

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,  
Northampton on 20 May 2016**

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**5.1 OPENING**

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

**5.2 PRESENT**

Cr C Simkin	President	Northampton Ward
Cr M Scott	Deputy President	Kalbarri Ward
Cr S Stock-Standen		Northampton Ward
Cr T Carson		Northampton Ward
Cr D Stanich		Northampton Ward
Cr R Suckling		Northampton Ward
Cr M Holt		Kalbarri Ward
Cr D Pike		Kalbarri Ward
Cr S Krakouer		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works	
Mrs Hayley Williams	Principal Planner	
Mr Glenn Bangay	Principal Building Surveyor	
Mrs Deb Carson	Community Development/Planning Officer	

**5.2.1 LEAVE OF ABSENCE**

Nil

**5.2.2 APOLOGIES**

Nil

**5.3 QUESTION TIME**

Nil

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**5.4 CONFIRMATION OF MINUTES**

**5.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 15<sup>th</sup> APRIL 2016**

Moved Cr STOCK-STANDEN, seconded Cr KRAKOUER

That the minutes of the Ordinary Meeting of Council held on the 15<sup>th</sup> April 2016 be confirmed as a true and correct record subject to the following amendment:

Minute 4.16 - change word President to Deputy President.

CARRIED 9/0

**5.4.2 BUSINESS ARISING FROM MINUTES**

Noted

**5.5 RECEIVAL OF MINUTES**

**5.5.1 RECEIVAL OF MINUTES – BUSH FIRE ADVISORY COMMITTEE MEETING 14<sup>th</sup> APRIL 2016**

Moved Cr SCOTT, seconded Cr STOCK-STANDEN

That the minutes of the Bush Fire Advisory Committee held on the 14<sup>th</sup> April 2016 be received.

CARRIED 9/0

**5.5.2 ANNUAL BUSH FIRE ADVISORY COMMITTEE MEETING (ITEM 3.5.2)**

Moved Cr SCOTT, seconded Cr HOLT

That the following changes be adopted for 2016/2017 as recommended by the Bush fire Advisory Committee:

1. Increase the fire break width for residential properties over 0.2ha from 2 metres to 3 meters for the whole Shire.
2. Appoint the following:

Mr Len Simmons as Deputy Chief Bush Fire Control Officer – North  
Mr Michael Morris as Deputy Chief Bush Fire Control Officer – South  
Mr Ric Davey as Deputy Bush Fire Control Officer

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3. Implement the following restricted and prohibited burning times:

Restricted Period	01/09/2016 – 14/10/2016
Prohibited Period	15/10/2016 – 01/03/2017
Restricted Period	02/03/2017 – 15/04/2017

CARRIED 9/0

**5.6 WORKS REPORT**

**5.6.1 INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)**

Noted

**5.6.2 KALBARRI FORESHORE (MARINA GRASSED AREA) REPLACEMENT OF PLAYGROUND EQUIPMENT (ITEM 6.1.2)**

Moved Cr HOLT, seconded Cr KRAKOUER

That Council approves as authorised expenditure the purchase and installation of one Arch Bridge 2m with infill rails (A035-G-UX) estimated cost of \$2,283 (GST exclusive), to replace the damaged bridge playground component located at the Marina Playground area on the Kalbarri Foreshore, with consideration given to replacing the timber tread with a reconstituted plastic option (subject to cost).

CARRIED BY AN ABSOLUTE MAJORITY 9/0

Neil Broadhurst left the meeting at 1.20pm.

**5.7 HEALTH/BUILDING REPORT**

**5.7.1 BUILDING STATISTICS (ITEM 6.2.1)**

Noted

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**5.8 TOWN PLANNING REPORT**

5.8.1 PROPOSED LAND-BASED FISHING TOURS LICENSE AGREEMENT – RESERVE 12996 (NORTH), R26591 (LOT 355) AND LOT 944, MURCHISON HOUSE STATION, KALBARRI & HOME BUSINESS LOT 153 (NO. 16) SMITH STREET, KALBARRI (ITEM 6.3.1)

Moved Cr STANICH, seconded Cr SUCKLING

That Council:

1. Grant Development Approval for the experiential use (land-based fishing tours) of Reserve 12996 (North) and Reserve 26591 Murchison River Foreshore Kalbarri, and the use of Lot 944, with the following conditions:
  - i. This Development Approval is an approval for the proposed use for the purposes of the Shire of Northampton's *Town Planning Scheme No. 9 –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 reserves/lots within which the use is proposed to be located;
  - ii. The proposed tour that traverses the Murchison River from Reserve 12996 to Reserve 26591, and land areas of Reserves 12996 and 26591 and Lot 944, shall be limited to a maximum of two (2) canoes, one (1) motorised pontoon, and one (1) six-seater all-terrain vehicle;
  - iii. The Applicant shall provide an Emergency Management Plan, including a Fire Management Plan, to the Shire of Northampton, and to the approval of the local government, prior to the commencement of the proposed use;
  - iv. The Applicant shall contact the Shire of Northampton's Environmental Health Officer to ensure compliance with the *Food Act (2008)* prior to commencement of the proposed use;
  - v. The Applicant shall conduct the tours using existing pathways, roads and tracks, and shall not negatively impact, degrade or damage the natural amenity within the approved land locations in any way;
  - vi. The Applicant shall obtain appropriate approvals for commercial vessel safety with the Australian Maritime Safety Authority, and/or use approved vessels only, to traverse the Murchison River between Reserves 12996 and 26591;

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- vii. The applicant shall comply with Department of Transport's requirements to use navigational and anchor lights during hours of restricted visibility;
- viii. The Applicant shall obtain 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*;
- ix. This Development Approval is subject to:
  - (a) In-principle approval of the Shire in its capacity as management body of the reserve within which the proposed use is 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*;
- x. This Development Approval shall remain valid whilst the agreement referred to in Condition 1ix (c) remains current and valid, and on the expiration or in the termination of such Licence Agreement, this Development Approval shall cease to be valid;
- xi. Authorise delegation to the Chief Executive Officer and Principal Planner for preparation and execution of the Licence Agreement in Condition 1ix (c) above with any disputes to be referred back to Council for final determination; and
- xii. Refer the modified agreement to Department of Regional Development and Lands – State Land Services for approval.

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.

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2. Grant Development Approval for the proposed Home Business, to be used for storage of business requisites and ATV, upon Lot 153 (No. 16) Smith Street, Kalbarri subject to the following conditions:
  - i. The business activity on the property shall be limited to the establishment of a Home Business (Storage and Booking Office) and related administrative duties;
  - ii. The activity is at all times to comply with the definition of "Home Business" under the relevant Town Planning Scheme;
  - iii. The Home Business (Storage and Booking Office) shall not exceed the area shown upon the attached approved plan dated 23 May 2016 of D/A 2016-022;
  - iv. This approval is issued only to Robert Tenaglia 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;
  - v. The operator is responsible to ensure that no parking of vehicles associated with the Home Business (Storage and Booking Office) occurs within a public carriageway, including the road verge; and
  - vi. This approval is valid until 30 June 2017, after which the further renewal of the approval by the local government is required annually. This is the responsibility of the applicant and the local government will not automatically re-issue approvals.

Advice Notes

1. 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.
2. 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 9/0



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**5.8.2 NORTHAMPTON MAIN STREET - CONCEPT PLAN - FEE PROPOSAL  
(ITEM 6.3.2)**

Moved Cr STANICH, seconded Cr CARSON

That Council lists a provision of \$33,000 for the preparation of the Northampton Main Street Concept Plan (Bypass constructed) as presented, for consideration within the draft 2016/17 Budget.

CARRIED 9/0

**5.8.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)**

Noted

**5.9 FINANCE REPORT**

**5.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)**

Moved Cr STOCK-STANDEN, seconded Cr SIMKIN

That Municipal Fund Cheques 20909 to 20912 inclusive totalling \$29,868.64, Municipal EFT payments numbered EFT14941 to EFT14951 inclusive totalling \$13,304.43, Trust Fund Cheques 2128 to 2129, totalling \$600.00, Direct Debit payments numbered DD15382.1 to DD15415.9 inclusive totalling \$51,070.67 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

**5.9.2 MONTHLY FINANCIAL STATEMENTS APRIL 2016 (ITEM 6.4.2)**

Moved Cr KRAKOUER, seconded Cr SCOTT

That Council adopts the Monthly Financial Report for the period ending 30 April 2016.

CARRIED 9/0

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**5.9.3 BUDGET SUBMISSIONS 2016-2017 (ITEM 6.4.3)**

Moved Cr SCOTT, seconded Cr HOLT

That Council list the following for further consideration within the draft 2016/17 Budget:

1. A provision of \$1,760 to replace pads on 11 of the 12 defibrillation units within Northampton town as requested by the St John Ambulance Northampton Sub Branch.
2. The raising of \$31,500 through a Specified Area Rate on the Kalbarri Townsite for TV Advertising (GWN), Australia's Coral Coast marketing campaign and event promotion during 2017 as requested by the Kalbarri Visitors Centre.

CARRIED 9/0

Moved Cr SCOTT, seconded Cr PIKE

That Council list a provision of \$40,000 within the draft 2016/17 Budget for the Kalbarri Visitors Centre annual operational subsidy including costs to update the Visitors Centre website, training and management associated with their social media presence and upgrading computer towers.

MOTION LOST 4/5

Moved Cr CARSON, seconded Cr HOLT

That Council list a provision of \$35,000 within the draft 2016/17 Budget for the Kalbarri Visitors Centre annual operational subsidy including costs to update the Visitors Centre website, training and management associated with their social media presence and upgrading computer towers.

CARRIED 8/1

Cr Stock Standen voted against the motion

Moved Cr SUCKLING, seconded Cr CARSON

That Council list a provision of \$500 within the draft 2016/17 Budget to sponsor the Annual Conference of the Isolated Children's Parent's Association WA.

CARRIED 6/3

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**5.9.4 GRANT APPLICATION – CONSERVATION MANAGEMENT PLAN ALMA SCHOOL (ITEM 6.4.4)**

Moved Cr SCOTT, seconded Cr STOCK-STANDEN

That Council endorse the submitting of a grant application to Lotterywest for a Conservation Plan for the Alma School building and that \$5,000 be committed within the 2016/2017 budget should the grant application be successful.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

**5.10 ADMINISTRATION & CORPORATE REPORT**

**5.10.1 REVIEW OF STRATEGIC COMMUNITY PLAN (ITEM 6.5.1)**

Moved Cr HOLT, seconded Cr SUCKLING

That Council delete the following Key Actions from the Shire of Northampton's Community Strategic Plan:

- 1.1.1 – Support for Visitor Centres for development of strategic plans
- 1.2.4 – Housing Affordability to attract youth to the Shire
- 1.3.1 – Increase in apprenticeships in the region
- 2.1.3 – Purchasing of low energy vehicles
- 3.5.4 – Development of a Community Swimming Pool
- 4.4.2 – Improve Community Security
- 4.4.3 - Promote Shire as a Safe Community

CARRIED 9/0

Hayley Williams departed the meeting at 2:33pm returning at 2:35pm

**5.10.2 CORPORATE BUSINESS PLAN REVIEW (ITEM 6.5.2)**

Cr Suckling and Cr Krakouer departed the meeting at 2:53pm  
Cr Sucking and Cr Krakouer returned to the meeting at 2:55pm

Moved Cr STANICH, seconded Cr SUCKLING

That Council:

1. Adopt the changes to the Corporate Business Plan as presented for Buildings (Renewals and New Works) and Recreation; and

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2. Revise the costings for the Northampton Bowling Club project, to comprise one ten rink bowling green and one small function area as per Option 1 and the Northampton Bowling Club be requested to provide comment on the revised proposal.

CARRIED 9/0

ADJOURNMENT

Council adjourned at 2:57pm.

Meeting reconvened at 3:06pm with the following in attendance:

Cr Simkin, Cr Scott, Cr Stock-Standen, Cr Carson, Cr Stanich, Cr Suckling, Cr Holt, Cr Pike, Cr Krakouer, Garry Keeffe, Grant Middleton, Neil Broadhurst, Hayley Williams, Glenn Bangay and Deb Carson.

5.10.2 CORPORATE BUSINESS PLAN REVIEW (ITEM 6.5.2) CONTINUED
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Moved Cr CARSON, seconded Cr HOLT

That Council:

1. Adopt the changes to the Corporate Business Plan as presented for Road Projects and Footpaths;
2. Include the following road projects within the Corporate Business Plan:  
  
Fifth Avenue, Northampton construct and bitumen seal south end;  
Bateman Street, Northampton (west), construct and bitumen seal west end;  
Gwalla Street, Northampton (to the cemetery) construct and bitumen seal;  
Second Avenue, Northampton, construct and bitumen seal street.
3. Include a new footpath from the existing dual use pathway on Red Bluff Road to traverse to the parking area of Red Bluff, estimated cost of \$50,000 for the financial year 2017/18.

CARRIED 9/0

Moved Cr STOCK-STANDEN, seconded Cr PIKE

That Council Adopt the proposed Plant Replacement schedule as presented within the Corporate Business Plan with the exception of the purchase of the multi tyred roller in 2016/17 with this plant replacement option to be deleted and that Council make a provision of \$30,000 within the 2016/17 Budget to upgrade the existing multi tyred roller.

CARRIED 9/0

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Neil Broadhurst departed the meeting at 3:29pm

5.10.3 LEGAL ADVICE – OUTSTANDING RATES, LOT 7 HAMPTON ROAD  
(ITEM 6.5.3)

Moved Cr KRAKOUER, seconded Cr STANICH

That Councillors Simkin, Suckling and Stock-Standen meet with Mr Tomelty to determine if he can agree upon a repayment schedule to pay off the rates and charges debt within a reasonable time period, and if a repayment schedule is determined that this be formulated into an agreement and part of that agreement to state that should any default in a repayment occur, then sale of the property to recover all outstanding rates and charges is to proceed, and the matter to be listed for further consideration at the June 2016 Council meeting.

CARRIED 9/0

5.10.4 REQUEST FOR ADDITIONAL DOG EXERCISE AREA - KALBARRI (ITEM  
6.5.4)

Moved Cr SCOTT, seconded Cr HOLT

That Council advertises the proposal for an additional dog exercise area, to be located upon the lawn area near Chinaman's Beach, Kalbarri and call for submissions on the proposal with the matter to then be referred back to Council for final determination.

CARRIED 9/0

5.10.5 DISPOSAL OF LOT 3001, CLOTWORTHY STRET, KALBARRI (ITEM 6.5.5)

Moved Cr SCOTT, seconded Cr SUCKLING

That Council supports the sale of Lot 3001 Clotworthy Street as a single lot that is transferred in freehold to the adjoining landowner of Lot 839, and advise the Department of Lands accordingly.

CARRIED 9/0

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5.10.6 LOCAL GOVERNMENT WEEK CONFERENCE 2016 (ITEM 6.5.6)

Moved Cr CARSON, seconded Cr SIMKIN

That Councillors Simkin, Scott, Suckling, Krakouer, Holt and the CEO attend the 2016 WA Local Government Convention.

CARRIED 9/0

5.10.7 LOCAL LAWS REVIEW (ITEM 6.5.7)

Moved Cr SUCKLING, seconded Cr STOCK-STANDEN

That Council secures a provision of \$12,000 within the 2016/17 draft budget to undertake a review of all of Council's current Local Laws.

CARRIED 9/0

5.10.8 HORROCKS COMMUNITY CENTRE PROGRESS & CAR PARKS (ITEM 6.5.8)

Moved Cr CARSON, seconded Cr SUCKLING

That Council approves the use of 2015/16 budget provisions for Harvey Road pavement repairs and West Street drainage for construction of the second car park at the Horrocks Community Centre.

CARRIED BY AN ABSOLUTE MAJORITY 8/1

Cr Pike voted against the motion

5.10.9 PROPOSED KALBARRI TO SHARK BAY ROAD (ITEM 6.5.9)

Moved Cr SUCKLING, seconded Cr STOCK-STANDEN

That Councillors Simkin, Scott and the CEO meet with Shark Bay Shire Council representatives in Shark Bay to further pursue the proposed Kalbarri to Shark Bay Road.

CARRIED 9/0

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**5.10.10 REQUEST FOR PAYMENT OF SECURITY FENCE (ITEM 6.5.10)**

Moved Cr SUCKLING, seconded Cr CARSON

That Council approves the use of \$2,275 of the 2015/16 Budget provision of \$5,000 for the Lions Park ablutions leach drain upgrade, for the purchase of security fencing materials for the Lions Park reticulation tanks and that the Northampton Lions Club to erect the fence at their cost.

CARRIED BY AN ABSOLUTE MAJORITY 9/0

**5.10.11 OUTSTANDING RATES – FURTHER ACTION FOR RECOVERY PROPOSED (ITEM 6.5.11)**

Moved Cr SCOTT, seconded Cr HOLT

That Council instruct its debt collecting agency to undertake proceedings as per the provisions of *Section 6.64 of the Local Government Act 1995* to sell Lots 355, 3135, 3136, 386 and 1618, owned by Rodney MacKenzie for the recovery of outstanding rates and charges as:

1. The proprietor has refused, neglected or failed to pay the outstanding rates or services charges for the past six years.
2. An attempt was made to recover the rates or services charge by lodging a claim in the Magistrates Court of Western Australian in June 2013, however, this recovery action was unsuccessful.
3. The proprietor has failed to communicate with the Shire in order to come to a resolution.

CARRIED 9/0

**5.11 SHIRE PRESIDENT'S REPORT**

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

21/4/16	Geraldton Universities Centre graduation ceremony
26/4/16	Enerji and Western Power pre-meeting re Kalbarri Power
29/4/16	Meeting at Horrocks Community Centre for inspection
2/5/16	Main Roads- proposed road train assembly area- site inspections

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**5.12 DEPUTY SHIRE PRESIDENT'S REPORT**

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

27/4/16	Western Power meeting
18/4/16	Inspection of building assets with EHO

**5.13 COUNCILLORS' REPORTS**

**5.13.1 CR HOLT**

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

26/4/16	Enerji and Western Power pre-meeting re Kalbarri Power
27/4/16	Western Power meeting
17/5/16	Kalbarri Development Association Meeting

**5.14 INFORMATION BULLETIN**

Noted

**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 17<sup>th</sup> June 2016 commencing at 1.00pm at the Allen Centre in Kalbarri.

**5.17 CLOSURE**

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 4:20pm.