



Redland
CITY COUNCIL

MINUTES

SPECIAL MEETING

Thursday 4 December 2008

**Council Chambers
1st floor Administration Building
Bloomfield Street Cleveland. Qld 4163**



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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 1.30pm.

2 RECORD OF ATTENDANCE**MEMBERS PRESENT:**

Cr M E Hobson PSM	Mayor
Cr T Bowler	Deputy Mayor and Councillor Division 6
Cr W Boglary	Councillor Division 1
Cr C B Ogilvie	Councillor Division 2
Cr D A Henry	Councillor Division 3
Cr B A Townsend	Councillor Division 5
Cr M A Elliott	Councillor Division 7
Cr K A Reimers	Councillor Division 8
Cr K M Williams	Councillor Division 9
Cr H J Murray	Councillor Division 10

EXECUTIVE LEADERSHIP GROUP:

Mr G Underwood	Acting Chief Executive Officer
Mr R Turner	General Manager Corporate Services
Mr G Soutar	General Manager Redland Water & Waste
Mr L Smith	Acting General Manager Customer Services
Mr D Elliott	Acting General Manager Planning & Policy

OFFICERS:

Mr L Wallace	Manager Corporate Planning, Performance & Risk
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MINUTES:

Mrs T Dunn	Team Leader, Corporate Meetings & Registers
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APOLOGY:

Mr G Stevenson PSM	Chief Executive Officer
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ABSENT

Cr P J Dowling	Councillor Division 4
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3 DIRECT TO COUNCIL REPORT

3.1 OFFICE OF CHIEF EXECUTIVE OFFICER

3.1.1 LOCAL GOVERNMENT CONSTITUTIONAL SUMMIT – APPOINTMENT OF VOTING DELEGATE

Datworks Filename: GOV External Conferences

Attachment: Business Papers

Responsible Officer Name: Greg Underwood
Acting Chief Executive Officer

Author Name: Luke Wallace
Manager Corporate Planning, Performance and Risk

EXECUTIVE SUMMARY

This report establishes the necessary delegation that will enable Council to fully participate in the upcoming Local Government Constitutional Summit. The Summit brings local authorities throughout Australia together to consider the important issue of constitutional recognition and make decisions on the preferred option for amendment of the Australian Constitution. Each member Council is entitled to nominate one “voting delegate” to formally represent it in delegate discussions and debates.

PURPOSE

To appoint the Mayor, Cr Melva Hobson, as Redland City Council’s voting delegate at the forthcoming Local Government Constitutional Summit and appoint a representative to collect the voting card on behalf of Council.

BACKGROUND

The Federal Government has identified that the constitutional recognition of local government is firmly on its agenda. Such recognition, depending on its successful achievement and the exact form it actually takes, has several potential benefits for local government including:

- Recognition of the important role local government plays in the governance structure of the Commonwealth of Australia
 - Formal requirement for state governments to maintain a system of local government
 - Easier access for local government to key decision making forums
 - More direct relationship between federal and local government
 - Access to increased federal funding
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- Greater financial security for local government which would support enhanced long-term planning
- Requiring state governments to follow due process in dismissing a Council or changing a Council's boundaries

The forthcoming Local Government Constitutional Summit will bring Australian local government together to discuss the best means for advancing the formal recognition of local government in the Australian Constitution. Council will be represented at the Summit by a joint councillor/officer delegation. Whilst all delegates can contribute to debate and discussion if so desired, each member Council is required to nominate one voting delegate to represent it in formal votes or divisions.

ISSUES

The Local Government Constitutional Summit will convene over three days from December 9 to December 11, 2008. During the Summit delegates will hear from several speakers including members of both the Federal Government and Federal Opposition and members of the Constitutional Reference Group, a team that has been formed by the Australian Local Government Association (ALGA) including constitutional lawyers, referendum experts and research and engagement experts.

In addition to these information sessions, a series of four "delegate discussions" will be held where delegates will work through the advantages and disadvantages of four options for constitutional recognition as follows:

1. Purely symbolic recognition of local government in the Constitution
2. Recognition of the institution of local government in the Constitution
3. Protection or strengthening of the financial position of local government in the Constitution
4. Provision for the Commonwealth to be granted the power to make laws with respect to local government in the Constitution

The four delegate discussion sessions will operate as follows:

1. Canvass the options for constitutional recognition
2. Consider the options in detail
3. Move towards a consensus of members
4. Make a resolution and vote on the preferred option/s

The ALGA has issued comprehensive business papers outlining summit rules, rules of debate, voting procedure etc. Whilst all summit delegates are entitled to speak during delegate discussions, there are certain functions that can only be performed by a voting delegate. These include:

- Movement or seconding of a motion or an amendment
- Voting on a motion or amendment concerning the affairs of the Constitutional Summit
- Calling for a division on a particular vote
- Introduction of a motion relating to special urgent business

- Voting on a motion to suspend Standing Orders

It should be noted that all voting delegates present at a meeting where a question is put are required to vote on that motion.

It is important that Council exercises its rights as a voting member at the Constitutional Summit and it is considered appropriate that the Mayor, Cr Melva Hobson, should fulfil the role of Council's "voting delegate". In addition to determining a voting delegate, Council also needs to appoint a representative to collect the voting card each day from the voting card desk. The Manager Corporate Planning, Performance and Risk is attending the Summit and it is proposed that he collect this voting card each day on behalf of Council.

RELATIONSHIP TO CORPORATE PLAN

The recommendation in this report primarily supports Council's strategic priority to provide a clear organisational direction supported by effective leadership and a framework of policies, plans and strategies that are responsive to the community's needs and which promote accountable and ethical standards of practice.

FINANCIAL IMPLICATIONS

There are no direct financial implications in relation to this report.

CONSULTATION

Consultation on this matter has been undertaken with the CEO and the General Manager Planning and Policy.

OPTIONS

PREFERRED

1. That the Mayor, Cr Melva Hobson, be appointed as the 'voting delegate' for Redland City Council on the matter of local government recognition in the Australian Constitution, to be debated at the December 2008 Local Government Constitutional Summit - Special National General Assembly; and
2. That the Manager Corporate Planning, Performance and Risk, Mr Luke Wallace, be appointed to collect the voting card for Council from the voting card desk each day.

ALTERNATIVE

That Council nominates an alternative delegate to vote on its behalf at the Constitutional Summit and an alternative person to collect the voting card each day.

**OFFICER'S RECOMMENDATION/
COUNCIL RESOLUTION**

Moved by: Cr Elliott
Seconded by: Cr Reimers

That Council resolve as follows:

- 1. That the Mayor, Cr Melva Hobson, be appointed as the 'voting delegate' for Redland City Council on the matter of local government recognition in the Australian Constitution, to be debated at the December 2008 Local Government Constitutional Summit - Special National General Assembly; and**
- 2. That the Manager Corporate Planning, Performance and Risk, Mr Luke Wallace, be appointed to collect the voting card for Council from the voting card desk each day.**

CARRIED

4 MEETING CLOSURE

The Mayor declared the meeting closed at 1.35pm.

Signature of Chairperson: _____

Confirmation date: _____