

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council
Chambers, Hampton Road, Northampton on Wednesday 19th March 2008**

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3.1 OPENING

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

3.2 PRESENT

Cr G Parker	President	Northampton Ward
Cr G Wilson	Deputy President	Northampton Ward
Cr E Simkin		Northampton Ward
Cr V Maskrey		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr O Simkin		Northampton Ward
Cr A Link		Kalbarri Ward
Cr L Parker		Kalbarri Ward
Cr R Allen		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Anthony Gollan	Deputy Chief Executive Officer	
Mr Rod Bayliss	Environmental Health/Building Surveyor	
Mrs Hayley Williams	Principal Planner	
Mr Neil Broadhurst	Manager of Works and Technical Services	

3.2.1 LEAVE OF ABSENCE

Nil

3.2.2 APOLOGIES

Cr P Gliddon	Kalbarri Ward
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3.3 QUESTION TIME

Members of the public were present.

Mr John Garvey made a presentation to Council in regards to Item 6.2.10 of the 19th March 2008 Town Planning Report, with no questions being asked of Council.

The President informed Mr Garvey that this issue will be dealt with by Council during the meeting when it arises.

3.4 CONFIRMATION OF MINUTES

**3.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL
MEETING 15TH FEBRUARY 2008**

Moved Cr L Parker, seconded Cr O Simkin

That the minutes of the Ordinary Meeting of Council held on the 15th February 2008 be confirmed as a true and correct record.

CARRIED 9/0

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3.4.1.1 BUSINESS ARISING FROM MINUTES

Nil

3.5 RECEIVAL OF MINUTES

Nil

3.6 WORKS, RESERVES & BEACHES REPORT

3.6.1 MAINTENANCE WORKS/PROGRAM WORKS (ITEM 6.1.1)

Noted

3.6.2 CLEARING PERMITS FOR GRAVEL AQUISITION (ITEM 6.1.2)
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Moved Cr L Parker, seconded Cr E Simkin

That Council:

1. relinquish its Clearing Permits 2033/1 and 2079/1.
2. express its concerns to the Minister for Environment and Conservation on the costs of compliance in both dollar and administrative costs.
3. inform the Department of Environment and Conservation that no responsibility will be taken by Council into unauthorised activities on these areas.

CARRIED 9/0

3.6.3 TENDER 08/2008 – SUPPLY ONE INDUSTRIAL SELF PROPELLED MOWER PLUS TRAILER (ITEM 6.1.3)
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Moved Cr Stock-Standen, seconded Cr Maskrey

That Council award Tender 08/2008 to Walton's Geraldton for the purchase of a John Deere 1445 out-front mower at a net cost of \$34,900 excluding GST.

CARRIED 9/0

The Manager of Works and Technical Services, Mr Neil Broadhurst left the meeting at 1.31pm.

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3.7	TOWN PLANNING REPORT
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3.7.1	PRIVATE MEMBERS BILL – PLANNING AND DEVELOPMENT ACT – THIRD PARTY APPEALS (ITEM 6.2.1)
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Moved Cr Allen, seconded Cr Stock-Standen

That Council resolve in regards to the draft Private Members Bill – Third Party Appeals to:

1. Advise the Honourable Member for Alfred Cove, Dr Janet Woollard MLA that whilst the Council understands the Private Members Bill – Third Party Appeals is well intentioned, it has grave concerns over the implications of the draft legislation, as the Draft Bill will:
 - a. Place significantly greater financial burden on smaller Local Authorities through:
 - i. An increased referral process for development applications;
 - ii. The need to undertake further amendment to its existing Town Planning Schemes;
 - iii. Increased legal representation and expert advice to address the third party appeals; and
 - iv. Increased administrative support to address third party appeals.
 - b. Impose greater delays on processing applications and handing down decisions of Council through the planning process, notwithstanding the increased burden on the development industry at a time when criticism is directed at the planning process and local government for being too bureaucratic;
 - c. Provide an opportunity for aggrieved parties to lodge vexatious claims of objection against Council decisions causing unnecessary delays at great cost through the appeals process;
 - d. Impose a greater burden on the State Administrative Tribunal, again causing an increase in cost and delays contrary to calls from the development industry to improve the planning process.

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It is the view taken by this organisation that individual Councils are elected to represent the interests of the whole community and make valued and informed judgements and decisions on planning matters pursuant to the operational function, permissibility and discretion afforded under respective Town Planning Schemes. The Council is concerned ‘Third Party Appeal’ legislation could be abused by some individuals and groups to the detriment of the planning process.

2. Support WALGA’s recommendation that:
 - a. The member for Alfred Cove, Dr Janet Woollard MLA and the Minister for Planning and Development, Hon Alannah MacTiernan be advised of the inaccuracies and duplications contained in the proposed *Planning and Development Amendment (Third Party Appeals) Bill 2007*; and
 - b. As there is no justification for the proposed legislation and there are significant negative implications for Local Government, industry and the community, Local Government continues to be opposed to the introduction of third party appeal rights in Western Australia.

CARRIED 9/0

3.7.2	INFORMATION ITEM – AUSTRALIAN URBAN/PLANNING HISTORY CONFERENCE 2008, CALOUNDRA, QUEENSLAND (ITEM 6.2.2)
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Noted

3.7.3	PROPOSED LOW KEY PASTORAL BASED TOURISM ACTIVITIES & ACCOMODATION – COOLCALALAYA STATION, COOLCALALAYA (ITEM 6.2.3)
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Moved Cr Allen, seconded Cr Link

That Council resolve the proposed development/use – “Low-key pastoral based tourism activities and accommodation” is in accordance with the objectives and policy statements of Town Planning Scheme No. 6, Shire of Northampton Local Rural Strategy and Draft Local Planning Strategy and therefore:

1. Advertise the proposed low-key pastoral based tourism activities and accommodation at Coolcalalaya Station, Coolcalalaya pursuant to Clause 10.2 of Town Planning Scheme No. 6 – Northampton;
2. Refer the Application to relevant Government Agencies; and

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3. On completion of advertising if no adverse submissions are received, grant delegation to the Chief Executive Officer to approve the Planning Application.

CARRIED 9/0

3.7.4	PROPOSED SIGNAGE – RAINBOW JUNGLE OUTDOOR CINEMA, LOT 830 (NO. 14) BRIDGEMAN ROAD, KALBARRI (ITEM 6.2.4)
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Moved Cr Link, seconded Cr Stock-Standen

That Council grant planning approval for 60m² sign on the rear (north side) of cinema screen at Parrotiso’s Outdoor Cinema, Lot 830, (No. 14) Bridgeman Road, Kalbarri subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 19 March, 2008 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 approval is for one horizontal sign (12 metre x 5 metre) to be affixed on the rear of the existing cinema screen;
3. The signs are to be securely fixed in position at all times; and
4. The signs are to be maintained to the approval of the local government.

CARRIED 9/0

3.7.5	PROPOSED SIGNAGE – NORTHAMPTON BOOK EXCHANGE, LOT 12 (SHOP 3/NO. 221) HAMPTON ROAD, NORTHAMPTON (ITEM 6.2.5)
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Moved Cr O Simkin, seconded Cr Maskrey

That Council grant planning approval for the two (2) advertising signs (1x verandah Sign and 1x Vertical Sign) on Lot 12 (Shop No. 3/No. 221) Hampton Road, Northampton, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 19 March, 2008 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 approval is for one (1) verandah Sign (400mm x 2000mm) to be affixed at a right angle to Shop 3, with a minimum of 2210mm clearance from the underside of sign and one (1) Vertical Sign (900mm x 460mm) to be affixed between entrance door and window Shop 3;

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3. The signs are to be securely fixed in position at all times; and
4. The signs are to be maintained to the approval of the local government.

ADVICE NOTES:

1. The Applicant/Owner is advised that it is recommended that the sign to be fixed to the underside of the verandah be installed to minimise the impact of the wind.
2. The Owner/Applicant is encouraged to reinstate the original window form to the shop frontage. The modern style aluminium framed window detracts from an otherwise significant row of highly authentic shops.

CARRIED 9/0

3.7.6	DRAFT LOCAL PLANNING STRATEGY – CONCLUSION OF PUBLIC ADVERTISING (ITEM 6.2.6)
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Moved Cr Maskrey, seconded Cr Wilson

That Council resolve to endorse the Shire of Northampton Local Planning Strategy modifications/amendments included within the Schedule of Submissions Table attached to Town Planning Report 19 March, 2008 as follows:

1. Alter wording of Section 4.3.3 whilst also noting that it is a “licensed non-potable water supply”:

“...current water supply is a licensed non-potable water supply that is operated by the Shire of Northampton and is not to a potable standard considered acceptable by the Water Corporation.”
2. Include additional provisions relevant to SPP 3.5 Historic Heritage Conservation within Section 2.1.2 – State Planning Framework;
3. Modify section 7.1.4 and 7.2.1 to include the following:
 - Ensure that protection of heritage places is provided through a comprehensive heritage schedule in the Northampton planning scheme.
 - Ensure that new developments in the town are sympathetic to adjacent heritage buildings.
 - Maintain Council-owned heritage places in sound condition.
 - Encourage the conservation of privately-owned heritage places.
4. Include reference to State Water Plan and relevant objectives in Section 2.1.2 – State Planning Framework;

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5. Include general measures of SPP 2.9 - Water Resources in Section 2.1.2 State Planning Framework;
6. Amend Section 2.1.2-SPP 2.7 as follows:

“...in the relevant location planning scheme. The LPS has identified the PDWSAs within the Shire and will include these areas as Special Control Areas within the relevant local planning scheme(s). These Special Control Areas will ensure that any changes in zonings, land use and future development reflect the applicable level of water source protection.”
7. Amend Section 4.5.3 as follows:

Hydrology to specifically state the Water Reserves proclaimed under the Country Areas Water Supply Act 1947, located within the Shire - Yerina Spring, Port Gregory, Horrocks Beach and Northampton.
8. Amend Section 7.1.2 as follows:

Broadacre Precinct paragraph 3 to include a paragraph that specifically refers to the Yerina Spring Water Reserve, and also state that zonings, land uses and development applications are to be consistent with the Department of Water’s Land Use Compatibility in Public Drinking Water Source Areas publication or be referred to the Department of Water for assessment.
9. Include additional Strategy/Action to Section 7.1.2 as follows:

*The strategy “To manage and protect natural resources”
The action to “Identify and protect water resources in the region for future population and economic growth needs by Special Control provisions”*
10. Include addition to Appendix B under the “Environment” heading as follows:

(h) Is the proposal located within a Public Drinking Water Source Area? If so, is the proposal consistent with the Department of Water’s Water Quality Protection Note, Land Use Compatibility in Public Drinking Water Supply Areas?
11. Modify all references made to “water source” (in terms of town water supply) to “public drinking water source”;

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12. Include addition to Section 4.5.2 – Soils as follows:

The Shire of Northampton has a legacy of mining activity which may have led to lead contamination of some soils in the vicinity of historic workings and dumps.

13. Modify Section 5.4 – Yerina Dissected Area, by omitting examples – emus, ostriches and goats;

14. Include addition to Section 6.4 – Tourism and Recreation, by noting that a range of coastal day use sites provide opportunities for nature based recreation/environmental protection;

15. Amend Section 6.5 – Environment and Conservation as follows:

Remnant vegetation within crown reserves and UCL is subject to degradation due to uncontrolled access and use. Areas of high environmental significance presently under threat include the Bowes and Hutt River mouths and the Murchison River corridor.

16. Include addition to Part 7 – Strategies and Actions as follows:

Natural values will be protected and conserved, and sustainable practices will be promoted and recognised as essential for maintaining economic and social values.

17. Include addition to Section 4.2 – Population and Housing and Section 4.3 – Settlement Pattern and Infrastructure to include population data from the 2006 Census;

18. Amend Section 7.1.3 (Economy/Action) to include a reference to a low-key tourism node at Lot 4484 and Lot 9424 White Cliffs and Port Gregory Roads, White Cliffs and amend Local Planning Strategy Plan to include a “Low-Key Tourism Node” over the same landholding (refer Attachment A10);

19. Modify boundary of Figure 8 “Special Control Area” and Local Planning Strategy Plan (Major Growth Townsite-Horrock’s) to reflect topographical boundaries rather than property boundaries. Include Part of Lot 27 along the ridgeline and west of ridgeline and omit part of Lot 112 east of ridgeline (refer Attachment A11-A12);

20. Modify Figure 5 by including Lot 20 and Lot 5 Yarra Road, Oakabella within the “Rural Smallholdings 40ha” zone as per the initial plan adopted by Council on 20 October, 2006 (refer Attachment A13) and also modify Figure 5 by extending the “Rural Smallholdings 40ha” zone over Lot 29 Hatch Road and Lot 111 Hatch Road, Oakabella to create uniformity over the landholdings.

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21. Modify Figure 7 to include Lot 820 Isachar Back Road, Northampton as “Rural Residential” and also include Lot 820 within the Local Planning Strategy Plan (Major Growth Townsite-Northampton);
22. Modify Figure 5 by including Lot 20 and Lot 5 Yarra Road, Oakabella within the “Rural Smallholdings 40ha” zoning as per initial plan adopted by Council on 20 October, 2006 (refer Attachment A13);
23. Modify Figure 7 to include Lot 380 Stephen Street, Northampton as “Residential R5”.

ADVICE NOTES:

1. The Shire is not supportive of lot sizes smaller than 40ha in this location. Submitter No. 19 be advised that the aim of the LPS is to consolidate the existing townsites of Horrock’s and Northampton, both of which are considered to offer lifestyle options for people moving to the Midwest Region. The Shire is not supportive of “new townsites” in locations close to the Oakajee Port. Furthermore, Coronation Beach is not located in the Shire of Northampton and is not subject to this LPS.
2. The Shire is supportive of the eastern portion of Lot 112 being subdivided into a separate title should the “Special Control Area” boundaries of Figure 8 be agreed to.
3. The Shire is supportive of Lot 366 being rezoned to a “Special Site” for holiday accommodation purposes.
4. The Department of Industry and Resources be advised that the Shire does not support their submission and Council wishes to express their strong dissension to the proposals put forward in their submissions.

CARRIED 9/0

3.7.7 PROPOSED RETAINING WALL - LOT 26 GOODENIA WAY, ECO FLORA, KALBARRI (ITEM 6.2.7)
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Moved Cr L Parker, seconded Cr E Simkin

That Council grant planning approval to a retaining wall on Lot 26 Goodenia Way, Kalbarri subject to the following conditions:

1. The retaining wall being reduced from 3 metres to 1.8 metres along the front boundary of Lot 26 and stepped back to 3 metres;

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2. Amended plans being received by the Local Government, detailing a reduction in the retaining wall in accordance with Condition No. 1 above;
3. Adequate notification and protection must be given to adjoining properties and buildings where compaction/vibrating equipment is to be used for earthworks;
4. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
5. Prior to the issuing of a Building Licence, the retaining wall plans are to be certified by a Structural Engineer; and
6. The Applicant/Landowner is to ensure that appropriate dust control measures are implemented for any bulk earthworks.

Advice Notes:

1. Compliance is required with all current Building and Health By-Laws and Regulations within the Shire of Northampton; and
2. Compliance is required with the Building Code of Australia.

CARRIED 9/0

3.7.8 FINAL ADOPTION - LOCAL PLANNING POLICY – TEMPORARY ACCOMMODATION CAMPS (ITEM 6.2.8)
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Moved Cr Link, seconded Cr Maskrey

That Council, pursuant to clause 11.6 of Town Planning Scheme No. 6, clause 10.2 of Town Planning Scheme No. 8 and clause 8.9 of Town Planning Scheme No. 9:

Adopt for final approval the Local Planning Policy “Temporary Accommodation Camps” as advertised.

CARRIED 9/0

3.7.9 PROPOSED OVERSIZE OUTBUILDING – LOT 97 (NO. 14) MITCHELL STREET, HORROCKS (ITEM 6.2.9)

Moved Cr Link, seconded Cr Stock-Standen

That Council approve the Application for Planning Approval for an addition to an outbuilding on Lot 97 (No. 14) Mitchell Street, Horrocks, subject to:

1. Amended plans detailing the reduction in the width of the proposed addition from six (6) metres to three (3) metres, therefore the outbuilding having an aggregate area of 168m²;

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2. Upon receiving an amended site plan with the abovementioned amendment the CEO being given delegation to approve the application;
3. All vehicles, boats and trailers are to be removed from the verge and the front setback area is to be tidied upon completion of the outbuilding;
4. The Applicant/Owner complying with Clause 7.2 of Town Planning Scheme No. 6 which states:

“Except as hereinafter provided no person within any lot zoned Residential may without the written consent of Council:

(a) allow any commercial vehicle or truck to remain or park for a period of more than 48 hours consecutively.”

5. The Applicant/Owner complying with Clause 7.1.2 of Town Planning Scheme No. 6 which states:

“Where in the opinion of Council a property is not being maintained in a clean and tidy condition and that the unkempt appearance of the property has a deleterious effect on the amenity of the area in which it is located, the Council shall require the owner or occupier to make good the condition to meet proper standards.”

CARRIED 8/1

3.7.10	PROPOSED RELOCATABLE DWELLING – LOT 56 (NO. 98) WEST STREET, NORTHAMPTON (ITEM 6.2.10)
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Cr Stock-Standen declared a interest in this item as her family business has a financial interest in this item and therefore may incur a financial gain or loss from Council’s decision and left the meeting at 2.10pm.

Moved Cr Allen, seconded Cr O Simkin

That Council withhold granting Planning Approval for a relocated dwelling on Lot 56 (No. 98) West Street, Northampton until the following Planning Approvals are satisfactorily progressed:

1. Lot 52 West Street, Northampton.

Advice Note:

1. Advise the Applicant/Owner that Condition No. 9 and 11 remain outstanding on Planning Approval 089-07 granted by Council on 19 November, 2007.

CARRIED 8/0

Cr Stock-Standen entered the meeting at 2.15pm.

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3.7.11 SUMMARY OF PLANNING INFORMATION ITEMS
(ITEM 6.2.11)

Noted

3.7.12 PROPOSED ROAD NAMES – LOT 71 SEVENTH AVENUE, NORTHAMPTON (ITEM 6.2.12)

Moved Cr L Parker, seconded Cr O Simkin

That Council:

1. Endorse the below four (4) road name for the roads to be constructed as part of the subdivision of Lot 71 Seventh Avenue, Northampton (WAPC Ref: 133768);
 - Settlers Loop
 - Miners Way
 - Copper Court
 - Pioneer Court; and

2. Advise Landgate's Geographic Naming Committee of this decision.

CARRIED 9/0

3.7.13 (INFORMATION ITEM) - DRAFT KALBARRI TOWNSITE STRATEGY (ITEM 6.2.13)

Noted

3.7.14 UNAUTHORISED STRUCTURE – FORESHORE RESERVE 26591, KALBARRI (ITEM 6.2.14)

Cr Allen declared a interest in this item as his family business is adjacent to the applicants and therefore may incur a financial gain or loss from Council's decision and left the meeting at 2.21pm.

Moved Cr O Simkin, seconded Cr L Parker

That Councillor Allen be allowed to take part in the discussion only on this item.

CARRIED 8/0

Cr Allen entered the meeting at 2.23pm.

Cr Allen left the meeting at 2.30pm.

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Moved Cr Stock-Standen, seconded Cr Link

That Council:

1. Immediately advise Kalbarri Boat Hire that they are in breach of their Licence Agreement (1989) and directly contravening Town Planning Scheme No. 9;
2. Require Kalbarri Boat Hire to lodge an Application for Planning Approval and a request to modify their Licence within 14 days;
3. In the event that Kalbarri Boat Hire does not comply with the above, arrange for the removal of the structure from Reserve 25307 at the expense of Kalbarri Boat Hire.

CARRIED 7/1

Cr Allen entered the meeting at 2.31pm.

The Principal Planner, Mrs Hayley Williams left the meeting at 2.32pm.

3.8	HEALTH AND BUILDING REPORT
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3.8.1	INFORMATION ITEMS (ITEM 6.3.1)
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Noted

3.8.2	ALTERATIONS TO CAR PARK – KALBARRI PCYC RESERVE 35559 ANCHORAGE LANE, KALBARRI (ITEM 6.3.2)
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Moved Cr Allen, seconded Cr Maskrey

That approval be granted to the Kalbarri PCYC to convert the existing Carport on Reserve 35559 Anchorage Road, Kalbarri into a Garage/Storage Facility.

CARRIED 9/0

3.8.3	ADOPTION OF AMENDMENTS TO THE SHIRE OF NORTHAMPTON HEALTH LOCAL LAWS 2007 (ITEM 6.3.3)
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Moved Cr Wilson, seconded Cr O Simkin

That Council:

1. in accordance with the requirements of the *Local Government Act 1995* Council resolves by absolute majority to adopt the *Shire of Northampton Health Amendment Local Laws 2008*.
2. authorizes the Common Seal of the Shire of Northampton to be affixed to the *Shire of Northampton Health Amendment Local Laws 2008* in the presence of the Shire President and the Chief Executive Officer.

CARRIED BY ABSOLUTE MAJORITY 9/0

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2.8.4 BUILDING STATISTICS (ITEM 6.3.4)

Noted

The Environmental Health/Building Surveyor, Mr Rod Bayliss left the meeting at 2.36pm.

3.9 FINANCE REPORT

3.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr E Simkin, seconded Cr O Simkin

That Municipal Fund Cheques 17267 to 17304 inclusive, totalling \$230,491.73; Municipal EFT payments numbered EFT5227 to EFT5320 inclusive totalling \$307,360.00; Trust Fund Cheques 1650 to 1653 inclusive, totalling \$1,195.93, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 9/0

3.9.2 MONTHLY FINANCIAL STATEMENTS – 29TH
FEBRUARY 2008 (ITEM 6.4.2)

Moved Cr Link, seconded Cr E Simkin

That the Monthly Financial Statements for the period ending 29th February 2008 as presented in the March 2008 Finance Report be received.

CARRIED 9/0

3.10 ADMINISTRATION AND CORPORATE REPORT

3.10.1 LAND DEVELOPMENT – PORT GREGORY (ITEM 6.5.1)

Moved Cr Wilson, seconded Cr Maskrey

That Council:

1. no longer pursue a subdivision at Port Gregory by the option of using its own resources.
2. continue to lobby Landcorp for the development of land at Port Gregory with the aim of the providing a potable water supply and in fill sewer system for Port Gregory.
3. Advise the Minister for Planning and Infrastructure of Councils position on this issue.

CARRIED 9/0

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3.10.2 ROAD DEDICATION – GEORGE GREY DRIVE (ITEM 6.5.2)
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Moved Cr Allen, seconded Cr Stock-Standen

That Council:

1. pursuant to Section 56 of the *Land Administration Act*, dedicate as a public road the section of road that traverses through Victoria Location 11491 as per the plan shown in Item 6.5.2.
2. advise the DEC that it will not accept the costs for the road dedication as this should have been undertaken by Main Roads WA when the road was developed.

CARRIED 9/0

3.10.3 ROAD DEDICATION – YERINA SPRING ROAD (ITEM 6.5.3)

Moved Cr Allen, seconded Cr Stock-Standen

That Council:

1. pursuant to Section 56 of the *Land Administration Act*, dedicate as a public road the section of road that traverses through Reserve 16594.
2. agree that the section of road reserve be 20 metres wide, the width on the two sides on the constructed road to be equal

CARRIED 9/0

3.10.4 NAVIGABLE WATERS – AREA OF OPERATIONS (ITEM 6.5.4)
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Moved Cr O Simkin, seconded Cr Stock-Standen

That Council inform the Department of Planning and Infrastructure it supports the below recommendations as part of the departments review of all marine areas within the Shire::

1. 8 Knot Speed Restriction Area

Murchison River – all waters of the Murchison River with the exception of the gazetted boating prohibited area.

2. Boating Prohibited Areas

- Murchison River – all waters within 18 metres of the Kalbarri foreshore between a point on the foreshore being the prolongation of Red Bluff Road and extending in a northerly direction along the sand spit foreshore for 300 metres.

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- All waters within an area commencing at a point on the Kalbarri townsite foreshore being the prolongation of the boundary between Lots 21 and 22 Grey Street and extending in a northerly direction for a distance of 110 metres to the most northerly point of the rock outcrop thence in a westerly direction to the sand spit foreshore.
- Port Gregory – all waters contained within an area commencing on the foreshore 40 metres south of the Port Gregory Service Jetty extending along the foreshore for 60 metres thence seaward for 40 metres extending parallel with the foreshore for 60 metres thence back to the starting point as marked by signs on the foreshore and buoys in the water.
- Horrocks – all the waters contained within an area extending 240 metres along the foreshore being 140 metres north and 100 metres south of the Recreation Jetty and extending 100 metres seaward and this area be appropriately marked by the Department of Planning & Infrastructure.

3. Closed Waters (PWC)- Unless Waterskiing or Transiting

Port Gregory – all water ski areas and water ski take off areas are closed to navigation of Personal Watercraft unless conducting water ski operations or transiting directly through the area.

4. Water Ski Areas

Port Gregory – all waters between a line commencing at a point on the foreshore 0.8 kilometres south-east of the Port Gregory Jetty and extending in a southerly direction to the reef and a line commencing at a point on the foreshore 1.5 kilometres south-east of the Port Gregory Jetty and extending in a southerly direction to the reef PROVIDED HOWEVER that no boat or skiers shall approach within 20 metres of the beach or reef except for landing or take off purposes.

5. In addition to the above the Council also recommends that 8 knot zone areas be considered for the Port Gregory and Horrock's mooring areas.

CARRIED 9/0

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3.10.5	RESERVE 44264 LOT 479 – GWALLA STREET, NORTHAMPTON (ITEM 6.5.5)
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Moved Cr O Simkin, seconded Cr Maskrey

That Council:

1. Resolve that the proposed development/use – “Museum” for Reserve 44264, Lot 479 Northampton, is in accordance with the objectives and policy statements of Town Planning Scheme No 6.
2. Advertise the proposal pursuant to Clause 10.2 of Town Planning Scheme No 6 – Northampton.
3. On completion of advertising if no adverse submissions are received, grant delegation to the Chief Executive Officer to approve the Planning Application.
4. Enter into a 10 year peppercorn lease agreement with the Northampton Motors and Machinery Restoration Group Inc for Lot 479 Gwalla Street and Council meet the costs of that lease agreement.

CARRIED 9/0

3.10.6	GENETICALLY MANIPULATED CROPS (ITEM 6.5.6)
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Moved Cr Stock-Standen, seconded Cr Maskrey

That Council advise Gene Ethics that it does not support the recommendations they propose in their correspondence dated 8th February 2008, as the Council has a responsibility to support its farming communities in the betterment of their farming operations for now and in the future and should that require the use of GM crops within our shire then that is acceptable subject to:

1. All measures are in place by the relevant authorities to ensure strict controls in growing and marketing of such crops.
2. Those responsible authorities be required to provide information to the community so as they are well informed of all the issues related to GM crops within individual areas.

CARRIED 8/1

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 3.031pm and reconvened at 3.18pm with the following in attendance:

Cr, G Parker, Cr Wilson, Cr L Parker, Cr E Simkin, Cr O Simkin, Cr Stock-Standen, Cr Maskrey, Cr Link, Cr Allen the Chief Executive Officer, Mr Garry Keeffe and the Deputy Chief Executive Officer, Mr Anthony Gollan.

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3.10.7 SYSTEMIC SUSTAINABILITY STUDY (ITEM 6.5.7)
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Moved Cr Link, seconded Cr L Parker

That Council provide the following comments to the Western Australian Local Government Association in regards to the “The Journey – Sustainability Into the Future” report:

- PART 9 – THE REGIONAL MODEL

The concept proposed within the report of a regional based Council structure is supported.

It is recognised those local governments that are sustainable still have the option of being involved in a Regional Council if they so wish.

It is further recognised that some small local authorities may still need to be amalgamated with neighbouring Councils to make the regional area more economically sustainable and for their own local government to be sustainable.

- SCHEDULE OF RECOMMENDATIONS COMMENTS

Recommendation 1 – Although asset management plans are supported, to make them mandatory as prescribed legislation could cause concern, especially if the plan requires cash reserves to make the plan achievable.

Cash backed plan would be difficult to achieve and believe this recommendation needs further clarification and exploration before being implemented.

The issue of key performance indicators is a valuable tool to gauge how the Council is performing, however with previous experiences in annual reports etc being made available to the public it is questionable how much notice the electors will take of KPI reports.

Recommendation 2 – although officer and councillor training is supported, Council does not support compulsory training for councillors as are of the belief it could be a deterrent to attract new councillors to rural local authorities where it is difficult enough to attract new councillors.

Council also considers that the public will be the deciding factor in determining what Councillors are elected irrespective of the type of training. It must be recognised that some persons can have all the qualifications and training but are in cases not that good at their job so we need to be wary of this and not take away the “peoples vote”.

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Recommendation 10 – the current financial reporting requirements do not apply as one across the sector. The Queensland concept is not known but if all local government reporting requirements were the same then that would no doubt be in the best interest of local government.

Recommendation 30 – the recommendation is for monthly rate payments. This is not considered too much of an impost however may have cash flow implications for some local governments.

Monthly repayments are now a common issue for the average household for payment of insurances, hospital benefits etc. The only stipulation here though is that as there is no instalment notice there may need to be a mechanism to provide that direct debits from a nominated bank account be allowed as this guarantees the monthly payment as opposed to personally making monthly payments.

Recommendation 53 – the recommendation advocates refresher training courses for Councillors every four years. This again could be seen as a deterrent from attracting new Councillors and believe this should not be mandatory.

CARRIED 9/0

3.10.8 FISH CLEANING TABLE – HORROCKS (ITEM 6.5.8)
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Moved Cr Maskrey, seconded Cr Stock-Standen

That Council locate the Horrock’s Fish Cleaning Facility near an area immediately north of the car parking area of the boat launching area behind the skip bins and to the east of the access track to the lookout

CARRIED 9/0

3.10.9 NORTHAMPTON CARAVAN PARK (ITEM 6.5.9)
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Moved Cr Maskrey, seconded Cr E Simkin

That Council:

1. Recall tenders for the purchase of the Northampton Caravan Park.

2. Call for Expressions of Interest from interested persons to lease the Caravan Park..

CARRIED 9/0

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3.10.10 PUBLIC TOILETS – NORTHAMPTON CEMETERY (ITEM 6.5.10)
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Moved Cr Stock-Standen, seconded Cr L Parker

That Council endorse the submitting of a Community Facilities Fund grant application for the construction of public toilets at the Northampton Cemetery and commit a cash contribution of \$6,000 plus \$1,000 in kind in the 2007/2008 budget.

CARRIED 9/0

3.11 PRESIDENTS REPORT

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

- Opening of the Northampton Water Pipeline.
- Midwest Development Commission Meeting in Kalbarri.
- WA Local Government Association Northern Zone Annual General Meeting.
- Systemic Sustainability Study Meetings.
- Dry Seasons Meeting – The President informed the meeting of the support the Dry Seasons Working Group was receiving from the Midwest Regional Council in regards to the administrative duties and the results being achieved through this.

Moved Cr Parker, seconded Cr Wilson

That Council as they are not a member of the Midwest Regional Council but are involved in the Dry Season Working Group, contribute \$500 to the Midwest Regional Council to assist with administration costs, and this be declared authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 9/0

3.12 DEPUTY PRESIDENTS REPORT

Since the last Council meeting the Deputy President reported on his attendance to the following:

- Systemic Sustainability Study Meetings.
- Dry Seasons Meeting

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3.13 COUNCILLORS REPORTS

3.13.1 CR O SIMKIN

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

- Northampton Country Club Meetings.
- Districts Operations Advisory Committee Meeting – Carnamah

3.13.2 CR ALLEN

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

- Kalbarri Maritime Advisory Committee Meeting.
- Kalbarri Development Association Meetings.
- Midwest Development Commission Meeting in Kalbarri.

3.13.3 CR L PARKER

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

- Midwest Development Commission Meeting in Kalbarri.

3.13.4 CR LINK

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

- Kalbarri Town Centre Strategy Meeting.
- WA Local Government Association Northern Zone Meeting.

3.14 INFORMATION BULLETIN

Nil

3.15 NEW ITEMS OF BUSINESS

Nil

3.16 NEXT MEETING

The next Ordinary Meeting of Council will be held on the 18th April 2008 in Kalbarri with the venue to be confirmed.

3.17 CLOSURE

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