

CITY OF COCKBURN



SPECIAL COUNCIL

AGENDA PAPER

FOR

THURSDAY, 4 NOVEMBER 2010

CITY OF COCKBURN

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CITY OF COCKBURN

AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL MEETING TO BE HELD ON THURSDAY, 4 NOVEMBER 2010 AT 7:00 PM

1. DECLARATION OF MEETING

2. APPOINTMENT OF PRESIDING MEMBER (If required)

3. DISCLAIMER (To be 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)

5. APOLOGIES & LEAVE OF ABSENCE

6. PUBLIC QUESTION TIME

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

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 (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

Background

By letter received on 14 October 2010, Cllr 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. (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

11. CLOSURE OF MEETING