



UNCONFIRMED MINUTES

"WITHOUT PREJUDICE"
Minutes are provided on the strict understanding that all terms whether deemed expressed or implied do not purport to record the proceedings of Council until confirmed by resolution of Council.

SPECIAL COUNCIL MINUTES

WEDNESDAY, 25 NOVEMBER 2009

Council Chambers
6177 Great Northern Highway, Bindoon

COMMENCEMENT: 5.48PM
CLOSURE: 6.05PM

These minutes were confirmed at a meeting held on _____

SIGNED this _____ day of _____ 2009, as a true record of proceedings.

Presiding person at the meeting at which the minutes were confirmed

Disclaimer

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the *Local Government Act 1995* (section 5.25 (e)) establish procedures for revocation or rescission of a council decision. No person should rely on the decisions made by council until formal advice of the council decision is received by that person.

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Agendas and minutes are available on the Shire's website www.chittering.wa.gov.au

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1. DECLARATION OF OPENING OF MEETING

The presiding member declared the meeting open at 5.48pm

2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Attendance

The following members were in attendance:

Cr Alex Douglas (President)
Cr Robert Hawes
Cr Doreen Mackie
Cr Barni Norton

The following staff were in attendance:

Mr John Merrick (Chief Executive Officer)
Mr Azhar Awang (Executive Manager Development Services)

Leave of absence

Crs Tomlinson, Gibson and Vallance were on approved leave of absence

3. DISCLOSURE OF INTEREST

There were no disclosures of interest

4. PURPOSE OF MEETING

PROCEDURAL MOTION

Moved Cr Hawes / Seconded Cr Mackie

That council move into a confidential session to discuss this item under the terms of the *Local Government Act 1995*, section 5.23(2), as follows:

- (e) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting

CARRIED 4/0

4.1 CONFIDENTIAL ITEM - Extractive Industry Stage 2 (Bauxite Resources) – Lots 64, M2110, 51, 52 Stephens Road and Lot 3 Great Northern Highway, Bindoon *

Applicant: Bauxite Resources
File ref: A1222, A1221, A10201 and A1223
Prepared by: Azhar Awang, Executive Manager Development Services
Supervised by: John Merrick, Chief Executive Officer
Voting requirements: Normal – more than half the elected members present required to vote in favour
Documents tabled: Stage 2 Extractive License Submission and Appendices (report provided to all councillors)



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OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Mackie / Seconded Cr Hawes

That council refuse the planning approval for the proposed "Stage 2 Bauxite Extraction" at Lot 64, M2110, 51, 52 Stephens Road including the crushing and carting operation at Lot 3 Great Northern Highway, Bindoon for the following reasons:

- 1. The proposal falls under the use class "Industry – Mining" which is prohibited under the Shire of Chittering *Town Planning Scheme No 6***
- 2. The proposal if approved would adversely affect the environment due to noise and dust created from the operations**
- 3. The proposal is not consistent with the objectives of the "Agricultural Resource" zone land**
- 4. The proposal if approved would result in the increase of traffic movement (heavy vehicles - 82 trucks a day) on local road resulting in significant wear and tare and creating safety issues for other road users.**

CARRIED 4/0

5. CLOSURE

The presiding member declared the meeting closed at 6.05pm