

# TOWN OF COTTESLOE



## SPECIAL COUNCIL MEETING MINUTES

**SPECIAL MEETING OF COUNCIL  
HELD IN THE  
Council Chambers, Cottesloe Civic Centre  
109 Broome Street, Cottesloe  
6.00 PM, Tuesday 24 October 2017**

**Purpose of Meeting:  
Swearing-In / Declaration of Office for position of Mayor and Councillors;  
Election of Deputy Mayor / Declaration of Office for position of Deputy Mayor; and  
The allocation of Councillors' seats**

**MAT HUMFREY  
Chief Executive Officer**

31 October 2017

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[www.cottesloe.wa.gov.au](http://www.cottesloe.wa.gov.au)

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**1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS**

The Chief Executive Officer declared the meeting open at 6.03PM

**2 DISCLAIMER**

The Chief Executive Officer drew attention to the Town's Disclaimer and reminded those present that this meeting is being recorded.

**3 ELECTED MEMBER'S DECLARATION OF OFFICE**

The Mayor made his declaration of office witnessed by the Chief Executive Officer.

The Mayor witnessed the declarations of all newly elected Council members; Councillors Sadler, Tucak, Harkins and Young, in accordance with Section 2.29 of the *Local Government Act 1995*.

**2.29. Oath or affirmation of allegiance and declaration**

- (1) *A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.*
- (2) *A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.*
- (3) *A declaration required by this section is to be taken or made before a prescribed person.*
- (4) *A person who acts in an office contrary to this section commits an offence.*

**4 ELECTION OF DEPUTY MAYOR**

Section 2.15 of the *Local Government Act 1995* provides that the Deputy Mayor is to be elected by the Council.

**2.15. Filling the office of deputy mayor or deputy president**

*The deputy mayor or deputy president is to be elected by the council from amongst the councillors under Schedule 2.3, Division 2.*

**2.3 When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council [Sections 2.11(1)(b) and 2.15]****Division 2 — Deputy mayors and deputy presidents****6. Definitions**

*In this Division —*

*“extraordinary vacancy” means a vacancy that occurs under section 2.34(1);*

*“the office” means the office of deputy mayor or deputy president.*

**7. When the council elects the deputy mayor or deputy president**

- (1) *If the local government has an elector mayor or president the office of deputy mayor or deputy president is to be filled as the first matter dealt with —*
  - (a) *at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
  - (b) *at the first meeting of the council after an extraordinary vacancy occurs in the office.*
- (2) *If the local government has a councillor mayor or president the office of deputy mayor or deputy president is to be filled —*
  - (a) *as the next matter dealt with after the mayor or president is elected at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and*
  - (b) *subject to subclause (3), as the first matter dealt with at the first meeting of the council after an extraordinary vacancy occurs in the office.*
- (3) *If at a meeting referred to in clause 2(1)(b) the deputy mayor or deputy president is elected to be the mayor or president, the resulting extraordinary vacancy in the office is to be filled as the next matter dealt with at the same meeting.*

**8. How the deputy mayor or deputy president is elected**

- (1) *The council is to elect a councillor (other than the mayor or president) to fill the office.*
- (2) *The election is to be conducted by the mayor or president, or if he or she is not present, by the CEO.*
- (3) *Nominations for the office are to be given to the person conducting the election in writing.*
- (4) *If a councillor is nominated by another councillor the person conducting the election is not to accept the nomination unless the nominee has advised the person conducting the election, orally or in writing, that he or she is 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) *Subject to clause 9(1) the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 as if those votes were votes cast at an election.*

Two written nominations were received for the position of Deputy Mayor. Cr Rodda and Cr Thomas were both nominated by themselves. Cr Pyvis nominated Cr Boulter. Cr Boulter orally informed Mayor Angers that she is willing to be nominated for Deputy Mayor.

There being three nominations for the position of Deputy Mayor, the Chief Executive Officer prepared ballot papers for a vote.

The Chief Executive Officer, with the assistance of the Manager Corporate and Community Services, then conducted a secret ballot amongst the Councillors, with Cr Rodda declared as Deputy Mayor.

## **5 DEPUTY MAYOR DECLARATION OF OFFICE**

The Mayor witnessed the declaration of Cr Rodda to the office of Deputy Mayor.

## **6 COUNCILLOR SEATING ARRANGEMENTS**

Council's *Standing Orders Local Law 2012*, clause 11.2 provides that:

- (1) *At the first meeting after an election, the CEO shall allot by random draw, a position at the council table to each councillor.*
- (2) *Each councillor shall, until such time as there is a call by a majority of councillors for a re-allotment of positions, occupy that position when present at meetings of the council.*
- (3) *No member shall be deemed to be present unless occupying their allotted place within the council chambers.*

The Chief Executive Officer conducted a draw for seating in the Council Chamber.

Mayor Angers and Cr Rodda as the Deputy Mayor were allocated seats at the front of the Council Chambers.

The seats were allocated as follows:

1. Cr Tucak
2. Cr Boulter
3. Cr Sadler
4. Cr Young
5. Cr Thomas
6. Cr Pyvis
7. Cr Harkins

## **7 ATTENDANCE**

### **Elected Members**

Mayor Phil Angers  
Cr Sally Pyvis  
Cr Melissa Harkins  
Cr Mark Rodda  
Cr Lorraine Young  
Cr Rob Thomas

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Cr Helen Sadler  
Cr Sandra Boulter  
Cr Michael Tucak

**Officers**

Mr Mat Humfrey	Chief Executive Officer
Mr Garry Bird	Manager Corporate and Community Services
Mr Nick Woodhouse	Manager Engineering Services
Mr Andrew Jackson	Manager Development Services
Ms Elizabeth Nicholls	Senior Project Officer

**Apologies**

Nil

**Officer Apologies**

Ms Samantha Hornby      Governance Coordinator

**Leave of Absence (previously approved)**

Nil

**8 BUSINESS OF COUNCIL**

Nil

**9 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**10 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY ELECTED MEMBERS/OFFICERS BY DECISION OF MEETING**

Nil

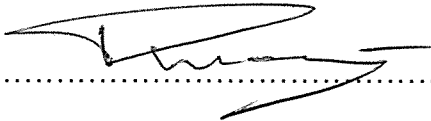
**11 MEETING CLOSURE**

The Presiding Member declared the meeting closed at 6.19 PM.

Mayor Angers congratulated the Councillors on their positions.

CONFIRMED MINUTES OF 24 OCTOBER 2017 SPECIAL COUNCIL MEETING  
PAGES 1 – 9 INCLUSIVE.

PRESIDING MEMBER:  
POSITION:

A handwritten signature in black ink, appearing to be 'L. May', is written over a horizontal dotted line.

DATE: 3.1.10.1...2017