



MINUTES

SPECIAL MEETING OF ELECTORS

Monday 26 August 2024

6.30pm

City of Albany Council Chambers

LEGISLATIVE CONTEXT*

Local Government Act 1995*

In accordance with the *Local Government Act 1995*, being:

Section 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 of at least 14 days' notice,of the date, time, place and purpose of the meeting.
- (2) 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 5.30. Who presides at electors' meetings (in part)

- (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.

Section 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.

Section 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.

Section 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.

Local Government (Administration) Regulations 1996*

In accordance with Part 3 of the *Local Government (Administration) Regulations 1996*:

Regulation 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.

Regulation 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.

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NOTICE OF A SPECIAL MEETING OF ELECTORS

Dear Mayor and Councillors,

The City of Albany received a compliant Form 1, Request for a Special Meeting of Electors on 23 July 2024. In accordance with 5.29 of the Local Government Act 1995, a Special Meeting of Electors' will be convened on Monday 26 August 2024 in the Council Chambers, 102 North Road, Yakamia commencing at 6.30pm.

The purpose of the meeting is to discuss the promotion of sexualizing children in the City of Albany through unrestricted books in the Town Library and events held during the month of February 2024.

In accordance with the Local Government Act 1995, the purpose of the meeting as outlined above is an extract from the Form 1 submitted to the City of Albany requesting the Special Electors Meeting. This statement was not authored by the City of Albany.



Andrew Sharpe

CHIEF EXECUTIVE OFFICER

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1. DECLARATION OF OPENING

The Mayor as the Presiding Member will make the declaration to open the meeting.

2. PRAYER AND ACKNOWLEDGEMENT OF TRADITIONAL LANDOWNERS

“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	G Stocks
Councillor	P Terry (Deputy Mayor)
Councillor	T Brough
Councillor	D Baesjou
Councillor	S Grimmer
Councillor	M Traill
Councillor	R Sutton
Councillor	C McKinley
Councillor	L MacLaren
Councillor	M Lionetti

Staff:

Chief Executive Officer	A Sharpe
Executive Director Corporate & Commercial Services	M Giffellon
Executive Director Community Services	N Watson
Executive Director Infrastructure, Development & Environment	P Camins
Manager Governance & Risk	S Jamieson
Meeting Secretary	D Clark

Apologies/Leave of Absence:

Councillor	A Cruse
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4. PUBLIC QUESTION TIME / MATTERS TO BE DISCUSSED

MATTERS TO BE DISCUSSED:

“The promotion of sexualizing children in the City of Albany through unrestricted books in the Town Library and events held during the month of February 2024.”

Please note: In accordance with the Local Government Act 1995, the purpose of the meeting as outlined above is an extract from the Form 1 submitted to the City of Albany requesting the Special Electors Meeting. This statement was not authored by the City of Albany.

Conduct of Persons at the Meeting

All members of the public attending electors’ meetings must be respectful of the Presiding Member 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.

Please note: 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:

- *enters or remains in any part of where the meeting is taking place reserved for elected members and city officers;*
- *misconducts of yourself;*
- *fails to withdraw when members of the public are directed to withdraw;*
- *obstructs the approaches to the location where the meeting is taking place; or*
- *creates a disturbance within the precincts of where the meeting is taking place.*

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

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

Jennifer McRae, Mt Melville

Spoke in support of the library. Supportive of young adults being able to research information via the library that they may not be comfortable raising with family. Knowledge empowers young people. Would like consideration to be given around stronger legislative reforms for online pornography and stronger penalties imposed. Spoke against misinformation.

Michelle Kinsella, McKail

Representing the organisation Keeping Children Safe. Would like to discuss two particular books and a workshop that had been held earlier this year. Would like to ensure children’s innocence is kept for as long as possible.

Tony Evers, Cuthbert

Believes that this issue is misleading. Long time member of the community. Supportive of keeping children safe. Concerns around attacks on people who disagree with others. Supportive of evidence-based arguments. Supportive of inclusion, listening and sharing knowledge.

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Wayne van der Heide, Marbellup

Primary School Teacher and parent. Concerned that the book “welcome to sex” should be available only to those over 16 years of age. Not supportive of the content in this particular book and not comfortable with this being made available to the younger community.

Rebecca Hoisin, Lower King

Member of the Public Health Association of Australia and professional. Believes that health education books should remain in the library and be unrestricted. Supportive of intellectual freedom. Assists with combating misinformation found online. The library provides evidence-based information in a safe space.

Dirk Mostert, Torbay

Farmer and father of four. Encouraged people to listen with an open mind. Not supportive of the books in the library. Believes it provides misinformation.

Linda Matthews, Goode Beach

Against censorship of books. Supportive of keeping books in the library. Supportive of the library and the way they vet books.

Kevin McCreton, Kalgan

Supportive of keeping children safe, supportive when there is evidence and the trained library staff. Not supportive of commentary around grooming being made with no evidence.

Gerrit Ballast, Robinson

Father of five. Supportive of the Christian teachings and not supportive of secular teachings.

Jon Doust, Spencer Park

Found the book confronting, however, defends the right of people to read it. Supports the library staff and their knowledge. Lots of books within the library he finds offensive but chooses not to read those books.

Jialin Tan, Spencer Park

Frequent user of the library. Would like to encourage people to get their information and facts from organisations that have worked in the area of child protection. Evidence based facts. Encourage conversation, even if it is uncomfortable. Thank you to the library staff and gaming community.

Vivienne Gardiner, Mt Melville

Read a statement on behalf of a sexual abuse survivor. Supportive of the books that are currently in the library.

Tara McCreedy, Milpara

Parent of three and always supervises their children when in the library. Encourage people to research and make decisions based on evidence. Concerned that removing the book will encourage children to go to the internet and find information that is not censored, and often inaccurate.

Susan McEwan, Director of Library Services, State Library of Western Australia

233 public libraries in WA. Responsible for selecting and providing books for libraries across the state. Access to information and ideas and free of censorship. The library should be unbiased and provide a wide variety of views. Intellectual freedom policy.

Stacey Miller, Wellstead

Knowledge is power and does not wish to keep children “in the dark”. Information in the library is accurate, unlike the information that can be found online. Providing children with vetted and accurate information via the library should be supported. Sex education provides children the tools they need to make informed decisions.

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Tegan O’Neill, Lockyer

School aged children are seeking information around sex. Supportive of the books in question. Supportive too of role playing games. Acknowledges that the issues raised are complex. The resources are key to good mental health.

Alison Oliver, President of Public Libraries of Western Australia

National and State Standards. Freedom to read, libraries are required to contain a diverse range of content. Wide range of topics and view points, and represent a diverse range of people, events and ideas. Supportive of the library and the staff and would encourage the council to support the library also.

James Steadman, Orana

18 years old. Focusing on the commentary around events held in February 2024. Specifically, around the twerking workshop. This event was a restricted event to those over the age of 18.

Tim Jansz, Albany

Father and grandfather. Strong supporter of libraries and the keeping of the broad range of information. Parents can assist and decide what is information that their children should read.

Jennifer Manoni, Young Sidings

Month of February, Pride Festival. Suggests that there should also be a Christian Festival.

Millie Reid, Mt Melville

Vice President of Albany Pride. Diverse members of the Pride community and many work within the community. Committed to keeping all children safe, however, here to speak about the Pride Festival. All the information around the pride events can be found online.

Barry Leslie, Lower King

Member of the Albany library and the community. Not supportive of the book remaining in the library.

Sue Lushy, Mira Mar

Mother and grandmother. Supportive of the staff at the Library, always helpful and friendly. Open and valuable resource centre.

Jem Ruggera, Collingwood Heights

High School English Teacher. Not supportive of others telling him what his children can or can not read. Supportive of keeping these books in the library and available to children. Concerned that people are not understanding of the term “grooming”. Would suggest that these books assist with anti-grooming.

Robert Neillings, Goode Beach

Father and Grandfather. All freedoms have a responsibility. Concerned about the content in these books.

Hannah Halls, Board member of Albany Pride

LGBTQIA+ are supportive of keeping children, and all people, safe. Supportive of the books remaining in the library. All children deserve safe and healthy lives.

George, Centennial Park

Retired librarian and teacher. Concerned that since he signed the form 1 his home has been egged.

Public question time concluded at 8:10pm.

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5. ELECTORS' SPECIAL MEETING PROCEDURES

The Presiding Member has determined that the following procedures will apply at the meeting:

Public Question Time / Matters to be discussed

- Electors have 4 minutes to address the meeting on the matter to be discussed.
- The Presiding Member will determine the number of speakers and the length of time allocated to discuss the matters.

Please note: Motions are moved, seconded. The mover will be given an opportunity to speak to the motion before the Presiding Member puts the motion to the vote.

Motions

- It is requested that any motions be submitted to the CEO before the meeting. However, the Presiding Member may accept motions from the floor during the meeting.
- The mover and seconder must state their full name before moving or seconding a motion.
- The mover of the motion may then speak to the motion for the prescribed time of 4 minutes.
- Motions will then be put to the vote.

In summary: Motions are MOVED, SECONDED and put to the VOTE. There is no debate.

Voting and Participation

- To vote at an Electors' Special Meeting, you must be an elector of the City of Albany. An elector means a person eligible to be enrolled to vote at elections for the City of Albany and includes ratepayers.
- Only electors can move, second, and vote on a motion at an Electors' Special Meeting. Electors must state their name before moving and seconding a motion.

Voting at meeting

- Voting will only take place after the motion has been moved and seconded.
- Each elector who is present at the Electors' Special Meeting is entitled to one vote on each motion, voting is not compulsory.
- All decisions at the Electors' Special Meeting are to be made by a simple majority of votes.
- Voting at the Electors' Special Meeting is to be conducted by a show of hands using the provided voting card.
- City Officer(s) will count the vote.

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MOTION 1:

Moved: Heather Marr, Lowlands

Seconded: Robbin Budden, Goode Beach

This Meeting requests that Council affirm the collections policy of Albany Public Library as outlined in the Collection Development Policy 2022, Point 8, noting that:

Public Library collections reflect a balance of views and perspectives without seeking to promote or discourage particular viewpoints. The Albany Public Library’s collections reflect the diversity of the community and aim to be as inclusive as possible. Providing materials do not breach federal and state government laws, the library will not censor material.

Further, that Council reiterates its recognition of and reliance on the expertise of Library staff in serving their community through their event programming, selection, curation and display of all materials within the library collections.

LOST 180-224

MOTION 2:

Moved: Michelle Kinsella, McKail

Seconded: Callie Ewing, Gledhow

“Welcome to Sex” by Dr Melissa Kang and Yummi Stynes.

This Special Meeting of Electors calls for Welcome to Sex to be limited for borrowing to persons over the age of 16 and that this publication should be kept behind the counter until library facilities are provided to adequately store this publication in a section of the library that cannot be accessed by persons under the age of 16.

CARRIED 236-172

MOTION 3:

Moved: Tamra Frewen, Warrenup

Seconded: Michelle Kinsella, McKail

“Sex A book for teens” An uncensored Guide to your Body, Sex and Safety.

This special meeting of electors calls on the City of Albany to remove the publication “Sex a book for teens” an uncensored GUIDE from its Library catalogue until it is assessed for classification by the Australian Classification Board.

CARRIED 231-169

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MOTION 4:

Moved: Michelle Kinsella, McKail

Seconded: Tamara Frewen, Warrenup

Keeping Children Safe on behalf of the community propose motion the City of Albany to ensure ratepayers money is spent responsibly on workshops held in our Town Hall and the appropriate age restrictions are implemented across all advertising with a strong focus on child safeguarding and making sure all entertainers in Albany have up to date Working With Children checks. We request all documents relating to funding this workshop be made available to the Electors.

CARRIED 224-153

MOTION 5:

Moved: Michelle Kinsella, McKail

Seconded: Andrea Moss, Centennial Park

eBooks. This Special Meeting of Electors notes that the series Sex Criminals is available for loan via eBook from the City of Albany library network and calls on the City of Albany to submit the six volumes of this series to be assessed for classification by the Australian Classification Board or to remove it from its library network.

CARRIED 236-145

MOTION 6:

Moved: Hannah Halls, Albany Pride

Seconded: Carina Carpenter

That the City of Albany verifies that all organisations that work with children, or advocate for them, in the municipality including religious organisations, and church run services in the municipality are compliant with the recommendations of the 2017 royal commission into institutional responses to child sexual abuse.

CARRIED 173-75

6. CLOSURE OF MEETING

There being no further business, the Presiding Member (the Mayor) declared the meeting closed at 9:11pm.

Greg Stocks

MAYOR