



MINUTES

COUNCIL MEETING

18 DECEMBER 2025

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SHIRE OF NORTHAMPTON

Minutes of the Ordinary Meeting of Council held in the Council Chamber, Hampton Road, Northampton, Thursday, 18 December 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

Cr Chad Smith

Staff

Mr Andrew Campbell (Chief Executive Officer)

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

Mrs Leanne Rowe (Manager Financial Services)

Mrs Michelle Allen (Manager Corporate Services)

Mrs Kaylene Roberts (Planning Officer)

Ms Sonya Hasleby (Executive Support Officer)

Mr Jon Trotter (Building Surveyor)

Gallery

Rex Peters, Noel Visser.

3.1 Apologies: Nil.

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 Chad Smith declared an impartiality interest in relation to Item 10.3 – Proposed Disposal of Vacant Land being Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans – as he has had previous business dealings with them.

Cr Liz Sudlow declared an impartiality interest in relation to Item 9.3.1 – Request to Purchase Portion of Shire Freehold Land Abutting Lot 62 (No. 7) Horan Way, Horrocks – as she knows the applicant socially.

Cr Liz Sudlow declared an financial interest in relation to Item 9.4.2 – Application for a Mobile Food Vehicle – Shearing Shed Café at Lot 202 Glance Street (Carpark) Horrocks – As closely associated persons to the applicant work on Cr Sudlow’s family business.

Mr Andrew Campbell declared a financial interest in relation to Item 14.1.3 – 2025 Performance Review of the Chief Executive Officer Held 27 and 28 November 2025 – As he has a direct financial interest.

Cr Chad Smith declared an financial interest in relation to Item 9.4.3 – Proposed St John’s Patient Transfer Shelter at Kalbarri Airport – As his wife is an employee of St John’s.

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 Deputations⁸

Rex Peters and Noel Visser from St Johns Kalbarri gave a Deputation on why St John’s wants to build a Patient Transfer Shed.

- 6.4 Councillor reports:

Since the last Council meeting **Cr L Sudlow** reported on their attendance at:
 24/11/2025 – Attended Northern Country Zone meeting at Three Springs.
 25/11/2025 – Met with some of the West Australian Country Health Service Board members when they visited the Northampton Hospital to view the facility.

27/11/2025 – Participated in an interview with Dr Shayne Silcox regarding the CEO Review.

28/11/2025 – Attended a workshop with Dr Shayne Silcox and other Councillors, and then the CEO regarding the CEO Review process.

28/11/2025 – Attended the last day event for Neil Broadhurst at 4pm at the Works Depot.

28/11/2025 – Attended and gave a brief presentation at the farewell event for Neil Broadhurst at the Railway Hotel courtyard.

01/12/2025 – Attended the Kalbarri Foreshore Committee Meeting at the Allen Centre, Kalbarri.

03/12/2025 – Attended the WALGA Forum and State Council Meeting at the WALGA office in Leederville.

05/12/2025 – Met with local historians, Sue White and Helen McQuie and CDO's Cresta Viellaris and Andrea Teakle, to discuss Story Harvest Echoes of the Past event.

16/12/2025 – Attended the Audit Risk and Improvement Committee, via Teams.

16/12/2025 – Attended the Health Advisory Committee Meeting, via Teams.

Since the last Council meeting **Cr T Hay** reported on their attendance at:

25/11/2025 – Met with Department of Transport at the Port Gregory Jetty with Cr Sudlow and Andrew Campbell.

27/11/2025 – Participated in an interview with Dr Shayne Silcox regarding the CEO Review.

28/11/2025 – Attended a workshop with Dr Shayne Silcox regarding the CEO Review process.

28/11/2025 – Attended the farewell event for Neil Broadhurst at the Railway Hotel courtyard.

01/12/2025 – Attended the Kalbarri Foreshore Committee Meeting at the Allen Centre, Kalbarri.

16/12/2025 – Attended the Audit Risk and Improvement Committee at the Northampton Council Chambers.

16/12/2025 – Attended the Health Advisory Committee Meeting at the Northampton Council Chambers.

Since the last Council meeting **Cr D Pike** reported on their attendance at:

01/11/2025 – Attended the Kalbarri Foreshore Committee Meeting at the Allen Centre, Kalbarri.

26/11/2025 – Kalbarri Development Association meeting.

Since the last Council meeting **Cr C Smith** reported on their attendance at:

28/11/2025 – Attended a workshop with Dr Shayne Silcox regarding the CEO Review process.

28/11/2025 – Attended the farewell event for Neil Broadhurst at the Railway Hotel courtyard.

09/12/2025 – Regional Drought Resilience meeting in Geraldton.

Since the last Council meeting **Cr K Suckling** reported on their attendance at:

27/11/2025 – Participated in an interview with Dr Shayne Silcox via phone regarding the CEO Review.

Since the last Council meeting **Cr R Burges** reported on their attendance at:
 24/11/2025 – Kalbarri Visitors Centre meeting.
 27/11/2025 – Participated in an interview with Dr Shayne Silcox regarding the CEO Review.
 01/12/2025 – Attended the Kalbarri Foreshore Committee Meeting at the Allen Centre, Kalbarri.
 16/12/2025 – Attended the Audit Risk and Improvement Committee meeting at the Northampton Council Chambers.

Since the last Council meeting **Cr R Suckling** reported on their attendance at:
 27/11/2025 – Participated in an interview with Dr Shayne Silcox regarding the CEO Review.
 28/11/2025 – Attended a workshop with Dr Shayne Silcox regarding the CEO Review process.
 28/11/2025 – Attended the farewell event for Neil Broadhurst at the Northampton Shire Depot.
 12/12/2025 – Farewell event for Gavin Newhill and Michael Cragan at the Northampton Shire Depot.

6.5 Conference reports: Nil.

7. CONFIRMATION OF MINUTES:

MOVED: Hay, T

SECONDED: Suckling, R

12/25-171

That the Minutes of the Ordinary Meeting of the Council held on 20 November 2025 be confirmed.

MOTION CARRIED 7/0

FOR

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

AGAINST

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN:

Nil.

9. OFFICERS' REPORTS:

9.1.1	Shire of Northampton 2024/25 Annual Report and Notice of Annual Electors Meeting
9.1.2	Proposed Delegation from Council to Chief Executive Officer 19 December 2025 to 2 February 2026
9.1.3	Feasibility Study Workers Accommodation, Lot 514 Woods Street, Kalbarri

9.1.4	Consideration of Proposed Engine and Transmission Replacement for Shire Grader P263
9.2.1	Manager Corporate Services Activity Report - July to December 2025
9.2.2	Outcome of Public Notice - Proposed Commercial Lease of Unit 3 (Lot 83) Kitson Circuit, Northampton to BF and TA Watson trading as Northampton Auto Electrics
9.2.3	Outcome of Public Notice - Proposed Commercial Lease of Unit 2 (Lot 83) Kitson Circuit, Northampton to RJ Hilzinger and DM De Rooy trading as The Wheel Aligners
9.2.4	Outcome of Public Notice - Proposed Licence to Occupy - Portion of Reserve 25307 (Kalbarri Foreshore), 75 Grey Street, Kalbarri
9.2.5	Outcome of Public Notice - Proposed Community Lease of portion of Lot 513 Porter Street, Kalbarri being a portion of Reserve 25447 to Kalbarri Arts and Crafts Group Inc.
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9.4.3	Proposed St John's Patient Transfer Shelter at Kalbarri Airport
9.4.4	Request for Approval to Camp - Lot 69 (No 145) Hampton Road, Northampton
9.5.1	Building Approval Report for November 2025
9.6.1	Proposed Adoption of Draft Public Health Plan for Public Consultation Purposes
9.7.1	Preliminary Findings of Firebreak Inspections by Air
9.8.1	Information Items - Maintenance/Construction - Works Program
9.9.1	Unconfirmed Minutes of Kalbarri Foreshore Revitalisation Advisory Committee Meeting held on 1 December 2025

9.1.1 Shire of Northampton 2024/25 Annual Report and Notice of Annual Electors Meeting

PROPONENT	Chief Executive Officer
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	1.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	4 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Local Government in Western Australia is required to prepare an Annual Report each financial year and following its adoption, hold an Annual Electors meeting in accordance with the *Local Government Act 1995*.

The audited Annual Financial Report for the 2024/25 financial year was received by the Audit, Risk and Improvement Committee on 16 December 2025 from the Office of Auditor General and auditors, AMD. The 2024/25 Annual Report, inclusive of the Annual Financial Report will be tabled for Council's consideration.

REPORT TABLED

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Council is required to adopt the 2024/25 Annual Report no later than 31 December 2025.

Once the Annual Report is adopted, an Annual Electors meeting is to be scheduled. The Annual Electors meeting requires at least fourteen days local public notice and is to be held within fifty-six days from the date the Annual Report is adopted.

The 2023/24 Annual Electors meeting was held on 6 February 2025 in Horrocks. It is intended to retain a similar date to avoid the January 2026 holiday period with Council already indicating the preference to hold the meeting in Kalbarri. Council should note that the Chief Executive Officer has scheduled Annual Leave from 2 February 2026 to 13 February 2026 and would be absent from a meeting held early in February 2026, however Mr Brian Robinson will be appointed for the Acting Chief Executive Officer Role during this period and is

experienced, capable and competent in dealing with the business of an Annual Electors meeting in support of the Shire President.

It is recommended that the 2024/25 Annual Electors meeting be scheduled for 5pm on Thursday 5 February 2026 at the Allen Centre in Kalbarri.

STATUTORY ENVIRONMENT:

Sections 5.27, 5.29 and 5.54 of the Local Government Act 1995. Section 5.53(2) requires the Annual Report to contain the following:

- (a) Report from the President;
- (b) Report from the CEO;
- (e) Overview of the plan for the future including major initiatives to continue or commence next year;
- (f) Financial Report for the year;
- (g) Prescribed information regarding payment to employees;
- (h) Auditors report for the year;
- (ha) Report required under the Disabilities Services Act;
- (hb) Details regarding complaints made against Councillors during the year;
- and
- (i) Other prescribed information.

POLICY / STRATEGIC IMPLICATIONS:

The Annual Report captures progress against the Shire's adopted Corporate Business Plan.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 3 – Moderate mainly based on compliance issues.

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:

The financial performance for the year ended 30 June 2025 is detailed in the 2024/25 Annual Financial Report. The organisations financial performance has also been the subject of quarterly financial review reports previously presented to and adopted by Council.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1) Adopt the 2024/25 Annual Report including the 2024/25 Annual Financial Report as tabled;
- 2) Publish the 2024/25 Annual Report on the Shire website within 14 days of Council's resolution to accept it;
- 3) Endorse the scheduling of the 2024/25 Annual Electors Meeting to be held in the Allen Centre, Grey Street, Kalbarri on Thursday 5 February 2026 commencing at 5pm; and
- 4) Request the Chief Executive Officer give local public notice of the 2024/25 Annual Electors Meeting and the availability of the 2024/25 Annual Report of the Shire of Northampton.

COUNCIL RESOLUTION:

MOVED: Hay, T SECONDED: Suckling, R

12/25-172

That Council:

- 1) Adopt the 2024/25 Annual Report including the 2024/25 Annual Financial Report as tabled;
- 2) Publish the 2024/25 Annual Report on the Shire website within 14 days of Council's resolution to accept it;
- 3) Endorse the scheduling of the 2024/25 Annual Electors Meeting to be held in the Allen Centre, Grey Street, Kalbarri on Thursday 29 January 2026 commencing at 5pm; and

- 4) Request the Chief Executive Officer give local public notice of the 2024/25 Annual Electors Meeting and the availability of the 2024/25 Annual Report of the Shire of Northampton.

MOTION CARRIED 7/0

FOR

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

AGAINST

9.1.2 Proposed Delegation from Council to Chief Executive Officer 19 December 2025 to 2 February 2026

PROPONENT	Chief Executive Officer
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.14
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	4 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Council adopted meeting dates for 2026 at the meeting held 20 November 2025. Council will not meet between 19 December 2025 and 19 February 2026 resulting in a period of 62 total days between Council meetings.

During this time, it is the Chief Executive Officers' experience that occasionally matters arise requiring a decision that can not be simply held over to the next available Council meeting.

The purpose of this report is for Council to consider delegating decision-making authority to the Chief Executive Officer over this extended end of year period.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Whilst the Chief Executive Officer already has delegated authority to determine a significant number of matters, some matters do arise that require determination by Council as they are not specifically delegated to the Chief Executive Officer.

This process was introduced by Council decision for the first time during the 2023/24 end of year period and again for the 2024/25 end of year period with one minor exercise of delegation being completed by the Chief Executive Officer in the 2024/25 end of year period which was reported to the Council meeting 20 February 2025.

It is proposed that delegated authority be granted to the Chief Executive Officer for all Council functions (other than those matters requiring an absolute majority or specifically precluded by the *Local Government Act 1995*) to decide on matters that are unable to be held over to the 19 February 2026 meeting. Any

exercise of such authority would require the support by the Shire President and will be reported to the Council at the 19 February 2026 meeting.

STATUTORY ENVIRONMENT:

Section 5.42 of the *Local Government Act 1995* enables the authority for Council to delegate certain functions to the Chief Executive Officer.

POLICY / STRATEGIC IMPLICATIONS:

A delegation such as this will enable most business of the Shire of Northampton to be undertaken without being held up due to the period between Council meetings. With a large gap between meetings, statutory time frames for decision determination may be compromised.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 3 – Moderate mainly based on compliance and reputational issues.

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: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council delegate to the Chief Executive Officer for the period 19 December 2025 to 2 February 2026 power to determine matters which are unable to be held over until the 19 February 2026 Council meeting subject to this delegation being limited to:

1. Any matter that arises during the delegated period not subject to any restrictions outlined below;
2. Any matter advertised for public comment to which no valid objection has been received;
3. Any matter to which the Shire President raises no objection;
4. Preclusion of those matters with delegation prohibition prescribed under the *Local Government Act 1995*; and
5. A report being presented at the 19 February 2026 Council meeting detailing any such delegations exercised.

COUNCIL RESOLUTION:

MOVED: Smith, C SECONDED: Suckling, K

12/25-173

That Council delegate to the Chief Executive Officer for the period 19 December 2025 to 2 February 2026 power to determine matters which are unable to be held over until the 19 February 2026 Council meeting subject to this delegation being limited to:

1. Any matter that arises during the delegated period not subject to any restrictions outlined below;
2. Any matter advertised for public comment to which no valid objection has been received;
3. Any matter to which the Shire President raises no objection;
4. Preclusion of those matters with delegation prohibition prescribed under the *Local Government Act 1995*; and
5. A report being presented at the 19 February 2026 Council meeting detailing any such delegations exercised.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.1.3 Feasibility Study Workers Accommodation, Lot 514 Woods Street, Kalbarri**

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Lot 514 Woods St, Kalbarri
ZONE:	Residential
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	9.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	8 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

In 2024/25 Council allocated grant funds in budget to engage a consultant to undertake a feasibility study into affordable workers accommodation at the Shire of Northampton (Shire) owned Lot 514 Woods Street, Kalbarri.

The purpose of this report is purely for Council to receive the Kalbarri Wood Street Feasibility Study (the report) on permanent record. The report is found in the attachment.

ATTACHMENT: 9.1.3 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Targeted community consultation was undertaken by the consultant as part of the situational economic analysis.

COMMENT (Includes Options):

The report details the costs associated with undertaking a full development of this magnitude utilising a certain standard of building versus the expected revenue generation. It is clear that the use of modular housing similar to that the Shire has already onsite is not financially viable for a break even position due to capital costs and revenue restrictions. The consultant has proposed an alternative concept in attempt further reduce capital costs but again this remains financially unviable. At this point Council should also note that the unviable financial finding is even before site servicing costs (water sewer, power and communications) are added into the discussion. The consultant has concluded:

“Unless a more affordable housing product can be identified, the only way to deliver affordable housing and maintain fiscal neutrality will be for the Shire to seek grant funding to contribute to the capital costs of the project.”

Given the financial viability concerns about the project, the consultant has provided the following recommendations in the report:

- **Applying for Grant Funding:** the analysis has demonstrated that grant funding can make a substantial impact on the project's viability. Accessing grant funding would reduce the amount of capital the Shire needed to borrow for the project and thus can allow the Shire to receive a sufficient amount of income to service the debt in a sustainable manner.
 1. **Investigate and apply for potential grants**
- **Investigating alternative housing suppliers:** the analysis has found that the capital costs exceed the market's ability to pay. Alternative housing product and alternative housing providers should be contacted to identify if lower cost housing solutions can be found.
 2. **Additional quotes for construction should be sought**
- **Changing the concept:** the concepts explored in this analysis have been found to be unviable, however, other concepts that can deliver a high quality housing solution at a lower cost may be viable.
 3. **Alternative concepts should be considered**
- **Partnering with local mining company:** the Shire could consider partnering in the development with a mining company. The mining company could contribute substantially to the capital (or as a minimum at 50%), the Shire could still invest and provide the land. Lowering the Shire's capital requirements (and leveraging capital from a mining company) could contribute to a better balance between capital expenditure, income and debt repayments. Naturally, adding a partner would increase the complexity of the project.
 4. **Explore the potential to partner with a local mining company where they would contribute to the capital requirement in return for access to future dwellings for their employees**

With the significant complexities apparent in the project, it is recommended that at this point Council receives the report and postpones any site servicing activities funded by the 2025/26 budget loan funding until such time as a detailed consideration of further options can be completed and brought back to Council. Those options could include the exploration of matters such as creating strata title lots, staging, the type of product offering, grant funding availability and likelihood, demand scenarios, and revenue contributions or considerations.

Council should note that existing grant funds contained in budget are being utilised to provide site service connections for three dwelling sites fronting Woods Street (one of which has the Shire modular house on it) and this project will be unaffected by the Officer Recommendation.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* allows the Shire to undertake activities such as this on behalf of the community.

POLICY / STRATEGIC IMPLICATIONS:

Lot 514 Woods Street, Kalbarri was a strategic futurist land acquisition for the Shire at little cost. The only condition on the property imposed by the State of Western Australia as part of the sale has been satisfied by the siting of one Shire owned modular dwelling on the property as this is considered to comprise substantive development. Council can, and should, take its time in pursuing financially responsible outcomes for the property.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating could be considered Catastrophic if financially poor decisions are made. Risks need to be managed comprehensively to ensure that the Shire is not locked into crippling capital debt and ongoing operational costs.

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 cost of the report was \$16,250 (inc. GST) grant funded by the 2024/25 budget.

The proposed loan to undertake site servicing was budgeted for \$250,000 in 2025/26 which would be attempted to be matched through the State Government's Infrastructure Development Fund.

Council should also note that Goods and Services Tax (GST) applies to anything the Shire does with housing including this project.

SUSTAINABILITY:

Environmental: The development of Lot 514 Woods Street, Kalbarri will result in some native vegetation removal to facilitate building construction.

Economic: Affordable workers accommodation is a key element to ensure remote communities remain sustainable.

Social: A lack of housing in remote communities often reduces the number of employees available in the area, particularly for lower household income thresholds.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, in relation to Lot 514 Woods Street, Kalbarri:

- 1) Receive the Kalbarri Woods Street Feasibility Study as per ATTACHMENT: 9.1.3 (1);**
- 2) Pause any loan funded construction expenditure on site servicing contained within the 2025/26 budget until a strategic project delivery strategy can be determined; and**
- 3) Await further advice and discussion on a strategic project delivery strategy in 2026.**

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Smith, C

12/25-174

That Council, in relation to Lot 514 Woods Street, Kalbarri:

- 1) Receive the Kalbarri Woods Street Feasibility Study as per ATTACHMENT: 9.1.3 (1);**
- 2) Pause any loan funded construction expenditure on site servicing contained within the 2025/26 budget until a strategic project delivery strategy can be determined; and**
- 3) Await further advice and discussion on a strategic project delivery strategy in 2026.**

MOTION CARRIED 7/0

FOR

- Cr L Sudlow
- Cr T Hay
- Cr R Burges
- Cr D Pike
- Cr K Suckling
- Cr R Suckling
- Cr C Smith

AGAINST

9.1.4 Consideration of Proposed Engine and Transmission Replacement for Shire Grader P263

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	12.3.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	10 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

On Monday 8 December 2025, the Shire Mechanic contacted the Chief Executive Officer (CEO) to view a significant issue with the intensification of metal fragments in the engine filters of the oldest Shire CAT grader being P263. The advice from the Shire Mechanic was that motors for P263 are not rebuilt, they are replaced so the Shire should continue to run P263 until it fails. This failure timeline is unknown and could either be immediately, weeks, months or years.

On receipt of this information the CEO asked the Shire Mechanic to investigate the cost of a replacement motor including whether it was required to be imported which could add a significant downtime period and cost. The reason for this request was to ensure that if there was to be significant delays, the Shire could potentially acquire a motor in preparation for a pending failure to minimise downtime.

The purpose of this item is for Council to consider the outcome of the Shire Mechanic's further investigation.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The Shire Mechanic visited a CAT dealership in Geraldton (WesTrac) on 10 December 2025. During the conversation regarding the issue, it was noted that the transmission in P263 had already completed 12,000hrs with CAT's transmission replacement schedule being 10,000hrs. It is also understood that it is common practice in significant older plant such as a grader to replace both the engine and transmission at the same time.

At the meeting held 26 September 2025, the Road Infrastructure and Plant Advisory Committee (RIPAC) was advised of engine damage in P263 and the potential for the need to potentially replace it. P263 is the oldest Shire grader and has been previously been earmarked for future replacement, and more recently discussed at the RIPAC as potentially retaining it to provide a service as a backup grader. The grader has recently had its driveline refurbished and is in generally good condition other than the motor and an occasional transmission issue with it slipping out of gear.

On 16 October 2025 Council considered plant replacement options to support RIPAC discussions of 26 September 2025. The outcome of Council's consideration was the following resolution:

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

10/25-01

That Council:

- 1. Agree to procure a new prime mover and lead trailer for a total indicative cost of \$550,000 (ex GST);**
- 2. Agree to trade the existing older 6 wheel truck and trailer combination for an indicate revenue of \$80,000 (ex GST);**
- 3. Exercise the power to borrow by loaning up to \$330,000 (ex GST) to fund the purchase of a new prime mover following statutory advertising processes;**
- 4. Fund a new lead trailer from the RIPAC Plant Replacement fund (4214.99) in the 2025/26 Annual Budget;**
- 5. Fund the 2025/26 principal and interest repayments from the RIPAC Plant Replacement account (4214.99) in the 2025/26 Annual Budget; and**
- 6. Retain \$138,639 in the Plant Replacement Reserve to be utilised for future acquisition and replacement of plant and machinery.**

MOTION CARRIED 6/0

FOR

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

AGAINST

Arising from this decision of Council it is identified that \$138,639 was retained in the Plant Replacement Reserve. The purpose of the Plant Replacement Reserve is "To be used for the future acquisition and replacement of plant and machinery". The Plant Replacement Reserve purpose is consistent with the replacement of significant plant components.

WesTrac has provided a cost estimate for both the engine and transmission replacement of approximately \$148,000 (GST inc.) (\$85,000 transmission and \$63,000 engine) plus incidentals or any other works required. Until the end of 2025 CAT are also running a discount on replacement transmissions providing a \$39,000 (GST inc.) credit back to the customer which in this situation could be applied to the cost of the engine. Factoring this in would reduce the total spend to \$109,000 (GST inc.) or \$99,090 (GST ex.) plus incidentals and any other work required.

In discussion with the Shire Mechanic, he considers the value of P263 has dropped to about \$100,000 or less residual value with its current issues, however if a new transmission and engine were installed the value would likely exceed the transmission and engine replacement cost plus the existing residual value. If Council went ahead with the transmission and engine replacement it is probable that the value of P263 would be financially beneficial to the Shire whether it chose to retain the plant or dispose of it into the future.

The reason for urgency in this matter is for Council to consider whether they would like to take an opportunity with the significant discount available until the end of 2025 if both the engine and transmission of P263 are replaced together.

STATUTORY ENVIRONMENT:

The *Local Government Act 1995* enables Local Government to make purchasing decisions outside of the annual budget process.

POLICY / STRATEGIC IMPLICATIONS:

This matter is being presented to Council as an opportunity to obtain a significant financial discount on the replacement of a transmission and engine for a large plant item. Council is under no obligation to proceed with any action on the matter however the operational lifespan of P263 is now very questionable.

WesTrac is a WALGA Preferred Supplier meaning the Shire can make direct purchasing in accordance with statutory obligations and Council Policy.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Major whether the Council acts now or later due to the financial impact and service disruption. Acting early would save \$39,000 (GST inc.) in transmission and engine replacement cost.

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:

If Council went ahead with this proposal, it is likely the total cost of the replacement of the transmission and engine plus incidentals and other matters would be in the order of \$110,000 (GST ex.). The Plant Replacement Reserve is projected to hold \$138,639 (GST ex.) on 30 June 2026 and all funding is proposed to come from this area if Council chose to proceed.

Council should be clear that it is under no obligation to expend funds on this proposal, the Officer Recommendation is driven by a financial saving opportunity for an issue with P263 that is likely to impact the Shire at sometime in the short to medium term.

If Council does proceed with the Officer Recommendation, it is strongly recommended that the Plant Replacement Reserve is replenished through any Works and Technical Services untied surplus funding in 2025/26 or with new funding as part of the 2026/27 budget.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1) Agree, through budget amendment, to fund the replacement of the transmission and engine of P263 along with incidentals and other required work in accordance with the following table:**

	2025/26 Budget (GST ex.)	2025/26 Amended Budget (GST ex)	Difference
P263 engine and transmission replacement	\$0	\$110,000	\$110,000
Plant Replacement Reserve	\$138,639	\$28,639	(\$110,000)
		net	\$0

- 2) Endeavour to replenish the Plant Replacement Reserve funds utilised as part of this decision through any Works and Technical Services untied surplus funding in 2025/26 or with new funding as part of the 2026/27 budget.

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

12/25-175

That Council:

- 1) Agree, through budget amendment, to fund the replacement of the transmission and engine of P263 along with incidentals and other required work in accordance with the following table:

	2025/26 Budget (GST ex.)	2025/26 Amended Budget (GST ex)	Difference
P263 engine and transmission replacement	\$0	\$110,000	\$110,000
Plant Replacement Reserve	\$138,639	\$28,639	(\$110,000)
		net	\$0

- 2) Endeavour to replenish the Plant Replacement Reserve funds utilised as part of this decision through any Works and Technical Services untied surplus funding in 2025/26 or with new funding as part of the 2026/27 budget.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.2.1 Manager Corporate Services Activity Report - July to December 2025**

PROPONENT	Manager Corporate Services
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	N/A
LEGISLATION:	Various
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	14 November 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This report has been produced to assist Council to understand the activity of the Manager Corporate Services (MCS) for the six-month period from July to December 2025.

A copy of the MCS Activity Report July to December 2025 is attached.

ATTACHMENT: 9.2.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The purpose of the agenda item and attached report is to inform Councillors of the activities of the MCS and the employees under their supervision for the period between July to December 2025.

STATUTORY ENVIRONMENT:

Various legislation is applicable to the activities undertaken by the MCS and the employees under their supervision.

POLICY / STRATEGIC IMPLICATIONS:

Maintaining an open and transparent dialogue between the MCS and Councillors is considered highly beneficial in maintaining a functional local government organisation and understanding of activities undertaken and future activities planned.

ORGANISATIONAL RISK MANAGEMENT:

Open dialogue between the Council and MCS is important and failure to do so could result in a considerable degree of risk to the organisation. 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 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:

All activities have been undertaken in accordance with the Shire's adopted budget for the 2025/2026 financial year.

SUSTAINABILITY:

Environmental: Activities of the MCS often deal with environmental related matters both from a compliance perspective and an improvement perspective.

Economic: The MCS administers and reports on the integrity of the organisation's administrative functions and provides input into the financial planning, budgeting and reporting of the activities for which the organisation is responsible.

Social: The MCS plays a key role in the management of the organisation's finance, physical and human resources.

VOTING REQUIREMENTS:**SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

That Council receive the Manager Corporate Services Activity Report July to December 2025 in accordance with ATTACHMENT: 9.2.1(1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Pike, D

12/25-176

That Council receive the Manager Corporate Services Activity Report July to December 2025 in accordance with ATTACHMENT: 9.2.1(1).

MOTION CARRIED 7/0

FOR

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

AGAINST

**ATTACHMENT
APPENDIX**

9.2.2 Outcome of Public Notice - Proposed Commercial Lease of Unit 3 (Lot 83) Kitson Circuit, Northampton to BF and TA Watson trading as Northampton Auto Electrics

PROPONENT	Brendan Francis Watson and Tracey Anne Watson trading as Northampton Auto Electrics
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Unit 3 (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
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	14 November 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.

Unit 3 has been operating on a lease to BF and TA Watson trading as *Northampton Auto Electrics* which was established on 9 November 2000. The current Lessee was seeking to renew the commercial lease agreement, which expired on 21 January 2025, with the proponent remaining in-situ on a holding over period.

Council at its meeting held on 20 November 2025 considered application for a proposed two-year commercial lease agreement for Unit 3 (Lot 83) Kitson Circuit, Northampton with proponents Brendan Francis Watson and Tracey Anne Watson (Northampton Auto Electrics).

Council resolution 11/25-154 resolved to approve the application subject to section 3.58 of the *Local Government Act 1995* as follows:

- 1. Subject to point 4, agree to dispose of property Unit 3 (Lot 83) Kitson Circuit, Northampton to BF & TA Watson trading as Northampton Auto Electrics in accordance with Point 2;**

2. Undertakes a Local Public Notice process to dispose of Unit 3 (Lot 83) Kitson Circuit to BF & TA Watson trading as Northampton Auto Electrics as outlined below:
 - a) A Lease Agreement for a term expiring 30 June 2027, with a renewal option for a further term of three years;
 - b) A discounted rental value of \$9,600 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;
 - 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. That BF & TA Watson are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for stamping and registration charges with Landgate;
4. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and BF & TA Watson; and
5. Make final determination of the matter after considering any public submissions made arising from point 2 above.

The purpose of the report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995 (Act)* and to seek Council's determination whether to proceed with the proposed lease to BF and TA Watson trading as *Northampton Auto Electrics* (ABN 82 767 517 675).

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with section 3.58 of the *Local Government Act 1995*, publication of the local public notice for a period of 14 days was conducted between 21 November and 5 December 2025.

Public Notice

Local Public Notice was provided in the following ways:

- Published on the Shire's website and social media platforms;
- Posted to the Shire of Northampton and Local Community Noticeboards; and
- Published in local community newsletters, Northampton News and Kalbarri Town Talk.

ATTACHMENT: 9.2.2 (1)

Submissions and responses

No submissions or responses were received.

COMMENT (Includes Options):

The purpose of the report is to present the outcome of public notice advertised in accordance with Section 3.58 of the *Local Government Act 1994(Act)* and to seek Council's determination whether to proceed with the proposed lease to BF and TA Watson trading as *Northampton Auto Electrics* (ABN 82 767 517 675).

STATUTORY ENVIRONMENT:

Local Government Act 1995 – Section 3.58 Disposing of Property.

POLICY / STRATEGIC IMPLICATIONS:

Shire of Northampton *Strategic Community Plan 2025 - 2035*

The proposed lease terms and conditions are 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 which are attached as appendices.

APPENDIX: 9.2.2 (A)

APPENDIX: 9.2.2 (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

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
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FINANCIAL IMPLICATIONS:

The Proponents sought a one-year discounted lease period to support their business as it adjusts to a graduated increase, eventually reaching the full valuation figure of \$11,500 per annum.

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 proposed annual rent for the first year of the lease is \$9,600, covering the period up to 30 June 2026. From 1 July 2026, the annual rent will increase to \$11,500, plus GST and outgoings, as determined by an independent valuation dated 11 August 2025. Thereafter, the rent will be adjusted annually in line with changes to the Perth March quarter 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, following publication of local public notice on 5 December 2025, disposes of by way of lease Unit 3 (Lot 83) Kitson Circuit, Northampton to BF and TA Watson trading as Northampton Auto Electrics (ABN 82 767 517 675) in accordance with the following:

- 1. A Lease Agreement for a two-year term expiring 30 June 2027, with a renewal option for a further term of three years;**
- 2. A discounted rental value of \$9,600 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;**

3. 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;
4. That BF & TA Watson are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for stamping and registration charges with Landgate; and
5. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and Cross WA Pty Ltd.

OFFICER RECOMMENDATION:

MOVED: Smith, C

SECONDED: Suckling, K

12/25-177

That Council, following publication of local public notice on 5 December 2025, disposes of by way of lease Unit 3 (Lot 83) Kitson Circuit, Northampton to BF and TA Watson trading as Northampton Auto Electrics (ABN 82 767 517 675) in accordance with the following:

1. A Lease Agreement for a two-year term expiring 30 June 2027, with a renewal option for a further term of three years;
2. A discounted rental value of \$9,600 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;
3. 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;
4. That BF & TA Watson are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for stamping and registration charges with Landgate; and
5. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and BF & TA Watson trading as Northampton Auto Electrics.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT

9.2.3 Outcome of Public Notice - Proposed Commercial Lease of Unit 2 (Lot 83) Kitson Circuit, Northampton to RJ Hilzinger and DM De Rooy trading as The Wheel Aligners

PROPONENT	Roderick James Hilzinger and Debra Maria De Rooy trading as The Wheel Aligners
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Unit 2 (Lot 83) Kitson Circuit, Northampton
ZONE:	General Industry
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	9131/A5039
LEGISLATION:	<i>Land Administration Act 1997</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	14 November 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.

Unit 2 has been operating on a combined lease arrangement which included Unit 4. Following sale of the business at Unit 4, the combined lease was extinguished requiring the lessee of Unit 2 to negotiate a new commercial lease agreement.

Council at its meeting held on 20 November 2025 considered application for a proposed one-year commercial lease agreement for Unit 2 (Lot 83) Kitson Circuit, Northampton with proponents Roderick James Hilzinger and Debra Maria De Rooy (The Wheel Aligners).

Council resolution 11/25-155 resolved to approve the application subject to section 3.58 of the *Local Government Act 1995* as follows:

- 1. Subject to point 4, agree to dispose of property Unit 2 (Lot 83) Kitson Circuit, Northampton to RJ Hilzinger and DM De Rooy trading as The Wheel Aligners in accordance with Point 2;**
- 2. Undertakes a Local Public Notice process to dispose of Unit 2 (Lot 83) Kitson Circuit to RJ Hilzinger and DM De Rooy trading as The Wheel Aligners as outlined below:**

- a) A Lease Agreement for a term expiring 30 June 2026, with a renewal option for a further term of one year;
 - b) A discounted rental value of \$8,000 plus GST and outgoings is payable for the first year to 30 June 2026 and is subject to indexation in accordance with terms of the lease; and
 - c) That the market rental value payable under the Lease commencing 1 July 2026 be \$10,000 plus GST, per annum, plus outgoings in consideration of the independent market valuation dated 11 August 2025 and subject to indexation in accordance with terms of the Lease.
3. That RJ Hilzinger and DM De Rooy are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for the costs of stamping and registration of the lease agreement with Landgate;
 4. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and RJ Hilzinger and DM De Rooy; and
 5. Make final determination of the matter after considering any public submissions made arising from point 2 above.

The purpose of the report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995 (Act)* and to seek Council's determination whether to proceed with the proposed lease to RJ Hilzinger and DM De Rooy trading as The Wheel Aligners (ABN 49 948 033 134).

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with section 3.58 of the *Local Government Act 1995*, publication of the local public notice for a period of 14 days was conducted between 21 November and 5 December 2025.

Public Notice

Local Public Notice was provided in the following ways:

- Published on the Shire's website and social media platforms;
- Posted to the Shire of Northampton and Local Community Noticeboards; and
- Published in local community newsletters, Northampton News and Kalbarri Town Talk.

ATTACHMENT: 9.2.3 (1)

Submissions and responses

No submissions or responses were received.

COMMENT (Includes Options):

The purpose of the report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995 (Act)* and to seek Council's determination whether to proceed with the proposed lease to RJ

Hilzinger and DM De Rooy trading as *The Wheel Aligners* (ABN 49 948 033 134).

STATUTORY ENVIRONMENT:

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

POLICY / STRATEGIC IMPLICATIONS:

Shire of Northampton *Strategic Community Plan 2025 - 2035*

The proposed lease terms and conditions are 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. For reference, copies of Council Policy 2.14 and Council Policy 2.8 are provided in Appendices 9.2.2(A) and 9.2.2(B) respectively.

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 Proponents sought a one-year discounted lease period to support their business as it adjusts to a graduated increase. This is a complex request, seeking both a significant reduction in the lease term (from five years to one year) and a substantial decrease in the market rental value (from \$10,000 to \$8,000). Furthermore, the business does not operate from Unit 2 on a continuous basis, as the proponents provide wheel alignment services in remote areas, which requires them to be away from Northampton. During these periods, the unit is primarily utilised for storage purposes.

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 proposed annual rent for the first year of the lease is \$8,000, covering the period up to 30 June 2026. Should the proponent seek to negotiate a further one-year term from 1 July 2026, the annual rent will increase to \$10,000, plus GST and outgoings, as determined by an independent valuation dated 11 August 2025. Thereafter, the rent will be adjusted annually in line with changes to the Perth March quarter 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, following publication of local public notice on 5 December 2025, disposes of by way of lease Unit 2 (Lot 83) Kitson Circuit, Northampton to RJ Hilzinger and DM De Rooy trading as The Wheel Aligners (ABN 49 948 033 134) in accordance with the following:

- 1. A Lease Agreement for a one-year term expiring 30 June 2026, with a renewal option for a further term of one year;**
- 2. A discounted rental value of \$8,000 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;**

3. That the market rental value payable under the Lease commencing 1 July 2026 be \$10,000 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;
4. That RJ Hilzinger and DM De Rooy are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for the costs of stamping and registration of the lease agreement with Landgate; and
5. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and RJ Hilzinger and DM De Rooy trading as The Wheel Aligners.

COUNCIL RESOLUTION:

MOVED: Hay, T

SECONDED: Suckling, R

12/25-178

That Council, following publication of local public notice on 5 December 2025, disposes of by way of lease Unit 2 (Lot 83) Kitson Circuit, Northampton to RJ Hilzinger and DM De Rooy trading as The Wheel Aligners (ABN 49 948 033 134) in accordance with the following:

1. A Lease Agreement for a one-year term expiring 30 June 2026, with a renewal option for a further term of one year;
2. A discounted rental value of \$8,000 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;
3. That the market rental value payable under the Lease commencing 1 July 2026 be \$10,000 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;
4. That RJ Hilzinger and DM De Rooy are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for the costs of stamping and registration of the lease agreement with Landgate; and
5. Authorises the Chief Executive Officer to negotiate the commercial terms of the lease between the Shire of Northampton and RJ Hilzinger and DM De Rooy trading as The Wheel Aligners.

MOTION CARRIED 7/0

FOR

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

AGAINST

Cr K Suckling
Cr R Suckling
Cr C Smith

ATTACHMENT

9.2.4 Outcome of Public Notice - Proposed Licence to Occupy - Portion of Reserve 25307 (Kalbarri Foreshore), 75 Grey Street, Kalbarri

PROPONENT	Maverick Marine (WA) Pty Ltd as trustee for Kalbarri Boat Hire Trust
OWNER	Shire of Northampton/State of Western Australia
LOCATION / ADDRESS:	Portion of Reserve 25307 (Kalbarri Foreshore)
ZONE:	Public Open Space
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	9.1.3.1/A3535
LEGISLATION:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	14 November 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton holds the Management Order for Reserve 25307, which provides public open space, playgrounds, riverfront and foreshore paths.

The proponents Jason Charles Deadman and Kathleen Michelle Deadman as legal entity Maverick Marine (WA) Pty Ltd trade as Kalbarri Boat Hire and Kalbarri Canoe Safaris. On 19 September 2018 the proponents purchased the business and the lease agreement at the time was reassigned. The business provides boat hire activity with a variety of craft for hire on the foreshore and riverfront including powerboats, dinghies, kayaks, canoes, pedal boats, stand-up paddle boards and more. They also run another experience called 'Canoe Safaris' which combines a 4WD drive up the Murchison River in a custom vehicle to a start-point, then paddling downstream, with a bush-BBQ meal included.

The current Lessee was seeking to renew the lease agreement, which expired on 22 January 2024, with the proponents remaining in-situ on a holding over period. It was considered that a lease agreement is not the correct legal instrument for this purpose as a lease gives exclusive control/possession of that portion of land and it would not be open to the public except by the lessee's permission.

Alternatively, a Licence to Occupy Crown Land agreement will give permission to the proponent to use a defined area on public (Crown) land giving flexibility

for short-term or seasonal use but not affording sole tenure or ownership. The area will remain public land and be available for others to use.

Council at its meeting held on 20 November 2025 considered an application for a proposed five-year licence to occupy for a portion of Reserve 25307 (Kalbarri Foreshore) with proponents Maverick Marine (WA) Pty Ltd as trustee for Kalbarri Boat Hire Trust.

Council resolution 11/25-156 resolved to approve the application subject to section 3.58 of the *Local Government Act 1995* as follows:

That Council, in accordance with section 3.58 of the *Local Government Act 1995* and consent of the Minister for Lands:

- 1. Subject to point 4, agree to dispose of property a portion of Reserve 25307 (Kalbarri Foreshore), 75 Grey Street, Kalbarri to Maverick Marine (WA) Pty Ltd trading as Kalbarri Boat Hire and Canoe Safaris in accordance with Point 2;**
- 2. Undertakes a Local Public Notice process to dispose of a portion of Reserve 25307 (Kalbarri Foreshore), 75 Grey Street, Kalbarri to Maverick Marine (WA) Pty Ltd trading as Kalbarri Boat Hire and Canoe Safaris as outlined below:**
 - a) A License to Occupy 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 \$1,029 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;**
 - c) That the market rental value payable under the License to Occupy agreement will commence 1 July 2026 at a value of \$4,000 per annum plus GST, plus outgoings in line with the Landgate market valuation dated 8 July 2025 and subject to indexation in accordance with terms of the License to Occupy agreement.**
- 3. Determines that JK and KM Deadman as Maverick Marine (WA) Pty Ltd are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for stamping and registration charges with Landgate;**
- 4. Authorises the Chief Executive Officer to negotiate the commercial terms of the license to occupy agreement between the Shire of Northampton and Maverick Marine (WA) Pty Ltd; and**
- 5. Make final determination of the matter after considering any public submissions made arising from point 2 above.**

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995* and to seek Council's determination whether to proceed with the proposed licence to occupy agreement to Maverick Marine (WA) Pty Ltd the trustee for Kalbarri Boat Hire Trust (ABN 92 648 626 525).

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with section 3.58 of the *Local Government Act 1995*, publication of the local public notice for a period of 16 days was conducted between 22 October and 7 November 2025.

Public Notice

Local Public Notice was provided in the following ways:

- Published on the Shire's website and social media platforms;
- Posted to the Shire of Northampton and Local Community Noticeboards; and
- Published in local community newsletters, Northampton News and Kalbarri Town Talk.

ATTACHMENT: 9.2.4 (1)

Submissions and responses

No submissions or responses were received.

COMMENT (Includes Options):

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995* and to seek Council's determination whether to proceed with the proposed licence to occupy agreement to Maverick Marine (WA) Pty Ltd the trustee for Kalbarri Boat Hire Trust (ABN 92 648 626 525).

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.

Each licence to occupy of Crown land requires the approval of the Minister for Lands in accord with section 18 of the *Land Administration Act 1997*.

POLICY / STRATEGIC IMPLICATIONS:

The proposed License to Occupy 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. For reference, Council Policy 2.14 and Council Policy 2.8 are provided in Appendices 9.2.2(A) and 9.2.2(B) respectively.

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 proponents sought a one-year discounted License to Occupy period, retaining the current fee of \$1,029 plus GST, plus outgoings to 30 June 2026. It is then proposed that, from 1 July 2026, the proponent will commence payment of the current assessed market rental rate of \$4,000 per annum, plus GST, plus outgoings with the annual rental increasing on a yearly basis in accordance with the rate of the Perth March quarter of the Consumer Price Index (CPI).

The market rental valuation assessment was undertaken by the Valuer General's office with the assessment considering various economic factors as well as market rental evidence.

Responsibility for outgoings, including building maintenance and portable structures, is outlined in the licence to occupy 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.

SUSTAINABILITY:

Environmental: Nil.

Economic: Provision of a reliable, professional and safe boat hire service that attracts tourists and encourages longer stays in the area will benefit the Kalbarri community.

Social: The ongoing operation of this business will foster respectful and cooperative relationships with all users and promote inclusive participation in a range of recreational activities.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, following publication of local public notice on 5 December 2025, disposes by way of licence to occupy portion of Reserve 25307 (Kalbarri Foreshore), 75 Grey Street, Kalbarri to Maverick Marine (WA) Pty Ltd trading as Kalbarri Boat Hire and Canoe Safaris in accordance with the following:

- 1. A License to Occupy Agreement for a term expiring 30 June 2030, with a renewal option for a further term of five years;**
- 2. A discounted rental value of \$1,029 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;**
- 3. That the market rental value payable under the License to Occupy agreement will commence 1 July 2026 at a value of \$4,000 per annum plus GST, plus outgoings in line with the Landgate market valuation dated 8 July 2025 and subject to indexation in accordance with terms of the License to Occupy agreement.**
- 4. Determines that JK and KM Deadman as Maverick Marine (WA) Pty Ltd are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for stamping and registration charges with Landgate;**
- 5. Authorises the Chief Executive Officer to negotiate the commercial terms of the license to occupy agreement between the Shire of Northampton and Maverick Marine (WA) Pty Ltd.**

COUNCIL RESOLUTION:**MOVED: Smith, C****SECONDED: Burges, R****12/25-179**

That Council, following publication of local public notice on 5 December 2025, disposes by way of licence to occupy portion of Reserve 25307 (Kalbarri Foreshore), 75 Grey Street, Kalbarri to Maverick Marine (WA) Pty Ltd trading as Kalbarri Boat Hire and Canoe Safaris in accordance with the following:

- 1. A License to Occupy Agreement for a term expiring 30 June 2030, with a renewal option for a further term of five years;**
- 2. A discounted rental value of \$1,029 plus GST and outgoings is payable for the first year of business to 30 June 2026 and subject to indexation in accordance with terms of the Lease;**
- 3. That the market rental value payable under the License to Occupy agreement will commence 1 July 2026 at a value of \$4,000 per annum plus GST, plus outgoings in line with the Landgate market valuation dated 8 July 2025 and subject to indexation in accordance with terms of the License to Occupy agreement.**
- 4. Determines that JK and KM Deadman as Maverick Marine (WA) Pty Ltd are responsible for lease preparation fees (as per the Shire of Northampton's Statutory Fees and Charges) and for stamping and registration charges with Landgate;**
- 5. Authorises the Chief Executive Officer to negotiate the commercial terms of the license to occupy agreement between the Shire of Northampton and Maverick Marine (WA) Pty Ltd.**

MOTION CARRIED 7/0**FOR**

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

AGAINST

ATTACHMENT

9.2.5 Outcome of Public Notice - Proposed Community Lease of portion of Lot 513 Porter Street, Kalbarri being a portion of Reserve 25447 to Kalbarri Arts and Crafts Group Inc.

PROPONENT OWNER	Kalbarri Arts and Crafts Group Inc. Shire of Northampton/State of Western Australia
LOCATION / ADDRESS:	Portion of Lot 513 Porter Street on DP424035 being a portion of Reserve 25447
ZONE:	Public Open Space
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	9.1.3.1/A4824
LEGISLATION:	<i>Local Government Act 1995</i> <i>Land Administration Act 1997</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Michelle Allen
DATE OF REPORT:	14 November 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton manages Reserve 25447 under a Management Order with the stated purpose being to “*set aside areas for public open space to provide for a range of active and passive recreation uses such as recreation buildings, courts and associated car parking and drainage*”.

The Reserve sits on Porter Street, adjacent to the town centre and is used for community infrastructure including the Kalbarri Sport and Recreation Centre, Shire of Northampton offices, Kalbarri Visitor Centre, Electric Vehicle (EV) charging station and a collection of buildings locally known as the ‘Kalbarri Arts and Crafts Centre’.

Council at its meeting held on 20 November 2025 considered application for a proposed five-year community lease agreement for a portion of Lot 513 Porter Street, Kalbarri being a portion of Reserve 25447 to the Kalbarri Arts and Craft Group Inc.

Council resolution 11/25-153 resolved to approve the application subject to section 3.58 of the *Local Government Act 1995* as follows:

That Council, subject to section 3.58 of the *Local Government Act 1995* and consent of the Minister for Lands:

- 1. Agrees to dispose of a portion of Reserve 25447 identified as Lot 513 on Deposited Plan 424035 Porter Street Kalbarri as shown in**

Figure 3 of this report to Kalbarri Arts and Crafts Group Inc. in accordance with Point 2;

- 2. Disposes of a portion of Reserve 25447 to Kalbarri Arts and Crafts Group Inc. 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; and**
 - b) As a registered not-for-profit group the annual rental value of \$10 per annum plus GST and outgoings is payable annually on the anniversary date of 1 July each year to 30 June 2030.**
- 3. Determines that the Kalbarri Arts and Crafts Group Inc. shall be responsible for the lease preparation fee (in accordance with the Shire of Northampton's Statutory Fees and Charges) and for the costs associated with stamping and registration of the lease with Landgate.**
- 4. Authorises the Chief Executive Officer to negotiate the terms of the lease between the Shire of Northampton and Kalbarri Arts and Crafts Group Inc;**

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995* and to seek Council's determination whether to proceed with the proposed community lease to Kalbarri Arts and Crafts Group Inc. (ABN 59 116 202 846).

PUBLIC CONSULTATION UNDERTAKEN:

In accordance with section 3.58 of the *Local Government Act 1995*, publication of the local public notice for a period of 16 days was conducted between 22 October and 7 November 2025.

Public Notice

Local Public Notice was provided in the following ways:

- Published on the Shire's website and social media platforms;
- Posted to the Shire of Northampton and Local Community Noticeboards; and
- Published in local community newsletters, Northampton News and Kalbarri Town Talk.

ATTACHMENT: 9.2.5 (1)

Submissions and responses

No submissions or responses were received.

COMMENT (Includes Options):

The purpose of this report is to present the outcome of public notice advertised in accordance with section 3.58 of the *Local Government Act 1995* and to seek Council's determination whether to proceed with the proposed community lease to Kalbarri Arts and Crafts Group Inc. (ABN 59 116 202 846).

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.

Each lease of Crown land requires the approval of the Minister for Lands in accord with section 18 of the *Land Administration Act 1997*.

POLICY / STRATEGIC IMPLICATIONS:

The proposed community 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. For reference, Council Policy 2.14 and Council Policy 2.8 are provided in Appendices 9.2.2(A) and 9.2.2(B) respectively.

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 lease agreement preparation fee of \$220 (including GST) for a document prepared by the Shire of Northampton, and stamping and registration fees with Landgate will be at the expense of the Kalbarri Arts and Crafts Group Inc.

Responsibility for outgoings, including building maintenance, is outlined in the lease agreement and in accordance with Council Policy 3.1 *Property Leasing*. The annual rental sought for buildings and improvements owned by the Shire and leased to a community association will be \$10 per annum. The Kalbarri Arts and Crafts Group Inc. is listed as a registered charity with the Australian Charities and Not-for-profits Commission (ACNC).

SUSTAINABILITY:

Environmental: Occupation of older buildings can slow structural deterioration of an asset.

Economic: A lease facilitates continued use and maintenance of existing infrastructure and provides low-cost access to an active community group.

Social: A lease will provide a space where people of all ages can connect, collaborate and build social networks in a small town.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, following publication of local public notice on 5 December 2025, disposes by way of lease portion of Reserve 25447 identified as Lot 513 on Deposited Plan 424035 Porter Street Kalbarri to Kalbarri Arts and Crafts Group Inc. in accordance with the following:

- 1. A Lease Agreement for a term expiring 30 June 2030, with a renewal option for a further term of five years; and**
- 2. As a registered not-for-profit group the annual rental value of \$10 per annum plus GST and outgoings is payable annually on the anniversary date of 1 July each year to 30 June 2030.**
- 3. Determines that the Kalbarri Arts and Crafts Group Inc. shall be responsible for the lease preparation fee (in accordance with the Shire of Northampton’s Statutory Fees and Charges) and for the**

costs associated with stamping and registration of the lease with Landgate.

4. Authorises the Chief Executive Officer to negotiate the terms of the lease between the Shire of Northampton and Kalbarri Arts and Crafts Group Inc;

COUNCIL RESOLUTION:

MOVED: Pike, D

SECONDED: Burges, R

12/25-180

That Council, following publication of local public notice on 5 December 2025, disposes by way of lease portion of Reserve 25447 identified as Lot 513 on Deposited Plan 424035 Porter Street Kalbarri to Kalbarri Arts and Crafts Group Inc. in accordance with the following:

1. **A Lease Agreement for a term expiring 30 June 2030, with a renewal option for a further term of five years; and**
2. **As a registered not-for-profit group the annual rental value of \$10 per annum plus GST and outgoings is payable annually on the anniversary date of 1 July each year to 30 June 2030.**
3. **Determines that the Kalbarri Arts and Crafts Group Inc. shall be responsible for the lease preparation fee (in accordance with the Shire of Northampton's Statutory Fees and Charges) and for the costs associated with stamping and registration of the lease with Landgate.**
4. **Authorises the Chief Executive Officer to negotiate the terms of the lease between the Shire of Northampton and Kalbarri Arts and Crafts Group Inc;**

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.2.6 Monthly Financial Statements for the Period Ending 30 November 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:	1 December 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 30 November 2025 are detailed from page 1 to page 24 per the attached Monthly Financial Report.

A copy of the Monthly Financial Report is attached.

ATTACHMENT: 9.2.6 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

A summary of the 30 November 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 \$835,845 (9.18%). Variance due to timing in receiving grants and contributions, and processing of assets as they are disposed.

- Operating expenditure was below year-to-date budget by \$1,964,997 32.36% due to timing as the year progresses with budgeted works and overall efficient financial management within tight budget constraints.
- Capital inflows were below year-to-date budget by \$5,124,647 (89.93%), as the year progresses funding will be received and recognised.
- Capital outflows were below year-to-date budget by \$6,875,463, 90.40%, as capital projects progress 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 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 30 November 2025 in accordance with ATTACHMENT: 9.2.6(1).

COUNCIL RESOLUTION:

MOVED: Hay, T SECONDED: Smith, C

12/25-181

That Council receives the Monthly Financial Report for the period ending 30 November 2025 in accordance with ATTACHMENT: 9.2.6(1).

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.2.7 Proposed November 2025 List of Accounts for Endorsement on 20 December 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:	1 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

A full list of November 2025 payments is submitted to Council on 18 December 2025 for consideration.

A copy of the Payment List is attached.

ATTACHMENT: 9.2.7 (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 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 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 EFT28510 to EFT28642 totalling \$931,096.90; Municipal Fund Cheques 22629 to 22633 inclusive totalling \$1,007.29; Direct Debit payments numbered GJ0508 to GJ0515 inclusive, payroll and superannuation totalling \$329,149.18; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.7 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

12/25-182

That Council note Municipal EFT payments numbered EFT28510 to EFT28642 totalling \$931,096.90; Municipal Fund Cheques 22629 to 22633 inclusive totalling \$1,007.29; Direct Debit payments numbered GJ0508 to GJ0515 inclusive, payroll and superannuation totalling \$329,149.18; and itemised fuel card purchases, be declared authorised expenditure in accordance with ATTACHMENT: 9.2.7 (1).

MOTION CARRIED 7/0

FOR

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

AGAINST

Cr Sudlow declared an Impartiality Interest in Item 9.3.1 she knows the applicant socially.

ATTACHMENT

9.3.1 Request to Purchase Portion of Shire Freehold Land Abutting Lot 62 (No 7) Horan Way, Horrocks

PROPONENT OWNER	Ms A J Lee-Steere Lot 62 – Ms A J Steere Lot 9003 - Shire of Northampton
LOCATION / ADDRESS:	Lot 62 (No 7) Horan Way, Horrocks Portion of Lot 9003 Glass Street, Horrocks
ZONE:	Lot 62- Residential (R20)
BUSINESS AREA:	Pt Lot 9003 – Public Open Space
FILE REFERENCE:	10.5.3.5 & A781
LEGISLATION:	<i>Local Government Act 1995;</i> <i>Planning and Development Act 2005</i> <i>Transfer of Land Act 1893</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Lot 62 (No 7) Horan Way is a 587m² residential lot located at the southern end of Horan Way. The property is developed with a single residential dwelling, which was constructed in 2024. Aerial photography of the site is shown below.

Location Plan



As reflected above, aerial photography of the site indicates that the home encroaches slightly into Lot 9003, being owned freehold by the Shire at the rear of the Lot 62.

Development (Planning) Approval was granted to the now existing home in June 2022. A copy of the approved site plan is shown attached. It appears that the minor boundary encroachment occurred inadvertently, due to an error in setting out the home.

ATTACHMENT: 9.3.1 (1)

As reflected at Attachment: 9.3.1 (1), the home was approved with the home to be setback approximately 1.5 from the rear boundary. A subsequent site survey, undertaken by consultants on behalf of the owner has identified that that the home has been constructed with roof line projecting slightly over the common boundary with Lot 9003. A copy of the survey is shown attached.

ATTACHMENT: 9.3.1 (2)

To correct the situation, the landowner has now requested to purchase 48.5m² of Lot 9003. A copy of the landowners' request is shown attached.

ATTACHMENT: 9.3.1 (3)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

Zoning

The provisions of the Shire's Local Planning Scheme No 10 include the subject land within the Residential Zone, with an applicable density of R20.

Required Setbacks

In accordance with the Residential Design Codes of Western Australia provisions relating to the density of R20, a single dwelling is required to be setback a minimum of 1m from the rear boundary.

Proposed Boundary Line

The proposed boundary line will result in a rational boundary line that will:

- a) Ensure the now existing development complies with the setback requirements prescribed by the Residential Design Codes of Western Australia and the Building Code of Australia; and
- b) The new boundary aligning with the rear boundary of the land immediately north. That boundary being established following the adjacent landowner previously purchasing portion of Lot 9003.

Fencing

To ensure the new boundary is clearly defined on-site it is recommended that the applicant/landowner be required to erect a fence, at least 1.2m in height on any new boundary. As a minimum it is recommended a post and wire fence could be used.

Sales Process

To complete the sale of a portion land to the applicant, the following steps will be required:

- a) Preparation of a Diagram of survey, identifying that portion of land to be excised from Lot 9003 and amalgamated into Lot 62;
- b) Establishment of a market value for the area of land to be acquired.
- c) An application for approval to the subdivision and amalgamation from the Western Australian Planning Commission; and
- d) The clearance of subdivision conditions and endorsement of the Diagram of Survey facilitating the creation of new land titles.

Previous Sales from Lot 9003

The Shire has on several occasions sold portion of Lot 9003 to adjacent landowners to address unauthorised encroachments onto the Shire property. These sales included:

- a) No 5 Horan Way, immediately north of Lot 62; and
- b) More recently No 6 Horan Way, which Council resolved to approved (Resolution 08/24-102) in August 2024.

Associated Costs

As reflected within the correspondence shown at Attachment: 9.3.1 (3), the applicant has agreed to make the required application for a subdivision/amalgamation and all associated costs.

Purchase Price

The owner of Lot 62 has offered a purchase price of \$500 which they have based on the unimproved land value associated with the sale of 61m² that occurred recently with No 6 (Lot 65) Horan Way. Whilst the basis for the proponents offer is understood, the provisions of the *Local Government Act 1995* require that a market valuation is completed.

Fencing

As reflected in Attachment: 9.3.1 (1), portion of Lot 9003 has been grassed, giving the appearance that the land forms part of Lot 65. To ensure the new boundary is clearly defined on-site it is recommended that the applicant/landowner be required to erect a fence, at least 1.2m in height on any new boundary. As a minimum it is recommended a post and wire fence could be used.

Conclusion

A boundary adjustment between Lot 62 and Lot 9003 is required to ensure compliance with setback requirements set out under both planning and building legislation. As the proponent is prepared to meet all costs, it is recommended

that Council conditionally approve the request to purchase approximately 48.5m² of the Shire's of Lot 9003.

STATUTORY ENVIRONMENT:

In accordance with section 3.58 of the *Local Government Act 1995*, land owned by the Shire of Northampton may be disposed of by either:

- a) Public auction.
- b) Public tender; or
- c) Local public providing notice of the intention to dispose.

Given that the subject area of Lot 9003 is of no benefit to any other party, it is recommended that neither a public auction nor tender process is an appropriate approach. As the market value of the land will be less than \$5,000, Regulation 30 of the *Local Government (Functions and General Regulations) 1996* identifies that the local public notice is not required where the land is to be sold to an adjacent landowner.

POLICY / STRATEGIC IMPLICATIONS:

Due to the configuration and topography of the subject portion of Lot 9003, there are no strategic implications associated with the sale.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating associated with not agreeing to the applicants' request is considered moderate for the organisation, but major for the landowner who would then need to consider modification of the existing dwelling.

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:

Should Council support the application, it is recommended that the applicants be required to meet all costs associated with the purchase of the land and modification of the titles.

Once the sale is complete, Council will be requested to consider the allocation of the funds, which could include the funding of other projects within the Horrocks Community.

SUSTAINABILITY:

Environmental: Nil.

Economic: Nil.

Social: Approval to the request as submitted would resolve the issue of development encroaching onto Shire freehold land without the adjacent landowner having to modify the existing dwelling.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Approve the sale of approximately 48.5m² of Lot 9003 Glass Street, Horrocks to the owner of Lot 62 (No 7) Horan Way, Horrocks in accordance with the request shown at ATTACHMENT: 9.3.1 (3), subject to compliance with the following at the cost of the applicant:
 - a) Preparation of a diagram of survey by a licensed land surveyor to reflect a new boundary consistent with the applicants proposed boundary alignment, being not less than 1m from the existing dwelling;
 - b) A market valuation being obtained from a licensed real estate valuer;
 - c) Application being made to the Department of Planning, Lands and Heritage for conditional approval to the proposed subdivision/amalgamation and compliance with any conditions identified on any approval;
 - d) The titles of Lots 62 and Lot 9003 being adjusted accordingly; and
 - e) Following issue of new titles, the applicant shall erect a fence being a minimum of 1.2m in height of post and rail construction within 60 days;
2. Given the market valuation of the land referred to in point 1(b) will be less than \$5,000, authorise the Chief Executive Officer to finalise the land disposal in accordance with legislated requirements under delegated authority;

3. Consider the allocation of any funds resulting from the disposal of land in accordance with points 1-3 above once the sale has been finalised.

COUNCIL RESOLUTION:

MOVED: Smith, C SECONDED: Suckling, R

12/25-183

That Council:

1. Approve the sale of approximately 48.5m² of Lot 9003 Glass Street, Horrocks to the owner of Lot 62 (No 7) Horan Way, Horrocks in accordance with the request shown at ATTACHMENT: 9.3.1 (3), subject to compliance with the following at the cost of the applicant:
 - a) Preparation of a diagram of survey by a licensed land surveyor to reflect a new boundary consistent with the applicants proposed boundary alignment, being not less than 1m from the existing dwelling;
 - b) A market valuation being obtained from a licensed real estate valuer;
 - c) Application being made to the Department of Planning, Lands and Heritage for conditional approval to the proposed subdivision/amalgamation and compliance with any conditions identified on any approval;
 - d) The titles of Lots 62 and Lot 9003 being adjusted accordingly; and
 - e) Following issue of new titles, the applicant shall erect a fence being a minimum of 1.2m in height of post and rail construction within 60 days;
2. Given the market valuation of the land referred to in point 1(b) will be less than \$5,000, authorise the Chief Executive Officer to finalise the land disposal in accordance with legislated requirements under delegated authority;
3. Consider the allocation of any funds resulting from the disposal of land in accordance with points 1-3 above once the sale has been finalised.

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT

9.4.1 Delegated Planning Decisions for November 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:	3 December 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 November 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 Policy as detailed in the Policy/Strategic Implications section overleaf.

COMMENT (Includes Options):

During November 2025 a total of twelve (12) 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 November 2025 compared to November 2024.

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

	November 2024	November 2025
Delegated Decisions	7 - \$1,230,000 **5	12 - \$402,846.36 **10
Council Decisions	1 - \$12,000	2 - \$51,040 *1 1 Refusal
Total	8 - \$1,242,000	15 - \$453,886.36

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	65 - \$4,494,449 **27	65 - \$7,812,263.81 **32
Council Decisions	28 - \$5,196,517 **1	17 - \$3,277,452 **4 3 Refusals
Total	93 - \$9,690,966	82 - \$11,089,715.81

**includes administrative applications which are attributed to 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.

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 to the CEO and committees, which gives the CEO authorisation to exercise its power 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 that 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 for all applications 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 November 2025 as detailed in ATTACHMENT: 9.4.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

12/25-184

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

MOTION CARRIED 7/0

FOR

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

AGAINST

Councillor Sudlow declared a Financial Interest as closely associated persons to the applicant work on her family's business and left the Chambers at 2:27 pm.

ATTACHMENT APPENDIX

9.4.2 Application for a Mobile Food Vehicle - Shearing Shed Cafe at Lot 202 Glance Street (Carpark) Horrocks

PROPONENT OWNER	N Anderson
LOCATION / ADDRESS:	Shire of Northampton Lot 202 Glance Street, Horrocks (Beach Car Park)
ZONE:	Town Centre
BUSINESS AREA:	Planning Services
FILE REFERENCE:	7.1.9
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Kaylene Roberts/Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	4 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

An application has been received from the owners of the "Shearing Shed Café" seeking approval to operate a mobile food vehicle within Horrocks. Approval is being sought to operate from the carpark at Lot 202 Glance Street from the 26 December 2025 to 1 February 2026 Monday to Sunday – 6am to 9am and 2.30pm to 4.30pm.

A copy of the submitted application form and photographs of the mobile food vehicle are shown attached.

ATTACHMENT: 9.4.2 (1)

The proposed location is consistent with the approved location for Horrocks as shown within Appendix 1 Local Planning Policy – Mobile Food Vendors. Further information on that policy is provided in the comment section of this agenda item.

Council is requested to determine the proposal as the application is not consistent with the provisions of Local Planning Policy – Mobile Food Vehicles.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Within the Shire of Northampton, the following approvals are required to be obtained prior to the commencement of a mobile food vehicle business;

- a) Approval under the Shire's relevant Local Planning Scheme (10 or 11);
- b) A permit under the Shire's Activities in Thoroughfares and Public Places and Trading Local Law 2017; and
- c) Approval under the Food Act 2008.

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

Local Planning Policy – Mobile Food Vans

Council adopted Local Planning Policy – Mobile Food Vendors (the Policy) at its Ordinary Meeting held on 15 March 2019. A copy of the Policy as adopted is appended.

APPENDIX: 9.4.2 (A)

Policy Objectives

As shown at Appendix: 9.4.2 (A) the policy objectives as follows:

- 2.1 *Provide guidance on the requirements for the operation of mobile food vehicles within the Shire of Northampton;*
- 2.2 *Allow mobile food vehicles to operate in a way which complements existing food businesses within town sites;*
- 2.3 *Ensure mobile food vehicles operate in a way which complements existing food businesses within town sites;*
- 2.4 *Ensure mobile food vehicles are of a temporary nature;*
- 2.5 *Ensure mobile food vehicles do not unreasonably compromise the amenity of the surrounding residential area; and*
- 2.6 *Ensure mobile food vehicle operators practise safe food handling in accordance with the Food Act 2008.*

Approved Locations and Siting

The Policy states that the Shire may approve up to two (2) mobile food vehicles to operate at one time within each of the locations identified within the Policy. For Horrocks, the identified location is the carparking area on Lot 202, south of the jetty carpark (Site b).

The applicant is proposing to operate from this location.

Locational Criteria

As outlined in clause 3.4.3 of the Policy, the following location requirements apply to all applications for mobile food vehicle permit:

- a) *Mobile food vehicle permit holders are only permitted to trade in an approved location, which is to be at least 50m from an established food or beverage business and 500m from a business selling the same, or similar, food product during that business' trading hours;*
- b) *Mobile food vehicles are only permitted to trade at the locations detailed on their permits; and*
- c) *Mobile food vehicles will be located so as not to obstruct pedestrian flow or vehicular traffic.*

As the proposed location is within 500m of the Horrocks General Store and the food being offered is similar to that offered by the Store, the operation hours should be restricted to times that the General Store is closed.

Proposed Hours

As detailed within the Background Section of this agenda item, the applicants are proposing to operate 7 days per week during two time periods, being 6am to 9am and 2:30pm to 4:30pm. As the Horrocks General Store is currently does not open until 9:00am and is closed between 2:00pm and 4:00pm, approval to operate these hours only would ensure the proposal is consistent with the policy requirements.

Conclusion

Approval to operate the Shearing Shed Café Van from the Horrocks Beach carpark outside of the advertised hours of the nearby general store would be consistent with the provisions of the policy. It is therefore recommended that conditional approval be granted.

STATUTORY ENVIRONMENT:

In accordance with the Shire of Northampton Activities in Thoroughfares and Public Places and Trading Local Law 2017, a permit is required prior to a mobile food vehicle trading within the Shire.

The provisions of the *Planning and Development Act 2005* also apply as detailed in the Comment Section above.

POLICY / STRATEGIC IMPLICATIONS:

Shire of Northampton Local Planning Policy – *Mobile Food Vehicles*.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating associated with granting conditional approval as recommended, would be considered minor.

FINANCIAL IMPLICATIONS:

The required application fee associated with the Development Approval has been paid. If approved, the applicant will be required to pay additional fees to operate under the Shire's Activities in Thoroughfares and Public Places and Trading Local Law 2017.

SUSTAINABILITY:

Environmental: Appropriate conditions of approval are required to ensure that the operation of a mobile food vehicle does not impact on the environmental or aesthetic aspects of an area.

Economic: Approval to the application will provide an economic opportunity to the applicant.

Social: The proposed operating hours are located outside of the normal business hours of the Horrocks Beach General Store operating near the carpark on Glance Street and will allow residents and tourists the opportunity to acquire food and drink.

VOTING REQUIREMENTS: SIMPLE MAJORITY**OFFICER RECOMMENDATION:**

That Council grant Development Approval in accordance with the provisions of the Shire of Northampton's Local Planning Scheme No 10 subject to compliance with the following conditions:

- 1. Permission is granted to the operation of the Shearing Shed Café Van within a single parking bay located within the Carpark area on Lot 202, Horrocks, south of the jetty carpark, seven days per week from 26 December 2025 to 1 February 2026, during the following hours:
 - a) 6am to 9:30am; and**
 - b) 2:00pm to 4:00pm.****
- 2. Unless otherwise approved by the Shire of Northampton the preparation of all food products shall be undertaken within the Mobile Food Vehicle and/or a kitchen approved for commercial production of food;**
- 3. The applicant is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times;**
- 4. Any additions to, or change to the approved use (not the subject of this consent/approval) requires further application and planning approval for that use/addition;**
- 5. The Development Approval and Mobile Food Vehicle Permit is valid until 1 February 2026, after which further renewal of the approval by the local government is required annually. It is the responsibility of the operator to apply in good time before expiration, and the local government will not automatically re-issue approvals;**
- 6. The Mobile Food Vehicle Permit issued shall be displayed on the dash or another prominent visible location of the approved vehicle at all operating times;**
- 7. The approval is for one (1) Mobile Food Vehicle only and this approval is issued to N Anderson and is NOT transferrable to any other person or to any other land parcel, without further application and approval of the Shire of Northampton;**
- 8. The Mobile Food Vehicle and associated services shall at no time interfere or obstruct the operations and activities of Lot 202 or any approved users of the carpark and shall at no time cause obstruction to the access or traffic flow of the car parking area to the satisfaction of the local government;**
- 9. Should substantiated complaints be received regarding operation of the mobile food van the Shire of Northampton reserves the right to review and/or revoke this Development Approval;**

10. The applicant shall obtain Public Liability Insurance coverage to a minimum of \$20 million, and forward a copy of this certificate to the Shire of Northampton to comply with the provisions of the Shire of Northampton's Local Planning Policy – *Mobile Food Vehicles*;
11. The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibrations, waste product or otherwise; and
12. The Mobile Food Vehicle is required to be removed from the area during those times that the vehicle is not in operation. The Mobile Food Vehicle is not to be stored within the approved operating area.

Advice Note:

- a) Prior to commencement of the operation the proposed food vehicle is to be inspected and approved for use in accordance with the provisions of the Food Act 2008;
- b) This approval does not limit operation of the Food Vehicle at approved events; and
- c) The applicant is advised that Council determines the application renewal fee in accordance with the Shire of Northampton's *Schedule of Fees and Charges*.

COUNCIL RESOLUTION:

MOVED: Smith, C SECONDED: Suckling, R

12/25-185

That Council grant Development Approval in accordance with the provisions of the Shire of Northampton's Local Planning Scheme No 10 subject to compliance with the following conditions:

1. **Permission is granted to the operation of the Shearing Shed Café Van within a single parking bay located within the Carpark area on Lot 202, Horrocks, south of the jetty carpark, seven days per week from 26 December 2025 to 1 February 2026, during the following hours:**
 - a) **6am to 9:30am; and**
 - b) **2:00pm to 4:00pm.**
2. **Unless otherwise approved by the Shire of Northampton the preparation of all food products shall be undertaken within the Mobile Food Vehicle and/or a kitchen approved for commercial production of food;**
3. **The applicant is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times;**

4. Any additions to, or change to the approved use (not the subject of this consent/approval) requires further application and planning approval for that use/addition;
5. The Development Approval and Mobile Food Vehicle Permit is valid until 1 February 2026, after which further renewal of the approval by the local government is required annually. It is the responsibility of the operator to apply in good time before expiration, and the local government will not automatically re-issue approvals;
6. The Mobile Food Vehicle Permit issued shall be displayed on the dash or another prominent visible location of the approved vehicle at all operating times;
7. The approval is for one (1) Mobile Food Vehicle only and this approval is issued to N Anderson and is NOT transferrable to any other person or to any other land parcel, without further application and approval of the Shire of Northampton;
8. The Mobile Food Vehicle and associated services shall at no time interfere or obstruct the operations and activities of Lot 202 or any approved users of the carpark and shall at no time cause obstruction to the access or traffic flow of the car parking area to the satisfaction of the local government;
9. Should substantiated complaints be received regarding operation of the mobile food van the Shire of Northampton reserves the right to review and/or revoke this Development Approval;
10. The applicant shall obtain Public Liability Insurance coverage to a minimum of \$20 million, and forward a copy of this certificate to the Shire of Northampton to comply with the provisions of the Shire of Northampton's Local Planning Policy – *Mobile Food Vehicles*;
11. The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibrations, waste product or otherwise; and
12. The Mobile Food Vehicle is required to be removed from the area during those times that the vehicle is not in operation. The Mobile Food Vehicle is not to be stored within the approved operating area.

Advice Note:

- a) Prior to commencement of the operation the proposed food vehicle is to be inspected and approved for use in accordance with the provisions of the Food Act 2008;
- b) This approval does not limit operation of the Food Vehicle at approved events; and

- c) **The applicant is advised that Council determines the application renewal fee in accordance with the Shire of Northampton's *Schedule of Fees and Charges*.**

MOTION CARRIED 6/0

FOR

Cr T Hay
Cr R Burges
Cr D Pike
Cr K Suckling
Cr R Suckling
Cr C Smith

AGAINST

Councillor Sudlow returned to the Chambers at 2:29 pm.

Councillor Smith declared a Financial Interest as his wife is employed by St John's and left the Chambers at 2:29 pm.

9.4.3 Proposed St John's Patient Transfer Shelter at Kalbarri Airport

PROPONENT	Weirdo's Carpentry & Maintenance
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Location 12570 Fawcett-Broad Drive, Kalbarri
ZONE:	Public Purposes
BUSINESS AREA:	Planning Services
FILE REFERENCE:	12.2.3 & A3897
LEGISLATION:	<i>Planning and Development Act 1995 Planning and Development (Local Planning Schemes) Regulations 2015</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Kalbarri Airport is located approximately 9km east of the Kalbarri townsite and is owned freehold and operated by the Shire of Northampton. A location plan is shown below.

Location Plan



The airport is used for a range of aircraft operations including private flights, small commercial operators (i.e. tours), various government operations such as National Park management and the Royal Flying Doctors Service (RFDS). Currently patients that are required to be transferred by the RFDS remain in the ambulance adjacent to the runway taxi area with the ambulance exposed to weather conditions, including at times of extreme heat.

An application has been received on behalf of St John Ambulance Service seeking approval to the establishment of a 5.4m by 13m shed, with a 3.6m wall height for Patient Transfer Shelter (PTS) at the Kalbarri Airport. Plans submitted with the application indicate that the shed will be constructed with roller doors either end, and two personal access doors. A lean to is also proposed over one of the access doors. Copies of the Submitted plans are shown attached.

ATTACHMENT: 9.4.3 (1)

Council is requested to consider the proposal as Shire Officers do not have delegated authority to determine the application.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

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

Local Planning Scheme Provisions

The provisions of the Shire's Local Planning Scheme No 11 – Kalbarri (LPS No 11) include the land with the Local Scheme Reserve of "Public Purposes", with an identified use of Infrastructure Services. As outlined within clause 2 of LPS No 11, the objective of the Public Purposes Reserves is "*To provide for a range of essential physical and community infrastructure.*"

Matters to be Considered

Clause 67 of the deemed provisions for local planning schemes set out in Schedule 2 of *Planning and Development (Local Planning Scheme) Regulations 2015* outlines those matters that must be considered in determining an application for development approval. Matters relevant to consideration of this proposal are as follows:

- (a) *The aims and provisions of the Scheme (including any planning codes that area, with or without modifications into this Scheme) and any other local planning scheme operating within the Scheme area;*
- (j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve.*
- (q) *the suitability of the land for the development taking into account the possible risk to human health or safety;*
- (zb) *any other planning consideration the local government considers appropriate.*

Aims and Objectives

As detailed above, the provisions of LPS No 11 include the land within the Local Scheme Reserve of Public Purposes with the identified use of Infrastructure Services. The proposal to establish a PTS is consistent with the reserve purpose and objectives.

Future Air Traffic

Currently the airport experiences a relatively low volume of flights. However, there is potential for the number of flights using the airport to increase dramatically in the short to medium future due to:

- a) An increased number of tour operators;
- b) Potential increases associated with future industries located in proximity to Kalbarri; and
- c) Potential passenger services associated with a significant tourist accommodation development to be located on the outskirts of Kalbarri.

Airport Safety

The airport landing area consists of the primary runway and a taxiway area to connect the runway to the terminal and airport hangars. An aerial depicting the current facilities and proposed location of the PTS is shown below.



As reflected on the plans at Attachment: 9.4.3 (1), it has been proposed to orientate the PTS east-west, with building being setback 5m from the taxiway tarmac and 5m from the terminal entrance driveway. Vehicle access for the ambulance is proposed from the eastern end of the building via the terminal entrance driveway to the south. The ambulance would then exit the western end of the building directly onto the taxiway tarmac.

The Shire's Airport Reporting Officer has previously advised representatives from St John's that the proposal for direct access to the taxiway tarmac would not be supported given that:

- a) There are already two formal access points to the taxiway tarmac in close proximity to the proposed PTS. The approval of an additional access point creates the potential for airport and vehicle movement conflict; and

- b) As the proposed construction is located between the two existing access roads, the development should be re-orientated to utilise these.

Use of Airport Power

It has come to the attention of Shire Officers that St John Ambulance volunteers were proposing to connect to the Airport's existing power system, being a generator powered system. Approval to use the existing airport system will result in increased fuel usage associated with the generator, a cost that would be met by the Shire and its ratepayers when the airport currently operates at a loss.

To ensure that additional load is not imposed on the airport's power system it is recommended that the applicants be required to establish a stand alone power system for the facility.

Effluent Disposal System

Representatives from St John's have also requested permission to connect ablutions within the proposed PTS to the airports existing effluent disposal system. This request is not supported as the airports effluent disposal system has been designed and installed to provide sufficient capability to service the airport terminal only.

As there is a sufficient area of land for the installation of an effluent disposal system immediately adjacent to the proposed PTS, it is recommended that the applicants be required to install a separate standalone system, subject to approval of the Western Australian Department of Health.

Proposed Lease

The Shire's Manager of Corporate Services has not at this stage received a request for a lease. Should Council approval the proposed PTS, it is strongly recommended that a lease be entered into, prior to the issue of a building permit.

Conclusion

The establishment of a PTS at the Kalbarri Airport will ensure that a suitable sheltered environment is available for both St John Ambulance crews and their patients whilst waiting for patient transfer flights. It is therefore recommended that conditional approval be granted to the proposal.

STATUTORY ENVIRONMENT:

The Shire's prior Development Approval is required in accordance with the Shire's Local Planning Scheme No 11 and provisions of *Planning and Development Act 2005* and associated regulations.

A lease for that portion of land to be occupied by the PTS and associated facilities (i.e. driveways and the area for an effluent disposal system) is required. Establishment of the lease must occur in accordance with the provisions of the *Local Government Act 1995*.

POLICY / STRATEGIC IMPLICATIONS:

Establishment of a PTS at the Kalbarri Airport is consistent with the Shire's Strategic Community Plan 2025-2025, desired outcome 3.3 – Healthy and safe community being *"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 approving the application 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:

In accordance with the Schedule of Fees and Charges adopted for the 2025/26 financial year, an application fee of \$147.00 would normally apply. Given the not-for-profit status of St John's, it is recommended that the application fee be waived. Waiving of the application fee may only be granted by an absolute majority decision of Council.

SUSTAINABILITY:

Environmental: Approval to the application will result in the clearing of some minor vegetation within the airport grounds.

Economic: Nil.

Social: Approval to the application will ensure a more comfortable environment for both St John Ambulance Volunteers and will add to the ability to treat patients awaiting Patient Transfer flights at the airport.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. In accordance with Local Planning Scheme No 11 – Kalbarri, grant Development Approval to the proposed Patient Transfer Shelter at the Kalbarri Airport in accordance with the plans and specifications shown at Attachment: 9.4.3 (1), subject to compliance with the following conditions:

a) 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	4 December 2025
2.	Floor Plan	4 December 2025
3.	Building Elevations	4 December 2025

b) Notwithstanding condition a) above, the proposed site plan be modified to re-orientate the proposed Patient Transfer Shelter with the roller doors facing north and south, with the associated driveway access from existing internal driveways to the satisfaction of the Shire of Northampton;

c) Installation of the associated driveways and crossovers to existing access ways is to be in accordance with the standards and specifications of the local government; and

d) All stormwater is to be disposed of on-site to the specifications and approval of the local government.

Advice Notes:

i) 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; and

ii) The Applicant is advised that the development will require the installation of an on-site effluent disposal system in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.

2. Due to the not-for-profit nature of St John Ambulance Services, waive the Development Application fee of \$147.00 as prescribed within the Shire's Schedule of Fees and Charges adopted as part of the 2025/26 Annual Budget;

3. The applicant is advised that the Shire of Northampton is not prepared to approve the connection of the Patient Transfer Shelter hereby

approved to the Kalbarri Airport's existing power or waste-water disposal systems;

4. Advise the applicant that prior to the issue of a building permit, St John Ambulance is required to enter a lease with the Shire of Northampton for that land to be occupied by the Patient Transfer Shelter and associated facilities (i.e. Wastewater Disposal system); and
5. Await an agenda item on the proposed lease referred to in point 4 above being presented to Council for consideration.

COUNCIL RESOLUTION:

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

12/25-186

That Council:

1. Due to the not-for-profit nature of St John Ambulance Services, waive the Development Application fee of \$147.00 as prescribed within the Shire's Schedule of Fees and Charges adopted as part of the 2025/26 Annual Budget;
2. Defer consideration of the proposed Patient Transfer Shelter adjacent to the Kalbarri Airport Taxiway Tarmac as submitted, including the proposal to connect the Shelter and associated facilities to the Kalbarri Airport existing power and waste-water facilities;
3. Grant delegated authority to the Shire of Northampton Chief Executive Officer to determine the application in accordance with the plans and specifications shown at Attachment 9.4.3 (1), subject to consultation with the Shire President and elected members;
4. Advise the applicant that prior to the issue of a building permit, St John Ambulance is required to enter a lease with the Shire of Northampton for that land to be occupied by the Patient Transfer Shelter and associated facilities (i.e. Wastewater Disposal system); and
5. Await an agenda item on the proposed lease referred to in point 4 above being presented to Council for consideration.

MOTION CARRIED 6/0

FOR

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

AGAINST

Cr K Suckling
Cr R Suckling

Councillor Smith returned to the Chambers at 2:33 pm.

ATTACHMENT

9.4.4 Request for Approval to Camp - Lot 69 (No 145) Hampton Road, Northampton

PROPONENT	JM Jennings
OWNER	JM Jennings
LOCATION / ADDRESS:	Lot 69 (No 145) Hampton Road, Northampton
ZONE:	Residential (R5)
BUSINESS AREA:	Planning Services
FILE REFERENCE:	A1383
LEGISLATION:	<i>Planning and Development Act 2005 Caravan Parks and Camping Grounds Act 1995; and Caravan Parks and Camping Grounds Regulations 1997</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Correspondence has been received from the owner of Lot 69 (No 145) Hampton Road, Northampton seeking approval to camp within a self-contained recreational vehicle on the property being a 2,454m² property located on the west side of Hampton Road.

As shown on the location plan below, similar sized properties are located to the south, west and north of the property, whilst the Ampol Fuel Station is located opposite.

Location Plan



At its Ordinary meeting held on 20 February 2025, Council considered a request from the landowner to continue residing on the property until April 2025 after it had identified that they had been camping without approval for a substantial period after purchasing the property. Council resolved to refuse the request on the grounds that:

- a) ***The landowner has knowing breached the requirements of the Caravan Parks and Camping Grounds Regulations 1997 by camping on the property after being advised by Shire Officers that the activity would not be permitted;***
- b) ***Approval to the application would be contrary to the intent of Council Resolution 10/24-122 and would create an undesirable precedent for camping on residential land not containing a dwelling; and***
- c) ***Approval to the application would be contrary to the provisions of clause 32(8) of the Shire's Local Planning Scheme No 10.***

Council further resolved to take no action in respect of the unauthorised camping provided that the activity provided that that the activity ceased "its entirety on or before 30 April 2025. Should the activity continue beyond that time, legal action will be commenced". Subsequently the landowner complied with the Council direction to cease camping on the site.

The landowner has now lodged an application for Development Approval seeking permission to camp within a self-contained motorhome for a period of up to 2 years. In response to a request for correspondence providing more detail and justification of the request, a revised application was submitted. A copy of the application form is shown attached.

ATTACHMENT: 9.4.4 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The provisions of the Shire's Local Planning Scheme No 10 – Northampton (LPS No 10) include the subject land within the Residential Zone, with an applicable density of R5 in accordance with the Residential Design Codes of Western Australia. To assist Council in determining the application, the following information and advice is provided.

Matters to be Considered

In determining an application for Development (Planning) Approval, clause 67 of the Deemed to Apply provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* outlines a range of matters to be considered in determining an application. These matters include, but are not limited to:

- (a) *The aims and provisions of this Scheme (including planning codes that area, with or without modifications, into this Scheme) and any other local planning scheme operating within the Scheme area;*
- (b) *The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015, or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (g) *any local planning policy for the Scheme area;*
- (m) *the compatibility of the development with its setting, including-*
 - (i) *the compatibility of the development with the desired future character of its setting; and*
 - (ii) *the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (w) *the history of the site where the development is to be located;*
- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals; and*
- (zb) *any other planning consideration the local government considers appropriate.*

Temporary Accommodation

Clause 33(8) of LPS No 10 contains provisions relating to the occupation of Temporary Accommodation within the Scheme area. As outlined by clause 33(8)(a) the “*local government may approve the temporary occupation of a caravan, or other vehicle, or structure on a lot, only if it has approved an application for the development of a habitable building on the lot, in accordance with the Building Regulations*”.

In this case, as no application to construct a habitable building has been submitted or approved, approval to the application would be contrary to the above provision of LPS No 10. Given this, camping on private land outside of an approved caravan park or camping ground, is restricted to land containing a building approved for habitable purposes.

In addition, clause 33(8)(b) stipulates that unless otherwise approved, the time permitted for such temporary accommodation shall not exceed 12 months.

Caravan and Camping Grounds Act 1995 (the Act)

The Act defines “camp” as meaning “*any portable shed or hut, tent, tent fly, awning, blind or portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type of in prescribed circumstances.*”

Caravan Parks and Camping Grounds Regulations 1997

Clause 8A of the Regulations identifies that for the purposes of Part 2 of the Regulations “**camp** when used as a verb, includes to camp in a vehicle.” Camping does not include the use of any building for habitation purposes.

Regulation 11A permits a local government to “*grant approval to camp on land the person owns or has a legal right to occupy if the land is in the local government’s district*”. Approval may be granted for a period not exceeding 24 consecutive months. It should however be noted that the provisions of the Act and Caravan and Camping Grounds Regulations 1997 do not over-ride provisions of LPS No 10.

Camping on Land Not Containing a Dwelling

In addition to the provisions of clause 33(8) of LPS No 10, Council previously considered the implications of the Caravan Parks and Camping Grounds Regulations 1997, which were modified by the State of Western Australia on 1 September 2024. Amongst other things, Council Resolved on 17 October 2024 (Resolution 10/24-122) to:

2. ***Determine that the use of private land for non-commercial camping is an incidental use to the residential use of a property where that property contains an existing dwelling and use of the caravan is related to occupants of that dwelling. As such no further approval is required for camping a maximum of 5 nights in any 28 day period is required.***
3. ***Determine that the land use of camping on vacant private land does not reasonably fit within the current land use definitions contained within Local Planning Scheme No 10 – Northampton District and Local Planning Scheme No 11 – Kalbarri Townsite.***
4. ***Resolve to adopt the following definition for camping under the Shire’s Local Planning Schemes:***

Camping – Private: means the use of private vacant land for non-commercial camping in accordance with the Caravan Parks and Camping Grounds Regulations 1997, with specific reference to Sections 11, 11(A), 11B and 12.

5. ***Determine that the use of Camping - Private is not consistent with the objectives of the following Zones:***
 - ***Residential Zone (LPS 10 & 11);***
 - ***Special Residential Zone (LPS No 11);***
 - ***Centre Zone (LPS No 11);***
 - ***Commercial Zone (LPS No 10 & 11);***
 - ***General Industry Zone (LPS No 10 & 11); and***
 - ***Mixed Use Zone (LPS No 11).***

History of the Land

A dwelling that was previously located on the property was severely damaged during Cyclone Seroja and was subsequently demolished. The applicant, being the current landowner purchased the property on 21 March 2023, after the home was demolished.

Shire records reflect the applicant made enquiries with the Shire in January/February 2023, where they were advised that camping on the property was not permitted. In November 2023, Council officers were advised by telephone by two separate parties that someone was residing within a recreational vehicle, using the outbuilding as additional living space. An inspection of the site confirmed this.

The applicant subsequently requested approval to continue camping on the property. As reflected within the background section of this agenda item, Council formally refused this request in February 2025 but granted the applicant until the end of April 2025 to cease the activity.

Statements by Applicant

The submitted application form as shown at Attachment: 9.4.4 (1) contains a number of statements in support of their request. However, several of the statements are incorrect, such as:

- a) *The land is zoned Rural.* The provisions of LPS No 10 include the land within the Residential Zone;
- b) *There are no other dwellings in close proximity.* The four adjacent properties all contain dwellings. Three of these dwellings are within approximately 50m of the centre of Lot 69;
- c) *There is a free "Truck Stop" operating at the service station, with trucks frequently running their generators all night.* The land associated with the service station is not approved as a Truck Stop. Being private property, the land cannot legally be used as an overnight Truck Stop without Shire and landowner prior approval.

The applicant has also made references to the state of the property at 150 Hampton Road. It is agreed that the state of the building (needing repair) and unsightly storage of material are not acceptable. Shire Officers are in the process of issuing orders against the property, however this is not relevant to the current application.

Potential for Undesirable Precedent

Shire Officers have over past years identified numerous properties being used for camping either within caravans (self-contained or not), within outbuildings and on some occasions tents. Approval to the application as submitted will establish an undesirable precedent for camping on residential land not containing a dwelling.

The creation of a precedent for camping on land not containing a dwelling is likely to result in impacts on the wider community.

Conclusion

The provisions of LPS No 10 specifically limit the use of temporary accommodation to situations where approval has been obtained for the construction of a habitable dwelling and no such approval is in place. In addition, Council has determined that camping on land not containing a dwelling

is a land use that is not consistent with the desired future character of the Residential Zone.

It is therefore recommended that the application be refused.

STATUTORY ENVIRONMENT:

The application is required to be determined in accordance with the provisions of Local Planning Scheme No 10 and the Deemed to Apply provisions of the Planning and Development (Local Planning Scheme) Regulations 2017.

POLICY / STRATEGIC IMPLICATIONS:

In addition to those matters identified in the Comment Section above, Council has adopted a draft Local Planning Policy re-enforcing the provisions of Local Planning Scheme No 10, essentially prohibiting camping on residential land within the townsite not containing dwelling.

ORGANISATIONAL RISK MANAGEMENT:

The risk rating associated with approving the proposal is considered Moderate given that the approval will be contrary to clause 33(8) of Local Planning Scheme No 4 and the potential for a legal precedent to be established.

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: Nil.Social: Approval to camp on land not containing a dwelling is likely to result in a precedent for camping on residential land not containing a dwelling.**VOTING REQUIREMENTS: SIMPLE MAJORITY****OFFICER RECOMMENDATION:**

That Council refuse the applicants request to camp on Lot 69 (No 145) Hampton Road, Northampton for a period of up to two years on the following grounds:

1. The application as submitted is contrary to the requirements of clause 33(8) of Local Planning Scheme No 10;
2. Approval to the application as submitted would be contrary to Council's Resolution 10/24-122 as passed by Council on 17 October 2024, which determined that Camping on land not containing a dwelling is consistent with a land use definition of Camping-Private, which is not compatible with the objectives of the Residential Zone; and
3. Approval to the application would result in the establishment of an undesirable precedent for the use of residential land not containing a dwelling.

Advice to Applicant:

- a) The applicant is invited to reapply for approval to camp on the subject land, pursuant to clause 33(8) of the Shire's Local Planning Scheme No 10 once a building permit has been obtained for the construction of a habitable dwelling on the land.

COUNCIL RESOLUTION:**MOVED:** Hay, T**SECONDED:** Smith, C

12/25-187

That Council refuse the applicants request to camp on Lot 69 (No 145) Hampton Road, Northampton for a period of up to two years on the following grounds:

1. The application as submitted is contrary to the requirements of clause 33(8) of Local Planning Scheme No 10;
2. Approval to the application as submitted would be contrary to Council's Resolution 10/24-122 as passed by Council on 17 October 2024, which determined that Camping on land not containing a dwelling is consistent with a land use definition of

Camping-Private, which is not compatible with the objectives of the Residential Zone; and

- 3. Approval to the application would result in the establishment of an undesirable precedent for the use of residential land not containing a dwelling.**

Advice to Applicant:

- a) The applicant is invited to reapply for approval to camp on the subject land, pursuant to clause 33(8) of the Shire's Local Planning Scheme No 10 once a building permit has been obtained for the construction of a habitable dwelling on the land.**

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT**9.5.1 Building Approval Report for November 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 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

This report has been produced to assist Council understand the Building and Demolition Permits approved and issued for the period of 01 November 2025 to 30 November 2025. A table detailing the permits granted is shown attached.

ATTACHMENT: 9.5.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

During November 2025, eight (8) 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 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 November 2025 in accordance with Attachment: 9.5.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Burges, R

12/25-188

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

MOTION CARRIED 7/0

FOR

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

AGAINST

ATTACHMENT

9.6.1 Proposed Adoption of Draft Public Health Plan for Public Consultation Purposes

PROPONENT	Shire of Northampton
OWNER	All
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Various
BUSINESS AREA:	Environmental Health Services
FILE REFERENCE:	7.1.3
LEGISLATION:	<i>Public Health Act 2016</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	5 August 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The provisions of the *Public Health Act 2016 (the Act)* requires each local government in Western Australia to produce a public health plan that applies to its local district. The local plan must be consistent with the State Public Health Plan whilst responding to local public health needs. The plan must:

- *Identify the public health needs of the local government district*
- *Examine data relating to health status and health determinants in the local government district*
- *Establish objectives and policy priorities for the promotion and protection of public health in the local government district*
- *Describe the development and delivery of public health services in the local government district and*
- *Include a report on the local government's performance of its functions under the Act*

The local public health plan can be incorporated into the Shire's strategic or corporate plans in accordance with section 45(3) of the Act, or be a stand-alone plan to sit alongside their other plans and policies. In accordance with the State Government's Public Health Planning Guide for Local Government, the structure of the local plan should be easy to follow, and be written in clear, concise and plain English.

A draft local public health was previously prepared by a consultant on behalf of the Shire, however the draft contained a number of incorrect statements and required significant review to ensure alignment with the State Health Plan 2025-2030. A draft local public health plan, as prepared by Shire Officers is now presented for Council consent to advertise and consult with relevant

stakeholders in accordance with the Act requirements. A copy of the draft local health plan is shown attached.

ATTACHMENT: 9.6.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

The requirements and procedures to be followed in developing and adopting a local public health plan are set out in both the Act and the State Governments Public Health Planning Guide for Local Government.

Once the local public health plan is adopted and published, there is a requirement to evaluate, review and report on the implementation of the plan. A review of the local public health plan is required on an annual basis, providing an opportunity to:

- check implementation is on track;
- check results to date are as expected;
- report on and celebrate achievements;
- inform other related plans and policies;
- strengthen networks and partnerships;
- reduce or conclude activities that might no longer be necessary;
- commence new activities in response to newly identified needs;
- decide what needs to be done differently;
- reconsider strategic directions and priorities;
- influence resource allocation; and
- commence the next period of activity.

Given the differing review and replacement guidelines for local government integrated planning (Strategic Community Plan and Corporate Business Plan) and the local public health plan, it is recommended that the local public health plan be a stand-alone document, albeit that some elements relating to public health will be reflected within both plans.

The draft local public health plan has therefore been prepared as a stand alone document.

STATUTORY ENVIRONMENT:

The provisions of the *Public Health Act 2016*, require that a local public health plan is adopted for implementation by June 4, 2026.

POLICY / STRATEGIC IMPLICATIONS:

The Shire of Northampton's Strategic Community Plan contains numerous recommendations relating to the health of the community. The desires outcomes include, but are not limited to:

3.1 Socially connected and included

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

3.3 Healthy and safe community

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

ORGANISATIONAL RISK MANAGEMENT:

Risk rating associated with a failure to finalise a local public health plan is considered Major.

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 the draft local public health plan can be wholly contained within the 2025-26 annual budget as adopted by Council given the document will be finalised utilising internal resources.

SUSTAINABILITY:

Environmental: A healthy environment contributes to the well being of the community.

Economic: Implementation of the public health plan will involve costs that must be considered as part of future budget preparations.

Social: The content and recommendations of the public health plan will have a direct impact on the social fabric and wellbeing of the community.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Adopt the draft Shire of Northampton Local Public Health Plan for the purpose of advertising and consultation with relevant stakeholders over a 60 day period; and
2. Await the preparation of a further agenda item for Council consideration following completion of the public consultation process referred to in point 1 above.

COUNCIL RESOLUTION:

MOVED: Smith, C

SECONDED: Burges, R

12/25-189

That Council:

1. Adopt the draft Shire of Northampton Local Public Health Plan for the purpose of advertising and consultation with relevant stakeholders over a 60 day period; and
2. Await the preparation of a further agenda item for Council consideration following completion of the public consultation process referred to in point 1 above.

MOTION CARRIED 7/0

FOR

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

AGAINST

9.7.1 Preliminary Findings of Firebreak Inspections by Air

PROPONENT	Shire of Northampton
OWNER	Whole of Shire
LOCATION / ADDRESS:	Whole of Shire
ZONE:	Rural Zone
BUSINESS AREA:	Ranger Services
FILE REFERENCE:	5.1.1
LEGISLATION:	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i> <i>Bush Fires (Infringements) Regulations 1978</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

Enforcement of the fire mitigation requirements prescribed within the Shire's Annual Fire Break and Fuel Reduction Notice is extremely important to minimise the threat of fire to the community. Within the Rural area, the primary requirement is the establishment of external firebreaks around property boundaries.

Due to the nature and size of some rural land holdings and limited road access, the ability to undertake individual property inspections using a Shire vehicle is often extremely time consuming and, in some cases, difficult to arrange due to biosecurity restrictions. This has resulted in many properties not being inspected for multiple years.

At its meeting held on 20 November 2025 Council resolved to approve the allocation of \$3,300 towards the chartering of a flight to complete firebreak inspections of larger, more remote rural properties. This flight took place on 3 December 2025.

The purpose of this agenda item is to inform Council of the findings and actions to be taken by Shire Officers to ensure compliance. Approval is also sought to commence legal action against those landowners where compliance is not achieved within a set time frame.

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Local Governments issue Annual Firebreak Notices under the powers granted by Section 33 of the *Bush Fires Act 1954*. The Shire of Northampton's Annual Firebreak and Fuel Reduction notice as endorsed by both the Shire's Bush Fire

Advisory Committee and Council, required that mitigation requirements were implemented by 15 October and from there in maintained up to and including 28 February 2025.

For Rural areas, the mitigation requirements were as follows:

- a) Graded/ploughed or chemically applied firebreaks with a width of at least 3m, within 20 metres inside and along the whole of external lot boundaries; and
- b) All buildings to have a minimum of 20m clearance of all flammable material.

Flight Participants

The Shire's Chief Bushfire Control Officer – Tatiana Vafiades, Shire Ranger Rob McKenzie and Deputy Fire Control Officer – Kyle Carson participated in the inspection exercise.

Inspection Findings

During the flight it was identified that approximately 15-20 substantial land holdings appeared to be non-compliant with the annual firebreak notice. These locations were recorded with global position system (GPS). A total of 96 GPS locations were recorded, with some properties containing multiple areas of concern.

Shire Officers are currently ground truthing these locations with the assistance of the Chief Bushfire Control Officer and their Deputy Bush Control Officers.

Actions to be Taken

Once locations are confirmed, fines will be issued in accordance with the Annual Firebreak and Fuel Reduction Notice and the *Bush Fires (Infringements) Regulations 1978*. As set out in the regulations a modified penalty/fine of \$250 may be imposed where a landowner or occupier of land fails to comply with the requirements of an Annual Firebreak and Fuel Reduction notice.

In addition, landowners/occupiers of those properties in non-compliance will be issued with an order to complete the required mitigation works within 14 days.

Potential for Further Action

Where a landowner/occupier fails to complete the specific property mitigation works within 14 days of receiving the order, the following options exist:

- a) A further fine of \$250 may be issued for failing to comply with the specific property related order, or
- b) The commencement of legal action under Section 33 of the Bush Fires Act 1954, for which a fine of \$5,000 applies. Court costs may also be sought.

In addition, the local authority, or their appointed contractor is permitted to enter the property carry out the works required, at the expense of the landowner.

Given that annual mitigation works were required to be implemented nearly 3 months prior to this Council meeting, it is considered that a lack of action to complete mitigation works is inexcusable. Failure to complete mitigation works has reduced the ability to access and defend against fires and potentially put lives, property and crops at risk. On this basis it is recommended that court action be taken should non-compliance with the further property specific property based orders occur.

Future Inspections by Air

Given that the inspections via a chartered flight have identified that this late in the season there are still a notable number of properties in non-compliance with the annual notice, it is recommended that future budgets as adopted by Council make an allowance for these inspections to be completed annually. This will allow inspections to be undertaken in the first week of November, improving community safety in the event of a Bushfire.

Future Compliance

As a standard practice it is recommended that where landowners/occupiers are identified as repeater offenders, it is recommended that legal action be commenced for non-compliance with future Annual Firebreak and Fuel Reduction requirements are not met. Shire Officers will prepare a Policy to guide this process, which will be presented to Council in early 2026.

Conclusion

Although there is no obligation to allow any additional time for completion of mitigation works, it is recommended that those landowners be issued a modified penalty/fine together with a demand that works to comply with the 2025/26 Annual Firebreak and Fuel Reduction Notices.

STATUTORY ENVIRONMENT:

In accordance with section 33 of the *Bush Fires Act 1954* a Western Australian Local Government may specify any or all of the following things to be done:

- (a) *to plough, cultivate, scarify, burn or otherwise clear upon the land firebreaks in such manner, at such places, of such dimensions, and to such number, and whether in parallel or otherwise, as the local government may and is hereby empowered to determine and as are specified in the notice, and thereafter to maintain the firebreaks clear of inflammable matter;*
- (b) *to act as and when specified in the notice with respect to anything which is upon the land, and which in the opinion of the local government or its duly authorised officer, is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire, and the notice may require the owner or occupier to do so —*
- (c) *as a separate operation, or in co-ordination with any other person, carrying out a similar operation on adjoining or neighbouring land; and*
- (d) *in any event, to the satisfaction of either the local government or its duly authorised officer, according to which of them is specified in the notice*

POLICY / STRATEGIC IMPLICATIONS:

Enforcement of the annual Fire Break and Fuel Reduction notice is consistent with the Community Aspiration to have strong, connected community where people of all ages feel safe, included and supported.

ORGANISATIONAL RISK MANAGEMENT:

The risk rating associated with not enforcing compliance with the annual fire mitigation requirements is considered Major to Catastrophic due to the potential effects and impacts from Bushfire.

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 costs associated with undertaking fire break inspections via the chartered flight complied with the budget variation approved by Council at the November 2025 meeting.

SUSTAINABILITY:

Environmental: Fire can have a devastating impact on both vegetation and fauna communities.

Economic: Bushfire has the potential to create significant economic impact in respect of built infrastructure and crops.

Social: There is clear evidence that the bushfire can detrimentally impact on the mental health of community members and personnel fighting those fires.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Note that the use of chartered flight to complete inspections of rural and remote areas in the Shire has been successful in that it has identified multiple properties that are in non-compliance with the Shire's Annual Firebreak and Fuel Reduction Notice;**
- 2. Note that Shire Officers, following confirmation of the lot descriptions of properties identified through the aerial inspections will be issuing:**
 - a) Modified penalties/fines to the value of \$250 per lot; and**
 - b) Property specific orders for landowners/occupiers to complete mitigation works within 14 days;**
- 3. Grant delegated authority to the Chief Executive Officer to commence legal action under Section 33 of the Bushfire against those owners/occupiers who fail to complete the specific orders for mitigation works referred to in point 2(b) above; and**
- 4. Consider allocating funds for the completion of aerial inspections to ensure compliance with the 2026/27 Annual Firebreak and Fuel Reduction Notice in the first week of November 2026.**

COUNCIL RESOLUTION:

MOVED: Suckling, K SECONDED: Suckling, R

12/25-190

That Council:

- 1. Note that the use of chartered flight to complete inspections of rural and remote areas in the Shire has been successful in that it has identified multiple properties that are in non-compliance with the Shire's Annual Firebreak and Fuel Reduction Notice;**
- 2. Request that Shire Officers, following confirmation of the lot descriptions of properties identified through the aerial inspections:**
 - a) Issue warnings to the relevant properties, to be delivered by hand by Shire Rangers where possible; and**
 - b) Liaise with the owners referred to in point 2a) above to communicate the future importance of complying with future Annual Firebreak and Fuel Reduction Notice; and**

- 3. Consider allocating funds for the completion of aerial inspections to ensure compliance with the 2026/27 Annual Firebreak and Fuel Reduction Notice in the first week of November 2026.**

MOTION CARRIED 7/0

FOR

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

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:	Andrew Campbell
DATE OF REPORT:	1 December 2025
DECLARATION OF INTEREST:	Nil.

BACKGROUND:

The following works, in addition to routine maintenance work, have 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, Ajana Back, Barrell Well, Warribanno Chimney, Larrard, Port Gregory Shoulder's, Frosty Gully, Horry, Bowes River, Willigulli, Little Bay, Lucky Bay (Private-DPLH to be invoiced), Isachar Back, Ruddaway, Teakle, Suckling, Rose Hill and Mitchell Road/s.
- Other Roads, Pothole repairs - Unsealed Roads Gravel Sheeting / Verge work undertaken on – Larrard, Lucky Bay, Chilimony, Binnu West, Shell Carpark, Grey Street and Balaam Road/s.
- Culvert repairs and clean out undertaken on – Wundi Road.
- Verge Cleanup work undertaken on – Wundi Road.

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

- Replace guideposts on Port Gregory Road
- Patching Northampton – Nabawa Road and Chilimony Road
- Install Bench seat and Table in Horrocks
- Install Culvert for driveway on Stone Street
- Install new signage at Little Bay

A copy of the Executive Manager for Works and Technical Services – Program and Progress Report, November 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 November 2025 in accordance with ATTACHMENT 9.8.1 (1).

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Smith, C

12/25-191

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

MOTION CARRIED 7/0

FOR

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

AGAINST

**ATTACHMENT
APPENDIX**

**9.9.1 Unconfirmed Minutes of Kalbarri Foreshore Revitalisation
Advisory Committee Meeting held on 1 December 2025**

PROPONENT OWNER LOCATION / ADDRESS:	Shire of Northampton Crown Vested in Shire of Northampton Reserve 25307 & 52436 Grey Street, Kalbarri
ZONE:	Local Reserve - Recreation
BUSINESS AREA:	Community, Development and Regulation
FILE REFERENCE:	13.2.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Brian Robinson
APPROVING OFFICER:	Brian Robinson
DATE OF REPORT:	8 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Kalbarri Foreshore Redevelopment Advisory Committee is an Advisory Committee of Council, formed in accordance with Division 2 of the *Local Government Act 1995* with the following functions:

1. *To assist Shire Officers in the refinement and detailed designs for conceptual elements contained within the Kalbarri Foreshore Masterplan as prepared by the Mid-West Development Commission and Tourism Western Australia;*
2. *To assist in the identification of priorities in respect of the Foreshore Redevelopment;*
3. *Make recommendations to Council on potential developments and commercial opportunities not identified within the Kalbarri Foreshore Masterplan;*
4. *Assist co-ordination of community participation in public consultation processes; and*
5. *Communicate and inform the member organisations and local community about the proposed project, its elements and timeframes for work.*

A copy of the Advisory Committee's current Terms of Reference as adopted by Council is appended.

APPENDIX: 9.9.1 (A)

The first meeting of the Advisory Committee was held on 1 December 2025 at the Allen Centre in Kalbarri. Council is now requested to receive the minutes of that meeting, which are shown attached.

ATTACHMENT: 9.9.1 (1)

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Actions to form the Advisory Committee commenced in June 2024, followed by the appointment of the majority of the Committee members in September 2024. Following appointment of the members, it was intended to commence the Advisory Committee meetings in late 2024. However, the initial meeting was then deferred due to:

- a) The Shire undertaking a detailed public consultation process over elements to be contained in Stage 1; and
- b) The Midwest Development Commission identifying that for modification of Stage 1 elements to occur, there was a need to review the Kalbarri Foreshore Master Plan.

Following a tender process, consultants were appointed to review the Master Plan at Council's meeting held on 16 October 2025.

Master Plan Review Status

In accordance with the awarded tender, the consultants were required to complete a detail survey and examination of existing and available infrastructure as this information is vital in considering future development of the Foreshore. It was also imperative that the consultants review the content of the 201 submissions received in respect of the Shire's consultation process, review of the State Government's previous consultation outcomes, the Master Plan, approved Stage 1 elements and the supporting business case.

With these aspects completed, it was appropriate to hold the first meeting of the Advisory Committee.

Advisory Committee Meeting Content

Being the first meeting of the Advisory Committee, members were supplied a copy of the Shire's Code of Conduct for Elected and Committee Members, advice of Council's decision not to support certain elements of Stage 1, a copy of the Schedule of Submissions and the preliminary analysis of those submissions.

As reflected within the Minutes shown at Attachment: 9.9.1 (1), during the meeting the Mid West Development Commission Chief Executive Officer and Shire's Executive Manager of Community, Development and Regulation briefed the meeting on the project background and steps taken to date to review Stage 1 and the Master Plan.

The consultants then briefed the Advisory Committee on their understanding of the project, relevant issues and lead discussion with the Committee members to obtain their input on relevant considerations and desired outcomes.

Decisions of the Advisory Committee Meeting

Whilst no formal resolutions were passed by Advisory Committee, the following matters were raised that require further consideration:

1. The appointed Nhanda Board representative identified that as a female representative, she is unable to comment on matters that are considered first nation peoples "men's business". Ms Mallard has therefore requested that the Shire seek participation of an additional male Nhanda representative;
2. The Presiding Member, Shire President Liz Sudlow has identified that as the owner of a property located on Grey Street and disclosed a Proximity Interest; and
3. Committee Member Lauren Sweetman declared an Impartiality Interest as a family member owns 122 Grey Street, Kalbarri.

Additional Nhanda Representative

As Councillors may be aware, Indigenous culture has historically involved a distinct separation between "Men's" and "Women's" business. To ensure all aspects of the Nhanda people's culture is considered, it is appropriate for the Shire to seek to appoint a male representative from the Nhanda Board.

Correspondence has been forward to the Yamatji Nation requesting the nomination of a male representative.

Committee Member Interests

The interest declaration by the Presiding Member may be problematic in that any declaration of Proximity Interest or Financial Interest significantly restricts the ability to participate in Committee business. Interest declarations are entirely within the realm of the individual and in this circumstance, it is up to the Presiding Member to determine the most appropriate action, if any, to take to resolve the matter.

The Impartiality Interest declared by Committee Member Lauren Sweetman is considered appropriate and has less restriction on Committee business if the Committee Member continues to declare this type of Interest at every meeting attended.

STATUTORY ENVIRONMENT:

Local Government Act 1995.

POLICY / STRATEGIC IMPLICATIONS:

The Murchison River Foreshore plays a significant role in connecting the Kalbarri Community and Tourists with the Murchison River and wider coastal environment. Comprehensive improvements to the Foreshore Reserve and level of facilities provided are consistent with the following desired outcomes of the Shire of Northampton Strategic Community Plan 2025-2035:

1.1 Local and Thriving

We feel supported to work and grow out businesses in the Shire and are confident in the Shire's willingness to make appropriate commercial investment to fill unmet needs for future development.

1.2 Diverse and prosperous

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

2.1 A healthy ecosystem

The interconnected biodiversity of our flora and fauna is protected and nurtured.

2.2 A protected landscape

Our Shire balances human wealth and pleasure with protection of our coastlines, riverbeds, and other natural landscape and marine features.

2.3 Nature-based aesthetic appeal

The natural beauty of our Shire is conserved for our residents and to attract visitors.

3.2 Outstanding recreation and tourism experiences

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

4.1 Fit for purpose infrastructure

Our buildings and other physical assets enhance functionality, experience and ambience. Where appropriate and beneficial to the community, we are supporting the development of light commercial areas.

4.3 We can move around effectively

A comprehensive strategy is driving effective management of roads, drainage, paths and parking facilities, ensuring maintenance and improvement of infrastructure is meeting increasing transport demands.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Major given the potential for substantial reputational damage should the project or its potential impacts fail to be appropriately managed or fail to be delivered in a timely co-ordinated manner as required by the grant.

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 funding allocation of \$8.1 million is substantial and will allow a significant amount of improvement works and new facilities within the Kalbarri Foreshore Reserves. However, there is potential for further funding to be obtained, consolidating the opportunities for improvement works. For example, the Shire has made allocations toward certain works (i.e. the RSL memorial) and it may be possible to obtain community grants through Lotteries West for works on improving accessibility and facilities for youth and/or disadvantaged sections of the community.

It should however be noted that with an increased level of facilities, it is expected that maintenance requirements will increase with additional staff resources and maintenance funding required in the short to medium term. Shire Officers will explore additional opportunities for ongoing funding of maintenance, utilising the project works.

SUSTAINABILITY:

Environmental: Opportunities exist for the redevelopment work on Kalbarri Foreshore to provide environmental outcomes such as increased shade, increased areas of native vegetation and reduced water usage.

Economic: A revitalised foreshore precinct will result in a higher standard of facilities, providing additional drawcards for tourists. Opportunities exist to consolidate, and potential expand existing income generating commercial activities and tourist facilities.

Social: The Kalbarri Foreshore provides for a wide range of both active and passive recreational opportunities. The foreshore is an integral part of the community fabric.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Receive the unconfirmed minutes of the Kalbarri Foreshore Redevelopment Advisory Committee as shown at Attachment: 9.9.1 (1); and
2. Amend the Terms of Reference for the Kalbarri Foreshore Redevelopment Advisory Committee to include a male representative for the Nhanda Peoples as a voting member; and
3. Call for nominations for a male representative for the Nhanda Peoples to join the Kalbarri Foreshore Redevelopment Advisory Committee.

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Pike, D

12/25-192

That Council:

1. Receive the unconfirmed minutes of the Kalbarri Foreshore Redevelopment Advisory Committee as shown at Attachment: 9.9.1 (1);
2. Amend the Terms of Reference for the Kalbarri Foreshore Redevelopment Advisory Committee to:
 - a) Appoint Councillor Richard Burges as the Presiding Member of the Advisory Committee; and
 - b) Include a male representative for the Nhanda People as a voting member; and
3. Call for nominations for a male representative for the Nhanda People to join the Kalbarri Foreshore Redevelopment Advisory Committee.

MOTION CARRIED 7/0

FOR

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

AGAINST

Cr R Suckling
Cr C Smith

10. LATE REPORTS:**ATTACHMENT****10.3 Unconfirmed Minutes of the Audit, Risk and Improvement Committee Held on 16 December 2025**

PROPONENT	Chief Executive Officer
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	1.1.3
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	8 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The purpose of this report is for Council to receive the unconfirmed minutes of the Audit, Risk and Improvement Committee for the meeting held 16 December 2025 and consider any recommendations arising.

ATTACHMENT: 10.3 (1)**PUBLIC CONSULTATION UNDERTAKEN:**

Nil.

COMMENT (Includes Options):

The Audit, Risk and Improvement Committee made the following recommendations:

Committee Recommendation	Officer Comment
1. That the minutes of the Audit, Risk and Improvement Committee held on 1 August 2025 be received as a true and correct record.	Noted and does not require Council's decision.
2. That the findings of the 2024/25 Annual Financial Audit are accepted.	Noted and does not require Council's decision as it is addressed in Point 3 below.
3. That the unqualified Annual Financial Report and relevant documents are received and recommended to Council for endorsement.	The unqualified 2024/25 Annual Financial Report is recommended to Council for adoption.

4. That the 2024/25 Annual Report is received and recommended to Council for endorsement.	This matter requires a decision of Council but is already addressed as part of Item 9.1.1 in this agenda document.
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STATUTORY ENVIRONMENT:

The *Local Government Act 1995* and subsidiary legislation prescribe the statutory requirements that deal with audit and risk functions in Local Government organisations in Western Australia.

POLICY / STRATEGIC IMPLICATIONS:

The Audit, Risk and Improvement Committee is an important part of the operation of a local government organisation. It is essential that Council retains oversight of the business of the organisation and an Audit, Risk and Improvement Committee fulfils this obligation.

ORGANISATIONAL RISK MANAGEMENT:

Risk rating is considered Level 4 – Major mainly based on non-compliance and reputation.

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 Audit, Risk and Improvement Committee and its activities are funded within existing budgets.

SUSTAINABILITY:

Environment: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Receive the minutes of the Audit, Risk and Improvement Committee from the meeting held 16 December 2025 in accordance with ATTACHMENT: 10.3 (1); and**
- 2. Endorse the unqualified 2024/25 Annual Financial Report and relevant documents in accordance with ATTACHMENT: 10.3 (1).**

COUNCIL RESOLUTION:

MOVED: Burges, R SECONDED: Smith, C

12/25-193

That Council:

- 1. Receive the minutes of the Audit, Risk and Improvement Committee from the meeting held 16 December 2025 in accordance with ATTACHMENT: 10.1 (1); and**
- 2. Endorse the unqualified 2024/25 Annual Financial Report and relevant documents in accordance with ATTACHMENT: 10.1 (1).**

MOTION CARRIED 7/0

FOR

Cr L Sudlow

Cr T Hay

Cr R Burges

Cr D Pike

Cr K Suckling

Cr R Suckling

Cr C Smith

AGAINST

APPENDIX

10.2 Proposed Disposal of Vacant Land being Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz

PROPONENT	Amelita Elisabeth La Paz
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Lot 29 (No. 2) Rake Place, Northampton
ZONE:	Residential R10
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	10.8.2.4/A4897
LEGISLATION:	<i>Land Administration Act 1997</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	15 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton currently owns freehold property within Rake Place, Northampton being two vacant residential parcels of land.

Rake Place is a residential subdivision located close to central town facilities with mains water and underground power available nearby. The subdivision was developed by the Shire of Northampton consisting of ten lots with Certificates of Title for individual lots issued in February 2012. One lot was recorded as sold by May 2012, with three others selling later in 2012, 2013 and 2022. Lot 29 is one of two lots that have remained unsold since subdivision.

2 Rake Place is a large residential lot of 2000m² situated on the corner of Rake Place and Axle Rest.

The purpose of this report is for Council to consider disposing of Lot 29 (No. 2) Rake Place, Northampton.



Figure 1 – Lot 29 (No. 2) Rake Place, Northampton

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Unless exempt, any disposal of property by Council requires a current market valuation which has been completed.

The Site

The legal description of the site is Lot 29 on Deposited Plan 67169, comprised in Certificate of Title Volume 2791 Folio 916.

The site is located within an established residential area, with Lot 29 being slightly irregular in shape and encompassing an area of 2000m². The lot occupies a corner position at the eastern entry of a short cul-de-sac with secondary frontage to Axle Rest.

Zoning

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

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complimentary to residential development.

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 Value Assessment

The current market value of Lot 29 was assessed by an independent valuer on 18 November 2025. The assessment considered various economic factors as well as market sales evidence within the town of Northampton.

A market valuation of \$80,000 (inclusive of GST) was determined as the current market value of Lot 29. It is noted that Goods and Services Tax (GST) is applicable on this transaction as the Shire acquired the parent lot before subdivision in 2012. The development of the subdivision was via a taxable supply and the margin scheme was not used.

Offers to Purchase

Lot 29 attracted significant interest with two parties submitting formal offers on 12 December 2025. Both offers reflect strong demand for the property and the competitive nature of the current local market.

Details of the offers to purchase are outlined as follows:

- Offer 1 - \$95,000 cash to settle within 28 days of acceptance but subject to an offer being accepted on Lot 22 Rake Place; and
- Offer 2 - \$100,000 cash on or before 30 days of acceptance. This offer was not subject to any conditions.

Both offers exceed the independent valuation by significant amounts with Offer 1 being \$15,000 above and Offer 2 being \$20,000 above the assessed value.

It is further noted that confidential copies of the Offers to Purchase Lot 29 Rake Place, are available to Councillors upon request.

Summary

In considering the two offers, Shire Officers recommend accepting the highest unconditional offer on the basis that such an offer presents minimal risk, as it is

not subject to finance approval, inspections or other contingencies that could delay or jeopardise settlement.

It is recommended that Offer 2 be accepted, as it provides the highest degree of certainty for a timely and secure settlement while also delivering the greatest financial return, making it the most beneficial outcome.

STATUTORY ENVIRONMENT:

Local Government Act 1995 - Section 3.58 Disposing of Property

Any private treaty negotiations to dispose of property 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 disposal of Lot 29 Rake Place will be in accordance with Council Policy 4.1 *Disposal of Shire of Northampton Property*.

Council Policy 2.8 *Authority to Execute Documents on Behalf of Council* requires matters concerning the disposal Shire property to be put before Council. For reference, Council Policy 4.1 and Council Policy 2.8 are provided in Appendices 9.2.8(A) and 9.2.8(B).

APPENDIX: 10.2 (A)

APPENDIX: 10.2 (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:

Accepting an offer to purchase land provides the Shire with immediate financial gain through sale proceeds, while also offering certainty if the offer is unconditional. Whilst transaction costs will be incurred including valuation, administrative and settlement fees and payment of GST, overall, the sale will convert a fixed asset into liquid funds to implement initiatives as planned in the approved budget.

SUSTAINABILITY:

Environmental: Sale of vacant land allows for planning and managed development that incorporates sustainable practices, reduces environmental risks and supports responsible land use.

Economic: Sale of land will provide immediate revenue and generate required funds for budgeted initiatives.

Social: Sale of vacant land allows the local government to fund projects and infrastructure that enhance the wellbeing and quality of life of residents.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, in accordance with section 3.58 of the Local Government Act 1995:

1. Subject to point 4, agree to dispose of property Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz;
2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz for the sum of \$100,000 (including GST).

3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the council meeting on 19 February 2026.

COUNCIL RESOLUTION:

MOVED: Smith, C SECONDED: Suckling, K

12/25-194

That Council, in accordance with section 3.58 of the Local Government Act 1995:

1. Subject to point 3, agree to dispose of property Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz;
2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 29 (No. 2) Rake Place, Northampton to Amelita Elisabeth La Paz for the sum of \$100,000 (including GST).
3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the council meeting on 19 February 2026.

MOTION CARRIED 7/0

FOR

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

AGAINST

Cr Smith declared a Impartiality Interest as he has had previous business dealings with the applicant.

10.3 Proposed Disposal of Vacant Land being Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans

PROPONENT	Craig Mitchell Milroy Walker and Kaylene Evans
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Lot 22 (No. 1) Rake Place, Northampton
ZONE:	Residential R10
BUSINESS AREA:	Corporate and Financial Services
FILE REFERENCE:	10.5.2.4/A4890
LEGISLATION:	<i>Land Administration Act 1997</i> <i>Local Government Act 1995</i>
AUTHOR:	Michelle Allen
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	15 December 2025
DECLARATION OF INTEREST:	Nil

BACKGROUND:

The Shire of Northampton currently owns freehold property within Rake Place, Northampton being two vacant residential parcels of land.

Rake Place is a residential subdivision located close to central town facilities with mains water and underground power available nearby. The subdivision was developed by the Shire of Northampton consisting of ten lots with Certificates of Title for individual lots issued in February 2012. One lot was recorded as sold by May 2012, with three others selling later in 2012, 2013 and 2022. Lot 22 is one of two lots that have remained unsold since subdivision.

1 Rake Place is a residential lot of 1003m² situated on the corner of Rake Place and Axle Rest. The purpose of this report is for Council to consider disposing of Lot 22 (No. 1) Rake Place, Northampton.



Figure 1 – Lot 22 (No. 1) Rake Place, Northampton

PUBLIC CONSULTATION UNDERTAKEN:

Nil.

COMMENT (Includes Options):

Unless exempt, any disposal of property by Council requires a current market valuation which has been completed.

The Site

The legal description of the site is Lot 22 on Deposited Plan 67169, comprised in Certificate of Title Volume 2791 Folio 909.

The site is located within an established residential area, with Lot 22 being slightly irregular in shape and encompassing an area of 1003m². The lot occupies a corner position at the eastern entry of a short cul-de-sac with secondary frontage to Axle Rest.

Zoning

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

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complimentary to residential development.

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 Value Assessment

The current market value of Lot 22 was assessed by an independent valuer on 18 November 2025. The assessment considered various economic factors as well as market sales evidence within the town of Northampton.

A market valuation of \$60,000 (inclusive of GST) was determined as the current market value of Lot 22. It is noted that Goods and Services Tax (GST) is applicable on this transaction as the Shire acquired the parent lot before subdivision in 2012. The development of the subdivision was via a taxable supply and the margin scheme was not used.

Offers to Purchase

Lot 22 attracted significant interest with multiple parties submitting formal offers on 12 December 2025. In total, three offers were received, reflecting strong demand for the property and the competitive nature of the current local market.

Details of the offers to purchase are outlined as follows:

- Offer 1 - \$80,000 cash to settle within 28 days of acceptance but subject to an offer being accepted;
- Offer 2 - \$77,000 to settle on or before 30 days of acceptance. This offer was subject to finance approval; and
- Offer 3 - \$80,000 cash to settle within 28 days of acceptance.

All offers exceed the independent valuation by significant amounts with Offers 1 and 3 being \$20,000 above and Offer 2 being \$17,000 above the assessed value.

It is further noted that confidential copies of the Offers to Purchase Lot 22 Rake Place, are available to Councillors upon request.

Summary

In considering the three offers, Shire Officers recommend accepting the highest unconditional offer on the basis that such an offer presents minimal risk, as it is not subject to finance approval, inspections or other contingencies that could delay or jeopardise settlement.

It is recommended that Offer 3 be accepted, as it provides the highest degree of certainty for a timely and secure settlement while also delivering the greatest financial return, making it the most beneficial outcome.

STATUTORY ENVIRONMENT:

Local Government Act 1995 - Section 3.58 Disposing of Property

Any private treaty negotiations to dispose of property 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 disposal of Lot 29 Rake Place will be in accordance with Council Policy 4.1 *Disposal of Shire of Northampton Property*.

Council Policy 2.8 *Authority to Execute Documents on Behalf of Council* requires matters concerning the disposal Shire property to be put before Council. For reference, Council Policy 4.1 and Council Policy 2.8 are provided in Appendices 9.2.8(A) and 9.2.8(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
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FINANCIAL IMPLICATIONS:

Accepting an offer to purchase land provides the Shire with immediate financial gain through sale proceeds, while also offering certainty if the offer is unconditional. Whilst transaction costs will be incurred including valuation, administrative and settlement fees and payment of GST, overall, the sale will convert a fixed asset into liquid funds to implement initiatives as planned in the approved budget.

SUSTAINABILITY:

Environmental: Sale of vacant land allows for planning and managed development that incorporates sustainable practices, reduces environmental risks and supports responsible land use.

Economic: Sale of land will provide immediate revenue and generate required funds for budgeted initiatives.

Social: Sale of vacant land allows the local government to fund projects and infrastructure that enhance the wellbeing and quality of life of residents.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, in accordance with section 3.58 of the *Local Government Act 1995*:

1. Subject to point 4, agree to dispose of property Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans.
2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans for the sum of \$80,000 (including GST).
3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the Council meeting on 19 February 2026.

COUNCIL RESOLUTION:

MOVED: Suckling, R SECONDED: Suckling, K

12/25-195

That Council, in accordance with section 3.58 of the *Local Government Act 1995*:

- 1. Subject to point 3, agree to dispose of property Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans.**
- 2. Undertakes a Local Public Notice process to advise that the Shire of Northampton is proposing to dispose of Lot 22 (No. 1) Rake Place, Northampton to Craig Mitchell Milroy Walker and Kaylene Evans for the sum of \$80,000 (including GST).**
- 3. Make final determination of the matter after considering any public submissions made arising from point 2 above at the Council meeting on 19 February 2026.**

MOTION CARRIED 7/0

FOR

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

AGAINST

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. MEETING CLOSED TO THE PUBLIC:

14.1 Matters for which the meeting may be closed.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

MOVED: Hay, T SECONDED: Suckling, R

12/25-196

That Council goes behind closed doors to consider:

Item 14.1.1 as under Section 5.23(2) (a) it deals with a matter affecting an employee or employees.

Item 14.1.2 as under Section 5.23(2) (b) it deals with the personal affairs of any person.

Item 14.1.3 as under Section 5.23(2) (a) it deals with a matter affecting an employee or employees.

MOTION CARRIED 7/0

FOR

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

AGAINST

14.1.1 Proposed Appointment of Candidate as a Senior Employee for the Executive Manager Works and Technical Services Position.

PROPONENT	Chief Executive Officer
OWNER	Shire of Northampton
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.2.4
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	4 December 2025
DECLARATION OF INTEREST:	Nil

14.1.2 Complaint Against a Councillor for Allegedly Breaching Conduct Provisions of the Shire of Northampton Code of Conduct for Council Members, Committee Members and Candidates 2025

PROPONENT	Shire of Northampton
OWNER	Shire of Northampton
LOCATION / ADDRESS:	N/A
ZONE:	N/A
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	4.1.1
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	4 December 2025
DECLARATION OF INTEREST:	Nil

**14.1.3 2025 Performance Review of the Chief Executive Officer Held
27 and 28 November 2025**

PROPONENT	Shire of Northampton
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
ZONE:	All
BUSINESS AREA:	Office of CEO
FILE REFERENCE:	PSN 63
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Andrew Campbell
APPROVING OFFICER:	Andrew Campbell
DATE OF REPORT:	4 December 2025
DECLARATION OF INTEREST:	The author of this report is the subject of this item and declares a financial interest.

MOVED: Hay, T

SECONDED: Smith, C

12/25-200

That Council come from behind closed doors.

MOTION CARRIED 7/0

FOR

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

AGAINST

14.2 Public reading of resolutions that may be made public.

RESOLUTION WAS READ OUT

ITEM 14.1.1 – Proposed Appointment of Candidate as a Senior Employee for the Executive Manager Works and Technical Services Position.

That Council appoint Mr James Andrew Stewart MUIR in the role of Executive Manager Works and Technical Services as a Senior Employee in accordance with s.5.37 of the *Local Government Act 1995* effective from 5 January 2026.

ITEM 14.1.2 – Complaint Against a Councillor for Allegedly Breaching Conduct Provisions of the Shire of Northampton Code of Conduct for Council Members, Committee Members and Candidates 2025.

That Council does not believe the Councillor has breached the Shire of Northampton Code of Conduct for Council Members, Committee Members and Candidates 2025 for the following reasons:

- 1. There is no evidence of a close relationship between the Councillor and the third party.**
- 2. The actions of the decision of Council were appropriate;
and**
- 3. The Councillor is always fair and reasonable in considering Council business.**

ITEM 14.1.3 – 2025 Performance Review of the Chief Executive Officer Held 27 and 28 November 2025.

That Council:

- 1. Notes the Salaries and Allowances Tribunal Determination of 4 April 2025 (effective 1 July 2025).**
- 2. Notes an increase in the Superannuation Guarantee Levy from 11.5% to 12% effective 1 July 2025.**
- 3. Notes the outcomes of the Elected Member Performance Survey undertaken in July 2025 with the Chief Executive Officer being assessed at ‘Meets Expectations’ in this year’s performance appraisal.**
- 4. Adopt the modified performance criteria metrics for the 2026 - 2027 performance period outlined in Section 7.6 of this confidential report.**
- 5. Approves a variation to the CEOs contract Total Remuneration Package as per Option 2 set out within this report at Section 6.5.**
- 6. Schedules an interim review of the Chief Executive Officer performance in August 2026.**
- 7. Schedules the next full review of the Chief Executive Officer’s performance and Total Remuneration Package for consideration by Council in February 2027.**
- 8. Comply, as per Division 3 of the *Local Government (Administration) Regulations* Schedule 2 clause 18, by**

resolution of an absolute majority of the Council, endorse this review.

- 9. Comply, as per Division 3 of the *Local Government (Administration) Regulations* Schedule 2 clause 19, by notifying the Chief Executive Officer of results of this performance review.**

15. APPLICATIONS FOR LEAVE OF ABSENCE:

Nil.

16. CLOSURE:

There being no further business to discuss the Shire President thanked those in attendance, staff and fellow councillors for their work over 2025, wished everyone a Merry Christmas and closed the meeting at 3.36pm.

SIGNED: 
Cr Liz Sudlow
Shire President

DATE: 19 February 2026