



'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'

AGENDA

For The
Ordinary Meeting of Council
To Be Held At

TUESDAY 17 December 2019
At 5:00pm

Council Chambers
39 Bannister Rd, Boddington

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1. DECLARATION OF OPENING:

"I would like to acknowledge the traditional custodians of the land, the Nyoongar People, and pay my respects to Elders, past and present".

2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:

2.1.1 Attendance

2.1.2 Apologies

Cr Glynn

2.1.3 Leave of Absence

3. DISCLOSURE OF FINANCIAL INTEREST:

4. PUBLIC QUESTION TIME:

4.1 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE:

4.2 WRITTEN QUESTIONS PROVIDED IN ADVANCE:

4.3 PUBLIC QUESTIONS FROM THE GALLERY:

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/
SUBMISSIONS:

6. CONFIRMATION OF MINUTES:

6.1.1	Ordinary Meeting of Council held on Tuesday 19 November 2019
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That the minutes of the Ordinary Meeting of Council held on Tuesday 19 November 2019 be confirmed as a true record of proceedings.

7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT
DISCUSSION:

8. REPORTS OF OFFICERS AND COMMITTEES:

8.1 PLANNING CONSULTANT:

Nil at this time.

8.2 MANAGER FINANCIAL SERVICES:

8.2.1	List of Payments – November 2019
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Disclosure of Interest: Nil
Date: 12 December 2019
Author: Judy Franks
Attachments: 8.2.1A List of Payments November 2019

Summary

The Local Government (Financial Management) Regulations 1996 require the preparation of a List of Payments made from the Council's bank accounts.

Background

A list of the payments made in each month is to be prepared and presented to a meeting of Council in the following month.

This list of payments is to be reviewed by Council separately from the monthly financial statements. This will ensure that the requirement of the Financial Regulations for the list of payments made in one month to be presented to the Council meeting in the following month, will be met even if the financial statements are not presented to that meeting.

Councillors have the opportunity to query or inspect invoices before the meeting to satisfy themselves before the item comes before Council.

Comment

The List of Payments for the month of November 2019 is presented in Attachment 8.2.21A.

Statutory Environment

Local Government (Financial Management) Regulations 1996

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing –
 - (a) for each account which requires council authorisation in that month –

- (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be –
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Policy Implications - Nil

OFFICER'S RECOMMENDATION – 8.2.1

That Council adopts the list of payments for the period ending 30 November 2019; at Attachment 8.2.1A.

8.2.2 Audit Report 2019

File Ref. No:	ADM 0279
Disclosure of Interest:	Nil
Date:	13 December 2019
Author:	Chris Littlemore
Attachments:	8.2.2A 2018-2019 Annual Report – Separate Attachment

Summary

The Audit Committee met on 12 December 2019 to consider the 2018/19 Independent Auditors Report, 2018/19 Financial Report and to make a recommendation to Council to adopt the 2018/19 Annual Report.

Background

Council received the 2018/19 Independent Auditors Report and Management Letter on 11 December 2019.

Comment

The audit review of compliance with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 did not indicate any issues of non-compliance.

Strategic Implications – N/A

Statutory Environment

Local Government Act 1995

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.
* Absolute majority required.
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent him or her as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

7.1B. Delegation of some powers and duties to audit committees

- (1) Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation.
* Absolute majority required.
- (2) A delegation to an audit committee is not subject to section 5.17.

7.1C. Decisions of audit committees

Despite section 5.20, a decision of an Audit Committee is to be made by a simple majority.

Policy Implications - There appear no further implications in this regard.

Financial Implications - There appear no further implications in this regard.

Economic Implications - There appear no further implications in this regard.

Social Implications - There appear no further implications in this regard.

Environmental Considerations - There appear no further implications in this regard.

Consultation

Ms Maria Cavallo, Director Audit AMD Chartered Accountants

Ms Melanie Blain, Client Advisor – Audit AMD Chartered Accountants

Options

The Committee can resolve the Officer's Recommendation or an amended resolution.

Voting Requirements - Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.2.2

That Council

1. accept the Audit Committee recommendations that Council accept the 2018/19 Independent Auditors Report and the 2018/19 Financial Report both of which documents are included in the 2018/19 Annual Report included as Attachment 8.2.2A, and
2. accept the 2018/19 Annual Report.

8.3 PRINCIPAL ENVIRONMENTAL HEALTH OFFICER/ BUILDING SURVEYOR:

Nil at this time.

8.4 MANAGER WORKS & SERVICES:

Nil at this time.

8.5 DIRECTOR CORPORATE & COMMUNITY SERVICES:

8.5.1 Appointment of Dual Registered Fire Control Officer – Shire of Williams

File Ref. No:	ADM0154
Disclosure of Interest:	Nil
Date:	12 December 2019
Author:	Graham Stanley
Attachments:	Attachment 8.5.1A - Letter from Shire of Williams

Summary

That Council appoints Ashley Chadwick as a Dual Registered Fire Control Officer with the Shire of Williams

Background

The Boddington Bush Fire Advisory Committee held its Annual General Meeting for the 2019 on Thursday 2nd May 2019. Council then adopted the recommendations of the Bush Fire Advisory Committee at the Ordinary Meeting of Council held on 16 July 2019 which included the nomination of Dennis Cowcher, Brad Morgan and Brad Hardie as Dual Registered Fire Control Officers from the Shire of Boddington with the Shire of Williams. Subsequently the Shire of Williams accepted our nominations and wrote to us advising of this and also requested that Ashley Chadwick from their Shire be dual registered with Boddington.

Comment

The general convention within Local Government is that Councils accept each-others' nominations of Fire Control Officers. Generally dual registered fire control officers are located near the boundary of the two Shires and therefore in the event of a bushfire that starts in their Shire in which they may be the incident controller they remain in control of the fire once it crosses the Shire boundary and can be confident that they have the legal backing of the other Shire.

Strategic Implications

Nil

Statutory Environment

Bush Fires Act 1954

S 38. Local government may appoint Bush Fire Control Officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.
- (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (2E) A bush fire control officer appointed by a local government under the provisions of this section shall be issued with a certificate of appointment by the local government or, if he is appointed by the FES Commissioner, by the FES Commissioner.
- (3) The local government may, in respect to bush fire control officers appointed under the provisions of this section, exercise so far as they can be made applicable the same powers as it may exercise in respect to its other officers, under the provisions of the Acts under which those other officers are appointed.
- (4) A bush fire control officer appointed under the provisions of this section shall, subject to such directions as may be given by the local government, and subject to this Act take such measures as appear to him to be necessary or expedient and practicable for —
- (a) carrying out normal brigade activities;
 - [(b), (c) deleted]*
 - (d) exercising an authority or carrying out a duty conferred or imposed upon him by any of the provisions of Part III;
 - (e) procuring the due observance by all persons of the provisions of Part III.

S 40. Local governments may join in appointing and employing bush fire control officers

- (1) Two or more local governments may by agreement join in appointing, employing and remunerating bush fire control officers for the purposes of this Act.
- (2) Bush fire control officers so appointed may exercise their powers and authorities and shall perform their duties under this Act in each and every one of the districts of the local governments which have joined in appointing them

Bush Fire Regulations 1954

Policy Implications – Nil

Financial Implications – Nil

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Consultation – CEO; Boddington Chief Bushfire Control Officer - William Batt,

Options

Council can resolve:

1. the Officer's Recommendation; or
2. resolve an amended Officer's Recommendation with other amendments, giving reasons.

Voting Requirements - Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.5.1

That Council appoints Ashley Chadwick as a Dual Registered Fire Control Officer with the Shire of Williams.



SHIRE OF WILLIAMS

BROOKING STREET, WILLIAMS, WESTERN AUSTRALIA.

OFFICE HOURS: MONDAY TO FRIDAY: 8.30 a.m. to 5.00 p.m.

TELEPHONE (08) 9885 1005 FACSIMILE (08) 9885 1020 EMAIL shire@williams.wa.gov.au

All communications to be addressed to the Chief Executive Officer, P.O. Box 96, Williams, W.A. 6391.

Your Ref:

Our Ref:

5.10.1

Ms. Chris Littlemore
Chief Executive Officer
Shire of Boddington
PO Box 4
BODDINGTON WA 6390

18 November 2019

Dear Chris,

RE: Dual Registered Fire Control Officers

The Shire of Williams would like to nominate Ashley Chadwick as a dual registered Fire Control Officer for your Shire for the 2019/20 fire season.

I would also like to confirm that Dennis Cowcher, Brad Morgan and Brad Hardie have been accepted as a dual registered Fire Control Officers for the Shire of Williams.

I trust that you will agree to this request.

Yours faithfully,

Geoff McKeown
Chief Executive Officer

*given to DCS
21.11.19
needs to go to
Council.*

SHIRE OF
BODDINGTON
RECEIVED

21 NOV 2019

Distribute to:
 DCS DSP MINS
 PEHO FM CEO
 MWS TPC MCS

EA

File No _____
Date _____
Initial HL

8.6 CHIEF EXECUTIVE OFFICER:

8.6.1 Action Sheet

Disclosure of Interest: Nil
Date: 11 December 2019
Author: Chris Littlemore

Purpose of Report

To bring forward Councillors information the Action Report with actions taken on previous Council resolutions.

Meeting Date	Resolution Number	Responsible Officer	Subject	Date Completed	Comments Current Status
19/11/19	102/19	TPC	Development Application No 254 Days Road	19/11/19	Completed
19/11/19	104/19	DCCS	Fire Access Track Exemptions	9/12/19	Emails sent - Completed
19/11/19	105/19	DCCS	Local Government Insurance Scheme Membership Report	Lay on Table	To next Info session
19/11/19	107/19	CEO	Draft Community Strategic Plan 2019 – 2019	19/11/19	Advertised.
19/11/19	108/19	CEO	Peel Harvey Catchment Council Representation	Pending	Pending notification by PHCC

For information only.

8.6.2	Actions Performed Under Delegated Authority For The Month Of November 2019
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File Ref. No: ADM0686
 Disclosure of Interest: Nil
 Date: 12 December 2019
 Author: Chief Executive Officer
 Attachments: Nil

Summary

To report back to Council actions performed under delegated authority for the month of November 2019.

Background

There is no specific requirement to report on actions performed under delegated authority. But to increase transparency this report has been prepared for Council and includes all actions performed under delegated authority for the month of November 2019..

Affixing of Common Seal

One off delegations to the Chief Executive Officer;

Authorisation to call Tenders

Development Approvals issued
 Subdivision Approvals issued
 Land Administration Approvals issued

Building Permits issued;
 Health Approvals issued;

Comment

The following tables outline the action performed within the organization relative to delegated authority for the month of November 2019 and are submitted to Council for information.

Common Seal	
Date Affixed	Documentation

One off Delegations CEO	
Date Affixed	Documentation

Authorisation to call Tenders	
Date	Action
8/11/19	Tender 01 –Construction of a Skate Park & Pump track
8/11/19	Tender 02/2019-2020 Construction of a Civic Foreshore & Landscaping

Peter Haas - PEHO			
Building Applications			
Application No.	Applicant	Lot & Street	Type of Building Work
3272	P & D McBride 583 Bannister- Marradong Road Bannister	Lot 24537 No 583 Bannister-Marradong Road Bannister	Farm Shed
Health - Nil			

Steve Thompson - Town Planning Consultant			
Development Approvals			
Application No.	Applicant	Lot & Street	Type of Approval
Subdivision Applications			
Application No.	Applicant	Lot & Street	Action
Land Administration			
Application No.	Applicant	Lot & Street	Action

Strategic Implications – Nil

Statutory Environment

Regulation 19 of the *Local Government (Administration) Regulations 1996* requires delegates to keep a record of each occasion on which they exercise the powers or discharge the duties delegated to them.

Policy Implications - Nil
Financial Implications - Nil
Economic Implications – Nil
Social Implications - Nil
Environmental Considerations – Nil
Consultation - Nil

Voting Requirements – Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.6.2

That Council accept the report outlining the actions performed under delegated authority for the month of November 2019.

8.6.3 2019/20 Council Meeting Schedule

File Ref. No: ADM 0096
Disclosure of Interest: Nil
Date: 12 December 2019
Author: Chris Littlemore, CEO

Summary

Council is to consider Ordinary Meeting dates, locations and starting time for the 2019/20 year.

Background

It is a legislative requirement for the public in general to be advised in advance of all meeting dates, place and starting times to facilitate attendance or participation in Council Meetings. Unforeseen circumstances may dictate a change to this schedule and local advertising will inform Electors accordingly.

Comment

This current meeting schedule has Council's Ordinary meetings held on a regular monthly interval. It is considered appropriate that Council holds its meetings on the third week of each month, to fit with public holidays. The day on which the meeting would be held can be altered, but the draft schedule continues with Thursday as the Ordinary Meeting day for Council.

The proposed meeting schedule is included below.

Thursday 20 February 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 19 March 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 16 April 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 28 May 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 18 June 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 16 July 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 20 August 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 17 September 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 15 October 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 19 November 2019	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 17 December 2019	Ordinary Meeting	5:00 PM	Council Chambers

- 28th May 2020 is the 4th Tuesday. Scheduling to suit advertising period for Differential Rating (3 weeks, commencing 1st May)

Separate to the monthly meeting schedule, it is anticipated that Councillors will still meet on occasions to review or workshop individual matters.

Statutory Environment

Local Government (Administration) Regulations 1996

12. Public notice of council or committee meetings — s. 5.25(1)(g)

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in subregulation (1).
- (3) Subject to subregulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in subregulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Consultation – Nil

Policy Implications – Nil

Financial Implications - Local advertising can be carried out at "nil" cost to Council

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations - Nil

Strategic Implications - Nil

Options

Council can adopt:

1. the Officer's Recommendation; or
2. the Officer's Recommendation with minor amendments to times or venues; or
3. a different schedule of meetings, giving reasons for not accepting the Officer's Recommendation.

Voting Requirement - Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.6.3

That Council adopt the following Schedule of Council Meetings for 2020.

Thursday 20 February 2010	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 19 March 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 16 April 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 28 May 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 18 June 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 16 July 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 20 August 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 17 September 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 15 October 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 19 November 2020	Ordinary Meeting	5:00 PM	Council Chambers
Thursday 17 December 2020	Ordinary Meeting	5:00 PM	Council Chambers

*28th May 2020 is the 4th Thursday. Scheduling to suit advertising period for Differential Rating (3 weeks, commencing 1st May)

8.6.4 Community Strategic Plan 2019-2029

Date: 12 December 2019
Author: Chris Littlemore
Attachment: 8.6.4A Community Strategic Plan 2019-2029 (separate attachment)

Summary

Council is to consider adoption of the Community Strategic Plan 2019-2029

Background

The Community Strategic Plan outlines community long term (10+ years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities.

The Community Strategic Plan:

- establishes the community's vision for the local government's future, including aspirations and service expectations
- drives the development of local government area/place/regional plans, resourcing and other informing strategies, e.g. workforce, asset management and services, and
- will ultimately be a driver for all other planning.

Council is required to review its Community Strategic Plan every four years.

Comment

Council released the Strategic Community Plan for public comment on 20 November 2019. Feedback was received from Newmont Gold Corp and the Peel Harvey Catchment Council. Councillors also provided feedback in relation to the draft.

All of the feedback has been incorporated into the latest draft presented for adoption.

Strategic Implications

The Community Strategic Plan outlines community long term vision, values, aspirations and priorities.

Statutory Environment - Nil

Policy Implications - Nil.

Financial Implications

The implications of the Community Strategic Plan are built into the Long Term Financial Plan.

Economic Implications – Nil

Social Implications

The Community Strategic Plan is a key document that provides the public with an opportunity to provide input into the investments Council will make to the infrastructure which can build social capital.

Environmental Considerations - Nil

Consultation – Members of the Advisory Committee, general public consultation.

Options

Council can resolve to:

1. adopt the recommendation/s;
2. adopt the recommendation/s with further amendments; or
3. not accept the recommendation/s, giving reasons.

Voting Requirements - Simple Majority

OFFICER'S RECOMMENDATION – ITEM 8.6.4

That Council adopt the Community Strategic Plan 2019-2029 included at Attachment 8.6.4A

9. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS MOTION HAS BEEN GIVEN:

Nil

10. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING:

Nil at this time.

Item 11.1.2

Move that pursuant to S5.23 (2) (c) as Council is about to discuss a contract entered into that the meeting be closed to members of the public.

Item 11.1.2

Move that pursuant to S5.23 (2) (a) as Council is about to discuss a matter affecting an employee that the meeting be closed to members of the public.

11. CONFIDENTIAL ITEM:

11.1.1 Tenders for Hotham Foreshore Project

11.1.2 CEO Annual Performance Appraisal

12. CLOSURE OF MEETING: