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**Minutes of the Special Meeting of the City of South Perth Council
Held for the Purpose of Discussing:**

- Canning Mews Facilitated Workshop Proposal
 - Local Government Sustainable Development Beyond 2030 Conference Sydney
 - CEO Evaluation *CONFIDENTIAL ITEM CLOSED TO THE PUBLIC*
- at the Collier Park Community Centre Tuesday 29 August 2006**

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor opened the meeting at 7.00pm and welcomed everyone in attendance.

2. DISCLAIMER

The Mayor read aloud the City's Disclaimer.

3. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

Mayor J Collins, JP (Chairman)

Councillors:

G W Gleeson	Civic Ward
B W Hearne	Como Beach Ward
L M Macpherson	Como Beach Ward
L J Jamieson	Manning Ward
L P Ozsdolay	Manning Ward
C A Cala	McDougall Ward
R Wells, JP	McDougall Ward
R B Maddaford	Mill Point Ward
D S Smith	Mill Point Ward
S Doherty	Moresby Ward
K R Trent, RFD	Moresby Ward

Officers:

Mr C Frewing	Chief Executive Officer (until 7.57pm)
Mr S Cope	Director Strategic and Regulatory Services (until 7.55pm)
Mr G Flood	Director Infrastructure Services (until 7.55pm)
Mr R Bercov	Manager Planning Services (until 7.55pm)
Ms A Spaziani	Human Resources Manager (from 7.10pm)
Mr S McLaughlin	Legal and Governance Officer
Mrs K Russell	Minute Secretary

Gallery

Two members of the public were present.

4. DECLARATION OF INTEREST

The Mayor reported that he had received a Declaration of Interest from the Chief Executive Officer in relation to *Confidential* Item 7.2.

5. PUBLIC QUESTION TIME (in relation to Item 7 only)

The Mayor stated that any questions from the public gallery had to relate to the items the subject of the Special Council Meeting. He then opened Public Question Time at 7.02pm. As there were no questions from the gallery the Mayor closed Public Question Time at 7.03pm.

6. PRESENTATIONS / PETITIONS / DEPUTATIONS

Nil

7. REPORTS (MATTERS REFERRED FROM COUNCIL MEETING 22 AUGUST 2006)

7.1 Proposed	Facilitated	Workshop	Canning	Mews	SAT	Appeal
<i>(Item 11.2 referred from Council Meeting 22.8.06)</i>						

Location: City of South Perth
Applicant: Council
File Ref: N/A
Date: 24 August 2006
Author/Reporting Officer: Chief Executive Officer

Summary

The purpose of the report is to consider a Notice of Motion submitted by Cr Jamieson that was included on the August Council Meeting Agenda at Item 11.2 but which was not considered at the meeting.

Background

At the Council Meeting held 25 July 2006 Council resolved at Item 11.1 as follows:

That....

- (a) Council prepare a report on Outcomes and Lessons Learned from the Canning Mews Council Agenda Items and the subsequent SAT appeal;*
- (b) the report shall include a grid layout containing but not limited to:*
 - (i) text from the CEOs memorandum dated 25 July 2005;*
 - (ii) blank or Tick from the CEOs memorandum dated 25 July 2005;*
 - (iii) tick, cross or blank representing the SAT outcome;*
 - (iv) a text description of the SAT outcome; and*
 - (v) lessons learned.*
- (c) the report shall include other details that make the outcomes and lessons learned readily identifiable at a high-level and with suitable content to explain the outcomes and lessons learned and how they are to be managed;*
- (d) the lessons learned and a Management Plan be established in an internal Workshop; and*
- (e) the report shall be on the Council meeting Agenda no later than the September 2006 Ordinary Council meeting.*

The date of Tuesday 29 August 2006 was set for the Workshop.

It is noted that resolution (d) above was added to the Motion submitted by Cr Jamieson during the course of debate. Following adoption of this resolution Cr Jamieson suggested to the Administration that a range of people should be invited to attend the Workshop including past employees, members of the KCA and anyone who assisted with the Canning Mews case development proposal. The CEO disagreed with such a wide interpretation of the expression "internal workshop" referred to in the Council resolution above.

As a result , Cr Jamieson lodged a Notice of Motion for consideration by Council at the Meeting to be held on 22 August 2006. The Motion was in the following form:

For the Facilitated Workshop on Canning Mews Lessons Learned currently scheduled for 29 August 2006:

- (a) all people who were involved in preparing or assisting with Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend; and***
- (b) for KCA members there shall be a maximum of two representatives that may attend.***

Because of the potential conflict with resolution (d) of the July Council Meeting and in order to facilitate Cr Jamieson's motion the Administration added two procedural parts (a) and (b) below as it appeared that a revocation was necessary as the meaning of the expression was interpreted more widely than anticipated. As a consequence, a draft Item 11.1 was prepared for consideration at the August Briefing session which related to the Notice of Motion submitted by Cr Jamieson.

At the Council briefing session held on 15 August the Notice of Motion was circulated to the Members present and the notes of the meeting are as follows:-

NOTICES OF MOTION - CR JAMIESON

The Mayor referred Members to the two Notices of Motion from Cr Jamieson proposed to be included in the August Council Agenda. Copies of the Notices were circulated to Members.

The Chief Executive Officer referred to the Notice of Motion in relation to the Facilitated Workshop on Canning Mews and sought advice in relation to arranging the facilitated workshop. He said he believed that he had correctly interpreted part (d) of the relevant Council resolution from the July meeting:

- (d) the lessons learned and a Management Plan be established in an internal Workshop.....***

and that an internal workshop should be just that except for the facilitator. The CEO then asked for clarification from Members in order that he could notify the appropriate people. The CEO further stated that the other concern was that if the Motion as proposed was adopted at the next Council meeting and people outside the organisation are to attend the Workshop then there would not be a lot of time to invite these people.

Note: *There was no response to the request for clarification of the membership of the proposed 'internal workshop' sought by the CEO from Council Members present.*

The Motion was therefore referred to the Council meeting for decision.

At the August Council meeting there was some degree of confusion about the context of the Motion and consideration of the Motion was deferred. The Motion that appeared on the Agenda is repeated as follows:-

MOTION

That....

- (a) *consideration be given to revoking Item 11.1 part (d) as follows, insofar as it relates to the Minutes of the Ordinary Council Meeting dated 25 July 2006:*
- (d) *the lessons learned and a Management Plan be established in an internal Workshop; and***
**** Note: Support of a Minimum of One Third of The Members is Required***
- (b) *Item 11.1 part (d) insofar as it relates to the Minutes of the Ordinary Council Minutes dated 25 July 2006 be revoked;*
**** Note : An Absolute Majority is Required);***
- (c) *for the Facilitated Workshop on Canning Mews Lessons Learned currently scheduled for 29 August 2006:*
- (i) *all people who were involved in preparing or assisting with Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend; and*
- (ii) *for KCA members there shall be a maximum of two representatives that may attend.*

The matter is therefore referred to the Special Meeting to resolve. The supporting information relating to the August Notice of Motion is contained as **Attachment 7.1(a)**

Comment

Discussions have been held with Cr Jamieson regarding his concerns with the Notice of Motion as it appeared on the Agenda and it has been agreed to take a different course of action to facilitate the intent of this Motion. The following Motion has therefore been developed in conjunction with Cr Jamieson for consideration by Council.

Cr Jamieson's comments in support of the new Motion are contained at **Attachment 7.1(b)**.

The new Motion is as follows:

MOTION

That the expression "internal workshop" referred to in the Council resolution 11.1(d) of 25 July 2006 be interpreted to include the following:

- (1) *all people who were involved in preparing or assisting with the 2005 Canning Mews Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend and who may assist the city in learning from the application to provide better processes for the city, the applicants and the community;*
- (2) *the KCA be invited to send a maximum of two representatives to the Workshop; and*
- (3) *Canning Mews be invited to send a maximum of two representatives to the workshop.*

Consultation

Cr Jamieson has been involved in framing the Motion which is based on the previous Notice of Motion.

Policy and Legislative Implications

Nil

Financial Implications

Nominal costs involved with conducting a workshop, ie engaging an independent facilitator and catering costs etc. Additional costs will be incurred if external professionals are invited to attend and payment approved. Total costs involved in any event unlikely to exceed \$3,000.

Strategic Implications

nil

OFFICER RECOMMENDATION ITEM 7.1

That Council consider the following recommendation from Cr Jamieson:

That the expression "internal workshop" referred to in the Council resolution 11.1(d) of 25 July 2006 be interpreted to include the following:

- (1) all people who were involved in preparing or assisting with the 2005 Canning Mews Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend and who may assist the city in learning from the application to provide better processes for the city, the applicants and the community;
- (2) the KCA be invited to send a maximum of two representatives to the Workshop; and
- (3) Canning Mews be invited to send a maximum of two representatives to the Workshop.

REVOCAION

The Mayor advised the meeting on the process for revoking a Council Resolution. He stated that support of a minimum of one third of Members was required in order to consider a revocation and that if successful the Resolution to be revoked was then required to be carried by an Absolute Majority vote.

MOTION

Moved Cr Smith, Sec Cr Wells

That consideration be given to revoking Item 11.1 part (d) as follows, insofar as it relates to the Minutes of the Ordinary Council Meeting dated 25 July 2006:

- (d) the lessons learned and a Management Plan be established in an internal Workshop; and*

** Support of Minimum of One Third of Members is Required*

The Mayor put the Motion

LOST (4/8)

CR JAMIESON'S RECOMMENDATION ITEM 7.1

The Mayor asked Members if they wished to discuss Cr Jamieson's recommendation at Item 7.1. Members agreed to discuss Item 7.1

MOTION

Moved Cr Smith, Sec Cr Hearne

That we discuss Cr Jamieson's Recommendation Item 7.1.

CARRIED (12/0)

Note: The Manager Human Resources arrived at 7.10pm

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Gleeson point of clarification - Given that we had dissent about the revocation, why are we now discussing this matter?

The Mayor stated that because Cr Jamieson's Recommendation did not have a revocation clause in it. He stated he believed that it should have included the revocation clause and this was also endorsed by Cr Smith. By opening this up for discussion Cr Jamieson can now move his Motion and if he gets a Secunder it can then be debated.

MOTION

Moved Cr Jamieson, Sec Cr Smith

That the expression "internal workshop" referred to in the Council resolution 11.1(d) of 25 July 2006 be interpreted to include the following:

- (1) all people who were involved in preparing or assisting with the 2005 Canning Mews Council Meeting Reports or preparing or assisting the City of South Perth case at the SAT hearings shall be eligible to attend provided they are not paid to attend nor request travelling or other allowances to attend and who may assist the city in learning from the application to provide better processes for the city, the applicants and the community;
- (2) the KCA be invited to send a maximum of two representatives to the Workshop; and
- (3) Canning Mews be invited to send a maximum of two representatives to the Workshop.

Cr Jamieson opening for the Motion

- not about whether we are having a meeting - already decided
- Motion is about 'fine tuning' who we invite
- interpretation of 'internal' workshop
- important issue - believe we can get a great deal of value from the exercise
- Goal 1 Customer Focus - *to be a customer focused organisation that promotes effective communication and encourages community participation*
- Strategy 1.6 of Goal 1 states: *continue to explore new and innovative ways of service delivery to make it easier for customers to access information and conduct business with the City.*
- Strategic Plan states we consultant / get feedback
- excited about inviting those involved in Canning Mews application/appeal - KCA etc
- workshop in a form that is not confrontational - opportunity to see if we can do better
- workshop itself an opportunity to look at 'culture change'
- not just about SAT outcomes but about big and small interactions
- opportunity to pro-actively seek comments from all 'customers' - Councillors, legal advisers, developers, KCA etc

Cr Smith for the Motion

- can always learn from experiences
- knowledge is a wonderful thing
- support the workshop as proposed
- support the Motion

Cr Doherty against the Motion

- against the Motion before us - was not at the July meeting
- always looking at ways we can perform better
- acknowledge major changes to planning approval process since I became a Councillor
- do not believe proposed Workshop will add value
- Motion proposes a whole range of people attend workshop - unrealistic

Cr Doherty (cont'd)

- happened a long time ago - what is the point of re-hashing - what is in it for me?
- waste of time to try and put outcomes of workshop into a Management Plan
- Canning Mews was unique but to transpose into a Management Plan does not make sense - not a good use of our time
- difficult to relate this Motion to Business Excellence Programs
- in inviting KCA it would have to be the representatives at SAT - inviting all others suggested is to me a waste of time
- refer to need to change 'culture' - need to look at break down between Council and staff and similarly between staff and community and then look at community and Council
- all very good to look at Canning Mews / Workshop but believe we should look at what we do as Councillors and how we interact with staff and community
- if we do anything it needs to be a 'broader brush' approach
- demeaning to read emails between Councillor and CEO in support of Motion -will not support distribution of this documentation to broader public
- against the Motion

Cr Jamieson closing for the Motion

- appreciate feedback
- emphasize again not whether we hold a workshop but about who will be invited
- believe it will make a difference to hold workshop
- Management Plan - believe it is one of the things we have to do
- February Bulletin stated officer will keep SAT ruling in mind of 'lessons learned' when they go forward - no Management Plan
- Canning Mews was critical - learned from this but believe still a lot to be learned
- believe holding a workshop will make a difference.

The Mayor put the Motion

LOST (3/9)

FORESHADOWED MOTION

Cr Doherty foreshadowed she intended moving to revoke Item 11(d) of the July Council Minutes.

POINT OF ORDER

Cr Smith called point of order and stated that a period of 3 months was required before a Revocation Motion could be moved following a similar Motion.

The Chief Executive Officer referred to the *Local Government (Administration) Regulation* 10 "Revoking or changing decisions made at Council or Committee Meetings" s.5.25(e) and read aloud the following:

- "10. Revoking or changing decisions made at Council or Committee meetings - s.5.25(e)**
- (1) *If a decision has been made at a Council or a Committee meeting then any Motion to revoke or change the decision must be supported:*
- (a) *in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an Absolute Majority; or*
- (b) *in any other case, by at least 1/3 of the number of offices (whether vacant or not) of Members of the Council or Committee....."*

He stated that as the attempt to revoke the July Council Resolution which occurred at the commencement of the Agenda had failed then Cr Doherty's Foreshadowed Motion would now require an Absolute Majority vote, being 7 Members, to revoke the July decision.

MOTION

Moved Cr Doherty, Sec Cr Trent

That....

- (a) consideration be given to revoking Item 11.1 part (d) as follows, insofar as it relates to the Minutes of the Ordinary Council Meeting dated 25 July 2006:
- (d) *the lessons learned and a Management Plan be established in an internal Workshop;*
- (b) Item 11.1 part (d) insofar as it relates to the Minutes of the Ordinary Council Minutes dated 25 July 2006 be revoked.

CARRIED (8/4)
In Support of Revocation

MEMBER COMMENTS FOR / AGAINST MOTION - POINTS OF CLARIFICATION

Cr Doherty opening for the Motion

- propose to disband workshop
- Moresby Ward Councillors contributed a lot of work/effort in relation to Canning Mews
- Moresby Councillors privileged to represent City at SAT
- conducting a workshop is focussing on 'interface' in particular Planning Officers
- if we do anything need to do "broad brush" for whole area not just Canning Mews
- need to focus on what we do - how we do it and how we can do it better
- following SAT decision met with Canning Mews developer, KCA and others to ascertain how we could have done better - outcomes/information passed to officers
- believe officers have embraced many of the results of Canning Mews landmark decision
- decision won on amenity - we were not the first to win on this - Bassendean were
- we are looking at amenity in South Perth in a different way as a result of this SAT appeal
- in future we need to engage and have consultation

Cr Trent for the Motion

- come a long way since Canning Mews
- believe that rather than the statement: '*lessons learned*' should refer to 'issues discovered'
- lessons learned implies a school master dealing with children
- positive outcomes came out of SAT - KCA now speaking with developers
- support revoking July decision for item 11(d)

Cr Gleeson point of clarification - Given that the City spent approximately \$80,000 in the SAT Appeal and the resources officers and Members contributed - What did we really achieve in the re-vamping of the proposed development at the corner of Hovia Terrace and Canning Highway?

At the invitation of the Mayor, the Director Strategic and Regulatory Services stated that it was important to remember that the Council **refused** the original application and SAT validated that decision. Until there is a development approved for the site it is not possible to say exactly what the development will look like as opposed to the original proposal. The reason for refusal will fall away if the issues raised are addressed. He said that McLeods lawyers have discussed the amenity issues with Council officers and he confirmed that SAT is the final arbitrator. SAT provided a 'fresh' interpretation of all of the amenity issues raised.

Cr Jamieson against the Motion

- suggested 'broad brush' approach works for me
- re lessons learned being 'school stuff' - have read reports from BP, Woodside and others who use the term 'lessons learned'
- conscious should be following Goal 1 Customer Focus - *to be a customer focus organisation that promotes effective communication and encourages community participation*
- six strategies within Goal 1 - by killing proposed workshop stand risk of people saying we are not encouraging community participation
- would like greater visibility of Ward Member involvement in issues
- against the Motion

COUNCIL DECISION ITEM 7.1 (Part 1)

The Mayor put the Motion

That....

- (a) consideration be given to revoking Item 11.1 part (d) as follows, insofar as it relates to the Minutes of the Ordinary Council Meeting dated 25 July 2006:

(d) the lessons learned and a Management Plan be established in an internal Workshop;

- (b) Item 11.1 part (d) insofar as it relates to the Minutes of the Ordinary Council Minutes dated 25 July 2006 be revoked.

CARRIED BY REQUIRED ABSOLUTE MAJORITY (9/3)

NOTE: CRS JAMIESON AND SMITH REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION

COUNCIL DECISION ITEM 7.1 (Part 2)

Moved Cr Doherty, Sec Cr Gleeson

That no further action be taken in respect to the holding of a Facilitated Workshop on the Canning Mews SAT appeal outcomes.

CARRIED (9/3)

NOTE: CRS JAMIESON AND SMITH REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION

CHANGE TO ORDER OF BUSINESS

The Chief Executive Officer advised that the Administration only became aware late on Friday 25 August of a Councillor's interest in the 'Local Government Sustainable Conference' to be held in Sydney in September. He said that because of the timing of the Conference being 14 and 15 of September and Policy constraints, the item was included on the Agenda for tonight's Special Council Meeting. The late report item was circulated at the commencement of the meeting.

COUNCIL DECISION CHANGE TO ORDER OF BUSINESS ITEM 7.3

Moved Cr Hearne, Sec Cr Ozsdolay

That Item 7.3 be dealt with at this point in the Agenda and then *Confidential* Item 7.2.

CARRIED (12/0)

<p>7.3 Local Government Sustainable Development Beyond 2030 Conference to be held in Sydney 14 and 15 September 2006..... <i>(Report Circulated at the Council Meeting)</i></p>

Location: City of South Perth
Applicant: Council
File Ref: N/A
Date: 25 August 2006
Author / Reporting Officer: Chief Executive Officer

Summary

The purpose of this report is to give consideration to Council Member attendance at the “Local Government Sustainable Development Beyond 2030 Solutions, Directions and Trends” conference to be held in Sydney on 14 and 15 September 2006.

Background

The conference and exhibition has been designed to assist local government representatives to identify, plan and implement best practice sustainable development solutions and to showcase leading edge examples of outstanding environmental initiatives by Australian local governments.

The themes and objectives of the Conferences are:

- integrating sustainable development into planning strategies
- measuring progress towards sustainable development outcomes
- building sustainability into operational activities
- positioning local government in the leadership role for sustainable development
- harnessing community energies to achieve environmental goals
- best practice case studies in:
 - water management
 - waste minimisation and recycling
 - greenhouse emissions control
 - the built environment and preservation; and
 - enhancement of biodiversity

The program consists of a number of “case studies” and is relevant to the City at its stage of integrated sustainability planning and implementation. **Attachment 7.3** refers.

Comment

The Chief Executive Officer has approved the attendance of the Manager City Environment, as the Line Manager responsible for sustainability, at the conference.

Cr Gleeson has requested that Council give consideration to Council Member attendance at the Conference and because of the timing, is placed on this Agenda for decision.

The conference is timely because of the City’s focus on sustainability. The City Sustainability Strategy is based on the WA State Government’s strategy and includes six key areas:

- Governance
- Global Contributions;
- Natural Resources;
- Settlements;
- Community; and
- Business

and are relevant to the City of South Perth.

The City has also developed a detailed Sustainability Action Plan and progress against these documented actions will be made in due course.

Consultation

Not applicable.

Policy Implications

Approval of officer attendance by the CEO is consistent with Policy P513. Council Member attendance is considered appropriate given the importance of ‘sustainability’ but requires Council approval.

Financial Implications

The total estimated cost of attendance including registration, airfares, accommodation and meals is calculated as follows:

Return Economy Air Fare approx.	\$ 710.00
Registration	\$ 795.00
Accommodation, meals and sundry expenses = 3 days @ \$250 pd	\$ 750.00
	<hr/>
	<u>\$2255.00</u>

The cost is based on Economy Air Fare and funding for Council Member attendance can be comfortably accommodated within the current budget.

Strategic Implications

The City’s Strategic Plan at Goal 3: ‘Environmental Management’ deals with the general topic of sustainability: *“To sustainably manage, enhance and maintain the City’s unique natural and built environment”*.

Strategy 3.2 refers to the development and implementation of a Sustainability Strategy and Management System to co-ordinate related activities.

OFFICER RECOMMENDATION ITEM 7.3

That Council consider the attendance of Council Members at the “Local Government Sustainable Development Beyond 2030 Solutions, Directions and Trends” conference to be held in Sydney on 14 and 15 September 2006 at an estimated cost of \$2255.00 per person.

COUNCIL DECISION ITEM 7.3

Moved Cr Smith, Sec Cr Ozsdolay

That Council approves the attendance of Cr Gleeson at the “Local Government Sustainable Development Beyond 2030 Solutions, Directions and Trends” conference to be held in Sydney on 14 and 15 September 2006 at an estimated cost of \$2255.00 per person.

CARRIED (11/1)

NOTE: CR JAMIESON REQUESTED HE BE RECORDED AS HAVING VOTED AGAINST THE MOTION

Note: At this point business was resumed in the sequence of the Agenda.

Note: Cr Hearne left the Chamber at 7.55pm

COUNCIL DECISION : MEETING CLOSED TO THE PUBLIC

Moved Cr Trent, Sec Cr Doherty

That the meeting be closed to the public at 7.55pm in accordance with the *Local Government Act* Sections 5.23(2)(a) while *Confidential* Item 7.2 is discussed as it relates to a matter affecting an employee.

CARRIED (11/0)

Note: The following staff and the two members of the public gallery left the Chamber at 7.55pm

Mr S Cope	Director Strategic and Regulatory Services
Mr G Flood	Director Infrastructure Services
Mr R Bercov	Manager Planning Services

Note: The Council Chamber doors were closed at 7.55pm.

DECLARATION OF INTEREST : ITEM 7.2: CHIEF EXECUTIVE OFFICER

I wish to declare a conflict of interest in Confidential Agenda Item 7.2 on the Agenda for the Special Council Meeting to be held 29 August 2006. As I am the subject of the report item in question I will leave the Council Chamber while this matter is being debated.

Note: The Chief Executive Officer retired from the meeting at 7.57pm

Note: Cr Hearne returned to the Chamber at 7.58pm

7.2 Recommendations from CEO Evaluation Committee Meeting Held: 24 July 2006. CONFIDENTIAL REPORT (Item 13.1.1 referred Council Mtg 22.8.06)

Location:	City of South Perth
Applicant:	Council
Date:	4 August 2006
Author:	Kay Russell
Reporting Officer:	Cliff Frewing, Chief Executive Officer

Confidential

This report has been designated as ***Confidential*** under the *Local Government Act* Sections 5.23(2)(a) as it relates to a matter affecting an employee.

Note: ***Confidential Report Circulated Separately***

COUNCIL DECISION ITEM 7.2 (Part 1)

Moved Cr Ozsdolay, Sec Cr Doherty

That Council adopt Item 4.1 of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

CARRIED (11/1)

Note: CR JAMIESON REQUESTED HE BE RECORDED AS HAVING VOTED AGAINST THE MOTION

MOTION

Moved Cr Ozsdolay, Sec Cr Macpherson

That Council adopt Item 4.1 Part 1(a) of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

AMENDMENT

Cr Hearne moved an amendment to Item 4.1 Part 1(a) of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006 to include the additional words: *but that the Consultant's comments in relation to polarisation not be accepted.* Sec Cr Smith

The Mayor put the Amendment.

CARRIED (8/4)

COUNCIL DECISION ITEM 7.2 (Part 2)

The Mayor put the Amended Motion

That Council adopt Item 4.1 Part 1(a), as amended, of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

CARRIED (11/1)

Note: CR JAMIESON REQUESTED HE BE RECORDED AS HAVING VOTED AGAINST THE MOTION

MOTION

Moved Cr Ozsdolay, Sec Cr Gleeson

That Council adopt Item 4.1 Part 1(b) of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

FORESHADOWED MOTION

Cr Doherty Foreshadowed she would move an Amendment to the Motion if the current Motion is Lost.

COUNCIL DECISION ITEM 7.2 (Part 3)

The Mayor put the ~~Amended~~ Motion

That Council adopt Item 4.1 Part 1(b) of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

CARRIED (8/4)

MOTION

Moved Cr Ozsdolay, Sec Cr Macpherson

That Council adopt Item 4.1 Part 2 of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

AMENDMENT

Cr Cala moved an additional part (c) to Item 4.1 Part 2 of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

The Amendment Lapsed for Want of a Seconder.

LAPSED

COUNCIL DECISION ITEM 7.2 (Part 4)

The Mayor put the Motion

That Council adopt Item 4.1 Part 2 of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

CARRIED ON THE CASTING VOTE OF THE MAYOR (7/6)

Note: CRS HEARNE, JAMIESON, SMITH AND WELLS REQUESTED THEY BE RECORDED AS HAVING VOTED AGAINST THE MOTION

MEETING ADJOURNED

Moved Cr Trent, Sec Cr Cala

That the meeting be adjourned for a 5 minutes break at 9.25pm

CARRIED (12/0)

MEETING RECONVENED

Moved Cr Trent, Sec Doherty

That the meeting be reconvened at 9.39pm

CARRIED (12/0)

COUNCIL DECISION ITEM 7.2 (Part 5)

Moved Cr Ozsdolay, Sec Cr Gleeson

That Council adopt Item 4.1 Part 3 of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

LOST (5/7)

Note: CRS GLEESON AND MACPHERSON REQUESTED THEY BE RECORDED AS HAVING VOTED **FOR** THE MOTION

COUNCIL DECISION ITEM 7.2 (Part 6)

Moved Cr Ozsdolay, Sec Cr Maddaford

That Council adopt Item 4.1 Part 4 of the *Confidential* Minutes of the CEO Evaluation Committee Meeting Held: 24.7.2006.

CARRIED (12/0)

COUNCIL DECISION : MEETING OPEN TO THE PUBLIC

Moved Cr Trent, Sec Cr Hearne

That the meeting be again open to the public at 9.47pm.

Note As there were no members of the public that returned to the Council Chamber the resolutions for *Confidential* Item 7.2 were not read out.

8. OTHER BUSINESS

Nil

9. CLOSURE

The Mayor closed the meeting at 9.48pm

These Minutes were confirmed at a meeting on 26 September 2006

Signed _____
Chairperson at the meeting at which the Minutes were confirmed