

CONSULTATION/ADVERTISING:

The Board is required to consult with the members of the Association and provide a copy of the proposed amendment to each member at least 21 days prior to the general meeting of the Association.

There is no requirement for the City to consult outside of the Association.

LEGAL/POLICY:***Associations Incorporation Act 2015*****30. Alteration of rules**

- (1) Subject to sections 31 and 33, an incorporated association may alter its rules by special resolution but not otherwise.
- (2) In this section, a reference to rules includes a reference to information provided under section 7(3)(b)(ii) or 29(5).
- (3) Within one month after the passing of a special resolution altering its rules, or such further time as the Commissioner may in a particular case allow, an incorporated association must lodge the required documents with the Commissioner.

RISK MANAGEMENT IMPLICATIONS:

The endorsement of the Rules will ensure Leederville Gardens Inc. meets with the minimum requirements under the Associations Incorporation Act 2015.

STRATEGIC IMPLICATIONS:

Supports the outcomes we are working towards in the City's 2018-2028 Strategic Community Plan:

Connected Community:

- *We have enhanced opportunities for our community to build relationships and connections with each other and the City.*

Innovative and Accountable:

- *We are open and accountable to an engaged community.*

SUSTAINABILITY IMPLICATIONS:

N/A

FINANCIAL/BUDGET IMPLICATIONS:

The City does not receive any financial benefit from the Association. The trust previously established by the Constitution between the Association and the City holds surplus funds which have been transferred to the City for disbursement in accordance with the trust.

COMMENTS:

The original Constitution for Leederville Gardens Inc. and subsequent iterations maintained a stewardship role for the City over the management of the Association. The draft Rules preserve this status.

The draft Rules have been endorsed by the Board and ~~are required to be presented to in~~ a special general meeting of the Association ~~(scheduled for on 7 December 2018). An update will be provided prior to the Council Meeting in the event there are any amendments arising from the special resolution at the general meeting, where the draft Rules were approved by special resolution with a minor amendment to rule 13(4)(b) as detailed below:~~

(b) does not affect the validity of the election or appointment of any Director election or appointment made prior to commencement of these rules.

Administration will arrange a workshop with Council Members to discuss the City's future association with Leederville Gardens Inc. and the disbursement of the trust funds.