



AGENDA

FOR THE

ANNUAL ELECTORS MEETING

6 FEBRUARY 2025

NOTICE OF MEETING

Dear Council Member,

The next Annual Electors Meeting of Council will be held on Thursday, 6 February 2025 in the Council Chambers, Corner Weld and Haas Streets, Broome, commencing at 4:00PM.

Regards,



J WATT
Acting Chief Executive Officer

28/01/2025

Our Mission

"To deliver affordable and quality Local Government services."

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 6 FEBRUARY 2025
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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) 300 electors or 5% of the number of electors —whichever is the lesser number; or
 - (b) $\frac{1}{3}$ 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 the mayor or president received the request.
- (5) Despite subsection (4), the mayor or president may —

- (a) decide that the special meeting is not to be held if the mayor or president is satisfied that the substance of each matter for discussion specified in the request —
 - (i) was discussed at a special meeting that was held during the period of 12 months ending on the day on which the mayor or president received the request; or
 - (ii) was, or will be, discussed at a special meeting that was, or will be, held during the period of 35 days after the day on which the mayor or president received the request;

or

- (b) decide that a matter for discussion specified in the request is not to be discussed at the special meeting in whole or in part if the mayor or president is satisfied that the substance of the whole of the matter or the part of the matter (as the case requires) —
 - (i) was discussed at a special meeting that was held during the period of 12 months ending on the day on which the mayor or president received the request; or
 - (ii) was, or will be, discussed at a special meeting that was, or will be, held during the period of 35 days after the day on which the mayor or president received the request.
- (6) If the mayor or president makes a decision under subsection (5)(a) or (b), each matter, or the whole or part of the matter, is to be considered at —
 - (a) the first ordinary council meeting after the mayor or president makes the decision; or
 - (b) if, when the mayor or president makes the decision, the CEO has already convened that first ordinary council meeting under [section 5.5\(1\)](#) — the second ordinary council meeting after the mayor or president makes the decision.
- (7) The local government must give local public notice of any decision of the mayor or president made under subsection (5)(a) or (b) and of the reasons for the decision.

[Section 5.28 modified: SL 2020/57 ^{1M}; amended: No. 11 of 2023 s. 60; No. 47 of 2024 s. 160.]

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 10 of the Shire's [Annual Report 2023/24](#).

RECOMMENDATION:

That the 2023/24 Shire President's report be received.

4. ANNUAL REPORT**Annual Report 2023 - 24**

The Shire of Broome Annual Report for the financial year 2023/24 is available on the Shire of Broome website via this link: [Annual Report 2023/24](#).

Supplementary Information

Minutes from the 2022/23 Annual Electors Meeting held 15 February 2024, are available via this link: [Minutes of Annual Electors Meeting](#). These minutes were received by Council at the Ordinary Council Meeting held 29 February 2024.

RECOMMENDATION:

That the Shire of Broome Annual Report for the financial year ended 30 June 2024 be received.

5. GENERAL BUSINESS**6. MEETING CLOSURE**