

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

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12.1 OPENING

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

12.2 PRESENT

Cr C Simkin President Northampton Ward Cr S Krakouer Deputy President Kalbarri Ward Cr T Carson Northampton Ward Cr R Suckling Northampton Ward Cr D Pike Kalbarri Ward Cr W Smith Kalbarri Ward Cr P Stewart Kalbarri Ward

Mr Garry Keeffe Chief Executive Officer

Mr Grant Middleton Deputy Chief Executive Officer

Mr Neil Broadhurst Manager of Works
Mrs Hayley Williams Principal Planner
Mrs Deb Carson Planning Officer

12.2.1 LEAVE OF ABSENCE

Nil

12.2.2 APOLOGIES

Cr Stock-Standen

12.3 QUESTION TIME

Nil

12.4 CONFIRMATION OF MINUTES

12.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 17 NOVEMBER 2017

Moved Cr SUCKLING, seconded Cr KRAKOUER

That the minutes of the Ordinary Meeting of Council held on the 17^{th} November 2017 be confirmed as a true and correct record.

CARRIED 7/0



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12.4.2 BUSINESS ARISING FROM MINUTES

Nil

12.5 RECEIVAL OF MINUTES

Moved Cr SUCKLING, seconded Cr CARSON

That:

- 1. The minutes of the Audit Committee Meeting held on the 15th December 2017 be received; and
- The Audit Committee's recommendation, that the Internal Audit Report and Risk Matrix in accordance with Regulation 17 of the Local Government (Audit) Regulations 1996 as presented, be adopted.

CARRIED 7/0

12.6 WORKS REPORT

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

Noted

12.6.2 REQUEST FOR QUOTE - SUPPLY OF FLEET VEHICLES – 2017/2018 SUPPLY OF ONE (1) TANDEM AXLE PIG TRAILER (ITEM 6.1.2)

Moved Cr CARSON, seconded Cr STEWART

That Council accepts the quote submitted by Howard Porter for the supply of one Tandem Axle Pig Trailer (Two – way tipper) with trade vehicle (1TFS012) to be released to Howard Porter. Total price to Council \$49,950.00 (exc. GST).

CARRIED 7/0



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12.6.3 REQUEST FOR QUOTE - SUPPLY OF FLEET VEHICLES - 2017/2018 SUPPLY OF ONE (1) INDUSTRIAL SELF PROPELLED MOWER (ITEM 6.1.3)

Moved Cr PIKE, seconded Cr CARSON

That Council accepts the quote submitted by AFGRI Equipment for the supply of one John Deere 1585 Industrial Self Propelled Mower with trade vehicle (NR 9649) to also be released to AFGRI Equipment. Total price to Council \$57,498.51 (exc. GST).

CARRIED 7/0

Mr Neil Broadhurst departed the meeting at 1.17pm.

12.7 HEALTH/BUILDING REPORT

12.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

12.8 TOWN PLANNING REPORT

12.8.1 REQUEST TO LEASE PORTION OF RESERVE 52436 FOR COMMERCIAL PURPOSE – KALBARRI FORESHORE (ITEM 6.3.1)

Cr Krakouer declared a financial interest in Item 6.3.1 as he owns a similar business in Kalbarri and therefore my incur a financial gain or loss from the decision of Council, and left the meeting at 1.18pm.

Moved Cr STEWART, seconded Cr PIKE

That Council approve the lease of approximately 800m² of Crown Reserve No. 52436 to Mark Grove for the purpose of establishing a semi-permanent Cafe/Restaurant, subject to the provision of Section 3.58 of the Local Government Act and associated regulations, with the costs associated with obtaining a survey of the lease area, the preparation and registration of the lease and the valuation report to be met by the proponent.

CARRIED 4/2

Cr's Simkin and Smith voted against the motion

Cr Krakouer returned to the meeting at 1.32pm.



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12.8.2 PROPOSED SOLAR AND WIND FARM – VIC LOCATION 6945 (NO. 4601) & LOCATION 6687 (NO. 5540) OGILVIE WEST ROAD, YALLABATHARRA (ITEM 6.3.2)

Moved Cr PIKE, seconded Cr STEWART

That Item 6.3.2 be deferred so that the Applicant, Advanced Energy Resources, can provide a formal presentation to Council at their February 2018 meeting so that Council can be made more aware of the details of the proposal before making a determination on the proposal.

MOTION LOST 3/4

Cr Suckling voted against the motion

Moved Cr SIMKIN, seconded Cr SUCKLING

That Council grant development approval to the proposed "Solar and Wind Farm / Energy Facility on Victoria Locations 6945 (No. 4601) & 6687 (No. 5540) Ogilvie Road West, Yallbatharra subject to:

- The Applicant obtaining the signature of the Landowners on the Application for Development Approval Form for 6687 (No. 5540) Ogilvie Road West, Yallbatharra;
- Development shall be in accordance with the attached approved plan(s) and documents dated 15 December 2017 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans and documents shall not be modified or altered without the prior written approval of the local government;
- This approval is valid for a period of two (2) years from the date of approval and will deemed to have lapsed if the development has not substantially commenced before the expiration of this period;
- 4. Prior to commencement of any site works, the landowner/proponent shall lodge and secure the local government approval for a Construction Management Plan that sets out in detail the management commitments applicable to construction traffic management, signage, noise management, stormwater and dust management, construction operating hours and environmental management in relation to the approved development during the construction phase, with all costs met by the applicant. The proponent is responsible to ensure, that all installations, activities and processes are



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carried out at all times and in all respects in accordance with the approved Construction Management Plan;

- 5. The applicant is to ensure the design, construction (to a minimum compacted gravel standard), drainage and maintenance of the internal roads and vehicle manoeuvring areas required for the approved development shall be to the satisfaction of the Local Government;
- 6. The applicant is to prepare, submit and implement a Noise Management Plan that meets the requirements of the *Environmental Protection (Noise)*Regulations 1997 to the approval of the Department of Water and Environmental Regulation and the Local Government;
- 7. The applicant is to prepare, submit and implement a Bushfire Management Plan to the approval of the Fire and Emergency Services Authority and the Local Government;
- 8. The applicant is to undertake a flora survey of the clearing envelope so as to identify any ORF and/or priority flora, and if identified within the clearing envelope, then alterations to the powerline alignment and location of the battery storage unit may be negotiated with the Department of Biodiversity, Conservation and Attraction and the Local Government;
- 9. The applicant is to undertake a risk assessment to address the potential for bird mortality to determine if the proposal requires referral under the *Environment Protection and Biodiversity Conservation Act 1999*;
- 10. The applicant is to prepare, submit and implement an Environmental Management Plan to the approval of the Local Government;
- Any observed bird/bat strikes to be reported to the WA Museum for collation into a database; and
- 12. All shipping containers shall be consistent or complimentary in colour with the surrounding natural landscape features.

Advice Note

 The applicant is advised that this development approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to the Environment Protection and Biodiversity Conservation Act 1999, Wildlife Conservation Act, Environmental Protection (Noise) Regulations 1997, Building Code of Australia, Building Act 2011, Building Regulations 2012 and Aboriginal



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Heritage Act 1972. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences.

- 2. The Applicant is advised that they should take into consideration the State's Aboriginal Heritage Due Diligence Guidelines when planning specific developments associated with the proposal so as to mitigate any risks where heritage sites may be present.
- It is advised that relevant permits shall be required for the movement of overmass and oversized vehicles utilising the RAV4 Network that are associated with the proposed development.
- 4. In regard to Condition No. 9, the applicant is advised the risk assessment should be prepared as per the guidelines outlined in the *Environment Protection and Biodiversity Conservation Act 1999* policy statements 2.3 Wind Farm Industry and Significant Impact Guidelines.
- 5. In regard to Condition No. 10, the applicant is advised the Environmental Management Plan shall address the following issues:
 - weed management;
 - surface, ground and stormwater management;
 - flora and fauna; and
 - dust suppressions and stabilisation of any soils disturbed or deposited on site.
- 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.
- 7. 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 6/1

Cr Pike voted against the motion



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12.8.3 PROPOSED TEMPORARY SEA CONTAINER – LOT 31 (NO. 31)
ROBINSON STREET, NORTHAMPTON (NORTHAMPTON OLD SCHOOL
SITE), AND WAIVER OF DEVELOPMENT FEES REQUEST (ITEM 6.3.3)

Moved Cr KRAKOUER, seconded Cr PIKE

That Council waive the Planning and Building Application fees payable for the temporary use of a sea container upon Lot 31 (No. 31) Robinson Street, Northampton, in recognition of the valuable service that NOSCII provides to the Northampton community.

CARRIED 7/0

12.8.4 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.4)

Noted.

12.8.5 REQUEST TO MODIFY SITE PLAN - PROPOSED RELOCATED DWELLING - LOT 242 (NO. 12) PERSOONIA STREET, KALBARRI (ITEM 6.3.5)

Moved Cr STEWART, seconded Cr CARSON

That Council approve the amended site plan for proposed relocated single dwelling on Lot 242 (No. 12) Persoonia Street, Kalbarri subject to the completion of conditions of Development Approval 2016-070 by 13th February, 2018.

CARRIED 6/1

Cr Smith voted against the motion

Mrs Hayley Williams departed the meeting at 1.54pm.

12.9 FINANCE REPORT

12.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr SUCKLING, seconded Cr SMITH

That Municipal Fund Cheques 21336to 21355 inclusive totalling \$59,892.64, Municipal EFT payments numbered EFT17167 to EFT17315 inclusive totalling \$598,530.03, Trust Fund Cheques 2238 to 2246, totalling \$8,907.07, Direct Debit payments numbered GJ0515 to GJ0520 inclusive totalling \$333,448.38 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0



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12.9.2 MONTHLY FINANCIAL STATEMENTS NOVEMBER 2017 (ITEM 6.4.2)

Moved Cr CARSON, seconded Cr SUCKLING

That Council adopts the Monthly Financial Report for the period ending 30 November 2017.

CARRIED 7/0

12.10 ADMINISTRATION & CORPORATE REPORT

12.10.1 PROPOSED AGENDA CHANGES (ITEM 6.5.1)

Moved Cr STEWART, seconded Cr SUCKLING

That Council undertake a trial for three months of the revised agenda format as per Appendices 1 with all information items previously reported in Senior Staff reports to be placed within the Information Bulletin section of the agenda.

CARRIED 5/2

Cr's Simkin and Carson voted against the motion

12.10.2 ADDITIONAL COSTS – KALBARRI SPORT & RECREATION VERANDAH EXTENSIONS (ITEM 6.5.2)

Moved Cr PIKE, seconded Cr STEWART

That Council revise its decision of 17 November 2017 and authorise additional expenditure of \$7,000 to construct the southern wall as previously requested by the Kalbarri Sport and Recreation Club to fully complete the verandah extensions project, and the Kalbarri Sport and Recreation Club be advised that no further funding will be made by Council for this project.

CARRIED BY AN ABSOLUTE MAJORITY 4/3

Cr's Suckling and Simkin voted against the motion



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12.10.3 PROPOSED SIGNAGE AND FETTLER'S HUT NORTHAMPTON FRIENDS OF THE RAILWAY (ITEM 6.5.3)

Moved Cr STEWART, seconded Cr SUCKLING

That Council:

- Approve the request of the Northampton Friends of the Railway, to allow them to proceed with their planning for the relocation and restoration of the Fettler's Hut, subject to the Friends of the Railway group restoring the hut within a 12 month period and that they are to maintain the hut in good condition at all times;
- 2. Advise the Friends of the Railway group that should the hut fall into a state of disrepair then the Council has the right to remove the hut from site; and
- Approve the installation of two entry signs to the Mary Street Railway Station and Gwalla Railway precinct as requested.

CARRIED 7/0

12.10.4 SPORTS SCHOLARSHIP APPLICATION (ITEM 6.5.4)

Moved Cr KRAKOUER, seconded Cr SUCKLING

That Council contributes \$1,000 to Rory Elsum-Beaumont to assist with costs for his attendance to compete in the 2018 Australian Junior Sedan Speedway Championships to be held in Darwin and this contribution be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

12.10.5 PROPOSED ITINERANT FRUIT SALE VEHICLE - HORROCKS (ITEM 6.5.5)

Moved Cr CARSON, seconded Cr STEWART

That approval be granted to Lyle Teakle to sell rock and water melons from his vehicle on Council owned Lot 202 Glance Street, Horrocks being in the southern car park and not in the boat trailer/car parking area as requested, for one day per week between the period 15^{th} December 2017 and 1^{st} February 2018.

CARRIED 7/0



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12.10.6 AMENDMENT - DOGS LOCAL LAW (ITEM 6.5.6)

Moved Cr SUCKLING, seconded Cr SIMKIN

That Council:

- Adopt the Shire of Northampton Amendment Dogs Local Law 2017 as per Appendices 1 in accordance with the provisions of the Local Government Act 1995.
- 2. Endorse the purpose and effect of the local law being:

<u>Purpose</u>

To amend the Shire of Northampton Dogs Local Law 2017 by amending Clause 1.5 definition of "fit and proper person" to remove the words "a person who has been deemed to be not fit to care for animals by reputable body such as the RSPCA, or:; and amending Clause 6.2 and/or Schedule 3 to ensure consistency.

Effect:

That part of the local law is no longer operable.

- Authorise the Local Law's gazettal in the Government Gazette;
- 4. Authorise the public notice advertisement (after gazettal) of the date of the Shire of Northampton Amendment Dogs Local Law 2017; and
- Authorise the Shire President and the Chief Executive Officer to affix the Shire's Common Seal to the Shire of Northampton Amendment Dogs Local Law 2017.

CARRIED 7/0

12.10.7 FIRE HAZARD REDUCTION REQUEST (ITEM 6.5.7)

Item 6.5.7 was withdrawn by the recommending officer as other potential funding sources have since been identified.

ADJOURNMENT

Council adjourned at 2.32pm.

Meeting reconvened at 2.43pm with the following in attendance:

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



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12.11 SHIRE PRESIDENT'S REPORT

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

9/12/2017 New Telstra communications tower opening
9/12/2017 Shire of Northampton Christmas function
13/12/2017 Certificate presentation to Brett Bain for 20 years service
14/12/2017 Lotterywest cheque presentation for Nature Playground in Kalbarri
15/12/2017 Northampton Shire Council Audit Committee meeting

12.12 DEPUTY SHIRE PRESIDENT'S REPORT

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

Nil

12.13 COUNCILLORS' REPORTS

12.13.1 CR SMITH

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

6/12/2017	Kalbarri Roadwise Committee meeting			
9/12/2017	New Telstra communications tower opening			
14/12/2017	Lotterywest cheque presentation for Nature Playground in Kalbarri			
15/12/2017				

12.13.2 CR PIKE

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

6/12/2017	Kalbarri Roadwise Committee Meeting
9/12/2017	New Telstra communications tower opening
12/12/2017	Kalbarri Visitor Centre meeting

12.13.3 CR STEWART

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

27/10/2017	Kalbarri Development Association AGM
24/11/2017	Kalbarri Development Association Committee Meeting



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12.13.4 CR CARSON

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

15/12/2017 Audit Committee meeting

12.13.5 CR SUCKLING

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

21/11/2017 Northampton Community Centre meeting
 9/12/2017 Shire of Northampton Christmas Function
 15/12/2017 Northampton Shire Council Audit Committee meeting

12.14 INFORMATION BULLETIN

Noted

12.15 NEW ITEMS OF BUSINESS

Cr Pike raised that former Councillor Mac Holt had been instrumental in the process for improving communications within the Kalbarri National Park, and that it would be appropriate to support the tower being named after him in recognition of his efforts.

Moved Cr PIKE, seconded Cr SMITH

That Council advise Telstra that it supports the naming of the Kalbarri National Park Telecommunications Tower after Mac Holt in recognition of his endeavours for better communications within the Park.

CARRIED 7/0

12.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday the 16th February 2018 commencing at 1.00pm at the Allen Centre in Kalbarri.

12.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.03pm.



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THESE MINUTES CONSISTING OF PAGES 1 TO 14 W CORRECT RECORD ON FRIDAY 16 FEBRUARY 2018	ere confirmed as a true and
PRESIDING MEMBER:	DATE: