The matters to be discussed at general electors' meetings are to be those prescribed.

[Section 5.27 modified: SL 2020/57 1M.]

**5.28. Electors' special meetings**

(1) A special meeting of the electors of a district is to be held on the request of not less than —

(a) 100 electors or 5% of the number of electors —whichever is the lesser number; or

(b) 1/3 of the number of council members.

(2) The request is to specify the matters to be discussed at the meeting and the form or content of the request is to be in accordance with regulations.

(3) The request is to be sent to the mayor or president.

(4) A special meeting is to be held on a day selected by the mayor or president but not more than 35 days after the day on which he or she received the request.

[Section 5.28 modified: SL 2020/57 1M.]

**5.29. Convening electors' meetings**

(1) The CEO is to convene an electors' meeting by giving —

- (a) at least 14 days' local public notice; and
- (b) each council member at least 14 days' notice,  
of the date, time, place and purpose of the meeting.

(2) The local public notice referred to in subsection (1)(a) is to be treated as having commenced at the time the notice is first given and is to continue in the prescribed way until the meeting has been held.

[Section 5.29 amended: No. 16 of 2019 s. 20.]

### **5.30. Who presides at electors' meetings**

- (1) The mayor or president is to preside at electors' meetings.
- (2) If the circumstances mentioned in section 5.34(a) or (b) apply the deputy mayor or deputy president may preside at an electors' meeting in accordance with that section.
- (3) If the circumstances mentioned in section 5.34(a) or (b) apply and —
  - (a) the office of deputy mayor or deputy president is vacant; or
  - (b) the deputy mayor or deputy president is not available or is unable or unwilling to perform the functions of mayor or president,then the electors present are to choose one of the councillors present to preside at the meeting but if there is no councillor present, able and willing to preside, then the electors present are to choose one of themselves to preside.

### **5.31. Procedure for electors' meetings**

The procedure to be followed at, and in respect of, electors' meetings and the methods of voting at electors' meetings are to be in accordance with regulations.

### **5.32. Minutes of electors' meetings**

The CEO is to —

- (a) cause minutes of the proceedings at an electors' meeting to be kept and preserved; and
- (b) ensure that copies of the minutes are made available for inspection by members of the public before the council meeting at which decisions made at the electors' meeting are first considered.

### **5.33. Decisions made at electors' meetings**

- (1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —
  - (a) at the first ordinary council meeting after that meeting; or
  - (b) at a special meeting called for that purpose,whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

**Local Government (Administration) Regulations 1996****15. Matters to be discussed at general meeting (Act s. 5.27(3))**

*For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.*

**17. Voting at meeting (Act s. 5.31)**

- (1) *Each elector who is present at a general or special meeting of electors is entitled to one vote on each matter to be decided at the meeting but does not have to vote.*
- (2) *All decisions at a general or special meeting of electors are to be made by a simple majority of votes.*
- (3) *Voting at a general or special meeting of electors is to be conducted so that no voter's vote is secret.*

**18. Procedure at meeting (Act s. 5.31)**

*Subject to regulations 15 and 17, the procedure to be followed at a general or special meeting of electors is to be determined by the person presiding at the meeting.*

**3. SHIRE PRESIDENT REPORT**

The Shire President's report is contained on page 8 of the Shire's [Annual Report 2019 - 20](#).

**RECOMMENDATION:**

*That the 2019 - 20 Shire President's report be received.*

**4. ANNUAL REPORT****Annual Report 2019 - 2020**

The Shire of Broome Annual Report for the financial year 2019 - 20 is available on the Shire of Broome website via this link: [Annual Report 2019 - 20](#).

**Supplementary Information**

Minutes from the 2018 - 19 Annual Electors Meeting held 12 December 2019, are available via this link: [Minutes – Annual Electors Meeting](#). These minutes were received by Council at the Ordinary Council Meeting held 27 February 2020.

**RECOMMENDATION:**

*That the Shire of Broome's Annual Report for the financial year ended 30 June 2020 be received.*

**5. GENERAL BUSINESS**

Members of the public are given the opportunity to ask questions of Council or propose an electors motion. Please submit questions and motions in advanced through the Shire website, via this link: <https://www.broome.wa.gov.au/Council/Council-Meetings-and-Minutes/Annual-Electors-Meeting>.

**6. MEETING CLOSURE**