

CITY OF JOONDALUP

MINUTES OF SPECIAL COUNCIL MEETING HELD IN COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP, ON THURSDAY 11 DECEMBER 2003

OPEN AND WELCOME

The Chairman declared the meeting open at 1900 hrs.

ATTENDANCES

In Attendance:

CMR J PATERSON – Chairman
CMR A DRAKE-BROCKMAN – Deputy Chairman
CMR M ANDERSON
CMR A FOX
CMR S SMITH

Officers:

Director, Planning & Community Development:	C HIGHAM
Director, Corporate Services and Resource Management:	P SCHNEIDER
Manager Human Resource Services:	M LOADER
Committee Clerk:	J HARRISON

APOLOGIES

Nil

There were 26 members of the Public and 1 member of the Press in attendance.

PUBLIC QUESTION TIME

(Section 7(4)(b) of the Local Government (Administration) Regulations 1996 states that a Council at a special meeting is not required to answer a question that does not relate to the purpose of the meeting. It was requested that only questions that relate to items on the agenda be asked).

Mr D Carlos, Ocean Reef:

Q1 I have a considerable amount of information, such as CVs submitted to Coffs Harbour, Warringham, in NSW and WA, and letters from the University of Technology, Sydney, the RMIT, and GHD. Would you like to have copies of these?

A1 Yes, the Commissioners are happy to receive information any member of the public has.

DECLARATIONS OF FINANCIAL INTEREST/INTEREST THAT MAY AFFECT IMPARTIALITY

Cmr Allan Drake-Brockman declared an interest that may affect his impartiality in JSC88-12/03 as he is a member of the legal profession.

ITEMS OF BUSINESS

The purpose of the meeting is to give consideration to:

- 1 Authorising the Commissioners to take independent advice, including legal advice, in relation to employment issues and contract issues in connection with the Chief Executive Officer.
- 2 The establishment of a detailed audit into related matters.
- 3 Authorising the Commissioners to request the attendance at meetings by an officer of the Department of Local Government and Regional Development if required.

JSC88-12/03

AUTHORISATION TO UNDERTAKE AUDIT AND SEEK INDEPENDENT LEGAL ADVICE – ISSUE RELATING TO THE EMPLOYMENT OF THE CHIEF EXECUTIVE OFFICER

MOVED Cmr Smith SECONDED Cmr Drake-Brockman that Council:

- 1 **AUTHORISES the Commissioners to instruct the City’s Auditor’s, Deloitte to undertake a detailed, i.e. forensic audit of the CEO’s compliance with his employment contract and other related matters that the Auditor may so advise and to provide a report to the Commissioners as a matter of extreme urgency;**
- 2 **AUTHORISES the Commissioners to obtain independent advice including legal advice from solicitors Fiocco’s Lawyers and Senior Counsel, in relation to employment and contract issues in connection with the employment of the CEO as a matter of extreme urgency;**
- 3 **AUTHORISES the Commissioners to meet with the appointed advisers as required;**
- 4 **AUTHORISES expenditure of up to \$25,000 for the forensic audit and up to \$25,000 for the legal advice with any further expenditure on either matter to be subject to a further resolution; and**
- 5 **AUTHORISES the Commissioners to request the attendance at meetings by an officer of the Department of Local Government and Regional Development as and when determined by the Commissioners.**

The Motion was Put and

CARRIED UNANIMOUSLY (5/0)

CLOSE OF MEETING

There being no further business, the Chairman declared the Meeting closed at 1907 hrs; the following Commissioners being present at that time:

CMR J PATERSON
CMR A DRAKE-BROCKMAN
CMR M ANDERSON
CMR A FOX
CMR S SMITH