



UNCONFIRMED MINUTES

COUNCIL MEETING

18 SEPTEMBER 2025

TABLE OF CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS: .	3
2.	ANNOUNCEMENTS BY THE PRESIDENT:.....	3
3.	ATTENDANCE:.....	3
4.	DECLARATIONS OF INTEREST:.....	4
5.	PUBLIC QUESTION TIME:	4
6.	PRESENTATIONS:.....	4
7.	CONFIRMATION OF MINUTES:	5
8.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:	5
9.	OFFICERS' REPORTS:.....	5
09/25-129	9.2.1 ... Monthly Financial Statements for the Period Ending 31 July 2025	5
09/25-130	9.2.2 ... Monthly Financial Statements for the Period Ending 31 August 2025	9
09/25-131	9.2.3 Proposed August 2025 List of Accounts for Endorsement on 18 September 2025.....	12
09/25-132	9.2.4 Proposed Disposal of Industrial Unit (Unit 1) at Lot 83 Kitson Circuit Northampton By Way of Lease.....	15
09/25-133	9.2.5 Proposed Commercial Lease of Unit 4 (Lot 83) Kitson Circuit, Northampton to Cross WA Pty Ltd	21
09/25-134	9.2.6 Recovery of Rates Debt - Proposed Action to Take Possession of the Land - Lot 41 Clotworthy Street, Kalbarri	29
09/25-135	9.3.1 . Proposed Revised Dates for Kalbarri Open Air Music Festival	33
09/25-136	9.3.2 ..Report on Kalbarri Development Association Staying in Place Program for 2024/2025 Financial Year	38
09/25-137	9.4.1 Planning Decisions for August 2025	42
09/25-138	9.4.2 Retrospective Approval to Proposed Retaining Wall at Lot 264 (5) Stemodia Street, Kalbarri	45
09/25-139	9.5.1 Building Approvals Report August 2025	53
09/25-140	9.7.1 Proposed Shire of Northampton Parking Local Laws.....	56
09/25-141	9.8.1 Information Items - Maintenance/Construction - Works Program.....	61
09/25-142	9.9.1 Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 12 August 2025	65
10.	LATE REPORTS:.....	68
11.	QUESTIONS FROM MEMBERS:.....	68
12.	MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING	68
13.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING:	68
14.	APPLICATIONS FOR LEAVE OF ABSENCE:	68
15.	CLOSURE:.....	68

SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Council Chamber, Hampton Road, Northampton, Thursday, 18 September 2025.

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS:

The Shire President declared the meeting open at **2.00pm**.

2. ANNOUNCEMENTS BY THE PRESIDENT:

Acknowledgement of Country

We would like to respectfully acknowledge the Yamatji People who are the Traditional Owners and First People of the land on which we meet. We would like to pay our respects to the Elders past, present and future for they hold the memories, the traditions, the culture and hopes of the Yamatji People.

3. ATTENDANCE:

PRESENT:

Councillors

Cr Liz Sudlow (Shire President)

Cr Tim Hay (Deputy Shire President)

Cr Richard Burges

Cr Des Pike

Cr Karl Suckling

Cr Roslyn Suckling

Staff

Mr Andrew Campbell (Chief Executive Officer)

Mr Brian Robinson (Executive Manager of Community, Development and Regulation)

Mr Neil Broadhurst (Executive Manager of Works and Technical Services)

Mrs Leanne Rowe (Manager Financial Services)

Mrs Michelle Allen (Manager Corporate Services)

Ms Sonya Hasleby (Executive Support Officer)

Gallery

3.1 Apologies: Cr Trevor Gibb.

3.2 Leave Of Absence: Nil.

4. DECLARATIONS OF INTEREST:

[Part 5, Division 6 of the Local Government Act 1995 requires that a member must disclose the interest of the member and the nature of the interest in writing before the meeting or immediately before the matter is discussed.]

Cr Karl Suckling declared an financial interest in relation to item 9.2.5 Proposed Commercial Lease of Unit 4 (Lot 83) Kitson Circuit, Northampton to Cross WA Pty Ltd – as he is helping with the business setup through informal advices and discussion.

5. PUBLIC QUESTION TIME:

- 5.1 Response to public questions taken on notice: Nil.
- 5.2 Public Question Time: Nil.

6. PRESENTATIONS:

- 6.1 Petitions: Nil.
- 6.2 Presentations: Nil.
- 6.3 Deputations: Nil.
- 6.4 Councillor reports:

Since the last Council meeting **Cr L Sudlow** had nothing to report.

Since the last Council meeting **Cr T Hay** had nothing to report.

Since the last Council meeting **Cr D Pike** reported on their attendance at: 25/08 – Kalbarri Visitor Centre Meeting.

Since the last Council meeting **Cr K Suckling** reported on their attendance at: 01/09 – Northampton Community Centre Meeting.

Since the last Council meeting **Cr R Burges** reported on their attendance at: 23/07/2025 – Meeting with Cr Sudlow, Andrew Campbell with Civic Legal, West Perth

23/07/2025 – Meeting with Minister Sanderson's staff, Renewable Energy at Dumas House, West Perth.

24/07/2025 – Meeting with Jai Thomas, Powering WA re: Renewable Energy at 66 St George's Tce Perth.

01/08/2025 – Medibloom meeting.

01/08/2025 – Special meeting of Shire of Northampton to endorse budget.

07/08/2025 – Road Infrastructure and Plant Advisory Committee (RIPAC) inspection of roads across Shire of Northampton.

Since the last Council meeting **Cr R Suckling** had nothing to report.

- 6.5 Conference reports: Nil.

7. CONFIRMATION OF MINUTES:**MOVED: Hay, T****SECONDED: Pike, D****09/25-128****That the Minutes of the Ordinary Meeting of the Council held on 21 August 2025 be confirmed.****MOTION CARRIED 6/0****FOR****AGAINST**

Cr L Sudlow
 Cr T Hay
 Cr R Burges
 Cr D Pike
 Cr K Suckling
 Cr R Suckling

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil.

9. OFFICERS' REPORTS:

9.2.1	Monthly Financial Statements for the Period Ending 31 July 2025
9.2.2	Monthly Financial Statements for the Period Ending 31 August 2025
9.2.3	Proposed August 2025 List of Accounts for Endorsement on 18 September 2025
9.2.4	Proposed Disposal of Industrial Unit (Unit 1) at Lot 83 Kitson Circuit Northampton By Way of Lease
9.2.5	Proposed Commercial Lease of Unit 4 (Lot 83) Kitson Circuit, Northampton to Cross WA Pty Ltd
9.2.6	Recovery of Rates Debt - Proposed Action to Take Possession of the Land - Lot 41 Clotworthy Street, Kalbarri
9.3.1	Proposed Revised Dates for Kalbarri Open Air Music Festival
9.3.2	Report on Kalbarri Development Association Staying in Place Program for 2024/2025 Financial Year
9.4.1	Planning Decisions for August 2025
9.4.2	Retrospective Approval to Proposed Retaining Wall at Lot 264 (5) Stemodia Street, Kalbarri
9.5.1	Building Approvals Report August 2025
9.7.1	Proposed Shire of Northampton Parking Local Laws
9.8.1	Information Items - Maintenance/Construction - Works Program
9.9.1	Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 12 August 2025

ATTACHMENT**9.2.1 Monthly Financial Statements for the Period Ending 31 July 2025**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	29 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This information is provided to Council in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

The Monthly Statements of Financial Activity for the period ending 31 July 2025 are detailed from page 1 to page 23 per the attached Monthly Financial Report.

A copy of the Monthly Financial Report is attached.

ATTACHMENT: 9.2.1 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

A summary of the 31 July 2025 financial position is comprised of the following which are variances between year-to-date budget and actual figures from the Statement of Financial Activity (page 2):

- Total operating revenue was below year-to-date budget by \$561,972 (104.15%). Variance is due to timing and budgeted revenue being received, with some grant funding to be claimed and no assets being disposed.
- Operating expenditure was below year-to-date budget by \$848,963 (63.36%) due to timing as the year progresses and budgeted works commence.

- Capital revenue was below year-to-date budget by \$1,137,917 (100%), as the year progresses funding will be received and recognised.
- Capital expenditure was below budget \$1,492,713 (98.13%), as capital projects commence the variance will reconcile.
- The 2025/26 rates are to be raised on 29 August 2025.
- The 2024/25 Annual Financial Statements are currently being prepared with actual carried forward position finalised.

Further explanations of material variances are detailed by reporting program in Note 3 (page 6) of the Monthly Financial Report.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 1996.
Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk would be the failure to comply with Financial Management Regulations requiring monthly reporting of Financial Activity. Risk rating is considered Level 2 - Minor.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies

Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non- performance > 1 month	Non- compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact
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FINANCIAL IMPLICATIONS:

As noted in comment section above.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the Monthly Financial Report for the period ending 31 July 2025 in accordance with ATTACHMENT: 9.2.1(1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Burges, R

09/25-129

That Council receives the Monthly Financial Report for the period ending 31 July 2025 in accordance with ATTACHMENT: 9.2.1(1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT**9.2.2 Monthly Financial Statements for the Period Ending 31 August 2025**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	29 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This information is provided to Council in accordance with provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

The Monthly Statements of Financial Activity for the period ending 31 August 2025 are detailed from page 1 to page 23 per the attached Monthly Financial Report.

A copy of the Monthly Financial Report is attached.

ATTACHMENT: 9.2.2 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

A summary of the 31 August 2025 financial position is comprised of the following which are variances between year-to-date budget and actual figures from the Statement of Financial Activity (page 2).

- Total operating revenue was below year-to-date budget by \$782,390 (9.95%). Variance due to timing in receiving grants and contributions, and no assets being disposed.

- Operating expenditure was below year-to-date budget by \$1,115,841 (44.84%) due to timing as the year progresses and budgeted works commence.
- Capital revenue was below year-to-date budget by \$2,025,834 (88.66%), as the year progresses funding will be received and recognised.
- Capital expenditure was below budget \$2,942,431 (96.72%), as capital projects commence the variance will reconcile.
- The 2025/26 rates of \$5,648,743 were raised on 29 August 2025.
- The 2024/25 Annual Financial Statements are current being prepared with actual carried forward position finalised.

Further explanations of material variances are detailed by reporting program in Note 3 (page 6) of the Monthly Financial Report.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 1996.
Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk would be the failure to comply with Financial Management Regulations requiring monthly reporting of Financial Activity. Risk rating is considered Level 2 - Minor.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies

Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non- performance > 1 month	Non- compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact
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FINANCIAL IMPLICATIONS:

As noted in comment section above.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the Monthly Financial Report for the period ending 31 August 2025 in accordance with ATTACHMENT: 9.2.2(1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

09/25-130

That Council receives the Monthly Financial Report for the period ending 31 August 2025 in accordance with ATTACHMENT: 9.2.2(1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT**9.2.3 Proposed August 2025 List of Accounts for Endorsement on 18 September 2025**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	29 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A full list of August 2025 payments is submitted to Council on 18 September 2025 for consideration.

A copy of the Payment List is attached.

ATTACHMENT: 9.2.3 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Council is requested to endorse the payments as presented.

STATUTORY ENVIRONMENT:

Local Government (Financial Management) Regulation 1996 Section 13.
Local Government Act 1995 Section 6.10.

POLICY / STRATEGIC IMPLICATIONS:

Council delegation allows the CEO to make payments from the Municipal bank accounts. These payments are required to be presented to Council each month in accordance with the *Local Government Act 1995 (Financial Management) Regulations 1996 Section 13 (1)* for recording in the minutes.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk would be the failure to comply with *Local Government Act 1995 (Financial Management) Regulations 1996 Section 13 (1)* is considered moderate as the presentation of payments forms part of the Shires due

diligence to ensure payments are presented as required. Risk rating is considered Level 3 - Moderate.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non-compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirement s imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

The list of payments is required to be presented to Council as per section 13 of the *Local Government Act 1995 (Financial Management) Regulation 1996*.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council note Municipal EFT payments numbered EFT28119 to EFT28220 totalling \$263,575.65; Municipal Fund Cheques 22603 to 22611 inclusive totalling \$13,079.28; Direct Debit payments numbered GJ0202 to GJ0209 inclusive, payroll and superannuation totalling \$283,541.02; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.3 (1).

COUNCIL RESOLUTION:**MOVED: Burges, R****SECONDED: Hay, T****09/25-131**

That Council note Municipal EFT payments numbered EFT28119 to EFT28220 totalling \$263,575.65; Municipal Fund Cheques 22603 to 22611 inclusive totalling \$13,079.28; Direct Debit payments numbered GJ0202 to GJ0209 inclusive, payroll and superannuation totalling \$283,541.02; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.3 (1).

MOTION CARRIED 6/0**FOR**

Cr L Sudlow
 Cr T Hay
 Cr R Burges
 Cr D Pike
 Cr K Suckling
 Cr R Suckling

AGAINST

APPENDIX

9.2.4 Proposed Disposal of Industrial Unit (Unit 1) at Lot 83 Kitson Circuit Northampton By Way of Lease

PROPONENT	N/A
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Unit 1 (Lot 83) Kitson Circuit, Northampton
ZONE:	General Industry
BUSINESS AREA:	Corporate Services
FILE REFERENCE:	9.1.3.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	5 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton is the freehold owner of Lot 83 Kitson Circuit, Northampton on which four light industrial units are located. Unit 1 was previously leased to a tenant who vacated the premises at the end of their lease period on 30 June 2025.

The purpose of this report is for Council to consider advertising for prospective Lessees for the disposition of an industrial unit within the Kitson Circuit industrial area by way of a lease.



Figure 1 – Lot 83 Kitson Circuit, Northampton (Parent lot)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):The Site

The legal description of the site is Lot 83 on Deposited Plan 70140, comprised in Certificate of Title Volume 2821 Folio 792.

The site is located within an established light industrial area, with Lot 83 serving as the parent site and encompassing a total area of 3012m² with immediate surrounds being low density residential to the north and rural residential to the north-east. The site is developed with four light industrial units, all owned by the Shire of Northampton and located approximately 1.7km south-east of the Northampton townsite.

Zoning

The site is situated on land zoned 'General Industry' under Local Planning Scheme No. 10 (LPS10) with the objectives as follows:

- To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.
- To accommodate industry that would not otherwise comply with the performance standards of light industry.
- Seek to manage impacts such as noise, dust and odour within the zone.

Lease Area and Improvements

Unit 1, the subject of this report, comprises a workshop and office building with a total floor area of 133m² and is attached to unit 2 with a common wall. At the front of the unit, there is an open, unsecured parking area. A fenced hardstand area is located at the rear of the unit, enclosed with cyclone wire mesh and topped with barbed wire for security, with unit 1 comprising a smaller rear courtyard than some of the other units in the complex.

The building is constructed with a suspended concrete slab floor, steel-framed Colorbond-clad walls and roof and features manual vehicle roller doors at both the front and rear, as well as a pedestrian access door to the office. The internal clearance height is 5.2 metres.



Figure 2 - Location of the lease area is shown below being Unit 1 (Lot 83) Kitson Circuit, Northampton

Legislation

The Shire is bound by specific conditions under the *Local Government Act 1995* (the Act) with regard to the disposal of property. Section 3.58 of the Act enables a local government to dispose of a property to the highest bidder at a public auction, by way of a public tender process or by giving local public notice of the proposed disposition and following the public consultation process as prescribed in subsection section 3.58 (3) of the Act. In this context disposing of a property means to 'sell, lease or otherwise dispose of, whether absolutely or not.'

The Act – Section 3.58(3) Disposing of Property

- (3) *A local government can dispose of a property other than under subsection (2) if, before agreeing to dispose of the property –*
 - (a) *it gives local public notice of the proposed disposition –*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by council or committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

Market Rental Value Assessment

The annual rent paid in respect of Unit 1 by the previous tenant was \$6428.00 per annum plus GST, plus outgoings.

An assessment was undertaken by an independent valuer on 11 August 2025 meeting the specific requirement for the rental amount to be reflective of an

independent market rental valuation of the premises. A market rental valuation of \$10,000 per annum plus GST, plus outgoings was determined as the current market rental value of Unit 1.

STATUTORY ENVIRONMENT:

Section 3.58 *Local Government Act 1995 – Disposing of Property*

Any private treaty negotiations to lease with a Proponent will be required to comply with section 3.58 *Disposing of Property* under the *Local Government Act 1995* which sets out the requirements for the disposal of property, including leased and licensed land and buildings.

The Local Government must give two weeks local public notice of the proposed lease. Any submissions must be considered by Council and the decision regarding those submissions recorded in the Council Minutes.

POLICY / STRATEGIC IMPLICATIONS:

The proposed lease terms and conditions will be in accordance with Council Policy 2.14 *Property Leasing*, including maintenance responsibilities as detailed in *Schedule 3 – Maintenance and Outgoings Schedule* within the lease document.

Council Policy 2.8 *Authority to Execute Documents on Behalf of Council* requires matters concerning the leasing of Shire managed land to be put before Council.

APPENDIX: 9.2.4 (A)

APPENDIX: 9.2.4 (B)

Council's *Strategic Community Plan 2025 – 2035* outlines the community's long-term vision, aspirations and priorities and recognises that the Shire's performance strongly influences the liveability, productivity, wellbeing, connection and identity of the community. Central to achieving these outcomes is the effective development, maintenance and optimisation of the Shire's properties, assets and facilities to ensure they meet current and future community needs.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered moderate due to financial and social accountability pressures on public sector property management including missed opportunity to support services or businesses that benefit the community.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Sufficient funds exist within the annual budget to address the costs of advertising.

The market rental valuation assessment undertaken by an independent valuer provided a valuation for four industrial units and the cost has been paid by the Shire of Northampton. The assessment considered various economic factors as well as market rental evidence with the areas detailed within the 'Comment' section of this report being part of the leased premises.

An annual rental for Unit 1 of \$10,000 per annum, plus GST, plus outgoings will be sought. The annual rental will increase on a yearly basis in accordance with the rate of the Perth March quarter of the Consumer Price Index (CPI).

SUSTAINABILITY:

Environmental: Vacant properties can accelerate deterioration of an asset.

Economic: A lease will deliver financially sustainable ongoing income for the Shire of Northampton's ratepayers.

Social: A lease will deliver potential to engage with service providers capable of delivering essential and valued services to the local community.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Authorises the Chief Executive Officer to advertise by public notice for prospective Lessees for the disposal of Unit 1 (Lot 83) Kitson Circuit, Northampton by way of a lease; and
2. Notes that in the event a preferred proponent is selected by Council, it will then be necessary for the proposed lease to be advertised and to comply with the requirements of section 3.58 of the *Local Government Act 1995*.

COUNCIL RESOLUTION:

MOVED: Suckling, R **SECONDED:** Burges, R

09/25-132

That Council:

- 1. Authorises the Chief Executive Officer to advertise by public notice for prospective Lessees for the disposal of Unit 1 (Lot 83) Kitson Circuit, Northampton by way of a lease; and**
- 2. Notes that in the event a preferred proponent is selected by Council, it will then be necessary for the proposed lease to be advertised and to comply with the requirements of section 3.58 of the *Local Government Act 1995*.**

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

Councillor Karl Suckling left the Chambers at 2:07 pm.

ATTACHMENT APPENDIX

9.2.5 Proposed Commercial Lease of Unit 4 (Lot 83) Kitson Circuit, Northampton to Cross WA Pty Ltd

PROPONENT	Gregory Allan Cross and Hannah May Cross of Cross WA Pty Ltd trading as Northampton Tyres
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Unit 4 (Lot 83) Kitson Circuit, Northampton
ZONE:	General Industry
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	9.1.3.1/A5039
LEGISLATION:	<i>Land Administration Act 1997</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen / Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	8 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton currently owns four light industrial units located on Lot 83 Kitson Circuit, Northampton. The industrial units are versatile spaces that have historically been leased to a variety of tenants, each conducting different light industrial operations.

Units 2 and 4 are currently operating on a combined lease to RJ Hilzinger and D De-Rooy which commenced on 1 July 2020 and has a termination date of 31 December 2029. The current Lessee has sold the commercial tyre business operating at Unit 4, therefore, both leases will be extinguished, and new leases are required for both Units 2 and 4.

This agenda item specifically deals with a proposed five-year commercial lease agreement for Unit 4 (Lot 83) Kitson Circuit, Northampton and the proponents Greg and Hannah Cross (Cross WA Pty Ltd) who have purchased and operate the business *Northampton Tyres*.

The purpose of this report is for Council to consider a new five year lease to Cross WA Pty Ltd for Unit 4 (Lot 83) Kitson Circuit, Northampton.



Figure 1 – Lot 83 Kitson Circuit, Northampton (Parent lot)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Officers have been in contact with the current Lessee and the proponent following receipt of formal advice that the tyre business operating at Unit 4 was being sold. A draft lease was prepared and forwarded to the proponent for consideration.

Unless exempt, any disposal of a lease by Council requires a current market valuation which has been completed. Formal advice of the change in market rental valuation has been forwarded to the proponent who has responded seeking consideration for a reduced rental value being payable for the first year of the lease.

The Site

The legal description of the site is Lot 83 on Deposited Plan 70140, comprised in Certificate of Title Volume 2821 Folio 792.

The site is located within an established light industrial area, with Lot 83 serving as the parent site and encompassing a total area of 3012m² with immediate surrounds being low density residential to the north and rural residential to the north-east. The site is developed with four light industrial units, all owned by the Shire of Northampton and located approximately 1.7km south-east of the Northampton townsite.



Figure 2 - Location of the existing lease area is shown below being Unit 4 (Lot 83) Kitson Circuit, Northampton

Zoning

The site is situated on land zoned 'General Industry' under Local Planning Scheme No. 10 (LPS10) with the objectives as follows:

- To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.
- To accommodate industry that would not otherwise comply with the performance standards of light industry.
- Seek to manage impacts such as noise, dust and odour within the zone.

The Proponent (new Lessee)

Cross WA Pty Ltd is a family operated business recently established in March 2025 and currently employs owners Greg and Hannah Cross who provide a tyre fitting business that focuses on the supply, installation, maintenance and repair of vehicle tyres. Services typically include tyre sales, fitting (mounting and balancing), puncture repairs, tyre rotations, and pressure checks.

Lease Area and Improvements

Unit 4, the subject of this report, comprises a workshop and office building with a total floor area of 153m² and is attached to unit 3 with a common wall. At the front of the unit, there is an open, unsecured parking area of approximately 200m². A fenced hardstand area is located at the rear of the unit, enclosed with cyclone wire mesh and topped with barbed wire for security, with unit 4 comprising a larger rear courtyard than the other 3 units in the complex.

The building is constructed with a suspended concrete slab floor, steel-framed Colorbond-clad walls and roof and features manual vehicle roller doors at both the front and rear, as well as a pedestrian access door to the office.



Figure 3 – Front elevation of Unit 4 (Lot 83) Kitson Circuit Northampton.

Legislation

The Shire is bound under the *Local Government Act 1995* (the Act) with regard to the disposal of property. Section 3.58 of the Act enables a local government to dispose of a property to the highest bidder at a public auction; by way of a public tender process; or by giving local public notice of the proposed disposition and following the public consultation process as prescribed in subsection section 3.58 (3) of the Act. In this context disposing of a property means to 'sell, lease or otherwise dispose of, whether absolutely or not.'

Local Government Act 1995 – Section 3.58(3) Disposing of Property

- (3) *A local government can dispose of a property other than under subsection (2) if, before agreeing to dispose of the property –*
- (a) *it gives local public notice of the proposed disposition –*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*
 - (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by council or committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

Market Rental Value Assessment

The current annual rent in respect of Unit 4 is \$7500.58 per annum plus GST, plus outgoings.

A new market rental valuation assessment was undertaken by an independent valuer on 11 August 2025. The assessment considered various economic factors as well as market rental evidence with the areas detailed above being part of the leased premises.

A market rental valuation of \$11,500 per annum plus GST, plus outgoings was determined as the market rental value of Unit 4. Formal advice of the change in market rental valuation was forwarded to the proponent who has responded seeking consideration for a reduced rental value being payable for the first year of the lease. A copy of the letter advising of change in market rental value and a copy of proponent's request is attached.

ATTACHMENT: 9.2.5 (1)

ATTACHMENT: 9.2.5 (2)

It is noted that the valuation presents what is termed a '*fair market value*' that recognises the quality and size of the amenity provided, the location within the industrial hub area of the townsite of Northampton and the nature of the premises. It does not recognise that the current operation (being a tyre business) has been sold and continues to operate under new management providing a much-valued service to the Northampton community on a consistent regular basis. The new tenant operates five days per week and is on call 24 hours per day.

Should Council consider the proponent's request for lower rent to be fair and reasonable, it is proposed that a graduated rent structure be adopted, whereby reduced rent is applied for the first year of the lease (with the scheduled increase to the market rental value rate as assessed on 11 August 2025) set to commence at a later date of 1 July 2026. This approach would support the proponent in establishing a stable business foundation, while ensuring long-term revenue for Council and the continued availability of a tyre business within the town.

STATUTORY ENVIRONMENT:

Local Government Act 1995 - Section 3.58 Disposing of Property

Any private treaty negotiations to lease with the Proponent will be required to comply with section 3.58 *Disposing of Property* under the *Local Government Act 1995* which sets out the requirements for the disposal of property, including leased and licensed land and buildings.

The Local Government must give two weeks local public notice of the proposed lease. Any submissions must be considered by Council and the decision regarding those submissions recorded in the Council Minutes.

POLICY / STRATEGIC IMPLICATIONS:

The proposed lease terms and conditions will be in accordance with Council Policy 2.14 *Property Leasing*, including maintenance responsibilities as detailed in *Schedule 3 – Maintenance and Outgoings Schedule* within the lease document.

Council Policy 2.8 *Authority to Execute Documents on Behalf of Council* requires matters concerning the leasing of Shire managed land to be put before Council.

APPENDIX: 9.2.5 (A)

APPENDIX: 9.2.5 (B)

Council's *Strategic Community Plan 2025 – 2035* outlines the community's long-term vision, aspirations and priorities and recognises that the Shire's performance strongly influences the liveability, productivity, wellbeing, connection and identity of the community. Central to achieving these outcomes is the effective development, maintenance and optimisation of the Shire's properties, assets and facilities to ensure they meet current and future community needs.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered moderate due to financial and social accountability pressures on public sector property management including missed opportunity to support services or businesses that benefit the community.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

The Proponent is seeking a one-year discounted lease period to enable further activation of the business and to recoup some of their initial outlay.

The market rental valuation assessment undertaken by an independent valuer provided a valuation for four industrial units and has been paid by the Shire of Northampton. The assessment considered various economic factors as well as market rental evidence with the areas detailed within the 'Comment' section of this report being part of the leased premises.

Responsibility for outgoings, including building maintenance, is outlined in the lease agreement and in accordance with Council Policy 3.1 *Property Leasing*. Costs associated with the preparation, advertising and execution of the new lease may be recovered from the tenant/lessee.

The annual rental sought for the first year of the lease is proposed to remain at \$7500.58 to 30 June 2026, as outlined within the Comment section of this report. An annual rental for Unit 4 of \$11,500 per annum, plus GST, plus outgoings was assessed by independent valuation dated 11 August 2025. The annual rental will increase on a yearly basis in accordance with the rate of the Perth March quarter of the Consumer Price Index (CPI).

SUSTAINABILITY:

Environmental: Vacant properties can accelerate deterioration of an asset.

Economic: A lease will deliver financially sustainable ongoing income for the Shire of Northampton's ratepayers.

Social: A lease will deliver potential to engage with service providers capable of delivering essential and valued services to the local community.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, subject to section 3.58 of the *Local Government Act 1995*:

- 1. Subject to point 4, agree to dispose of property Unit 4 (Lot 83) Kitson Circuit, Northampton to Cross WA Pty Ltd in accordance with Point 2;**
- 2. Undertakes a Local Public Notice process to dispose of Unit 4 (Lot 83) Kitson Circuit to Cross WA Pty Ltd as outlined below:**
 - a) A Lease Agreement for a term expiring 30 June 2030, with a renewal option for a further term of five years;**
 - b) A discounted rental value of \$7500.58 plus GST and outgoings is payable for the first year of business to 30 June 2026; and**
 - c) That the market rental value payable under the Lease commencing 1 July 2026 be \$11,500 plus GST, per annum, plus outgoings in line with the independent market valuation dated 11 August 2025 and subject to indexation in accordance with terms of the Lease.**
- 3. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and Cross WA Pty Ltd;**
- 4. Make final determination of the matter after considering any public submissions made arising from point 2 above.**

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Pike, D

09/25-133

That Council, subject to section 3.58 of the *Local Government Act 1995*:

- 1. Subject to point 4, agree to dispose of property Unit 4 (Lot 83) Kitson Circuit, Northampton to Cross WA Pty Ltd in accordance with Point 2;**
- 2. Undertakes a Local Public Notice process to dispose of Unit 4 (Lot 83) Kitson Circuit to Cross WA Pty Ltd as outlined below:**
 - a) A Lease Agreement for a term expiring 30 June 2030, with a renewal option for a further term of five years;**
 - b) A discounted rental value of \$7500.58 plus GST and outgoings is payable for the first year of business to 30 June 2026; and**
 - c) That the market rental value payable under the Lease commencing 1 July 2026 be \$11,500 plus GST, per annum, plus outgoings in line with the independent market valuation dated 11 August 2025 and subject to indexation in accordance with terms of the Lease.**
- 3. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and Cross WA Pty Ltd;**
- 4. Make final determination of the matter after considering any public submissions made arising from point 2 above.**

MOTION CARRIED 5/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr R Suckling

AGAINST

Councillor Karl Suckling returned to the Chambers at 2:10 pm.

9.2.6 Recovery of Rates Debt - Proposed Action to Take Possession of the Land - Lot 41 Clotworthy Street, Kalbarri

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	1.1.1
LEGISLATION:	<i>Local Government (Financial Management) Regulation 1996, Local Government Act 1995</i>
AUTHOR:	Leanne Rowe / Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	8 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council is requested to determine future action for the recovery of outstanding rates and charges on one property being 23 (Lot 41) Clotworthy Street, Kalbarri, owners Beverley Dawn Lane & Malcome Andrew Lane.

Staff have been progressing with legal action for the recovery of rates and charges for this property since 2019 which resulted in a caveat being lodged 31 July 2019 to protect the Shire's financial interest. The matter of outstanding rates was presented to Council 20 March 2020 with the resolution to commence the selling of the property.

Selling of the property did not eventuate as the owners entered an agreed payment plan of \$150 per week on the 26 June 2020 which was continued until payments stopped on the 1 May 2024. This left an unpaid balance of \$1,551.36.

In 2025 following the additional accumulation of debt through non-payment, the Shire again commenced a process to recover debt attached to the property with solicitors. This resulted in skip traces being conducted with no success contacting the owner.

Advice provided by McLeods on 17 June 2025 was for Council to now consider the sale the subject property in accordance with section 6.64(1)(b) of the *Local Government Act 1995*. The purpose of this report is for Council to consider this action.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

On the 1 September 2025, the Shire's solicitor advised staff that the owners Beverley Dawn Lane and Malcome Andrew Lane have been declared bankrupt which has now necessitated to need for prompt action.

As of 8 September 2025, rates and charges owing are \$4,967.91 with a caveat in favour of the Shire remaining in place over the property to protect the Shire's financial interest. It is therefore recommended that the Council consider resolving to exercise its power under the *Local Government Act 1995* to recover money owed.

STATUTORY ENVIRONMENT:***Local Government Act 1995******Section 6.64 Actions to be taken against land where rates unpaid***

6.64 (1) If any rates which are due to a local Government in respect of any rateable land have been unpaid for at least three years the local government may, in accordance with the appropriate provisions of the Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –

- (a) from time to time lease the land*
- (b) sell the land*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself*

Section 6.68 Exercise of power to sell land

6.68 (1) Subject to subsection (2), a local government is not to exercise its power under section 6.64 (1)(b) (in this Subdivision and Schedule 6.3 referred to as the "power of sale") in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.

6.68 (2) A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government– (a) has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land. (b) having made reasonable efforts to locate the owners of the property is unable to do so.

The *Local Government (Financial Management) Regulations 1996* establishes the process for the sale of land for non-payment of rates.

POLICY / STRATEGIC IMPLICATIONS:

Rates are a key statutory revenue source for the Shire and the protection of this revenue source is paramount to the healthy operation of the organisation. In this circumstance, the Shire has been reasonable is pursuing rates payment and it is now that the owners have been declared bankrupt, the matter should be escalated.

ORGANISATIONAL RISK MANAGEMENT:

The associated risk would be the failure to comply with *Local Government Act 1995 (Financial Management) Regulations 1996 Section 13 (1)* is considered minor with the risk rating considered Level 2 based on financial impact.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliance s	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Additional costs will be incurred should the proposed action be pursued however will be reimbursed at settlement finalisation.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Exercise the provisions Section 6.64 of the *Local Government Act 1995* and take possession of Lot 41 (23) Clotworthy Street, Kalbarri due to the non-payment of rates, and proceed with a process to sell the property to recover the existing debt; and

2. Authorise the CEO to facilitate the process of sale of of Lot 41 (23) Clotworthy Street, Kalbarri in accordance with the *Local Government (Financial Management) Regulations 1996*.

COUNCIL RESOLUTION:

MOVED: Burges, R **SECONDED:** Suckling, K

09/25-134

That Council:

1. Exercise the provisions Section 6.64 of the *Local Government Act 1995* and take possession of Lot 41 (23) Clotworthy Street, Kalbarri due to the non-payment of rates, and proceed with a process to sell the property to recover the existing debt; and
2. Authorise the CEO to facilitate the process of sale of of Lot 41 (23) Clotworthy Street, Kalbarri in accordance with the *Local Government (Financial Management) Regulations 1996*.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT**9.3.1 Proposed Revised Dates for Kalbarri Open Air Music Festival**

PROPONENT	Music on Murray – Mr Ersh On & Ms Kimberley Zehra
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Kalbarri Oval and Kalbarri Sport & Recreation Centre
ZONE:	Local Recreation
BUSINESS AREA:	Community Services
FILE REFERENCE:	11.10 & 11.1.2
LEGISLATION:	<i>Local Government Act 1995 & Environmental Protection (Noise) Regulations 1997</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At its Ordinary Meeting held on 17 July 2025, Council was requested to consider a request for the 2026 Kalbarri Open Air Festival to be held on Friday 17 April and Saturday 18 April in 2026. Council resolved to refuse the application in accordance with the following resolution:

07/25-103**That Council:**

- 1. REFUSE the application for the 17th and 18th April 2026 on the grounds that it clashes with school holidays; and**
- 2. Invite the applicant to reapply with alternative dates after consultation with Shire staff.**

MOTION CARRIED 5/0

Following liaison with Shire Officers and the Kalbarri Sport and Recreation Committee, the applicants have now proposed to hold the 2026 event on Friday 1 May and Saturday 2 May 2026. A copy of the email request is shown attached.

Council is requested to consider granting approval to the revised dates.

ATTACHMENT: 9.3.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

To assist Council in determining the applicants request, the following comments and advice are offered:

Past Event Dates

The Kalbarri Open Air Festival has been held on the Kalbarri Recreational Oval for the past two years on the following dates:

- 2024 – 15 & 16 March; and
- 2025 – 4 & 5 April

Consistent timing of Event

As detailed in the June 2025 agenda item, feedback obtained from adjacent accommodation business owners indicated a preference for the event to be held on the same date each year. This would allow the accommodation providers to ensure potential customers were aware of the event and potential impacts such as noise.

In response, the applicants were initially proposing a regular timeframe of two weeks after easter. Shire Officers do not consider basing the timing around Easter is a good approach given that Easter moves between March and April each year. In an email received by the Shire on 25 May 2025, the applicants stated:

“We do our best to work around the school holidays and Easter as we know Kalbarri relies on those times for regular tourism. We propose two weeks either side of Easter so we can avoid those times for you all. Hence asking for 17 & 18th as it’s two weeks after Easter and at the very end of the school holidays.”

Potential for Impact

Any music event has the potential to impact on the amenity of an area through noise and the actions of participants entering and leaving the venue. These impacts can be minimised through event management and the preparation and implementation of a noise management plan. Whilst the potential for noise impacts is increased by holding such events outdoors, no suitable indoor venues are available within the community.

It should be noted that as reflected within Council’s June 2025 agenda, the event operated in compliance with the approved Noise Management Plan, albeit the event extended slightly past the approved finish time of 10pm.

Proposed 2026 KOA Event

In setting a date for an open air event there are many considerations such as the timing of other planned events in the community, nearby potentially competing events, availability of venue, artists, typical/expected weather patterns and available accommodation to name a few.

That said, the organisers have now proposed the first weekend in May. This timing could be consistent each year and is outside of the school holiday period.

Economic Benefit

In the absence of a detailed economic analysis, it is impossible to determine how much Kalbarri Open Air Festival adds to the local economy. Whilst there is no doubt that some attendees visited Kalbarri specifically for the event, some may have visited Kalbarri in any event local residents also attended. Organisers, performers and some participants directly contribute to the hospitality industries in Kalbarri. The event also provides a fund raising opportunity to the venue managers.

Social Benefit

In addition to potential economic benefit, the holding of outdoor music events provides Kalbarri residents with an opportunity to attend a local concert/festival. With such opportunities being limited within the Kalbarri community, KOA positively contributes to social opportunities for the community members.

Conclusion

Given that the previous events have been held consistent with the approved Noise Management Plan and the fact the new date would allow for the event to be held at a consistent time each year, outside of the school holidays, it is recommended that the applicants request be approved.

STATUTORY ENVIRONMENT:

Various legislation is applicable including, but not limited to the *Local Government Act 1995*, *Environmental Protection Act 1986*, and the *Environmental Protection (Noise) Regulations 1997*.

POLICY / STRATEGIC IMPLICATIONS:

Approval to the revised dates as proposed would be consistent with the following desired outcomes as outlined within the Shire of Northampton 2025-2035 Strategic Community Plan:

Our Economy

1.2 Diverse and prosperous

We are driving balanced and sustainable growth by embracing new opportunities for our economy, people, and culture to thrive, whilst ensuring primary industries remain profitable into the future.

1.3 Attractive and popular

Our reputation as a prime visitor destination is strong and we are optimising an ecologically friendly tourism industry.

Our People

3.2 Outstanding recreation and tourism experiences.

Community life and tourism is enriched through a strong portfolio of events, activities, attractions, and historical heritage.

Support of events that attract regional and local visitors, increase visitor numbers and add to the local economy would be consistent with the Strategic Community Plan recommendations.

It should be noted that the applicants have advised that should the revised timing of the event not be approved, they will be unable to hold the event in 2026.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating associated with approving the revised dates is considered to be minor.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Nil.

SUSTAINABILITY:

Environmental: Nil.

Economic: Refer to Comment Section of Agenda.

Social: Refer to Comment Section of Agenda.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Approve the applicants proposed event dates of 1 and 2 May 2026 subject to submission and approval of Event Application including Event Management and Noise Management Plans; and
2. Advise the adjacent accommodation businesses on Porter Street of point 1 above.

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Suckling, K

09/25-135

That Council:

1. Approve the applicants proposed event dates of 1 and 2 May 2026 subject to submission and approval of Event Application including Event Management and Noise Management Plans; and
2. Advise the adjacent accommodation businesses on Porter Street of point 1 above.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT

9.3.2 Report on Kalbarri Development Association Staying in Place Program for 2024/2025 Financial Year

PROPONENT	Kalbarri Development Association
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Community Development
FILE REFERENCE:	7.2.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrea Teakle/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	9 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

At its Ordinary Meeting held on 20 June 2024, Council considered a request from the Kalbarri Development Association (KDA) for financial assistance to support the “Kalbarri Staying in Place” program. The purpose of the program being to co-ordinate a range of services to assist residents to live in their homes and the Kalbarri community longer than is currently possible.

In response to the request, Council resolved (Resolution 06/24-40) to:

1. Advise the Kalbarri Development Association that it is prepared to financially support the “Kalbarri Staying in Place” project with \$25,000(ex GST) in 2024/25 and \$25,000(ex GST) in 2025/26; and
2. Fund the amounts outlined by point 1 above through the 2024/25 and 2025/26 budget process with the funding source being the Health Services Reserve.
3. Request Kalbarri Development Association provide an audited financial statement to the Shire of Northampton for the Staying in Place project for each year they receive funding.

Attached is correspondence from KDA, an activity report and a financial audit report for the 2024/25 financial year for Council information/consideration. By way of summary:

- KDA obtained additional funding from other sources to the value of \$5,719.29;
- the program had a balance of \$4,382.70 as at 30 June 2025; and
- Expenditure associated with a \$1,000 grant received from the Australasian Order of Old Bastards in June has been pre-committed to the Chair Yoga program in 2025/2026 financial year.

ATTACHMENT: 9.3.2 (1)

With the 2024/25 \$25,000 grant not fully expended KDA has advised that they understand Council may wish to revise the grant value for the 2025/26 financial year.

Council is requested to consider the information provided and consider whether the grant value should be revised for the 2025/26 financial year.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

KDA has established a partnership with InCasa to coordinate Home Care Packages tailored for small rural communities lacking registered Home Care Providers. Lauren Sweetman was appointed as the Programme Coordinator, leveraging her prior experience to effectively manage client needs and services.

Initially, it took time to onboard clients due to factors such completion of Aged Care Assessments associated with government subsidies for individual clients and local health system misunderstandings.

As reflected within Attachment: 9.3.2 (1) the program, amongst other things has been providing:

- Facilitation of client grant funds for Support Services;
- Monthly bus trips to Geraldton for shopping and appointments.
- Activities such Concert outings at Queens Park Theatre, including community engagement.
- A Seniors Week cruise on the Murchison River, with a government grant received.
- Chair Yoga classes, promoting health and well-being among seniors.

Recent changes to the Federal Government's Aged Care system may pose challenges for small providers, but KDA has partnered with HomeMade, a nationwide Home Care Provider, to ensure continued advocacy and service access for clients.

Shire Funding for 2025/26

As detailed in the background section Resolution 06/24-20 agreed to fund \$25,000 for each of the 2024/25 and 2025/26 financial years. With the 2024/25 program not acquitting an amount of \$3,382.70, it is recommended that the 2025/26 grant be reduced to \$21,617.30.

STATUTORY ENVIRONMENT:

Local Government Act 1995

POLICY / STRATEGIC IMPLICATIONS:

On going support of the Staying in Place program would be consistent with the following desired outcomes identified within the Shire of Northampton's 2025-2035 Strategic Community Plan:

3.1 Socially connected and included.

We feel supported to live well and prosper together, whatever our age or diversity of needs.

3.3 Health and safe community.

We feel safe in our Shire and have reliable access to services that support our health and wellbeing.

ORGANISATIONAL RISK MANAGEMENT:

The Risk Rating associated with failure to provide ongoing support to the Staying in Place program is considered Risk rating is considered Moderate to the potential impact on the ability for KDA to provide the program.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

A reduction of the 2025/26 grant will result in less funding being required from the Shire's Health Services Reserve.

SUSTAINABILITY:

Environmental: Nil.

Economic: Retaining and growing population in towns significantly adds to positive economic outcomes particularly in smaller communities.

Social: Retaining aging people in the community enhances social connectedness and wellbeing.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Receive the Audited Financial Report relating to the Kalbarri Development Association's Staying in Place program for the 2024/2025 financial year as shown at ATTACHMENT: 9.3.2 (1);
2. Notwithstanding Council's previous resolution 06/24-40 passed on 20 June 2024, reduce the 2025/2026 financial year contribution from \$25,000 to \$21,617.30 on the basis that that the funding provided within the 2024/2025 financial year was not fully expended; and
3. Amend the 2025/2026 Shire of Northampton Annual Budget in accordance with point 2 above.

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Suckling, R

09/25-136

That Council:

1. Receive the Audited Financial Report relating to the Kalbarri Development Association's Staying in Place program for the 2024/2025 financial year as shown at ATTACHMENT: 9.3.2 (1);
2. Notwithstanding Council's previous resolution 06/24-40 passed on 20 June 2024, reduce the 2025/2026 financial year contribution from \$25,000 to \$21,617.30 on the basis that that the funding provided within the 2024/2025 financial year was not fully expended; and
3. Amend the 2025/2026 Shire of Northampton Annual Budget in accordance with point 2 above.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT

9.4.1 Planning Decisions for August 2025

PROPONENT	Shire of Northampton
OWNER	Various
LOCATION / ADDRESS:	Various
ZONE:	Various
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.4.1
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Kaylene Roberts
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	1 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

To ensure the efficient and timely process of planning related applications, Council delegated authority to the Chief Executive Officer to conditionally approve applications for Development Approval that meet the requirements of both Local Planning Schemes being *No. 10 – Northampton* and *No. 11 – Kalbarri* (the Schemes) and adopted Local Planning Policies.

Delegated planning decisions are reported to Council monthly to ensure that Council has an appropriate level of oversight on the use of this delegation. The updated statistics are shown below.

A register of Development Approvals, detailing those decisions made by both Council and delegated authority in August 2025.

ATTACHMENT: 9.4.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Where required, applications were advertised in accordance with the Scheme and Council's adopted Local Planning as detailed in the Policy/Strategic Implications section overleaf.

COMMENT (Includes Options):

During August 2025, a total of four (4) applications were determined under delegated authority. **Table 1b** shows the number and value of development applications determined under both delegated authority and by Council for August 2025 compared to August 2025.

Table 1(a): Planning Decisions made in August 2024 and August 2025

	August 2024	August 2025
Delegated Decisions	7 - \$628,500 **7	4 - \$484,110 **1
Council Decisions	1 - \$0 1 Refused	2 - \$210,000
Total	8 - \$628,500	6 - \$694,110

Table 2 compares the Year-To-Date statistics for delegated authority and Council decisions for 2024-25 compared to the previous Financial Year.

Table 2: Planning Decisions Made Year-To-Date 2024 and 2025

	YTD 2024	YTD 2025
Delegated Decisions	44 - \$2,081,436 **15	50 - \$3,255,945 **19
Council Decisions	23 - \$5,154,742 **2	13 - \$719,412 **2 2 Refusals
Total	67 - \$7,236,178	63 - \$3,975,357

***Includes administrative applications which are attributed no value in Delegated and Council decisions and include Commercial Vehicle Parking, Mobile Food Vehicle, Commercial Recreational Tourism License and Temporary and Exemption Approval Applications.*

ATTACHMENT: 9.4.1 (2)

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* creates and gives powers to Local Governments. The Act then empowers the local government to delegate its powers on behalf of the local government.

The Shire's Local Planning Schemes, made in accordance with the *Planning and Development Act 2005* and associated regulations, set out procedures for the assessment and determination of development applications.

In accordance with Regulation 19 of the *Local Government (Administration) Regulations 1996*, a written record of each delegated decision is kept.

POLICY / STRATEGIC IMPLICATIONS:

Applications for Development Approval must be assessed against the requirements of the Schemes and Local Planning Policies have been adopted in accordance with the Schemes. These Policies include Local Planning Policy *Consultation for Planning Proposals*, which details the level and scope of advertising required for Applications for Development Approval.

Each application determined under delegated authority has been processed and advertised, where required in accordance with the Local Planning Scheme provisions and Shire of Northampton adopted Policies.

ORGANISATIONAL RISK MANAGEMENT:

Nil.

FINANCIAL IMPLICATIONS:

The required planning fees have been paid by all applicants for Development Approval process under delegated authority.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the report on Planning Decisions for August 2025 as detailed in ATTACHMENT: 9.4.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Sudlow, L

09/25-137

That Council receive the report on Planning Decisions for August 2025 as detailed in ATTACHMENT: 9.4.1 (1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT

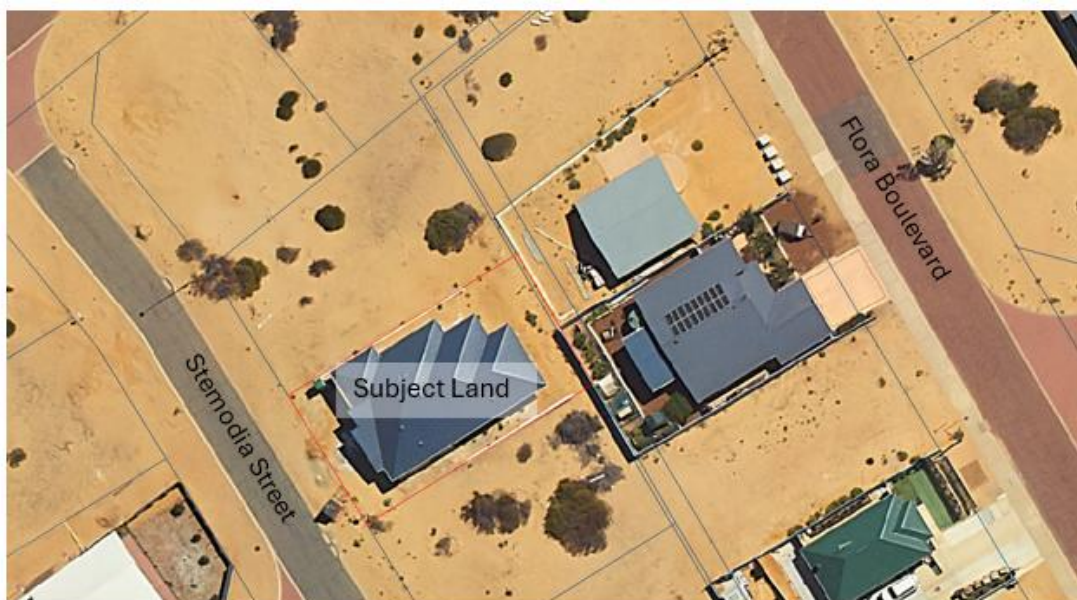
9.4.2 Retrospective Approval to Proposed Retaining Wall at Lot 264 (5) Stenmodia Street, Kalbarri

PROPONENT	SP Lundy
OWNER	SP & JJ Lundy
LOCATION / ADDRESS:	Lot 264 (No 5) Stenmodia Street, Kalbarri
ZONE:	Residential R17.5
BUSINESS AREA:	Planning Services
FILE REFERENCE:	10.6.1.1 & A4141
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council is requested to consider an application for retrospective approval to a proposed retaining wall on the subject property, being a 559m² residential property as shown on the location plan below.

LOCATION PLAN



Council has previously considered two agenda items relating to the subject land, which are summarised as follows:

- 20 March 2025 – an application from the landowner to review three conditions of planning approval that were imposed on the Development Approval for the now existing dwelling in October 2022, to ensure

potential overlooking issues were avoided. Council resolved (03/25-42) to:

- a) remove a condition requiring installation of an obscure window due to retaining on the side boundary and fence installation; but
- b) Refuse to vary two conditions relating to landscaping and screening of an alfresco area.
- 19 June 2025 – a retrospective application for a change of use from a dwelling to a “Holiday House” for up to 8 guests. Council resolved to defer consideration of the proposal pending confirmation of compliance with the conditional approval had been achieved, granting delegated authority to the Chief Executive Officer subject to confirmation of compliance. Compliance was subsequently confirmed, and conditional approval was granted to the Holiday Accommodation.

In addition to retrospective planning fees being applicable, a \$500 modified penalty was imposed on the landowner for not seeking prior Development Approval.

More recently an inspection of the property was undertaken in response to concerns from a rear neighbour regarding overlooking of their property. The inspection identified that a retaining wall greater than 500mm in height, with central steps had been constructed without approval at approximately 2.5 -3.5m from the rear boundary.

The applicant has applied for retrospective approval to a 2 course, 700mm high retaining wall across the full width of the property. As shown on the submitted plans, the applicants are proposing the installation of screening on the top of the retaining wall, which they have described as “*Quickscreen aluminium slat screening at 1.6m high along the length of the retaining wall. 100mm slats with 10mm gaps. Slat screen gate at the step position*”

A copy of the plans submitted with the application are shown attached.

ATTACHMENT: 9.4.2 (1)

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with Section 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, and in consideration of the Shire of Northampton’s *Local Planning Policy – Consultation for Planning Proposals*, a Level C “*Consultation with Owners and Occupiers of Nearby Land*” was undertaken.

The application was advertised for a 14 day period to two (2) adjacent landowners located to the rear of the property. In response two objections were received. Whilst the content of the objections is detailed in the comment section below, copies of the submissions received are shown attached.

ATTACHMENT: 9.4.2 (2)

COMMENT (Includes Options):

The property is zoned Residential under the Shire's Local Planning Scheme No 11 – Kalbarri (Scheme No 11) with a density coding of R17.5. The proposed development is required to comply with the requirements relating to R17.5 under the State Planning Policy – Residential Design Codes Volume 1 (the R-Codes) and Scheme No 11.

To guide Council on determination of the application, the following comments are offered:

Matters to be Considered

In determining an application for planning approval, the local government is required to have regard to various matters outlined within *Clause 67 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015*. These matters include, but not limited to:

- (a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;*
- (b) *Any approved State planning policy;*
- (c) *Any policy of the Commission;*
- (f) *Any local planning strategy of this Scheme endorsed by the Commission;*
- (g) *Any local planning policy for the Scheme area; and*
- (n) *The amenity of the locality.*

Any assessment against the above criteria is provided within the balance of this report.

Residential Design Codes

By constructing the retaining wall, the landowners have created an outdoor active habitable space more than 500mm above the natural ground level. In accordance with Deemed to comply provisions outlined within clause 5.4.1 of the Residential Design Codes of Western Australia such retaining walls and active outdoor spaces must be either:

- a) Setback 7.5m from the boundary (Clause C1.1); or
- b) Be permanently screened to restrict views into the adjacent property.

Screening devices are required to be at least 1.6m in height, at least 75% obscure, permanently fixed, made of durable material and restrict view in the direction of overlooking into any adjoining property.

To achieve compliance with the deemed to apply provisions above, the applicants have proposed a freestanding aluminium slatted screen, with the slats being 10mm apart. This achieves the requirement for the screen to be at least 75% obscure as required under clause 5.4.1.

Neighbour Comments

Given the current overlooking resulting from the now existing retaining wall and the retrospective nature of the application, the proposal was referred to the

adjacent landowners to the rear of the property for comment. In response, objections to the proposal have been received on the following grounds:

- a) The submitted plans do not reflect the correct height of the retaining wall, which is three blocks high with a height of approximately 1050mm;
- b) The plans do not accurately reflect the boundary setbacks as the wall is located on 2.6m from the rear boundary; and
- c) A screen fence of at least 1.8m high is required to protect the rear neighbour's privacy.

One submission furthermore highlights that the loss of privacy has been an ongoing concern because of the retaining wall and states that they have already experienced numerous times where guests have been standing at the edge of the wall to take in views, causing stress and discomfort as a result of the loss of privacy. The submission urges construction of screening as a matter of urgency.

The submission also questions the structural integrity/construction standard of the retaining wall.

Inaccuracy of the Submitted Plans

As detailed above, the adjoining landowners have expressed concerns that the submitted plans are inaccurate in terms of the retaining wall height and its setback. Whilst the plans should be revised to be accurate, Shire Officers advise that:

- a) Whether the retaining wall is setback 2.6m or 3.4m the assessment outcome remains the same, with screening required to meet the Deemed to Apply provisions.
- b) Clause 5.4.1 of the Residential Design Codes applies the same setback and screening requirements whether the wall is 700mm high or 1m.

It is considered that the primary objective should be to require the installation of fixed permanent screening is required as soon as possible to address the overlooking issue.

Required Screen Height

As detailed in clause 5.4.1 of the Residential Design Codes of Western Australia, active outdoor habitable spaces more than 500mm above the natural ground level that are not setback a minimum of 7.5m from a boundary, must be provided with permanent screening to a minimum height of 1.6m.

As this height is a minimum height, it is considered that it would open to Council to impose a requirement for the screening to be 1.8m as requested by the adjacent landowners.

Structural Engineering

In accordance with the Building Code of Australia, applications for the construction of retaining walls having a height of more than 600mm. The application for a building permit will be required to be supported by a structural

certification from a structural engineer. An advice note to this effect is recommended.

Potential Legal Action

Although it is open to Council to commence legal action against the landowner for construction of the wall with no Development Approval or Building Permit, it is considered that the most imperative matter is to ensure installation of the screening as soon as possible. On this basis, it is recommended that:

- a) The applicant revises the submitted plans to ensure accuracy of the retaining wall location and height within 7 days; and
- b) Installation of the proposed screening to a minimum height of 1.8m within 21 days.

Although the above timeframes may be considered onerous, they are considered reasonable given the rear neighbours are dealing with overlooking and privacy concerns. It is recommended that legal action be commenced against the landowner should these timeframes not be adhered to.

The above said, it is appropriate that a modified penalty is imposed by Shire Officers.

Conclusion

The now existing retaining wall is resulting in significant overlooking issues, impacting on the privacy of properties to the rear of the property. The installation of appropriate, permanent, fixed screening is required as soon as possible to prevent the situation continuing.

STATUTORY ENVIRONMENT:

Planning and Development Act 2005 and the Shire of Northampton Local Planning Scheme No. 11 – Kalbarri.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

The risk rating is considered Level 3 – Moderate given the current invasion of privacy.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

The development application fee in accordance with the Shire of Northampton's 2025/2026 Fees and Charges Schedule has been paid.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council in accordance with Local Planning Scheme No. 11 – Kalbarri grant Development Approval in accordance with the plans and specifications at ATTACHMENT: 9.4.2 (1), subject to the following conditions:

- The development hereby approved is to be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:

Reference	Document Title	Date Received
1.	Site Plan	24 July 2025
2.	Site Elevations	24 July 2025

- Notwithstanding condition No 1 above, the landowner is required to audit the submitted plans and submit amended plans to the Shire within 7 days of receiving advice of this approval to ensure any inaccuracies are addressed, with particularly reference to the height and setbacks to the wall;

3. The height of the fixed screening as reflected within the plans referred to in condition No 1 shall be increased to be a maximum of 1.8m as measured from the top of the retaining wall;
4. The applicant shall within 21 days of receiving advice of this approval install the fixed screening and associated gate to the satisfaction of the Shire of Northampton and from thereon maintain that screening on a permanent basis.

Advice notes:

- a) The applicant is advised that it is likely legal action will be commenced should failure to meet the timeframes identified in conditions 2 and 4 occur.
- b) This development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works. (Land clearing to facilitate development and BAL report is permitted).
- c) Any retaining walls in excess of 500mm in height required in connection with development shall be so constructed as to accord with plans and specifications prepared by a practising structural engineer to the satisfaction of the Shire of Northampton and details and particulars of the certified plans and specifications shall be provided to Shire of Northampton as part of any application for a building permit.
- d) An application for the building permit, together with the supporting information referred to in condition (c) is required to be lodged with the Shire of Northampton within 21 days. Failure to adhere to this timeframe may result in legal action being commenced for construction of the wall without having first obtained the required Building Permit.

COUNCIL RESOLUTION:

MOVED: Burges, R

SECONDED: Suckling, K

09/25-138

That Council in accordance with Local Planning Scheme No. 11 – Kalbarri grant Development Approval in accordance with the plans and specifications at ATTACHMENT: 9.4.2 (1), subject to the following conditions:

1. The development hereby approved is to be carried out generally in accordance with the plans and specifications submitted with the application and these shall not be altered and/or modified without the prior knowledge and written consent of the Shire of Northampton:

Reference	Document Title	Date Received
1.	Site Plan	24 July 2025
2.	Site Elevations	24 July 2025

2. Notwithstanding condition No 1 above, the landowner is required to audit the submitted plans and submit amended plans to the Shire within 7 days of receiving advice of this approval to ensure any inaccuracies are addressed, with particularly reference to the height and setbacks to the wall;
3. The height of the fixed screening as reflected within the plans referred to in condition No 1 shall be increased to be a minimum of 1.8m as measured from the top of the retaining wall;
4. The applicant shall within 21 days of receiving advice of this approval install the fixed screening and associated gate to the satisfaction of the Shire of Northampton and from thereon maintain that screening on a permanent basis.

Advice notes:

- a) The applicant is advised that it is likely legal action will be commenced should failure to meet the timeframes identified in conditions 2 and 4 occur.
- b) This development approval is NOT a building permit. A building permit must be formally applied for and obtained from Building Services BEFORE the commencement of any site and/or development works. (Land clearing to facilitate development and BAL report is permitted).
- c) Any retaining walls in excess of 500mm in height required in connection with development shall be so constructed as to accord with plans and specifications prepared by a practising structural engineer to the satisfaction of the Shire of Northampton and details and particulars of the certified plans and specifications shall be provided to Shire of Northampton as part of any application for a building permit.
- d) An application for the building permit, together with the supporting information referred to in condition (c) is required to be lodged with the Shire of Northampton within 21 days. Failure to adhere to this timeframe may result in legal action being commenced for construction of the wall without having first obtained the required Building Permit.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

ATTACHMENT

9.5.1 Building Approvals Report August 2025

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Northampton and Kalbarri
BUSINESS AREA:	Building
FILE REFERENCE:	N/A
LEGISLATION:	<i>Local Government Act 1995</i> <i>Building Act 2011</i> <i>Building Registrations 2012</i>
AUTHOR:	Michaela Simpson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This report has been produced to advise Council of the Building and Demolition permits approved and issued for the period of 1 August 2025 to 31 August 2025. A table detailing these approvals is shown attached.

ATTACHMENT: 9.5.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

As reflected within the attachment, during August 2025, two (2) building and demolition applications were determined under delegated authority.

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response

Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

The required building fees have all been paid for all Building and Demolition applications processed under delegated authority.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the Building Approvals Report August 2025 in accordance with Attachment: 9.5.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Hay, T

09/25-139

That Council receive the Building Approvals Report August 2025 in accordance with Attachment: 9.5.1 (1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow

Cr T Hay

AGAINST

Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

Unconfirmed

APPENDIX**9.7.1 Proposed Shire of Northampton Parking Local Laws**

PROPONENT	Shire of Northampton
OWNER	All
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Community, Development & Regulation
FILE REFERENCE:	4.2.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	9 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

In July 2025, Council resolved (Resolution 07/25-104) to adopt the Shire's draft Parking Local Laws 2025 following advertising of the proposed local laws. The purpose and effect of the Local Laws are as follows:

Purpose – to provide for the management and regulation of parking throughout the Shire of Northampton.

Effect – to require a person parking a vehicle within the district is to comply with the provisions of this local law and any restrictions within areas specifically signed or marked.

A copy of the Local Law as adopted is appended.

APPENDIX: 9.7.1 (A)

In accordance with the *Local Government Act 1995* there are specific mandatory steps that must be followed. Unfortunately, it has come to light that a requirement for the Minister through the Joint Standing Committee on Legislation to be notified of the proposed Local Laws prior to advertising was not completed due to an administrative error by the author of this report. The effect of this is that the Shire must re-commence the process of making the local law.

PUBLIC CONSULTATION UNDERTAKEN:

Previous advertising of the draft Local Law resulted in a single submission being received. Readvertising of the Local Law is now required.

COMMENT (Includes Options):

Within Western Australia, Local Government may make local laws it considers necessary for the good governance of their districts under the powers conveyed

by the *Local Government Act 1995*. The procedure for making a local law is prescribed by Section 3.12 of the Act, which is summarised as follows:

Step	Status
Drafting of a Local Law;	Completed
Council resolving to make a local law and the presiding member to give notice of the purpose and effect of the local law;	The purpose of this agenda item.
Providing Statewide public notice summarising and calling for submissions over a minimum of six weeks;	To be completed
Providing a copy of the proposed local law to the Department of Local Government for submission to the relevant Minister;	To be completed
Council resolving by absolute majority to make the local law taking into account any submissions received;	To be completed.
Providing Statewide notice that the Local Law has come into effect;	To be completed.
Providing an explanatory memorandum to the Joint Standing Committee on Delegated Legislation for assessment.	To be completed.

In accordance with Section 3.14 of the Act, local laws come into effect 14 days after the Gazettal Notice. It should be noted however that following gazettal, the local laws are still subject to review by the Joint Standing Committee on Delegated Legislation. The Joint Standing Committee can require modifications to the local laws following their gazettal or disallow the local laws where considered necessary.

STATUTORY ENVIRONMENT:

As detailed in section 3.12 of the Act, Draft Local Laws must be adopted by Absolute Majority and must contain a clear statement/notice of purpose and effect of local. In this regard, the proposed purpose and effect of the Draft Shire of Northampton Parking Local Law 2024, the purpose and effect of the Local Laws are as follows:

Purpose – to provide for the management and regulation of parking throughout the Shire of Northampton.

Effect – to require a person parking a vehicle within the district is to comply with the provisions of this local law and any restrictions within areas specifically signed or marked.

POLICY / STRATEGIC IMPLICATIONS:

The adoption of new Parking Local Laws will ensure that Shire Rangers have adequate statutory authority to ensure the regulation of Vehicle Parking within the district.

ORGANISATIONAL RISK MANAGEMENT:

The Risk rating is considered Moderate given existing signage relating to parking is not currently enforceable.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Costs associated with finalising the Draft Local Law will be wholly contained within the Shires approved budget for the 2025/26 financial year.

SUSTAINABILITY:

Environmental: Nil.

Economic: The introduction of Local Laws will permit Council to introduce formal time limits on parking within identified areas. The Local Laws will also enable Shire Rangers to enforce existing timed parking and such matters as restricting parking adjacent to verandah posts in Hampton Road, Northampton to cars only.

Social: The regulation of parking within the district ensures that the parking of vehicles does not detrimentally impact on the amenity or safety of the community.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Pursuant to section 3.12(3) and (3a) of the *Local Government Act 1995* give statewide and local notice that it intends to make the Shire of Northampton Parking Local Laws 2025, as shown at APPENDIX: 9.7.1 (A) with the following purpose and effect:

Purpose – to provide for the management and regulation of parking throughout the Shire of Northampton.

Effect – to require a person parking a vehicle within the district is to comply with the provisions of this local law and any restrictions within areas specifically signed or marked.

2. In accordance with the *Local Government Act 1995* section 3.12(3) advise the Minister for Local Government of the proposed local laws;
3. Advertise the Draft Local Laws as referred to in point 1 above for a period of not less than 6 weeks, with advertisements to appear in the Western Australian Newspaper and local newspapers circulating within the district; and
4. Await a further agenda item on the draft Local Laws following the completion of the advertising period identified in point 3 above.

COUNCIL RESOLUTION:

MOVED: Burges, R

SECONDED: Suckling, R

09/25-140

That Council:

1. Pursuant to section 3.12(3) and (3a) of the *Local Government Act 1995* give statewide and local notice that it intends to make the Shire of Northampton Parking Local Laws 2025, as shown at APPENDIX: 9.7.1 (A) with the following purpose and effect:

Purpose – to provide for the management and regulation of parking throughout the Shire of Northampton.

Effect – to require a person parking a vehicle within the district is to comply with the provisions of this local law and any restrictions within areas specifically signed or marked.

2. In accordance with the *Local Government Act 1995* section 3.12(3) advise the Minister for Local Government of the proposed local laws;

3. Advertise the Draft Local Laws as referred to in point 1 above for a period of not less than 6 weeks, with advertisements to appear in the Western Australian Newspaper and local newspapers circulating within the district; and
4. Await a further agenda item on the draft Local Laws following the completion of the advertising period identified in point 3 above.

MOTION CARRIED 6/0

FOR

Cr L Sudlow
 Cr T Hay
 Cr R Burges
 Cr D Pike
 Cr K Suckling
 Cr R Suckling

AGAINST

ATTACHMENT**9.8.1 Information Items - Maintenance/Construction - Works Program**

PROPONENT	Executive Manager of Works and Technical Services
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	N/A
LEGISLATION:	N/A
AUTHOR:	Tina Souroup
APPROVING OFFICER:	Neil Broadhurst
DATE OF REPORT:	4 September 2025
DECLARATION OF INTEREST:	Nil.

BACKGROUND:

The following works, in addition to routine maintenance work, has been undertaken since the last report and is presented for Council information.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):Specific Road Works

- Maintenance grading undertaken on – Binnu West, Ogilvie West, Baline, Hose, Olivier, Nolba Stock Route, Percy, Rose, Elliott, Carson, Blank, Normans Well, Isseka East, Teakle, Routledge, Isachar, Walsh, Allen, Wellington, Starling, Yarra, Yerina Springs, Magee, Telegraph, Hatch, Rose Hill, Mitchell, and Gill Road/s.
- Other Roads, Pothole repairs - Unsealed Roads Gravel Sheeting / Verge work undertaken on - Ogilvie East and Horry Road/s.

Maintenance Items

- General – Various signage and road furniture works.
- General – Potholes and edges in various locations.
- General – Northampton and Kalbarri – Various tree lopping/vegetation works for road verge and Western Power line clearance.
- General – Contract dozer in Shire undertaking gravel pushup/stockpile works.
- General – General drainage and stormwater preparation and cleanup works.

Other Items

- Traffic Counts placed on Kalbarri Road at the intersection of Murchinson House Station, Binu West Road at the intersection of Box Road and Yerina Springs Road with counters scheduled to be in place for 28 days.
- Northampton Agricultural Show preparation being carried out prior to event on 13 September 2025.

Other Items (Budget)

- Kalbarri Road widening – Main Roads WA 10 kilometres of widening immediately to the east of Kalbarri extending as far as the Skywalk lookout turnoff. Practical completion has been granted. Significant defects requiring contractor rectification.
- Disabled fishing platform and ramp construction complete.
- Port Gregory carpark construction-renovations line marking and fencing is still outstanding.
- Northwest Coastal Highway (Hampton Road) – Footpath works (Elders South Verge) – completed.
- Red Bluff Road dual use pathway installation- Replacement of 92m, box culvert and additional pipe culvert completed. Concrete dual use pathway replacement progressing.
- Horry Road Gravel Sheeting continuing.
- Kalbarri Foreshore Maintenance carried out due to rain events.

A copy of the Executive Manager for Works and Technical Services – Program and Progress Report, September 2025 is attached.

ATTACHMENT: 9.8.1 (1)

STATUTORY ENVIRONMENT:

Nil.

POLICY / STRATEGIC IMPLICATIONS:

Nil.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 1 insignificant, as the report is information in nature

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response

Moderate (3)	Medical type injuries	\$10,001 - \$50,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact, moderate news profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:

Works are conducted in accordance with maintenance and construction budget.

SUSTAINABILITY:

Environmental: Activities of the Executive Manager of Works and Technical Services often deal with environmental related matters both from a compliance perspective and improvement perspective.

Economic: Part of the Executive Manager of Works and Technical Services role is to improve local economies and often activities are associated with economic development initiatives and opportunities.

Social: The Executive Manager of Works and Technical Services plays a key role in the development of community leadership, infrastructure provision and community support.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the Executive Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for August/September 2025. In accordance with ATTACHMENT 9.8.1 (1).

COUNCIL RESOLUTION:

MOVED: Pike, D SECONDED: Suckling, R

09/25-141

That Council receives the Executive Manager of Works and Technical Services Information Items – Maintenance/Construction – Works Program report for August/September 2025. In accordance with ATTACHMENT 9.8.1 (1).

MOTION CARRIED 6/0**FOR**

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

Unconfirmed

ATTACHMENT

9.9.1 Consideration of the Unconfirmed Minutes of the Road Infrastructure and Plant Advisory Committee Meeting Held 12 August 2025

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Works and Technical Services
FILE REFERENCE:	12.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Tina Souroup
APPROVING OFFICER:	Neil Broadhurst
DATE OF REPORT:	4 September 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A meeting of the Road Infrastructure and Plant Advisory Committee (RIPAC) was held on 12 August 2025 in the Council Chambers, Northampton.

The purpose of this report is for Council to receive the minutes of the meeting and any recommendations made by the Committee. The minutes of the meeting are attached.

ATTACHMENT: 9.9.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The primary purpose of the RIPAC meeting held of 12 August 2025 was for the Committee to assess plant replacement for the Shire of Northampton's heavy fleet for 2025/26.

There were no recommendations made by RIPAC to Council.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* and subsidiary legislation prescribe the requirements of creating an Advisory Committee in a Local Government organisation in Western Australia.

POLICY / STRATEGIC IMPLICATIONS:

The Road Infrastructure and Plant Advisory Committee will enable Council to strategically approach requests for Road Constructions and Plant Replacements for implementation through the Annual Budget process.

ORGANISATIONAL RISK MANAGEMENT:
Risk rating is considered Level 1 - Insignificant.

Measures of Consequence							
Rating (Level)	Health	Financial Impact	Service Interruption	Compliance	Reputational	Property	Environment
Insignificant (1)	Negligible injuries	Less than \$1,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, low impact, low profile or 'no news' item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
Minor (2)	First aid injuries	\$1,001 - \$10,000	Short term temporary interruption – backlog cleared < 1 day	Some temporary non compliances	Substantiated, low impact, low news item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
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Major (4)	Lost time injury	\$50,001 - \$150,000	Prolonged interruption of services – additional resources; performance affected < 1 month	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, high impact, high news profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
Catastrophic (5)	Fatality, permanent disability	More than \$150,000	Indeterminate prolonged interruption of services – non-performance > 1 month	Non-compliance results in litigation, criminal charges or significant damages or penalties	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

FINANCIAL IMPLICATIONS:
Nil.

SUSTAINABILITY:
Environmental: Nil.
Economic: Nil.
Social: Nil.

VOTING REQUIREMENTS: **SIMPLE MAJORITY**

OFFICER RECOMMENDATION:

That Council receive the unconfirmed minutes of the Road Infrastructure and Plant Advisory Committee held on 12 August 2025 in accordance with ATTACHMENT: 9.9.1 (1).

COUNCIL RESOLUTION:

MOVED: Burges, R **SECONDED:** Suckling, K

09/25-142

That Council receive the unconfirmed minutes of the Road Infrastructure and Plant Advisory Committee held on 12 August 2025 in accordance with ATTACHMENT: 9.9.1 (1).

MOTION CARRIED 6/0

FOR

Cr L Sudlow
Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling

AGAINST

Unconfirmed

10. LATE REPORTS:

Nil.

11. QUESTIONS FROM MEMBERS:

11.1 Response to questions from members taken on notice: Nil.

11.2 Questions from members: Nil.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

**13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF THE MEETING:**

Nil.

14. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

15. CLOSURE:

There being no further business to discuss the Shire President thanked those in attendance and closed the meeting at 2.20pm.

SIGNED:

**Cr Liz Sudlow
Shire President**

DATE: