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11.1 OPENING

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

11.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr S Krakouer	Deputy President	Kalbarri Ward
Cr R Suckling		Northampton Ward
Cr T Hay		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr S Smith		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works and Engineering	
Mrs Deb Carson	Planning Officer	

11.2.1 LEAVE OF ABSENCE

Nil

11.2.2 APOLOGIES

Cr Stewart and Cr Carson

11.3 QUESTION TIME

Nil

11.4 DISCLOSURE OF INTEREST

Cr Hay declared a financial interest in Item 7.3.3 as he is the applicant, and may incur a financial gain or loss from the decision of Council.

Cr Krakouer declared a financial interest in Item 7.5.3 as he has a financial interest in a similar business to that of the application and may incur a gain or loss from the decision of Council.

11.5 CONFIRMATION OF MINUTES

11.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 19th OCTOBER 2018

Moved Cr SMITH, seconded Cr KRAKOUER

That the minutes of the Ordinary Meeting of Council held on the 19th October 2018 be confirmed as a true and correct record.

CARRIED 7/0

11.5.2 BUSINESS ARISING FROM MINUTES

Nil

11.6 RECEIVAL OF MINUTES

Nil

11.7 WORKS & ENGINEERING REPORT

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

Noted

11.7.2 KALBARRI – ECO FLORA BOREFIELD MAINTENANCE WORKS AND INSTALLATION OF NEW SUBMERSIBLE PUMP (ITEM 7.1.2)

Moved Cr PIKE, seconded Cr HAY

1. That Council endorse the actions by management to undertake works via the use of Abrolhos Electrics at the Eco Flora Subdivision to ensure adequate water volume is maintained from the site at the cost of \$6,185.00 (exc GST) and these costs be declared authorized expenditure.
2. That Council include a provision of \$12,000.00 for consideration within the 2019/2020 draft budget for the testing of existing bores to determine water volume capacity and maintenance or replacement requirements for the existing infrastructure located at the Eco Flora/Capital Hill subdivision site.

CARRIED 7/0

Mr Neil Broadhurst departed the meeting at 1.13pm.

11.8 HEALTH & BUILDING REPORT

11.8.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted

11.8.2 BLUE HOLES ABLUTION BLOCK - PROPOSED (ITEM 7.2.2)

Moved Cr SUCKLING, seconded Cr HAY

That Council approve of the proposed new design and construction materials for the Blue Holes ablution block.

CARRIED 7/0

11.9 TOWN PLANNING REPORT

11.9.1 LOCAL PLANNING POLICY REVIEW (ITEM 7.3.1)

Moved Cr STOCK-STANDEN, seconded Cr SUCKLING

That Council:

1. Pursuant to Schedule 2 - Deemed Provisions, Part 2, cl 4 of the Planning and Development (Local Planning Schemes) Regulations 2015 resolve to:
 - a. Adopt the proposed Local Planning Policies for public comment and advertise them for a period of 21 days;
 - b. Should no written, author-identified objections be received during the 21 day advertising period, then adopt for final approval the amended Local Planning Policies and proceed to publish a notice to this effect in the local newspaper; and
 - c. Should there be any written, author-identified objections received during the advertising period, require staff to present to Council a further report.

CARRIED 7/0

11.9.2 CHANGE OF OWNER AND LICENSE AGREEMENT - CANOE SAFARI TOURS (ITEM 7.3.2)
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Moved Cr SMITH, seconded Cr SUCKLING

That Council:

1. Grant Development Approval for an experiential use (canoe safaris) over Reserves 12996, 25307 & 26591 and Lot 1545, Murchison River Foreshore, Kalbarri subject to the following conditions:
 - a) This Development Approval is an approval for the proposed use for the purposes of the Shire of Northampton's Local Planning Scheme No. 11 – Kalbarri and the Planning and Development Act (2005) only and does not constitute and approval of the proposed use by the Shire in its capacity as management body of the reserve within which the use is proposed to be located;
 - b) This Development Approval is subject to:
 - (i) In-principle approval of the Shire in its capacity as management body of the reserve within which the proposed use is to be located;
 - (ii) Approval of the Minister of Lands in accordance with the provisions of the Land Administration Act (1997); and
 - (iii) A license agreement being entered into by the applicant and the Shire in accordance with Council's Policy 9.2 – Requirements for License Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities;
 - c) This Development Approval shall remain valid whilst the License Agreement referred to in Condition (b)(iii) remains current and valid, and on the expiration or in the termination of such License Agreement, this Development Approval shall cease to be valid.

Advice Notes:

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

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the approval after the date of determination, the approval will lapse and be of no further effect;

Note 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.

Note 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.

2. Authorise delegation to the Chief Executive Officer and Planning Officer for the preparation and execution of the License Agreement, with any disputes to be referred back to Council for final determination.

CARRIED 7/0

Cr Hay declared a financial interest in Item 7.3.3 as he is the applicant, and may incur a financial gain or loss from the decision of Council, and he departed the meeting at 1.22pm.

11.9.3 PROPOSED SIGNAGE – PINK LAKE TOURS – PORT GREGORY CARAVAN PARK – LOT 213 (NO. 13) SANFORD STREET, PORT GREGORY (ITEM 7.3.3)
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Moved Cr KRAKOUER, seconded Cr SIMKIN

That Council grant Development Approval for signage to be installed upon the fence line of Lot 213 (No. 13) Sanford Street, Port Gregory, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 16 November 2018 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;
2. The approval is for two (2) horizontal signs to be located as per the attached approved plan(s) dated 16 November 2018. The endorsed sign designs shall not be modified or altered without the prior written approval of the local government;

3. The design/artwork of sign 2 (the parking sign) shall be forwarded to the Chief Executive Officer for approval prior to installation of the sign;
4. The signs are to be maintained in good condition to the approval of the local government. Should the signs become in a state of disrepair, the Shire of Northampton reserves the right to remove the sign(s) at the cost of the Applicant;
5. The signs are to be securely fixed in position at all times;
6. The Applicant is required to indemnify and keep indemnified the Shire, its servants and agents against any claim or proceeding (and any cost and expenses incurred as a result) that may be made or brought by any person or corporation against the Shire, its servants and agents arising out of the erection, existence or operation of the advertisement; or any negligence of the Shire, its servants and agents in granting approval to erect or display the advertisement or in setting or failing to set conditions or giving or failing to give directions for the erection, existence or display of the advertisement;
7. The Applicant is required to maintain a public liability insurance policy with a reputable insurer to a minimum of \$1,000,000 for the coverage of the signs;
8. A maximum of two vehicles shall be parked within the road reserve area of Sanford Street at any one time for the purposes of providing the Pink Lake Buggy Tours, and only during the hours of tour operations as specified on the attached approved plan(s) dated 16 November 2018; and
9. No further external signs shall be permitted upon Lot 213 (No. 13) Sanford Street, Port Gregory in relation to the Pink Lake Buggy Tours.

Advice Notes:

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.

Note 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.

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Note 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

Cr Hay returned to the meeting at 1.26pm.

11.9.4 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.4)

Noted.

11.10 FINANCE REPORT

11.10.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr STOCK_STANDEN, seconded Cr SIMKIN

That Municipal Fund Cheques 21544 to 21561 inclusive totalling \$64,162.04, Municipal EFT payments numbered EFT18501 to EFT18628 inclusive totalling \$1,303,405.98, Trust Fund Cheques 2359 to 2362, totalling \$1,430.00, Direct Debit payments numbered GJ0406 to GJ0412 inclusive totalling \$243,785.76 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

11.10.2 MONTHLY FINANCIAL STATEMENTS – OCTOBER 2018 (ITEM 7.4.2)

Moved Cr SMITH, seconded Cr STOCK-STANDEN

That Council adopts the Monthly Financial Report for the period ending 31st October 2018.

CARRIED 7/0

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11.11 ADMINISTRATION & CORPORATE REPORT

11.11.1 2019 COUNCIL MEETING DATES (ITEM 7.5.1)

Moved Cr SMITH, seconded Cr PIKE

1. That Council holds their ordinary meetings on the following dates for 2019:

February 15th	July 19th
March 15th	August 16th
April 19th	September 20th
May 17th	October 18th
June 21st	November 15th
	December 18th (Wednesday)

2. That all meetings commence at 1.00pm.
3. That the February, May, August and November meetings be held at the Allen Centre in Kalbarri with all other meetings to be held at the Northampton Council Chambers.

CARRIED 7/0

11.11.2 BINNU SCHOOL – SPEED LIMITS (ITEM 7.5.2)

Moved Cr STOCK_STANDEN, seconded Cr SUCKLING

That Council:

1. Not support the Binnu School in their request to Main Roads WA for a reduction of the speed limit for North West Coastal Highway near the intersection of O'Connor Street from 80km/h to 60km/h
2. Support the Binnu School in their request to Main Roads WA for the installation of 40km/h school zone speed limits along O'Connor and Lauder Streets, Binnu.
3. List for consideration the bitumen sealing of O'Connor and portion of Lauder Street (section in front of school) within the draft 2019/2020 Budget.

CARRIED 7/0

Council did not support the Officer's recommendation on the basis that the intersection is no different to any other intersection along the highway and it is not a residential built up area.

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Cr Krakouer declared a financial interest in Item 7.5.3 as he has a financial interest in a similar business to that of the application, and may incur a financial gain or loss from the decision of Council, and he departed the meeting at 1.55pm.

11.11.3 FOOD VAN OPERATION – PTN OF RESERVE 52436 (ITEM 7.5.3)
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Moved Cr STOCK-STANDEN, seconded Cr SMITH

1. That the Council approves in-principal the use of Reserve 52436 for the purpose of a mobile food van providing Indonesian cuisine, cooked seafood and coffee, subject to the Applicant applying for and obtaining development approval for the use, that the use is subject to compliance with any development approval conditions applied, and the location of the van does not impede service vehicles to the immediate area;
2. Subject to obtaining Development Approval for the proposed use, the Applicant is required to enter into a License Agreement with the Shire of Northampton for a period of three years in accordance with Council's Policy 9.2 – Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities;
3. The approved use of the Reserve will also be subject to approval of the Minister of Lands being obtained, in accordance with the provisions of the Land Administration Act (1997);
4. Any Development Approval shall remain valid only whilst the License Agreement remains current and valid, and on the expiration or in the termination of such License Agreement a new Application for Development Approval will be required; and
5. The applicant accepts the requirement for an on-site mains power source (no generator use will be allowed, except in emergency situations such as power outages) as well as the costs of installing a separate electricity meter to ensure all costs the food van operations incur are charged back to the applicant.

CARRIED 4/2

Cr's Simkin and Hay voted against the motion.

Cr Krakouer returned to the meeting at 2.08pm.

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11.11.4 PLANNING CONSULTANCY REVIEW (ITEM 7.5.4)

Moved Cr HAY, seconded Cr STOCK-STANDEN

That Council note the information on the review of the Town Planning Consultancy Services contract.

CARRIED 7/0

Moved Cr SIMKIN, seconded Cr KRAKOUER

That Council discuss Item 7.5.5 “in-camera” at 2.13pm.

CARRIED 7/0

Moved Cr SUCKLING, seconded Cr SMITH

That Council continue the meeting “out of camera”, at 2.27pm.

CARRIED 7/0

11.11.5 OUTSTANDING RATES – RODNEY MACKENZIE (ITEM 7.5.5)

Moved Cr SIMKIN seconded Cr PIKE

That Council through its legal advisors McLeods advise the legal advisors of Mr Rodney MacKenzie that:

1. Mr MacKenzie’s repayment offer be refused.
2. For all rates and charges (including penalty interest) in arrears, the following (totalling \$78,640.76) is outstanding as at 14/11/2018:

Rates Arrears	\$42,818.37
Interest for outstanding rates	\$34,684.28
ESL Arrears	\$602.50
Interest for outstanding ESL	\$469.61
Swimming Pool Inspection Fee arrears	\$66.00

3. The Council, by way of counter offer, will accept a payment of \$19,660 within 7 days of acceptance of the offer with the balance of \$58,980.76 to paid by equal instalment of \$19,660.25 on 30 January 2019, 30 June 2019 and 30 December 2019, plus interest that will be incurred on the balance of the above outstanding rates and charges.

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4. That the interest rate for all charges on rates and ESL current and arrears to continue to be levied until the debt is paid in full and these amounts are to be paid in addition to the scheduled repayments.
5. That should a default occur in the payment of any instalments for current and arrears charges then McLeods be instructed to take required action for the recovery of the debt.
6. That the CEO continue to liaise with McLeods on what is deemed recoverable legal charges and report back to Council on what action if any can be taken and what portion of the outstanding debt may need to be written off.

CARRIED 7/0

10.11.6 PART ROAD RESERVE CLOSURE – MITCHELL STREET, HORROCKS (ITEM 7.5.6)
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Moved Cr SUCKLING, seconded Cr SMITH

That Council:

1. Approve of the closure of portion of road reserve, being 28m² of Mitchell Street, Horrocks as requested by the Department of Planning, Lands and Heritage as per the provisions of Section 58 of the Land Administration Act 1997.
2. Should there be no objection to the road closure, then the CEO be given delegated authority to progress with the formal road closure without further reference to the Council.

CARRIED 7/0

10.11.7 NORTHAMPTON MEN'S SHED OPERATIONS (ITEM 7.5.7)
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Moved Cr STOCK-STANDEN, seconded Cr KRAKOUER

That Council grants approval to the Northampton Men's Shed to utilise the existing shed (being the ex-fire brigade shed) at the Mary Street Railway precinct for their activities/operations and that a use agreement be entered into with the group.

CARRIED 7/0

10.11.8 RSL HALL EXTENSIONS (ITEM 7.5.8)

Moved Cr SUCKLING, seconded Cr STOCK-STANDEN

That the request by the RSL for the extension of the exhibition area by 2 metre north and the installation of a shower not be supported by Council for the following reasons:

1. The 2 metre extension is not warranted and comes at a significant additional cost to the project.
2. That the installation of a shower cannot be compliant with disabled regulations (AS 1428.1) as there is insufficient room in the current building design without further modifications.

And Council progress with the project as per the current plans that have been approved by all parties.

CARRIED 7/0

11.12 SHIRE PRESIDENT'S REPORT

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

22/10/2018 Regional Road Group meeting
22/10/2018 Local Government Act Review Forum
10/11/2018 Northampton RSL Remembrance Dinner

11.13 DEPUTY PRESIDENT'S REPORT

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

22/10/2018 Local Government Act Review Forum
30/10/2018 DoT meeting re proposed food van
30/10/2018 Kalbarri Maritime Advisory Group meeting with DoT

11.14 COUNCILLORS' REPORTS

11.14.1 CR PIKE

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

22/10/2018 Local Government Act Review Forum
30/10/2018 Kalbarri Maritime Advisory Group meeting with DoT
15/11/2018 Road Safety Research Forum

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11.14.2 CR SMITH

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

22/10/2018 Local Government Act Review Forum
13/11/2018 Kalbarri Visitor Centre Meeting

11.14.3 CR HAY

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

22/10/2018 Local Government Act Review Forum

11.15 NEW ITEMS OF BUSINESS

Nil

11.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday the 14th December 2018 commencing at 1.00pm at the Council Chambers, Northampton.

11.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 2.58pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 16 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 14TH DECEMBER 2018

PRESIDING MEMBER: _____

DATE: _____