



CITY OF BAYSWATER

MINUTES

OF THE

SPECIAL MEETING

OF COUNCIL

4 JUNE 2009

&

RECONVENED ON

18 JUNE 2009

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18 JUNE 2009 MEETING

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CITY OF BAYSWATER

MINUTES of the meeting of the Bayswater City Council which took place in the Embleton Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Thursday, 4 June 2009.

MINUTES**1. OFFICIAL OPENING**

The Chairperson, His Worship the Mayor Cr Lou Magro, welcomed those in attendance and declared the meeting open for the special business of Council at 6:03pm.

**2. RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)****2.1 Attendance and Apologies****Members****North Ward**

Cr Lou Magro, Mayor
Cr Ian McClelland, JP

Chairperson

Central Ward

Cr Michael Sabatino, Deputy Mayor
Cr Barry McKenna
Cr Sally Palmer

West Ward

Cr Terry Kenyon, JP
Cr Marlene Robinson

South Ward

Cr Sonia Turkington
Cr Sylvan Albert

Officers

Ms Francesca Lefante
Mr Ted Budzinski
Mr Des Abel
Mr Andrew Ward
Mr Doug Pearson
Mr Peter Grocott
Ms Carol Newport

Chief Executive Officer
Director of Finance
Director of Planning and Development Services
A/Director of Administration and Community Services
Director of Technical Services
City Accountant
PA – Director of Finance

Apologies

Nil.

Observers

Nil Press

2 Public

2.2 Leave of Absence (Previously Approved)

Cr Terry Blanchard 28 May 2009 - 7 June 2009 inclusive.

Cr Mike Anderton, JP 3 June 2009 - 15 June 2009 inclusive.

3. PUBLIC QUESTION TIME

- In accordance with Section 5.24 of the *Local Government Act 1995*, time is allocated for questions to be raised by members of the public.
- Pursuant to Regulation Part 4(b) of the *Local Government (Administration) Regulations 1996* questions from the public must relate to the Agenda for the Special Council Meeting

Preamble and personal statements are placed on file, but do not form part of the minutes. Only public questions are included.

Public Question Time commenced at 6:04pm.

The following questions were submitted both in writing and verbally:

1. Mr Ian Walters, 124 Lawrence Street, Bedford

Question 1: *(Verbal)*

Having checked the City's website, tonight's agenda indicated that there would be an Item 9.1. This item is not shown on the agenda.

The Director of Finance advised that there was no Item 9.1 and apologised for this administrative error.

A copy of Council's written response can be located at **Appendix 1**.

Question 2: *(Verbal)*

Extracts from the Local Government Act are referred to, none of which cover the Act that you have mentioned.

His Worship the Mayor, Cr Lou Magro advised that matters such as contracts, salaries and wages were to be discussed and as such the sections of the Local Government Act 1995 quoted were covered in these matters.

A copy of Council's written response can be located at **Appendix 1**.

2. Mr Tony Green, Bayswater City Residents Association (Inc), PO Box 1639, Morley WA 6943

Question 1:

Why is this Council meeting Confidential and the public banned, when all that is being discussed is the Draft 2009/2010 Budget?

The Chief Executive Officer advised that the budget was still in draft form and that at the completion of deliberations on the Item the recommendation would be made public.

Question 2:

Are Council intending, with this Draft Budget, to end the City of Bayswater's 'debt free' policy by borrowing money?

His Worship the Mayor, Cr Lou Magro advised that there was no requirement to answer this question.

Question 3:

Are Council going to spread the 2009/2010 Capital Works evenly across ALL FOUR WARDS of the City of Bayswater?

His Worship the Mayor, Cr Lou Magro advised that in the twenty (20) years he had been at the City of Bayswater each Councillor had provided a list of items they wished considered under the Capital Works Budget. He further stated that it had never been evenly spread and depended on the projects listed and the priority given to each.

A copy of Council's written response can be located at **Appendix 2**.

Public Question Time was closed at 6:18pm.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. DECLARATIONS OF INTEREST

In accordance with Section 5.60A and 5.65 of the *Local Government Act 1995* the following disclosures of financial interest were made at the meeting:-

Nil.

In accordance with Section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of proximity interest were made at the meeting:-

Nil.

In accordance with Clause 34C of the *Local Government (Administration) Regulations 1996* the following disclosure of interests affecting impartiality were made at the meeting:-

Nil.

6. URGENT BUSINESS

Nil.

7. PETITIONS

Nil.

COUNCIL RESOLUTION

CR BARRY MCKENNA MOVED, CR MICHAEL SABATINO SECONDED that the doors be closed to the public.

CARRIED

At 6:12pm, the doors were closed to the public, and those present in the public gallery left the meeting.

SUSPENSION OF STANDING ORDERS

At 6:13pm, CR BARRY MCKENNA MOVED, CR SONIA TURKINGTON SECONDED that Standing Orders be suspended.

CARRIED

8. BUSINESS**8.1 Draft 2009/2010 Budget**

Attachment: Draft Budget (Confidential)
Officer: Chief Executive Officer

CONFIDENTIAL ITEM

Application

The presentation of the Draft 2009/2010 Budget for Council consideration.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

- (a) A matter affecting an employee or employees.
- (c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting
- (e) (iii) A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person where the trade secret or information is held by, or is about, a person other than the local government.

Voting Requirements

Simple Majority Required.

Officer's Recommendation

That the recommendation as contained in the attached "*Confidential*" Report be adopted.

COUNCIL RESOLUTION

CR LOU MAGRO MOVED, CR MICHAEL SABATINO SECONDED that the Draft 2009/2010 Budget meeting be adjourned to a Special Meeting of Council to be held on Thursday, 18 June 2008 commencing at 6:00pm.

CARRIED

RESUMPTION OF STANDING ORDERS

At 10:16pm, CR MICHAEL SABATINO MOVED, CR TERRY KENYON, JP SECONDED that Standing Orders be resumed.

CARRIED

COUNCIL RESOLUTION

At 10:17pm CR IAN MCCLELLAND MOVED, CR SALLY PALMER SECONDED that the doors be re- opened to the public

CARRIED

At 10:17pm, the doors were re-opened to the public, however there were no members of the public present.

9. CLOSURE

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE CHAIRPERSON, HIS WORSHIP THE MAYOR, CR LOU MAGRO DECLARED THE MEETING CLOSED AT 10:18PM, ON 4 JUNE 2009.

THE MEETING WAS RECONVENED ON MONDAY, 18 JUNE 2009
CITY OF BAYSWATER

Minutes of the Special Meeting of the Bayswater City Council which took place in the Embleton Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Thursday, 4 June 2009 and reconvened on 18 June 2009.

MINUTES

1. OFFICIAL OPENING

The Chairperson, His Worship the Mayor Cr Lou Magro, welcomed those in attendance and declared the meeting re-opened for the special business of Council at 6.08pm.

**2. RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE
(PREVIOUSLY APPROVED)**

2.1 Attendance and Apologies

Members

North Ward

Cr Lou Magro, Mayor
Cr Ian McClelland, JP
Cr Terry Blanchard

Chairperson

Central Ward

Cr Michael Sabatino, Deputy Mayor
Cr Barry McKenna
Cr Sally Palmer

West Ward

Cr Terry Kenyon, JP
Cr Marlene Robinson
Cr Terry Blanchard

South Ward

Cr Sylvan Albert

Officers

Ms Francesca Lefante
Mr Ted Budzinski
Mr Des Abel
Mr Andrew Ward
Mr Doug Pearson
Mr Peter Grocott
Ms Carol Newport

Chief Executive Officer
Director of Finance
Director of Planning and Development Services
A/Director of Administration and Community Services
Director of Technical Services
City Accountant
PA – Director of Finance

Apologies

Cr Sonia Turkington

Observers

Nil

2.2 Leave of Absence (Previously Approved)

Nil.

SUSPENSION OF STANDING ORDERS

At 6:09PM, CR IAN McCLELLAND, JP MOVED, CR SALLY PALMER SECONDED that Standing Orders be suspended.

CARRIED

COUNCIL RESOLUTION

At 6:09pm CR SYLVAN ALBERT MOVED, CR MIKE ANDERTON, JP SECONDED that the doors be closed to the public.

At 6:09pm, the doors were closed to the public, however there were no members of the public present.

Discussion resumed on Item 8.1.

8. BUSINESS**8.1 Draft 2009/2010 Budget**

Attachment: Draft Budget (Confidential)
Officer: Chief Executive Officer

CONFIDENTIAL ITEM

Application

The presentation of the Draft 2009/2010 Budget for Council consideration.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

(a) A matter affecting an employee or employees.

(c) A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting

(e) (iii) A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person where the trade secret or information is held by, or is about, a person other than the local government.

Voting Requirements

Simple Majority Required.

Officer's Recommendation

That the recommendation as contained in the attached "*Confidential*" Report be adopted.

COUNCIL RESOLUTION 1:

CR MIKE ANDERTON, JP MOVED, CR SALLY PALMER SECONDED that a report on differential rating be presented to Council before December 2009 with consideration being given to the implementation of differential rating.

CARRIED

COUNCIL RESOLUTION 2:

CR BARRY MCKENNA MOVED, CR TERRY KENYON, JP SECONDED that the 2009/2010 Budget reflects a rate increase of 2.65%.

CARRIED

COUNCIL RESOLUTION 3:

CR BARRY MCKENNA MOVED, CR SALLY PALMER SECONDED that the 2009/2010 Budget reflect the following sanitation charges:

- Domestic \$254.20
- Commercial \$344.00

CARRIED

RESUMPTION OF STANDING ORDERS

At 7:22pm, CR TERRY BLANCHARD MOVED, CR MIKE ANDERTON, JP SECONDED that Standing Orders be resumed.

CARRIED

COUNCIL RESOLUTION

At 7:22pm CR TERRY BLANCHARD MOVED, CR MICHAEL SABATINO SECONDED that the doors be re-opened to the public.

At 7:22pm, the doors were re-opened to the public, however there were no public present.

9. CLOSURE

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE CHAIRPERSON, HIS WORSHIP THE MAYOR, CR LOU MAGRO, DECLARED THE MEETING CLOSED AT 7:23PM, ON 18 JUNE 2009.
