

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

TABLE OF CONTENTS

2.1	OPENING	3
2.2	PRESENT	3
2.2.1	LEAVE OF ABSENCE	3
2.2.2	APOLOGIES	3
2.3	QUESTION TIME	3
2.4	DISCLOSURE OF INTEREST	3
2.5	CONFIRMATION OF MINUTES	4
2.5.1	CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 14 th DECEMBER 2018	4
2.5.2	BUSINESS ARISING FROM MINUTES	4
2.6	RECEIVAL OF MINUTES	4
2.6.1	ANNUAL ELECTOR'S MEETING – 16 th JANUARY 2019	4
2.6.2	AUDIT COMMITTEE MEETING – 15 th FEBRUARY 2019	4
2.6.3	COMPLIANCE AUDIT RETURN 2018	4
2.7	WORKS & ENGINEERING REPORT	5
2.7.1	INFORMATION ITEMS - MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 7.1.1)	5
2.8	HEALTH & BUILDING REPORT	5
2.8.1	BUILDING APPROVALS (ITEM 7.2.1)	5
2.9	TOWN PLANNING REPORT	5
2.9.1	BROWNE FARM LOCAL STRUCTURE PLAN – MINOR AMENDMENTS – LOTS 9502 & 9505 GEORGE GREY DRIVE, KALBARRI (ITEM 7.3.1)	5
2.9.2	THIRD PARTY APPEAL RIGHTS – REVIEW OF POLICY POSITION BY WALGA (ITEM 7.3.2)	5
2.9.3	DRAFT POSITION STATEMENT – CONTAINER DEPOSIT SCHEME (ITEM 7.3.3)	6
2.9.4	DRAFT POSITION STATEMENT ON TOURISM LAND USES IN BUSHFIRE PRONE AREAS (ITEM 7.3.4)	6
2.9.5	INFORMATION ITEM – DRAFT COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN – HORROCKS BEACH – SITE VISIT & COMMUNITY VALUES SURVEY (ITEM 7.3.5)	6
2.9.6	REVIEW OF SHIRE OF NORTHAMPTON LOCAL PLANNING SCHEME NO. 10 HERITAGE LIST (ITEM 7.3.6)	6

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019**

2.9.7	REQUEST TO VARY A DEVELOPMENT APPROVAL CONDITION – PORT GREGORY SOLAR AND WIND FARM/ENERGY FACILITY – VIC LOCATION 6945 (NO. 4601) & LOCATION 6687 (NO.5540) OGILVIE ROAD WEST, YALLABATHARRA (ITEM 7.3.7)	7
2.9.8	PROPOSED CARPORT – R-CODE VARIATIONS – LOT 920 (NO. 12) GLIDDON AVENUE, KALBARRI (ITEM 7.3.8)	7
2.9.9	SUMMARY OF PLANNING ITEMS (ITEM 7.3.9)	9
2.9.10	PROPOSED AMENDMENT TO MOBILE FOOD VAN DEVELOPMENT APPROVAL – RESERVE 52436 GREY STREET AND USE OF ROAD RESERVES (ITEM 7.3.10)	9
2.10	FINANCE REPORT	10
2.10.1	ACCOUNTS FOR PAYMENT (ITEM 7.4.1)	10
2.10.2	MONTHLY FINANCIAL STATEMENTS – DECEMBER 2018 (ITEM 7.4.2)	10
2.11	ADMINISTRATION & CORPORATE REPORT	10
2.11.1	NORTHAMPTON BOWLING CLUB – RENEWAL OF LEASE (ITEM 7.5.1)	10
2.11.2	ABRI VOSSOS OLHOS FILM (ITEM 7.5.3)	11
2.11.3	NORTHAMPTON RSL BRANCH – RSL HALL RENOVATIONS (ITEM 7.5.3)	11
2.11.4	BASIS OF RATES – RANCH COURT SUBDIVISION (ITEM 7.5.4)	11
2.11.5	CLOSURE OF PORTION OF MITCHELL STREET, HORROCKS (ITEM 7.5.5)	12
2.11.6	KALBARRI PUBLIC ACCESS WAY (PAW) IMPROVEMENTS (ITEM 7.5.6)	12
2.11.7	RELOCATION OF RAILWAY CARRIAGE (ITEM 7.5.7)	12
2.12	SHIRE PRESIDENT’S REPORT	12
2.13	DEPUTY PRESIDENT’S REPORT	12
2.14	COUNCILLORS’ REPORTS	13
2.14.1	CR SMITH	13
2.15	NEW ITEMS OF BUSINESS	13
2.15.1	FORMATION OF NEW SKATE AND SCOOTER PARK COMMITTEE – HORROCKS BEACH	13
2.15.2	NOMINATION OF KALBARRI ROADWISE COMMITTEE FOR AUSTRALIAN AWARDS	13
2.16	NEXT MEETING OF COUNCIL	14
2.17	CLOSURE	14

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

2.1 OPENING

The President thanked all Councillors, staff and gallery present for their attendance and declared the meeting open at 1.01pm.

2.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr S Krakouer	Deputy President	Kalbarri Ward
Cr S Stock-Standen		Northampton Ward
Cr T Carson		Northampton Ward
Cr R Suckling		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr S Smith		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mrs Deb Carson	Planning Officer	

2.2.1 LEAVE OF ABSENCE

Nil

2.2.2 APOLOGIES

Cr Hay

2.3 QUESTION TIME

Nil

2.4 DISCLOSURE OF INTEREST

Cr Krakouer declared a financial interest in Item 7.3.3 as he operates a business of a similar nature and may incur a financial gain or loss from the decision.

Cr Stock-Standen declared an impartiality interest in Item 7.3.7 as she is employed by the company to whom the application relates.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

2.5 CONFIRMATION OF MINUTES

2.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 14th DECEMBER 2018

Moved Cr KRAKOUER, seconded Cr PIKE

That the minutes of the Ordinary Meeting of Council held on the 14th December 2018 be confirmed as a true and correct record.

CARRIED 8/0

2.5.2 BUSINESS ARISING FROM MINUTES

Nil

2.6 RECEIVAL OF MINUTES

2.6.1 ANNUAL ELECTOR'S MEETING – 16th JANUARY 2019

Moved Cr CARSON, seconded Cr STEWART

That the minutes of the Annual Electors Meeting held on the 16th January 2019 be received.

CARRIED 8/0

2.6.2 AUDIT COMMITTEE MEETING – 15th FEBRUARY 2019

Moved Cr SUCKLING, seconded Cr SMITH

That the minutes of the Audit Committee Meeting held on the 15th February 2019 be received.

CARRIED 8/0

2.6.3 COMPLIANCE AUDIT RETURN 2018

Moved Cr CARSON, seconded Cr SUCKLING

That Council adopt the Compliance Audit Return 2018 as presented.

CARRIED 8/0

2.7 WORKS & ENGINEERING REPORT

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

Noted

2.8 HEALTH & BUILDING REPORT

2.8.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted

2.9 TOWN PLANNING REPORT

2.9.1 BROWNE FARM LOCAL STRUCTURE PLAN – MINOR AMENDMENTS – LOTS 9502 & 9505 GEORGE GREY DRIVE, KALBARRI (ITEM 7.3.1)

Moved Cr STOCK-STANDEN, seconded Cr STEWART

That Council accept the amended structure plan for assessment, seek comments from relevant public authorities and refer to the Western Australian Planning Commission a copy of the amended structure plan and details of the consultation arrangements, in accordance with the regulation 18(1)(b) and (c) of Part 4 of the 'Deemed Provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED 8/0

2.9.2 THIRD PARTY APPEAL RIGHTS – REVIEW OF POLICY POSITION BY WALGA (ITEM 7.3.2)

Moved Cr PIKE, seconded Cr CARSON

That Council notify the Western Australian Local Government Association that it supports the preferred model of Third Party Appeals to the decisions made by a Development Assessment Panel, but does not support further expansion of Third Party Appeals without further consultation.

CARRIED 8/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

2.9.3 DRAFT POSITION STATEMENT – CONTAINER DEPOSIT SCHEME (ITEM 7.3.3)

Moved Cr STOCK-STANDEN, seconded Cr STEWART

That Council:

1. Support the draft Position Statement for Container Deposit Scheme Infrastructure as presented; and
2. Adopt the model Local Planning Policy for Container Deposit Scheme Infrastructure, with hours to be amended in accordance with the Noise Abatement Act.

CARRIED 8/0

2.9.4 DRAFT POSITION STATEMENT ON TOURISM LAND USES IN BUSHFIRE PRONE AREAS (ITEM 7.3.4)

Moved Cr PIKE, seconded Cr STEWART

That Council support the draft Position Statement on Tourism Land Uses in Bushfire Prone Areas and correspond with the Western Australian Planning Commission to this effect.

CARRIED 8/0

2.9.5 INFORMATION ITEM – DRAFT COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN – HORROCKS BEACH – SITE VISIT & COMMUNITY VALUES SURVEY (ITEM 7.3.5)

Noted.

2.9.6 REVIEW OF SHIRE OF NORTHAMPTON LOCAL PLANNING SCHEME NO. 10 HERITAGE LIST (ITEM 7.3.6)

Moved Cr SUCKLING, seconded Cr STOCK-STANDEN

That Council resolve to support their previous motion Minute 12.9.1 made on 14 December 2018, to include the Railway Bridge (Place No. 142), based upon the new information provided.

CARRIED 8/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

Cr Stock-Standen declared an impartiality interest in Item 7.3.7 as she is employed by the company that is the subject of this application, and departed the meeting at 1.37pm.

2.9.7 REQUEST TO VARY A DEVELOPMENT APPROVAL CONDITION – PORT GREGORY SOLAR AND WIND FARM/ENERGY FACILITY – VIC LOCATION 6945 (NO. 4601) & LOCATION 6687 (NO.5540) OGILVIE ROAD WEST, YALLABATHARRA (ITEM 7.3.7)
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Moved Cr CARSON, seconded Cr SUCKLING

That Council support the request of the Applicant to reduce the required firefighting unit capacity, and approve the variation of Condition No. 7 of D/A 2017-104, such that the Condition is reworded to:

“The applicant is to prepare, submit and implement a Bushfire Management Plan to the approval of the Local Government. This Bushfire Management Plan shall include the following:

- (a) a perimeter road around the outside of the solar farm so as to provide multi-directional escape routes in the event of a small localised fire at that location;
- (b) a firefighting unit with a minimum 800L water capacity be present on site and located within close proximity to any personnel present, during the periods of construction and any maintenance undertaken within restricted and prohibited burning periods.

The requirement for asset protection zones at the base of the wind turbines is not required subject to the above measures being included with the final Bushfire Management Plan.”

CARRIED 7/0

Cr Stock-Standen returned to the meeting at 1.39pm.

2.9.8 PROPOSED CARPORT – R-CODE VARIATIONS – LOT 920 (NO. 12) GLIDDON AVENUE, KALBARRI (ITEM 7.3.8)

Moved Cr PIKE, seconded Cr KRAKOUER

That Council grant development approval to the proposed Carport upon Lot 920 (No. 12) Gliddon Ave, Kalbarri subject to the following conditions:

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

1. Development shall be in accordance with the attached approved plan(s) dated 15 February 2019 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. 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;
3. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
4. The carport is to be constructed of colours and materials that are complementary to the existing structure and adjacent developments, to the approval of the local government;
5. A Building Permit shall be issued by the local government prior to the commencement of any work on the site;
6. Any lighting device is to be positioned and shielded as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries or cause any glare nuisance to any nearby residents or passing motorists, to the approval of the local government;
7. No vehicles, trailer or boat trailers associated with Lot 920 (No. 12) Gliddon Ave, Kalbarri are to be parked within the road reserve area, and all vehicles belonging to the landowner or permanent/semi-permanent residents are to be parked and stored wholly within the lot at all times; and
8. No paneling or screening shall be affixed to the side walls of the carport structure, so that the carport maintains visual permeability at all times to enhance visibility of vehicles entering and exiting the street upon Lot 920 and adjoining lots.

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.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

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.

CARRIED 8/0

2.9.9 SUMMARY OF PLANNING ITEMS (ITEM 7.3.9)

Noted.

2.9.10 PROPOSED AMENDMENT TO MOBILE FOOD VAN DEVELOPMENT APPROVAL – RESERVE 52436 GREY STREET AND USE OF ROAD RESERVES (ITEM 7.3.10)

Cr Krakouer declared a financial interest in Item 7.3.10, as he has a business of a similar nature and could incur a gain or loss from the decision of Council, and departed the meeting at 1.45pm.

Moved Cr STEWART, seconded Cr CARSON

That Council:

1. Refuse the request of the Applicant to sell coffee from the mobile food vehicle upon Reserve 52436, as the location is within 300 metres of business that sells products of a similar nature, and therefore does not align with Council's Policies for Trading in Public Places or Itinerant Food Vendors; and
2. Determine that the request to extend trading hours by two hours is a minor amendment to the existing development approval D/A 2018-070, and support the Applicant's request to trade between the hours of 7am and 9pm.

CARRIED 4/3

Cr's Suckling, Stock-Standen and Smith voted against the motion.

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

Cr Krakouer returned to the meeting at 1.57pm.

2.10 FINANCE REPORT

2.10.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr SIMKIN, seconded Cr STOCK-STANDEN

That Municipal Fund Cheques 21581 to 21619 inclusive totalling \$159,106.50, Municipal EFT payments numbered EFT18725 to EFT18984 inclusive totalling \$1,105,240.71, Trust Fund Cheques 2374 to 2407, totalling \$27,588.70, Direct Debit payments numbered GJ0608 to GJ0711 inclusive totalling \$440,830.15 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

2.10.2 MONTHLY FINANCIAL STATEMENTS – DECEMBER 2018 (ITEM 7.4.2)

Moved Cr CARSON, seconded Cr KRAKOUER

That Council:

1. Adopts the Monthly Financial Report for the period ending 31st December 2018; and
2. Adopts the Monthly Financial Report for the period ending 31 January 2019.

CARRIED 8/0

2.11 ADMINISTRATION & CORPORATE REPORT

2.11.1 NORTHAMPTON BOWLING CLUB – RENEWAL OF LEASE (ITEM 7.5.1)

Withdrawn

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

2.11.2 ABRI VOSSOS OLHOS FILM (ITEM 7.5.3)

Moved Cr CARSON, seconded Cr SIMKIN

That Council not support the re-allocation of the \$10,000 budget provision to be used as a leverage to seek possible grant funding for possible workshops to create the Abri Vossos Olhos film as the Council considers that this is a clear change in direction of the intent of the \$10,000 for tourism promotion through the production of a film as originally proposed and the obtaining of grant funding may not occur and may not guarantee local content and could take a number of years to complete which could result in further requests to Council for future funding.

In addition Council considers that the \$10,000 can be better used for existing tourism promotion/infrastructure issues it currently is experiencing.

CARRIED 7/1

Cr Pike voted against the motion.

2.11.3 NORTHAMPTON RSL BRANCH – RSL HALL RENOVATIONS (ITEM 7.5.3)

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council approve of the proposed upgrade works to the kitchen area and installation of air-conditioning to the main hall area and commit a contribution of \$5,000 to the project within the 2019/20 Budget.

CARRIED 8/0

2.11.4 BASIS OF RATES – RANCH COURT SUBDIVISION (ITEM 7.5.4)

Moved Cr SUCKLING, seconded Cr SIMKIN

That Council request the Minister for Local Government to change the basis of rating for all properties in Ranch Court, Kalbarri from unimproved values to gross rental values as the use of GRV's is of benefit to the landowners in respect to the level of rates payable.

CARRIED 8/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

2.11.5 CLOSURE OF PORTION OF MITCHELL STREET, HORROCKS (ITEM 7.5.5)

Moved Cr STOCK-STANDEN, seconded Cr SMITH

That Council approve of the closure of portion of road reserve, being 28m² of Mitchell Street, Horrocks as per the provisions of Section 58 of the *Land Administration Act 1997*.

CARRIED 8/0

2.11.6 KALBARRI PUBLIC ACCESS WAY (PAW) IMPROVEMENTS (ITEM 7.5.6)

Moved Cr PIKE, seconded Cr STEWART

That Council engage the services of Ecoscape to provide a detailed landscape plan of the Central Shopping precinct PAW area for streetscape improvements, including, shelters, seating and gardens at a cost of \$3,800 (exclusive of GST) and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

2.11.7 RELOCATION OF RAILWAY CARRIAGE (ITEM 7.5.7)

Moved Cr PIKE, seconded Cr STEWART

That Council support the request of the Northampton Friends of the Railway, and approve expenditure of \$4,320 towards the cost of relocating the railway carriage as requested, and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

2.12 SHIRE PRESIDENT'S REPORT

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

30/1/2019 WALGA Local Government Act Review forum

2.13 DEPUTY PRESIDENT'S REPORT

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

30/1/2019 WALGA Local Government Act Review forum

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

2.14 COUNCILLORS' REPORTS

2.14.1 CR SMITH

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

8/1/2019	Kalbarri Visitor Centre meeting
12/1/2019	MEEDAC Community forum

2.15 NEW ITEMS OF BUSINESS

2.15.1 FORMATION OF NEW SKATE AND SCOOTER PARK COMMITTEE – HORROCKS BEACH

Cr Stock-Standen advised that there will be a skate and scooter park committee meeting next Thursday 21 February 2019 at 5.30pm at the Horrocks Community Centre.

Cr Stock-Standen will update Council as new information regarding the committee and future projects comes to hand.

2.15.2 NOMINATION OF KALBARRI ROADWISE COMMITTEE FOR AUSTRALIAN AWARDS

Cr Pike advised that the Kalbarri Roadwise Committee have been nominated for the Australian Roadwise Awards and four Kalbarri Roadwise representatives will be attending the awards event in Melbourne. Cr Pike has requested that Council consider contributing to the travel and accommodation costs for those representatives to attend that event.

Moved Cr STOCK-STANDEN, seconded Cr STEWART

That Council support the request and approve an allocation of \$1,000 to be put towards the travel and accommodation expenses of the four representatives of the Kalbarri Roadwise Committee to attend the National Roadwise Awards in Melbourne, and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
15th February 2019

2.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday the 15th March 2019 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 3.17pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 14 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 15th MARCH 2019

PRESIDING MEMBER: _____

DATE: _____