

## SPECIAL COUNCIL MINUTES

Minutes of a Special Meeting of the Bunbury City Council held in the Council Chambers, City of Bunbury Administration Building, 2-4 Stephen Street, Bunbury on Monday, 22 October 2007.

### MINUTES 22 October 2007

#### Preamble

At the conclusion of Local Government Elections held on Saturday, 20 October 2007, the following eight (8) councillors were declared elected by the Returning Officer:

*4-year Term (expiring Oct. 2011)*

Councillor L Worthington  
Councillor B Kelly  
Councillor W Major (re-elected)  
Councillor H Punch  
Councillor N Whittle  
Councillor R Slater

*2-year Term (expiring Oct 2009)*

Councillor M Steck  
Councillor A Leigh (re-elected)

These elected councillors join existing members (Mayor D Smith, Cr J Jones, Cr T Dillon, Cr Craddock and Cr S Rooney) to form the new Council for the 2007-2009 term.

#### SWEARING-IN CEREMONY / SEATING ARRANGEMENTS

*The Mayor presided at the swearing-in of the following elected members:*

*Councillor Lorna Worthington  
Councillor Brendan Kelly  
Councillor Wayne Major (re-elected)  
Councillor Helen Punch  
Councillor Noel Whittle  
Councillor Ross Slater  
Councillor Michelle Steck  
Councillor Alfred Leigh (re-elected)*

*In accordance with the Council's Standing Order No. 11.2 the Chief Executive Officer conducted a draw to determine seating arrangements in the meeting room. Once the newly elected members had been formally appointed as members of the Council and assigned their seats, the Special Council Meeting commenced.*

**1. DECLARATION OF OPENING BY THE MAYOR**

The Mayor declared the meeting open at 6.52pm and welcomed the friends and family of newly elected members seated in the public gallery.

**2. RECORD OF ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE**

*PRESENT*

<b>Council Members</b>	
Presiding Member:	His Worship the Mayor, Mr D Smith
Deputy Presiding Member ( <i>appointed to this position per item 4.1 of these minutes</i> ):	Deputy Mayor, Councillor S Craddock
Members:	Councillor J Jones
	Councillor T Dillon
	Councillor S Rooney
	Councillor L Worthington
	Councillor B Kelly
	Councillor W Major
	Councillor H Punch
	Councillor N Whittle
	Councillor R Slater
	Councillor M Steck
Councillor A Leigh	
<b>Executive Management Team (Non-Voting)</b>	
Chief Executive Officer:	Mr G Trevaskis
Executive Manager Corporate Services:	Mr K Weary
Executive Manager City Services:	Mr M Scott
Executive Manager City Development:	Mr G Klem
Executive Manager City Life:	Mr D Marzano
<b>Council Officers (Non-Voting):</b>	
Administration Officer Corporate Services:	Ms D Ryan
<b>Others (Non-Voting):</b>	
Members of the Public:	25 (approx.)
Members of the Press:	Nil

*APOLOGIES:*

Nil.

**3. DISCLOSURES OF INTEREST**

Nil.

**4. BUSINESS OF THE MEETING**

**4.1 ELECTION OF THE DEPUTY MAYOR**

<b>File Ref:</b>	A00106-44
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Greg Trevaskis, Chief Executive Officer
<b>Executive:</b>	Greg Trevaskis, Chief Executive Officer

The Mayor announced that Schedule 2.3 Division 2(7) of the Local Government Act 1995, requires appointment of the Deputy Mayor at the first meeting of the council after an election day.

In order to give new councillors the opportunity to speak with candidates before the position of Deputy Mayor is voted on, Cr Rooney moved, Cr Kelly seconded the following motion:

- "1. Nominations for candidates for the position of Deputy Mayor be collected by the Chief Executive Officer and announced at tonight's meeting.*
- 2. The ballot for election of the Deputy Mayor be postponed until the next meeting of Council."*

During discussion of the motion:

- Cr Dillon foreshadowed that he would be moving for appointment of the Deputy Mayor at tonight's meeting in order that the Mayor is provided with an experienced councillor in the supporting role as soon as possible.
- The CEO indicated that should Council decide to defer the election of the Deputy Mayor, the election will need to be held within seven (7) days and a Special Council Meeting could be held on 30 October 2007.

The Mayor put the motion to the vote and it was defeated 5 votes "for" to 8 votes "against".

The Mayor asked members to fill in the nomination forms that had been provided. The nominations were collected by the CEO and the following candidates announced:

Cr Stephen Craddock  
Cr Wayne Major

Both candidates accepted their nomination.

The names were inserted onto the ballot paper and (while copies of the ballot paper were being made and distributed to members) both candidates briefly addressed the members of the Council in support of their nomination.

The Chief Executive Officer acted in the position of Returning Officer for a ballot to determine the position of Deputy Mayor as required under the Local Government Act 1995. He indicated that the ballot will be conducted by the preferential system of counting.

Councillor Stephen Craddock was declared elected to the position of Deputy Mayor for a two year term expiring as at Local Government Election Day in October 2009.
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Cr Craddock thanked the members of Council for their support. He then read aloud (and signed) the Declaration for the Office of Deputy Mayor.

The Mayor took this opportunity to thank the retiring Deputy Mayor (Cr Judy Jones) for her many years of service in the role. The Mayor indicated that Cr Jones had ably fulfilled the duties of Deputy Mayor while maintaining her interest in the Bunbury community as a whole particularly the needs of the elderly and disabled.

Cr Jones received a standing ovation from the members of the Council, staff and public present.

#### **4.2 RE-ESTABLISHMENT OF THE COUNCIL (STANDING) COMMITTEE AND APPOINTMENT OF MEMBERS**

<b>File Ref:</b>	A00106-44
<b>Applicant/Proponent:</b>	Internal Report
<b>Author:</b>	Greg Trevaskis, Chief Executive Officer
<b>Executive:</b>	Greg Trevaskis, Chief Executive Officer

The Mayor and councillors meet as a 'committee' on Tuesday evenings (at 6.00pm) in accordance with the Schedule of Meetings **attached** at Appendix 1. The schedule was adopted by Council at its meeting held 28 August 2007.

Members of the Council (Standing) Committee discuss reports submitted by local government officers and make recommendations to the next meeting of the Council.

The committee has the following terms of reference:

- The activities of the committee and the conduct of its meetings are to abide by provisions set out in the Local Government Act 1995 and associated regulations; and the City's Standing Orders Local Law.
- The committee may reject, amend or replace recommendations submitted to it by the City's Executive or request additional details from applicants and the City's Executive necessary to ensure that the members of the subsequent Council Meeting (at which a decision on the subject is to be made) have sufficient information to make an informed decision.
- When rejecting an officer's recommendation or when making a Committee Recommendation to the Council, members of the Council (Standing) Committee are to ensure that the recommendation would not effectively cause the Council to act in a manner that contravenes State or local legislation and should ensure the recommendation complies with the Council's own policies, the City's Strategic Plan and Plan of Principal Activities.

Pursuant to Section 5.12 of the Local Government Act, the members of the Council (Standing) Committee elect a Presiding Member and Deputy Presiding Member as the first item of business at the committee's first meeting.

### **Recommendation**

1. Council re-establish the Council (Standing) Committee with terms of reference as stipulated in the report.
2. His Worship the Mayor and all Elected Members of the Bunbury City Council be appointed as members of the Council (Standing) Committee.
3. The Chief Executive Officer be appointed as Executive Officer of the Council (Standing) Committee.

### **AT THE COUNCIL MEETING**

The recommendation was moved Cr Leigh, seconded Cr Major.

The Mayor put the motion to the vote and it was adopted to become the Council's decision, as follows:

**COUNCIL DECISION 215/07**

1. *Council re-establish the Council (Standing) Committee with terms of reference as stipulated in the report.*
2. *His Worship the Mayor and all Elected Members of the Bunbury City Council be appointed as members of the Council (Standing) Committee.*
3. *The Chief Executive Officer be appointed as Executive Officer of the Council (Standing) Committee.*

**CARRIED**

**13 Votes "For" / Nil Votes "Against"**  
**Absolute Majority Vote Attained**

**5. CLOSE OF THE MEETING**

The Mayor declared the meeting closed at 7.25pm.

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CONFIRMED this day 6 November 2007 to be a true and correct record of proceedings of the Special Council Meeting held 22 October 2007.

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**DAVID SMITH**  
**MAYOR**