

PROCEDURE: Annual General Meeting of Electors'



The Mayor has determined that the following procedures apply for the Annual General Electors' Meeting.

Contents

| | |
|--|---|
| What is an Electors' Meeting?..... | 1 |
| When are Electors' Meetings held? | 1 |
| Holding an Annual General Electors' Meeting..... | 1 |
| Registration and sign in..... | 2 |
| Voting and Participation..... | 2 |
| Order of Business..... | 2 |
| Public Participation | 2 |
| Questions | 2 |
| Motions | 3 |
| Voting at meeting..... | 3 |
| Recording | 4 |
| Minutes | 4 |
| Decisions made at the Meeting..... | 4 |
| Seating arrangements..... | 4 |
| Conduct of Persons at the Meeting..... | 4 |
| Prevention of Disturbance | 4 |
| Legislation..... | 5 |

What is an Electors' Meeting?

An Electors' Meeting is a type of meeting under the *Local Government Act 1995*.

It's important to understand that this meeting is not a decision making forum. The purpose of the Electors' Meeting is to primarily consider the Annual Report and Financial Statements, then any other general business.

When are Electors' Meetings held?

The CEO is to convene an electors' meeting annually.

The 2025 City of Mandurah's Annual Electors' Meeting will be held at 5:30pm on 10 February 2025 in the Council Chambers, 83 Mandurah Terrace Mandurah to discuss the 2023/24 Annual Report, the 2023/24 Financial Statements and any other general business.

Copies of the 2023/24 Annual Report and Financial Statements are available for viewing on the City's website at www.mandurah.wa.gov.au.

Holding an Annual General Electors' Meeting

An Annual General Meeting of Electors of a district is to be held once every financial year. An Annual General Electors' Meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.

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

In accordance with section 5.30 of the *Local Government Act 1995*, the Mayor is to preside at an Annual General Meeting of Electors. Regulation 18 of the *Local Government (Administration) Regulations 1996* states that the procedure to be followed at an Electors' General Meeting is to be determined by the person presiding at the meeting.

The following procedure is provided for guidance only and the final procedure will be determined by the Mayor at the meeting.

Registration and sign in

Members of the public attending the meeting are required to sign the attendance register upon entry to the meeting including name and address. Members of the public who wish to participate in the meeting are encouraged to arrive 30 minutes prior to the start to allow time for registration.

Voting and Participation

To ask a question or move, second or vote on a motion at the Meeting, you must be an elector of the City of Mandurah. An elector is a person eligible to be enrolled to vote at elections for the City of Mandurah including ratepayers.

If a member of the public is not on the current electoral roll, they must provide identification/proof of enrolment (being on the Federal and/or State Roll) within the District of Mandurah. The burden of proof lies with the elector to demonstrate they are eligible.

Electors will be marked off the City of Mandurah Electoral Roll as they enter the meeting.

If members of the public are not found on the roll, they may attend the meeting as observers only.

Order of Business

The Mayor will chair the meeting.

Unless otherwise decided by the Mayor the order of business at the meeting is to be as follows –

1. Opening of the Meeting
2. Acknowledgement to County
3. Apologies
4. Important Notice
5. Annual Report Presentation
6. Discussion of 2023/24 Annual Report
7. General Business
 - (a) Questions
 - (b) Consideration of Motion(s)
 - speakers “for” and “against” alternatively
 - voting
8. Close of Meeting.

Public Participation

During general business, questions or motions may only relate to the matters that affect the local government and will be accepted at the discretion of the Mayor.

The Mayor can rule a question or motion out of order if it:

- contains a statement reflecting adversely on the integrity of the City of Mandurah, any elected member, City officer or other party;
- involves any language considered offensive; or
- is the same or similar in content to a question or motion made at the meeting.

Questions

If you have a question for the meeting, please complete the [Annual General Meeting of Electors' Public Question Form](#) by 12pm Friday 7 February 2025. For questions submitted in advance of the meeting, the City will endeavor to have answers available on the night.

The Mayor will allow 15 minutes for questions. The Mayor may call a motion to extend question time at the end of the expired 15 minutes.

Each member of the public who wishes to ask a question may ask up to three (3) questions. Sub-parts of questions are counted as a question (ie. question 1 parts (a), (b) and (c) will be counted as three questions).

The Mayor will invite electors who have submitted questions in advance of the meeting to ask their questions. If after having allowed each person (3) questions there is time remaining, the Mayor may allow additional questions from the meeting.

Electors asking questions are requested to state their name prior to asking a question. All questions should be addressed through the Mayor. Questions should not be accompanied by an argument, statement or expression of opinion.

A question may be taken on notice for a later response.

Motions

Proposed motions must be submitted no later than 12pm Friday 7 February 2025 via the [Annual General Meeting of Electors' Request to Propose a Motion Form](#). This ensures adequate time for preparation, both for the elector moving the motion and the City administration.

Motions from the meeting may be ruled out of order at the discretion of the Mayor.

The Mayor will call for a mover and seconder for a motion.

No motion is open to debate until it has been seconded. Only one motion shall be received at a time.

The Mayor will invite the mover to speak for up to five (5) minutes, and then the seconder will be invited to speak for up to three (3) minutes.

Upon a motion being proposed, the Mayor will call for speakers to address the meeting.

The Mayor will allow up to three speakers "for" and three speakers "against" and the mover will have the right of reply up to three (3) minutes. Each speaker is able to speak for up to three (3) minutes.

Where there are no speakers of the opposite view than the last preceding speaker, the Mayor will close the matter and put the matter to vote.

When addressing the meeting, a speaker is to:

- Move to the public participation table (unless able to do so due to sickness or a disability)
- State their name
- Address the meeting through the Mayor

Voting at meeting

Voting will only take place after that motion has been moved and seconded and, the debate has closed (if applicable).

Each elector present is entitled to one vote on each motion, but voting is not compulsory.

Voting at the meeting is to be conducted by a show of hands. The CEO or designated City officer(s) will count the vote.

A simple majority carries the vote.

Recording

A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the meeting without the permission of the Mayor.

If the Mayor grants permission, the Mayor must advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

Minutes

The minutes of the meeting will record a summary of the meeting and the outcome of the motion. It will not be recorded verbatim.

The CEO will:

- (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.

Decisions made at the Meeting

Decisions made at electors' meetings will be considered by Council at the next Ordinary Council Meeting, or as soon as reasonably practicable.

It is important to note that any decision made at an electors meeting is not binding on the Council and is not a decision of Council.

Seating arrangements

Designated observer and voting sitting areas will be set for the day.

Conduct of Persons at the Meeting

All members of the public attending electors' meetings must be respectful of the Mayor, elected members and City officers to allow for the efficient running of the meeting.

Prevention of Disturbance

Members of the public are admitted to electors' meetings upon the understanding that no expression of dissent or approval, conversation or interruption to the proceedings shall take place.

For the purpose of this clause, any expression of dissent or interruption to proceedings shall include a person who interrupts the proceedings of a meeting, whether by expressing approval or dissent, by conversing or by other means;

- (i) enters or remains in any part of where the meeting is taking place reserved for elected members and city officers;
- (ii) misconducts himself or herself;
- (iii) fails to withdraw when members of the public are directed to withdraw;
- (iv) obstructs the approaches to location where the meeting is taking place; or
- (v) creates a disturbance within the precincts of where the meeting is taking place.

In the event of any such interruption, the Mayor may exercise their discretion and require those interrupting to withdraw.

If a person or persons have been ordered by the Mayor to desist from such behaviour, but fails to do so, the Mayor can immediately adjourn the meeting to another date.

Legislation

Annual Electors' Meetings are prescribed by the *Local Government Act 1995* (Act) sections 5.27, 5.29 – 5.33 and *Local Government (Administration) Regulations 1996* (Regulations) regulations 15, 17 and 18))

The relevant section of the Act state:

5.27. Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.*
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.*

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 date, time, 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.*

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.*

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.

The relevant regulations of the Regulations state:

15. Matters to be discussed at general meeting (Act s. 5.27(3))

For the purposes of section 5.27(3), the matters to be discussed at a general electors' meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.

17. Voting at meeting (Act 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.

18. Procedure at meeting (Act 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.