
Shire of Kalamunda

Ordinary Council Meeting

Minutes for 16 April 2012

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MINUTES

1.0 OFFICIAL OPENING

1.1 The Chairman opened the meeting at 6.30pm and welcomed Councillors, Staff and Members of the Public Gallery.

2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

2.1 Attendance

Councillors

Donald McKechnie	(Chairman) (Shire President)	North Ward
Sue Bilich		North Ward
Allan Morton	(Deputy Shire President)	South West Ward
Justin Whitten		South West Ward
Geoff Stallard		South East Ward
John Giardina		South East Ward
Martyn Cresswell		North West Ward
Bob Emery		North West Ward
Dylan O'Connor		North West Ward

Members of Staff

James Trail		Chief Executive Officer
Andrew Fowler-Tutt	A/Director Development and Infrastructure Services	
Darrell Forrest		Manager Governance
Peter Hayes		Manager Business and Strategy
Michelle Clark		Executive Assistant
Meri Comber		Governance Officer

Members of the Public 2

Members of the Press 1

2.2 Apologies

Councillors

Margaret Thomas		North Ward
Frank Lindsey		South East Ward

2.3 Leave of Absence Previously Approved

Noreen Townsend		South West Ward
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3.0 PUBLIC QUESTION TIME

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil.

4.0 PETITIONS/DEPUTATIONS

4.1 Nil.

5.0 APPLICATIONS FOR LEAVE OF ABSENCE

5.1 Nil.

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**6.1 RESOLVED OCM 27/2012**

That the Minutes of the Ordinary Council Meeting held on 18 March 2012 are confirmed as a true and correct record of the proceedings.

Moved: **Cr John Giardina**

Seconded: **Cr Bob Emery**

Vote: **CARRIED UNANIMOUSLY (9/0)**

6.2 RESOLVED OCM 28/2012

That the Minutes of the Special Council Meeting held on 26 March 2012 are confirmed as a true and accurate record of the proceedings.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (9/0)**

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

7.1 There is to be a Special Council Meeting on 23 April 2012 to approve the Structural Plan for Forrestfield.

The Emergency Services Dinner is on Friday 20 April 2012 at 7.00pm; a show of hands was requested to indicate which Councillors will be attending.

8.0 MATTERS FOR WHICH MEETING MAY BE CLOSED**8.1 C&C 31/2012 Land Asset Assessment – Acquisition of Reserve 31117 Headingly Road Kalamunda**

If discussion is required to be dealt with at 15.0 on this Agenda.

Reason for confidentiality

Local Government Act 1995: Section 5.23(2) (ii), "information that has a commercial value to a person".

8.2 C&C 32/2012 Lots 49 and 15401 Elmore Way, High Wycombe – Legal Agreement

If discussion is required to be dealt with at 15.0 on this Agenda.

Reason for Confidentiality

Local Government Act 1995; Section 5.23(2)(d), "legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting".

8.3 Chief Executive Officer Performance Review

CONFIDENTIAL ITEM - Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (a) – a matter affecting an employee or employees.

9.0 DISCLOSURE OF INTERESTS**9.1 Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

9.1.1 Item 14.1 - Chief Executive Officer Performance Review

Chief Executive Officer, Mr James Trail disclosed a Financial Interest as "The Review has financial implications to my salary package".

9.2 Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

9.2.1 C&C 32/2012. Lots 49 and 15401 Elmore Way, High Wycombe – Legal Agreement – CONFIDENTIAL ITEM provided under separate cover.

Cr John Giardina disclosed an Interest Affecting Impartiality as he "has a

personal friendship with the applicant”.

10.0 REPORT TO COUNCIL

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

10.1 Development and Infrastructure Services Committee Report

10.1.1 Adoption of Development and Infrastructure Services Committee Report

RESOLVED OCM 29/2012

That the recommendations contained in the Development and Infrastructure Services Committee of 2 April 2012, except withdrawn items D&I 26, D&I 28 and D&I 33 be adopted.

Moved: **Cr John Giardina**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (9/0)**

10.1.2 D&I 21 Lot 13 (562) Kalamunda Road, Kalamunda - Application to Keep More Than Two Dogs

EN BLOC RESOLUTION OCM 29/2012

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 562 Kalamunda Road, High Wycombe to keep three dogs on this property.

10.1.3. D&I 22 Lot 754 (14) Pavetta Crescent Forrestfield - Application to Keep More Than Two Dogs

EN BLOC RESOLUTION OCM 29/2012

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, approve the exemption to the applicant of 14 Pavetta Crescent, Forrestfield to keep four dogs on this property.

10.1.4. D&I 23 Lot 21 (160) Carmel Road, Carmel - Application to Keep More Than Two Dogs

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 160 Carmel Road, Carmel to keep three dogs on this property.

10.1.5 D&I 24 Lot 79 (136) Midland Road, Maida Vale -Application to Keep More Than Two Dogs

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 136 Midland Road, Maida Vale to keep three dogs on this property.

10.1.6 D&I 25 Lot 114 (27) Regency Ramble, Wattle Grove - Application to Keep More Than Two Dogs

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. That Council, pursuant to Clause 3.2 of the Shire of Kalamunda Dogs Local Law 2010 made under Section 26(3) of the *Dog Act 1976*, grant the exemption to the applicant of 27 Regency Ramble, Wattle Grove to keep three dogs on this property.

10.1.7 D&I 27 The Parking of One Commercial Vehicle – Lot 30 (86) Lesmurdie Road, Lesmurdie

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Approves the proposal for Alexander De Jager to continue to park one commercial vehicle, an International Prime Mover (registration number 1DTG 184) at Lot 30 (86) Lesmurdie Road, Lesmurdie, subject to the following conditions:
 - a. The vehicle must, at all times, be parked in the location shown on the approved site plan (Attachment 2).

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- b. The commercial vehicle is only to be operated between the hours of 7.00am and 7.00pm Monday to Saturday and 9.00am to 5.00pm Sundays and public holidays.
 - c. Approval of the parking activity does not include approval for the loading of the commercial vehicle, or the storage of goods and materials in transit.
 - d. Only maintenance of a minor nature, such as servicing or wheel changing, is to be carried out on the subject property. No panel beating, spray painting or the removal of major body or engine parts is permitted.
 - e. The idling time for the start-up and cool down of the vehicle being a maximum of five minutes.
 - f. Washing of the commercial vehicle on the subject lot is to be limited to the use of water and mild detergent, but not involve the use of any solvents, degreasing substances, steam cleaning and any other processes which may cause pollution or degradation of the environment.
 - g. The approval is personal to the landowner and shall not be transferred or assigned to any other person, property or commercial vehicle.

10.1.8 D&I 29 Draft Structure Plan – Forrestfield District Centre

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Adopts the Draft Structure Plan (Attachment 2) for Forrestfield District Centre subject to the following modification:
 - a. The inclusion of an Action investigating the opportunity for the development of a roundabout at the intersection of Hale Road and Woolworths Drive.
2. Subject to the inclusion of the modification identified in Point 1 a copy of the adopted Structure Plan for the Forrestfield District Centre be forwarded to the Western Australian Planning Commission for their information.

10.1.9 D&I 30 Local Planning Scheme No. 3 Amendment - Rezone from Public Purpose to Mixed Use R60 and Residential R60 - Lot 106 (88) Hale Road, Forrestfield

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Initiates the amendment to Local Planning Scheme No. 3, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING
SCHEME
SHIRE OF KALAMUNDA
LOCAL PLANNING SCHEME NO. 3
AMENDMENT NO.

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Rezoning portion of Lot 106 (88) Hale Road, Forrestfield, from Public Purpose to Mixed Use R60 and Residential R60.

The amendment documents being adopted by Council and the Amendment being formally advertised for 42 days in accordance with the provisions of the *Town Planning Regulations 1967*, without reference to the Western Australian Planning Commission.

10.1.10 D&I 31 Local Planning Scheme No. 3 Amendment No. 42 – Lot 4371 (1) Cygnet Court and Lot 102 (21) Edney Road, High Wycombe – Increasing the Residential Density from R20 to R40

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Notes the submissions received in respect to Amendment No. 42 to Local Planning Scheme No. 3.
2. Adopts the amendment to Local Planning Scheme No. 3 without modification, in accordance with the following:

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING
SCHEME

SHIRE OF KALAMUNDA

LOCAL PLANNING SCHEME NO. 3

AMENDMENT NO. 42

Resolved that the Council in pursuance of Part 5 of the Planning and Development Act 2005 amend the above Local Planning Scheme by:

1. Increasing the residential density of Lot 4371 (1) Cygnet Court and Lot 102 (21) Edney Road, High Wycombe, from R20 to R40.

3. Amends the Scheme Zoning Map accordingly.
4. Duly executes the Amendment documents and forwards them and submissions received to the Minister for Planning requesting final approval be granted.

10.1.11 D&I 32 Recommendations from the Community Sustainability Advisory Committee (CSAC) Meetings

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Receives the unconfirmed minutes of the Community Sustainability Advisory Committee ("CSAC") meeting held on 16 February 2012 (Attachment 1).
2. Recognises that "CSAC's" success is dependent on defining achievable sustainable and environmental objectives in line with the Terms of Reference and that a program of objectives will be brought back to Council for endorsement.

10.1.12 D&I 34 Proposed closure of Right of Way (ROW) Adjacent to Lot 19 (32) and Lot 71 (34) Winsor Road, Kalamunda

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Proceed to advertise the proposed closure of the Right of Way located between Lots 19 (32) and 71 (34) Winsor Road, Kalamunda in accordance with Section 58 of *The Land Administration Act 1997*.

10.1.13 D&I 35 Boonooloo and Cotherstone Roads - Anti-Hoon Speed Hump Program

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Supports the withdrawal of the projects to install speed cushions on Boonooloo Road and Cotherstone Roads, Kalamunda, from the 2011/12 Budget.

10.1.14 D&I 36 Councillor Nominations – Eastern Subgroup of Metropolitan Regional Road Group

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Nominates Cr John Giardina to the Subgroup to represent Shire of Kalamunda.

10.1.15 D&I 37 Update on Electrical Audits

EN BLOCK RESOLUTION OCM 29/2012

That Council:

1. Notes the update on Electrical Audit of Shire facilities and associated remedial work.

For Separate Consideration

Item D&I 26 was put for separate consideration as an Absolute Majority was required.

10.1.16 D&I 26 Shire of Kalamunda Keeping and Control of Animals and Nuisance Amendment Local Law 2012

RESOLVED OCM 30/2012

That Council:

1. That Council resolves to make the Shire of Kalamunda Keeping and Control of Animals and Nuisance Amendment Local Law 2012 as shown in (Attachment 2).

Moved: **Cr Martyn Cresswell**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (9/0)**

Item D&I 31 was put for separate consideration as a decision was deferred by the Corporate and Community Committee to the Ordinary Council Meeting. Further investigations have taken place by the planning staff and the following new Officer Recommendation was put forward.

10.1.17 D&I 28 The Parking of One Commercial Vehicle – Lot 100 (17 Emanuel Court, Wattle Grove

RESOLVED OCM 31/2012

That Council:

1. Defer a decision pending the applicant providing legal documentation showing that his is entitled to share the driveway on adjoining 18 Emanuel Court, Wattle Grove.

Moved: **Cr John Giardina**

Seconded: **Cr Sue Bilich**

Vote: **CARRIED UNANIMOUSLY (9/0)**

Item D&I 33 was put for separate consideration as an Absolute Majority was required.

10.1.18 D&I 33 Delegation and Authorisations – *Building Act 2011*

RESOLVED OCM 32/2012

That Council:

1. Effective from the proclamation of the *Building Act 2011*, revokes the following delegations:
 - a. LMPA1– Building Approvals (Attachment 1)
 - b. LMPA2 – Buildings (Attachment 2)

2. Effective from the proclamation of the *Building Act 2011*, adopts the following delegation's and authorisations:
 - a. BLD1: Building Matters – Permits, Certificates, and Orders (Attachment 3)
 - b. BLD2: Building Matters – Building Authorisations (Attachment 4)
 - c. BLD 3: Building Matters – Fines, Penalties and Enforcement (Attachment 5)

Moved: **Cr Bob Emery**

Seconded: **Cr Geoff Stallard**

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (9/0)**

10.2 Corporate and Community Services Committee Report

10.2.1 Adoption of Corporate and Community Services Committee Report

RESOLVED OCM 33/2012

That the recommendations contained in the Corporate and Community Services Committee of 10 April 2012, except withdrawn item C&C 28, be adopted.

Moved: **Cr Martyn Cresswell**

Seconded: **Cr Dylan O'Connor**

Vote: **CARRIED UNANIMOUSLY (9/0)**

10.2.2 C&C 24 Creditors' Accounts Paid During the Period 27 February to 28 March 2012

EN BLOC RESOLUTION OCM 33/2012

That Council:

1. Receives the list of creditors paid during the period 27 February to 28 March 2012 (Attachment 1) in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996 (Regulation 12)*.

10.2.3 C&C 25 Monthly Financial Statements for the Eight Months to 29 February 2012

EN BLOC RESOLUTION OCM 33/2012

That Council:

1. Receives the monthly financial statement which comprises the Statement of Financial Position, Equity Statement, Statement of Comprehensive Income by Nature and Type, Statement of Comprehensive Income by Program, Rate Setting Statement and Reserve Balances Statement for the period ending 29 February 2012.

10.2.4 C&C 26 Debtors and Creditors Reports for the Period Ended 29 February 2012

EN BLOC RESOLUTION OCM 33/2012

That Council:

1. Receives the outstanding debtors (Attachment 1) and creditors (Attachment 2) reports for the period ended 29 February 2012.

10.2.5 C&C 27 Rates Debtors Report for the Period Ending 29 February 2012

EN BLOC RESOLUTION OCM 33/2012

That Council:

1. Receives the rates debtors report for the period ended 29 February 2012 (Attachment 1).

10.2.6 C&C 29 Land Asset Assessment – Public Consultation for Portion Reserve 32494 Lincoln Road ForrestfieldEN BLOC RESOLUTION OCM 33/2012

That Council:

1. Notes the Officer's proposal and preliminary concept.
2. Authorises the commencement of the Community Consultation process as is required by the Western Australia State Government as part of the 20A Reserve acquisition process.
3. Requests that the outcome of the community consultation process is reported to Council before lodging the application with the Department for Regional Development and Land.

10.2.7 C&C 30 Ray Owen Reserve – Kalamunda & Districts Football Club Players SheltersEN BLOC RESOLUTION OCM 33/2012

That Council:

1. Approves a contribution of \$4701.05 being 50% of the cost of installation of the players' shelters at Ray Owen Reserve.

10.2.8 C&C 31 CONFIDENTIAL REPORT – Land Asset Assessment – Acquisition of Reserve 31117 Headingly Road Kalamunda
Reason for Confidentiality - Local Government Act 1995: Section 5.23(2) (e)(ii), "information that has a commercial value to a person".EN BLOC RESOLUTION OCM 33/2012

That Council:

1. Authorise the Chief Executive Officer to commence negotiations for a Freehold Title Exchange with the State Government of Western Australia with respect to the properties at:
8 Lindsay Street Kalamunda and Reserve 31117 Headingly Road Kalamunda.
2. Seek the Minister for Lands' approval to the land exchange of Crown Reserve 31117 Headingly Road, Kalamunda with Council freehold property – Lot 42 (8) Lindsay Street, Kalamunda, and Certificate of title Volume 1699 Folio 878.

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3. On completion of the freehold title exchange, the Chief Executive Officer be authorised to dispose of the newly created freehold lot.
 4. That a report be presented to Council outlining proposals for the future use of 8 Lindsay Street as a community purpose site.

Cr John Giardina disclosed an Interest Affecting Impartiality as he has a personal friendship with the applicant.

10.2.9 C&C 32 CONFIDENTIAL REPORT - Lots 49 and 15401 Elmore Way, High Wycombe – Legal Agreement

Reason for Confidentiality - *Local Government Act 1995: Section 5.23(2) (d), "legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting".*

EN BLOC RESOLUTION OCM 33/2012

That Council:

1. Advise the applicant that it will accept a revision to the Concept Development Plan in which five (5) parking bays are indicated and that these bays be provided at the applicants cost prior to the release of the cash in lieu funds.
2. Approve the Shire Staff undertaking the construction of the car parking bays upon receipt of the funds from the land owner.
3. Advise the applicant that subsequent to the receipt of the funds for the parking bays noted in 1. above, the Director Development and Infrastructure be authorised to sign off that the provisions of the legal agreement have been generally met in respect to the Public Open Space works.
4. Advise the Western Australian Planning Commission that it reiterates its previous request to the Minister for Planning for the expenditure of cash in lieu funds of \$278,988 under subdivision approval 134818 for Lot 49 (Reserve 47766) Elmore Way, High Wycombe. Further, that it considers that the expenditure can include the water feature on the Public Open Space as it has no restriction to public access.

For Separate Consideration

Item C&C 28 was put for separate consideration as an Absolute Majority was required.

10.2.10 C&C 28 Building Act 2011 and Implications to the Shire

OCM RESOLUTION 34/2012

That Council:

1. Agrees to the Shire offering a Certification Service to the public at commercially competitive rates (Attachment 1).
2. That the proposed scale of fees and charges for undertaking a certification service for Certified Building Applications be approved for advertising (Attachment 2).

Moved: **Cr John Giardina**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY / ABSOLUTE MAJORITY (9/0)**

10.3 Audit Committee Report

10.3.1 AC 4 Report on the Kalamunda Water Park and Shire Purchasing Policy

OCM RESOLUTION 35/2012

That Council:

1. Receives the report on the Kalamunda Water Park and Shire Purchasing Policy prepared by Deloitte.
2. The Chief Executive Officer implements the recommendations in the report.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (9/0)**

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**11.1 Motion – Cr Frank Lindsey**

That Council:

1. Advise the Premier of the State of Western Australia, the Minister for Local Government, the Leader of the Opposition, the Shadow Minister for Local Government, our local members of the Legislative Assembly and Legislative Council, the Metropolitan Local Government Review Panel and the President of the Western Australian Local Government Association, that this Council calls upon the Parliament of Western Australia to forever uphold and not dilute our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the *Local Government Act 1995 (WA)*.
2. Request the recipient of each such letter to notify our Council by written reply as to whether they do support and will continue to support the preservation without dilution of our constituents' right to self-determination as embodied in clauses 8, 9 and 10(2) of Schedule 2.1 of the *Local Government Act 1995 (WA)*.
3. Provide to the Secretariat of the Councils for Democracy a copy of each of our above letters and any responses that our Council receives, for use in demonstrating collective support for our constituents' right to self-determination in clauses 8, 9 and 10(2) of Schedule 2.1 of the *Local Government Act 1995*.

Moved:

Seconded:

Vote: **LAPSED**

Cr Frank Lindsey was not present at the meeting, there was no Mover and the Motion LAPSED.

12.0 QUESTIONS BY MEMBERS WITHOUT NOTICE**12.1 Cr Bob Emery – Council Amalgamations**

- Q. What is the position with regard to the report regarding Amalgamations?
- A. The Chief Executive Officer responded that this had been delayed; it is imminent, and there will be a month to respond once it is received.

12.2 Cr Dylan O'Connor – Footbridge, Berkshire Road

Q. What is this Council's position regarding the Berkshire Road / Roe Highway footbridge?

A. The Shire President noted that the Shire has no stance at the moment, there have been suggestions from State Politicians and the Shire President but Council has made no decision at this stage.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

13.1 Nil.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14.1 **Chief Executive Officer Performance Review**
CONFIDENTIAL ITEM - Provided under separate cover.

Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (a) – a matter affecting an employee or employees.

This item will be dealt with at 15.0.

15.0 MEETING CLOSED TO THE PUBLIC

15.1 **Meeting to Go Behind Closed Doors**

OCM RESOLUTION 36/2012

That the meeting be closed to the public to consider the Chief Executive Officer's Performance Review.

Moved: **Cr Martyn Cresswell**

Seconded: **Cr Sue Bilich**

Vote: **CARRIED UNANIMOUSLY (9/0)**

The meeting closed to the public at 6.45pm and all in attendance except for Councillors left the Chambers.

- 15.2 **Chief Executive Officer – Performance Review**
CONFIDENTIAL ITEM – Provided under separate cover.
Reason for Confidentiality - *Local Government Act 1995* s.5.23 (2) (a) – a matter affecting an employee or employees.

The Chief Executive Officer, Mr James Trail, declared a Financial Interest in this item as it has financial implications to his salary package.

- 15.3 **Suspension of Standing Orders**

OCM RESOLUTION 37/2012

That Standing Orders be suspended.

Moved: **Cr Martyn Cresswell**

Seconded: **Cr Sue Bilich**

Vote: **CARRIED UNANIMOUSLY (9/0)**

The Shire President thanked the ten Councillors who contributed in the review of the Chief Executive Officer's performance, and remarked on his disappointment at the two Councillors who refused to take part in the review.

Councillors then discussed the item.

- 15.4 **Resumption Standing Orders**

OCM RESOLUTION 38/2012

That Standing Orders be resumed.

Moved: **Cr John Giardina**

Seconded: **Cr Justin Whitten**

Vote: **CARRIED UNANIMOUSLY (9/0)**

The Shire President requested Mr James Trail's return at Chambers at 7.15pm.

- 15.5 OCM RESOLUTION 39/2012

That Council:

1. Endorses the Shire President's Summary Performance Review Report (Confidential Attachment 1) and notes the positive outcomes of the review of performance for the year up to March 2012.

2. Notes the significant progress made by the Chief Executive Officer towards meeting annual priorities as described in the quarterly reports received by Council.
3. Endorses the Priority Actions for CEO (Confidential Attachment 2) as the Chief Executive Officer objectives for 2012-2013 (with one amendment).
4. Endorses a salary increase of 3.1% (CPI) of the Chief Executive Officer's total salary package. In accordance with Clause 5.1(3) of the contract of employment, the Chief Executive Officer may vary the components of the total remuneration package.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (9/0)**

15.6 **Motion to Reopen to the Public**

OCM RESOLUTION 40/2012

That the meeting be reopened to the public following consideration of the Chief Executive Officer's Performance Review.

Moved: **Cr Geoff Stallard**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (9/0)**

16.0 **CLOSURE**

There being no further business, the Chairman declared the meeting closed at 7.35pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: _____
Chairman

Dated this _____ day of _____ 2012