



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

SPECIAL COUNCIL MEETING

23 OCTOBER 2007

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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 23 October 2007, commencing at 5.45pm.

Prior to the commencement of the meeting, the Chief Executive Officer called the Meeting to Order. He advised that it is necessary that the Mayor and elected Council Members make a Declaration of Office. He advised that this would be made before him, in his capacity as a Justice of the Peace (an Authorised Person).

The Chief Executive Officer advised that the Mayor and four (4) new Councillors are required to make a declaration of office.

- 1. Mayor Nick Catania came forward and made a Declaration by Elected Member, before Justice of the Peace, John Giorgi, JP.**

Mayor Catania then assumed the Chair.

The Presiding Member advised the Meeting that nominations for the position of Deputy Mayor were open. He had received one (1) nomination at this point of time. The nominations would close at the end of the Declarations by new Council Members.

- 2. Cr Anka Burns came forward and made a Declaration by Council Member, before Justice of the Peace, John Giorgi, JP.**
- 3. Cr Steed Farrell came forward and made a Declaration by Council Member, before Justice of the Peace, John Giorgi, JP.**
- 4. Cr Sally Lake came forward and made a Declaration by Council Member, before Justice of the Peace, John Giorgi, JP.**
- 5. Cr Noel Youngman came forward and made a Declaration by Council Member, before Justice of the Peace, John Giorgi, JP.**

The Mayor congratulated all newly elected Councillors and advised that he was looking forward to working with the Council.

Received with acclamation.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, JP, declared the meeting open at 5.53pm (approx).

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Anka Burns	South Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Gillian van den Bok	A/Executive Assistant (Minutes Secretary)
Dale Morrissy	Manager, Beatty Park Leisure Centre
Jeff Fondacaro	Retail Supervisor, Beatty Park
Chris Thomson	Journalist - " <i>The Perth Voice</i> "
Lindsay McPhee	Journalist - " <i>Guardian Express</i> "

Approximately 10 Members of the Public

(c) Members on Leave of Absence:

Nil.

3. DECLARATION OF INTEREST

Nil.

4. (a) PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS

The Chief Executive Officer 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. Swearing in of Council Members

Ward:	-	Date:	18 October 2007
Precinct:	-	File Ref:	ADM0030
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

Declaration of Office

Each newly elected person is required to make a declaration before they can act in the capacity of a Councillor or Mayor.

The declaration of office that states the Council Member will faithfully perform their duties and will obey the Council's Code of Conduct and observe the Local Government (Rules of Conduct) Regulations 2007.

The declaration is also made verbally and document signed in front of an Authorised Person as prescribed by the Oaths, Affidavits and Statutory Declarations Act 2005 (eg Justice of the Peace) who will witness the signature of the Council Member.

Code of Conduct/Local Government (Rules of Conduct) Regulations 2007

This Code of Conduct sets out the principles of good conduct, obligations and standards of behaviour, which are expected of Council Members and employees. Council Members and employees of the Town of Vincent are expected to behave in a way, which confirms, to the highest standards of integrity, responsibility and fair dealing in the workplace, the Council, and in relations with the community and with one another.

The Code establishes a guide to best practice for Council Members and employees in the performance of their duties and responsibilities and prescribes conduct for Council Members and employees to deliver the high ethical and moral standards in government expected by the Vincent community.

The Local Government (Rules of Conduct) Regulations 2007 came into effect on 21 October 2007 and are applicable to Council Members.

The Local Government (Rules of Conduct) Regulations 2007 cover the following key areas:

- *"Principles of general behaviour;*
- *Local Law as to conduct at meetings;*
- *Use of information;*
- *Securing unauthorised advantages or disadvantages;*
- *Misuse of Council resources;*
- *Prohibition against involvement in administration;*
- *Relations with local government employees;*
- *Disclosure of interest adversely affecting impartiality; and*
- *Restriction on receiving, and disclosure of, certain gifts."*

(Local Government (Official Conduct) Amendment Act 2007 (Explanatory Notes)

6. Election of Deputy Mayor by Secret Ballot

Ward:	-	Date:	18 October 2007
Precinct:	-	File Ref:	ADM0030
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.

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.*

ITEM 6

The Mayor conducted the election for the Deputy Mayor in accordance with the Local Government Act and Regulations.

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

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

The Presiding Member advised Council Members as two nominations had been received, a Secret Ballot would be required to be carried out. He requested the Chief Executive Officer to issue the necessary ballot papers.

Ballot Papers were issued to all Council Members.

The Ballot Papers were collected by the Chief Executive Officer and counted in the presence of the Director Corporate Services, Mike Rootsey.

The Presiding Member advised the results of the Ballot, as follows:

Cr Steed Farrell	5 votes
Cr Ian Ker	4 votes

The Mayor advised that Cr Steed Farrell is elected to the Office of Deputy Mayor until October 2009.

Cr Farrell came forward and made the Declaration of Office for the Office of Deputy Mayor before Justice of the Peace, John Giorgi.

Received with acclamation.

Mayor Catania wished Cr Farrell well in his role as Deputy Mayor.

7. CLOSURE

The Presiding Member, Mayor Catania JP, declared the meeting closed at 6.15pm with the following persons present:

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Anka Burns	South Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
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