

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,  
Northampton on 26 August 2016**

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**8.1 OPENING**

The President thanked all Councillors and staff members present for their attendance and declared the meeting open at 1.03pm.

**8.2 PRESENT**

Cr C Simkin	President	Northampton Ward
Cr M Scott	Deputy President	Kalbarri Ward
Cr S Stock-Standen		Northampton Ward
Cr D Stanich		Northampton Ward
Cr R Suckling		Northampton 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	
Mr Glenn Bangay	Principal Building Surveyor	
Mrs Kathryn Jackson	Consulting Planner	
Mrs Deb Carson	Planning Officer	

**8.2.1 LEAVE OF ABSENCE**

Cr Pike requested leave of absence for the Ordinary meetings of September, October and November 2016.

Moved Cr STANICH, seconded Cr SCOTT

That Council grant leave of absence to Cr Pike for the Ordinary meetings of Council for September, October and November 2016.

CARRIED 7/0

**8.2.2 APOLOGIES**

Cr Carson and Cr Holt

**8.3 QUESTION TIME**

Nil

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**8.4 CONFIRMATION OF MINUTES**

**8.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 22<sup>nd</sup> JULY 2016**

Moved Cr KRAKOUER, seconded Cr PIKE

That the minutes of the Ordinary Meeting of Council held on the 22<sup>nd</sup> July 2016 be confirmed as a true and correct record subject to the following amendment:

Minute 7.10.4 Cr Suckling voted against the motion and asked for the vote to be recorded. The motion should have been carried 6/1.

CARRIED 7/0

**8.4.2 BUSINESS ARISING FROM MINUTES**

Nil

**8.5 RECEIVAL OF MINUTES**

Moved Cr SCOTT, seconded Cr SUCKLING

That the minutes of the Council Budget meeting held on 27 July 2016 be confirmed as a true and correct record.

CARRIED 7/0

**8.6 WORKS REPORT**

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

Noted

Neil Broadhurst departed the meeting at 1:22pm.

**8.7 HEALTH/BUILDING REPORT**

**8.7.1 BUILDING STATISTICS (ITEM 6.2.1)**

Noted

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**8.8 TOWN PLANNING REPORT**

**8.8.1 KALBARRI WILDERNESS TOURS – LICENSE AGREEMENT FOR  
COMMERCIAL RECREATIONAL USE OF RESERVES 25307 AND 26591,  
MURCHISON RIVER FORESHORE, KALBARRI (ITEM 6.3.1)**

Moved Cr PIKE, seconded Cr KRAKOUER

That Council:

1. Grant Development Approval for the experiential use (River Boat Cruise - Murchison River Princess) of Reserves 25307 and 26591, Murchison River Foreshore Kalbarri, 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/License 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;
  - ii. The proposed River Boat Cruise that traverses the Murchison River and utilising Reserves 25307 and 26591, shall be limited to one (1) motorised vessel for a period of three (3) years;
  - iii. The Applicant shall maintain required approvals with the Australian Maritime Safety Authority and Department of Transport and any other approvals that may be required with other governmental authorities;
  - iv. The Applicant shall maintain Public Liability Insurance coverage to a minimum of \$20 million, to comply with the provisions of the Shire of Northampton's *Local Planning Policy – Commercial Recreational Tourism Activity*;
  - v. The tour operations are not to interfere at any time with the operations of the Kalbarri Sea Search and Rescue;
  - vi. 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)*;

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- (c) A license 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*;
- vii. This Development Approval shall remain valid whilst the agreement referred to in Condition 1vi(c) remains current and valid, and on the expiration or in the termination of such License Agreement, this Development Approval shall cease to be valid;
- viii. Authorise delegation to the Chief Executive Officer and Planning Officer for preparation and execution of the Licence Agreement in Condition 1vi (c) above with any disputes to be referred back to Council for final determination; and
- ix. 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.*

CARRIED 7/0

<b>8.8.2</b> <b>PROPOSED REDEVELOPMENT OF EXISTING CARAVAN PARK – 1 (LOT 12158 – RESERVE 29152) GLANCE STREET, HORROCKS (ITEM 6.3.2)</b>
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The Council Agenda motion relating to this item was amended for the purpose of recommending approval to the Development Assessment Panel, rather than issuing development approval, and to add an advice note pertaining to Aboriginal Heritage Due Diligence.

Moved Cr SCOTT, seconded Cr STOCK-STANDEN

That Council make a recommendation of approval to the Development Assessment Panel for the proposed redevelopment of the caravan park at 1 (Lot 12158) Glance Street, Horrocks subject to the following conditions:

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1. Development shall be in accordance with the attached approved plan(s) dated (insert date) 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 buildings or land (not the subject of this approval) shall be subject to further application and planning approval for that use/addition;
3. This approval is valid for a period of five (5) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period;
4. The applicant is required to undertake the following maintenance on the existing septic tank and leach drain effluent disposal systems:
  - Septic tanks to be emptied, cleaned and repaired as necessary; and
  - The medium to each side of the leach drains is to be renewed to a minimum width of 600mm with river stone, river sand, ballast or 14mm blue metal or similar acceptable material, as determined by the Shire of Northampton Environmental Health Officer;
5. In the event that the septic tank effluent disposal system experiences complications the applicant is to make arrangements for the upgrading of the system, at their expense, to the satisfaction of the local government;
6. A legal agreement to be formed between Summerstar Pty Ltd and the Shire of Northampton to ensure that when reticulated sewer is directly available at the property that Summerstar Pty Ltd will, at their expense, connect the site to the reticulated sewerage system. This agreement is to be at the cost of Summerstar Pty Ltd and to the specifications of the Local Government;
7. All stormwater and drainage is to be disposed of to the specifications and approval of the local government. On application for a building permit a detailed design of stormwater collection and disposal system of developed areas is to be supplied to the local government;
8. The crossover to the caravan park, the internal access roads and car parking areas are to be paved/sealed, kerbed, line marked, drained and thereafter maintained to the satisfaction of the local government;

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9. Detailed plans of the proposed cross over, road construction and parking areas is required to be submitted to the local government prior to commencing work onsite;
10. Repair or reinstatement to the road pavement, road network, access way, kerbing, verge and dual use pathway to the requirements and approval of the local government;
11. Any soils disturbed or deposited on site shall be stabilised to the approval of the Local Government;
12. The applicant is to implement the requirements of the Bushfire Management Plan dated May 2016 (Version 1.0) to the approval of the Department of Fire & Emergency Services and the local government;
13. All loading and unloading to take place within the boundaries of the premises and undertaken in a manner so as to cause minimum interference with other vehicular traffic;
14. No additional signs are to be erected on the lot without the local government's approval;
15. Any lighting device is to be positioned and shielded as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries or cause any glare nuisance to any nearby residents or passing motorists;
16. Rubbish storage areas are to be screened where they are visible from the street to the satisfaction of the local government;
17. The ablution facilities are required to comply with the specifications of the Caravan and Camping Regulations 1997 to the satisfaction of the local government;
18. All built development is to be constructed no closer than 1m from any lot boundary;
19. A materials and colour schedule being submitted at the time of application for a building permit with such colours and materials to be to the approval of the local government; and



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20. The removal/clearing of existing remnant vegetation on the property is not permitted, except for the establishment of the internal access roads and buildings set out on the attached approved plans, unless otherwise approved in writing by the local government.

Advice Notes

- a) *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;*
- b) *The applicant is advised that this planning approval does not negate the requirement for any additional approvals which may be required under separate legislation. It is the applicant's responsibility to obtain any additional approvals required before the development/use lawfully commences;*
- c) *In relation to Condition 7 the drainage and storm water plans are to take into consideration the objectives and requirements of Liveable Neighbourhoods, Better Urban Water Management and the Storm Water Management Manual for Western Australia;*
- d) *In relation to Conditions 7-10 the applicant is required to liaise with the Shire's Manager of Works and Services to discuss construction and reinstatement requirements;*
- e) *The discretions listed to the Shire of Northampton under the conditions of approval shall be exercised in a reasonable manner. Any dispute on conditions may be referred back to the Development Assessment Panel; and*
- f) *Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.*
- g) *It is recommended that the applicant obtain a copy of the Aboriginal Heritage Due Diligence Guidelines to assist them with planning and considering Aboriginal Heritage in relation to the proposed works.*

CARRIED 7/0

Kathryn Jackson departed the meeting at 1:42pm.

8.8.3	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)
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Noted



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**8.9 FINANCE REPORT**

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

Moved Cr STANICH, seconded Cr PIKE

That Municipal Fund Cheques 20990 to 21007 inclusive totalling \$56,657.01, Municipal EFT payments numbered EFT15322 to EFT15426 inclusive totalling \$588,039.45, Trust Fund Cheques 2155 to 2160, totalling \$25,912.02, Direct Debit payments numbered GJ0106 to GJ0112 inclusive totalling \$200,731.33 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

**8.9.2 MONTHLY FINANCIAL STATEMENTS JULY 2016 (ITEM 6.4.2)**

Moved Cr STOCK-STANDEN, seconded Cr SCOTT

That Council adopts the Monthly Financial Report for the period ending 31 July 2016.

CARRIED 7/0

**8.9.3 2016/2017 BUDGET ADOPTION (ITEM 6.4.3)**

Moved Cr SCOTT, seconded Cr KRAKOUER

That Council in accordance with section 6.2 of the Local Government Act 1995 adopts the 2016/2017 budget as presented inclusive of the following:

Statement of Comprehensive Income

Statement of comprehensive income as detailed on pages 2-4 of the budget for the 2016/2017 financial year showing the projected "Total Comprehensive Income" amount of \$2,027,053.

Statement of Cash Flows

Statement of Cash Flows detailed on page 5 of the budget for the 2016/2017 financial year showing a projected "Cash and Cash Equivalents at the End of the year" totaling \$3,342,429.

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Rate Setting Statement

Rates Setting Statement detailed on page 6 of the budget for the 2016/2017 financial year showing a “Net current assets at start of financial year” totaling \$848,229 from 2015/16.

Statutory Budget

Statutory Budget detail for 2016/2017 as presented on pages 7 to 34.

2016/2017 Budget by Schedule Format

Detailed Schedule Budget format for 2016/2017 detailed on pages 1 to 134 of the supplementary information to the budget document showing a balanced budget totaling \$13,073,356.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

8.9.4 WAIVER OF 2016/2017 RATES (ITEM 6.4.4)
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Moved Cr STANICH, seconded Cr SUCKLING

That Council in accordance with section 6.47 of the Local Government Act 1995:

1. Waive the rates on the following lessees:
  - Northampton Bowling Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;
  - Northampton Golf Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;
  - Northampton Community Centre – Portion of Reserve 23432;
  - Kalbarri Camp and Community Hall – Kalbarri Town Lot 468 Reserve No 35559;
  - Kalbarri Golf and Bowling Club – part of Reserve No 30953;
  - Kalbarri Sport and Recreation Club – part of Reserve No 25447;
  - Kalbarri Occasional Childcare Centre – Lot 233 and 232 Smith Street, Kalbarri;
  - Edna Bandy Centre – Reserve 2038, Stephen Street Northampton;
  - Old School Community Centre – Lot 475, Stephen Street Northampton;
  - Binnu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binnu;

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- Doctors Surgery – 51 (lot 29) Robinson Street, Northampton;
  - Doctors Surgery – 24 (lot 833) Hackney Street, Kalbarri;
  - LIA Units 1 – 4 lot 83 Kitson Circuit, Northampton;
  - Kalbarri Town Talk Lot 175 Kaiber Street, Kalbarri; and
  - Horrocks Community Centre Lot 9501 North Court Horrocks.
2. Waive the rates on the following aged care accommodation:
- Pioneer Lodge Inc – Lot 7 Robinson Street, Northampton; and
  - Department of Housing and the Shire of Northampton Lot 1001 Hackney Street, Kalbarri.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

<b>8.9.5 FEES AND CHARGES CHANGE (ITEM 6.4.5)</b>
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Moved Cr SUCKLING, seconded Cr STANICH

That Council adopts the following changes to the Schedule of Fees and Charges:

- Putrescible Waste - Bulk Transfer bins (per load) \$15.00
- Cardboard (per load) \$20.00
- LPG Bottles – Large (each) \$10.00
- Minimum Building application \$96.00
- Application to extend a Building Permit \$96.00
- Demolition Permit class 1 & 10 \$96.00
- Demolition Permit class 2 & 9 \$96.00
- Rent - Lot 454 Fitzgerald Street Northampton - \$190.00 per week

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Grant Middleton departed the meeting at 1:53pm, returning at 1:54pm.

**8.10 ADMINISTRATION & CORPORATE REPORT**

**8.10.1 COMMUNITY SPORT AND RECREATION FACILITY FUND APPLICATIONS  
(ITEM 6.5.1)**

Moved Cr PIKE, seconded Cr STANICH

That Council supports the three CSRFF grant applications as presented, and forwards them to the Department of Sport and Recreation, with the project priorities being determined by Council as follows:

- |            |                        |
|------------|------------------------|
| Priority 1 | Kalbarri Golf Club     |
| Priority 2 | Kalbarri Bowling Club  |
| Priority 3 | Northampton Rifle Club |

CARRIED 7/0

**8.10.2 REQUEST FOR INSTALLATION OF THREE PHASE POWER OUTLET (ITEM  
6.5.2)**

Moved Cr STOCK-STANDEN, seconded Cr STANICH

That Council approve the request from the Northampton District Agricultural Society for the installation of three phase power outlets at the Northampton Recreation Oval, at a cost to Council of \$1,460 GST exclusive and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

**8.10.3 O'CONNOR & LAUDER STREETS, BINNU – UPGRADE REQUEST (ITEM  
6.5.3)**

Moved Cr SUCKLING, seconded Cr STOCK-STANDEN

That Council list the upgrading of O'Connor, Lauder and Wright Streets, Binnu to a 7m bitumen seal in the 2017/18 Draft Budget.

CARRIED 7/0

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**8.10.4 BUSINESS FIRE LIABILITY CLAIM (ITEM 6.5.4)**

Moved Cr PIKE, seconded Cr KRAKOUER

That Council:

1. Not determine this matter, and contact Western Power to determine if due process was followed with an electrical inspector attending the site immediately following the fire event, as it is understood that this is a requirement that should have been initiated by DFES; and
2. Reconsidered the matter at the September 2016 meeting.

CARRIED 7/0

**8.10.5 REVIEW OF LOCAL LAWS (ITEM 6.5.5)**

Moved Cr SUCKLING, seconded Cr STANICH

That Council:

1. Resolves to undertake a review of its existing Local Laws; and
2. In accordance with section 3.16(2) of the Local Government Act 1995, give public notice of its intention to undertake a review of its Local Laws.

CARRIED 7/0

**8.10.6 PROPOSED KALBARRI TO SHARK BAY ROAD (ITEM 6.5.6)**

CEO advised that he had received advice from the Shire of Shark Bay that they will contribute 50% of the cost of the review of the existing planning study.

Moved Cr SUCKLING, seconded Cr SCOTT

That Council:

1. Engage the services of GHD Pty Ltd to undertake a review of the existing planning study for the development of the Kalbarri to Shark Bay Road at a cost of \$12,950, with the Shire of Shark Bay contributing 50% towards these costs; and
2. That Road Reserve Funds be used to cover the cost of the review.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

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**8.10.7 PROPOSED ROAD TRAIN ASSEMBLY AREA (ITEM 6.5.7)**

Moved Cr SIMKIN, seconded Cr STANICH

That Council:

1. Support and approve the use of a portion of Reserve 25273 by Main Roads WA for the construction of a Road Train Assembly Area; and
2. A draft design for discussion with Main Roads WA with the aim to realign Chilimony Road to allow 27m road trains to enter onto North West Coastal Highway be undertaken.

CARRIED 7/0

**8.11 SHIRE PRESIDENT'S REPORT**

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

3-5/8/16      WALGA Conference  
18/8/16      LEMAC meeting at Geraldton Chambers  
22/8/16      Northern Zone Meeting at Horrocks Community Centre

**8.12 DEPUTY SHIRE PRESIDENT'S REPORT**

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

3-5/8/16      WALGA Conference  
17/8/16      Kalbarri Sport and Rec meeting re management of project  
22/8/16      Northern Zone Meeting at Horrocks Community Centre

**8.13 COUNCILLORS' REPORTS**

**8.13.1 CR STANICH**

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

29/7/16      Heavy Vehicle Access Local Government information session

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**8.13.2 CR PIKE**

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

11/8/16	Kalbarri Visitor Centre meeting
17/8/16	Kalbarri Sport and Rec meeting re management of project

**8.13.3 CR KRAKOUER**

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

3-5/8/16	WALGA Conference
17/8/16	Kalbarri Sport and Rec meeting re management of project

**8.13.4 CR SUCKLING**

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

3-5/8/16	WALGA Conference
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**8.14 INFORMATION BULLETIN**

Noted

**8.15 NEW ITEMS OF BUSINESS**

Cr Stock-Standen re-raised the issue of providing a viewing platform at the Pink Lakes, given the increase of trucks in the area and the recent media attention and popularity of the Pink Lakes.

Moved Cr STOCK-STANDEN, seconded Cr PIKE

That Council:

1. Again contact BASF, GMA and QUBE requesting that they consider a financial contribution towards the construction of a tourism platform with interpretation and signage and parking, so that visitors can safely park and view the Pink Lakes; and
2. Contact Main Roads WA regarding the road safety issues in this area with parked vehicles and truck movements causing a safety concern.

CARRIED 7/0



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Cr Scott raised the issue of the untidy state of the property owned by Ron Moss, Lot 145 (No. 1) Mortimer Street, Kalbarri, whose property has been an eyesore and a community concern for an ongoing period of time.

CEO advised that he had commenced proceedings as per Schedule 3.1 of the Local Government Act for the owner to clean up his lot however no action had been taken by the owner and the matter has not been progressed to date, however can be should Council wish to pursue this action.

Moved Cr SCOTT, seconded Cr SIMKIN

That Kalbarri Ward Councillors, the President and the Environmental Health Officer meet with the owner to determine if he can clean up Lot 145 (No. 1) Mortimer Street, Kalbarri in a timely manner to the satisfaction to the Council.

CARRIED 7/0

Cr Simkin raised the fact that the City of Greater Geraldton is proposing to not renew the lime sands mining licence to the current operator at the lime sands pit known as South Gates, with a Special Meeting being held on the 12<sup>th</sup> September by the City of Greater Geraldton to consider this issue. Cr Simkin requested that Council correspond to the Mayor of the City of Geraldton supporting the current licence and for that licence to continue to provide a very important resource to the agricultural industry. Cr Simkin also encouraged Councillors to attend the meeting on the 12<sup>th</sup> September.

Moved Cr SIMKIN, seconded Cr SCOTT

That Council correspond to the Mayor of the City of Greater Geraldton in support of Midwest Sand Supplies retaining their lime sand license and lease, as the provision of lime sand is an integral part of the agricultural operations within the Shire of Northampton and wider agricultural region.

CARRIED 7/0

Cr Simkin re-raised the issue of replacing the Council Chamber seats at a cost of approximately \$2918, using Office Equipment Reserve funds.

Moved Cr STOCK-STANDEN, seconded Cr SIMKIN

That Council purchase the required number of chairs at a cost of approximately \$3,000 using Office Equipment Reserve funds to offset the cost and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/1



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**8.16 NEXT MEETING OF COUNCIL**

The next Ordinary Meeting of Council will be held on Friday the 16 September 2016 commencing at 1.00pm at the Council Chambers, Hampton Road, Northampton.

**8.17 CLOSURE**

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 2:55pm.