

Special Council Meeting



AGENDA

Monday 23 October 2023



NOTICE OF MEETING

Councillors are advised that a Special Council Meeting, preceded by a Swearing In Ceremony for newly elected Councilors, will be held in the Council Chambers, Administration Centre, Bay View Terrace, Mosman Park on Monday 23 October 2023 at 6.00pm.

Your attendance is kindly requested.



Carissa Bywater

CHIEF EXECUTIVE OFFICER

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TOWN OF
MOSMAN PARK

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SWEARING IN CEREMONY FOR NEWLY ELECTED MEMBERS

1. People elected as local government Councilors are required to make a declaration of office to formalise their appointment to Council. Declarations must be taken or made before a “prescribed person”.
Local Government Act 1995, s.2.29
2. A prescribed person is someone who meets the definition of an “authorised person” in the *Oaths, Affidavits and Declarations Act 2005*. The Town of Mosman Park’s Chief Executive Officer meets this definition.
Local Government (Constitution) Regulations 1998, r.13(5)
3. The Town’s Chief Executive Officer will conduct the swearing in ceremony for the Town of Mosman Park’s newly elected Councilors.
4. On 21 October 2023:
 - a. Andrew Peter Baird, Sarah Ruth Corbyn and Russell Lee Armstrong were elected to Council for a four-year term until 2027; and
 - b. Andrew James Maurice was elected to Council for a two-year term until 2025.
5. Andrew Peter Baird, Sarah Ruth Corbyn, Russell Lee Armstrong, and Andrew James Maurice will swear/affirm the Councilor’s declaration of office as follows:

I,
of,

having been elected to the office of councillor of the Town of Mosman Park, declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgment and ability, and will observe the code of conduct adopted by the Town of Mosman Park under section 5.104 of the *Local Government Act 1995*.

Local Government (Constitution) Regulations 1998, r.13(1)

CEREMONY CLOSURE

6. The Swearing In Ceremony to be declared closed.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Presiding Member to declare the meeting open and give an Acknowledgement of Country.

I begin today by acknowledging the Whadjuk people of the Noongar nation as the traditional custodians of the land on which we meet today, and pay my respects to their Elders past, present and emerging. I extend that respect to Aboriginal and Torres Strait Islander peoples here today.

2 RECORD OF ATTENDANCE

Members:

Mayor	P. Shaw
Sitting Councillor	G. Carey
Sitting Councillor	J. Allsop
Newly Elected Councillor	A. Baird
Newly Elected Councillor	S. Corbyn
Newly Elected Councillor	R. Armstrong
Newly Elected Councillor	A. Maurice

Officers:

Chief Executive Officer	C. Bywater
Chief of Community Planning and Place	R. Jutras-Minett
Chief of Operations	G. Stead
Manager Governance	K. Jones
Executive Officer	D. Phillips

2.1 APOLOGIES

2.2 OBSERVERS

Press:

3 ELECTION OF DEPUTY MAYOR

In accordance with Schedule 2.3, s.7(1) of the *Local Government Act 1995*, the election of the Deputy Mayor is to be the first matter dealt with at the first meeting of the Council after an ordinary election.

4 SWEARING IN OF DEPUTY MAYOR

The Deputy Mayor will swear/affirm the Deputy Mayor's declaration of office as follows:

I,
of,

having been elected to the office of deputy mayor of the Town of Mosman Park, declare that I take the office upon myself and will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the district according to the best of my judgment and ability, and will observe the code of conduct adopted by the Town of Mosman Park under section 5.104 of the *Local Government Act 1995*.

Local Government (Constitution) Regulations 1998, r.13(1)

5 PUBLIC QUESTION TIME

6 REPORTS OF OFFICERS

6.1 OFFICE OF THE CHIEF EXECUTIVE OFFICER

6.1.1 APPROVAL OF COUNCIL TABLE SEATING PLAN

File No.:	N/A
Reporting Officer:	Manager Governance and Risk
Responsible Officer:	C Bywater, Chief Executive Officer
Attachments:	1. Council Chambers Seating Plan

AUTHORITY/DISCRETION

Executive: The substantial direction setting and oversight role of the Council. E.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Strategic Plan Theme:	2 Sustaining We are innovative in delivering services that are cost effective, future-focused and sustainable.
Strategic Aspiration:	2.1. An open and transparent Town that delivers community-focused services aligned with a strong governance framework

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. In accordance with clause 8.1(1) of the Town of Mosman Park Meeting Procedures Local Law 2010, APPROVES the allotment of seating positions for Councilors at the Council table is alphabetical by surname as per the seating plan at **Attachment 1**.
2. AUTHORISES the Chief Executive Officer to change the seating plan to accommodate Councilors who may have low vision or hearing loss.

IN BRIEF

At the first Council meeting after an election, the Meeting Procedures Local Law 2010 provides that Councillors are to be allotted positions at the Council table in alphabetical order, by wards. These are to be their seats for all Council meetings. Noting that the Town no longer has wards, the CEO has proposed a seating plan at **Attachment 1** that generally meets the requirements of the Meeting Procedures Local Law. This plan can be amended if Council authorises the CEO to do so to meet the needs of Councilors who may have low vision or hearing loss.

BACKGROUND

1. After the local government elections in 2021, Council adopted a seating plan where Councilors were seated alphabetically by surname clockwise around the Council table. They remained seated like this for Council meetings during 2021-2023.

DISCUSSION

2. The CEO can allot seats for Councilors at the Council table in accordance with the guidance provided by the Meeting Procedures Local Law 2010. The procedures propose Councilors are to be seated alphabetically, by wards.
3. Noting that the Town has no wards, the CEO is proposing to allot seats for Council meetings for the 2023-2025 period in the same way as 2021-2023; that is, alphabetically by surname, clockwise around the Council table.
4. Some Councilors may have hearing loss or low vision the justifies an alternative seating plan. To avoid the need to return to Council to approve an alternative plan, it is recommended that Council authorise the CEO to change the seating plan to accommodate these Councilors if necessary.

Consultation

5. No consultation is required for this report.

Financial Implications

6. There are no financial implications arising from the recommendation in this report.

Statutory Implications

7. Part 8, Clause 8.1 of the Town's Meeting Procedures Local Law 2010 applies – **Members to be in their proper place.**
8. Clause 8.1 provides:
(1) At the first meeting held after each election day, the CEO is to allot, alphabetically by ward, a position at the Council table to each member.
(2) Each member is to occupy his or her allotted position at each Council meeting

Policy Implications

9. There are no policy implications arising from the recommendation in this report.

Risks

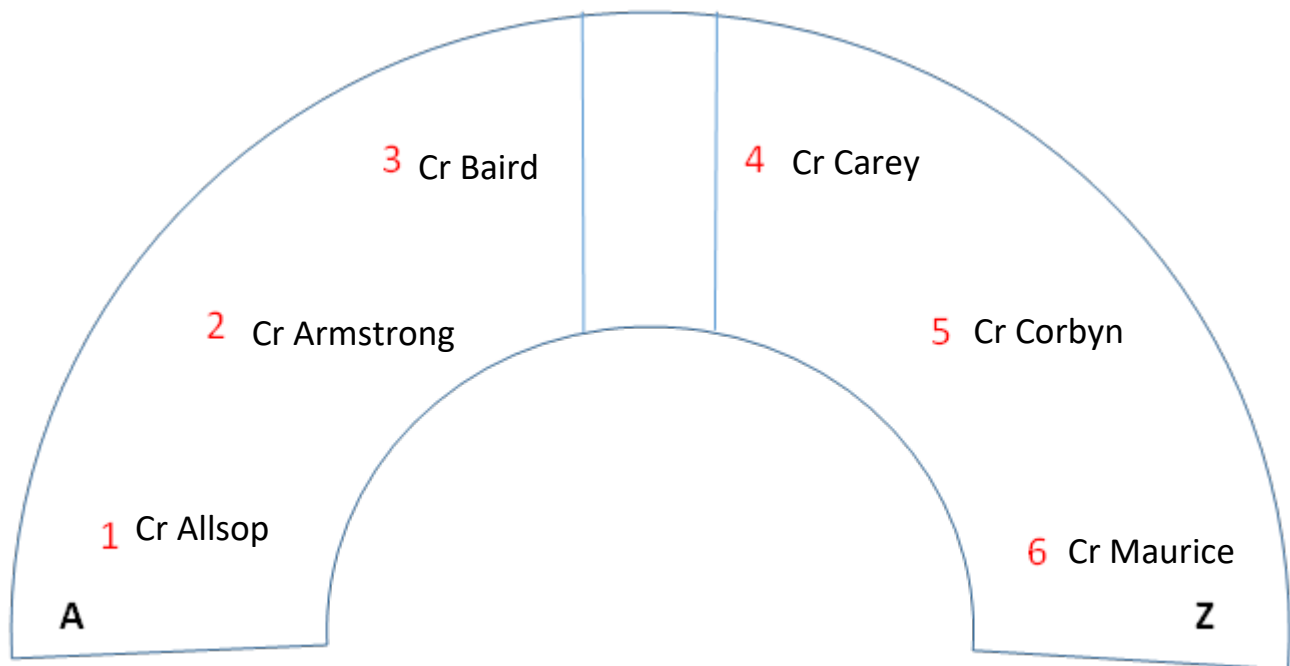
10. Council risks non-compliance with the Meeting Procedures Local Law 2010 if a seating plan is not approved after then 2023 elections.

CONCLUSION

11. The Meeting Procedures Local Law 2010 requires Council, after an election, to approve a Council table seating plan. The CEO is proposing to allot seats alphabetically as per the seating plan at **Attachment 1**. It is recommended Council approve this plan and an additional recommendation that authorises the CEO to change the plan if required to accommodate the needs of Councilors who may have low vision or hearing loss.

Item 6.1.1 - Attachment 1**COUNCIL CHAMBERS****SEATING PLAN**

2023 - 2025



7 MEETING CLOSURE

The Presiding Member to declare the meeting closed.