



SHIRE OF MORAWA

AGENDA

ANNUAL ELECTORS MEETING

to be held on

Thursday, 8 February 2023 at 6.30pm

at the

**Shire of Morawa Council Chambers,
26 Winfield Street, Morawa**



WESTERN AUSTRALIA'S
WILDFLOWER COUNTRY

'This meeting is being recorded on audio tape and to assist with minute taking purposes. The public is reminded that in accordance with Section 6.16 of the Shire of Morawa Meeting Procedures Local Law 2012 that nobody shall use any visual or vocal recording device or instrument to record the proceedings of Council without the written permission of the presiding member.'

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Morawa for any act, omission, statement or intimation occurring during Council Meetings. The Shire of Morawa disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, and statement of intimation occurring during Council Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission occurring in a Council Meeting does so at their own risk. The Shire of Morawa advises that any person or legal entity should only rely on formal confirmation or notification of Council resolutions.

DISCLOSURE OF FINANCIAL/ IMPARTIALITY/ PROXIMITY INTERESTS

Local Government Act 1995 – Section 5.65, 5.70 and 5.71 Local Government (Administration) Regulation 34C

<i>This form is provided to enable members and officers to disclose an Interest in a matter in accordance with the regulations of Section 5.65, 5.70 and 5.71 of the Local Government Act and Local Government (Administration) Regulation 34C</i>			
Name of person declaring the interest			
Position			
Date of Meeting			
Type of Meeting (Please circle one)	Council Meeting/ Committee Meeting/ Special Council Meeting Workshop/ Public Agenda Briefing/ Confidential		
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality
Interest Disclosed			
Item Number and Title			
Nature of Interest			
Type of Interest (please circle one)	Financial	Proximity	Impartiality

Signature: _____

Date: _____

Important Note: Should you declare a **Financial** or **Proximity** Interest, in accordance with the Act and Regulations noted above, you are required to leave the room while the item is being considered.

For an **Impartiality** Interest, you must state the following prior to the consideration of the item:

“With regard to agenda item (read item number and title), I disclose that I have an impartiality interest because (read your reason for interest). As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

This page is blank intentionally.

Contents

Item 1 Official Opening and Acknowledgement.....6

Item 2 Recording of Attendance6

 2.1 Attendance.....6

 2.2 Apologies6

 2.3 Disclosure of Interests.....6

Item 3 Annual Meeting of Electors.....7

Item 4 Confirmation of Minutes of Previous Meeting9

Item 5 Annual Report10

Item 6 General Business10

Item 7 Closure.....10

Item 1 Official Opening and Acknowledgement

The President to declare the meeting open.

The President acknowledges the traditional custodians, the Yamatji people, and recognises the contribution of Yamatji Elders past, present and future, in working together for the future of Morawa.

Members of the public are also reminded that in accordance with section 6.17(4) of the Shire of Morawa Meeting Procedures Local Law 2012 mobile telephones must be switched off and not used during the meeting.

Item 2 Recording of Attendance

2.1 Attendance

Council

President Councillor Karen Chappel
Deputy President Councillor Ken Stokes
Councillor Grant Chadwick
Councillor Mark Coaker
Councillor Debra Collins
Councillor Diana North

Staff

Chief Executive Officer	Scott Wildgoose
Executive Manager Corporate & Community Services	Jackie Hawkins

Members of the Public

2.2 Apologies

2.3 Disclosure of Interests

Item 3 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.

Item 4 Confirmation of Minutes of Previous Meeting
--

OFFICER'S RECOMMENDATION

That Council confirm that the Minutes of the Annual Electors Meeting held on Wednesday, 25 January 2023 are a true and correct record. Minutes have been available on the Shire website since 31 January 2023.

SIMPLE MAJORITY VOTE REQUIRED

Disclaimer

Members of the public are cautioned against taking any action on Council decisions, on items in this agenda in which they may have an interest, until formal notification in writing from the Shire has been received. Decisions made at this meeting can be revoked pursuant to the Local Government Act 1995.

Item 5 Annual Report

OFFICER’S RECOMMENDATION

That the Annual Report, comprised of the Shire President’s Report, Chief Executive Officer’s Report, and Annual Financial Statements and Auditors Report, for the year ending 30 June 2023, be received as presented.

SIMPLE MAJORITY VOTE REQUIRED

Acceptance of the Annual Report 2022-2023

The Shire of Morawa’s Annual Report for the financial year 2022-2023 is available on the Shire of Morawa’s website via this link: [Annual Report 2022-2023](#) and as *Attachment 1*.

The report includes the following items:

Shire President’s Report

Opportunity for questions.

Chief Executive Officer’s Report

Opportunity for questions.

Annual Financial Statements and Auditors Report

Opportunity for questions.

ATTACHMENTS

Attachment 1 – 5a Annual Report 2022-2023

Item 6 General Business

All decisions made at an electors meeting are referred to a Council Meeting for consideration and final resolution.

Item 7 Closure

The President to declare the meeting closed.