

**SHIRE OF NORTHAMPTON**

**Minutes of Ordinary Meeting of Council held at the Council Chambers, Hampton Road,  
Northampton on the 17 August 2012.**

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**8.1 OPENING**

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

**8.2 PRESENT**

Cr G Wilson	President	Northampton Ward
Cr L Parker	Deputy President	Kalbarri Ward
Cr B Cripps	Northampton Ward	
Cr P Gliddon		Kalbarri Ward
Cr S Penn		Kalbarri Ward
Cr J Booth		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works	
Mrs Hayley Williams	Principal Planner	

**8.2.1 LEAVE OF ABSENCE**

Nil.

**8.2.2 APOLOGIES**

Cr S Stock-Standen	Northampton Ward
Cr C Simkin	Northampton Ward
Cr T Carson	Northampton Ward

**8.3 QUESTION TIME**

**8.3.1 GRAHAM LEGGETT**

Mr Leggett questioned Council on what Council and the CEO intend to do about the illegal camping at the rest area at Elephant Hill, also questioned Council if illegal camping is an important issue to Council and asked if and when were the Northampton Police officers to become authorised officers to enforce Council Local Laws relating to illegal camping.

President responded advising Mr Leggett that on numerous occasions through himself and the CEO that he has been advised that illegal camping at Elephant Hill rest area was not an area that Council could deal with as it has no legal authorisation to do so and it was for Main Roads to resolve the issue.

If the area is closed by Main Roads WA which is what they are considering at present, then it is very likely that those users will use other road/land reserves within the shire which is extremely difficult for the Council to police.

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Council does consider that the issue of illegal camping is an important issue for Council but it is one that we believe will never be resolved with the resources Council has.

As far as the authorising of the Northampton Police to act as authorised officers to enforce Council Local Laws this was being considered in today's agenda however it is up to the police to act as this Council cannot force them to as they are not under the employ of this Council.

8.3.2	PASCALE DELHAIZE
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Made reference to Councils Strategic Plan in regards to community engagement and asked does Council recognise that our communication to the community is not working and what is Council going to do about it.

President and CEO responded advising that Council does provide information to the community through various media outlets and is seeking to improve such communication to its residents.

Ms Delhaize made reference to the CEO's comments in Item 6.5.1 of the Administration and Corporate Report that is being considered today in regards to the issues of drainage from parking areas where it is considered that they are not a major issue and disputed such remarks and asked Council what are they going to do about the drainage from car parks along the Kalbarri foreshore to prevent erosion etc.

President advised that before any further works or changes to existing car parks are made that the Kalbarri Foreshore Redevelopment Plan needs to take its course and then Council will consider any recommendations from that plan.

8.3.3	JACQUELINE WILLBOND
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Asked if Council is to consider having question time at the end of Council meetings to allow public a second chance to put questions to Council. Question was raised at the 15 June 2012.

CEO advised that he had not received any instructions from Council to report on this matter however he will report on it at the 21 September 2012 meeting as he would need to seek advice from the Department of Local Government if there are any Statutory implications involved in a second question time.

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**8.4 CONFIRMATION OF MINUTES**

**8.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 20<sup>th</sup>  
JULY 2012.**

Moved Cr PENN, seconded Cr CRIPPS

That the minutes of the Ordinary Meeting of Council held on the 20<sup>th</sup> July 2012 be confirmed as a true and correct record subject to the following amendments:

Minute 7.13.1 delete second dot point as Cr Cripps did not attend the meeting with Kalbarri Visitor Centre representatives.

CARRIED 6/0

**8.4.1.1 BUSINESS ARISING FROM MINUTES**

Nil.

**8.4.2 CONFIRMATION OF MINUTES – SPECIAL MEETING OF COUNCIL,  
2012/13 BUDGET MEETING, 27<sup>th</sup> JULY 2012.**

Moved Cr BOOTH, seconded Cr CRIPPS

That the minutes of the Special Meeting of Council, 2012/13 Budget Meeting, held on the 27<sup>th</sup> July 2012 be confirmed as a true and correct record subject to the following amendments:

Minute 5.3 insert – “Moved Cr Penn seconded Cr Booth”.

CARRIED 6/0

**8.5 RECEIVAL OF MINUTES**

Nil

**8.6 WORKS REPORT**

**8.6.1 MAINTENANCE WORKS/PROGRAMMED WORKS (ITEM 6.1.1)**

Noted.

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**8.6.2 MAIN ROADS WA – CONSTRUCTION OF WORKS – NORTH WEST  
COASTAL HIGHWAY (ITEM 6.1.2)**

Moved Cr PENN, seconded Cr GLIDDON

That Council direct Management to correspond to Main Roads Western Australia expressing its concern in regards to the apparent large amount of funds expended on the works immediately to the south of Northampton with arguably little improvement plus highlight the concerning design fault that would see northbound vehicles, both light and heavy having to merge prior to a crest without heavy vehicles having time to accelerate.

CARRIED 6/0

Mr Neil Broadhurst left the meeting at 1.30pm

**8.7 HEALTH/BUILDING REPORT**

**8.7.1 BUILDING STATISTICS (ITEM 6.2.1)**

Noted.

**8.8 TOWN PLANNING REPORT**

**8.8.1 SINGLE DWELLING & RETAINING WALL – LOT 252 (NO. 47) GLANCE  
STREET, HORROCKS (ITEM 6.3.1)**

Moved Cr PARKER, seconded Cr BOOTH

That Council grant Planning Approval to the Single Dwelling and Retaining Wall on Lot 252 (No. 47) Glance Street, Horrocks subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 17 August, 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;
2. If the development/use of the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;
3. A building licence shall be issued by the local government prior to the commencement of any work on the site;
4. All stormwater is to be disposed of onsite to the approval of the local government;

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5. Installation of crossing place/s to the standards and specifications of the local government;
6. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
7. In the case of the retaining wall on the property boundary, the finish of the retaining wall on the affected adjoining landowner's side is to be finished to a forked/pointed standard to the approval of the Local Government; &
8. A 1.8m fence is required to be erected atop the retaining wall to the approval of the Local Government.

Advice Note

Note 1: Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.

Note 2: If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.

CARRIED 6/0

8.8.2	PROPOSED GARAGE (PARAPET & EXTENSIONS – LOT 2 (UNIT 2/NO. 116 NANDA DRIVE, KALBARRI (SUN RIVER CHALETS) (ITEM 6.3.2)
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Moved Cr PENN, seconded Cr BOOTH

That Council dismiss the objection received from the adjoining landowners at Strata Lot 1 - 116 Nanda Drive, Kalbarri (Sun River Chalets) and grant planning approval for a garage with parapet wall and extensions on Lot 2 (Unit 2 / No. 116) Nanda Drive, Kalbarri, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 17 August, 2012 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plan(s) shall not be modified or altered without the prior written approval of the local government;
2. If the development/use of the subject of this approval is not substantially completed within a period of 2 years after the date of the determination the approval shall lapse and be of no further effect;

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3. In the case of a parapet wall on the property boundary, the finish of the parapet wall on the neighbour's side is to be of an equivalent standard to the rest of the development, and in the case of a rendered parapet wall, the owner is to give the neighbouring owner three weeks' written notice allowing the neighbouring owner an opportunity to nominate a paint colour to be applied on the neighbour's side. If the neighbouring owner desires and authorises the developing owner or developing owner's painter to come onto the neighbouring property to paint the parapet wall, then the owner is responsible to ensure that that occurs, and unless, on the application of the developing owner, the local government rules that the neighbouring owner's choice of paint is unreasonable or inappropriate, the developing owner is responsible to ensure that the choice of paint is applied. This condition is subject to contrary private contractual arrangements between the developing owner and the neighbouring owner;
4. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
5. The maximum height of any fill is not to exceed 0.5m in accordance with Element 6.6.1 (A1.1 & A1.4) of the Residential Design Codes (2010);
6. All stormwater is to be disposed of onsite to the approval of the local government; and
7. A building licence shall be issued by the local government prior to the commencement of any work on the site.

Advice Notes:

*Note 1: Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.*

*Note 2: If an applicant is aggrieved by this determination there is a right (pursuant to the Planning and Development Act 2005) to have the decision reviewed by the State Administrative Tribunal. Such application must be made within 28 days from the date of this notice.*

*Note 3: Compliance is required with the Building Code of Australia.*

CARRIED 6/0

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8.8.3	SINGLE RESIDENTIAL TRANSPORTABLE DWELLING – LOT 254 (NO. 41) GLANCE STREET, HORROCKS (ITEM 6.3.3)
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Moved Cr PARKER, seconded Cr PENN

That Council not approve the construction of a single residential transportable dwelling on Lot 254 Glance Street for the following reasons:

1. The proposed single residential transportable dwelling does not meet the requirements of Clause 5.11.2.1(d) in that the façade, colours and materials and design features of the building are not appropriate to that prevailing within the vicinity. Council further advises that the proposed transportable dwelling does not adequately address the streetscape nor is it reflective of the new residential development that is occurring within the immediate vicinity.
2. The proposed single residential transportable dwelling does not meet the requirements of Clause 5.11.2.2 (a) in that the proposed transportable dwelling will be highly visible not only from the Glance Street, but other parts of the Horrocks Townsite and given its high visibility (significantly raised above natural ground level) the external treatment of the dwelling needs to be given greater consideration.
3. The proposed single residential transportable dwelling does not meet the requirements of Clause 5.11.2.2 (b), as the transportable dwelling is still effectively a box shaped structure given that minimal external treatments have been undertaken to address the aesthetics of the building and how it is read from the street. This is further compounded given that it is highly visible from the street and other public places in Horrocks.
4. The proposed single residential transportable dwelling does not meet the requirements of Clause 5.11.2.2 (c), in that Lot 254 is contained with a “Residential” zone and the proposed development is considered to have a detrimental impact upon the existing and proposed streetscape.

Accordingly, Council requests that the Applicant/Landowner provide a revised design for the dwelling and a revised design for the overall development so it fits in with the neighbouring area. The revised plans for the single dwelling design should have consideration to the following features:

CARRIED 6/0

The Council did not support the Officers recommendation and the Office concurred that the outlook of the proposed dwelling was not of a high standard and did not fit in with the new residential area.

8.8.4	PROPOSED LICENCE AGREEMENT – RESERVES 12996 & 25307 (ITEM 6.3.4)
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Moved Cr CRIPPS, seconded Cr BOOTH

That Council:

- 1 Grant Planning Approval for a Commercial Recreational Tourism Activity (Skydiving) over Reserves 12996 and 25307, Kalbarri subject to the following conditions:
  - a) This Planning Approval is an approval for the proposed use for the purposes of the Shire of Northampton's *Town Planning Scheme No. 9 – Kalbarri* and the *Planning and Development Act (2005)* only and does not constitute an approval of the proposed use by the Shire in its capacity as management body of the reserve within which the use is proposed to be located;
  - b) Approval of the Minister of Lands in accordance with the provisions of the *Land Administration Act (1997)*;
  - c) A licence agreement being entered into by the applicant and the Shire in accordance with Council's *Local Planning Policy – Commercial Recreational Tourism Activity on Crown Reserves*; and
  - d) This Planning Approval shall remain valid whilst the licence agreement referred to in Condition (c) remains current and valid, and on the expiration or in the termination of such licence agreement, this Planning Approval shall cease to be valid.

Advice Notes:

- (i) The Applicant is advised that it is not the responsibility of the local government to ensure that all correct approvals are in place and that all conditions contained within said approvals are upheld during the operations of the business; and
  - (ii) The Applicant is advised of the following publication which containing valuable information about the protection of sensitive water sources; *Water Quality Protection Note 44 Roads near sensitive water resources*.
- 2 Authorise delegation to the Chief Executive Officer and Principal Planner for preparation and execution of the agreement with any disputes to be referred back to Council for final determination

CARRIED 6/0

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**8.8.5 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.5)**

Noted

**8.9 FINANCE REPORT**

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

Moved Cr PARKER, seconded Cr PENN

That Municipal Fund Cheques 19376 to 19416 inclusive, totalling \$87,309.33, Municipal EFT payments numbered EFT10256 to EFT10327 inclusive totalling \$237,053.26, Direct Debit payments GJ01-01 to GJ01-05 totalling \$10,243.09, Trust Fund Cheque 1864 to 1872 inclusive, totalling \$41,865.50, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

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

Moved Cr GLIDDON, seconded Cr PENN

That Council adopts the Monthly Financial Report for the period ending 30 June 2013 and notes any material variances greater than \$5,000.

CARRIED 6/0

**8.9.3 2012-2013 BUDGET ADOPTION (ITEM 6.4.3)**

Moved Cr PARKER, seconded Cr PENN

That Council contribute \$5,000 towards the Northampton Living Communities Economic Study of Northampton and this be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

Moved Cr GLIDDON, seconded Cr CRIPPS

Income Statement

That the operating statement as detailed on page 2 of the budget for the financial year ending 30 June 2013, showing projected net profit of \$868,104, be adopted.

Statement of Cash Flows

That the Statement of Cash Flows detailed on page 4 of the budget for the financial year ending 30 June 2013, showing a projected cash at yearend of \$1,356,413, be adopted.

2012/2013 Budget by Statutory Program

That the budget program schedules for 2012/2013 detailed on pages 1 to 148 of the supplementary information to the budget document showing a projected nil closing current position, be adopted.

Reserve Fund Budget

That the resubmitted Reserve Fund Budget as presented be adopted.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

8.9.4	WAIVER OF 2012/13 RATES (ITEM 6.4.4)
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Moved Cr BOOTH, seconded Cr CRIPPS

That Council in accordance, with section 6.47 of the Local Government Act 1995, waive the rates on the following leases:

- Northampton Bowling Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;
- Northampton Golf Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052;
- Northampton Community Centre – Portion of Reserve 23432
- The Federation of Western Australian Police and Citizens Youth Clubs Inc – Kalbarri Town Lot 468 Reserve No 35559.
- Kalbarri Golf and Bowling Club – part of Reserve No 30523;
- Kalbarri Sport and Recreation Club – part of Reserve No 25447.
- Kalbarri Occasional Childcare Centre – Lot 233 and 232 Smith Street, Kalbarri.
- Edna Bandy Centre – Reserve 2038, Stephen Street Northampton
- Old School Community Centre – Lot 475, Stephen Street Northampton

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- Binnu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binnu
- Pioneer Lodge Inc situated at Lot 212 Robinson Street, Northampton
- Kalbarri Aged Care Units owned jointly by Homeswest and the Shire of Northampton situated at Lot 1001 Hackney Street.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

**8.10 ADMINISTRATION & CORPORATE REPORT**

**8.10.1 KALBARRI FORESHORE REDEVELOPMENT PLAN (ITEM 6.5.1)**

Moved Cr PENN, seconded CR BOOTH

That Council:

1. Seek community membership for a community based committee to progress the development of a final plan for the redevelopment of the Kalbarri foreshore parkland area, with that committee to have at least two Council representatives.
2. That the community committee be required to consider all comments from submissions received for inclusion or non inclusion within the next draft of the plan.
3. That the community committee to determine its chairperson and to provide secretarial services with Council to provide assistance with future community consultation, advertising etc.

CARRIED 6/0

**8.10.2 RPT SERVICES – KALBARRI AIRPORT (ITEM 6.5.2)**

Moved Cr PARKER, seconded Cr GLIDDON

That Council correspond to the Department of Transport:

1. Advising them that due to the low regular passenger transport numbers on the current RPT service and the large costs required to comply for RPT services, that it is a financial burden on the operations of the Kalbarri Aerodrome and Council cannot sustain ongoing losses and therefore requests that the RPT service cease operations.

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2. If the Department does not support the ceasing of the RPT service then they consider subsidising the RPT service into Kalbarri if it is to continue which would reduce air fare costs and therefore promote use of the service which in turn would bring a greater return to Council in landing fees to help offset the operating costs.
3. That if they support the closure of the Kalbarri RPT service then they consider a shuttle service from Geraldton to Kalbarri and return to connecting flights from Geraldton Airport.

CARRIED 6/0

8.10.3 APPOINTMENT OF DEPUTY CEO (ITEM 6.5.3)
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Moved Cr PENN, seconded Cr CRIPPS

That Council endorses the actions of the CEO in appointing Andrea Nunan to the position of Deputy Chief Executive Officer.

CARRIED 6/0

8.10.4 AUTHORISED OFFICERS – DOG ACT & LOCAL LAWS (ITEM 6.5.4)
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Moved Cr CRIPPS, seconded Cr BOOTH

That Sergeant Stuart Gerreyn, Senior Constable Jeff Osborne, First Class Constable Richard Pearce and Constable Geoff Butler be duly appointed as authorised officers to exercise powers pursuant to the following:

1. Dog Act 1976
2. Local Laws Relating to:  
Reserves & Foreshores, Removal & Disposal of Obstructing Vehicles, Safety & Decency, Convenience and Comfort of persons in respect of bathing.

All previous appointments of police officers based at the Northampton Police Station be cancelled.

CARRIED 6/0

8.10.5 ROAD INSPECTION (ITEM 6.5.5)
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Moved Cr CRIPPS, seconded Cr PENN

That Council conduct a road inspection of roads within the Shire of Northampton on Tuesday 4 September 2012.

CARRIED 6/0

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**8.10.6 PROPOSED SUB RENTING OF OFFICE SPACE – NORTHAMPTON  
DOCTORS SURGERY (ITEM 6.5.6)**

Moved Cr BOOTH, seconded Cr GLIDDON

That Council approves the sub renting of office space in the Northampton Surgery  
by Dr Graeme Findlay to the St John of God Pathology Centre for Pathology use.

CARRIED 6/0

**8.11 PRESIDENTS REPORT**

Since the last Council meeting the President, Cr Wilson reported on his attendance  
to the 2012 WA Local Government Week/Convention including the WA Local  
Government Association Annual General Meeting.

**8.12 DEPUTY PRESIDENTS REPORT**

Since the last Council meeting the Deputy President, Cr Parker reported on his  
attendance to the 2012 WA Local Government Week/Convention including the  
WA Local Government Association Annual General Meeting.

**8.13 COUNCILLORS REPORT**

**8.13.1 CR PENN**

Since the last Council meeting Cr Penn reported on her attendance to:

- Kalbarri Visitors Centre Meeting where they appear to be sorting out their revised operations in an attempt to reduce their financial debt.
- Kalbarri Sport and Recreation Club meeting.

**8.13.2 CR BOOTH**

Since the last Council meeting Cr Booth reported on her attendance:

- Kalbarri Development Association Annual General Meeting where she was re-elected as Chairperson.
- Cr Booth also gave her apologies for the 21 September 2012 Council meeting

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**8.13.3 CR GLIDDON**

Cr Gliddon did not attend any meetings since the last meeting but advised she was assisting the Northampton Visitors Centre and the Kalbarri Visitors Centre in preparing submissions for the coming Top Tourism Town Awards.

**8.13.4 CR CRIPPS**

Since the last Council meeting Cr Cripps reported on his attendance to:

- The 2012 WA Local Government Week/Convention.
- Northampton Community Centre meeting.

**8.14 INFORMATION BULLETIN**

Noted.

**8.15 NEW ITEMS OF BUSINESS**

**8.15.1 CR PARKER – NORTHAMPTON 150<sup>TH</sup> ANNIVERSARY**

Cr Parker requested that due to a poor response from the community to form a committee to organise events etc for the coming Northampton 150<sup>th</sup> Anniversary that Council take the initiative and invite members from various community and sporting groups to form a committee and this meeting be held as soon as possible.

Moved Cr WILSON, seconded Cr GLIDDON

That Council invite members from various community and sporting groups within Northampton to a meeting with the intent to form a committee to discuss/plan events etc for the coming 150<sup>th</sup> Anniversary of the Northampton townsite.

CARRIED 6/0

**8.16 NEXT MEETING OF COUNCIL**

The next Ordinary Meeting of Council will be held at the Northampton Council Chamber, Hampton Road, Northampton Friday the 21 September 2012.

**8.17 CLOSURE**

There being no further business, the President declared the meeting closed at 3.00pm.