

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 15th September 2017**

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9.1 OPENING

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

9.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr T Carson		Northampton Ward
Cr D Stanich		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr S Krakouer		Kalbarri Ward
Cr R Suckling		Northampton Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Glenn Bangay	Principal Building Surveyor	
Mr Neil Broadhurst	Manager of Works	
Mrs Hayley Williams	Principal Planner	
Mrs Debbie Carson	Planning Officer	

9.2.1 LEAVE OF ABSENCE

Nil

9.2.2 APOLOGIES

Cr Scott and Cr Stock-Standen

9.3 QUESTION TIME

Nil

9.4 CONFIRMATION OF MINUTES

**9.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 18th
AUGUST 2017**

Moved Cr SUCKLING, seconded Cr KRAKOUER

That the minutes of the Ordinary Meeting of Council held on the 18th August 2017 be confirmed as a true and correct record.

CARRIED 6/0

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9.4.2 BUSINESS ARISING FROM MINUTES

Nil

9.5 RECEIVAL OF MINUTES

Nil

9.6 WORKS REPORT

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

Noted

Mr Neil Broadhurst departed the meeting at 1:07pm

9.7 HEALTH/BUILDING REPORT

9.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

Mr Glenn Bangay departed the meeting at 1:09pm.

9.8 TOWN PLANNING REPORT

9.8.1 PROPOSED ANIMAL HUSBANDRY – INTENSIVE PIGGERY – LOT 25 (NO. 90) WILLIGULLI ROAD, SANDY GULLY (ITEM 6.3.1)

Moved Cr STANICH, seconded Cr SUCKLING

That Council grant development approval to the proposed Animal Husbandry - Intensive Piggery on Lot 25 (No. 90) Willigulli Road, Sandy Gully subject to the following conditions:

1. The land use and development shall be in accordance with the attached approved plan(s) dated 15 September 2017 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;

2. This decision constitutes Development Approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2 year period, the approval shall lapse and be of no further effect;
3. The use when established shall at all times comply with the definition of Animal Husbandry - Intensive Piggery contained within the *Shire of Northampton Local Planning Scheme No. 10*;
4. The approval is for Phases 1-3 inclusive and any ancillary works with a capacity to house up to 5,000 pigs at any one time;
5. The Applicant/Operator shall prior to commencement of the development, submit (and subsequently adhere to) an Environmental Management Plan, in accordance with the "National Environmental Guidelines for Piggeries – Second Edition" (as amended), to the approval of the Local Government;
6. The Development shall at all times comply with the DWER Works Approval Licence, and if granted and once the Works Approval is completed, comply with the DWER Licence to operate a Piggery.
7. The development must be designed, constructed and operated to ensure that it is capable of retaining and managing stormwater run-off and not discharge stormwater or waste into the watercourse network, in accordance with the Stormwater Management Manual for WA, to the approval of the local government (this will be to a minimum requirement that development is able to manage/contain a 1 in 100 year stormwater/flood average recurrence interval event);
8. The Applicant/Operator shall prepare and implement a Pigs Death Management Plan in accordance with the National Environmental Guidelines for Piggeries - Second Edition (2010) to the approval of the Local Government;
9. The Applicant/Operator is required to undertake testing of bores in accordance with the requirements of the Department of Water and Environment Regulation;
10. The Applicant/Operator is required to undertake annual soil testing in accordance with the requirements of the Department of Primary Industries and Regional Development;

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11. The intensive piggery will be operated to comply with the *Environmental Protection (Noise) Regulations 1997*. Routine observations and inspections will be required to be undertaken in regard to noise. Onsite management will be informed of results of inspections and observations and will implement contingency actions to ensure compliance with the *Environmental Protection (Noise) Regulations 1997*;
 12. Crossovers, access and egress to the subject site from Willigulli Road shall be located and constructed to the approval of the local government. Costs applicable to the construction of access points onto the site and any related issues shall be borne by the Applicant;
 13. All internal roadway surfaces and designated car parking areas within the site are to be constructed of a suitable material such as road base, limestone or coarse gravel and compacted to limit dust generation, to the approval of the local government;
 14. The use and development must be conducted so that it has minimum impact on the amenity of the area by reason of:
 - a) transportation of materials, good and commodities to and from the premises;
 - b) appearance of any buildings, works and materials; and
 - c) the emission of odour, noise, vibration, dust, wastewater, waste products or reflected light;
 15. Any stockpiling of composted effluent is at all times to be covered with an impermeable cover in order to reduce odour escaping to the environment, excluding when maintenance is carried out;
 16. A building permit shall be issued by the local government prior to the commencement of any work on the site;
 17. Prior to the commencement of the development/land use, a plan incorporating native or locally acceptable trees capable of growing to 5m in height being planted and thereafter maintained around the development for screening purposes from neighbouring properties and view corridor from Horrocks Road, is to be submitted to and approved by the local government. Prior to the commencement of the approved use, the approved plan is to be implemented in full and maintained thereafter to the approval of the Local Government;
 18. The space between the ground level and the floor level of the proposed transportable site office shall be suitably enclosed to the approval of the
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Local Government (eg. brick, masonry, timber, textured fibrous cement sheeting or similar).

Advice Note

Note 1. 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.

Note 2: 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.

Note 3: In regard to Condition No. 5, the Applicant is advised that the Environmental Management Plan shall outline how the site will be managed including:

- Wastewater effluent management;
- Solid waste management;
- Odour management;
- Noise management;
- Nutrient management;
- Groundwater monitoring;
- Fire management (internal and external fire risk); and
- Environmental monitoring and reporting.

The Applicant is thereafter to implement and maintain reporting mechanisms for complaints concerning the operation of the development. In the event of a complaint being received the Applicant is required to demonstrate mitigation response(s) to the approval of the local government. Such response(s) will be treated as conditions of approval/required modifications to Management Plan.

Note 4: The Applicant shall note that the Horrocks Road, Main Roads WA RAV assessment for transport vehicles is RAV4 (max 27.5m) from 00 – 5.80 slk only (Suckling Road). The remainder of the road is rated as a 'As of right access' max 19.5m). Road grades/pavement width/corner radius would all have to be accessed past this point for RAV4 vehicles to be permitted. A alternative for the approval of RAV4 vehicles via the White Cliffs Road may be a consideration. This alternative route is yet to be submitted to Main Roads WA for consideration as a alternative route.

Note 5: *The Applicant is advised that the proposed development should at all times comply with the provisions of the Food Act 2008 and related regulations, codes and guidelines.*

Note 6: *The Applicant shall liaise with the Department of Primary Industries and Regional Development in regard to the implementation of systems to detect and manage any distress to the pigs from temperature extremes in order to demonstrate how they will manage this animal welfare issue.*

CARRIED 6/0

9.8.2 SHIRE OF NORTHAMPTON – DRAFT COASTAL MANAGEMENT STRATEGY – CONCLUSION OF PUBLIC ADVERTISING & FINAL ADOPTION (ITEM 6.3.2)

Moved Cr SIMKIN, seconded Cr KRAKOUER

That Council:

1. Endorses the Coastal Management Strategy (Final September 2017) subject to the recommended amendments included within the Schedule of Submissions Table attached as Appendix 2 to the Town Planning Report 15 September 2017; and
2. Adopt the Coastal Management Strategy (Final September 2017) as a Local Planning Policy under Local Planning Scheme No. 10.

CARRIED 6/0

9.8.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)
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Noted.

9.9 FINANCE REPORT

9.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr CARSON, seconded Cr PIKE

That Municipal Fund Cheques 21259 to 21278 inclusive totalling \$68,929.40, Municipal EFT payments numbered EFT16754 to EFT16900 inclusive totalling \$1,125,170.90, Trust Fund Cheques 2223 to 2227, totalling \$2,735, Direct Debit payments numbered GJ0107 to GJ0210 inclusive totalling \$456,439.66 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

9.9.2 MONTHLY FINANCIAL STATEMENTS – AUGUST 2017 (ITEM 6.4.2)

Moved Cr KRAKOUER, seconded Cr CARSON

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

CARRIED 6/0

9.10 ADMINISTRATION & CORPORATE REPORT

9.10.1 FREE CAMPING AREA – NORTHAMPTON GOLF CLUB (ITEM 6.5.1)

Moved Cr CARSON, seconded Cr STANICH

That the operation of Free Camping at the Northampton Golf Club shall remain, with this to be reviewed again in twelve months time.

CARRIED 5/1

9.10.2 REFURBISHMENT OF TABLE AND SEAT SETTINGS – EX KALBARRI LIONS PARK (ITEM 6.5.2)

Moved Cr PIKE, seconded Cr STANICH

That, as the area is not well used, Council remove the seating at the ex Kalbarri Lions Park, with the frames to be retained for possible future use.

CARRIED 6/0

9.10.3 KALBARRI AERODROME – CASA INSPECTION RESULTS (ITEM 6.5.3)

Moved Cr STANICH, seconded Cr PIKE

That Council approves the use of the provision of \$20,000 that was to be transferred to the Kalbarri Aerodrome Reserve Fund, and authorise additional expenditure over and above the \$20,000 provision to be used to fund:

1. Re-painting of the wind direction circle and signal circle at a cost of \$11,500;
2. Undertaking of a Runway Inspection and Obstacle Limitations Surfaces survey at a cost of \$4,070;
3. Provision or refresher training to three Airport Reporting Officers (current staff members) at a cost of \$7,200 plus travel and accommodation;

to ensure the Kalbarri Aerodrome is in compliance with Civil Aviation Safety Authority regulations.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

9.10.4 LUCKY BAY – JOINT MANAGEMENT WITH HUTT RIVER NATIVE TITLE CLAIMANTS (ITEM 6.5.4)

Moved Cr KRAKOUER, seconded Cr SUCKLING

That Council:

1. Adopt the draft policy as per the following wording:

“POLICY

It is the policy of Council that where the use of a reserve/land that is under the control/management and or ownership of the Shire of Northampton, by Aboriginal people for customary/cultural purposes, being: “preparing or consuming food customarily eaten by Aboriginal people, preparing or using medicine customarily used by Aboriginal people, engaging in artistic ceremonial or other cultural activities undertaken by Aboriginal people or other activities incidental to those purposes” and that use requires overnight camping then that use is approved subject to:

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1. 24 hours notice of that activity being provided to the CEO and/or the Lucky Bay Camping area caretaker;
2. All rules and regulations relating to the area are adhered to;
3. Use is to be in accordance with all current Council Local Laws; and
4. That the payment of the current camping fee applying to such areas is exempt.
5. That the policy shall apply for up to 30 persons, with any event that shall have a number greater than 30 persons requiring Council approval.

The inclusion of Council Local Laws is important to ensure that the Council retains control of certain activities that may occur outside this policy, ie dog control, litter control etc."

2. Respond to claimant representatives on land tenure issues and joint management options as per legal advice obtained;
3. Further discussions regarding joint management to occur with the claimants' representatives, once the new Council is in operation; and
4. That further research regarding the Reconciliation Action Plan be undertaken and the matter be discussed with the new Council once in operation.

CARRIED 6/0

9.10.5 NECK TIE & SCARF PURCHASES (ITEM 6.5.5)
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Moved Cr PIKE, seconded Cr SIMKIN

That Council purchase 30 scarves and 40 neck ties, as per the design presented within Agenda Item 6.5.5, at a cost of \$2,500.

VOTE COUNT 3/3

Being a tied vote, the President Cr Simkin exercised his casting vote and voted in favour of the motion.

CARRIED 4/3

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9.10.6 RESERVE 34550 – SEEK POWER TO LEASE (ITEM 6.5.6)

Moved Cr STANICH, seconded Cr PIKE

That Council requests the Department of Planning, Lands and Heritage to amend the Management Order drawn in favour of the Shire of Northampton for Reserve 34450 to provide “power to lease” for a period not exceeding 21 years.

CARRIED 6/0

9.10.7 SPECIAL MEETING – SWEARING IN OF NEW COUNCILLORS, ELECTION OF PRESIDENT, DEPUTY PRESIDENT AND MEMBERS OF COMMITTEES (ITEM 6.5.7)

Moved Cr SIMKIN, seconded Cr SUCKLING

That a Special meeting of Council be held Tuesday 24 October 2017 commencing at 3:30pm to be held at the Northampton Council Chamber, Hampton Road Northampton, with the order of Business to be:

1. Swearing in of Councillors
2. Election of President
3. Election of Deputy President
4. Election of Committees
5. Election/Appointment of Delegates

CARRIED 6/0

9.10.8 RATES EXEMPTION REQUEST – MURCHISON REGION ABORIGINAL CORPORATION (ITEM 6.5.8)

Moved Cr SUCKLING, seconded Cr STANICH

That Council:

1. Pursuant to Section 6.47 of the Local Government Act 1995 grant rates exemption for properties 30 Gwalla Street, 62A and 62B Mary Street, 44 West Street and 77 West Street Northampton, owned by the Murchison Region Aboriginal Corporation, and
2. Accept the 20% ex-gratia payment of \$655.65, as offered by MRAC.

CARRIED 6/0

9.10.9 SPORTS SCHOLARSHIP APPLICATION (ITEM 6.5.9)

Moved Cr SUCKLING, seconded Cr CARSON

That Council contributes \$1,000 to Samantha Freeman to assist with costs for her attendance to compete in the 25th Prime Gymnastics International Invitational Competition in Singapore, 9th to 12th November 2017.

CARRIED 6/0

9.10.10 BEACH VOLLEYBALL AREA - KALBARRI FORESHORE (ITEM 6.5.10)

Moved Cr KRAKOUER, seconded Cr PIKE

That Council approves the use of beach area and installation of two large pine poles at Chinaman's Beach, as shown on the plan within Agenda Item 6.5.10, subject to the following conditions:

1. Poles to be kept in good condition at all times by the Kalbarri Development Association.
2. All maintenance repairs and/or replacement to poles and any other associated equipment to be the responsibility of the Kalbarri Development Association.
3. Should poles become in a state of disrepair the Council has the right to remove the poles from site.
4. Northampton Shire accepts no liability for any injury caused by the sport of beach volley ball or injury caused by the poles or any associated equipment.
5. Area to be kept in a neat and tidy condition following use of the volley ball court area.

CARRIED 6/0

**9.10.11 OFFER TO LEASE LOT 80 KITSON CIRCUIT, NORTHAMPTON (ITEM
6.5.11)**

Moved Cr STANICH, seconded Cr SUCKLING

That Council leases Lot 80 Kitson Circuit, Northampton, to Landmark Operations Ltd for the purpose of storage of Urea Ammonium Nitrate in three 50,000litre tanks subject to the following:

1. That planning approval is obtained as per the requirements of the local planning scheme.
2. The lot (or part thereof) to be fenced using industrial security fencing similar to that currently at the industrial area.
3. Bunding to be installed on the lot to contain any spills that may occur in accordance with licencing requirements for the storage of liquid fertilizer.
4. All other relevant licences/approvals are obtained from other relevant licencing bodies for the storage of liquid fertilizer.

CARRIED 5/1

Cr Carson voted against the motion

ADJOURNMENT

Council adjourned at 2:42pm.

Meeting reconvened at 2:54pm with the following in attendance:

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

9.11 SHIRE PRESIDENT'S REPORT

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

- 2/9/2017 Official Opening of the Multipurpose Courts at Kalbarri Sport and Rec facility
11/9/2017 SAT Hearing of the Solar Thermal Power Station proposal

9.12 COUNCILLORS' REPORTS

9.12.1 CR PIKE

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

- 5/9/2017 AGM and monthly meeting of the Kalbarri Visitor Centre
- 2/9/2017 Official Opening of the Multipurpose Courts at Kalbarri Sport and Rec facility

9.12.2 CR KRAKOUER

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

- 2/9/2017 Official Opening of the Multipurpose Courts at Kalbarri Sport and Rec facility

9.12.3 CR CARSON

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

- 2/9/2017 Official Opening of the Multipurpose Courts at Kalbarri Sport and Rec facility

9.12.4 CR SUCKLING

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

- 2/9/2017 Official Opening of the Multipurpose Courts at Kalbarri Sport and Rec facility

9.13 INFORMATION BULLETIN

Noted

9.14 NEW ITEMS OF BUSINESS

Nil

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9.15 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 20th October 2017 commencing at 1.00pm at the Allen Centre in Kalbarri.

9.16 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3:05pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 16 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 20 OCTOBER 2017

PRESIDING MEMBER: _____

DATE: _____