

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

12.1	OPENING	3
12.2	PRESENT	3
12.2.1	LEAVE OF ABSENCE	3
12.2.2	APOLOGIES	3
12.3	QUESTION TIME	3
12.4.1	CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 20 th NOVEMBER 2015	4
12.4.2	BUSINESS ARISING FROM MINUTES	4
12.5	RECEIVAL OF MINUTES	4
12.5.1	RECEIVAL OF MINUTES – AUDIT COMMITTEE MEETING 18 th DECEMBER 2015	4
12.5.2	RECEIVAL OF ANNUAL REPORT	4
12.5.3	APPOINTMENT OF AUDIT PARTNER	5
12.6	WORKS REPORT	5
12.7	HEALTH/BUILDING REPORT	5
12.7.1	BUILDING STATISTICS (ITEM 6.2.1)	5
12.8	TOWN PLANNING REPORT	6
12.8.1	PROPOSED ITINERANT FOOD VAN - KALBARRI (ITEM 6.3.5)	6
12.8.2	FORMER NORTHAMPTON TO GERALDTON RAILWAY CORRIDOR – REQUEST FOR COUNCIL TO CONSIDER FUTURE USE/TENURE (ITEM 6.3.1)	7
12.8.3	PROPOSED ROAD CLOSURE AND LAND SWAP AT RED BLUFF CARAVAN PARK, LOT 10646 GEORGE GREY DRIVE, KALBARRI (ITEM 6.3.2)	8
12.8.4	PROPOSED EXTENSIONS TO KALBARRI VOLUNTEER SEA SEARCH & RESCUE BUILDING – RESERVE 25307, KALBARRI (ITEM 6.3.3)	8
12.8.5	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.4)	10
12.9.1	ACCOUNTS FOR PAYMENT (ITEM 6.4.1)	10
12.9.2	MONTHLY FINANCIAL STATEMENTS NOVEMBER 2015 (ITEM 6.4.2)	10
12.10	ADMINISTRATION & CORPORATE REPORT	10
12.10.1	2016 COUNCIL MEETING DATES (ITEM 6.5.1)	10
12.10.2	ANNUAL REPORT (ITEM 6.5.2)	11
12.10.3	SALE OF RAKE PLACE VACANT LOTS (ITEM 6.5.3)	11
12.10.4	PROPOSED SURRENDER OF PASTORAL LEASE “PARADISE FLATS” (ITEM 6.5.4)	11
12.10.5	REDEVELOPMENT OF LIONS PARK - NORTHAMPTON (ITEM 6.5.5)	11
12.10.6	KALBARRI FORESHORE PARKLAND REDEVELOPMENT (ITEM 6.5.6)	12

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

12.10.7	PROPOSED CAMPING NODES – HALFWAY & LUCKY BAY (ITEM 6.5.7)	12
12.11	SHIRE PRESIDENT'S REPORT	12
12.12	DEPUTY SHIRE PRESIDENT'S REPORT	12
12.13	COUNCILLORS' REPORTS	12
12.13.1	CR PIKE	12
12.13.2	CR HOLT	13
12.13.3	CR SUCKLING	13
12.13.4	CR CARSON	13
12.14	INFORMATION BULLETIN	13
12.15	NEW ITEMS OF BUSINESS	13
12.16	NEXT MEETING OF COUNCIL	13
12.17	CLOSURE	13

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

12.1 OPENING

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

12.2 PRESENT

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

12.2.1 LEAVE OF ABSENCE

Nil

12.2.2 APOLOGIES

Cr M Scott

12.3 QUESTION TIME

Mr Graham Dunn addressed Council, thanking Council for not renewing the lease of Lot 500 Anchorage Lane, being the former Kalbarri PCYC, to the WA PCYC Federation, and for assisting the Kalbarri community to regain control of some of the Kalbarri PCYC assets. Mr Dunn also acknowledged the CEO Garry Keeffe for his assistance in these matters.

Cr Simkin addressed Mr Dunn's comments and noted that management had written to the WA PCYC Federation but no funds had yet been forthcoming from them.

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

CEO Garry Keeffe also advised that correspondence has been forwarded to the Minister for Police and the Hon Shane Love seeking their assistance to have funds generated by the Kalbarri PCYC returned by the WA PCYC Federation.

12.4 CONFIRMATION OF MINUTES

**12.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 20th
NOVEMBER 2015**

Moved Cr PIKE, seconded Cr HOLT

That the minutes of the Ordinary Meeting of Council held on the 20th November 2015 be confirmed as a true and correct record with the following amendment:

10.13.2 Cr Pike did not attend KDA meeting should be Kalbarri Visitor Centre Committee meeting.

CARRIED 8/0

12.4.2 BUSINESS ARISING FROM MINUTES

Nil

12.5 RECEIVAL OF MINUTES

**12.5.1 RECEIVAL OF MINUTES – AUDIT COMMITTEE MEETING 18th DECEMBER
2015**

Moved Cr HOLT, seconded Cr CARSON

That the minutes of the Audit Committee Meeting held on the 18th December 2015 be received.

CARRIED 8/0

12.5.2 RECEIVAL OF ANNUAL REPORT

Moved Cr CARSON, seconded Cr SUCKLING

That Council receive the 2014/2015 Annual Report including the Annual Financial Statements, Audit Report and Management Report.

CARRIED 8/0

SHIRE OF NORTHAMPTON
**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

12.5.3 APPOINTMENT OF AUDIT PARTNER

Moved Cr CARSON, seconded Cr SUCKLING

That Council in accordance with section 7.3 of the Local Government Act 1995 appoint Mr Greg Godwin, Mr David Tomasi and Mr Wen-Shien Chai from Moore Stephens as the Shires audit partner for a period of 2 years commencing in the 2015/2016 financial year and concluding with the finalisation of the audit process in 2016/2017.

CARRIED 8/0

12.6 WORKS REPORT

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

Noted

12.6.2 KALBARRI SUPERMARKET/GILGAI TAVERN CAR PARK AREA CONCEPT PLANS (ITEM 6.1.2)

Moved Cr STOCK-STANDEN, seconded Cr HOLT

That the Manager of Works and Technical Services prepare a preferred plan to include a combination of options preferred by the submissions received for and present that revised plan to Council for further consideration.

CARRIED 8/0

Neil Broadhurst departed the meeting at 1.34pm

12.7 HEALTH/BUILDING REPORT

12.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

12.8 TOWN PLANNING REPORT

12.8.1 PROPOSED ITINERANT FOOD VAN - KALBARRI (ITEM 6.3.5)

Cr Krakouer declared a financial interest in item 6.3.5 as he has a financial interest in a similar business and therefore may incur a gain or loss from the decision of Council, and left the meeting at 1:38pm.

Moved Cr STOCK-STANDEN, seconded Cr HOLT

That Council:

1. Refuse the application for an itinerant food van to operate upon the following lots: Tudor Caravan Park – Lot 473 Porter Street, Kalbarri; Murchison Caravan Park – Lot 136 Grey Street, Kalbarri; Anchorage Caravan Park – Lot 467 Grey Street, Kalbarri; and Kalbarri Beach Resort – Lot 1 Grey Street, Kalbarri for the reasons outlined below:
 - a) The application does not comply with Council Policy 8.5 ‘Conditions of Approval of Itinerant Food Vendors’;
 - b) Although a “Shop” use may be permitted within the “Tourist Accommodation” zone it is considered that the nature of the proposal being mobile is significantly different in that the business activities have the ability to impact upon the amenity of the locality by way of noise and emissions; &
 - c) The use is not considered consistent with objectives of the Tourist Accommodation zone which relate to the provision of on-site recreation, management and service areas, not mobile ones;
 - d) The amenity of the locality, including the character of the locality is considered to be impacted upon by the operation of an itinerant food van
 - e) It is not considered that the individual merits of the application warrants departure from the Shire’s ‘Conditions of Approval of Itinerant Food Vendors’ Policy.
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.

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

3. Advise the Applicant/Owner that the refusal does not permit them to operate from the abovementioned sites as an itinerant food van, however, it does not stop them from operating their home business through phone/internet orders to locations throughout Kalbarri.

CARRIED 7/0

Cr Krakouer returned to the meeting at 1:47pm

12.8.2 FORMER NORTHAMPTON TO GERALDTON RAILWAY CORRIDOR – REQUEST FOR COUNCIL TO CONSIDER FUTURE USE/TENURE (ITEM 6.3.1)
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Cr Suckling declared an impartiality interest in this item as a member of the Northampton Botanic Line.

Moved Cr KRAKOUER, seconded Cr STANICH

That Council corresponds with the Department of Lands advising them of the following:

1. Council is supportive of the future use of the subject land for community and recreational pursuits;
2. The subject land, particularly within the Northampton Townsite has strategic value to the Shire of Northampton Community and the ongoing work of the Northampton Botanic Line;
3. Seek clarification if the study area could include land within the Northampton Townsite and advise that Council is supportive of remnant parcels of railway corridor within the Townsite be made available for environment and recreation purposes in line with the work already undertaken by the Northampton Botanic Line group.
4. Advise that there are four places on the Shire of Northampton Local Government Heritage Inventory that are directly within the subject land or adjacent to it and consideration needs to be given to the protection of these places.

CARRIED 8/0

12.8.3 PROPOSED ROAD CLOSURE AND LAND SWAP AT RED BLUFF CARAVAN PARK, LOT 10646 GEORGE GREY DRIVE, KALBARRI (ITEM 6.3.2)
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Moved Cr STOCK-STANDEN, seconded Cr CARSON

That Council support the proposed road closure and land swap arrangement adjacent to Lot 10646 Red Bluff Beach Road, Kalbarri as shown on the submitted plan dated 18 December 2015 and:

1. Pursuant to Clause 58 and Regulation 9 of the Land Administration Act 1997 (as amended) Council initiate the closure of the portion of George Grey Drive road reserve adjacent to Lot 10646 Red Bluff Beach Road, Kalbarri as shown on the plan included as Appendix 1 to the December 2015 Town Planning Agenda;
2. Initiate advertising accordingly;
3. The Applicant is responsible for all costs incurred as part of advertising the proposed road closure, the preparation and lodgment of the required subdivision; and
4. The Applicant be advised that the portion of land to be swapped will be required to have all structures removed and services realigned.

CARRIED 8/0

12.8.4 PROPOSED EXTENSIONS TO KALBARRI VOLUNTEER SEA SEARCH & RESCUE BUILDING – RESERVE 25307, KALBARRI (ITEM 6.3.3)
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Moved Cr HOLT, seconded Cr PIKE

That Council:

1. Grant formal development approval to the proposed additions to the Kalbarri Volunteer Sea, Search & Rescue building on Reserve 25307, Kalbarri subject to the following conditions:
 - i. Development shall be in accordance with the attached approved plan(s) dated 18 December 2015 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;

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

- ii. 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;
 - iii. A building permit shall be issued by the local government prior to the commencement of any work on the site;
 - iv. A detailed schedule of external finishes, materials and colours to be used in the construction of the development shall be submitted prior to lodgement of an application for a building permit to the approval of the local government;
 - v. 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;
 - vi. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government; and
 - vii. Prior to occupation or use of the development, all land indicated as landscaped area on the attached approved plan(s) dated 18 December 2015 are to be landscaped effectively and maintained thereafter to the approval of the local government.
2. Waive the Planning Application and the Building Application Fee payable for the proposed additions to the Kalbarri Volunteer Sea, Search & Rescue Building on Reserve 25307 in recognition of the valuable service the group provides to the community.

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 8/0

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

12.8.5 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.4)

Noted

12.9 FINANCE REPORT

12.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr SIMKIN, seconded Cr SUCKLING

That Municipal Fund Cheques 20798 to 20827 inclusive totalling \$179,827.22, Municipal EFT payments numbered EFT14408 to EFT14536 inclusive totalling \$441,499.91, direct Debit payments numbered GJ0503 to GJ0508 totalling \$4,190.99, Trust Fund Cheques 2098 to 2102, totalling \$3,210.00 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

12.9.2 MONTHLY FINANCIAL STATEMENTS NOVEMBER 2015 (ITEM 6.4.2)

Moved Cr CARSON, seconded Cr KRAKOUER

That Council adopts the Monthly Financial Report for the period ending 30 November 2015.

CARRIED 8/0

12.10 ADMINISTRATION & CORPORATE REPORT

12.10.1 2016 COUNCIL MEETING DATES (ITEM 6.5.1)

Moved Cr STOCK-STANDEN, seconded Cr STANICH

1. That Council holds their ordinary meetings on the third Friday of each month with the exception of the July 2016 meeting which is to be held Friday 22nd July 2016.
2. That all meetings commence at 1.00pm.
3. That the February, June and October meetings be held at the Allen Centre in Kalbarri with all other meetings to be held at the Northampton Council Chambers.

CARRIED 8/0

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

12.10.2 ANNUAL REPORT (ITEM 6.5.2)

Moved Cr PIKE, seconded Cr HOLT

That the Annual Electors meeting be held Wednesday 27th January 2016 commencing at 5.30pm at the Allen Centre, Kalbarri.

CARRIED 7/1

12.10.3 SALE OF RAKE PLACE VACANT LOTS (ITEM 6.5.3)

Moved Cr STANICH, seconded Cr SUCKLING

That Council amends minute 10.10.2 by including the words “and the revised price to be inclusive of GST” after the figure 10% with the revised costs per lot to be:

Lot 22	\$58,500
Lot 24	\$58,500
Lot 25	\$67,500
Lot 29	\$72,000

CARRIED 8/0

12.10.4 PROPOSED SURRENDER OF PASTORAL LEASE “PARADISE FLATS” (ITEM 6.5.4)

Moved Cr STANICH, seconded Cr KRAKOUER

That Council support in principle the change of reserve purpose for Lot 1545 to Aboriginal Cultural Management Purposes subject to there being:

1. no permanent living or camping on Lot 1545;
2. no restrictions of access to the area by any persons.

And Council advise the Department of Lands that it does not wish to accept a Management Order for Lot 1545.

CARRIED 8/0

12.10.5 REDEVELOPMENT OF LIONS PARK - NORTHAMPTON (ITEM 6.5.5)

Moved Cr SUCKLING, seconded Cr STOCK-STANDEN

That Council adopts the Lions Park Redevelopment Plan as presented and Council to consider future budget provisions and that staff seek grant funding to implement the recommendations of the plan.

CARRIED 8/0

12.10.6 KALBARRI FORESHORE PARKLAND REDEVELOPMENT (ITEM 6.5.6)

Moved Cr HOLT, seconded Cr KRAKOUER

1. That Council note estimated costs of overall development and consider future budget provisions, and that staff seek grant funding to implement the recommendations of the plan.
2. That Council request the Principal Building Surveyor to prepare a report and provide recommendations at the February 2016 Council meeting on the proposed extension and fit out of Sally's Tree and upgrades to Chinaman's and Commercial Fishing ablutions.

CARRIED 6/2

12.10.7 PROPOSED CAMPING NODES – HALFWAY & LUCKY BAY (ITEM 6.5.7)

Moved Cr SUCKLING, seconded Cr PIKE

That Council allow camping at Lucky Bay itself, within the area to be under Council control, for a trial period of one year and subject to conditions to be determined (such as requirement for chemical toilets and non-use of large caravans), and following 12 months of controlled camping that Council review this situation.

CARRIED 8/0

Mrs Hayley Williams departed the meeting at 3:10pm

12.11 SHIRE PRESIDENT'S REPORT

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

8/12/15 Kalbarri PCYC meeting to hand back PCYC to community

12.12 DEPUTY SHIRE PRESIDENT'S REPORT

Nil

12.13 COUNCILLORS' REPORTS

12.13.1 CR PIKE

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

8/12/15 Kalbarri Visitor Centre meeting

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 December 2015**

12.13.2 CR HOLT

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

8/12/15 Kalbarri Development Association meeting
18/12/15 Shire of Northampton Audit Committee meeting

12.13.3 CR SUCKLING

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

18/12/15 Shire of Northampton Audit Committee meeting

12.13.4 CR CARSON

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

18/12/15 Shire of Northampton Audit Committee meeting

12.14 INFORMATION BULLETIN

Noted

12.15 NEW ITEMS OF BUSINESS

Cr Holt raised concerns regarding the dumping of oil and batteries at the Port Gregory refuse site and requested Council to address the problem.

Moved Cr HOLT, seconded Cr PIKE

That a sign be placed at the Port Gregory refuse site advising users where oil is to be disposed of and also the Port Gregory Progress Association be encouraged to collect batteries being dumped at the refuse site to control the dumping of the batteries.

CARRIED 8/0

12.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Wednesday the 17th February 2016 commencing at 9:30am at the Allen Centre, Kalbarri.

12.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3:25pm.