

Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers, Hampton Road, Northampton on the 17th September 2010.

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9.1 OPENING

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

9.2 PRESENT

Cr G Wilson	President	Northampton Ward
Cr L Parker	Deputy President	Kalbarri Ward
Cr O Simkin		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr T Carson		Northampton Ward
Cr G Leggett		Northampton 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

Mr Glenn Bangay EHO/Building Surveyor

Mrs Hayley Williams Principal Planner

9.2.1 LEAVE OF ABSENCE

Nil.

9.2.2 APOLOGIES

Cr B Cripps Northampton Ward
Cr S Penn Kalbarri Ward

9.3 QUESTION TIME

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

9.3.1 GARRY COLLINS, HALFWAY BAY SHACKS – 1.03PM – 1.19PM

It was requested that council consider the request in the agenda today for the proposed additions and/or replacement of his family shack at Halfway Bay?

In answer to the question the President responded that Council would give the item full consideration in today's agenda.

9.4 CONFIRMATION OF MINUTES



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9.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 20th AUGUST 2010.

Moved Cr GLIDDON, seconded Cr LEGGETT

That the minutes of the Ordinary Meeting of Council held on the 20th August 2010 be confirmed as a true and correct record subject to the following changes:

"Minute 8.3.1, insert "Deputy" in the answer to the second question.

CARRIED 8/0

9.4.1.1 BUSINESS ARISING FROM MINUTES

Nil.

9.5 CONFIRMATION OF MINUTES

Nil.

9.5.1.1 BUSINESS ARISING FROM MINUTES

Nil.

9.6 WORKS REPORT

9.6.1 MAINTENANCE WORKS/PROGRAMMED WORKS (ITEM 6.1.1)

Noted.

9.6.2 PLANT PURCHASE – WATER TRANSFER PUMP (ITEM 6.1.2)

Moved Cr CARSON, seconded Cr SIMKIN

That Council approves the purchase of the second hand water transfer pump from Maver Contracting at the agreed price of \$3,000.00 (inclusive of GST), with expenditure approved as authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 8/0

9.6.3 NORTHAMPTON – OGILVIE NATURE RESERVE (RESERVE No 12657)
ILLEGAL CLEARING OF NATIVE VEGETATION – UPDATE (ITEM 6.1.3)

Noted.

[&]quot;Minute 8.10.5, replace "CRIPPS" with "CARSON" in the motion.



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Mr Neil Broadhurst, Manager of Works and Technical Services left the meeting at 1.51pm.

9.7	HEALTH & B	UILDING REPORT
	9.7.1	INFORMATION ITEMS – HEALTH AND BUILDING (ITEM 6.2.1)
	Noted.	
	9.7.2	TOBACCO PRODUCTS CONTROL AMENDMENT ACT 2009 (ITEM 6.2.2)
	Noted.	
	9.7.3	MEDIA RELEASE: EATING OUT WITH FOOD ALLERGIES (ITEM 6.2.3)

TOWN PLANNING REPORT

Noted.

9.8

9.8.1 SHIRE OF NORTHAMPTON - LOCAL PLANNING SCHEME NO. 10 – CONSIDERATION OF SUBMISSIONS AND PROPOSED MODIFICATIONS TO THE SCHEME (ITEM 6.3.1)

Moved Cr GLIDDON, seconded Cr STOCK-STANDEN

That Council:

- 1. Pursuant to regulation 17(1) of the Town Planning Regulations 1967, determine the submissions in accordance with the Schedule of Submissions listed below; and
- 2. Pursuant to regulation 17(2) of the Town Planning Regulations 1967, resolve that the Scheme be adopted with the modifications detailed in the Schedule of Submissions listed below; and
- 3. Pursuant to regulation 18(1) of the Town Planning Regulations 1967, forward the necessary documents to the Western Australian Planning Commission for a decision on final approval by the Minister for Planning.

CARRIED 8/0

President:...... Date: 15 October 2010 5



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SHIRE OF NORTHAMPTON DRAFT LOCAL PLANNING SCHEME NO, 10 SCHEDULE OF SUBMISSIONS – 15 AUGUST 2010

No	Submitter	Detail	Comment/Recommendation	Recommendation
1.	Department of Indigenous Affairs PO Box 7770 Cloisters Square Perth WA 6000	No objection The Department provided a copy of the Register of Aboriginal Sites relevant to the Scheme area. It is possible that there are sites that have not yet been entered on the Register of Aboriginal Sites. The Aboriginal Heritage Act protects all Aboriginal sites in WA whether they are known to the Department or not. Prior to any proposed development, so that no site is damaged or altered, it is recommended that suitably qualified consultants be engaged to conduct ethnographic or archaeological surveys of the area. It is the Department's preference that development plans are modified to avoid damaging or altering any site, if this is not possible and in order to not commit an offence under the Act the landowner should seek, by a Section 18, notice the written consent of the Minister for Indigenous Affairs to use the land.	The comments received are standard advice. Advice regarding the requirements of the Act is included in Appendix A – Register of Aboriginal Sites in the Local Planning Strategy January 2009.	Note submission – no modification required to scheme.
2.	Western Power Locked Bag 2520 Perth WA 6001	No objection Perth One Call Service must be contacted and location details of Western Power's underground cable obtained prior to any excavation commencing.	The comments from Western Power are standard advice. Western Power is a referral agency of the WAPC and has the opportunity to request	Note submission – no modification required to scheme.



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		Worksafe requirements must be observed when excavation work is undertaken in the vicinity of Western Power's assets. The cost of any changes to the existing power system if required will be the responsibility of the individual developer.	conditions of approval as part of the subdivision process.	
3	Water Corporation PO Box 43 Geraldton WA 6531	No objection	Noted.	Note submission – no modification required to scheme.
4	Main Roads Western Australia PO Box 165 Geraldton WA 6531	Modification Requested MRWA welcomes the Shire of Northampton and Department of Planning taking this opportunity to include the NWCH realignment, east of the Northampton Townsite, in the local planning scheme to clarify and provide direction to developments occurring around this corridor.	The realignment is identified in the Local Planning Strategy. There is no funding available for acquisition and as such it is not considered appropriate to identify the alignment on the scheme maps.	Reject submission.
5	Heritage Council of Western Australia PO Box 6201 East Perth WA 6892	1.Heritage List It is noted that the basic provisions for heritage are generally in the form given in the Model Scheme Text, which is supported. The variation to this in section 7.1.3 which allows for the Heritage List to be directly drawn from the Municipal Heritage Inventory. There are a number of issues that should be raised in relation to this issue. 2. Heritage Area vs SCA The use of the special control area to introduce heritage provisions is proposed in the Department of Planning's Review of the Town Planning Regulations, 1967 and the Model Scheme Text. Given that this is yet to be adopted as a preferred practice, there is little guidance on a correct approach. As presented it is not demonstrated that the specified area warrants such provisions.	1.Heritage List The concerns of the Heritage Commission are accepted and it is recommended that the Heritage List comprise those places which are currently listed in Town Planning Scheme No 6. Clause 7.1. 3 requires modification on this basis. An additional schedule (Schedule 18) should also be included in the Scheme. This list would comprise of the same list of places contained in Appendix 6 of TPS No.6. Clause 7.1.7 needs to be modified to refer to the procedures set out in clause 7.1.4 and in the case of those places listed in Schedule 18 will also require an amendment to the	The scheme be modified as follows: 1. Amend clause 7.1.3 to read: The Heritage List includes those places which are included in Schedule 18, which were identified as Places of Heritage Value under the former Shire of Northampton Town Planning Scheme No.6. 2. Amend clause 7.1.7 to read: The local government



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The policy guidelines associated with SCA4 refer several times to application outside the Area. It is suggested that these are better adopted as a planning policy for heritage places in general, with any specific provisions for the town centre area being reserved for a separate local policy.	Scheme. 2. Heritage Area vs SCA The SCA is considered to be an appropriate mechanism to protect the heritage values of the Northampton Townsite given the number of places within the Townsite listed in the Municipal Heritage Inventory and the significance of the area recognised in the preparation of the Northampton Heritage Strategy (2006) and reflected in the endorsed local planning strategy. The WAPC accepted the area was appropriate as an SCA rather than relying on the provisions of Part 7 of the MST in granting permission for the Scheme to be advertised. There is merit to the comment that the provisions should not apply to land outside the SCA 4 area. The provisions for SCA 4 we condensed from the Northampton Town Planning Scheme Policies but were not reviewed.	may remove or modify the entry of a place in the Heritage List by following the procedures set out in clause 7.1.4 and in addition, where the place is also included in Schedule 18, amending the Scheme. 3. Include a new schedule in the Table of Contents and in the Schedules following Schedule 17, as follows: See Schedule 18 at the end of this Schedule of Submissions. 4. Amend Schedule 14 as follows: Delete the second paragraph of clause 1.2; Modify the first dot point of clause 2.2; Modify the first dot point of clause 2.2 to read as follows: The local government shall give favourable consideration to development applications within the Special Control Area that employ significant Northampton design features:



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				At the end of clause 3.2,
				delete the wordsand
				guide development
				beyond he Town Centre
				within the town site;
				 Modify the second
				paragraph of clause 3.3
				to read as follows:
				A number of types of
				fencing appropriate to
				the Special Control Area
				8. These are intended as
				a guide to those
				developing new sites
				and to those constructing
				new and replacement
				fences;
				 Modify the fourth dot
				point of clause 3.3 to
				read as follows:
				Fences of sheet form
				products are inappropriate to most
				properties; and
				Delete the third dot point
				of clause 4.3.
6	Department of	Modification Requested		The scheme be modified as
	Mines and		The Local Planning Strategy contains	follows:
	Petroleum	The Shire of Northampton contains significant known mineral	adequate reference to current geology,	
		resources and has potential for future discoveries. Both the	exploration and mining activities.	1. Amend clause 5.8.1
	Mineral House 100 Plain Street	State and the Shire can benefit socially and economically	The requirements recommended by DAAD for	to read as follows:
	East Perth WA	from the development of mineral resources and DMP encourages the Shire to strongly support the re-emerging	The requirements recommended by DMP for Clause 5.8.1 are more extensive and	Subdivision applications for land outside the
	6004	mining sector.	specifically include the issue of mineral	Northampton Townsite
		mining socion	prospectivity. This is considered reasonable	and within 200m from



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The Shire must ensure that the LPS does not inadvertently introduce zoning schemes and reserves that would inhibit the future exploration and mining of the State's mineral and petroleum sector.

GSWA recommends that:

- the LPS report includes key points concerning the current geology, exploration and mining activities.
- that the Shire considers adopting both the Code of Conduct for Mineral Exploration on Pastoral Leases and the Mining Codes of Conduct to Farmers.

Modification Requested

DMP strongly recommends that the Shire replace the item 5.8.1 with the paragraph below:

Subdivision applications for land outside the Northampton Townsite and within 200 m from the side and 500 m along the strike of any mineral lode (i.e within blue buffer zones shown in attached map 2) are to be referred to the Department of Mines and Petroleum to:

- a) determine whether a geotechnical study is required to ensure that there are no hidden underground workings; and
- b) determine whether an environmental geochemical study should be conducted to ensure that the soils are not contaminated by heavy metals, such as lead from natural erosion of the lode or from mining activities, and
- c) carry out a mineral prospectivity assessment.

DMP also strongly recommends that the Shire replace the item 5.8.2 with the paragraph below:

Subdivision applications for land within the Townsite and within 200 m from the side and 500 m along the strike of any

as it applies to areas outside the townsite.

The recommended changes to Clause 5.8.2 are acceptable as they are only minor wording changes.

It is recommend that the two maps referred to by DMP be included as:

- Schedule 17a Distribution of Copper and Lead Lodes, historic workings and recommended buffers – Northampton and
- Schedule 17b Distribution of Copper and Lead Lodes, historic workings and recommended buffers - Northampton Townsite.

the side and 500 m along the strike of any mineral lode (i.e. within blue buffer zones shown in attached map 2) are to be referred to the Department of Mines and Petroleum to:

- a) determine whether a geotechnical study is required to ensure that there are no hidden underground workings; and
- b) determine whether an environmental geochemical study should be conducted to ensure that the soils are not contaminated by heavy metals, such as lead from natural erosion of the lode or from mining activities, and
- c) carry out a mineral prospectivity assessment.
- 2. Amend clause 5.8.2
 to read as follows:
 Subdivision applications
 for land within the
 Townsite and within 200
 m from the side and 500
 m along the strike of any



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mineral lode (ie. within blue buffer zones shown in attached	mineral lode (ie. within
map 3) are to be referred to the Department of Mines and	blue buffer zones shown
Petroleum to determine whether:	in attached map 3) are to
	be referred to the
a) a geotechnical study is required to ensure that there	Department of Mines
are no hidden underground workings; and	and Petroleum to
b) an environmental geotechnical study should be	determine whether:
conducted to ensure that the soils are not	a) a geotechnical study
contaminated by heavy metals such as lead, from	is required to ensure
natural erosion of the lode or from mining activities.	that there are no
	hidden underground
	workings; and
	b) an environmental
	geotechnical study
	should be conducted
	to ensure that the
	soils are not
	contaminated by
	heavy metals such
	as lead, from natural
	erosion of the lode
	or from mining
	activities.
	uciiviiles.
	3. Including a new
	schedule in the
	Table of Contents
	and in the Schedules
	following Schedule
	16, as follows:
	• Schedule 17a
	Distribution of
	Copper and
	Lead Lodes,
	historic
	workings and
	recommended
	buffers –



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				Northampton and Schedule 17b — Distribution of Copper and Lead Lodes, historic workings and recommended buffers — Northampton Townsite.
7	Department of Education and Training 151 Royal Street, East Perth WA 6004	No objection. The Department of Education and Training reviewed the draft scheme and assessed future growth of various districts. From the information contained within the draft, the Department of education has adequate school sites to accommodate the potential student yield from future residential development.	Noted	Note submission – no modifications required to scheme.
8	Department of Health PO Box 8172 Perth Business Centre WA 6849	Modification Requested The Department advises that Clause 5.4 of the draft Country Sewerage Policy, density development is only permitted to a maximum density of R10 or 1,000 m². Until sewerage become available to the townsites, any unsewered development that is higher than R10 density is contrary to the provisions of the draft Country Sewerage Policy and will not be supported by DOH. The DOH has no objection to the draft Local Planning Scheme No 10, subject to all development complying with the above and with the provisions of the Country Sewerage Policy.	1. It is agreed that the Scheme should rely on the Draft Country Sewerage Policy in relation to wastewater disposal provisions. It is therefore recommended that Clause 5.3.3 be modified as follows: For any land with a residential coding in excess of R10, the requirements of the Draft Country Sewerage Policy apply in relation to wastewater disposal. In relation to clause 5.13.3.1.2, the clause should be modified as follows: For any residential development proposed at a density in excess of R10, the requirements of the Draft Country	The scheme be modified as follows: 1. Amend Clause 5.3.3 to read as follows: For any land with a residential coding in excess of R10, the requirements of the Draft Country Sewerage Policy apply in relation to wastewater disposal. 2. Amend Clause 5.13.3.1.2 to read as follows: For any residential development proposed



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				Sewerage Policy apply in relation to wastewater disposal. The R10/30 area within the Northampton Townsite has been subdivided based on a R10 coding and that the split coding is not relevant and the area should be coded R10. It is noted that unsewered land in Port Gregory and Binnu is coded R 12.5. There is no opportunity for further subdivision or more intensive development based on the provisions of the Draft Country Sewerage Policy. On that basis it is recommended that these areas be recoded R10.	3.	at a density in excess of R10, the requirements of the Draft Country Sewerage Policy apply in relation to wastewater disposal. Amend Scheme Map No. 8 to change the coding of the unsewered land in Port Gregory R 12.5 to R10. Amend Scheme Map No. 7 to change the coding of the unsewered land in Binnu from R 12.5 to R10.
9	Department of Environment and Conservation PO Box 72 Geraldton WA 6531	 Special Control Area No 1 (SCA 1). It is not clear how the boundary of this area was determined. For example, why was the area between Bowes River and Horrocks not included in SCA 1, as it clearly contains a large area of coastline? Hutt Lagoon. The area surrounding Hutt Lagoon is currently zoned as rural. Some of the adjacent land uses are mining and industry. Do these areas require a change in zoning or are these land uses permitted under the scheme? Parks and Recreation Zone. It is noted that the Parks and Recreation Zone includes coastal Foreshore reserves. The name Parks and Recreation does not accurately reflect the purpose of these areas. The Parks and Recreation zone 	1. 2. 3.	It is agreed that the boundary on Map 14 between Horrocks around the Bowes River so SCA 1 and SCA 6 are adjoining. The existing mining and industrial uses are acceptable within the General Rural zone and no modification is required. It is agreed that the Parks and Recreation reservation does not the reflect conservation values of some reserves. There is no objection to changing the name of the reserve if this is supported by DoP. Noted. This error should be corrected. It is agreed that the purpose and intent should include the following: To protect and enhance the	_	realign the northern boundary of SCA 1 in order that it adjoins the southern boundary of SCA 6.



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does not appear to be defined anywhere within the text.

- 4. Schedule 11b states:
 - A geotechnical study is required to ensure that there are no hidden underground workings and/or
 - An environmental geological survey should be conducted to ensure that the soils are not contaminated by heavy metals such as lead from natural erosion of the lode from mining activities.

This statement is supported by DEC. As a result of previous mining activity in the area, there are a number of potentially contaminated sites within the Shire of Northampton that are not known and have not been reported. These need to be identified and investigated prior to any change in land use or development.

5. Moresby Range Landscape Protection (SCA 4)
Page 53, Sections 6.3.3, c) states "Development applications
for land within the shall not be approved where the
development may result in the reduction of environmental
and visual landscape quality". It is assumed that there has
been an error and the statement should read.

"Development applications for land within SCA 4 shall not be approved where the development may result in the reduction of environmental and visual landscape quality.

This statement is supported as there are a number of threatened species and a priority ecological community associated with the Moresby Range.

6. Special Control Area 6 (SCA 6) Horrocks Development Area

DEC does not support the creation of a Development Control Area. If the intent of creating this area is to allow environmental, cultural, recreational and/or scenic values of the area.

- There are no areas of land zoned Bushland Protection in Scheme No 10. Rezoning from General Rural to Bushland Protection is guided by criteria in Schedule 14 – Requirements for the Zoning of Land to Bushland Protection Zone.
- Under Part 3 which is consistent with the provisions of the MST. Land is reserved for public purposes subject to the use and development outlined within the scheme. It does not necessarily have any relationship with land tenure. No change is required.
- 9. DoT should be included as a referral agency in Clause 10.1.3.
- 10. Clause 10.2.1(d) is consistent with the MST provisions in relation to the matters to be considered by local government. It is unnecessary to cite specific legislation which may have application and it should be noted that 10.2.1(e) refers to any relevant policy adopted by government of the State.

environmental and visual landscape quality.

- 3. Amend Clause 6.7.1 to read as follows:
 - (a) To protect
 and
 enhance the
 environmen
 tal, cultural,
 recreational
 and/or
 scenic
 values of
 the area;
 and
 - (b) To ensure that the expansion of Horrocks Townsite is undertaken in a coordinated manner through structure planning.
- 4. Amend Clause 10.1.3 to read as follows:
 In the case of Coastal and Foreshore reserves the local government may consult with the departments of Water, Environment and Conservation and



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development, it should be zoned accordingly. Within SCA 6	Transport before making
there are 2 populations of declared rare flora, a number of	its determination.
populations of priority flora, records of threatened fauna and	
conservation significant communities. These issues must be	
addressed prior to development of this area.	
7. Bushland Protection Zone	
Local Planning Scheme 10 does not contain any areas zoned	
as Bushland Protection. DEC supports the intent of this zone	
but would like further information as to how these areas will	
be created. Will these areas be nominated for rezoning by the	
Shire, private landholders or developers? What criteria will	
these areas have to meet? Further information is requested.	
8. Page 13 Part 3, Reserves.	
It is not clear what is meant by "reserves." Is this section	
referring to all crown reserves or just reserves vested in the	
Shire of Northampton.	
9. Page 75, Section 10.1.3 reads:	
"In the case of Coastal and Foreshore reserves the local	
government may consult with the Department of Water and/or DEC	
before making its determination."	
In reference to this point please be aware that DEC can only	
provide advice on matters relating to biodiversity (flora and	
fauna). DEC is unable to provide advice on other matters	
relating to the management of these areas such as coastal	
processes and soil stability. The Department of Transport is	
able to provide advice on coastal processes. It is	
recommended that they are also consulted when dealing with	
issues relating to coastal areas.	
10. Page 75, part 10, Section 10.2.1 d) states	
"any approved environmental protection policy under the	
Environmental Protection Act 1986."	
There are a number of other acts that relate to environmental	



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10	Department of	policy which may influence planning decisions. The following acts should also be listed: • Wildlife Conservation Act 1950 (State) • Contaminated Sites Act 2003 (State) • Environmental Protection and Biodiversity Conservation Act 1999 (Federal) It is noted and supported that Part 3.6 of the Shire of	The Department of Water has recommended	The scheme be modified as
	PO Box 73 Geraldton WA 6531	Northampton Local Planning Strategy directs future planning documents to be consistent with BUWM, SPP2.9 and other relevant strategies and policies. The Department of Planning, with assistance from DoW, is currently reviewing the model scheme text to include reference to BUWM. In the interim, it is recommended that reference to SPP2.9 and BUWM should be included and addressed via scheme provisions, as outlined below: 1. Section 4.7.2 Development Zone — Planning Requirements should specify the mandatory water resource information requirements which are to be provided to the WAPC at each stage of planning. For example, the preparation of a Local Planning Strategy should include a District Water Management Strategy (DWMS). Similarly the preparation of a Local Scheme Amendment or Local Structure Plan needs to include a Local Management Strategy. 2. Detailed Area Plans Section 5.7.15. Any modifications to detailed area plans should be consistent not only with the Structure Plan but also with the approved UWMP for the subdivision application. It is recommended that wording be inserted under section 5.7.15.8 to the effect that advice should be sought from the WAPC and DoW prior to any modifications being approved to a Structure Plan and/or DAP that may affect the intent or design of the UWMP. This will ensure that priority matters such as flood risk and water quality protection are sufficiently addressed.	a number of modifications to reflect SPP 2.9 and Better Urban Water Management. 1. The requirements set out for a structure plan are detailed in Clause 5.7 which is based on the provisions of the model scheme text. There is no need to emphasis any particular issue or aspect of the structure plan. 2. The Scheme provisions require that where a detailed area plan is modified the modifications are to conform with the intent of any structure plan. Local government would assess the plan in relation to all of the relevant matters under the structure plan without the need to emphasise any particular issue or aspect of the structure plan. 3. It is suggested that a new section be included under Section 5 - General Development Requirements relating to water resources. This recommendation is supported to expand the provisions relating to water management. It is unnecessary to include requirements for each particular zone as the new clause 5.9.1 Water Resources forms part of the general site requirements which applies to all zones and all forms of development.	follows: 1. Replace Clauses 5.9.1 and 5.9.2 with a new clause to read as follows: 5.9.1 Water Resources To achieve development consistent with water sensitive urban design principles including implementation of current best management practises and best planning practises for the sustainable management and use of water resources the provisions set out below apply. 5.9.1.1 Waterways, Wetlands and Estuaries In considering any development which may have an impact



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 Section 5.13.1 – Development Requirements for Particular Zones. BUWM and water sensitive urban design principles should be incorporated into provisions for all zones. Suggested wording to be considered for inclusion, possibly in a separate section within Part 5:

"To achieve development consistent with water sensitive urban design principles including implementation of current best management practises and best planning practises for the sustainable management and use of water resources."

4. Nutrient Run-off Sections 5.13.5.3, 5.13.6.3 and Schedule 11 (point i) The focus of these sections on potential impacts to water quality from nutrients alone does not address the full range of risks to water resources from other contaminants such as sediment (turbidity), salinity pathogens or chemicals such as hydrocarbons or pesticides.

It is suggested that this guiding information could be included in the zone provisions, or may be better placed in an additional section within Part 5, entitled 'Water Resources', along with other specific water resource information.

- 5. Section 5.9.12 Flooding and Setbacks from Watercourses The setbacks specified in this section for effluent disposal systems are not in accordance with DoW guidance for sensitive water resources. Inclusion of information in a Water Resources section would provide suitable notification and guidance of assessment and planning of development adjacent to foreshore areas. A suggested format for the recommended Water Resources section is set out below:
- 6. Floodplain Management
 To clarify the statement in section 5.9.1 regarding 1 in

- 4. See comment 3 above.
- 5. See comment 3 above.
- 6. This matter is addressed under the revised Clause 5.9.1 Water Resources.
- This matter is adequately addressed under the revised Clause 5.9.1 Water Resources.

Water Source Protection Section 6.4
The provisions that are reflected in clause
6.4.2.4 do not align with the Water Quality
Protection Note 25 provided by Jon Kaub
(DoW).

Clause 6.4.2.4 needs to be modified. It seems that repeating the content of the current provisions in Water Quality
Protection Note 25 would be cumbersome, particularly as the description of some of the uses in Note 25 does not align with those in LPS No.10 and in some cases the uses would reasonably be considered as a use not listed in the Zoning Table.

It is recommended that the clause simply state:

The local government is required to refer relevant applications for planning approval to the Department of Water, consistent with the requirements of the most recent Department of Water "Land Use Compatibility Tables for Public Drinking Water Source Areas" for comment, recommendation and/or appropriate conditions, prior to determination of the

- on any waterway including waterways, estuaries, creeks, streams, drainage lines, lakes, soaks, swamps and other wetlands, the local government is to have regard to;
- (a) managing water balance:
- (b) maintaining and where possible enhancing water quality;
- (c) encouraging water conservation;
- (d) maintaining and where possible enhancing water related environmental values; and
- (e) maintaining and where possible enhancing recreational and cultural values.
- 5.9.1.2 Foreshore Reserves
 - (a) The local
 government must
 seek advice from
 relevant agencies
 with regard to
 appropriate setbacks
 for development
 adjacent to the coast



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100 year flood levels. DoW advises that there is a general presumption against development below high water mark and in flood prone areas. All developments need to demonstrate that adequate flood protection from a 100 year ARI flood is in place and that development does not detrimentally impact on the existing flood regime of the general area. The Scheme needs to reflect the above comments and include provisions to that effect. Developments in this case should be referred to the DoW.

7. Water Source Protection Section 6.4
The inclusion of the existing Northampton Water Reserve and Horrocks Beach Water Reserve as a Special Control Area is supported by this department as an appropriate mechanism to secure the long-term protection of water sources. The list of proposed development applications under section 6.4.2.4 which require referral to DoW is not comprehensive and this section should be revised to address all land uses designated as incompatible in P2 and P3 areas, as specified by this department's Water Quality Protection Note 25 Land Use Compatibility in Public Drinking Water Sources Areas.

application.

Clause 6.4.2.1 requires a consequential change to alter the term "Land Use Compatibility Tables for Public Drinking Water Supply Areas" to "Land Use Compatibility Tables for Public Drinking Water Source Areas" to provide consistency.

Most of SCA 3 relates to land zoned General Rural and as such the administration of this provision for those areas is relatively straight forward. However as SCA 3 also includes the Northampton Townsite, and in this instance there are likely to be a number of planning applications that would require referral to DoW including land uses that the Land Use Compatibility Tables would suggest are 'incompatible'.

It is recommended the portion of SCA 3 surrounding the Northampton Townsite be deleted from the scheme maps. It is unreasonable to retain the SCA 3 area as certain types of uses should be permitted within the Northampton Townsite and the Public Drinking Water Source Area in this location is less relevant, as Northampton now has a piped water supply from Geraldton.

or watercourses.

- 5.9.1.3 Flood Risk
 - (a) In the event of a dispute as to the position of the permanent vegetation line or the winter flood line. the decision of the local government, shall have due regard for the advice of the Western **Australian Planning** Commission, the State Coastal Planning Policy SPP 2.6 or other relevant state policies.
 - (b) There is a general presumption against development below the high water mark and in flood prone areas.
 - (c) All developments
 need to demonstrate
 that adequate flood
 protection from a
 100 year ARI flood
 is in place and that
 development does
 not detrimentally
 impact on the
 existing flood
 regime of the
 general area and
 applications should



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		be referred to the Department of Water for assessment. Renumber subsequent clauses after 5.9.1
		2. Amend Clause 6.4.2.4 to read as follows: The local government is required to refer relevant applications for planning approval to the Department of Water, consistent with the requirements of the most recent Department of Water "Land Use Compatibility Tables for Public Drinking Water Source Areas" for comment, recommendation and/or appropriate conditions, prior to determination of the application.
		Amend Clause 6.4.2.1 to alter the references to "Land Use Compatibility Tables for Public Drinking Water Supply Areas" to read "Land Use Compatibility Tables for Public Drinking Water Source Areas".
		3. Amend Map Nos 2, 3, 4



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Shire of Northampton	Modifications requested A number of amendments to the Scheme Text and Zoning Table, are proposed to correct anomalies, errors or oversights which have been identified by the Principal Planner following advertising of the scheme.	up the fact to a significant used as hold potential of zones being complaint in balance it is Homes show and therefore advertising. 2. Amend Maj change Publis portion being subditional and Maj Public Purp purpose for consistent with the post of the subditional and	p 10 – Gwalla Church Site, to blic Purpose to no zone as of the land is road reserve ivided out of the lot. p 10 to replace Rural with oses given the intended the land and this will be with the classification of the		Table Holiday Home such that Holiday Home is an 'A' use within the Residential zone. Amend Map 10 to change portion of the Gwalla Church Site from Public Purposes to no zone. Amend Map 10, to change the portion of the railway reserve at the southern end of the Northampton Townsite from Rural to Public Purposes. Amend Map 10 to
		purpose for consistent v railway res the Northan 4. Amend Bro Purposes to being used	the land and this will be with the classification of the erve in the northern part of mpton Townsite. ok Street Reserve from Public Parks and Recreation as it is for park purposes.	 4. 5. 	Purposes. Amend Map 10 to change the Brook Street Reserve from Public Purposes to Parks and Recreation Amend Clause 5.10.2.1
		5.10.2.1 as structure is 6. It is recomn amended to development Drinking We	it is irrelevant whether the transportable. In the transportable. In the transportable of transportable of the transportable of transportable of the transportable of t		to read as follows: The local government may approve the temporary occupation of a caravan, or other vehicle, or structure on a lot, only if it has approved an application for the development of a



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	7. Correct typographic error in the list of schedule relating to Schedule 6 to change the word 'from' to 'form'. 8. Amend Mop 10 to change classification from Parks and Recreation to no zone as Lot 457 Rosser Street is currently being modified to a road reserve. 9. Amend zoning table to classify telecommunications infrastructure as an A use in the General Rural zone instead of 'X' as it is a use that would reasonably be expected to be located in this zone. 10. There is no definition for telecommunications infrastructure so a definition should be included for this use class. 11. Reflect amendments to cadastre and reservations on the scheme map resulting from subdivision (WAPC Ref 141202)	habitable building on the lot, in accordance with the Building Regulations. Amend Clause 6.4.2.3 as follows: Application Requirements for Development Planning approval is required for development except for: (a) A 'Single House' including any extension, ancillary outbuildings and swimming pools except where the proposal requires the exercise of discretion under the Scheme and/ or involves a transportable, prefabricate d, or relocated building, and/or is a
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	place
	included on
	the Heritage
	List; and
	(b) 'Agriculture-
	Extensive'
	uses.
	7. Amend the details
	relating to the list of
	schedules such that
	Schedule 6 reads as
	follows:
	Form of Application for
	Planning Approval.
	8. Amend Map 10 to
	change Lot 457 Rosser
	Street from Parks and
	Recreation to no zone.
	9. Amend Table 1 - Zoning
	Table such that
	Telecommunications
	Infrastructure is an 'A'
	use within the General
	Rural zone.
	10. Include the following
	definition in Schedule 1 -
	1.2 Land Use Definitions
	after the definition of
	Tavern:
	Telecommunications
	Infrastructure: means
	land used to
	accommodate any part
	of the infrastructure of a
	telecommunications
	network and includes
	any line, equipment,
	apparatus, tower,



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		antennae, tunnel, duct, hole, pit, or other structure used, or for use in or in connection with, a telecommunications network; 11. Amend the Scheme Map to reflect amendments to
		cadastre and reservations resulting from subdivision (WAPC
		Ref 141202)



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Schedule 18 - Heritage List

	Direct within Northernaton Townsite					
No.	Places within Northampton Townsite No. Place Address Description					
140.	riuce	Res 23472 & Res	Archaeological ruins of mining			
NT 1	Wannerenooka Mine Site	40684 North West	settlement and the second oldest copper			
141 1	wannerenooka Mine Site	Coastal Highway	mine in Western Australia			
		Cnr Onslow/Stone	Town Cemetery – headstones and grave			
NT 2	Cemetery	Streets Res 9637	surrounds of early settlers			
NT 3	Cottage	Lot 12 Howe St.	Rendered stone cottage			
141 3	Conage	Loi 12 Howe Si.	Corner rendered stone shop(s) with			
NT 4	Shops	Lot 13 Hampton Road	surrounding veranda's to street			
141 7	Snops	Loi 13 Hampion Roda	elevations			
NT 5	House/former bank	Lot 198 Hampton Road	Timber framed building with CGI Roof			
			Corner rendered masonry building with			
NT 6	Newsagency/Residence	Lot 27 Hampton Road	cantilevered awning to street frontages			
NT 7	Northampton Motor Hotel	Lot 9 Hampton Road	Two storey stone and brick hotel			
	Northampton Railway	•	Small stone building with CGI roof and			
NT 8	Station Fmr.	Lot 452 Mary Street	adjacent weatherboard/CGI building			
NIT A	Church of Our Lady in Ara	1-1-0011 1 2 1	Mons Hawes designed Gothic style			
NT 9	Coeli	Lot 28 Hampton Road	stone church with tiled roof			
		1 - t 000 H 1	Mons Hawes designed two storey stone			
NT 10	Sacred Heart Convent Fmr.	Lot 200 Hampton	building with CGI roof and surrounding			
		Road	veranda's			
NT 11	Northampton Roads Board	Lat 21 Hammton Donal	Small stone building with CGI gable			
INI II	Office Fmr.	Lot 31 Hampton Road	roof			
	Northampton Police	Lot 121 Hampton	Stone building with CGI hipped roof and			
NT 12	Station, Quarters &	Road	surrounding veranda's			
	Courthouse Fmr.	Nous				
NT 13	Capri (House)	Lot 229 Stephen Street	Large brick house with CGI roof and			
	• •		veranda's			
NT 14	Old Roman Catholic	Lot 50 Cnr	Original cemetery for Roman Catholic			
	Cemetery	West/Stephen Streets	burials, headstones and railings			
NT 15	Holy Trinity Anglican Church	Lot 41 Hampton Road	Gothic style stone church with CGI roof			
NT 16	Hampton Lodge	Lot 42 Hampton Road	Large stone building with CGI roof			
NT 17	Northampton Uniting	Stephen Street Res	Stone building with CGI roof			
,	Church	7930	_			
NT 18	Railway Tavern	Lots 43, 44 & 45	Large rendered stone building with CGI			
		Hampton Road	roof			
NT 19	House & Fmr. Store	Lot 128 Hampton	Small stone house with CGI roof and			
	355 25 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	Road	adjacent stone outbuilding (barn)			
N= 00		Lot 130 Hampton	Large rendered stone house (now			
NT 20	Chiverton House Complex	Road	museum), with associated stone			
NT O		Lat / Hamari B. 1	outbuildings in walled courtyard			
NT 21	House (Long Cottage)	Lot 6 Hampton Road	Stone cottage with tiled roof			
NT 22	House	Lot 68 Hampton Road	Stone house with brick quoining and CGI roof			
NT 23	Cottage	Pt Lot 600 Gwalla	Small stone cottage with CGI roof and			
		Street	veranda			
NT 24	Old Manse	Cnr Gwalla/Brook	Rendered stone house with CGI roof &			
	Old Mullac	Streets Lot 315	veranda			
	Gwalla Church Ruins &	Res 31064 Second	Stone ruins of first church in			
NT 25	Cemetery	Avenue	Northampton and adjacent walled			
		ATCHOC	cemetery of first settlers.			

NT – Properties Located within Northampton Townsite



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	Places outside Northampton Townsite					
No.	Place	Address	Description			
ND 1	Kalbarri National Park	Res. 27004	Reserve containing natural landscape Park, flora, fauna and the river course and the rock formation			
ND 2	Murchison House	Murch. Loc. 13	Stone homestead, outbuildings and graveyard			
ND 3	Galena School Site	Loc. 65, Res 2461	Old school site			
ND 4	Geraldine Mine Site	Murch Loc 1	Ruins of first lead mine in WA, stone outbuildings and graveyard			
ND 5	Warribano Smelter Complex	Pt. Murch. Loc. 107	Ruins of a lead smelter			
ND 6	Mount View	Vic. Loc. 54 Ajana	Stone ruins of early farm buildings			
ND 7	Alma School Fmr.	Res. 24961 Rob Road	Timber framed one classroom building			
ND 8	Hutt Lagoon	Port Gregory	Extensive salt water lagoon			
ND 9	Port Gregory and Packington Townsite	Port Gregory	Packington townsite surveyed 1853			
ND 10	Lynton Convict Hiring Depot & Sanford House	Lynton	Archaeological ruins of hiring depot, two storey stone house and graveyard			
ND 11	Willow Gully	Lot 24 Horrocks Road, Sandy Gully	Stone homestead with wall garden, stone outbuildings and walled yards			
ND 12	Spring Valley	CG. 2366	Early stone farm buildings			
ND 13	Wheat Fortune Mine	CG. 436	Lead and Copper mine ruins			
ND 14	Bowes River and Nokanena Brook		Watercourse and Natural landscape			
ND 15	The Bowes	Lot 6 Nabawa- Northampton Road, Northampton	Stone homestead, outbuildings and graveyard			
ND 16	Cottage	Lot 1159 North West Coastal Highway Isseka	Stone farmhouse			
ND 17	Oakabella	Lot 4 Starling Road, Bowes	Stone homestead with walled garden, stone outbuildings including barn and shearing shed			
ND 18	Oakabella Creek		Watercourse and natural landscape			
ND 19	Farmhouse Brookside	Lot 2072 (Port Gregory Road) Sandy Gully	Stone farmhouse and outbuildings			
ND 20	Northampton State Battery Site	Res. 24975	Site now cleared			

9.8.2 HALFWAY BAY COTTAGES – PROPOSED ADDITIONS TO EXISTING COTTAGE – RESERVE 34945 HALFWAY BAY (ITEM 6.3.2)

Moved Cr PARKER, seconded Cr BOOTH

That Council grant approval to the GJ Collins family for a transportable building to be placed on the existing cottage site within the Halfway Bay Reserve providing the size and exterior finish to be in a manner that is consistent with existing cottages within the area and is subject to:



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- 1. The granting of a building licence;
- 2. New dwelling to be on existing site (Site No. 9) with old shack to be removed;
- 3. New dwelling to be no more than 75m² in area including veranda's;
- 4. That the applicant provide written agreement that they will enter into a formal lease for the site where the dwelling is to be located.

CARRIED 8/0

9.3.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)

Noted.

Mr Glenn Bangay, EHO/Building Surveyor and Mrs Hayley Williams, Principal Planner left the meeting at 2.15pm.

9.9 FINANCE REPORT

9.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr SIMKIN, seconded Cr BOOTH

That Municipal Fund Cheques 18485 to 18515 inclusive, totalling \$46,958.02; Municipal EFT payments numbered EFT7958 to EFT8082 inclusive totalling \$392,241.88, Direct Credit payments GJ02-01 – GJ02-05 totalling \$1,845.93 and Trust Fund Cheques 1783 totalling \$200.00, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

9.9.2 MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)

Moved Cr CARSON, seconded Cr LEGGETT

That Council adopts the Monthly Financial Report for the period ending 31 August 2010 and notes any material variances greater than \$5,000

CARRIED 8/0

9.10 ADMINISTRATION & CORPORATE REPORT

Cr Leggett declared an interest in item 6.5.1 Tender 1/2011 – Old School Subdivision as he owns the neighbouring property and therefore may incur a financial gain or loss and left the meeting at 2.23 pm.



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9.10.1 TENDER 1/2011 - OLD SCHOOL OVAL SUBDIVISION (ITEM 6.5.1)

Moved Cr STOCK-STANDEN, seconded Cr Carson

That Council accepts the tender submitted by Northcoast Contractors for the installation of services to the residential subdivision on Lot 21 Robinson Street for the sum of \$339,195.45 GST inclusive.

CARRIED 7/0

Cr Leggett re-entered the meeting at 2.26pm.

9.10.2 KALBARRI BOAT RAMP REPAIRS (ITEM 6.5.2)

Moved Cr GLIDDON, seconded Cr BOOTH

That Council endorses the purchase of six replacement concrete mats for the Kalbarri northern boat ramp utilising the \$15,000 provision within the 2010/2011 budget for this purchase.

CARRIED 8/0 BY ABSOLUTE MAJORITY

9.10.3 PUBLIC ABLUTIONS – BINNU (ITEM 6.5.3)

Moved Cr CARSON

That Council approved the purchase of the Yarra 2 toilet for Binnu for the additional cost of \$5,790 and be approved as authorised expenditure.

MOTION LAPSED DUE TO LACK OF SECONDER

Moved Cr BOOTH, seconded Cr STOCK-STANDEN

That Council obtain an alternative quotation from Wideglide Constructions to construct a two (2) pedestal (including disabled access for one pedestal) based on a similar design as the Yarra 2 from Modus Australia.

CARRIED 7/1

Cr Leggett declared an interest in item 6.5.4 Lease – Horrocks Caravan Park as he owns the Northampton Caravan Park and therefore may incur a financial gain or loss and left the meeting at 2.45pm.



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9.10.4 LEASE – HORROCKS CARAVAN PARK (ITEM 6.5.4)

Moved Cr SIMKIN, seconded Cr STOCK-STANDEN

That Council:

- 1. Enter into a new lease for Crown Reserve 29152, Horrocks Beach Caravan Park with Sydney & Kaye Barnes and Robin & Maria Rodgers subject to the requirements/provision of Section 3.58 of the Local Government Act 1995.
- 2. That the term of the lease to be 21 years as per the current Management Order.
- 3. That Council not approve the inclusion of Lot 101 Glance Street within the new lease and the lessees be advised that for any future overflow requirements that they approach the Council for use of the Horrocks oval.

CARRIED 7/0

Cr Leggett re-entered the meeting at 2.50pm.

Cr Stock-Standen declared an interest in item 6.5.5 Application to Clear Native Vegetation as she is employed by the applicant and therefore may incur a financial gain or loss and left the meeting at 2.50pm.

9.10.5 APPLICATION TO CLEAR NATIVE VEGETATION (ITEM 6.5.5)

Moved Cr GLIDDON, seconded Cr LEGGETT

That Council advise the Department of Mines and Petroleum that it supports the clearing as proposed.

CARRIED 7/0

Cr Stock-Standen re-entered the meeting at 2.51pm.

9.10.6 COLLECTIVE AGREEMENT – WORKS STAFF EMPLOYEES (ITEM 6.5.6)

Moved Cr BOOTH, seconded Cr STOCK-STANDEN

That Council approve back pay for all works staff and ancillary staff covered by the Collective Agreement at the adjusted revised rates approved in the Collective Agreement as from 1st July 2010.

CARRIED BY ABSOLUTE MAJORITY 8/0



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9.10.7 ROYALTIES FOR REGIONS PROGRAM (ITEM 6.5.7)

Moved Cr SIMKIN, seconded Cr GLIDDON

That Council provides in-principle support to the grouping of the Shires of Northampton, Chapman Valley and Irwin for the distribution of the regional component of the Royalties for Regions Funding to the following projects with the time frame and allocation of the funding to be determined:

Northampton Shire - redevelopment of the Northampton Community Centre

Chapman Valley Shire – Upgrade of the East Bowes Road to a 7m wide bitumen seal.

Irwin – Construction of Henry Road and foreshore erosion control.

CARRIED 8/0

9.10.8 NORTHAMPTON COMMUNITY CENTRE REDEVELOPMENT (ITEM 6.5.8)

Noted.

9.10.9 OFFICIAL OPENING OF KALBARRI OVAL REDEVELOPMENT (ITEM 6.5.9)

Moved Cr SIMKIN, seconded Cr PARKER

That due to the unavailability of the Minister for Regional Development or another State Government representative that Council elect not to conduct an official opening for the Kalbarri Oval Redevelopment.

CARRIED 8/0

9.10.10 PUBLIC TOILETS - BABY CHANGE TABLES (ITEM 6.5.10)

Moved Cr STOCK-STANDEN, seconded Cr BOOTH

That Council purchase 3 (three) Baby Change Stations for the Kings Park, Lions Park and Binnu Hall toilets with expenditure to be approved as authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 8/0

<u>AFTERNOON TEA ADJOURNMENT</u>

Council adjourned for afternoon tea at 3.10pm and reconvened at 3.21pm with the following in attendance:



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

9.11 PRESIDENTS REPORT

The President wished to thank Cr Parker for deputising whilst he was on leave and therefore had nothing to report.

9.12 DEPUTY PRESIDENTS REPORT

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

- Special BROC meeting with the Deputy CEO to discuss the Royalties for Regions 35% allocation for regional projects.
- Midwest Economic & Resources Summit in Geraldton with Cr Carson.
- Kalbarri Sport & Recreation meeting.
- Regional Road Group meeting with the CEO.
- Grants Commission meeting with CEO, DCEO, Cr Carson & Cr Cripps.
- BROC meeting which discussed the "Power" issue in the Midwest.
- Opening of the Rainbow Jungle Sculpture Exhibition with Cr Gliddon & Cr Booth.
- Royalties for Regions meeting with the CEO and representatives from the Shires of Irwin and Chapman Valley to discuss the groups regional projects.
- Maritime Advisory Committee meeting in Kalbarri with Cr Gliddon which discussed the landbacked wharf which is to start in 2-3 weeks and be completed prior to Christmas.
- Kalbarri Development Association meeting with Cr's Booth & Gliddon.

9.13 COUNCILLORS REPORT

9.13.1 Cr LEGGETT

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

 Northampton Tourist Association meeting which discussed the Airing for the Quilts and concerns over the state and excessive use as a camping area of the Elephant Hill Rest area.



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Moved Cr Gliddon, seconded Cr LEGGETT

That Council write to Main Roads expressing the concerns of the community over the overuse of the rest area site north of Elephant Hill as an overnight camping area and that Main Roads be requested to install signage at the site advising that it is a rest area only and not a camping area.

CARRIED 8/0

9.13.2 Cr CARSON

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

- Midwest Economic & Resources Summit in Geraldton.
- Grants Commission meeting.

9.13.3 Cr BOOTH

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

- Opening of the Rainbow Jungle Sculpture Exhibition.
- Kalbarri Development Association meeting.
- Peet Park update- Special thanks to Sue Koppensteiner and helpers to have reticulation installed with just a few small items remaining.

9.13.4 Cr GLIDDON

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

- Relay for Life teleconference to organise an event in Kalbarri.
- Opening of the Kalbarri Art & Craft Exhibition.
- Opening of the Rainbow Jungle Sculpture Exhibition.
- Kalbarri Development Association meeting.
- Maritime Advisory Committee meeting.
- Kalbarri Visitor Centre AGM which did not raise a quorum.

9.14 INFORMATION BULLETIN

Noted.

8.15 NEW ITEMS OF BUSINESS

Nil.



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8.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held at the Allen Centre meeting room, Grey Street, Kalbarri, on Friday the 15th October 2010.

8.17 CLOSURE

There being no further business, the President thanked all present for their attendance and declared the meeting closed at 4.05pm.