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SHIRE OF NORTHAMPTON

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4.1 OPENING

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

4.2 PRESENT

Cr L Sudlow	President	Northampton Ward
Cr R Horstman		Northampton Ward
Cr T Gibb		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Cr R Suckling		Northampton Ward
Cr P Stewart		Kalbarri Ward
Mr Grant Middleton	Deputy Chief Executive Officer	
Mrs Michelle Allen	Planning Officer	

4.2.1 LEAVE OF ABSENCE

Nil

4.2.2 APOLOGIES

Cr T Hay	Northampton Ward
Cr R Burges	Kalbarri Ward

4.3 QUESTION TIME

Nil

4.4 DISCLOSURE OF INTEREST

Cr STEWART declared an impartiality interest in item 7.3.3 Proposed Outbuilding – Lot 2 (No. 4) Jacques Boulevard, Kalbarri as Cr STEWART employs a member of the applicant's family.

Cr SUDLOW declared an impartiality interest in item 7.5.5 Australian Local Government Association – National General Assembly as Cr SUDLOW is included in the Officer's recommendation as a nominated attendee.

Cr HORSTMAN declared an impartiality interest in item 7.5.5 Australian Local Government Association – National General Assembly as Cr HORSTMAN is included in the Officer's recommendation as a nominated attendee.

4.5 CONFIRMATION OF MINUTES

4.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING FRIDAY 18th MARCH 2022

Moved Cr STEWART seconded Cr GIBB

That the minutes of the Ordinary Meeting of Council held on the 18th March 2022 be confirmed as a true and correct record.

CARRIED 6/0

4.6 RECEIVAL OF MINUTES

4.6.1 RECEIVAL OF MINUTES – ANNUAL BUSH FIRE ADVISORY COMMITTEE MEETING – 6th APRIL 2022

Moved Cr SUCKLING, seconded Cr PIKE

That the minutes of the Annual Bush Fire Advisory Committee Meeting held on the 6th April 2022 be received.

CARRIED 6/0

4.6.2 ENDORSEMENT OF BUSH FIRE ADVISORY COMMITTEE MEETING CHANGES – 6th APRIL 2022

Moved Cr HORSTMAN, seconded Cr STEWART

That the following changes be adopted for 2022/2023 as recommended by the Bush Fire Advisory Committee:

1. Implement the following restricted and prohibited burning times:

Restricted Period	1/09/2022 - 14/10/2022
Prohibited Burning	15/10/2022 - 14/02/2023
Restricted Period	15/02/2023 - 7/04/2023

2. Appoint the following Deputy Bush Fire Control Officers:

Mr Len Simmons as Deputy Chief Bush Fire Control Officer – North
Mr Scott Bridgeman as Deputy Chief Bush Fire Control Officer – South

3. Appoint the following Fire Control Officers:

Rob McKenzie - Chief Bush Fire Control Officer/Captain Isseka BFB
Len Simmons - Deputy Chief Bush Fire Control Officer/Captain Kalbarri VFRS
Scott Bridgeman - Deputy Chief Bush Fire Control Officer/Captain Sandy
Gully/Alma BFB
Dean (Greg) Teakle - Captain - Northampton VFRS
Stan Sutherland - Kalbarri VFRS
Kyle Carson - Captain - Ajana/Binnu BFB
Greg Poett - Captain - Port Gregory/Yallabatharra BFB
Lindsay Rowe - Captain - Horrocks BFB
Matt Johnson - Captain – Ogilvie BFB
Kyle Carson - Captain - Ajana/Binnu BFB
Damian Harris – Deputy Captain - Ajana/Binnu BFB
Glen Reynolds - Lieutenant - Ajana/Binnu BFB
Jerome Drew – Admin Officer - Ajana/Binnu BFB

4. Appoint the following Permit Issuing Officers:

Garry Keeffe – Chief Executive Officer
Grant Middleton - Deputy CEO
Rob McKenzie - Chief Bush Fire Control Officer/Captain Isseka BFB
Ric Davey – Kalbarri Ranger
Len Simmons - Deputy Chief Bush Fire Control Officer/Captain Kalbarri VFRS
Scott Bridgeman - Deputy Chief Bush Fire Control Officer/Captain Sandy
Gully/Alma BFB
Dean (Greg) Teakle - Captain - Northampton VFRS
Stan Sutherland - Lieutenant - Kalbarri VFRS
Greg Poett - Captain - Port Gregory/Yallabatharra BFB
Lindsay Rowe - Captain - Horrocks BFB
Matt Johnson - Captain – Ogilvie BFB
Kyle Carson - Captain - Ajana/Binnu BFB
Damian Harris – Deputy Captain - Ajana/Binnu BFB
Glen Reynolds - Lieutenant - Ajana/Binnu BFB
Jerome Drew – Admin Officer - Ajana/Binnu BFB

CARRIED 6/0

4.7 WORKS & ENGINEERING REPORT

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

Noted.

4.8 HEALTH & BUILDING REPORT

4.8.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted.

4.9 TOWN PLANNING REPORT

4.9.1 EXPRESSIONS OF INTEREST – COASTAL AND ESTUARINE RISK MANAGEMENT PROGRAM (ITEM 7.3.1)

Moved Cr SUDLOW seconded Cr STEWART

That Council, due to financial impacts of Cyclone Seroja, defer consideration of the allocation of funds for the ongoing implementation of the Horrocks CHRMAP to the draft 2023/2024 Budget.

CARRIED 6/0

4.9.2 PROPOSED BBQ PONTOONS AND RENEWAL OF LICENSE AGREEMENT – RESERVES 25307, 26591 AND 12996, MURCHISON RIVER FORESHORE, KALBARRI (ITEM 7.3.2)

Moved Cr GIBB seconded Cr SUCKLING

That Council:

1. Grant Development Approval for the experiential use (BBQ Pontoon Hire) of Reserves 25307, 26591 and 12996 Murchison River Foreshore Kalbarri, with 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 Agreement/Licence with the Shire of Northampton or the State of Western Australia in their capacities as management bodies of the reserve within which the use is proposed to be located;
 - b. The Pontoon Hire shall be limited to two (2) motorised pontoons with trailers;
 - c. The Applicant shall contact the Shire of Northampton's Environmental Health Officer to ensure compliance with all environmental health regulations;
 - d. The Applicant shall obtain any appropriate approvals for commercial vessel safety with the Australian Maritime Safety Authority, and use approved vessels only, for the two BBQ Pontoons;
 - 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*;
 - f. 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)*;
 - (iii) A License Agreement being entered into by the Applicant and the Shire in accordance with Council's *Local Planning Policy – Commercial Recreational Tourism Activity*;
 - g. This Development Approval shall remain valid whilst the License Agreement referred to above remains current and valid, and on the expiration or in the termination of such Licence Agreement, this Development Approval shall cease to be valid;
2. Authorise delegation to the Chief Executive Officer and Planning Officer for preparation and execution of the Licence Agreement as per the above, with any disputes to be referred back to Council for final determination; and
-

3. Refer the License Agreement to the Department of Planning, Lands and Heritage for Ministerial consent.

Advice Notes

1. *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.*
2. *If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.*

CARRIED 6/0

4.9.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.3)
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Noted

Cr STEWART declared an impartiality interest in item 7.3.3 Proposed Outbuilding – Lot 2 (No. 4) Jacques Boulevard, Kalbarri as Cr STEWART employs a member of the applicant's family.

4.9.4 PROPOSED OUTBUILDING – R-CODE VARIATIONS – LOT 2 (NO. 4) JACQUES BOULEVARD, KALBARRI (ITEM 7.3.4)
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Moved Cr GIBB, seconded Cr HORSTMAN

That Council grant development approval for the proposed Outbuilding upon Lot 2 (No. 4) Jacques Boulevard, Kalbarri subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 22 April 2022 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. The applicant is to prepare, submit and adhere to stormwater and drainage plans to the approval of the Local Government, with all costs met by the applicant;
5. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
6. The proposed outbuilding shall be constructed in materials and colour that matches the existing colorbond fence;
7. The roof of the outbuilding shall be constructed using coated metal sheeting (Colorbond) and the use of Zinalume is not permitted;
8. The development/land use is to have the necessary clearance/fire separation from the western side boundary as required under the relevant legislation including the Building Act 2011 and National Construction Code Series/Building Code of Australia (as amended):
9. Any lighting installed on the building, yard areas or car parking areas shall be located and designed in a manner that ensures:
 - (a) all illumination is confined within the boundaries of the property; and
 - (b) there shall not be any glare nuisance caused to adjoining residents or passing traffic, to the approval of the local government;
10. The development/land use is to be located entirely within the property boundary;
11. The approved outbuilding component (i.e. named 'shed') is only to be used for general storage purposes associated with the predominant use of the land and shall NOT be used for habitation, commercial or industrial purposes; and
12. 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.

Advice Notes:

Note 1: *The Applicant is advised that this development approval does not negate the requirement to comply with the Dividing Fences Act 1961 in relation to the construction and maintenance of a dividing fence. It is the Applicant's responsibility to obtain any additional approvals required before the use lawfully commences.*

Note 2: *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 3: *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 4: *With regard to Condition No. 6 and removal of the dividing fence, this approval is subject to contrary private contractual arrangements between the developing owner and the neighbouring owner.*

Note 5: *With regard to Condition No 10 it is recommended that the services of a licensed surveyor be employed to verify the exact boundary position.*

Note 6 *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

4.10 FINANCE REPORT

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

That Municipal Fund Cheques 22191 to 22203 inclusive totalling \$42,811.62, Municipal EFT payments numbered EFT23303 to EFT23407 inclusive totalling \$683,298.75, Trust Fund Cheques 2687 to 2700 totalling \$13,732.27, Direct Debit payments numbered GJ0910 to GJ0918 inclusive totalling \$364,152.29 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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4.10.2 MONTHLY FINANCIAL STATEMENTS – MARCH 2022 (ITEM 7.4.2)

Moved Cr PIKE, seconded Cr STEWART

That Council adopts the Monthly Financial Report for the period ending 31st March 2022.

CARRIED 6/0

4.10.3 BUDGET SUBMISSIONS 2022-2023 (ITEM 7.4.3)

Moved Cr PIKE, seconded Cr STEWART

That Council will consider the request from the Northampton Bowling Club to be reimbursed the sum of \$4,840 for replacement of the switchboard within the draft 2022/2023 Budget

CARRIED 6/0

4.11 ADMINISTRATION & CORPORATE REPORT

4.11.1 NORTHAMPTON RECREATION GROUNDS ABLUTIONS (ITEM 7.5.1)

Moved Cr SUCKLING seconded Cr HORSTMAN

That Council:

1. Selects Landmark for the supply of the five cubicle ablution building at a cost of \$140,000
2. Accepts the quote from Wilson Complete to construct the ablution.

CARRIED 6/0

4.11.2 OUTDOOR SHOWERS (ITEM 7.5.2)

Moved Cr SUCKLING, seconded Cr GIBB

That Council list for consideration in the draft 2022/2023 Budget a provision of \$42,000 for the installation of six Beach Solo outdoor showers with foot washes, five at Kalbarri to be located at Chinaman's ablutions (2), Sally's Tree ablutions (2) and the Marina ablutions (1) and one at Horrocks Beach.

CARRIED 6/0

4.11.3 LITTLE BAY ROAD – ABORIGINAL HERITAGE SURVEY (ITEM 7.5.3)

Moved Cr HORSTMAN, seconded Cr SUCKLING

That Council engage the services of Sticks and Stones Cultural Resources Management to undertake an Aboriginal Site Identification Survey for Midden Site 18433 on the Little Bay Road Reserve at estimated cost of \$22,000 and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

4.11.4 LEASE – NORTHAMPTON CHILD CARE CENTRE (ITEM 7.5.4)

Cr HORSTMAN acknowledged the work undertaken by Staff over a period of eight (8) years and formally thanked them for their assistance to maintain the operation of the Northampton Child Care Centre for that time.

Moved Cr SUCKLING, seconded Cr STEWART

That Council approve the leasing of Lot 483 Stephen Street, Northampton, being the Northampton Child Care Centre, for a term of ten years at a peppercorn rent of \$1 per annum and Council continue to maintain the lawns and gardens at the Centre.

CARRIED 6/0

Cr SUDLOW declared an impartiality interest in item 7.5.5 Australian Local Government Association – National General Assembly as Cr SUDLOW is included in the Officer's recommendation as a nominated attendee.

Cr HORSTMAN declared an impartiality interest in item 7.5.5 Australian Local Government Association – National General Assembly as Cr HORSTMAN is included in the Officer's recommendation as a nominated attendee.

Council acknowledged the disclosure of impartiality interests declared by Cr SUDLOW and Cr HORSTMAN and authorised Cr SUDLOW and Cr HORSTMAN to remain in the meeting and abstain from voting on Item 7.5.5 Council agreed for Cr SUDLOW to remain as Presiding Member.

4.11.5 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NATIONAL GENERAL ASSEMBLY (ITEM 7.5.5)

Moved Cr SUCKLING seconded Cr GIBB

That Council

1. Note the attendance of the CEO to the Australian Local Government Association National General Assembly to present at the Regional Forum Section of the Assembly.
2. Approve the Shire President and Deputy President to attend the Regional Forum and the Australian Local Government Association National General Assembly.

CARRIED 4/0

4.11.6 CEO VEHICLE CHANGEOVER (ITEM 7.5.6)
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Moved Cr STEWART, seconded Cr GIBB

Council commits to the changing over of the CEO vehicle and sale of the current Toyota Prado and this purchase and sale be committed in the 2022/23 Budget.

CARRIED 6/0

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4.11.7 CHANGE OF RESERVE PURPOSE – RESERVE 30953 (ITEM 7.5.7)

Moved Cr SUCKLING, seconded Cr HORSTMAN

That Council approve and request the Department of Planning Lands and Heritage to amend the purpose of Reserve 30953 from “recreation” to “recreation and community purposes”.

CARRIED 6/0

4.12 PRESIDENT'S REPORT

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

- 24/03/2022 Drought Resilience Planning Group, Zoom meeting
- 24/03/2022 Northern Agri Group Autumn Field Day, Binu
- 25/03/2022 Western Australian Football Commission and East Fremantle Football Club Planning Group, Zoom meeting
- 28/03/2022 Regional Roads Group, Zoom meeting
- 04/04/2022 Meeting with Western Power representatives and Annabel Keogh, Policy Advisor to Honourable Bill Johnston MLA
- 08/04/2022 Western Australian Football Commission and East Fremantle Football Club Planning Group, Zoom meeting
- 12/04/2022 Honourable Mia Davies MLA, Honourable Shane Love MLA and Honourable Martin Aldridge MLC, Northampton Council Chambers
- 19/04/2022 Senator the Honourable Brigitte McKenzie, Federal Minister for Emergency Management and National Recovery and Resilience, Kalbarri
- 22/04/2022 Western Australian Football Commission and East Fremantle Football Club Planning Group, Zoom meeting

4.13 DEPUTY PRESIDENT'S REPORT

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

- 04/04/2022 Meeting with Western Power representatives and Annabel Keogh, Policy Advisor to Honourable Bill Johnston MLA
- 05/04/2022 Post-Budget speech, Patrick Gorman MP, Online presentation
- 06/04/2022 Operational Area Support Group (Midwest and Murchison), Zoom meeting
- 08/04/2022 Western Australian Football Commission and East Fremantle Football Club Planning Group, Zoom meeting
- 12/04/2022 Honourable Mia Davies MLA, Honourable Shane Love MLA and Honourable Martin Aldridge MLC, Northampton Council Chambers
- 13/04/2022 Operational Area Support Group (Midwest and Murchison), Zoom meeting
- 15/04/2022 Western Australian Football Commission and East Fremantle Football Club Planning Group, Zoom meeting
- 19/04/2022 Local Recovery Coordination Group, Zoom meeting
- 19/04/2022 Senator the Honourable Brigitte McKenzie, Federal Minister for Emergency Management and National Recovery and Resilience, Kalbarri
- 21/04/2022 Northampton Community Centre Committee Meeting, Northampton

- 22/04/2022 Western Australian Football Commission and East Fremantle Football Club Planning Group, Zoom meeting

4.14 COUNCILLORS' REPORTS

4.14.1 CR PIKE

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

- 19/04/2022 Senator the Honourable Brigitte McKenzie, Federal Minister for Emergency Management and National Recovery and Resilience, Kalbarri

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4.1.4.2 CR STEWART

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

30/03/2022	Kalbarri Development Association, Kalbarri
31/03/2022	Kalbarri Sport and Recreation Association, Kalbarri
04/04/2022	Murchison Green Hydrogen Project, Kalbarri
05/04/2022	Tourism WA - Coral Coast, Kalbarri
19/04/2022	Senator the Honourable Brigitte McKenzie, Federal Minister for Emergency Management and National Recovery and Resilience, Kalbarri

4.1.4.3 CR GIBB

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

22/03/2022	Local Recovery Coordination Group, Zoom meeting
31/03/2022	Kalbarri Sport and Recreation Association, Kalbarri

4.1.4.4 CR SUCKLING

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

12/04/2022	Honourable Mia Davies MLA, Honourable Shane Love MLA and Honourable Martin Aldridge MLC, Northampton Council Chambers
19/04/2022	Senator the Honourable Brigitte McKenzie, Federal Minister for Emergency Management and National Recovery and Resilience, Kalbarri

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4.15 NEW ITEMS OF BUSINESS

Cr STEWART raised the matter of the upgrade of the Kalbarri RSL Memorial which had been considered by Council at their November 2020, February 2021 and May 2021 meetings. More recently the upgrade of the monument was to be included in the Kalbarri Foreshore Plan but this has not eventuated.

Moved Cr STEWART seconded Cr SUCKLING

That the upgrade of the Kalbarri RSL Memorial be listed for consideration in the 2022/2023 budget

CARRIED 6/0

4.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 20th May 2022 commencing at 1.00pm at the Allen Centre, Kalbarri.

4.17 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.02pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 17 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 20th MAY 2022.

PRESIDING MEMBER: _____

DATE: _____