

From: [Kathy Boyatzis](#)
To: [Nino Scidone](#); [Mat Johns](#); [REDACTED]
Subject: RE: Gordon Road Council Meeting Agenda Report
Date: Wednesday, 9 August 2023 10:24:55 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Hi Nino,

There is no doubt that this is a challenging situation to resolve.

In the interests of safety we need to find a solution as quickly as possible.

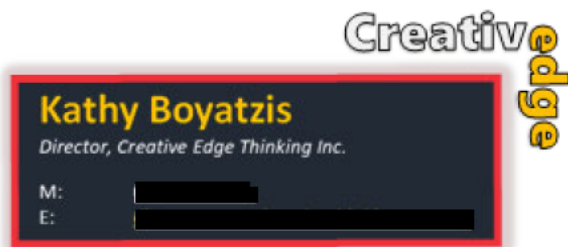
I wish to advise that I do not support Option 1 or 2 in any way and reject both options unreservedly.

I support Option 3 or Option 4

I will attend the Ordinary Council Meeting on August 21.

Kind regards,

Kathy Boyatzis



From: Nino Scidone [REDACTED] >
Sent: Monday, August 7, 2023 5:09 PM
To: Kathy Boyatzis [REDACTED] >
Subject: Gordon Road Council Meeting Agenda Report

Hi Kathy,

The Agenda is currently being finalised for the 21 August Ordinary Council Meeting, for which the Gordon Road item is going to.

4 Resolution options are proposed for Council to consider. We are seeking your feedback on these and advice from you on your preferred Option.

Your response will be included in the Report to Council.

The Options proposed are:

Option 1

That Council:

1. ACKNOWLEDGES this is a challenging situation to resolve
2. NOTES the legal advice, that the Shire is under no responsibility to build a road right up to the boundaries of Lot 123 and 124 as contained within confidential Attachment 1,
3. In the interest of trying to find a solution, PROPOSES to:
 - (a) AGREE to design and construct the unconstructed 80m section of Gordon Road to a 4m wide sealed road, at a cost to the owners of Lot 123 and 124 Gordon Road, by way of:
 - i. Two owners pay the cost upfront to the Shire, split evenly between the two owners, or
 - ii. Two owners consent to signing a Deed of Agreement which will be supported by a “subject to” Caveat on their property title for payment of 50% of the total costs of the road construction to the Shire upon the sale or transfer of ownership of each lot;
 - iii. Whichever alternative is consented by the two owners, costs to be met by the owners upfront.
 - (b) AUTHORISES the CEO to execute a formal deed of agreement, acknowledging the landowners’ obligation to reimburse to the Shire for the total costs, by including a charging clause under which the landowners charge their land with the debt owed, and lodge caveat’s on each title in accordance with the Deed of Agreement.

Option 2

That Council REQUESTS the Chief Executive Officer, advise the owners of Lot 123 and Lot 124 Gordon Road that Council declines the request to fund construction of the 80m unconstructed section of Gordon Road or purchase a portion of Lot 2 Gordon Road to amalgamate with the Gordon Road road reserve allowing for the current access to Lots 123 and 124, with the cost for the access option being met up front and in total by the owners of Lot 123 and 124.

Option 3

That Council:

1. AGREES TO PURCHASE 4,525m² portion of Lot 2 Gordon Road and amalgamate it with the existing Gordon Road road reserve at an estimated cost of \$40,000 (subject to final land valuation) to be funded in the 2023/24 Financial Year budget; and
2. NOTES that the road located within the amalgamated Gordon Road road reserve will become an asset for the Shire to manage and maintain.

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Option 4

That Council:

1. SUPPORTS funding of the design and construction of 80m of Gordon Road, to a 4m wide sealed road to Lots 123 and 124 within the existing road reserve, at an estimated cost of \$150,000, to be funded in the 2023/24 Financial Year budget; and
2. NOTES that the newly built 80m long section of Gordon Road will become an asset for the Shire to manage and maintain.

Option 1 is currently recommended.

Can you please provide your feedback and advice of preferred option by midday, Wednesday 9 August 2023. Your response and feedback will be added to and included in the Council Report

Regards

Nino Scidone

Manager Engineering Services



Shire of Serpentine Jarrahdale

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