



SHIRE OF BODDINGTON

'The Council and Staff of the Shire of Boddington, in partnership with the community, are committed to operating effectively and efficiently to provide quality lifestyle opportunities that encourage population growth and development'

MINUTES

For The Special Meeting Of Council Held At

8.15 PM, TUESDAY 20 OCTOBER 2009

at the
**Shire of Boddington Council Chambers
at 39 Bannister Road Boddington**

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1 DECLARATION OF OPENING:

The Shire President, Cr P Carrotts declared the Special meeting open at 8.15pm for the purpose of the election of a Shire Deputy President.

2 ELECTION OF DEPUTY PRESIDENT:

2.1.1 Election of Shire Deputy President

File Ref. No:	ADM 0081
Author:	Gary Sherry
Disclosure of Interest:	Nil
Date:	10 th October 2009
Attachment	Nil

Summary

It is necessary for Council to elect a Deputy Shire President.

Comment

In accordance with Schedule 2.3 of the Local Government Act 1995, written nominations for the office of Deputy President for the next two years are to be addressed to the Chief Executive Officer. Nomination forms are enclosed with Councillors Agenda Package for the purpose. If a Councillor is nominated by another Councillor, the nominee must advise the Chief Executive Officer orally or in writing that he/she is willing to be nominated for the office.

Should there be two or more nominees, a secret ballot will be conducted to determine the holder of the office.

Upon election the Deputy President is required to make a Declaration

Statutory Environment

Local Government Act 1995

2.15. Filling the office of deputy mayor or deputy president

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

[Section 2.15 amended by No. 49 of 2004 s. 18.]

Schedule 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. Terms used in this Division

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 in accordance with the procedure prescribed 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 before the meeting or during the meeting before the close of nominations.
 - (3a) Nominations close at the meeting at a time announced by the person conducting the election, which is to be a 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 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.
 - (7) As soon as is practicable after the result of the election is known, the person conducting the election is to declare and give notice of the result in accordance with regulations, if any.

[Clause 8 amended by No. 64 of 1998 s. 54(2)-(4); No. 49 of 2004 s. 69(6)-(9).]

9. Votes may be cast a second time
- (1) If, when the votes cast under clause 8(5) are counted, there is an equality of votes between 2 or more candidates who are the only candidates in, or remaining in, the count, the count is to be discontinued and, not more than 7 days later, a special meeting of the council is to be held.
 - (2) Any nomination for the office may be withdrawn, and further nominations may be made, before or when the special meeting is held.
 - (3) When the special meeting is held the council members are to vote again on the matter by secret ballot as if they were voting at an election.
 - (4) The votes cast under subclause (3) are to be counted, and the successful candidate determined, under Schedule 4.1 as if those votes were votes cast at an election.

OFFICER RECOMMENDATION – ITEM 2.1.1
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The Chief Executive Officer advised that the following nominations had been received for the position of Shire Deputy President:

- **Cr Dennis Veitch nominated by Cr Dennis Veitch.**

With no further nominations received, Cr D Veitch was declared elected unopposed to the position of Shire Deputy President.

Cr Veitch took the oath of office in the presence of Mr Stan Sherry JP.

2.1.2 Allotment of Councillors Seats

File Ref. No: ADM 0081
Author: Gary Sherry
Disclosure of Interest: Nil
Date: 10th October 2009
Attachment: Nil

Summary

It is recommended that Council complete a reorganisation of seating at the Council table.

Comment

Council's Standing Orders Local Law requires that the Chief Executive Officer allocate a position at the Council table at the first ordinary meeting after an election.

It is suggested that this Special Meeting, the first meeting after the election would be a more appropriate meeting to complete this task.

The Shire President will sit at the head of the Council and Council has established a precedent where the Deputy President sits at the nearest seat to the right of the President.

Statutory Environment

Shire of Boddington -Standing Orders Local Law

9.2 Members to Occupy Own Seats

At the first ordinary meeting attended by a member after election , the Chief Executive Officer shall allot a position at the Council table to each member and the member shall, until such time as there is a call by an absolute majority of members for a re-allotment of positions, occupy that position when present meetings of Council.

OFFICER RECOMMENDATION – ITEM 2.1.2

Council Resolution 197/09 Moved Cr Hoek

That the matter be raised from the table.

Seconded Cr Hardie Carried 7/0

The Chief Executive Officer allotted seats in the order of Cr Day, Cr Hardie, Cr Hoek, Cr Patten and Cr Allert.

3 ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

Cr P Carrotts
Cr D Veitch
Cr S Patten
Cr A Hardie
Cr J Allert
Cr G Day
Cr E Hoek

President
Deputy President

Mr G Sherry
Mrs C Martin

Chief Executive Officer
Director Corporate Services

Mr S Sherry

Justice of the Peace

4 DISCLOSURE OF FINANCIAL INTEREST:

Nil

5 PUBLIC QUESTION TIME:

Nil

**6 PETITIONS/ DEPUTATIONS/ PRESENTATIONS/
SUBMISSIONS:**

Nil

7 CONFIRMATION OF MINUTES:

Nil

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT
DISCUSSION:**

Nil

9 REPORTS OF OFFICERS AND COMMITTEES:

9.1 PLANNING CONSULTANT:

Nil

9.2 SPECIAL PROJECTS MANAGER:

Nil

**9.3 PRINCIPAL ENVIRONMENTAL HEALTH OFFICER
/BUILDING SURVEYOR:**

Nil

9.4 COMMUNITY DEVELOPMENT OFFICER

Nil

9.5 DIRECTOR OF CORPORATE SERVICES:

Nil

9.6 CHIEF EXECUTIVE OFFICER:

Nil

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

Nil

**11 URGENT BUSINESS WITHOUT NOTICE (WITH THE
APPROVAL OF THE PRESIDENT OR MEETING):**

Nil

12 CONFIDENTIAL ITEMS:

Nil

13 CLOSURE OF MEETING:

With no further business to discuss the Shire President, Cr Carrotts, closed the Special Meeting at 8.20pm.

These minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held on Tuesday 3 November 2009

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P. R. Carrotts

President