



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 17TH JANUARY 2012

at the

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

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Boddington for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Boddington disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

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

1.	DECLARATION OF OPENING:	2
2.	ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE:	2
3.	DISCLOSURE OF FINANCIAL INTEREST:	2
4.	PUBLIC QUESTION TIME:	3
4.1.1	HEAVY HAULAGE USING NEWMARKET ROAD	3
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:	3
6.	CONFIRMATION OF MINUTES:	3
6.1.1	ORDINARY MEETING OF COUNCIL HELD ON TUESDAY 13 TH DECEMBER 2011	3
7.	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION:	3
8.	REPORTS OF OFFICERS AND COMMITTEES:	4
8.1	PLANNING CONSULTANT:	4
8.1.1	MINOR AMENDMENTS TO ADOPTED LOCAL PLANNING POLICIES NO. 12 AND NO. 13: SUBMITTED FOR CONSENT TO PUBLICLY ADVERTISE	4
8.1.2	COMPLIANCE WITH PLANNING APPROVAL - HOME OCCUPATION (ELECTRICAL CONTRACTING) - LOT 42 JOHNSTONE STREET, BODDINGTON	4
8.2	DIRECTOR SPECIAL PROJECTS:	5
8.2.1	RETIREMENT VILLAGE – CONSTRUCTION MATERIALS	5
8.2.2	BANKSIA PARK UPGRADE	6
8.3	PRINCIPAL ENVIRONMENTAL HEALTH OFFICER/ BUILDING SURVEYOR:	6
8.3.1	LOTS 27, 28, 41, 42, 43, 44 COWCHER STREET RANFORD	6
8.3.2	DILAPIDATED PREMISES – LOT 12 CHRISTIE STREET RANFORD.....	7
8.3.3	COMPLAINT REGARDING A BOUNDARY FENCE	7
8.4	MANAGER COMMUNITY SERVICES:	7
8.4.1	CEMETERY FENCE	7
8.5	MANAGER WORKS & SERVICES:	8
8.5.1	CONSIDER SUPPLY OF NEW GRADER.....	8
8.6	DIRECTOR CORPORATE SERVICES:	8
8.6.1	ADMINISTRATION CENTRE – SECOND HAND TRANSPORTABLE OFFICE	8
8.6.2	CROSSMAN FIRE BRIGADE SHED.....	9
8.7	CHIEF EXECUTIVE OFFICER:	9
8.7.1	SPECIAL COUNCIL MEETING TO CONSIDER SUPERTOWNS PROJECTS	9
9.	ELECTED MEMBERS’ MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN: ..	10
10.	URGENT BUSINESS WITHOUT NOTICE (WITH THE APPROVAL OF THE PRESIDENT OR MEETING):	10
11.	CONFIDENTIAL ITEMS:	10
12.	CLOSURE OF MEETING:	10

1. DECLARATION OF OPENING:

The Shire President, Cr Allert, declared the meeting open at 5:02pm.

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 S Thompson	Planning Consultant (until 5:20pm)
Mr T Pearson	Director Special Projects
Ms T Bryant	Executive Assistant

APOLOGIES:

VISITORS:

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

3. DISCLOSURE OF FINANCIAL INTEREST:

Cr Veitch declared a Financial Interest in Item 8.1.1 in that he owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

Cr Day declared a Financial Interest in Item 8.1.1 in that he owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

Cr Goodgame declared a Financial Interest in Item 8.1.1 in that she owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

Cr Hoek declared a Financial Interest in Item 8.1.1 in that she owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

4. PUBLIC QUESTION TIME:

4.1.1 Heavy Haulage Using Newmarket Road

Mr Bralich is concerned about the amount of gravel dust generated from heavy haulage trucks using Newmarket Road that ends up on his residence. Mr Bralich asked whether it would be possible to have the “Reduce Speed” or “Slow Down” signs put up or were there any other options available that the Shire could apply to reduce the dust.

Mr Sherry outlined that Council

- could install signage that advised of the dust issue, requesting vehicles to slow down, but would not be enforceable;
- the issue will only be solved by sealing an additional section of Newmarket Road
- has received funding under the TIRES program from Main Roads WA to do maintenance on Newmarket Road as result of damage from heavy haulage trucks in 2011/12;
- could apply for funding under the new Commodity Routes Funding package to seal the additional section of Newmarket Road.

Cr Goodgame asked if there was any solution that could be applied to the gravel replied that would reduce the dust. Mr Sherry outlined that although other industries used dust suppressants, in a local government situation these solutions are not effective over the longer term.

Cr Day suggested that the Shire should write to the heavy haulage companies and ask them to ask their drivers to slow down when they reach built up areas.

Mr Sherry advised that he thought that most of the timber haulage operations had or were near to ceasing haulage for some time. Mr Bralich advised that the number of trucks using Newmarket Road were a very varied type of vehicle, including timber, stock and other haulage.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/ SUBMISSIONS:

Nil

6. CONFIRMATION OF MINUTES:

6.1.1 Ordinary Meeting of Council Held on Tuesday 13th December 2011

OFFICERS RECOMMENDATION – 6.1.1

Council Resolution	01/12	Moved	Cr Veitch
---------------------------	--------------	--------------	------------------

That the minutes of the Ordinary Meeting of Council held on Tuesday 13th December 2011 be confirmed as a true record of proceedings.

Seconded	Cr Carrots	Carried	7/0
-----------------	-------------------	----------------	------------

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 Veitch declared a Financial Interest in Item 8.1.1 in that he owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

Cr Day declared a Financial Interest in Item 8.1.1 in that he owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

Cr Goodgame declared a Financial Interest in Item 8.1.1 in that she owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

Cr Hoek declared a Financial Interest in Item 8.1.1 in that she owns rural zoned land that may be affected by changes to policy relating to multiple dwellings on rural zoned land.

OFFICERS RECOMMENDATION – 8.1.1

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.

With Declarations of Interest of four Councillors, this item could not be discussed as there would be no quorum.

8.1.2 Compliance With Planning Approval - Home Occupation (Electrical Contracting) - Lot 42 Johnstone Street, Boddington

OFFICERS RECOMMENDATION – 8.1.2

Council Resolution 02/12 Moved Cr Carrotts

That Council:

1. **order Robert Rourke (Rolyn Electrical Services Pty Ltd) the owner of Lot 42 (No. 47) Johnstone Street, Boddington to:**

8.2.2 Banksia Park Upgrade

OFFICERS RECOMMENDATION – 8.2.2

Council Resolution 04/12 Moved Cr Carrotts

That Council:

- 1. adopts the design for Banksia Park at Attachment 8.2.2A; and**
- 2. approves a budget of \$80,000 for this project and approves an amendment to the 2011/12 budget by transferring \$29,400 from the Public Open Space Reserve to Community Amenities – Banksia Park Upgrade.**

Seconded Cr Hoek Carried 7/0

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

8.3.1 Lots 27, 28, 41, 42, 43, 44 Cowcher Street Ranford

OFFICERS RECOMMENDATION – 8.3.1

Council Resolution 05/12 Moved Cr Carrotts

That Council:

- 1. in accordance with the provisions of Part 3 8A [2] of the Health [Asbestos] Regulations Council carry out the clean up, removal and disposal of the asbestos contamination from lots 27, 28, 41, 42, 43 and 44 Cowcher Street, Ranford;**
- 2. seek to recover the costs to Council of carrying out the clean up, removal and disposal of the asbestos contamination from lots 27, 28, 41, 42, 43 and 44 Cowcher Street, Ranford in a Court of Competent Jurisdiction;**
- 3. commence legal action against the owner of the lots under Part 3 8 [4] of the Regulations for failure to comply with the notice; and**
- 4. endeavour to recover other costs associated with this matter, such as analysts fees in establishing that the offending material was indeed asbestos.**

Seconded Cr Veitch Carried 7/0

8.3.2 Dilapidated Premises – Lot 12 Christie Street Ranford

OFFICERS RECOMMENDATION – 8.3.2

Council Resolution 06/12 Moved Cr Veitch

That Council:

- 1. in accordance with the provisions of Section 135 of the Health Act 1911 the premises at lot 12 Christie Street, Ranford be declared unfit for habitation.**
- 2. in accordance with the provisions of Section 137 of the Health Act 1911, serve a notice on the owners of lot 12 Christie street, Ranford that directs the owners that within 60 days the premises be taken down and removed.**

Seconded Cr Crilly Carried 7/0

8.3.3 Complaint Regarding a Boundary Fence

OFFICERS RECOMMENDATION – 8.3.3

Council Resolution 07/12 Moved Cr Carrotts

That Council determine that the fence at Lot 63 Sherry Close Ranford be in breach of Council's Fencing Local Laws (2000) and serve a Breach Notice requiring the removal of the material presently on the fence within 28 days.

Seconded Cr Veitch Carried 7/0

8.4 MANAGER COMMUNITY SERVICES:

8.4.1 Cemetery Fence

OFFICERS RECOMMENDATION – 8.4.1

Council Resolution 08/12 Moved Cr Carrotts

That Council:

- 1. approve the installation of stone pillars and a stone wall fence extending either side at the Boddington Cemetery entrance; and**
- 2. approve the height of the stone wall at the Boddington Cemetery to be 750mm high.**

Seconded Cr Veitch Carried 4/3

**Cr Hoek requested her vote against this motion be recorded.
Cr Goodgame requested her vote against this motion be recorded.**

Cr Hoek left Chambers at 6:02pm.

8.5 MANAGER WORKS & SERVICES:

8.5.1 Consider Supply of New Grader

OFFICERS RECOMMENDATION – 8.5.1

Council Resolution 09/12 Moved Cr Crilly

That Council purchase one new Komatsu G555 Grader at a change over cost of \$177,920 Excluding GST.

Seconded Cr Veitch Carried 6/0

Cr Hoek entered Chambers at 6:04pm.

8.6 DIRECTOR CORPORATE SERVICES:

8.6.1 Administration Centre – Second Hand Transportable Office

OFFICERS RECOMMENDATION – 8.6.1

Council Resolution 10/12 Moved Cr Carrotts

That Council:

- 1. obtain a quotation price from BHP Billiton Worsley Alumina Pty Ltd for second hand transportable office accommodation as shown in Attachment 8.6.1A;**
- 2. obtain comparative quotations from other reputable second hand dealers;**
- 3. obtain a Building Compliance Report for any second hand transportable office accommodation offered by BHP Billiton Worsley Alumina Pty Ltd; and**
- 4. perform due diligence in establishing if the cost to make the units comply and fit out is below the cost of a new unit by a minimum of 10%.**

Seconded Cr Crilly Carried 4/3

8.6.2 Crossman Fire Brigade Shed

OFFICERS RECOMMENDATION – 8.6.2

MOTION **Moved** **Cr Veitch**

That Council:

- 1. continue to apply for funding for the Crossman Fire Brigade shed from FESA; and**
- 2. budget in 2012/13 an amount between \$15,000 - \$20,000 to progress the excising of road reserve land, including surveying and subdivision costs associated with the process for the purpose of emergency services facilities.**

Seconded **Cr Crilly**

PROCEDURAL MOTION **Moved** **Cr Carrotts**

That the question now be put.

Seconded **Cr Veitch** **Carried** **6/1**

Council Resolution **11/12** **Moved** **Cr Carrotts**

That Council:

- 1. continue to apply for funding for the Crossman Fire Brigade shed from FESA; and**
- 2. budget in 2012/13 an amount between \$15,000 - \$20,000 to progress the excising of road reserve land, including surveying and subdivision costs associated with the process for the purpose of emergency services facilities.**

Seconded **Cr Veitch** **Carried** **6/1**

8.7 CHIEF EXECUTIVE OFFICER:

8.7.1 Special Council Meeting To Consider SuperTowns Projects

OFFICERS RECOMMENDATION – 8.7.1

Council Resolution **12/12** **Moved** **Cr Veitch**

That Council hold a Special Council Meeting at 5pm on Wednesday 25th January 2012 to consider:

- 1. submitting preliminary SuperTown's Growth Plan information to the Western Australian Planning Commission; and**
- 2. for which proposed SuperTowns Implementation Projects Council will prepare business cases to be submitted for funding approval.**

Seconded **Cr Carrotts** **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:

Nil

12. CLOSURE OF MEETING:

With no further business to discuss the Shire President, Cr Allert, closed the meeting at 6:25pm.

These minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held on Tuesday 21st February 2012

.....
J R ALLERT

President