



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

SPECIAL COUNCIL MEETING

22 OCTOBER 2013

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Minutes of the Special Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 22 October 2013, commencing at 6.00 pm.

1. (a) DECLARATION OF OPENING

The Chief Executive Officer assumed the Chair and declared the meeting open at 6.00 pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr John Pintabona arriving late due to work commitments.

(b) Members on Approved Leave of Absence:

(c) Present:

Cr John Carey	South Ward (Acting Mayor)
Cr Roslyn Harley	North Ward
Cr John Pintabona	South Ward (from 6.12pm)
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Petar Mrdja	A/Director Planning Services
Gabrielle Pieraccini	Director Special Projects

Approximately 34 members of the public and 5 children.

The Chief Executive Officer announced that the next item will be the swearing of the City's new Mayor Cr John Carey.

3. SWEARING IN OF MAYOR

The Mayor elect John Carey made a Declaration by Elected Member, before Justice of the Peace, Chief Executive Officer Mr. John Giorgi, JP. (a duly Authorised person under the Oaths, Affidavits, Statutory Declarations Act 2005).

Received with acclamation!

Mayor John Carey assumed the Chair as Presiding Member.

4. PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS

Nil.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

6. DECLARATION OF INTERESTS

Nil.

7. SWEARING IN OF COUNCILLORS

7. Swearing in of Councillors

Ward:	-	Date:	16 October 2013
Precinct:	-	File Ref:	ADM0030
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

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 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 (e.g. 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 City 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)

Mayor John Carey stated that he has pleasure in asking the newly elected Councillors to make their declaration and he called upon the following Councillors elect to come forward (in alphabetical order) to make their Declaration of Office as a Councillor, before John Giorgi, JP (A duly Authorise Person under the Oaths, Affidavits and Statutory Declarations Act 2005):

- 7.1 Cr Matthew Christopher Buckels came forward and made a Declaration by Council Member, before Justice of the Peace, Mr John. Giorgi, JP.**

Received with acclamation!

Cr Buckels assumed his chair in the Council Chamber.

- 7.2 Cr Emma Michelle Cole came forward and made a Declaration by Council Member, before Justice of the Peace, Mr John Giorgi, JP.**

Received with acclamation!

Cr Cole assumed her chair in the Council Chamber.

- 7.3 Cr Laine Courtney McDonald came forward and made a Declaration by Council Member, before Justice of the Peace, Mr John Giorgi, JP.**

Received with acclamation!

Cr McDonald assumed her chair in the Council Chamber.

- 7.4 Cr Joshua Aaron Topelberg came forward and made a Declaration by Council Member, before Justice of the Peace, Mr John Giorgi, JP.**

Received with acclamation!

Cr Topelberg assumed his chair in the Council Chamber.

8. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

- 8.1 Welcome by Mayor John Carey:**

"Councillors of the City of Vincent, Councillors elect, Chief Executive Officer, Directors, and invited guests, it is my pleasure, it is an honour to be elected the fifth Mayor of the City of Vincent.

I first of all would like to congratulate my fellow Councillors, Cr Josh Topelberg and Cr Matt Buckels for being re-elected, it is a testament to their work and I also want to acknowledge and recognise our new two Councillors, Cr Laine McDonald and Cr Emma Cole, congratulations on becoming Elected Members.

I also want to acknowledge the significant and lasting contributions by our former Deputy Mayor Cr Warren McGrath who was a Councillor for four (4) years and also Cr Dudley Maier who was a Councillor for eight (8) years and will be very well remembered for his significant "eye for detail", for anyone who sat through a Council Meeting, Cr Maier knew his stuff. I would like to recognise both their work.

I also want to sincerely thank all the people who supported me to become Mayor, you don't get elected unless people are actually willing to put their name on the line to support you, so I do want to acknowledge and pay special thanks to the Beaufort Street Network Executive - to Elaine, Pauline, Leslie and Pam and to my personal friends Simon Colombine, Beth Kirby and Megan Anwyl, Simon and Simon, Zoe Davies and Craig Connery and last but not least my fellow Councillor Roslyn Harley who provided me with that support to help me become the fifth Mayor of the City of Vincent.

As a Council we are at a cross roads. We are faced with a State Government that is pushing ahead with an amalgamation agenda, against the Communities aspirations. We also face the City of Perth, who is actually "cherry picking" our best assets. Despite this agenda against us, I think we have actually seen the best of our community and we have seen it because they are dynamic and united against the proposed split.

They have shown us that they are prepared to stand up and fight and to be honest it is not a surprise that Vincent has held the largest rallies against the amalgamations. We have to acknowledge though that this is a moving political feast and I do say to the Council that we will need to review our strategy, to ensure that we adapt to it and we get the best outcomes for the community.

It is very clear from the 7,500 signed petitions our Plebiscite from door knocking and community feedback that people want us to continue to fight and it is my promise as Mayor that we will do that.

We also have, I believe, a very exciting agenda before us to roll out, regardless of what the future holds, we have an incredible momentum over the last two (2) years and I do want to strongly recognise the significant leadership and contribution by former Mayor Hon. Alannah MacTiernan. There is no doubt that she lived up to her title of "*getting things done*". As the new Mayor I want to continue the agenda of real and practical improvements for our community that makes our lives better.

This agenda could include; undertaking the revitalisation of Leederville, completing the \$1.5 million rejuvenation of the centre, to get a funding model and plan in place for underground power, to make good on our promise to roll out the bike plan to make cycling easier and better, to make our City more liveable, to roll out an expanded Greening plan that actually makes our streets cooler and more pedestrian friendly, to work hard to improve facilities that service the baby boom that is happening in Vincent and to improve and lift the Community Consultation and engagement that residents expect.

This is not the full list and for some people they would hear this list and say it is not that extraordinary, they are basic. But I honestly believe that we should be able to do them well. These are the kinds of issues that when you go door knocking and you meet face-to-face this is what people raise with you and it is good Local Government and is what I want us as Mayor to pursue.

With a new Mayor comes a change in leadership this is natural and I will leave the assessment between my predecessor and me, but for me personally I am here because I am driven by desire to make real changes within the Community. I believe I come to the possession with energy, commitment and positive determination as Mayor that can bring people together. I think I have shown that with local residents in getting up the Beaufort Street Network and the Beaufort Street Festival.

I am looking forward to working with our Chief Executive Officer Mr. John Giorgi, his team of Directors and the City staff on delivering a positive and constructive agenda. But I also want to say this and I say this absolutely sincerely that I am a member of a team, I respect the authority of Council."

9. Election of Deputy Mayor by Secret Ballot

Ward:	-	Date:	16 October 2013
Precinct:	-	File Ref:	ADM0030
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

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 9

The Mayor John Carey advised that the election for the Deputy Mayor is to be conducted in accordance with the Local Government Act 1995.

The Chief Executive Officer advised that a written nomination had been received by Cr Roslyn Harley.

The Mayor asked if anyone else wished to nominate for the position.

Cr Pintabona advised that he wished to nominate.

The Mayor advised Cr Pintabona that in accordance with the Regulations he would have to provide a written nomination.

The Presiding Member, John Carey advised the Council that as two nominations had been received, a Secret Ballot is required to be carried out.

He requested the Chief Executive Officer, John Giorgi to conduct the election and issue the necessary ballot papers.

The Chief Executive Officer issued Ballot Papers 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, in the Council Chamber.

The results were handed to the Presiding Member, John Carey and he announced that Cr Harley was elected as Deputy Mayor.

The Mayor John Carey declared Cr Roslyn Harley as elected to the Office of Deputy Mayor.

Cr Roslyn Harley came forward and made the Declaration of Office for the Office of Deputy Mayor before Justice of the Peace, Mr. John Giorgi, JP.

Received with acclamation!

Announcements by the Chief Executive Officer

“Chief Executive Officer Mr. John Giorgi stated that on behalf of the City’s Administration I have pleasure in responding to tonight’s Special Council Meeting.

To you Mr Mayor I wish you every success in your new role, to the Deputy Mayor Cr Roslyn Harley I wish her every success and to our newly Elected Councillors and our current Councillors, I wish you every best in your deliberations and as Elected Members of the City of Vincent.

Like you, I believe that the City is at a cross roads and in our short history of nineteen (19) some years, the next twelve (12) months to two (2) years will be very important. My personal view is that I hope and wish that the City of Vincent will remain as its own entity and that we will continue to deliver and provide services to the City of Vincent.

The Rallies that we have held in the last couple of months have demonstrated that the Vincent community are a close community and they wish for the Council to remain as its own entity. Notwithstanding that, the decision for the future City of Vincent remains with the State Government. We are in a bit of a dilemma that the City of Perth wants to “cherry pick”, as you stated earlier Mr Mayor, and take the best of the Local Governments - not only of Vincent but also Victoria Park, Subiaco and Nedlands.

The City of Stirling have indicated that they do not want the northern part of Vincent and that is a decision that their Council has made. But notwithstanding that, I believe that as Chief Executive Officer, I will work my hardest to deliver what this Council want for the community and I will ensure that the administration will respond and serve this Council faithfully for the next two (2) years until the next election or until the decision is made by the State Government.

I have pleasure in introducing the City’s Directors, as follows;

Mr. Lotznicker - Director Technical Services.

Mr Boardman - Director Community Services.

Mr Mrdja - Acting Director of Planning Services.

Mr Rootsey he is our Director Corporate Services, and

Ms Gabrielle Pieraccini - our newly appointed Director Special Projects.

Once again Mr Chairman Congratulations to you and the Councillors and I wish you every best in your deliberations. Thank you.”

12. CLOSURE

There being no further business, the Presiding Member, John Carey, declared the meeting closed at 6.35 pm with the following persons present:

Mayor John Carey	Presiding Member
Cr Matt Buckels	North Ward
Cr Emma Cole	North Ward
Cr Roslyn Harley (Deputy Mayor)	North Ward
Cr Laine McDonald	South Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Petar Mrdja	Acting Director Planning Services
Gabrielle Pieraccini	Director Special Projects

Approximately 34 members of the public and 5 children.

These Minutes were confirmed by the Council as a true and accurate record of the Special Meeting of the Council held on 22 October 2013.

Signed:Presiding Member John Carey.

Dated this day of 2013.