



Ordinary Council Meeting Minutes

Date: 15 July 2009

Please Note: These minutes and the decisions recorded therein have not as yet been confirmed by Council as a true and accurate record of the meeting.

The Shire of Moora Vision and Mission Statement

Vision

Our vision is that:

The Moora region will be a place of brilliant opportunity over the next twenty years. Sustainable growth will result in a vibrant, healthy, wealthy and diverse community.

Mission

Our mission is:

To identify and stimulate growth through creative leadership and a willingness to get things done.

SHIRE OF MOORA
MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBERS, MOORA
15 JULY 2009

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Item 11.2.1 List of Payments Authorised Under Delegation 1.31

Item 11.2.2 Interim Statement of Financial Activity for the Period Ended 30 June 2009

1. DECLARATION OF OPENING & WELCOME OF VISITORS

The Shire President declared the meeting open at 3.45pm, welcomed visitors and announced:

"Acknowledgment of Country"

I would like to show my respect and acknowledge to the traditional owners of this land and acknowledge their contribution to the Shire of Moora as I do for all its people.

2. DISCLAIMER READING

The Shire President read the following disclaimer:

No responsibility whatsoever is implied or accepted by the Shire of Moora for any act, omission or statement or intimation occurring during this meeting.

It is strongly advised that persons do not act on what is heard at this meeting and should only rely on written confirmation of Council's decision, which will be provided within fourteen (14) days of this meeting.

3. ATTENDANCE

| | | | |
|----------------------|---|--|----------------|
| SA Bryan | - | Shire President | |
| SJ Pond | - | Councillor | |
| WA Barrett-Lennard | - | Councillor | |
| AR Tonkin | - | Councillor | |
| R Keamy | - | Councillor | |
| DV Clydesdale-Gebert | - | Councillor | |
| L M O'Reilly | - | Chief Executive Officer | (until 4.17pm) |
| L J Parola | - | Manager Finance & Corporate Services | (until 4.17pm) |
| R L McCall | - | Manager Economic Development | (until 4.17pm) |
| W Zadavec | - | Manager Health, Building & Planning Services | (until 4.17pm) |
| M J Prunster | - | Manager Community Services | (until 4.17pm) |
| L Holberton | - | Works Supervisor | (until 4.17pm) |

APOLOGIES:

| | | |
|-------------|---|------------------------------|
| CE Gardiner | - | Councillor |
| JW McLagan | - | Councillor |
| J L Greay | - | Manager Engineering Services |

PUBLIC:

Nil

LEAVE OF ABSENCE

The following Councillor was granted leave of absence for this meeting by Council resolution made at the Ordinary Meeting held on 17 June 2009:

| | | |
|------------|---|------------|
| CD Hawkins | - | Councillor |
|------------|---|------------|

4. DECLARATIONS OF INTEREST

The Chief Executive Officer, Lynnette O'Reilly declared a financial interest in item 15.1 'Chief Executive Officer's Annual Performance Review - Ms Lynnette O'Reilly for the Year Ended 14th April 2009', as she is the officer under review.

5. QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH SECTION 5.24 OF THE ACT

Nil

6. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

7. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

8. PETITIONS AND MEMORIALS

Nil

9. ANNOUNCEMENTS BY THE SHIRE PRESIDENT

- I would like to pass on Council's condolences to the families of Mr David Lefroy, Mrs Edna Tonkin and Mr Ken Glover. These people made great contributions to the district and will be sorely missed by their friends and families.
- On 19 June I attended the meeting with the Premier, Hon Jim Chown MLC, Hon Brian Ellis MLC, Hon Grant Woodhams MLA, Hon Philip Gardiner MLC in Moora, where Council had the opportunity to ask questions. It was a worthwhile meeting.
- Following on from that meeting we moved over to the Performing Arts Centre where we all met with local business representatives over a light lunch.
- On 3 July I attended the official opening of the Delmoor Centre.
- On 7 July I attended a Telecentre Meeting.
- On 8 July I attended the memorial for Mr David Lefroy.
- On 14 July I attended the Crime and Safety Committee meeting where there were a number of issues worth noting. The youth holiday activities are in progress, there were 25 attendees today. The security consultant looked at potential sites for the CCTV cameras, and the new Youth Coordinator is Mrs Tania Easton.
- I also attended the LEMC meeting on the 14th. There will be a meeting on 28 July to plan for our desktop exercise. The Gascoyne/Midwest CMEO will be assisting us plan and conduct the exercise.
- There will be a meeting of the St James Residential College Board on 27 July, and on 29 July the Lotterywest cheque presentation of \$75,000 for the Bindi Bindi Community Centre will be overseen by the Hon. Jim Chown MLC between 11am and 1pm.
- Councillor Tonkin will be attending a Moore Catchment Council meeting on Thursday 23 July.
- Councillor Pond will be attending the Structural Reform Workshop on Friday 17 July and the VROC meeting on Friday 24 July.

10. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING**10.1 ORDINARY COUNCIL MEETING - 17 JUNE 2009****COUNCIL RESOLUTION**

88/09 *Moved Cr Bryan, seconded Cr Barrett-Lennard that the Minutes of the Ordinary Meeting of Council held on 17 June 2009, be confirmed as a true and correct record of the meeting.*

CARRIED 6/0

11. REPORTS OF OFFICERS**11.1 ADMINISTRATION****11.1.1 CLOSURE OF ADMINISTRATION OFFICE – 18 SEPTEMBER 2009**

REPORT DATE: 9 July 2009

APPLICANT/PROPONENT: Shire of Moora

OFFICER DISCLOSURE OF INTEREST: Nil

PREVIOUS MEETING REFERENCES: Nil

AUTHOR: Lynnette O'Reilly, Chief Executive Officer

ATTACHMENTS: Nil

PURPOSE OF REPORT:

To inform Council of the need to close the Moora Shire office for Friday 18th September 2009 due to the Shire of Moora 100 year celebrations in conjunction with the Central Midlands show.

BACKGROUND:

Council agreed to celebrating the 100 years in conjunction with the Central Midlands Show as there were benefits in a joint celebration, firstly to recognise the milestone for the Shire and secondly to use the event as a lead in to the upcoming 100 years for the show in 2011.

COMMENT:

Due to the many activities planned for the day which will involve staff from all sections of the Shire it is considered practical to close the office for the day to ensure staff are available to commit to the many activities that will be required in the celebrations.

Reaching 100 Years is a significant milestone and Shire staff will be involved in many of the activities from organising the luncheon, road closures, managing the street parade and so on.

The closure will be advertised and communicated to the community to ensure the community is well informed of the closure.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

89/09 *Moved Cr Tonkin, seconded Cr Pond that Council notes and endorses the closure of the Shire of Moora office to the public on Friday 18 September 2009.*

CARRIED 6/0

11.2 FINANCIAL DEVELOPMENT**11.2.1 LIST OF PAYMENTS AUTHORISED UNDER DELEGATION 1.31**

REPORT DATE: 10 July 2009

OFFICER DISCLOSURE OF INTEREST: Nil

AUTHOR: Leanne Parola, Manager Finance & Corporate Services

ATTACHMENTS: Accounts Paid Under Delegated Authority

PURPOSE OF REPORT

Payments have been made under delegated authority and a listing of these payments is attached for Council to note and endorse.

BACKGROUND

At the December 2005 Ordinary Meeting of Council resolution 276/2005 delegated the authority of payments from Municipal and Trust Funds to the Chief Executive Officer.

COMMENT

Accounts Paid under delegated authority are periodically presented to Council.

POLICY REQUIREMENTS

Delegation 1.31 – Payments from Municipal and Trust Funds.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 - Section 6.10

Local Government (Financial Management) Regulations 1996 – Regulations 12 & 13.

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS

Payments are in accordance with the adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

90/09 Moved Cr Pond, seconded Cr Tonkin that Council notes and endorses the Payments from the Municipal and Trust Funds made under delegation 1.31

| | | |
|-----------------------|-------------------------------|------------------------------|
| Municipal Fund | Chqs 59217 to 59292 | \$779,271.86 |
| Direct Debits | EFT 2469 to 2639 | \$451,570.92 |
| | Net Pays – PPE 23 June | \$69,390.11 |
| | Net Pays – PPE 7 July | \$72,160.48 |
| Total | | <u>\$1,372,393.37</u> |

CARRIED 6/0

11.2.2 INTERIM STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 JUNE 2009

REPORT DATE: 10 July 2009
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Leanne Parola, Manager Finance & Corporate Services
ATTACHMENTS: Interim Statement of Financial Activity for the Period Ended 30 June 2009

PURPOSE OF REPORT:

To note and receive the Interim Statement of Financial Activity for the period ended 30 June 2009.

BACKGROUND:

Council is provided with monthly financial reports to enable monitoring of revenues and expenditures against the adopted budget.

COMMENT:

The Statement of Financial Activity for the Period Ended is provided as a separate attachment in Program format. The statement attached is shown as “interim” and should be viewed as such. A number of Balance Day adjustment transactions are yet to occur and when these are completed, a draft of the 2008/2009 Financial Statements will be available for elected members, prior to completion of the on-site audit, scheduled for 27 & 28 October 2009.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995, Section 6.4

Local Government (Financial Management) Regulations 1996, Clause 34

STRATEGIC IMPLICATIONS:

Monitoring of actual revenues and expenditures against the adopted budget assists Council in being informed as to the financial health of the organisation.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known significant environmental implications associated with this proposal.
- **Economic**
There are no known significant economic implications associated with this proposal.
- **Social**
There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

Year to date income and expenditure is provided by program to enable comparison to 2008/2009 adopted budget.

VOTING REQUIREMENTS

Simple Majority Required

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| COUNCIL RESOLUTION (MANEX RECOMMENDATION) |
|--|

91/09 Moved Cr Barrett-Lennard, seconded Cr Pond that Council notes and receives the Interim Statement of Financial Activity for the period ended 30 June 2009.

CARRIED 6/0

11.3 OPERATIONAL DEVELOPMENT

Nil

11.4 COMMUNITY DEVELOPMENT**11.4.1 TOWN PLANNING SCHEME NO 4 – DELEGATION OF POWERS**

FILE REFERENCE: TP/PTM11
REPORT DATE: 11 June 2009
APPLICANT/PROPONENT: Various
OFFICER DISCLOSURE OF INTEREST: Nil
PREVIOUS MEETING REFERENCES: Nil
AUTHOR: Wolfgang Zadravec
 Manager of Health/ Building & Planning Services
ATTACHMENTS: Nil

PURPOSE OF REPORT:

To note the town planning applications approved under delegated authority.

BACKGROUND:

Council resolved by absolute majority at the Council meeting held on the 25 February 2004, to delegate the Manager Corporate Services (now Manager Health, Building & Planning Services) to approve planning applications that meet all the requirements of Councils Town Planning Scheme, for an indefinite period of time and amend its Register of Delegations accordingly, and that Council be provided with a list monthly of planning approvals issued under delegate authority.

APPLICANT (S)

The following Town Planning Application has been approved under this delegated authority for the period ended 20 June 2009.

- **St Joseph's Primary School – Lot 25 Dandaragan Street, Moora – Construction of multi-purpose hall (Area 230 m²) Zoning Special Use (Private School) Value \$730,000 (Ref 10-09)**

POLICY REQUIREMENTS:

Register of Delegations and Shire of Moora Town Planning Scheme No 4 Text.

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

There are no known significant economic implications associated with this proposal.

➤ **Social**

There are no known significant social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item.

VOTING REQUIREMENTS

Simple Majority Required

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

92/09 Moved Cr Tonkin, seconded Cr Bryan that Council note the town planning application approved under delegated authority for:

- **St Joseph's Primary School – Lot 25 Dandaragan Street, Moora – Construction of multi-purpose hall (Area 230 m²) Zoning Special Use (Private School) Value \$730,000 (Ref 10-09)**

CARRIED 6/0

11.4.2 MOORA AIRSTRIP ACCESS – W.J. & K.M. VANZETTI

This item was considered at item 13, 'Motions of an Urgent Nature Introduced by Decision of Council' as not all Councillors were provided with details of the report prior to the Council meeting.

11.5 ENVIRONMENTAL DEVELOPMENT

Nil

11.6 ECONOMIC DEVELOPMENT

Nil

11.7 SPORT AND RECREATION

Nil

12. ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. MOTIONS OF AN URGENT NATURE INTRODUCED BY DECISION OF COUNCIL

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|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

93/09 *Moved Cr Tonkin, seconded Cr Pond that Council consider the following item as a matter of urgent business.*

CARRIED 6/0

13.1 MOORA AIRSTRIP ACCESS – W.J. & K.M. VANZETTI

FILE REFERENCE: PA/3225-1

REPORT DATE: 13 July 2009

APPLICANT/PROPONENT: W.J. & K.M. Vanzetti

OFFICER DISCLOSURE OF INTEREST: Author has no interest in this item

PREVIOUS MEETING REFERENCES: 19/11/08 (188/08), 23/1/08 (9/08)

AUTHOR: Michael Prunster, Manager Community Services

ATTACHMENTS: Civil Aviation Authority Guidelines – 92-1(1)

PURPOSE OF REPORT:

Consideration of rescinding the resolution passed on the 19 November 2008 for approval to continue with the proposal to lease the use of the Moora Airstrip located on their Lot 48, Melb. Loc 1216 and Melb. Loc 992, owned by Messrs W.J. & K.M. Vanzetti Airstrip Road, Moora and making a recommendation to arrange an easement under section 195 of the Land Administration Act 1997 (WA) as recommended by Messrs Civic Legal Lawyers. (Copy of letter from Civic Legal provided to Councillors)

BACKGROUND:

Council discussed the proposal of leasing the Airstrip located on the Vanzetti property at the Council meetings held on 23 January 2008 and 19 November 2008. The following resolution was passed at the November meeting:-

**COUNCIL RESOLUTION
(MANEX RECOMMENDATION)**

188/08 Moved Cr Pond, seconded Cr Clydesdale-Gebert that Council agree to the request from Mr & Mrs W.J. Vanzetti to enter into a lease arrangement for the Moora Airstrip located on Lots 1216 and 48 Airstrip Road, Moora under the following terms and conditions:-

- 1) The term of the lease to be for a period of 10 years commencing from 2008-09 financial year, with an option to renew at the expiration of the term.*
- 2) Annual lease payment to be the equivalent of the Shire of Moora Rate assessment for Lots 1216 & 48, Melb Loc. 992, Airstrip Road, Moora with an annual review using the movement in C.P.I. and/ or annual rates as an indicator for lease payment increases.*
- 3) Council will be responsible for the maintenance and safety requirements for the airstrip.*
- 4) Operation details of the airstrip to be published in the WA Country Airstrip Guide.*
- 5) Staff to arrange the preparation of a lease document through Council's Solicitors with Council funding the cost.*

CARRIED BY ABSOLUTE MAJORITY 5/1

Civic Legal was requested to prepare the documentation in terms of the Council resolution, but they have now advised that:-

- They do not consider that a lease agreement would be the most suitable legal framework to put in place the parties intended objectives.
- It is the nature of a lease to grant exclusive possession of land or premises to someone other than the owner. However in these circumstances, it is the intention of the parties that the owners maintain possession whilst only granting certain limited rights of access to the Shire.
- In addition the parties' objectives with respect to operating the air strip would necessarily require some sort of operating agreement in addition to the lease to set out the parties roles and obligations with respect to the activities to be carried out on the airstrip.
- In their view the most suitable legal framework for the parties to consider would be an easement in gross made under section 195 of the *Land Administration Act 1997 (WA)*.
- The principles of an easement in this case are essentially that the owner of the land, whilst granting certain limited rights of access, still maintains the right to possession of the land, unlike a lease. In addition the deed used to create the easement can set out all operating issues thereby negating the need for a separate operating agreement between the parties.
- The easement need not be a permanent grant by the owners and much like the lease its duration can be limited in time with an option or options to renew.

It is recommended that Council follow the advice of Messrs Civic Legal and direct Staff to discuss the lodging of an easement in lieu of a Lease for the reasons as outlined with Mr & Mrs Vanzetti, and if they are in agreement to make arrangements for:-

- A survey of the dimensions of the easement including and access to the airstrip from the most appropriate gazetted road
- Request the survey to prepare an easement only deposited plan and lodge this with Landgate
- Request Civic Legal to prepare a draft deed of easement containing all the matters required by the parties to give effect to the arrangement.
- Following finalisation of the deed all parties to sign together with the owners bank (if applicable) to grant their consent.
- The deed to then be lodged with Landgate and appears on the owners title.

Advice previously received from Mr Bill Deuchar, Aerodrome Inspector, Perth Office has indicated that the location and ownership of the Airstrip is classed as an aeroplane landing area (ALA), and his advice is that "These places can be used provided the pilot has done two things:-

13.1.1.1 sought permission to land

13.1.1.2 is satisfied the place is safe to use – by asking all the right questions and being given accurate and honest responses by a representative of the operator – (this is not necessarily the owner of the land).

The ALA operator's representative has to have a reasonable idea of what makes a ALA suitable and safe for use, information guidelines are included in the attached extract of Civil Aviation Advisory (CAA) Publication No 92-1 (1).

COMMENT:

The amendment will simplify the arrangement for the use of the airstrip, whilst also giving the owners full possession of the area covered by the easement.

Mr & Mrs Vanzetti met with the Manager Community Services on the 13 July and have agreed to the lodging of an easement in lieu of a lease document. They have also given permission for a surveyor to survey the dimensions of the easement including access to the Airstrip Road. Mr & Mrs Vanzetti have also agreed to be the contacts for pilots wishing to use the strip.

POLICY REQUIREMENTS:

Nil

LEGISLATIVE REQUIREMENTS:

There are no known legislative requirements related to this item.

STRATEGIC IMPLICATIONS:

Provision of a suitable airstrip for the future demand for private and recreational flying in and around the Shire of Moora.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known significant environmental implications associated with this proposal.

➤ **Economic**

The provision of a managed facility to assist in the development of business and commercial projects.

➤ **Social**

The facility will provide infrastructure in the case of emergency situations – eg; health, flood, fire etc.

FINANCIAL IMPLICATIONS:

Annual lease payment to be the equivalent of the Shire of Moora rate assessment for Lots 1216 & 48, Melb Loc. 992, Airstrip Road, Moora with an annual review using the movement in C.P.I. and/or annual rates as an indicator for lease payment increases.

Rate charge for the current year 2008-09 is \$3,361.19, and future estimated maintenance costs of \$7,000 per year (although this cost may vary depending on the use of the strip).

A Budget for the current year lease payment has not been provided and current year's payment would need to be adjusted to the rate income.

VOTING REQUIREMENTS

Absolute Majority Required

MANEX RECOMMENDATIONS

That Council:

- A. *rescinds the resolution 188/08 passed on the 19th November 2008 and*
- B. *adopt the following amended resolution in relation to the use of the Moora Airstrip located on Lots 1216 and 48 Airstrip Road Moora:-*
 - 1. *Request Surveyor to prepare an easement only deposited plan, and lodge with Landgate.*
 - 2. *Request Civic Legal to prepare a draft deed of easement containing all the matters required by the parties to give effect to the arrangement.*
 - 3. *When the deed is finalised, arrange for all parties to sign indicating their consent.*
 - 4. *The term of the easement is to be for a period of 10 years commencing from 2008-09 financial year, with an option to renew at the expiration of the term.*
 - 5. *Annual lease payment to be the equivalent of the Shire of Moora Rate assessment for Lots 1216 & 48, Melb Loc. 992, Airstrip Road, Moora with an annual review using the movement in C.P.I. and/ or annual rates as an indicator for lease payment increases.*
 - 6. *Council will be responsible for the maintenance and safety requirements for the airstrip.*
 - 7. *Operation details of the airstrip to be published in the WA Country Airstrip Guide.*
 - 8. *All costs associated with the preparation of the easement, survey plan and legal costs to be borne by the Shire of Moora.*

COUNCIL RESOLUTION

94/09 Moved Cr Pond, seconded Cr Tonkin and Cr Barrett-Lennard that Council:

- A. ***rescinds the resolution 188/08 passed on the 19th November 2008 and***
- B. ***adopt the following amended resolution in relation to the use of the Moora Airstrip located on Lots 1216 and 48 Airstrip Road Moora:-***
 - 1. ***Request Surveyor to prepare an easement only deposited plan, and lodge with Landgate.***
 - 2. ***Request Civic Legal to prepare a draft deed of easement containing all the matters required by the parties to give effect to the arrangement.***
 - 3. ***When the deed is finalised, arrange for all parties to sign indicating their consent.***
 - 4. ***The term of the easement is to be for a period of 10 years commencing from 2008-09 financial year, with an option to renew at the expiration of the term.***
 - 5. ***Annual airstrip access payment to be the equivalent of the Shire of Moora Rate assessment for Lots 1216 & 48, Melb Loc. 992, Airstrip Road, Moora with an annual review using the movement in C.P.I. and/ or annual rates as an indicator for airstrip access payment.***
 - 6. ***Council will be responsible for the maintenance and safety requirements for the airstrip.***
 - 7. ***Operation details of the airstrip to be published in the WA Country Airstrip Guide.***

- 8. All costs associated with the preparation of the easement, survey plan and legal costs to be borne by the Shire of Moora.**

CARRIED BY ABSOLUTE MAJORITY 6/0

Note: Council amended Point 5 to reflect the fact that it was actually an annual airstrip access payment rather than a lease payment.

14. NOTICE ON MOTIONS FOR THE NEXT COUNCIL MEETING

Nil

15. MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION

95/09 Moved Cr Tonkin, seconded Cr Bryan that the meeting move behind closed doors to discuss Item 15.1, “Chief Executive Officer’s Annual Performance Review - Ms Lynnette O’Reilly for the Year Ended 14th April 2009” as it is a matter affecting employees pursuant to Section 5.23(2)(a) of the Local Government Act 1995.

CARRIED 6/0

The Chief Executive Officer, Lynnette O’Reilly declared a financial interest in item 15.1 “Chief Executive Officer’s Annual Performance Review - Ms Lynnette O’Reilly for the Year Ended 14th April 2009”, as she is the officer under review and left the meeting at 4.17pm.

The Manager Finance & Corporate Services, Manager Community Services, Manager Economic Development, Manager Health, Building & Planning Services & Works Supervisor also left the meeting at 4.17pm and the meeting moved behind closed doors.

15.1 CHIEF EXECUTIVE OFFICER’S ANNUAL PERFORMANCE REVIEW - MS LYNNETTE O’REILLY FOR THE YEAR ENDED 14TH APRIL 2009

Provided to Councillors under confidential cover

**COUNCIL RESOLUTION
(MANAGEMENT REVIEW COMMITTEE RECOMMENDATIONS)**

96/09 Moved Cr Bryan, seconded Cr Pond that Council

- 1. Acknowledges the satisfactory performance of the Chief Executive Officer Ms Lynnette O’Reilly for the year ended 14th April 2009.**
- 2. Emphasise the importance that more focus is used to improve morale, manager/staff retention initiatives, HR policies that improve the work/life balance and the development of an organisational communications strategy from the CEO and other senior management as this is vitally important for the Shire of Moora.**

- 3. Amend the CEO contract to remove items identified by the Salaries Review Tribunal 2008 as “exclusions” and replace with equivalent agreed benefits.**

CARRIED 6/0

REOPENING OF MEETING

COUNCIL RESOLUTION

- 97/09 Moved Cr Tonkin, seconded Cr Bryan that the meeting move out from behind closed doors and re-open to the public.**

CARRIED 6/0

The meeting reopened to the public at 5.04pm.

On reopening the meeting, there were no public present therefore the Shire President did not read aloud the decision made behind closed doors.

16. CLOSURE OF MEETING

There being no further business, the Shire President declared the meeting closed at 5.05 pm.

CONFIRMED

PRESIDING MEMBER