



## **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 28<sup>TH</sup> JUNE 2011**

at the

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

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# Summary Minutes

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

The Shire President, Cr Carrotts, declared the meeting open at 5:05pm.

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

Cr PR Carrotts	President
Cr DN Veitch	Deputy President
Cr EK Hoek	
Cr GJ Day	
Cr SW Patten	
Cr A J Hardie	(arrived at 5:07pm)
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 Anthea Patten	Community Development Officer
Mr G Brown	Works Manager
Ms T Bryant	Executive Assistant

## **LEAVE OF ABSENCE**

Cr JR Allert

## **APOLOGIES:**

Nil

## **VISITORS:**

Mr N Crilly  
Mr H Pucar  
Mr K Noonan  
Mr F Waite  
Mrs M Waite

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

## **4. PUBLIC QUESTION TIME:**

Nil

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

### **5.1.1 Sgt Roy George - Boddington Police Officer in Charge**

Sgt Roy George will attend the Council meeting to give an overview of what he plans to police whilst stationed at Boddington.

“In previous locations where I was the Officer in Charge I would attend Council meetings and conduct a 10 minute presentation on what police had done over the past month and the intentions for the next month. It was also an opportunity for Councillors to quiz me about certain issues in the town.”

Cr Carrotts advised that Sgt George was unable to make his presentation to the meeting because he was currently attending a traffic incident on the Bannister Marradong Road.

## **6. CONFIRMATION OF MINUTES:**

### **6.1.1 Ordinary Meeting of Council Held on 7<sup>th</sup> June 2011**

#### **OFFICERS RECOMMENDATION – 6.1.1**

<b>Council Resolution</b>	<b>109/11</b>	<b>Moved</b>	<b>Cr Veitch</b>
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**That the minutes of the Ordinary Meeting of Council held on 7<sup>th</sup> June 2011 be confirmed as a true record of proceedings.**

<b>Seconded</b>	<b>Cr Patten</b>	<b>Carried</b>	<b>5/0</b>
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**Cr Hardie entered the Meeting at 5:07pm.**

### **6.1.2 Special Meeting of Council Held on 7<sup>th</sup> June 2011 and 14<sup>th</sup> June 2011 to Consider the Draft Budget**

#### **OFFICERS RECOMMENDATION – 6.1.2**

<b>Council Resolution</b>	<b>110/11</b>	<b>Moved</b>	<b>Cr Patten</b>
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**That the minutes of the Special Meeting of Council Held on 7<sup>th</sup> June 2011 and 14<sup>th</sup> June 2011 to consider the Draft Budget be confirmed as a true record of proceedings.**

<b>Seconded</b>	<b>Cr Veitch</b>	<b>Carried</b>	<b>6/0</b>
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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 Proposed Subdivision of Lots 1, 2 and 3 Crossman Road, Ranford

OFFICERS RECOMMENDATION – 8.1.1

**Council Resolution                      111/11                      Moved                      Cr Hardie**

**That Council support the subdivision of Lots 1, 2 and 3 Crossman Road, Ranford (WAPC 144275) subject to the following conditions:**

- 1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the subdivider's cost; (LG)**
- 2. The Controlled Access Places and their cul-de-sac turning heads are constructed (sealed) and drained; (LG)**
- 3. Street corners within the subdivision are to be truncated to the satisfaction of the Western Australian Planning Commission; (LG)**
- 4. The subdivider to prepare a traffic impact assessment to the satisfaction of the Western Australian Planning Commission; (LG)**
- 5. The titles for proposed Lots 1, 2, 13, 14, 15, 91 and 92 to prevent legal vehicular directly to Crossman Road; (LG)**
- 6. Crossovers being constructed (sealed and drained) by the subdivider; (LG)**
- 7. The provision of parallel car parking bays abutting the public open space, in the north-west and central portions of the site, to the satisfaction of the Western Australian Planning Commission; (LG)**
- 8. A Dual Use Path and Track Plan to be prepared and then implemented to the satisfaction of the Western Australian Planning Commission; (LG)**

9. Arrangements being made with the local government for the construction of the dual use path between River Road and the application site to the satisfaction of the Western Australian Planning Commission; (LG)
10. The construction of a track on a suitable alignment within the Hotham River foreshore for walking, cycling, horse riding and for emergency vehicle access (built to enable two wheel drive access); (LG)
11. An Urban Water Management Plan shall be prepared and implemented as part of the subdivisional works to the specification and satisfaction of the Shire of Boddington. The subdivider shall design and construct a stormwater disposal system to the satisfaction and to specifications approved by the Shire of Boddington in a manner which is in accordance with the Stormwater Management Manual for Western Australia; (LG)
12. The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost; (LG)
13. The subdivider to provide stormwater lot connections for each lot to the satisfaction of the Western Australian Planning Commission; (LG)
14. The land being graded and stabilised at the subdivider's cost to the satisfaction of the Western Australian Planning Commission; (LG)
15. A Dust, Noise and Vibration Control Management Plan shall be submitted to, and approved by, the Shire of Boddington prior to the commencement of any site works; (LG)
16. Notification in the form of a section 70A notification, pursuant to the Transfer of Land Act 1893 (as amended) is to be placed the Certificates of Title for lots within the floodplain which advises of flood risks and minimum building levels; (LG)
17. The subdivider preparing and implementing a Fire Management Plan to the satisfaction of the Western Australian Planning Commission; (LG, FESA)
18. Certification by the Fire and Emergency Services Authority of Western Australia that subdivision reticulation plans meet specifications and that hydrant fire fighting services will be installed to the satisfaction of the Western Australian Planning Commission; (FESA)
19. Suitable arrangements being made with the Water Corporation so that provision of a suitable reticulated water supply service will be available to lot(s) shown on the approved plan of subdivision; (WC)
20. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lots shown on the approved plan of subdivision; (WP)
21. A Foreshore Management Plan shall be prepared and implemented to the satisfaction of the Shire of Boddington; (LG)

22. The proposed additional Foreshore Reserve being shown on the Deposited Plan, vested in the Shire, ceded free of cost and without any payment of compensation by the Crown; (LG)
23. The proposed Public Open Space being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Shire under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without any payment of compensation by the Crown; (LG)
24. The proposed Community Purpose site being shown on the Deposited Plan, vested in the Shire, ceded free of cost and without any payment of compensation by the Crown; (LG)
25. Uniform fencing along the boundaries of lots adjoining the foreshore reserve, public open space, the community purpose site and backing onto Crossman Road are to be constructed to the satisfaction of the Western Australian Planning Commission; (LG)
26. Measures shall be taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works to the satisfaction of the Western Australian Planning Commission; (LG)
27. Preparation and implementation of a Trees with Hollows Management Plan to the satisfaction of the Western Australian Planning Commission; (DEC)
28. The subdivider to prepare and implement a Revegetation and Landscaping Plan to the satisfaction of the Western Australian Planning Commission; (LG)
29. The subdivider to prepare Building and Landscaping Design Guidelines for the subject land to the satisfaction of the Western Australian Planning Commission; (LG)
30. The subdivider making appropriate arrangements to advise prospective purchasers of the requirements of the Shire of Boddington Local Planning Scheme No. 2, the Building and Landscaping Design Guidelines, Fire Management Plan and Tree with Hollows Management Plan that relate to the subject land; (LG)
31. The existing sheds being demolished, materials removed from the site and the site made-good to the satisfaction of the Western Australian Planning Commission; (LG)
32. The nominated dams being filled to the satisfaction of the Shire and replaced with fill that is suitable for building and on site wastewater disposal to the satisfaction of the Western Australian Planning Commission; (LG)
33. The lighting of intersections, streets, car parks and public areas is to be provided to meet the requirements of Western Power's "Standards and Conditions of Developer Installed Street-lighting" and comply with relevant categories contained in Australian Standard AS-1158; and
34. Suitable measures (e.g. covenant or notification) on relevant titles that set out landowner responsibilities to suitably maintain revegetation undertaken by the subdivider. (LG)



**Advice:**

- A) In accordance with Section 295 of the Local Government Act (1967), the subdivider shall provide the Local Government, for approval, engineering drawings showing the proposed construction works prior to commencing works.**
- B) In relation to Conditions 1 and 2, road pavement widths are to comply with Liveable Neighbourhoods and engineering standards. The subdivision road in the eastern section is to connect to the existing constructed Fraser Road.**
- C) In relation to the outcomes of Condition 4, this will address any traffic calming treatments to be implemented at the intersection of new roads to Crossman Road and internal treatments to manage traffic safety. Subject to the Traffic Impact Assessment outcomes, this may require the provision of a vehicle turning lane, near the community purpose site, at the intersection of the new western subdivision road and Crossman Road.**
- D) In relation to Condition 8, there is also a requirement to provide various additional dual use paths and tracks to that shown on the Subdivision Guide Plan. It is expected the dual use path will need to be aligned closer to Crossman Road rather than cutting through the public open space in the site's south-west.**
- E) In relation to Conditions 19 and 20, this also requires connection to all areas of public open space and the community purpose site.**
- F) In relation to Condition 27, some property boundaries may need to be re-aligned to avoid impacting trees with hollows.**
- G) In relation to Condition 28, this includes the winter creek on the eastern side of the application site, the 10 metre wide landscape buffer strip with local indigenous vegetation as set out on the Subdivision Guide Plan adjoining Crossman Road (including on the southern boundaries of proposed Lots 1 and 2) and replanting of relevant portions of public open space.**
- H) In relation to Condition 29, this is expected to require the subdivider to develop appropriate Restrictive Covenants to assist with effective implementation. The subdivider is also encouraged to address ways of supporting compliance of the Building and Landscaping Guidelines through measures including landscaping rebates to purchasers.**
- I) In relation to Condition 32, the Council will also accept the area occupied by the dams to be filled to form part of the Building Exclusion Area.**
- J) Given Lot 70 has dual road frontage, consideration should be given to likely dwelling and outbuilding location and orientation and the provision of uniform fencing for the "rear" boundary.**
- K) The subdivider is encouraged to install appropriate uniform fencing along the boundaries of all of the proposed lots.**

**Seconded**

**Cr Veitch**

**Carried**

**6/0**

Mr Thompson left Chambers at 5:20pm.

## **8.2 DIRECTOR SPECIAL PROJECTS:**

Nil

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

8.3.1 Building – Lot 141 No 30 Anderson Road Ranford

OFFICERS RECOMMENDATION – 8.3.1

Council Resolution                      112/11                                      Moved                                      Cr Hoek

That Council approve the issue of a building licence for a verandah, garage and retaining wall on Lot 141 No 30 Anderson Road Ranford subject to all other necessary documents pertaining to the building licence application being received.

Seconded                                      Cr Hardie                                      Carried                                      6/0

## **8.4 COMMUNITY DEVELOPMENT OFFICER:**

8.4.1 BHP Worsley Truck For Use As A Display

OFFICERS RECOMMENDATION – 8.4.1

Council Resolution                      113/11                                      Moved                                      Cr Hardie

That Council:

1. support the proposal to secure a decommissioned truck from BHP Biliton Worsley Alumina to be used as a display; and
2. submit a formal letter to BHP Biliton Worsley Alumina requesting they donate a truck for display purposes.

Seconded                                      Cr Veitch                                      Carried                                      6/0

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

Nil

## **8.6      DIRECTOR CORPORATE SERVICES:**

### **8.6.1      Monthly Financials May 2011**

#### **OFFICERS RECOMMENDATION – 8.6.1**

**Council Resolution                  114/11                          Moved                          Cr Veitch**

**That Council adopt the:**

- 1.      monthly Financial Statements for the month of May 2011;**
- 2.      list of Payments for the month of May 2011; and**
- 3.      summary of Reconciliations for the month of May 2011.**

**Seconded                                  Cr Hardie                          Carried                          6/0**

### **8.6.2      Dual Fire Control Officers – Shire of Wandering**

#### **OFFICERS RECOMMENDATION – 8.6.2**

**Council Resolution                  115/11                          Moved                          Cr Veitch**

**That Council endorse the following Fire Control Officers from the Shire of Wandering as Fire Control Officers for the Shire of Boddington:**

- 1.      Mr T Hardie; and**
- 2.      Mr P Monk.**

**Seconded                                  Cr Hardie                          Carried                          6/0**

### **8.6.3      Long Term Financial Planning Agreement**

#### **OFFICERS RECOMMENDATION – 8.6.3**

**Council Resolution                  116/11                          Moved                          Cr Veitch**

**That Council approve the Long Term Financial Planning Improvement Agreement for \$25,000 and endorses the use of the Common Seal by the Shire President and Chief Executive Officer to execute this Agreement on 20<sup>th</sup> June 2011.**

**Seconded                                  Cr Hardie                          Carried                          6/0**

## OFFICERS RECOMMENDATION – 8.6.4

Council Resolution

117/11

Moved

Cr Hardie

That:

1. the Rates and Minimum Rates to be levied in 2011/2012 on all rateable property be as follows:

Valuation	Rate cents/dollar	Minimum Rate \$
Gross Rental Value	6.3026	730
Unimproved Value	0.4273	740

2. a discount of 5% be allowed for payment of annual rates paid in full within 35 days of the date of issue of Council's rate notice;
3. a 5% interest charge be levied on rates instalments, eligible and deferred pensioners rates' excluded;
4. an 11% interest charge be levied on all overdue rates, eligible and deferred pensioners rates' excluded;
5. an 11% interest charge be levied on all overdue service charges and rubbish charges, eligible and deferred pensioners rates' excluded;
6. an administration charge of \$7 be levied for the second and each of any subsequent rates instalments;
7. the due date for instalments of rates payments be set as follows;
- a. Two Instalment Option:
- 1<sup>st</sup> Instalment due Friday 19<sup>th</sup> August 2011; and
  - 2<sup>nd</sup> Instalment due Friday 16<sup>th</sup> December 2011;
- b. Four Instalment Option:
- 1<sup>st</sup> Instalment due Friday 19<sup>th</sup> August 2011; and
  - 2<sup>nd</sup> Instalment due Friday 14<sup>th</sup> October 2011; and
  - 3<sup>rd</sup> Instalment due Friday 16<sup>th</sup> December 2011; and
  - 4<sup>th</sup> Instalment due Friday 17<sup>th</sup> February 2012.
8. Council adopt the Schedule of Fees and Charges as detailed in the 2011/2012 Draft Budget;
9. Council adopt the Revenue and Expenditure as detailed in the 2011/2012 Draft Budget; included separately in Attachment 8.6.3A;
10. Council adopt 10% or \$2,000 (whichever is higher) to be used in reporting material variances in the statement of financial activity for 2011/2012; and

11. Council conduct an early payment incentive prize of two family season passes to the Boddington Swimming Pool open to ratepayers who have paid their 2011/2012 annual rates and any outstanding rates, rubbish charges and any other charges by the due date.

**Seconded**                      **Cr Veitch**                      **Carried**                      **4/2**

**8.6.5 Agreement Emergency Services Levy (ESL)**

**OFFICERS RECOMMENDATION – 8.6.5**

**Council Resolution**                      **118/11**                      **Moved**                      **Cr Veitch**

That Council authorise use of the Common Seal for execution of the Emergency Services Levy Administration Option B Agreement shown as Attachment 8.6.5A between Fire and Emergency Services Australia and the Shire of Boddington effective from 1<sup>st</sup> July 2011 for remitting Emergency Services Levy to Fire and Emergency Services Levy once annually.

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

**8.6.6 Regional Risk Coordinator 2011/12**

**OFFICERS RECOMMENDATION – 8.6.6**

**Council Resolution**                      **119/11**                      **Moved**                      **Cr Hardie**

That Council accept the proposal for a 3 year commitment to the Regional Risk Coordinator program provided by LGIS, and adopt the cost of \$2,855 (plus GST) for the 2011/12 year.

**Seconded**                      **Cr Veitch**                      **Carried**                      **6/0**

**8.6.7 Lease No 1916/97 Mt Saddleback**

**OFFICERS RECOMMENDATION – 8.6.7**

**Council Resolution**                      **120/11**                      **Moved**                      **Cr Hardie**

**That Council:**

1. request the lease be amended to note the expiry date of the lease referred to at clause 1.1 and Item 3 of the Schedule be 31<sup>st</sup> October 2015 and not 30<sup>th</sup> October 2015;
2. adopt the Lease between the Shire of Boddington and the Conservation and Land Management Executive Body over part of Timber Reserve 148/25 as shown at Attachment 8.6.7A; and
3. permit the President and the Chief Executive Officer to sign the Lease under Common Seal.

**Seconded**                      **Cr Veitch**                      **Carried**                      **6/0**



**8.7 CHIEF EXECUTIVE OFFICER:**

Nil

**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

OFFICERS RECOMMENDATION – 10.1.1

**Council Resolution                      123/11                      Moved                      Cr Patten**

**That the Late Agenda Items to:**

- 1.    approve the Strategic Planning Capacity Building Agreement;**
- 2.    WALGA AGM Voting Delegates; and**
- 3.    the proposed lease for 31 Bannister Road;**

**be raised without notice and decided by Council.**

**Seconded                      Cr Hardie                      Carried                      6/0**

10.1.2 Strategic Planning Capacity Building Agreement

OFFICERS RECOMMENDATION – 10.1.2

**Council Resolution                      124/11                      Moved                      Cr Veitch**

**That Council approve the Strategic Planning Capacity Building Agreement for \$45,000 and endorses the use of the Common Seal by the Shire President and Chief Executive Officer to execute this Agreement on 24<sup>th</sup> June 2011.**

**Seconded                      Cr Hardie                      Carried                      6/0**

10.1.3 Registration of Voting Delegates - WALGA 2011 Annual General Meeting

OFFICERS RECOMMENDATION – 10.1.3

Council Resolution                      125/11                                      Moved                                      Cr Veitch

That Council appoint:

1. Cr Carrotts and Cr Veitch as voting delegates; and
2. Cr E Hoek and Chief Executive Officer Mr Gary Sherry as proxy voting delegates;

to the Western Australian Local Government Association Annual General Meeting to be held in Perth on Saturday 6<sup>th</sup> August 2011.

Seconded                                      Cr Patten                                      Carried                                      6/0

**11.            CONFIDENTIAL ITEMS:**

Cr Hoek declared a Financial Interest in Item 11.1.1 in that she is employed at the Boddington Community Resource Centre which leases out rooms to Newmont Boddington Gold Mine and left Chambers at 5:55pm.

Mr N Crilly, Mr H Pucar, Mr F Waite, Mrs M Waite and Mr K Noonan left Chambers at 5:55pm.

11.1.1 Lease of 31 Bannister Road Boddington – Newmont Boddington Gold

OFFICERS RECOMMENDATION – 11.1.1

Council Resolution                      126/11                                      Moved                                      Cr Patten

That Council:

1. continue to negotiate a draft lease agreement with Newmont Boddington Gold specifically including:
  - (a) an annual lease payment of at least \$45,000;
  - (b) a term of up to ten years;
2. upon finalisation of the terms of the proposed draft lease agreement, advertise state-wide the proposal for Council to lease 31 Bannister Road, Boddington to Newmont Boddington Gold under the conditions included in the negotiated draft lease agreement;



3. will review:

- (a) any public submissions received after advertising the proposed lease of 31 Bannister Road; and
- (b) the finalised draft lease agreed to by Newmont Boddington Gold;

at a future meeting of Council.

Seconded                                      Cr Hardie                                      Carried                                      5/0

**12.            CLOSURE OF MEETING:**

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

These minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held on Tuesday 19<sup>th</sup> July 2011.

.....  
P. R. Carrotts

President