



18 DECEMBER 2000

Meeting No 1321

MINUTES of an Extraordinary Meeting of the Council of the City of Sydney held in the Finance Committee Room at the Sydney Town Hall, commencing at 4.55 pm on 18 December 2000 pursuant to Notice 18/1321 dated 14 December 2000.

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PRESENT

The Right Hon The Lord Mayor Councillor Frank Sartor
(Chairman)

Councillors - Dixie Coulton, Nick Farr-Jones, Kathryn Greiner, Robert Ho, Fabian Marsden and Lucy Turnbull.

At the commencement of business at 4.55pm those present were:-

Councillors Coulton, Farr-Jones, Greiner, Ho, Marsden and Turnbull.

Adjournment

Moved by Councillor Turnbull, seconded by Councillor Coulton -

That the meeting be adjourned for a period of five minutes.

Carried.

At the resumption of the meeting at 5.00pm those present were:-

The Lord Mayor, Councillors Coulton, Farr-Jones, Greiner, Ho, Marsden and Turnbull.

Also present was Mr Des Bethke of Mills Oakley Consulting.

Closed Meeting

At 5.01pm the Extraordinary Meeting of Council resolved -

That the meeting be closed in accordance with the provisions of Section 10A (2)(a) of the Local Government Act 1993 to discuss Item 1 on the agenda as this matter comprised discussion of personnel matters concerning a particular individual;

and it was further resolved that the meeting be closed for this item on the basis that discussion of this matter in open session would, on balance, be contrary to the public interest, specifically, there was a need to preserve confidentiality having regard to the subject matters and the circumstances of communications.

Item 1 was then dealt with by the Extraordinary Meeting of Council while the meeting was closed to the public.

ITEM 1. APPOINTMENT OF GENERAL MANAGER AND DELEGATION OF RELEVANT AUTHORITIES TO THE LORD MAYOR (S013510)

MINUTE BY THE LORD MAYOR

To Council:

On 16 October 2000, I briefed Councillors on the process I intended to follow in finding and appointing a new General Manager, and this was confirmed in a Mayoral Minute adopted by Council on the same day.

The advertising and search process has progressed well, and as a consequence of earlier interviews, and interviews conducted today involving Councillors, it is the consensus of Councillors that Murray Douglas should be appointed as General Manager of the City of Sydney Council, effective on a date to be mutually agreed.

Murray Douglas has a very distinguished career, especially in local government reform. He is currently CEO of Moonee Valley City Council. He was previously CEO of Dunedin City Council, and CEO of Dunedin City Holdings, positions to which he was appointed in 1990, after being CEO of Waikato Regional Council. He also has a distinguished academic record and an involvement in numerous cultural, community and professional organisations.

In accordance with our discussion today I have no hesitation in recommending him to Council.

In considering this appointment it is customary for Council to delegate to the Lord Mayor powers to undertake all necessary contractual negotiations and execute a contract of employment with the appointee. In doing this it is an opportune time for Council to re-affirm but also clarify the Lord Mayor's authorities in relation to matters relating to the General Manager's employment, such as approval of leave, termination arrangements, the annual performance plan, and such obvious but important things like accepting a General Manager's resignation. These matters arose in the course of settling Greg Maddock's exit arrangements and deserve clarification.

Existing standing delegations to the Lord Mayor provide for this in part under clause (10) of the delegations, namely:

“(10) to oversee the performance of the General Manager, and that of the organisation and program areas within the organisation.....etc.”

There were other specific delegations at the time of the appointment of the previous General Manager on 11 December 1995.

Accordingly, it seems highly appropriate that existing delegations be re-stated and clarified, and so Part (B) of this recommended resolution expressly does this.

RECOMMENDATION:

A

- (i) That Murray Douglas be appointed to the position of General Manager on a five year performance based contract to commence on a date to be mutually agreed.
- (ii) That the Lord Mayor be authorised to negotiate and finalise all matters relating to the employment contract of the General Manager, and sign and execute all necessary documentation;

B That the standing delegations under the general category of “Organisational accountability, and performance management” be altered by the addition of the following authorities and functions to the Lord Mayor:

- (i) to negotiate and settle terms of a contract of employment with the General Manager including determining the appropriate remuneration, bonuses and incentives, and inform Councillors accordingly;
- (ii) to vary the terms of any contract of employment with an existing General Manager, and in the case of substantial changes, after consultation with Councillors;
- (iii) to settle performance standards, and plans and carry out performance reviews, after consultation with Councillors;
- (iv) to approve the payment of any performance bonus or incentive;
- (v) to take other quasi administrative actions including, but not limited to, approval of annual leave;
- (vi) to suspend the General Manager at short notice for serious causes and, only after prior consultation with Councillors, to terminate the General Manager’s employment;
- (vii) to negotiate and settle termination arrangements with the General Manager, including any termination payments to be made;
- (viii) to accept the resignation of the General Manager.

(SGD) COUNCILLOR FRANK SARTOR
Lord Mayor

Moved by Councillor Turnbull, seconded by Councillor Greiner -

That arising from consideration of a confidential Minute by the Lord Mayor to the Extraordinary Meeting of Council on 18 December 2000, on Appointment of General Manager and Delegation of Relevant Authorities to the Lord Mayor, it be resolved -

- (A)
- (i) That Murray Douglas be appointed to the position of General Manager on a five year performance based contract to commence on a date to be mutually agreed.
 - (ii) That the Lord Mayor be authorised to negotiate and finalise all matters relating to the employment contract of the General Manager, and sign and execute all necessary documentation.
- (B) That the standing delegations under the general category of “Organisational accountability, and performance management” be altered by the addition of the following authorities and functions to the Lord Mayor:
- (i) to negotiate and settle terms of a contract of employment with the General Manager including determining the appropriate remuneration, bonuses and incentives, and inform Councillors accordingly;
 - (ii) to vary the terms of any contract of employment with an existing General Manager, and in the case of substantial changes, after consultation with Councillors;
 - (iii) to settle performance standards, and plan and carry out performance reviews, after consultation with Councillors;
 - (iv) to approve the payment of any performance bonus or incentive;
 - (v) to take other quasi administrative actions including, but not limited to, approval of annual leave;
 - (vi) to suspend the General Manager at short notice for serious causes and, only after prior consultation with Councillors, to terminate the General Manager’s employment;
 - (vii) to negotiate and settle termination arrangements with the General Manager, including any termination payments to be made;
 - (viii) to accept the resignation of the General Manager.

Carried unanimously.

At 5.15 pm the meeting concluded.

Chairman of a meeting of the Council of the City
of Sydney held on 26 February 2000 at which
meeting the signature herein was subscribed.