

Minutes of the Special Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 17 May 2005, commencing at 5.35pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania JP, declared the meeting open at 5.35pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicher	Executive Manager Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Mark Fletcher	Journalist – Voice News

Approximately 4 Members of the Public

(c) Members on Leave of Absence:

- Cr Maddalena Torre for the period 26 April to 14 June 2005 (inclusive) for personal reasons.

3. DECLARATIONS OF INTEREST

Nil.

4. PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS

The Presiding Member advised that:

“Council at a Special meeting is not required to answer a question that does not relate to the purpose of the meeting. It is requested that only questions that relate to items on the Agenda be asked.”

There were no speakers from the public gallery.

5. Election of Deputy Mayor by Secret Ballot

Ward:	-	Date:	12 May 2005
Precinct:	-	File Ref:	ADM0070
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

BACKGROUND:

The Council is required to elect the Deputy Mayor from amongst the Councillors, by secret ballot, as required in Section 2.15 of the Local Government Act 1995 and as detailed in Schedule 2.3 of Division 2 of the Act.

REPORT:

At the Special Meeting of Council held on 10 May 2005, nominations for the position of Deputy Mayor were received from:

Cr Steed Farrell
Cr Ian Ker

In accordance with the Local Government Act 1995, Schedule 2.3, a secret ballot was held. The results were:

Cr Steed Farrell 4 votes
Cr Ian Ker 4 votes

(Cr Torre was on approved leave of absence and was not present at the meeting.)

The Presiding Member therefore advised the meeting that a Special Meeting of Council would be held at 5.30pm on Tuesday 17 May 2005 so that another vote for the position of Deputy Mayor could be held.

LEGAL:

Filling the office of deputy mayor or deputy president

“Section 2.15 The deputy mayor or deputy president is to be elected by the council from amongst the councillors under Schedule 2.3 of Division 2.”

The relevant sections of the Act are:

How the deputy mayor or deputy president is elected

“Schedule 2.3, Section 8

- (1) The council is to elect a councillors (other than the mayor or president) to fill the office.*
- (2) The mayor or president is to conduct the election.*
- (3) Nominations for the office are to be given to the mayor or president in writing.*

- (4) *If a councillor is nominated by another councillor, the mayor or president is not to accept the nomination unless the nominee has advised the mayor or president, orally or in writing, that he or she is willing to be nominated for the office.*
- (5) *The councillors are to vote on the matter by secret ballot, as if they were electors voting in an election.*
- (6) *Subject to clause 9(1) the votes cast under subclause (5) are to be counted and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were cast at an election.”*

Votes may be cast a second time.

“Section 9.

- (1) *If, when the votes cast under subclause (2) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discounted and not more than 7 days later, a special meeting of the Council is to be held.*
- (2) *Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.*
- (3) *When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.*
- (4) *The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.”*

Schedule 4.1

Section 5 of this schedule states:

- “5. *If 2 or more candidates receive the same number of votes (so that clause 2, 3 or 4 cannot be applied), the returning officer is to draw lots in the presence of any scrutineers who may be present to determine which candidate is elected.”*

ITEM 5

The Presiding Member advised that he had received nominations from Crs Steed Farrell and Ian Ker for the Office of Deputy Mayor.

The Presiding Member asked Councillors if there were any further nominations. There were no further nominations made.

The Presiding Member advised Elected Members as there had been two nominations received a Secret Ballot would be required to be carried out.

Ballot Papers were issued to all Elected Members and a secret ballot was carried out. The votes were counted by the Chief Executive Officer - John Giorgi and witnessed by Executive Manager Corporate Services - Mike Rootsey.

Presiding Member advised the results as follows:

Cr Steed Farrell	5 votes
Cr Ian Ker	3 votes

(Cr Torre on approved leave of absence.)

The Presiding Member advised that Cr Steed Farrell is elected to the Office of Deputy Mayor until May 2007.

Cr Farrell made the Declaration of Elected Member for the Office of Deputy Mayor.

Received with acclamation.

Mayor Catania wished Cr Farrell well in his new role and thanked outgoing Deputy Mayor, Cr Ker, for his assistance over the previous two years.

6. CLOSURE

The Presiding Member, Mayor Catania JP, declared the meeting closed at 5.45pm with the following persons present:

Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicher	Executive Manager Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Mark Fletcher	Journalist - Voice News
4 Members of the Public	

These Minutes were confirmed by the Council as a true and accurate record of the Special Meeting of the Council held on 17 May 2005.

Signed: Presiding Member
Mayor Nick Catania, JP

Dated this day of 2005