



Agenda

Special Meeting of Council

Monday 30 October 2023 6pm



Notice of a Special Meeting of Council

Elected Members

Notice is hereby given that a Special Meeting of Council will be held in the Council Chamber at the Walyalup Civic Centre, located at 151 High Street, Fremantle, on **Monday, 30 October 2023** commencing at 6.00 pm.

The Special Meeting of Council is called for the purpose of considering the following item:

- Election and appointment of the Deputy Mayor

A handwritten signature in black ink, appearing to read "Glen Dougall".

Glen Dougall
Chief Executive Officer

27 October 2023



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1. Official opening, welcome and acknowledgement

Ngala kaaditj Whadjuk moort keyen kaadak nidja Walyalup boodja wer djinang Whadjuk kaaditjin wer nying boola yeye.

We acknowledge the Whadjuk people as the traditional owners of the greater Fremantle/Walyalup area and we recognise that their cultural and heritage beliefs are still important today.

2. Attendance, apologies and leave of absence

3. Applications for leave of absence

4. Disclosures of interest by members

5. Responses to previous public questions taken on notice

Questions taken on notice at the Ordinary Meeting of Council held on 25 October 2023 will be answered within the next meeting.

6. Public question time

Members of the public have the opportunity to ask a question or make a statement at council and committee meetings during public question time. Further guidance on public question time can be viewed [here](#), or upon entering the meeting.



7. Reports and recommendations from officers

C2310-5 ELECTION OF DEPUTY MAYOR

Meeting Date:	30 October 2023
Responsible Officer:	Chief Executive Officer
Decision Making Authority:	Council
Attachments:	Nil

SUMMARY

At the Ordinary Meeting of Council held on 25 October 2023, Council conducted a secret ballot to elect the Deputy Mayor.

Following the Council meeting, an error in the way the ballots were counted for the Deputy Mayor election has been identified and due to this error the election process undertaken is invalid and a new election will need to take place.

The purpose of this report is to call for nominations and conduct a new election for the office of the Deputy Mayor, in accordance with Schedule 2.3, Division 2 of the *Local Government Act 1995*.

BACKGROUND

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so under section 5.34 of the *Local Government Act 1995*.

FINANCIAL IMPLICATIONS

Nil

LEGAL IMPLICATIONS

Schedule 2.3 and 4.1 of the *Local Government Act 1995* determines the process for electing a Deputy Mayor.

CONSULTATION

No consultation was undertaken for consideration in this report.

OFFICER COMMENT

Schedule 2.3 of the *Local Government Act 1995* determines when and how Deputy Mayors are elected. The process is summarised below:



1. The council is to elect a councillor to fill the office of Deputy Mayor.
2. Nominations for the office are to be given to the person conducting the election of the Deputy Mayor in writing before the meeting or during the meeting before the close of nominations.
3. Nominations close at the meeting at a time announced by the person conducting the election of the Deputy Mayor, which is to be sufficient time after the announcement by that person that nominations are about to close to allow for any nominations made to be dealt with.
4. If a councillor is nominated by another councillor the person conducting the election of the Deputy Mayor is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that they are willing to be nominated for the office.
5. The council members are to vote on the matter by secret ballot as if they were electors voting at an election.
6. The votes will be counted, and the successful candidate determined as if those votes were cast at an election.
7. The candidate who receives the greater or greatest number of votes is elected.
8. As soon as practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result.

The votes are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 of the *Local Government Act 1995*. *A councillor must cast 1 first preference vote by writing on the ballot paper the numeral 1 in the square opposite the name of the candidate for whom the councillor votes as their first preference. If there are 2 or more other candidates, the councillor may cast preference votes by writing consecutive numerals from 2 (without repetition of any numeral) in the squares opposite the names of other candidates to indicate the order of the councillor's preference for those other candidates.*

Where the office of the Deputy Mayor has only two candidates, the first-preference votes for each candidate must be counted and the candidate who has the greater number of first-preference votes is elected.

Where the office of the Deputy Mayor has three or more candidates, the first-preference votes for each candidate must be counted. A candidate is elected if the number of first-preference votes for the candidate exceeds 50% of the total number of all the first-preference votes for candidates.

If two or more remaining candidates receive the same number of votes, the count is to be discontinued and not more than 7 days later, a special meeting of council is to be held. Nominations may be withdrawn, and further nominations may be made. At the special meeting the council members are to vote again.



Once the result has been announced, the Deputy Mayor is to make a declaration in the prescribed form before taking office.

DECLARATION OF RESULT

Councillor _____ was declared Deputy Mayor for the term of two years, to expire following the next ordinary election.

DECLARATION OF OFFICE

A Declaration of Office was made, in the presence of Mr John Alberti, Justice of the Peace by:

Councillor _____ DEPUTY MAYOR

8. Closure