



Minutes

Special Council Meeting
Thursday 15 June 2023

Date	Thursday 15 June 2023
Time	4:00pm
Location	Shire of Wickelin Council Chambers 77 Wogolin Road, Wickelin WA 6370
Distribution Date	Friday 16 June 2023



Notice of Special Council Meeting

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Council Meeting.

A handwritten signature in blue ink that reads "Nathan Cain".

Nathan Cain
Chief Executive Officer
Friday 16 June 2023

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1 Declaration of Opening

The Presiding Member declared the meeting open at 4.06pm.

2 Attendance

2.1 Present

Councillors

J Russell	Shire President
J Mearns	Councillor
F Allan	Councillor
P Thompson	Councillor
L Corke	Councillor
T Miller	Councillor

Employees

N Cain	Chief Executive Officer
E Clement	Deputy Chief Executive Officer
M Martin	Executive Support Officer

3 Public Question Time

3.1 Public Question Time Relating to the Agenda Item Only

Nil

4 Apologies and Leave of Absence

4.1 Apologies

W Astbury	Deputy Shire President
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4.2 Previously Approved Leave of Absence

Nil

4.3 Requests for Leave of Absence

Nil

5 Declarations of Councillors and Officers Interest

A member or officer who has an impartiality, proximity or financial interest in any matter to be discussed at this meeting must disclose the nature of the interest either in a written notice given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter is discussed.

A member who makes a disclosure in respect to an interest must not preside at the part of the meeting which deals with the matter, or participate in, or be present during, any discussion or decision-making process relative to the matter, unless the disclosing member is permitted to do so under Section 5.68 or Section 5.69 of the *Local Government Act 1995*.

The following declarations of interest have been disclosed –

Nil

6 Reports and Information

6.1 Acceptance of Annual Report and Determination of Details to hold the Annual General Meeting of Electors

Submission to	Special Council Meeting
Location / Address	-
Name of Applicant	-
File Reference	FM.FR.1211
Author	N Cain – Chief Executive Officer
Interest Disclosures	-
Report Written Date	13 June 2023
Attachments	2021-2022 Annual Report

Summary

Council is required to hold a general meeting of electors once every financial year following council acceptance of the annual report.

The purpose of this report is to outline the requirement for council to produce and accept an annual report and outline the processes and determinations associated with the holding of the annual general meeting of electors.

Council is requested to –

- Accept the 2021-2022 Annual Report, and
- Determine the date, time, and place of the 2022-2023 annual general meeting of electors.

Background

Each year a local government is required to produce an annual report and to hold an annual general meeting of electors.

The process undertaken for the collation of the 2021-2022 Annual Report has included –

- Shire officers conducting an analysis of the activities undertaken by the Shire and providing commentary aligning with the Strategic Community Plan and Corporate Business Plan outcomes,
- Shire officers reviewing and modifying a draft of the annual report text and layout,
- The 2021-2022 financial report receiving audit sign-off,
- Presenting, for council acceptance, the 2021-2022 Annual Report and determining the date, time, and place of the annual general meeting of electors.

Comments

The annual report is to contain –

- A report from the Mayor or President,
- A report from the Chief Executive Officer,
- An overview of the plan for the future of the district, including major initiatives which are proposed to commence or to continue in the next financial year,
- The financial report for the financial year,
- Such information as may be prescribed in relation to the payments made to employees,
- The auditor's report for the financial year,

- A report on *Disability Services Act 1993* matters,
- Details on complaints made associated with minor breaches, and
- Other matters which may be prescribed.

The annual report, which is presented to council, contains the required information, as legislated.

The annual general meeting of electors is to be held not more than fifty-six (56) days after council accepts the annual report.

The Chief Executive Officer is to convene the annual general meeting of electors by providing at least fourteen (14) days' local public notice of the date, time, place and purpose of the meeting.

It is proposed Council hold the annual general meeting of electors at 10:00am on Friday 30 June 2023 with advertising undertaken via –

- The West Australian
- Social media
- Noticeboards, and
- Website.

Statutory Environment

Local Government Act 1995 – Section 5.53 Annual reports

Local governments are required to prepare an annual report for each financial year and provides direction on the minimum content to be included.

Local Government Act 1995 – Section 5.54 Acceptance of annual reports

Council is required to accept the annual report by no later than 31 December after the end of the financial year to which the annual report refers. If the auditor's report is not available in time for the financial year to be accepted by 31 December after the relevant financial year, the annual report is to be accepted no later than two (2) months after the auditor's report became available.

The auditor's report is dated 19 April 2023 and is deemed to have been available as at this date.

Local Government Act 1995 – Section 5.27 Electors' general meeting

A general meeting of electors is to be held once every financial year and is not to be held later than fifty-six (56) days after the acceptance of the annual report for the previous financial year.

Local Government Act 1995 – Section 5.29 Convening electors' meetings

The Chief Executive Officer is to convene an elector's meeting by giving at least fourteen (14) days' local public notice and to provide each council member at least fourteen (14) days' notice, and to advise the date, time, place, and purpose of the meeting.

Common practice is for council to provide this direction to the Chief Executive Officer via resolution.

The matters to be discussed at the annual general meeting of electors are legislated and are, firstly, the contents of the annual report for the previous financial year and then any other general business.

Policy Implications

Nil

Financial Implications

Current Financial Year

Expenses associated with advertising and hosting the annual meeting of electors, and producing the annual report, are considered minor and are included in the annual budget.

Future Financial Years

Nil

Strategic Implications

Nil

Voting Requirement

Absolute majority

Officer Recommendation

That Council, with respect to the acceptance of the annual report and determination of details to hold the annual general meeting of electors –

- 1. In accordance with Section 5.54 of the Local Government Act 1995, accepts the 2021-2022 Annual Report, as included in the attachments, and*
- 2. In accordance with Section 5.27 of the Local Government Act 1995, sets the date, time, place, and purpose of the annual general meeting of electors to be 10:00am Friday 30 June 2023 at the Shire of Wickepin Administration Office, 77 Wogolin Road, Wickepin WA 6370 for the purpose of discussing the contents of the annual report for the 2021-2022 financial year and then any other general business.*

Council Decision

Resolution SCM-230615-01

Moved Cr J Mearns

Second Cr T Miller

That Council, with respect to the acceptance of the annual report and determination of details to hold the annual general meeting of electors –

- 1. In accordance with Section 5.54 of the Local Government Act 1995, accepts the 2021-2022 Annual Report, as included in the attachments, and**
- 2. In accordance with Section 5.27 of the Local Government Act 1995, sets the date, time, place, and purpose of the annual general meeting of electors to be 10:00am Friday 30 June 2023 at the Shire of Wickepin Administration Office, 77 Wogolin Road, Wickepin WA 6370 for the purpose of discussing the contents of the annual report for the 2021-2022 financial year and then any other general business.**

Carried 6/0

7 Closure

The Presiding Member declared the meeting closed at 4.35pm.