



# Special Council Meeting 1 October 2013

# MINUTES

**Town of East Fremantle**

135 Canning Highway, East Fremantle WA 6158

PO Box 1097, Fremantle WA 6959

Tel: (08) 9339 9339

Fax: (08) 9339 3399

E-mail: [admin@eastfremantle.wa.gov.au](mailto:admin@eastfremantle.wa.gov.au)

Web site: [www.eastfremantle.wa.gov.au](http://www.eastfremantle.wa.gov.au)

**MINUTES OF A SPECIAL COUNCIL MEETING, HELD IN THE COMMITTEE MEETING ROOM, ON TUESDAY, 1 OCTOBER, 2013 COMMENCING AT 10:20PM.**

**INDEX**

- 224. DECLARATION OF OPENING OF MEETING**
  - 224.1 Present*
- 225. ACKNOWLEDGEMENT OF COUNTRY**
- 226. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF**
- 227. RECORD OF APPROVED LEAVE OF ABSENCE**
- 228. RECORD OF APOLOGIES**
- 229. PUBLIC QUESTION TIME**
- 230. CONFIDENTIAL BUSINESS**
  - 230.1 Chief Executive Officer's Contract*
- 231. ADJOURNMENT**
- 232. RESUMPTION**
- 233. CONFIDENTIAL BUSINESS (CONTINUED)**
  - 233.1 Chief Executive Officer's Contract (Continued)*
- 234. BUSINESS**
  - 234.1 Town of East Fremantle's Submission to Local Government Advisory Board*
- 235. CLOSURE OF MEETING**

**MINUTES OF A SPECIAL COUNCIL MEETING, HELD IN THE COMMITTEE MEETING ROOM, ON TUESDAY, 1 OCTOBER 2013 COMMENCING AT 10.20PM.**

**224. DECLARATION OF OPENING OF MEETING**

The Acting Mayor (Presiding Member) declared the meeting open.

**224.1 Present**

Cr A Wilson	Acting Mayor/Presiding Member
Cr C Collinson	
Cr B de Jong	
Cr R Lilleyman	(To 11.06pm)
Cr S Martin	
Cr D Nardi	
Cr R Olson	
Cr M Rico	
Mr S Wearne	Chief Executive Officer
Mrs P Cooper	Minute Secretary

**225. ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member made the following acknowledgement:

*“On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place.”*

**226. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF**

There were no members of the public in the gallery at the commencement of the meeting.

**227. RECORD OF APPROVED LEAVE OF ABSENCE**

Nil.

**228. RECORD OF APOLOGIES**

Nil.

**229. PUBLIC QUESTION TIME**

Nil.

**230. CONFIDENTIAL BUSINESS**

**230.1 Chief Executive Officer’s Contract**

Cr Olson – Cr de Jong

**That the following matter be dealt with on a confidential basis, in accordance with Sections 5.23(2)(a) of the Local Government Act, which involves confidentiality provisions in relation to a matter involving an employee. CARRIED**

The CEO provided an updated version of a confidential report he had previously circulated with the Agenda, with the additional information marked in yellow.

After elected members had been provided with the opportunity to read the report the Presiding Member invited the CEO to comment on the report, following which the Presiding Member suggested the CEO leave the meeting.

In response, the CEO firstly advised of the relevant statutory provisions under which the author of a report to a meeting is not required to leave once any required declaration has been made (unlike the situation with elected members) and is in fact expected to remain present at the meeting in order to answer any questions on the report. In that regard the

1 October 2013

## MINUTES

CEO asked how any questions regarding his report would be dealt with, if he, as the author of the report, was not present.

The Presiding Member responded with the suggestion that the CEO stay to respond to any questions on the report and then leave to which the CEO agreed.

The Presiding Member then asked elected members if they had any queries or questions regarding the CEO's report. No questions were raised and the CEO left the meeting at 10.29pm.

**231. ADJOURNMENT**

Cr Wilson – Cr Olson

**That the meeting be adjourned at 10.30pm to allow further discussion on this matter.** CARRIED

At the request of the Presiding Member, the Minute Secretary left the room.

**232. RESUMPTION**

Cr de Jong – Cr Rico

**That the meeting be resumed at 10.56pm with all those in attendance prior to the adjournment, including the CEO and Minute Secretary, in attendance.** CARRIED

**233. CONFIDENTIAL BUSINESS (CONTINUED)****233.1 Chief Executive Officer's Contract (Continued)**

Cr Rico – Cr Nardi

The CEO's employment contract marked V5, as attached to this report, be endorsed by Council, subject to the following amendments:

1. Page 1 – Background  
"B" to read The Local Government wishes to appoint the Chief Executive Officer for the period 1 October 2013 to 30 September 2018 (inclusive)
2. Page 3 – Clause 3.2.1  
"20 August 2013" to be amended to "1 October 2013" and "30 June 2017" to be amended to "30 September 2018".
3. Page 7 – Clause 6.2.4  
FBT figure to read "\$7582"
4. Replace the words "*the value of one year's remuneration*" in clauses 9.2.2 and 9.2.3 with "*an amount equal to 100% of the annual Total Reward Package*".

CARRIED  
ABSOLUTE MAJORITY

Crs Lilleyman, Martin and Wilson requested their votes be recorded as having voted against the motion.

*Cr Lilleyman left the meeting at 11.06pm.*

**234. BUSINESS****234.1 Town of East Fremantle's Submission to Local Government Advisory Board**

The CEO provided a comprehensive verbal report regarding the current situation with respect to a submission by the Town, the due diligence report on the City of Fremantle commissioned of Ron Back, and the draft reports to the Board by the City of Fremantle and the City of Melville

Elected members indicated a preference for the Town to make its own submission rather than simply countersign the City of Fremantle proposal.

It was agreed that a Special Council Meeting be held on Thursday 3 October 2013 at 6.30pm to consider Council's submission to the Local Government Advisory Board.

**235. CLOSURE OF MEETING**

There being no further business, the meeting closed at 11.42pm.

*I hereby certify that the Minutes of the special meeting of the **Council** of the Town of East Fremantle, held on **1 October 2013**, Minute Book reference **224. to 235.** were confirmed at the meeting of the Council on*

.....

\_\_\_\_\_  
*Presiding Member*