

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre, Grey Street Kalbarri on
17 February 2017**

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2.1 OPENING

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

2.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr T Carson		Northampton Ward
Cr D Stanich		Northampton Ward
Cr R Suckling		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr S Krakouer		Kalbarri Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mrs Deb Carson	Planning Officer	

2.2.1 LEAVE OF ABSENCE

Cr Holt requested leave of absence for the Ordinary Meetings of February, March and April 2017.

Moved Cr PIKE, seconded Cr KRAKOUER

That Council grant leave of absence to Cr Holt for the Ordinary Meetings of Council for February, March and April 2017.

CARRIED 6/0

2.2.2 APOLOGIES

Cr's Scott and Stock-Standen

2.3 QUESTION TIME

Nil.

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2.4 CONFIRMATION OF MINUTES

2.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 16 DECEMBER 2016

Moved Cr SUCKLING, seconded Cr STANICH

That the minutes of the Ordinary Meeting of Council held on the 16th December 2016 be confirmed as a true and correct record.

CARRIED 6/0

2.4.2 BUSINESS ARISING FROM MINUTES

Nil

2.5 RECEIVAL OF MINUTES

Moved Cr SIMKIN, seconded Cr SUCKLING

That the minutes of the Annual Elector's Meeting held on the 25th January 2017 be received.

CARRIED 6/0

There were no matters from the Annual Electors' Meeting for Council to consider.

2.6 WORKS REPORT

2.6.1 INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)

Noted

2.6.2 CHEMICAL SPRAYING – NORTHAMPTON TOWNSITE ROAD VERGES AND GENERAL CHEMICAL SPRAYING (ITEM 6.1.2)

Moved Cr CARSON, seconded Cr SIMKIN

That Council instructs the Manager of Works and Technical Services to continue the practice of road verge vegetation control via the use of approved chemicals under the controls presently in place and within Health Regulations.

CARRIED 6/0

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2.6.3 PLANT – P203 CATERPILLAR GRADER
MAINTENANCE AND REPAIR WORKS
APPROVAL AS AUTHORISED EXPENDITURE (ITEM 6.1.3)

Moved Cr STANICH, seconded Cr CARSON

That Council approves the expenditure for the works to be undertaken to Plant Item P203 – Caterpillar Motor Grader and associated works by Westrac Geraldton at a cost of \$39, 567.00 plus GST.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

2.6.4 KALBARRI – ALLEN CENTRE CAR PARK AREA
CONCEPT PLAN/S FOR REAR BUS AND LONG VEHICLE PARKING
(ITEM 6.1.4)

Moved Cr STANICH, seconded Cr KRAKOUER

That Council direct staff to seek costings for a carpark as per Option 1, for inclusion in the Shire of Northampton's Corporate Business Plan and future budgets.

CARRIED 6/0

2.7 HEALTH/BUILDING REPORT

2.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

2.7.2 2016/2017 BUDGET CHANGE – NORTHAMPTON COMMUNITY
CENTRE, URGENT WORKS (ITEM 6.2.2)

Moved Cr STANICH, seconded Cr KRAKOUER

That Council approve of the actions taken by senior staff to:

1. Reallocate the \$25,000 budget provision for the works at the Binu Refuse Site to the Northampton Country Club plumbing repair work;
2. List within the 2017/18 Draft Budget the reallocated funding of \$25,000 for refuse pit earthworks of \$10,000 and a DER Risk Assessment and Works Approval of \$15,000.

CARRIED BY ABSOLUTE MAJORITY 6/0

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Mr Garry Keeffe departed the meeting at 1:35pm, returning at 1:38pm.

2.8 TOWN PLANNING REPORT

**2.8.1 PROPOSED RELOCATED DWELLING AND OUTBUILDING – LOT 13
(NO. 31) FOURTH AVENUE, NORTHAMPTON (ITEM 6.3.1)**

Moved Cr CARSON, seconded Cr SUCKLING

That Council rescind the motion of Minute 7.8.6 on 22 July 2016, thus rescinding Development Approval 2016-046 for a single dwelling and the associated Statutory Declaration to complete the approved works, as per the written request from the applicant.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Moved Cr CARSON, seconded Cr KRAKOUER

1. That Council grants formal development approval to the proposed single house on Lot 13 (No. 31) Fourth Avenue, subject to the following conditions:
 - a. Development shall be in accordance with the attached approved plan(s) dated 20 February 2017 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. 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 development approval for that use/addition;
 - c. This development approval shall replace all previous planning approvals for Lot 13 including D/A 2016-046, and those previous approvals shall be considered void from the date of the attached approved plan(s);
 - d. A building permit shall be issued by the local government prior to the commencement of any work on the site;
 - e. All stormwater is to be disposed of on-site to the specifications and approval of the local government;
 - f. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
 - g. A wastewater apparatus shall be provided and maintained in accordance with the *Health (Treatment of Sewerage & Disposal of*

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Effluent & Liquid Waste) Regulations 1974 to the approval of the Shire of Northampton's Environmental Health Officer;

- h. A manoeuvring/vehicle turnaround area shall be provided on the western side of the dwelling and adjacent to the carport, as marked in 'RED' on the attached approved plan(s) dated 20 February 2017;
 - i. A vehicle access driveway shall be constructed and drained to a compacted gravel standard, and thereafter maintained to the approval of the local government;
 - j. Bin storage and clothes drying areas shall be provided to the rear of the dwelling, or screened from the view from the street, to the approval of the local government;
 - k. The storage of building materials associated with the relocated dwelling and outbuilding shall be to the rear of the dwelling or screened from public view. No long-term storage of building materials shall be located forward of the dwelling;
 - l. The space between the ground level and the floor level of the relocated dwelling shall be suitably enclosed to the approval of the local government;
 - m. All verandah posts, rafters, downpipes, gutters and fascias are to be painted in the colours provided, to the approval of the local government;
 - n. Payment of a \$2,750 bond shall be paid to the Shire of Northampton by the applicant prior to the issuance of a Building Permit;
 - o. The \$2,750 bond paid by the applicant shall only be refunded after the external re-cladding and structural works to the exterior of the dwelling have been carried out as per the conditions of approval, to the satisfaction of the local government. These works must be carried out within a time frame of twelve (12) months from the date of the attached approved plan(s), or the bond monies shall be forfeited to the local government; and
 - p. The Applicant shall lodge a signed and witnessed Statutory Declaration with the Shire of Northampton, indicating that the bond will be forfeited to Council if:
 - (i) The works described in the application and attached approved plan(s) are not carried out within the timeframe indicated;
 - (ii) Within twelve (12) months of the date of this approval, the development does not reach a point where externally it appears complete; and
-

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- (iii) Any notice duly served upon the builder is not promptly complied with.
2. That Council grants development approval for the proposed outbuilding on Lot 13 (No. 31) Fourth Avenue, subject to the following conditions:
- a. Development shall be in accordance with the attached approved plan(s) dated 20 February 2017 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. 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 development approval for that use/addition;
 - c. A building permit shall be issued by the local government prior to the commencement of any work on the site;
 - d. All stormwater is to be disposed of on-site to the specifications and approval of the local government;
 - e. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government; and
 - f. The approved outbuilding is only to be used for general and vehicle storage purposes and minor maintenance upon vehicles housed therein to the approval of the Shire of Northampton and shall NOT be used for habitation, commercial or industrial purposes.

Advice Note

1. *If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect;*
2. *Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained;*
3. *If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.*

CARRIED 6/0

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2.8.2 DEVELOPMENT ASSESSMENT PANEL NOMINATIONS (ITEM 6.3.2)

Moved Cr CARSON, seconded Cr SIMKIN

That Council submit to the Minister of Planning the following Local Government nomination to serve upon the Mid-West/Gascoyne Joint Development Assessment Panel:

Councillor Des Pike (member)

CARRIED 6/0

2.8.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)

Noted

2.9 FINANCE REPORT

2.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr SIMKIN, seconded Cr SUCKLING

That Municipal Fund Cheques 21097 to 21144 inclusive totalling \$119,089.97, Municipal EFT payments numbered EFT15870 to EFT16028 inclusive totalling \$1,213,804.28, Trust Fund Cheques 2183 to 2190, totalling \$2,900.00, Direct Debit payments numbered GJ0603 to GJ0712 inclusive totalling \$528,678.30 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

2.9.2 MONTHLY FINANCIAL STATEMENTS DECEMBER 2016 (ITEM 6.4.2)

Moved Cr CARSON, seconded Cr PIKE

That Council adopts the Monthly Financial Report for the period ending 31 December 2016.

CARRIED 6/0

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2.9.3 MONTHLY FINANCIAL STATEMENTS JANUARY 2017 (ITEM 6.4.3)

Moved Cr CARSON, seconded Cr PIKE

That Council adopts the Monthly Financial Report for the period ending 31 January 2017.

CARRIED 6/0

2.9.4 DRAFT BUDGET ITEM 2017-2018 (ITEM 6.4.4)

Moved Cr STANICH, seconded Cr CARSON

That Council commit \$16,500 within the draft 2017/2018 Budget for the Revaluation of Land and Building assets.

CARRIED 6/0

2.10 ADMINISTRATION & CORPORATE REPORT

2.10.1 LOCAL LAWS REVIEW (ITEM 6.5.1)

Moved Cr STANICH, seconded Cr KRAKOUER

That Council:

Gives Statewide public notice pursuant to Section 3.12 (3) of the Local Government Act 1995 and gives Local public notice pursuant to Section 3.12 (3a) that it intends to make:

1. the *Shire of Northampton Activities In Thoroughfares and Public Places and Trading Local Law 2017*, as contained in the Attachment 1.
 2. the *Shire of Northampton Bush Fire Brigades Local Law 2017*, as contained in the Attachment 1.
 3. the *Shire of Northampton Cemeteries Local Law 2017*, as contained in the Attachment 1.
 4. the *Shire of Northampton Dogs Local Law 2017*, as contained in the Attachment 1.
 5. the *Shire of Northampton Fencing Local Law 2017*, as contained in Attachment 1.
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6. the *Shire of Northampton Local Government Property Local Law 2017*, as contained in the Attachment 1.
7. the *Shire of Northampton Urban Environment and Nuisance Local Law 2017*, as contained in the Attachment 1.
8. the *Shire of Northampton Repeal Local Law 2017*, as contained in the Attachment 1.

CARRIED 6/0

2.10.2 EXPRESSION OF INTEREST FOR LEASE OF COUNCIL LAND (ITEM 6.5.2)
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Moved Cr KRAKOUER, seconded Cr STANICH

That Council accepts the Expression of Interest from Summerstar Pty Ltd for the lease of a portion of Lot 101 Mitchell Street, being approximately 7650m², subject to the following:

1. That the commencing annual rent be set at \$11,500 per annum , plus GST as per the valuation report obtained by Council;
2. The annual rent to be reviewed by market valuation every five years;
3. That the lease period be 21 years with a further 21 year option;
4. That the CEO, upon acceptance of the above conditions by Summerstar Pty Ltd, commence the preparation and entering into a lease agreement to be prepared by Council's legal advisors with all costs for the preparation and execution of the lease to be at the cost of Summerstar Pty Ltd; and
5. That Summerstar Pty Ltd be advised that Council supports in principle their proposed developments (as provided) with a preference for Option 2 (being a mixture of caravan parks and chalets upon the area of land), however advise that any proposed development will need to be considered by the Council upon a formal Development Application and be in accordance to Councils current Town Planning conditions and other statutory requirements.

CARRIED 6/0

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2.10.3 KALBARRI FORESHORE CLEANUP (ITEM 6.5.3)

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council:

1. Engage Aussie Tree Services to do a complete tree and vegetation survey and source a quote to undertake the clean-up works, to be brought back to Council at a further meeting.
2. Reallocate the \$25,000 budget provision for the NBN Survey to finance the Kalbarri Foreshore Tree Survey to initiate this process.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

2.10.4 KALBARRI INDEPENDENT LIVING UNITS – RESERVE FUND BALANCE
(ITEM 6.5.4)

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council:

1. Create a new reserve fund titled the “Kalbarri Foreshore Parkland Redevelopment Reserve Fund” for the purpose of funding capital upgrades as per the adopted foreshore redevelopment plan.
2. Transfer the over transfer of Council funds to the Kalbarri Aged Persons Accommodation Reserve Fund totaling \$38,816.72 to the “Kalbarri Foreshore Parkland Redevelopment Reserve Fund”.
3. Upon receipt of the equity payout from the Kalbarri Aged Persons Accommodation when ownership is transferred from Council to Community Housing Ltd, that equity payout to be transferred to the “Kalbarri Foreshore Parkland Redevelopment Reserve Fund”

CARRIED BY AN ABSOLUTE MAJORITY 6/0

2.10.5 DISCONTINUATION OF VEHICLE LICENCE CONCESSIONS (ITEM 6.5.5)

Noted

2.10.6 PROPOSED RE-ALIGNMENT – BINNU WEST ROAD (ITEM 6.5.6)

Moved Cr SIMKIN, seconded Cr STANICH

That Council:

1. Approve the proposed subdivision plan for required land for the realignment of the Binnu West Road as shown at Appendices 1.
2. Progress with the subdivision and purchase of the required land.
3. All costs associated with the land purchase and fencing be declared authorised expenditure.
4. Council to utilise the Roadworks Reserve Fund to cover the cost for this land purchase and subdivision process.
5. Council management undertakes detailed costs for the construction of the new alignment, including a bitumen seal, and present to Council for further consideration and prioritization within the Corporate Business Plan and future budgets.

CARRIED 6/0

2.10.7 SALE OF SURPLUS PROPERTIES (ITEM 6.5.7)

Moved Cr CARSON, seconded Cr PIKE

That Council calls tenders for the sale of Lot 6 Robinson Street and Lot 7 Stephen Street, Northampton.

CARRIED 6/0

**2.10.8 OUTSTANDING RATES – FURTHER ACTION FOR RECOVERY
PROPOSED (ITEM 6.5.8)**

Moved Cr SUCKLING, seconded Cr STANICH

That Council instruct its debt collecting agency to undertake proceedings as per the provisions of Section 6.64 of the Local Government Act 1995 to sell Lot 291 Explorer Avenue, Kalbarri, Alex Perkins for the recovery of outstanding rates and charges.

CARRIED 6/0

2.10.9 PROPOSED ROADSIDE FATIGUE PARKING AREA (ITEM 6.5.9)

Moved Cr PIKE, seconded Cr SUCKLING

That Council:

1. Not endorse the Officer's recommendation to support the acquisition of a portion of Lot 2 on the corner of North Road and North West Coastal Highway by Main Roads WA for the construction of a fatigue parking bay for truck combinations up to 53.5 metres in length;
2. Advise Main Roads WA that Council does not consider the proposal to be of good use of taxpayer and State Government funds given that there is a proposal to build a Road Train Assembly Area within 3kms of the proposed Fatigue Area; and
3. Advise Main Roads WA that Council considers that a better use of funding would be the realignment of the Chilimony Road and North West Coastal Highway intersection.

CARRIED 6/0

2.10.10 TELEPHONE CONFERENCE SYSTEM (ITEM 6.5.10)

Moved Cr SUCKLING, seconded Cr STANICH

That Council purchase a Polycom SoundStation 2W EX wireless conference phone at an estimated cost of \$1,300 (inclusive of GST) and this purchase be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

2.10.11 WORKS STAFF COLLECTIVE EMPLOYMENT AGREEMENT (ITEM 6.5.11)

Moved Cr SIMKIN, seconded Cr STANICH

That Council appoint the Shire President (with his alternate to be Cr Scott), the CEO, Deputy CEO and Manager for Works and Technical Services to represent Council in negotiations of the renewal of the Shire of Northampton Work Staff Collective Employment Agreement.

CARRIED 6/0

2.10.12 CAMPING FEE EXEMPTION REQUEST (ITEM 6.5.12)

Moved Cr SUCKLING , seconded Cr PIKE

1. That Council respond to the Club to determine if the Club would be willing to accept the following arrangement:
 - (a) That the Club be issued a 12 month Lucky Bay Park Pass at a cost of \$30 per annum, which will entitle Club members to camp overnight for pre-determined Club-fixtured events only, subject to the Club annually providing a list of fixtured events (including times and dates) and the Club's membership list, to the Shire of Northampton;
 - (b) That a chemical toilet must be used by Club members as a requisite for camping overnight on the foreshore areas where no ablutions are provided;
2. That the overnight camping fee exemption and Park Pass will apply only to Northampton Shire-based fishing clubs.

CARRIED 6/0

ADJOURNMENT

Council adjourned at 2:58pm.

Meeting reconvened at 3:07pm with the following in attendance:

Cr Simkin, Cr Carson, Cr Stanich, Cr Suckling, Cr Pike, Cr Krakouer, Garry Keeffe, Grant Middleton and Debbie Carson.

2.10.13 SALLY'S TREE ABLUTIONS UPGRADE (ITEM 6.5.13)

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council progress with the upgrade/extensions of the Sally's Tree Ablutions as per the design at Appendices 1 of this item and that the \$40,000 currently held in the reserve fund for this purpose be utilised for the costs of the upgrades.

CARRIED 6/0

2.10.14 "EWE TURN IN NORTHAMPTON" PROJECT (ITEM 6.5.14)

Moved Cr SIMKIN, seconded Cr STANICH

That Council supports the placement of statues of sheep in identified areas of the Northampton town central business district as proposed by Northampton Creative Obsessions Inc subject to the following conditions:

1. All maintenance to the statues are to be the responsibility of Northampton Creative Obsessions Inc.
2. Should any statues come in a state of disrepair the Council has the right and authority to remove those statues.
3. Replacement of removed/damaged statues are to be the responsibility of Northampton Creative Obsessions Inc.
4. Where statues are on land under private ownership, the approval of that land owner to be obtained.
5. Those sheep that are to be located in front of heritage buildings shall not be multi-coloured but be representative of the colour of a merino sheep.

CARRIED 6/0

2.11 SHIRE PRESIDENT'S REPORT

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

25/1/2017 Annual Electors' Meeting
26/1/2017 Australia Day Breakfast
29/1/2017 MWDC R4R Funding Presentations
11/2/2017 Abdication of Prince Leonard of Hutt River Province to Prince Graham
16/2/2017 BLEMC meeting

2.12 DEPUTY SHIRE PRESIDENT'S REPORT

Nil

2.13 COUNCILLORS' REPORTS

2.13.1 CR SUCKLING

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

25/1/2017 Annual Electors' Meeting
26/1/2017 Australia Day Breakfast

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2.13.1 CR KRAKOUER

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

11/2/2017 Kalbarri Development Association meeting

2.13.1 CR PIKE

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

25/1/2017 Roadwise Committee Meeting
10/1/2017 Kalbarri Visitor Centre Meeting

2.14 INFORMATION BULLETIN

Noted

2.15 NEW ITEMS OF BUSINESS

Cr Carson raised an issue on behalf of local farmers who have requested a review of seven local roads for RAV4 consideration by Mains Roads. The aim of the review request would be to accommodate 27.5 metre road trains upon these roads in the future.

Moved Cr CARSON, seconded Cr STANICH

That Council submit the following roads for assessment by Main Roads for 27.5 metre truck combinations:

- Sandy Gully Rd,
- West Ogilvie Rd (Chilimony to NWC Highway),
- Swamps Rd,
- Horrocks Rd (Port Gregory Rd to property of Mary Ash's),
- Yallabatharra Rd,
- Rob Rd, and
- Gill Rd.

CARRIED 6/0

2.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday the 17 March 2017 commencing at 1.00pm at the Council Chambers, Hampton Road, Northampton.



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2.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3:55pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 18 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 17 MARCH 2017

PRESIDING MEMBER: _____

DATE: _____