

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
Hampton Road, Northampton on the 17th December 2010**

12.1	OPENING	3
12.2	PRESENT	3
12.2.1	LEAVE OF ABSENCE	3
12.2.2	APOLOGIES	3
12.3	QUESTION TIME	3
12.3.1	QUESTION TIME - SILVIA RAUX	3
12.4	CONFIRMATION OF MINUTES	3
12.4.1	CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 17 TH NOVEMBER 2010	4
12.4.1.1	BUSINESS ARISING FROM MINUTES	4
12.5	CONFIRMATION OF MINUTES	4
12.5.1	CONFIRMATION OF MINUTES	4
12.5.1.1	BUSINESS ARISING FROM MINUTES	4
12.6	WORKS REPORT	4
12.6.1	MAINTENANCE WORKS / PROGRAMMED WORKS (ITEM 6.1.1)	4
12.6.2	TENDER 04/2011 - SUPPLY ONE (1) 6 WHEEL TIP TRUCK AND/OR SALE OF PRIME MOVER AND LOW LOADER TRAILER AS TRADE OR SALE ONLY BASIS (ITEM 6.1.2)	4
12.6.3	TENDER 05/2011 - SUPPLY ONE (1) LOW LOADER FLOAT TRAILER (ITEM 6.1.2)	4
12.6.4	TENDER 06/2011 - SUPPLY ONE (1) NEW 4WD WHEEL LOADER OR ONE (1) SECOND HAND 4WD WHEEL LOADER AND/OR SALE OF ONE (1) 4WD WHEEL LOADER AS A TRADE OR SALE ONLY BASIS (ITEM 6.1.2)	4
12.7	HEALTH & BUILDING REPORT	5
12.7.1	INFORMATION ITEMS - HEALTH/BUILDING (ITEM 6.2.1)	5
12.8	PLANNING REPORT	5
12.8.1	DRAFT HORROCKS BEACH EXPANSION STRATEGY – REVISED STRATEGY OPTIONS – CONSENT TO ADVERTISE (ITEM 6.3.1)	5
12.8.2	HALFWAY BAY COTTAGES – PERMIT TO ERECT, MAINTAIN & OCCUPY A COTTAGE, RESERVE 34945 (ITEM 6.3.2)	5
12.8.3	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)	6
12.8.4	RENEWAL OF AGREEMENT FOR SANDBOARDING TOURS – LOTS 4832, 4833 & RESERVE 35206 GEORGE GREY DRIVE, YALLABATHARRA (ITEM 6.3.4)	7
12.9	FINANCE REPORT	7
12.9.1	ACCOUNTS FOR PAYMENT (ITEM 6.4.1)	7
12.9.2	MONTHLY FINANCIAL STATEMENTS (ITEM 6.4.2)	8

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
Hampton Road, Northampton on the 17th December 2010**

12.9.3 CHIEF FIRE CONTROL OFFICER (ITEM 6.4.3)	8
12.10 ADMINISTRATION AND CORPORATE REPORT	8
12.10.1 KALBARRI FORESHORE CONCEPT PLAN (ITEM 6.5.1)	8
11.10.2 HANDRAIL – HAMPTON ROAD/IGA CAR PARK (ITEM 6.5.2)	9
11.10.3 RSL HALL REDEVELOPMENT (ITEM 6.5.3)	9
12.10.4 PROPOSED AMENDMENTS TO THE LOCAL GOVERNMENT ACT (ITEM 6.5.4)	9
12.10.5 REQUEST FOR FUNDING ASSISTANCE – NORTHAMPTON GOLF CLUB (ITEM 6.5.5)	10
12.10.6 PROPOSED SALE OF LOT 26 LAUDER STREET, BINNU (ITEM 6.5.6)	10
12.10.7 KALBARRI RECREATIONAL JETTY HIRE FEE (ITEM 6.5.7)	10
12.10.8 REGIONAL & LOCAL COMMUNITY INFRASTRUCTURE FUND (ITEM 6.5.8)	11
12.10.9 LOT 21 ROBINSON STREET - SUBDIVISION (ITEM 6.5.9)	11
12.10.10 NORTHAMPTON COMMUNITY CENTRE UPGRADE - TENDER (ITEM 6.5.10)	12
12.10.11 PROPOSED RELOCATION OF NORTHAMPTON BOWLING CLUB (ITEM 6.5.11)	12
12.10.12 REFUND OF WESTERN POWER HEADWORK'S CHARGES (ITEM 6.5.12)	12
12.10.13 UPGRADE OF STATE BARRIER FENCE – NORTHERN SECTION (ITEM 6.5.13)	12
11.11 PRESIDENTS REPORT	12
11.12 DEPUTY PRESIDENTS REPORT	13
11.13 COUNCILLORS REPORT	13
11.13.1 CR P GLIDDON	13
11.13.2 CR J BOOTH	13
11.13.3 CR T CARSON	13
11.13.4 CR O SIMKIN	13
11.13.5 CR B CRIPPS	14
11.14 INFORMATION BULLETIN	14
11.15 NEW ITEMS OF BUSINESS	14
11.16 NEXT MEETING OF COUNCIL	14
11.17 CLOSURE	14

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
Hampton Road, Northampton on the 17th December 2010**

12.1 OPENING

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

12.2 PRESENT

Cr G Wilson	President	Northampton Ward
Cr L Parker	Deputy President	Kalbarri Ward
Cr O Simkin		Northampton Ward
Cr T Carson		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr G Leggett		Northampton Ward
Cr B Cripps		Northampton Ward
Cr S Penn		Kalbarri Ward
Cr J Booth		Kalbarri Ward
Cr P Gliddon		Kalbarri Ward
Mr Garry Keeffe	Chief Executive Officer	
Mr Jamie Criddle	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager of Works and Technical Services	
Mrs Hayley Williams	Principal Planner	

12.2.1 LEAVE OF ABSENCE

Nil.

12.2.2 APOLOGIES

Nil.

12.3 QUESTION TIME

There were members of the public present with the following question put to Council.

12.3.1 GARRY COLLINS, HALFWAY BAY SHACKS – 1.03PM – 1.06PM

Part b) of the officer recommendation on item 6.3.2 states a habitable area of 50m² is required; would this mean that his application would not comply?

In answer to the question the President via the Principle Planner it was advised that the 50m² was the minimum habitable area with the maximum being the size of the original dwelling. This item would be discussed further during the meeting.

12.4 CONFIRMATION OF MINUTES

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
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12.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 19th NOVEMBER 2010.

Moved Cr PENN, seconded Cr GLIDDON

That the minutes of the Ordinary Meeting of Council held on the 19th November 2010 be confirmed as a true and correct record.

CARRIED 10/0

12.4.1.1 BUSINESS ARISING FROM MINUTES

Nil.

12.5 CONFIRMATION OF MINUTES

Nil.

12.5.1.1 BUSINESS ARISING FROM MINUTES

Nil.

12.6 WORKS REPORT

12.6.1 MAINTENANCE WORKS/PROGRAMMED WORKS (ITEM 6.1.1)

Noted.

12.6.2 TENDER 04/2011 - SUPPLY ONE (1) 6 WHEEL TIP TRUCK AND/OR SALE OF PRIME MOVER AND LOW LOADER TRAILER AS TRADE OR SALE ONLY BASIS (ITEM 6.1.2)

Moved Cr SIMKIN, seconded Cr PENN

That Council accept the tender submitted by Purcher International to supply a FUSO 6 Wheel Tip Truck at \$191,978.00 (Howard Porter Body)(ex GST) with trade to go to Purcher International at \$15,000.00 (Truck) (ex GST) and \$5,000 (Float) (ex GST) respectively. Total price to Council \$ 171,978.00 (ex. GST).

CARRIED 10/0

12.6.3 TENDER 05/2011 - SUPPLY ONE (1) LOW LOADER FLOAT TRAILER (ITEM 6.1.3)

Moved Cr CRIPPS, seconded Cr STOCK-STANDEN

That Council accept the tender submitted by EVERTRANS to supply a Low Loader Float Trailer at \$79,500.00 (ex GST).

CARRIED 10/0

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
Hampton Road, Northampton on the 17th December 2010**

12.6.4 TENDER 06/2011 - SUPPLY ONE (1) NEW 4WD WHEEL LOADER OR ONE (1) SECOND HAND 4WD WHEEL LOADER AND/OR SALE OF ONE (1) 4WD WHEEL LOADER AS A TRADE OR SALE ONLY BASIS (ITEM 6.1.4)

Moved Cr PARKER, seconded Cr STOCK-STANDEN

That Council

1. Does not accept any tenders.
2. Register with Western Australian dealers to source a suitable low hour, second hand machine of suitable quality based on the available funds within the 2010/2011 budget.
3. Does not upgrade/repair the Cat Grader (P121) and be retained as a possible trade for the replacement loader.

CARRIED 10/0

Mr Neil Broadhurst, Manager of Works and Technical Services left the meeting at 1.30pm.

12.7 HEALTH & BUILDING REPORT

12.7.1 INFORMATION ITEMS – HEALTH AND BUILDING (ITEM 6.2.1)

Noted.

12.8 TOWN PLANNING REPORT

12.8.1 DRAFT HORROCKS BEACH EXPANSION STRATEGY – REVISED STRATEGY OPTIONS – CONSENT TO ADVERTISE (ITEM 6.3.1)

Moved Cr PENN, seconded Cr PARKER

That Council resolve to grant consent to advertise the *Draft Horrocks Beach Expansion Strategy – Revised Strategy Options* (as per Attachment A1 to A4 to Item 6.3.1 of the December 2010 Town Planning Report and per the Draft Strategy tabled at the Ordinary Council Meeting) for the purposes of further community consultation.

CARRIED 10/0

12.8.2 HALFWAY BAY COTTAGES – PERMIT TO ERECT, MAINTAIN & OCCUPY A COTTAGE, RESERVE 34945 (ITEM 6.3.2)

Moved Cr SIMKIN, seconded Cr PENN

That Council pursuant to By-Law No. 4 of the *By-Laws relating to Halfway Bay – Reserve No.34945*, grant a permit to Mr. GJ Collins, to erect and occupy a cottage at Site 9b, for a period of 21 years, subject to Mr GJ Collins submitting a written agreement to Council that he will enter into a formal lease of Site 9b and subject to the following terms and conditions:

- a) No cottage shall be erected upon the site to which such permit related unless and until the person intending to erect such cottage or the grantee of the permit shall have caused to be submitted to the Council full and detailed plans and specifications relating to such intended structure and the Council has approved such plan and specifications;
- b) Dwellings shall consist of a minimum of 50m² of habitable area and shall conform to the provisions of the Uniform Building By-laws and the Health Act 1911 (as amended);
- c) All materials used in the construction of the building shall be new or as approved by the Shire of Northampton;
- d) A permit holder shall be at liberty at the expiration of the period of his permit to remove from the site the subject of his permit any structure whether by way of fixture or otherwise which may from time to time be erected thereon;
- e) Subject to the provisions of paragraph (d) hereof if a permit holder shall remove from the site in respect of which he holds his permit the cottage erected thereon without first having obtained the approval of the Council for such removal his permit shall become null and void;
- f) The holder of a permit shall keep the site in respect of which such permit shall be granted in a good and tenantable state of repair, order and condition and shall keep any erections thereon in such a state and shall ensure that at all times such site shall remain clean and tidy to the satisfaction of the Council;
- g) No person shall bring on to a site upon the reserve anything which is likely to be a nuisance, annoyance or disturbance to any other person upon the Reserve or which is likely to be or which is a fire hazard;
- h) If within the period of one calendar month from the expiration or revocation of any permits granted under these By-laws the permit holder shall not have removed any buildings, erections or structure placed upon the site in respect of which such permit was issued then the Council shall be entitled to remove such buildings, erections or structures, and in such the event the Council shall be entitled to the whole of the materials in such buildings, erections or structures as and by way of liquidated damages for its cost of removing such buildings, erections or structures;
- i) If any holder of any permit granted pursuant to these by-laws shall breach any of the conditions of this by-law then the Council may revoke the permit granted to him and the permit shall thereupon be deemed to have expired for the purposes of these by-laws at the date of such revocation;

- j) Once Mr GJ Collins has entered into a formal lease agreement for Site 9b on Reserve 34945 then the permit will be deemed to have expired.

CARRIED 10/0

12.8.3 SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)

Noted.

**12.8.4 RENEWAL OF AGREEMENT FOR SANDBOARDING TOURS – LOTS
4832, 4833 & RESERVE 35206 GEORGE GREY DRIVE,
YALLABATHARRA (ITEM 6.3.4)**

Moved Cr CARSON, seconded Cr CRIPPS

That Council:

1. Grant Planning Approval for an experiential use (sand boarding tours) over Reserve 35206 and access through Lots 4832 & 4833 George Grey Drive, Yallabatharra 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. 6 – Northampton* and the *Planning and Development Act (2005)* only and does not constitute an Agreement with the Shire for the use of the reserve within which the use is proposed to be located;
 - b. This Planning Approval is subject to:
 - (i) Approval of the Minister of Lands in accordance with the provisions of the *Land Administration Act (1997)*;
 - (ii) An 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 Requirements for Licence Agreements to Use Crown Reserves for Commercial, Recreational and Tourism Activities*;
 - c. This Planning Approval shall remain valid whilst the agreement referred to in Condition (b)(ii) remains current and valid, and on the expiration or in the termination of such licence agreement, this Planning Approval shall cease to be valid;
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.

Advice Note:

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.

CARRIED 10/0

Mrs Hayley Williams, Principal Planner left the meeting at 1.55pm.

12.9 FINANCE REPORT

12.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)

Moved Cr LEGGETT, seconded Cr CRIPPS

That Municipal Fund Cheques 18608 to 18643 inclusive, totalling \$101,651.70; Municipal EFT payments numbered EFT8303 to EFT8407 inclusive totalling \$600,612.83 totalling \$10,126.62, be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 10/0

12.9.2 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 November 2010 and notes any material variances greater than \$5,000.

CARRIED 10/0

12.9.3 CHIEF FIRE CONTROL OFFICER (ITEM 6.4.3)

Moved Cr SIMKIN, seconded Cr CARSON

That Council endorse the appointment of Steve Williams as Chief Bush Fire Control Officer and listed Bushfire Control Officers and advertise the Authorised Officers in the Government Gazette.

Chief Fire Control Officer

Stephen Williams

Deputy Chief Fire Control Officers

Dennis Box (South)

Todd Henville (North)

Bushfire Control Officers

Garry Keeffe	Jameon Criddle	Lesley (Owen) Simkin
Hayden Teakle	Ken Harris	Len Simmons
Stan Sutherland	Anton Atkinson	Murray Carson
Richard Allen	Chris Hasleby	Marshall Clifton
Lindsay Rowe	Mick Morris	Dennis Box
Sam Smith		

CARRIED 10/0

12.10 ADMINISTRATION & CORPORATE REPORT

12.10.1 KALBARRI FORESHORE CONCEPT PLAN (ITEM 6.5.1)

Moved Cr BOOTH, seconded Cr PENN

That Council support the establishment of a Kalbarri Community based steering committee with the aim of identifying possible future enhancement, redevelopment and infrastructure to the Kalbarri Foreshore to allow for the preparation of a plan to be prepared by a professional design /landscape artist.

CARRIED 10/0

12.10.2 HANDRAIL – HAMPTON ROAD/IGA CAR PARK (ITEM 6.5.2)

Moved Cr GLIDDON, seconded Cr CRIPPS

That Council approves the installation of a hand rail to be installed along the Hampton Road footpath/IGA car park boundary to prevent pedestrians from falling over the edge and this expenditure to be declared authorised expenditure with the materials provision within the 2010/2011 Municipal Road Maintenance allocation being utilised.

CARRIED 10/0 BY ABSOLUTE MAJORITY

12.10.3 RSL HALL REDEVELOPMENT (ITEM 6.5.3)

Moved Cr BOOTH, seconded Cr PARKER

That Council approve design option 2 which involves converting the existing ablution into a storeroom and building a new toilet extension to the north of the existing hall as part of the ablution facilities design for the re-development of the RSL Hall.

CARRIED 10/0

12.10.4 PROPOSED AMENDMENTS TO THE LOCAL GOVERNMENT ACT (ITEM 6.5.4)

Moved Cr GLIDDON, seconded Cr SIMKIN

That Council provide the following comments to the Minister for Local Government on the proposed amendments to the Local Government Act as per Chief Executive Officers recommendation including an additional recommendation regarding Annual Electors meetings:

1. Reducing Elected Members between six and nine

This Council has already endorsed and received approval to reduce its elected member numbers to nine.

However the point raised by WALGA where very large population based Councils will find this concept difficult is supported.

An option to resolve this issue is to possibly have a population based tier system for the number of elected members required.

2. Salaries and Allowances Tribunal to set the fees for Elected members and CEO's

The comment by WALGA is supported.

The sector should vigorously oppose the setting of CEO salaries by the Tribunal as this will take away the decision making role of selecting the best candidate for the position and retaining good officers by the local government as they will be restricted by salary that is allowable.

3. New mechanism for the temporary suspension of a Council

The comment by WALGA is supported, it seems fairer to be able to suspend an individual elected member rather than a whole Council.

4. Require Elected Members to resign when they are elected to State or Commonwealth Parliament

The comment by WALGA is supported.

5. Restricting the types of local government investments to low risk products such as those with the WA Treasury Corporation, major banks and government bonds.

This Council has a policy that investments can only be undertaken with banking institutions only.

The decision of where a local government can invest its funds is for the decision of the Council, however again in recent times a number of local governments lost investments due to the collapse of their respective investment agencies.

The issue is that investing of money is utilising public funds and if legislative restrictions are required then that is supported. The opinion of WALGA is not fully supported as stated above; local governments have again lost public funds.

6. Align criminal conviction criteria for Elected Members with that of Western Australian Members of Parliament

The comment by WALGA is supported.

Additional Recommended Amendment

In the past years, the local government sector has requested a change to the Local Government Act 1995 to make Annual Electors Meetings an option and only be held if called upon by a certain percentage of electors.

Main reason for this is due to the very low turnout of electors at such meetings.

In addition with question time now available prior to each Council meeting and the business of local government being more open and accountable than before, the holding of compulsory annual electors meetings is considered to be redundant.

CARRIED 10/0

12.10.5 REQUEST FOR FUNDING ASSISTANCE – NORTHAMPTON GOLF CLUB (ITEM 6.5.5)
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Moved Cr CARSON, seconded Cr GLIDDON

That Council approve the financial assistance request and contribute \$2,000 towards the Northampton Golf Club to assist with the purchase of a second hand tractor and upgrades to the caretaker's residence.

CARRIED 10/0 BY ABSOLUTE MAJORITY

12.10.6 PROPOSED SALE OF LOT 26 LAUDER STREET, BINNU (ITEM 6.5.6)

Moved Cr CARSON, seconded Cr CRIPPS

That Council accepts the offer of \$1,500 from Doug Singleton for the purchase of Lot 26 Lauder Street, Binnu.

CARRIED 10/0 BY ABSOLUTE MAJORITY

12.10.7 KALBARRI RECREATIONAL JETTY HIRE FEE (ITEM 6.5.7)

Moved Cr PARKER, seconded Cr PENN

That Council advise Mr Curic that he is required to pay the Kalbarri Recreational Jetty hire fee of \$500 p.a.

CARRIED 10/0

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
Hampton Road, Northampton on the 17th December 2010**

12.10.8 REGIONAL & LOCAL COMMUNITY INFRASTRUCTURE FUND (ITEM
6.5.8)

Moved Cr BOOTH, seconded Cr GLIDDON

That Council nominate the Guide Park Playground project for the \$30,000 Regional and Local Community Infrastructure Fund.

CARRIED 10/0

12.10.9 LOT 21 ROBINSON STREET - SUBDIVISION (ITEM 6.5.9)

Noted.

12.10.10 NORTHAMPTON COMMUNITY CENTRE UPGRADE - TENDER (ITEM
6.5.10)

Moved Cr CARSON, seconded Cr CRIPPS

That Council accepts the tender submitted by Geraldton Building Services & Cabinets for \$1,968,300 GST inclusive, for the re-development of the Northampton Community Centre.

CARRIED 10/0

12.10.11 PROPOSED RELOCATION OF NORTHAMPTON BOWLING CLUB (ITEM
6.5.11)

Moved Cr PARKER, seconded Cr STOCK-STANDEN

That Council agree in principle with the current concept design of the proposed relocation of the Northampton Bowling Club and authorise the Chief Executive Officer to proceed with further planning and cost estimates in order to present to Council at a later date.

CARRIED 10/0

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 3.00pm and reconvened at 3.15pm with the following in attendance:

Cr G Wilson, Cr L Parker, Cr Carson, Cr Stock-Standen, Cr Booth, Cr Gliddon, Cr Simkin, Cr Penn, Cr Cripps, Cr Leggett, the Chief Executive Officer, Garry Keeffe and the Deputy Chief Executive Officer, Mr Jamie Criddle.

12.10.12 REFUND OF WESTERN POWER HEADWORK'S CHARGES (ITEM 6.5.12)

Moved Cr SIMKIN, seconded Cr GLIDDON

That Council notes the information and retains the refund of Headwork's Charges from Western Power in consolidated revenue for future use throughout 2010/2011.

CARRIED 10/0

12.10.13 UPGRADE OF STATE BARRIER FENCE – NORTHERN SECTION (ITEM 6.5.13)

Moved Cr PENN, seconded Cr GLIDDON

That Council allocates a maximum of \$40,000 from the Sale of Land Fund towards the erection of a new Dog Fence on the existing No. 3 Northern Emu Barrier Fence if required.

CARRIED 10/0 BY ABSOLUTE MAJORITY

12.11 PRESIDENTS REPORT

Since the last Council meeting the President, Cr Wilson reported on his attendance at the following:

- WALGA Northern Zone meeting.
- Strategic planning workshop attended with Cr Carson, Planner, CEO and DCEO.
- Shire Christmas party.
- Official opening of the Geraldton Regional Library.

12.12 DEPUTY PRESIDENTS REPORT

Since the last Council meeting the Deputy President, Cr Parker reported on his attendance at the following:

- WALGA Northern Zone meeting.
- Eco-scape - Kalbarri Foreshore meeting.

12.13 COUNCILLORS REPORT

12.13.1 Cr GLIDDON

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

- Kalbarri Development Association meeting.
- Kalbarri Visitor Centre meeting.

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
Hampton Road, Northampton on the 17th December 2010**

- Eco-scape - Kalbarri Foreshore meeting.
- Shire Christmas party.

12.13.2 Cr BOOTH

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

- Eco-scape - Kalbarri Foreshore meeting.
- Shire Christmas party.

12.13.3 Cr CARSON

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

- Strategic planning workshop.
- Shire Christmas party.

12.13.4 Cr SIMKIN

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

- Delivery of the Port Gregory Fire appliance.
- Shire Christmas party.

12.13.5 Cr CRIPPS

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

- Bowling Club relocation meeting.

12.14 INFORMATION BULLETIN

Noted.

12.15 NEW ITEMS OF BUSINESS

Nil.

12.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held at the Northampton Council Chambers, Hampton Road, Northampton, on Friday the 21st January 2011.

SHIRE OF NORTHAMPTON

**Minutes of Ordinary Meeting of Council held at the Northampton Council Chambers,
Hampton Road, Northampton on the 17th December 2010**

12.17 CLOSURE

There being no further business, the President wished to thank the Deputy President, Councillors and Staff for a great year, wished everyone a happy and safe festive season and declared the meeting closed at 4.03pm.