



## **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'*

### **SUMMARY MINUTES**

**For the**

### **ORDINARY MEETING OF COUNCIL**

**held at**

**5PM, TUESDAY 16<sup>TH</sup> OCTOBER 2012**

**at the**

**Shire of Boddington Council Chambers  
at 39 Bannister Road Boddington**

## **DISCLAIMER**

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In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Boddington during the course of any meeting is not intended to be and is not taken as notice or approval from the Shire of Boddington. The Shire of Boddington warns that anyone who has an application lodged with the Shire of Boddington must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application, and any conditions attaching to the decision made by the Shire of Boddington in respect of the application.

# Summary Minutes

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## **1. DECLARATION OF OPENING:**

The Shire President, Cr Allert declared the meeting open at 5:01pm.

## **2. ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:**

Cr J R Allert	President
Cr DN Veitch	Deputy President
Cr PR Carrotts	
Cr EK Hoek	
Cr GJ Day	
Cr J Goodgame	
Cr N Crilly	

Mr G Sherry	Chief Executive Officer
Mrs C Martin	Director of Corporate Services
Mr P Haas	Principal Environmental Health Officer/Building Surveyor
Mr S Thompson	Planning Consultant
Mr T Pearson	Director Special Projects
Mrs A Patten	Manager Community Services
Mr P Langan	Works Manager
Ms T Bryant	Executive Assistant

## **APOLOGIES:**

Nil

## **VISITORS:**

Mr F Waite  
Mrs M Waite  
Mr K Noonan  
Mrs E Noonan

## **3. DISCLOSURE OF FINANCIAL INTEREST:**

**Cr Allert declared an Interest Affecting Impartiality in Item 8.1.1 as he is a member of Crossman Volunteer Fire Brigade.**

**Cr Crilly declared an Interest Affecting Impartiality in Item 8.1.1 as he is a member of Crossman Volunteer Fire Brigade.**

**Cr Allert declared a Financial Interest in Item 8.7.2 in that he would receive Board sitting fees form the Peel Development Commission Board.**

Cr Goodgame declared a Financial Interest in Item 8.7.2 in that she receives board sitting fees from the Peel Development Commission Board.

Cr Hoek declared an Interest Affecting Impartiality in Item 8.7.2 as she is a Peel Development Commission Board member.

**4. PUBLIC QUESTION TIME:**

Nil

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

Nil

**6. CONFIRMATION OF MINUTES:**

6.1.1 Ordinary Meeting of Council Held on 18<sup>th</sup> September 2012

OFFICER'S RECOMMENDATION – 6.1.1

Council Resolution	150/12	Moved	Cr Crilly
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That the minutes of the Ordinary Meeting of Council held on Tuesday 18<sup>th</sup> September 2012 be confirmed as a true record of proceedings.

Seconded	Cr Veitch	Carried	7/0
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**7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT  
DISCUSSION:**

Nil

## **8. REPORTS OF OFFICERS AND COMMITTEES:**

### **8.1 PLANNING CONSULTANT:**

Cr Allert declared an Interest Affecting Impartiality in Item 8.1.1 as he is a member of Crossman Volunteer Fire Brigade.

Cr Crilly declared an Interest Affecting Impartiality in Item 8.1.1 as he is a member of Crossman Volunteer Fire Brigade.

8.1.1	Proposed Crossman Fire Station And Initiation Of Road Closure Process - Crossman Road, Crossman
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OFFICER'S RECOMMENDATION – 8.1.1
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Council Resolution	151/12	Moved	Cr Veitch
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**That Council:**

1. **approve the Planning Application for a fire station within the Crossman Road Reserve, Crossman subject to the following conditions:**
  - A) **the development hereby approved is to be carried out in accordance with the plans and specifications submitted with the application, addressing all conditions, or otherwise amended by the Council and shown on the approved plan and these shall not be altered and/or modified without the prior knowledge and written consent of the Council;**
  - B) **the floor level of the outbuilding is at least 217.15 metres AHD, as set out in the Shire of Boddington Floodplain Management Study (this includes a freeboard of 0.15 metre);**
  - C) **the vehicular crossover between the subject land and Crossman Road is to be located, designed, constructed, sealed and drained to the satisfaction of the Council prior to 16<sup>th</sup> August 2014;**
  - D) **the site plan to be submitted to the local government as part of the Building Permit application to show the crossover in a location to the satisfaction of the Council;**
  - E) **car parking areas are to be provided to the satisfaction of the Council prior to occupation;**
  - F) **all stormwater and drainage run off is to be connected to a soakwell/silt pit, prior to occupation to the satisfaction of the Council;**
  - G) **the external walls of the outbuilding are clad in colourbond colours to the satisfaction of the Council; and**
  - H) **no fuel is to be stored on site unless approved by the Council.**

### Advice

- (i) The proponent is advised that this Planning Approval is not a Building Permit. A Building Permit must be formally applied for and obtained before the commencement of any site and/or development works.
  - (ii) In relation to Condition “C”, the gates and fencing are to be suitably located and designed to ensure there are sufficient areas to enable vehicles to park in the crossover and/or on the property without impeding traffic or compromising safety on Crossman Road.
  - (iii) The proponent should seek to ensure that Crossman Bushfire Brigade members and guests park their vehicles on the site and not within the section of the Crossman Road reserve which will be retained as road reserve.
  - (iv) The proponent is encouraged to install suitable fencing prior to occupation. Alternatively, the proponent is encouraged to discuss with the owner of adjoining Lot 10 Crossman Road opportunities for on-going livestock grazing of some of the site.
2. agrees to initiate permanent road reserve closure action, under section 58 of the Land Administration Act 1997, to close the triangle portion of road reserves outlined on Attachment 8.1.1C;
  3. note the Shire administration will invite submissions on the proposed road reserve closure for a period of six (6) weeks;
  4. will reconsider the road reserve closure proposal following the close of the public submission period; and
  5. supports the area outlined in Attachment 8.1.1C being included in a separate reserve for the purpose of “Emergency Services” and, following point 4, will seek the power to lease from the Minister for Regional Development and Lands.

Seconded                                      Cr Carrotts                                      Carried                                      7/0

### 8.1.2 Proposed Dwelling / Outbuilding – Lot 11 Fraser Road, Boddington

#### OFFICER’S RECOMMENDATION – 8.1.2

Council Resolution                                      152/12                                      Moved                                      Cr Carrotts

That Council refuses to grant planning approval to the Planning Application for an outbuilding, proposed in part to be used as a dwelling, on Lot 11 (No. 38) Fraser Road, Boddington for the following reasons:

1. the proposed dwelling is inconsistent with the *Shire of Boddington Local Planning Scheme No. 2* including clause 1.7(p) in not fostering good design principles and clause 4.14 given the design and materials will result in a deterioration in the amenity and landscape of the general locality;

2. the proposed dwelling is inconsistent with *Local Planning Policy 7 – Outbuildings* including sections 4, 7.6 and 7.7 which do not support outbuildings being used for habitation in the Rural Residential Zone and do not support “barn style” dwellings in the Rural Residential Zone;
3. the proposed dwelling is inconsistent with *Local Planning Policy 16 – Residential Development and Design* including sections 4, 7.8.1, 7.8.4 and 7.8.8 which do not support “barn style” dwellings in the Rural Residential Zone; and
4. approval of the proposed dwelling would create an undesirable precedent.

#### Advice

- A) Should the applicant submit a new Planning Application for an outbuilding only, which is not used as a dwelling, it will be favourably considered and determined under delegated authority.
- B) Part 14 of the *Planning and Development Act 2005* provides the right to apply to the State Administrative Tribunal for review of some planning decisions and you may wish to take professional advice to determine whether or not such a right exists in the present instance. The *State Administrative Tribunal Rules 2004* require that any such applications for review be lodged with the Tribunal.

Seconded

Cr Crilly

Carried

7/0

#### **8.2      DIRECTOR SPECIAL PROJECTS:**

Nil

#### **8.3      PRINCIPAL ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR:**

Nil

#### **8.4      MANAGER COMMUNITY SERVICES:**

Nil

#### **8.5      MANAGER WORKS & SERVICES:**

Nil



## **8.6 DIRECTOR CORPORATE SERVICES:**

### **8.6.1 Bushfire Advisory Committee Recommendations**

#### **OFFICER'S RECOMMENDATION – 8.6.1**

**MOTION**

**Moved**

**Cr Veitch**

**That Council:**

- 1. adopt the Boddington Bushfire Advisory Committee's Recommendations to appoint:**
  - a. Greg Day as Chief Bush Fire Control Officer for 2012/13; and**
  - b. William Batt as Deputy Chief Bush Fire Control Officer for 2012/13.**
- 2. appoints the following persons as Fire Control Officers for the Shire of Boddington for the 2012/13 bush fire season:**

**Shire of Boddington:**

**CBFCO**

**Greg Day**

**DCBFCO**

**William Batt**

**Crossman Brigade:**

**Brad Hardie, Ken Austic, Brian Hardie, John Reid & Geoff Lyster**

**Marradong Brigade:**

**William Batt, Robert Jones & Damian Batt**

**Quindanning Brigade:**

**Brad Morgan, Wayne Littleton & Wayne Holmes**

**Boddington Brigade:**

**Paul Patrick & Matt Thompson**

**Shire of Boddington:**

**Gary Sherry, Carmel Martin & Lee Lewis**

**Adjoining Shires:**

**Wandering**

**Brad Hardie & Bryan Hardie**

**Williams**

**Brad Morgan & Geoff Lyster**

**Harvey**

**Wayne Littleton & Brad Morgan**

**Collie**

**Wayne Littleton & Brad Morgan**

- 3. adopt the draft 2012/13 Firebreak Order shown at Attachment 8.6.1A.**

**Seconded**

**Cr Goodgame**

**AMENDMENT**

**Moved**

**Cr Hoek**

**That the motion be amended to read:**

3. adopt the draft 2012/13 Firebreak Order shown at Attachment 8.6.1A with the addition of the words “to the satisfaction of the Fire Control Officer” at the end of the definition of firebreak.

**Seconded**

**Cr Goodgame**

**Carried**

**7/0**

**Council Resolution**

**153/12**

**Moved**

**Cr Veitch**

**That Council:**

1. adopt the Boddington Bushfire Advisory Committee’s Recommendations to appoint:
  - a. Greg Day as Chief Bush Fire Control Officer for 2012/13; and
  - b. William Batt as Deputy Chief Bush Fire Control Officer for 2012/13.
2. appoints the following persons as Fire Control Officers for the Shire of Boddington for the 2012/13 bush fire season:

**Shire of Boddington:**

**CBFCO**

**Greg Day**

**DCBFCO**

**William Batt**

**Crossman Brigade:**

**Brad Hardie, Ken Austic, Brian Hardie, John Reid & Geoff Lyster**

**Marradong Brigade:**

**William Batt, Robert Jones & Damian Batt**

**Quindanning Brigade:**

**Brad Morgan, Wayne Littleton & Wayne Holmes**

**Boddington Brigade:**

**Paul Patrick & Matt Thompson**

**Shire of Boddington:**

**Gary Sherry, Carmel Martin & Lee Lewis**

**Adjoining Shires:**

**Wandering**

**Brad Hardie & Bryan Hardie**

**Williams**

**Brad Morgan & Geoff Lyster**

**Harvey**

**Wayne Littleton & Brad Morgan**

**Collie**

**Wayne Littleton & Brad Morgan**

3. adopt the draft 2012/13 Firebreak Order shown at Attachment 8.6.1A with the addition of the words “to the satisfaction of the Fire Control Officer” at the end of the definition of the firebreak.

**Seconded**

**Cr Goodgame**

**Carried**

**7/0**

## **8.7 CHIEF EXECUTIVE OFFICER:**

### **8.7.1 Peel Infrastructure Holdings Pty Ltd – Next Steps**

#### **OFFICER'S RECOMMENDATION – 8.7.1**

**Council Resolution                      154/12                      Moved                      Cr Goodgame**

**That Council:**

- 1. notes the allocation of a 25% share in Peel Infrastructure Holdings Pty Ltd to the Shire of Boddington;**
- 2. approves the appointment of the Chief Executive Officer to the interim Board of Directors for Peel Infrastructure Holdings Pty Ltd; and**
- 3. approves a payment of up to \$2,000 to Peel Infrastructure Holdings Pty Ltd to be funded from account 3042103 Regional Leaders Forum.**

**Seconded                      Cr Carrotts                      Carried                      7/0**

### **8.7.2 Peel Development Commission – Election to Board**

**Cr Allert declared a Financial Interest in Item 8.7.2 in that he will receive board sitting fees from Peel Development Commission Board and left the Chambers at 5:38pm.**

**Cr Goodgame declared a Financial Interest in Item 8.7.2 in that she will receive board sitting fees from the Peel Development Commission Board and left the Chambers at 5:38pm.**

**Cr Hoek declared an Interest Affecting Impartiality in Item 8.7.2 as she is a Peel Development Commission Board member.**

#### **OFFICER'S RECOMMENDATION – 8.7.2**

**That Council cast their vote for \_\_\_\_\_ in the election of the Local Government Representative to the Board of the Peel Development Commission.**

**Council Resolution                      155/12                      Moved                      Cr Day**

**That Council do not cast their vote in the current election of the Local Government Representative to the Board of the Peel Development Commission**

**Seconded                      Cr Goodgame                      Carried                      4/1**

**Council did not resolve the Officer's Recommendation because Council did not wish to choose between the Shire of Boddington's two candidates.**

**Cr Allert and Cr Goodgame entered Chambers at 5:45pm.**

8.7.3 Strategic Community Plan – RFQ01-2011/12

OFFICER'S RECOMMENDATION – 8.7.3

Council Resolution                      156/12                      Moved                      Cr Carrotts

That Council appoint CAMMS to prepare the Shire of Boddington Strategic Community Plan as per their response to RFQ 01/2012-13 for \$23,100 (GST Inclusive).

Seconded                      Cr Goodgame                      Carried                      7/0

**9.                      ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:**

Nil

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

10.1.1 Late Item – Approval to Consider

OFFICER RECOMMENDATION – ITEM 10.1.1

Council Resolution                      157/12                      Moved                      Cr Veitch

That the Late Agenda Item to change the date set for the Annual Electors Meeting by Council be considered.

Seconded                      Cr Carrotts                      Carried                      7/0

10.1.2 Annual Electors Meeting

OFFICER RECOMMENDATION – ITEM 10.1.2

Council Resolution                      158/12                                      Moved                                      Cr Veitch

That Council:

1. consider the Annual Report at the Ordinary Council Meeting on Tuesday 20<sup>th</sup> November 2012;
2. hold the Annual Electors Meeting on Tuesday 18<sup>th</sup> December 2012 at the Shire of Boddington Council Chambers commencing at 7.30pm; and
3. change the commencement time from 5:00pm to 3:00pm for the Ordinary Council Meeting to be held on Tuesday 18<sup>th</sup> December 2012.

Seconded                                      Cr Day                                      Carried                                      6/1

**11.            CONFIDENTIAL ITEMS:**

Nil

**12.            CLOSURE OF MEETING:**

With no further business to discuss the Shire President, Cr Allert, closed the meeting at 6:10pm.

These minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held on Tuesday

.....  
J R ALLERT

President