

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road,
Northampton on the 19 December 2012

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12.1 OPENING

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

12.2 PRESENT

| | | |
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| Cr G Wilson | President | Northampton Ward |
| Cr B Cripps | | Northampton Ward |
| Cr T Carson | | Northampton Ward |
| Cr C Simkin | | Northampton Ward |
| Cr S Stock-Standen | | Northampton Ward |
| Cr J Booth | | Kalbarri Ward |
| Mr Garry Keeffe | Chief Executive Officer | |
| Mr Neil Broadhurst | Manager Works & Technical Services | |
| Mrs Hayley Williams | Principal Planner | |

12.2.1 LEAVE OF ABSENCE

Nil

12.2.2 APOLOGIES

Cr P Gliddon

12.3 QUESTION TIME

There were no members of the public present therefore no questions were put to Council.

12.4 CONFIRMATION OF MINUTES

**12.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 16th
NOVEMBER 2012**

Prior to the confirmation of the minutes, Council discussed an email and subsequent telephone conversations received by Councillors from Wendy Payne in regards to the accuracy of the minutes in relation to the first question put to Council at the November meeting. Query was if the question related to the structure plan or the Payne's letter being rejected.

CEO reported that no letter from the Payne's had been rejected by Council and all correspondence received from them had been provided to Councillors to be considered in association with officers reports on this matter.

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Neither Councillors nor officers were able to recall reference to the question being related to the rejection and with the recorded answer to the question relates to the rejection of the structural plan, Council considered the minute is accurate on this matter.

Moved Cr BOOTH, seconded Cr STOCK-STANDEN

That the minutes of the Ordinary Meeting of Council held on the 16th November 2012 be confirmed as a true and correct record subject to the following amendments:

Minute 11.10.1 – change the heading by deleting the word “OWN” and replacing it with the word “DOWN”.

Minute 11.12.4 – change Cr Booth to Cr Gliddon.

CARRIED 6/0

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| 12.4.1.1 BUSINESS ARISING FROM MINUTES |
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Minute 11.8.3 – CEO advised that the applicant has indicated he will be lodging an appeal against the Councils decision in rejecting his application for a food van at the Horrocks Beach Caravan Park.

Minute 11.14.1 – boat jinker and bus frame with yacht were in the process of being removed from the foreshore area this date.

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| 12.5 RECEIVAL OF MINUTES |
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Moved Cr STOCK-STANDEN, seconded Cr CARSON

That the minutes of the Audit Committee held 19th December 2012 be received.

CARRIED 6/0

Moved Cr CRIPPS, seconded Cr STOCK-STANDEN

That the 2011/2012 Annual Report, including the Annual Financial Statements, Audit Report and Management Report as presented be received.

CARRIED 6/0

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| 12.6 WORKS REPORT |
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| 12.6.1 MAINTENANCE WORKS/PROGRAMMED WORKS (ITEM 6.1.1) |
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Noted

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12.6.2 OGILVIE EAST ROAD CONSTRUCTION – PROGRESS & FINANCE
REPORT (ITEM 6.1.2)

Moved Cr CRIPPS, seconded Cr CARSON

That the section of the Ogilvie East Road being the “S” bend and water crossing near Mark Johnson’s farm entrance, be re-constructed on the exiting alignment

CARRIED 6/0

Mr Broadhurst left the meeting at 1.33pm

12.7 HEALTH/BUILDING REPORT

12.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

12.8 TOWN PLANNING REPORT

The CEO Mr Garry Keeffe declared an interest in the following item as he owns property within the Rake Place subdivision and may incur a financial gain or loss from the Council decision. The CEO remained in the meeting.

12.8.1 DRAFT LOCAL PLANNING POLICY – RAKE PLACE DEVELOPMENT
GUIDELINES (ITEM 6.3.1)

Moved Cr BOOTH, seconded Cr SIMKIN

That Council pursuant to Section 2.4 of the Shire of Northampton Local Planning Scheme No.10 resolve to:

- 1 Adopt draft Local Planning Policy ‘Rake Place Development Guidelines’ for public comment and advertise it for a period of 42 days;
- 2 Should no written, author-identified objections be received during the 42 day advertising period, then adopt for final approval Local Planning Policy ‘Rake Place Development Guidelines and proceed to publish a notice to this effect in the local newspaper; and
- 3 Should there be any written, author-identified objections received during the advertising period, require staff to present to Council a further report.

CARRIED 6/0

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| 12.8.2 | FINAL ADOPTION LOCAL PLANNING POLICY – COMMERCIAL RECREATIONAL TOURISM ACTIVITY ON CROWN RESERVES (ITEM 6.3.2) |
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Moved Cr CARSON, seconded Cr STOCK-STANDEN

Adopt for final approval the Local Planning Policy “Commercial Recreational Tourism Activity on Crown Reserves” as advertised and publish a notice to this effect in the local newspaper.

CARRIED 6/0

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| 12.8.3 | PROPOSED UNISEX ABLUTION FACILITY – KALBARRI WILDFLOWER CENTRE – LOT 825 (NO.6531) AJANA-KALBARRI ROAD, KALBARRI (ITEM 6.3.2) |
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Moved Cr SIMKIN, seconded Cr BOOTH

That Council grant planning approval to the proposed unisex ablution facilities on Lot 825 (No. 6531) Ajana-Kalbarri Road, Kalbarri subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 19 December, 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government;
2. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
3. The development shall be consistent or complementary in colour with it's environment to the approval of the local government;
4. This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period;
5. The Applicant/Owner is to remove the ablution facility and associated buildings when Lot 825 is subject of an approved subdivision, where it cannot be demonstrated that it meets all of its statutory and strategic requirements under the approved Structure Plan, Local Planning Scheme and its associated policies;
6. A building permit shall be issued by the local government prior to the commencement of any work on the site;

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7. All stormwater is to be disposed of on-site to the specifications and approval of the local government; and
8. The Applicant is advised that the development will require the installation of a septic tank, which requires the approval of the local government pursuant to the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974. The Applicant is advised that septic tanks will not be approved closer than 1.2m to the foundations of any building, or the boundary of any lot. Disposal systems (ie soakwell, leach drain) are not to be closer than 1.8m to any boundary of a lot, building, septic tank or disposal system.

Advice Notes:

- a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- b) Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.

CARRIED 6/0

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| 12.8.4 PROPOSED OUTBUILDING – LOT 909 (NO. 15) MAINWARING DRIVE, KALBARRI (ITEM 6.3.4) |
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Moved Cr BOOTH, seconded Cr SIMKIN

That Council:

1. Refuse the application as submitted.

Reasons for refusal:

- (i) The proposed outbuilding does not accord with Clause 6.2.1 (A1.1i) of the *Residential Design Codes of Western Australia* given that the outbuilding is setback 2m from the primary street. Furthermore, the proposed development is not considered to meet the performance criteria of this clause as it will not contribute to the desired streetscape of Mainwaring Drive.
- (ii) The proposed outbuilding does not accord with Clause 6.3.1 (A1i) of the *Residential Design Codes of Western Australia* given that the proposed outbuilding is setback 1m from the side boundary (west). Furthermore, the proposed development is not considered to meet the performance criteria of this clause as the increased wall height and length will not assist in ameliorating building bulk on the adjoining property.

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- (iii) The proposed outbuilding does not accord with:
 - (a) Clause 6.10.1 (A1vi) of the *Residential Design Codes of Western Australia* as the outbuilding is located within the primary street setback area; and
 - (b) Clause 6.10.1 (A1viii) of the *Residential Design Codes of Western Australia* as the outbuilding is located 1m from the side boundary (west);
 - (c) Furthermore, the proposed development is not considered to meet the performance criteria of the same clause as the outbuilding will detract from the streetscape and visual amenity of neighbouring properties.
 - (iv) The proposed outbuilding does not accord with the following Clauses of the Shire of Northampton Local Planning Policy – Outbuildings:
 - (a) 4.2.2(a) as the proposed outbuilding has a wall height in excess of 3.0m;
 - (b) furthermore, the proposed development is not considered to meet the objectives of the Local Planning Policy as the visual impact of the outbuilding will be detrimental to the streetscape.
 - (v) It is further noted that the issue of precedence cited by the Applicant/Owner is not a valid planning argument, given that the outbuilding located at No 14 Pederick Place is only 36m², with a wall height of 2.6m which is significantly different in size and bulk to that proposed by this Application.
2. Advise the Applicant to resubmit amended plans to denote an outbuilding with a dimension of no more than 6m x 6m with a wall height no greater than 2.6m then Council will approve granting planning approval to a reduced front setback of 2m and building to be constructed of same materials to match the current residence.
 3. That the CEO be given delegated authority provide planning approval if amended plans as per Item 2 are received.
 4. Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.

CARRIED 6/0

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Council did not support the officer's recommendation to advertise the original application as it did not support the application as submitted due to the size of the outbuilding.

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| 12.8.5 | PROPOSED REPLACEMENT OF PORTION OF PYLON SIGN – RESERVE 25307, GREY STREET, KALBARRI (ITEM 6.3.5) |
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Moved Cr SIMKIN, seconded Cr CARSON

That Council grant planning approval to the proposed replacement of a portion of the existing sign on Reserve 25307 Grey Street, Kalbarri subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 19 December, 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;
2. The Applicant is to submit a plan which includes the specific details of the proposed advertisement to the Chief Executive Officer for approval and the Chief Executive Officer being given delegated authority to approve the details of the sign;
3. If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;
4. The approval is for one (1) sign to be mounted as a replacement of the advertisement for the Kalbarri River Queen on the existing pylon sign and shall be of the same dimensions as the existing sign;
5. The sign is to be maintained to the approval of the local government; and
6. The sign is to be securely fixed in position at all times; and
7. Should the operation – Kalbarri Wilderness Canoeing cease operations then they are responsible for the removal of the sign.

Advice Notes:

- a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.

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- b) Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.

CARRIED 6/0

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| 12.8.6 | INFORMATION ITEM - PROPOSED SUBDIVISION GUIDE PLAN – LOTS 582 RED BLUFF ROAD & LOTS 830, 831 & 832 BRIDGEMAN ROAD, KALBARRI (ITEM 6.3.6) |
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The Principal Planner provided Council with a summary of this development from its beginnings to the current status and provided time lines of events and processes that have occurred.

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| 12.8.7 | PROPOSED HOLIDAY CRAFT ACTIVITY – RESERVE 25307 GREY STREET, KALBARRI (ITEM 6.3.7) |
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Moved Cr STOCK-STANDEN, seconded Cr CARSON,

That Council:

1. Grant Planning Approval for an experiential use (art and craft activity) located near Sally's Tree on Reserve 25307 Grey Street, Kalbarri subject to the following conditions:
 - (a) This approval is only valid from Monday 7th January, 2013 until Friday 25th January, 2013 from 9.00am to 3.00pm each day;
 - (b) The transportable gazebo proposed to be used by the Applicant is to be removed from the Reserve at the end of the activity each day;
 - (c) Development shall be in accordance with the attached approved plan(s) dated 19 December, 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. Any intended departure from the approved plans must be the subject of a fresh planning approval issued by the local government;
 - (d) No signs are to be erected on Reserve 25307 without the local government's approval; and
 - (e) The activity is not to involve the retail sale of goods of any nature.
2. Waive the planning application fee of \$100.

CARRIED 6/0

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| 12.8.8 | SUMMARY OF PLANNING ITEMS UNDERTAKEN BY DELEGATION (ITEM 6.3.8) |
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Noted

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| 12.8.9 | IN-PRINCIPLE SUPPORT – TRANSPORT DEPOT – LOT 6888 NORMANS WELL ROAD, NORTHAMPTON (ITEM 6.3.9) |
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Moved Cr STOCK-STANDEN, seconded Cr CARSON

That Council:

1. Provide their “In-principle” support to the relocation of the “Transport Depot” at Lot 226 (No. 89) Onslow Street, Northampton to Lot 6888 Normans Well Road, Bowes once it can be demonstrated that the Applicant/Owner is able to secure the successful rezoning of the subject property from “General Rural” to “Special Use – Transport Depot”;
2. Advise the Applicant/Owner that they will need to engage a suitably qualified Town Planning Consultant to prepare Scheme Amendment documentation; and
3. Advise the Applicant/Owner to liaise with the Department of Planning / Western Australian Planning Commission to obtain their support for the subject rezoning.

CARRIED 6/0

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| 12.9 FINANCE REPORT |
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| 12.9.1 | ACCOUNTS FOR PAYMENT (ITEM 6.4.1) |
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Moved Cr CARSON, seconded Cr STOCK-STANDEN

That Municipal Fund Cheques 19516-19558 to inclusive, totalling \$109,054.84, Municipal EFT payments numbered EFT10615 to EFT10728 inclusive totalling \$660,217.74, Direct Debit payments GJ05-11 to GJ05-16 totalling \$3,615.60, Trust Fund Cheques 1883-1886 inclusive, totalling \$2,459.30, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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12.9.2 MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)

Moved Cr BOOTH, seconded Cr SIMKIN

That Council adopts the Monthly Financial Report for the period ending 30 November 2012 and notes any material variances greater than \$5,000.

CARRIED 6/0

12.10 ADMINISTRATION & CORPORATE REPORT

12.10.1 APPOINTMENT OF DEPUTY CEO (ITEM 6.5.1)

Moved Cr CRIPPS, seconded Cr CARSON

That Council endorses the actions of the CEO in appointing Grant Middleton to the position of Deputy Chief Executive Officer.

CARRIED 6/0

12.10.2 AUTHORISED OFFICER – DOG ACT & LOCAL LAWS (ITEM 6.5.2)

Moved Cr BOOTH, seconded Cr SIMKIN

That Grant Middleton be duly appointed as authorised officer to exercise powers pursuant to the following:

1. Dog Act 1976
2. Bush Fires Act – Bush Fire Control Officer
2. Local Laws Relating to:

Reserves & Foreshores, Removal & Disposal of Obstructing Vehicles, Safety & Decency, Convenience and Comfort of persons in respect of bathing.

The previous appointment of Jameon Criddle be cancelled.

CARRIED 6/0

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12.10.3 2013 COUNCIL MEETING DATES (ITEM 6.5.3)

Moved Cr SIMKIN, seconded Cr CARSON

That Council:

1. That Council holds their ordinary meetings on the following dates:

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|---------------------------|----------------------------|
| No meeting January | July 19 th |
| February 22 nd | August 16 th |
| March 22 nd | September 20 th |
| April 19 th | October 18 th |
| May 17 th | November 15 th |
| June 21 st | December 18 th |

2. That all meetings commence at 1.00pm.

3. That the February, June and October meetings be held at the Allen Centre in Kalbarri with all other meetings to be held at the Northampton Council Chambers.

CARRIED 6/0

12.10.4 ANNUAL ELECTORS MEETING (ITEM 6.5.4)

Moved Cr SIMKIN, seconded Cr CARSON

That the Annual Electors meeting be held Wednesday 2nd February 2012 commencing at 7.00pm at the Northampton Council Chambers.

CARRIED 6/0

12.10.5 TENDER – NORTHAMPTON LIGHT INDUSTRIAL AREA (ITEM 6.5.5)

Moved Cr CARSON, seconded Cr CRIPPS

That Council accept the tender from Geographe Excavation and Underground Power of \$228,809 for the installation of electricity, water and telecommunication services at the Northampton Light Industrial development

CARRIED 6/0

12.10.6 PROPOSED UNITS – NORTHAMPTON LIGHT INDUSTRIAL AREA (ITEM 6.5.6)

Moved Cr SIMKIN, seconded Cr CRIPPS

That Council endorses the draft design and lot layout for the proposed Northampton Light Industrial Units as presented.

CARRIED 6/0

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AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 3.01pm and reconvened at 3.15pm with the following in attendance:

Cr Wilson, Cr Stock Standen, Cr Booth, Cr Simkin, Cr Carson, Cr Cripps, the Chief Executive Officer, Garry Keeffe.

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| 12.10.7 PROPOSED SHELTERS, TABLES & BENCH SEAT SETTINGS – KALBARRI SHOPPING CENTRE (ITEM 6.5.7) |
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Moved Cr STOCK-STANDEN, seconded Cr SIMKIN

That Council acknowledge the efforts of the Kalbarri Development Association in attempting to improve the aesthetics of the Kalbarri shopping centre precinct however advise that as a result of the community consultation that the installation of shelters was not supported and if the KDA wish to progress with the installation of tables with bench seat settings and promotional signage as proposed on Council controlled land within this area then Council has no objection to such improvements subject to the correct planning approvals for the signage being obtained.

CARRIED 6/0

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| 12.10.8 PLAYGROUND EQUIPMENT – LIONS PARK (ITEM 6.5.8) |
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CEO advised that as a result of inquiries from the Northampton Child Care Centre (refer Item 6.5.10) that Lotterywest had indicated that the Lions Club should lodge a funding application to Lotterywest for the replacement of playground equipment at the Lions Park and therefore this item be deferred for further consideration until the outcome of that application is known.

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| 12.10.9 LEASE – HORROCKS RECREATION/GOLF AREA (ITEM 6.5.9) |
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Moved Cr BOOTH, seconded Cr CARSON

That Council approve the entering into a lease for a term of 21 years with the Horrocks Community Centre Inc on Crown Reserves 2915, 48817 and Council Lot 9501 Horrocks, and the lease area be as per the revised lease plan as presented which includes an area north of the Little Bay Road.

CARRIED 6/0

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**12.10.10 CHANGE OF BUDGET PURPOSE TO PROVIDE FINANCIAL ASSISTANCE
(ITEM 6.5.10)**

Moved Cr CARSON, seconded Cr CRIPPS

1. That Council offer a grant of \$12,000 to the Northampton Child Care Centre to assist in their operations with the grant to be paid in full by the 31 December 2013.
2. If the grant is accepted then Council utilise the current budget provision for upgrades to the Northampton Child Care Centre of \$5,700 and declare the balance of \$6,300 as authorised expenditure.

CARRIED 6/0 BY AN ABSOLUTE MAJORITY

**12.10.11 NORTHAMPTON/AJANA RAILWAY CENTENARY CELEBRATIONS (ITEM
6.5.11)**

Noted

12.10.12 RESERVE 51228 – RIGHT OF WAY, NORTHAMPTON (ITEM 6.5.12)

The CEO Mr Garry Keeffe declared an interest in the following item as he owns property within the Rake Place subdivision and may incur a financial gain or loss from the Council decision. The CEO remained in the meeting.

Moved Cr STOCK-STANDEN, seconded Cr SIMKIN

That Council advise the Department of Regional Development and Lands that it has no comments to make and supports the issuing of a Management Order over Reserve 51228 drawn in favour of the Shire of Northampton for the purpose of a Right of Way.

CARRIED 6/0

12.11 PRESIDENTS REPORT

Cr Wilson reported on his attendance to the following:

- Northampton 150th Anniversary Community meeting where further planning for an event and monument was discussed.
- WALGA Northern Zone meeting where the two recommendations by the Northampton Shire Council were accepted by the Zone.
- On invitation from the CEO attended the interviews of two applicants for the position of Deputy CEO.
- Annual end of year Christmas function for staff and Councillors.
- Performed a citizenship ceremony for Fleur Newcombe.

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- Iron Ore Alliance Christmas Function, considers that the iron ore industry is still solid within the Mid West.
- With the CEO and Cr's Simkin and Cripps, inspected the Morawa Industrial Units.
- Attended a forum on potential water usage for agriculture at the Department of Food and Agriculture in Geraldton.

12.12 COUNCILLORS REPORT

12.12.1 CR CRIPPS

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

- Inspected the Morawa Industrial Units.
- Annual end of year Christmas function for staff and Councillors.

12.12.2 CR SIMKIN

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

- WALGA Northern Zone meeting where the two recommendations by the Northampton Shire Council were accepted by the Zone.
- Inspected the Morawa Industrial Units.
- Annual end of year Christmas function for staff and Councillors.

12.12.2 CR BOOTH

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

- On an invitation, attended a Kalbarri Sport and Recreation Club meeting in regards to their future plans for the relocation of the tennis and netball/basketball courts.
- Kalbarri Visitor Centre Meetings.
- Kalbarri Foreshore Parkland Community Committee meeting.

12.12.2 CR CARSON

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

- Attended a forum on potential water usage for agriculture at the Department of Food and Agriculture on Geraldton. A major component of the meeting was related to salinity and the distance for when water will rise to the surface. Unfortunately did not relate to potential water supplies.
- Annual end of year Christmas function for staff and Councillors.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road,
Northampton on the 19 December 2012

12.12.2 CR STOCK-STANDEN

Since the last Council meeting Cr Stock-Standen reported on her attendance to:

- Northampton 150th Anniversary Community meeting. Committee is planning for one major event to be held on the Sunday of the March 2014 long weekend. Event will be a concert with high profile artists, local artists, food vans etc.

Committee also considered a proposal of a clock tower in the centre of Northampton which will be sculptured with items on how Northampton has progressed through time.

With other community groups and clubs also planning their own events the Committee through the Northampton Shire office will maintain a community calendar of events.

12.13 INFORMATION BULLETIN

Noted.

12.14 NEW ITEMS OF BUSINESS

No new items of business were raised.

12.15 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held at the Northampton Council Chambers, Hampton Road, Northampton on Friday the 22nd February 2013.

12.16 CLOSURE

There being no further business, the President wished all Councillors and their families a Merry Christmas and a happy and prosperous New Year and declared the meeting closed at 4.25pm.