

# CITY OF COCKBURN

## SUMMARY OF MINUTES OF SPECIAL COUNCIL MEETING HELD ON THURSDAY, 4 NOVEMBER 2010 AT 7:00 PM

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**CITY OF COCKBURN****MINUTES OF SPECIAL COUNCIL MEETING HELD ON THURSDAY, 4  
NOVEMBER 2010 AT 7:00 PM**

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**PRESENT:****ELECTED MEMBERS**

Mr L Howlett	-	Mayor
Mr K Allen	-	Deputy Mayor
Ms L Smith	-	Councillor
Ms H Attrill	-	Councillor
Mr I Whitfield	-	Councillor
Mrs C Reeve-Fowkes	-	Councillor
Mr T Romano	-	Councillor
Mrs V Oliver	-	Councillor

**IN ATTENDANCE**

Mr S. Cain	-	Chief Executive Officer
Mr D. Green	-	Director, Administration & Community Services
Mrs B. Pinto	-	PA –Directors, Fin. & Corp. Serv./Admin. & Comm. Serv.

**1. DECLARATION OF MEETING**

The Presiding Member declared the meeting open at 7.00 pm.

**2. APPOINTMENT OF PRESIDING MEMBER (If required)**

Nil.

**3. DISCLAIMER (Read aloud by Presiding Member)**

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.



**4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)**

Nil

**5 (SCM 04/11/2010) - APOLOGIES & LEAVE OF ABSENCE**

Clr S Limbert - Apology

**6 (SCM 04/11/2010) - PUBLIC QUESTION TIME**

**Dan Scherr, Coogee**

*Agenda Item 9.1 - Extra-Ordinary Election - Central Ward - 27 January 2011*

Q1 When do nominations open and close for this Election?

A1 Nominations open on 14 December 2010 and close on 21 December 2010. Information relative to the Election will be mailed to residents in the Central Ward after the closing date for nominations.

**7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS**

Nil

**8 (SCM 04/11/2010) - PURPOSE OF MEETING**

The purpose of the meeting is to appoint the Western Australian Electoral Commissioner to be responsible for the conduct of the extra-ordinary election to be held for the Central Ward of the City of Cockburn on 27 January 2011 and to decide to conduct the election by postal ballot.

**9. COUNCIL MATTERS**

**9.1 (MINUTE NO 4381) (SCM 04/11/2010) - CITY OF COCKBURN - EXTRA-ORDINARY ELECTION - CENTRAL WARD - 27 JANUARY 2011 (D GREEN) (CC/E/002)**

**RECOMMENDATION**

That Council:

- (1) declare, in accordance with Section 4.20(4) of the Local Government Act, 1995, the Electoral Commissioner to be responsible for the conduct of the extra-ordinary election to be



held for the Central Ward of the City of Cockburn on 27 January 2011; and

- (2) decide, in accordance with Section 4.61(2) of the Local Government Act, 1995, that the method of conducting the election will be by postal ballot.

**TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL**

**COUNCIL DECISION**

MOVED Deputy Mayor K Allen SECONDED Clr I Whitfield that the recommendation be adopted.

**CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 8/0**

**Background**

By letter received on 14 October 2010, Clr Robyn O'Brien tendered her resignation as a Councillor for the Central Ward of the City of Cockburn, which would have expired on 19 October 2013. Subsequently, Mayor Howlett nominated 27 January 2011, as the date for the holding of an extra-ordinary election to fill the vacancy, pursuant to Section 4.9(1)(a) of the Local Government Act, 1995.

**Submission**

To declare the Electoral Commissioner to be responsible for the conduct of the election and decide that it be conducted as a postal election.

**Report**

Council considered the matter of appointing the Electoral Commissioner for the ordinary, extra-ordinary and any other polls of electors to be held in conjunction with the elections, at its October Ordinary Council Meeting as well as holding these election by postal ballot.

As the extra-ordinary vacancy created by the resignation of Clr O'Brien falls outside this timeframe, Council is required to make these declarations separately in this instance.



**Strategic Plan/Policy Implications**

**Governance Excellence**

- To conduct Council business in open public forums and to manage Council affairs by employing publicly accountable practices.

**Budget/Financial Implications**

Approximately \$20,000 is required within the Governance (Elections) Account to cover costs associated with the election.

**Legal Implications**

Part 4 of the Local Government Act 1995, and the Local Government (Elections) Regulations, 1997, (as amended) refer.

**Community Consultation**

N/A

**Attachment(s)**

N/A

**Advice to Proponent(s)/Submissioners**

N/A

**Implications of Section 3.18(3) Local Government Act, 1995**

Nil.

**10. (MINUTE NO 4382) (SCM 04/11/2010) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)**

**RECOMMENDATION**

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-

- (1) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (2) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and



(3) managed efficiently and effectively.

**COUNCIL DECISION**

MOVED Clr I Whitfield SECONDED Clr T Romano that the recommendation be adopted.

**CARRIED 8/0**

**11 (SCM 04/11/2010) - CLOSURE OF MEETING**

7.08 pm.

**CONFIRMATION OF MINUTES**

I, ..... (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: ..... Date: ...../...../.....

