

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting
Room, Grey Street, Kalbarri on Friday 23rd January 2009**

| | | |
|---------|--|---|
| 1.1 | OPENING | 3 |
| 1.2 | PRESENT | 3 |
| 1.2.1 | LEAVE OF ABSENCE | 3 |
| 1.2.2 | APOLOGIES | 3 |
| 1.3 | QUESTION TIME | 3 |
| 1.4 | CONFIRMATION OF MINUTES | 3 |
| 1.4.1 | CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 17 th DECEMBER 2008 | 3 |
| 1.4.1.1 | BUSINESS ARISING FROM MINUTES | 4 |
| 1.5 | WORKS REPORT | 4 |
| 1.5.1 | INFORMATION ITEMS – MAINTENANCE WORKS/PROGRAM WORKS (ITEM 6.1.1) | 4 |
| 1.6 | TOWN PLANNING REPORT | 4 |
| 1.6.1 | PROPOSED MOBILE TRAILER (KALBARRI EXTREME JET BOAT) RESERVE 25307 CHINAMAN'S DRIVE & GREY STREET, KALBARRI (ITEM 6.2.1) | 4 |
| 1.6.2 | KALBARRI BOAT HIRE AMENDMENT TO USE/HIRE AGREEMENT 001-06 – RESERVES 12996 & 26591, UCL & LOT 134, KALBARRI (ITEM 6.2.2) | 6 |
| 1.6.3 | SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.2.3) | 6 |
| 1.7 | HEALTH & BUILDING REPORT | 6 |
| 1.7.1 | SWIMMING POOL COMPLAINT (ITEM 6.3.1) | 6 |
| 1.7.2 | RELIEF EHO/BUILDING SURVEYOR (ITEM 6.3.2) | 6 |
| 1.7.3 | BUILDING STATISTICS (ITEM 6.3.3) | 6 |
| 1.8 | FINANCE REPORT | 7 |
| 1.8.1 | ACCOUNTS FOR PAYMENT (ITEM 6.4.1) | 7 |
| 1.8.2 | MONTHLY FINANCIAL STATEMENTS – 31 st DECEMBER 2008 (ITEM 6.4.2) | 7 |
| 1.9.1 | 2008 COMPLIANCE AUDIT RETURN (ITEM 6.5.1) | 7 |
| 1.9.2 | PROPOSED HORROCKS COMMUNITY CENTRE (ITEM 6.5.2) | 7 |
| 1.9.3 | ROYALTIES FOR REGIONS PROGRAM (ITEM 6.5.3) | 8 |
| 1.9.4 | ALLEN CENTRE EXTENSIONS (ITEM 6.5.4) | 8 |
| 1.9.5 | LOCAL GOVERNMENT ORDINARY ELECTIONS 2009 (ITEM 6.5.5) | 8 |
| 1.9.6 | CONSERVATION PLAN - FORMER RAILWAY STATION (ITEM 6.5.6) | 8 |
| 1.9.7 | GARDEN WALL - LOT 454 FITZGERALD STREET (ITEM 6.5.7) | 9 |

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting
Room, Grey Street, Kalbarri on Friday 23rd January 2009**

| | | |
|--------|--|----|
| 1.9.8 | SALE OF NORTHAMPTON CARAVAN PARK (ITEM 6.5.8) | 9 |
| 1.9.9 | SIDE SHOWS ON COUNCIL LAND (ITEM 6.5.9) | 9 |
| 1.9.10 | FOOD PREMISES HEALTH ORDERS (ITEM 6.5.10) | 9 |
| 1.9.11 | DEDICATED ARTS & CRAFTS BUILDING - NORTHAMPTON (ITEM 6.5.11) | 10 |
| 1.9.12 | COAST 2009 - AUSTRALIAN COASTAL COUNCILS CONFERENCE (ITEM 6.5.12) | 10 |
| 1.10 | PRESIDENTS REPORT | 10 |
| 1.11 | COUNCILLORS REPORTS | 10 |
| 1.12 | INFORMATION BULLETIN | 10 |
| 1.13 | NEW ITEMS OF BUSINESS | 10 |
| 1.13.1 | CR ALLEN - MURCHISON RIVER FORESHORE ACCESS | 10 |
| 1.14 | NEXT MEETING | 11 |
| 1.15 | CLOSURE | 11 |

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting Room, Grey Street, Kalbarri on Friday 23rd January 2009

1.1 OPENING

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

1.2 PRESENT

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

1.2.1 LEAVE OF ABSENCE

Nil

1.2.2 APOLOGIES

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| Cr G Wilson | Deputy President | Northampton Ward |
| Cr V Maskrey | | 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 17th DECEMBER 2008

Moved Cr Gliddon, seconded Cr O Simkin

That the minutes of the Ordinary Meeting of Council held on the 17th December 2008 be confirmed as a true and correct record subject to the following amendments:

- Minute 12.4.1.1 – change the words “Kalbarri RSL” to “Kalbarri Development Association”.
- Minute 12.11 – Insert the word “Deputy” before the word “President”.

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting Room, Grey Street, Kalbarri on Friday 23rd January 2009

- Minute 12.15 – change the word “Northampton” to “Kalbarri”.

CARRIED 9/0

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| 1.4.1.1 BUSINESS ARISING FROM MINUTES |
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Minute 12.10.8 – CEO advised he and Cr L Parker had met with community members and an area up stream of the boat pens has been developed as a temporary boat launching area for larger vessels and appears to be operating well.

CEO also advised that he has corresponded to the Department for Planning and Infrastructure in regards to reallocating funds received to upgrade parking areas of existing boat launching area to develop the northern boat ramp, and also has requested Mandurah Jetty Constructions to provide a quote to relocate the existing boat launching facilities including the finger jetty.

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| 1.5 WORKS REPORT |
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| 1.5.1 INFORMATION ITEMS – MAINTENANCE WORKS/PROGRAM WORKS (ITEM 6.1.1) |
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Noted.

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| 1.6 TOWN PLANNING REPORT |
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|---|
| 1.6.1 PROPOSED MOBILE TRAILER (KALBARRI EXTREME JET BOAT) RESERVE 25307 CHINAMAN’S DRIVE & GREY STREET, KALBARRI (ITEM 6.2.1) |
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The Principal Planner also provided Council with an alternative recommendation for refusal of the application for the Council to consider.

Moved Cr L Parker, seconded Cr O Simkin

That Council adopt the officer’s alternative recommendation and refuse the Planning Application for the proposed mobile trailer (Kalbarri Extreme Jet Boat Tours) on Reserve 25307, Chainmen’s Drive & Grey Street, Kalbarri for the following reasons:

1. The Application does not include information regarding all intended safety measures associated with the proposed activity;
2. The Application does not include evidence of Public Liability Insurance for the proposed activity for a minimum of \$10 million;
3. The Application does not include adequate information regarding the appearance of the mobile trailer, shade structure and signage;

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting
Room, Grey Street, Kalbarri on Friday 23rd January 2009**

4. The proposal does not comply with Town Planning Scheme No. 9, in particular Clause 2.2 as the proposal is not considered to be in keeping with the ultimate intended purpose of the reserved land due to the commercial nature of the proposed activity;
5. The proposal does not comply with Town Planning Scheme no. 9, in particular, Clause 6.5.2(f) as the existing and likely future amenity of the locality and the area generally will be negatively impacted upon due to the commercial nature of the proposed activity;
6. The proposal does not comply with the Shire of Northampton Local Planning Policy - Commercial Recreational Tourism Activity on Crown Reserves (2008) in particular:
 - a. Clause 4.1.2 insofar as the activity is not considered to be compatible with the vesting purpose of the land and it is considered that the commercial nature of the proposal will detract from the reasonable enjoyment of the land by the public;
 - b. Clause 4.2.1 insofar that the proposal has the potential to create a danger to other users of the car parking area, obstruct traffic movement within the car park and contribute to a loss of car parking spaces. Given the high use of this car park for boat trailer parking the proposed location of the activity is not supported;
7. The proposal does not comply with the Kalbarri Foreshore and Coastal Management Plan (2003) in particular:
 - a. The War Memorial Car Park is contained within Precinct 'F' – Commercial Centre Foreshore. The theme for this section of foreshore is maritime facilities, commercial centre outlook and passive recreation. The proposal is not considered to be a form of passive recreation. Furthermore, the visual impact of a mobile trailer, attached shade structure and signage upon the views of the foreshore from the commercial centre will be negatively impacted.

CARRIED 8/0

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting
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| 1.6.2 | KALBARRI BOAT HIRE AMENDMENT TO USE/HIRE AGREEMENT 001-06 – RESERVES 12996 & 26591, UCL & LOT 134, KALBARRI (ITEM 6.2.2) |
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Moved Cr Stock-Standen, seconded Cr Link

That Council:

1. Amend Use/Hire Site Agreement 001-06 to include an additional track on Reserve 12996, Ajana-Kalbarri Road, Kalbarri, as shown on the submitted plan dated 23 January, 2008 and attached to the January Town Planning Report (Attachment A5); and
2. Advise Kalbarri Boat Hire in writing of their obligations to comply with all Clauses of Use/Hire Site Agreement 001-06, in particular Clause 3.11 – Refuse, Clause 3.14 Interference with Other Users, Clause 3.16 First Aid and Item No. 5 and 6 of the Schedule relating to permitted areas and permitted purpose.

CARRIED 8/0

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| 1.6.3 | SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.2.3) |
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Noted.

The Principal Planner, Mrs Hayley Williams and the Manager for Works and Technical Services Mr Neil Broadhurst left the meeting at 1.23 pm.

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| 1.7 | HEALTH & BUILDING REPORT |
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| 1.7.1 | SWIMMING POOL COMPLAINT (ITEM 6.3.1) |
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Noted.

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| 1.7.2 | RELIEF EHO/BUILDING SURVEYOR (ITEM 6.3.2) |
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Noted.

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| 1.7.3 | BUILDING STATISTICS (ITEM 6.3.3) |
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Noted.

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting
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| 1.8 | FINANCE REPORT |
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| 1.8.1 | ACCOUNTS FOR PAYMENT (ITEM 6.4.1) |
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Moved Cr O Simkin, seconded Cr E Simkin

That Municipal Fund Cheques 17701 to 17755 inclusive, totalling \$123,421.49; Municipal EFT payments numbered EFT6110 to EFT6208 inclusive totalling \$585,228.41; Trust Fund Cheque 1702 to 1704 inclusive, totalling \$722.00, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 8/0

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| 1.8.2 | MONTHLY FINANCIAL STATEMENTS – 31 st DECEMBER 2008 (ITEM 6.4.2) |
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Moved Cr L Parker, seconded Cr Link

That the Monthly Financial Statements as at 31st December 2008 as presented be received.

CARRIED 8/0

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| 1.9 | ADMINISTRATION AND CORPORATE REPORT |
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| 1.9.1 | 2008 COMPLIANCE AUDIT RETURN (ITEM 6.5.1) |
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Moved Cr Stock-Standen, seconded Cr Gliddon

That the Statutory Compliance Return as presented be formally adopted.

CARRIED 8/0

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| 1.9.2 | PROPOSED HORROCKS COMMUNITY CENTRE (ITEM 6.5.2) |
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Moved Cr O Simkin, seconded Cr Link

That Council seek a meeting with the Minister for Planning and Infrastructure in an attempt to have the proposed development exempt from the requirements of State Planning Policy 2.6 and reduce the setback for the required 98 metres from the high water mark based on the natural ground height of the area of land for the proposed facility and citing other major developments within the Geraldton, Mandurah and metropolitan areas occurring on the coast that are closer than 98 metres.

CARRIED 8/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting Room, Grey Street, Kalbarri on Friday 23rd January 2009

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| 1.9.3 | ROYALTIES FOR REGIONS PROGRAM (ITEM 6.5.3) |
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Moved Cr Allen, seconded Cr L Parker

1. That Council direct the 2008/2009 Country Local Government Fund of \$824,025 to the following projects:
 - Construction of a new hall facility at Binnu.
 - Redevelopment of the Kalbarri Sports Oval.

2. That Council add for future projects the sealing of roads within the National Park, subject to funding from controlling/management agencies of the National park being secured.

CARRIED 8/0

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| 1.9.4 | ALLEN CENTRE EXTENSIONS (ITEM 6.5.4) |
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Moved Cr Allen, seconded Cr E Simkin

That Council not conduct an official opening for the extensions of the Allen Centre.

CARRIED 8/0

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| 1.9.5 | LOCAL GOVERNMENT ORDINARY ELECTIONS 2009 (ITEM 6.5.5) |
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Moved Cr Gliddon, seconded Cr O Simkin

That Council advise the WA Electoral Commission that it will not be engaging them to undertake the 2009 Local Government Election and that Council management to conduct the election.

CARRIED 8/0

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| 1.9.6 | CONSERVATION PLAN – FORMER RAILWAY STATION (ITEM 6.5.6) |
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Moved Cr O Simkin, seconded Cr Stock-Standen

1. That Council (by an absolute majority) approve the payment of the invoice submitted by Philip Griffiths Architects to the value of \$10,387.07 and this cost be declared authorised expenditure.

2. That Council progress with the Conservation Plan as originally approved and this expenditure also be declared authorised.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Allen Centre Meeting Room, Grey Street, Kalbarri on Friday 23rd January 2009

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| 1.9.7 | GARDEN WALL – LOT 454 FITZGERALD STREET (ITEM 6.5.7) |
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CEO declared a financial interest in this matter as the provision of the residence is part of his employment package.

Moved Cr Gliddon, seconded Cr E Simkin

That Council approve the costs incurred for the construction of lime stone walls at Lot 454 Fitzgerald Street to the value of \$1,628.00 (inclusive of GST) and this cost be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

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| 1.9.8 | SALE OF NORTHAMPTON CARAVAN PARK (ITEM 6.5.8) |
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Noted.

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| 1.9.9 | SIDE SHOWS ON COUNCIL LAND (ITEM 6.5.9) |
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Moved Cr Link, seconded Cr Stock-Standen

That Council amend Policy 10.2 to read the following:

It is the policy of Council that all groups/organisations that conduct fun/fair/market days etc that includes operations such as food vans, side show entertainment etc, then those operations can enter the land earlier than the eve of the event upon application to the CEO to set up on any Council controlled land and are to vacate the area immediately on the day at the conclusion of the event or the day after the event and can only operate on the day of the event unless otherwise approved by Council.

CARRIED 8/0

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| 1.9.10 | FOOD PREMISES HEALTH ORDERS (ITEM 6.5.10) |
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Noted.

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| 1.9.11 | DEDICATED ARTS & CRAFTS BUILDING – NORTHAMPTON (ITEM 6.5.11) |
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Moved Cr Gliddon, seconded Cr Link

That Councillors L Parker, Stock-Standen, O Simkin, E Simkin and Wilson meet with the Arts and Crafts Group to discuss their request as contained within their correspondence and report back to Council.

CARRIED 8/0

SHIRE OF NORTHAMPTON

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| 1.9.12 | COAST 2009 – AUSTRALIAN COASTAL COUNCILS CONFERENCE (ITEM 6.5.11) |
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Noted.

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| 1.10 | PRESIDENTS REPORT |
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No report provided.

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| 1.11 | COUNCILLORS REPORTS |
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No reports from Councillors.

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| 1.12 | INFORMATION BULLETIN |
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Nil

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| 1.13 | NEW ITEMS OF BUSINESS |
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| 1.13.1 | CR ALLEN - MURCHISON RIVER FORESHORE ACCESS |
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Cr Allen inquired if Council could determine the banning of vehicle access along the river foreshore from the entrance in line with Auger Street and encompassing the area from that access to the boat hire area with the northern section to remain open for vehicle access and dog exercise.

Moved Cr Allen, seconded Cr Link

That Council ban vehicle access along the Murchison River foreshore from the entrance in line with Auger Street and encompassing the area south from that access to the boat hire area with the northern section to remain open for vehicle access and dog exercise.

Staff to arrange for the installation of appropriate signage and Council rangers be instructed to police this area accordingly.

CARRIED 8/0

SHIRE OF NORTHAMPTON

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| 1.15 | NEXT MEETING OF COUNCIL |
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The next Ordinary Meeting of Council will be held at the Northampton Council Chambers, Hampton Road Northampton on the 20th February 2009.

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| 1.16 | CLOSURE |
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There being no further business, the President thanked all present for their attendance and declared the meeting closed at 2.03pm.