

AGENDA

Electors' Special Meeting

6:00pm, 16 March 2022

Council Chamber, Civic Centre 23 Dundobar Road
Wanneroo

wanneroo.wa.gov.au

COVID-19 PANDEMIC SITUATION

The City of Wanneroo is committed to ensuring the safety of all attendees at public meetings and will adhere to all Western Australian State Government Health directives as applicable to the arrangements for this meeting. Thank you for your understanding of these circumstances.

RECORDING AND ACCESS TO RECORDINGS OF COUNCIL MEETINGS POLICY

Objective

- To ensure there is a process in place to outline the access to recorded Council Meetings.
- To emphasise that the reason for recording of Council Meetings is to ensure the accuracy of Council Meeting Minutes and that any reproduction of these Minutes are for the sole purpose of Council business.

Implementation

This Policy shall be printed within the Agenda of all Council Meetings which include:

- Ordinary Council Meeting;
- Special Council Meeting;
- Annual General Meeting of Electors;
- Special Electors Meeting; and
- Briefing Sessions.

To advise the public that the proceedings of the meeting are recorded.

Recording of Proceedings

1. Proceedings for Meetings detailed in this policy; as well as Deputations and Public Question Time during these meetings shall be recorded by the City on sound recording equipment, except in the case of a meeting where Council closes the meeting to the public.
2. Notwithstanding subclause 1, proceedings of a Meeting, which is closed to the public, shall be recorded where the Council resolves to do so.
3. No member of the public is to use any audio visual technology or devices to record the proceedings of a Meeting, without the written permission of the Mayor or the Mayors Delegate.

Access to Recordings

4. Members of the public may purchase a copy of the recorded proceedings or alternatively, listen to the recorded proceedings at the Civic Centre online if the recording is published on the City of Wanneroo website. Costs of providing a copy of the recorded proceedings to members of the public will include staff time to make the copy of the proceedings; as well as the cost of the digital copy for the recording to be placed on. The cost of staff time will be set in the City's Schedule of Fees and Charges each financial year.
5. Council Members may request a copy of the recording of the Council proceedings at no charge.
6. All Council Members are to be notified when recordings are requested by members of the public, and of Council.
7. COVID-19 Pandemic Situation
During the COVID-19 pandemic situation, Briefing Sessions and Council Meetings that are conducted electronically, will be recorded. The CEO is authorised to make a broadcast of the audio recording of such meetings accessible to the public, as soon as practicable after the meeting.
8. Briefing Sessions and Council Meetings that are recorded. The CEO is authorised to make a broadcast of the audio recording of such meetings accessible to the public, as soon as practicable after the meeting.

INFORMATION AND PROCEDURE ON HOW THE ELECTORS' SPECIAL MEETING WILL BE CONDUCTED

Welcome to the City of Wanneroo Electors' Special Meeting.

Regulation 18 of the *Local Government (Administration) Regulations 1996* states that the procedure to be followed at a general or special meeting of electors is to be determined by the Person Presiding at the meeting.

In accordance with clause 5.30 of the *Local Government Act 1995* (the **Act**),

- the Mayor is to preside at electors' meetings, or
- in the absence of the Mayor, the Deputy Mayor may preside at an electors' meeting; or
- in the absence of the Deputy Mayor, 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.

The Person Presiding, Mayor Tracey Roberts JP, has determined the procedure to be followed (HPE 22/92725).

PROCEDURE FOR THE ELECTORS' SPECIAL MEETING 16 MARCH 2022

Part 1 - Attendance at an Electors' Meeting

1. All attendees must:
 - a. register their attendance including name and address, on the attendance register provided by City of Wanneroo staff. The attendance register is for internal record purposes only and will not be published or distributed; and
 - b. remain seated at all times during the meeting, unless invited by the Presiding Person to address the meeting at the lectern;
 - c. not cause any disturbance or disrupt the meeting proceedings in any way; and
 - d. comply with this Procedure and the direction of the Presiding Person at all times.
2. In accordance with the State Government Health Directives attendees are required to:
 - a. wear a mask at all times, even whilst speaking, for people aged 8 years and over unless evidence of a valid medical exemption is provided; and
 - b. maintain social distancing of 2sqm;
 - c. register attendance using the SafeWA app or the manual contact register available.
3. Attendees who are verified electors of the City of Wanneroo will be provided first priority to access the Council Chamber and overflow areas (if required), subject to seating capacity.
4. Attendees who are not verified electors of the City of Wanneroo will be required to remain in the designated overflow areas (as determined by City staff), unless, at the commencement of the meeting, there is sufficient capacity within the Council Chamber for those attendees to enter the Council Chamber. Should there be sufficient capacity, then staff will direct attendees to the Chamber.
5. Attendees who do not adhere to the Procedure, may be requested by the Presiding Person to leave the meeting and/or the building, and that person (or persons) are required to comply with the direction of the Presiding Person.

Part 2 – Participants at an Electors' Meeting (ref. Act clauses 5.26)

6. **All participants at an Electors' Meeting must be verified electors of the City of Wanneroo.**
7. A verified elector is:
 - a. an elector whose name and address is recorded on the -

- i. City of Wanneroo district electoral roll from the last ordinary Council election held; or
 - ii. City of Wanneroo Owner and Occupier electoral roll from the last ordinary Council election held; or
 - iii. Western Australian Electoral Commission or Australian Electoral Commission website at 'check your enrolment eligibility' and which confirms electoral eligibility for the district of Wanneroo; or
- b. a confirmed ratepayer of the City of Wanneroo.
8. All attendees who wish to participate as a verified elector must be registered by the City staff as a verified elector. Proof of identity or other evidence may be requested.
 9. All verified electors will be provided a 'Voting Card'. Upon request, the 'Voting Card' must be shown to evidence a person is a verified elector.
 10. For clarity, a person who is not a verified elector may not participate in an Electors' Meeting.

Part 3 - Recording and Live Broadcast of an Electors' Meeting

11. The proceedings will be audio recorded only, for the purpose of production of the minutes and speakers are requested to use the microphones each time they speak.
12. The Electors' Meeting will be audio broadcast live online. To access a live stream of the proceedings please click below. The live stream will commence at the scheduled time and date of the Electors' Meeting.

[Live stream audio of Council Proceedings](#)

13. No other audio or visual recording is to be undertaken without the permission of the Presiding Person.

Part 4 – Order of Proceedings

14. The order of proceedings will firstly be reference to these procedures by the Presiding Person followed by Attendances, Apologies and Leave of Absence, and then General Business.
15. During General Business, Motions and Statements may only relate to matters that affect the local government and will be accepted at the discretion of the Presiding Person.

Part 5 - Putting a Motion to an Electors' Meeting

16. **Proposed motions to the meeting are required to be submitted using the City's online form by 12 noon on the day of the meeting.** The online form is available by navigating to the "Electors Meeting" section on the City's website at [Meeting dates, agendas and minutes - Council meeting dates, agendas and minutes - City of Wanneroo](#)
17. **"Motions from the Floor" will only be accepted at the discretion of the Person Presiding.**
18. Motions will be presented to the meeting in the order they have been received by the City. To clarify, motions received in writing prior to the meeting will be presented first in the order of receipt.
19. **Motions received that are considered by the Presiding Person to have the same substance, intent or purpose, will collectively be considered as one Motion to avoid repetition and to ensure that the meeting progresses effectively.** In such cases, only the first Motion received will be presented to the meeting.
20. The Presiding Person will request a mover and a seconder for a motion. To clarify, proposed motions must be moved and seconded by a verified elector present at the meeting before the motion can be discussed or voted on at the meeting.
21. Motions from electors will be read aloud by the Person Presiding and displayed on the public screen in the Council Chamber, to ensure that everyone is clear about what they are voting on.
22. No motion or amendment is open to debate or vote until it has been moved and seconded by a verified elector present at the meeting.
23. Only one amendment on any one motion shall be received at a time and such amendment shall be disposed of before any further amendment can be received; but any number of amendments may be proposed.
24. Upon a motion being moved and seconded, the Presiding Person will then call for speakers to address the meeting.

Part 6 – Speakers at an Electors’ Meeting

25. Only verified electors may address an Electors’ Meeting.

26. When speaking at the meeting, a speaker must:
 - a. rise and move to the lectern unless unable to do so by reason of sickness or disability;
 - b. use the microphone provided and wear a mask at all times, even whilst speaking;
 - c. state his or her name and address for recording in the minutes;
 - d. address the meeting through the Presiding Person;
 - e. limit statements to fact, not opinion or supposition
 - f. not reflect adversely on Council Members or City employees;
 - g. refrain from making repetitive comments on matters that have already been discussed, to ensure the meeting can progress effectively.
27. A speaker will have a maximum of three minutes to make their statement or to ask a question(s) to clarify any matters related to the motion under discussion.
28. The mover of a motion will be invited to speak first, and the seconder will be provided the opportunity to speak next. The Presiding Person will then call for other verified electors who wish to speak.
29. The mover of a motion (but not the mover of an amendment) has the right of reply, and this closes the debate. All other speakers may speak once on a motion or an amendment.
30. The right of reply is limited to a maximum of three minutes.
31. A verified elector may rise and move without discussion, “That the motion be now put”, which, on being duly seconded and carried by a simple majority, will result in submission of the motion at once to the meeting.
32. The Presiding Person will manage the time allocated for speakers to ensure that all verified electors are given a fair and equal opportunity to speak.
33. If the Presiding Person determines that sufficient and fair debate has occurred on a motion or amendment then the Presiding Person, after inviting the mover to exercise the right of reply (but not the mover of an amendment), will put that motion to the vote.

Part 7 - Voting at an Electors’ Meeting (ref. Regulation 17)

34. The Presiding Person will ask for a vote on the motion.
35. Each verified elector is entitled to one vote on each matter to be decided at the meeting. An elector does not have to vote.
36. Voting is determined by raising the Voting Card either for or against a motion, at the time the Presiding Member calls for the vote.
37. Voting at a general or special meeting of electors is to be conducted so that no voter’s vote is secret.
38. All decisions at a general or special meeting of electors are to be made by a simple majority of votes.

Part 8 - Minutes and Decisions of an Electors’ Meeting (ref. Act clauses 5.32 and 5.33)

39. The Presiding Person is to determine questions of order and procedure not stated above.
40. Minutes of this meeting will be available for inspection for members of the public as soon as practicable after the meeting and before the Council meeting at which decisions made at the Electors’ Meeting are considered.
41. All decisions made at an Electors’ Meeting are to be considered at the next Ordinary Council meeting.
42. The decisions of an Electors’ Meeting are not binding on the Council, but as required by clause 5.33 of the *Local Government Act 1995*, the reasons for any Council decision on a decision at an Electors’ meeting are to be recorded in the minutes of the Council meeting.



Notice is given that an Electors' Special Meeting will be held in the Council Chamber, Civic Centre 23 Dundobar Road, Wanneroo on **Wednesday 16 March, 2022** commencing at **6:00pm**.

D Simms
Chief Executive Officer
9 March, 2022

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A G E N D A

Item 1 Open Meeting

Good evening Councillors, staff, ladies and gentlemen, we wish to acknowledge the traditional custodians of the land we are meeting on, the Whadjuk people. We would like to pay respect to the Elders of the Nyoongar nation, past and present, who have walked and cared for the land and we acknowledge and respect their continuing culture and the contributions made to the life of this city and this region and I invite you to bow your head in prayer:

Lord, We ask for your blessing upon our City, our community and our Council. Guide us in our decision making to act fairly, without fear or favour and with compassion, integrity and honesty. May we show true leadership, be inclusive of all, and guide the City of Wanneroo to a prosperous future that all may share. We ask this in your name. Amen.

Item 2 Attendance and Apologies

Item 3 Purpose of the Meeting

3.1 Petition Request for a Electors' Special Meeting

File Ref:	5643 – 22/88928
Responsible Officer:	Director, Corporate Strategy & Performance
Attachments:	Nil

Issue

A Petition requesting an Electors' Special Meeting was received on Monday, 14 February 2022 and fulfilled the criteria for consideration under section 5.28 of the *Local Government Act 1995 (Act)*.

Background

In accordance with section 5.28 of the Act, the electors of the City of Wanneroo may request that an Electors' Special Meeting be convened to consider a specific pre-determined matter. The City is required to accept the request if support for the request comprises of 100 electors or 5% of the total number of electors in the district, whichever is the lesser.

The Petition 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. An Electors' Special Meeting is to be held on a day selected by the Mayor but not more than 35 days after the day on which they received the request. The CEO is to convene the Electors' Special Meeting.

Detail

On Monday, 14 February 2022, a Petition was received by Mr Ian Strover of Carramar, requesting that an Electors' Special Meeting be held to discuss the following matters:

1. The effect of mandatory vaccination on electors, ratepayers, residents and businesses in the district;
2. The effect of mandatory vaccinations on the local government's affairs and the performance of the local government's functions; and

3. Motions to be voted on for an advocacy position against mandatory vaccination for the Council to consider adopting to provide leadership and guidance to the community in the district.

The City of Wanneroo verified the signatories and confirmed that the Petition contained support of the required 100 electors.

The CEO convened the Electors' Special Meeting by giving local public notice of the date, time, place and purpose of the meeting. Notice of the meeting was given on Wednesday 02 March 2022 in accordance with the Act.

Comment

Nil

Statutory Compliance

Local Government Act 1955 – Part 5 – Administration. Division 2 – Council meetings, committees and their meetings and electors' meetings. Subdivision 4 — Electors' meetings.

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2021 – 2031:

7 ~ A well governed and managed City that makes informed decisions, provides strong community leadership and valued customer focused services

7.1 - Clear direction and decision making

Action

The Person Presiding will conduct the management of the Electors' Special Meeting.

Attachments: Nil

Item 4 General Business

The Person Presiding will consider General Business in accordance with the procedures outlined on the inside cover of this Agenda.

Item 5 Close of Business



COUNCIL CHAMBER SEATING DIAGRAM

