

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting Room, Grey Street, Kalbarri on the 22nd January 2010

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1.1 OPENING

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

1.2 PRESENT

Cr G Wilson	President	Northampton Ward
Cr L Parker	Deputy President	Kalbarri Ward
Cr G Leggett		Northampton Ward
Cr S Penn		Kalbarri Ward
Cr J Booth		Kalbarri Ward
Cr P Gliddon		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Jamie Criddle	Deputy Chief Executive Officer	
Mrs Hayley Williams	Principal Town Planner	
Mr Glenn Bangay	EHO/Building Surveyor	

1.2.1 LEAVE OF ABSENCE

Nil.

1.2.2 APOLOGIES

Cr T Carson	Northampton Ward
Cr B Cripps	Northampton Ward
Cr O Simkin	Northampton Ward
Cr S Stock-Standen	Northampton Ward

1.3 QUESTION TIME

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

1.4 CONFIRMATION OF MINUTES

1.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 18th DECEMBER 2009

Moved Cr GLIDDON, seconded Cr PENN

That the minutes of the Ordinary Meeting of Council held on the 18th December 2009 be confirmed as a true and correct record.

CARRIED 6/0

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1.4.1.1 BUSINESS ARISING FROM MINUTES

Nil.

1.5 RECEIVAL OF MINUTES

Nil.

1.5.1.1 BUSINESS ARISING FROM MINUTES

12.10.7 - Binnu Hall – The CEO has met with the builder and works are to commence towards the end of February 2010.

12.10.9 –Kalbarri Boat Ramp – Proposed Groyne – It was advised that Council were successful in obtaining \$10,000 from the Midwest ACC for the construction of a sand bag groyne at the Kalbarri Boat Ramp and Recreation Jetty area. This work would coincide with the Horrocks foreshore restoration works.

1.6 WORKS REPORT

1.6.1 MAINTENANCE WORKS/PROGRAMMED WORKS (ITEM 6.1.1)

Noted.

1.6.2 KALBARRI – GREY STREET CONSTRUCTION OF CARPARK OPPOSITE IGA SUPERMARKET (ITEM 6.1.2)

Moved Cr BOOTH, seconded Cr GLIDDON

That Council request from the owner of Lot 128 Grey Street Kalbarri a contribution amount of \$48,511 towards the construction of a car park opposite Lot 128 Grey Street Kalbarri. In addition the following conditions be formally agreed to prior to the start of works.

1. That the car park be placed on the foreshore opposite Lot 128 Grey Street with little if any disadvantage to neighbouring properties.
2. The unsealed car park area to the west of the proposed site upon completion of works be grassed or vegetated to ensure the foreshore area remains essentially the same size for the general public.
3. The proposed car park be for general parking use and not limited to property/business (Lot 128 Grey Street) patrons only. The land is to remain as foreshore reserve vested in the Shire of Northampton with no ownership by the current or future property/business (Lot 128 Grey Street) owners.

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4. That the current owner of the property/business (Lot 128 Grey Street) be responsible for the funding or contribution of \$48,511 being 50% of the total construction costs of the works. Contribution and method of payment to be agreed in writing prior to the commencement of works.
5. The Shire of Northampton be responsible for remaining contribution for the construction of the car park and public liability and third party insurance coverage as well as the future maintenance requirements of the site such as resealing and remarking of white lining etc.
6. The property/business (Lot 128 Grey Street) owner may wish to seek their own public liability and third party insurance coverage over the proposed car park area as a precaution against any possible litigation.
7. Provision for long vehicles be incorporated into the site plan.

CARRIED 6/0

1.6.3	NORTHAMPTON – NORTH WEST COASTAL HIGHWAY (HAMPTON ROAD) – SLURRY SEALING OF CBD AREA (ITEM 6.1.1)
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Moved Cr LEGGETT, seconded Cr PENN

That Council carries out works to slurry seal the parking bay area's from Stephen Street to Essex Street along the North West Coastal Highway (Hampton Road) and the road fishtail areas of Mary Street east, Essex Street west in association with Main Roads Western Australia slurry sealing works along North West Coastal Highway. With funds approved for use from Council's roadwork reserve funds to a total of approximately \$35,685 (plus GST).

CARRIED BY ABSOLUTE MAJORITY 6/0

1.7 HEALTH & BUILDING REPORT

1.7.1	INFORMATION ITEMS – HEALTH/BUILDING (ITEM 6.2.1)
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Moved Cr BOOTH, seconded Cr LEGGETT

That Council increase the current refuse service to four (4) bulk waste bins at Half Way Bay over the Easter period and this be declared authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 6/0

1.8 TOWN PLANNING REPORT

1.8.1 PROPOSED MODIFIED LOCAL PLANNING POLICY – HOLIDAY HOMES KALBARRI VISION I (ITEM 6.3.1)

Moved Cr GLIDDON, seconded Cr PENN

That Council, pursuant to Clause 8.9 of Town Planning Scheme No. 9 adopt the modified “Holiday Homes – Kalbarri Vision” Local Planning Policy (attached to Item 6.3.1 of the January 2010 Town Planning Report) for the purposes of advertising.

CARRIED 6/0

1.8.2 PROPOSED LOCAL PLANNING POLICY – TELECOMMUNICATIONS INFRASTRUCTURE (ITEM 6.3.2)

Moved Cr BOOTH, seconded Cr LEGGETT

That Council, pursuant to clause 11.6.2 of *Town Planning Scheme No. 6*, clause 10.2.2 of *Town Planning Scheme No. 8* and clause 8.9.2 of *Town Planning Scheme No. 9*, adopt the “Telecommunications Infrastructure” Local Planning Policy (attached to Item 6.3.2 of the January 2010 Town Planning Report) for the purposes of advertising.

CARRIED 6/0

1.8.3 PROPOSED MODIFIED LOCAL PLANNING POLICY – HOLIDAY/TOURIST ACCOMMODATION PARKING (ITEM 6.3.3)

Moved Cr PENN, seconded Cr GLIDDON

That Council, pursuant to clause 11.6.2 of *Town Planning Scheme No. 6*, clause 10.2.2 of *Town Planning Scheme No. 8* and clause 8.9.2 of *Town Planning Scheme No. 9*, adopt the modified “Holiday/Tourist Accommodation Car Parking” Local Planning Policy (attached to Item 6.3.3 of the January 2010 Town Planning Report) for the purposes of advertising.

CARRIED 6/0

1.8.4 PROPOSED ADDITION OF USE – RECEPTION CENTRE – RAINBOW JUNGLE LOT 830 (NO. 14) BRIDGEMAN ROAD, KALBARRI (ITEM 6.3.4)

Moved Cr PENN, seconded Cr GLIDDON

That Council:

1. Dismiss the submission against the proposed reception centre; and
2. Grant Planning Approval for a "Reception Centre" on Lot 830 (No. 14) Bridgeman Road, Kalbarri subject to the following conditions:
 - (a) Development shall be in accordance with the attached approved plan(s) dated 22 January, 2010 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;
 - (b) If the development/use the subject of this approval is not substantially commenced within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;
 - (c) Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and planning approval for that use / addition;
 - (d) The operating times for the reception centre shall be limited to the hours of 5.30pm to 11pm, unless otherwise approved by the local government;
 - (e) The Reception Centre is to be occupied by no more than 250 persons at any one time;
 - (f) The operations of the Reception Centre shall be limited to one function per month, unless further approval from the local government is obtained;
 - (g) Any lighting device is to be positioned and shielded as not to cause any glare nuisance to any nearby residents or passing motorists;
 - (h) No signs are to be erected on the lot without the local government's approval;
 - (i) Compliance is required with the Building Code of Australia;
 - (j) Compliance is required with the Environmental Protection (Noise) Regulations 1997;
 - (k) Compliance is required with the Health (Public Buildings) Regulations 1992; and
 - (l) Compliance is required with the Food Act and Food Regulations (2009); and
 - (m) Compliance is required with the Liquor Control Act (1988).

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Advice Note

i. In regards to Conditions (j)-(l) the Applicant is advised to liaise with the Shire's Environmental Health Officers to ensure that the operations of the reception centre are in compliance with the abovementioned regulations.

CARRIED 6/0

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

1.8.6	PROPOSED TRANSPORTABLE SINGLE BEDROOM DWELLING – LOT 56 (NO. 98) WEST STREET, NORTHAMPTON (ITEM 6.3.6)
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Moved Cr PARKER, seconded Cr BOOTH

That Council:

1. Determine that a "single bedroom dwelling" is a use that is consistent with the objectives of the "Residential" zone under Town Planning Scheme No. 6 – Northampton;
2. Further determine that the Application for Planning Approval for a Transportable Single Bedroom Dwelling on Lot 56 (No. 98) West Street, Northampton be publicly advertised for a period of 21 days; and

Advice Note:

At the completion of advertising should Council resolve to grant Planning Approval and additional condition will be applied requiring the lot to be fenced to the approval of the Local Government.

CARRIED 6/0

1.8.7	PROPOSED TELECOMMUNICATIONS FACILITY (MOBILE PHONE TOWER) – LOT 27 (NO. 90) WILLIGULLI ROAD, SANDY GULLY (ITEM 6.3.7)
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Moved Cr LEGGETT, seconded Cr GLIDDON

That Council:

1. Determine that a "Telecommunications Facility – mobile phone tower and associated infrastructure" is a use that is consistent with the objectives of the "Rural" zone under *Town Planning Scheme No. 6 – Northampton*; and
2. Further determine that the Application for Planning Approval for a "Telecommunications Facility – mobile phone tower and associated infrastructure" on Lot 27 (No. 90) Willigulli Road, Sandy Gully be publicly advertised for a period of 21 days.

CARRIED 6/0

1.9 FINANCE REPORT

1.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr GLIDDON, seconded Cr BOOTH

That Municipal Fund Cheques 18160 to 18186 inclusive, totalling \$199,541.02; Municipal EFT payments numbered EFT7232 to EFT7322 inclusive totalling \$419,129.05 and Trust Fund Cheque 1740 totalling \$500.00, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

1.9.2 MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)

Moved Cr PENN, seconded Cr LEGGETT

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

CARRIED 6/0

1.9.3 AUDIT SERVICES – ADDITION OF PARTNER (ITEM 6.4.3)

Moved Cr GLIDDON, seconded Cr BOOTH

That Council in accordance with Section 7.3 of the Local Government Act 1995 appoint Mr. G Godwin in addition to Mr. D J Tomasi and Mr. R Swarbreck of UHY Haines Norton Chartered Accountants to be Councils Auditors for the remainder of the current contract ending at the final audit for yearend 30th June 2009.

CARRIED 6/0

1.9.4 BUSH FIRES ACT 1954 – NOTICE OF EXEMPTION (ITEM 6.4.4)

Moved Cr LEGGETT, seconded Cr PARKER

That Council in accordance with Section 22C of the Bush Fires Act 1954 accept the proposed conditions as amended to enable Western Power to conduct emergency repairs to its infrastructure within the Northampton Shire during Total Fire Ban periods until 30th June 2010, subject to the following conditions:

General conditions of works.

- Notification must be made to the Local Government Authority **and** FESA or its representative (e.g. local government fire control officer **and** FESA Regional Operations Centre) before driving a vehicle off road into a fire risk area.

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- If the purpose of proceeding off road is only for the purposes of undertaking a preliminary assessment of the safety or condition of the network then there must be a minimum of two people present, each equipped with at least one fire fighting device being either a 16 litre knapsack spray or a 9 litre pressurised water fire extinguisher..
- If proceeding off road for the purposes of carrying out switching (where there is a risk of arcing) or repairs (as described in item 2.4 below) then:
 - (i) the full fire prevention resources specified in item 3 below must be available at the work site; and
 - (ii) vegetation must be managed in accordance with item 4 below.

Repairs being carried out in any location are restricted to only the following tasks:

- (i) Isolation of supply to make safe;
- (ii) Undertaking repairs to fallen poles or powerlines;
- (iii) Removing any vegetation or debris believed to be touching overhead powerlines; or
- (iv) Restoring power supply.

Fire prevention measures.

- (i) Fire suppression unit comprising a minimum of 400 litres of water, operational pump and 20 m of hose located in close proximity to the worksite.
- (ii) At least one able bodied person capable of operating the fire suppression unit who is not directly involved in the works being undertaken. This person is to remain at the worksite for a further 30 minutes after the work has been completed to ensure there is no residual hot material remaining on the site that may cause a fire to ignite.
- (iii) Every endeavour will be made to prevent any sparks falling outside of the immediate work area.
- (iv) Any fire occurring at the work site, whether extinguished or not, will be reported to the FESA Communications Centre on 93239333, if extinguished by the personnel on site or immediately via 000, if the fire cannot be suppressed.

Clearance of vegetation.

- (i) 5m radius surrounding worksite is to be free from flammable material
- (ii) Where it is not possible to remove 5 metres of vegetation, it must be thoroughly damped down prior to commencing works.

CARRIED 6/0

1.10 ADMINISTRATION AND CORPORATE REPORT

1.10.1 COMPLIANCE AUDIT RETURN 2009 (ITEM 6.5.1)

Moved Cr GLIDDON, seconded Cr BOOTH

That Council formally adopts the Statutory Compliance Return for 2009.

CARRIED 6/0

1.10.2 TOODYAY FIRE APPEAL (ITEM 6.5.2)

Moved Cr SIMKIN, seconded Cr CARSON

That Council make a financial contribution of \$2,500 to the Toodyay Bush Fires Appeal.

CARRIED BY ABSOLUTE MAJORITY 6/0

1.10.3 PORT GREGORY PUBLIC TOILET (ITEM 6.5.3)

Moved Cr PENN, seconded Cr BOOTH

That Council defer this matter to the February meeting to enable Council to conduct an onsite inspection of the Toilets and adjoining residence.

CARRIED 6/0

1.10.4 LEASE – LOT 483 STEPHEN STREET – CHILD CARE (ITEM 6.5.4)

Moved Cr BOOTH, seconded Cr GLIDDON

That Council amend the existing lease for Lot 483 Stephen Street, being the Edna Bandy Centre for child care, by removing all reference to the Northampton Playgroup Association Inc from the lease.

CARRIED 6/0

1.10.5 GEORGE GREY DRIVE – DEDICATION OF A SECTION (ITEM 6.5.5)

Moved Cr GLIDDON, seconded Cr LEGGETT

That Council concur the taking of land, being Lots 300 and 301, the subject of Deposited Plan 64915 contained within the Shire of Northampton and to its dedication as road under Section 56 of the Land Administration Act 1997.

CARRIED 6/0

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1.10.6 INJURY COMPENSATION CLAIM – HAYLEY BENNETT (ITEM 6.5.6)

Moved Cr PARKER, seconded Cr GLIDDON

That Council not make a payment for a compensation as being claimed by M/s Hayley Bennett and she be advised to pursue this matter through her legal advisors accordingly.

CARRIED 6/0

1.10.7 BOARD POSITIONS – AUSTRALIA CORAL COAST (ITEM 6.5.7)

Moved Cr BOOTH, seconded Cr PENN

That Council nominate Cr Gliddon to fill a board position on the Australian Coral Coast Board.

CARRIED 6/0

1.11 PRESIDENTS REPORT

Nil.

1.12 DEPUTY PRESIDENTS REPORT

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

- Kalbarri Sport & Recreation meeting.

1.13 COUNCILLORS REPORT

1.13.1 CR GLIDDON

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

- Kalbarri Visitor Centre meeting.

1.14 INFORMATION BULLETIN

Noted.

1.15 NEW ITEMS OF BUSINESS

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1.15.1 MEETING WITH THE TOURISM MINISTER

Cr PENN advised Council that the Shire of Northampton, in particular Kalbarri is currently experiencing a major down turn in local, domestic and international tourism trade due to the rise in the Australian dollar which is making it more attractive for domestic travellers to fly overseas and reducing the available cash for international travellers due to the high exchange rate.

It is requested that Council invite the Minister for Tourism Hon. Dr. Elizabeth Constable to meet with Council and Tourism operators in the Shire of Northampton to discuss the major down turn in the area.

Moved Cr PENN, seconded Cr GLIDDON

That Council invite the Minister for Tourism Hon. Dr. Elizabeth Constable to meet with Council and Tourism operators in the Shire of Northampton to discuss the major down turn in the area.

CARRIED 6/0

1.16 NEXT MEETING OF COUNCIL

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

1.17 CLOSURE

There being no further business, the President thanked all present for their attendance and declared the meeting closed at 2.15pm.