City of
Bayswater

Agenda

Special Council Meeting

Monday 20 October 2025

Notice of Meeting

The next Special Council Meeting will take place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on ***Monday 20 October 2025*** commencing at ***7:00 pm.***

The Swearing-In Ceremony for the new Councillors will take place prior to the Special Council Meeting, at 6:45pm.

Yours sincerely

JEREMY EDWARDS
CHIEF EXECUTIVE OFFICER

14 October 2025

Meeting Procedures

1. All Council meetings are open to the public, except for matters dealt with under 'Confidential Items'.
2. Members of the public who are unfamiliar with meeting proceedings are invited to seek advice prior to the meeting from a City Staff Member.
3. Members of the public may ask a question during 'Public Question Time'. At a Special Council Meeting, public questions must relate to the purpose of the meeting.
4. Meeting procedures are in accordance with the City's *Standing Orders Local Law 2021*.
5. To facilitate smooth running of the meeting, silence is to be observed in the public gallery at all times, except for 'Public Question Time'.
6. Persons are not permitted to record (visual or audio) at the Council meeting without prior approval of the Council.
7. Council meetings will be livestreamed in accordance with the resolution of 24 August 2021. Images and voices may be captured and streamed. If you have any issues or concerns regarding the live streaming and recording of meetings, please contact the City's Governance team.
8. In the event of an emergency, please follow the instructions of City of Bayswater Staff.

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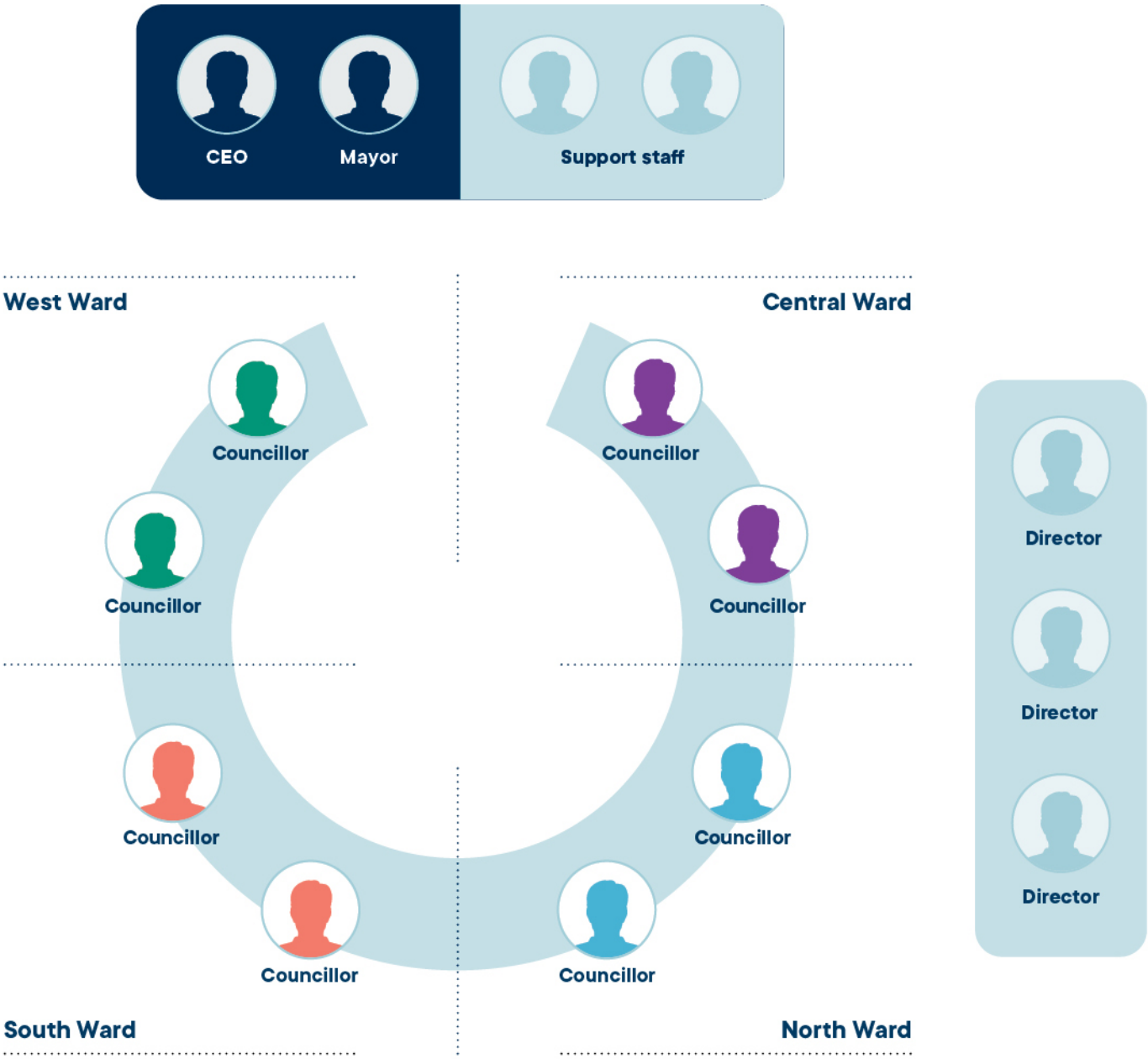
City of
Bayswater

Council Chambers Seating Plan



Nature of Council's Role in Decision Making

Advocacy:	When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
Executive/Strategic:	The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
Legislative:	Includes adopting local law, town planning schemes and policies.
Review:	When Council reviews decisions made by officers
Quasi-Judicial:	When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

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WELCOME TO COUNTRY

A Welcome to Country will be given by Mr Vaughn Joshua Maguire, commencing at **6:45pm**.

SWEARING-IN CEREMONY

A swearing-in ceremony will be held prior to commencement of the Special Council Meeting.

The newly elected Councillors will be asked to make a declaration of office, in the prescribed form, as required under section 2.29 of the *Local Government Act 1995 (WA).*

The declaration will be made by the Councillors-Elect prior to the commencement of the Special Council meeting.

The swearing-in ceremony will be officiated by Honorary Freeman of the City, Mr Barry McKenna.[1] Mr McKenna is a former Councillor and Mayor of the City of Bayswater and recipient of the Meritorious Service Award in 2003 for outstanding service to local government.

SEAT ALLOCATION

Councillors will be allocated seats by the Chief Executive Officer, in accordance with clause 8.1 of the *City of Bayswater Standing Orders Local Law 2021*:

*"**8.1 Members to be in their proper places***

(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 and at each Committee meeting open to the public."

1 OFFICIAL OPENING

The Presiding Member will officially open the meeting.

2 ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member will deliver the Acknowledgement of Country.

<u>*Noongar Language*</u>

Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.

<u>*English Language Interpretation*</u>

We acknowledge the Traditional Custodians of the Land, the Whadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.

3 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

The Mayor will make an address to the Council.

[1] Mr McKenna is an authorised witness for statutory declarations under Schedule 2 of the *Oaths, Affidavits and Statutory Declarations Act 2005*.

4 ATTENDANCE

4.1 Apologies

4.2 Approved Leave of Absence

Nil.

4.3 Applications for Leave of Absence

5 DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

(a) in a written notice given to the CEO before the meeting; or
(b) at the meeting immediately before the matter is discussed.

6 PUBLIC QUESTION TIME

In accordance with the *Local Government Act 1995*, the *Local Government (Administration) Regulations 1996* and the *City of Bayswater Standing Orders Local Law 2021* the following procedures relate to public question time:

1. **At a Special Council Meeting, public questions must relate to the purpose of the meeting.**
2. A member of the public who raises a question during question time, is to state his or her name and address.
3. Each member of the public with a question is entitled to ask up to 3 questions before other members of the public are invited to ask their questions. If there is sufficient time, the Presiding Member may allow additional questions if there are no more questions from other members of the public.
4. The minimum time to be allocated for public question time is 15 minutes.
5. Questions from the public must relate to a matter affecting the local government.
6. A summary of each question raised by members of the public at the meeting and a summary of the response to the question will be included in the minutes of the meeting.
7. Where a question is taken on notice at the meeting, a summary of the response to the question will be included in the agenda for the following meeting.

6.1 Public Question Time

The Presiding Member will invite members of the public gallery to ask questions relating to items on the agenda.

7 ELECTION OF DEPUTY MAYOR

Background

Following an Ordinary Election, the Council is to elect a Councillor to fill the office of Deputy Mayor.

The Office of Deputy Mayor is to be filled as the first matter dealt with at the first meeting of the Council after an ordinary election day (Schedule 2.3, Division 2 of the *Local Government Act 1995* (the Act) refers).

The role of the Deputy Mayor is to perform the functions of the Mayor if the role of the Mayor is vacant or the Mayor is not available or is unable or unwilling to perform the functions of the Mayor (Section 5.34 of the Act refers).

The term of the Deputy Mayor is for a two-year period, which will conclude at the close of the next Ordinary Election day, in 2027.

How the Deputy Mayor is Elected

The election of the Deputy Mayor will be conducted by the Chief Executive Officer (CEO) in accordance with Clauses 8 and 9 of Schedule 2.3 of the Act.

The key steps are as follows:

Returning Officer

- The Chief Executive Officer will be the Returning Officer and conduct the election.

Nominations

- Nominations for the role of Deputy Mayor are to be made using a nomination form which has been circulated to all Elected Members.
- Councillors may nominate themselves or any other Councillor for the role of Deputy Mayor.
- Nominations should be provided to the Chief Executive Officer in writing before the meeting or during the meeting before the close of nominations.
- If a Councillor is nominated by another Elected Member, the Chief Executive Officer is not to accept the nomination unless the nominee has advised either verbally or in writing that they are willing to accept the nomination is for the role of Deputy Mayor.
- At the Special Council Meeting, the Chief Executive Officer, as the Returning Officer, will make a final call for nominations before closing nominations.

Address

- Nominees will be invited by the Presiding Member to address the Council for up to three minutes.

Voting

- If there is more than one nominee, then Elected Members will vote by secret ballot, as if they were “electors voting in an election”.
- Ballot papers, in the prescribed form, will be provided to Elected Members at the meeting.
- The method of Optional Preferential Voting will apply.
- Elected Members will be asked to indicate their vote as follows:

(a) If there are only two candidates, Elected Members will be asked to write a number 1 in the square next to the name of the candidate they wish to vote for.

(b) If there are more than two candidates, Elected Members may write a number 1 in the square of the candidate who is their first choice. If they want to, Elected Members may show more choices by writing consecutive numbers in the squares next to the names of other candidates in the order of their choice, starting with the number 2, up to the total number of candidates.

Result

- The votes cast will be counted and the successful candidate determined in accordance with Schedule 4.1 of the Act.
- As soon as the result of the election of Deputy Mayor is known, the Chief Executive Officer will declare and provide notice in accordance with the Regulations.

Tied result

- If, when the votes cast are counted, there are an equal number of votes between 2 of more candidates, who are the only candidates in, or remaining in, the count, the count is to be discontinued.
- Should this situation arise, the meeting will be adjourned, and the Special Council Meeting is to be resumed not more than 7 days later.
- Before adjourning the meeting, the Presiding Member will ask the Council members if they wish to resume the Special Council Meeting on the same night following a short break, or if they wish to resume the Special Council Meeting on another night prior to the expiry of the 7-day period.
- All nominations for the Deputy Mayor role may be withdrawn and further nominations made before, or when the Special Council Meeting resumes.
- When the Special Council Meeting resumes, the Council Members are to vote again for the role of Deputy Mayor, by secret ballot, as if they were voting in an election.
- The candidate who receives the greater number of votes is elected.
- If there is still an equal number of votes between nominees following a second count, the Chief Executive Officer will draw lots to determine the candidate to be elected to the role of Deputy Mayor in accordance with Regulation 75E and 75M.

Swearing-In of Deputy Mayor

Following the election of the Deputy Mayor, the Councillor elected will be asked to make a declaration of office, in the prescribed form, before acting in the office (section 2.29 of the Act refers).

The swearing-in ceremony will be officiated by Honorary Freeman of the City, Mr Barry McKenna.[2]

8 CLOSURE

[2] Mr McKenna is an authorised witness for statutory declarations under Schedule 2 of the *Oaths, Affidavits and Statutory Declarations Act 2005*.