



Town of Cottesloe

I hereby certify that the minutes of the Special Council meeting held
on

Saturday, 2 May 2020

were confirmed as a true and accurate record by Council resolution.

Signed:

A handwritten signature in blue ink, appearing to be 'D. King', written over a faint blue line.

Presiding Member

Date: 26/5/2020

TOWN OF COTTESLOE



SPECIAL COUNCIL MEETING

MINUTES

SPECIAL COUNCIL MEETING
HELD IN THE
War Memorial Hall, Cottesloe Civic Centre, 109 Broome Street, Cottesloe
12:00noon Saturday, 2 May 2020

NEIL HARTLEY
Acting Chief Executive Officer

7 May 2020

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Agenda and minutes are available on the Town's website www.cottesloe.wa.gov.au

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS	1
2	DISCLAIMER	1
3	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION.....	1
4	PUBLIC QUESTION TIME	1
5	PUBLIC STATEMENT TIME.....	1
6	ATTENDANCE	1
	6.1 APOLOGIES.....	1
	6.2 APPROVED LEAVE OF ABSENCE.....	1
7	DECLARATION OF INTERESTS.....	1
8	PRESENTATIONS.....	2
	8.1 PETITIONS	2
	8.2 PRESENTATIONS.....	2
	8.3 DEPUTATIONS	2
9	REPORTS	2
	9.1 REPORTS OF OFFICERS.....	2
10	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	2
11	MEETING CLOSED TO PUBLIC.....	2
	11.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED	2
	11.1.1 CONFIDENTIAL EMPLOYEE MATTER	2
	11.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC.....	2
12	MEETING CLOSURE.....	2

1 DECLARATION OF MEETING OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member announced the meeting opened at 12:20pm.

2 DISCLAIMER

The Presiding Member drew attention to the Town's Disclaimer.

3 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The Mayor announced that the meeting is being recorded, solely for the purpose of confirming the correctness of the Minutes.

4 PUBLIC QUESTION TIME

Nil

5 PUBLIC STATEMENT TIME

Nil

6 ATTENDANCE**Elected Members**

Mayor Philip Angers
Cr Lorraine Young
Cr Caroline Harben
Cr Helen Sadler
Cr Craig Masarei
Cr Melissa Harkins
Cr Michael Tucak
Cr Kirsty Barrett
Cr Paul MacFarlane

Officers

Mr Neil Hartley	Acting Chief Executive Officer
Ms Sylvana Caranna	LOGO Appointments

6.1 APOLOGIES

Nil

6.2 APPROVED LEAVE OF ABSENCE

N/A

7 DECLARATION OF INTERESTS

Nil

8 PRESENTATIONS**8.1 PETITIONS**

Nil

8.2 PRESENTATIONS

Nil

8.3 DEPUTATIONS

Nil

9 REPORTS**9.1 REPORTS OF OFFICERS****10 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

11 MEETING CLOSED TO PUBLIC**11.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED****MOTION FOR BEHIND CLOSED DOORS**

Moved Mayor Angers Seconded Cr Sadler

That, in accordance with Standing Orders 15.10, Council discuss the confidential reports behind closed doors.

Carried 9/0

The public and members of the media were requested to leave the meeting at 12:21pm.

11.1.1 CONFIDENTIAL EMPLOYEE MATTER

This item is considered confidential in accordance with the *Local Government Act 1995* section 5.23(2) (a), (b) and (c) as it contains information relating to a matter affecting an employee or employees, the personal affairs of any person and a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

File Ref: SUB/2792

Attachments:

- 11.1.1(a) Summary Report **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 11.1.1(b) Info Pack **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 11.1.1(c) Contract **[CONFIDENTIAL] [UNDER SEPARATE COVER]**
- 11.1.1(d) CEO Candidate Interview List **[CONFIDENTIAL] [UNDER SEPARATE COVER]**

RESUMPTION OF STANDING ORDERS

Moved Mayor Angers Seconded Cr Sadler

That standing orders be resumed.

Carried 9/0

At 1:39pm, Standing Orders were resumed.

COUNCILLOR AMENDMENT

Moved Cr Tucak No Seconder, LAPSED

That point 1 be altered to read:

"Thanks the CEO Appointment Liaison Panel and notes the process undertaken."

The Mayor agreed to break the motion into two parts, point 1 on its own, followed by points 2-7.

PROCEDURAL MOTION

Moved Cr Young Seconded Cr Masarei

That, as per Standing Orders 14.1(d), point 1 be put to the vote.

Carried 9/0

SUBSTANTIVE MOTION AND COUNCIL RESOLUTION

1. **NOTES** the process undertaken by the CEO Appointment Liaison Panel as being consistent with the process approved by Council to be used for the selection and appointment of the CEO and thanks the Panel for its work;

Carried 8/1

SUBSTANTIVE MOTION AND COUNCIL RESOLUTION

2. **ENDORSES** Candidate A as referred to in the attached confidential CEO Candidate Interview List, as Council's preferred Candidate;
3. **ENDORSES** as required by S5.36 of the *Local Government Act 1995* that the preferred Candidate is suitably qualified and experienced to undertake the position of CEO at the Town of Cottesloe;
4. **AUTHORISES** the CEO Appointment Liaison Panel to undertake the negotiations with the preferred Candidate to reach agreement on the salient points of the contract of employment including total remuneration, term, commencement date, leave provisions and relocation allowance, in accordance with:
 - a. The Salaries and Allowances Act 1975,
 - b. Salaries and Allowances Tribunal for Local Government Band 3; and
 - c. Council policies.
5. **AUTHORISES** the CEO Appointment Liaison Panel to arrange the preparation of a draft contract of employment to be prepared by a suitably qualified lawyer with experience in Local Government and Employment law, based on the standard

WALGA CEO contract with such amendments as may be advised.

6. REQUESTS the CEO to circulate the lawyer's draft contract including the final salient points as referred to in (4), above, to all Elected Members; and
7. AUTHORISES the Mayor to finalise and sign the Contract on behalf of the Town of Cottesloe not less than 48 hours after circulation (at which point it would be deemed Council is satisfied with the provisions of the proposed employment contract as per S5.36 of the Local Government Act) unless within 24 hours of circulation three or more Elected Members request the CEO to call a Special Council meeting for the Contract to be brought back to Council for final endorsement.

Carried by Absolute Majority 9/0

Rationale:

1. Seeking legal advice will ensure the contract is appropriately worded.
2. Providing Councillors with the opportunity to "call in" the contract will ensure accountability, whilst endeavouring to be suitably timely.

MOTION FOR RETURN FROM BEHIND CLOSED DOORS

Moved Cr Young

Seconded Cr Sadler

In accordance with Standing Orders 15.10 that the meeting be re-opened to members of the public and media.

Carried 9/0

No public or members of the media returned to the meeting at 1.51pm.

11.2 PUBLIC READING OF RECOMMENDATIONS THAT MAY BE MADE PUBLIC

11.1.1 CONFIDENTIAL EMPLOYEE MATTER

As there were no members of the public or press present the resolution for item 11.1.1 was not read aloud.

12 MEETING CLOSURE

The Mayor announced the closure of the meeting at 1:52pm.