

CITY OF COCKBURN

SUMMARY OF MINUTES OF SPECIAL COUNCIL MEETING HELD ON TUESDAY, 3 AUGUST 2004 AT 7:00 PM

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CITY OF COCKBURN

MINUTES OF SPECIAL COUNCIL MEETING HELD ON TUESDAY, 3 AUGUST 2004 AT 7:00 PM

PRESENT:

ELECTED MEMBERS

Mr S Lee	-	Mayor
Mr R Graham	-	Deputy Mayor
Ms A Tilbury	-	Councillor
Mr I Whitfield	-	Councillor
Mr A Edwards	-	Councillor
Mr K Allen	-	Councillor
Ms L Goncalves	-	Councillor
Mrs S Limbert	-	Councillor
Mr M Reeve-Fowkes	-	Councillor
Mrs V Oliver	-	Councillor

IN ATTENDANCE

Mr D. Green	-	Director, Administration & Community Services (Dep. 7.36 pm)
Mr A. Crothers	-	Director, Finance & Corporate Services
Mr S. Hiller	-	Director, Planning & Development (Dep. 7.36 pm)
Mr B. Greay	-	Director, Engineering & Works (Dep. 7.36 pm)
Mr K. Lapham	-	Manager, Finance (Dep. 7.36 pm)
Mrs B. Pinto	-	Secretary/PA, Finance & Corporate Services (Dep. 7.36 pm)
Mr C. Ellis	-	Communications Manager (Dep. 7.36 pm)

1. DECLARATION OF MEETING

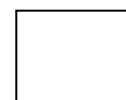
The Presiding Member declared the meeting open at 7.00 pm.

2. APPOINTMENT OF PRESIDING MEMBER (If required)

Nil

3. DISCLAIMER (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)

Nil

5 (SCM 03/08/2004) - APOLOGIES & LEAVE OF ABSENCE

Mr R Brown - Apology

6 (SCM 03/08/2004) - PUBLIC QUESTION TIME

Andrew Sharry, Adventure World spoke regarding the installation of a footpath on Progress Drive, Bibra Lake. He said for the past 2 years Adventure World has been endeavouring to improve the roadway and footpath on Progress Drive, near Adventure World in association with the City. He said that as part of the Budget deliberations, he felt that these works would have been included after several requests being made. He emphasised that some of these improvements are safety related, while others relate to general improvements to the area. Mr Sharry mentioned that Adventure World was willing to commit to a 50% share in the improvement to the area near Adventure World. He requested Council to reconsider the inclusion of these improvements as part of the Budget deliberations tonight.

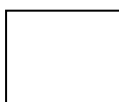
7. DECLARATION BY COUNCILLORS WHO HAVE NOT GIVEN DUE CONSIDERATION TO MATTERS CONTAINED IN THE BUSINESS

Nil

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 **(MINUTE NO 2500) (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

MOVED Cllr A Tilbury SECONDED Cllr M Reeve-Fowkes that the recommendation be adopted subject to the deletion of Schedules 1 and 19 which will be dealt with separately.

CARRIED 10/0

Explanation

The deletion of the respective schedules was necessary as there were proposed amendments which affected items listed in Schedules 1 and 19.



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.

(MINUTE NO 2501) (SCM 03/08/2004) – NEW/INCREASED PROJECTS – SILVER JUBILEE COMMEMORATION (1079) (SE)

COUNCIL DECISION

MOVED Mayor S Lee SECONDED Cllr S Limbert that Council:

- (1) increase the proposed allocation for the Silver Jubilee Celebration from \$25,000 to \$35,000; and



- (2) reduce the transfer to the Major Building Refurbishment Reserve Fund by \$10,000.

CARRIED 10/0

Explanation

An amount of \$25,000 is contained in the proposed budget for celebrations associated with the Silver Jubilee of the City. This amount will cover a number of events which will occur throughout the year. Of the \$25,000 an amount of \$3,000 was proposed to supplement the amount normally set aside for the annual Community Cocktail party. This party will now in fact not only be the major birthday party event and Community Cocktail Party, but will also be the launch of Council's Strategic Plan. It will be attended by a large number of people and be the premiere event of the annual celebrations. Therefore an additional \$10,000 is required to allow for this to happen.

(MINUTE NO 2502) (SCM 03/08/2004) – NEW/INCREASED PROJECTS – DOGGIE PARK (5402) (RA)

COUNCIL DECISION

MOVED Cllr I Whitfield SECONDED Cllr A Tilbury that:

- (1) Council adopt the recommendation with regard to the allocation of \$25,000 for a Doggie Park but remove any reference to Dubove Reserve; and
- (2) a report be presented to a future Council Meeting on the preferred location for a Doggie Park.

CARRIED 10/0

Explanation

It was considered that the location of the Doggie park needs to be considered further by Council and after consultation with the community.



(MINUTE NO 2503) (SCM 03/08/2004) – DONATION TO MR GRANT BOXALL FOR THE PURCHASE OF A WHEELCHAIR (5300) (RA)

COUNCIL DECISION

MOVED Mayor S Lee SECONDED Cllr A Tilbury that Council:

- (1) donate \$5,000 to Mr Grant Boxall towards the cost of a new wheel chair specifically designed to meet the needs of Olympic competitions; and
- (2) reduce the transfer to the Major Building Refurbishment Reserve Fund by \$5,000.

CARRIED 10/0

Explanation

Mr Grant Boxall has been selected as part of the 2004 Athens Paralympics Wheelchair Rugby Team. Mr Boxall is a resident of Success. He is seeking Council sponsorship towards the cost of a rugby wheelchair specifically designed for the sport. The cost of such a chair is approximately \$6,250. Should Council become a sponsor, Mr Boxall will place the City's logo on the chair wheels and assist in promotional acknowledgement activities for the City.

(MINUTE NO 2504) (SCM 03/08/2004) – INCREASE ALLOCATION FOR SISTER CITY EXPENSES (1021) (DMG)

COUNCIL DECISION

MOVED Cllr K Allen SECONDED Mayor S Lee that Council:

- (1) increase the allocation for "Sister City Expenses" Account OP9608 from \$5,000 to \$20,000;
- (2) reduce the transfer to the Major Building Refurbishment Reserve Fund by \$15,000; and
- (3) consider a report on the benefits to be gained by the City prior to accessing such funds.

CARRIED 10/0



Explanation

Where tangible benefits can be achieved, Sister City relationships need to be encouraged and therefore the allocation needs to be increased to provide funds should Sister City activities be undertaken in the future.

(MINUTE NO 2505) (SCM 03/08/2004) – LIGHTING FOR PHOENIX ROAD ARTWORKS (8816) (JR)

COUNCIL DECISION

MOVED Cllr K Allen SECONDED Cllr L Goncalves that Council:

- (1) allocate \$10,000 to provide lighting for the artworks on Phoenix Road; and
- (2) reduce the transfer to the Major Building Refurbishment Reserve Fund by \$10,000.

CARRIED 10/0

Explanation

It is considered that the artworks recently installed on Phoenix road should be lit up at night so that they are visible 24 hours a day.

(MINUTE NO 2506) (SCM 03/08/2004) – NORTH LAKE ROAD – ROAD WORKS (450010) (JR)

COUNCIL DECISION

MOVED Cllr K Allen SECONDED Cllr S Limbert that Council:

- (1) allocate \$20,000 to extend the right turn pocket in North Lake Road at Farrington Road by 50 metres;
- (2) reduce the transfer to the Major Building Refurbishment Reserve Fund by \$20,000; and
- (3) not carry out any works until the conclusion of the consultation process on the duplication of Farrington Road.

CARRIED 8/2



Explanation

The traffic in North Lake Road turning into Farrington Road is banked up at peak hours and it is proposed that the right turn pocket be extended by 50 metres to avoid traffic congestion.

(MINUTE NO 2507) (SCM 03/08/2004) – PROGRESS DRIVE - PROPOSED WORKS (450691) (JR)

COUNCIL DECISION

MOVED Deputy Mayor R Graham SECONDED Clr K Allen that Council:

- (1) allocate \$35,000 for Progress Drive Improvements near Adventure World subject to a contribution of \$17,500 towards the works by Adventure World;
- (2) require a report to be presented to Council on the proposed works prior to the project commencing including consultation with Adventure World; and
- (3) reduce the transfer to the Major Building Refurbishment Reserve Fund by \$17,500.

CARRIED 10/0

Explanation

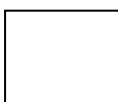
A request has been received from Adventure World for improvement works costing an estimated \$35,000 to take place on Progress Drive near their property. Adventure World has proposed that they contribute half the cost of the proposed works (\$17,500).

(MINUTE NO 2508) (SCM 03/08/2004) – SCHEDULES 1 AND 19 – MUNICIPAL BUDGET 2004/05 (5402) (ATC)

COUNCIL DECISION

MOVED Clr M Reeve-Fowkes SECONDED Clr A Tilbury that Council adopt Schedules 1 - New/Increased Projects and Schedule 19 - Transfers to Reserve Funds as attached to the Agenda, subject to the changes agreed to at this meeting.

CARRIED 10/0



9.2 (MINUTE NO 2509) (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.

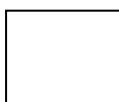
provided that in all cases the first payment must be received within thirty-five(35) days of the issue date of the annual Rate Notice;

- (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

MOVED Clr M Reeve-Fowkes SECONDED Clr A Tilbury that the recommendation be adopted subject to Item (11) to read as follows:

- (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, effective 1 December 2004.

CARRIED 10/0

Explanation

The inclusion of the effective date for the commencement of the security patrols as part of the recommendation was considered necessary.

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 (MINUTE NO 2510) (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

MOVED Cllr S Limbert SECONDED Cllr M Reeve-Fowkes that Council adopt the Municipal Budget for 2004/05 as attached to the Agenda subject to the changes agreed to at this meeting.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0

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

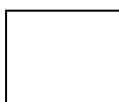
The Budget provides funds for Council's activities in 2004/05.

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 (MINUTE NO 2511) (SCM 03/08/2004) - APPOINTMENT OF COMMITTEE 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

MOVED Deputy Mayor R Graham SECONDED Cllr M Reeve-Fowkes that Council:

- (1) pursuant to Section 5.8 of the Local Government Act 1995 (WA) ("the Act"), and in accordance with section 5.9(2)(a) of the Act, establish the "Interview Committee" ("the Committee");
- (2) establish the Terms of Reference of the Committee as to:
 1. interview short-listed candidates for the position of Chief Executive Officer ("CEO");
 2. recommend a preferred candidate to Council for



employment as CEO.

- (3) appoint Mayor Lee, Deputy Mayor Graham, Cllr Kevin Allen, Cllr Amanda Tilbury and Cllr Martin Reeve-Fowkes to the Committee;
- (4) appoint Mr Peter Casey from Beilby Corporation Pty Ltd as a non-voting adviser to the Committee; and
- (5) disestablish the Committee when the contract with the new CEO is executed.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL 10/0

Explanation

The changes to Sections 1, 2, 4 and 5 are redrafts of the recommendation and do not include changes to its intent. The Members appointed to the Committee pursuant to Section 3 have previously indicated that they would like to be appointed.

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.

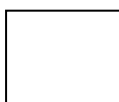
Submission

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

THE PRESIDING MEMBER INVITED MR PETER CASEY FROM BEILBY CORPORATION PTY LTD TO JOIN THE MEETING AT THIS POINT THE TIME BEING 7.35 PM.

(MINUTE NO 2512) (SCM 03/08/2004) – MEETING BEHIND CLOSED DOORS

COUNCIL DECISION

MOVED Deputy Mayor R Graham SECONDED Cllr M Reeve-Fowkes that pursuant to s7.7(1) (a) of Council's Standing Orders, Council move behind closed doors, the time being 7.36 pm, to discuss Item 9.5.

CARRIED 10/0

DIRECTOR - ADMINISTRATION AND COMMUNITY SERVICES, DIRECTOR - PLANNING AND DEVELOPMENT, DIRECTOR - ENGINEERING AND WORKS, DIRECTOR - FINANCE AND CORPORATE SERVICES, MANAGER - FINANCE, COMMUNICATION MANAGER AND SECRETARY - FINANCE AND CORPORATE SERVICES LEFT THE MEETING AT THIS STAGE THE TIME BEING 7.36 PM



(MINUTE NO 2513) (SCM 03/08/2004) – SUSPENSION OF STANDING ORDERS

COUNCIL DECISION

MOVED Deputy Mayor R Graham SECONDED Cllr S Limbert pursuant to Clause 22.1 of Council's Standing Orders, Council suspend all Standing Orders Clauses, the time being 7.38 pm, to enable discussions to take place in relation to Appointment of the new Chief Executive Officer.

CARRIED 10/0

(MINUTE NO 2514) (SCM 03/08/2004) – RESUMPTION OF STANDING ORDERS

COUNCIL DECISION

MOVED Cllr A TILBURY SECONDED Cllr S LIMBERT Standing Orders be resumed, the time being 8.15 pm.

CARRIED 10/0

(MINUTE NO 2515) (SCM 03/08/2004) – MEETING OPEN TO THE PUBLIC

COUNCIL DECISION

MOVED Cllr K Allen SECONDED Cllr I Whitfield the meeting be opened to the public, the time being 8.16 pm.

CARRIED 10/0

DIRECTOR, FINANCE & CORPORATE SERVICES RETURNED TO THE MEETING AT THIS STAGE THE TIME BEING 8.16 PM.

9.5 (MINUTE NO 2516) (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

MOVED Deputy Mayor R Graham SECONDED Mayor S Lee that Council:

- (1) short-list all candidates that the Co-ordination of the Appointment of a new Chief Executive Officer Committee designated as recommended and reserve;
- (2) direct the Interview Committee to:
 1. Interview the short-listed candidates listed in the attached Confidential Report, for employment as the Chief Executive Officer ("CEO") of the City of Cockburn.
 2. Select its preferred interviewed candidate for CEO.
 3. Recommend to Council an interviewed candidate for employment as CEO.
- (3) adopt the Contract of Employment for the new CEO ("the Contract"), included in the attached confidential report, as its preferred contract for execution, and the basis for negotiations with the preferred candidate;
- (4) adopt, with the following changes, the Key Performance Indicators for the position of CEO included in the attached



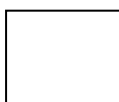
confidential report;

1. Insert the words "Advises and assists the Council in the achievement of its vision on behalf of its community" where the following phrase appears, "Advise and assist the Council in the achievement of its vision on behalf of its community".
 2. Insert the text "By the liaising with the Mayor ensures that the Elected Members are aware of and encouraged to attend training and development courses that will assist them in their decision-making and representative roles.", in the "Training and Development" section, under "Elected Member Training".
 3. Substitute the phrase "Council goals" for "organisational goals" on page 13 of the report;
 4. Substitute the phrase "is able to convey understanding of what they have heard" for "is able to convey understanding of what they has heard" on page 20 of the report.
- (5) 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;
- (6) authorise the Mayor and the Deputy Mayor to sign the Contract on behalf of Council and affix the Common Seal; and
- (7) amend the execution clause of the Contract to be consistent with section 6 above.

CARRIED 10/0

Explanation

The change to Section 1 is a redraft of the recommendation and does not include a change to the intent of the recommendation. Council prefers to adopt the attached draft Contract as its preferred outcome, in order to provide guidance to the Mayor and the preferred candidate. Some of the KPI's are drafted in the active voice and some in the passive voice and one KPI was incomplete. The change in Section (4) (1) drafts all KPI's in the active voice and the change in (4) (2) completes the incomplete KPI. Sections 5 and 6 specify the Deputy Mayor as the Elected Member who signs the Contract in addition to the Mayor on behalf of the City of Cockburn.



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. **(MINUTE NO 2517) (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

MOVED Clr K Allen SECONDED Clr I Whitfield that the recommendation be adopted.

CARRIED 10/0

11 (SCM 03/08/2004) - CLOSURE OF MEETING

MEETING CLOSED 8.21 PM

CONFIRMATION OF MINUTES

I, (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed: Date:/...../.....

