

SHIRE OF JERRAMUNGUP



MINUTES

SPECIAL MEETING OF COUNCIL

25th September 2013

SHIRE OF JERRAMUNGUP

SPECIAL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBERS, VASEY STREET, JERRAMUNGUP ON WEDNESDAY 25th SEPTEMBER 2013, COMMENCING AT 9:11AM.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 9.11am

2. RECORD OF ATTENDANCE

Cr R Lester	President
Cr R Parsons	Member
Cr C Daniel	Member
Cr B Atkin	Member

Mr W Parker	Chief Executive Officer
Mrs C Solomon	Coordinator of Governance & Land Administration

3. APOLOGIES

Cr J Iffla	Deputy President
Cr W Bailey	Member
Cr B Trevaskis	Member

4. LEAVE OF ABSENCE PREVIOUSLY APPROVED

Nil

5. PUBLIC QUESTION TIME

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8. DECLARATIONS OF FINANCIAL INTEREST

Nil

9. OFFICERS REPORT

9.1 Extraordinary Election

10. NEXT MEETING/S

Ordinary Meeting – to be held Wednesday 16th October 2013 commencing 2:00pm at the Town Hall, Bremer Bay.

11. CLOSURE

The President declared the meeting closed at 9.32am.

SUBMISSION TO:	Administration
AGENDA REFERENCE:	9.1
SUBJECT:	Extraordinary Election
LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	GV.EL.3
AUTHOR:	Bill Parker
DISCLOSURE OF ANY INTEREST:	Nil
DATE OF REPORT:	23 September 2013

SUMMARY

In preparing for the 2013 Local Government Ordinary Election, the Shire of Jerramungup had three vacancies.

At the close of nominations on 12 September 2013, two nominations were received. The nominees were elected unopposed.

In accordance with the Local Government Act 1995, a further extraordinary election is to be scheduled and the process for conducting an election recommenced.

ATTACHMENT

Attachment 9.1(a) - Results of Election

Attachment 9.1(b) - Correspondence from Western Australian Electoral Commission

BACKGROUND

The Shire of Jerramungup had three vacancies for the 2013 Local Government Ordinary Election. At the close of nominations, nominations were received from;

1. Joanne Iffla; and
2. William Bailey

Both of these candidates were elected unopposed and will commence their terms on the day on which the poll would have been held being 19 October 2013.

As one of the positions was not filled, a further extraordinary election is to be scheduled and the process for conducting an election recommenced.

CONSULTATION

Various discussions with Councillors and the Western Australian Electoral Commission.

COMMENT

The Shire of Jerramungup has two options in terms of conducting the extraordinary election.

Firstly, the Shire can appoint the Electoral Commissioner to be responsible for the conduct of the extraordinary election. Secondly, the Shire can conduct the extraordinary election using internal resources.

Using the Electoral Commissioner has many benefits and essentially outsources the electoral function. As elections are only usually held every few years, it is difficult for small local governments to build the capacity and skills internally to deliver a very rigid and time consuming election compliance regime. Conducting an election internally is a major task and needs to be considered in terms of the overall program and objectives set for key staff across the financial year.

In terms of the roll, with the approval of the Electoral Commissioner, the CEO can decide that the role used for the ordinary election is suitable for the extraordinary election. Although the Electoral Commissioner has provided an approval to use this roll, the CEO will request that a new role is prepared for the extraordinary election.

STATUTORY REQUIREMENTS

The following section of the Local Government Act applies to this item;

4.57. Less candidates than vacancies

(1) If, at the close of nominations, there are no candidates for the office or offices to be filled at the election, an extraordinary election is to be held to fill the office or offices as if it or they had become vacant on the day after the close of nominations.

4.37. New roll for each election

- (1) An electoral roll is to be prepared for the election.
- (2) If the district is not divided into wards the same electoral roll can be used for the election of an elector mayor or president and the election of a councillor or councillors.
- (3) A new electoral roll need not be prepared for the election if —
 - (a) it is an extraordinary election the election day for which is less than 100 days after the election day for another election; and
 - (b) the CEO, with the approval of the Electoral Commissioner, decides that the roll that was used for the earlier election is suitable for use at the extraordinary election.

STRATEGIC IMPLICATIONS

This item relates to the following components from the Shire's Strategic Community Plan;

Aspiration 6:

An engaged and informed community, defined by strong civic leadership, sound governance and transparent decision making.

FINANCIAL IMPLICATIONS

The cost to appoint the Electoral Commissioner to conduct the extraordinary election would be \$8,000. The cost to conduct an election internally would be significantly less. There would however be an impact on staff resources internally.

WORKFORCE IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute Majority

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 extraordinary election.
2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the extraordinary election will be as a postal election.

SC130901 Moved Cr Daniel / Seconded Cr Atkin

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 extraordinary election.**
- 2. Decide, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the extraordinary election will be as a postal election.**

Carried by absolute majority 4-0