



AGENDA

SPECIAL ELECTORS' MEETING

**Monday 29 March 2021
6.30pm**

City of Albany Council Chambers

Administration Building

102 North Road
Yakamia WA 6330

CITY OF ALBANY COMMUNITY STRATEGIC PLAN (ALBANY 2023)



NOTICE OF SPECIAL ELECTORS' MEETING

Dear Mayor and Councillors,

As previously advised the City received a petition on 10 March 2021 in the prescribed format to call a Special Electors Meeting. The matter to be discussed is DIS252: Telecommunications Infrastructure.

In accordance with the *Local Government Act 1995* and as the *Local Government (Administration) Regulations 1996*, a Special Meeting of Electors' will be convened on Monday 29 March 2021 in the Council Chambers, 102 North Road, Yakamia commencing at 6.00pm.

Andrew Sharpe
CHIEF EXECUTIVE OFFICER

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ELECTORS' MEETING PROCEDURE

The *Local Government Act 1995*, and *Local Government (Administration) Regulations 1996*, provides the rules and guidance on how to hold an Elector's special meeting.

Local Government Act 1995

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 1^M.]

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 time, date, 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.

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.

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 the 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.

5.34 When deputy mayors and deputy presidents can act

If —

- (a) the office of mayor or president is vacant; or
- (b) the mayor or president is not available or is unable or unwilling to perform the functions of the mayor or president,

then the deputy mayor may perform the functions of mayor and the deputy president may perform the functions of president, as the case requires.

Local Government Act (Administration) Regulations 1996

The procedures for the conduct of an electors meeting are prescribed in the *Local Government Act (Administration) Regulations 1996*, being:

reg 17. Voting at electors' meetings-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.*

reg 18. Procedures at electors' meetings-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.

1. DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

This Special Meeting of Electors has been convened in accordance with Section 5.28 of the *Local Government Act 1995*.

A petition was received by the City of Albany on Wednesday 10 March 2021, requesting that a Special Meeting of Electors be held to discuss DIS252: Telecommunications Infrastructure-Lot 141, 32 Allerton Street, Robinson.

At the Ordinary Meeting of Council held on 23 March 2021, Council resolved:

THAT this matter:

1. Be DEFERRED to allow time for staff, in consultation with the proponents, to review and consider alternative locations for the Telecommunications Infrastructure on the subject site at Lot 141, 32 Allerton Street, Robinson to lessen the impact on the landowner and lessee of the property to the North; and
2. Be RE-PRESENTED for consideration by Council at the Ordinary Council Meeting to be held on Tuesday 27 April 2021.

2. OPENING PRAYER

“Heavenly Father, we thank you for the peace and beauty of this area. Direct and prosper the deliberations of this Council for the advancement of the City and the welfare of its people. Amen.”

“We would like to acknowledge the Noongar people who are the Traditional Custodians of the Land.

We would also like to pay respect to Elders past, present and emerging”.

3. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

Mayor	Dennis W Wellington
Councillors:	
Breaksea Ward	R Hammond
Breaksea Ward	P Terry
Frederickstown Ward	G Stocks (Deputy Mayor)
Frederickstown Ward	Vacant
Kalgan Ward	M Benson-Lidholm JP
Vancouver Ward	T Sleeman
Vancouver Ward	J Shanhun
West Ward	A Goode JP
West Ward	S Smith
Yakamia	C Thomson
Yakamia	R Sutton
Staff:	
Chief Executive Officer	A Sharpe
Executive Director Corporate & Commercial Services	D Olde
Executive Director Community Services	N Watson
Manager Planning & Building Services	J Van der Mescht
Manager Governance & Risk	S Jamieson
Meeting Secretary	D Clark
Public Gallery and Media:	
Apologies/Leave of Absence:	
Kalgan Ward	E Doughty (Apology)
Frederickstown Ward	R Stevens (Tendered resignation)
Executive Director Development, Infrastructure & Environment	P Camins (Apology)

4. PUBLIC QUESTION AND STATEMENT TIME

5. CLOSURE OF MEETING