

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 23 May 2014**

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5.1 OPENING

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

5.2 PRESENT

Cr G Wilson	President	Northampton Ward
Cr C Simkin	Deputy President	Northampton Ward
Cr T Carson		Northampton Ward
Cr D Stanich		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr P Gliddon		Kalbarri Ward
Cr M Scott		Kalbarri Ward
Cr M Holt		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Neil Broadhurst	Manager Works & Technical Services	
Mrs Hayley Williams	Principal Planner	

5.2.1 LEAVE OF ABSENCE

Nil

5.2.2 APOLOGIES

Nil

5.3 QUESTION TIME

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

5.4 CONFIRMATION OF MINUTES

**5.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 16th
APRIL 2014**

Moved Cr GLIDDON, seconded Cr STANICH

That the minutes of the Ordinary Meeting of Council held on the 16th June 2014 be confirmed as a true and correct record subject to the following amendment:

“Minute 4.11.2, change name Glidden to Gliddon”

CARRIED 9/0

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5.4.2 BUSINESS ARISING FROM MINUTES

Minute 4.4.2 – Freeman Function, CEO advised that the function is to be held Saturday 16 August 2014.

Minute 4.12.4 – CEO advised that a deputation from the Kalbarri Sea Search and Rescue Group is to meet with Council prior to the June meeting.

5.5 RECEIVAL OF MINUTES

Nil

5.6 WORKS REPORT

5.6.1 MAINTENANCE WORKS/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)

Noted

5.6.2 REPLACEMENT OF NORTHAMPTON MOWER (ITEM 6.1.2)

Moved Cr CARSON, seconded Cr SCOTT

That Council approve as authorised expenditure the purchase of one Toro Timecutter ZS 4200TF mower with catcher unit, cost \$7,694 plus GST.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

Mr Broadhurst left the meeting at 1.12pm.

5.7 HEALTH/BUILDING REPORT

5.7.1 BUILDING STATISTICS (ITEM 6.2.1)

It was noted that a building licence application fee had been levied against the Pioneer Lodge and the CEO advised Council that in previous situations that Building Application Fees were waived for community groups.

Moved Cr SCOTT, seconded Cr SIMKIN

That the Building Application fee levied to the Pioneer Lodge for application 1227 of \$326.80 be waived.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

5.8 TOWN PLANNING REPORT

**5.8.1 PROPOSED AMENDMENTS TO KALBARRI TOWNSITE LOCAL
PLANNING STRATEGY (ITEM 6.3.1)**

Moved Cr STOCK-STANDEN, seconded Cr PIKE

That Council:

1. Resolve to amend the *Kalbarri Townsite Local Planning Strategy (2012)* by increasing the height limit to twelve (12) metres / three (3) storeys for lots fronting Grey Street from Kaiber to Rushton Street, Kalbarri (C1) and the area noted as "Retail"; and
2. Forward notification of this resolution to the Western Australian Planning Commission seeking consent to advertise the proposed amendment in accordance with Clause 12C of the *Town Planning Regulations 1967*.

CARRIED 9/0

**5.8.2 SHIRE OF NORTHAMPTON – MUNICIPAL INVENTORY REVIEW (ITEM
6.3.2)**

Moved Cr STOCK-STANDEN, seconded Cr STANICH

That Council initiate the review of the Shire of Northampton Municipal Inventory.

CARRIED 9/0

**5.8.3 REVIEW OF HORROCKS COASTAL PLAN (1993) AND KALBARRI
FORESHORE & COASTAL MANAGEMENT PLAN (2003) (ITEM 6.3.3)**

Moved Cr GLIDDON, seconded Cr STOCK-STANDEN

That Council initiate the review of the Horrocks Beach Coastal Plan (1993) and the Kalbarri Foreshore and Coastal Management Plan (2003).

CARRIED 9/0

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5.8.4	SHIRE OF NORTHAMPTON – DRAFT LOCAL PLANNING SCHEME NO: 11 (KALBARRI TOWNSITE) – CONSENT TO ADVERTISE (ITEM 6.3.4)
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Moved Cr STOCK-STANDEN, seconded Cr HOLT

That Council:

1. Endorse and adopt the *Draft Local Planning Scheme No. 11 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. 11's Scheme Text and Scheme Maps*;
3. Submit *Draft Local Planning Scheme No. 11* 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
4. In accordance with Clause 81 of the *Planning and Development Act 2005* (as amended) refer *Draft Local Planning Scheme No. 11* to the Environmental Protection Authority.

CARRIED 9/0

5.8.5	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.5)
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Noted

5.8.6	BOUNDARY ALIGNMENT AND PURCHASE OF LAND – LOT 66 (NO. 84) MITCHELL STREET, HORROCKS (ITEM 6.3.6)
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Moved Cr STANCH, seconded Cr PIKE

That Council resolve:

1. To investigate the number of retaining walls and their footings built on lots along Mitchell Street, Horrocks without approval from the Shire of Northampton or not in accordance with their Planning Approval or Building Permit;
2. To seek a legal opinion on the matter in particular focusing on a way to resolve the matter without having to remove retaining walls where they are safe and accord to engineering certification;

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3. Correspond with Mr Lennon advising him that Council agrees with his request in principle however, a legal opinion needs to be sought before proceeding.

CARRIED 9/0

Cr Scott declared a financial interest in item 6.3.7 as he is the owner of the property and may incur a financial loss or gain from the decision of Council and left the meeting room at 2.07pm.

5.8.7	PROPOSED CHANGE OF USE – SHOP TO FAST FOOD OUTLET – LOT 13 (NO. 22) AJANA-KALBARRI ROAD, KALBARRI (ITEM 6.3.7)
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Moved Cr STOCK-STANDEN, seconded Cr CARSON

That Council grant planning approval to the proposed change of use from "Shop" to "Fast Food Outlet" on Lot 13 (No. 22) Ajana-Kalbarri Road, Kalbarri subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 23 May 2014 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. If the development/use the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;
3. Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
4. No additional signs are to be erected on the lot without the local government's approval;
5. All loading and unloading to take place within the boundaries of the premises and undertaken in a manner so as to cause minimum interference with other vehicular traffic; and
6. The area set aside for the parking of vehicles, as shown on the attached approved plans, together with the associated access as delineated on the approved plan shall have the boundaries of all vehicle spaces clearly indicated on the ground in conformity with the endorsed plan.

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Advice Note

- a. *Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained;*
- b. *If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice;*
- c. *In regard to Condition No. 4 above, the Applicant/Owner is advised signs that are replacing existing signs and are in accordance with Schedule 10 of Town Planning Scheme No. 9 do not require any further approval.*
- d. *Compliance is required with the Food Safety Act 2008 and the Food Regulations 2009.*

CARRIED 8/0

Cr Scott re-entered the meeting room at 2.11 pm.

5.9 FINANCE REPORT

5.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr GLIDDON, seconded Cr STANICH

That Municipal Fund Cheques 20092 to 20137 inclusive, totalling \$74,481.65, Municipal EFT payments numbered EFT12265 to EFT12402 inclusive totalling \$584,279.97, Direct Debit payments GJ10-06 to GJ10-11 totalling \$4,545.76 Trust Fund Cheques 1944-1949, totalling \$6,494.89 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

5.9.2 MONTHLY FINANCIAL STATEMENTS FEBRUARY 2014 (ITEM 6.4.2)

Moved Cr SIMKIN, seconded Cr HOLT

That Council adopts the Monthly Financial Report for the period ending 30 April 2014.

CARRIED 9/0

5.10 ADMINISTRATION & CORPORATE REPORT

5.10.1 WA LOCAL GOVERNMENT WEEK CONFERENCE 2014 (ITEM 6.5.1)

Moved Cr PIKE, seconded Cr SCOTT

That Cr's Wilson, Simkin, Carson, Stanich, Gliddon, Pike, Holt and Scott attend the 2014 WALGA Local Government Conference.

CARRIED 9/0

5.10.2 REVIEW OF POLICIES & DELEGATIONS (ITEM 6.5.2)

Moved Cr SCOTT, seconded Cr CARSON

1. That the all delegations as per the Delegation Register as reviewed remain in force.
2. That all current polices remain in force with the exception of the following amendments:

Policy 2.4 – Investment of Surplus Funds, be replaced with the following:

(1) The Chief Executive Officer and the Deputy Chief Executive Officer are authorised to invest money held in any Council fund, from time to time, and not required for immediate use, by fixed deposit or other short term Trustee authorised investment; provided that sufficient working funds are retained for operating expenses at all times. Investments made are to be submitted in reports to Council. Council approves investments with authorised banking institutions only.

(2) When investing money as per the Local Government (Financial Management) Regulations 1996 section 6.14(1), a local government may not do any of the following —

- (i) deposit with an institution except an authorized institution;
- (ii) deposit for a fixed term of more than 12 months;
- (iii) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- (iv) invest in bonds with a term to maturity of more than 3 years;
- (v) invest in a foreign currency.

Policy 3.1 – Councillors out of pocket expenses

Remove “Northampton Depot Construction Committee”.

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Policy 4.3 – Staff & Councillors attendances at Conferences, Training Seminars

That approval is provided for delegates and spouses to receive room service at accommodation premises.

Amend the current rate for travel reimbursements from 30 cents/km to 50 cents/km.

Policy 4.13 – Financial Interest – Planning/Development Issues BROCC

This policy be deleted as the Batavia Regional Organisation of Councils no longer exists.

Policy 4.15 – Senior Staff Car Policy

Remove the wording “that after 5 years service and subject to the entering into a new contract of employment”.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 3.13pm.

Meeting reconvened at 3.25pm with the following in attendance:

Cr Wilson, Cr Simkin, Cr Carson, Cr Scott, Cr Gliddon, Cr Stanich, Cr Holt, Cr Pike, Cr Stock-Standen, Chief Executive Officer Garry Keeffe.

5.10.3 AUSTRALASIAN SAFARI – FORESHORE PARKLAND USE (ITEM 6.5.3)

Moved Cr HOLT, seconded Cr SCOTT

1. That the Australasian Safari be granted approval to utilise the area of the Kalbarri foreshore parkland as requested for the completion of the 2014 Australasian Safari Event as outlined in their application from 26th September to 28th September 2014.
2. That the Australasian Safari be granted to utilise the Kalbarri oval for their bivouac/stop over from 26th September to 28th September 2014.
3. That all fees for hire of oval, foreshore use, food vendors and landing fees be waived for the duration of the event.

CARRIED 9/0

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5.10.4 PROPOSED CHANGE TO QUEENS BIRTHDAY PUBLIC HOLIDAY (ITEM 6.5.4)

Moved Cr SCOTT, seconded Cr SIMKIN

That Council not support the request submitted by the Shire of Shark Bay to amend the Queen's Birthday Public Holiday from Monday 26th September 2016 to Monday 24 October 2016 for the Shire of Northampton as it is considered that the Dirk Hartog Anniversary events planned for Shark Bay would not affect the majority of the Shire of Northampton.

CARRIED 9/0

5.10.5 DRAFT MANAGEMENT PLAN – KALBARRI NATIONAL PARK (ITEM 6.5.5)

Moved Cr SCOTT, seconded Cr CARSON

That the following comments be forwarded to the Department of Parks and Wildlife:

Page 21 Road Works, Management Actions – it refers to undertaking works in cooperation with the Shire of Northampton but does not expand on what Council's role is or supposed to be and therefore this needs clarification.

Page 25 Recommend to DPaW that other areas of the park be opened for nature based camping by the general public and not be focused on tour operators only having the privilege.

Page 49 Life & Community Assets – it is considered that the Kalbarri Airport should be mentioned in this section as an important community asset that requires protection from fire within the park.

Page 66 & 67 Inclusion of additional unallocated crown lands – recommend to DPaW that consideration to include the Paradise Flats unallocated crown land and pastoral lease area to the north of this land be included within the park.

Fire Suppression That DpaW be requested to undertake suppression burns in the park during the month of August and on a more regular basis than 30 plus years to prevent catastrophic fires that recently occurred in Block 8.

CARRIED 9/0

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5.10.6 DEDICATION OF REST AREA - GALENA (ITEM 6.5.6)

Moved Cr SCOTT, seconded Cr STOCK-STANDEN

That Council supports the dedication of the land, the subject of Main Roads Drawing/s 1460-015 and 1460-016, as road under Section 56 of the Land Administration Act.

CARRIED 9/0

5.10.7 TRANSFER OF UCL LOT 3161 WITH ADJOINING FREEHOLD LOT (ITEM 6.5.7)

Moved Cr STANICH seconded Cr GLIDDON

That Council advises the Department of Lands that it supports the amalgamation of Unallocated Crown Lot 3161 with Freehold Lot 3158 as proposed.

CARRIED 9/0

5.10.8 COUNCIL REPRESENTATION ON COMMITTEES AND COMMUNITY GROUPS (ITEM 6.5.8)

No decision by Council was made on any changes and Cr Gliddon advised that show no longer wished to be a Council delegate on the Kalbarri Development Association Committee.

5.10.9 FUTURE OF FINANCIAL ASSISTANCE GRANTS (ITEM 6.5.9)

Moved Cr HOLT seconded Cr SCOTT

That Council:

1. Opposes recommendations 5 and 22 (and that regarding the Regional Development Australia Committees) of the Commission of Audit report.
2. Authorises the CEO to submit a joint notice of motion in conjunction with the other CEO's made up from the member local governments of the Northern Country Zone to the WALGA State AGM advising of the opposition to recommendations 5 and 22 of the Commission of Audit report and to stress specific concerns regarding these recommendations.

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3. Requests the Northern Country Zone consider its opposition to recommendations 5 and 22 made in the Commission of Audit report.

CARRIED 9/0

5.10.10 WARD & REPRESENTATION REVIEW (ITEM 6.5.10)

Moved Cr GLIDDON seconded Cr CARSON

That the current wards of Northampton and Kalbarri and the number of elected members for each ward remain unchanged.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

5.10.11 PROPOSED FREEHOLD OF LOT 213 LYNTON AVENUE (ITEM 6.5.11)

Moved Cr STOCK-STANDEN, seconded Cr GLIDDON

That Council advises the Department of Lands that it has no concerns or conditions with Lot 213 becoming a stand-alone freehold lot and that lot being sold.

CARRIED 9/0

5.10.12 FREEHOLD CONVERSION OF LOT 555 PORTER STREET (ITEM 6.5.12)

Moved Cr PIKE, seconded Cr STANICH

That Council advises the Department of Lands that it has no concerns with the freehold conversion of existing leased Lot 555 Porter Street, Kalbarri.

CARRIED 9/0

5.10.13 BUILDING SURVEYOR QUALIFICATIONS (ITEM 6.5.13)

Noted

5.10.14 MOBILE TELEPHONE COVERAGE (ITEM 6.5.14)

Moved Cr CARSON, seconded Cr SCOTT

That Council advises Department of Communications of the urgent need for mobile telephone coverage for the Kalbarri National Park and that although Council is unable to assist with a financial contribution it is prepared to:

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1. Liaise with of Department of Parks and Wildlife to secure tenure for a mobile phone tower site.
2. Provide civil works at no cost to construct pad and access road to a tower site

CARRIED 9/0

5.11 SHIRE PRESIDENTS REPORT

Since the last Council meeting Cr Wilson reported on his attendance at the following:

- Opening of the new road and visitors facilities at the Kalbarri National Park.
- Met with Kim Travis and Darren West, members of the State Labour Party. Matters discussed with them was the Northampton town by-pass, aged care needs, Royalties for Regions program, the lack of management of unallocated crown land within the Shire and current status of the lead tailings clean up in the Northampton town.
- Northampton Lead Tailings Steering Committee meeting.

5.12 DEPUTY SHIRE PRESIDENTS REPORT

Since the last Council meeting Cr Simkin reported on his attendance to a Regional Road Group workshop which explained how the RRG's operate and where funding for roads is allocated.

5.13 COUNCILLORS REPORTS

5.13.1 CR HOLT

Since the last Council meeting Cr Holt reported on his attendance at the following:

- Opening of the new road and visitors facilities at the Kalbarri National Park. Following the opening met with the various politicians to discuss mobile telephone needs within the National Park.

A result is that the Department of Parks and Wildlife will be investigating the placement of radio telephones at various locations within the park.

- Attended a meeting with community members to discuss the possibility of opening a "Men's Shed" in Kalbarri

5.13.2 CR GLIDDON

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

- Opening of the new road and visitors facilities at the Kalbarri National Park. Following the opening met with the various parliamentarians to discuss other matters.
- Presented on behalf of Council a wreath for Anzac Day at Kalbarri.
- Visitor Centre meetings
- Community forum on the Kalbarri Coastal Management Plan.
- Mid West Tourism Alliance Meeting with the Mid West Development Commission. A positive from the meeting is that the development of the Shark Bay to Kalbarri Road and low key camping facilities along our coast are a high priority within the Commissions planning blue print.
- Met with Kim Travis and Darren West, members of the State Labour Party. Matters discussed with them were tourism and the development of the Shark Bay – Kalbarri Road.
- Attended a meeting with community members to discuss the possibility of opening a “Men’s Shed” in Kalbarri

5.13.3 CR SCOTT

Since the last Council meeting Cr Scott reported on his attendance at the following:

- Opening of the new road and visitors facilities at the Kalbarri National Park. Following the opening met with the various parliamentarians to discuss other matters.

5.13.4 CR PIKE

Since the last Council meeting Cr Pike reported on his attendance at the following:

- Opening of the new road and visitors facilities at the Kalbarri National Park. Following the opening met with the various parliamentarians to discuss other matters.
- A Volunteer Sea Search and Rescue Meeting.
- Community forum on the Kalbarri Coastal Management Plan.

5.14 INFORMATION BULLETIN

Noted

5.15 NEW ITEMS OF BUSINESS

5.15.1 COUNCIL CHAMBER ALTERATION

The President, Cr Wilson, sought Council advice/direction if an alteration to the Chamber should be considered. The change is to remove the area where the President, Deputy President and CEO currently sit for meetings. The change allows for these persons to be on the same floor level as Councillors and removes an obstruction for better use of the Chamber area for functions etc.

Moved Cr CARSON, seconded Cr SCOTT

That no alterations be made and the Council Chamber arrangement remain as is.

CARRIED 9/0

5.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on the 20th June 2014 commencing at 1.00pm at the Allen Centre, Grey Street, Kalbarri.

5.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 5.02pm.