



City of Nedlands

Minutes

Special Council Meeting

Monday 6 February 2012

ATTENTION

These minutes are subject to confirmation.

Prior to acting on any resolution of the Council contained in these minutes, a check should be made of the Ordinary Council Meeting next following this meeting to ensure that there has not been a correction made to any resolution.

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City of Nedlands

Notice of a special meeting of Council held in the Council chambers, Nedlands on Monday 6 February 2012 at 7.30 pm.

Declaration of Opening

The Presiding Member declared the meeting open at 7.30 pm acknowledged the Silver Jubilee of our monarch, Queen Elizabeth II, who 60 years' ago today ascended to the throne, and drew attention to the disclaimer below.

(NOTE: Council at its meeting on 24 August 2004 resolved that should the meeting time reach 11.00 p.m. the meeting is to consider an adjournment motion to reconvene the next day).

Present and Apologies and Leave Of Absence (Previously Approved)

| | |
|---|--|
| Councillors | His Worship the Mayor, R M Hipkins (Presiding Member) |
| | Councillor K E Collins Coastal Districts Ward |
| | Councillor N B J Horley Coastal Districts Ward |
| | Councillor L J McManus Coastal Districts Ward |
| | Councillor I S Argyle Dalkeith Ward |
| | Councillor W R Hassell Dalkeith Ward |
| | Councillor S J Porter Dalkeith Ward |
| | Councillor R M Binks Hollywood Ward |
| | Councillor B G Hodsdon Hollywood Ward |
| | Councillor K Walker Hollywood Ward |
| | Councillor T James (until 8.32 pm) Melvista Ward |
| | Councillor N Shaw Melvista Ward |
| | Councillor M L Somerville-Brown (from 7.32 pm) Melvista Ward |
| Staff | Ms S Mettam Manager HR & Organisational Development |
| | Ms N Borowicz Executive Assistant |
| Public | There were 1 member of the public present. |
| Press | The Post Newspaper representative. |
| Guest | Mr Anthony Quahe Civic Legal |
| Leave of Absence (Previously Approved) | Nil. |
| Apologies | Nil. |
| Absent | Nil. |

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1. Disclosures of Financial Interest

The Presiding Member to remind Councillors and Staff of the requirements of Section 5.65 of the *Local Government Act* to disclose any interest during the meeting when the matter is discussed.

There were no disclosures of financial interest.

2. Disclosures of Interests Affecting Impartiality

The Presiding Member to remind Councillors and Staff of the requirements of Council's Code of Conduct in accordance with Section 5.103 of the *Local Government Act*.

2.1 Councillor Walker – Item 5 - Determine contractual arrangements of the Chief Executive Officer.

Councillor Walker disclosed an impartiality interest in Item 5 – determine contractual arrangements of the Chief Executive Officer. She disclosed that that she is involved in an ongoing confidential matter which she cannot discuss at this time. The ongoing matter, she believes, may potentially involve the applicant and therefore, she believes, her impartiality maybe affected. In addition, in recent days, she had been made privy to assertions and as a consequence, she believed her impartiality on the matter maybe further affected. She advised that she would leave the meeting during this matter.

Councillor Walker left the meeting at 7.32 pm.

Councillor Somerville-Brown joined the meeting at 7.32 pm

3. Declarations by Members That They Have Not Given Due Consideration to Papers

Nil.

4. Matters for Which the Meeting May Be Closed

In accordance with Standing Orders and for the convenience of the public, it is proposed that the meeting will be closed to the public under section 5.23 (2)(a).

5. To determine contractual arrangements of the Chief Executive Officer.

Closure of Meeting to the Public

Moved – Councillor Hassell

Seconded - Councillor Shaw

That the meeting be closed to the public in accordance with Section 5.23 (2)(a) of the Local Government Act 1995 to allow confidential discussion on the following Items.

**CARRIED 12/1
(Against: Crs. Walker)**

The meeting was closed to members of the public at 7.33 pm.

Councillor Walker left room at 7.33 pm.

Councillor Walker returned to the meeting at 8.30 pm.

Opening of Meeting to the Public

Moved - Councillor Collins

Seconded - Councillor Shaw

That the meeting be re-opened to members of the public and the press.

CARRIED UNANIMOUSLY 13/-

The meeting re-opened to the public at 8.31 pm.

In accordance with Standing Orders 12.7 (3) the Presiding Member read out the motions passed by the Committee whilst it was proceeding behind closed doors and the vote of the members to be recorded in the minutes under section 5.21 of the Act.

Council Resolution

That the Council accepts the resignation of Mr Graham Foster as Chief Executive Officer as tendered in his communication dated 6 February 2012 and approves the arrangements made by His Worship the Mayor to meet the condition of the resignation and further authorises the payments to be made pursuant to the resignation. The purchase of the car by the CEO is authorised.

Councillor James retired the meeting at 8.32 pm.

Declaration of Closure

There being no further business, the Presiding Member declared the meeting closed at 8.33 pm.