

TABLE OF CONTENTS

7.1	OPENING	3
7.2	PRESENT	3
7.2.1	LEAVE OF ABSENCE	3
7.2.2	APOLOGIES	3
7.3	QUESTION TIME	3
7.3.1	CHAD SMITH	3
7.3.2	BARBARA DOWLING-CASLEY	4
7.3.3	NEVILLE TOMELTY	4
7.4	DISCLOSURE OF INTEREST	4
7.5	CONFIRMATION OF MINUTES	4
7.5.1	CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING FRIDAY 18 th JUNE 2021	4
7.6	WORKS & ENGINEERING REPORT	5
7.6.1	INFORMATION ITEMS - MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 7.1.1)	5
7.6.2	HORROCKS – BEACH ACCESS RAMP - MODIFICATIONS TO EXISTING SEALED CARPARK AREA (ITEM 7.1.2)	5
7.6.3	LOAD RESTRAINT – UNRESTRAINED LOAD – INFRINGEMENT NOTICE/S KALBARRI ROAD – REMOVAL OF VERGE MATERIAL FOLLOWING CYCLONE SEROJA (ITEM 7.1.3)	5
7.7	HEALTH & BUILDING REPORT	6
7.7.1	BUILDING APPROVALS (ITEM 7.2.1)	6
7.8	TOWN PLANNING REPORT	6
7.8.1	DRAFT NORTHAMPTON LOCAL PLANNING STRATEGY – CONCLUSION OF PUBLIC ADVERTISING & FINAL ADOPTION (ITEM 7.3.1)	6
7.8.2	PROPOSED SHORT TERM EXPANSION MOTEL ACCOMMODATION – THIRTY ONE (31) MOTEL UNITS, LAUNDRY, PARKING BAYS – LOT 188 (NO. 60) JEFFREY BROWNE WAY, KALBARRI (ITEM 7.3.2)	6
7.8.3	PROPOSED CARAVAN TEMPORARY ACCOMMODATION – LOT 29 (NO. 109) HAMPTON ROAD, NORTHAMPTON (ITEM 7.3.3)	11
7.8.4	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.4)	13
7.9	FINANCE REPORT	13
7.9.1	ACCOUNTS FOR PAYMENT (ITEM 7.4.1)	13
7.9.2	MONTHLY FINANCIAL STATEMENTS – JUNE 2021 (ITEM 7.4.2)	14

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on
Friday 16th July 2021**

7.10	ADMINISTRATION & CORPORATE REPORT	14
7.10.1	SENIOR STAFF PERFORMANCE REVIEWS (ITEM 7.5.1)	14
7.10.2	RESIDENCE – SEVENTH AVENUE, NORTHAMPTON (ITEM 7.5.2)	14
7.10.4	OFFER FOR FUNDING OF CYCLONE MEMORIAL MONUMENT (ITEM 7.5.3)	15
7.10.5	INTEREST TO PURCHASE LOT 520 CHICK PLACE, KALBARRI (ITEM 7.5.4)	15
7.10.6	BINNU WATER SUPPLY (ITEM 7.5.5)	15
7.10.7	AFL STATUES (ITEM 7.5.6)	16
7.10.8	REQUEST TO PURCHASE UNMADE SECTION OF CARSON STREET, ISSEKA (ITEM 7.5.7) AND PROPOSED ROAD CLOSURE – UNMADE ROAD EAST OGILVIE (ITEM 7.5.8)	16
7.10.9	BUSINESS EMPLOYEES’ ACCOMMODATION (ITEM 7.5.9)	16
7.11	PRESIDENT’S REPORT	17
7.12	VICE PRESIDENT’S REPORT	17
7.13	COUNCILLORS’ REPORTS	17
7.14.1	CR STEWART	17
7.14	NEW ITEMS OF BUSINESS	18
7.15	NEXT MEETING OF COUNCIL	18
7.16	CLOSURE	18

7.1 OPENING

The President thanked all Councillors and staff present for their attendance and declared the meeting open at 1.00pm and acknowledged the presence of members of the public in the gallery

7.2 PRESENT

Cr C Simkin	President	Northampton Ward
Cr S Krakouer		Kalbarri Ward
Cr P Stewart		Kalbarri Ward
Cr S Smith		Kalbarri Ward
Cr S Stock-Standen		Northampton Ward
Cr D Pike		Kalbarri Ward
Cr T Hay	1-30pm – 3.25pm	Northampton Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works and Technical Services	
Mrs Michelle Allen	Planning Officer	

7.2.1 LEAVE OF ABSENCE

Nil

7.2.2 APOLOGIES

Cr R Suckling	Northampton Ward
Cr L Sudlow	Northampton Ward

7.3 QUESTION TIME

7.3.1 CHAD SMITH

Chad Smith's question was directed to Council asking if they were prepared to consider the request favourably to place the AFL Figures at the Miners Arms Hotel on Hampton Road.

Shire President responded advising that the matter is to be determined by Council later in the meeting when the agenda item is presented.

7.3.2 BARBARA DOWLING-CASLEY

Barbara Dowling-Casley's question was directed to the CEO, Garry Keeffe, asking why Council was considering a new position for placement of the AFL Figures when they had been asked by the CEO previously to survey the community on this matter and the community's response for a preferred site being the Lions Park was now being ignored for a different site.

CEO, Garry Keeffe, responded that no direction had been forthcoming from him. The matter had previously been presented to Council by the Northampton Tourist Association who had been asked to survey the community and provide findings back to Council. The matter has been reconsidered by the Northampton Tourist Association and a different site was now considered more appropriate and as a consequence was being re-presented to Council by the Northampton Tourist Association, the Northampton Football Club and the AFL Legends Committee Representatives.

7.3.3 NEVILLE TOMELTY

Neville Tomelty did not ask a question but provided more information on the matter of the AFL Figures stating that as the current owner of the Miners Arms Hotel he would consider placing a caveat on the land title to ensure the area was reserved for this purpose in the future.

7.4 DISCLOSURE OF INTEREST

Nil

7.5 CONFIRMATION OF MINUTES

**7.5.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING
FRIDAY 18th JUNE 2021**

Moved Cr STEWART seconded Cr PIKE

That the minutes of the Ordinary Meeting of Council held on the 18th June 2021 be confirmed as a true and correct record.

CARRIED 7/0

7.6 WORKS & ENGINEERING REPORT

7.6.1 INFORMATION ITEMS - MAINTENANCE/CONSTRUCTION WORKS PROGRAM (ITEM 7.1.1)

Noted

7.6.2 HORROCKS – BEACH ACCESS RAMP - MODIFICATIONS TO EXISTING SEALED CARPARK AREA (ITEM 7.1.2)

Moved Cr STOCK-STANDEN seconded Cr SMITH

That Council defer this matter to the 20 August 2021 meeting and request the Manager for Works and Technical Services inspect the site and provide further plans and recommendations for improvement works to include retention of the sealed section of the Horrocks beach access carpark area and installation of sand bags at bottom of the dune on the north side to aid stormwater control for the sealed area of the carpark area.

CARRIED 7/0

7.6.3 LOAD RESTRAINT – UNRESTRAINED LOAD – INFRINGEMENT NOTICE/S KALBARRI ROAD – REMOVAL OF VERGE MATERIAL FOLLOWING CYCLONE SEROJA (ITEM 7.1.3)

Moved Cr KRAKOUER seconded Cr STEWART

That Council direct Management to apply for an ‘Adjudication of Leniency’ regarding the two traffic infringements received relating to unsecured loads while undertaking works on 8th July 2021 on the Kalbarri Road.

If this application is not favourably received and the infringements are ruled/adjudicated to stand as is, then payment of the infringements be approved and paid in full by Council.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

Neil Broadhurst left the meeting at 1.48pm.

7.7 HEALTH & BUILDING REPORT

7.7.1 BUILDING APPROVALS (ITEM 7.2.1)

Noted.

7.8 TOWN PLANNING REPORT

**7.8.1 DRAFT NORTHAMPTON LOCAL PLANNING STRATEGY –
CONCLUSION OF PUBLIC ADVERTISING & FINAL ADOPTION (ITEM
7.3.1)**

Moved Cr STEWART, seconded Cr STOCK-STANDEN

That Council pursuant to cl. 14 of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolve to:

1. Determine the submissions in accordance with the Schedule of Submission – Appendix 1 attached to the Town Planning Report 16 July 2021;
2. Support the Northampton Local Planning Strategy with proposed modifications detailed in the Schedule of Submissions – Appendix 1 attached to the Town Planning Report 16 July, 2021; and
3. Submit a copy of the advertised local planning strategy, the schedule of submissions received and proposed modifications to the Western Australian Planning Commission for endorsement.

CARRIED 7/0

**7.8.2 PROPOSED SHORT TERM EXPANSION MOTEL ACCOMMODATION –
THIRTY ONE (31) MOTEL UNITS, LAUNDRY, PARKING BAYS – LOT
188 (NO. 60) JEFFREY BROWNE WAY, KALBARRI (ITEM 7.3.2)**

Moved Cr HAY, seconded Cr STOCK-STANDEN

That Council grant formal development approval for a limited time period of the proposed transportable motel units on Lot 188 (No. 40) Jeffrey Browne Way, Kalbarri consisting of thirty-one (31) one-bedroom motel units with ensuites and one laundry building in total, subject to the following conditions:

1. Development shall be in accordance with the attached approved plan(s) dated 16 July 2021 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. Any additions to or change of use of any part of the building or land (not the subject of this approval) requires further application and development approval for that use/addition;
3. Development approval is granted to four (4) accommodation pods and one (1) laundry unit to be located adjacent to the southern boundary of the lot as marked in 'RED' on the attached approved plans dated 16 July 2021 for a temporary period of two years expiring on 16 July 2023. After expiry of the temporary approval period, should operations continue the Applicant/Owner will be subject to a renewed Application for Development Approval and approval may or may not be granted based on compliance with relevant Planning Legislation and Policies;
4. Development approval is granted to five (5) transportable motel units on wheels to be located adjacent to the eastern side boundary of the lot as marked in "RED' on the attached approved plans dated 16 July 2021 for a temporary period expiring on 30 April 2022. After expiry of the temporary approval period, should operations continue the Applicant/Owner will be subject to a renewed Application for Development Approval and approval may or may not be granted based on compliance with relevant Planning Legislation and Policies;
5. Prior to the issuing of a building permit, further detail be provided to the local government, demonstrating an adequate potable water supply to the approval of the Water Corporation is available for the proposed development
6. Prior to the issuing of a building permit, further detail be provided to the local government, demonstrating an adequate power supply to the approval of Western Power is available for the proposed development. Should connection to the electricity network not be available further detailed information be provided to the local government, demonstrating the means of power supply.

7. Due to the close proximity to the town centre, all mechanical service systems (including air conditioners and generators), are to be designed and installed to prevent emitted noise levels from exceeding the relevant decibel levels as set out in the Environmental Protection (Noise) Regulations 1997 (as amended).
8. Prior to the issuing of a building permit, a detailed wastewater disposal application shall be completed that pertains to the proposed development which is to the approval of the Department of Health WA and the local government.
9. A building permit shall be issued by the local government prior to the commencement of any work on the site;
10. A detailed schedule of external finishes, materials and colours to be used in the construction of the development shall be submitted prior to lodgment of an application for a building permit and shall be of non-reflective materials consistent or complimentary in colour with the surrounding natural landscape features to the approval of the Local Government;
11. All stormwater is to be disposed of on-site to the specifications and approval of the local government. On application for a building permit a detailed design of stormwater collection and disposal system of developed areas is to be supplied to the approval of the Local Government (refer to Advice Note 5);
12. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
13. Installation of crossing places, verge gradients and designated car parking areas shall be constructed, line marked and drained to the standards and specification of the local government (refer to Advice Note 5);
14. All parking of vehicles to be provided for within the property boundary and the street verge area is to be kept free of vehicles;
15. The Owner/Applicant shall install a boundary fence to match the existing fence on the southern boundary to a height of 2.1 metres upon the eastern side boundary and fencing and gates on the western side of the development as marked in 'RED' on the attached approved plan(s) dated 16 July 2021 so as to minimise visual impacts;

16. Prior to the commencement of the development/land use a landscaping plan shall be submitted to and approved by the local government. The approved landscaping plan shall include details pertaining to fencing, pathways, screening, shade and plantings and is to be implemented in full prior to the commencement of the approved use and maintained thereafter to the approval of the local government. Plantings are to include fast growing trees and shrubs;
17. Any lighting device/s is to be positioned and shielded as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries or cause any glare nuisance to any passing motorists;
18. The site shall be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance;
19. Bin storage and clothes drying areas shall be provided and appropriately screened such that they are not visible from the street/s, to the approval of the local government;
20. A Bushfire Attack Level (BAL) assessment, in accordance with *State Planning Policy 3.7 Planning in Bushfire Prone Areas* be undertaken and submitted, with any further conditions from this assessment addressed, prior to lodgement of an application for a building permit, to the approval of the local government;
21. A separate area shall be set aside for the loading and unloading of vehicles, from the existing and proposed car parking areas, to the approval of the local government; and
22. An overall carparking plan shall be provided to include designated parking areas and bays for all uses on the site and to include vehicle access/egress points from all public roads, to the approval of the Local Government.
23. At the cessation of the Development Approval, all temporary structures, waste disposal facilities and drainage facilities shall be permanently removed from the site to the approval of the local government;
24. At the end of the approval period, the site shall be left in a neat and tidy condition following the removal of the structures.

25. Prior to the issue of any building permit for a repurposed or second-hand structure the local government shall require the lodging of;
- (a) A bond amount equivalent to 20% of the estimated value of the approved works to be undertaken to ensure the building presentation is of an acceptable standard, with a minimum amount of \$5,000;
 - (b) A statutory declaration, signed by the applicant(s) and appropriately witnessed, indicating that the bond will be forfeited to Council if the approved installation works are not carried out within the approved timeframe; and
 - (c) Bond monies will only be refunded (if not forfeited) after works required to prevent forfeiture have been carried out to the approval of the Building Surveyor.

Advice Note

1. If the development/use the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect;
2. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained;
3. With regard to Condition No's. 3 and 5 the landowner/proponent is required to make arrangements accordingly to the approval of the Department of Health WA and the Local Government;
4. With regard to Conditions No. 8 and 10, it is advised the Applicant/Owner should liaise with the Shire of Northampton's Manager of Works and Technical Services to determine crossover, verge gradient, car parking design and drainage requirements for developed areas.
5. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of determination.

CARRIED 7/0

**7.8.3 PROPOSED CARAVAN TEMPORARY ACCOMMODATION – LOT 29
(NO. 109) HAMPTON ROAD, NORTHAMPTON (ITEM 7.3.3)**

Moved Cr PIKE, seconded Cr STEWART

That Council, having taken into consideration the provisions of the Shire of Northampton's *Local Planning Scheme No. 10 (Northampton)*, the Shire's Local Planning Policy *Caravans for Temporary Accommodation*, the current circumstances of the applicant and Planning Exemptions afforded after Cyclone Seroja, grant approval for a caravan to be placed on Lot 29 (No. 109) Hampton Road (North West Coastal Highway), Northampton, subject to the following conditions:

1. Development/use shall be in accordance with the attached approved plans dated 16 July 2021 and subject to any modifications required as a consequence of this approval the endorsed plan(s) shall not be modified or altered without the prior written approval of the local government.
2. Any additions to, or change to, the approved use (not the subject of this consent/approval) requires further application and planning approval for that use/addition.
3. This Development Approval is valid until 16 July 2022, after which time no further extensions of time will be granted to use the caravan on Lot 29 (No. 109) Hampton Road, Northampton for temporary accommodation purposes and after which time penalties may apply in accordance with the Planning and Development Act 2005.
4. This approval is issued only to R. Pearce and is NOT transferable to any other person or to any other land parcel, without the further application and approval of the Shire of Northampton.
5. The Applicant is required to provide verification of current Owner Builder Registration to the local government;
6. Continuation of approved plan for payment of a bond of \$5,000 shall be lodged with the Shire of Northampton prior to occupation of the caravan on site with the bond money to be repaid to the Applicant upon completion of the dwelling to lock-up stage.
7. The approval is for one (1) Caravan with Annexe, one (1) portable chemical toilet and one (1) portable shower only.

8. The caravan and ablution facilities are to be positioned on the lot so as to be not visible from Hampton Road and will include visual screening measures, to the approval of the local government.
9. The ablution facilities (toilet and shower) are to be connected to the new septic system for the proposed dwelling.
10. The Applicant is required to provide a Project Plan with proposed timelines for completion of elements of the project. The Project Plan is to be regularly reviewed and adjusted, if necessary, in conjunction with the Building Surveyor at quarterly intervals to the approval of the local government.
11. Should substantiated ongoing complaints be received in relation to the placement of the caravan on Lot 29 (No. 109) Hampton Road, Northampton, the Shire of Northampton reserves the right to review and/or revoke this Development Approval.
12. 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.
13. The land use hereby permitted shall not cause injury to or prejudicially affect the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
14. The use of a generator upon Lot 29 (No. 109) Hampton Road is only allowed during power outages and when the on-site power source is not accessible. At all other times, the Applicant shall utilise the power source available on site.

Advice Notes

1. If the development/use the subject of this approval is not substantially commenced within a two (2) year period, the approval will lapse and be of no further effect.
2. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on
Friday 16th July 2021**

3. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.
4. The Applicant is advised that compliance with the Building Act 2011 and Building Regulations 2012, including but not limited to the requirement for a current Building Permit is required at all times.
5. The Applicant is advised that compliance with any and all governmental legislation and regulations, including but not limited to the Health Act and Regulations and the Environmental Protection (Noise) Regulations, is required at all times.

CARRIED 4/3

Cr Hay wish to have his name recorded as voting against the motion.
Cr Stock-Standen wished to have her name recorded as voting against the motion.

7.8.4 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 7.3.4)
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Noted.

7.9 FINANCE REPORT

7.9.1 ACCOUNTS FOR PAYMENT (ITEM 7.4.1)

Moved Cr SMITH, seconded Cr KRAKOUER

That Municipal Fund Cheques 22082 to 22096 inclusive totalling \$75,423.29, Municipal EFT payments numbered EFT22175 to EFT22362 inclusive totalling \$1,084,461.37, Trust Fund Cheques 2605 to 2620, totalling \$12,376.11, Direct Debit payments numbered GJ1201 to GJ1208 inclusive totalling \$233,195.75 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 7/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on
Friday 16th July 2021

7.9.2 MONTHLY FINANCIAL STATEMENTS – JUNE 2021 (ITEM 7.4.2)

Moved Cr SMITH, seconded Cr STOCK-STANDEN

That Council adopts the Monthly Financial Report for the period ending 30th June 2021.

CARRIED 7/0

7.10 ADMINISTRATION & CORPORATE REPORT

7.10.1 SENIOR STAFF PERFORMANCE REVIEWS (ITEM 7.5.1)

Moved Cr STOCK-STANDEN seconded Cr HAY

That Council adopt the Performance Review Panel reports for the Deputy Chief Executive Office and Manager for Works and Technical Services.

CARRIED 7/0

7.10.2 RESIDENCE – SEVENTH AVENUE, NORTHAMPTON (ITEM 7.5.2)

Moved Cr STEWART, seconded Cr HAY

That Council

1. Defers the matter of the future of the residence on Lot 84 (No. 69) Seventh Avenue to the 20 August Meeting of Council meeting.
2. Authorises the Chief Executive Officer to negotiate a purchase price for Lot 72 (No. 45) Seventh Avenue, Northampton and refer to Councillors for further consideration.

CARRIED 7/0

7.10.4 OFFER FOR FUNDING OF CYCLONE MEMORIAL MONUMENT (ITEM 7.5.3)

Moved Cr PIKE, seconded Cr SMITH

That Council thanks the Australian Business Enterprise Centre but declines their offer as it considers funding for a memorial to Cyclone Seroja is not appropriate and the ABEC be requested that funding be considered to the Kalbarri War Memorial upgrade project.

CARRIED 7/0

7.10.5 INTEREST TO PURCHASE LOT 520 CHICK PLACE, KALBARRI (ITEM 7.5.4)

Moved Cr SMITH, seconded Cr STEWART

That Council support Mr Booth's request to purchase Lot 520 Chick Place, Kalbarri and relinquishes the Management Order drawn in favour of Council for the purpose of "Housing" on this lot and advise the Department of Planning Lands and Heritage accordingly.

CARRIED 7/0

7.10.6 BINNU WATER SUPPLY (ITEM 7.5.5)

Moved Cr STOCK-STANDEN, seconded Cr STEWART

That Council defer this matter until such time as costs for relocation of the water Tanks, installation of water pipes and ongoing maintenance costs are provided by the Department of Education.

CARRIED 7/0

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on
Friday 16th July 2021

7.10.7 AFL STATUES (ITEM 7.5.6)

Moved Cr STOCK-STANDEN, seconded Cr HAY

That Council supports the location for the placement of the AFL statues at the area identified on the Miners Arms Hotel property by the Northampton Tourist Association and they be advised that all future upkeep and maintenance of the statues is to be the responsibility of the Northampton Tourist Association.

CARRIED 7/0

7.10.8 REQUEST TO PURCHASE UNMADE SECTION OF CARSON STREET, ISSEKA (ITEM 7.5.7) AND PROPOSED ROAD CLOSURE – UNMADE ROAD EAST OGILVIE (ITEM 7.5.8)

Moved Cr SMITH seconded Cr HAY

That Council formally approve, as per the provisions of Section 58 of the *Land Administration Act 1997* and associated Regulations, the closure of a portion of Carson Street, being the eastern section from the western boundary of Lot 45 Carson Street, Isseka and the closure of a portion of unmade road reserve that traverses through the property of Peter Allen, being lots 106, 109 and 4079.

CARRIED 7/0

7.10.9 BUSINESS EMPLOYEES' ACCOMMODATION (ITEM 7.5.9)

Moved Cr SMITH, seconded Cr STEWART

That Council:

1. Acknowledges the request to amend the purpose of Crown Reserve 35559 is linked to the recent damage of Cyclone Seroja and necessity to house "Service Workers";
2. Acknowledges the requirement to use Crown Reserve 35559 to house "Service Workers" is time limited and will not exceed five (5) years;
3. Acknowledges the original purpose of Crown Reserve 35559, being "Community Purposes & Recreational Camp", is to be retained and the Shire proposes to rebuild the camp facilities;

4. Approves the area of Crown Reserve 35559 proposed to be used for “Service Workers” is comparatively small and limited to ten (10) accommodation units; and
5. Remains committed to pursuing a long-term multiuser accommodation facility, with its preference being Lot 997, Nanda Drive.

CARRIED 7/0

MEETING ADJOURNMENT

President adjourned the meeting at 2.55pm to allow for a Citizenship ceremony to be conducted.

Meeting reconvened at 3.06pm with the following in attendance:

Cr Simkin, Cr Krakouer, Cr Stock-Standen, Cr Hay, Cr Pike, Cr Stewart, Cr Smith, Garry Keeffe, Grant Middleton and Michelle Allen.

7.11 PRESIDENT’S REPORT

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

- 08/07/2021 Dinner function hosted Crown Perth in Kalbarri to thank the volunteers and front line workers in the aftermath of cyclone Seroja.
- 08/07/2021 Kalbarri Chamber of Commerce & Industry meeting, Kalbarri

7.12 VICE PRESIDENT’S REPORT

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

- 08/07/2021 Kalbarri Chamber of Commerce & Industry meeting, Kalbarri

7.13 COUNCILLORS’ REPORTS

7.14.1 CR STEWART

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

- 30/06/2021 Kalbarri Development Association meeting, Kalbarri

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chamber on
Friday 16th July 2021**

7.14 NEW ITEMS OF BUSINESS

No new items of business were raised by members.

7.15 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on Friday 20th August 2021 commencing at 1.00pm at the Allen Centre, Kalbarri.

7.16 CLOSURE

There being no further business, the President thanked everyone for their attendance and declared the meeting closed at 3.25pm.

THESE MINUTES CONSISTING OF PAGES 1 TO 18 WERE CONFIRMED AS A TRUE AND CORRECT RECORD ON FRIDAY 16th JULY 2021.

PRESIDING MEMBER: _____

DATE: _____