

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 22 August 2014**

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8.1 OPENING

The President thanked all Councillors and staff members present for their attendance and declared the meeting open at 9.02am.

8.2 PRESENT

Cr G Wilson	President	Northampton Ward
Cr T Carson		Northampton Ward
Cr D Stanich		Northampton Ward
Cr P Gliddon		Kalbarri Ward
Cr M Scott		Kalbarri Ward
Cr M Holt		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager Works & Technical Services	
Mrs Hayley Williams	Principal Planner	
Mr Glenn Bangay	Principal EHO/Building Surveyor	

8.2.1 LEAVE OF ABSENCE

Nil

8.2.2 APOLOGIES

Cr Stock-Standen, Cr Simkin

8.3 QUESTION TIME

There were no questions to Council from members of the public.

8.4 CONFIRMATION OF MINUTES

**8.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 18th
July 2014**

Moved Cr HOLT, seconded Cr GLIDDON

That the minutes of the Ordinary Meeting of Council held on the 18th July 2014 be confirmed as a true and correct record.

CARRIED 7/0

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8.4.2 CONFIRMATION OF MINUTES – SPECIAL BUDGET MEETING OF COUNCIL 30th July 2014

Moved Cr SCOTT, seconded Cr GLIDDON

That the minutes of the Special Budget Meeting of Council held on the 30th July 2014 be confirmed as a true and correct record.

CARRIED 7/0

8.4.3 BUSINESS ARISING FROM MINUTES

Nil

8.5 RECEIVAL OF MINUTES

Nil

8.6 WORKS REPORT

8.6.1 MAINTENANCE WORKS/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)

Noted

Mr Broadhurst left the meeting at 9.25am
Mr Broadhurst returned to the meeting at 9.27am

Moved Cr HOLT, seconded Cr STANICH

That Council conduct a road inspection on 16th September 2014.

CARRIED 7/0

8.7 HEALTH/BUILDING REPORT

8.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

8.8 TOWN PLANNING REPORT

8.8.1 DRAFT COASTAL MANAGEMENT PLANS – KALBARRI & HORROCKS – CONSENT TO ADVERTISE (ITEM 6.3.1)

Moved Cr SCOTT, seconded Cr CARSON

That Council endorse the draft Horrocks Coastal Management Strategy and the draft Kalbarri Coastal Management Strategy (August 2014) for advertising purposes only and refer the draft strategies to the Western Australian Planning Commission for consent to advertise

CARRIED 7/0

Mr Broadhurst left the meeting at 9.37am

8.8.2 PROPOSED ITINERANT FOOD VAN - KALBARRI (ITEM 6.3.2)
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Moved Cr CARSON, seconded Cr SCOTT

That Council grant formal planning approval for the operation of an itinerant food van subject to compliance with the following:

Conditions:

- a. The itinerant food van is ONLY to be operated at the following locations:
 - i. Jacques Point (Reserve 34550);
 - ii. Red Bluff Beach Road Reserve; &
 - iii. Kalbarri Industrial Area.

- b. The itinerant food van is ONLY to be operated at the following locations between the hours of 8:30pm-12:00am (midnight):
 - i. Carparking area adjacent Kalbarri Beach Resort (Reserve 25307); &
 - ii. Sally's Tree (Reserve 25307).

- c. The itinerant food van shall operate in the locations indicated upon the attached approved plan(s) dated 22 August 2014 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.

- d. This approval is valid for a period of three (3) years from the date of this advice, after which the development will be returned to Council for further consideration.

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- e. Prior to commencement of the land use, the proponent is required to obtain written approval from the Shire's Environmental Health Department regarding the final design/presentation of the itinerant food van and compliance with relevant health legislation.
- f. This planning approval shall remain valid while the necessary food premise registration remains current and valid and upon expiration or earlier termination of the food premise registration this planning consent shall cease to be valid.
- g. The itinerant food van is permitted to be stored at Lot (No.13) Glass Crescent, Kalbarri subject to the vehicle being stored within the property boundaries and the itinerant food van not causing injury to or prejudicially affecting the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- h. This approval is issued only to Martin & Judy Phyland and is NOT transferable to any other person or to any other land parcel. Should there be any change in respect of which this planning approval is issued this approval shall no longer be valid.
- i. The itinerant food van is only approved to sell the following items:
 - Hot, cold and frozen beverages (i.e. coffee, tea, slushies, cool drink cans)
 - Soft serve icecream
 - Toasted sandwiches
 - Pastry items (i.e. pies, sausage rolls)
 - Muffins & cakes
 - Bags of potato chips
- j. The itinerant food van is required to be removed from the area at the close of business each day. The itinerant food van is not permitted to be stored within the approved operating areas.
- k. The vendor is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times.
- l. The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- m. A certificate of currency in respect of public liability insurance cover of \$10,000,000, including reference to the Shire of Northampton as an interested party or within the definition of the insured. A copy of the insurance policy is required to be received by the Shire prior to the commencement of operation of the itinerant food van.

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- n. No freestanding signs or hoardings advertising the operation of the itinerant food van are permitted to be erected whether temporary or permanent in nature.
- o. The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted. The itinerant food van shall at all times comply with the *Environmental Protection (Noise) Regulations 1997*.
- p. The parking of the itinerant food van is not permitted upon road reserves, road verges or other carriageways with the exception of those approved areas indicated upon the approved plans dated 22 August 2014.
- q. A licence agreement being entered into for the use of Reserves 25307 between the applicant, the Shire of Northampton and the Department of Lands in accordance with the Shire's 'Commercial Recreational Tourism Activity on Crown Reserves' Local Planning Policy.
- r. This Planning Approval shall remain valid whilst the licence agreements referred to in Condition (q.) remain current and valid, and on the expiration or in the termination of such licence agreement, this Planning Approval shall cease to be valid.

Advice Notes:

- i. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- ii. 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.
- iii. In relation to Conditions (d.), (e.) and (h.) the applicant is advised that the itinerant food van is required to comply with the requirements of the *Food Act 2008* and *Food Regulations 2009*.
- iv. Should a new food premise be established within 500m of any of the approved locations the applicant is advised that the future approval and use of the said location would be unlikely.
- v. The Shire's environmental health officer is permitted to approve applications from the applicant for the operation of the food van at local events and market days subject to approval from the event/market day organisers.

- vi. 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 lodged within 28 days from the date of determination.

CARRIED 7/0

8.8.3	SINGLE DWELLING – LOT 17 (NO. 34) MITCHELL STREET, HORROCKS (ITEM 6.3.3)
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Moved Cr GLIDDON, seconded Cr SCOTT

That Council grant Planning Approval to the Single Dwelling on Lot 17 (No. 34) Mitchell Street, Horrocks subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 22 August, 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. A building permit shall be issued by the local government prior to the commencement of any work on the site;
5. All stormwater is to be disposed of on-site to the specifications and approval of the local government. On application for a building permit a detailed design of stormwater collection and disposal system of developed areas is to be supplied;
6. Installation of crossing place/s to the standards and specifications of the local government;
7. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
8. Access and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;

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9. The existing retaining wall at the rear of Lot 17 encroaches onto Lot 9501. The Landowner is required to remove the retaining wall or enter into an arrangement with the Shire of Northampton for an easement to be placed on the title registering the encroachment and indemnifying the Shire of Northampton;
10. At the completion of the proposed two storey dwelling the existing building on Lot 17 shall have its kitchen facilities (stove and sink) removed in accordance with the attached approved plans dated 22 August, 2014.

Advice Note

Note 1: 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.

Note 2: 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.

CARRIED 7/0

8.8.4 SHIRE OF NORTHAMPTON - DRAFT LOCAL PLANNING SCHEME NO. 11 (KALBARRI TOWNSITE) – AMENDED MAPS - CONSENT TO ADVERTISE (ITEM 6.3.4)
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Moved Cr SCOTT, seconded Cr PIKE

That Council:

1. Endorse and adopt the *Draft Local Planning Scheme No. 11 Scheme Text and Scheme Maps*, including the amended draft scheme maps dated August 2014 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

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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. 11* to the Environmental Protection Authority.

CARRIED 7/0

8.8.5 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.5)

Noted

8.9 FINANCE REPORT

8.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr PIKE, seconded Cr HOLT

That Municipal Fund Cheques 20227 to 20266 inclusive, totalling \$92,278.28, Municipal EFT payments numbered EFT12614 to EFT12757 inclusive totalling \$728,514.11, Direct Debit payments GJ0103 to GJ0107 totalling \$1,873.54, Trust Fund Cheques 1977-1987, totalling \$2,485.80 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

8.9.2 MONTHLY FINANCIAL STATEMENTS MAY 2014 (ITEM 6.4.2)

Moved Cr CARSON, seconded Cr GLIDDON

That Council adopts the Draft Monthly Financial Report for the period ending 31 July 2014.

CARRIED 7/0

8.9.3 2014/2015 BUDGET ADOPTION (ITEM 6.4.3)

Moved Cr CARSON, seconded Cr HOLT

That Council in accordance with section 6.2 of the Local Government Act 1995 adopt the 2014/2015 budget as presented inclusive of the following:

Statement of Comprehensive Income

Statement of comprehensive income as detailed on pages 2-4 of the budget for the financial year ending 30 June 2015, showing projected net profit of \$460,240.

Statement of Cash Flows

Statement of Cash Flows detailed on page 5 of the budget for the financial year ending 30 June 2015, showing a projected cash at year end of \$1,535,336.

Rate Setting Statement

Rates Setting Statement detailed on page 6 of the budget for the financial year ending 30 June 2015, showing an Estimated Surplus B/Fwd amount of \$1,234,702 from 2013/2014.

Statutory Budget

Statutory Budget detail for 2014/2015 as presented on pages 7 to 37.

2014/2015 Budget By Schedule Format

Detailed Schedule Budget format for 2014/2015 detailed on pages 1 to 137 of the supplementary information to the budget document showing a projected nil closing current position.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

8.9.4 WAIVER OF 2014/2015 RATES (ITEM 6.4.4)
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Moved Cr SCOTT, seconded Cr PIKE

That Council in accordance with section 6.47 of the Local Government Act 1995:

Waive the rates on the following lessees:

Northampton Bowling Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;

Northampton Golf Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;

Northampton Community Centre – Portion of Reserve 23432

The Federation of Western Australian Police and Citizens Youth Clubs Inc – Kalbarri Town Lot 468 Reserve No 35559.

Kalbarri Golf and Bowling Club – part of Reserve No 30953;

Kalbarri Sport and Recreation Club – part of Reserve No 25447.

Kalbarri Occasional Childcare Centre – Lot 233 and 232 Smith Street, Kalbarri.

Edna Bandy Centre – Reserve 2038, Stephen Street Northampton

Old School Community Centre – Lot 475, Stephen Street Northampton

Binnu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binnu

Northampton District Agricultural Society – Portion of lot 469 on Deposited Plan 217042, Northampton

Northampton Stud Breeders – Portion of lot 469 on Deposited Plan 217042, Northampton

Northampton Motors and Machinery Restoration Inc – Portion of lot 479 on Deposited Plan 192577, Northampton

Waive the rates on the following aged care accommodation:

Pioneer Lodge Inc – Lot 7 Robinson Street, Northampton; and

Homeswest and the Shire of Northampton Lot 1001 Hackney Street,

CARRIED BY AN ABSOLUTE MAJORITY 7/0

8.10 ADMINISTRATION & CORPORATE REPORT

Council adjourned for a site visit to the Northampton Light Industrial area at 10.10am:

Meeting reconvened at 10.35am with the following in attendance:

Cr Wilson, Cr Carson, Cr Scott, Cr Stanish, Cr Gliddon, Cr Holt, Cr Pike, Chief Executive Officer Garry Keefe, Deputy CEO Grant Middleton, Mr Glenn Bangay Principal EHO/Building Surveyor, Mrs Hayley Williams Principal Planner

8.10.1 NORTHAMPTON LIGHT INDUSTRIAL UNITS (ITEM 6.5.1)

Moved Cr CARSON, seconded Cr HOLT

That the light industrial units located on Lot 83 Kitson Circuit be leased at a rate of \$120 per week for the units with a workshop floor area of 120m² and \$140 per week for the units with a workshop floor area of 140m², with CPI to be applied each year and market value to be undertaken every 5 years.

CARRIED 6/1

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8.10.2 REQUEST TO OPERATE FUN FAIR ON FORESHORE PARKLAND (ITEM 6.5.2)

Moved Cr SCOTT, seconded Cr PIKE

That Council approve the application submitted by Tyrone Taylor to operate a fun fair consisting of rides, games and food, to be conducted on the Kalbarri foreshore parkland from 26th December 2014 to 12th January 2015 and the times of operation to be from 3.00pm to 10.00pm, except on Sunday 28th December operating times be 11.00am to 5.00pm and for the period 11th January from 11.00am to 5.00pm and a fee of \$500 for the use of the area apply and all use be subject to current Council policy conditions.

CARRIED 7/0

8.10.3 FRIENDS OF THE RAILWAY 6.5.3)

Moved Cr HOLT, seconded Cr GLIDDON

That Council delay any decision on the relocation of the Governor Rail Car until further information is supplied by Northampton Friends of the Railway Inc on where the carriage is to be located at the Mary Street precinct and the time it will take to restore the carriage, and Councillors undertake an inspection of the carriage.

CARRIED 7/0

8.10.4 AWARE GRANT FUNDING APPLICATION 6.5.4)

Noted

8.11 SHIRE PRESIDENTS REPORT

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

6/8/14 – 8/8/14	Local Government Convention
16/8/14	Freeman function – George Parker
17/8/14	Opened Botanic Line (on behalf of Council)
19/8/14	Citizenship Ceremony
20/8/14	Meeting with Department of Lands - UCL Issues
22/8/14	Citizenship Ceremony

8.12 DEPUTY SHIRE PRESIDENTS REPORT

Nil

8.13 COUNCILLORS REPORTS

8.13.1 CR CARSON

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

6/8/14 – 8/8/14	Local Government Convention
16/8/14	Freeman function – George Parker

8.13.2 CR PIKE

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

6/8/14 – 8/8/14	Local Government Convention
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8.13.3 CR GLIDDON

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

25/7/14	Tidy Towns – Judges Inspection
1/8/14	Visitor Centre Committee Meeting
6/8/14 – 8/8/14	Local Government Convention
16/8/14	Freeman function – George Parker
20/8/14	Lucky Bay Inspection - Department of Lands

8.13.4 CR HOLT

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

6/8/14 – 8/8/14	Local Government Convention
12/8/14	LEMC Meeting Kalbarri District
12/8/14	Men's Shed Meeting
16/8/14	Kalbarri SES - Media/Awards

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8.13.5 CR SCOTT

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

6/8/14 – 8/8/14	AGM – Sport & Rec Kalbarri
20/8/14	Local Government Convention
	Meeting with Department of Lands - UCL Issues

8.13.6 CR STANICH

Since the last Council meeting Cr Stanich reported on his attendance at the Freeman function for George Parker on 16th August 2014.

8.14 INFORMATION BULLETIN

Nil

8.15 NEW ITEMS OF BUSINESS

None

8.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on the 19th September 2014 commencing at 1.00pm at the Council Chambers, Hampton Road, Northampton.

8.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 11.21am.