

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
Friday 19th February 2021

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2.1 OPENING

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

2.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr S Krakouer	Deputy President	Kalbarri Ward
Cr R Suckling		Northampton Ward
Cr S Smith		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Cr L Sudlow		Northampton Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Works and Technical Services Manager	
Mrs Michelle Allen	Planning Officer	

2.2.1 LEAVE OF ABSENCE

Nil

2.2.2 APOLOGIES

Cr S Stock-Standen	Northampton Ward
Cr T Hay	Northampton Ward

2.3 QUESTION TIME

Nil

2.4 DISCLOSURE OF INTEREST

CEO, Garry KEEFFE, declared an interest in Item 7.5.3 Kalbarri RSL War Memorial as the company who has provided a quote involves a family member who therefore may incur a financial gain or loss from the decision of Council.

CEO, Garry KEEFFE, declared an interest in Item 7.5.12 Potential amalgamation of lots 24 and 25 Rake Place, Northampton as he is a neighbouring landowner to the lots in question and therefore may incur a financial gain or loss from the decision of Council.

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2.5 CONFIRMATION OF MINUTES

**2.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING
FRIDAY 18th DECEMBER 2020**

Moved Cr SUCKLING seconded Cr SUDLOW

That the minutes of the Ordinary Meeting of Council held on the 18th December 2020 be confirmed as a true and correct record.

CARRIED 7/0

2.6 RECEIVAL OF MINUTES

**2.6.1 AUDIT COMMITTEE MEETING MINUTES - FRIDAY 19TH FEBRUARY
2021**

Moved Cr SMITH, seconded Cr SUDLOW

That the minutes of the Audit Committee Meeting held on the 19th February 2021 be received.

CARRIED 7/0

**2.6.2 ADOPTION OF ANNUAL REPORT, COMPLIANCE AUDIT RETURN AND
RISK MANAGEMENT COMPLIANCE CALENDAR**

Moved Cr KRAKOUER, seconded Cr SUCKLING

That Council:

1. Adopts the 2019/2020 Annual Report including the Annual Financial Statements and Audit Report as presented;
2. Notes that whilst the Operating Surplus Ratio is below the target set by the Department, the Shire of Northampton is in a sound financial position with minimal debt and a strong current asset position.

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3. Directs the Chief Executive Officer to correspond with the Minister for Local Government, Culture and the Arts and request the Department to support the review of all existing Financial Ratio's by the WALGA "Financial Ratios Working Group".
4. That Council adopt the recommendation of the Shire of Northampton Audit Committee to adopt the Compliance Audit Return 2020.
5. That Council receives the Risk Management Compliance Calendar as presented.

CARRIED 7/0

2.7 WORKS & ENGINEERING REPORT

2.7.1 INFORMATION ITEMS - MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 7.1.1)

Noted

2.7.2 NORTHAMPTON – HARVEY ROAD - REQUEST FOR SPEED ZONE MODIFICATION AND INSTALLATION OF KANGAROO SIGNS (ITEM 7.1.2)

Moved Cr STEWART seconded Cr PIKE

That Council direct Management to approach Main Roads Western Australia seeking a review of the speed zone on Harvey Road, east of Northampton and advise the applicant their request to install kangaroo signs is not supported as the signs would achieve no significant purpose.

CARRIED 7/0

Neil Broadhurst left meeting at 1.26pm.

2.8 HEALTH & BUILDING REPORT

2.8.1 BUILDING STATISTICS (ITEM 7.2.1)
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Noted.

2.9 TOWN PLANNING REPORT

2.9.1 REQUEST FOR FEE REDUCTION – AMENDMENT TO DEVELOPMENT APPROVAL – CARAVAN & CHALET PARK, OFFICE & CARETAKER'S DWELLING – LOT 10646 (NO. 399) RED BLUFF ROAD, KALBARRI (ITEM 7.3.1)

Moved Cr SUCKLING, seconded Cr STEWART

That Council not support the request of the Applicant to reduce the planning application fee paid in relation to the amendment to the Red Bluff Caravan Park development in November 2020 on the grounds that the modifications were not of a minor nature and the fee was calculated in accordance with the Statutory Fees and Charges Schedule.

CARRIED 7/0

2.9.2 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.2)

Noted.

2.9.3 PROPOSED TOURIST DEVELOPMENT – TWO BEDROOM CHALETs (4) AND SHORT STAY ACCOMMODATION TENTS WITH ENSUITES (11) – LOT 830 (NO. 14) BRIDGEMAN ROAD, KALBARRI (ITEM 7.3.3)

Moved Cr STEWART, seconded Cr SUDLOW

That Council advise the Applicant/Owner that it is prepared to consider conditional approval of the proposed development but prior to being able to do so will require the following matters to be addressed and approved by the relevant authorities:

1. The Applicant/Owner submit for approval to the Department of Water and Environmental Regulation and the Water Corporation, a detailed Water Resource Management Plan demonstrating the following:

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- (a) Appropriate licences/approvals obtained from the Department of Water and Environmental Regulation and the Department of Health WA and to include an amended groundwater licence having been being issued to the Applicant/Owner for the purpose of tourism accommodation;
 - (b) Location of an adequate and sustainable volume of potable water and how it will be provided to the proposed and existing developments;
 - (c) Technical information to include location of water source, volume of water required, how water volume will be sustained over time, measures to be employed to make water supply potable and measures to be employed to record/confirm potability;
 - (d) Verification that the water use of the existing and proposed developments of Lot 830 shall not prejudice the future development, maintenance or operation of adjoining properties.
2. The Owner/Applicant submit for approval to the Local Government and the Department of Health WA, a detailed wastewater disposal application completed by a Hydrology Engineer with full working drawings/plans of the system that pertains to both the existing development and the proposed development, which is to include (but not limited to) the following supporting information:
- (a) Technical information to include determination of depth of high ground water level, flow direction of water through the soil, average rainfall and evaporation levels;
 - (b) A Winter Site and Soil Evaluation (SSE) report in accordance with Australian Standards 1547 (AS/NZS 1547);
 - (c) Identification of suitable wastewater disposal systems and comparison between these systems;
 - (d) Identification by the Engineer of the most appropriate wastewater system;
 - (e) Justification for the chosen wastewater system recommended by the Engineer;
 - (f) Calculations of the daily volume of wastewater to be disposed of by the chosen wastewater disposal system; and

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- (g) Technical information to identify treatment options (such as additional treatments, reduction of chemical levels, if required, in the wastewater and identification of treatments).

CARRIED 7/0

2.10 FINANCE REPORT

2.10.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)
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Moved Cr SUCKLING, seconded CR SMITH

That Municipal Fund Cheques 22016 to 22044 inclusive totalling \$94,692.09, Municipal EFT payments numbered EFT21531 to EFT21749 inclusive totalling \$889,805.02, Trust Fund Cheques 2573 to 2580, totalling \$9,300.44, Direct Debit payments numbered GJ06016 to GJ0713 inclusive totalling \$481,758.50 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

2.10.2 MONTHLY FINANCIAL STATEMENTS – DECEMBER 2020 & JANUARY 2021 (ITEM 7.4.2 AND ITEM 7.4.3)
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Moved Cr SMITH, seconded Cr SIMKIN

That Council adopts the Monthly Financial Reports for the period ending 31st December 2020 and 31st January 2021.

CARRIED 7/0

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2.11 ADMINISTRATION & CORPORATE REPORT

2.11.1 FEASIBILITY BUSINESS CASE – KALBARRI AIRPORT (ITEM 7.5.1)

Moved Cr SUDLOW seconded Cr SMITH

That Council:

1. Engage Icon Tourism to prepare a Business/Economic Plan to encourage airlines to operate a regular passenger transport service to Kalbarri
2. That the additional cost of \$2,500 to develop the plan be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

2.11.2 OUTSTANDING RATES & CHARGES (ITEM 7.5.2)

Moved Cr SUCKLING, seconded Cr SUDLOW

That Council commence the selling of the following properties as per Division 6 of the Local Government Act 1995 to recover outstanding rates and charges:

1. Lot 80 Darwinia Drive, Kalbarri, vacant lot owned by Michael Pavlinovich;
2. Lot 201 Calandrinia Court, Kalbarri, vacant lot owned by Jarvale Holdings Pty Ltd; and
3. Lot 25 Goodenia Way, Kalbarri, vacant lot owned by Gregory Goddard.

CARRIED 7/0

Chief Executive Officer, Garry KEEFFE, declared an interest in Item 7.5.3 as the company who provided a quote involves a family member who therefore may incur a financial gain or loss from the decision of Council.

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2.11.3 KALBARRI RSL WAR MEMORIAL (ITEM 7.5.3)

Moved Cr STEWART, seconded Cr KRAKOUER

That Council advise Kalbarri residents of the proposal to replace the existing war memorial with a new memorial, being the central cairn and renewal of concrete pathways, and responses from residents received be presented at the April 2021 meeting for consideration by Council prior to progressing with the replacement of the war memorial.

CARRIED 7/0

2.11.4 DELEGATION CHANGES (ITEM 7.5.4)

Moved Cr SUDLOW, seconded Cr SMITH

That Council amend:

1. Delegation B01 – Demolition Permits, by rewording the delegation to read:

Where the delegation states - The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to Environmental Health Officer/Building Surveyor, the words Environmental Health Officer/Building Surveyor are to be replaced with “Environmental Health Officer and Building Surveyor Consultant.”

2. Delegation B02 - Building, Extension of Time to Complete (BA22), by rewording the delegation to read:

That in accordance with Building Act 2011 and Building Regulations 2012, The CEO is delegated authority, subject to advice from Council’s Building Surveyor Consultant, to approve of an extension of time where it was not possible to complete the building within the period specified in the building licence, subject to the payment of any additional building licence fee.

3. Delegation B04 – Certificate of Building Compliance & Construction Compliance (BA18 & BA17), by re-wording to read:

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That Council's Building Surveyor Consultant be delegated authority to issue a Certificate of Building Compliance and Certificate of Construction Compliance in accordance with the Building Act 2011 and Building Regulations 2012,

and delete the wording:

The Chief Executive Officer, in exercising authority under Section 5.44 of the Local Government Act 1995, has delegated this power/duty to Environmental Health Officer/Building Surveyor.

4. Delegation B06 – Applications – Strata Title, be reworded to read:

DELEGATE Chief Executive & Building Surveyor Consultant

That the Chief Executive Officer and/or the Building Surveyor Consultant be delegated authority to authorise the release of Strata Applications, where the building has met the requirements of the Strata Titles Act and is in accordance with the building plans approved by Council.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

2.11.5 LEASE RENEWAL – PORT GREGORY ST JOHN AMBULANCE (ITEM 7.5.5)
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Moved Cr KRAKOUER, seconded Cr SUCKLING

That Council renew the existing lease on Reserve 25882 to the St John Ambulance Association in Western Australia Inc for a further term of 21 years.

CARRIED 7/0

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2.11.6 SUNDRY DEBTOR – WRITE OFF OF OUTSTANDING DEBT (ITEM 7.5.6)

Moved Cr SMITH, seconded Cr SUDLOW

That Council write off the outstanding debt of \$500.00 owed by Mr Adam Scott as deemed non recoverable.

CARRIED BY ABSOLUTE MAJORITY 7/0

2.11.7 PORT GREGORY WATER SUPPLY – BORE RE-BORE (ITEM 7.5.7)

Moved Cr STEWART, seconded Cr SUDLOW

That Council endorse the actions of the Chief Executive Officer in engaging a drilling contractor to re-drill number two bore for the Port Gregory Water Supply and that the expenditure of \$5,970 GST exclusive be approved as authorised expenditure.

CARRIED BY ABSOLUTE MAJORITY 7/0

2.11.8 REGIONAL DROUGHT RESILIENCE FUNDING PROGRAM (ITEM 7.5.8)

Moved Cr PIKE, seconded Cr SUDLOW

That Council endorses the actions of the CEO in nominating the Northampton Shire Council to be a partner in the Regional Drought Resilience Funding Program application.

CARRIED 7/0

2.11.9 REQUEST TO PURCHASE UNMADE SECTION OF ELLIOTT STREET, ISSEKA (ITEM 7.5.9)

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council support the disposal of a section of unmade Elliot Road to be purchased by the neighbouring landowners Chad and Loretta Graham and undertake advertising to close this section of road as per the requirements of Section 58 of the *Land Administration Act 1997*.

CARRIED 7/0

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2.11.10 PROPOSAL TO PURCHASE – LOT 589 GREY STREET, KALBARRI (ITEM 7.5.10)

Moved Cr STEWART, seconded Cr SUCKLING

That Council approve the renewal of the current lease on Lot 589 Grey Street, Kalbarri for a further term of 21 years to the Murchison Caravan Park.

CARRIED 7/0

2.11.11 REGIONAL ROAD SAFETY PROGRAM (ITEM 7.5.11)

Moved Cr SUDLOW, seconded Cr SUCKLING

That Council endorse Management in nominating the Kalbarri Road for road widening with edge lining and audible edge treatments on the section 18.00SLK to 64.36SLK, through the Regional Road Safety Program.

CARRIED 7/0

Chief Executive Officer, Garry KEEFFE, declared an interest in Item 7.5.3 as the CEO is a neighbouring landowner to the lots in question and may incur a financial loss or gain from the decision of Council.

2.11.12 POTENTIAL AMALGAMATION OF LOTS 24 RAKE PLACE, NORTHAMPTON (ITEM 7.5.12)

Moved Cr PIKE, seconded Cr SMITH

That Council provide in principle support for the amalgamation of Lots 24 and 25 Rake Place, Northampton and formal approval only to be provided upon the sale of the lots and receipt of a formal subdivision (amalgamation) application.

CARRIED 7/0

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2.11.13 APPOINTMENT OF COMPLAINTS OFFICER – LOCAL GOVERNMENT
(MODEL CODE OF CONDUCT) REGULATIONS 2021 (ITEM 7.5.13)

Moved Cr STEWART, seconded Cr SUDLOW

That Council:

1. Adopt the draft Code of Conduct for Elected Members and Candidates as per Appendices 1.
2. Appoint the Chief Executive Office to receive complaints as per the provisions of the *Local Government (Model Code of Conduct) Regulations 2021* and should the Chief Executive Officer not be available to receive the complaint then the Deputy Chief Executive Officer be authorised to receive the complaint.
3. Adopt the complaint about alleged breach form as per Appendices 2 of this report.

CARRIED 7/0

2.11.14 LEASE OF PORTION OF CROWN RESERVE 12996 (ITEM 7.5.14)

Moved Cr SUCKLING, seconded Cr SUDLOW

That Council

1. Approves the issuing of a Management Licence or Lease for a period of 21 years to Murchison House Station, (Callum and Belinda Carruth), to allow them to manage camping sites on Reserve 12996 as per the plan at Appendices 1 subject to the approval of the Department of Planning Lands and Heritage.
2. That Council determines that if the Department of Planning Lands and Heritage require a Lease in preference to a Management Licence then Council determines that the proposed lease is of no benefit to others and therefore advertising of the lease as per Section 3.58 of the Local Government Act is not required.

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3. Should approval be granted by the Department of Planning Land and Heritage for the Management Licence or Lease then an annual fee of \$500 is to apply.

CARRIED 7/0

2.11.15 2019/2020 ANNUAL ELECTORS MEETING (ITEM 7.5.15)

Moved Cr SUCKLING, seconded Cr SUDLOW

That the Annual Electors meeting be held Wednesday 17th March 2021 commencing at 5.00pm at the Horrocks Community Centre at Horrocks Beach.

CARRIED 7/0

2.11.16 ADDITIONS – HALF WAY COTTAGE – LEASE 31 (ITEM 7.5.16)

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council as per Clause 11 of the Lease Agreement for Half Way Bay Cottage lease area 31, approve of the building extensions and replacement of a section of the existing cottage as per plans presented.

CARRIED 7/0

2.11.17 REQUEST TO WRITE OFF LEGAL COSTS FOR RATES RECOVERY (ITEM 7.5.17)

Moved Cr PIKE, seconded Cr STEWART

That Council waive the debt of \$392.90 which is considered minimal taking into account the potential cost Council will incur to recover the debt.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

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2.11.18 SALE OF LOT 984 MAINWARING DRIVE, KALBARRI (ITEM 7.5.18)

Moved Cr KRAKOUER, seconded Cr SMITH

That Council offer the lot again for sale by auction and if it does not sell then consider having the lot transferred to the State of Western Australia and write off the outstanding debt whatever that balance is at the time of transfer.

CARRIED 7/0

2.11.19 LITTLE BAY ROAD & LITTLE BAY LOOKOUT ROAD RESERVIES DEDICATION (ITEM 7.5.19)

Moved Cr SMITH, seconded Cr SUDLOW

That Council:

1. Formally request the Minister for Lands to dedicate Little Bay Road Reserve that traverses from the northern end of the existing Little Bay Road to Little Bay itself as per plan at Appendices 1.
2. Formally request the Minister for Lands to dedicate Little Bay Lookout Road Reserve that traverses from White Cliffs Road to the Little Bay Lookout as per plan at Appendices 2
3. Indemnify the Minister for Lands against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.

CARRIED 7/0

Council adjourned at 3-00pm.

Meeting reconvened at 3.09pm with the following in attendance:

Cr Simkin, Cr Krakouer, Cr Smith, Cr Stewart, Cr Pike, Cr Suckling, Cr Sudlow, Garry Keeffe, Grant Middleton and Michelle Allen

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2.12 PRESIDENT'S REPORT

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

26/01/2021 Australia Day Celebrations, Northampton

28/01/2021 Audit Committee Meeting

2.13 DEPUTY PRESIDENT'S REPORT

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

28/01/2021 Audit Committee Meeting

2.14 COUNCILLORS' REPORTS

2.14.1 CR SMITH

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

9/02/2021 Kalbarri Visitor Centre meeting, Kalbarri

2.14.2 CR SUCKLING

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

28/01/2021 Audit Committee Meeting

2.15 NEW ITEMS OF BUSINESS

Nil

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2.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 19th March 2021 commencing at 1.00pm at the Council Chambers, Northampton.

2.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.25pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 18 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 19TH MARCH 2021.

PRESIDING MEMBER: _____

DATE: _____