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**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on  
Friday 17<sup>th</sup> June 2022**

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**6.1 OPENING**

The President thanked all Councillors and staff present for their attendance and declared the meeting open at 9.00am.

**6.2 PRESENT**

Cr L Sudlow	President	Northampton Ward
Cr R Horstman		Northampton Ward
Cr T Gibb		Kalbarri Ward
Cr R Buges		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Mr Garry Keeffe		Chief Executive Officer
Mr Grant Middleton		Deputy Chief Executive Officer

**6.2.1 LEAVE OF ABSENCE**

Nil

**6.2.2 APOLOGIES**

Cr T Hay  
Cr D Pike  
Cr R Suckling

**6.3 QUESTION TIME**

Nil

**6.4 DISCLOSURE OF INTEREST**

Nil

**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on**  
**Friday 17<sup>th</sup> June 2022**

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**6.5 CONFIRMATION OF MINUTES**

**6.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING  
FRIDAY 20<sup>th</sup> MAY 2022**

Moved Cr HORSTMAN seconded Cr BURGESS

That the minutes of the Ordinary Meeting of Council held on the 20<sup>th</sup> May 2022 be confirmed as a true and correct record.

CARRIED 5/0

**6.6 RECEIVAL OF MINUTES**

**6.7 WORKS & ENGINEERING REPORT**

**6.8 HEALTH & BUILDING REPORT**

**6.8.1 BUILDING STATISTICS FOR THE MONTH OF MAY 2022**

Noted.

**6.9 TOWN PLANNING REPORT**

**6.9.1 PROPOSED RENEWAL OF COMMERCIAL RECREATIONAL USE -  
DEVELOPMENT APPROVAL AND LICENSE AGREEMENT - BIG RIVER  
RANCH HORSE TRAIL RIDES, KALBARRI (ITEM 7.3.1)**

Moved Cr STEWART seconded Cr GIBB

That Council:

1. Grant Development Approval for the experiential use (horse trail rides) upon Reserve 12996 (Lots 12678, 1018 and 120), 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 approval of the proposed use by the Shire in its capacity as management body of the reserve within which the use is proposed to be located;*

- b. 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 Licence Agreement being entered into by the applicant and the Shire in accordance with Council's Policy 9.2 – *Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities*;
- c. This Development Approval shall remain valid whilst the agreement referred to in Condition b(iii) remains current and valid, and on the expiration or in the termination of such Licence Agreement, this Development Approval shall cease to be valid;
- d. The proposed trail rides that traverse the Murchison River upon Reserve 12996 shall be limited to a maximum of sixteen (16) horses (including staff horses); and
- 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*.

Advice Notes:

*Note 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;*

*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: 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.*

*Note 4: The Applicant is advised that this development approval does not negate the requirement for any additional approvals which may be required under separate legislation including but not limited to Environmental Protections Act 1986, Fire and Emergency Services Act 1998 and Aboriginal Heritage Act 1972. It is the Applicant's responsibility to obtain any additional approvals required before the use lawfully commences.*

*Note 5: The Applicant is advised that they should undertake due diligence and take into consideration the State's Aboriginal Heritage when planning specific developments associated with the proposal so as to mitigate any risks where heritage sites may be present. More information is available at <https://www.wa.gov.au/organisation/department-of-planning-lands-and-heritage/aboriginal-heritage>.*

2. Authorise delegation to the Chief Executive Officer and the Planning Officer for preparation and execution of the License Agreement in Condition 1b(iii) above, with any disputes to be referred back to Council for final determination.

3. Refer the agreement to Department of Planning, Lands and Heritage for Ministerial Consent.

CARRIED 5/0

<p>6.9.2 PROPOSED DEVELOPMENT APPROVAL AND LICENSE AGREEMENT RENEWAL – MOBILE FOOD VEHICLE – SALT SISTER – RESERVE 52436 GREY STREET, KALBARRI AND COMMERCIAL PARKING AND STORAGE OF FOOD VAN UPON LOT 814 (NO. 8) KARINE MEWS, KALBARRI (ITEM 7.3.2)</p>
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Moved Cr GIBB seconded Cr STEWART

That Council, having taken into consideration the provisions of the Shire of Northampton's Local Planning Scheme No. 11 (Kalbarri) and the Shire's Local Planning Policy *Mobile Food Vehicles*, grant approval for a mobile food vehicle to operate upon Reserve 52436, subject to the following conditions:

1. Development/use shall be in accordance with the attached approved plans dated 17 June 2022 and subject to any modifications required as a consequence 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 to, the approved use (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
3. This Development Approval and Mobile Food Vehicle Permit is valid until 16 December 2022, after which the further renewal of the approval by the local government will be required. It is the responsibility of the operator to reapply in good time before expiration, and the local government will not automatically re-issue approvals;
4. That Council determines the application renewal fee of \$30 plus mobile food vehicle permit fee of \$250 for a three month period (as per Local Planning Policy – *Mobile food Vehicles*) as the appropriate fee for this application;
5. That it is the responsibility of the operator to pay the appropriate mobile food vehicle permit fee in good time before expiration, and the local government will not automatically issue renewal notices;
6. Should payment of the permit fee not be received by the due date, the current application will become void and no longer valid;
7. The Mobile Food Vehicle Permit issued shall be displayed on the dash or another prominent visible location of the approved vehicle at all operating times;
8. The approval is for one (1) Mobile Food Vehicle only;
9. The approved hours of operation of this food van are between 4pm and 9pm, for a maximum of 6 days per week;
10. The Applicant shall at no time interfere or obstruct the operations and activities of Reserves 25307 and Reserve 52436, or any approved users of the Reserves to the satisfaction of the local government;
11. Should substantiated ongoing complaints be received in relation to Condition No. (10), the Shire of Northampton reserves the right to review and/or revoke this Development Approval;

12. 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 – Mobile Food Vehicles*;
  13. No signage is permitted in relation to this Development Approval unless otherwise approved in writing by the local government;
  14. This approval is issued only to C. Watterson-Bolst and is NOT transferable to any other person or to any other land parcel, without the further application and approval of the Shire of Northampton;
  15. The food van is approved to sell African, Spanish and/or Asian food and will also sell water, softdrinks, juices and milk items only;
  16. 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;
  17. 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;
  18. The mobile food vehicle is required to be removed from the approved Reserve location at the close of business each day and is not permitted to be stored overnight upon any Reserve;
  19. The use of a generator upon Reserve 52436 is only allowed during power outages and when the on-site power source is not accessible. At all other times, the Applicant shall utilise the power source provided by the Shire of Northampton;
  20. The Applicant shall be wholly financially responsible for the use of electricity accessed via the metered outlet upon Reserve 52436;
  21. The parking and storage of the commercial vehicle (mobile food vehicle) upon Lot 814 (No. 8) Karina Mews, Kalbarri shall be provided for within the property boundaries and the street verge areas are to be kept free of such vehicles; subject to:
    - (i) the van being stored within the property boundaries; and
    - (ii) the food van 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; and
-



(iii) the Applicant meeting the requirements of Condition 22, as per below;

22. No food is to be prepared within the dwelling upon Lot 814 (No. 8) Karina Mews, Kalbarri and all food preparation shall be contained within the food vehicle, unless further application is made to, and approval is granted by, the Shire of Northampton;
23. The parking and storage of the commercial vehicle (food vehicle) upon Lot 814 (No. 8) Karina Mews, Kalbarri requires annual approval, and the Applicant is advised that they must re-apply to the Shire of Northampton prior to the end of each financial year (30<sup>th</sup> June) to gain approval for the parking of the food van upon this residential lot; and
24. The Shire of Northampton reserves the right to reposition the mobile food vehicle's permitted trading area, to be undertaken in consultation with the Applicant, so as to improve the efficiency and effectiveness of the site's use, if required.

**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. *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;*
3. *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.*
4. *If a commercial vehicle owner/driver, who has been granted approval to park a vehicle on a lot, wishes to replace the vehicle with a different type of commercial vehicle, or park the vehicle in a different location to that approved, a new application is required to be lodged with the local government.*

CARRIED 5/0

6.9.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.3)

Noted

6.10 FINANCE REPORT

6.10.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr HORSTMAN, seconded Cr STEWART

That Municipal Fund Cheques 22218 to 22228 inclusive totalling \$35,743.98, Municipal EFT payments numbered EFT23525 to EFT23653 inclusive totalling \$1,740,289.48, Direct Debit payments numbered GJ01109 to GJ1117 inclusive totalling \$249,056.99 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

6.10.2 MONTHLY FINANCIAL STATEMENTS – MAY 2022 (ITEM 7.4.2)

Moved Cr GIBB, seconded Cr BURGESS

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

CARRIED 5/0

6.10.3 BUDGET SUBMISSIONS 2022-2023 (ITEM 7.4.3)

Moved Cr STEWART, seconded Cr GIBB

That Council consider the above projects for inclusion within the draft 2022/2023 Budget.

1. Kalbarri Visitor Centre – Annual Operating Subsidy \$60,000
2. Specified Area Rate - Kalbarri Tourism Advertising \$30,000

CARRIED 5/0

**6.10.4 2022-2023 FEES AND CHARGES SCHEDULE/MINIMUM RATES**  
**(ITEM 7.4.4)**

Moved Cr STEWART, seconded Cr BURGESS

1. That Council reviews and adopts the Schedule of Fees and Charges for the 2022/2023 Financial Year as presented including the inflation rate of 3.0% for lease hold properties.
2. That Council adopts the minimum rate on rateable Gross Rental Value and Unimproved Value properties be set at \$580 per assessment for the 2022/2023 Financial Year.
3. That Council adopts an interest rate of 7.0% applicable to overdue and unpaid rate and service charges, a charge of \$5.00 and an interest rate of 5.0% applicable to rate and service charge instalment arrangements.
4. That Council increases the annual lease fee for leasehold properties by 3.0% for 2022/2023 and not the March quarter CPI rate (7.6%) per the lease agreements.

CARRIED BY ABSOLUTE MAJORITY 5/0

**6.11 ADMINISTRATION & CORPORATE REPORT**

**6.11.1 SALARIES & ALLOWANCES TRIBUNAL REVIEW DECISION**  
**(ITEM 7.5.1)**

Moved Cr SUDLOW seconded Cr HORSTMAN

That Council defer item 6.11.1 until the July meeting of Council.

CARRIED 5/0

6.11.2 REVIEW OF DELEGATIONS (ITEM 7.5.2)
---

Moved Cr STEWART, seconded Cr GIBB

That Council:

1. Amend the wording of Delegation B01 where it states, “Environmental Health Officer and Building Surveyor Consultant” to read “Environmental Health Officer, Building Surveyor or appointed Building Surveyor Consultant”.
2. Amend the wording of Delegation B02 where it states, “Building Surveyor Consultant” to read “Building Surveyor or appointed Building Surveyor Consultant”.
3. Amend the wording of Delegation B03 where it states, “Environmental Health Officer/Building Surveyor” to read “Building Surveyor or appointed Building Surveyor Consultant”.
4. Amend Delegation W04 to read – “The Chief Executive Officer is delegated authority to sell items of surplus equipment, materials, tools, goods etc which are no longer required, or are outmoded, or are no longer serviceable to a value up to \$5,000 without advertising calling for expressions of interest.

For items of surplus equipment, materials, tools, goods etc which are no longer required and are considered to have a value above \$5,000 to \$19,999 then advertising calling expressions of interest is to occur before the delegation can be exercised.

CEO can refer the sale of any items of surplus equipment, materials, tools, goods etc which are no longer required, or are outmoded, or are no longer serviceable, to Council for determination.

5. Amend Delegation FO1 by increasing the authorised amount the CEO can provide in donation and or sponsorship from \$300 to \$1,000 and the wording of the delegation reflect both donation and/or sponsorship.
5. Amend Delegation W12 wording by removing procedures one and four as this is not the correct procedure as all applications must be referred to Main Roads WA.

CARRIED BY ABSOLUTE MAJORITY 5/0

6.11.3      REVIEW OF COUNCIL POLICIES (ITEM 7.5.3)
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Moved Cr SUDLOW, seconded Cr HORSTMAN

That Council:

1. Amend Policy 2.3, being the purchasing parameters to the following:

Up to \$20,000 - no quotations required to purchase if expenditure is approved in the Council budget.

\$20,001 to \$50,000 – obtain two verbal or written quotes and these quotes to be recorded by the relevant officer.

\$50,001 to \$100,000 – obtain at least two written quotes containing price specification of goods and services (with procurement decision based on all value for money consideration) and be submitted to Council for purchase endorsement.

\$100,001 to \$249,999 – Obtain at least two written quotations containing price specification of goods and services (with procurement decision based on all value for money consideration) and be submitted to Council for purchase endorsement.

\$250,000 and above – conduct a public tender

2. That Council determine what positions of Council management are to be Senior Staff members for Policy 4.1 being the Chief Executive Officer, Deputy CEO and Manager of Works and Technical Services.

3. That Council amend Policy 7.6 be amended to read:

“It is the Council policy that an aerial inspection of firebreaks be undertaken each year if deemed necessary by the Chief Fire Control Officer and the Chief Executive Officer.”

5. That Council revoke Policy 8.7 being the requirement to have structural inspections of Council building assets.

CARRIED 5/0

6.11.4 2022/2023 BUDGET MEETING (ITEM 7.5.4)

Management has recommended a revised meeting date due to clashes with other meetings and Council meeting date scheduled for the 15<sup>th</sup> July 2022.

Moved Cr GIBB, seconded Cr STEWART

That Council holds a Special Meeting of Council to consider the 2022/2023 Budget on Friday 29<sup>th</sup> July 2022, commencing 1.00pm at the Northampton Council Chamber.

CARRIED 5/0

6.11.5 MANAGEMENT OF VOLUNTEER BUSHFIRE BRIGADES (ITEM 7.5.5)

Moved Cr STEWART seconded Cr GIBB

That Council respond to the WA Local Government Association advising that:

1. That WALGA's advocacy position (a) is not supported, and it be the decision of the individual local government to determine if they wish to retain management of Bush Fire Brigade's and not be subject to that local government's capacity and/or capability.
2. Recommend to WALGA that Council reinforce its decision of June 2013 that it does not wish to retain the management of Bush Fire Brigade's within the Shire of Northampton and that responsibility should be with the Department of Fire and Emergency Services and they be resourced by the state government to undertake this management accordingly.

CARRIED 5/0

6.11.6 TRANSFER OF LEASE – NORTHAMPTON DOCTORS SURGERY  
(ITEM 7.5.6)

Moved Cr SUDLOW, seconded Cr STEWART

That Council approve the leasing of Lot 10 Robinson Street, Northampton to Medibloom Group Pty Ltd for a term of 10 years plus an option to renew for a further 10 years and that the current lease of \$5,306 (Exclusive of GST) to apply and this be increased annually by CPI March (Perth) quarter as per the current conditions of the lease.

CARRIED 5/0

**6.11.7 CORPORATE BUSINESS PLAN & LONG TERM FINANCIAL PLAN  
(ITEM 7.5.7)**

Moved Cr HORSTMAN, seconded Cr STEWART

That Council adopts the Corporate Business Plan 2022 to 2025 including the Long Term Financial Plan 2022/2023 – 2031/2032 as presented.

CARRIED 5/0

**6.11.8 COMMUNITY BUILDERS PROGRAM (ITEM 7.5.8)**

Moved Cr STEWART, seconded Cr HORSTMAN

That Council commit a provision of \$5,000 in the 2022/23 Budget as its contribution to the Community Builders Program.

CARRIED 5/0

**6.12 PRESIDENT'S REPORT**

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

- 24/4/2022 Local Recovery Co-ordination Group (LRCG) eMeeting
- 30/4/2022 Copenhagen Energy (Wind Turbines Kalbarri) eMeeting
- 23/5/2022 Meeting with Su Groome from DFES in Perth
- 26/5/2022 Meeting Cr Hellene McTaggart, Cr Warr, Mark Holdsworth RDA, Fiona Norling CGG and reps from DFES and DOCs to discuss Community Builders Program
- 8/6/2022 Local Operational Recovery Plan Meeting (DFES/Councillors/Staff)
- 8/6/2022 Regional Drought Resilience Plan Regional Workshop
- 9/6/2022 Steve Edwell ERA and NCZ to discuss Power Outages
- 10/6/2022 Peter Kenyon (Bank of Ideas) to Community Builders Program
- 13/6/2022 Shayne Silcox (CEO Review)

**6.13 DEPUTY PRESIDENT'S REPORT**

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

- 30/5/2022 Local Recovery Co-ordination Group (LRCG) Meeting with Samantha Edwards
- 2/6/2022 Red Cross Workshop – Support the Supporter
- 8/6/2022 Local Operational Recovery Plan Meeting (DFES/Councillors/Staff)
- 8/6/2022 Operational Area Support Group (OASG) Meeting

- 9/6/2022 Steve Edwell ERA and NCZ to discuss Power Outages  
10/6/2022 ARLF – Well being index for the community  
13/6/2022 Shayne Silcox (CEO Review)  
15/6/2022 Offshore Wind Farms eMeeting

#### **6.14 COUNCILLORS' REPORTS**

##### **6.14.1 CR STEWART**

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

- 18/4/2022 Meeting with Senator Bridgett McKenzie  
20/4/2022 Meeting with Hon Melissa Price MP  
25/5/2022 Batavia Local Emergency Management Committee Meeting in Geraldton  
8/6/2022 Local Operational Recovery Plan Meeting Northampton (DFES/Councillors/Staff)  
14/6/2022 Shayne Silcox (CEO Review)  
14/6/2022 Kalbarri Visitor Centre Committee Meeting

##### **6.14.2 CR GIBB**

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

- 7/6/2022 Shayne Silcox (CEO Review)  
8/6/2022 Local Operational Recovery Plan Meeting Northampton (DFES/Councillors/Staff)  
9/6/2022 Su Groome DFES (Phone) – Kalbarri Issues

##### **6.14.3 CR BURGES**

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

- 8/6/2022 Local Operational Recovery Plan Meeting Northampton (DFES/Councillors/Staff)  
14/6/2022 Shayne Silcox (CEO Review)  
14/6/2022 Meeting with Ray Harris – re Kalbarri RSL Memorial



**SHIRE OF NORTHAMPTON**  
**Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on**  
**Friday 17<sup>th</sup> June 2022**

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**6.15 NEW ITEMS OF BUSINESS**

Nil

**6.16 NEXT MEETING OF COUNCIL**

The next Ordinary Meeting of Council will be held on Friday 15<sup>th</sup> July 2022 commencing at 1.00pm at the Northampton Council Chambers.

**6.17 CLOSURE**

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 10.30am.

THESE MINUTES CONSISTING OF PAGES 1 TO 17 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 15<sup>th</sup> JULY 2022.

PRESIDING MEMBER: \_\_\_\_\_

DATE: \_\_\_\_\_