



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

SPECIAL COUNCIL MEETING

18 OCTOBER 2011

This document is available in the following alternative formats upon request for people with specific needs; large print, Braille, audio cassette and computer disk

**INDEX
(18 OCTOBER 2011)**

ITEM	REPORT DESCRIPTION	PAGE
REPORTS		
6.	Swearing in of Council Members (ADM0030)	3
8.	Election of Deputy Mayor by Secret Ballot (ADM0030)	4
9.	CLOSURE	6

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 18 October 2011, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.05pm and read the following statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

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

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Matt Buckels	North Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Bridget Lacy	Journalist – <i>"The West Australian"</i>

Approximately 22 adults (and 4 children) Members of the Public

(c) Members on Leave of Absence:

Nil.

3. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

3.1 Welcome

Councillors of the City of Vincent, Councillors elect, Chief Executive Officer, Directors, former Mayor Nick Catania JP, John Hyde, Member for Perth and former Mayor, Ladies and Gentlemen of the Gallery and invited guests, it is my pleasure, as the new Mayor of the City of Vincent, to welcome you to tonight's Special Council Meeting which is being held for the Swearing-in of the new Councillors and election of the Deputy Mayor.

As you are aware, Council elections were held last Saturday night and I am honoured to have been elected by the electors of Vincent, as the fourth Mayor of this wonderful City.

4. PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS

The Mayor advised that the 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 the swearing in of Council Members or the election of Deputy Mayor, be asked.

There were no speakers from the public gallery.

5. SWEARING IN OF MAYOR

The Mayor elect Hon. Alannah Joan Geraldine MacTiernan made a Declaration by Elected Member, before Justice of the Peace, Nick Catania, JP.

Received with acclamation!

Mayor Hon. Alannah MacTiernan assumed the Chair as Presiding Member.

6. SWEARING IN OF COUNCILLORS

Mayor Hon. Alannah MacTiernan stated that she has pleasure in asking the newly elected Councillors to make their declaration and she called upon the following Councillors elect to come forward (in alphabetical order) to make their Declaration of Office as a Councillor, before herself as a Justice of the Peace:

6.1 Cr John Carey came forward and made a Declaration by Council Member, before Justice of the Peace, Hon. Alannah MacTiernan, JP.

Received with acclamation!

Cr Carey assumed his chair in the Council Chamber.

6.2 Cr Roslyn Gaye Harley came forward and made a Declaration by Council Member, before Justice of the Peace, Hon. Alannah MacTiernan, JP.

Received with acclamation!

Cr Harley assumed her chair in the Council Chamber.

6.3 Cr Giovanni (John) Pintabona came forward and made a Declaration by Council Member, before Justice of the Peace, Hon. Alannah MacTiernan, JP.

Received with acclamation!

Cr Pintabona assumed his chair in the Council Chamber.

6.4 Cr Julia Kerfoot Wilcox came forward and made a Declaration by Council Member, before Justice of the Peace, Hon. Alannah MacTiernan, JP.

Received with acclamation!

Cr Wilcox assumed her chair in the Council Chamber.

The Mayor congratulated all newly elected Councillors and advised that she was looking forward to working with the Councillors in the exciting times that lie ahead.

Received with acclamation!

6. Swearing in of Council Members

Ward:	-	Date:	17 October 2011
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)

7. DECLARATION OF INTEREST

Nil.

8. Election of Deputy Mayor by Secret Ballot

Ward:	-	Date:	17 October 2011
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 8

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

She advised that she had received written nominations from Cr Warren McGrath and Cr Dudley Maier for the Office of Deputy Mayor.

The Mayor Hon. Alannah MacTiernan asked Councillors if there were any further nominations. There were no further nominations.

The Presiding Member, Hon. Alannah MacTiernan advised the Council that as two nominations had been received, a Secret Ballot is required to be carried out. She 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, Hon. Alannah MacTiernan and she advised that the result of the Ballot, as follows:

Cr Warren McGrath	7 votes
Cr Dudley Maier	2 votes

The Mayor Hon. Alannah MacTiernan declared Cr Warren McGrath as elected to the Office of Deputy Mayor until October 2013.

Cr Warren McGrath came forward and made the Declaration of Office for the Office of Deputy Mayor before Justice of the Peace, Hon. Alannah MacTiernan.

Received with acclamation!

9. CLOSURE

The Presiding Member, Mayor Hon. Alannah MacTiernan, stated that she would like to publically acknowledge the retiring Council Members as follows:

Mayor Nick Catania	Elected 8 May 2001 (10.5 years)
Councillor Anka Burns	Elected 21 October 2007 (4 years)
Councillor Steed Farrell	Elected 6 May 2003 (8.5 years)
Councillor Taryn Harvey	Elected 21 October 2009 (2 years)
Deputy Mayor, Councillor Sally Lake	Elected 6 May 2003 (8.5 years)

Received with acclamation!

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 6.27pm with the following persons present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Matt Buckels	North Ward
Cr John Carey	North Ward
Cr Roslyn Harley	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North 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 Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Bridget Lacy	Journalist – <i>"The West Australian"</i>

Approximately 22 adults (and 4 children) 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 18 October 2011.

Signed: Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2011