

TABLE OF CONTENTS

5.1	OPENING	4
5.2	PRESENT	4
5.2.1	LEAVE OF ABSENCE	4
5.2.2	APOLOGIES	4
5.3	QUESTION TIME	4
5.4	DISCLOSURE OF INTEREST	4
5.5	CONFIRMATION OF MINUTES	5
5.5.1	CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 17 th APRIL 2019	5
5.5.2	BUSINESS ARISING FROM MINUTES	5
5.6	RECEIVAL OF MINUTES	5
5.7	WORKS & ENGINEERING REPORT	5
5.7.1	INFORMATION ITEMS - MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 7.1.1)	5
5.8	HEALTH & BUILDING REPORT	5
5.8.1	BUILDING APPROVALS (ITEM 7.2.1)	5
5.9	TOWN PLANNING REPORT	6
5.9.1	PROPOSED KALBARRI QUADBIKE SAFARIS LICENCE AGREEMENT – RESERVE 12996 (NORTH/SOUTH), UCL, LOTS 1545 & 13 MURCHISON HOUSE STATION, AJANA-KALBARRI ROAD, KALBARRI (ITEM 7.3.1)	6
5.9.2	PROPOSED RENEWAL OF COMMERCIAL RECREATIONAL USE - DEVELOPMENT APPROVAL AND LICENSE AGREEMENT - BIG RIVER RANCH HORSE TRAIL RIDES, KALBARRI (ITEM 7.3.2)	8
5.9.3	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.3)	10
5.9.4	PROPOSED SINGLE DWELLING – R-CODES VARIATIONS - LOT 204 (NO. 73) GLANCE STREET, HORROCKS (ITEM 7.3.4)	10
5.9.5	FINAL APPROVAL - BROWNE FARM LOCAL STRUCTURE PLAN - MINOR AMENDMENTS – LOTS 9502 & 9505 GEORGE GREY DRIVE, KALBARRI (ITEM 7.3.5)	12
5.10	FINANCE REPORT	13
5.10.1	ACCOUNTS FOR PAYMENT (ITEM 7.4.1)	13
5.10.2	MONTHLY FINANCIAL STATEMENTS – APRIL 2019 (ITEM 7.4.2)	13
5.10.3	BUDGET SUBMISSIONS 2019-2020 (ITEM 7.4.3)	14
5.11	ADMINISTRATION & CORPORATE REPORT	15

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Northampton on
17th May 2019**

5.11.1	SALARIES & ALLOWANCES TRIBUNAL REVIEW DECISION (ITEM 7.5.2)	15
5.11.2	KALBARRI COMMUNITY CAMP – DISABLED ABLUTIONS (ITEM 7.5.3)	15
5.11.3	REQUEST FOR FUNDING – WIND & WATER PROJECT (ITEM 7.5.4)	16
5.11.4	BATAVIA FILM (ITEM 7.5.5)	16
5.11.5	PROPOSED “UNCLASSIFIED NATURE RESERVES” (ITEM 7.5.6)	16
5.11.6	CAMEL RIDES – CANOE & CRAY CARNIVAL (ITEM 7.5.7)	17
5.11.7	KALBARRI PAW PROPOSED SHELTER DESIGN (ITEM 7.5.8)	17
5.11.8	REVISED DRUG AND ALCOHOL POLICY (ITEM 7.5.9)	17
5.11.9	DR INDRE ASMUSSEN – HUTT LAGOON BIRD SURVEY (ITEM 7.5.10)	23
5.11.10	LOCAL GOVERNMENT WEEK CONFERENCE 2019 (ITEM 7.5.11)	23
5.11.11	BATTERY REPLACEMENT – LUCKY & HALFWAY BAY CARETAKER RESIDENCE (ITEM 7.5.12)	24
5.12	CORPORATE BUSINESS PLAN	24
5.12.1	CP1 CORPORATE BUSINESS PLAN REVIEW 2019 - BUILDINGS	24
	CP1.1 CAPITAL UPGRADE/NEW WORKS PROGRAM	24
	CP1.2 CAPITAL UPGRADE BUILDINGS RENEWAL	24
5.12.2	CP2 CAPITAL – RECREATION	25
	CP2.1 MALLARD PARK UPGRADE	25
	CP2.2 HORROCKS FORESHORE PLAYGROUND SHELTER	25
	CP2.3 OUTDOOR GYM	25
	CP2.4 ADDITIONAL LIGHTS -NORTHAMPTON OVAL	25
	CP2.5 KALBARRI FORESHORE REDEVELOPMENT	26
5.12.3	CP3 ROAD PROJECTS & CARPARKS	26
	CP3.1.1 BINNU PRIMARY SCHOOL & BINNU/BALLA PROGRESS ASSOCIATION	26
	CP3.1.2 MURCHISON HOUSE STATION ROAD	26
	CP3.1.3 PARKER & WUNDI ROADS	27
	CP3.1.4 UPGRADE GRAVEL ROADS TO ALL “C” ROAD TRAINS	27
	CP3.1.5 UPGRADE OF ISSACHAR BACK ROAD	27
	CP3.1.6 UPGRADE OF BURGESS STREET, NORTHAMPTON TO A BITUMEN SEAL	27
	CP3.2.1 – CP3.2.3 HARVEY AND HORRY ROADS, ROADS TO RECOVERY PROGRAMME, AND REGIONAL ROAD GROUP FUNDING	28
	CP3.2.4 SURVEY LITTLE BAY ROAD	28
	CP3.2.5 GREY STREET KALBARRI – CONSTRUCT PARALLEL PARKING	29
	CP3.2.6 GREY STREET KALBARRI RESEAL	29

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Northampton on
17th May 2019**

	CP3.3.1 PORTER STREET SKATE PARK CAR PARK AND ENTRANCE	29
	CP3.4.1 CAR PARK DEVELOPMENT – CURRENT PROGRAMME	29
	CP3.4.2 KALBARRI CBD CAR PARK RE-SEAL	29
5.12.4	CP4 FOOTPATH PROGRAMME	30
	CP4.1.1 RICK CLARKE – LOCATION OF PROPOSED PATHWAY IN GANTHEAUME CRESCENT, KALBARRI	30
	CP4.1.2 PORT GREGORY – NEW PATH	30
	CP4.2.1 CURRENT PLAN STATUS	30
5.12.5	CP5 PLANT REPLACEMENT PROGRAM	30
	CP5.1.1 CHANGES TO CURRENT PLAN - EHO/BUILDING SURVEYOR VEHICLE	30
	CP5.1.2 CHANGES TO CURRENT PLAN - CEO VEHICLE	31
	CP5.1.3 CHANGES TO CURRENT PLAN - OTHER WORKS PLANT CHANGES	31
5.12.6	CP6 OTHER COMMUNITY SERVICES	32
	CP6.1.1 NORTHAMPTON CEMETERY BOUNDARY FENCE	32
5.12.7	CP7 CORPORATE BUSINESS PLAN REVIEW 2019 – WORK FORCE PLAN	33
5.12.8	LONG TERM FINANCIAL PLAN REVIEW 2019	33
5.13	DEPUTY PRESIDENT’S REPORT	33
5.14	COUNCILLORS’ REPORTS	33
5.14.1	CR SMITH	33
5.14.2	CR PIKE	33
5.15	NEW ITEMS OF BUSINESS	33
5.16	NEXT MEETING OF COUNCIL	33
5.17	CLOSURE	34

5.1 OPENING

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

5.2 PRESENT

Cr S Krakouer	Deputy President	Kalbarri Ward
Cr T Carson		Northampton Ward
Cr R Suckling		Northampton Ward
Cr T Hay		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr S Smith		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works (entered at 2.42pm)	
Mrs Deb Carson	Planning Officer	

5.2.1 LEAVE OF ABSENCE

Nil

5.2.2 APOLOGIES

Cr Simkin and Cr Stock-Standen

5.3 QUESTION TIME

Nil.

5.4 DISCLOSURE OF INTEREST

Nil.

5.5 CONFIRMATION OF MINUTES

5.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 17th APRIL 2019

Moved Cr STEWART, seconded Cr PIKE

That the minutes of the Ordinary Meeting of Council held on the 17th April 2019 be confirmed as a true and correct record, subject to the following amendment:

- Minute 4.11 – change “ofr” to “for”

CARRIED 7/0

5.5.2 BUSINESS ARISING FROM MINUTES

Nil.

5.6 RECEIVAL OF MINUTES

Nil.

5.7 WORKS & ENGINEERING REPORT

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

Noted

5.8 HEALTH & BUILDING REPORT

5.8.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted

5.9 TOWN PLANNING REPORT

**5.9.1 PROPOSED KALBARRI QUADBIKE SAFARIS LICENCE AGREEMENT –
RESERVE 12996 (NORTH/SOUTH), UCL, LOTS 1545 & 13 MURCHISON
HOUSE STATION, AJANA-KALBARRI ROAD, KALBARRI (ITEM 7.3.1)**

Moved Cr SUCKLING, seconded Cr HAY

That Council:

1. Grant Development Approval for a Commercial Recreational Tourism Activity (Quadbike Tours) over Reserves 12996 (North/South) and Lots 1545 and 13 Ajana-Kalbarri Road, 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 an 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 Approval of the Minister of Lands in accordance with the provisions of the *Land Administration Act (1997)*;
 - c A licence agreement being entered into by the applicant and the Shire in accordance with Council's *Local Planning Policy – Commercial Recreational Tourism Activity on Crown Reserves*; &
 - d This Development Approval shall remain valid whilst the licence agreement referred to in Condition (c) remains current and valid, and on the expiration or in the termination of such licence agreement, this Planning Approval shall cease to be valid.
 - e The Applicant shall conduct the tours using existing pathways, roads and tracks only, and shall not negatively impact, degrade or damage the natural amenity or cultural heritage sites within the approved land locations in any way;

- f The Applicant shall maintain Public Liability Insurance coverage to a minimum of \$20 million, and forward a copy of this certificate to the Shire of Northampton, to comply with the provisions of the Shire of Northampton's Local Planning Policy – Commercial Recreational Tourism Activity

Advice Notes:

- i. The Applicant is advised that it is not the responsibility of the local government to ensure that all correct approvals are in place and that all conditions contained within said approvals are upheld during the operations of the business;
 - ii. The Applicant is advised to be familiar with the State Cultural Heritage Due Diligence guidelines, which are designed to assist proponents to identify and mitigate any risks to Aboriginal Heritage, available at <http://www.daa.wa.gov.au/globalassets/pdf-files/ddg>
 - iii. 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 preparation and execution of the Licence Agreement with any disputes to be referred back to Council for final determination.
3. Grant Development Approval for a Home Business for the storage of quad bikes upon Lot 13 (No. 5618) Ajana-Kalbarri Road subject to the following conditions:
- a The business activity on the property shall be limited to the establishment of a Home Business (Quadbike Storage) and related duties;
 - b The activity is at all times to comply with the definition of "Home Business" under the Local Planning Scheme No. 11;
 - c The home business shall not occupy an area greater than 50m²;
 - d The home business shall not involve the retail sale or display of goods of any nature;

- e This approval is issued only to M Rodger & E Nightingale and is NOT transferable to any other person or to any other land parcel. Should there be a change of the occupier on the land in respect of which this planning approval is issued this approval shall no longer be valid;
- f The use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise;
- g 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; and
- h This Development Approval shall remain valid whilst the licence agreement with the Shire of Northampton remains current and valid, and on the expiration or in the termination of such licence agreement, this Development Approval shall cease to be valid.

Advice Notes:

- i. 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.
- ii. 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 7/0

5.9.2 PROPOSED RENEWAL OF COMMERCIAL RECREATIONAL USE - DEVELOPMENT APPROVAL AND LICENSE AGREEMENT - BIG RIVER RANCH HORSE TRAIL RIDES, KALBARRI (ITEM 7.3.2)

Moved Cr CARSON, seconded Cr SMITH

That Council:

1. Grant Development Approval for the experiential use (horse trail rides) upon Reserve 12996 (Lots 12678, 1018 and 120), Murchison River Foreshore Kalbarri, with the following conditions:

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Northampton on
17th May 2019**

- 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 an 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. 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)*;
 - iii. A Licence Agreement being entered into by the applicant and the Shire in accordance with Council's Policy 9.2 – *Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities*;
- c. This Development Approval shall remain valid whilst the agreement referred to in Condition b(iii) remains current and valid, and on the expiration or in the termination of such Licence Agreement, this Development Approval shall cease to be valid;
- d. The proposed trail rides that traverse the Murchison River upon Reserve 12996 shall be limited to a maximum of eighteen (18) horses (including staff horses); and
- e. The Applicant shall maintain Public Liability Insurance coverage to a minimum of \$20 million, and forward a copy of this certificate to the Shire of Northampton, to comply with the provisions of the Shire of Northampton's *Local Planning Policy – Commercial Recreational Tourism Activity*.

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.

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.

Note 4: The Applicant is advised that it is not the responsibility of the local government to ensure that all correct approvals are in place and that all conditions contained within said approvals are upheld during the operations of the business.

Note 5: Tour operations will take place on land that is within an environmentally and culturally sensitive area. Activities should be conducted in a manner that minimises any disturbance, including keeping to existing tracks.

Note 6: The Applicant is advised of their obligation to comply with the Aboriginal Heritage Act and is further advised to be familiar with the *State Cultural Heritage Due Diligence* guidelines, which are designed to assist proponents to identify and mitigate any risks to Aboriginal Heritage, available at <http://www.daa.wa.gov.au/globalassets/pdf-files/ddg>

2. Authorise delegation to the Chief Executive Officer and Planning Officer for preparation and execution of the Licence Agreement in Condition 1b(iii) above, with any disputes to be referred back to Council for final determination; and
3. Refer the agreement to Department of Planning, Lands and Heritage for Ministerial Consent.

CARRIED 7/0

5.9.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.3)
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Noted.

5.9.4 PROPOSED SINGLE DWELLING – R-CODES VARIATIONS - LOT 204 (NO. 73) GLANCE STREET, HORROCKS (ITEM 7.3.4)

Moved Cr SUCKLING, seconded Cr HAY

That Council grant development approval to the proposed Single Dwelling upon Lot 204 (No. 73) Glance Street, Horrocks subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 17 May 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 consent/approval) requires further application and development approval for that use/addition;
3. A building permit shall be issued by the local government prior to the commencement of any work on site;
4. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
5. The Applicant shall provide a colour schedule for the dwelling prior to construction of the dwelling, which shall be to the approval of the local government. The colours chosen shall be non-reflective and in keeping with the natural coastal environment;
6. Bin storage and clothes drying areas shall be provided and appropriately screened such that they are not visible from the view from the street/s, to the approval of the local government;
7. Installation of crossing places and verge gradients shall be to the standards and specification of the local government;
8. The external face of all retaining and parapet walls shall have a smooth surface finish with tooled joints, to the approval of the local government; and
9. The roof of the dwelling shall be constructed using coated metal sheeting (Colorbond) and the use of Zinalume is not permitted.

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.

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 7/0

5.9.5 FINAL APPROVAL - BROWNE FARM LOCAL STRUCTURE PLAN - MINOR AMENDMENTS – LOTS 9502 & 9505 GEORGE GREY DRIVE, KALBARRI (ITEM 7.3.5)
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Moved Cr KRAKOUER, seconded Cr CARSON

That Council pursuant to section 75 of the Planning and Development Act 2005 and Regulation 20. (2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to:

1. Recommend that the Western Australian Planning Commission APPROVE the amended Browne Farm Local Structure Plan subject to the following modifications:

a) The LSP Report being suitably modified to address the requirements for the local structure plan to address SPP 3.7- Planning in Bushfire Prone Areas before subdivision of the northern Residential 'R10' area can occur, noting that this is likely to include significant modifications to the a redesign of the subdivision layout and preparation of an updated Bushfire Management Plan,

b) Fencing of the southern boundary of the local structure plan area, adjacent to the Kalbarri National Park being fenced when subdivision of the 'future rural residential' land occurs.

c) The Plan for Protection - Red Bluff Public Open Space will be prepared and provided to the Department of Biodiversity, Conservation and Attractions for review prior to approval of subdivision which:

i) considers issues including access control, passive recreation and the protection of native vegetation; and

- ii) is prepared on the basis that habitat for the Declared Rare Flora species *Leschenaultia chlorantha* is present within the Public Open Space area.
2. Forward structure plan documentation and submissions to the Western Australian Planning Commission with a request that the Commission grant approval to the structure plan (with modifications); and
3. Advise the applicant/owner and those who lodged a submission of the Council decision accordingly.

CARRIED 7/0

5.10 FINANCE REPORT

5.10.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)
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Moved Cr SUCKLING, seconded Cr STEWART

That Municipal Fund Cheques 21654 to 21670 inclusive totalling \$109,791.54, Municipal EFT payments numbered EFT19223 to EFT19302 inclusive totalling \$212,265.86, Trust Fund Cheques 2420 to 2430, totalling \$4,643.31, Direct Debit payments numbered GJ1005 to GJ1015 inclusive totalling \$220,291.61 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

5.10.2 MONTHLY FINANCIAL STATEMENTS – APRIL 2019 (ITEM 7.4.2)

Moved Cr CARSON, seconded Cr SMITH

That Council adopts the Monthly Financial Report for the period ending 30 April 2019.

CARRIED 7/0

5.10.3 BUDGET SUBMISSIONS 2019-2020 (ITEM 7.4.3)
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Moved Cr SUCKLING, seconded Cr CARSON

That Council:

1. Lists for consideration the following projects within the Draft 2019/20 Budget:
 - Northampton Visitor Centre - \$25,000 being for their annual operating grant
 - Kalbarri Visitor Centre - \$50,000 being for their annual operational subsidy.
 - Kalbarri Visitor Centre (Specified Area Rate) - \$30,000 being for promotion of Kalbarri.
 - Northampton Creative Obsessions - \$2,300 being for the purchase of signage, banners and walk trail maps.
 - Kalbarri Childcare - \$5,000 being for building renovations to ensure compliance with relevant childcare legislation.
 - Botanic Line - \$4,000 being for a water tank, reticulation and fittings.
 - Northampton Men's Shed Inc - \$20,000 to assist with the construction of a shed at the Mary Street Railway precinct.
2. Defers a decision for listing the St Mary's Parish request for a financial contribution of \$8,000 to \$10,000 for the restoration of the stone wall along Hampton road within the Draft 2019/20 Budget and request the Parish to provide justification of the costs established and upon receipt of that advise the matter be re-presented to Council for further consideration.
3. That the following projects be deferred to 2020/21 Draft Budget for further consideration:
 - Northampton VFRS - \$3,700 being for tiling of the kitchen floor in the Northampton Volunteer Fire and Rescue Kitchen.
 - Northampton Volunteer Organisation - \$3,500 to hold a Grant workshop
4. Does not list for consideration the following projects within the Draft 2019/20 Budget:

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Northampton on
17th May 2019**

- Northampton Lions Club - \$30,000 being for the purchase of a mobile food van.
- Northampton Motors and Machinery Restoration Group - \$3,000 being for the purchase of an AW7 Tractor for display purposes.
- Northampton Environmental Group - \$7,000 to fund a land manager service.

CARRIED 7/0

5.11	ADMINISTRATION & CORPORATE REPORT
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5.11.1	SALARIES & ALLOWANCES TRIBUNAL REVIEW DECISION (ITEM 7.5.2)
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Moved Cr KRAKOUER, seconded Cr STEWART

That Council set the sitting fees and allowances for Councillors as per the following rates:

Per meeting fee

Council meetings	\$250
President	\$500

Council committee meetings

President and Elected Member	\$100
Community Committee Meeting	\$50

President Annual Allowance	\$14,000
Deputy President Annual Allowance	\$3,500

CARRIED 7/0

5.11.2	KALBARRI COMMUNITY CAMP – DISABLED ABLUTIONS (ITEM 7.5.3)
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Moved Cr SUCKLING, seconded Cr HAY

That Council purchase and install a transportable disabled ablution at the Kalbarri Community Camp at an estimated cost of \$32,000 and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

5.11.3 REQUEST FOR FUNDING – WIND & WATER PROJECT (ITEM 7.5.4)

Moved Cr HAY, seconded Cr KRAKOUER

That Council not support the request for financial assistance for the Wind and Water promotion project.

CARRIED 6/1

Cr Pike voted against the motion.

5.11.4 BATAVIA FILM (ITEM 7.5.5)

Moved Cr SMITH, seconded Cr PIKE

That Council list an amount of \$25,000 to fund the Batavia film, for further consideration in the Draft 2019/20 Budget.

CARRIED 7/0

5.11.5 PROPOSED “UNCLASSIFIED NATURE RESERVES” (ITEM 7.5.6)

Moved Cr STEWART, seconded Cr PIKE

That Council advise the Department for Planning, Lands and Heritage that it supports the creation of “unclassified nature reserves” on the areas of unallocated crown land at the Hutt Lagoon, Menai Hills and the Yerina Spring area as per provided plans, and the northern portion of the Menai Hills crown land (as shown on the provided plan) for Aboriginal “Social, Cultural and Economic Purposes”.

CARRIED 7/0

5.11.6 CAMEL RIDES – CANOE & CRAY CARNIVAL (ITEM 7.5.7)

Moved Cr SUCKLING, seconded Cr STEWART

That Council approve camel rides on the Kalbarri foreshore parkland area during the Canoe and Cray Carnival subject to the following conditions:

1. That approval not be granted for camels and the cameleers to camp on the foreshore and that the camels be allowed to camp at the Kalbarri Community Camp and Hall area being the vacant land to the north of the hall (ex BMX track).
2. That dung bags to be on camels at all times and regularly maintained.

CARRIED 7/0

5.11.7 KALBARRI PAW PROPOSED SHELTER DESIGN (ITEM 7.5.8)

Moved Cr SMITH, seconded Cr KRAKOUER

That Council request a review of costs from the Landscape Architect for a shelter that only spans the section from the Upstairs Restaurant to the western boundary of the Gilgai Tavern as per the current design, with a reduction in the number of planter and seating boxes, and consider incorporating patterned design and/or composite decking (not concrete and brickwork) into seat designs, for further consideration by Council.

CARRIED 7/0

5.11.8 REVISED DRUG AND ALCOHOL POLICY (ITEM 7.5.9)

Moved Cr SUCKLING, seconded Cr CARSON

That Council adopt the draft Drug and Alcohol Policy as per the following:

Shire of Northampton Drug and Alcohol Policy

1. The Shire of Northampton's Commitment

The Shire of Northampton and its employees must take all reasonable care not to endanger the safety of themselves or others (including customers) in the workplace. Alcohol and other drug usage becomes an occupational safety and health issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired. For the purposes of

this policy, the term “employee/s” shall extend to cover permanent, part time, casual, contractors, volunteers and any person performing work for or with the Shire of Northampton in any capacity.

2. *The Individual's Responsibility*

Under the *Occupational Safety and Health Act 1984* (the OSH Act), workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace. The consumption of alcohol and/or drugs while at work is unacceptable, except in relation to any authorised and responsible use of alcohol at workplace social functions. Employees are required to present themselves for work and remain, while at work, capable of performing their work duties safely. An employee who is under the influence of alcohol and/or drugs at the workplace, or is impaired, will face disciplinary action including possible dismissal.

3. *Reporting Requirements*

Employees must report to their employer any situation where they genuinely believe that an employee may be affected by alcohol and/or other drugs.

Any employee who has been aware of, ignore or choose not to report if an employee may be affected by alcohol and/or other drugs will be subject to disciplinary action including possible termination of employment.

4. *Drug Use on the Premises*

Employees who buy, take, or sell drugs on Shire of Northampton premises, may be found to have engaged in serious misconduct. Such behaviour will result in disciplinary action up to and including dismissal. Employees who have been prescribed medication/drugs by a medical practitioner that could interfere with their ability to safely carry out their role must inform their manager and disclose any side effects or restrictions that these medications/drugs may cause.

5. *Consumption of Alcohol on the Premises*

Except in situations where the Shire of Northampton or the staff social club holds a function on the premises and alcohol is provided, employees must not bring in and/or consume alcohol in the workplace.

6. *Drug/Alcohol Treatment Programs*

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the Local Government will provide assistance to the employee.

- The Local Government will allow an employee to access any accrued personal or annual leave they are undergoing treatment, and;

- The Local Government will take steps to return an employee to their employment position after completion of the treatment program, if practicable in the circumstances.

Where an employee acknowledges that they have an alcohol or drug problem and are receiving help and treatment, the supervisor or members of senior management, will review the full circumstances and agree on a course of action to be taken. This may include redeployment to suitable alternative employment, or possible termination from employment if the employee is unable to safely carry out the requirements of their role.

7. *Managers' Responsibilities - Consumption of Alcohol at Work Sponsored Functions*

Team managers shall:

- encourage their people to make alternative arrangements for transport to and from work prior to the function;
- ensure that the following is made available: - Low alcohol beer, soft drinks and water - Beverages: Tea, Coffee and Food;
- if the manager believes a person may be over the BAC 0.05 limit, assist the person with safe transport home (including contacting a family member or arranging alternative transport); and
- if the manager has to leave the function early, appoint a delegate to oversee the rest of the function.

8. *Pre-Employment Medical Tests*

As part of the recruitment selection criteria, preferred candidates for employment positions may be required to attend a medical assessment which includes drug and alcohol testing.

9. *Random Drug and/or Alcohol Testing*

The Shire of Northampton may undertake random drug and/or alcohol testing of all employees or individual employees. The random testing for alcohol will be by breath test and for drugs by a tongue swipe test using approved calibrated testing equipment. If either tests show that an employee result is non-negative then they will be required to undertake additional tests by a medical examiner.

Should it deem necessary, the Shire of Northampton may at its discretion undertake drug and/or alcohol testing following an incident/accident within the work place.

10. Identification of Impairment & Testing

If the Shire of Northampton has reasonable grounds to believe that an employee is affected by drugs and/or alcohol it will take steps to address the issue.

Reasonable grounds may include (but are not limited to), where an employee's coordination appears affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by drugs and/or alcohol.

If the Shire of Northampton suspects that an employee is under the influence of drugs and/or alcohol that has been detected in a random test, it may pursue any or all of the following actions:

- require that an employee undergo drug and alcohol testing administered by a representative of the Shire of Northampton being either a breath test for alcohol or tongue swipe for drugs using approved calibrated testing equipment.
- direct an employee to attend a medical practitioner and submit to a medical assessment to determine whether the employee is fit to safely perform their duties;
- direct an employee to go home.

A medical assessment may include a drug and/or alcohol test. Testing shall be conducted in accordance with the Australian Standard AS/NZS 4308:2008.

In circumstances where an employee indicates the consumption of prescription or pharmacy drugs, the Shire of Northampton may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription or pharmacy drugs being taken. The Shire of Northampton may direct the employee to go home following the medical assessment until it can be established that they are fit to undertake their duties.

If an employee refuses to attend a medical examination or refuses to submit to an alcohol or drug test, the employee will be immediately directed to go home. Refusal to attend a medical assessment or refusal to go home constitutes a breach of this policy and will result in disciplinary action being taken against the employee up to and including the termination of employment.

The following steps are to be taken where an employee who has submitted to a medical assessment returns a positive test result for alcohol and/or drugs:

- The employee tested and the supervisor (or respective employer) will be informed of the result;
 - A disciplinary discussion will take place in accordance with the disciplinary policies and procedures of the Shire of Northampton.
-

An employee who returns a positive test will be in breach of this policy. A breach of this policy may result in disciplinary action being taken against the employee up to and including the termination of employment.

11. Education, Training & Awareness

Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, are encouraged to come forward so that they can be assisted to get the appropriate help.

The Shire of Northampton may engage the services of an external Employee Assistance Provider who can provide the organisation's people with free and confidential counselling.

12. Consequences of Breaching this Policy

If the Shire of Northampton conducts a drug or alcohol test and an employee who has presented for work tests positive to drugs or has a breath test reading indicating that BAC is above 0.00% for truck/machine operators and 0.05% for employees in light vehicles/cars, the employee will be in breach of this Policy. The consequences for a breach of this Policy are set out below:

First Offence

The employee will be stood down and sent home for the remainder of that shift without pay. Employee is permitted to access their accrued annual leave or time in lieu of overtime that has been accrued.

The employee must then provide proof to the Shire of Northampton that their test for drugs and/or alcohol is clear before returning to work and that proof is to be at the employees cost.

The employee will also (subject to any mitigating circumstances) be required to attend counselling. Free confidential advice, assistance and information is also available from the Alcohol and Drug Foundation (Australia-wide) on 1800 198 024 (24 hours a day), or you can access information via the web: www.dao.health.wa.gov.au

If in the first offence the employee is found to be in possession with intent to sell or supply an illegal drug, as determined by the WA Police, then instant dismissal will occur

Second offence

A second offence will result in the termination of the employee's employment subject to any mitigating circumstances.

Contractors

From time to time, contractors are engaged to provide services for the Shire of Northampton. For the purpose of this Policy any reference to a 'Contractor' includes any employee or sub-contractor of any company who has been engaged by the Shire of Northampton to perform services. Contractors will be required to adopt measures that meet, as a minimum, the requirements set out in this Policy.

Breach of this Policy by a Contractor or Visitor

If the Shire of Northampton conducts a drug or alcohol test and a Contractor or visitor tests positive to any of the drugs listed in Appendix 1 or has a BAC reading in excess of 0.00%, then the Contractor or visitor will be in breach of this Policy.

A breach of this Policy by a Contractor or visitor will result in their immediate and permanent removal from the Council Depot or work site.

Refusal, Avoidance of Tests

An Individual who refuses or avoids testing without a legitimate reason; fails to co-operate fully with the administration of an alcohol or drug test, will be subject to disciplinary action, which may include, but is not limited to summary dismissal (in the case of employees), immediate removal from the site (in the case of Contractors and visitors) or termination of the engagement (in the case of Contractors).

Transport Arrangements

Any Individual who is in breach of the Policy and is required to leave the workplace will be offered an alternative means of transport home.

Depending on the circumstances, the costs incurred will generally be covered by Northampton Shire. However, in some circumstances, the Individual will be required to bear this cost. This is a matter that will be determined by the Northampton Shire in its sole discretion

13. Positive Test Result Book Keeping

All drug and alcohol test are 'Private and Confidential' and are to be retained on the individual employees personal file held by the Local Government. All tests results will be accessible only by Managers.

14. Procedural Fairness

The Shire of Northampton actions and decisions made under this Policy will be in accordance with the following principles of procedural fairness:

- Individuals will be provided with an opportunity to have a witness present during any meetings which they are required to attend in relation to any matter concerning this Policy;
- Individuals will be given an opportunity to put their case forward (including any mitigating circumstances) and respond to allegations where an adverse decision or finding may be made against them;
- An investigation should seek to ascertain all reasonably attainable facts from the people involved or relevant witnesses;
- An Individual's privacy will be highly respected;

Decision makers will consider all of the circumstances (including any mitigating circumstances) and provide reasons for decisions.

15. Variation to this Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

CARRIED 6/1

Cr Pike voted against the motion.

Mr Neil Broadhurst entered the meeting at 2.42pm.

5.11.9 DR INDRE ASMUSSEN – HUTT LAGOON BIRD SURVEY (ITEM 7.5.10)
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Moved Cr STEWART, seconded Cr HAY

That Council agree to auspice the NRM grant application for a Foreshore Bird Study on the Hutt Lagoon, subject to there being no expense to the Council and that \$1,000 be requested for administration of the grant application.

CARRIED 7/0

5.11.10 LOCAL GOVERNMENT WEEK CONFERENCE 2019 (ITEM 7.5.11)

Moved Cr PIKE, seconded Cr KRAKOUER

That Cr's Simkin, Krakouer, Pike and Hay and the CEO attend the 2019 WA Local Government Convention.

CARRIED 7/0

5.11.11 BATTERY REPLACEMENT – LUCKY & HALFWAY BAY CARETAKER RESIDENCE (ITEM 7.5.12)

Moved Cr CARSON, seconded Cr SMITH

That Council approve the replacement of the battery storage at the Halfway Bay caretaker's residence at a cost of \$13,678 (GST exclusive) and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

ADJOURNMENT

Council adjourned at 2.52pm.

Meeting reconvened at 3:01pm with the following in attendance:

Cr Krakouer, Cr Carson, Cr Suckling, Cr Hay, Cr Pike, Cr Smith, Cr Stewart, Garry Keeffe, Grant Middleton, Neil Broadhurst and Debbie Carson.

5.12 CORPORATE BUSINESS PLAN

5.12.1 CP1 CORPORATE BUSINESS PLAN REVIEW 2019 - BUILDINGS

CP1.1 CAPITAL UPGRADE/NEW WORKS PROGRAM

Moved Cr SMITH, seconded Cr SUCKLING

That Council undertake a public consultation process to determine the preferred location for ablutions at Jakes Point and the project to remain for consideration in the 2019/20 Draft Budget.

CARRIED 7/0

CP1.2 CAPITAL UPGRADE BUILDINGS RENEWAL

Moved Cr CARSON, seconded Cr SMITH

1. That the provision of new ablutions at Kings Park in 2020/21 be increased from \$80,000 to \$100,000.

CARRIED 7/0

5.12.2 CP2 CAPITAL – RECREATION

CP2.1 MALLARD PARK UPGRADE

Moved Cr STEWART, seconded Cr KRAKOUER

That Council list an amount of \$21,000 for the Mallard Park Upgrade project for consideration in 2019/20.

CARRIED 6/1

CP2.2 HORROCKS FORESHORE PLAYGROUND SHELTER

Moved Cr CARSON, seconded Cr STEWART

That Council defer the provision of \$40,000 for a shelter over the Horrocks foreshore playground to 2021/22.

CARRIED 7/0

CP2.3 OUTDOOR GYM

Moved Cr STEWART, seconded Cr PIKE

That Council list the \$60,000 Outdoor Gym project for consideration in 2021/22.

CARRIED 7/0

CP2.4 ADDITIONAL LIGHTS -NORTHAMPTON OVAL

Moved Cr HAY, seconded Cr STEWART

That Council not support the request for additional lighting towers at the Northampton Oval, on the basis that no other requests have been received from sporting clubs that use the Northampton Oval facilities and that the existing lights are considered to be sufficient.

CARRIED 7/0

CP2.5 KALBARRI FORESHORE REDEVELOPMENT

Moved Cr SMITH, seconded Cr SUCKLING

That Council:

1. Amend the timing of the purchases of bin surrounds and bollard lights within the Corporate Business Plan, such that the bollard lights form part of Stage 3 works (2019/20) and bin surrounds form part of Stage 4 works (2020/21), and
2. Amend the Corporate Business Plan to reflect the above, with a provision of \$159,500 in 2019/20 and \$109,000 in 2020/21 for the Kalbarri foreshore parkland upgrade.

CARRIED 7/0

5.12.3 CP3 ROAD PROJECTS & CARPARKS

CP3.1.1 BINNU PRIMARY SCHOOL & BINNU/BALLA PROGRESS ASSOCIATION

Moved Cr PIKE, seconded Cr HAY

That Council list the project for consideration in 2020/21 within the Corporate Business Plan.

CARRIED 7/0

CP3.1.2 MURCHISON HOUSE STATION ROAD

Moved Cr CARSON, seconded Cr SUCKLING

That Council not support the request to the bitumen sealing of the Murchison House Station Road within the Corporate Business Plan.

CARRIED 7/0

CP3.1.3 PARKER & WUNDI ROADS

Moved Cr SMITH, seconded Cr STEWART

That Council list the project for consideration in 2023/24 within the Corporate Business Plan.

CARRIED 7/0

CP3.1.4 UPGRADE GRAVEL ROADS TO ALL "C" ROAD TRAINS

Moved Cr STEWART, seconded Cr KRAKOUER

That Council determine roads requested for RAV 7 "C" class road trains on an individual basis upon request and Mr Harris be advised accordingly.

CARRIED 7/0

CP3.1.5 UPGRADE OF ISSACHAR BACK ROAD

Moved Cr HAY, seconded Cr STEWART

That Council defer the gravel upgrade of the road as has been requested, and that rock removal on the road surface be undertaken in 2019/20, and when completed, upgrade of the road be reconsidered.

CARRIED 7/0

CP3.1.6 UPGRADE OF BURGESS STREET, NORTHAMPTON TO A BITUMEN SEAL

Moved Cr SMITH, seconded Cr SUCKLING

That Council list the project for consideration in 2024/25 within the Corporate Business Plan.

CARRIED 7/0

CP3.2.1 – CP3.2.3 HARVEY AND HORRY ROADS, ROADS TO RECOVERY PROGRAMME, AND REGIONAL ROAD GROUP FUNDING

Moved Cr CARSON, seconded Cr KRAKOUER

That the following changes to Road Projects and Car Parks asset management plan be made:

1. That the bitumen sealing of the balance of Harvey Road to the intersection of Horry Road, and Horry Road up to entrance of the Northampton aerodrome (a total of 3.4km) be brought forward to 2019/20;
2. Defer the Binu East Road re-seal to 2020/21 (project cost \$383,484);
3. Allocate the following projects to 2019/20:
 - Harvey and Horry project \$223,000
 - Thornton & Erwood project \$72,000
 - Kalbarri Road shoulders works \$101,700
 - Port Gregory Road shoulder works \$59,667;
4. Transfer reseal of Ogilvie East Road from 2022/23 to 2021/22;
5. Transfer the following projects from 2023/24 to 2022/23:
 - Anchorage Lane reseal - \$13,000
 - Essex Street reseal - \$12,000
 - John Street reseal - \$31,000
6. Deletion of re-sealing of George Grey Drive in 2020/21 as this has already been undertaken.

CARRIED 7/0

CP3.2.4 SURVEY LITTLE BAY ROAD

Noted.

CP3.2.5 GREY STREET KALBARRI – CONSTRUCT PARALLEL PARKING

Moved Cr STEWART, seconded Cr PIKE

That Council list the project for consideration in 2021/22 within the Corporate Business Plan.

CARRIED 7/0

CP3.2.6 GREY STREET KALBARRI RESEAL

Moved Cr CARSON, seconded Cr HAY

That Council list the project for consideration in the Corporate Business Plan, commencing in the 2021/22 using own resources and continuing in 2022/23 utilising Roads to Recovery Funding.

CARRIED 7/0

CP3.3.1 PORTER STREET SKATE PARK CAR PARK AND ENTRANCE

Moved Cr HAY, seconded Cr KRAKOUER

That Council list the project for consideration in 2024/25 within the Corporate Business Plan.

CARRIED 7/0

CP3.4.1 CAR PARK DEVELOPMENT – CURRENT PROGRAMME

Noted.

CP3.4.2 KALBARRI CBD CAR PARK RE-SEAL

Moved Cr PIKE, seconded Cr SMITH

That Council list the project for consideration in 2019/20 within the Corporate Business Plan.

CARRIED 7/0

5.12.4 CP4 FOOTPATH PROGRAMME

CP4.1.1 RICK CLARKE – LOCATION OF PROPOSED PATHWAY IN
GANTHEAUME CRESCENT, KALBARRI

Moved Cr SUCKLING, seconded Cr CARSON

That Council change the Kalbarri footpath plan with the footpath proposed for Gantheaume Crescent, Kalbarri, to be located on the northern side of the street.

CARRIED 7/0

CP4.1.2 PORT GREGORY – NEW PATH

Moved Cr CARSON, seconded Cr HAY

That Council list the project for consideration in 2019/20, with the footpath to be constructed from concrete

CARRIED 7/0

CP4.2.1 CURRENT PLAN STATUS

Moved Cr CARSON, seconded Cr STEWART

That Council amend the footpath plan by:

1. Stephen Street footpath to be rescheduled to occur in 2019/20
2. Delete the footpath planned for Essex Street
3. Defer the Red Bluff Road footpath to occur in 2020/21

CARRIED 7/0

5.12.5 CP5 PLANT REPLACEMENT PROGRAM

CP5.1.1 CHANGES TO CURRENT PLAN - EHO/BUILDING SURVEYOR
VEHICLE

Noted.

CP5.1.2 CHANGES TO CURRENT PLAN - CEO VEHICLE

Moved Cr CARSON, seconded Cr SMITH

That the purchase of a Toyota Prado, as the CEO's vehicle, be listed for consideration in 2019/20, as per the quote provided.

CARRIED 7/0

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council undertake the purchase of the Toyota Prado after 1st July 2019 subject to it being a 2019 model, and that the purchase be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

CP5.1.3 CHANGES TO CURRENT PLAN - OTHER WORKS PLANT CHANGES

Moved Cr SUCKLING, seconded Cr KRAKOUER

That Council amend the Plant Replacement Plan by:

2019/20 Year

1. Delete the purchase of a free roller and include this within the changeover of the grader in 2021/22.
2. Transfer the purchase of the tipping trailer that is programmed for 2022/23 for consideration with new truck purchase in 2019/20.
3. Council not approve or list for consideration the purchase of a mini loader (Kanga or similar) with attachments at an estimated cost \$60,000.

2020/21 Year

4. Item 3 – Ranger Utility, delete as is to be purchased in 2019/20.

2021/22 Year

5. Add replacement of two leading hand utilities, being:
 - Maintenance Leading Hand Northampton purchase \$52,000, trade \$5,000
 - Construction Crew Leading Hand purchase \$54,000, trade \$5,000
6. Defer Kalbarri Loader purchase to 2023/24
7. Defer Tip Truck purchase to 2022/23

2022/23 Year

8. Delete purchase of utility for Kalbarri Gardener as is a duplication.
9. Add replacement of multi wheel roller \$190,000 purchase with trade of \$10,000.

2025/26 Year

10. Delete the purchase of four utilities, being Items 3 to 6 as are listed in error and are to be considered in 2027/28 and 2028/29.

CARRIED 7/0

5.12.6 CP6 OTHER COMMUNITY SERVICES

CP6.1.1 NORTHAMPTON CEMETERY BOUNDARY FENCE

Moved Cr SUCKLING, seconded Cr STEWART

That Council supports the replacement (supply and install) of the Northampton Cemetery boundary fence on Stone Street and Onslow Street with Bostik fencing at a cost of \$78,500, and lists the project for consideration in 2019/20 within the Corporate Business Plan/Draft Budget.

CARRIED 7/0

5.12.7 CP7 CORPORATE BUSINESS PLAN REVIEW 2019 – WORK FORCE PLAN

Noted.

5.12.8 LONG TERM FINANCIAL PLAN REVIEW 2019

Noted.

5.13 DEPUTY PRESIDENT'S REPORT

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

7/5/2019 Meeting with Department of Planning, Lands and Heritage and Department of Premier and Cabinet regarding land tenure relating to development of viewing areas and vehicle parking for Pink Lake.

5.14 COUNCILLORS' REPORTS

5.14.1 CR SMITH

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

7/5/2019 Kalbarri Visitor Centre Budget meeting
14/5/2019 Kalbarri Visitor Centre Meeting

5.14.2 CR PIKE

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

15/5/2019 Kalbarri Roadwise Meeting

5.15 NEW ITEMS OF BUSINESS

Nil.

5.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday the 21st June 2019 commencing at 1.00pm at the Council Chambers, Northampton.

5.17 CLOSURE

There being no further business, the Deputy President thanked everyone for their attendance and declared the meeting closed at 4.34pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 34 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 17 MAY 2019

PRESIDING MEMBER: _____

DATE: _____