



**Shire of Derby /  
West Kimberley**

**ANNUAL  
GENERAL MEETING OF ELECTORS**

**4 FEBRUARY 2020**

**MINUTES**

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## **Our Guiding Values**

### **Respectful**

By being helpful, friendly and supportive

### **Integrity**

Through honesty, accountability and ethical behaviour

### **Leadership**

By the Shire at the local and regional level and through encouragement of community leaders

### **Knowledgeable**

By being well informed and accurate in what we do

### **Building Good Relationships**

By being communicative, responsive and inclusive

## **Disclaimer**

No responsibility whatsoever is implied or accepted by the Shire of Derby/West Kimberley (Shire) for any act, omission or statement or intimation occurring during Council or Committee meetings.

The Shire 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 or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any Elected Member or officer of the Shire during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire.

The Shire warns that anyone who has any application lodged with the Shire must obtain and should only rely on written confirmation of the outcome of the application and any conditions attaching to the decision made by the Shire in respect of the application.

## **Annual General Meeting of Electors Procedures**

### **Prepare Annual Report**

The *Local Government Act 1995* requires that the local government is to prepare an Annual Report (section 5.53), accept the Annual Report (section 5.54), advertise its availability to the public (section 5.55) and hold an Annual General Meeting of Electors within 56 days of accepting the Annual Report (section 5.27).

### **Matters for Discussion at the Annual General Meeting of Electors**

In accordance with section 5.27(3) of the *Local Government Act 1995* and regulation 15 of the *Local Government (Administration) Regulations 1996* – the matters to be discussed at the Annual General Meeting of Electors are firstly the contents of the Annual Report for the previous financial year and then any other General Business.

### **Shire President to Preside at the Annual General Meeting of Electors**

Section 5.30 of the *Local Government Act 1995* stipulates that the Shire President (or if not available the Deputy Shire President) is to preside at the Electors Meeting.

### **Voting at the Annual General Meeting of Electors**

Regulation 17 of the *Local Government (Administration) Regulations 1996*, outlines the voting provisions at an Electors Meeting, being:

- Each Elector at the meeting is entitled to one vote on each matter to be decided, but does not have to vote;
- All decisions are to be made by a "Simple Majority" vote; and
- Voting is to be conducted so that no voter's vote is secret.

### **Procedure at the Annual General Meeting of Electors**

Regulation 18 of the *Local Government (Administration) Regulations 1996*, states that the procedure at an Annual General Meeting of Electors is to be determined by the person presiding (Shire President or Deputy Shire President) at the meeting.

### **Decisions made at an Annual General Meeting of Electors**

In accordance with section 5.33 of the *Local Government Act 1995* all decisions made at an Annual General Meeting of Electors Meeting are to be considered at the next Ordinary Meeting of Council or, if that is not practicable –

- At the first Ordinary Meeting of Council after that meeting; or
- At a Special Meeting called for that purpose.

If at a Meeting of the Council a local government makes a decision in response to a decision made at an Annual General Meeting of Electors Meeting, the reasons for the decision are to be recorded in the minutes of the Council Meeting.

### **Definition of Elector**

An elector is defined under the *Local Government Act 1995* as a person who is eligible to vote in an election of the Shire of Derby/West Kimberley.

### **Speaking at Annual General Meeting of Electors Meeting and Manner of Conduct**

- Speakers must be Electors of the Shire of Derby/West Kimberley;
- When addressing the meeting, all speakers are asked to clearly give their name and address each time they speak for minute taking purposes;
- No persons are to use offensive or objectionable expressions in reference to any Member, Employee of Council, or any other Person;
- All Elected Members, the Chief Executive Officer and Directors attend this Meeting to observe the proceedings and hear comments from Electors. All questions and comments should be directed to the Shire President who may invite a response from the Chief Executive Officer, Presiding Members of Committees, Directors or Elected Members.

# SHIRE OF DERBY/WEST KIMBERLEY

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# ANNUAL GENERAL MEETING OF ELECTORS

## MINUTES

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### 1.0 DECLARATION OF OPENING, ANNOUNCEMENT OF VISITORS

The meeting was opened at 5.30 pm by the Shire President

### 2.0 RECORD OF ATTENDANCE

#### ELECTED MEMBERS:

Cr Geoff Haerewa	Shire President
Cr Andrew Twaddle	Councillor
Cr Steve Ross	Councillor
Cr Paul White	Deputy Shire President
Cr Rowena Mouda	Councillor

#### STAFF:

Amanda O'Halloran	Chief Executive Officer
Wayne Neate	Director of Technical and Development Services
Danielle Hurstfield	Manager of Administration and Governance
Carlie McCulloch	Executive Services Coordinator

#### GALLERY:

Tony Gavranich  
Steve O'Halloran  
Simon Dexter  
Allan Archer  
Simon Godfroy

#### APOLOGIES:

Cr Pat Riley  
Cr Geoff Davis  
Cr Chris Kloss  
Cr Keith Bedford

**ON LEAVE OF ABSENCE:**

Nil

### **3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

#### **3.1 ANNUAL GENERAL MEETING OF ELECTORS HELD 30 MAY 2019**

**OFFICER RECOMMENDATION:**

**MINUTE NO. AGM001/2020**

**Mover: Simon Dexter**

**Secunder: Tony Gavanich**

**That the Minutes of the Annual General Meeting of Electors of the Shire of Derby/West Kimberley held at Council Chambers, Derby on 30 May 2019 be confirmed.**

**Carried 8/0**

### **4.0 PRESENTATION OF THE 2018/2019 ANNUAL REPORT**

The 2017/2018 Annual Report is provided under separate cover.

**OFFICER RECOMMENDATION:**

**MINUTE NO. AGM002/2020**

**Mover: Cr Steve Ross**

**Secunder: Cr Paul White**

**That the Annual Report for the period 1 July 2018 to 30 June 2019 as presented, be received.**

**Carried 8/0**



## **5.0 PROGRESS REPORT FOR THE 2019/2020 YEAR**

The Chief Executive Officer will give a presentation on progress of Shire activities for the 2019/2020 year.

See attached Presentation.

### **OFFICER RECOMMENDATION:**

#### **MINUTE NO. AGM003/2020**

**Mover: Cr Steve Ross**

**Seconded: Cr Paul White**

**That the Progress Report for the 2019/2020 year be received.**

**Carried 8/0**

**Question from Allan Archer:** Does the Shire have a newsletter? The Shire used to have a newsletter that kept the public up to date.

**Amanda O'Halloran CEO:** The Shire has a fortnightly newsletter in the Babbling Boabs. Copies of our Newsletter are also available on the Shire's website. If the public has any other questions, the CEO is approachable and you are able to book appointments with her or give her a call.

## 6.0 GENERAL BUSINESS

**Question from Allan Archer:** Can you tell us what is happening to help the wharf pay for itself? How many other Shire's manage their own port?

**Answer from Geoff Haerewa, Shire President:** The Council is about to conduct a review on the wharf facilities. Council will be able to move forward once review has taken place. This review will take place over the next couple of months. Review of the wharf is one of the highest priorities for Council. The public will be kept up to date once the review has taken place.

## 7.0 CLOSURE OF MEETING

Shire President Geoff Haerewa closed the meeting at 5.48pm.

<p><b>These Minutes were confirmed at a meeting on</b></p> <p>.....</p> <p><b>Signed:</b> .....</p> <p><b>Presiding Person at the meeting at which these Minutes were confirmed.</b></p> <p><b>Date:</b> .....</p>
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