



City of Cockburn

Special Meeting of Electors **Agenda Paper**

5pm, Thursday 19 December 2024

This Special Electors' Meeting will be conducted in accordance with Section 5.31 of the Local Government Act and Clauses 17 and 18 of the *Local Government (Administration) Regulations 1996*.

Only Electors/Ratepayers are able to speak and vote at the meeting.

All decisions on Motions put to the meeting will be made by a simple majority.

Resolutions passed at the meeting will be presented to the Ordinary Council Meeting scheduled for 11 February 2025 for consideration.

An Elector is someone who is a resident in the district and on the Electoral Roll, or who owns property in the district and is eligible to be on the Electoral Roll, or is a ratepayer of the City of Cockburn.

Electors may submit motions related to the matters on the Agenda via the online form on the City's website [Special Electors' Meeting - Submit a Motion Form - City of Cockburn](#) by 12 noon, Thursday 19 December 2024.

Information and procedure on how the Special Electors' Meeting will be conducted

Welcome to the City of Cockburn Special Electors' Meeting.

Regulation 18 of the *Local Government (Administration) Regulations 1996* (the Regulations) 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 Section 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 Member Presiding, Mayor Logan K. Howlett JP, has determined the procedure to be followed.

Procedure for the Electors' Special Meeting 19 December 2024

Part 1 - Attendance at an Electors' Meeting

1. All attendees must register their attendance including name and address:
 - a. In advance of the meeting via the City's website; or
 - b. before entering the meeting, on the attendance register provided by City of Cockburn staff.

The attendance register is for internal record purposes only and will not be published or distributed.

2. All attendees must:
 - a. remain seated at all times during the meeting, unless invited by the Presiding Member to address the meeting at the lectern;
 - b. not cause any disturbance or disrupt the meeting proceedings in any way; and
 - c. comply with this Procedure and the direction of the Presiding Member at all times.
3. Attendees who are verified electors of the City of Cockburn 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 Cockburn 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 Member to leave the meeting and/or the building, and that person (or persons) are required to comply with the direction of the Presiding Member.

Part 2 - Participants at an Electors' Meeting (ref Act section 5.26)

6. All participants at an Electors' Meeting must be verified electors of the City of Cockburn.
7. A verified elector is:
 - a. an elector whose name and address is recorded on the -
 - i. City of Cockburn district electoral roll from the last ordinary Council election held; or
 - ii. City of Cockburn 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 Cockburn; or
 - b. a confirmed ratepayer of the City of Cockburn.

Special Electors' Meeting - 19 December 2024

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. Verification will cease at the commencement of the meeting. After this point, attendees will be admitted to the meeting but will not be verified.
10. 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.
11. 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

12. The proceedings will be video and audio recorded, and speakers are requested to use the microphones each time they speak.
13. The Electors' Meeting will be 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.
[Council Meetings - City of Cockburn](#)
14. No other audio or visual recording is to be undertaken without the permission of the Presiding Member.

Part 4 - Order of Proceedings

15. The order of proceedings will firstly be reference to these procedures by the Presiding Member followed by Attendances, Apologies and Leave of Absence, and then General Business.
16. During General Business, motions may only relate to the purpose of the Special Electors' Meeting.

Part 5 - Putting a Motion to an Electors' Meeting

17. Proposed motions are required to be submitted via the City's website by 12 noon on the day of the meeting.
18. The Presiding Member will reject any motions that do not relate to the purpose of the Electors' Special Meeting.
19. Motions will be presented to the meeting in the order they have been received by the City.
20. Motions received that are considered by the Presiding Member 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.
21. "Motions from the Floor" will only be accepted at the discretion of the Presiding Member.
22. The Presiding Member 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.

23. Motions from electors will be read aloud by the Presiding Member and displayed on the public screen in the Council Chamber, to ensure that everyone is clear about what they are voting on.
24. 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.
25. 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.
26. Upon a motion being moved and seconded, the Presiding Member will then call for speakers to address the meeting.

Part 6 - Speakers at an Electors' Meeting

27. Only verified electors may address an Electors' Meeting.
28. 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;
 - c. state his or her name and suburb for recording in the minutes;
 - d. address the meeting through the Presiding Member;
 - e. limit statements to fact, not opinion or supposition
 - f. not reflect adversely on Elected Members or City employees;
 - g. refrain from making repetitive comments on matters that have already been discussed, to ensure the meeting can progress effectively.
29. 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.
30. To ensure efficient and equitable time for all submitted motions, an abbreviated debating protocol will be used.
 - a. Once a motion is moved and seconded, the Presiding Member will call for any speakers against the motion.
 - b. There being no speakers against the motion, the Presiding Member will put the motion to the vote.
31. If there are speakers against the motion, the following debating protocol will apply.
 - a. The mover of a motion will be invited to speak first, and the seconder will be provided the opportunity to speak next. The Presiding Member will then call for other verified electors who wish to speak.
 - b. 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.
 - c. The right of reply is limited to a maximum of two minutes.
32. 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.

33. The Presiding Member will manage the time allocated for speakers to ensure that all verified electors are given a fair and equal opportunity to speak.
34. If the Presiding Member determines that sufficient and fair debate has occurred on a motion or amendment then the Presiding Member, 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)

35. The Presiding Member will ask for a vote on the motion.
36. Each verified elector is entitled to one vote on each matter to be decided at the meeting. An elector does not have to vote.
37. Voting is determined by raising the Voting Card either for or against a motion, at the time the Presiding Member calls for the vote.
38. Voting at a special meeting of electors is to be conducted so that no voter's vote is secret.
39. All decisions at a 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 & 5.33)

40. The Presiding Member is to determine questions of order and procedure not stated above.
41. 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.
42. All decisions made at an Electors' Meeting are to be considered at the next Ordinary Council meeting.
43. The decisions of an Electors' Meeting are not binding on the Council, but as required by section 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.

Special Electors' Meeting, 5pm, Thursday 19 December 2024

Agenda

1. DECLARATION OF MEETING

"Kaya, Wanju Whadjuk Boodja" which means "Hello, Welcome to Whadjuk Land".

The Presiding Member will acknowledge the Whadjuk Peoples of the Nyungar Nation, who are the traditional custodians of the land on which the meeting is being held, and pay respect to their Elders both past and present and extend that respect to First Nations Peoples present.

2. Attendance and Apologies

3. Purpose and Procedures of Meeting

A petition requesting a Special Electors' Meeting in accordance with Section 5.28 of the *Local Government Act 1995* was received by the City of Cockburn on 27 November 2024.

The request specified the following matter to be discussed:

REVIEW OF THE SUPPORT AUKUS RESOLUTION

On the 14th May, 2024 at an Ordinary Council Meeting, Council Unilaterally passed a Motion "Supporting AUKUS" and the "benefits it brings to Cockburn.

There had been no community consultation/engagement on the issue, nor had a detailed report been prepared highlighting the many potential risks as well as the presumed benefits. There was no proper consideration given.

What are the views of the community on this issue?

This is a huge issue, and residents deserve the right to lobby, to talk and to advocate prior to a vote of Council.

The Resolution was carried 7/3 indicating dissension amongst the Elected Members on the issue.

Given the timelines involved, we have the time to do this in a proper manner, rather than "shooting from the hip".

Let the community have their say at a Special Electors Meeting.

4. General Business

The Presiding Member will consider General Business in accordance with the procedure provided in this Agenda.

5. Closure of Meeting