



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 21ST FEBRUARY 2012

at the

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

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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	(from 5:42pm)
Cr J Goodgame	
Cr N Crilly	
Mr G Sherry	Chief Executive Officer
Mrs C Martin	Director of Corporate Services
Mr T Pearson	Director Special Projects
Ms C Vandenberg	Finance Manager
Mr P Haas	Principal Environmental Health Officer/Building Surveyor
Mr S Thompson	Planning Consultant
Mrs Anthea Patten	Manager Community Services
Ms T Bryant	Executive Assistant

APOLOGIES:

Nil

VISITORS:

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

3. DISCLOSURE OF FINANCIAL INTEREST:

Cr Goodgame declared a Financial Interest in Item 8.1.1 as she is the owner of rural/agricultural land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

Cr Day declared a Financial Interest in Item 8.1.1 as he is in ownership of rural zoned land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

Cr Veitch declared a Financial Interest in Item 8.1.1 as he is in ownership of rural zoned land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

Cr Hoek declared a Financial Interest in Item 8.1.1 as she is in ownership of rural zoned land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

Cr Hoek declared a Financial Interest in Item 8.4.2 in that she is employed at Boddington Community Resource Centre who are seeking a LOAF Grant through the Shire.

Cr Hoek declared an Interest Affecting Impartiality in Item 8.4.3 in that she is a member of the Youth Centre.

4. PUBLIC QUESTION TIME:

4.1.1 Crime Prevention

Mr Owens asked if the Shire had any input with the police in Boddington, and if the number of police in town could be increased, as he has had several incidents outside his home recently and when he rang for police intervention it was not available.

Cr Allert, sympathized with Mr Owens stated that he would be taking this matter up at the next Industry Road Safety Alliance Meeting.

The Chief Executive Officer, Mr Sherry replied that he had discussed the ability to respond to local incidents with Police on a number of occasions and had been assured that the Police had the ability to respond to incidents even when the local station is not be manned. In particular Police had assured Council that telephone calls diverted to Albany or other sites when the Boddington Station is unmanned are still handled appropriately. Mr Sherry would discuss the incident that Mr Owens had outlined with local police.

Cr Hoek advised that Council could assist local police by installing security camera's in locations in the Boddington main street, similar to Waroona.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council Held on 17th January 2012

OFFICERS RECOMMENDATION – 6.1.1

Council Resolution	14/12	Moved	Cr Veitch
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That the minutes of the Ordinary Meeting of Council held on Tuesday 17th January 2012 be confirmed as a true record of proceedings.

Seconded	Cr Crilly	Carried	6/0
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6.1.2 Special Meeting of Council Held on 25th January 2012

OFFICERS RECOMMENDATION – 6.1.2

Council Resolution	15/12	Moved	Cr Veitch
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That the minutes of the Ordinary Meeting of Council held on Tuesday 25th January 2012 be confirmed as a true record of proceedings.

Seconded	Cr Crilly	Carried	6/0
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7. ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:

Nil.

8. REPORTS OF OFFICERS AND COMMITTEES:

8.1 PLANNING CONSULTANT:

8.1.1 Minor Amendments To Adopted Local Planning Policies No. 12 And No. 13: Submitted For Consent To Publicly Advertise

Cr Goodgame declared a Financial Interest in Item 8.1.1 as she is the owner of rural/agricultural land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

Cr Day declared a Financial Interest in Item 8.1.1 as he is in ownership of rural zoned land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

Cr Veitch declared a Financial Interest in Item 8.1.1 as he is in ownership of rural zoned land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

Cr Hoek declared a Financial Interest in Item 8.1.1 as she is in ownership of rural zoned land that may be effected by change to policy relating to multiple dwellings on rural zoned land.

The Minister for Local Government has approved the Shire's application, under section 5.69 of the *Local Government Act 1995*, to allow the disclosing Councillors Day, Goodgame, Hoek and Veitch to fully participate and vote on matters relating to the Minor Amendments To Adopted Local Planning Policies No. 12 And No. 13: Submitted For Consent To Publicly Advertise.

OFFICERS RECOMMENDATION – 8.1.1

Council Resolution 16/12 Moved Cr Carrotts

That Council:

1. support the public release of the amended draft Local Planning Policy 12 – Multiple Dwellings on Rural Land outlined in Attachment 8.1.1A;
2. support the public release of the amended draft Local Planning Policy 13 – Ancillary Accommodation outlined in Attachment 8.1.1B;
3. require the draft policies to be publicly advertised in accordance with the requirements set out in the Shire of Boddington Local Planning Scheme No. 2 for a period of six weeks; and
4. will reconsider the amended draft policies following the close of the public submission period and will determine whether or not to adopt the amended policies with or without modification.

Seconded Cr Veitch Carried 6/0

8.1.2	Reconsideration of Planning Conditions for Temporary Construction Camp - Location 1125 Pinjarra-Williams Road, Marradong
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OFFICERS RECOMMENDATION – 8.1.2

Council Resolution 17/12 Moved Cr Veitch

That Council advise the State Administrative Tribunal and the applicant that Council, upon reconsidering the disputed planning conditions, agrees to vary the conditions and advice made in its decision on 16th December 2011 for a construction camp and a guesthouse on Location 1125 Pinjarra-Williams Road, Marradong and Council approves the Planning Application for a construction camp and a guesthouse on Location 1125 Pinjarra-Williams Road, Marradong subject to the following conditions and advice:

1. this approval is valid only to 13th January 2017;
2. the maximum capacity is to house 45 people;
3. the development hereby approved must 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;
4. Texcom staff and Texcom sub-contractors are permitted to stay on the property for a period of no more than 9 months in any 12 month period;
5. non-Texcom workers are permitted to stay on the property for a period of no more than 3 months in any 12 month period;
6. the applicant is to submit a register of guests staying on the property to the Shire each month; and
7. an Emergency Management and Evacuation Plan is to be approved by the local government and the Fire & Emergency Services Authority and then implemented prior to occupation of accommodation units that return to the site. Following this, measures in the approved Emergency Management and Evacuation Plan are to be maintained to the satisfaction of the local government.

Advice

- A) The proponent is advised that this Planning Approval is not a Building Licence. A Building Licence must be formally applied for and obtained before the commencement of any site and/or development works.
- B) The proponent is advised that the approved development must comply with all relevant provisions of the Health Act, 1911 (as amended) and the Building Code of Australia.
- C) In relation to Condition 4, this is limited to people who are directly paid by Texcom.
- D) In relation to Condition 6, the register should set out those categorised as Texcom staff / Texcom sub-contractors and non-Texcom workers.

- E) Part 14 of the Planning & 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 within 28 days of the date on which notice of the decision is given.

Seconded Cr Hoek Carried 5/1

Cr Goodgame requested that her vote against this motion be recorded.

8.2 DIRECTOR SPECIAL PROJECTS:

8.2.1 Boddington Recreation Centre Tender 02/2011-12 Architectural Contract Documentation & Contract Administration
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OFFICERS RECOMMENDATION – 8.2.1

Council Resolution 18/12 Moved Cr Carrotts

That in regard to Tender number 02/2011-12 “Boddington Recreation Centre Architectural Contract Documentation and Contract Administration”, Council selects Donovan Payne Architects as the chosen tenderer for:

- 1. contract documentation preparation for a fixed fee of \$226,000 (GST Exclusive);**
- 2. provision of a construction tender service for a fixed fee of \$9,000 (GST Exclusive); and**
- 3. a contract administration service for a fixed fee of \$143,000 (GST Exclusive),**

and authorises the President and Chief Executive Officer to sign and seal a contract to that effect with Donovan Payne Architects.

Seconded Cr Crilly Carried 6/0

Ms Martin left Chambers at 5:20pm.

8.2.2 SuperTowns Program - Variation to Financial Assistance Agreement

OFFICERS RECOMMENDATION – 8.2.2

Council Resolution 19/12 Moved Cr Veitch

That Council authorises the President and Chief Executive Officer to sign and seal the Financial Assistance Agreement Variation at Attachment 8.2.2A.

Seconded Cr Carrotts Carried 6/0

Ms Martin entered Chambers at 5:26pm.

8.3 PRINCIPAL ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR:

8.3.1 Building Act – Authorised Person & Permit Authority Delegation

OFFICERS RECOMMENDATION – 8.3.1

Council Resolution 20/12 Moved Cr Veitch

That Council:

1. designate Mr Peter Josef Haas, Principal Environmental Health Officer/Building Surveyor, as an Authorised Person for the purposes of the Building Act in relation to buildings or incidental structures located, or proposed to be located, within the Shire of Boddington district pursuant to Section 96 of the Building Act; and
2. delegate all powers and duties of a Permit Authority under the provisions of the Building Act to Mr Peter Josef Haas, Principal Environmental Health Officer/Building Surveyor, pursuant to Section 127 of the Building Act.

Seconded Cr Carrotts Carried 6/0

Mr Thompson left Chambers at 5:27pm.

8.4 MANAGER COMMUNITY SERVICES:

8.4.1 Centenary Celebrations Committee Recommendations

OFFICERS RECOMMENDATION – 8.4.1

MOTION Moved Cr Hoek

That Council:

1. Access funds from the Centenary Celebrations budget to purchase stickers to appear on all outward Shire correspondence, and for staff to include the Centenary logo on their email footer;
2. Approve expenditure of \$65 to Jenni Dinsdale for design of the centenary logo; and
3. Allow the Centenary Celebrations Working Group to;
 - a. get quotes and purchase entry and exit signs to town, to the value of \$2,000 to advertise the Centenary and upcoming events;
 - b. approach BHP Worsley and Newmont Boddington Gold for funding up to the value of \$20,000 each; and
 - c. write to the Governor, Malcolm McCusker, seeking him to attend and officiate at the Centenary weekend on the 8th and 9th September 2012.

Seconded Cr Crilly

Cr Day entered Chambers at 5:42pm.

AMMENDMENT Moved Cr Carrotts

That 3b be removed.

Seconded Cr Crilly Carried 4/3

The Amendment becomes the Motion.

Council Resolution 21/12 Moved Cr Carrotts

That Council:

1. Access funds from the Centenary Celebrations budget to purchase stickers to appear on all outward Shire correspondence, and for staff to include the Centenary logo on their email footer;
2. Approve expenditure of \$65 to Jenni Dinsdale for design of the centenary logo; and
3. Allow the Centenary Celebrations working Group to;
 - a. get quotes and purchase entry and exit signs to town, to the value of \$2,000 to advertise the Centenary and upcoming events; and
 - b. write to the Governor, Malcolm McCusker, seeking him to attend and officiate at the Centenary weekend on the 8th and 9th September 2012.

Seconded Cr Crilly Carried 7/0

8.4.2 LOAF Boddington Community Resource Centre

OFFICERS RECOMMENDATION – 8.4.2

Cr Hoek declared a Financial Interest in Item 8.4.2 in that she is employed at Boddington Community Resource Centre who are seeking a LOAF Grant through the Shire and left Chambers at 5:50pm.

Cr Day left Chambers at 5:50pm.

Cr Day entered Chambers at 5:53pm.

Council Resolution 22/12 Moved Cr Crilly

That Council contribute an amount of \$1,500 from LOAF towards the Music Festival held by the Boddington Community Resource Centre on the 31st March 2012.

Seconded Cr Goodgame Carried 4/2

Cr Carrotts asked that his vote against this motion be recorded.

Cr Veitch asked that his vote against this motion be recorded.

Mr Haas left Chambers at 6:00pm.

Cr Hoek entered the Chambers at 6:00pm.

Cr Hoek declared an Interest Affecting Impartiality in Item 8.4.3 in that she is a member of the Youth Centre Committee.

8.4.3 Youth Centre Management

OFFICERS RECOMMENDATION – 8.4.3

Council Resolution 23/12 Moved Cr Carrotts

That Council:

1. take full responsibility for operation of the Boddington Youth Centre; and
2. partner with the Youth Centre Advisory Committee Inc to maximise the services provided by Boddington Youth Centre.

Seconded Cr Veitch Carried 7/0

8.5 MANAGER WORKS & SERVICES:

Nil

Mr Haas entered Chambers at 6:02pm.

8.6 DIRECTOR CORPORATE SERVICES:

8.6.1 Monthly Financial Statements – December 2011

OFFICERS RECOMMENDATION – 8.6.1

Council Resolution 24/12 Moved Cr Veitch

That Council adopt the:

1. monthly Financial Statements for the period ending of December 2011;
2. list of Payments for the period ending of December 2011; and
3. summary of Reconciliations for the period ending of December 2011.

Seconded Cr Carrotts Carried 7/0

8.6.2 Budget Review – Variance Report 31 December 2011

OFFICERS RECOMMENDATION – 8.6.2

Council Resolution 25/12 Moved Cr Veitch

That Council adopt the 2011/12 Budget Review as included at Attachment 8.6.2A.

Seconded **Cr Carrotts** **Carried** **7/0**

Mrs Noonan left Chambers at 6:30pm.

8.7 CHIEF EXECUTIVE OFFICER:

8.7.1 WALGA Climate Change Declaration

OFFICERS RECOMMENDATION – 8.7.1

Council Resolution 26/12 Moved Cr Carrotts

That Council authorise the Shire President to sign the Local Government Climate Change Declaration, as included at Attachment 8.7.1A, on behalf of the Shire of Boddington.

Seconded Cr Crilly Carried 6/1

8.7.2 Proposed Easement To Protect DN375 Pipeline Through: Reserve 14978 (Lot 10936 On DP 89612)

OFFICERS RECOMMENDATION – 8.7.2

Council Resolution 27/12 Moved Cr Veitch

That Council consent to the granting of the Deed of Easement to the Water Corporation over a section of Reserve 14978 as outlined in Deposited Plan 71320, included at Attachment 8.7.2B.

Seconded Cr Hoek Carried 7/0

Ms Vandenberg left Chambers at 6:55pm.

Ms Vandenberg entered Chambers at 6:56pm.

Mrs Noonan entered Chambers at 6:56pm.

Mr Thompson entered Chambers at 6:56pm.

8.7.3 SuperTowns - Special Council Meeting

OFFICERS RECOMMENDATION – 8.7.3

Cr Hoek declared an Interest Affecting Impartiality in Item 8.7.3 in that she is a Board Member of Peel Development Commission.

Council Resolution 28/12 Moved Cr Veitch

That Council:

1. holds a Special Council Meeting at 5pm on Thursday 1st March 2012 to resolve to:

a. approve the submission of the Boddington SuperTown Interim Growth Plan; and

- b. approve the submission of the Business Cases prepared for Boddington SuperTown Implementation Projects
2. adopt the draft Boddington SuperTown Interim Growth Plan at Attachment 8.7.3A for submission to the Peel Development Commission and the WA Planning Commission; and
3. approves the Economic Development Strategy at Attachment 8.7.3E for submission to the Department of Regional Development and Lands by 6 March 2012 with the Interim Growth Plan.

Seconded Cr Day Carried 7/0

Mr Thompson left Chambers at 7:02pm.

8.7.4 Separation of Council Meetings and Information Sessions
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OFFICERS RECOMMENDATION – 8.7.4

Council Resolution 29/12 Moved Cr Carrotts

That Council:

1. continue to hold Ordinary Meetings of Council on the third Tuesday of each calendar month;
2. conduct public consultation for the appropriate time to commence Ordinary Meetings of Council in order to maximise community participation in Meetings; and
3. conduct Councillor Information Sessions on the first Tuesday of each Month commencing at 5pm in the Council Chambers.

Seconded Cr Veitch 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):

Nil

11. CONFIDENTIAL ITEMS:

12. CLOSURE OF MEETING:

With no further business to discuss the Shire President, Cr Allert, closed the meeting at 7:22pm.

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

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J R ALLERT

President