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7.1 OPENING

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

7.2 PRESENT

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

7.2.1 LEAVE OF ABSENCE

Nil

7.2.2 APOLOGIES

Cr T Hay

7.3 QUESTION TIME

Nil

7.4 DISCLOSURE OF INTEREST

Cr Krakouer disclosed an interest in item 7.3.1 as he co-owns a similar food business in Kalbarri.

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7.5 CONFIRMATION OF MINUTES

**7.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING
MONDAY 22ND JUNE 2020**

Moved Cr SUCKLING seconded Cr SUDLOW

That the minutes of the Ordinary Meeting of Council held on the 22nd June 2020 be confirmed as a true and correct record.

CARRIED 8/0

7.5.2 BUSINESS ARISING FROM MINUTES

Nil

7.6 RECEIVAL OF MINUTES

Nil

7.7 WORKS & ENGINEERING REPORT

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

Noted

**7.7.2 TRUCK & PIG TRAILER FLEET – INSTALLATION OF TRUCK TARPS FOR
SECURING OF LOADS (ITEM 7.1.2)**

Moved Cr SIMKIN, Seconded Cr STOCK-STANDEN

That Council approve as authorized expenditure \$85,000 for the installation of suitable tarpaulin systems for the purposes of ‘Securing of load’ facilities on all Councils heavy and light truck and pig trailer fleet and this cost be secured within the 2020/21 Budget.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

Neil Broadhurst left the meeting at 1.25pm

7.8 HEALTH & BUILDING REPORT

7.8.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted.

7.9 TOWN PLANNING REPORT

Cr Krakouer declared an interest in the following item as owns a similar business and may incur a financial gain or loss from the decision of Council and left the meeting at 1.28pm.

7.9.1 PROPOSED MOBILE FOOD VEHICLE - KALBARRI (ITEM 7.3.1)

Moved Cr SUDLOW, seconded Cr PIKE

That Council:

1. Approve the Mobile Food Vehicle use for a period of three years as a License Agreement with an agreement preparation fee of \$150, and a User fee of \$1,500 to be paid by the Applicant.
2. Grant development approval for the operation of a Mobile Food Vehicle subject to compliance with the following:
 - a. The Mobile Food Vehicle is ONLY to be operated at the following locations:
 - (i) Jacques Point (Reserve 34550).
 - (ii) Red Bluff Road (sealed carpark) Road Reserve.
 - (iii) Carparking area adjacent Kalbarri Beach Resort (Reserve 25307); and
 - (iv) Sally's Tree (Reserve 25307).
 - b. That the Mobile Food Vehicle shall ONLY operate at locations defined at condition 2a (iii) and 2a (iv) as per above, between the hours of 8:30pm-12:30am.
 - c. The Mobile Food Vehicle shall operate in the locations indicated upon the attached approved plan(s) dated 17 July 2020 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.

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- d. This approval is valid for a period of three years from the date of this advice, after which the development will be returned to Council for further consideration.
 - e. Prior to commencement of the proposed use, the Applicant is required to contact the Shire's Environmental Health Officer to arrange an inspection of the van, food preparation areas and methods, and storage premises to ensure compliance with relevant health legislation.
 - f. This development approval shall remain valid so long as the necessary food premise registration remains current and valid and upon expiration or earlier termination of the food premise registration this development approval shall cease to be valid.
 - g. The Mobile Food Vehicle is permitted to be stored at Lot 179 (No.13) Glass Crescent, Kalbarri subject to the vehicle being stored within the property boundaries and the vehicle not causing injury to or prejudicially affecting the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
 - h. This approval is issued only to Martin & Judy Phyland and is NOT transferable to any other person or to any other land parcel. Should there be any change in respect of which this development approval is issued this approval shall no longer be valid.
 - i. The Mobile Food Vehicle is only approved to sell the following items:
 - Hot, cold and frozen beverages (i.e. coffee, tea, slushies, cool drink cans)
 - Soft serve ice-cream
 - Toasted sandwiches
 - Pastry items (i.e. pies, sausage rolls)
 - Muffins & cakes
 - Bags of potato chips
 - j. The Mobile Food Vehicle is required to be removed from the area at the close of business each day. The Mobile Food Vehicle is not permitted to be stored within the approved operating areas.
 - k. The Applicant is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times.
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- l. The land 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.
 - m. The Mobile Food Vehicle and associated services shall not obstruct, or cause obstruction to, the access or traffic flow of car parking areas at any time.
 - n. A certificate of currency in respect of public liability insurance cover of \$20,000,000, including reference to the Shire of Northampton as an interested party or within the definition of the insured. A copy of the insurance policy is required to be received by the Shire prior to the commencement of operation of the Mobile Food Vehicle.
 - o. No freestanding signs or hoardings advertising the operation of the Mobile Food Vehicle are permitted to be erected whether temporary or permanent in nature.
 - p. The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted. The Mobile Food Vehicle shall at all times comply with the Environmental Protection (Noise) Regulations 1997.
 - q. The parking of the Mobile Food Vehicle is not permitted upon road reserves, road verges or other carriageways with the exception of those approved areas indicated upon the approved plans dated 17 July 2020.
 - r. The use of a generator upon Reserve 25307 is only allowed during power outages or when the on-site power source is not accessible (as approved by the Local Government). At all other times, the Applicant shall utilise an onsite power connection and source, which shall be to the approval of the Local Government.
 - s. The Applicant shall be wholly financially responsible for the connection and/or use of electricity accessed via metered outlet(s) upon Reserve 25307.
 - t. A License Agreement being entered into for the use of Reserve 25307 between the applicant, the Shire of Northampton and the Department of Lands in accordance with the Shire's 'Commercial Recreational Tourism Activity on Crown Reserves' Local Planning Policy. This License Agreement is subject to approval by the Department of Lands.
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- u. This Development Approval shall remain valid whilst the License Agreement referred to in Condition 2 (t) remains current and valid, and on the expiration or in the termination of the License Agreement, this Development Approval shall cease to be valid.

Advice Notes:

- i. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- ii. 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.
- iii. In relation to Conditions 2e, 2f, and 2g, the Applicant is advised that the Mobile Food Van is required to comply with the requirements of the Food Act 2008 and Food Regulations 2009.
- iv. Should a new food premise be established within 500m of any of the approved locations the applicant is advised that the future approval and use of the said location would be unlikely.
- v. The Shire's Environmental Health Officer is permitted to approve applications from the applicant for the operation of the food van at local events and market days subject to approval from the event/market day organisers.
- vi. At the time that the approval period lapses (as per conditions 2d, 2t, and 2u), the use will thereafter fall under the provisions and fee structure of the new Local Planning Policy for Mobile Food Vehicles.
- vii. If the applicant is aggrieved by this determination, they have the right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of determination.

CARRIED 7/0

Cr Krakouer returned to the meeting at 1.34PM

7.9.2 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.2)

Noted

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**7.9.3 PROPOSED CARAVAN TEMPORARY ACCOMMODATION – LOT 29
(NO. 109) HAMPTON ROAD, NORTHAMPTON (ITEM 7.3.3)**

Moved Cr PIKE seconded Cr SMITH

That Council:

Request the applicant to pay off the required \$5,000 bond by instalments over a twelve month period and legal advice be obtained to determine the best direction to take to deal with situations where applicants do not pay bonds for approvals for building approvals and allowance to reside in caravans on site whilst constructing a dwelling.

CARRIED 8/0

7.10 FINANCE REPORT

7.10.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr STOCK-STANDEN, seconded Cr STEWART

That Municipal Fund Cheques 21914 to 21930 inclusive totalling \$82,001.58, Municipal EFT payments numbered EFT20825 to EFT20966 inclusive totalling \$877,526.77, Trust Fund Cheques 2519 to 2524, totalling \$10,420.15, Direct Debit payments numbered GJ1207 to GJ1212 inclusive totalling \$217,219.45 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 8/0

7.10.2 MONTHLY FINANCIAL STATEMENTS – JUNE 2020 (ITEM 7.4.2)

Moved Cr KRAKOUER, seconded Cr PIKE

That Council adopts the Monthly Financial Report for the period ending 30th June 2020.

CARRIED X/0

7.11 ADMINISTRATION & CORPORATE REPORT

**7.11.1 BATAVIA LOCAL EMERGENCY MANAGEMENT COMMITTEE -
MEMORANDUM OF UNDERSTANDING (ITEM 7.5.1)**

Moved Cr STEWART, seconded Cr SUDLOW

That Council endorse the Batavia Local Emergency Management Committee Memorandum of Understanding as presented.

CARRIED 8/0

**7.11.2 LOCAL ROAD & COMMUNITY INFRASTRUCTURE PROGRAMME (ITEM
7.5.2)**

Moved Cr KRAKOUER, seconded Cr SUCKLING

That Council nominate the following projects for the Local Road and Community Infrastructure Programme.

Jakes Point Toilet Block Carpark	\$70,000
Allen Centre (Tourist Bus) Carpark	\$235,000
Kings Part Toilet Block	\$100,000
Memorial Tree Shelter - Northampton Cemetery	\$20,000

Reserve projects to be:

Commercial Jetty Toilets - Kalbarri	\$90,000
Porter St Parking area - Kalbarri	\$125,000

CARRIED 8/0

7.11.3 NORTHAMPTON LIGHT INDUSTRIAL UNIT (ITEM 7.5.3)

Moved Cr STOCK-STANDEN, seconded Cr SUDLOW

That Council lease Unit 1 Kitson Circuit, Northampton to Northampton Tyres for a term of five years.

CARRIED 8/0

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7.11.4 COVID 19 RELIEF – INSPECTION FEES (ITEM 7.5.4)

Moved Cr STOCK-STANDEN, seconded Cr STEWART

That Council waive fees for swimming pool inspections and septic tank installation inspections for 2020/21.

CARRIED 8/0

7.11.5 WALGA ANNUAL GENERAL MEETING (ITEM 7.5.5)

Noted

7.11.6 REQUEST FOR PAYMENT OF RATES BY INSTALMENTS (ITEM 7.5.6)

Moved Cr STOCK-STANDEN, seconded Cr SUCKLING

That Council approve a repayment schedule of \$150 per week for outstanding rates and charges for 23 Clotworthy Street, Kalbarri and \$150 per week for outstanding rates and charges for Coolcalalaya Station subject to any default in either repayment will result in the continuing of the sale of the 23 Clotworthy Street, Kalbarri and progressing with the seizure of personal goods/property to the value of rates outstanding on Coolcalalaya Station and Council review this situation in February 2021.

CARRIED 8/0

7.11.7 SALARIES & ALLOWANCES TRIBUNAL REVIEW DECISION (ITEM 7.5.7)

Moved Cr PIKE, seconded Cr KRAKOUER

That Council set the sitting fees and allowances for Councillors for 2020/2021 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 8/0

7.12 PRESIDENT'S REPORT

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

- 14/7/20 Meeting with the Australian Green's Party representatives

7.13 DEPUTY PRESIDENT'S REPORT

NIL

7.14 COUNCILLORS' REPORTS

7.14.1 CR STOCK-STANDEN

Since the last Council meeting Cr Stock-Standen reported on her attendance at:

- 9/7/20 Northampton Community Centre Meeting

7.15 NEW ITEMS OF BUSINESS

7.15.1 CR STOCK-STANDEN

Cr Stock-Standen expressed concern of the untidy nature of the ReFuel facilities and had received complaints from neighbouring property owners of refuse blowing from the area into their properties and recommend that Council correspond to ReFuel offering that Council staff will maintain the area and ablutions at their cost.

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Moved Cr STOCK-STANDEN, seconded Cr SUCKLING

That Council correspond to ReFuel expressing its concern on the untidy condition of the premises and that Council offer to maintain the area and service the ablutions on site at ReFuel's cost.

CARRIED 8/0

7.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 21st August 2020 commencing at 1.00pm at the Allen Centre, Kalbarri.

7.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.14pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 13 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 21st AUGUST 2020.

PRESIDING MEMBER: _____

DATE: _____