

Minutes of Ordinary Meeting of Council held at the Allen Centre, Grey Street, Kalbarri on the $15^{\rm th}$ October 2010

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10.1 OPENING

The President thanked all members present for their attendance, welcomed all Councillors and declared the meeting open at 1.00pm.

10.2 PRESENT

Cr G Wilson	President	Northampton Ward
Cr L Parker	Deputy President	Kalbarri Ward
Cr O Simkin		Northampton Ward
Cr T Carson		Northampton Ward
Cr G Leggett		Northampton Ward
Cr B Cripps		Northampton Ward
Cr S Penn		Kalbarri Ward
Cr J Booth		Kalbarri Ward
Cr P Gliddon		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	

Mr Jamie Criddle Deputy Chief Executive Officer

Mr Neil Broadhurst Manager of Works and Technical Services

Mrs Hayley Williams Principal Planner

10.2.1 LEAVE OF ABSENCE

Nil.

10.2.2 APOLOGIES

Cr S Stock-Standen

Northampton Ward

10.3 QUESTION TIME

There were members of the public present with the following questions put to Council.

10.3.1 BARRY KRAMER 1.04PM - 1.07PM

Q1. What has Council done in relation to the leaking diesel tank and two empty underground fuel tanks at the defunct Red Bluff Caravan Park?

In answer to the question the Chief Executive Officer responded that as stated on previous occasions, the matter was in the hands of the Department of Minerals and Energy as the appropriated Government Department to deal with such matters.

Q2. When did septic waste stop being dumped at the Kalbarri tip site?

In answer to the question the Chief Executive Officer responded that it would have been around the time that the deep sewer was connected but a more accurate time frame could be ascertained via the Water Corporation.



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10.3.2 JACKIE WILLIBOND, - 1.07PM - 1.10PM

Q1. What is the Shire view on the treated wastewater management options for Kalbarri?

In answer to the question the President responded that as Council had only just viewed a presentation from the Water Corporation on the issue today, that no opinion would be discussed until the Water Corp had themselves agreed to a position as to which was their preferred option of wastewater management for the Kalbarri townsite. The President advised that the same presentation would be delivered to the public over the coming weeks and that community members were encouraged to attend and raise their concerns directly to the Water Corporation.

10.4 CONFIRMATION OF MINUTES

10.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 17th SEPTEMBER 2010.

Moved Cr GLIDDON, seconded Cr LEGGETT

That the minutes of the Ordinary Meeting of Council held on the 17th September 2010 be confirmed as a true and correct record.

CARRIED 9/0

10.4.1.1 BUSINESS ARISING FROM MINUTES

Nil.

10.5 CONFIRMATION OF MINUTES

10.5.1 CONFIRMATION OF MINUTES – SPECIAL MEETING OF COUNCIL HELD ON THURSDAY 30th SEPTEMBER 2010.

Moved Cr SIMKIN, seconded Cr CRIPPS

That the minutes of the Special Meeting of Council held on the 30th September 2010 be confirmed as a true and correct record.

CARRIED 9/0

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10.5.1.1 BUSINESS ARISING FROM MINUTES

Nil.

10.6 WORKS REPORT



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10.6.1 MAINTENANCE WORKS/PROGRAMMED WORKS (ITEM 6.1.1)

Noted.

10.6.2 TENDER 02/2011 – ANNUAL SUPPLY OF AGGREGATE (ITEM 6.1.2)

Moved Cr BOOTH, seconded Cr CARSON

That the tender submitted by Holcim for the annual supply of road aggregate be accepted.

CARRIED 9/0

10.6.3 TENDER 03/2011 – ANNUAL SUPPLY OF BITUMEN (ITEM 6.1.3)

Moved Cr GLIDDON, seconded Cr BOOTH

That the tender submitted by Boral Asphalt Pty Ltd for the annual supply of road bitumen be accepted.

CARRIED 9/0

10.6.4 KALBARRI – CBD SHOPPING AREA (ITEM 6.1.3)

Moved Cr PENN, seconded CR GLIDDON

That Council list the works for consideration within the 2011/2012 budget.

CARRIED 9/0

Mr Neil Broadhurst, Manager of Works and Technical Services left the meeting at 1.24pm.

10.7 HEALTH & BUILDING REPORT

10.7.1 INFORMATION ITEMS – HEALTH AND BUILDING (ITEM 6.2.1)

Noted.

10.7.2 REFUSE COLLECTION FEE – LOT 14 MITCHELL STREET HORROCKS BEACH (ITEM 6.2.2)

Moved Cr PARKER, seconded Cr SIMKIN

That Council advise Mrs. NA Burrell that, pursuant to regulation 3 (1) of the Health (Section 112 (2) Prohibition) Regulations, while Council is providing a refuse collection service to residents, the refuse collection fees will apply.

CARRIED 9/0



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10.8 TOWN PLANNING REPORT

Moved Cr GLIDDON, seconded Cr PENN

That due to item 6.3.1 involving a legal opinion that Council proceeds "incamera".

CARRIED 9/0

Council proceeded "in-camera" at 1.25pm.

Moved Cr SIMKIN, seconded Cr CRIPPS

That Council no longer proceeds "in-camera".

CARRIED 9/0

Council ceased proceeding "in- camera" at 1.41pm.

10.8.1 INFORMATION ITEM — LEGAL ADVICE — NORTHAMPTON ROAD TRANSPORT, LOT 5 (NO. 22) & LOT 12 (NO. 18) GWALLA STREET, NORTHAMPTON (ITEM 6.3.1)

Moved Cr CARSON, seconded Cr SIMKIN

That Council support the continued operations of Northampton Road Transport, subject to no change or increase in the use as a transport company, on Lots 5 and 12 Gwalla Street, as the transport business has operated on these lots for over 30 years and also due to there being no other alternative industrial site for relocating such businesses within the townsite of Northampton.

CARRIED 9/0

10.8.2 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.2)

Noted.

10.8.3 COMPLIANCE MATTER — LOT 2 (NO. 123) SEVENTH AVENUE, NORTHAMPTON (ITEM 6.3.3)

Moved Cr CRIPPS, seconded Cr BOOTH

That Council instruct management staff liaise with McLeod's Barristers and Solicitors in order to seek advice in terms of the most appropriate legislation to issue a notice under for Mr Vulhop to cease permanent occupancy of a caravan on Lot 2 (No. 123) Seventh Avenue, Northampton.

CARRIED 9/0



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10.8.4 PROPOSED THREE (3) LOT SUBDIVISION – LOT 12 HORROCKS ROAD, SANDY GULLY (ITEM 6.3.4)

Moved Cr BOOTH, seconded Cr PENN

That Council:

- Advise the Western Australian Planning Commission that it does not support the application to subdivide Lot 12 Horrocks Road, Sandy Gully (WAPC Ref: 142858), in its current configuration, for the following reasons:
- (a) The proposed subdivision does not accord with the Shire of Northampton Local Planning Strategy (2009) and its preferred settlement strategy;
- (b) The proposed subdivision does not accord with the Shire of Northampton Local Planning Strategy (2009) as it will create land parcels that will not be able to facilitate the ongoing productive rural use of land;
- 2. Advise the Western Australian Planning Commission that it would consider a two (2) lot subdivision, where proposed Lots 1 & 2 are created and proposed Lot 3 is amalgamated into an adjoining landholding on the basis that Horrocks Road is considered to be a significant physical division.

Advice Notes:

i) Proposed Lot 3, of 6,000m², will not be able to accommodate appropriate setbacks to the future development of a single dwelling as Town Planning Scheme No. 6 – Northampton requires that a minimum setback of 100m be provided where development abuts a definable bank of a watercourse (refer to Attached aerial plan).

CARRIED 9/0

Mrs Hayley Williams, Principal Planner left the meeting at 1.58pm.

10.9 FINANCE REPORT

10.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr PENN, seconded Cr CRIPPS

That Municipal Fund Cheques 18516 to 18561 inclusive, totalling \$233,057.43; Municipal EFT payments numbered EFT8083 to EFT8170 inclusive totalling \$615,728.24, and Trust Fund Cheques 1784 - 1788 totalling \$800.00, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 9/0



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10.9.2 MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)

Moved Cr GLIDDON, seconded Cr BOOTH

That Council adopts the Monthly Financial Report for the period ending 30 September 2010 and notes any material variances greater than \$5,000

CARRIED 9/0

10.10 ADMINISTRATION & CORPORATE REPORT

9.10.1 BINNU PUBLIC ABLUTION (ITEM 6.5.1)

Moved Cr BOOTH, seconded Cr PARKER

That Council accepts the quote of \$31,000 submitted by Wideglide Construction for the construction of a two pedestal ablution at Binnu.

CARRIED 9/0

9.10.2 RESIDENCE – KALBARRI BASED DOCTOR (ITEM 6.5.2)

Moved Cr PARKER, seconded Cr BOOTH

That Council list for consideration in the 2011/2012 Budget to purchase a house for the second doctor in Kalbarri and in the mean time negotiates a rental subsidy with the Kalbarri doctor for the remainder of the 2010/2011 financial year and be approved as authorised expenditure.

CARRIED 7/2 BY ABSOLUTE MAJORITY

9.10.3 STRUCTURAL REFORM – REDUCTION IN ELECTED MEMBER NUMBERS (ITEM 6.5.3)

Moved Cr LEGGETT, seconded Cr GLIDDON

That Council resolve to reduce its Councillor numbers from 10 to 9 with 5 members in the Northampton Ward and 4 members in the Kalbarri Ward and that the Local Government Advisory Board be requested to determine this change as a minor matter in accordance with Section 5(b) of Schedule 2.2 of the Local Government Act based on that there are no ward boundary changes and the reduction of Councillor is only one in one ward.

CARRIED 9/0 BY ABSOLUTE MAJORITY



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9.10.4 LYNTON HISTORIC SITE (ITEM 6.5.4)

Moved Cr LEGGETT, seconded Cr GLIDDON

That Council approve of the stabilisation and restoration works to the Lynton Hospital wall at a cost of \$3,000 with funds from the Housing and Building Reserve fund to be used should a grant application be unsuccessful in full or part.

CARRIED BY ABSOLUTE MAJORITY 9/0

9.10.5 ROAD TRAIN AND LONG VEHICLE USE – OGILVIE SCHOOL ROAD (ITEM 6.5.5)

Moved Cr CARSON, seconded Cr CRIPPS

That Council approve the use of road trains and long vehicles on the first 300m of the Ogilvie School Road to gain access to a grain sampling facility, subject to previously adopted conditions as stated below:

- 1. Truck combination not to exceed 80km/hr speed limit.
- 2. Truck combination not to be used on the road during wet weather periods.
- 3. Truck combination not to operate during school bus operating times on roads where school bus operates.
- Obtaining the required approval from Main Roads WA and compliance to all conditions imposed by Main Roads WA.

CARRIED 9/0

9.10.6 NORTHAMPTON COMMUNITY CENTRE UPGRADE – GYMNASIUM (ITEM 6.5.6)

Moved Cr BOOTH, seconded Cr

That Council supports the location of the proposed gymnasium and playground at the northern end of the Northampton Community Centre as per attachment drawing 3.

CARRIED 9/0

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 2.52pm and reconvened at 3.07pm with the following in attendance:



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Cr G Wilson, Cr L Parker, Cr Carson, Cr Leggett, Cr Booth, Cr Gliddon, Cr Simkin, Cr Cripps, Cr Penn the Chief Executive Officer and the Deputy Chief Executive Officer, Mr Jamie Criddle.

9.10.7 LOCAL GOVERNMENT REFORM (ITEM 6.5.7)

Moved Cr SIMKIN, seconded Cr PARKER

That Council considers the WALGA recommendations and the CEO's comments on the recommendations of the Local Structural Report and provide direction to its WALGA Northern Zone voting delegates on each recommendation. Council's direction on the recommendations are as follows:

- R 1 Support CEO Comment although some support is given to WALGA it is considered that in areas of the state where structural reform should occur has not. If local government in WA is to reform for the better and local government itself cannot progress it then as in other states, the government needs to take the lead.
- R 2 Support WALGA Comment The areas listed were the areas of the State named in the 2006 LGAB report. This recommendation should be opposed by the sector as it amounts to forced reform. The recommendation states options for targeted intervention including legislative amendments.

 Include CEO Comment the only comment is that the Merredin area is not mentioned.
- R 3 WALGA Comment Again this recommendation came from the 2006 LGAB Report. It is suggested that this recommendation be opposed by the sector as the Minister during this reform process gave a commitment to not amend the Act on the issue of poll provisions. The poll provision section of the Act is seen as a safety net for local communities.
- R 4 WALGA Comment This recommendation is opposed as it would be giving responsibility for structural reform to a small panel and would not be seen as voluntary.
- R 8 Support CEO Comment Council has supported the reduction and considers this to be an individual Council position.
- R 5 Support WALGA Comment This recommendation would be supported if the funding support for capacity building was not just for those Local Governments who had resolved to consider an Amalgamation, Regional Transition Group or Regional Collaborative Group. Local Governments who resolve to stay in their current form can still be involved in reform initiatives and should receive support.



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- R 7 Support WALGA Comment This recommendation would be supported if it related to only those Communities where their Local Governments were considering an amalgamation or a Regional Transition Group.
- R18 Support WALGA Comment It is disappointing that the proposal for Regional Groups to form legal entities in the form of the subsidiary model has not been endorsed. However the recommendation does allow for this model to be further considered if the proposal under the Associations Incorporation Act is considered not viable.

CARRIED 9/0

9.10.8 KALBARRI OVAL FENCE (ITEM 6.5.8)

Moved Cr GLIDDON, seconded Cr CRIPPS

That Council advise the Kalbarri Sport & Recreation committee that the fence around the oval is to stay at its original alignment with the goal posts at the eastern end to be shifted in 4 metres to achieve deeper pockets on the oval and be consistent with the Northampton oval measurements.

CARRIED 9/0

9.10.9 CSRFF GRANT APPLICATIONS (ITEM 6.5.9)

Moved Cr CRIPPS, seconded Cr BOOTH

That Council:

- 1. Supports the application submitted by the Northampton Community Centre as priority 1 for the construction of a new gymnasium as part of the centres redevelopment and commits Councils third funding if successful of \$112,435.00.
- Does not support the application submitted by the Northampton Bowling Club
 for the installation of one large synthetic bowling green at the current location
 as it feels the best option is to try and collocate the facilities at the
 Northampton Community Centre to better utilise the facilities and resources.
- 3. Meet with Northampton Bowling Club representatives to discuss their proposal and any future proposals with the following council representatives: Cr's Wilson, Parker, Cripps, Simkin and the CEO.

CARRIED 9/0

Cr Leggett declared an interest in item 6.5.10 Lot 21 Robinson Street Residential Subdivision as he owns the neighbouring property and therefore may incur a financial gain or loss and left the meeting at 3.41pm.



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Moved Cr GLIDDON, seconded Cr SIMKIN

That Cr Leggett be invited into the meeting for the discussion

CARRIED 8/0

Cr Leggett re-entered the meeting at 3.42pm.

9.10.10 LOT 21 ROBINSON STREET RESIDENTIAL SUBDIVISION (ITEM 6.5.10)

Moved Cr BOOTH, seconded Cr GLIDDON

That due to item 6.5.10 relating to contractual matters that Council proceeds "incamera".

CARRIED 9/0

Council proceeded "in-camera" at 3.43pm.

Moved Cr SIMKIN, seconded Cr GLIDDON

That Council no longer proceeds "in-camera".

CARRIED 9/0

Council ceased proceeding "in- camera" at 4.04pm.

Cr Leggett left the meeting at 4.04pm.

By a show of hands it was agreed that majority support was given to rescind the following motions.

Moved Cr BOOTH, seconded Cr SIMKIN

That Council:

- 1. Agrees to the directive from the Department of Local Government to rescind the following motions:
 - (i) Minute 3.10.2 of the 15 May 2009 Council Meeting
 - (ii) Minute 9.10.3 of the 18 September 2009 Council Meeting
 - (iii) Minute 9.10.1 of the 17 September 2010 Council Meeting
- 2. Approve of the Business Plan as presented for the development of 8 residential lots on Lot 21 Robinson Street Northampton and advertise the plan seeking submissions as per the requirements of the Local Government Act 1995.

CARRIED 8/0

Cr Leggett re-entered the meeting at 4.06pm.



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9.10.11 PELICAN FEEDING AREA – SHADE SAIL (ITEM 6.5.11)

Moved Cr GLIDDON, seconded Cr CRIPPS

That Council advertises for public comment and notifies landowners within the immediate vicinity of the intent to install a shade sail at the pelican feeding area with all submission to be presented to the November 2010 meeting of Council.

CARRIED 9/0

10.11 PRESIDENTS REPORT

Since the last Council meeting the President, Cr Wilson reported on his attendance at the following:

- WALGA Northern Zone teleconference.
- Binnu/Ajana Fire Brigade Presentation of Bob Cornell's National Medal for 55 years service to the Bush Fire Brigade.

10.12 DEPUTY PRESIDENTS REPORT

Since the last Council meeting the Deputy President, Cr Parker reported on his attendance at the following:

• Kalbarri Development Association meeting.

10.13 COUNCILLORS REPORT

10.13.1 Cr LEGGETT

Since the last Council meeting Cr Leggett reported on his attendance to the following:

 Northampton Tourist Association meeting and advised that the Airing of the Quilts was a success and that they had received their Australian flag from Hon. Barry Haase and the group would now request the donation of a flag pole from the Shire.

10.13.2 Cr CARSON

Since the last Council meeting Cr Carson reported on his attendance to the following:

Special meeting of Council to discuss the recent doctor issues.



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10.13.3 Cr BOOTH

Since the last Council meeting Cr Booth reported on her attendance to the following:

- Kalbarri Development Association meeting.
- Pelican Feeders meeting to discuss the shade sail proposal.

10.13.4 Cr GLIDDON

Since the last Council meeting Cr Gliddon reported on her attendance to the following:

Kalbarri Development Association meeting.

10.13.5 Cr SIMKIN

Since the last Council meeting Cr Simkin reported on his attendance to the following:

• Spreading of the ashes of Mr. Cliff Perry, past Shire Clerk/CEO.

10.13.6 Cr PENN

Since the last Council meeting Cr Penn reported on her attendance to the following:

• Announcement by Environment Minister Donna Faragher of \$5.8million to improve an 11km stretch of road in the National Park that brings more than 30,000 vehicles each year to spectacular locations along the Murchison River, such as the Z Bend and Nature's Window. In addition, a further \$700,000 will be spent on visitor infrastructure, primarily focusing on upgrading walk trails and installing bike racks in the park.

10.13.7 Cr CRIPPS

Since the last Council meeting Cr Cripps reported on his attendance to the following:

Ogilvie East Road community gravel carting project.

10.14 INFORMATION BULLETIN

Noted.



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10.15 NEW ITEMS OF BUSINESS

Cr Penn advised that on her recent trip to Kalbarri that Environment Minister, Donna Faragher was astounded that the Kalbarri Airport did not have Mobile Phone coverage.

Moved Cr PENN, seconded Cr CARSON

That Council correspond to the Minister for Environment advising her of what Council has done in the past in regards to mobile phone coverage at the Kalbarri Airport site and encourage the Minister to lobby her Ministerial colleagues to assist Council in obtaining mobile phone coverage for the Kalbarri Airport and the surrounding tourist populated areas of the National Park.

CARRIED 9/0

10.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held at the Northampton Council Chambers, Hampton Road, Northampton, on Friday the 19th November 2010.

10.17 CLOSURE

There being no further business, the President thanked all present for their attendance and declared the meeting closed at 4.38pm.