

## Bunbury City Council

### Meeting Minutes 20 October 2009

Minutes of a special meeting to elect a Deputy Mayor and re-appoint the Council (Standing) Committee

**This special meeting was advertised for public information, as follows:**

- South Western Times (Thursday, 15 October 2009)
- Bunbury Mail (Wednesday, 14 October 2009)
- Notices posted on notice boards in the City's Customer Service Centre, libraries and internet website.



**City of Bunbury**  
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Western Australia

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## Bunbury City Council Special Meeting

Minutes of a special meeting of the Bunbury City Council held in the Council Chambers, City of Bunbury Administration Building, 4 Stephen Street, Bunbury on **Tuesday, 20 October 2009**.

### Minutes

20 October 2009

*NOTE: Swearing-in Ceremony and Councillor Seating Arrangements*

*Prior to the meeting, the Chief Executive Officer presided at the swearing-in of His Worship the Mayor, Mr David Smith (re-elected) and newly elected councillors: Cr Jones (re-elected), Cr Craddock (re-elected), Cr Leigh (re-elected), Cr Steck (re-elected), Cr Spencer (re-elected) and Cr Steele (new).*

*Following the swearing-in ceremony, a draw to determine seating arrangements in the Council Meeting room was conducted pursuant to Standing Order 11.2.*

#### 1. Declaration of Opening by the Mayor

The Mayor declared the meeting open at 6.08pm.

#### 2. Record of Attendance, Apologies and Leave of Absence

*PRESENT*

Council Committee Members	
Presiding Member:	His Worship the Mayor, Mr D Smith
Deputy Presiding Member:	Deputy Mayor, Councillor B Kelly
Members:	Councillor J Jones
	Councillor W Major
	Councillor S Craddock
	Councillor H Punch
	Councillor N Whittle
	Councillor R Slater
	Councillor M Steck
	Councillor A Leigh
	Councillor J Harrop
	Councillor D Spencer
Councillor K Steele	

*PRESENT (continued)*

<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 Life:	Mr D Marzano
<b>Council Officers (Non-Voting):</b>	
Manager - Bunbury Visitor Centre:	Ms F Anderson
Senior Administration Officer:	Mr J Dyson
Admin. Officer Corporate Services:	Ms D Ryan
<b>Others (Non-Voting):</b>	
Members of the Public:	18 (approx.)
Members of the Press:	1

*APOLOGIES:*

Nil

### **3. Disclosures of Interest - Local Government Act 1995**

Nil.

### **4. Business of the Meeting**

#### **4.1 Re-appoint Council (Standing) Committee and Appoint Committee Members**

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

#### **Proposal**

The Mayor and councillors traditionally meet as a 'committee' on the Tuesday evening during the week preceding a Council Meeting. The meetings start at 6.00pm. A meal is provided at 5.15pm on a meeting night.

A copy of the Schedule of Council and Council (Standing) Committee Meetings for the remainder of 2009 is **attached** at Appendix 1.

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

The committee's terms of reference to date have been as follows:

1. To review reports and recommendations submitted for consideration by the Council and (where appropriate) make alternative recommendations to those recommendations listed in the reports.<sup>1</sup>
2. To request additional information necessary to assist members of the Council in making decisions.
3. To ensure recommendations made to the Council do not contravene appropriate legislation or the Council's own policies, local laws and strategic plans.
4. The activities of the committee and the conduct of its meetings are to abide by provisions set out in:
  - 4.1 The Local Government Act 1995 (and associated regulations)
  - 4.2 The City of Bunbury Standing Orders Local Law.

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

#### **Recommendation**

1. Council re-appoints the Council (Standing) Committee with the following terms of reference:
  - "1. *To review reports and recommendations submitted for consideration by the Council and (where appropriate) make alternative recommendations to those recommendations listed in the reports.*
  2. *To request additional information necessary to assist members of the Council in making decisions.*
  3. *To ensure recommendations made to the Council do not contravene appropriate legislation or the Council's own policies, local laws and strategic plans.*
  4. *The activities of the committee and the conduct of its meetings are to abide by provisions set out in:*
    - 4.1 *The Local Government Act 1995 (and associated regulations)*
    - 4.2 *The City of Bunbury Standing Orders Local Law."*
2. His Worship the Mayor and all Elected Members of the Bunbury City Council to be appointed as members of the Council (Standing) Committee.

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<sup>1</sup> It should be noted that while the committee may reject, amend or replace recommendations submitted to it by the City's Executive Management, any alternative recommendation made by the committee must not (if subsequently adopted by the Council) effectively cause the Council to act in a manner that contravenes State or local legislation.

3. The Chief Executive Officer to be appointed as Executive Officer of the Council (Standing) Committee.
4. Pursuant to Section 5.12 of the Local Government Act, the members of the Council (Standing) Committee are to elect a Presiding Member and Deputy Presiding Member as the first item of business at the committee's first meeting.

### **Outcome - Council Meeting**

The recommendation was moved Cr Jones, seconded Cr Slater. The Mayor put the motion to the vote and it was adopted to become a Council Decision.

#### **Council Decision 197/09**

1. *Council re-appoints the Council (Standing) Committee with the following terms of reference:*
  - "1. *To review reports and recommendations submitted for consideration by the Council and (where appropriate) make alternative recommendations to those recommendations listed in the reports.*
  2. *To request additional information necessary to assist members of the Council in making decisions.*
  3. *To ensure recommendations made to the Council do not contravene appropriate legislation or the Council's own policies, local laws and strategic plans.*
  4. *The activities of the committee and the conduct of its meetings are to abide by provisions set out in:*
    - 4.1 *The Local Government Act 1995 (and associated regulations)*
    - 4.2 *The City of Bunbury Standing Orders Local Law."*
2. *His Worship the Mayor and all Elected Members of the Bunbury City Council to be appointed as members of the Council (Standing) Committee.*
3. *The Chief Executive Officer to be appointed as Executive Officer of the Council (Standing) Committee.*
4. *Pursuant to Section 5.12 of the Local Government Act, the members of the Council (Standing) Committee are to elect a Presiding Member and Deputy Presiding Member as the first item of business at the committee's first meeting.*

#### **CARRIED**

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

## 4.2 Election of the Deputy Mayor

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

Under Schedule 2.3 Division 2(7) of the Local Government Act 1995, the Council is required to appoint a Deputy Mayor at its first meeting following an election day.

Accordingly, the Mayor will call for members to nominate candidates at the meeting.

Should more than one (1) candidate be nominated, members will be requested to complete ballot papers which will be prepared and distributed by the Chief Executive Officer at the meeting.

While the ballot papers are being prepared, each candidate will be asked to briefly address the Council in support of their nomination.

The Chief Executive Officer will act in the position of Returning Officer to conduct the ballot as required under the Local Government Act. The ballot will be conducted pursuant to the provisions of Schedule 4.1(3) of the Local Government Act 1995 (i.e., 'first past the post').

The winner will be declared elected to the position of Deputy Mayor for a two-year term and will be required to read (and sign) a form titled "*Declaration for the Office of Deputy Mayor*".

### **Outcome - Council Meeting**

Councillors Craddock and Kelly were nominated for the position of Deputy Mayor. Both accepted their nomination.

As there was more than one candidate, a ballot was required. During preparation of the ballot papers, candidates were invited to give a brief speech:

- Cr Kelly encouraged members to vote for him as Deputy Mayor due to his demonstrated work ethic, willingness to serve the Bunbury community, his experience as a public servant, range of professional skills and his knowledge of public administration. He indicated that he has pre-arranged with his employer (Department of Water) that should he be elected as the Deputy Mayor, he will be permitted to work part-time in order to fully meet the commitments of the position.
- Cr Spencer advised that he had nominated Cr Craddock to continue in the position of Deputy Mayor as Cr Craddock has proven himself worthy of the position due to his availability, accessibility and positive approach. Cr Spencer stated that Cr Craddock is always thinking ahead and listed a number of projects initiated by him during his previous term as a Deputy Mayor including the flagpole on the foreshore, 'Christmas in the CBD' (an annual program to attract visitors and shoppers to the CBD), the Spencer

Street Underground Power Project and feasibility studies for a museum and improvements to the Bunbury Regional Art Galleries.

At the conclusion of the speeches, elected members were requested to complete their ballot paper and hand it to the Chief Executive Officer for the count.

The Chief Executive Officer declared the results of the vote, as follows:

Cr Kelly: 7 votes

Cr Craddock: 6 votes

Cr Kelly was declared the Deputy Mayor and asked to read aloud (and sign) the *"Declaration for the Office of Deputy Mayor"*.

The Mayor took this opportunity to formally congratulate Cr Kelly on his election to the position of Deputy Mayor.

The Mayor also thanked Cr Craddock for his efforts, demonstrated commitment and for providing 'sound advice' on many occasions during his prior term in the position of Deputy Mayor.

## **5. Close of Meeting**

The Mayor declared the meeting closed at 6.35pm.





# CITY OF BUNBURY 2009 Meeting Schedule

SCHOOL HOLIDAYS   
COUNCIL RECESS 

PUBLIC HOLIDAYS   
COUNCIL BRIEFINGS 

COUNCIL COMMITTEE 

COUNCIL MEETING 

(Please Note: Council Briefings are held behind closed doors with no public attendance)

MEETINGS START: 6:00 pm

MEETING VENUE:

The Council Chambers  
4 Stephen Street Bunbury

AGENDAS: Download from the City's  
Internet Homepage on:

<http://www.bunbury.wa.gov.au>

OR;

Obtain a hard copy at the meeting

RECESS PERIODS:

No Ordinary Council or Committee  
Meetings will be held over the  
following periods of recess:

- 1st — 24th January 2009 (inclusive)
- 19th April — 2nd May 2009 (inclusive)
- 28th June — 11th July 2009 (inclusive)
- 4th October — 17th October 2009  
(Inclusive)
- 20th December — January 2010  
(inclusive)

For more information, visit the City's

website at

<http://www.bunbury.wa.gov.au>  
or telephone: 9792 7234

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