

**ORDINARY MEETING
OF COUNCIL**

19 OCTOBER 2009

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II MINUTES OF ORDINARY MEETING OF COUNCIL
HELD ON 12 OCTOBER 2009

NOTICE OF MEETING AND AGENDA

COUNCILLOR

PLEASE TAKE NOTICE that the next **ORDINARY MEETING OF COUNCIL** will be held in the Council Chambers, Orchard Avenue, Armadale at **7.00 pm**

MONDAY, 19 OCTOBER 2009



R S TAME
CHIEF EXECUTIVE OFFICER

15 October, 2009

1 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE
(previously approved)

2 SUBSCRIPTIONS OF THE DECLARATIONS OF OFFICE FOR NEWLY ELECTED AND RE-ELECTED COUNCILLORS

Mr Spike Fokkema, JP and Honorary Freeman to officiate subscription of Declaration of Office for the newly elected and re-elected councillors.

3 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Chief Executive Officer to officially declare the meeting open.

4 ELECTION OF MAYOR

NOTES:

The Election of Mayor is to be conducted in accordance with Schedule 2.3 Division 1 and Schedule 4.1 of the *Local Government Act 1995*.

In brief, the procedure for the election of Mayor is explained as follows:

- The election of the Mayor is to be conducted by the CEO.
- **Nominations are to be given to the CEO in writing.** Nominations can be made before the meeting or during the meeting before the close of nominations.
- Nominations close at the meeting at a time announced by the CEO, which is to be sufficient time after the announcement by the CEO that nominations are about to close to allow for any further nominations to be dealt with.
- If a councillor is nominated by another councillor the nomination cannot be accepted unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated.
- The councillors are to vote by secret ballot as if they were electors voting at an election.
- The votes cast 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.

In accordance with the *Local Government Act 1995* [section 2.28(2) refers], the term of appointment for the Mayor ends when the Mayor is next elected at or after the local government's next ordinary elections in (2) years time.

5 SUBSCRIPTION OF DECLARATION OF OFFICE OF MAYOR

Mr Spike Fokkema, JP to officiate the subscription of Declaration of Office of Mayor.

6 ELECTION OF DEPUTY MAYOR

NOTES:

The Election of Deputy Mayor is to be conducted in accordance with Schedule 2.3 Division 2 and Schedule 4.1 of the *Local Government Act 1995*.

In brief, the procedure for the election of Deputy Mayor is explained as follows:

- The election of the Deputy Mayor is to be conducted by the Mayor.
- **Nominations are to be given to the Mayor in writing.** Nominations can be made before the meeting or during the meeting before the close of nominations.
- Nominations close at the meeting at a time announced by the Mayor, which is to be sufficient time after the announcement by the Mayor that nominations are about to close to allow for any further nominations to be dealt with.
- If a councillor is nominated by another councillor the nomination cannot be accepted unless the nominee has advised the Mayor, orally or in writing, that he or she is willing to be nominated.
- The councillors are to vote by secret ballot as if they were electors voting at an election.
- The votes cast 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.

In accordance with the *Local Government Act 1995* [section 2.28(2) refers], the term of appointment for the Deputy Mayor ends at the start of the first meeting of the Council after the local government's next ordinary elections.

7 SUBSCRIPTION OF DECLARATION OF OFFICE OF DEPUTY MAYOR

Mr Spike Fokkema, JP to officiate the subscription of Declaration of Office of the Deputy Mayor.

8 ADVICE OF RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

9 PUBLIC QUESTION TIME

Minimum time to be provided - 15 minutes (unless not required)

A procedure has been adopted by Council to ensure the orderly conduct of Public Question time and a copy of this procedure is attached to the Council Agendas made available in the public gallery.

The public's cooperation in this regard will be appreciated.

10 APPOINTMENT OF COUNCILLORS TO STANDING COMMITTEES

NOTE:

1. Mayor to indicate his intention regarding membership of Committees. Section 5.10(4) of the Local Government Act 1995 states:-
“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.”
2. *The tenure of a Councillor's membership on a Committee continues until:*
 - *the Councillor no longer holds the office by virtue of which the Councillor became a member,*
 - *the Councillor resigns from membership of the Committee,*
 - *the Committee is disbanded; or*
 - *the next ordinary elections day,**whichever happens first.*
3. *Unlike the positions of Mayor, Deputy Mayor, Chairs of Committees and Deputy Chairs of Committees which are all determined by an **election** process, the **appointment** of persons as members of Council established Committees is determined by an **absolute majority decision of Council**. To cater for those instances where the number of candidates nominated for appointment to a Committee exceed the number of vacancies to be filled OR where there are multiple vacancies to be filled, a process for initially selecting persons to be appointed, is required. The Local Government Act 1995 is silent on the process that is to be used, thereby leaving the decision on the agreed process to Council to determine and agree. In this regard and now that the method of voting in Council elections has changed back to “First Past the Post”, it is logical that the same approach be agreed for selecting persons for Council appointment to Committees.*

It is therefore recommended that the agreed process of initially selecting persons for appointment to Committees (ie. in those instances where the number of candidates nominated for appointment to a Committee exceed the number of vacancies to be filled OR where there are multiple vacancies to be filled), be to conduct a secret ballot with votes cast and counted on a "First Past the Post" basis. It is to be noted that the simple preferential method differs from the Proportional Representation method in that it does not include the proportional aspect which, in the circumstances, is considered unwarranted due to the difficulty in its practical application.

Appointment of Standing Committees to be for a period of two years, unless otherwise determined by Council.

10.1 Community Services Committee

Committee membership to be (7) members, i.e. a Councillor from each Ward.

RECOMMEND

That Council appoints the following Councillors, i.e. a Councillor from each Ward, as members of the Community Services Committee.

Heron Ward	Cr _____
Jarrah Ward	Cr _____
Lake Ward	Cr _____
Minnawarra Ward	Cr _____
Neerigen Ward	Cr _____
Palomino Ward	Cr _____
River Ward	Cr _____

Moved Cr _____, SECONDED Cr _____

Absolute Majority Resolution Required

RECOMMEND

That Council appoints the following Councillors, i.e. the member Councillor's co-ward member, as deputy members of the Community Services Committee.

Heron Ward	Cr _____
Jarrah Ward	Cr _____
Lake Ward	Cr _____
Minnawarra Ward	Cr _____
Neerigen Ward	Cr _____
Palomino Ward	Cr _____
River Ward	Cr _____

Moved Cr _____, SECONDED Cr _____

Absolute Majority Resolution Required

10.2 Development Services Committee

Committee membership to be (7) members, i.e. a Councillor from each Ward.

RECOMMEND

That Council appoints the following Councillors, i.e. a Councillor from each Ward, as members of the Development Services Committee.

Heron Ward	Cr _____
Jarrah Ward	Cr _____
Lake Ward	Cr _____
Minnawarra Ward	Cr _____
Neerigen Ward	Cr _____
Palomino Ward	Cr _____
River Ward	Cr _____

Moved Cr _____, SECONDED Cr _____

Absolute Majority Resolution Required

RECOMMEND

That Council appoints the following Councillors, i.e. the member Councillor's co-ward member, as deputy members of the Development Services Committee.

Heron Ward	Cr _____
Jarraah Ward	Cr _____
Lake Ward	Cr _____
Minnawarra Ward	Cr _____
Neerigen Ward	Cr _____
Palomino Ward	Cr _____
River Ward	Cr _____

Moved Cr _____, **SECONDED** Cr _____

Absolute Majority Resolution Required

10.3 Technical Services Committee

Committee membership to be (7) members, i.e. a Councillor from each Ward.

RECOMMEND

That Council appoints the following Councillors, i.e. a Councillor from each Ward, as members of the Technical Services Committee.

Heron Ward	Cr _____
Jarraah Ward	Cr _____
Lake Ward	Cr _____
Minnawarra Ward	Cr _____
Neerigen Ward	Cr _____
Palomino Ward	Cr _____
River Ward	Cr _____

Moved Cr _____, **SECONDED** Cr _____

Absolute Majority Resolution Required

RECOMMEND

That Council appoints the following Councillors, i.e. the member Councillor's co-ward member, as deputy members of the Technical Services Committee.

Heron Ward Cr _____

Jarraah Ward Cr _____

Lake Ward Cr _____

Minnawarra Ward Cr _____

Neerigen Ward Cr _____

Palomino Ward Cr _____

River Ward Cr _____

Moved Cr _____, SECONDED Cr _____

Absolute Majority Resolution Required

10.4 City Strategy Committee

Membership of the City Strategy Committee is (7 Members) being the Mayor, Deputy Mayor, Chairs of each Standing Committee **with remaining (2) members (assuming the Mayor and Deputy Mayor are not the chairs of the Standing Committees) as selected and appointed by Council.**

NOTE:

- *At this juncture of the meeting a motion to adjourn the meeting will be required so as to enable the Standing Committees (Community Services, Development Services and Technical Services) to meet separately for the purposes of electing their Chairs, thereby enabling appointment of members to the City Strategy Committee. (Separate Agendas circulated)*
- *The Chair & Deputy Chair for the City Strategy Committee will be elected at the first ordinary meeting of that Committee.*
- *Unlike the other (3) standing committees, the membership of the City Strategy Committee [given its strategic City focus] is not based on ward representation and accordingly neither therefore should the appointment of deputies. In October 2007, the convention used was where the logical deputies to the Mayor and Committee Chairs were already represented, wherever practical, the Deputy shall be the Committee member's co-ward member. It is suggested that this convention be maintained for the present. Membership for 2007-2009 was as follows:-*

<i>Member</i>	<i>Deputy Member</i>
<i>Cr Tizard</i>	<i>Cr Best (co-ward)</i>
<i>Cr MacDonald</i>	<i>Cr Scidone(deputy chair)</i>
<i>Cr Knezevich</i>	<i>Cr Everts</i>
<i>Cr Munn</i>	<i>Cr Mauger</i>
<i>Cr Butterfield</i>	<i>Cr Hart</i>
<i>Cr Reynolds</i>	<i>Cr Stewart (co-ward)</i>
<i>Cr Zelones</i>	<i>Cr Lethbridge</i>

MOVED Cr _____ that the meeting be adjourned to allow Committees to meet separately for the purposes of electing Chair and Deputy Chair of each Committee.

Meeting adjourned at _____

Meeting reconvened at _____

At this juncture:-

- (1) The Mayor will inform the meeting of the Councillors who have been elected as Chair of the Community Services, Development Services and Technical Services Committees and therefore eligible for appointment to the City Strategy Committee; and
- (2) A secret ballot with votes cast and counted on a "First Past the Post" basis will be conducted to select (2) Councillors for appointment to the City Strategy Committee.

RECOMMEND

That Council appoints the following Councillors as members of the City Strategy Committee.

Cr _____

Cr _____

Cr _____

Cr _____

Cr _____

Cr _____

Cr _____

Moved Cr _____, **SECONDED** Cr _____

Absolute Majority Resolution Required

RECOMMEND

That Council appoints the following Councillors as deputy members of the City Strategy Committee.

Cr _____

Cr _____

Cr _____

Cr _____

Cr _____

Cr _____

Cr _____

Moved Cr _____, SECONDED Cr _____

Absolute Majority Resolution Required

11 TERM OF APPOINTMENTS TO OCCASIONAL, ADVISORY AND EXTERNAL ORGANISATIONS

RECOMMEND

Appointments to Occasional and Advisory Committees, Reference/Working Groups and External Organisations be for a period not greater than two (2) years, i.e. 2009 to 2011.

12 APPOINTMENT TO OTHER COUNCIL ESTABLISHED COMMITTEES

****CITY AUDIT COMMITTEE**

Members:

Cr Reynolds, Cr Scidone, Cr MacDonald, Cr Everts & Cr Tizard

NOTE: *Membership- 5 Councillors - to include the Mayor + 4 Councillors.*

RECOMMEND (Absolute Majority Resolution Required)

That Council appoints Mayor _____, Cr _____, Cr _____, Cr _____ and Cr _____ as members to the City Audit Committee.

13 APPOINTMENT TO OCCASIONAL ADVISORY GROUPS, AND REFERENCE/WORKING GROUPS

ARMADALE SETTLERS' COMMON WORKING GROUP

Member: Cr Tizard Deputy: Cr Best

NOTE: *Current practice is that the member and deputy member are the Neerigen ward members.*

RECOMMEND

That Council appoints Cr _____ and Cr _____ as Member and Deputy Member respectively to the Armadale Settlers' Common Working Group.

ABORIGINAL & TORRES STRAIT ISLANDER ADVISORY GROUP

Member: Cr Lethbridge & Community Development Manager
Deputy : Cr Knezevich

NOTE: *Current practice is that a member from the Community Services Committee be nominated to this Group.*

RECOMMEND

That Council refer the appointment of a Member and Deputy to the Aboriginal & Torres Strait Islander Advisory Group to the first ordinary meeting of the Community Services Committee for a recommendation.

BUNGENDORE WORKING GROUP

Member: Cr Best Deputy: Cr Tizard

NOTE: *Current practice is that the member and deputy member are the Neerigen ward members.*

RECOMMEND

That Council appoints Cr _____ and Cr _____ as Member and Deputy respectively to the Bungendore Working Group

BUSHCARE & ENVIRONMENTAL WORKING GROUP

Member : Cr Tizard & Environmental Officer Deputy: Cr Best

NOTE: *Current practice is that the delegates be nominated from the Technical Services Committee.*

RECOMMEND

That Council refer the appointment of a Member & Deputy to the Bushcare & Environmental Working Group to the first ordinary meeting of the Technical Services Committee for a recommendation.

CITY OF ARMADALE HIGHLAND REFERENCE GROUP

Member: Cr Stewart Deputy: Cr Butterfield

NOTE: *Current practice is that the member be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Member and Deputy to the City of Armadale Highland Reference Group to the first ordinary meeting of the Community Services Committee for a recommendation.

COMMUNITY HERITAGE ADVISORY GROUP

Member : Cr Hart

Deputy: Cr Knezevich

NOTE: *Current practice is that the delegate be nominated from the Development Services Committee.*

RECOMMEND

That Council refer the appointment of a Member and Deputy to the Community Heritage Advisory Group to the first ordinary meeting of the Development Services Committee for a recommendation.

DISABILITY ADVISORY TEAM

Member: Cr Hart

Deputy: Cr Best

NOTE: *Current practice is that the member be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Member and Deputy to the Disability Advisory Team to the first ordinary meeting of the Community Services Committee for a recommendation.

MINNAWARRA FESTIVAL REFERENCE GROUP

Member: Cr Stewart

Deputy: Cr Butterfield

NOTE: *Current practice is that the member be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Member and Deputy to the Minnowarra Festival Reference Group to the first ordinary meeting of the Community Services Committees for a recommendation.

HISTORY REFERENCE GROUP

Member: Cr Reynolds

Deputy: Cr Munn

NOTE: *Current practice is that the delegate be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Member and Deputy to the History Reference Group to the first ordinary meeting of the Community Services Committee for a recommendation.

RATING REVIEW WORKING PARTY

Members: Cr Reynolds, Cr Zelones, Cr MacDonald, Cr Scidone & Cr Tizard

NOTE: *Current membership practice is the Mayor, Chairman Development Services Committee and up to (3) other members from the City Strategy Committee.*

RECOMMEND

- 1. That Council appoints the Mayor, Cr _____ and Chairman of the Development Services Committee, Cr _____ to the Rating Review Working Party.**
- 2. That Council refer the appointment of up to (3) further members to the Rating Review Working Party to the first ordinary meeting of the City Strategy Committee for a recommendation.**

STANDING ORDER & HOUSE ADVISORY GROUP

Members:
Cr Reynolds, Cr Munn, Cr Zelones, Cr Tizard and Cr Hart

NOTE: *Membership to include Mayor + 3/4 Councillors.*

RECOMMEND

That Council refer the appointment of Members to the Standing Order & House Advisory Group to the first ordinary meeting of the City Strategy Committee for a recommendation.

14 APPOINTMENT OF DELEGATES TO EXTERNAL ORGANISATIONS

ARMADALE PCYC MANAGEMENT COMMITTEE

Delegate: Cr Mauger, Exec. Director Community Services & Manager Recreation Services

Deputy: Cr Zelones

NOTE: *Current practice is that a member from the Community Services Committee be nominated to this Group.*

RECOMMEND

That Council refer the appointment of a Delegate to the Armadale PCYC Management Committee to the first ordinary meeting of the Community Services Committee for a recommendation.

ARMADALE REDEVELOPMENT AUTHORITY BOARD

Delegates: The Mayor, Crs Reynolds
Chair of Development Services Committee, Cr Zelones

NOTE: *It is recommended that there is a strong case for Council's current members, being re-nominated for representation on the ARA Board.*

RECOMMEND

That Council nominates Cr _____ and Cr _____ for membership of the Armadale Redevelopment Authority Board.

ARMADALE CHAMBER OF COMMERCE & INDUSTRY

Delegate : Currently no delegate

NOTE: *Previous practice was that the delegate be nominated from the Development Services Committee. However, it is now envisaged that business liaison with local business can be better conducted through the Armadale Region Business Association.*

RECOMMEND

That Council not appoint a Delegate to the Armadale Chamber of Commerce at this time but instead maintain a corresponding and liaison relationship with the Armadale Chamber of Commerce.

ARMADALE REGION BUSINESS ASSOCIATION

NOTE: *Recently established local business association. It is recommended that Council follow the lead of local businesses and use ARBA as its immediate means of liaison with local business with a liaison relationship with the Armadale Chamber of Commerce..*

RECOMMEND

That Council refer the appointment of a Delegate to the Armadale Region Business Association to the first ordinary meeting of the Development Services Committee for a recommendation.

BUSHFIRE ADVISORY COMMITTEE

Member: Cr Scidone Deputy: Cr Hart

NOTE: *Current practice is that the member & deputy member be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Member & Deputy to the Bushfire Advisory Committee to the first ordinary meeting of the Community Services Committee for a recommendation.

CANWA [Community Arts Network WA] BOARD OF MANAGEMENT

Delegate: Cr Stewart

NOTE: *Current practice is that the member be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Delegate to CANWA Board of Management to the first ordinary meeting of the Community Services Committee for a recommendation.

SOUTH EAST REGION RECREATION ADVISORY GROUP

Delegate : Recreation Facilities Planning Coordinator

NOTE: *Current practice is that the delegate & deputy be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Delegate & Deputy to the South East Region Recreation Advisory Group to the first ordinary meeting of the Community Services Committee for a recommendation.

15 APPOINTMENT OF DELEGATES TO LOCAL ORGANISATIONS

ARMADALE GOSNELLS LANDCARE GROUP

Delegates: Cr Butterfield & Environmental Officer

RECOMMEND

That Council appoints Cr _____ as Delegate to the Armadale Gosnells Landcare Group.

ARK ROADWISE COMMUNITY GROUP

Delegate: Cr Zelones Deputy: Cr Butterfield

NOTE: *Current practice is that the delegate & deputy be nominated from the Technical Services Committee.*

RECOMMEND

That Council refer the appointment of a Delegate and Deputy to the Ark Roadwise Community Group to the first ordinary meeting of the Technical Services Committee for a recommendation.

ARMADALE/KELMSCOTT HOSPITAL COMMUNITY ADVISORY COUNCIL

Delegate : Cr MacDonald Deputy: Cr Butterfield

RECOMMEND

That Council appoints Cr _____ as Delegate and Cr _____ as Deputy to the Armadale/Kelmscott Hospital Community Advisory Council.

ARMADALE/KELMSCOTT MOBILE MEALS

Delegate – Liaison only : Cr Best

RECOMMEND

That Council appoints Cr _____ as Delegate (liaison only) to the Armadale/Kelmscott Mobile Meals.

ARMADALE STATE EMERGENCY SERVICE

Delegate - Liaison only: Cr Reynolds

NOTE: Current practice is that the delegate be nominated from the Community Services Committee.

RECOMMEND

That Council refer the appointment of a Delegate to the Armadale State Emergency Service to the first ordinary meeting of the Community Services Committee for a recommendation.

DALE COTTAGES

Delegate : Cr Munn

RECOMMEND

That Council appoints Cr _____ as Delegate to Dale Cottages.

LOCAL EMERGENCY MANAGEMENT COMMITTEE

Delegate : Cr Reynolds (Mayor)

NOTE: *The Local Emergency Plan requires the Mayor to be Council's representative.*

RECOMMEND

That Council appoints the Mayor as Delegate to the Local Emergency Management Committee.

NEIGHBOURHOOD WATCH COMMITTEE (CoA Committee & Regional Committee)

CoA Committee Delegate : Cr MacDonald
Regional Committee Delegate: No Cr. representation

NOTE: *Current practice is that the delegates be nominated from the Community Services Committee.*

RECOMMEND

That Council refer the appointment of a Delegate to the City of Armadale Neighbourhood Watch Committee and the Regional Neighbourhood Watch Committee to the first ordinary meeting of the Community Services Committee for a recommendation.

SOUTH EAST REGIONAL CENTRE FOR URBAN LANDCARE

Delegate : Environmental Coordinator

NOTE: *Current practice is that the delegate be nominated from the Technical Services Committee.*

RECOMMEND

That Council refer the appointment of a Delegate to the South East Regional Centre for Urban Landcare to the first ordinary meeting of the Technical Services Committee for a recommendation.

19 ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

**20 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN
GIVEN - WITHOUT DISCUSSION**

21 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

**22 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR
BY DECISION**

**23 MATTERS FOR REFERRAL TO STANDING COMMITTEES -
WITHOUT DISCUSSION**

24 MATTERS REQUIRING CONFIDENTIAL CONSIDERATION

25 CLOSURE
