

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting Room, Grey Street Kalbarri on the 16th October 2009

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10.1 OPENING

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

A minutes silence was held as a mark of respect for Mr. Bill Patrick who was a former Councillor with the Shire of Northampton.

10.2 PRESENT

Cr G Parker	President	Northampton Ward
Cr G Wilson	Deputy President	Northampton Ward
Cr O Simkin		Northampton Ward
Cr E Simkin		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr V Maskrey		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	
Mrs Hayley Williams	Principal Planner	
Mr Glenn Bangay	EHO/Building Surveyor	

10.2.1 LEAVE OF ABSENCE

Nil.

10.2.2 APOLOGIES

Nil.

10.3 QUESTION TIME (1.03PM – 1.14PM)

There were members of the public present with questions from the following people:

10.3.1 JENNY McCLINTOCK

On behalf of herself & Ted and many residents of the Shire of Northampton she would like to thank Cr George Parker for his time as a Councillor and President with the Shire of Northampton and wished him well with his future endeavours. She also wished to thank retiring Councillors for their time and effort throughout their terms.

Received with approbation.

10.3.2 BARRY KRAMER – (VERBATIM)

Q1. Is the water from the Kalbarri sewage ponds being used to reticulate the Kalbarri Golf Course?

Q2. Is that water being treated to an acceptable level to prevent any health problems?

Q3. How is it monitored and where are those figures officially recorded?

Q4. What has Council done in relation to the leaking diesel tank and two empty underground fuel tanks at the defunct Red Bluff Caravan Park?

Q5. Has the fuel facility encroached on the road reserve?

In answer to the questions the President responded:

Question 1 – Yes

Question 2 - Yes

Question 3 – Water tests are undertaken and results are held by the WA Water Corporation and the Dept of Health.

Question 4 – The matter was in the hands of the Department of Minerals and Energy as the appropriated Government Department to deal with such matters.

Question 5 – Council were unaware as to whether the fuel facility encroached on the road reserve and would investigate in due course.

Due to the nature of the ensuing questions, the President did not accept any further questions of a personal nature from Mr Kramer.

10.4 CONFIRMATION OF MINUTES

10.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 18th SEPTEMBER 2009

Moved Cr P GLIDDON, seconded Cr A LINK

That the minutes of the Ordinary Meeting of Council held on the 18th September 2009 be confirmed as a true and correct record subject to the following amendments:

- Minute 9.8.2 – In the last paragraph change the word ‘again’ to ‘against’.

CARRIED 10/0

10.4.1.1 BUSINESS ARISING FROM MINUTES

Nil.

10.5 CONFIRMATION OF MINUTES

Nil.

10.6 WORKS REPORT

10.6.1 MAINTENANCE WORKS/PROGRAMMED WORKS (ITEM 6.1.1)

Noted.

10.6.2 TENDER 2/2010 – SUPPLY TRAY TOP VEHICLES (ITEM 6.1.2)

Moved Cr L PARKER, seconded Cr O SIMKIN

That Council accept the tender submitted by Midwest Auto Group for the supply of a 4x4 and 2x4 Ford Rangers as per tender specifications.

CARRIED 10/0

10.6.3 TENDER 3/2010 – ANNUAL SUPPLY OF AGGREGATE (ITEM 6.1.3)

Moved Cr R ALLEN, seconded Cr S STOCK-STANDEN

That the tender submitted by Holcim for the annual supply of road aggregate be accepted.

CARRIED 10/0

Cr G PARKER declared an interest in item 6.1.4 as he has business dealings with Boral and left the meeting at 1.15pm.

10.6.4 TENDER 4/2010 – ANNUAL SUPPLY OF BITUMEN (ITEM 6.1.4)

Moved Cr R ALLEN, seconded Cr S STOCK-STANDEN

That the tender submitted by Boral Asphalt WA for the annual supply of road bitumen be accepted.

CARRIED 9/0

Cr G PARKER re-entered the meeting at 1.17pm.

10.7 HEALTH & BUILDING REPORT

10.7.1 INFORMATION ITEMS – HEALTH/BUILDING (ITEM 6.2.1)

Noted.

10.8 TOWN PLANNING REPORT

10.8.1 IMPLEMENTING DEVELOPMENT ASSESSMENT PANELS IN WESTERN AUSTRALIA – REVIEW OF DISCUSSION PAPER (ITEM 6.3.1)

Moved Cr L PARKER, seconded Cr A LINK

That Council:

1. Prepare a submission to the Department of Planning in response to the Discussion Paper – *Implementing Development Assessment Panels in Western Australia*, outlining its concerns with the proposal as described in the “Comment” section of Item 6.3.1 of the October 2009 Town Planning Report; and

2. Include in the abovementioned submission the following measures that could be implemented in order to increase the effectiveness of the development assessment process at a local level:

- (a) Mandatory training for incoming Councillors in basic planning theory and law, at a cost to be borne by the local government; and
- (b) A standardised register of delegations to be adopted in all local Councils across the State of Western Australia.

CARRIED 10/0

10.8.2 REQUEST FOR EXTENSION OF PLANNING APPROVAL – NINE (9) GROUPED DWELLINGS – LOT 5 (NO. 10) SEAKIST RETREAT, KALBARRI (ITEM 6.3.2)

Moved Cr P GLIDDON, seconded Cr O SIMKIN

That Council:

1. Grant an extension to Planning Approval 019-08 for nine (9) grouped dwellings on Lot 5 (No. 10) Seakist Retreat, Kalbarri for an additional two years from the original expiry date, or until 16 April, 2012.

Advise the Applicant that Planning Approval 019-08 will not be extended beyond the initial two (2) year extension period and that a new Application for Planning Approval will be required should the development not be substantially commenced within the extension period; and

2. Advise the Applicant that as per their initial approval, development shall be in accordance with the attached approved plan(s) dated 16 April, 2008 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

CARRIED 10/0

10.8.3 PROPOSED TOURIST ACCOMMODATION DEVELOPMENT – FOURTEEN (14) HOLIDAY ACCOMMODATION UNITS AND FOUR (4) MANAGER'S RESIDENCES LOT 15 (NO. 405) RED BLUFF ROAD, KALBARRI (ITEM 6.3.3)

Moved Cr R ALLEN, seconded Cr S STOCK-STANDEN

That Council grant Planning Approval for a Tourism Accommodation Development consisting of fourteen (14) holiday accommodation units and four (4) manager's residences on Lot 15 (No. 405) Red Bluff Road, Kalbarri, subject to the following conditions:

1. Development shall be in accordance with the attached approved plans dated 16 October, 2009 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. A building licence shall be issued by the local government prior to the commencement of any work on the site;
4. The owner is responsible to ensure the provision of reticulated water to the development. To achieve this, the owner is required to make arrangements accordingly to the approval of the Water Corporation;
5. The owner is responsible to ensure the provision of reticulated sewerage to the development. To achieve this, the owner is required to make arrangements accordingly to the approval of the Water Corporation;
6. Septic tanks on the site are to be removed or collapsed and back filled and compacted with clean sand;
7. No signs are to be erected on the lot without the local government's approval;
8. Access and car parking areas to be paved / sealed, kerbed, linemarked, drained and thereafter maintained to the approval of the local government;
9. Installation of crossing places to the standards and specifications of the local government;
10. All parking of vehicles such as boats or trailers associated with the guests to be provided for within the property boundary and the street verge area to be kept free of such vehicles;

11. Before the development is commenced, the owner is responsible to ensure that a Dust Management Plan is lodged with the local government for its approval, and is approved by the local government, setting out in detail the management commitments applicable to dust minimisation relevant to all institutions, activities and processes, based on actual sound level management of plant, both individually and in combination. The Dust Management Plan shall take into proper account of total components, amplitude or frequency modulations or impulses, and the Plan shall demonstrate that dust emissions will achieve compliance with the requirements of the Environmental Protection (Dust) Regulations 1997. Once approved, the operator from time to time is responsible to ensure that all installations, activities, and processes are carried out at all times and in all respects in accordance with the Dust Management Plan;

12. All stormwater is to be disposed of on-site to the specifications and approval of the local government. On application for a Building Licence a detailed design of stormwater collection and disposal system of developed areas is to be supplied. Any water management measures are to be located, designed, and constructed so the values of Kalbarri National Park are preserved;

13. Before commencing the approved use the landowner shall enter into a legal agreement prepared by the local government's solicitors at the landowner's cost with the local government, to ensure that the fourteen holiday accommodation units shall only be used for short stay accommodation purposes, with a maximum stay of 3 months occupancy per annum, by any single tenant. 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;

14. A landscaping plan is to be submitted for approval by the local government, and once approved, prior to the commencement of the approved use, the approved landscaping plan is to be implemented in full and maintained thereafter to the approval of the local government;

15. A fence restricting vehicle and pedestrian access to Kalbarri National Park is to be constructed at the developer's cost along the western and southern boundary of Lot 15 to the approval of the Department of Environment and Conservation; and

16. All vegetation, spoil, and debris from the construction of the fence is to be disposed of by the developer.

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Advice Note

i. Lot 15 (No. 405) Red Bluff Road adjoins Kalbarri National Park, which is managed to maintain and restore the natural environment, and to protect, care for and promote the study of indigenous flora and fauna, and to preserve any feature of archaeological, historical, or scientific interest. Pets are not permitted in the Park. Some or all of any of the following activities may occur from time to time:

- (a) Prescribed burning for conservation and/or fire hazard reduction purposes;*
- (b) Baiting with poison to control predators of native fauna; and*
- (c) Application of chemicals for weed control.*

CARRIED 10/0

10.8.4	PROPOSED RESCUE TRAINING TOWER – LOT 262 (No. 11) MAGEE CRESCENT, KALBARRI (RESERVE 30524) (ITEM 6.3.4)
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Moved Cr A LINK, seconded Cr V MASKREY

That Council

1. Grant Planning Approval for a rescue training tower to be constructed on Lot 262 (No. 11) Magee Crescent, Kalbarri subject to the following conditions:
 - (a) Development shall be in accordance with the attached approved plans dated 16 October, 2009 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 completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect; and
 - (c) A building licence is to be issued by the local government prior to the commencement of any work on the site.
2. Waive the \$125.00 Planning Application Fee and the \$125.00 Building Application Fee in recognition of the community benefit the rescue training tower will provide.

CARRIED BY ABSOLUTE MAJORITY 10/0

10.8.5	REQUEST FOR WAVIER OF PLANNING APPLICATION FEE – EXTENSIONS TO ST. JOHN AMBULANCE DEPOT – LOT 4 (NO. 243) HAMPTON ROAD, NORTHAMPTON (ITEM 6.3.5)
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Moved Cr S STOCK-STANDEN, seconded Cr P GLIDDON

That Council waive the Planning Application Fee of \$539.40 and Building Application Fee of \$338.18 for the proposed extensions to the St. John Ambulance Depot at Lot 4 (No. 243) Hampton Road, Northampton in recognition of the valuable service the ambulance provides to the Northampton community.

CARRIED BY ABSOLUTE MAJORITY 10/0

10.8.6	PROPOSED SCHEME AMENDMENT TO TOWN PLANNING SCHEME NO. 9 – KALBARRI – REZONING FROM “TOURIST DEVELOPMENT” TO “RESIDENTIAL R15 & R30”, “PARKS & RECREATION” & “PUBLIC PURPOSES – DRAINAGE & STRATEGIC FIREBREAK” – PT LOT 500 & LOT 825 AJANA-KALBARRI ROAD, KALBARRI (ITEM 6.3.6)
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Item Withdrawn by applicant.

10.8.7	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.7)
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Noted.

10.9 FINANCE REPORT

10.9.1	ACCOUNTS FOR PAYMENT (ITEM 6.4.1)
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Moved Cr O SIMKIN, seconded Cr G WILSON

That Municipal Fund Cheques 18061 to 18093 inclusive, totalling \$77,575.20; Municipal EFT payments numbered EFT6949 to EFT7039 inclusive totalling \$550,235.00 and Trust Fund Cheque 1733 totalling \$500.00, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 10/0

10.9.2	MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)
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Moved Cr L PARKER, seconded Cr V MASKREY

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

CARRIED 10/0

10.10 ADMINISTRATION AND CORPORATE REPORT

10.10.1 TENDER 1/2010 – ADDITIONS AND RE-ROOFING KALBARRI DOCTORS SURGERY (ITEM 6.5.1)

Moved Cr L PARKER, seconded Cr V MASKREY

That Council accept the tender submitted by LE Nairn Pty Ltd of \$176,355 for the redevelopment of the Kalbarri Doctors Surgery.

CARRIED 10/0

10.10.2 LEASE – HORROCKS CARAVAN PARK (ITEM 6.5.2)

Moved Cr O SIMKIN, seconded Cr V MASKREY

That Council approve a change in the current lease to make provision for the current lessee to have the right to renew the lease within twelve months of the expiry of the current lease with all costs associated with this change to be the responsibility of the lessee.

CARRIED 10/0

Cr's E SIMKIN and S STOCK-STANDEN declared an interest in item 6.5.3 as they own properties adjacent to the Horrock's Foreshore and left the meeting at 1.55pm.

10.10.3 HORROCKS FORESHORE REDEVELOPMENT (ITEM 6.5.3)

Moved Cr R ALLEN, seconded Cr V MASKREY

That Council:

1. Receive the concept design report and advise GHD that Option 3 is the preferred option for a GSC sea wall and that they be instructed to progress with detailed drawings and design to allow the calling of tenders for the work.
2. That Management, on advice from GHD Pty Ltd, arrange for earthworks to make a sloping foreshore in an area from the playground through to the beach access steps south of the jetty.
3. That Management arranges a community meeting to be held in Horrock's to advise the community of the restoration works proposal.
4. That Council use land sale funds to cover all costs for the foreshore restoration works.

CARRIED BY ABSOLUTE MAJORITY 8/0

Cr's E SIMKIN and S STOCK-STANDEN re-entered the meeting at 2.06pm.

10.10.5 REGULAR PASSENGER TRANSPORT – KALBARRI AERODROME
(ITEM 6.5.5)

Moved Cr R ALLEN, seconded Cr A LINK

That Council:

1. Correspond to the State Government and express its extreme disappointment in not receiving a copy of the report compiled by consulting firm ACIL Tasman reviewing the Intrastate Air Services in Western Australia as Council is an owner of the Kalbarri Aerodrome.
2. Advise the State Government of the financial implications any reduction in the RPT service would have on the Council and Community.
3. Advise that Council are disappointed with several findings of the report including the recommendation that the route be terminated if a State Government subsidy is not applied to the service.
4. Express their disappointment in SkyWest's lack of interest in building the service by not allowing package deals to be developed in Kalbarri.

CARRIED 10/0

10.10.6 1000KVA TRANSFORMER LOCATION (ITEM 6.5.6)

Moved Cr O SIMKIN, seconded L PARKER

That Council approve of the location of a 1000KVA on ground transformer on Reserve 32958 at the location identified by Western Power.

CARRIED 10/0

10.10.7 80KM/HR SIGN RELOCATION – GEORGE GREY DRIVE (ITEM 6.5.7)

Moved Cr L PARKER, seconded P GLIDDON

That Council correspond with Main Roads WA to support the relocation of the 80km/h road sign currently situated on George Grey Drive near the Capital Hill residential subdivision to approximately 1km to the south before the intersection into Eagle Gorge.

CARRIED 10/0

10.10.8 LITTLE BAY RESERVE 49842 – MANAGEMENT OF CAMPING RESERVE
(ITEM 6.5.8)

Moved Cr R ALLEN, seconded V MASKREY

That Council:

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1. Endorse the actions of the CEO and Principal Planner in lodging a funding application through NACC for upgrading and redevelopment works at Little Bay.
2. Allocate \$51,000 from the Land Sales Fund to assist with the financing of the overall project.

CARRIED BY ABSOLUTE MAJORITY 10/0

10.10.9 WESTERN POWER – POWER SUPPLY TO PROPOSED NEW IGA STORE (ITEM 6.5.9)

The Chief Executive Officer advised that a request had been made from the owners of Northampton IGA on the possibility of the Shire leasing a portion of land behind the old caravan park ablutions being Lot 27 Bateman Street for the placement of Northampton IGA's effluent system.

Moved Cr R ALLEN, Cr S STOCK-STANDEN

That Council agree to lease a portion of the land behind the old caravan park ablutions being Lot 27 Bateman Street for the placement of Northampton IGA's effluent system subject to the following conditions:

1. Once use of generator is no longer required then consideration of relocating effluent system onto Lot 22 Hampton road to be considered by both parties.
2. A formal agreement to be entered into with the applicant being responsible for all costs for the reparation of the agreement, which will include the applicant being responsible for all costs associated with the installation and maintenance of the effluent system.
3. Effluent system is subject to the approval of Councils EHO and the Department of Health.
4. The generator to be on site must comply with and Noise Abatement Act regulations to ensure it is quite due to its location near a residential area.

CARRIED 10/0

10.10.4 THANKS TO RETIRING MEMBERS (ITEM 6.5.4)

Noted.

10.11 PRESIDENTS REPORT

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

- Horrock's Boardwalk opening.
- Northampton Oval Lights testing.

- Back to Ogilvie reunion.

10.12 DEPUTY PRESIDENTS REPORT

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

- Back to Ogilvie reunion.

10.13 COUNCILLORS REPORT

10.13.1 Cr L PARKER

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

- Kalbarri Maritime Advisory Committee meeting.

10.13.2 Cr E SIMKIN

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

- Back to Ogilvie reunion.

10.13.3 Cr P GLIDDON

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

- Kalbarri Readers Picnic held on the Kalbarri Foreshore.

10.13.4 Cr R ALLEN

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

- Kalbarri Maritime Advisory Committee meeting.

10.13.5 Cr O SIMKIN

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

- Northampton Community Centre AGM.
- Back to Ogilvie reunion.

10.13 INFORMATION BULLETIN

Noted.

10.14 NEW ITEMS OF BUSINESS

Cr E SIMKIN left the room at 2.55pm

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10.14.1 STRUCTURAL REFORM

Cr L PARKER advised that Council should in light of recent structural reform proposals in the Midwest region remain active in the amalgamation debate. Councillors have received several requests of a number of residents/landowners located within the Yuna, Yuna south and Nabawa north areas of the Shire of Chapman Valley that would rather be a part of the Northampton Shire in preference to the larger shire currently being proposed by the City of Geraldton/Greenough, Shire of Mullewa and Shire of Chapman Valley. Although Council are not actively seeking to be a part of any such amalgamations it was felt these views should be forwarded to the Local Government Advisory Board.

Moved Cr L PARKER, seconded Cr O SIMKIN

That Council correspond to the Minister for Local Government and the Local Government Advisory Board that we have become aware of a number of residents/landowners located within the Yuna, Yuna south and Nabawa north areas of the Shire of Chapman Valley that would rather be a part of the Northampton Shire in preference to the larger shire currently being proposed by the City of Geraldton/Greenough, Shire of Mullewa and Shire of Chapman Valley and this supposed change of direction by landowners to be further considered by the Minister and the LGAB when considering the larger local government proposal.

CARRIED 8/1

Cr E SIMKIN entered the room at 2.59pm

10.14.2 FORMAL VOTE OF THANKS

The Deputy President, Cr Gordon Wilson wished to take this opportunity to personally and on behalf of all Councillors and residents of the Shire of Northampton to formally thank retiring President Cr George Parker. His guidance and leadership has been instrumental in achieving the numerous projects Council has completed during his term.

Moved Cr G WILSON, seconded Cr P Gliddon

That Council record a formal vote of thanks to retiring President Cr George Parker.

CARRIED 10/0

Received with approbation.

10.15 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held at the Northampton Council Chamber, Hampton Road Northampton on Friday the 20th November 2009.

10.16 CLOSURE

The President took the opportunity to thank Councillors for their kind words, and advised that it has been a pleasure to be a Councillor for the past twenty two years and serve as President in the past ten years. He advised that he was proud of the many projects that Council had accomplished such as George Grey Drive, The Allen Centre, Horrock's Land Sales and the sealing of roads in the Balla-Ajana area. He wished to thank the various staff over the years and encouraged a good working relationship with new Councillors. Finally he thanked fellow retiring Councillors for their service and welcomed new Councillors and hope that they enjoy their time on Council as much as he has.

There being no further business, the President thanked all present for their attendance and declared the meeting closed at 2.38pm.