

MARRICKVILLE council

BUSINESS PAPER

for

**EXTRAORDINARY
COUNCIL
MEETING
E01/06**

**6.30 PM, TUESDAY,
26 SEPTEMBER, 2006**

MARRICKVILLE COUNCIL

Administrative Centre
PETERSHAM

20 September, 2006

Dear Councillors

Notice is given of the **EXTRAORDINARY COUNCIL MEETING**, to be held in the COUNCIL CHAMBERS AT THE ADMINISTRATIVE CENTRE, PETERSHAM, on TUESDAY, 26 September, 2006, commencing at 6.30pm.

Yours faithfully



Candy Nay
General Manager

COUNCILLORS

Chairperson	Councillor Sam Byrne (<i>Mayor</i>)	West Ward	Ph: 9573-0745 Fax: 9335-2029
Deputy Chairperson	Councillor Dimitrios Thanos (<i>Deputy Mayor</i>)	West Ward	Ph: 9569-0199 Fax: 9550-0849
	Councillor Sam Iskandar	Central Ward	Ph: 9558-7777 Fax: 9554-7841
	Councillor Saeed Khan	Central Ward	Ph: 9569-8634 Fax: 9569-8746
	Councillor Victor Macri	Central Ward	Ph: 9569-2865 Fax: 9569-8750
	Councillor Fiona Byrne	North Ward	Ph: 9519 1110 Fax: 9550-6878
	Councillor Barry Cotter	North Ward	Ph: 9550-4601 Fax: 9590-9539
	Councillor Colin Hesse	North Ward	Ph: 0401 719124 Fax: 9559-8921
	Councillor Morris Hanna OAM	South Ward	Ph: 9569-1447 Fax: 9550-0636
	Councillor Peter Olive	South Ward	Ph: 0401 719148 Fax: 9559-6098
	Councillor Rae Owen	South Ward	Ph: 9559-5350 Fax: 9554-7842
	Councillor Penny Sharpe	West Ward	Ph: 0401 719141 Fax: 9550-6810

COUNCIL MEETING

The Council meeting is chaired by the Mayor Councillor Sam Byrne. The names of the Councillors and their contact details are listed on the previous page. Councillors are entitled to one vote on a matter. If votes are equal, the Chairperson has a second or casting vote. When a majority of Councillors vote in favour of a Motion it becomes a decision of the Council.

THE MEETING

The Meeting is conducted in accordance with Council's Code of Meeting Practice. The order of business is listed in the Agenda. That order will be followed unless a request has been made by a member of the community to address the Council on an item on the Agenda. If a request has been made, the Chairperson will ask the Council whether it wishes to bring that item forward. If Council resolves to bring more than one item forward the items will be considered in the order they are listed on the Agenda, unless the Council decides otherwise. The procedures for addressing the Council are contained on the following pages, under the heading "Meeting Procedures - Public Forum".

Some items are *CONFIDENTIAL* in accordance with S10A(2) of the Local Government Act. This will be clearly stated in the Business Paper. These items are not discussed in open Council and observers will be asked to leave the Council Chambers when they are discussed.

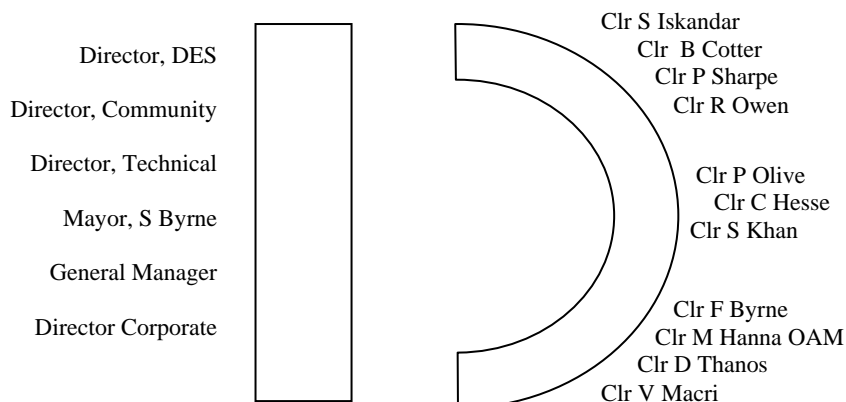
Items are *CONFIDENTIAL* if any of the following apply:

- (a) personnel matters concerning particular individuals;
- (b) the personal hardship of any resident or ratepayer;
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council; or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law;
- (f) matters affecting the security of the Council, Councillors, Council staff or Council property;
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege; and
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.

The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.

The number of items that are dealt with as *CONFIDENTIAL* are kept to a minimum.

LAYOUT FOR COUNCIL MEETINGS



THE ROLE OF THE ELECTED COUNCIL

Marrickville Council has twelve Councillors who are elected every four years to direct and control the affairs of the Council, in accordance with the Local Government Act. The Councillors review the performance of the Council and its delivery of services, the Council's financial and management plans and its annual budget.

The work of a Councillor is voluntary and a small allowance is paid to compensate them for the cost of attending the many Council Meetings and carrying out their civic duties.

In Marrickville, the Mayor is elected by the twelve Councillors to lead the Council, and is required to represent Council at many civic and community functions. The Mayor receives an additional allowance to undertake these duties.

MEETING TIMES

1st Tuesday of each month	6.00 pm	DEVELOPMENT & ENVIRONMENTAL SERVICES COMMITTEE MEETING <i>(Development Approvals, Monitoring Services, Planning Services, Environmental Services)</i>
	at conclusion of Development & Environmental Services	ORDINARY COUNCIL MEETING (Development & Environmental Services Committee Matters Only)
2nd Tuesday of each month	6.00 pm	COMMUNITY SERVICES COMMITTEE MEETING <i>(Children's Services, Community Relations, Community Development, Library Services)</i>
	at conclusion of Community Services	CORPORATE SERVICES COMMITTEE MEETING <i>(Finance, Administrative Services, Employee Services, Information Systems)</i>
	at conclusion of Corporate Services	TECHNICAL SERVICES COMMITTEE MEETING <i>(Parks & Reserves, Traffic, Engineering Services, Property Services, Business Units)</i>
3rd Tuesday of each month	6.30 pm	ORDINARY COUNCIL MEETING

Each of Council's committees has delegated authority to make decisions subject to a number of limitations. Matters which cannot be decided by the committees are referred to the Ordinary Council Meeting for decision. Meetings are held on the 3rd floor of Council's Administrative Centre, 2-14 Fisher St, Petersham.

COUNCIL BUSINESS PAPERS

To enable Council to give consideration to items of business at each Meeting, a Business Paper, like this one, is prepared, containing reports by senior staff in relation to each item listed on the Agenda for the Meeting. The Business Paper for each Meeting is available for perusal by members of the public at Council's Libraries and Community Neighbourhood Centres on the Thursday prior to the Council Meeting.

PUBLIC ATTENDANCE AT COUNCIL MEETINGS

Members of the public are welcome to attend Council and Committee Meetings and are also permitted to address Council and Committee meetings if the subject is directly related to an item before the Meeting. Details of the procedures to be followed in addressing Council and its committees are contained in the section of the Business Paper entitled "Meeting Procedures - Public Forum"

INTERPRETER ASSISTANCE

If you do not understand any part of the information given above, or wish to obtain information in relation to Council, don't hesitate to come to any of Council's offices.

MEETING PROCEDURES - PUBLIC FORUM

1. Persons will be permitted to address Council/Committee Meetings only if the subject is related directly to an item before the Council/Committee at that meeting.
2. A precis of the address shall be submitted in writing and shall be delivered to the General Manager on the ground floor of the Administrative Centre by midday on the day of the meeting. The precis should include a reference to the item on the Business Paper, details of the speaker's name, telephone number, interest in the item, brief details of the points to be made in the address and whether the recommendation is favoured or opposed.
3. Copies of the precis received shall be given to all Councillors at the commencement of the Meeting.
4. All persons addressing the Meeting shall speak to the Chair.
5. The time allowed for each speaker shall be limited to three (3) minutes with one (1) extension of not more than three (3) minutes with the approval of the Council Committee. This time limit shall apply no matter how many items are addressed by the speaker.
6. Not more than one (1) member of a Group may speak.
7. Each item before Council Committee is restricted to three (3) speakers for and three (3) speakers against the Recommendation.
8. Any proposed variation from 1 to 7 above shall be subject of a procedural motion.
9. Councillors will not enter into general debate with, or ask questions of, speakers.
10. The Chairperson may curtail public participation where the information being presented is considered repetitive or irrelevant.
11. Questions or representations will be dealt with in strict sequence of the Agenda for the Meeting.

PRECIS

PAGE

ACKNOWLEDGEMENT OF COUNTRY

PERIOD OF SILENCE FOR PRAYER, PLEDGE OR CONTEMPLATION

PRESENT

DISCLOSURES OF INTERESTS (Section 451 of the Local Government Act and Council's Conflict of Interest Policy)

CONFIRMATION OF MINUTES

GENERAL MANAGER'S REPORTS

GM 87 ELECTION OF MAYOR

1

File Ref: 4578-02

A report in relation to the role of the Mayor and the voting method for the election of the Mayor. Under Section 290 of the Local Government Act 1993, the election of the Mayor must be held within three weeks after the ordinary election and then each September. It is recommended that, if more than one Councillor is nominated, Council resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting; and that the election of Mayor for the ensuing period until September 2007 be conducted in accordance with the legislation.

GM 88 ELECTION OF DEPUTY MAYOR

6

File Ref: 4926

A report on the legislative provisions relating to the election of the Deputy Mayor which recommends that, if more than one Councillor is nominated, Council resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting; and that the election of Deputy Mayor for the period to September 2007 be conducted in accordance with the legislation.

PRECIS

GM 89 DETERMINATION OF MEETING STRUCTURE AND 7
APPOINTMENT OF COUNCIL COMMITTEES

File Ref: 4926-02

A report in relation to the determination of the Council's meeting structure, including the appointment, functions and conduct of Council Committees. It is recommended that the Council determine its meeting structure and appoint Committees for the period to September 2007.

GM 90 APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES 13
OF COUNCIL ON SPECIAL COMMITTEES; OTHER
ORGANISATIONS/BODIES; AND REGIONAL ORGANISATIONS

File Ref: 4926

A report giving details of various organisations and Committees on which Council representation is required. The report seeks Council's determination of its representation for these committees/bodies.

GM 87 - ELECTION OF MAYOR
For Decision

File Ref: 4578-02

General Manager reports:

Synopsis

A report in relation to the role of the Mayor and the voting method for the election of the Mayor. Under Section 290 of the Local Government Act 1993, the election of the Mayor must be held within three weeks after the ordinary election and then each September. It is recommended that, if more than one Councillor is nominated, Council resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting; and that the election of Mayor for the ensuing period until September 2007 be conducted in accordance with the legislation.

Background

Section 290 of the Local Government Act 1993 provides that the election of the Mayor must be held within three weeks after the ordinary election and then each September, as follows:

- “(1) The election of the mayor by the councillors is to be held:*
- (a) if it is the first election after an ordinary election of councillors—within 3 weeks after the ordinary election; or*
 - (b) if it is not that first election or an election to fill a casual vacancy—during the month of September; or*
 - (c) if it is the first election after the constitution of an area—within 14 days after the appointment of a provisional council or the first election of the council if a provisional council is not appointed; or*
 - (d) if the relevant council is a non-functioning council, or a council of which all civic offices have been declared vacant, and the election is the first to be held after the appointment or election of the councillors—within 14 days after the appointment or election of the councillors.”*

Section 225 of the Local Government Act 1993 provides that an area must have a Mayor who is elected by the Councillors or the electors of the area. The Mayor elected by the Councillors holds office for one (1) year.

The role of the Mayor, as provided for in Section 226 of the Act, is:

- "* to exercise, in cases of necessity, the policy making functions of the governing body of the council between meetings of the council;*
- * to exercise such other functions of the council as the council determines;*
- * to preside at meetings of the council;*
- * to carry out the civic and ceremonial functions of the mayoral office."*

GM 87 - ELECTION OF MAYOR
For Decision

Schedule 7 of the Local Government (General) Regulation 2005, outlines the requirements for electing the Mayor and the voting method. A copy of Schedule 7 is **ATTACHED**.

It should be specifically noted that:

- * The General Manager, or a person appointed by the General Manager, is the Returning Officer.
- * Nominations have to be in writing, signed by two (2) or more Councillors (one of whom may be the nominee), and the nominee has to indicate consent to the nomination in writing.
- * The nomination is to be delivered or sent to the Returning Officer.
- * Nominations are to be announced and elections are to be conducted at the same Council Meeting.
- * If only one Councillor is nominated, that Councillor is elected.
- * If more than one Councillor is nominated, the Council must resolve whether the election is to proceed by preferential ballot, ordinary ballot or open voting. Preferential ballot and ordinary ballot are secret ballots. The election is to be held at the Council Meeting at which Council resolves on the method of voting.
- * An informal ballot paper must be rejected at the count.
- * Tied votes, where the number of votes cast for two candidates are equal and they are the only candidates in or remaining in the election, are decided by choosing by lot - the candidate whose name is first chosen by lot is taken to be elected.

RECOMMENDATION:

THAT:

1. if there is more than one nomination for election as Mayor, Council resolve that the election proceed by either preferential ballot, ordinary ballot, or open voting; and
2. the election of the Mayor for the period to September 2007 be conducted in accordance with the legislation.

ATTACHMENT 1: Total 3 pages

Schedule 7 of the Local Government (General) Regulation 2005

ATTACHMENT 1 - GM 87 - ELECTION OF MAYOR
For Decision

Schedule 7 Election of mayor by councillors

(Clause 394)

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause: *ballot* has its normal meaning of secret ballot. *open voting* means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

ATTACHMENT 1 - GM 87 - ELECTION OF MAYOR
For Decision

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this clause, ***absolute majority***, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones

***ATTACHMENT 1 - GM 87 - ELECTION OF MAYOR
For Decision***

with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Associations of New South Wales.

GM 88 - ELECTION OF DEPUTY MAYOR
For Decision

File Ref: 4926

General Manager reports:

Synopsis

A report on the legislative provisions relating to the election of the Deputy Mayor which recommends that, if more than one Councillor is nominated, Council resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting; and that the election of Deputy Mayor for the period to September 2007 be conducted in accordance with the legislation.

Discussion

Section 231 of the Local Government Act 1993 provides:

- 231 (1) *The Councillors may elect a person from among their number to be the Deputy Mayor.*
- (2) *The person may be elected for the mayoral term or a shorter term.*
- (3) *The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.*
- (4) *The Councillors may elect a person from among their number to act as Deputy Mayor if the Deputy Mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no Deputy Mayor has been elected."*

The method of electing the Deputy Mayor is the same as that for the election of Mayor, in accordance with Schedule 7 of the Local Government (General) Regulation 2005, a copy of which is attached to the previous item.

RECOMMENDATION:

THAT:

1. if there is more than one nomination for election as Deputy Mayor, Council resolve that the election proceed by either preferential ballot, ordinary ballot, or open voting; and
2. the election of the Deputy Mayor for the period to September 2007 be conducted in accordance with the legislation.

**GM 89 - DETERMINATION OF MEETING STRUCTURE AND
APPOINTMENT OF COUNCIL COMMITTEES
For Decision**

File Ref: 4926-02

General Manager reports:

Synopsis

A report in relation to the determination of the Council's meeting structure, including the appointment, functions and conduct of Council Committees. It is recommended that the Council determine its meeting structure and appoint Committees for the period to September 2007.

Background

At its first meeting on 14 April 2004, the current Council considered a report (Item GM23, Meeting E01/04) on the appointment of committees and adopted the meeting structure and meeting times listed below. It has been customary for Council to review its meeting structure and the appointment of committees in September each year following the election of the Mayor and Deputy Mayor.

Discussion

(a) **Meeting Structure**

The existing meeting structure is as follows:

1st Tuesday of each month	6.00 pm	DEVELOPMENT & ENVIRONMENTAL SERVICES COMMITTEE MEETING
	at conclusion of Development & Environmental Services	ORDINARY COUNCIL MEETING (Development & Environmental Services Committee Matters Only)
2nd Tuesday of each month	6.00 pm	COMMUNITY SERVICES COMMITTEE MEETING
	at conclusion of Community Services	CORPORATE SERVICES COMMITTEE MEETING
	at conclusion of Corporate Services	TECHNICAL SERVICES COMMITTEE MEETING
3rd Tuesday of each month	6.30 pm	ORDINARY COUNCIL MEETING

**GM 89 - DETERMINATION OF MEETING STRUCTURE AND
APPOINTMENT OF COUNCIL COMMITTEES
For Decision**

In accordance with Clause 5(2) of Council's Code of Meeting Practice:

"The Council shall, by resolution, set the time, date and place of ordinary meetings of the Council." (Policy)

Under Clause 41(1) of the Code of Meeting Practice:

"The Council may, by resolution, establish such committees as it considers necessary."

In accordance with that provision, Council adopted the existing committee structure of four committees – Community Services, Development & Environmental Services, Corporate Services and Technical Services Committees.

(b) Membership of Committees

The Mayor is, by virtue of holding that office, a member of each Committee of the Council – Clause 41(2) of Council's Code of Meeting Practice and clause 260-of the Local Government (General) regulation.

In accordance with Clause 41(2) and Clause 47 of Council's "Code of Meeting Practice", it is necessary for Council to:-

1. determine which councillors will be members of each committee;
2. determine, if the Mayor does not wish to be the Chairperson of a committee, whether Council wishes to elect a chairperson for each committee and if it does, that a chairperson be elected for each committee; and
3. determine whether Council wishes to elect a deputy chairperson for each committee and if it does, that a deputy chairperson be elected for each committee.

Under Clause 47(1)(c) and (2), if the Council does not elect a member of the Committee to be the Chairperson and Deputy Chairperson, the Committee is to elect the Chairperson and Deputy Chairperson.

The existing committee structure of four committees, including membership, is as follows:

Development & Environmental Services Committee

Meeting Time: 1st Tuesday of the month at 6.00pm.
No. of Members: Twelve (12).
Previous Membership: Chairperson: Councillor Dimitrios Thanos, Deputy Chairperson: Councillor Sam Byrne (Mayor), and all Councillors.

**GM 89 - DETERMINATION OF MEETING STRUCTURE AND
APPOINTMENT OF COUNCIL COMMITTEES
For Decision**

Functions: Approvals, including development consents and the like; Planning Services; Environmental Services; and Monitoring Services, including orders and notices relating to unlawful building work and development.

Community Services Committee

Meeting Time: 2nd Tuesday of the month at 6.00pm.
No of Members: Twelve (12)
Previous Membership: Chairperson: Councillor Fiona Byrne, Deputy Chairperson: Councillor Saeed Khan, Councillor Sam Byrne (Mayor) and all Councillors.
Functions: Children's Services, Communication and Cultural Services, Recreation Facilities, Community Development, and Library Services.

Corporate Services Committee

Meeting Time: 2nd Tuesday of the month at the conclusion of the Community Services Committee.
No of Members: Twelve (12).
Previous Membership: Chairperson: Councillor Victor Macri, Deputy Chairperson: Councillor Fiona Byrne, Councillor Sam Byrne (Mayor) and all Councillors.
Functions: Finance, Employee Services, Administrative Services, Information (Computer) Services, and Legal Services.

Technical Services Committee

Meeting Time: 2nd Tuesday of the month at the conclusion of the Corporate Services Committee.
No of Members: Twelve (12).
Previous Membership: Chairperson: Councillor Peter Olive, Deputy Chairperson: Councillor Colin Hesse, Councillor Sam Byrne (Mayor) and all Councillors.
Functions: Engineering Services, Property Services, Parks and Reserves, and Business Units.

A copy of the existing Delegations for these Committees is **ATTACHED**.

RECOMMENDATION:

THAT:

1. Council determine its meeting structure, including its committees and the time, date and place of the Ordinary Meeting and the meetings of the committees;
2. Council, in relation to its Committees:
 - (a) determine whether to make any changes to the Committee delegations;
 - (b) determine which councillors will be members of each committee;

**GM 89 - DETERMINATION OF MEETING STRUCTURE AND
APPOINTMENT OF COUNCIL COMMITTEES**

For Decision

- (c) determine, if the Mayor does not wish to be the Chairperson of a committee, whether Council wishes to elect a chairperson for each committee and if it does, that a chairperson be elected for each committee; and
- (d) determine whether Council wishes to elect a deputy chairperson for each committee and if it does, that a deputy chairperson be elected for each of the committees; and

3. a new Instrument of Delegation be made to reflect Council's determination.

ATTACHMENT 1: Total 2 pages

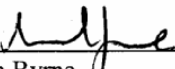
Marrickville Council Committee Constitution and Committee Delegations 2005(1)

**ATTACHMENT 1 - GM 89 - DETERMINATION OF MEETING
STRUCTURE AND APPOINTMENT OF COUNCIL COMMITTEES**
For Decision

**MARRICKVILLE COUNCIL COMMITTEE
CONSTITUTION & COMMITTEE DELEGATIONS
2005(1)**

Pursuant to a resolution made at a duly convened meeting held on 27 September 2005, Marrickville Council:

- (a) revokes the instruments relating to the constitution and delegations to its committees that were made and granted on 15 March 2005; and
- (b) pursuant to sections 373 and 377 of the Local Government Act 1993 and clause 260 of the Local Government (General) Regulation 2005 establishes the following committees and delegates them the powers specified below.



Sam Byrne
Mayor

Date: 14/10/05



Constitution of committees

Name of Committee	Membership	Functions of Committees
<i>Development & Environmental Services Committee</i>	All councillors.	The functions of the Council relating to the matters of the following classes or descriptions: <ul style="list-style-type: none">- development assessment;- planning services;- monitoring services;- environmental services.
<i>Technical Services Committee</i>	All councillors	The functions of the Council relating to the matters of the following classes or descriptions: <ul style="list-style-type: none">- engineering services;- property services (including waste management);- parks & reserves;- public works (business units).

**ATTACHMENT 1 - GM 89 - DETERMINATION OF MEETING
STRUCTURE AND APPOINTMENT OF COUNCIL COMMITTEES
For Decision**

<i>Community Services Committee</i>	All councillors	The functions of the Council relating to the matters of the following classes or descriptions: - children and family services; - communications and cultural services; - community development; - library services; - history program; - community facilities and recreation.
<i>Corporate Services Committee</i>	All councillors	The functions of the Council relating to the matters of the following classes or descriptions: - corporate development; - finance; - employee services; - administrative services; - information systems; - legal services.

Delegations to committees

Name of Committee	Functions delegated	Conditions and Limitations
<i>Development & Environmental Services Committee</i>)))	For each Committee, the functions of the Council being functions not prohibited from being delegated by the Council by or under any Act.	A function delegated to the Committee may not be exercised: (a) where the exercise of the function involves the adoption or amendment of a Policy of the Council or would be inconsistent with the aims and objectives of any existing Council Policy; or (b) if, before the Committee votes on a recommendation, the Mayor serves a notice in writing on the Chairperson remitting the matter to the Council for a decision.
<i>Technical Services Committee</i>))		
<i>Community Services Committee</i>))		
<i>Corporate Services Committee</i>))		

**GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS**
For Decision

File Ref: 4926

General Manager reports:

Synopsis

A report giving details of various organisations and Committees on which Council representation is required. The report seeks Council's determination of its representation for these committees/bodies.

Discussion

A. Council Committees:

The previous representation is as follows:

1. Addison Road Community Board (Major community facility)

Meetings: Monthly, every second Monday in each month
Reports to: Community Services Committee
Council Representation: One Councillor
Council Representatives: Councillor P Olive with Councillor S Khan as alternate.

2. Marrickville Council Multicultural Committee (Advisory Committee of Council)

Meetings: Commencing 6pm at dates to be determined at Annual Meeting in February, April, June, August, October (annual meeting), December
Reports to: Community Services Committee
Council Representatives: Previously Councillor S Khan and Council Staff. New Terms of Reference adopted in September 2006 to move to a maximum of two Councillor representatives.

3. Newtown South Main Street Committee (Advisory Committee to Council)

Comprises representatives of Marrickville Council, retailers, business owners, property owners and residents.

Meetings: Monthly
Reports to: Community Services Committee
Council Representation: Four (4) Councillors
Council Representative: His Worship the Mayor, Councillor S Byrne and all North Ward Councillors.

**GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS**
For Decision

4. Marrickville Main Street Committee (Advisory Committee to Council)

Comprises representatives from Council, Community groups, Chamber of Commerce, property owners and business people of Marrickville.

Meetings: Monthly
Reports to: Community Services Committee
Council Representatives: His Worship the Mayor, Councillor S Byrne and all South Ward Councillors.

5. Petersham Main Street Committee (Advisory Committee to Council)

Comprises representatives from Council, community groups, property owners and business people.

Meetings: Monthly
Reports to: Community Services Committee
Council Representatives: His Worship the Mayor, Councillor S Byrne and all Central Ward Councillors.

6. Local Traffic Planning & Advisory Committee

Council Committee with one Council representative and representatives of various statutory bodies).

Chairperson: His Worship the Mayor, Councillor S Byrne with Deputy Mayor, Councillor D Thanos with Manager, Engineering Services as alternates.
Reports to: Technical Services Committee
Council Representatives: His Worship the Mayor, Councillor S Byrne and with Deputy Mayor, Councillor D Thanos as alternate.

7. Marrickville Transportation Committee

Meetings: Recommended quarterly
Reports to: Technical Services Committee
Council Representatives: Chairperson of the Technical Services Committee, Councillor P Olive, Manager, Engineering Services and Manager, Planning Services, or their nominees.
Other Representatives: DUAP, STA, RTA, SRA, Adjoining Council representative as appropriate, SSROC and IMROC representatives, community groups by invitation.

***GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS
For Decision***

8. Bicycle Technical Advisory Sub-Committee

This Committee has been absorbed into the Marrickville Transportation Committee at point 7 on the previous page.

9. Sister Cities Community Committee

Meetings: Quarterly, first Wednesday of the relevant month
Chairperson: His Worship the Mayor, Councillor S Byrne
Reports to: Community Services Committee
Council Representatives: His Worship the Mayor, Councillor S Byrne (Chairperson), and Councillors D Thanos, S Khan and V Macri.

10. Marrickville Access Committee (Advisory Committee to Council)

Meetings: Bi-Monthly, on second Thursday of relevant month
Reports to: Community Services Committee
Council Representatives: Chairperson of the Community Services Committee, Councillor F Byrne, Councillor C Hesse and Manager, Community Development or staff members as the alternate representatives.

11. Heritage Promotion Committee

Meetings: Monthly, first Thursday
Reports to: Development & Environmental Services Committee
Council Representatives: Councillors P Olive and F Byrne.

12. Council Audit Committee

Meetings: Quarterly
Reports to: Council Meeting
Council Representation: His Worship the Mayor, Councillor S Byrne and the Chairperson of the Corporate Services Committee, Councillor V Macri, General Manager, Director, Corporate Services, Corporate Review Co-ordinator.

13. Aboriginal Community Consultative Committee

The Aboriginal Community Consultative Committee was established comprising representatives from the Aboriginal Community, Councillors and Council Staff to advise Council on the needs of Aboriginal people living in the Marrickville Local Government Area.

Meetings: Six meetings per annum (February, April, June, August, October, November)

**GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS**
For Decision

Reports to: Community Services Committee
Council Representatives: A maximum of two Councillors, currently his Worship the Mayor, Councillor S Byrne and Councillor S Khan.

14. GLL@M : Gay and Lesbian Community Liaison Committee

Responsible for developing improved communication and co-operative relationships with representatives of the gay and lesbian community in the Local Government Area.

Meetings: Quarterly (2nd Wednesday of relevant month)
Reports to: Community Services Committee
Council Representation: His Worship the Mayor, Councillor S Byrne, Councillor F Byrne and Manager, Communications and Cultural Services.
Council Representatives: His Worship the Mayor, Councillor S Byrne and Councillor F Byrne

15. Dulwich Hill Main Street Committee (Advisory Committee to Council)

Comprises representatives from Council, Dulwich Hill Chamber of Commerce, property owners, business people and residents of Dulwich Hill.

Meetings: Monthly
Reports to: Community Services Committee
Council Representatives: His Worship the Mayor, Councillor S Byrne and all West Ward Councillors.

16. Safety in Marrickville Committee

Responsible for monitoring and implementing a Community Safety Plan for the Local Government area.

Meetings: Quarterly
Reports to: Community Services Committee
Council Representatives: His Worship the Mayor, Councillor S Byrne and Councillor F Byrne.

17. Watershed Committee (Advisory Committee to Project Working Group)

Comprises representatives of Marrickville Council, Sydney City Council, Councillor for Sydney Council, Stormwater Trust, Businesses (retailers), community representatives and Department of Environment and Conservation.

Meetings: Quarterly
Reports to: Development & Environmental Services Committee
Council Representation: Councillor C Hesse

**GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS**
For Decision

18. Marrickville Council Conduct Committee

Established in accordance with Clause 10 of Council's Code of Conduct, the Conduct Committee comprises His Worship the Mayor, Councillor S Byrne, the General Manager and an independent adviser, being Council's nominated Legal Adviser, or other independent person/s of appropriate standing. Council has appointed its Auditor as the independent member.

Meetings: As required
Reports to: Council Meeting
Council Representative: His Worship the Mayor Councillor S Byrne and the General Manager.

19. Marrickville Cooks River Committee – Panel Determining Community Representation

Meetings: Every two years
Reports to: Development and Environmental Services Committee
Council Representation: Chair, Development and Environmental Services Committee

20. Artist in Residency Advisory Committee

To advise on which artists Council should offer residency to.

Meetings: As required
Reports to: Community Services Committee
Council Representation: Cllr Penny Sharpe (Chairperson), Director, Community services, Manager, Communication and Cultural Services, Arts and Cultural Development Officer

21. Debbie and Abbey Borgia Community Recreation Centre Advisory Committee

To provide advice and support to PCYC in the operation of the DABCRC.

Meetings: Monthly
Reports to: Community Services Committee
Council Representation: Councillor Khan and Community Facilities & Recreation Co-ordinator.

22. Art Board Curatorial Committee

To oversee the Newtown Art Board Project and to provide advice to the Curator.

Meetings: As required
Reports to: Community Services Committee
Council Representation: Councillor F Byrne (Chairperson), Director, Community Services, Manager, Communication and Cultural Services, Cultural Development Officer

**GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS**
For Decision

23. Community Development and Support Expenditure (CDSE) Scheme Committee

To provide advice to local registered clubs about priorities for spending their CDSE funds.

Meetings: As required
Reports to: Community Services Committee
Council Representation: Councillor F Byrne (Chairperson), Manager, Community Development

24. Newtown Selection Panel

To advise on artworks that Council is sponsoring in the Newtown area.

Meetings: As required
Reports to: Community Services Committee
Council Representation: Chair, Community Services Committee (Chairperson), Director, Community Services, Manager, Communication and Cultural Services, Arts and Cultural Development Officer

B. Councillor Representation on other Organisations/Bodies:

a. Roads & Traffic Authority Consultative Forum

Chairperson: His Worship the Mayor, Councillor S Byrne and the Chairperson of the Technical Services Committee, Councillor P Olive.

b. Cooks River Floodplain Management Committee

Councillor C Hesse

c. Metropolitan Public Libraries Association

Councillor F Byrne with Councillor C Hesse as alternative.

d. Cities for Climate Protection

His Worship the Mayor, Councillor S Byrne

e. Australian Mayoral Aviation Committee

His Worship the Mayor, Councillor S Byrne

**GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS**
For Decision

C. Regional Organisations

- i) Southern Sydney Regional Organisation of Councils (SSROC)** - comprises eleven (11) councils in Southern Sydney and operates under an adopted constitution:

Secretariat: Meets every two months at each Council in turn.
Reports to: Council via a General Manager's Report to Council Meetings.
Councillor Representatives: His Worship the Mayor, Councillor S Byrne and Deputy Mayor, Councillor D Thanos with Councillors F Byrne and C Hesse as alternates.

- ii) Metropool** - is a co-operative insurance pool for Councils: council has representation on the Executive.

Reports to: Council via a General Manager's Report
Councillor Representatives: Chairperson of Corporate Services Committee, Councillor V Macri and General Manager.

- iii) Sydney Airport Community Consultative Committee**

Councillor Representative: Nil

- iv) Sydney Harbour Councils**

Councillor Representative: His Worship the Mayor, Councillor S Byrne.

RECOMMENDATION:

THAT Council determine its representatives on each of the Committees/Organisations listed.

Council Meeting - E01/06 - 26 September, 2006

***GM 90 - APPOINTMENT OF COUNCILLORS AS REPRESENTATIVES
OF COUNCIL ON SPECIAL COMMITTEES; OTHER ORGANISATIONS/
BODIES; AND REGIONAL ORGANISATIONS***

For Decision