



SHIRE OF CUBALLING

**ORDINARY COUNCIL MEETING
HELD ON THURSDAY 16 FEBRUARY 2006**

MINUTES

SHIRE OF CUBALLING
ORDINARY COUNCIL MEETING
THURSDAY, 16 FEBRUARY 2006

MINUTES

TABLE OF CONTENTS

1. **OPENING - ANNOUNCEMENT OF VISITORS**
2. **ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE**
3. **PUBLIC QUESTION TIME**
4. **APPLICATIONS FOR LEAVE OF ABSENCE**
5. **MINUTES**
 - 5.1 **Confirmation of 16 December Meeting of Council** (as circulated)
6. **PETITIONS, DEPUTATIONS, PRESENTATIONS**
7. **REPORTS OF OFFICERS**
 - 7.1 **FINANCE AND ADMINISTRATION** (Beige)
 - 7.2 **WORKS** (Blue)
 - 7.3 **BUILDING** (Green)
 - 7.4 **HEALTH** (Pink)
 - 7.5 **TOWN PLANNING** (Yellow)
8. **ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
9. **OTHER URGENT BUSINESS**
10. **CLOSURE OF MEETING**

ORDINARY COUNCIL MEETING MINUTES

**MINUTES OF THE ORDINARY COUNCIL MEETING OF THE SHIRE OF CUBALLING
HELD IN THE COUNCIL CHAMBERS, CAMPBELL STREET, CUBALLING ON THURSDAY
16 FEBRUARY 2006**

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

President welcomed Councillors, declared meeting open 3.00 pm.

2. RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE

ATTENDANCE

Cr I L Watts - Shire President

Cr D S Bradford

Cr C R Hawksley

Cr R J D Newman

Mr P T Naylor - Chief Executive Officer

Cr T H Wittwer - Deputy President

Cr J D Brown

Cr C R McKenzie

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Nil

4. APPLICATION FOR LEAVE OF ABSENCE

Moved Cr Newman , seconded Cr Wittwer that leave of absence be granted to Cr Bradford for the March 2006 Ordinary Meeting of Council.

CARRIED 7/0

5. MINUTES

5.1 CONFIRMATION OF 16 DECEMBER 2005 ORDINARY MEETING OF COUNCIL

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the minutes (as circulated) of the ordinary meeting of the Shire of Cuballing held in the Council Chambers on 16 December 2005 be confirmed.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Wittwer that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

6. PETITIONS, DEPUTATIONS, PRESENTATIONS

6.1 SHIRE OF CUBALLING, TOWNSCAPE COMMITTEE AND PRESENTATION OF AUSTRALIA DAY AWARDS

Following the closure of the Council Meeting members of the Townscape Committee entered the Council Chambers. Council congratulated the Townscape Committee on the excellent work being undertaken within the local communities and their role in helping Cuballing being presented with the Peel Region Tidy Towns Award for 2005.

Council also took the opportunity of presenting Australia Day awards for Citizen of the Year to Mr Ian Grainger and Community Group of the Year to the Townscape Committee.

6.2 NATASHA HOBBS

At 6:00pm Miss Natasha Hobbs and invited guests joined with Council for refreshments and meal to recognise Natasha's employment with the Shire of Cuballing and present her with a farewell gift.

7. REPORTS OF OFFICERS

7.1 CHIEF EXECUTIVE OFFICER

7.1 REPORTS – FINANCE AND ADMINISTRATION

7.1.1 LIST OF ACCOUNTS SUBMITTED FOR COUNCIL APPROVAL AND PAYMENT – FEBRUARY 2006

Background

Council is supplied with a list of payments for consideration.

Comment

A copy of the list of payments made from each of Councils bank accounts is attached to this item.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That Council:

- **Approve for payment the list of Creditors paid from the Municipal fund totalling \$444,842.03; and**
- **Approve for payment the list of Creditors paid from the Trust fund totalling \$451.98.**

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.2 STATEMENT OF FINANCIAL ACTIVITY

Background

Local Government (Financial Management) Regulations 1996, section 34, provides for new monthly financial reporting requirements for local government.

Comment

A Statement of Financial Activity has been prepared for period ending 31 January 2006 in accordance with the abovementioned legislation and circulated with the Council meeting agenda.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Statement of Financial Activity, as circulated, for the Shire of Cuballing for period ending 31 January 2006 be received.

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.3 DEPARTMENT OF LOCAL GOVERNMENT AND REGIONAL DEVELOPMENT COMPLIANCE AUDIT RETURN 1 JANUARY 2005 TO 31 DECEMBER 2005

Background

Correspondence from the Department of Local Government and Regional Development enclosing the 2005 Local Government Compliance Audit Return, which has to be carried out by each local government in accordance with the provisions of the Local Government (Audit) Regulations 1996, as amended.

Comment

The Compliance Audit Return for the Shire of Cuballing for period 1 January 2005 to 31 December 2005 has been completed and a copy is circulated with the Council meeting agenda for Councillor information and comment. During the audit process there have been no instances during the reporting period where Council has failed to comply with relevant legislation and the processes required.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

The Local Government Compliance Audit Return for the Shire of Cuballing for reporting period 1 January 2005 to 31 December 2005, as circulated, be adopted and forwarded to the Department of local Government and Regional Development.

COUNCIL ACTION

Moved Cr Brown, seconded Cr McKenzie that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.1.4 CENTRAL COUNTRY ZONE SIX-MONTHLY ORDINARY MEETING

Background

The next six-monthly Ordinary meeting of the Central Country Zone (CCZ) is to be held in Brookton on Friday 31 March 2006.

Comment

The closing date for agenda items is Wednesday 1 March 1 March 2006.

Are there any items that Council would like raised at the meeting?

Councillors also please advise of your availability/interest to attend the meeting.

In addition to this the CCZ Annual Bowls Day is scheduled to be held in Beverley on Friday 24 March 2006. No specific details have been received as yet, however can Councillors also please provide an indication of interest in attending this event.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- Councillors and the Chief Executive Officer attend the Central Country Zone Six-Monthly meeting in Brookton on Friday 31 March 2006; and
- Councillors and the Chief Executive Officer attend the annual Central Country Zone Bowls Day in Beverley on Friday 24 March 2006.

COUNCIL ACTION

Resolved That:

- **Councillors Brown, Watts and Wittwer, and the Chief Executive Officer attend the Central Country Zone Six-Monthly meeting in Brookton on Friday 31 March 2006; and**
- **Councillors Brown and Wittwer, and the Chief Executive Officer attend the annual Central Country Zone Bowls Day in Beverley on Friday 24 March 2006.**

7.1.5 CHIEF EXECUTIVE OFFICER CONTRACT REVIEW AND ANNUAL PERFORMANCE APPRAISAL

Refer to Item later in the Minutes.

7.2 REPORTS – WORKS

7.2.1 WORKS SUPERVISORS REPORT

CUBALLING WEST ROAD

Works on this road are progressing well with all gravel carted on site and water binding continuing. The new levels and cross falls are in accordance with the specifications endorsed by Main Roads and to the AustRoads 94 Standards.

REFUSE SITE (CUBALLING)

The overburden and waste from the Cuballing West Road project is being carted to the Cuballing Refuse Site to assist with covering the refuse.

CUBALLING OVAL

The oval was fertilised in early February and the results have been very satisfactory. The oval is in a nice lush condition.

PARKS AND GARDENS

The Cuballing Youth and Community Park is starting to look a treat and is being well used by locals and visitors. The new cover has been erected over the playground equipment and grass coverage is gradually improving.

MAINTENANCE GRADING

The summer grading program is ongoing with School Bus routes being given the highest priority.

STAFF

A split Rostered Day Off system has been introduced to enable Councils outside works force to function more effectively. Six of the staff (including Works Supervisor) work one Friday and the other five staff the following Friday. This will enable the staff to concentrate on the main core focus of Councils operations Monday to Thursday and then undertake private and other minor works on Fridays.

Ordinary Council Meeting Minutes 16 February 2006

Graeme Renfrey will have completed 25 years of employment with the Shire of Cuballing on 3 March 2006. This is a significant achievement and one that perhaps Council should consider recognising by way of a formal function.

Hortus Australia, the training group that will be taking the staff through the Certificate in Rural Operations, have now set out the training program for 2006. The training will be quite frequent without being too intense and should help to make the staff and Councils operations a bit more professional.

PLANT AND EQUIPMENT

All items of plant are being serviced and maintained as required, and all plant is in good working order. There have been a few minor ongoing problems with the Venieri Front End Loader and Welquip are working on these.

The new multi tyred roller was delivered on Wednesday 1 February 2006 and has enhanced Councils operations.

The old McDonald Steel Drum Roller is going to be painted and sign posted and used as an entrance statement for the Shire Depot.

PRIVATE WORKS

Various private works requests are being received and these are being done as time permits.

Private works invoices for the months of December 2005 and January 2006 total \$3,695.09.

Reporting Officer

Alex Richardson, Works Supervisor

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The Works Supervisors Report be received and information noted; and**
- **A formal function be organised to recognise Mr Graeme Renfrey's 25 years of employment with the Shire of Cuballing.**

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr McKenzie that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.2.2 BUSHFIRE INCIDENT REPORT

Background

One Bushfire Incident Report has been received in respect to a fire on the property of A G & J M Griffiths, Lot 321 Munro Street, Cuballing.

Comment

Mr & Mrs Griffiths have recently had a relocatable home transferred to their property and are in the process of restoring the building. The fire was started by sparks from an angle grinder, fortunately a reasonable water supply was on hand and the fire was contained by the owner and

then extinguished, with assistance by the Cuballing Town Brigade, prior to any major damage being caused.

The property owner was exercising reasonable control and caution by having a water supply available and it is not recommended that any further action be taken.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Bushfire Incident Report be noted and a copy forwarded to the Fire and Emergency Services Authority.

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Brown that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.2.3 WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2006 ROADS FORUM

Background

The WA Local Government Association, together with Main Roads WA, host an annual roads forum. This forum has generally been held in the metropolitan area however the 2005 forum was held in Kalgoorlie and the 2006 forum is scheduled to be held in Geraldton on Tuesday 4 April 2006.

Comment

The Roads Forum invites elected members, Council staff and Main Roads employees to participate and stimulate new ideas concerning transport and road issues. The main topics included on the 2006 agenda are:

Ordinary Council Meeting Minutes 16 February 2006

- Funding for roads and transport infrastructure
- Infrastructure Asset Management
- Heavy Haulage
- Sustainable Transport
- Skill Shortages
- Environmental considerations
- Management of the local road network

The Chief Executive Officer has been having some minor discussions with neighbouring local governments, i.e. Wickiepin, Pingelly, Brookton and Narrogin Shire, about the possibility of sharing a bus and departing on Sunday 2 April to Geraldton via the towns on the Great Northern Highway. This would provide the opportunity to visit the many towns along the Highway and to see what actions and projects have been implemented over time. The opportunity to do this does not arise very often and may be too good to miss.

Does Council support the proposed bus tour concept?

Is Council interested in attending the Roads Forum?

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

Council discussion and direction please.

COUNCIL ACTION

Resolved that Councillors Brown and Watts and the Chief Executive Officer attend the Roads Forum in Geraldton on Tuesday 4 April and discuss travelling arrangements with neighbours Shires.

7.2.4 SHIRE OF CUBALLING TENDER 3-05/06 SUPPLY OF BITUMINOUS SEALING WORKS

Background

Tender 3-05/06 was advertised in the West Australian Newspaper on Saturday 17 December 2005, for supply of Bituminous Sealing works for the Shire of Cuballing's Capital Roadworks Program for 2005/06.

Comment

At the close of tenders on Wednesday 18 January 2006, tenders were received from Boral Asphalt, Pioneer Road Services and RNR Contracting Pty Ltd, with all tender specifications being met by each company.

In previous years Councils works force has undertaken part of the bitumen program by way of spreading blue metal, rolling and traffic control. This recent tender process requested the

SHIRE PRESIDENT

DATE

Ordinary Council Meeting Minutes 16 February 2006

contractors to provide all services. The costs provided are very reasonable and within budget allocations and puts the onus on the contractors to complete a professional job and have responsibility for the total outcome of the works undertaken.

Of the tenders received it appears that Pioneer Road Services are providing the better costs, however RNR Contracting have agreed to carry out remedial works for failures experienced from the 2004/05 program and have indicated their willingness to work the projects in together to facilitate a better outcome.

A copy of the tender specifications and costs is circulated with the Council meeting agenda.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- **The tender submitted by RNR Contracting Pty Ltd for supply of bituminous sealing works within the Shire of Cuballing be accepted; and**
- **The Chief Executive Officer and Works Supervisor liaise with RNR Contracting Pty Ltd for remedial works to be undertaken for bitumen failures experienced from the 2004/05 works program.**

COUNCIL ACTION

Moved Cr Bradford, seconded Cr Brown that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.3 REPORTS – BUILDING

7.3.1 BUILDING SURVEYORS REPORT

Summary

There was one (1) building application approved and license issued for the month of January 2006.

Listed below is a summarized breakdown of the application and proposed structure:

Approval Date & License No	Name & Address of Owner	Registered Builder (RB) or Owner Builder (OB)	Structure	Location of Building
22 Jan 2006 22/05-06	N Copeland Lot 295 Clifford St Cuballing	Wake & Beacham (RB)	Garage	Lot 295 Clifford St Cuballing

SHIRE PRESIDENT

DATE

Swimming Pool Enclosure Inspections

All known swimming pools within the Shire were inspected during the month of January 2006, in accordance with the requirements of Section 245A of the Local Government (Miscellaneous Provisions) Act 1960.

The majority of pools complied with the requirements and all owners were sent a detailed report on their pool, including details on any defects.

The following ten (10) pools were inspected:

Name & Address	Type of Pool	Comments as per inspection date
Ms J Nordstrom Lot 297 Clifford St Cuballing	Above ground	Some items require attention to which the owner is undertaking
D Shanks Lot 411 Clifford St Cuballing	Below ground fibreglass	Item requiring attention
M Nicholas Lot 293 Clifford St Cuballing	Below ground	Some items requiring attention
P & N Sinclair Lot 351 Cuballing St Cuballing	Below ground	Item requires attention
N Poland Lot 407 Smith St Cuballing		Pool has been removed
B Brennan Lot 67 Derby St Cuballing	Below ground	Complies
J R McLeod Lot 233 Hart St Cuballing		Pool has been removed
R Newman Cuballing East Rd Cuballing	Below ground	Complies
K Sunkey Lot 323 Forrest St Popanyinning	Below ground	Pool enclosure needs approval
R McIllwaine Lot 149 Dowling Rd Popanyinning		Pool has been removed

Reporting Officer

Allan Ramsay, Environmental Health Officer/Building Surveyor

CHIEF EXECUTIVE OFFICER'S RECOMMENDATION

That the Building Surveyor's Report be received and information noted.

SHIRE PRESIDENT

DATE

COUNCIL ACTION

Moved Cr McKenzie, seconded Cr Wittwer that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.4 REPORTS – HEALTH

7.4.1 ENVIRONMENTAL HEALTH OFFICERS REPORT

Purpose

To advise Council of Environmental Health inspections that have been carried out in the district during the month of January 2006.

Asbestos Removal & Disposal - Lot 3 Cuballing West Road, Cuballing

As a follow up on the Council meeting minutes dated 16 December 2005, under Item 7.4.1, approval from the Executive Director of Public Health was granted in accordance with the Management Plan for disposal of asbestos contaminated remains of the old house destroyed by fire.

With the cooperation from the Shire of Pingelly, and many of Council's workers, 12 truckloads of contaminated waste were disposed of at the Pingelly Waste Disposal Site. The whole project was undertaken in a professional manner in accordance with the approved Management Plan and although the job took longer than initially calculated it was a successful operation.

Reporting Officer

Allan Ramsay, Environmental Health Officer/Building Surveyor

CHIEF EXECUTIVE OFFICER'S RECOMMENDATION

That the Environmental Health Officers Report be received and information noted.

COUNCIL ACTION

Moved Cr Brown, seconded Cr Bradford that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.5 REPORTS – TOWN PLANNING

7.5.1 DEPARTMENT FOR PLANNING AND INFRASTRUCTURE – REQUEST TO PURCHASE UNALLOCATED CROWN LAND (UCL) AND BEING POPANYINNING LOT 320

Background

Correspondence from the Department for Planning and Infrastructure (DPI) advising they have received a request from Mr Wayne Bird or Birds Silos and Shelters in Popanyinning to purchase UCL Lot 320.

Comment

The DPI advise that the only way Lot 320 can be released to freehold title is if:

- Landcorp are prepared to publicly release the land; or
- Amalgamate Lot 320 into the adjoining freehold Lot 329 or 39.

In March 2004 Council received a similar request from the DPI when a previous owner of adjoining land wished to purchase Lot 320. On this occasion Council resolved to support the private freehold sale of the land but did not want it to be amalgamated with an adjoining Lot. Council on that occasion was concerned that this type of activity could stifle future development of residential areas within the townsite.

The situation has now changed somewhat in that Mr Bird has bought the properties previously owned adjacent to Lot 320 and wants to purchase this Lot to expand his business interests. This would allow Birds to expand their business along Howard Street and develop an attractive street frontage.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That:

- Council informs the Department for Planning and Infrastructure that it supports the freehold sale of Lot 320 to Mr Wayne Bird; and
- Council supports the amalgamation of Lot 320 with an adjoining Lot, also owned by Mr Bird, to enable the property sale to proceed.

COUNCIL ACTION

Moved Cr Brown, seconded Cr McKenzie that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.5.2 WESTERN POWER LOTS 40, 387 & 388 CUBALLING TOWNSITE

Background

At the December 2005 Ordinary meeting of Council, Council resolved to support the conditions imposed by the WA Planning Commission (WAPC) for approval of the planning application (128988) for boundary adjustment and subdivision/amalgamation of the abovementioned Lots. One of the conditions was for the installation of an underground power supply.

Comment

Western Power has provided a quotation of \$1,363.64 (GST ex) to provide underground power source and install an electrical pillar suitable to service two domestic connections.

It is necessary for Council to accept the quotation and for works to proceed to allow the WAPC to further process and finalise the planning application.

Reporting Officer

Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the quotation provided by Western Power for amount of \$1,363.64 (GST ex) for installation of underground power and electrical pillar to service Lots 40, 387 & 388 be accepted.

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Newman that the Chief Executive Officers Recommendation be adopted.

CARRIED 7/0

7.5.3 WESTERN AUSTRALIAN PLANNING COMMISSION – PLANNING APPLICATION 130176 SUBDIVISION LOT 131 BUNMULLING ROAD, POPANYINNING

Background

Correspondence from the WA Planning Commission (WAPC) requesting Council to provide any information, comment or recommended conditions on a subdivision proposal received for Lot 131 Bunmulling Road, Popanyinning.

Comment

The subdivision application is on behalf of property owners B B & J A Gray and is the last property on the south side of Bunmulling Road at the eastern boundary of the Popanyinning gazetted townsite area.

The application proposes to subdivide Lot 131 into three lots of 6.787ha, 5.705ha and 0.463ha.

Ordinary Council Meeting Minutes 16 February 2006

Whilst the WAPC and Councils Town Planning Scheme No 2 generally does not support the further break down of land within the Rural Residential Areas, Lot 131 is currently 12.9ha and quite larger than the neighbouring blocks and therefore subdivision would at least make two of the 3 proposed new lots consistent in size.

Portion of Lot 131 and the third and smaller proposed new lot from the subdivision application is separated from the main part of Lot 131 by Bunmulling Road. This new lot is proposed to be only 0.463ha and is not consistent with the general prevailing lot size. This is also in contravention of TPS No 2 Clause 5.12.6, which states that "all subdivision shall have a minimum lot size of 4ha unless the lots can be connected to a reticulated water supply". This particular piece of land abuts onto a northern road reserve (unconstructed) and in turn onto Crown Reserve 11342 (lot 126). It may be more appropriate to request the landowners to cede this portion of land, at no cost, and for it to be incorporated in the adjoining reserve.

Another area of concern is the low-lying nature of the land. Mr & Mrs Gray are in the process of building a home on Lot 131, new proposed Lot size of 6.787ha, and Councils Environmental Health Officer/Building Surveyor has expressed concern with the owners over the possibility of the land flooding and requested certain conditions, particularly in relation to the leach drain, to be imposed for health reasons. The land to the east of the new home is certainly more low lying and could be an area for concern for future development.

Reporting Officer

Trevor Moran, Town Planning Consultant
Peter Naylor, Chief Executive Officer

CHIEF EXECUTIVE OFFICERS RECOMMENDATION

That the Western Australian Planning Commission be advised:

- That Council is prepared to support the subdivision application on the proviso that the portion of Lot 131 on the northern side of Bunmulling Road, and 0.463ha in size (which is smaller than the permitted minimum lot size without a reticulated water supply in accordance with TPS No 2 clause 5.12.6), is ceded to the Crown at no cost and incorporated into Reserve 11342 (Lot 126); and
- That an Environmental Impact study be undertaken because of the low-lying nature of the land.

Or

- That Council does not support the subdivision application because the Shire of Cuballing Town Planning Scheme No 2 does not support the further breakdown of land within the Rural Residential Zoned areas and one of the proposed new lot is less than the minimum 4ha lot size required prior to a reticulated water supply being provided (TPS No 2 clause 5.12.6).

SHIRE PRESIDENT

DATE

COUNCIL ACTION

Moved Cr Hawksley, seconded Cr McKenzie that the Western Australian Planning Commission be advised:

- That Council is prepared to support the subdivision application on the proviso that the portion of Lot 131 on the northern side of Bunmulling Road, and 0.463ha in size (which is smaller than the permitted minimum lot size without a reticulated water supply in accordance with TPS No 2 clause 5.12.6), is ceded to the Crown at no cost and incorporated into Reserve 11342 (Lot 126); and
- That an Environmental Impact study be undertaken because of the low-lying nature of the land.

CARRIED 7/0

7.1.5 CHIEF EXECUTIVE OFFICER CONTRACT REVIEW AND ANNUAL PERFORMANCE APPRAISAL

A confidential report and new draft Contract of Employment has been circulated with Council meeting agenda.

The Chief Executive Officer, Peter Naylor, declares a financial interest in this item.

4:20pm Mr Peter Naylor departed the Council Chambers

4:55pm Councillor Brown departed the Council Chambers

COUNCIL ACTION

Moved Cr Wittwer, seconded Cr Bradford that:

- Council notes the continuing satisfactory outcome of the Chief Executive Officers Performance Appraisal that has found Mr Naylor is consistently continuing to perform his duty to a satisfactorily high standard;
- In accordance with the provisions of the Chief Executive Officer employment contract (Clause 5.4, Schedule 7) the Council reviews the salary component of the remuneration package and increase this by the Consumer Price Index amount for the twelve month period ending on 31 March 2006, to take effect on 1 July 2006;
- Council requests Mr Naylor renew his contract of employment for a further term of five years commencing at the expiration of the current term, being 7 January 2007 and ending 6 January 2012;
- Council amend the current contract Clauses 8.2 & 8.5, and Schedule 8.2 to reflect the 12 months remuneration period provided by new Clause 18B of the Local Government (Administration) Regulations (No 2) 2005 that came into effect from 7 May 2005. Council notes this refers to Clause 14.2 of the Draft Contract prepared and circulated; and
- Council adopts the Draft Chief Executive Officer Contract of Employment for five year period 7 January 2007 to 6 January 2012 as prepared and circulated, subject to the base cash salary amount being adjusted in accordance with paragraph 2 above.

CARRIED 6/0

Ordinary Council Meeting Minutes 16 February 2006

5:07pm Mr Peter Naylor returned to the Council Chambers

8 **ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

9 **OTHER URGENT BUSINESS**

Nil

10 **MEETING CLOSURE**

There being no further business the Shire President declared the meeting closed at 5.15 pm.

CONFIRMED AS A TRUE RECORD OF PROCEEDINGS ON _____

PRESIDENT

SHIRE PRESIDENT

DATE