



# **MINUTES**

## **SPECIAL COUNCIL MEETING**

Friday July 22nd July 2011  
Commencing At 7.34pm.

# SHIRE OF MENZIES



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**SHIRE OF MENZIES**

# SPECIAL COUNCIL MEETING

July 22<sup>nd</sup> 2011

commencing at 7.34pm

## A G E N D A

### 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President (Cr. Gregory Dwyer) declared the meeting open, welcoming the attendees and proceeded with the agenda as planned.

### 2 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE PREVIOUSLY APPROVED

*Attendance:*

Councillors	Cr Gregory Dwyer	President
	Cr Ian Tucker	Councillor
	Cr Jill Dwyer	Councillor

Staff:	Mrs. Debbie Pianto	Staff Member
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**Ministerial approval granted to reduce quorum and absolute majority to three.**

### 3 RESPONSES TO PREVIOUS PUBLIC QUESTION TIME TAKEN ON NOTICE

Not Applicable

### 4 PUBLIC QUESTION TIME

Not Applicable

### 5 DECLARATIONS OF INTEREST / APPLICATIONS FOR LEAVE OF ABSENCE.

None

### 6 PETITIONS / DEPUTATIONS / PRESENTATIONS

Not Applicable

### 7 CONFIRMATION OF PREVIOUS MINUTES

Not Applicable

### 8 QUESTIONS ON NOTICE.

Not Applicable

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9.1 To seek approval to hold over Councillor Vacancies

## 9.1 TO SEEK APPROVAL TO HOLD OVER COUNCILLOR VACANCIES

<b>SUBMISSION TO:</b>	<b>Ordinary Meeting of Council</b>
<b>LOCATION:</b>	<b>Shire of Menzies</b>
<b>APPLICANT:</b>	
<b>FILE REF:</b>	
<b>DISCLOSURE OF INTEREST:</b>	.
<b>DATE:</b>	<b>June 23<sup>rd</sup>, 2011.</b>
<b>AUTHOR:</b>	<b>Carol McAllan Deputy Chief Executive Officer</b>
<b>SIGNATURE OF AUTHOR:</b>	
<b>SENIOR OFFICER:</b>	<b>Brian Seale, Chief Executive Officer.</b>
<b>SIGNATURE OF SENIOR OFFICER:</b>	

### **SUMMARY:**

To seek approval from Council to ask permission from the Electoral Commission to hold over vacant Council positions to be incorporated into the biennial election in October and to request that the Electoral Commission conduct these elections.

### **BACKGROUND:**

The issue of Returning Officer was discussed at the April 28<sup>th</sup> 2011 meeting whereby Council requested the Deputy CEO to conduct the biennial election and the Deputy declined the request citing section 4.20 (2) of the Local Government Act 1995, in that written approval from the officer and the Electoral Commission was not held. Council subsequently decided to request the Electoral Commission to preside.

### **COMMENT:**

With the recent demise of Cr. Lansdown and the subsequent resignation of Cr's Kelly and Pusey, three vacancies exist. It is reasonable to combine this election with the Biennial Election in October.

### **CONSULTATION:**

#### **STATUTORY ENVIRONMENT:**

Local Government Act 1995 – Section 2.32(a)  
Local Government Act 1995 – Section 4.19  
Local Government Act 1995 – Section 4.20(2)  
Local Government Act 1995 – Section 4.17(2)

**POLICY IMPLICATIONS:** None

### **FINANCIAL IMPLICATIONS:**

There will be a cost for the Electoral Commission to conduct the Biennial Election.

**VOTING REQUIREMENTS:** Absolute Majority required

MOVED Cr Dwyer (J)

SECONDED Cr Tucker

To request the approval of the Electoral Commissioner to hold over the election to fill the extraordinary vacancies created by the death of Cr Lansdown and the resignations of Crs Kelly and Pusey and to hold the election on 15 October 2011.

As a result of advice of agreement from the Electoral Commissioner, appoints the Electoral Commissioner to be responsible for the conduct of the election, by postal ballot, on 15 October 2011, for the filling of both the extraordinary and ordinary vacancies.

**CARRIED 3/0**

**10 STATUS REPORTS**

**10.1 SHIRE OF MENZIES STATUS REPORT**

Not Applicable

**10.2 TJUNTJUNTJARA COMMUNITY STATUS REPORT**

Not Applicable

**11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Not Applicable

**11.1 ELECTED MEMBERS MOTIONS WITH PREVIOUS NOTICE**

Not Applicable

**11.2 CONFIDENTIAL BUSINESS TO BE HELD BEHIND CLOSED DOORS**

**12 INFORMATION BULLETIN**

Not Applicable

**13. NEXT MEETING / MEETING CLOSURE**

*The next Ordinary Council Meeting will be held on Friday July 29<sup>th</sup> 2011 at 9.00am.*

There being no further business to discuss, the President declared the meeting closed at: 7.40pm.