



## **SHIRE OF BODDINGTON**

*'The Council and Staff of the Shire of Boddington, in partnership with the community, are committed to operating effectively and efficiently to provide quality lifestyle opportunities that encourage population growth and development'*

### **SUMMARY MINUTES**

For the

## **ORDINARY MEETING OF COUNCIL**

held at

**5PM, TUESDAY 15<sup>TH</sup> MAY 2012**

at the

**Shire of Boddington Council Chambers  
at 39 Bannister Road Boddington**

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# Summary Minutes

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## **1. DECLARATION OF OPENING:**

The Shire President, Cr Allert declared the meeting open at 5:00pm.

## **2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:**

Cr J R Allert	President
Cr DN Veitch	Deputy President
Cr PR Carrotts	
Cr EK Hoek	
Cr GJ Day	
Cr J Goodgame	
Cr N Crilly	

Mr G Sherry	Chief Executive Officer
Mrs C Martin	Director of Corporate Services
Mr S Thompson	Planning Consultant
Ms T Bryant	Executive Assistant

## **APOLOGIES:**

Nil

## **VISITORS:**

Mr P Banks  
Mrs W Banks  
Mr K Noonan  
Ms E Noonan  
Mrs M Waite

## **3. DISCLOSURE OF FINANCIAL INTEREST:**

**Cr Carrotts declared a Financial Interest in Item 8.7.1 as he owns property that is leased by Boddington Mini Skips.**

**Cr Veitch declared a Financial Interest in Item 8.1.1 in that he owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.**

**Cr Day declared a Financial Interest in Item 8.1.1 in that he owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.**

**Cr Goodgame declared a Financial Interest in Item 8.1.1 in that she owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.**

**Cr Hoek declared a Financial Interest in Item 8.1.1 in that she is owner in partnership with husband which is subject to this item.**

**Cr Hoek declared an Impartiality Interest in Item 8.2.2 as she currently is a board member of the Peel Development Commission.**

**Cr Goodgame declared an Impartiality Interest in Item 8.3.1 as she is a member of the Boddington Arts Council.**

#### **4. PUBLIC QUESTION TIME:**

##### **4.1.1 Refuse Site – Increasing Tip Hours**

Mrs Banks states that the Officer's Recommendation at Agenda Item 8.7.1 is to increase the Refuse Site attendant's hours at approximate cost of \$45,000 per annum and recall after hour access to all key holders of the refuse site. Mrs Banks asked if the Shire has looked at alternative security measures to monitor the use and access to the Refuse Site.

Cr Allert explained that some questions are not able to be answered at this time as Council still had to consider the Officer's Recommendation at Agenda Item 8.7.1.

The Chief Officer (CEO) Mr Gary Sherry stated that the Shire had tried various security measures but although some had been helpful, for various reasons no option had been totally satisfactory. These methods included:

- Using Council's Road counter to record the time and type of vehicles entering the Refuse Site however the counter couldn't identify individual vehicles, just vehicle types;
- A solar powered fixed security camera to record an image of vehicles entering and exiting. Although helpful, there were issues with the solar panel and maintain sufficient charge to the camera and recorder; and
- A battery powered portable camera to record vehicles entering and exiting. This worked well until the portable camera was stolen..

##### **4.1.2 Sand Extraction – Lot 58 Twin Bridges Road**

Mr Noonan asked if the owner of Lot 58 Twin Bridges was permitted by Council to extract sand from his property. Mr Noonan quoted the number of vehicles entering the site in recent days and quoted from Council correspondence from 2006 stating that if the owner wished to extract sand from his property he would need to apply for planning consent from Council.

Council's Consultant Planner Mr Thompson replied that the owner had not submitted an application for an extractive industry. The owner of the property concerned had advised Council that the activity on his property was the construction of a dam for private purposes and he was removing excess soil from the site. For the construction of a dam on a property, planning consent is not required from Council at this time.

Mr Thompson advised that Council would investigate the activity again and update Mr Noonan of the outcome.

##### **4.1.3 Weighing of Trucks**

Mrs Banks stated that the Officer's Recommendation for Agenda Item 8.7.1 is that Council remove the charge for delivery of waste by weight and revert to charging by per cubic meter. Mrs Banks asked that given that Boddington Mini Skips (BMS) empties 98 skips per month, will the tip attendant be made available to inspect each load coming through to determine how many cubic meters of waste is in each skip bin?

The CEO replied that the issue presented to Council by members of the public for some time has been that the ability to deliver waste and be charged for the weight of that waste is only available to one ratepayer in Boddington, Newmont Boddington Gold, who operate the only weighbridge in Boddington. Therefore no other rate payer has the ability to be charge in this manner.

With two different charges for waste deliveries, by weight and cubic metre, there will always be the potential for deliveries by one of these methods to be advantageous to one party. At this time it is perceived that the charge for waste delivered by weight is probably too low and needs to be increased relative to the charge for waste delivered by cubic metre.

The CEO also replied that having the Refuse Site attendant available to assess the size of loads would be required if Council was to charge by the M<sup>3</sup> size of waste delivered. The report to Council identifies the potential cost of \$48,000 for additional staff time required for extended opening hours. If Council was to adopt a charging system that required additional staff, this cost would increase again.

#### 4.1.4 Calculation of Waste

Mrs Banks asked what Council proposed for calculation of waste in the compactor truck if the weigh bridge data is not to be used and is the refuse site attendant going to look inside the truck to determine how much waste was inside.

The CEO advised that it was most likely that Council would adopt a charge based on the capacity of the truck.

#### 4.1.5 Charging of Waste

Mr Banks asked if Council would consider retaining the charge based on weight if the charge was increased.

The CEO advised that the Officer's Recommendation at this time did not recommend retaining the charge by weight because of the concerns of effectively only one ratepayer being able to access that charge. Should Council decide to retain the ability to charge by weight, then it will be highly likely that Officers would recommend to Council to increase that charge as part of their annual budget deliberations.

### 5. **PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:**

Nil

## **6. CONFIRMATION OF MINUTES:**

6.1.1 Ordinary Meeting of Council Held on 17th April 2012

OFFICERS RECOMMENDATION – 6.1.1

Council Resolution                      59/12                                      Moved                                      Cr Veitch

That the minutes of the Ordinary Meeting of Council held on 17<sup>th</sup> April 2012 be confirmed as a true record of proceedings.

Seconded                                      Cr Carrotts                                      Carried                                      7/0

## **7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:**

Nil

## **8. REPORTS OF OFFICERS AND COMMITTEES:**

Council Resolution                      60/12                                      Moved                                      Cr Hoek

That Council bring forward and discuss Agenda Item 8.71 first.

Seconded                                      Cr Crilly                                      Carried                                      7/0

Cr Carrotts declared a Financial Interest in Item 8.7.1 as he owns property that is leased by Boddington Mini Skips and left Chambers at 5:15pm.

8.7.1 Operations and Charging at Council's Refuse Site

OFFICERS RECOMMENDATION – 8.7.1

MOTION                                      Moved                                      Cr Crilly

That Council:

1. end unsupervised access to Council's Refuse Site by 1<sup>st</sup> July 2012;
2. will rescind Council Policy 0.3 Access for Refuse Tip by 1<sup>st</sup> July 2012;
3. agree to the following draft opening hours of extend the opening hours of Council's Refuse Site;





**8.1.1 Minor Amendments to Adopted Local Planning Policies No. 12 and No. 13: Submitted for Final Adoption**

**OFFICER'S RECOMMENDATION – 8.1.1**

That Council:

1. adopt the modified *Local Planning Policy 12 – Multiple Dwellings on Rural Land* as set out in Attachment 8.1.1A; and
2. adopt the modified *Local Planning Policy 13 – Ancillary Accommodation* as set out in Attachment 8.1.1B.

**With Declarations of Interest received from of four Councillors, this item could not be discussed as there was no longer a quorum.**

**8.1.2 Extending the Approved Road Names List**

**OFFICER'S RECOMMENDATION – 8.1.2**

**Council Resolution                  61/12                                  Moved                                  Cr Hoek**

That Council:

1. agree to extend its approved road names list with the addition of the following names:

Strange	Dwyer	Darby
Keen	Gray	Price
Turton	Ray	Cornish
Hughes	Gilchrist	Bucholz

2. request the **Geographic Names Committee and the Honourable Minister for Lands** to agree to the above road names within the Shire of Boddington.

**Seconded                                  Cr Crilly                                  Carried                                  6/1**

**8.1.3 Issues Associated With Road Widening Adjoining Lot 701 River Road, Ranford**

**OFFICER'S RECOMMENDATION – 8.1.3**

**Council Resolution                  62/12                                  Moved                                  Cr Hoek**

That Council:

1. note the correspondence of Mr Eddie Flaherty outlined in Attachment 8.1.3A;
2. note the Shire correspondence outlined in Attachment 8.1.3D. In particular:

- (a) to endorse the agreement of the landowner utilising the bore as set out in the Shire's letter dated 17<sup>th</sup> January 2012 subject to the landowner agreeing to this in writing by 31<sup>st</sup> May 2012; or
  - (b) require the landowner to remove the bore at his expense by 30<sup>th</sup> September 2012, and authorise the Shire to remove the bore without compensation to Mr Flaherty provided that three months written notice is given; and
3. advise Mr Flaherty that there are no immediate plans to upgrade River Road near Lot 701. The Shire will monitor traffic volumes and the Council will separately consider funding for upgrading River Road through the Forward Capital Works Program and associated Council budgets.

Seconded                                      Cr Crilly                                      Carried                                      7/0

8.1.4      Review of Condition No. 27 for Landfill Facility Planning Approval: Lot 2 Albany Highway, North Bannister

OFFICER'S RECOMMENDATION – 8.1.4

Council Resolution                      63/12                                      Moved                                      Cr Carrotts

That Council advise Perthwaste and the Department of Environment and Conservation that:

- 1. it accepts their advice, outlined in Attachment 8.1.4B, in relation to Condition No. 27 of the Planning Approval issued by the Council on 20<sup>th</sup> September 2011 for the Landfill Facility on Lot 2 (Plan No. 2767) Albany Highway, North Bannister; and
- 2. Condition No. 27 has been suitably met.

Seconded                                      Cr Day                                      Carried                                      7/0

## 8.2      DIRECTOR SPECIAL PROJECTS:

8.2.1      Boddingtons Draft Interim Growth Plan

OFFICER'S RECOMMENDATION – 8.2.1

Council Resolution                      64/12                                      Moved                                      Cr Veitch

That Council:

- 1. support the public release of the tabled Boddington SuperTown Growth Plan subject to the inclusion of details relating to a possible industrial area on Siding Road;
- 2. require the Draft Boddington SuperTown Growth Plan to be publicly advertised for a period of six (6) weeks; and
- 3. will reconsider the draft Boddington SuperTown Growth Plan following the close of the public submission period and will determine what modifications are required to endorsement.

Seconded                                      Cr Day                                      Carried                                      7/0

Mr Thompson left Chambers at 5:50pm.  
Mr and Mrs Banks left Chambers at 5:50pm.

Cr Hoek declared an Impartiality Interest in Item 8.2.2 as she currently is a board member of the Peel Development Commission.

**8.2.2 New Administration Centre – Concept Design in Growth Plan**

**OFFICER'S RECOMMENDATION – 8.2.2**

**Council Resolution                  65/12                                  Moved                                  Cr Carrotts**

**That Council**

- 1. accept a quote of \$4,800 (GST Exempt) from McDonald Jones Architects to visit Boddington with a structural engineer and undertake a structural inspection of the existing building and site;**
- 2. Council acknowledges that the \$4,800 is unbudgeted expenditure and authorises the CEO to make necessary adjustment from unspent monies; and**
- 3. indicate to the Peel Development Commission that Council will submit a business case for the remaining Social Infrastructure Funding allocated to the Administration Centre Project after selecting a preferred concept design.**

**Seconded                                  Cr Veitch                                  Carried                                  7/0**

**8.3                  PRINCIPAL ENVIRONMENTAL HEALTH  
OFFICER/BUILDING SURVEYOR:**

Cr Goodgame declared an Impartiality Interest in Item 8.3.1 as she is a member of the Boddington Arts Council.

**8.3.1 Arts Council Building – Refurbish Gutters**

**OFFICERS RECOMMENDATION – 8.3.1**

**Council Resolution                  66/12                                  Moved                                  Cr Carrotts**

**That Council:**

- 1. Council make provision in the 2012/2013 financial year budget to assist with replacing the gutters and down pipes on the Boddington Arts Council building of \$2,500 in the 2012/2013 budget; and**
- 2. offer in kind assistance by transporting to the refuse site for disposal the old gutters and downpipes once they have been removed from the building and stacked in a neat pile.**

**Seconded                                  Cr Hoek                                  Carried                                  7/0**

#### **8.4 MANAGER COMMUNITY SERVICES:**

Nil

#### **8.5 MANAGER WORKS & SERVICES:**

Nil

#### **8.6 DIRECTOR CORPORATE SERVICES:**

##### **8.6.1 Monthly Financial Statements – February 2012**

###### **OFFICER'S RECOMMENDATION – 8.6.1**

**Council Resolution                  67/12                                  Moved                                  Cr Carrotts**

**That Council adopt the:**

- 1.      monthly Financial Statements for the period ending of February 2012;**
- 2.      list of Payments for the period ending of February 2012; and**
- 3.      summary of Reconciliations for the period ending of February 2012.**

**Seconded                                  Cr Day                                  Carried                                  7/0**

##### **8.6.2 Monthly Financial Statements – March 2012**

###### **OFFICER'S RECOMMENDATION – 8.6.2**

**Council Resolution                  68/12                                  Moved                                  Cr Carrotts**

**That Council adopt the:**

- 1.      monthly Financial Statements for the period ending of March 2012;**
- 2.      list of Payments for the period ending of March 2012; and**
- 3.      summary of Reconciliations for the period ending of March 2012.**

**Seconded                                  Cr Veitch                                  Carried                                  7/0**

##### **8.6.3 Loan 102 Agreement – Grader**

###### **OFFICER'S RECOMMENDATION – 8.6.3**

**Council Resolution                  69/12                                  Moved                                  Cr Veitch**

**That Council approve Loan 102 Agreement, Grader Loan for \$177,920 and endorses the use of the Common Seal by the CEO and President to execute this Agreement as shown at Attachment 8.6.3A.**

**Seconded                                  Cr Goodgame                                  Carried                                  7/0**

**8.6.4 Councillor Fees & Allowances 2012/13**

**OFFICER'S RECOMMENDATION – 8.6.4**

**Council Resolution                      70/12                      Moved                      Cr Hoek**

**That Council adopt:**

- 1. an annual fee in lieu of fees for attending meetings of \$5,000 per Councillor and \$10,000 for the Shire President;**
- 2. a President's allowance of \$8,000;**
- 3. a Deputy President's allowance of 25% of the President's allowance;**
- 4. an annual allowance in lieu of reimbursement of expenses of telecommunications of \$285 per annum;**
- 5. an annual allowance for information technology of \$150 per annum; and**
- 6. to pay Councillors allowances on a quarterly basis.**

**Seconded                      Cr Carrotts                      Carried                      7/0**

**8.6.5 Policy 11.19 - Occupational Safety & Health**

**OFFICER'S RECOMMENDATION – 8.6.5**

**Council Resolution                      71/12                      Moved                      Cr Veitch**

**That Council adopt the Occupational Safety and Health Policy Statement as shown below;**

**11.19 OCCUPATIONAL SAFETY AND HEALTH**

**Policy Statement:**

**The Shire of Boddington is committed to continual improvement of our Occupational Safety and Health (OSH) performance with a goal of eliminating work-related injury and illness by:**

- Developing and promoting a safety culture where best practice initiatives are entrenched in daily business activities and safety is considered a shared responsibility.**
- Complying with all legislative obligations, all applicable standards relating to our activities, and all other regulatory requirements to which the organisation subscribes.**
- Provision and maintenance of a safe workplace and associated systems of work.**
- Proactive identification and control of workplace hazards.**
- Including OSH responsibilities and duty of care into all activities and roles within the organisation.**

- Providing all employees, contractors and site visitors with adequate resources, information, education, training and supervision to meet occupational safety and health responsibilities.
- Reporting key OSH performance measures and establishing measurable objectives to ensure effectiveness and suitability.
- Consulting and communicating with employees and other appropriate parties in order to enhance the effectiveness of the OSH management system.
- Encouraging our suppliers and service providers to make similar commitments.
- Periodically reviewing the Occupational Safety and Health policy and supporting systems.

Managers and supervisors shall ensure that people under their direction, including employees, contractors and visitors are made aware of, and comply with, all applicable requirements of legislation, appropriate standards, policies, procedures and programs. They shall ensure that any incidents, exposures, hazards and OSH concerns within the workplace are reported and addressed in a timely manner.

Resolution No: xx/12

Resolution Date: 15/05/2012

Seconded                                      Cr Goodgame                                      Carried                                      7/0

8.6.6      Server Replacement Proposal and Lease Commitment
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OFFICER'S RECOMMENDATION – 8.6.6
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Council Resolution                                      72/12                                      Moved                                      Cr Crilly

That Council:

1. adopt the out of budget expenditure for the replacement of the Shire of Boddington Servers as per Attachment 8.6.6 Proposal provided by Empired Information Services & Technology; and
2. commit to the leased expenditure (GST Exempt) for the said equipment for the following budget years:
  - a. 2011/12 up to \$3,886.16;
  - b. 2012/13 \$15,544.64;
  - c. 2013/14 \$15,544.64;
  - d. 2014/15 \$15,544.64; and
  - e. 2015/16 up to \$15,544.64.

Seconded                                      Cr Goodgame                                      Carried                                      7/0

## **8.7 CHIEF EXECUTIVE OFFICER:**

### **8.7.2 Country Local Government Fund Grant Agreement – 2011/12**

#### **OFFICERS RECOMMENDATION – 8.7.2**

**Council Resolution                      73/12                                      Moved                                      Cr Carrotts**

**That Council authorises the President and Chief Executive Officer to execute, and to apply the Common Seal to, the Financial Assistance Agreement with the Department of Regional Development and Lands at Attachment 8.7.2A.**

**Seconded                                      Cr Day                                      Carried                                      7/0**

### **8.7.3 Senior Employee Status**

#### **OFFICERS RECOMMENDATION – 8.7.3**

**Council Resolution                      74/12                                      Moved                                      Cr Day**

**That Council adopt the Delegation A-5 Appointment of Staff as included at Attachment 8.7.3B.**

**Seconded                                      Cr Hoek                                      Carried                                      6/1**

**Mrs E Noonan left Chambers at 6:20pm.**

## **9. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

Nil

## **10. URGENT BUSINESS WITHOUT NOTICE (WITH THE APPROVAL OF THE PRESIDENT OR MEETING):**

Nil

## **11. CONFIDENTIAL ITEMS:**

**Council Resolution                      75/12                                      Moved                                      Cr Day**

**That Council go behind closed doors to discuss Item 11.1.1 and 11.1.2.**

**Seconded                                      Cr Hoek                                      Carried                                      7/0**

**Public left Chambers at 6:24pm.**

**Ms Martin and Ms Bryant left Chambers at 6:25pm.**

**12. CLOSURE OF MEETING:**

With no further business to discuss the Shire President, Cr Allert, closed the meeting at 6:42pm.

These minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held on Tuesday 19<sup>th</sup> June 2012

.....  
J R ALLERT

President