



## **SHIRE OF BODDINGTON**

*'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'*

## **COUNCIL MINUTES**

**18<sup>TH</sup> MARCH 2008**

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**Minutes of the Ordinary Meeting of the Boddington Shire Council held in the Council Chambers on Tuesday 18<sup>th</sup> March 2008 commencing at 4.00pm.**

**1. DECLARATION OF OPENING**

The Shire President, Cr Carrotts, declared the meeting open at 4.05pm.

**2. ATTENDANCE**

Cr PR Carrotts	President
Cr E Flaherty	Deputy President
Cr EK Hoek	
Cr GJ Day	
Cr SW Patten	
Cr AJ Hardie	
Mr G Sherry	Chief Executive Officer
Mrs C Martin	Director of Corporate Services
Mr P Haas	Principal Environmental Health Officer/Building Surveyor
Mrs M Smith	Acting Executive Assistant
Mr R Belton	Town Planning Consultant (4.05pm – 5.20pm)
Mr P Bradbrook	Special Projects Manager (5.10pm – 5.35pm)
Mr Greg Donhardt	Manager Works & Services (5.40pm – 6.17pm)

**APOLOGIES**

Cr DN Veitch

**VISITORS**

Ms Shonagh Bradstock	Peel Trails Group
Mr Greg Robertson	Support Peel trails Group
Mr Tom Hardie	Boddington Bowling Club
Mr John Patten	Boddington Bowling Club
Ms Lisa Carrotts	Boddington Chamber of Commerce
Mr Andrew Howe	TPG Town Planning Urban Design
Mr Jeffrey Gibbs	Support TPG Submission
Ms Kim Matsen	Submission Soldiers Rd Industrial Site
Ms Delree North	Submission Soldiers Rd Industrial Site
Ms Kathy Smith	Submission Soldiers Rd Industrial Site
Mr Nathan Harrison	Submission Soldiers Rd Industrial Site
Mr John Riley	Submission Soldiers Rd Industrial Site
Ms CR Andersson	Submission Soldiers Rd Industrial Site
Mr Greg Marston	Submission Soldiers Rd Industrial Site
Mr Brenden Metcalf	Submission Soldiers Rd Industrial Site
Mr Peter Graham	Submission Soldiers Rd Industrial Site
Mr Tim Stubbs	

**APOLOGIES**

Ros Thomson                      Submission Soldiers Rd Industrial Site

**3. DISCLOSURE OF FINANCIAL INTEREST**

Mr G Sherry                      Item 8.6.4      (Financial Interest)

#### **4 PUBLIC QUESTION TIME**

- 4.1 Ms Andersson cited the resolution of Council on 17 April 2007 where Council agreed to limit industrial development north of Soldiers Road to the area west of Boggy Brook and asked what application that resolution had to the application before Council at today's meeting?

Cr Carrotts acknowledged the resolution and that the Council's consideration of their previous resolution would be a part of today's meeting.

- 4.2 Ms Andersson asked what level of environmental assessment had occurred with the application to be considered at Lot 708 Soldiers Road and had the application been approved by the Environmental Protection Authority?

Through the chair, Council's Town Planning Consultant Mr Ray Belton, answered that the environmental assessment is the very first stage of assessment of any zoning change and this would be completed before any other comment was sought. The matter before Council today would allow this environmental assessment to commence.

- 4.3 Mr Riley asked why a new industrial estate was required when the current industrial estate was not fully developed and what would the pricing of such of lots?

Cr Carrotts answered that development of such estates was a matter for the private enterprises who seek to develop land for resale. It was not Council's role to seek to guarantee developers a return on the development costs.

Through the chair, Council's Town Planning Consultant Mr Ray Belton, explained that Council had requested that the area roughly designated for future industrial development in Council's recently adopted Local Planning Strategy be moved further west and south. However the WA Planning Commission did not permit this, and commented that the exact siting of industrial development would be determined when an application was received.

- 4.4 Mr Matsen outlined his belief after experience in the mining industry that additional industrial land would not required as mining businesses tended not to invest long term in communities and such business would service Boddington from their Perth locations. Mr Matsen thought that area being considered by Council for rezoning to industrial would be better zoned as a higher value such as special rural.

#### **5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

- 5.1 Presentation by Ms Shonagh Bradstock of the Peel Trails Group to talk about the Local Master Plans for Trails.

Ms Bradstock outlined that the Peel Trails Group had anticipated that Council would support their project to updating all Peel region local governments Local Master Plans to the value of \$5,000. Two other local governments already had.

- 5.2 Representatives from TPG with presentation regarding Industrial Zoning on Soldiers Road: Agenda Item 8.1.3

Mr Andrew Howe of TPG Town Planning Urban Design briefly outlined the development plans for Pt Lot 708 Soldiers Road in support of the proposal have Council rezone this area from a Rural Zoning to an Industrial Zoning. Mr Howe outlined that the plans included:

- Development involved a 90ha site;
- On the site, 19ha is south of Boggy Brook, and 32ha north;
- The site had between 3 and 5% grade across the site;

- The site was 500 metres from the nearest dwelling and 200m from the boundary of the lot on which the development was to be constructed;
- A 30m buffer was planned on each side of Boggy Brook, being 60m in total;
- Since the site has been used for agricultural uses, there are few other environmental concerns;
- The company has completed a noise plan and noise levels would meet industry standards; and
- Siting industrial land to the north of town would reduce industrial traffic through Boddington to the Boddington Gold Mine from an expanded industrial area on the south side of Boddington.

5.3 Mr Tom Hardie and Mr John Patten of the Boddington Bowling Club with a presentation regarding the construction of a second synthetic bowling green.

Mr Hardie and Mr Patten outlined the process and need for the construction of a second synthetic bowling green. The Boddington Bowling Club would appreciate the participation of Council in assisting with their self supporting loan repayments.

5.4 Ms Lisa Carrotts of the Boddington Chamber of Commerce regarding the Chambers formation and discussion with Boddington Gold Mine.

Ms Carrotts outlined the formation of the Boddington Chamber of Commerce and their recent meeting with Boddington Gold Mine seeking a greater use of local business by the Boddington Gold Mine and contractors. To date the Boddington Chamber of Commerce have not received a response from the Boddington Gold Mine.

## 6. CONFIRMATION OF MINUTES

### 6.1 ORDINARY MEETING OF COUNCIL HELD 4<sup>th</sup> MARCH 2008

**Council Resolution                      58/08                      Moved      Cr Patten**

**That the minutes of the Ordinary Meeting of Council held on 4<sup>th</sup> March 2008 be confirmed as a true record of proceedings.**

**Seconded                      Cr Hardie                      Carried      6/0**

## 7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION - Nil

### 7.1. ELECTED MEMBERS' REPORT - Nil

## 8. REPORTS OF OFFICERS/COMMITTEES - Nil

### 8.1 *Town Planning Consultant's Report*

#### **8.1.1                      Proposed Subdivision – Lot 66 Crossman Road, Crossman**

Location:                      Lot 66 Crossman Road, Crossman  
 Applicant:                      Scanlan Surveys Pty Ltd for W Royle  
 File Ref. No:                      136804  
 Disclosure of interest:                      Nil  
 Date:                      10 March 2008  
 Author:                      J. O'Keefe

#### Summary

The landowners propose subdividing this 14ha lot into two lots, one of approx. 4.4ha and one of approx. 9.5ha. This is supported subject to conditions.

## Background

The Shire of Boddington Local Planning Strategy designated the 'Crossman Corridor' as being capable of, and suitable for, lots down to a minimum size of 4ha.

## Comment

The proposal is consistent with zoning objectives (which reflect the Local Planning Strategy) subject to crossovers to Crossman Road being minimised. The 11 metre wide battleaxe access leg should be a joint carriageway to both lots. The proposed new lot boundary must be re-aligned to achieve 20M (min) setback to an existing shed.

## Consultation - Nil

## Statutory Environment

Amendment No 11 to Town Planning Scheme No 2 rezoned the lot, and surrounding land in the 'Crossman Corridor' to the 'Rural Small Holdings 1' zone. Zone provisions in regard to subdividing land include:

“Ensure subdivision and development proposals do not result in unnecessary access points to Crossman Road.”

One crossover to both lots will achieve this.

## Policy Implications – Nil

## Financial Implications – Nil

## Economic Implications - Nil

## Social Implications

- There are existing houses on both proposed lots.
- The Council firebreak Order requires 20M (min) firebreaks around all sheds, houses, and other structures.

## Environmental Considerations

- 'Encourage retention of Foreshore Vistas' – Council's Strategic Plan.
- Potential dwellings' on-site wastewater disposal systems are set back over 100m from Hotham River, and can achieve minimum 2m vertical clearance from groundwater.

## Strategic Implications - Nil

## Options

Recommended to the Western Australian Planning Commission that Council:

- Supports the proposal with no conditions;
- Supports the proposal subject to conditions; or
- Recommends refusal.

Council Resolution

59/08

Moved

Cr Flaherty

**That Council advises W.A.P.C. that it supports the proposed subdivision of lot 66 Crossman Road, Crossman, subject to the following conditions:**

- 1. One crossover to Crossman Road, upgraded to the satisfaction of the Shire Engineer;**
- 2. Joint rights of carriageway over the proposed 11m wide battleaxe access leg; and**
- 3. Adjustment of the proposed lot boundary to achieve a minimum 20m setback from existing shed, for firebreak and planning purposes.**

Seconded

Cr Hoek

Carried

6/0

**8.1.2 Pollard Street Residential Project Subdivision Application**

Location: Pollard St adjacent to waste water pump station  
Applicant: Council  
File Ref. No: POL 62  
Disclosure of interest: Nil  
Date: 10.03.2008  
Author: R.J. Belton

Summary

It is recommended that a formal application for a 4 lot subdivision be lodged with the Western Australian Planning Commission over Lot 62 Pollard Street.

Background

- A contour plan of the Council owned land in the Swimming Pool reserve has been received and a four lot layout has been prepared (plan attached).
- Council has resolved to rezone this land to “R20” as part of Amendment No 12
- Final approval of the Amendment is being held back by the W.A.P.C. pending the finalisation of the local Flood Study.

Comment

Having regard to the urgent need for Council owned residential land, Council could lodge a Subdivision application over the property prior to the zoning being finalised and ask the Planning commission to process the application in anticipation of Amendment No 12 being completed.

Consultation

Discussion with Mr Surveyor Scanlan reveals that proposed Lot 50 could qualify for a duplex lot under a strata survey arrangement.

Statutory Environment

The W.A.P.C. will not grant any subdivision approval until after the zoning amendment is finalised.

Policy Implications

The lodging of “premature” subdivision is not uncommon where the appropriate zoning process is well underway.

### Financial Implications

Approval of residential zoning and subdivision will add considerably to the value of the subject land.

### Economic Implications

As above

### Social Implications

The subject land is ideally located for Council or Public housing.

### Environmental Considerations

The land is capable of being sewerred and all development will be confined to the flat reclaimed and compacted high land.

### Strategic Implications

The four lots are in close proximity to the social, service and commercial infrastructure of the town.

### Options

- o Lodge subdivision immediately
- o Lodge subdivision after re-zoning completed

<b>OFFICER RECOMMENDATION – ITEM 8.1.2</b>
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That an application for proposed Lots 50-53 over Lot 62, Pollard Street be lodged with the Western Australian Planning Commission.

<b>Council Resolution</b>	<b>60/08</b>	<b>Moved</b>	<b>Cr Flaherty</b>
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**That an application for proposed Lots 49-53 over Lot 62, Pollard Street be lodged with the Western Australian Planning Commission per drawing No 5969/07/01.**

<b>Seconded</b>	<b>Cr Hardie</b>	<b>Carried</b>	<b>5/1</b>
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<b>8.1.3      Proposed Industrial Zone. Pt Lot 708 Soldiers Road</b>
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Location:	Pt Lot 708 Soldiers Road
Applicant:	T.P.G. Town Planning and Urban Design
File Ref. No:	10.10.4.19 & SOL.B 708
Disclosure of interest:	Nil
Date:	11 <sup>th</sup> March 2008
Author:	R.J. Belton

### Summary

A request to formally zone land identified in Council’s Local Planning Strategy for Industrial purposes on part of Lot 708 to “Industrial” and “Parks & Recreation” has been lodged. Approval to initiate the amendment is recommended subject to preparation of documentation and consultation with environmental and service authorities.



## Background

1. Councils Local Planning Strategy identified this area on the northern side of Soldiers Road adjacent to the waste water treatment plant as being suitable for industrial purposes generally associated with the goldmine, given its proximity to the mine and its location on the main access route into the mine.
2. The land is flat and is traversed by a stream line ("Boggy Creek"). It is imperative that the integrity of the watercourse is not impinged upon. It is noted that the zoning proposes a Parks & Recreation Reserve to be revegetated on either side of the creek line.

## Comment

- There is a total exclusion area 100m around the chlorine installation at the treatment works. Further, no residential component will be allowed within the 500m odour buffer around the treatment plant. The same restriction will apply to health sensitive land uses (e.g. food processing).
- Careful consideration will need to be taken to protect the amenity of the 'lifestyle' properties on the nearby estate serviced by Kalimna Way. The proponents should be required to plot physical profile elevation of the terrain between the proposed industrial allotments and the existing properties on Kalimna Way.

## Consultation

Discussions have been held with Water Corp officials with regard to the provision of water to the site and constraints relevant to the proximity of the waste water treatment plant. One of the important criteria for selecting the locality is that it lies below the 275m contour level that can be serviced by the town water supply system.

The Water Corp did not object to the proposed industrial use on condition that no development would be allowed within 100m of their chlorine installation and that no residential (caretakers) buildings or health sensitive uses would be permitted within the 500m odour buffer of the treatment plant.

## Statutory Environment

The details of the proposed permissible uses, constraints, streamline landscaping and revegetation etc. will be required to be set out in the reports supporting the statutory documentation.

## Policy Implications

The proposal complies with the objectives of the Local Planning Strategy to develop an industrial estate that will benefit the increased mining activity expected to continue for the next few years.

It is however important that Council take reasonable measures to protect the amenity of the nearest residents to the estate.

## Financial Implications

Development of the estate will add considerably to the rating base of the Shire.

## Economic Implications

As above

## Social Implications

The location is very convenient to industrial activities already being generated by the Gold Mine. It is important to select an area that will not create traffic conflict within the town.

## Environmental Considerations

The estate will be connected to the waste water sewer system and the total drainage system will have to be cleared by the Department of Conservation and Environment.

### Strategic Implications

The location was identified as being suitable for industrial purposes in the Local Planning Strategy due to its proximity to the Gold Mine and the fact that it is situated on the main access road to the mine.

### Options

- Agree to initiate the Amendment
- Require further information
- Refuse to initiate the amendment

OFFICER RECOMMENDATION – ITEM 8.1.3
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**Motion** **Moved**    **Cr Hardie**

**That Council agree to initiate an Amendment to Boddington Town Planning Scheme No 2 to rezone Part of Lot 708 Soldiers Road from “Rural” to “Industrial” and “Parks & Recreation” subject to consultation with the relevant service and environmental authorities and lodgement of Amendment documentation to the satisfaction of Council.**

**Seconded**                      **Cr Patten**    **Carried**

**Amendment** **Moved**    **Cr Day**

**That the motion be amended by adding “west of the streamline,” between Road and from.**

**Seconded**                      **Cr Flaherty**    **Carried on the casting vote of the 4/3  
Shire President**

**The amended motion became the substantive motion**

**Council Resolution**    **61/08** **Moved**    **Cr Hardie**

**That Council agree to initiate an Amendment to Boddington Town Planning Scheme No 2 to rezone Part of Lot 708 Soldiers Road, west of stream-line, from “Rural” to “Industrial” and “Parks & Recreation” subject to consultation with the relevant service and environmental authorities and lodgement of Amendment documentation to the satisfaction of Council.**

**Seconded**                      **Cr Patten**    **Carried** **4/2**

The President called for a Council recess at 5.05pm  
Council reconvened at 5.10pm

Mr Peter Bradbrook, Special Projects Manager, entered Chambers at 5.10pm

**8.3.1 Scope of Work – Main Street Upgrade Study**

Location: Bannister Road Boddington  
Applicant:  
File Ref. No:  
Disclosure of interest: Nil  
Date: 6 March 2008  
Author: Peter Bradbrook

Summary

Council is to consider the draft scope for works for a study of Bannister Road's ability to cope with increased traffic, parking and future amenity arising from the expansion of the Boddington Gold Mine and subsequent increased population.

Background

The Department of Industry & Resources has agreed to fund a Study, from its Social Infrastructure Package, into the upgrading of Bannister Road, to cope with increased traffic movements and to ensure the safety of pedestrians and motorists. Improvements to the appearance of the townsite will also be considered within the study, with an estimate of costs to accompany the second round for funding from the State Government. A draft Scope of Works has been prepared and is submitted for endorsement by Council, before inviting Expressions of Interest.

Increased traffic will obviously result from the Boddington Gold Mine Expansion and the resultant increase in permanent residency within the shire. In particular, because of actual and proposed developments immediately south of the townsites, it is expected that the Hill St/Bannister Rd, Forrest St/Bannister Rd, George St/Bannister Rd and Banksia Tce/Bannister Rd intersections will become much busier, perhaps requiring improved traffic control.

There is also concern about the 20-30 Road Trains that will pass along the main street. There have been suggestions that the thoroughfare should be widened, resulting in narrower footpaths – although in some locations i.e. Boddington Café this would be difficult. (There may be a need to resume some land) There are, however, a number of issues to consider and be implemented i.e. removing the extended nib sections in front of the old school, removing the islands near the bridge and replacing with double white lines, providing parking for Road Trains, provision of a turnaround for Road Trains, installing underground power, reducing the speed limit to 40kph, the provision of crosswalk(s), to mention a few.

The proposed Scope of Works is fairly broad and contains reference to public facilities, tree species and gardens, with the intention of ensuring they are adequate to meet the demands of the increased population and touring public.

Comment

The Tidy Towns Group believe now is an opportune time to improve the appearance of the main street, whilst making it safer. Installing underground power would make a big difference, whilst the committee would like consideration given to widening the street with, perhaps, gardens & lighting in median strips (if feasible). Upgrading street furniture and generating some street art is supported by the Group.

Consultation

Boddington Tidy Towns Committee representatives, Mr Stan Sherry and Mr Greg Robertson.

Statutory Environment

The actual widening of Bannister Road would need to be undertaken by Main Roads WA. The intention of the proposed study is to confirm the necessity for the widening and to determine the cost for the submission to the Government. If funding is approved Main Roads could then initiate the widening, which would require the relocation of some power poles; hence making it more practical to install underground power at the same time.

Council is authorised by the *Local Government Act 1995* to provide the facilities mentioned in the Scope of Works.

Policy Implications – Nil

Financial Implications

Funding of the Study will be paid for by the Department for Industry & Resources.

Whether any of the recommendations resulting from the study are activated, or not, will depend on if the State Government makes an allocation in the next round of the Social Infrastructure Package. If no allocation is received Council may decide to implement some of the recommendations at Council's cost, or seek alternative funding.

Economic Implications - Nil

Social Implications

It is important to ensure the safety of pedestrians, cyclists and motorists. Improving public facilities will also instil more pride in local residents.

Environmental Considerations

Widening the street and sinking the power line may need the removal of some street trees that are close to the road thoroughfare. It would be expected that every attempt would be made to relocate the Magnolia and/or Box trees elsewhere on the footpath if this were to happen.

Strategic Implications

Obtaining an independent study will support an application for funding from the Social Infrastructure Package.

Options

Council can:

1. Support the recommendation;
2. Support the recommendation with amendments to the Scope of Works; or
3. Decide that the study need not be undertaken.

OFFICER RECOMMENDATION – ITEM 8.3.1
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**Council Resolution      62/08    Moved      Cr Flaherty**

**That Council endorse the draft Scope of Works and invites submissions from qualified and experienced Urban Designers to undertake the proposed Main Street Upgrade Study, with funding to be provided from the Department of Industry & Resources' Social Infrastructure Package allocation from the State Government.**

**Seconded                      Cr Hoek    Carried      6/0**

### **8.3.2 Reserve List of Street Names for Future Subdivisions**

File Ref. No: 12.7.8  
Disclosure of interest: Nil  
Date: 11 March 2008  
Author: Peter Bradbrook

#### Summary

Council is to consider names to be submitted to the Geographic Names Committee for approval for use as future street and road names in the Shire of Boddington.

#### Background

Only three names remain on the Reserve List of Street Names, Batt, Carrotts & John, and it is likely two of these will be allocated to the Hill Street subdivision currently in progress. It is important to submit further names to the Geographic Names Committee at Landgate to prevent delays with clearances whilst street names are endorsed by Council and then the Committee. Some names are herewith submitted for consideration.

Because of the significant number of subdivisions currently in progress, or under consideration, it is important that Council nominates further street names to prevent any delay with issuing clearances. It has been usual to peruse the names of former Roads Board Members and select from that list.

Following a discussion with a representative of the local Chamber of Commerce to select a 'theme' for shire streets the Chamber has suggested using names from the RSL Memorial. This report makes reference to these names.

Other names reflecting historical land use i.e. Timber Mill Drive, Dolly Peg Avenue, Bauxite Street could be considered. (There is already Tannin Place and, more recently, a Gold Mine Rd) Alternatively, Council could continue with the 'tree' theme as several streets in the shire are named after trees/bushes i.e. Jarrah, Bluegum, Parrot Bush, Illyarrie, Peppercorn, Mistletoe, Banksia, Hakea. Other tree varieties could be recognised i.e. Wattle Way, Sandalwood Street, Wandoo Circle, Marri Street, Bottlebrush Drive, Snotty Gobble Place, etc.

#### Comment

The accompanying list provides the names of Roads Board Members after whom a street name has not been called. However, some of these members served very little time and the list shows those who served less than three years and those who served more than three years. Some of those who served more than three years are understood to still be alive, although this information needs verification.

The list also contains the names of seven deceased service personnel. Of these, the surname has already been used three times, whilst a further three also have the name of a former Roads Board Member.

I have also included names of former Roads Board Secretaries not previously used. It was interesting to note that several Secretaries also served as Members of the Roads Board. Mitchell, Pollard, Morgan and Gordon were in this category.

One other name submitted for consideration is that of Dr Hames, who served the district for several years and deceased recently.

The possibilities are endless. I have recommended some street names but there are many more that would also be appropriate and Council may wish to add to the list presented.

Consultation

Chamber of Commerce

Statutory Environment

Council is responsible for selecting street names for submission to the Geographic Names Committee.

Policy Implications - Nil

Financial Implications - Nil

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations - Nil

Strategic Implications

Recognition of both deceased servicemen and former Roads Board Members retains the memory of those persons who served in either capacity.

Options

Council can add or delete names mentioned in the recommendation.

OFFICER RECOMMENDATION – ITEM 8.3.2
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**Council Resolution 63/08 Moved Cr Flaherty**

**That Council submits the following names to the Geographic Names Committee for endorsement as future street names for the Shire of Boddington:**

- Vagg
- Atkinson
- East
- McRae
- Gordon
- Drabble
- Haynes
- Bottlebrush
- Wattle
- Wandoo
- Marri
- Redgum
- Eucalypt
- Sandalwood

**Seconded Cr Hardie Carried 6/0**

### 8.3.3 Subdivision of Lot 101 Bannister Road

Location: Lot 101 Bannister Road (Medical Clinic/Playground/ICU site)  
File Ref. No: BAN 101  
Disclosure of interest: Nil  
Date: 11 March 2008  
Author: Peter Bradbrook

#### Summary

Council is to consider subdivision of Lot 101 Bannister Road into four lots to better reflect the usage of the site and to allow the possible future sale of the Medical Centre site.

#### Background

Part of the arrangement to fund the proposed new Medical Centre, to be located adjacent the Boddington District Hospital, is to sell the existing Medical Centre, with the proceeds being allocated towards the construction costs. To allow this idea to proceed it will be necessary to subdivide Lot 101 Bannister Road, on which the existing Medical Centre is situated.

Council's contribution towards the construction costs is to be either i) the proceeds from sale of the Medical Centre or ii) raising a loan for its proportion.

Should it be necessary to dispose of the Medical Centre, as appears likely, it will need to be excised from the remainder of the lot. The site will also need to be rezoned.

Lot 101 Bannister Road is owned freehold by Council, consists of 4046m<sup>2</sup> and is currently zoned for Public Purposes. The Town Planner recommends that the Medical Centre Site be rezoned Commercial, once the subdivision is completed.

#### Comment

The idea to relocate the Medical Centre to the hospital grounds is generally supported by everyone in the local medical profession. Since the matter was raised the Home & Community Care group has obtained \$320,000 in grant funds to add a HACC facility to the Centre.

At present, the following funds are earmarked for construction of the Centre:

State Government Infrastructure Fund	\$450,000
Home & Community Care	\$320,000
Regional Partnerships Programme	\$400,000 (unconfirmed)
Shire of Boddington	<u>\$350,000</u>
Total	\$1,520,000

(It is likely, based on recent information that the Centre, with HACC attached, could be closer to \$2,000,000, in which case further funding may be sought from both HACC and the State Government).

However, for the project to have the remotest chance of proceeding Council needs to contribute at least \$350,000, although one would think the sale price of the Medical Centre should realise more.

Following discussions with the CEO we are recommending that the lot be subdivided into four lots i.e.

- The Medical Centre lot
- The Independent Care Units

- The Playground/picnic area
- The vacant lot containing lawn at the rear of the playground.

Note that the recommendation does not approve the sale of the Medical Centre. This will need to be addressed at a later date. Carrying out the subdivision immediately does not alter the usage of the remainder of the site and will not until Council determines otherwise.

Consultation – Chief Executive Officer & Town Planner

Statutory Environment

Council is permitted to purchase and/or dispose of property it owns under the *Local Government Act 1995*.

Policy Implications - Nil

Financial Implications

There will be some costs involved in surveying the site and, eventually, in marketing the site.

Economic Implications - Nil

Social Implications

Relocating the medical services to the hospital grounds removes a safety issue, is more practical for doctors to visit hospital patients, is more convenient for hospital staff and provides a larger facility that can be used by other allied health services.

Environmental Considerations - Nil

Strategic Implications

Same as for Social Implications.

Options

Council could decide as follows:

1. Not to subdivide Lot 101 Bannister Road – therefore preventing the sale of the Medical Centre;
2. To subdivide the lot into three lots rather than four (i.e. IC Units, Medical Centre, Playground/Park);  
or
3. To subdivide the lot into two lots rather than four i.e. Medical Centre & the remainder.

OFFICER RECOMMENDATION – ITEM 8.3.3
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That Council:

1. Endorses the surveying of Lot 101 Bannister Road into four lots; and
2. Zoning of the lots be as follows:
  - Medical Centre site – Commercial
  - Independent Care Units – Residential
  - Playground/Picnic Area – Public Open Space
  - Remaining lot – Residential



That Council:

- b) endorses the surveying of Lot 101 Bannister Road into three lots, and
- c) zoning of the lots be as follows:
  - Medical Centre site – Commercial
  - Independent Care Units – Residential
  - Playground/Picnic Area – Public Open Space

Seconded Cr Hardie Carried 6/0

Mr Peter Bradbrook, Special Projects Manager, left Chambers at 5.35pm

8.4 Principal Environmental Health Officer / Building Surveyor’s Report

**8.4.1 Robins Road Refuse Site Opening Hours**

Location: Robins Road Refuse Site  
 File Ref. No: 10.8.1  
 Disclosure of interest: Nil  
 Date: 11 March 2008  
 Author: Peter Haas PEHO/BS

Summary

Council to consider rationalising the refuse site operating hours from seven days a week to five days a week.

Background

At previous Council meetings Council has resolved to open the refuse site to cater for users of the site. This resulted in the refuse site being open 10am – 2pm Monday – Friday and 10am – 4pm Saturday & Sunday to cater for companies disposing of waste from the Boddington Gold Mine. Council has since resolved on 15 January 2008 to allow Boddington Mini Skips to be given a key to the refuse site gate and allow after hours disposal of waste with.

As one of the main users of the site now has after hours access the reason to open the refuse site seven days a week has greatly diminished.

Comment

It is proposed to revert back to the operating hours as they were prior to the seven a day per week trial i.e. open Tuesday – Thursday 10am – 2pm Saturday & Sunday 10am- 4pm Closed Monday and Friday.

The tip attendant has revealed that Mondays and Fridays are no busier than other days the refuse site is open evidenced by the site day sheets.

Council should conduct wide ranging public notification prior to any reduction in hours of operation. Such notification could include newspaper notices and letter drops. Therefore I would recommend that Council re-commences the 5 day per week operation form 27 April 2008.

Consultation

Mr Jim Carter – Tip Attendant



## Background

The Local Government (Financial Management) Regulations 1996 require the preparation of a once a year full budget review to be conducted within the months of January to March of that reporting year.

A full Budget Review has been performed with the actual year to date income and expenditure from the 31st January 2008 being extrapolated to show the projected closing figure as at the 30th June 2008.

Council has previously adopted a variance limit of 10% or \$1,000.00, within individual accounts, whichever is higher for the Budget Review.

## Comment

Attached is a Statement of Financial Activity with projected income and expenditure to 30<sup>th</sup> June 2008. This shows the cash effect as this directly affects the financial standing of Council. Non-cash costs including depreciation and administration costs are not included. The forecast results in a deficit of \$2618.

Additional rates to be raised in the interim for the Boddington Gold Mine are estimated to be approximately \$10,000.

Any income and expenditure from the Department of Industry and Resources (DOIR) has been removed from the Statement of Financial Activity.

Any out of budget items have been taken up to Council for approval as they directly affect our cash position based upon the original Budget document.

## Operating Income and Expenditure Variances

The Operating Budget Review Variance Report shows the accounts that fall into the variance limit set by Council of \$1,000 or 10% whichever is greater, based on actual costs to 31<sup>st</sup> January, 2008 and then forecasting actual costs to 30<sup>th</sup> June, 2008.

Significant variances have included under General Purpose Funding includes:

- Financial assistance grant received of \$44,000 for special capital projects not budgeted.
- Interest on Reserves expected to be higher than budgeted due to \$300,000 remaining in the Reserves Bank Account earning interest, as Council has been not repaid the housing loan to which these funds relate at this point in time.

Significant variances within Governance are as follows:

- Insurance reimbursement income.
- Refreshments and receptions costs.
- Shire office cleaning and maintenance costs.
- Superannuation costs.
- Recruitment costs.

Significant variances within Law, Order as Public Safety are as follows:

- Standpipe and firebreak income.
- Dog control costs.

Medical Centre maintenance is the most considerable variance within the Health program.

Significant variances within Community Amenities are as a result of increased income from domestic waste as well as the refuse site being utilised more. The costs associated with these income is higher also, but not adversely so.

Recreation and Culture has contributions received for Prussian Park upgrade. These costs will be transferred into Reserves until a future plan as to what work is to be done in this Park is set. Swimming pool costs are lower as are parks and reserves costs. The Shire is no longer required to clean the School Resources Centre.

In the Transport program we have received out of budget income for flood damage to the Lower Hotham Road, for which repairs to the road were made in the last financial year. Road maintenance for both rural and urban roads should be under budget, as will engineering costs (but these are to be reimbursed by DOIR) and depot maintenance.

Under Economic Services the Caravan Park and building permit income is higher than budgeted. BRAG expenditure should not occur, and Caravan Park expenses are higher, as is Hotham Catchment expenses which are fully funded by South West Catchment Council.

Plant Repairs and depot wages are higher, however fuel costs are lower.

#### Non-Operating Budget Review Variances

Council expects to complete most capital works projects except the following:

- Purchase of multi-wheel roller – resubmit for 2008/09 budget
- 60% of Harvey-Quindanning Road Reseal program under Roads to Recovery funding.
- Two way radios – more research into this item required before purchase deemed warranted.

Also projects to be funded from DOIR including Transportable Office, Recreation Centre, Town Drainage, Administration Centre, Day Care Centre, new Works Depot., development of the LIA, Traxcavator, Mulcher and Multi-Wheeled Roller have not been included.

#### Consultation

Council staff contributed to the preparation of estimates of June 2008 Income and Expenditure.

#### Statutory Environment

Local Government (Financial Management) Regulations 1996 S6.2

##### *S6.2.33A. Review of budget*

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (3) A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.  
\*Absolute majority required.
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

#### Policy Implications - Nil





### 8.5.3 Peel Regional Risk Coordinator

File Ref. No: 4.23.8  
Disclosure of interest: Nil  
Date: 10<sup>th</sup> March 2008  
Author: Carmel Martin

#### Summary

A meeting was recently held at the Shire of Murray to establish whether there was the need for a Shared Regional Risk Coordinator's services.

#### Background

A meeting was held between the four Councils' (Boddington, Murray, Waroona and Serpentine-Jarrahdale) to establish the need for a shared Regional Risk Coordinator. The presentation by Margaret Hemsley and Cheryl Kirwin of LGIS was both informative and thorough in its entirety with the outcome of improved services to our region to develop a strong risk management culture.

#### Comment

The meeting with LGIS and the four participating Councils' will enable the current proposed sharing arrangement to proceed.

Please see the attached copy of letter and Proposal from LGIS Risk Management dated 6<sup>th</sup> March 2008. The benefits for the Shire of Boddington are:

- Initial and ongoing legislative compliance
- Insurance and claims cost containment
- Ability to influence insurance costs
- Safe workplaces and informed workers
- Effective risk management processes (all disciplines)
- Increased human and material resources
- Access to JLT specialists and current information to support risk management
- Early intervention for claims and risk management issues arising
- Cost savings on consultants and training programs
- Ability to link with other regional risk coordinators to share ideas, outcomes and resources.

#### Consultation

Shires' of Murray, Waroona and Serpentine-Jarrahdale.

#### Statutory Environment

The Regional Risk Coordinator will facilitate Council compliance with:

- Municipal Liability, Property and Municipal WorkCare Scheme Rules
- Occupational Safety and Health Act (1984)
- Workers Compensation and Rehabilitation Act (1981 – amended 1986)

#### Policy Implications - Nil





OFFICER RECOMMENDATION – ITEM 8.5.4

Council Resolution 70/08 Moved Cr Patten

That:

1. The Monthly Financial Statements for the month of February 2008 be received;
2. The list of Payments for the month of February 2008 be received;
3. The Bank Reconciliations for the month of February 2008 be received; and
4. Council notes additional reconciliations are included for Council's information only.

Seconded Cr Flaherty Carried 6/0

8.5.5 Debtor Write Off

File Ref. No: 16.6  
Disclosure of interest: Nil  
Date: 28 February 2008  
Author: Stephanie Cornish

Summary

An invoice was raised for overdue library books upon request of the shire library staff in February 2007 and with this debt being unpaid it was passed to Council's debt collection agent. All reasonable avenues of debt collection have been exhausted and, the Council's debt collection agents have recommended that we write off this debt to prevent further debt collections costs to be incurred.

Background

An invoice of \$36.15 was raised against Tamala Bennett-Kenney for overdue Library Books.

We have sent numerous monthly statements advising that the account was overdue and if not paid would be sent to debtor collectors. This debt was then sent to Austral Mercantile Collections who have advised that all action to date has proved futile. Any further action by Austral Mercantile Collections would be uneconomical and they suggest the debt be written off.

Comment

All reasonable avenues of debt collection have been exhausted trying to recover the outstanding debt of \$36.15. With further action incurring more legal costs, it would seem pertinent to write off this debt before the cost becomes too great.

Consultation

Grace Welch, Austral Mercantile Collections.

Statutory Environment - Nil

Policy Implications – Nil



\* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

#### 5.43. Limits on delegations to CEO's

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

#### 5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
  - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
  - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —  
“conditions” includes qualifications, limitations or exceptions.

#### 5.46. Register of, and records relevant to, delegations to CEO's and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Policy Implications - Nil

Financial Implications - Nil

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations - Nil

Strategic Implications - Nil

#### Options

Council has the option of adding to, amending or deleting any of the delegations shown in the attached draft delegations register.

**Council Resolution 73/08**

**Moved Cr Flaherty**

**That Council endorses the Shire of Boddington Delegations Register included at Attachment 8.6.1 Draft 2008 Delegation Register.**

**Seconded**

**Cr Hardie**

**Carried by Absolute Majority**

**6/0**

## **8.6.2 Enforcement Policy**

File Ref. No. 4.8.1  
Disclosure of interest: Nil  
Date: 8 March 2008  
Author: Gary Sherry  
Attachment: 8.5.2.Draft Enforcement Policy

### Summary

Council is to consider adopting Policy to direct Council staff to carry out law enforcement in a fair, equitable and consistent manner.

Background - Nil

### Comment

A draft Enforcement Policy is included at Attachment 8.6.2. This policy is based on the following principles:

1. Proportionality – taking action which is reasonable and related directly to the offence;
2. Consistency – ensuring that similar issues are dealt with in the same way;
3. Transparency – making sure that what we do and why we do it is easily understood;
4. Helpfulness – working with the community to achieve compliance with the law by being approachable, courteous and efficient; and
5. Openness – by being open about the way we go about doing things.

While Council staff enforce a range of acts and local laws, it may be appropriate for staff not to enforce the full penalty for every breach. At times it may be more appropriate for Council staff to provide advice and information rather than impose a fine, infringement or penalty.

Whilst staff are expected to exercise judgment in individual cases, this policy ensures that arrangements are in place to promote consistency

Although the enforcement policy has a range of enforcement actions, increasing in severity, nothing in the policy stops Council staff from commencing enforcement action at any level in keeping with the appropriateness of the response required. For serious dog attacks it may be appropriate for Council staff to move straight to formal enforcement. Similarly nothing in the policy impedes Council recovering costs associated with an enforcement action.

Consultation - Nil

Statutory Environment - Nil

### Policy Implications

This policy will, with Council endorsement, be included in Council's Policy Manual.

Financial Implications - Nil

Economic Implications - Nil

Social Implications - Nil

Environmental Considerations - Nil

Strategic Implications – Nil Options

Council can adopt the Draft Policy or not.

**OFFICER RECOMMENDATION – ITEM 8.6.2**

**Council Resolution 74/08 Moved Cr Flaherty**

**That Council adopt the Draft Enforcement Policy, included at Attachment 8.6.2, to guide staff and Council consideration of action to enforcement of relevant laws under its control.**

**Seconded Cr Hoek Carried 6/0**

**8.6.3 Bonds for Use of Council Property or Facilities**

File Ref. No. 11.10/5.1.1.10  
Disclosure of interest: Nil  
Date: 8 March 2008  
Author: Gary Sherry  
Attachment: 8.6.3 Draft Bonds for use of Council Property or Facilities Policy

Summary

Council is to consider a draft Policy for the collection of a security bond prior to use of Council property or facilities.

Background

Council has received some ongoing comment from in particular sporting clubs that Council's key bond for keys provided as part of the club's annual hire of Council sporting facilities has been too high.

Comment

A new policy in relation to Bonds is included at Attachment 8.5.3. The current level of security Bonds collected by Council is included in red for Councillor information and is not part of the Draft Policy document.

This policy seeks to standardise the key bond for all users of Council equipment and facilities.

It is recommended that Council not standardise the key bond for access to Council standpipes at this item, but do so as part of a wider community consultation over the unrelated issue of access to standpipes.

Consultation

Council has been provided with correspondence from the Boddington Football Club and Boddington Tennis Club. Copies of this correspondence are included as information for Councillors.

Statutory Environment – Nil

Policy Implications

This policy will, with Council endorsement, be included in Council's Policy Manual.

Financial Implications

There are no financial implications for Council since if the key or equipment is returned undamaged to Council there is no further expense or income for Council. In the unlikely event of damage, Council will use the bond to offset the costs of repair, replacement or cleaning.

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Strategic Implications – Nil

Options

Council can adopt, amend or not adopt the draft policy.

OFFICER RECOMMENDATION – ITEM 8.6.3

**Council Resolution** 75/08 **Moved** **Cr Flaherty**

**That Council adopt the Draft Bonds For Use Of Council Property Or Facilities Policy, included at Attachment 8.5.3, to provide for security of Council facilities or property hired or provided to the public.**

**Seconded** **Cr Hardie** **Carried** 5/1

Mr Gary Sherry, Chief executive Officer, declared a Financial Interest in Item 8.6.4 and left Council Chambers at 6.15pm

8.6.4 Chief Executive Officer Annual Leave

File Ref. No. Personnel File  
Disclosure of interest: Nil  
Date: 8 March 2008  
Author: Gary Sherry

Summary

Council is to consider granting Annual Leave to the CEO prior to leave becoming due.

Background – Nil

Comment

The Chief Executive Officer has a booked annual family holiday made prior to commencing employment with the Shire of Boddington and has requested six days annual leave from Friday 4 April 2007 to Friday 11 April 2007 inclusive.

The Chief Executive Officer will have only accrued 4.5 days of annual leave by Friday 4 April 2008.

Consultation – Nil

Statutory Environment – Nil

Policy Implications – Nil

Financial Implications

There is no financial impact for Council as leave granted in advance will reduce the amount of annual leave taken at other times by the Chief Executive Officer. No leave loading is due.

Economic Implications – Nil

Social Implications – Nil

Environmental Considerations – Nil

Strategic Implications – Nil

Options

Council can grant the leave or not.

OFFICER RECOMMENDATION – ITEM 8.6.4

**Council Resolution** 76/08 **Moved** **Cr Flaherty**

**That Council grant the Chief Executive Officer annual leave of six days from Friday 4 April to Friday 11 April 2008 inclusive.**

**Seconded** **Cr Patten** **Carried** 6/0

9. ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN – Nil
10. URGENT BUSINESS WITHOUT NOTICE (WITH APPROVAL OF THE CHAIRMAN OF MEETING) - Nil
11. CLOSURE OF MEETING

There being no further business the Chairman declared the meeting closed at 6.17pm