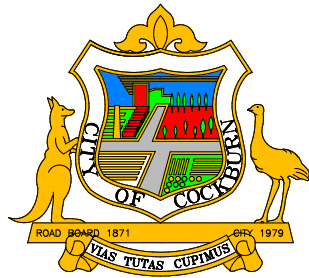


CITY OF COCKBURN



SPECIAL COUNCIL

AGENDA PAPER

FOR

TUESDAY, 3 AUGUST 2004

CITY OF COCKBURN

SUMMARY OF AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL MEETING TO BE HELD ON TUESDAY, 3 AUGUST 2004 AT 7:00 PM

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CITY OF COCKBURN**AGENDA TO BE PRESENTED TO THE SPECIAL COUNCIL
MEETING TO BE HELD ON
TUESDAY, 3 AUGUST 2004 AT 7:00 PM**

1. DECLARATION OF MEETING**2. APPOINTMENT OF PRESIDING MEMBER (If required)****3. DISCLAIMER (To be read aloud by Presiding Member)**

Members of the public, who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council.

4. ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN DECLARATIONS OF FINANCIAL INTERESTS AND CONFLICT OF INTEREST (by Presiding Member)**5. APOLOGIES & LEAVE OF ABSENCE****6. PUBLIC QUESTION TIME****7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS****8 (SCM 03/08/2004) - PURPOSE OF MEETING**

The purpose of the Meeting is:

- (1) to adopt the Municipal Budget for the financial year 2004/05; and

- (2) to appoint Elected members to the Panel responsible for conducting interviews for the position of Chief Executive Officer and making a recommendation to Council on the preferred applicant.

9. COUNCIL MATTERS

9.1 (SCM 03/08/2004) - MUNICIPAL BUDGET 2004/05 - SCHEDULES (5402) (ATC) (ATTACH)

RECOMMENDATION

That Council:

- (1) receive the report by the Director, Finance and Corporate Services on the Municipal Budget for 2004/05; and
- (2) include the items listed in the following schedules in the 2004/05 Municipal Budget, as attached to the Agenda:
 1. New/Increased Projects
 2. Staff Requests
 3. Information Technology – Hardware/Software
 4. South Lake Leisure Centre – Capital
 5. Furniture and Equipment
 6. Roads and Footpaths Infrastructure Program
 7. Parks Infrastructure Program
 8. Environmental Projects and Studies
 9. Facilities Construction/Improvement
 10. Waste Services – Capital
 11. Major Plant Program
 12. Light Fleet Program
 13. Minor Plant
 14. Donations and Contributions
 15. Community Safety Projects
 16. Social Services – General Projects
 17. Summary of Fees and Charges
 18. Land Development and Sales Program
 19. Transfers to Reserve Funds
 20. Carried Forward Projects/Programs

COUNCIL DECISION

Background

Council is required to adopt an annual budget by 31 August each financial year.

Submission

N/A

Report

A report by the Director, Finance and Corporate Services on the 2004/05 Municipal Budget is attached to the Agenda, together with schedules of items included in the proposed Budget. Items considered but not included in the proposed Budget are also attached to the report.

Strategic Plan/Policy Implications

The Budget provides funds for Council's activities in 2004/05.

Budget/Financial Implications

The above recommendations have been included in the proposed Budget for 2004/05.

Legal Implications

N/A

Community Consultation

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.2 (SCM 03/08/2004) - MUNICIPAL BUDGET 2004/05 - DIFFERENTIAL RATES (5402) (ATC)

RECOMMENDATION		
That Council adopt the following in its 2004/05 Municipal Budget:		
(1) the rate in the dollar and minimum rate for Council's rate categories are:		
Category	Minimum Rate	Rate in \$
Residential Improved	438.00	6.2341
Commercial/Industrial Improved	653.00	6.2400

Residential/Vacant	438.00	10.7986
Commercial/Industrial Vacant	653.00	10.8000
UFL Residential Improved	438.00	5.6107
UFL Residential Vacant	438.00	9.7188
Rural/Resource	438.00	0.3703
UFL Rural	438.00	0.3333

(2) the charges for rubbish services be as follows:

1. The Rubbish Collection Charge be levied at \$169.00 per assessed collection service for a weekly domestic rubbish collection, with a mobile bin levy of \$27.00 applying to ratepayers who received their bin after 1 July 2001.
2. The Rubbish Collection Charges be levied for non-rateable properties at an annual rate of \$274.00 per assessed service for a weekly collection.
3. The Commercial, Industrial and Residential premises be charged \$169.00 per assessed service for a bulk service weekly collection, with a bulk bin levy of \$27.00 for all bins delivered after 1 July 2000.
4. The new rubbish services commencing during the year 2004/05 be levied a mobile bin service charge of \$27.00 and a pro-rata charge based on \$169.00 p.a.

(3) a discount of 5% be allowed on current rates provided that all rates and charges due are paid within thirty-five(35) days of the date of issue of the annual Rate Notice;

(4) offer payment options for Rates and Service Charges of:

1. Pay in full and receive discount (on current rates only).
2. Pay in two instalments.
3. Pay in four instalments.

provided that in all cases the first payment must be received within thirty-five(35) days of the issue date of the annual Rate Notice;

(5) sets the following payment dates for instalment options:

1. Two instalments
 - first payment due 21 September 2004
 - second payment due 25 January 2005

2. Four instalments
 - first payment due 21 September 2004
 - second payment due 23 November 2004
 - third payment due 25 January 2005
 - fourth payment due 29 March 2005
- (6) charge an administration fee of \$5.00 for the second and subsequent instalments;
- (7) the interest rate on instalment payments be 5.5% p.a. and the late payment interest rate be 11% p.a.;
- (8) once-off extensions up to sixty(60) days be charged instalment interest from the due date but no administration fee;
- (9) the Rates Incentive Scheme prizes apply for full payment within thirty-five(35) days of the date of issue of the annual Rate Notice;
- (10) impose a Service Charge of \$30.80 under Section 6.38(1) of the Local Government Act 1995 on each property owner in the Beeliar - Panorama Gardens district to meet the cost of providing Security Patrols in that district, for the period 1 July 2004 to 30 November 2004; and
- (11) impose a Service Charge of \$37.50 per property under Section 6.38(1) of the Local Government Act 1995 on each property owner in the City of Cockburn (except for non-rateable government owned properties) to meet the cost of providing a Community Security Patrol service to cover the entire Cockburn district.

COUNCIL DECISION

Background

Council is required to adopt an annual Budget by 31 August each year.

Submission

N/A

Report

The recommendations shown above relate to the rate in the dollar to be charged, rubbish service charges, discount, payment options and penalty interest rates in the proposed Budget for 2004/05, as well as Service Charges in respect of Security Patrols.

Strategic Plan/Policy Implications

The Budget provides funds for Council's activities in 2004/05.

Budget/Financial Implications

The above recommendations are included in the proposed Budget for 2004/05.

Legal Implications

N/A

Community Consultation

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.3 (SCM 03/08/2004) - ADOPTION OF THE MUNICIPAL BUDGET 2004/05 (5402) (ATC) (ATTACH)

RECOMMENDATION
That Council adopt the Municipal Budget for 2004/05 as attached to the Agenda and as amended at the meeting.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Background

Council is required to adopt an annual Budget by 31 August each year.

Submission

N/A

Report

The Municipal Budget, in the required AAS27 format, is attached to the Agenda.

Strategic Plan/Policy Implications

The Budget provides funds for Council's activities in 2004/05.

Budget/Financial Implications

The above recommendation adopts the Budget for 2004/05.

Legal Implications

N/A

Community Consultation

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil.

9.4 (SCM 03/08/2004) - APPOINTMENT OF PANEL TO CONDUCT INTERVIEWS - EMPLOYMENT OF NEW CHIEF EXECUTIVE OFFICER (2612) (ATC)

RECOMMENDATION

That Council:

- (1) pursuant to Section 5.8 of the Local Government Act 1995, establish an "Interview Committee";
- (2) nominate the Terms of Reference of the Committee to be "to interview short-listed candidates for the position of Chief Executive Officer and to recommend a preferred candidate to Council";
- (3) appoint Mayor Lee, Elected Members _____,

_____ and _____ as members of the Interview Committee;

- (4) appoint Mr Peter Casey from Beilby Corporation Pty Ltd as an Advisor to the Interview Committee; and
- (5) disband the Committee once the Contract with the new Chief Executive Officer is signed.

COUNCIL DECISION

Background

At its meeting on 18 May 2004 Council established the “Co-ordination of the Appointment of a New Chief Executive Officer Committee” to co-ordinate all necessary documentation, advertising and short-listing of candidates for the position of Chief Executive Officer (CEO). This Committee has selected a short-list for adoption by Council and it is now appropriate for Council to appoint a Committee to interview the short-listed candidates.

Submission

N/A

Report

The Co-ordination Committee has met on several occasions. At its meeting on 15 June 2004 Council adopted a Position Description for the new Chief Executive Officer which had been compiled by the Committee as well as an appropriate remuneration package.

An advertisement for the position was placed in appropriate publications on Saturday, 19 June 2004, which indicated that applications closed at 5.00 pm WST on 9 July 2004. The timetable being followed proposes that interviews of short-listed candidates take place on 4 and 5 August 2004. A Committee therefore needs to be appointed to undertake interviews of the short-listed candidates and recommend a preferred candidate. The name of the preferred candidate will then be put to Council for approval. Negotiations with the preferred candidate can then commence.

Strategic Plan/Policy Implications

Key Result Area “Managing Your City” refers.

Budget/Financial Implications

Funds for the employment of a Chief Executive Officer are contained within the Budget.

Legal Implications

Legal advice may be necessary prior to finalising the Contract of Employment for the new Chief Executive Officer.

Community Consultation

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

9.5 (SCM 03/08/2004) - APPOINTMENT OF A NEW CHIEF EXECUTIVE OFFICER (2612) (ATC) (ATTACH)

RECOMMENDATION

That Council:

- (1) direct the Interview Committee to:
 1. Interview the short-listed candidates as listed in the Confidential Report for the position of Chief Executive Officer at the City of Cockburn.
 2. Select a preferred candidate for the position.
 3. Recommend to Council the name of the preferred candidate for approval.
- (2) adopt the Contract of Employment for the new Chief Executive Officer, as attached to the Confidential Report, as the basis for negotiations with the preferred candidate;
- (3) adopt the Key Performance Indicators for the position of Chief Executive Officer, as attached to the Confidential Report;
- (4) authorise Mayor Lee to negotiate the Contract of Employment between Council and the new Chief Executive Officer, with the agreed Contract being presented to Council for final adoption;

and

- (5) authorise the Mayor and an Elected Member to sign the adopted Contract of Employment on behalf of Council and affix the Common Seal.

COUNCIL DECISION

Background

At its meeting on 18 May 2004 Council established the “Co-ordination of the Appointment of a New Chief Executive Officer Committee” to co-ordinate all necessary documentation, advertising and short-listing of candidates for the position of Chief Executive Officer (CEO). This Committee has chosen a short-list of candidates for approval by Council.

Submission

N/A

Report

A Confidential Report has been forwarded under separate cover.

Strategic Plan/Policy Implications

Key Result Area “Managing Your City” refers.

Budget/Financial Implications

Funds for the employment of a Chief Executive Officer are contained within the Budget.

Legal Implications

Legal advice may be necessary prior to finalising the Contract of Employment for the new Chief Executive Officer.

Community Consultation

N/A

Implications of Section 3.18(3) Local Government Act, 1995

Nil

10. (SCM 03/08/2004) - RESOLUTION OF COMPLIANCE (SECTION 3.18(3), LOCAL GOVERNMENT ACT 1995)

RECOMMENDATION

That Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:

- (a) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;
- (b) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and
- (c) managed efficiently and effectively.

COUNCIL DECISION

11. CLOSURE OF MEETING