

SHIRE OF NORTHAMPTON
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber,
 Hampton Road Northampton on Friday 19th June 2009**

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6.1 OPENING

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

6.2 PRESENT

Cr G Parker	President	Northampton Ward
Cr G Wilson	Deputy President	Northampton Ward
Cr O Simkin		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr V Maskrey		Northampton Ward
Cr E Simkin		Northampton Ward
CR A Link		Kalbarri Ward
Cr P Gliddon		Kalbarri Ward
Cr L Parker		Kalbarri Ward
Cr R Allen		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Jamie Criddle	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works and Technical Services	
Mrs Hayley Williams	Principal Planner	

6.2.1 LEAVE OF ABSENCE

Nil.

6.2.2 APOLOGIES

Nil.

6.3 QUESTION TIME

There were no members of the public present.

6.4 CONFIRMATION OF MINUTES

6.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 15th
MAY 2009

Moved Cr P GLIDDON, seconded Cr O SIMKIN

That the minutes of the Ordinary Meeting of Council held on the 15th May 2009 be confirmed as a true and correct record subject to the following amendments:

- Minute 3.7.6 – replace the word ‘experimental’ with ‘experiential’.
- Minute 3.7.9 – insert ‘seconded Cr G WILSON’ after ‘Moved Cr S STOCK-STANDEN,’

CARRIED 10/0

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6.4.1.1 BUSINESS ARISING FROM MINUTES

3.8.3 Kalbarri Transfer Station – The Chief Executive Officer advised the City of Geraldton –Greenough were currently negotiating a proposal to include the recieval and treatment of recycled waste at the Meru Landfill Site via the Veolia collections. They were confident that the operations would commence from 1 July 2010. This will allow the Shire of Northampton to introduce kerb side recycling.

6.4.2 CONFIRMATION OF MINUTES – SPECIAL COUNCIL MEETING TO REVIEW THE FINANCIAL PLAN FOR THE FUTURE, DELEGATION REGISTER AND POLICY MANUAL HELD ON 27th MAY 2009

Moved Cr A LINK, seconded Cr S STOCK-STANDEN

That the minutes of the Special Meeting of Council to review the Financial Plan for the Future, Delegation Register and Policy Manual held on the 27th May 2009 be confirmed as a true and correct record.

CARRIED 10/0

6.4.2.1 BUSINESS ARISING FROM MINUTES

Nil.

6.5 RECEIVAL OF MINUTES

6.5.1 RECEIVAL OF MINUTES – AUDIT COMMITTEE MEETING 20th APRIL 2009

Moved Cr P GLIDDON, seconded Cr L PARKER

That the minutes of the Audit Committee meeting held on the 20th April 2009 be received as a true and correct record.

CARRIED 10/0

6.6 WORKS REPORT

6.6.1 BINNU TOWNSITE SPEED LIMIT (ITEM 6.1.1)

Moved Cr O SIMKIN, seconded Cr E SIMKIN

That Council endorse the proposed modification of speed limit to 80km/hr north the Binnu townsite to include the Binnu East Road intersection.

CARRIED 10/0

Crs E Simkin and S Stock-Standen declared an interest in item 6.1.2 as they both own land in the vicinity of the proposed roadwork's and therefore may incur a financial loss or gain from the decision of Council and left the meeting at 1.08pm

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6.6.2 HORROCKS – GLANCE STREET DEVELOPMENT - DESIGN AND CONSTRUCTION QUOTE (ITEM 6.1.2)

Moved Cr A LINK, seconded Cr V MASKREY

That Council undertake the preparation of a concept design for proposed roadwork's on Glance Street, Horrocks with all other works to be actioned by Council management and staff and undertaken within the 2009/2010 Budget.

CARRIED 8/0

Note: Council did not adopt the officer's recommendation as it was deemed an unnecessary expense.

Crs E Simkin and S Stock-Standen re-entered the meeting at 1.11pm.

Cr G Wilson left the meeting at 1.13pm.

Cr G Wilson re-entered the meeting at 1.16pm.

6.6.3 KALBARRI – GRAFFITI REMOVAL – VARIOUS SITES (ITEM 6.1.3)

Moved Cr R ALLEN, seconded Cr L PARKER

That Council approves the works for the removal of graffiti around the Kalbarri townsite to proceed with the exception of the works proposed for the Skate Park with expenditure approved as authorized expenditure or works listed within the 2009/2010 budget.

CARRIED 9/1 BY ABSOLUTE MAJORITY

6.6.4 PORT GREGORY ROAD / GEORGE GREY DRIVE MAIN ROADS WESTERN AUSTRALIA HANDOVER (ITEM 6.1.4)

Noted.

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

6.7 HEALTH & BUILDING REPORT

6.7.1 INFORMATION ITEMS – HEALTH AND BUILDING (ITEM 6.3.1)

Moved Cr G WILSON, seconded Cr V MASKREY

That Council retain the service of Mr Terry Meek (relief Environmental Health Officer) until 31 July 2009 and secure a provision within the 2009/2010 budget for relief Environmental Health Officers/Building Surveyors.

CARRIED 10/0

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6.8 TOWN PLANNING REPORT

6.8.1 DRAFT HORROCKS BEACH EXPANSION STRATEGY (ITEM 6.3.1)
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Moved Cr L PARKER, seconded Cr O SIMKIN

That Council resolve to endorse the *Draft Horrocks Beach Expansion Strategy* (as per Attachment A1-A4 to Item 6.2.1 of the June 2009 Town Planning Report and per the Draft Strategy tabled at the Ordinary Council Meeting) for the purposes of further community consultation only.

CARRIED 10/0

6.8.2 PROPOSED PATIO – LOT 2068 (NO. 1) HORROCKS ROAD, SANDY GULLY (ITEM 6.3.2)

Moved Cr R ALLEN, seconded Cr S STOCK-STANDEN

That Council grant Planning Approval for a patio (95.58m²) constructed on Lot 2068 (No. 1) Horrocks Road, Sandy Gully subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 19 June, 2009 and subject to any modifications required as a consequence of any condition(s) of this approval;
2. The endorsed plans shall not be modified or altered without the prior written approval of the local government. This approval shall lapse if the development is not substantially commenced within two years of the date of this approval;
3. A building licence shall be issued by the local government;
4. Compliance is required with the Building Code of Australia; and
5. All stormwater is to be disposed of on-site to the specifications and approval of the local government.

CARRIED 10/0

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6.8.3 PROPOSED SCHEME AMENDMENT TO TOWN PLANNING SCHEME NO. 6 (NORTHAMPTON) – REZONING FROM ‘RURAL’ TO ‘RESIDENTIAL R5’ LOT 380 (NO. 26) STEPHEN STREET, NORTHAMPTON (ITEM 6.3.3)

Moved Cr G WILSON, seconded Cr A LINK

That Council:

1. Initiate pursuant to Part Section 75 of the *Planning and Development Act 2005* (as amended) and Regulation 25(1)c of the *Town Planning Regulations 1967* the proposed Scheme Amendment for Lot 380 Stephen Street, Northampton (as per Attachment 1 to the 19 June 2009 Town Planning Report) in accordance with the following:
 - (a) Amending the zoning of Lot 380 Stephen Street Northampton from ‘Rural’ to ‘Residential R5’; and
 - (b) Amending the Scheme Maps accordingly;
2. Point 1 above is subject to the proponent preparing and submitting to the Local Government suitable scheme amendment documentation that adequately addresses Clause 5.9.3 of *Town Planning Scheme No. 6 – Northampton*, all Criteria outlined in Appendix B of the *Shire of Northampton Local Planning Strategy* and payment of the required planning fee.

CARRIED 10/0

6.8.4 SHIRE OF NORTHAMPTON - DRAFT LOCAL PLANNING SCHEME NO. 10 (ITEM 6.3.4)

Moved Cr A LINK, seconded Cr P GLIDDON

That Council:

1. Endorse and adopt the *Draft Local Planning Scheme No. 10 Scheme Text and Scheme Maps* for consent to advertise;
2. Grant authority to the Shire President and Chief Executive Officer of the Shire of Northampton to affix the Common Seal to *Draft Local Planning Scheme No. 10's Scheme Text and Scheme Maps*;
3. Submit *Draft Local Planning Scheme No. 10* and all documents in support and forming part thereof to the Western Australian Planning Commission for approval to be advertised for public comment in accordance with Regulation 13 of the *Town Planning Regulations 1967*(as amended); and

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4. In accordance with Clause 81 of the *Planning and Development Act 2005* (as amended) refer *Draft Local Planning Scheme No. 10* to the Environmental Protection Authority.

CARRIED 10/0

6.8.5	INFORMATION ITEM – DISCUSSION PAPER, REVIEW OF THE TOWN PLANNING REGULATIONS 1967 & THE MODEL SCHEME TEXT (ITEM 6.3.5)
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Moved Cr P GLIDDON, seconded Cr L PARKER

That Principal Planner submit to the Department for Planning and Infrastructure comments on the *Discussion Paper – Review of the Town Planning Regulations 1967 and the Model Scheme Text* and the comments be tabled at the next Council meeting.

CARRIED 10/0

6.8.6	PROPOSED SUBDIVISION – LOT 1 GEORGE GREY DRIVE, YALLABATHARRA (ITEM 6.3.6)
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Moved Cr G WILSON, seconded Cr A LINK

That Council:

1. Issue clearance to Conditions No. 3, 4, 5, 6 & 7 of WAPC Ref: 132093 for a two (2) lot subdivision on Lot 1 George Grey Drive, Yallabatharra;
2. Advise the WA Planning Commission of the need to review the previous decision of Council and Condition No. 7 of the Condition Approval due to the condition impacting upon key infrastructure for the operation of the chalets, camping area and farm and being unclear.

CARRIED 10/0

6.8.7	PROPOSED FOUR (4) GROUPED DWELLINGS – LOT 370 (No.1) NAIRN PLACE, KALBARRI (ITEM 6.3.7)
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Moved Cr R ALLEN, seconded Cr L PARKER

That Council grant Planning Approval for four (4) grouped dwellings for the purpose of aged persons' accommodation on Lot 370 (No. 1) Nairn Place, Kalbarri subject to the following conditions

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1. Development shall be in accordance with the attached approved plan(s) dated 19 June, 2009 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. This approval shall lapse if the development is not substantially commenced within two years of the date of this approval Advise the WA Planning Commission of the need to review the previous decision of Council and Condition No. 7 of the Condition Approval due to the condition impacting upon key infrastructure for the operation of the chalets, camping area and farm and being unclear;
3. Front walls and fences within the primary street setback area to be visually permeable 1.2m above natural ground level in accordance with Element 6.2.5 (A5) of the Residential Design Codes (2008);
4. All stormwater is to be disposed of on-site to the specifications and approval of the local government;
5. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
6. A Building Licence shall be issued by the local government prior to commencement of any work on the site;
7. In regards to the installation of boundary retaining walls, the Applicant shall liaise with the adjoining landowners of Lot 371 (No. 3) Nairn Place and Lot 369 (No. 51) Smith Street, Kalbarri prior to undertaking the retaining works to ensure that there is minimal disturbance to the abovementioned properties;
8. A wheelchair-accessible disabled parking bay shall be provided as common property to be used for the purpose of visitor's parking as indicated on the amended approved plans dated 19 June, 2009 in accordance with Part (vi), Clause A2 of Section 7.1.2 of the *Residential Design Codes 2008*;
9. Compliance is required with Australian Standard AS4299: 1995 as specified in Clause A2 of Section 7.1.2 of the *Residential Design Codes 2008*;
10. Before commencing the approved use the landowner shall enter into a legal agreement with the local government, prepared by the local government's solicitors at the landowner's costs, to ensure that the aged persons' accommodation shall be used solely by persons over the age of 55 or by the surviving spouse of such persons. The legal agreement shall charge the land and authorise the local government to lodge an absolute caveat to ensure that successors in title are likewise required to enter into a legal agreement in the same terms; and
11. Compliance is required with the Building Code of Australia.

CARRIED 10/0

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6.8.8	RENEWAL OF AGREEMENT FOR CANOE SAFARI TOURS, KALBARRI (ITEM 6.3.8)
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Moved Cr P GLIDDON, seconded Cr S STOCK-STANDEN

That Council:

1. Dismiss all seven (7) objections raised over the operations of the tours due to the following:
 - a. The track on Reserve 12996 (North) is only approved for use in emergency situations and therefore is not considered to adversely impact the cultural or environmental values of the land.
 - b. The canoe tours have received permission from the Department for Planning and Infrastructure to operate within the Murchison River and are not considered by that Department to create unacceptable pressure on the environment or adversely impact the other users of the waterway.
2. Grant Planning Approval for an experiential use (canoe safaris) over Reserves 12996 (North) and Lots 3 & 13 (Murchison House Station), Kalbarri subject to the following conditions:
 - a. This Planning Approval is an approval for the proposed use for the purposes of the Shire of Northampton's *Town Planning Scheme No. 9 – Kalbarri* and the *Planning and Development Act (2005)* only and does not constitute and approval of the proposed use by the Shire in its capacity as management body of the reserve within which the use is proposed to be located;
 - b. This Planning Approval is subject to:
 - i. In-principle approval of the Shire in its capacity as management body of the reserve within which the proposed use is to be located;
 - ii. Approval of the Minister of Lands in accordance with the provisions of the *Land Administration Act (1997)*; and
 - iii. A licence agreement being entered into by the applicant and the Shire in accordance with Council's Policy 9.2– *Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities*;
 - c. This Planning Approval shall remain valid whilst the licence agreement referred to in Condition (b)(3) remains current and valid, and on the expiration or in the termination of such licence agreement, this Planning Approval shall cease to be valid;
 - d. The Applicant shall conduct a maximum of one tour each day;

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- e. The Applicant shall use the track on Reserve 12996 (North) designated on the attached approved plans for emergency vehicle access only and not for general maintenance and servicing of any equipment associated with the operations, particularly the barbeque area on Lot 3;
 - f. The Applicant and the activity shall comply with the Aboriginal Heritage Act;
 - g. The Applicant shall comply with the requirements of the Health (Food Hygiene) Regulations and ensure that all putrescible and other waste is removed from Lot 3 on each tour;
- 3. Enter into a three (3) year Licence Agreement with the Applicant in accordance with the Council Policy 9.2 – *Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational, and Tourism Activities*;
 - 4. Authorise delegation to the Chief Executive Officer and Principal Planner for preparation and execution of the Licence Agreement in Point 3 above with any disputes to be referred back to Council for final determination;

CARRIED 10/0

Advice Note:

- (i) The Applicant is advised that it is not the responsibility of the local government to ensure that all correct approvals are in place and that all conditions contained within said approvals are upheld during the operations of the business.

6.8.9	PROPOSED INDUSTRIAL SINGLE FACTORY UNIT BUILDING – LOT 55 (NO. 9) RICHARDSON ROAD, KALBARRI (ITEM 6.3.9)
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Moved Cr R ALLEN, seconded Cr O SIMKIN

That Council grant Planning Approval for an industrial storage shed (350m²) with attached open bay on Lot 55 (No. 9) Richardson Road, Kalbarri subject to the following conditions:

- 1. Development shall be in accordance with the attached approved plan(s) dated 19 June, 2009 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. This approval shall lapse if the development is not substantially commenced within two years of the date of this approval;
- 3. A building licence shall be issued by the local government prior to the commencement of any work on the site;

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4. Compliance is required with the Building Code of Australia;
5. All stormwater is to be disposed of on-site to the specifications and approval of the local government;
6. No vehicle parts, equipment, machinery, tools of trade goods or materials connected with the process being stored (either temporarily or permanently) on any part of the lot other than within the building(s) or its service yard(s);
7. The owner is responsible to ensure the provision of reticulated sewage to the development. To achieve this, the owner is required to make arrangements accordingly to the approval of the Water Corporation;
8. The shed is to be used only for the purposes contained within the definition of "factory unit building" in *Town Planning Scheme No. 9 – Kalbarri*, particularly for storage and/or production and shall NOT be used for habitation;
9. Prior to the commencement of the approved use, all land indicated as landscaped area on the attached approved plan(s) dated 19 June, 2009 are to be landscaped effectively and maintained thereafter to the approval of the local government; and
10. Fencing along the Richardson Street (southern) setback is to be visually permeable as indicated on the attached amended plans dated 19 June, 2009.

CARRIED 10/0

6.8.10 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.5)
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Noted.

Hayley Williams, Principal Planner left the meeting at 2.26pm.

6.9 FINANCE REPORT

6.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)
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Moved Cr V MASKREY, seconded Cr P GLIDDON

That Municipal Fund Cheques 17886 to 17939 inclusive, totalling \$151,249.41; Municipal EFT payments numbered EFT6565 to EFT6680 inclusive totalling \$608,606.16, Direct Credits numbered GJ11-03,05,07,07 totalling \$1,673.32 and Trust Fund Cheque 1719 totalling \$200.00, be passed for payment and the items therein be declared authorised expenditure.

CARRIED 10/0

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6.9.2 MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)

Moved Cr L PARKER, seconded Cr E SIMKIN

That Council adopts the Monthly Financial Report for the period ending 31 May 2009 and notes any material variances greater than \$5,000.

CARRIED 10/0 BY ABSOLUTE MAJORITY

6.9.3 2009-2010 BUDGET SUBMISSIONS (ITEM 6.4.3)

Moved Cr S STOCK-STANDEN, seconded Cr O SIMKIN

That the following items be listed in the 2009/2010 Draft Budget for further consideration:

- Northampton Townscape Committee totalling \$ 9,474, consisting of:
 - Construction of two (2) pathways to and from the Poppet Head. \$3,360
 - One path from NWCH to Poppet Head, one path from Poppet Head to Railway Carriage
 - Construction of paved path from Steven Street to Railway Carriage. \$400
 - Utilising surplus paving slabs from previous projects, additional slabs if required to come from 'Minor Projects' if granted.
 - Enhancement of Poppet Head. \$200
 - Install donated small miners rail wagon, bucket and 'fake' shaft below Poppet Head.
 - Upgrade to Bus Shelter (opposite Shire Office) \$979
 - Install wooden top & seat on existing furniture
 - Minor Projects \$1,000
 - Main Street Planters, Additional Paving, Paint and Plants.
 - Incomplete Projects 2008/09 (Signage & Images) \$3,535
 - Heritage Walk signage

CARRIED 10/0

Cr G Wilson left the meeting at 2.35pm.

6.9.4 SENIORS DAY – KALBARRI (ITEM 6.4.4)

Moved Cr S STOCK-STANDEN, seconded Cr V MASKREY

That Council contribute \$200 to the Kalbarri Seniors Group to assist with the conducting of a Seniors Day in Kalbarri.

CARRIED 8/1 BY ABSOLUTE MAJORITY

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Moved Cr R ALLEN, seconded CR S STOCK-STANDEN

That Council make an amendment to Delegation No. F01 – Donations to increase the donation value to \$200 per group.

CARRIED 9/0 BY ABSOLUTE MAJORITY

6.9.5	DEBTORS WRITE OFF (ITEM 6.4.5)
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Moved Cr R ALLEN, seconded Cr L PARKER

That Council write off the listed debts totalling \$3,422.82.

CARRIED 9/0 BY ABSOLUTE MAJORITY

6.9.6	STATUS REPORT ON BUDGET PROJECTS (ITEM 6.4.6)
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Noted.

6.9.7	REVIEW OF FEES & CHARGES FOR 2009/10 BUDGET (ITEM 6.4.6)
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Moved Cr O SIMKIN, seconded Cr E SIMKIN

That Council reviews and adopts the schedules of Rates, Fees and Charges for 2009/2010 as presented.

CARRIED 9/0

Cr G Wilson re-entered the meeting at 2.50pm.

6.9.8	2009-2010 BUDGET SUBMISSIONS – Late Item (ITEM 6.4.6)
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Moved Cr R ALLEN, seconded Cr S STOCK-STANDEN

That Council not list the item presented by the Kalbarri Sport & Recreation Committee for Budget consideration and request that they reapply for a similar amount (\$500) to that which is granted to the Northampton Australia Day committee.

CARRIED 10/0

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 2.57pm and reconvened at 3.11pm with the following in attendance:

Cr, G Parker, Cr G Wilson, Cr L Parker, Cr O Simkin, Cr E Simkin, Cr P Gliddon, Cr S Stock-
Standen, Cr A Link, Cr R Allen, Cr V Maskrey, the Chief Executive Officer, Mr Garry Keeffe
and the Deputy Chief Executive Officer, Mr Jamie Criddle.

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6.10 ADMINISTRATION AND CORPORATE REPORT

6.10.1 SENIOR STAFF PERFORMANCE REVIEWS (ITEM 6.5.1)

Moved Cr V MASKREY, seconded Cr S STOCK-STANDEN

1. That Council note the performance review of the Chief Executive Officer and note that there were no variations to the officer's employment conditions.
2. That Council amend the Manager of Works and Technical Services employment conditions as follows:

Council budget to upgrade the officer's vehicle to a four wheel drive vehicle, such as a Toyota Prado or Mitsubishi Pajero in the 2009/2010 budget and the purchase of the vehicle be delayed until January 2010 when the officer returns from leave.

3. That Council amend the Principal Planners employment conditions as follows:

Council contribute to the cost of the officer undertaking a post graduate course. Cost is \$1,500 per unit and four units are to be completed with the cost be part of the staff training budget.

CARRIED 10/0

6.10.2 STRATEGIC PLAN 2009-2019 (ITEM 6.5.2)

Moved Cr L PARKER, seconded Cr A LINK

That the submissions be noted and Council formally adopt the Shire of Northampton Strategic Plan 2009-2019.

CARRIED 10/0

6.10.3 TENDER 6/2009 – PORT GREGORY ABLUTIONS (ITEM 6.5.3)

Moved Cr E SIMKIN, seconded Cr G WILSON

That Council awards the tender for the construction of the Port Gregory public toilets to Geraldton Building Services & Cabinets at the tendered price of \$230,329 including GST.

CARRIED 10/0

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6.10.4 TENDER 7/2009 – NORTHAMPTON OVAL LIGHTS (ITEM 6.5.4)

Moved Cr E SIMKIN, seconded Cr L PARKER

1. That Council accept the tender submitted by Verlindens for the installation of Musco lamps at the Northampton Oval at a tendered price of \$245,020 GST exclusive.
2. That Council utilise the Recreation Reserve Fund to assist with costs for this project.

CARRIED 10/0

6.10.5 KALBARRI SPECIFIED AREA RATE CLARIFICATION (ITEM 6.5.5)

Moved Cr R ALLEN, seconded Cr A LINK

That Council adopt the following to be utilised as a guide when determining future Specified Area Rate applications in Kalbarri.

Legislative Requirement

State: Local Government Act 1995 – Section 6.3.7 Specified Area Rate

A local government may impose a specified area rate on rateable land within a portion of its district for the purpose of meeting the cost of the provision by it of a specific work, service or facility if the local government considers that the ratepayers or residents within that area –

- have benefited or will benefit from;
- have access to or will have access to; or
- have contributed or will contribute to the need for, that work, service or facility.

A local government is required to -

- use the money from a specified area rate for the purpose for which the rate is imposed in the financial year in which the rate is imposed; or
- to place it in a reserve account established for that purpose.

Where money has been placed in a reserve account the local government is not to:

- change the purpose of the reserve account; or
- use the money in the reserve account for a purpose other than the service for which the specified area rate was imposed, and the provisions of s 6.11 which relate to changing the purpose or use of a reserve, do not apply.

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A local government may only use the money raised from a specified area rate -

- to meet the cost of providing the specific work, service or facility for which the rate was imposed; or
- to repay money borrowed for anything referred to in the paragraph above and interest on that money.

If a local government receives more money than it requires from a specified area rate on any land or if the money received from the rate is no longer required for the work, service or facility the local government -

- may, and if so requested by the owner of the land is required to, make a refund to that owner which is proportionate to the contributions received by the local government; or
- is required to allow a credit of an amount proportionate to the contribution received by the local government in relation to the land on which the rate was imposed against future liabilities for rates or service.

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Apart from those mentioned there are likely to be many more as the SAR is progressed and different projects are requested. It is considered though that for Council to be concise in their decision making the project must be absolutely a core function of tourism promotion and tourism infrastructure.

As stated earlier a number of projects being requested for funding through a SAR are considered by management as being a core business of the Council and therefore should form part of the overall budget.

Council at the May 2009 meeting resolved that management provide a list of items that they consider **should not be funded** by SAR which is now provided:

- Sporting sponsorship – as it related directly to an event of a particular sporting club the focus is on the chosen sport. It can be argued that such an event will bring visitors to the area but believe it is not in the true sense tourism promotion or tourism infrastructure.
- Donations to community groups – as per the above.
- Core responsibilities of Council, ie upkeep and developments of parks and gardens, road works, refuse collection, administration etc.
- Sporting infrastructure.
- Community infrastructure related to services provided to community groups only as a core operation, ie seniors groups, youth activities.

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Items that **can be considered** are:

- Bus shelters/depots.
- Beach facilities, ie shelters etc.
- Ablution facilities in prominent tourism locations, ie Sally's Tree.
- Boating facilities,
- Funding of festivals, ie canoe and cray as it promotes the area.
- Adverting campaigns, print and television.
- Production of an overall tourism information brochure/magazine, ie "Kalbarri You'll Love It" publication.

CARRIED 10/0

Cr S STOCK-STANDEN declared an interest in item 6.5.6 Sporting Achievement Scholarship as the applicant is her daughter and left the meeting at 3.28pm.

6.10.6	SPORTING ACHIEVEMENT SCHOLARSHIP (ITEM 6.5.6)
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Moved Cr V MASKREY, seconded Cr O SIMKIN

That Council contributes \$1,000 to Teisha Standen to assist with costs for her to attend the National Under 16's Basketball Championships.

Cr S STOCK-STANDEN re-entered the meeting at 3.30pm.

6.10.7	PETITION – PLASTIC BAGS (ITEM 6.5.7)
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Moved Cr P GLIDDON, seconded Cr V MASKREY

That Council lists for consideration within the 2009/2010 budget a provision of \$5,000 for the purchase of tote cloth bags to promote the non use of plastic bags within the Shire.

CARRIED 10/0

6.10.8	PETITION – MOTO CROSS TRACK (ITEM 6.5.8)
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Moved Cr O SIMKIN, seconded Cr G WILSON

1. That Council write to the landowner of Lot 820 Issachar Back Road advising them of the complaint received from neighbouring landowners in regards to the use of a portion of the land for motocross use, which is claimed to be creating a nuisance by noise and dust, however due to:

- the current zoning of the lot, being rural under the current Town Planning Scheme No 6,

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- the activity is by a private individual/s and is not an organised event by a sporting body or other organisation that would deem it a “public amusement” under TPS 6;
 - and as it is a private use by a person pursuing his sporting endeavours;
2. That Council will not be taking any action to cease the motor bike riding on Lot 820.
3. That the signatories to the petition be advised of the above and further advice them that:
- motor bike riding is not occurring all day during the week and not occurring either late into the evening or early in the morning as the main rider is employed full time;
 - the statement of eight riders being on site only occurred on the one occasion and the landowner was not aware of this when it happened and has instructed her son not to have such numbers on the motocross track again; and
 - it is considered that the person is better riding within the confined area than in other vacant lots within the Northampton townsite and in particular on any town streets.

CARRIED 10/0

ADVICE NOTE:

That the land owner be advised that Council would appreciate that use of motorbikes on the land be kept to a minimum to stifle further complaints.

Note: Council did not adopt the officer’s recommendation due to consideration of town planning interpretation or use of a private nature.

6.10.9 APPLICATION TO CLEAR NATIVE VEGETATION (ITEM 6.5.9)
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Moved Cr O SIMKIN, seconded Cr V MASKREY

That Council advise the Department for Environment and Conservation that it supports the clearing application as presented.

CARRIED 10/0

Cr R ALLEN declared an interest in item 6.5.10 Kalbarri Boat Hire – Foreshore Lease Area Upgrade as he runs a business adjacent to the site and left the meeting at 3.56pm.

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6.10.10 KALBARRI BOAT HIRE – FORESHORE LEASE AREA UPGRADE (ITEM 6.5.10)

Moved Cr G WILSON, seconded Cr P GLIDDON

That Council list for consideration the following projects within the 2009/2010 budget to upgrade the foreshore area at the Kalbarri Boat Hire with Councils financial contribution to be limited at up to 50% of the project cost capped to a maximum of \$15,000.

1. Replace existing stone steps and ramp with more suitable ramp and steps which is to also allow wheel chair access.
2. Develop a terraced grass viewing area.
3. Install a platform for wheel chair access on the beach
4. Install a platform viewing area.

CARRIED 10/0

Cr R ALLEN re-entered the meeting at 4.03pm.

6.10.11 2009 BUDGET MEETING (ITEM 6.5.11)

Moved Cr L PARKER, seconded Cr G WILSON

That Council hold a Special Meeting of Council to consider the 2009/2010 budget on Friday 24th July 2009, commencing 1.00pm at the Northampton Council Chambers.

CARRIED 10/0

6.10.12 INDIAN OCEAN DRIVE – TOURISM SIGNAGE (ITEM 6.5.12)

Moved Cr E SIMKIN, seconded Cr P GLIDDON

That Council not make a contribution towards the development of signage along the Indian Ocean Drive at this stage until concept designs of the signage are outlined, and what relativity the project has to the Northampton (Shire) area.

CARRIED 10/0

Note: Council did not adopt the officer's recommendation as it was considered that the Indian Ocean Drive was not in the Shire of Northampton's immediate area and there does not seem to be any concept designs of the proposed signage and placement of these signs.

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6.10.13 LOCATION OF FIRST EUROPEAN LANDING (ITEM 6.5.13)

Moved Cr A LINK, seconded Cr L PARKER

That Council correspond to Mr Gerritsen advising him that as there is no official evidence of which site was the actual landing site of the first Europeans from the Batavia Wreck, and the plaque at Wittecarra Creek states 'It is believed' that no further action be taken.

CARRIED 10/0

6.10.14 KALBARRI EMERGENCY SERVICES PREMISES (ITEM 6.5.14)

Moved Cr S STOCK-STANDEN, seconded Cr G WILSON

That Council approve of the transfer of the Management Order for Reserve 30524 to the Fire and Emergency Services Authority and the Department of Planning and Infrastructure be advised accordingly.

CARRIED 10/0

6.10.15 NEW WASTE LEVY (ITEM 6.5.15)

Moved Cr O SIMKIN, seconded Cr L PARKER

That Council:

1. Express its great concern at the lack of consultation and notice provided by the state government in increasing the Landfill levy by 300%. The lack of time to plan for this cost increase will cause considerable financial burden to local governments and the community.
2. Strongly condemns the use of landfill levy funds for consolidated revenue purposes and requests that the state government reconsider this position.
3. That the government be reminded that at the time of the introduction of the levy commitments were made to local government that amount of money used to administer the levy would be strictly limited (1 to 3%) and that a rebate scheme would be introduced to return funds to local government for materials diverted from landfill.
4. Strongly supports that all funds raised by the landfill levy generated from domestic municipal waste streams and local governments be hypothecated back to local government to support recycling and resource recovery activities and the associated infrastructure. Without this support continued diversion of waste from landfill will be put in jeopardy as the levy increase also penalises resource recovery facilities.

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5. Strongly supports an exemption from the landfill levy for all residual wastes from resource recovery facilities thus providing further incentive for the development of such facilities.

6. Correspond to the Premier, the Leader of the Opposition, all local members of Parliament condemning the use of landfill levy funds for consolidated revenue purposes and request that the State Government reconsider its position and request that the Minister for Environment consult with the local government through our peak body, the Western Australia Local Government Association about the proposed levy.

CARRIED 10/0

Cr A LINK declared an interest in item 6.5.16 Kalbarri Aged Persons Unit Rent as she is a tenant and left the meeting at 4.11pm.

6.10.16	KALBARRI AGED PERSONS UNITS RENT (ITEM 6.5.16)
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Note: A show of hands supported the rescinding of minute 3.9.13

Moved Cr G WILSON, seconded Cr L PARKER

That Council:

1. Rescind Minute 3.9.13.

2. That Council adopt the following rent charges for the Kalbarri Aged Persons Units and these charges to be effective immediately and Council undertake advertising of the amended charges as per the requirements of the Local Government Act 1995:

Unit with two persons \$220 per fortnight
Unit with one person \$160 per fortnight.

CARRIED 9/0

Cr A LINK re-entered the meeting at 4.14pm.

6.11 PRESIDENTS REPORT

Since the last Council meeting the President, Cr G Parker reported on his attendance to the following:

- WALGA Zone meeting teleconference with the Deputy Chief Executive Officer.
- Official Opening of the New Sporting Facilities at Horrocks by the Minister for Sport & Recreation, Hon. Terry Waldron. Also in attendance was the Member for Moore, Hon. Grant Woodhams and members of the Department of Sport & Recreation.

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- Geraldton Netball Association U17 State Carnival in Dongara. It was noted that there are 5 Northampton girls in the association side.

6.12 COUNCILLORS REPORT

6.12.1 CR O SIMKIN

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

- Official Opening of the New Sporting Facilities at Horrocks.
- Shire Road Inspection.

6.12.2 CR P GLIDDON

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

- Shire Road Inspection.
- Attendance to a Yarra City Council planning meeting whilst on a recent trip.

6.12.3 CR R ALLEN

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

- Mid West Gascoyne Area Consultative Committee meeting.
- Murchison River Action Group meeting.

6.12.4 CR L PARKER

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

- Murchison River Action Group meeting.
- Shire Road Inspection.

6.12.5 CR E SIMKIN

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

- Shire Road Inspection.

6.14 INFORMATION BULLETIN

Nil.

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6.15 NEW ITEMS OF BUSINESS

Nil.

6.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held at the Allen Centre Meeting Room, Grey Street Kalbarri on the 17th July 2009.

6.17 CLOSURE

There being no further business, the President thanked all present for their attendance and declared the meeting closed at 4.34pm.