



— City of —
Melville

AGENDA

FOR THE

SPECIAL MEETING OF THE COUNCIL

TO BE HELD ON

MONDAY 19 OCTOBER 2009

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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CONTENTS PAGE

BUSINESS

Declaration of Office Ceremony for new council members

C09/5093 – ELECTION OF DEPUTY MAYOR 2009/2011 1

C09/5094 – APPOINTMENT OF COMMITTEES 2009/2011 2

C09/5095 – APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING
MEMBER OF COMMITTEES 5

C09/5015 DATE OF COUNCIL AND COMMITTEE MEETINGS 2009/2010 6



— City of —
Melville

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NOTICE OF MEETING

I respectfully bring to the attention of Elected Members that a Special Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon commencing at **6.30pm** on Monday, 19 October 2009. As a result of the Council Elections held on Saturday 17 October 2009 a Declaration of Office Ceremony for the newly Elected Members of Council will take place prior to the commencement of the Special Meeting of Council.

PURPOSE OF MEETING

- Declaration of Office Ceremony for New Council Members
- Election of Deputy Mayor 2009/2011
- Appointment of Committees 2009/2011
- Dates of Council and Committee Meetings 2009/2010

The meeting will be followed by a meal for all Elected Members and their partners.

The business paper for the Meeting is scheduled below and your attendance is requested.

MR MARTEN TIELEMAN
A/CHIEF EXECUTIVE OFFICER

AS A RESULT OF THE COUNCIL ELECTIONS HELD ON SATURDAY 19 OCTOBER 2009 A DECLARATION OF OFFICE CEREMONY FOR THE NEWLY ELECTED MEMBERS OF COUNCIL WILL TAKE PLACE PRIOR TO THE COMMENCEMENT OF THE SPECIAL MEETING OF COUNCIL.

AGENDA

1. PRESENT

2. IN ATTENDANCE

3. DECLARATION OF OFFICE CEREMONY FOR NEW COUNCIL MEMBERS

Prior to the conduct of the Meeting, the Declaration of Office Ceremony for new Council Members will take place,

COUNCIL PRAYER

Following the Declaration of Office Ceremony the immediate past Deputy Mayor be invited to read the Prayer for the City of Melville.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

5. PUBLIC QUESTION TIME

6. DISCLOSURES OF INTEREST

7. APPLICATIONS FOR NEW LEAVES OF ABSENCE

8. BUSINESS

DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

Members' interests in matters to be discussed at meetings to be disclosed

S.5.65 (1) 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 Chief Executive Officer before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

Meeting to be informed of disclosures

S.5.66 If a member has disclosed an interest in a written notice given to the Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

Disclosing members not to participate in meetings

S.5.67 A member who makes a disclosure under Section 5.65 must not -

- (a) preside at the part of the meeting relating to the matter; or
- (b) participate in, or be present during, any discussion or decision making procedure relating to the matter,

unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

Please refer to your Handbook for definitions of interests and other detail.

C09/5093 – ELECTION OF DEPUTY MAYOR 2009/2011

Acknowledging that the provisions of the Local Government Act 1995 allow the person elected to occupy the position for a period of twenty-four (24) months, City of Melville Elected Members have previously indicated their desire to elect the Deputy Mayor for a period of only twelve (12) months, candidates are asked to declare that they will stand down from the position and allow another ballot to be conducted in October 2010. This decision regarding the term of the Deputy Mayor can be amended by the majority of Elected Members.

The Mayor will invite nominations for the Office of Deputy Mayor for the 2009/2011 period. Nominations **MUST** be in writing (form provided) and Nominees **MUST** advise the Mayor if they are willing to be nominated.

The Chief Executive Officer will assist the Mayor in conduct of the Election in accordance with the provisions of the Local Government Act 1995.

Nominations for the position of Deputy Mayor to be directed to the Chief Executive Officer prior to the meeting in writing.

Following the conduct of the secret ballot, the Mayor will declare the position of Deputy Mayor expiring in October 2011.

DECLARATION

The Chief Executive Officer will request the newly elected Deputy Mayor to make the **DECLARATION OF OFFICE**, in accordance with Section 2.29 of the Local Government Act 1995, which will be duly signed by the Deputy Mayor and the Mayor.

C09/5094 - APPOINTMENT OF COMMITTEES 2009/2011 (AMREC) (ATTACHMENT)

Membership of Committees

Legislative requirements for the appointment of committee members are dealt with in Section 5.10 of the Local Government Act 1995. Section 5.10 states as follows:-

(1) A committee is to have as its members - (a) persons appointed by the local government to be members of the committee (other than those referred to in paragraph (b)); and (b) persons who are appointed to be members of the committee under subsection (4) or (5).*

*** Absolute majority required.**

(2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides. (Note section 5.9(2) states that a committee is to comprise - (a) council members only; or (b) council members and employees;...)

(3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

Note:- In accordance with Section 5.10(4) of the Local Government Act 1995, the Mayor may, where a Committee has a Councillor as a Member, give notice of intention to be a member of that Committee. In such circumstances, the local government is to appoint the Mayor to be a member of that Committee.

As the City is divided up into 6 wards, membership of Committees is usually evenly distributed across the wards so that each ward receives equal representation on the Committees.

C09/5094 - APPOINTMENT OF COMMITTEES 2009/2011 (AMREC) (ATTACHMENT)

RECOMMENDATION

ABSOLUTE MAJORITY

That the committees for the 2009/2011 period consist of 6 members comprising of equal representation from each of the wards, where practicable, plus the Mayor, for the:-

Governance Committee and the

Financial Management, Audit, Risk & Compliance Committee

With Deputies appointed to cover periods of absence by individual members.

GOVERNANCE COMMITTEE

Details of the functions of the Governance Committee can be found in the following document:-
[5013A October 2009](#)

RECOMMENDATION

ABSOLUTE MAJORITY

That by absolute majority decision of the council the following elected members and their deputies be appointed to the Governance Committee from October 2009 to October 2011.

Member	Deputy	Ward
		Section 5.10(4) Mayoral Position
		Applecross/Mount Pleasant
		Bicton/Attadale
		Bull Creek/Leeming
		City
		Melville/Palmyra/Willage
		University

FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE COMMITTEE

Details of the functions of the Financial Management, Audit, Risk and Compliance Committee can be found in the following document
[5013B October 2009](#)

It should be noted that in addition to the Elected Members the membership of this Committee includes one external member appointed by the Council. Mr Richard Woodgate is the current member his term of appointment will expire on 31 December 2010.

**C09/5094 - APPOINTMENT OF COMMITTEES 2009/2011 (AMREC) (ATTACHMENT)
(ATTACHMENT)**

RECOMMENDATION

ABSOLUTE MAJORITY

That by absolute majority decision of the Council the following Elected Members and their Deputies be appointed to the Financial Management, Audit, Risk and Compliance Committee from October 2009 to October 2011.

Member	Deputy	Ward
		Section 5.10(4) Mayoral Position
		Applecross/Mount Pleasant
		Bicton/Attadale
		Bull Creek/Leeming
		City
		Melville/Palmyra/Willage
		University

**C09/5095 - APPOINTMENT OF PRESIDING MEMBER AND DEPUTY PRESIDING
MEMBER OF COMMITTEES (REC)**

Elected Members have previously indicated their desire to elected the Presiding Member and Deputy Presiding Member for a period of only twelve (12) months, acknowledging that the provisions of the Local Government Act allow the person elected to occupy the position for a period of twenty-four (24) months, candidates are asked to declare that they will stand down from the position and allow another ballot to be conducted in September/October 2010. (if appropriate).

RECOMMENDATION

ABSOLUTE MAJORITY

The Election of Presiding Member and Deputy Presiding Member of the Governance Committee and Financial Management, Audit, Risk and Compliance Committee will be conducted as the first item of business at the next meeting of each Committee.

C09/5015 DATE OF COUNCIL AND COMMITTEE MEETINGS 2009/2010 (REC)

The suggested timetable for the 2009/2010 period (from October 2009 to October 2010) for the Council and Committee Meetings (subject to any subsequent amendment) is as follows -

Ordinary Meetings of Council

Third Tuesday of each month at 6.30pm with the exception of January.

The Ordinary Meeting of Council in November 2009 will include nominations for representatives on various occasional, Advisory, Local Government Community Committees.

Agenda Briefing Forum

First Tuesday of each month at 6.30pm with the exception of January.

Financial Management, Audit, Risk & Compliance Committee

Dates and frequency to be decided.

Governance Committee

Dates and frequency to be decided.

RECOMMENDATION

APPROVAL

That the dates of the Council and Committee meetings for the 2009/2010 period (October 2009 to October 2010) be as follows -

1.1 ORDINARY MEETINGS OF COUNCIL

Third Tuesday of each month at 6.30pm with the exception of January.

1.2 AGENDA BRIEFING FORUM

First Tuesday of each month at 6.30pm with the exception of January.

1.3 FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE COMMITTEE

Dates and frequency to be decided

1.4 GOVERNANCE COMMITTEE

Dates and frequency to be decided

9. CLOSURE