

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Allen Centre, Kalbarri on
Friday 20th May 2022

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5.1 OPENING

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

5.2 PRESENT

Cr L Sudlow	President	Northampton Ward
Cr R Horstman	Deputy President	Northampton Ward
Cr D Pike		Kalbarri Ward
Cr R Suckling		Northampton Ward
Cr T Hay		Northampton Ward
Cr R Burges		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mrs Michelle Allen	Planning Officer	

5.2.1 LEAVE OF ABSENCE

Nil

5.2.2 APOLOGIES

Cr P Stewart	Kalbarri Ward
Cr T Gibb	Kalbarri Ward

5.3 QUESTION TIME

Nil

5.4 DISCLOSURE OF INTEREST

Nil

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5.5 CONFIRMATION OF MINUTES

**5.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING
FRIDAY 22nd APRIL 2022**

Moved Cr SUCKLING seconded Cr HORSTMAN

That the minutes of the Ordinary Meeting of Council held on the 22nd April 2022 be confirmed as a true and correct record.

CARRIED 6/0

5.6 WORKS & ENGINEERING REPORT

Noted.

5.7 HEALTH & BUILDING REPORT

5.7.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted.

5.8 TOWN PLANNING REPORT

**5.8.1 PROPOSED OUTBUILDING (R-CODE AND LPP VARIATIONS) – LOT 93
(NO. 14) PORT STREET, PORT GREGORY (ITEM 7.3.1)**

Moved Cr HAY seconded Cr SUCKLING

That Council grant development approval for the proposed Outbuilding upon Lot 93 (No. 14) Port Street, Port Gregory subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 20 May 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 planning approval for that use/addition;
3. A building permit shall be issued by the local government prior to the commencement of any work on the site;

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4. All stormwater is to be disposed of onsite to the approval of the local government;
5. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
6. The Applicant shall provide a colour schedule for the outbuilding prior to construction of the outbuilding 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;
7. The roof of the outbuilding shall be constructed using coated metal sheeting (Colorbond) and the use of Zincolume is not permitted;
8. The development/land use is to have the necessary clearance/fire separation from the rear 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 is only to be used for general and vehicle storage purposes and minor maintenance upon vehicles housed therein to the approval of the local government 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: 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.

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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: *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 4: *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

<p>5.8.2 PROPOSED ALFRESCO AREA – DRYWELL PLANTS PRODUCE AND CRAFTS – SHOP 1 – LOT 12 (NO. 221) HAMPTON ROAD, NORTHAMPTON (ITEM 7.3.2)</p>
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Moved Cr SUCKLING seconded Cr HAY

That Council approves the Application for Development Approval for an alfresco dining use upon the Grey Street Road Reserve immediately adjacent to Shop 1 – Lot 12 (No. 221) Hampton Road, Northampton, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 20 May 2022 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;
2. 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. The alfresco dining area shall be limited to the portion of Hampton Road access/pathway immediately adjacent to Shop 1 – Lot 12 (No. 221) Hampton Road, Northampton as marked in the attached approved plans dated 20 May 2022;
4. The alfresco dining furniture shall be limited to the number of two (2) tall tables (each measuring 0.400m wide by 1 metre long) and eight (8) stools (each measuring 0.400m²);
5. Temporary fixtures, such as tables and stools, shall not be permanently fixed and must be removed from the access/pathway area outside of trading hours, unless otherwise approved by the Shire of Northampton;

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6. When requested by the Local Government, the Applicant must temporarily remove the alfresco dining area furniture and equipment. The furniture and equipment may be replaced once directed by the Local Government;
7. The alfresco dining area must be maintained in a clean and tidy condition to the satisfaction of the Local Government. The Applicant must ensure that any spillage of food and drinks are promptly cleaned from the ground and table surfaces, and that all rubbish is regularly removed, such that the area is maintained to ensure a high standard of amenity;
8. The alfresco dining area must not be used in a manner to cause noise or nuisance to patrons or adjacent landowners or occupiers;
9. The Applicant shall at all times ensure that tables and stools, equipment and furniture are contained within the designated alfresco dining area, so as to allow for safe and unobstructed pedestrian movement along the Hampton Road footpath, with a minimum clearance of 2.0 metres from the step and handrail to be maintained free for pedestrian access at all times.
10. This approval is issued only to M. Elsum-Beaumont and is NOT transferrable to any other person or any other land parcel, without the further application and approval of the Shire of Northampton;
11. If the use of the reserve for alfresco dining, in association with a food premise, discontinues for a continuous period of 12 months or longer, then this development approval shall lapse and a new development approval shall be required;
12. The Applicant is solely responsible for all and any associated costs with the removal, alteration, repair, reinstatement or reconstruction (to the approval of the local government) of the thoroughfare, footpath or any part thereof arising from the use of the alfresco area;
- 13 Pursuant to the Local Government Act 1995 and cl. 3.1.5 of the Shire of Northampton Local Planning Policy – Alfresco Dining, the Local Government must be indemnified against any damage which may arise from the proposed use of the reserve, and therefore public liability insurance cover to a minimum value of \$10 million must be held and maintained by the Applicant at all times.
14. The Applicant is required to indemnify and keep indemnified the Shire, its servants and agents against any claim or proceeding (and any cost and expenses incurred as a result) that may be made or brought by any person or corporation against the Shire, its servants and agents arising out of the approval, erection, existence or operation of the fence or signage;

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15. The Applicant shall prepare and implement a Complaints Handling Procedure and a Noise Management Plan, to the approval of the local government. Complaints that are received by the Applicant shall be recorded in a complaints register, with this register to be made available to the local government upon their request;
16. The Applicant shall take reasonable steps to ensure that their contact details are made available to adjacent landowners, to the approval of the local government;
17. The Shire of Northampton reserves the right to revoke this “Alfresco Dining” approval, or require appropriate measures to be taken, in the event that:
 - (a) excessive noise, behaviour or other complaints are received;
AND
 - (b) the local government determines that such complaints have been insufficiently managed or dealt with by the applicant (for example, that the Complaint and Noise Management Plan has not been enacted sufficiently); and
18. Any lighting installed for the purpose of providing additional light to the alfresco area shall be such that:
 - (a) all illumination is confined within the boundaries of the property and approved alfresco area; and
 - (b) there shall not be any glare nuisance caused to adjacent landholdings and occupiers or passing traffic, to the approval of the local government.

Advice Notes:

Note 1: The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to the Health Act and Regulations, the Food Act and Regulations and the Environmental Protection (Noise) Regulations, is required at all times and the Applicant is advised to liaise with the Shire’s Environmental Health Officer to ensure that the operations comply with the relevant legislation.

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.

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Note 4: 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

5.8.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.3)

Noted

5.9 FINANCE REPORT

5.9.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr HORSTMAN, seconded Cr SUCKLING

That Municipal Fund Cheques 22204 to 22217 inclusive totalling \$89,496.91, Municipal EFT payments numbered EFT23408 to EFT23524 inclusive totalling \$1,213,489.99, Direct Debit payments numbered GJ01003 to GJ1010 inclusive totalling \$241,373.34 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

2.9.2 MONTHLY FINANCIAL STATEMENTS – APRIL 2022 (ITEMS 7.4.2)

Moved Cr HAY seconded Cr BURGESS

That Council adopts the Monthly Financial Reports for the periods ending 30th April 2022.

CARRIED 6/0

2.9.3 BUDGET SUBMISSION 2022-2023 (ITEMS 7.4.3)

Moved Cr SUCKLING, seconded Cr PIKE

That Council include the provision of a operational grant of \$35,000 for the Northampton Visitor Centre in the draft 2022/2023 Budget.

CARRIED 6/0

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5.10 ADMINISTRATION & CORPORATE REPORT

5.10.1 CORPORATE BUSINESS PLAN REVIEW (ITEM 7.5.1)

5.10.1.1 REQUEST TO RE-ROOF CHIVERTON HOUSE

No further action to be taken on this submission as this forms part of an insurance claim as a result of Cyclone Seroja and therefore is not considered in the Corporate Business Plan.

5.10.1.2 ABLUTIONS PORT GREGORY PARK AND PLAYGROUND

Moved Cr HORSTMAN, seconded Cr PIKE

That Council

1. Reiterate its previous decision that it will not approve the construction of new ablutions at the existing park and playground area due to the high water table and the inability to provide sufficient depth for operation of a septic tank and leach drain system
2. That the CEO investigate expansion of the existing ablutions and other alternative septic systems that may be able to be used to allow for the construction of an ablution at the playground park

CARRIED 6/0

5.10.1.3 CEILING INSTALLATION - BINNU HALL

Moved Cr SUDLOW, seconded Cr SUCKLING

That Council consider the installation of a ceiling in the Binnu Hall upon receipt of costings for the works and these works be considered in 2023/24.

CARRIED 6/0

5.10.1.4 KALBARRI MULTI-PURPOSE COMMUNITY CENTRE

Noted

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5.10.1.5 ACOUSTIC CEILING - RSL HALL, NORTHAMPTON

Noted

5.10.1.6 FLOOR COVERINGS - NORTHAMPTON DOCTORS SURGERY

Noted

5.10.1.7 STAIRS FOR BALANCE OF GRANNY'S POOL STAIRWAY, HORROCKS

Moved Cr PIKE, seconded Cr HORSTMAN

That Council list the construction of the stairs for the balance of the Granny's Pool Stairway at Horrocks with provision of \$55,000 in 2022/23.

CARRIED 6/0

5.10.1.8 NEW STORAGE SHED – PORT GREGORY OVAL

Moved Cr SUCKLING, seconded Cr PIKE

That the CEO liaise with the Port Gregory Progress Association regarding purchase of a new storage shed at the Port Gregory Oval with provision of \$25,000 to be included in 2022/23 budget.

CARRIED 6/0

5.10.1.9 KALBARRI FORESHORE REDEVELOPMENT

Noted

5.10.1.10 DEFERMENT OF 2021/22 PROGRAMMED ROAD PROJECTS

Noted

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5.10.1.11 BINNU EAST ROAD – RECONSTRUCT SECTION 12.6 TO 13.6SLK

Moved Cr HORSTMAN, seconded Cr SUDLOW

That Council list the reconstruction of the section 12.6 to 13.6 SLK in the 2022/23 financial year of the Corporate Business Plan and be further determined within the 2022/23 Budget.

CARRIED 6/0

5.10.1.12 FIFTH AVENUE – STORM WATER INSTALLATION

Moved Cr PIKE, seconded Cr BURGESS

That Council list the installation of underground storm water drainage to the west side of Fifth Avenue, Northampton in 2023/24.

CARRIED 6/0

5.10.1.13 GREY STREET, KALBARRI – ASPHALT RE-SEAL

Moved Cr SUCKLING, seconded Cr PIKE

That Council consider in the 2022/23 budget the asphalt reseals of Grey Street, Kalbarri programmed for 2021/22 that has now been carried over to 2022/23 and the section scheduled for 2022/23, to allow for both sections to be undertaken at the same time.

CARRIED 6/0

5.10.1.14 PORT GREGORY ASSOCIATION – CAR PARK & BBQ AREA

Moved Cr HAY, seconded Cr SUCKLING

That Council amend the Corporate Business Plan and bring forward the upgrade works to the Port Gregory car park and BBQ area for consideration in 2022/23.

CARRIED 6/0

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5.10.1.15 OVERALL PROGRAM ADJUSTMENT

Moved Cr BURGESS, seconded Cr PIKE

That Council adopt the amended Corporate Business Plan program for car parks works as amended.

CARRIED 6/0

5.10.1.16 KALBARRI BOAT PENS CAR PARK

Moved Cr HORSTMAN, seconded Cr SUCKLING

That Council list the installation of a dual use pathway along the river side of the boat pen car park for consideration in 2024/25.

CARRIED 6/0

5.10.1.17 FOOTPATHS – GREGORY TOWNSITE

Moved Cr HAY, seconded Cr SUDLOW

That Council defers the consideration for the construction of a dual use pathway along Pluschke Drive from Henville Place to Port Street and then along Port Street to the General Store in Gregory until the Pink Lake Masterplan has been finalised as it may affect pathway connections within that plan.

CARRIED 6/0

5.10.1.18 FOOTPATH AND FOOT BRIDGE TO PROVIDE ACCESS FROM JOHN STREET TO ONSLOW STREET, NORTHAMPTON

Moved Cr HORSTMAN, seconded Cr SUDLOW

That Council not consider the footpath and foot bridge project across the Nokanena Brook as it is not considered a priority requirement.

CARRIED 6/0

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5.10.1.19 CURRENT PLAN STATUS

Moved Cr SUCKLING, seconded by Cr HAY

That Council amend the footpath plan as per the following:

- Stephen Street, Grey Street and George Grey Drive to occur in 2022/23
- Clotworthy Street and Kaiber Street works be deferred to 2023/24
- All projects listed for 2023/24 be deferred to 2024/25
- All projects listed for 2024/25 be deferred to beyond 2025

CARRIED 6/0

5.10.1.20 RED BLUFF ROAD PATHWAY

Noted

5.10.1.21 PLANT REPLACEMENT PROGRAM 2022 REVIEW – CURRENT PLAN STATUS

Moved Cr PIKE, seconded Cr HORSTMAN

That Council adopt the revised Plant Replacement Plan as presented subject to the value of the purchase of the backhoe proposed to be purchased in 2022/23 being clarified.

CARRIED 6/0

5.10.1.22 KALBARRI AERODROME

Noted

5.10.1 23 CORPORATE BUSINESS PLAN 2022 REVIEW

Moved Cr SUDLOW, seconded Cr HORSTMAN

That management investigate opportunities including all costings to employ a community development/project officer to assist to support community groups with events/programs and future recovery processes and report back to Council accordingly.

CARRIED 6/0

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5.10.1 24 PROMOTIONAL SIGNAGE - KALBARRI

Moved Cr SUCKLING, seconded Cr BURGES

That Council not consider promotional signage on the two road entrances into Kalbarri as requested as travellers would already on the two main access roads to Kalbarri therefore no promotional signage to encourage travellers is warranted.

CARRIED 6/0

5.10.1 25 LOAN FUNDS

Noted

5.10.2 ELECTION OF DELEGAGE (ITEM 7.5.2)

Moved Cr HAY, seconded Cr HORSTMAN

That Council appoints Cr HORSTMAN as a delegate for the Horrocks Community Centre for a term of 18 months ceasing October 2024.

That Council appoints Cr STEWART as a delegate for the Batavia Local Emergency Management Committee for a term of 18 months ceasing October 2024.

CARRIED 6/0

5.10.3 KALBARRI AIRPORT – RPT OPPORTUNITIES REPORT (ITEM 7.5.3)

Moved Cr SUCKLING, seconded Cr HAY

That Council note the report and undertake a review of the recommendations in twelve months to allow time for what develops with COVID 19 and possible industry developments in the area.

CARRIED 6/0

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5.10.4 REQUEST FOR RENAMING OF A PORTION OF FROSTY GULLY ROAD
(ITEM 7.5.4)

Moved Cr SUDLOW, seconded Cr SUCKLING

That Council progress with the changing the name of the section of Frosty Gully Road from Normans' Well Road to the Northampton Nabawa Road to Frosty Gully East Road and advertise this proposal accordingly with all submissions received on this proposed change to be presented to Council for consideration

CARRIED 6/0

5.10.5 LOT 81 KITSON CIRCUIT (ITEM 7.5.5)

Moved Cr HAY, seconded Cr PIKE

That Council amend the initial lease period for Lot 81 Kitson Circuit, Northampton, from one year to two years due to the requirement for the lessee to construct an industrial shed on the lot within a two year period.

CARRIED 6/0

5.10.6 JUNE 2022 COUNCIL MEETING – START TIME CHANGE REQUEST
(ITEM 7.5.6)

Moved Cr SUCKLING, seconded Cr HORSTMAN

That Council amend the start time for the 17th June 2022 Council meeting from 1.00pm to 9.00am and advertise this change accordingly as per requirements of Regulation 12(3) of the *Local Government (Administration) Regulations 1996*.

CARRIED 6/0

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5.11 PRESIDENT'S REPORT

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

- 26/04/2022 Northern Zone Council, Mingenew
- 26/04/2022 Deputy Premier and Minister for Tourism, Hon. Roger Cook MLA – Kalbarri Foreshore Development Plan
- 28/04/2022 Midwest Regional Update, Drought Vulnerability Assessment for Future Drought Fund
- 28/04/2022 Western Australian Football Commission and Western Australian Football League Organising Committee, Northampton
- 29/04/2022 Women in Leadership Breakfast, Geraldton
- 29/04/2022 Joanne Fabling, Chief Executive Officer of Mid West Chamber of Commerce and Industry and Melissa Finlay – Accommodation shortage in Kalbarri
- 30/04/2022 Western Australian Football League Seroja Cup, Northampton
- 03/05/2022 Cyclone Recovery interview, WA Museum
- 05/05/2022 Ric Payne, Disaster Recovery Chaplain, Northampton Council Chambers
- 05/05/2022 Regional Drought Resilience Working Group meeting, Geraldton
- 06/05/2022 Mayors and Presidents Forum, Perth Convention Centre

5.12 VICE PRESIDENT'S REPORT

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

- 04/04/2022 Operational Area Support Group, MS Teams meeting
- 11/04/2022 Operational Area Support Group, MS Teams meeting
- 25/04/2022 ANZAC Day Ceremony and Wreath Laying, RSL Hall Northampton
- 27/04/2022 Operational Area Support Group, MS Teams meeting
- 30/04/2022 Western Australian Football League Seroja Cup, Northampton

Since the last Council meeting Cr HORSTMAN on behalf of and at the request of Cr's STEWART and GIBB attended the following meeting:

- 29/04/2022 Hon. Melissa Price MLA - Workers Accommodation Camp, Kalbarri

5.13 COUNCILLORS' REPORTS

5.13.1 CR PIKE

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

- 25/04/2022 ANZAC Day and Wreath Laying Ceremony, Kalbarri

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5.13.2 CR HAY

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

18/05/2022 Audit Entrance Meeting, Northampton Council Chambers

5.14 NEW ITEMS OF BUSINESS

Cr SUDLOW raised the matter of recognising other flags that should be flown with the State of Western Australia flag at the Shire of Northampton's Council offices in Northampton and Kalbarri, these being the Australian Aboriginal flag and the National Australian Flag.

Moved Cr SUDLOW, seconded Cr PIKE

That Council list for consideration in 2022/23 the erection an additional two flag poles at both the Northampton and Kalbarri Shire offices to enable three flags to be flown, when appropriate, being those that represent the State of Western Australia, the Australian Aboriginal flag and the Australian National flag.

CARRIED 6/0

15 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 17th June 2022 commencing at 9.00am at the Council Chambers, Northampton.

5.16 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.30pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 18 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 17th JUNE 2022.

PRESIDING MEMBER: _____

DATE: _____