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Shire of Kalamunda

# Special Meeting of Council

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Minutes for 4 July 2011



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## MINUTES

### 1.0 OFFICIAL OPENING

- 1.1 The Chairman opened the meeting at 7:31pm and welcomed Councillors, Staff and Members of the Public Gallery.

### 2.0 ATTENDANCE, APOLOGIES AND LEAVE OF ABSENCE PREVIOUSLY APPROVED

#### 2.1 Attendance

##### Councillors

Donald McKechnie	Chairman (Shire President)	North Ward
Sue Bilich		North Ward
Margaret Thomas		North Ward
Maureen Robinson		South West Ward
Allan Morton	(Deputy Shire President)	South West Ward
Noreen Townsend		South West Ward
Frank Lindsey		South East Ward
Carol Everett		South East Ward
Martyn Cresswell		North West Ward
Dylan O'Connor		North West Ward
Justin Whitten		North West Ward

##### Members of Staff

James Trail	Chief Executive Officer
Rhonda Hardy	Director of Corporate Services
Kevin O'Connor	Director of Community Development
Mahesh Singh	Director of Engineering Services
David Tomlinson	Manager Strategic Planning & Building
Darrell Forrest	Manager Governance
Peter Hayes	Manager Business & Strategy
Steve McKay	Manager Property & Procurement
Michelle Clark	Executive Assistant
Donna McPherson	Minute Secretary

**Members of the Public** Nil

**Members of the Press** Nil

#### 2.2 Apologies

Clayton Higham Director of Planning & Development Services

**2.3 Leave of Absence Previously Approved**

Maureen Robinson  
Noreen Townsend

South West Ward  
South West Ward

**3.0 PUBLIC QUESTION TIME**

A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this Committee. For the purposes of Minuting, these questions and answers are summarised.

3.1 Nil.

**4.0 DISCLOSURE OF INTERESTS****Disclosure of Financial and Proximity Interests**

- a. Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*.)
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*.)

4.1 Cr Sue Bilich disclosed a financial interest in Item 01- Disposal of Freehold Land – as she owns a property currently on the market for sale in Kalamunda.

**Disclosure of Interest Affecting Impartiality**

- a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

4.2 Nil.

**5.0 REPORT TO COUNCIL**

Please Note: declaration of financial/conflict of interests to be recorded prior to dealing with each item.

Cr Sue Bilich disclosed a financial interest in Item 01- Disposal of Freehold Land – as she owns a property currently on the market for sale in Kalamunda. Cr Bilich left the chambers at 7.32pm.

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RESOLVED SCM 88/2011

1. That the meeting go behind closed doors to consider Confidential Item 01 - Disposal of Freehold Land.

Moved: **Cr Carol Everett**

Seconded: **Cr Frank Lindsey**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The meeting closed to the public at 7.33pm to consider Confidential Items  
Confidential Item 01 - Disposal of Freehold Land

**Declaration of financial / conflict of interests to be recorded prior to dealing with each item.**

*Reason for Confidentiality. Local Government Act s.5.23(2)(c). A contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*

**01. Disposal of Freehold Land**

RESOLVED SCM 89/2011

1. That Council:
  1. Endorses the actions of the Chief Executive Officer and approves the Counter Offer of \$575,000 received for Lot 17 (43) Boonooloo Road Kalamunda.
  2. Amend point 3 of Council Resolution 50/2011 by the inclusion of "90% of" between the words "than and it's" so that point 3 would then read as:
    3. *That no lot be sold for less than 90% of sworn value unless authorised by Council resolution.*

Moved: **Cr Margaret Thomas**

Seconded: **Cr Frank Lindsey**

Vote: For  
**Cr Carol Everett**  
**Cr Frank Lindsey**  
**Cr Allan Morton**  
**Cr Dylan O'Connor**  
**Cr Margaret Thomas**  
**Cr Donald McKechnie**

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Against  
**Cr Geoff Stallard**  
**Cr Justin Whitten**  
**Cr Martyn Cresswell**

Vote: **CARRIED (6/3)**

RESOLVED SCM 90/2011

1. That the meeting open to the public after consideration behind closed doors of Confidential Item 01 - Disposal of Freehold Land.

Moved: **Cr Frank Lindsey**

Seconded: **Cr Allan Morton**

Vote: **CARRIED UNANIMOUSLY (9/0)**

The meeting opened to the public at 7.49pm after consideration behind closed doors of Confidential Item 01 - Disposal of Freehold Land.

Cr Sue Bilich returned to the chambers at 7.49pm.

## **6.0 CLOSURE**

There being no further business, the Chairman declared the meeting closed at 7:50pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2011