



## PROCEDURES FOR SPECIAL MEETINGS OF ELECTORS'

The Mayor will preside over every Special Meeting of Electors', and has determined that the following procedures will apply for every such meeting.

Special Meetings of Electors are prescribed by s5.28 of the *Local Government Act 1995* which states:

**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. 300 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.
5. Despite subsection (4), the mayor or president may —
  - a. decide that the special meeting is not to be held if the mayor or president is satisfied that the substance of each matter for discussion specified in the request —
    - i. was discussed at a special meeting that was held during the period of 12 months ending on the day on which the mayor or president received the request; or
    - ii. was, or will be, discussed at a special meeting that was, or will be, held during the period of 35 days after the day on which the mayor or president received the request;
  - or
  - b. decide that a matter for discussion specified in the request is not to be discussed at the special meeting in whole or in part if the mayor or president is satisfied that the substance of the whole of the matter or the part of the matter (as the case requires) —
    - i. was discussed at a special meeting that was held during the period of 12 months ending on the day on which the mayor or president received the request; or
    - ii. was, or will be, discussed at a special meeting that was, or will be, held during the period of 35 days after the day on which the mayor or president received the request.
6. If the mayor or president makes a decision under subsection (5)(a) or (b), each matter, or the whole or part of the matter, is to be considered at —
  - a. the first ordinary council meeting after the mayor or president makes the decision; or
  - b. if, when the mayor or president makes the decision, the CEO has already convened that first ordinary council meeting under section 5.5(1) — the second ordinary council meeting after the mayor or president makes the decision.
7. The local government must give local public notice of any decision of the mayor or president made under subsection (5)(a) or (b) and of the reasons for the decision

## Request for a Special Meeting of Electors

Persons wishing to Petition the Council for a Special Meeting of Electors are strongly encouraged to contact the City's Chief Executive Officer (9792 7000 or [email](#)) for advice concerning the matter.

Special meetings of Electors are prescribed by the *Local Government Act 1995* (Sections 5.27-5.33) and *Local Government (Administration) Regulations 1996* (Regulations 16-18). A request for a Special Meeting of Electors' is to be in the requisite form with the requisite number of signatures (see **Form 1**).

## Registration and sign in

To participate in the meeting you must be an elector of the City. Only electors are entitled to vote at the meeting. Names and addresses will be recorded upon arrival at the meeting. With the permission of the Presiding Member, non-electors may be given the opportunity to speak (but not vote).

Members of the public who wish to participate in the meeting are encouraged to arrive 15 minutes prior to the meeting to allow time for registration.

## Meeting Procedure

The meeting procedure is prescribed by Section 5.31 of the *Local Government Act 1995* and Regulation 18 of the *Local Government (Administration) Regulations 1996*. The Presiding Member will Chair the Meeting, in accordance with Section 5.30(1) of the Act.

The following procedures will normally apply to the meeting (unless changed by the Presiding Member):

1. Opening.
2. Welcome and Introduction.
3. Apologies.
4. Business to be discussed - as stated in Form 1.
5. Questions and Answers:
  - i. Speakers to state their name and address.
  - ii. Maximum speaking time per person is three (3) minutes.
6. Consideration of Motions (if any) / Speakers "For" and "Against" alternatively.
7. Close.

## Questions from electors

All questions are required to be submitted to the Chief Executive Officer in writing prior to the commencement of the meeting (see **Form 2**).

Responses to written questions submitted within three (3) clear working days of the meeting will be provided at the meeting. Questions received after this time will be taken on notice and the response will be provided in the minutes of the meeting.

During the meeting, members of the public will be called forward to ask their questions. Members of the public who have submitted questions will be called to ask their question in the order the questions were received.

To ensure an equal and fair opportunity is provided to all persons wishing to ask a question, the Presiding Member may limit the number of questions each person may ask if there are a large number of people wanting to ask questions.

No debate or discussion about questions or answers will take place at the meeting.

### **Motions**

All motions are required to be submitted to the Chief Executive Officer in writing at least three (3) clear working days prior to the meeting (see **Form 3**).

The mover will be able to speak for up to three minutes, and then the seconder will be able to speak for up to three minutes. The mover and seconder must state their name and address prior to moving or seconding a motion.

The Presiding Member will allow up to three speakers “for” and three speakers “against” and the mover will have the right of reply.

### **Voting**

Voting will only take place after that motion has been moved and seconded and debate has ceased.

Only electors are allowed to vote at the meeting. Secret voting is not permitted and voting is not compulsory. All decisions are to be made by simple majority by way of show of hands.

### **Rules of the Meeting and Recording**

All elected members and City staff must abide by the City of Bunbury Code of Conduct. All members of the public attending electors meetings must be fair and respectful before, during and after the meeting.

The use of any electronic visual or vocal recording or transmitting device or instrument to record or transmit the proceedings of a meeting is prohibited unless the person has been given permission to do so by the Presiding Member. The Presiding Member may determine that the meeting be live-streamed and recorded at their absolute discretion. Should a determination be made to live-stream and record the meeting, all people present at the meeting will be advised prior to the opening of the meeting.

## Minutes

The minutes will contain a summary of all questions and answers. Motions and voting will also be recorded.

Minutes of the meeting will be taken and be made available on the City's website within five (5) days of the meeting.

## Consideration by the Council

Decisions made at a Special Meeting of Electors are required to be considered in accordance with s5.33 of the *Local Government Act 1995*, which states:

### *5.33 Decision 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.*

It should be noted that any decisions made at a Special Meeting of Electors are not binding on the Council.

## Contact

Questions and proposed motions should be submitted to [records@bunbury.wa.gov.au](mailto:records@bunbury.wa.gov.au)

For enquires or further information please contact the City's Governance Officer by calling the City on (08) 9792 7000 or by email [records@bunbury.wa.gov.au](mailto:records@bunbury.wa.gov.au)



[www.bunbury.wa.gov.au](http://www.bunbury.wa.gov.au)