

1.3: ANNUAL GENERAL MEETING OF ELECTORS

Proponent : City of Albany
Responsible Officer(s) : Chief Executive Officer (G Foster)

IN BRIEF

- Present to Council motions passed at the Annual General Meeting of Electors held on 13 March 2013.

RECOMMENDATION

ITEM 1.3: MOTION BY COUNCILLOR BOSTOCK

MOVED: COUNCILLOR BOSTOCK
 NOT SECONDED

THAT Council RECEIVE the report and CONSIDER the responses.

MOTION LAPSED

ITEM 1.3: RESOLUTION

VOTING REQUIREMENT: SIMPLE MAJORITY

MOVED: COUNCILLOR CALLEJA
 SECONDED: COUNCILLOR BOWLES

THAT Council RECEIVE the report (including the addendum) and NOTE the responses to motions resolved at the Annual General Meeting of Electors held on Wednesday 13 March 2013:

- (1) **Motion One:** *THAT the cost of all legal expenses/professional fees paid by the City of Albany in relation to the claims by Ms James be fully disclosed to the electors within one calendar month of incurring the expense.*

Response: *Expenses will be reported in monthly accounts, noting any settlement negotiated between the insurance agent and claimant maybe subject to legal privilege.*

- (2) **Motion Two:** *THAT the City of Albany immediately re instate open Agenda Briefing Sessions and conduct them in accordance with the Local Government Operational Guidelines Number 05.*

Response: Council resolved on 19 March 2013:

- (a) That the Briefing Discussions be renamed “Agenda Presentations by Staff and Question Time”.
- (b) That Albany electors be given the opportunity to address Councillors on any matter on the draft agenda prior to Councillors retiring to Agenda Presentations by Staff and Question Time (in closed session) on the following basis:
- (i) Each address be limited to four minutes;
 - (ii) Each address be confined to items on the draft agenda only;
 - (iii) Repetition to be avoided;
 - (iv) This session be limited to a half hour duration unless agreed by Council;
 - (v) Respect to be shown at all times to Elected Members, staff and community members;
 - (vi) Elected Members to be given the right to private briefing and question

- time; and
- (vii) It be acknowledged that electors have every right to address Council before the matter is discussed and resolved at a full and public Council meeting.
- (c) That Council commence quarterly Community Forums to allow the opportunity for members of the community to raise general issues with Council.
- (d) That Alternate Motions now be submitted no later than midday (12pm) on the Thursday following the Agenda Presentation by Staff and Question Time.

CARRIED 10-1

Record of Vote

Against the Motion: Councillor Bostock

BACKGROUND

1. The Annual General Meeting of Electors was held on Wednesday 13 March 2013.
2. At the meeting the following motions were made and passed:

*Motion 1 by Mr Mervyn Leavesley**Moved: Mr Leavesley**Seconded: Mr Paver*

THAT the cost of all legal expenses/professional fees paid by the City of Albany in relation to the claims by Ms James be fully disclosed to the electors within one calendar month of incurring the expense.

CARRIED

*Motion by Mr Roland Paver**Moved: Mr Paver**Seconded: Mrs Bostock*

THAT the City of Albany immediately re instate open Agenda Briefing Sessions and conduct them in accordance with the Local Government Operational Guidelines Number 05.

CARRIED

DISCUSSION

3. The *Local Government Act 1995* states:

5.33. Decisions made at electors' meetings

- (1) All decisions made at an electors' meetings 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.

REFER DISCLAIMER

GOVERNMENT CONSULTATION

4. Not applicable.

PUBLIC CONSULTATION / ENGAGEMENT

5. Not applicable.

STRATEGIC IMPLICATIONS**POLICY IMPLICATIONS**

6. There are no policy implications related to this item.

FINANCIAL IMPLICATIONS

7. There are no financial implications related to this item.

LEGAL IMPLICATIONS

8. There are no legal implications related to this item.

Consulted References	:	<i>Local Government Act 1995</i>
File Number (Name of Ward)	:	<i>GO.COM.1</i>
Previous Reference	:	<i>AGM of Electors 13 March 2013</i>