



File No: 4.1.14

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Councillor,

The next Ordinary Meeting of the Northampton Shire Council will be held on Friday 22nd August 2014 in the Council Chambers, Northampton commencing at 9.00am.

The agenda for the above-mentioned meeting is enclosed.

- At 11.00am a time capsule for Northampton's 150th anniversary will be buried at the commemorative wall, Kings Park.

Lunch will be served from 12.00pm.

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER

15th August 2014





~ Agenda ~

22nd August 2014

NOTICE OF MEETING

Dear Elected Member

The next ordinary meeting of the Northampton Shire Council will be held on Friday 22nd August 2014, at The Council Chambers, Northampton commencing at 9.00am.

GARRY KEEFFE
CHIEF EXECUTIVE OFFICER

15th August 2014



SHIRE OF NORTHAMPTON

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Signed  _____

Date 15th August 2014

GARRY L KEEFFE
CHIEF EXECUTIVE OFFICER

AGENDA
ORDINARY MEETING OF COUNCIL
22nd August 2014

1. OPENING

2. PRESENT

- 2.1 Leave of Absence
- 2.2 Apologies

3. QUESTION TIME

4. CONFIRMATION OF MINUTES

- 4.1 Ordinary Meeting of Council – 18th July 2014
- 4.2 Special Budget Meeting of Council – 30th July 2014

5. RECEIVAL OF MINUTES -

6. REPORTS

- 6.1 Works
- 6.2 Health & Building
- 6.3 Town Planning
- 6.4 Finance
- 6.5 Administration & Corporate

7. COUNCILLORS & DELEGATES REPORTS

- 7.1 Presidents Report
- 7.2 Deputy Presidents Report
- 7.3 Councillors' Reports

8. INFORMATION BULLETIN

9. NEW ITEMS OF BUSINESS

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11. CLOSURE

SHIRE OF NORTHAMPTON

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Northampton on 18 July 2014**

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Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

7.1 OPENING

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

7.2 PRESENT

Cr C Simkin	Deputy President	Northampton Ward
Cr T Carson		Northampton Ward
Cr S Stock-Standen		Northampton Ward
Cr P Gliddon		Kalbarri Ward
Cr M Scott		Kalbarri Ward
Cr M Holt		Kalbarri Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mrs Hayley Williams	Principal Planner	
Mr Glenn Bangay	Principal EHO/Building Surveyor	

7.2.1 LEAVE OF ABSENCE

Nil

7.2.2 APOLOGIES

Cr Wilson, Cr Stanich and Cr Pike

7.3 QUESTION TIME

There were no questions to Council from members of the public.

7.4 CONFIRMATION OF MINUTES

7.4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING 20th June 2014

Moved Cr SCOTT, seconded Cr HOLT

That the minutes of the Ordinary Meeting of Council held on the 20th June 2014
be confirmed as a true and correct record.

CARRIED 6/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

7.4.2 BUSINESS ARISING FROM MINUTES

Nil

7.5 RECEIVAL OF MINUTES

7.5.1 RECEIVAL OF MINUTES – BUSH FIRE ADVISORY COMMITTEE MEETING 9th JULY 2014

Moved Cr GLIDDON, seconded Cr CARSON

That the minutes of the Bush Fire Advisory Committee held on the 9th July 2014 be received.

CARRIED 6/0

7.5.2 RESTRICTED AND PROHIBITED BURNING FOR 2014/2015

Moved Cr SCOTT, seconded Cr CARSON

That the following restricted and prohibited burning timeframes be adopted for 2014/2015 as recommended by the Bush Fire Advisory Committee.

Restricted Period	15/09/2014 - 14/10/2014
Prohibited Burning	15/10/2014 - 01/03/2015
Restricted Period	02/03/2015 - 15/04/2015

CARRIED 6/0

7.6 WORKS REPORT

7.6.1 MAINTENANCE WORKS/CONSTRUCTION WORKS PROGRAM (ITEM 6.1.1)

Noted

7.7 HEALTH/BUILDING REPORT

7.7.1 BUILDING STATISTICS (ITEM 6.2.1)

Noted

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

7.7.2	REQUEST FOR BUILDING FEE WAIVER	(ITEM 6.2.2)
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Moved Cr STOCK-STANDEN, seconded Cr CARSON

That Council waive the \$90.00 Building Permit Fee for the proposed carport at the St John Ambulance Depot in Northampton and that St John Ambulance is advised to apply to the Building Commission for the waiver of the Building Registration Board Fee of \$40.50.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

7.8	TOWN PLANNING REPORT
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7.8.1	LEGAL ADVICE – RETAINING WALL ENCROACHMENTS, MITCHELL STREET HORROCKS (ITEM 6.3.1)
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Moved Cr STOCK-STANDEN, seconded Cr SCOTT

That Council:

1. Progress with granting of easements for areas of encroachments by property owners on Mitchell Street, Horrocks into Council Lot 9501.
2. Contact all property owners along Mitchell Street, Horrocks, advising that encroachments into Council Lot 9501 have occurred and appear to have occurred in other areas and request the property owners to advise if they have encroached and if so an easement will be granted and costs for the granting of the easement will be incurred by the land owner.
3. If landowners do not wish to have an easement granted for their encroachments then they be required to remove all encroachments at their cost.

CARRIED 6/0

7.8.2	REQUEST FOR WAIVER OF PLANNING AND BUILDING APPLICATION FEES – CAR PORT – LOT 4 (NO. 243) HAMPTON ROAD, NORTHAMPTON (ITEM 6.3.2)
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Moved Cr GLIDDON, seconded Cr HOLT

That Council waive the Planning Application and the Building Application Fee payable for the construction of a carport for St. John Ambulance on Lot 4 (No. 243) Hampton Road, Northampton in recognition of the valuable service the ambulance provides to the Northampton community.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

7.8.3	SUMMARY OF PLANNING INFORMATION ITEMS (ITEM 6.3.3)
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Noted

7.8.4	PROPOSED OUTBUILDING – LOT 138 (NO. 7) BROOK STREET, NORTHAMPTON (ITEM 6.3.4)
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Moved Cr STOCK-STANDEN, seconded Cr SCOTT

That Council grant formal planning approval for an outbuilding to be constructed upon Lot 138 (No. 7) Brook Street, Northampton subject to compliance with the following conditions:

- 1 Development shall be in accordance with the attached approved plan(s) dated 18 July 2014 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans 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 consent/approval) requires further application and planning approval for that use/addition;
- 3 The 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;
- 4 The approved outbuilding is only to be used for general and vehicle storage purposes and minor maintenance upon vehicles housed therein to the approval of the Local Government and shall NOT be used for habitation, commercial or industrial purposes;
- 5 The outbuilding shall be constructed in a recessive colour palette, such as "Pale Eucalypt";
- 6 A building permit shall be issued by the local government prior to the commencement of any work on the site;
- 7 The walls of the outbuilding are to be constructed of coated metal sheeting (custom orb profile / Colourbond); the use of uncoated metal sheeting (i.e. zincalume) is not permitted;
- 8 All stormwater is to be disposed of on-site to the specifications and approval of the local government;
- 9 This approval is valid for a period of two (2) years from the date of approval and will be deemed to have lapsed if the development has not substantially commenced before the expiration of this period; and

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

- 10 Prior to the issuing of a building permit, a landscape plan and planting schedule is to be developed by the applicant/owner and submitted to and approved by the local government to achieve screening of the proposed outbuilding from view of the surrounding lots and adjacent roads (Gwalla and Brook Streets) by suitable trees and shrubs. The approved planting schedule is to be implemented and thereafter maintained.

Notes

- a) Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- b) Should the applicant be aggrieved by the decision of the Council (in part or whole) a right of appeal exists to the State Administrative Tribunal within twenty eight (28) days from the date of the decision.
- c) In regard to Condition No. 10 above, the Applicant/Owner is advised that vegetation screening is required along the southern side and a portion of the eastern side of the proposed outbuilding to lessen the visual impact of the outbuilding from both Gwalla and Brook Streets.
- d) Additional Comments from Heritage Advisor regarding what appears to be application of cement rich render to existing stone cottage will be forwarded to the applicant/owner.

CARRIED 6/0

7.9 FINANCE REPORT

7.9.1 ACCOUNTS FOR PAYMENT (ITEM 6.4.1)
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Moved Cr GLIDDON, seconded Cr HOLT

That Municipal Fund Cheques 20177 to 20226 inclusive, totalling \$73,355.69, Municipal EFT payments numbered EFT12500 to EFT12613 inclusive totalling \$497,850.14, Direct Debit payments GJ1211 to GJ1215 totalling \$562.02, Trust Fund Cheques 1958-1976, totalling \$21,490.65 be passed for payment and the items therein be declared authorised expenditure.

CARRIED BY AN ABSOLUTE MAJORITY 6/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

7.9.2	MONTHLY FINANCIAL STATEMENTS MAY 2014 (ITEM 6.4.2)
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Moved Cr CARSON, seconded Cr SCOTT

That Council adopts the Draft Monthly Financial Report for the period ending 30 June 2014.

CARRIED 6/0

7.10 ADMINISTRATION & CORPORATE REPORT

7.10.1	WA LOCAL GOVERNMENT ASSOCIATION MEMBER MOTIONS FOR AGM (ITEM 6.5.1)
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Moved Cr GLIDDON, seconded Cr STOCK-STANDEN

That

1. Council delegates vote the affirmative for agenda items 4.1 to 4.4.
2. Council delegates vote in the negative for item 4.5 as there is not enough information to allow for an amendment to Section 6.28 of the Local Government Act 1995 and that a full investigation on change of valuation system and its effects on rates should be undertaken before any amendment is considered.

CARRIED 6/0

7.10.2	SALE OF LOT 11 HAMPTON ROAD, NORTHAMPTON (ITEM 6.5.2)
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Moved Cr CARSON, seconded Cr STOCK-STANDEN

That Council sells Lot 11 Hampton Road to Brett and Rata Charlton for \$215,000.

CARRIED 6/0

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

7.10.3 SALE OF PROPERTIES FOR UNPAID RATES (ITEM 6.5.3)

Moved Cr SCOTT, seconded Cr HOLT

That Council demand from the owners of Lot 7 Hampton Road, payment of half of the outstanding rates and charges within 90 days with the remainder to be fully paid within a twelve month period. If no payment is received within 90 days Council to continue to take possession of the property and disposal by public auction as per the provisions of section 6.64 of the Local Government Act 1995

CARRIED 4/2

Moved Cr GLIDDON, seconded Cr HOLT

Commence proceedings for the sale of Lot 16 Cripps Road as per the provisions of Section 6.64 of the Local Government Act, for the recovery of outstanding rates and charges.

CARRIED 5/1

7.10.4 HAMPTON ROAD CAR PARKING AREA (ITEM 6.5.4)

Moved Cr CARSON, seconded Cr GLIDDON

That Council progress with the proposal with the possible purchase of portion of Lot 21 Hampton Road for car parking requirements.

CARRIED 6/0

7.10.5 REVIEW OF THE EMERGENCY SERVICES ACT (ITEM 6.5.5)
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Moved Cr SCOTT, seconded Cr HOLT

That Council endorses the comments provided by the Chief Executive Officer for submission to the Department of Fire and Emergency Services and the Western Australian Local Government Association for consideration as part of the current review of the Emergency Services Acts with the exception of comments for item 4.2.2 where Council disagrees with the review recommendation and that the St John Ambulance Service be considered as part of the overall emergency services operations with funding also provided through the ESL Levy.

CARRIED 6/0

Hayley Williams left the meeting at 2.34pm
Hayley Williams returned to the meeting at 2.38pm

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road, Northampton on 18 July 2014

7.10.6	REPLACEMENT OF HOT WATER SYSTEMS – REQUEST FOR REIMBURSEMENT OF COSTS (ITEM 6.5.6)
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Moved Cr STOCK-STANDEN, seconded Cr SCOTT

That Council approve the reimbursement of \$6,152.85 for the replacement of two hot water storage systems at the Northampton Community Centre.

CARRIED BY AN ABSOLUTE MAJORITY 5/1

7.10.7	BOUNDARY CHANGE – SHIRE OF NORTHAMPTON & GREATER CITY OF GERALDTON – ABROLHOS ISLANDS (ITEM 6.5.7)
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Moved Cr STOCK-STANDEN, seconded Cr CARSON

That Council, in-principle, support a boundary adjustment for the Shire of Northampton and the City of Greater Geraldton to incorporate all islands within the Abrolhos Islands group within the City of Greater Geraldton boundaries.

CARRIED 5/1

Cr Stock-Standen declared an interest in item 7.10.8 as she is employed by GMA Garnett and therefore may incur a financial loss or gain from the decision of Council and left the meeting room at 2.45pm

7.10.8	ROAD CLOSURE – UNMADE ROAD (ITEM 6.5.8)
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Moved Cr SCOTT, seconded Cr HOLT

That Council commence the process to have unmade road reserve that traverses through Reserve 15126 and neighbouring freehold property closed as per the provisions of Section 58 of the Land Administration Act 1997.

CARRIED 5/0

Cr Stock-Standen returned to the meeting at 2.47pm

SHIRE OF NORTHAMPTON

Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 July 2014

7.10.9 LOCAL EMERGENCY MANAGEMENT COMMITTEE & LOCAL EMERGENCY MANAGEMENT ARRANGEMENTS (ITEM 6.5.9)

Moved Cr HOLT, seconded Cr GLIDDON

That Council:

1. Support the formation of a Regional Local Emergency Management Committee covering the Shire of Chapman Valley and the Locality of Northampton.
2. Upon the successful establishment of the Regional Local Emergency Management Committee, disband the existing Locality of Northampton
3. Amend arrangements and policies etc to reflect the Regional Committee.

CARRIED 6/0

7.10.10 REQUEST FOR FUNDING – FRIENDS OF THE RAILWAY (ITEM 6.5.10)
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Moved Cr HOLT, seconded Cr STOCK-STANDEN

That Council advises the Northampton Friends of the Railway Inc that it will not approve of the relocation of Railway Carriage ADT9 to the Mary Street Railway precinct in its current condition and will only provide such approval when the carriage has been restored to a level acceptable by Council.

CARRIED 6/0

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 2.58pm.

Meeting reconvened at 3.10pm with the following in attendance:

Cr Simkin, Cr Carson, Cr Scott, Cr Stock-Standen, Cr Gliddon, Cr Holt, Chief Executive Officer Garry Keefe, Deputy CEO Grant Middleton, Mr Glenn Bangay Principal EHO/Building Surveyor.

7.11 SHIRE PRESIDENTS REPORT

Nil

SHIRE OF NORTHAMPTON
Minutes of Ordinary Meeting of Council held at the Council Chambers Hampton Road,
Northampton on 18 July 2014

7.12 DEPUTY SHIRE PRESIDENTS REPORT
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Since the last Council meeting Cr Simkin reported on his attendance at the following:

- Northern Zone meeting in Mingenew with the CEO.
- Revitalisation plan meetings with TPG staff, council staff and members of the public.
- Met with Shane Love and discussed aged care and funding.

7.13 COUNCILLORS REPORTS

7.13.3 CR HOLT

Since the last Council meeting Cr Holt reported on his attendance to a Kalbarri Men's Shed meeting on 8/7/14.

7.13.4 CR SCOTT

Since the last Council meeting Cr Scott reported on his attendance at the Coastal Management Review meeting.

7.14 INFORMATION BULLETIN

Nil

7.15 NEW ITEMS OF BUSINESS

None

7.16 NEXT MEETING OF COUNCIL

The next Ordinary Meeting of Council will be held on the 22nd August 2014 commencing at 1.00pm at the Council Chambers, Hampton Road, Northampton.

7.17 CLOSURE

There being no further business, the Deputy President thanked everyone for their attendance and declared the meeting closed at 3.20pm.

SHIRE OF NORTHAMPTON

Minutes of Special Budget Meeting of Council held at the Council Chambers, Hampton Road, Northampton on 30 July 2014

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SHIRE OF NORTHAMPTON

Minutes of Special Budget Meeting of Council held at the Council Chambers, Hampton Road, Northampton on 30 July 2014

1.0 OPENING

The Deputy President thanked all Councillors and staff present for their attendance and declared the meeting open at 1.00pm.

1.1 PRESENT

Cr C Simkin	Deputy President	Northampton Ward
Cr T Carson		Northampton Ward
Cr P Gliddon		Kalbarri Ward
Cr M Holt		Kalbarri Ward
Cr M Scott		Kalbarri Ward
Mr Garry Keefe	Chief Executive Officer	
Mr Grant Middleton	Deputy Chief Executive Officer	
Mr Neil Broadhurst	Manager Works & Technical Services	
Mr Glenn Bangay	Principal EHO/Building Surveyor	
Mrs Hayley Williams	Principal Planner	

2.1 LEAVE OF ABSENCE

Nil

2.2 APOLOGIES

Cr Wilson, Cr Stock-Standen, Cr Stanich, Cr Pike

3.0 QUESTION TIME

Nil

4.0 CORPORATE BUSINESS PLANS & ASSET MANAGEMENT PLANS

Noted

5.0 DISCUSSION OF 2014/2015 DRAFT MUNICIPAL BUDGET

AFTERNOON TEA ADJOURNMENT

Council adjourned for afternoon tea at 3.01pm and reconvened at 3.08pm with the following in attendance:

Cr Simkin, Cr Carson, Cr Gliddon, Cr Scott, Cr Holt, Chief Executive Officer Garry Keefe, Deputy CEO Grant Middleton, Manager Works & Technical Services Neil Broadhurst and Principal EHO/Building Surveyor Glenn Bangay, Mrs Hayley Williams Principal Planner

SHIRE OF NORTHAMPTON

Minutes of Special Budget Meeting of Council held at the Council Chambers, Hampton Road, Northampton on 30 July 2014

5.3	SETTING OF RATE IN THE DOLLAR AND MINIMUMS
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Moved Cr CARSON, seconded Cr HOLT

That the Draft Municipal Fund Budget for 2014/2015 be adopted as a balanced budget and the following charges be levied:

General Rates

The rate in the dollar for all rateable Gross Rental Value properties be set at \$0.070383 and the rate in the dollar for all rateable Unimproved Value properties be set at \$0.010278.

Minimum Rates

That the minimum rate on rateable Gross Rental Value and Unimproved Value properties be set at \$475.00 per assessment.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

5.4	SPECIFIED AREA RATES – SETTING OF RATE IN THE DOLLAR AND STATING OF THE PURPOSE OF THE SPECIFIED RATE
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5.4.1	PORT GREGORY SPECIFIED AREA RATE
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Moved Cr GLIDDON, seconded Cr SCOTT

That the specified area rate in the dollar, for all rateable Port Gregory Gross Rental Value properties within the Port Gregory Townsite be set at \$0.022692 to raise approximately \$11,550 to fund the operating cost of maintaining the Port Gregory Water Supply.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

5.4.2	KALBARRI TOURISM SPECIFIED AREA RATE
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Moved Cr GLIDDON, seconded Cr SCOTT

That the specified area rate in the dollar, for all rateable Kalbarri Gross Rental Value properties zoned Residential, Residential Development, Places of Public Assembly, Special Site, Special Rural, Commercial, Tourist Accommodation, Service Industry, Light Industry, Composite Light Industry, within the Kalbarri Town Planning Scheme No. 9 be set at \$0.001816, to raise approximately \$30,000, being for Tourism Infrastructure related projects and Tourism Promotional Advertising within the Kalbarri Ward.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

SHIRE OF NORTHAMPTON

Minutes of Special Budget Meeting of Council held at the Council Chambers, Hampton Road, Northampton on 30 July 2014

5.5	REFUSE FEES
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Moved Cr SCOTT, seconded Cr HOLT

That Council set the refuse charges for 2014/2015 as follows:

Kalbarri Domestic Collection	\$330
Kalbarri Business Collection (Double)	\$660
Northampton & Other Domestic Collection	\$330
Northampton & Other Business Collection (Double)	\$660

CARRIED BY AN ABSOLUTE MAJORITY 5/0

5.6	DUE DATE FOR PAYMENT OF RATES, INCLUDING INSTALMENT OPTION
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Moved Cr SCOTT, seconded Cr GLIDDON

That the due date for the payment of rates be 6th October 2014 and the remaining due dates for rate instalment payments be 8th December 2014, 2nd February 2015 and 7th April 2015

CARRIED BY AN ABSOLUTE MAJORITY 5/0

5.7	DISCOUNT APPLICABLE TO GENERAL RATES AND DATE BY WHICH PAYMENT IS REQUIRED TO CLAIM DISCOUNT
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Moved Cr SCOTT, seconded Cr GLIDDON

That a discount of 5% be allowed on general rates, applicable to all rate assessments that are paid by 4:30pm on 6th October 2014.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

5.8	ADMINISTRATION FEE FOR INSTALMENT OPTION
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Moved Cr SCOTT, seconded Cr GLIDDON

That an administration fee of \$5.00 per rate instalment payment be charged.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

SHIRE OF NORTHAMPTON

Minutes of Special Budget Meeting of Council held at the Council Chambers, Hampton Road, Northampton on 30 July 2014

5.9	SETTING OF INSTALMENT INTEREST CHARGE APPLICABLE TO INSTALMENT OPTION
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Moved Cr SCOTT, seconded Cr GLIDDON

That an instalment interest rate of 5% per annum be charged on all rate assessments that are paid by instalments.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

5.10	SETTING OF PENALTY INTEREST APPLICABLE IF DEFAULT IS MADE ON INSTALMENT OPTION
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Moved Cr SCOTT, seconded Cr GLIDDON

That a penalty interest rate of 10% per annum be applicable to the outstanding rates amount if a ratepayer defaults on the payment of a rates instalment.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

5.11	SETTING OF LATE PAYMENT PENALTY INTEREST APPLICABLE TO ALL OVERDUE RATES
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Moved Cr SCOTT, seconded Cr GLIDDON

That a late payment penalty of 10% per annum be charged on all rates outstanding after 6th October 2014, where no instalment option was taken.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

6.0	CONSIDERATION OF TRUST AND RESERVE FUND 2013/2014 DRAFT BUDGETS
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Moved Cr HOLT, seconded Cr CARSON

That the Trust Budget and Reserve Fund Budget for 2014/2015 be adopted.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

SHIRE OF NORTHAMPTON

Minutes of Special Budget Meeting of Council held at the Council Chambers, Hampton Road, Northampton on 30 July 2014

7.0 TENDERS FOR PLANT, VEHICLES, BITUMEN, GOODS & SERVICES

Moved Cr SIMKIN, seconded Cr SCOTT

That the Chief Executive Officer be authorised to call tenders, as per the requirements and provisions of the Local Government Act 1995, for the provision of goods and services as approved within the 2014/2015 Budget.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

8.0 MATERIAL VARIANCE

Moved Cr CARSON, seconded Cr GLIDDON

That the Budget Variance parameters for the 2014/2015 financial year be set at \$5,000 as per FM Reg 34 (5).

CARRIED BY AN ABSOLUTE MAJORITY 5/0

9.0 FEES AND CHARGES

Moved Cr GLIDDON, seconded Cr HOLT

That Council adopts the Schedule of Fees and Charges for the 2014/2015 financial year as presented.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

10.0 RESERVE FUND CREATION

Moved Cr HOLT, seconded Cr CARSON

That Council approve the creation of the "Kalbarri Tennis , Netball & Basketball Courts Reserve" for the development of Tennis, Netball and Basketball facilities in Kalbarri.

CARRIED BY AN ABSOLUTE MAJORITY 5/0

SHIRE OF NORTHAMPTON

**Minutes of Special Budget Meeting of Council held at the Council Chambers, Hampton
Road, Northampton on 30 July 2014**

11.0 ADDITIONAL INFORMATION

Nil

12.0 CLOSURE

There being no further business, the Deputy President thanked staff for their effort in preparing the budget and the Councillors for their participation and consideration of the budget and declared the meeting closed at 4.00pm.

WORKS & ENGINEERING REPORT CONTENTS

6.1.1	INFORMATION ITEMS MAINTENANCE /CONSTRUCTION WORKS PROGRAM	2
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6.1.1 INFORMATION ITEMS – MAINTENANCE/CONSTRUCTION WORKS PROGRAM

REPORTING OFFICER:	Neil Broadhurst - MWTS
DATE OF REPORT:	12th August 2014
APPENDICES:	1. Nil.

The following works, outside of the routine works, have been undertaken since the last report and are for Council information.

Specific Road Works

- Maintenance grading carried out on Frosty Gully, White Cliffs, Larrard, Starling, John, First, Second, Gwalla, Burges, Thornton, Mary, Drage, Olivier, Harvey, Bowes Springs, Bluewell, Northampton tip and Yerina Springs Roads.
- Gravel sheeting and drainage improvement works carried out on Rob Road and Ogilvie West Roads (Inc corner realignment.).

Maintenance Items

- Various chemical spraying applications.
- Various tree pruning locations
- Preparation works for Tidy Towns judging.
- Rob Road – Gravel sheeting (4kms) and drainage/culvert works.

Other Items (Budget)

- Kalbarri – Grey Street works continuing.
- Northampton – Mary Street enhancement works continuing.
- Ogilvie West Road – Corner realignment and drainage works.

Plant Items

- Budget item. – Kalbarri Truck – Delivered 13th August.

Staff/Personnel Items

- Nil.

OFFICER RECOMMENDATION – ITEM 6.1.1

For Council information.

SHIRE OF NORTHAMPTON

WORKS CREW 12 MONTHLY PROGRAM AND PROGRESS REPORT (2013/2014)

(August 2014)

2014/2015 Budget Works	Status	Comments
<u>Regional Road Group Projects</u>		
Kalbarri Road Bitumen edge reinstatement - carry over 13/14		
Kalbarri Road Pavement Repair slk 11.00 (Mt View)		
Horrocks Road Shoulder Reconditioning		
<u>Roads to Recovery</u> (Carry over 2013/14)		
Mary Street - Northampton NWCH to Barlow - Street improvements	COMMENCED	Stormwater complete.
Grey Street - Kalbarri (inc B/Spot funding) Reconstruct from Clotworthy Street north	COMMENCED	Oustanding - DUP, Paving, Whitelining, general tidy up
Magee Crescent - Kalbarri Aggregate reseal and replace concrete kerbing	COMMENCED	
<u>Roads to Recovery</u> (New Works 2014/15)		
Chilimony Road Reconstruct and Overlay works - Stage 1		
Chilimony Road Pavement Repairs - South end		
Cont.		
2014/2015 Budget Works	Status	Comments

<p><u>Royalties for Regions Funding</u></p> <p>Ogilvie East Road - Stage 3A Reseal Corners</p> <p>Ogilvie East Road - Stage 3B Construct to primerseal (2.2km's)</p> <p><u>MUNICIPAL FUND CONSTRUCTION</u> (Carry over 2013/14)</p> <p>Kalbarri - Hotel Car Park Reseal 2011/2012 works</p> <p>Ogilvie West Road Realign corner and install culvert</p> <p>Kalbarri - Auger Street Reseal works</p> <p>Kalbarri - Batavia Circle Reseal works</p> <p>Harvey Road Pavement Repairs</p> <p><u>MUNICIPAL FUND CONSTRUCTION</u> (New Works 2014/15)</p> <p><u>Kalbarri</u></p> <p>Francis Close Reseal</p> <p>Glass Street Reseal</p> <p>Kelsar Place Reseal</p> <p>Tiki Place Reseal</p> <p>Cont.</p>	<p>COMPLETE</p>	
2014/2015 Budget Works	Status	Comments

Mortimer / Coles Street Reseal Hackney Street Reseal <u>Northampton</u> Bateman Street Widen North side - NWCH to Barlow (inc footpath) First Avenue Construct and Seal West Street Upgrade stormwater treatment - lowpoint Onslow / Stephen Street Asphalt fishtail <u>Horrocks</u> Glance Street Construct parking bay and beach access (south park) <u>Rural</u> Yallabatharra Road Reseal Crossing Binnu West Road Reseal Crossing/s <u>MUNICIPAL FOOTPATHS</u> <u>Kalbarri Townsite</u> Kalbarri - Malaluca trail Repairs to existing (Provisional Sum) Northampton - Stephen Street Brook to NWCH Cont.		
2014/2015 Budget Works	Status	Comments

OTHER WORKS - SPECIFIC / MAINTENANCE

North Road - NWCH to Chilimony (Gravel sheeting)
Hatch Road - West of cross roads (Gravel sheeting)
Ogilvie West Road - Chilimony Road to Gravel pit
Yerina Springs Road - 2 areas (Gravel sheeting)
Harvey Road - Staged works (Gravel sheeting)

OTHER WORKS - Ovals/Foreshores/Parks/Gardens**Northampton LIA units**

Construct carpark/s and hardstand area/s

Northampton Doctors Surgery

Remove old trees, trim and remove trees from carpark

Binnu Refuse Site

Push new hole

Kalbarri cemetery

Grass planting and associated turf improvement/s

Horrocks Jetty

Maintenance works to pier supports

Northampton - Kings Park

New BBQ and shelter

Northampton - Mary Street

New shelter and chairs

Kalbarri oval

Top dressing and associated turf improvement/s

OTHER WORKS - Depots**Kalbarri Depot**

Office / Lunchroom building / WIFI link

Cont.

2014/2015 Budget Works	Status	Comments

<p><u>PLANT ITEMS - Major</u></p> <p>Northampton - Backhoe loader Purchase new - trade/sell P215 JCB 3CX</p> <p>Northampton - 6 Wheel tipper Purchase New - trade/sell P168 Iveco Truck</p> <p>Northampton - Maintenance Manager (Utility) Purchase New - trade/sell P194 Mazda Bravo (Horrocks) Send P222 to Horrocks</p> <p>Northampton - Maintenance Grader (Utility) Purchase New - retain P211 Toyota Hilux Send P211 TO Kalbarri - New Position</p> <p>Aggregate spreader boxes Purchase 2 x New</p> <p>Tractor Broom Purchase 1 x New</p>		
<p><u>PLANT ITEMS - Minor/Other/Sundry tools</u></p> <p>Kalbarri - Jack Hammer (1000watt)</p> <p>Kalbarri - Electric cement mixer</p> <p>Kalbarri - Generator (4Kva min)</p> <p>Kalbarri - 20 litre spray unit</p> <p>Northampton - Whipper Snipper</p> <p>Northampton - Blower (FS86)</p> <p>Northampton - Fire fighter / Spray unit</p> <p>Northampton - Air grease gun (depot)</p> <p>Northampton - Lazer Level</p> <p>Northampton - Large chainsaw</p> <p>Northampton - Mower Jack (depot)</p>	<p>Ordered</p> <p>Ordered</p> <p>Ordered</p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>COMPLETE</p>	

HEALTH AND BUILDING REPORT CONTENTS

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6.2.1	INFORMATION ITEM: BUILDING STATISTICS
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DATE OF REPORT:	13th August 2014
RESPONSIBLE OFFICER:	Glenn Bangay – Principal EHO/Building Surveyor

1. BUILDING STATISTICS

Attached for Councils' information are the Building Statistics for July 2014.

OFFICER RECOMMENDATION – ITEM 6.2.1
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For Council information.

SHIRE OF NORTHAMPTON - BUILDING APPROVALS - JULY 2014

Approval Date	App. No.	Owner	Builder	Property Address	Type of Building	Materials 1. Floor 2. Wall 3. Roof	Area m2	Value	Fees 1. App Fee 2. BCIF 3. BRB 4. Other
11/07/2014	1246	Justin King c/- Post Office PORT GREGORY	M Barnden PO Box 184 NORTHAMPTON	Lot 131 Sanford St PORT GREGORY Site 39	Patio & Annexe	1. Concrete 2. C/Bond 3. C/Bond	41	\$10,000	1. 40.50 2. 0.00 3. 90.00 4. 0.00
11/07/2014	1250	Mr Hearsay c/- Post Office PORT GREGORY	M Barnden PO Box 184 NORTHAMPTON	Lot 131 Sanford St PORT GREGORY Site 16	Annexe	1. Concrete 2. n/a 3. Zinc	53	\$7,500	1. 40.50 2. 0.00 3. 92.00 4. 0.00
11/07/2014	1251	B Smith c/- Post Office PORT GREGORY	M Barnden PO Box 184 NORTHAMPTON	Lot 131 Sanford St PORT GREGORY Site 33	Patio	1. Concrete 2. n/a 3. C/Bond	16	\$4,500	1. 40.50 2. 0.00 3. 92.00 4. 0.00
11/07/2014	1247	P Lemon PO Box 113 KALBARRI	L Ledger PO Box 204 KALBARRI	Lot 198 Balaam Rd KALBARRI	Demoliton	1. n/a 2. n/a 3. n/a	30	\$990	1. 0.00 2. 0.00 3. 92.00 4. 0.00
11/07/2014	1237	G & J Cripps PO Box 55 NORTHAMPTON	L Hose PO Box 364 KALBARRI	Lot 13 Hampton Rd NORTHAMPTON	Retaining Wall	1. Concrete 2. Concrete 3. n/a	50	\$19,000	1. 40.50 2. 0.00 3. 92.00 4. 0.00
14/07/2014	1248	T & K Carson Post Office BINNU	T & K Carson Post Office BINNU	Lot 10452 Magee Road BINNU	Ancilliary Dwelling	1. Timber 2. H/Plank 3. C/Bond	48	\$19,750	1. 40.50 2. 0.00 3. 92.00 4. 0.00
14/07/2014	1249	L Cave 71a Railway St BLUFF POINT	Plunkett Homes PO Box 2781 GERALDTON	Lot 89 Garnet Way KALBARRI	Dwelling	1. Concrete 2. Brick 3. Tiles	178	\$325,800	1. 619.02 2. 651.60 3. 293.22 4. 0.00
14/07/2014	1252	K Cowley 50a Poinciana Place WICKHAM	K Cowley 50a Poinciana Place WICKHAM	Lot 931 Crocos Circuit KALBARRI	Carport & Garage	1. Concrete 2. Steel 3. C/Bond	90	\$15,000	1. 40.50 2. 0.00 3. 92.00 4. 0.00

[illegible]

TOWN PLANNING CONTENTS

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6.3.1	DRAFT COASTAL MANAGEMENT PLANS – KALBARRI & HORROCKS – CONSENT TO ADVERTISE
LOCATION: FILE REFERENCE: OWNER: DATE OF REPORT: REPORTING OFFICER: APPENDICES:	Kalbarri and Horrocks 10.6.7 / 10.5.6 Shire of Northampton / State of Western Australia 11 August 2014 Hayley Williams – Principal Planner
1. Study Area	Copies of the Horrocks and Kalbarri Coastal Management Plans have been made available to Councillors via Council Dropbox

AUTHORITY / DISCRETION:

Legislative *when Council makes and reviews the legislation it requires performing its function as Local Government. For example, adopting local laws, town planning schemes & policies.*

SUMMARY:

Essential Environmental, Council's appointed consultant, have recently finalised the Draft Coastal Management Plans for Horrocks and Kalbarri. The plans have been prepared using extensive community consultation and on site work.

It is recommended Council endorse the two draft coastal management strategies for Horrocks and Kalbarri for the purpose of advertising for public comment only.

BACKGROUND:

The Shire of Northampton is committed to the protection and management of the coastal areas and foreshore reserves within its jurisdiction, in recognition of the significant values that coastal foreshores possess for the local and regional community. Current recommendations for management of the coastal area are provided by:

- *Shire of Northampton Coastal Strategy* (Landvision and Shire of Northampton, 2006);
- *Kalbarri Foreshore and Coastal Management Plan* (Landvision, 2003); and

- *Horrocks Beach Coastal Plan* (Department of Planning and Urban Development, 1993).

There is a critical need to update these existing management strategies for Kalbarri and Horrocks Beach in order to respond to changing environmental and recreational pressures, strategic planning recommendations and changes in coastal management policy.

The draft Horrocks Beach Coastal Management Strategy and draft Kalbarri Coastal Management Strategy have been prepared to provide guidance for the management of the foreshore reserves within the Shire of Northampton. The draft Horrocks Beach Coastal Management Strategy extends from the Bowes River mouth in the south to Little Bay in the north, and the draft Kalbarri Coastal Management Strategy includes the Murchison River Reserve, the Kalbarri townsite foreshore and the coastal foreshore from Chinamen's Point to Red Bluff (refer **Appendix 1**).

Each strategy describes the environmental, cultural and recreational functions and values associated with the study areas; many of which are under threat from human activities. The strategies make recommendations regarding the future management of issues and impacts in order to maintain or enhance the identified values for the long term.

The strategies have been prepared to meet the requirements of *State Planning Policy 2.6: State Coastal Planning Policy (2013)*, including a review of available information such as:

- Shire of Northampton Local Planning Strategy (Shire of Northampton, 2009);
- Horrocks Beach Foreshore Restoration Plan (2012);
- Horrocks Coastal Plan (1993);
- Kalbarri Foreshore and Coastal Management Strategy (2003);
- Kalbarri Foreshore Parkland Redevelopment Plan (2013);
- Kalbarri National Park draft management plan (DPaW, 2014);
- Kalbarri Townsite Local Planning Strategy (Larry Smith Planning, 2012); and
- The Coast of the Shires of Coorow to Northampton, Mid West, Western Australia: Geology, Geomorphology and Vulnerability (Prepared by Damara WA Pty Ltd and Geological Survey of Western Australia for the Department of Planning and Department of Transport).

The values, issues and recommendations in the draft coastal management strategies are also based on the outcomes of a series of community forum's that were held throughout May to July in Kalbarri and Horrocks at the Allen Community centre and Matt Burrell pavilion respectively. The forums were attended by a range of community stakeholders, on the basis of an open invitation issued via the Shire website, the local newspapers and Kalbarri towntalk.

Input was also obtained from key agencies and the community including the region's Nanda people.

The attached draft coastal management strategies have been prepared to obtain further input from the community via advertising for public comment. Subsequent to the close of the public comment period, all comments will be reviewed and a response to submissions will be prepared. Changes will then be made to the coastal management strategies as appropriate, and the strategies submitted to Council for final endorsement and implementation.

COMMUNITY & GOVERNMENT CONSULTATION:

Consultation with the community has been undertaken in the form of a series of Community Forums which were held throughout May, June and July. The forums aimed to identify community values, issues and objectives associated with the use of the coast which were then used as a basis for preparation of options for future management. The options were work-shopped and refined into the concept that is presented in the draft strategies. The outcomes of each forum were issued to participants and are appended to the draft coastal management strategies.

Additional consultation outside of the forums has also occurred with the region's local aboriginal community and Nanda Working Group. This was primarily through phone calls with local Nanda families and face to face meetings where possible.

Further community consultation is to occur following the endorsement of the draft coastal management plans by Council, through the advertisement of the plans for public comment for a period of 42 days.

Consultation will also be undertaken with relevant State Government bodies.

COUNCIL CONSULTATION:

Council consultation has occurred throughout the development of the draft coastal management strategies, particularly with the Shire's Principal Planner. A number of Councillors also attended the workshops in Kalbarri.

FINANCIAL & BUDGET IMPLICATIONS:

Essential Environmental are undertaking their work within the approved budget amount of \$79,920.00 excluding GST.

There was a slightly increased amount of \$1000.00 in disbursements due to the increased cost of vehicle hire when the consultant was conducting their site visits during the months of May, June and July.

STATUTORY IMPLICATIONS:

*State: Planning and Development Act
State Planning Policy 2.6: State Coastal Planning Policy (2013)*
*Local: Town Planning Scheme No. 9 – Kalbarri Townsite
Local Planning Scheme No. 10 – Northampton District*

POLICY IMPLICATIONS:

*Local: Shire of Northampton Local Planning Strategy 2009
Kalbarri Townsite Local Planning Strategy 2012
Draft Kalbarri Foreshore Landscape Masterplan 2013*

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Plan for the Future 2013-2023

The Plan for the Future contains a number of key imperatives that are reflected in the preparation of LPS No. 11. These are:

- Provide environmental leadership throughout the Shire;
- Better protection of coastal Precincts/areas;
- A comprehensive strategy identifying sealed and un-sealed roads, footpaths and improving parking facilities across the Shire;
- Increased recognition of Indigenous and European Heritage;
- Improved community recreational facilities.

The key actions of the Plan for the Future are included within the following tables.

Better protection of coastal precincts/areas

- 2.2.1 Protect coastal land and manage access to coastal areas by designating entry and exit points to coastal areas and river banks and develop roadside reserves in coastal areas
- 2.2.2 Section off coastal areas as "no go" zones
- 2.2.3 Litter management in coastal areas
- 2.2.4 Work with key agencies such as DEC and NACC to secure funding for coastal protection and management projects
- 2.2.5 Lobby DPI to provide the resources required to protect coastal strip of the Shire
- 2.2.6 Manage camping areas within the Shire

Table 1 – Key Actions for Environment

A comprehensive strategy identifying sealed and un-sealed roads, footpaths and improving parking facilities across the Shire

- 3.2.1 Continue to monitor the performance of the road network in relation to safety, serviceability and usage.
- 3.2.2 Advocate on behalf of the community to Main Roads to improve road network
- 3.2.3 Implement an effective framework to prioritise road works
- 3.2.4 Increase parking capacity in Northampton, Horrocks and Kalbarri through realignment of parking facilities
- 3.2.5 Continue the concrete footpaths program
- 3.2.6 Encourage physical activity through the provision of paths especially along coastal areas
- 3.2.7 Seal the White Cliffs road

Table 2 – Key Actions for Infrastructure

Increased Recognition of Indigenous and European heritage

- 4.1.1 Identify appropriate locations for the development of facilities to showcase Indigenous and European heritage
- 4.1.2 Identify and manage significant cultural heritage sites
- 4.1.3 Recognise key physical features that contribute to the character and amenity of the region.
- 4.1.4 Maintain and review the Municipal Heritage inventory

Improved community
recreational infrastructure

4.6.1 Improve and maintain various parks, gardens, playground and recreational jetties

Table 3 – Key Actions for Social / Community

COMMENT:

Consistent with the requirements of *State Planning Policy 2.6: State Coastal Planning Policy* (WAPC, 2013), there is a desire to obtain public input on the management of the foreshore reserves at Horrocks and Kalbarri. Two draft coastal management strategies have been prepared for these locations, outlining recommendations for the protection and enhancement of the cultural, natural and social values of these foreshore reserves now and into the future.

It is proposed that Council endorse the recommendation to advertise the draft coastal management plans for public comment for a period of 42 days.

VOTING REQUIREMENT:

Absolute Majority Required: No.

CONCLUSION:

It is recommended that Council endorse the draft coastal management plans for Horrocks and Kalbarri to enable public advertising of the documents for a period of 42 days.

OFFICER RECOMMENDATION – ITEM 6.3.1

CONSENT TO ADVERTISE

That Council endorse the draft Horrocks Coastal Management Strategy and the draft Kalbarri Coastal Management Strategy (August 2014) for advertising purposes only and refer the draft strategies to the Western Australian Planning Commission for consent to advertise

APPENDIX 1

Shire of Northampton - Horrocks Coastal Management Strategy

Figure 1: Horrocks Location and Study Area



Shire of Northampton - Kalbarri Coastal Management Strategy
Figure 1: Kalbarri Site Location and Study Area



6.3.2	PROPOSED ITINERANT FOOD VAN - KALBARRI
	<p>LOCATION: Lot 179 (No.13) Glass Street, Kalbarri, Reserves 25307, 27004 & 34550, Red Bluff Beach Road Reserve , Kalbarri Industrial Estate</p> <p>APPLICANT: M & J Phyland</p> <p>OWNER: M & J Phyland, Department of Lands, Shire of Northampton</p> <p>FILE REFERENCE: 10.6.1.3, 13 GLA (A134) R25307, R27004, R34550</p> <p>DATE OF REPORT: 8 August 2014</p> <p>REPORTING OFFICER: Hayley Williams - Principal Planner</p> <p>APPENDICES:</p> <p>1 Application details</p>

AUTHORITY / DISCRETION:

Quasi-Judicial – when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.

SUMMARY:

Council is in receipt of an application for the renewal of the operation of an itinerant food van at specified locations in and around the townsite of Kalbarri and the storage of the van at Lot 179 (No.13) Glass Street, Kalbarri. The itinerant food van has been in operation for almost 12 months and the Applicants are now seeking another approval and licence for three (3) years. Given the successful operation of the "Coffee Van" over the last 11 months and the fact that no objections have been received during its operation and the recent advertising period, this report recommends conditional approval of the food van to operate at five sites around Kalbarri.

BACKGROUND:

Council at their ordinary meeting held on 25 September, 2013 resolved:

That Council grant formal planning approval for the operation of an itinerant food van subject to compliance with the following:

Conditions:

- a. *The itinerant food van is ONLY to be operated at the following locations:
 - i. Jacques Point (Reserve 34550);
 - ii. Red Bluff Beach Road Reserve; &
 - iii. Kalbarri Industrial Area.*
- b. *The itinerant food van is ONLY to be operated at the following locations between the hours of 8:30pm-12:00am (midnight):
 - i. Carparking area adjacent Kalbarri Beach Resort (Reserve 25307); &
 - ii. Sally's Tree (Reserve 25307).*
- c. *The itinerant food van shall operate in the locations indicated upon the attached approved plan(s) dated 25 September 2013 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.*
- d. *This approval is valid for a period of 12 months from the date of this advice, after which the development will be returned to Council for further consideration.*
- e. *Prior to commencement of the land use, the proponent is required to obtain written approval from the Shire's Environmental Health Department regarding the final design/presentation of the itinerant food van and compliance with relevant health legislation.*
- f. *This planning consent shall remain valid while the necessary food premise registration remains current and valid and upon expiration or earlier termination of the food premise registration this planning consent shall cease to be valid.*
- g. *The itinerant food van is permitted to be stored at Lot (No.13) Glass Crescent, Kalbarri subject to the vehicle being stored within the property boundaries and the itinerant food van not causing injury to or prejudicially affecting the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.*

- h. This approval is issued only to Martin & Judy Phyland and is NOT transferable to any other person or to any other land parcel. Should there be any change in respect of which this planning approval is issued this approval shall no longer be valid.*
- i. The itinerant food van is only approved to sell the following items:*

 - Hot, cold and frozen beverages (i.e. coffee, tea, slushies, cool drink cans)*
 - Soft serve icecream*
 - Toasted sandwiches*
 - Pastry items (i.e. pies, sausage rolls)*
 - Muffins & cakes*
 - Bags of potato chips*
- j. The itinerant food van is required to be removed from the area at the close of business each day. The itinerant food van is not permitted to be stored within the approved operating areas.*
- k. The vendor is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times.*
- l. 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.*
- m. A certificate of currency in respect of public liability insurance cover of \$10,000,000, including reference to the Shire of Northampton as an interested party or within the definition of the insured. A copy of the insurance policy is required to be received by the Shire prior to the commencement of operation of the itinerant food van.*
- n. No freestanding signs or hoardings advertising the operation of the itinerant food van are permitted to be erected whether temporary or permanent in nature.*
- o. The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted. The itinerant food van shall at all times comply with the Environmental Protection (Noise) Regulations 1997.*

- p. The parking of the itinerant food van is not permitted upon road reserves, road verges or other carriageways with the exception of those approved areas indicated upon the approved plans dated 25 September 2013.*
- q. A licence agreement being entered into for the use of Reserves 25307 & 34550 between the applicant, the Shire of Northampton and the Department of Lands in accordance with the Shire's 'Commercial Recreational Tourism Activity on Crown Reserves' Local Planning Policy.*
- r. This Planning Approval shall remain valid whilst the licence agreements referred to in Condition (q.) remain 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 Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.*
- ii. 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.*
- iii. In relation to Conditions (d.), (e.) and (h.) the applicant is advised that the itinerant food van is required to comply with the requirements of the Food Act 2008 and Food Regulations 2009.*
- iv. Should a new food premise be established within 500m of any of the approved locations the applicant is advised that the future approval and use of the said location would be unlikely.*
- v. The Shire's environmental health officer is permitted to approve applications from the applicant for the operation of the food van at local events and market days subject to approval from the event/market day organisers.*

- vi. *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 lodged within 28 days from the date of determination.*

The application details are the same as submitted originally.

Proposal

It is proposed that the food van would be in the form of a dual axle trailer. The trailer would be powered by a portable generator and would feature a hot water system, stainless steel worktops, microwave, fridge and freezer and other kitchen appliances and tools. It was proposed that the food van would sell items such as coffee, slushies, soft serve ice cream, cool drinks, toasted sandwiches, pastries, muffins, cakes and bags of chips. The trailer would also have water storage with used water being captured in another storage container for later disposal.

It was proposed that the itinerant food van would be stored at Lot 179 (No.13) Glass Street, Kalbarri where the van would be cleaned, connected to mains power and the food stored appropriately when the van is not in use. The van is proposed to be stored within the property boundary with ample parking space available at the front of the property.

A copy of the applicant's correspondence to the Shire elaborating upon the proposal has been included as **Appendix 1** of this report.

As the application sought approval for multiple sites each area was required to be considered under its own individual merits and considerations and against the requirements of the Shire's Town Planning Scheme No.9 ('the Scheme') and 'Commercial Recreational Activity on Crown Reserves' Local Planning Policy.

The advertising period for the application has now concluded and is now presented to Council for its deliberation.

COMMUNITY & GOVERNMENT CONSULTATION:

The application for the operation of an itinerant food van was advertised for a period of 28 days with the advertising period concluding on Friday 25 July 2014.

During the advertising period the following actions were undertaken:

- Notice of the development placed in the Geraldton Guardian;
- Letters to all operating food premises; and
- Notice of the development was advertised at each of the Shire's administration buildings,

At the conclusion of the advertising period one (1) submission was received; in support of the proposal.

The comments received were as follows:

Support

- *The vendor trading from the locations has not been detrimental to existing fixed commercial businesses and in fact I feel it has had a positive impact on our town by improving access to takeaway food for locals and visitors.*

Should Councillors wish to be provided with a copy of the submission it can be made available upon request.

FINANCIAL & BUDGET IMPLICATIONS:

Nil, however should Council refuse this application and the applicant proceed to exercise their right of appeal, costs are likely to be imposed on the Shire through its involvement in the appeal process.

The Shire of Northampton's 'Requirements for Licence Agreements to use Crown Reserves for Commercial, Recreational And Tourism Activities' Council Policy requires payment of a Reserve User Fee of \$500+GST per year and for a licence agreement to be entered into between the Shire, the applicant and the Department of Lands.

STATUTORY IMPLICATIONS:

The Scheme states the following in relation to the determination of applications.

"6.5.2 In determining an application Council shall have regard to the objectives and provisions of the Scheme, and shall take into account inter alia:

- (a) the nature of the proposed development in relation to the development either existing or proposed on adjoining land;*
- (b) the size, shape and character of the lot upon which the development is to be carried out and the influence which these factors may have on the siting and nature of any new building"*

Section 1.6 lists the Scheme's objectives with point (c) relating to the said application:

"(c) to zone land within the Scheme Area for the various purposes in order to promote orderly and proper development within the Kalbarri area"

Shire of Northampton Council Policy 8.5 'Conditions of Approval of Itinerant Food Vendors' states:

"An application under the Shire of Northampton Health Local Laws 2007 Part 10 Section 10.1.2 Itinerant Food Vendor's Licence shall only be approved subject to the following:

- (i) excepting where specifically approved by Council so that the proprietor or proprietors do not operate within 500 Metres of any business within the Shire offering similar produce for sale;*
- (ii) excepting where specifically approved by Council the proprietor or proprietors shall not operate within a Townsite during the normal trading hours of any business within that Townsite which is offering similar produce for sale;*
- (iii) the proprietor or proprietors shall not park in any Car Park, Rest Area, Roadside or Verge excepting for the period it*

- takes to serve his immediate customer after which he/they must move on;
- (iv) the proprietor or proprietors only offering for sale foods for which they have been specifically approved and licensed by the Council;
 - (v) the Itinerant Food Vendors vehicle meeting the requirement of the Health Act 1911 and any associated Regulations; and
 - (vi) the proprietor or proprietors meeting any other conditions which the Council may from time to time impose."

• ***Parking of itinerant food van at Lot 178 (No.15) Glass Street, Kalbarri***

The application proposes that the itinerant food van would be stored at Lot 179 (No.13) Glass Street, Kalbarri which is zoned 'Residential' under the Scheme. The objectives for the 'Residential' zone as prescribed in Section 3.1.2.1 of the Scheme:

- "(a) to ensure that land uses are compatible and complementary to the residential purpose of the Zone;
- (b) provide a mix of housing types to cater for the range of demands created by a diverse population, which chooses to live and visit the town;
- (c) promote and safeguard health, safety, convenience, the general welfare and the amenities of residential areas and their inhabitants;
- (d) ensure that other uses and activities compatible with the predominant use are allowed for;
- (e) promote "modified grid" subdivision patterns for new development as a means of improving legibility in preference to the widespread use of culs-de-sac;
- (f) promote the use of water sensitive urban design; and
- (g) promote the orientation of dwellings and lots to encourage energy efficiency."

In relation to the parking of commercial vehicles Section 5.19 of the Scheme states:

"Except as hereinafter provided, no person on any lot within the Residential Zone may without the written approval of Council:

- (a) *allow any commercial vehicle or truck to remain or park for a period of more than 48 hours consecutively;*

- (b) *repair, maintain, service or clean a commercial vehicle or truck;*
- (c) *keep, park, repair or store any boat, trailer, caravan or any associated material not specifically for the immediate use by the occupant in front of the building setback line."*

It is considered that the keeping of the food van at Lot 179 (No.13) Glass Street, Kalbarri would not detrimentally effect the appearance or amenity of the locality as the food van can be parked upon the property without impeding the road verge, is small enough in size that it is not considered that its presence will detract from the streetscape and is of a vehicle class that is permitted to traverse local streets.

The imposing of conditions relating to emissions including noise and odour upon any approval would further address issues of potential impact on the amenity of the surrounding area.

Figure 1 – View looking north towards Lot 179 (No.13) Glass Street, Kalbarri



· ***Operation of itinerant food van within the Kalbarri Industrial Estate and Red Bluff Beach Road Reserve***

An itinerant food van is considered a 'use not listed' under the Scheme with Section 3.2.5 of the Scheme stating:

"If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category Council may;

- (a) determine that the use is consistent with the objectives and purpose of the particular Zone and is therefore permitted; or*
- (b) determine that the use may be consistent with the objectives and purpose of the particular Zone and thereafter follow the advertising procedures of Clause 6.4 in considering an Application for Planning Consent; or*
- (c) determine that the use is not consistent with the objectives and purpose of the particular Zone and is therefore not permitted."*

· ***Operation of itinerant food van upon land zoned 'Reserve'***

Section 2.2.1 of the Scheme states the following in relation to the consideration of land uses upon land designated as 'Reserve':

"2.2.1 A person shall not use or commence or carry out development on reserved land without first having obtained the planning approval of Council under Part VI of the Scheme, and in determining an application for planning approval Council shall have regard to:

- (a) the matters set out in Clause 6.5; and*
- (b) the ultimate purpose intended for the reserved land,*

and Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before giving its approval."

Additionally the Shire of Northampton's 'Requirements for Licence Agreements to use Crown Reserves for Commercial, Recreational And Tourism Activities' Council Policy states the following requirements:

- "(a) The proposed use be consistent with the purpose for which the reserve is vested in the Shire, unless otherwise approved by the Minister;*

- (b) *The proposed use be consistent with any Management Plan adopted in respect of the reserve pursuant to section 49 of the Land Management Act 1997;*
- (c) *Council's approval of the use and the agreement with the service provider is subject to endorsement and consent of the Minister of Lands in accordance with the provisions of the Land Administration Act 1997;*
- (d) *The proposed use shall have been separately granted planning consent under the Scheme prior to the Shire's approval of that use as management body of the reserve."*

POLICY IMPLICATIONS:

The Shire's 'Commercial Recreational Tourism Activity on Crown Reserves' Local Planning Policy states the following objectives:

- *To ensure that commercial activities on reserves do not diminish the recreational amenity of residents or visitors who are attracted to the Shire for its natural beauty and environment;*
- *To ensure ecologically sustainable use and protection of reserves for the benefit and enjoyment of future generations;*
- *To retain reserves (where appropriate) as places for passive and/or active recreation for residents and visitors;*
- *To regulate the level and intensity of commercial activities on reserves as necessary to ensure that it does not destroy the value and nature of the activity and the resource on which it is based;*
- *To enable appropriate (limited) opportunities for commercial tourism operators to provide services and facilities to the public to enhance their visit to the Shire; &*
- *To provide criteria for assessing and determining applications.*

Section 4.1 of the Policy states the following in relation to land-based activities:

- "4.1.1 The natural systems should be able to sustain the form of recreation or activity which is proposed.*
- 4.1.2 The activity should be compatible with the vesting purpose of the land and with the preservation values of the land, eg. they do not impinge upon rare or fragile ecosystems or impair key features of the landscape, or increase visitor pressure on land*

to an unacceptable level and do not detract from the reasonable enjoyment of the land by the public.

- 4.1.3 Generally the widest range of activities consistent with the reserve purpose should be allowed. Uses that impair other forms of use to an unreasonable extent or place the safety of others in jeopardy should be controlled or eliminated. In certain instances, for safety reasons, priority use may be allocated to specialised recreation activities at sites that are uniquely suited to those activities (eg. jet ski hire).*
- 4.1.4 Sites that are likely to suffer environmental/stability problems from increased human activity or have a high conservation value will be excluded.*
- 4.1.5 The Shire will endeavour within the resources available to it to provide an appropriate level of supervision of activities on the reserve or UCL. This is particularly important where natural and cultural values may be impaired. If this cannot be done, the activity should where practicable be restricted, relocated or eliminated.*
- 4.1.6 The activity should enhance the appropriate use of, enjoyment, understanding and appreciation of the land.*
- 4.1.7 The activity should meet all statutory and industry requirements relevant to the operation including compliance with statutory town planning requirements (ie. zoning provisions, development control, Scheme purposes and objectives) and any relevant strategic planning report recommendations.*
- 4.1.8 If an application is received for an existing activity by a previous Agreement holder of that activity and on the same site, Council will give preference to the previous Agreement holder where no recorded breach of any condition has been noted by Council."*

Furthermore Section 5.2 of the Policy states:

- "5.2.1 Based on experience of the impacts of previous/similar activities (within or outside the Shire), the fragile nature of certain areas, and/or the dominant public use of certain areas, Council is of the view that certain activities should not be supported in certain areas and also that a restriction on the*

number of certain activities in certain areas should be prescribed.

5.2.2 *These restrictions are attached to this policy and are based on knowledge and experience at this time and may be amended from time to time by Council as further knowledge and experience is accumulated."*

Should an application for the use of a Reserve be successful the applicant would be required to enter into a licence agreement with the Department of Lands with this agreement being jointly signed by the Shire of Northampton as the management order authority for the reserve.

COMMENT/CONCLUSION:

Given the requirements of the Scheme and the Shire's 'Commercial Recreational Tourism Activity on Crown Reserves' Local Planning Policy the following guidance is given pertaining to each of the sites requested by the applicant.

Jacques Point

Zoning: Reserve 34550
Management Order: Shire of Northampton

Figure 2 – Proposed location for itinerant food van at Jacques Point



Jacques Point is zoned 'Reserve' under the Scheme and therefore should Council consider this site suitable for the operation of the itinerant food van the applicant would be required to enter into a Licence Agreement with the Shire and the Department of Lands for the use of this reserve.

The area is 3.5km from the Kalbarri commercial areas and 500m from Rainbow Jungle being the closest commercial business. A letter has been received from the operators of Rainbow Jungle in support of the application.

This location is considered to meet the objectives and requirements of the Shire's Policy's, Local Laws and Scheme and support for the operation of the itinerant food van upon this site is recommended.

Red Bluff Beach Road

Zoning: Reserve 27004
Management Order: National Parks Authority

Figure 3 – Proposed and recommended locations for itinerant food van



At the 16 August 2013 meeting it was suggested that the gravel car park area adjacent to the toilet block would be a more appropriate location as it was

considered to be less intrusive on users to the area and lessen potential impacts of the itinerant food van on the visual appearance and amenity of the area.

This location is considered to meet the objectives and requirements of the Shire's Policy's, Local Laws and Scheme and support for the operation of the itinerant food van upon this site is recommended.

It is suggested that should Council support this location that an advice note be included on any approval notifying the applicant that should a food premise commence operations within 500m from this location that future renewal of the application to use the Red Bluff Beach Road Reserve for the operation of the itinerant food van may be unlikely.

Kalbarri Industrial Area

The operation of the food van through the industrial estate is supported by staff provided that the van is parked within the property boundary of the business at which it stops, not impeding access/egress to the site and not parking on any Council verge or carriageway. Approval to operate within the Industrial Estate does not require a Licence Agreement to be entered into as the parking of the van would be within private land. Parking upon Council verges, roads or car parking within the Industrial Estate is not supported.

Figure 4 – Kalbarri Industrial Area



Reserve 25307 - Car parking area adjacent to Kalbarri Beach Resort & Sally's Tree

Zoning: Reserve 25307
Management Order: Shire of Northampton

The application sought to operate the itinerant food van upon Reserve 25307 in the car parking area adjacent to the Kalbarri Beach Resort or at Sally's Tree between the hours of 5:00pm and 10:00pm.

Council's previous approval granted permission to operate in these locations from 8.30pm to 12.00am (midnight).

In consideration of the details of this application the use of Reserve 25307 (in said locations) is supported only with the operation hours of 8.30pm to 12.00am (midnight) in accordance with Council Policy 8.5 (ii):

- (ii) *excepting where specifically approved by Council the proprietor or proprietors shall not operate within a Townsite during the normal trading hours of any business within that Townsite which is offering similar produce for sale;*

The use of the areas of R25307 at the hours of 8.30pm to 12.00am (midnight) has not created any negative impacts upon the location during the first 11 months of operation. Furthermore, no objections have been received during the advertising period.

Figure 5 – Proposed location for itinerant food van within carpark adjacent to the Kalbarri Beach Resort



Markets and Events

As these events are organised by various user groups for various purposes the applicant is required to apply to the organisers of these events as they arise and meet the necessary requirements.

VOTING REQUIREMENT:

Absolute Majority Required: No

OFFICER RECOMMENDATION – ITEM 6.3.2	APPROVAL
That Council grant formal planning approval for the operation of an itinerant food van subject to compliance with the following:	
Conditions:	
a. The itinerant food van is ONLY to be operated at the following locations:	
i. Jacques Point (Reserve 34550);	
ii. Red Bluff Beach Road Reserve; &	

- iii. Kalbarri Industrial Area.
- b. The itinerant food van is ONLY to be operated at the following locations between the hours of 8:30pm-12:00am (midnight):
 - i. Carparking area adjacent Kalbarri Beach Resort (Reserve 25307); &
 - ii. Sally's Tree (Reserve 25307).
- c. The itinerant food van shall operate in the locations indicated upon the attached approved plan(s) dated 22 August 2014 and subject to any modifications required as a consequence of any condition(s) of this approval. The endorsed plans shall not be modified or altered without the prior written approval of the local government.
- d. This approval is valid for a period of three (3) years from the date of this advice, after which the development will be returned to Council for further consideration.
- e. Prior to commencement of the land use, the proponent is required to obtain written approval from the Shire's Environmental Health Department regarding the final design/presentation of the itinerant food van and compliance with relevant health legislation.
- f. This planning approval shall remain valid while the necessary food premise registration remains current and valid and upon expiration or earlier termination of the food premise registration this planning consent shall cease to be valid.
- g. The itinerant food van is permitted to be stored at Lot (No.13) Glass Crescent, Kalbarri subject to the vehicle being stored within the property boundaries and the itinerant food van not causing injury to or prejudicially affecting the amenity of the locality by reason of the emission of smoke, dust, fumes, odour, noise, vibration, waste product or otherwise.
- h. This approval is issued only to Martin & Judy Phyland and is NOT transferable to any other person or to any other land parcel. Should there be any change in respect of which this planning approval is issued this approval shall no longer be valid.

- i. The itinerant food van is only approved to sell the following items:
 - Hot, cold and frozen beverages (i.e. coffee, tea, slushies, cool drink cans)
 - Soft serve icecream
 - Toasted sandwiches
 - Pastry items (i.e. pies, sausage rolls)
 - Muffins & cakes
 - Bags of potato chips
- j. The itinerant food van is required to be removed from the area at the close of business each day. The itinerant food van is not permitted to be stored within the approved operating areas.
- k. The vendor is required to provide adequate rubbish disposal facilities, remove all rubbish associated with the operation and maintain clean and sanitary conditions at all times.
- l. 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.
- m. A certificate of currency in respect of public liability insurance cover of \$10,000,000, including reference to the Shire of Northampton as an interested party or within the definition of the insured. A copy of the insurance policy is required to be received by the Shire prior to the commencement of operation of the itinerant food van.
- n. No freestanding signs or hoardings advertising the operation of the itinerant food van are permitted to be erected whether temporary or permanent in nature.
- o. The use of mechanical chimes or amplified music which could cause a noise nuisance is not permitted. The itinerant food van shall at all times comply with the *Environmental Protection (Noise) Regulations 1997*.
- p. The parking of the itinerant food van is not permitted upon road reserves, road verges or other carriageways with the exception of those approved areas indicated upon the approved plans dated 22 August 2014.

- q. A licence agreement being entered into for the use of Reserves 25307 & 34550 between the applicant, the Shire of Northampton and the Department of Lands in accordance with the Shire's 'Commercial Recreational Tourism Activity on Crown Reserves' Local Planning Policy.
- r. This Planning Approval shall remain valid whilst the licence agreements referred to in Condition (q.) remain 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. Where an approval has so lapsed, no development/land use shall be carried out without the further approval of the local government having first been sought and obtained.
- ii. 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.
- iii. In relation to Conditions (d.), (e.) and (h.) the applicant is advised that the itinerant food van is required to comply with the requirements of the *Food Act 2008* and *Food Regulations 2009*.
- iv. Should a new food premise be established within 500m of any of the approved locations the applicant is advised that the future approval and use of the said location would be unlikely.
- v. The Shire's environmental health officer is permitted to approve applications from the applicant for the operation of the food van at local events and market days subject to approval from the event/market day organisers.
- vi. 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 lodged within 28 days from the date of determination.

Appendix 1

Shire of Northampton

Martin Phyland &
Judy Phyland
13 Glass St.
Kalbarri 6536. W.A.
0447-158-489
Wed, 3rd July 2013.

To whom it may concern,

As discussed, we would like to put our proposal in for a permit to operate a mobile coffee/snack van in the Northampton shire.

We as a family have lived in Kalbarri for the past 25 years; have many professional years in the coffee and food industry and without intruding on others, believe it could be a good service around the area, and a viable business for us as we do need to create our employment. (We have operated a happy, successful business in town in the past.)

We would like to provide this service to our town being at: Jaques Point, Red Bluff and other areas to be discussed. (View Map)

Contributions towards revegetation in these areas would be considered.

Of course in the quiet months we will travel to other places and events.

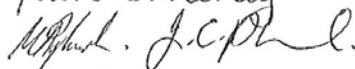
The van is new and towed by a utility.

We are aware of the rules and health standards when operating this particular business.

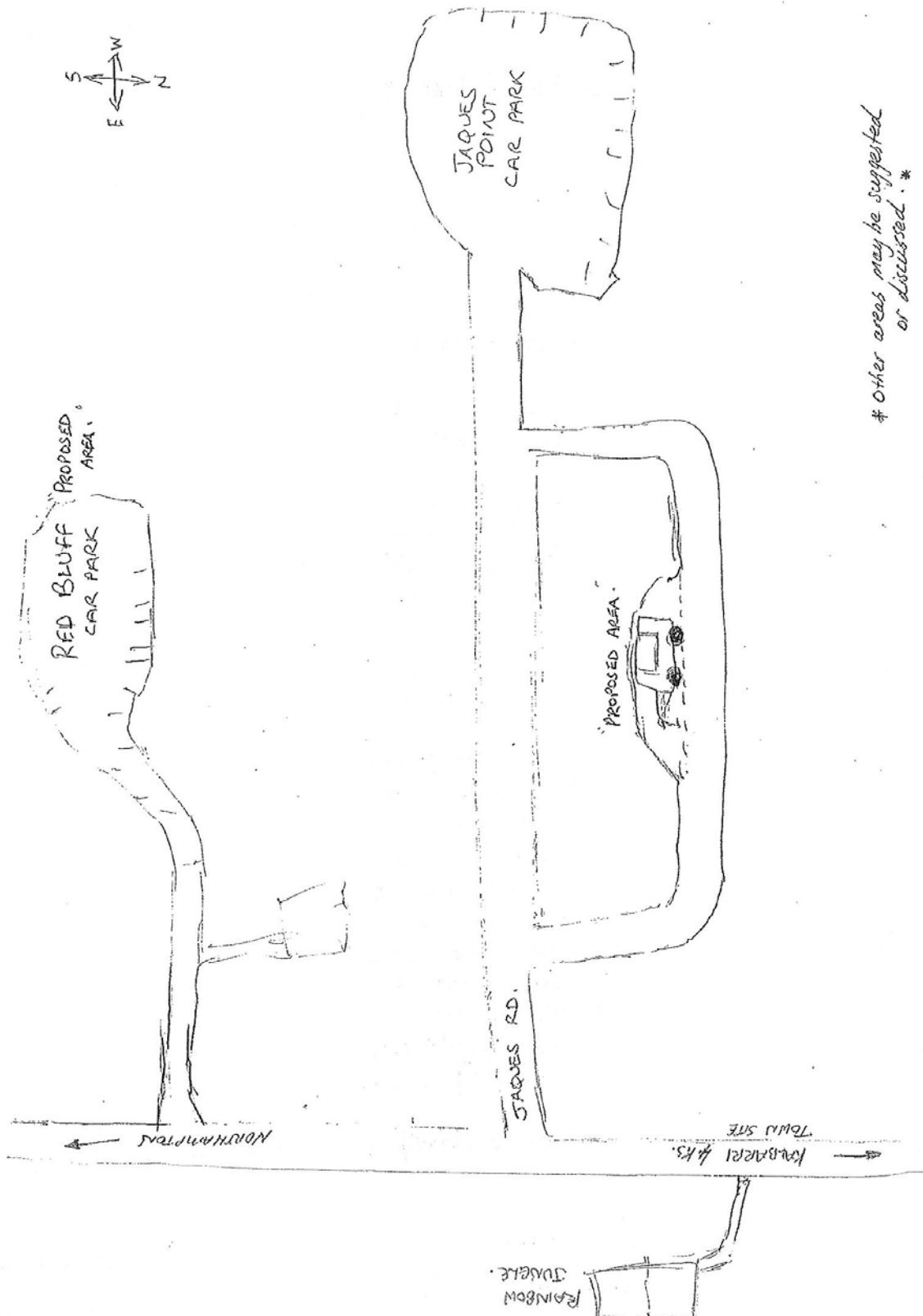
We are in a financial position to make a go of it.

Looking forward to your response.

Yours Sincerely



Martin Phyland Judy Phyland.



30/07/2013 10:30 61-8-92931093
SHIRE OF NORTHAMPTON.

NIGHTINGALES

PAGE 02/03
30/7/13.

This trailer is dual axle, braked and licenced.

Powered by portable generator.

Hot water system installed, new stainless steel bench tops, hand basin and sink.

60 Ltr water tanks - one for grey water
- one for fresh.

Trailer meets health regulations and local council requirements.

Microwave.

Fridge/freezer

Sandwich press.

When not in use the trailer will be parked at our residential address in Kalbarri and connected to main power.

Services Offered.

Coffee machine

Urn

Slushy machine

Yogurt soft serve

Cool drinks - water, fanta, coke etc.

Toasted sandwiches - (Electric sandwich press)

Pie's (Pie warmer)

Muffin's / cakes

Bags of potato chips.

All food to be prepared in van.

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NOH SHIRE KALBARRI

PAGE 01/02

M + J. Phyland
5th August 2013

Cont:

Proposal Coffee, snack van.

Parking Locations:- Jacques Point
Red Bluff.
Industrial
Market days (Australia
day and town events)
after hours - car park area (opp beach resort)
on main road.
Preferred location is Jacques Point.

The van would be parked at our residential
address in our drive way being large
and private and will not create any noise.
or visual problems. Here it will be
washed and cleaned, with the grey
water emptied in our existing drain.

Storage of food will be stored at our
residence in the fridge / freezer supplied.

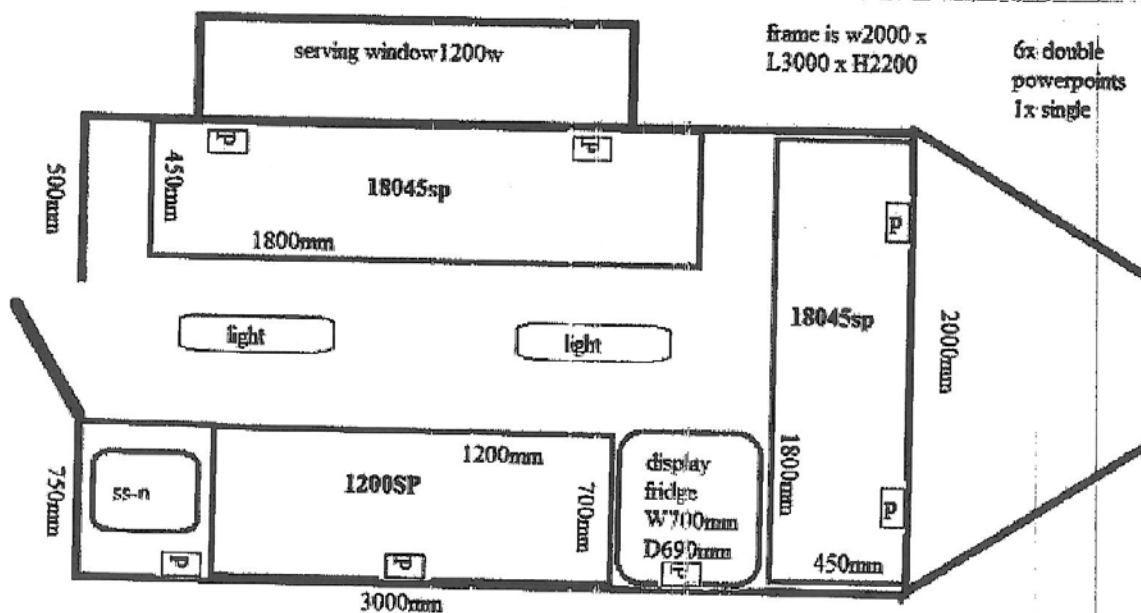
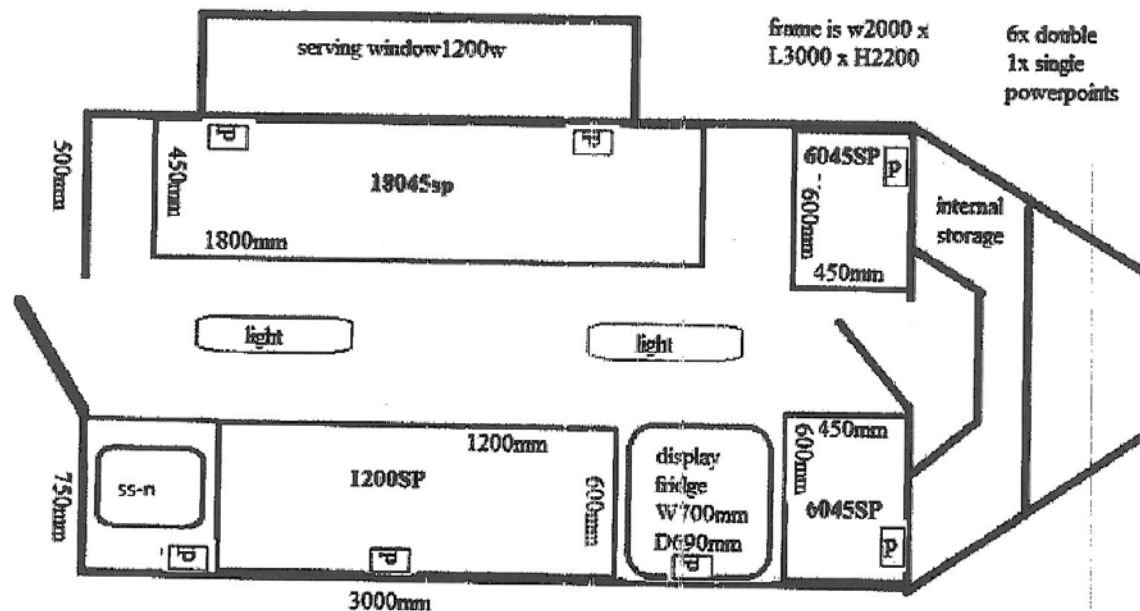
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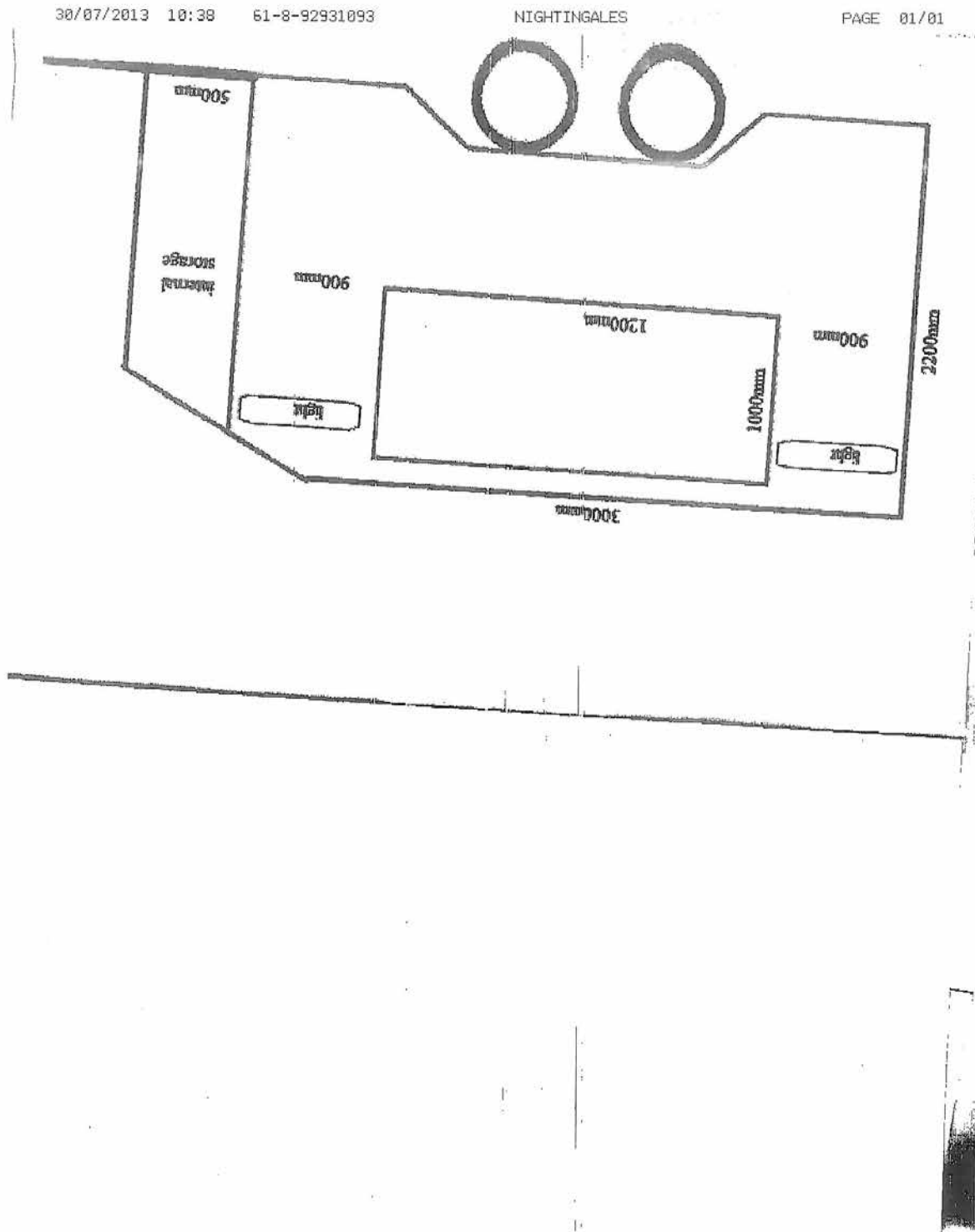
NORTHAMPTON SHIRE COUNCIL				
File				
05 AUG 2013				
Admin	Eng	Hlth Bldg	Town Plan	Rang

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NIGHTINGALES

PAGE 03/03





12.0 FOOD VEHICLES

12.1 Food Transport Vehicles

Relevant Food Safety Standard

Performance Criteria Acceptable Solutions

FSS 3.2.3

Division 4

Clause 17

Food Transport Vehicles must be:

- ☐ Designed and constructed to protect food if there is a likelihood of contamination during transport; and
- ☐ Designed and constructed to be easily and effectively cleaned and if necessary, sanitised;
- ☐ Smooth impervious surfaces to the storage compartment;
- ☐ Food is to be transported in such a way as to prevent contamination (e.g. packaged in food grade storage containers).

12.2 Mobile Food Vehicles

Mobile Food Vehicles are required to comply with the Food Safety Standards. Acceptable solutions to compliance are:

- ☐ Food preparation area must be sealed off from the driving area;
- ☐ Hand wash basin must be of adequate size, connected to a holding tank of sufficient size to contain all waste water and have a supply of liquid hand soap and single use paper towels at all times;
- ☐ Utensil washing sink to be provided in addition to hand wash basin and connected to water holding tank;
- ☐ Holding tank must be located beneath the vehicle and all waste water disposed of to sewer;
- ☐ Vehicles must be designed and constructed so food is protected from contamination during transport;
- ☐ Vehicles must be designed and constructed so they can be easily cleaned;
- ☐ Food contact surfaces must be designed and constructed so they can be easily cleaned and sanitised;
- ☐ Food vehicles must be kept in a clean condition and parts must be maintained in good working order;
- ☐ Provision of adequate storage of food, whether potentially hazardous and perishable or non-potentially hazardous; and
- ☐ No animals are permitted to enter the food vehicle at any time.

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NOH SHIRE KALBARRI

PAGE 02/02

SHIRE NORTHAMPTON

7/8/2013

MARTIN PHILLAND AND JUDY PHILLAND
PROPOSAL FOR COFFEE SNACK VAN - KALBARRI

To Whom it May Concern,

Both ADAM Newcombe and FLEUR Newcombe
of 15 GLASS STREET, KALBARRI have been
neighbours of MARTIN + JUDY PHILLAND and
family for many years.

We do not mind there Van being parked
and worked on there driveway. I am
sure it will not affect us or others.
We very much hope that their business
idea is successful and will be a great
thing for our family and community at large.



F. Newcombe

NORTHAMPTON SHIRE COUNCIL				
File				
05 AUG 2013				
Admin	Eng	Hith Bldg	Town Plan	Ring

NORTHAMPTON SHIRE.

8/7/2013

RAINBOW JUNGLE
0899371493H
0899371248W

To whom it may concern,

After recent discussions with
Martin Phylant,

Proposal for 'Coffee snack van'
to operate in Kalbarri Townsite.

I have no objections for him + his wife to
operate in the 'Jakes car park area, and
believe it could be a good service for
tourists and locals.

It has been a needed service, particularly
"after" trading hours in town itself.

yours sincerely
D. M. Sentaoy
Manager
Rainbow Jungle

6.3.3	SINGLE DWELLING – LOT 17 (NO. 34) MITCHELL STREET, HORROCKS
	<p>FILE REFERENCE: 10.5.1.1 / 34 MIT (A694)</p> <p>APPLICANT: Eminence Building Co Pty Ltd</p> <p>OWNER: R & T Hall</p> <p>DATE OF REPORT: 11 August 2014</p> <p>REPORTING OFFICER: Hayley R. Williams - Principal Planner</p> <p>APPENDICES:</p> <ol style="list-style-type: none"> 1. Site Plan, floor plan, elevation plan, survey & retaining details 2. Photos of Site 3. Examples of single residential dwellings along Mitchell Street

AUTHORITY / DISCRETION:

Quasi-Judicial *when Council determines an application within a clearly defined statutory framework, abiding by the principles of natural justice, acting only with discretion afforded it under law, and giving full consideration to Council policies and strategies relevant to the matter at hand. These decisions are reviewable by the State Administrative Tribunal.*

SUMMARY:

An Application for Planning Approval has been received for a single dwelling to be constructed on Lot 17 (No. 34) Mitchell Street, Horrocks. Council consideration is required as the maximum wall height and privacy setbacks do not comply with the deemed to comply standards of the *Residential Design Codes* (R-Codes). Given the nature of the site and the surrounding developments it is considered that the proposed building height is consistent with the desired height of buildings in the locality. Furthermore, the adjoining landowners have given their consent to the proposal and direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimal. Therefore, it is recommended that Council grant Planning Approval subject to conditions.

BACKGROUND:

An application has been received for the construction of a dwelling upon Lot 17 (No. 34) Mitchell Street, Horrocks. The application has been brought before Council as the application does not comply with the requirements of the *Residential Design Codes of Western Australia 2013* ('R-Codes').

Proposal

The application proposes the construction of a two storey dwelling consisting of three bedrooms and one bathroom. The dwelling is proposed to be built upon an existing retaining wall.

The proposed dwelling will have a primary street setback of 10.7 metres and side setbacks of 6.35 metres to the proposed balcony/alfresco (northern elevation) and 1.5 metres to the wall along the southern elevation.

Existing development

Lot 34 presently contains a weatherboard, limestone block and zincalume residence of approximately 80m². This building was originally granted approval as a garage/outbuilding and has since been converted into a dwelling.

The Applicant has stated the following:

"The building is currently an open room. There is a kitchen sink in the room and a stove, both of which will be removed upon completion of the main residence. The proposed use upon completion of the new residence is a games room. The portion of the verandah which is enclosed is an existing bathroom with external access."

There is also a number of existing retaining walls on Lot 34. While there are internal retaining walls that the dwelling will be built upon. Council's attention is drawn to the rear retaining wall which encroaches onto Lot 9501 (refer site plan **Appendix 1**). It is noted that while this is a separate issue a condition will be placed on the planning approval requiring that the owner either remove the retaining wall or alternatively pay for Council to register an easement on the title for the retaining wall.

Figure 1 – Location Plan, Lot 17 (No. 34) Mitchell Street, Horrocks



Figure 2 – Aerial Photograph, Lot 17 (No. 34) Glance Street, Horrocks



In consideration of the application the following information is provided:

Lot Size	809m ²
Existing Development	Existing retaining walls, outbuilding converted to dwelling
Existing Services	Water, Sewer, Power, Phone
Vehicular Access	Mitchell Street
Vegetation	Cleared
Surrounding Land	Residential R12.5

COMMUNITY & GOVERNMENT CONSULTATION:

As the proposal does not comply with Sections 5.1.6 Building Height and 5.4.1 Visual Privacy, of the R-Codes it is a requirement that any effected adjoining landowners are consulted.

The Applicant has provided the adjoining landowners consent along with signed copies of the plans.

FINANCIAL & BUDGET IMPLICATIONS:

Nil. However should Council refuse this application and the applicant proceed to exercise their right of appeal, costs are likely to be imposed on the Shire through its involvement in the appeal process.

STATUTORY IMPLICATIONS:

State: *Planning and Development Act 2005*

Local: *Shire of Northampton Local Planning Scheme No. 10*

The land is zoned "Residential R12.5" under *Shire of Northampton Local Planning Scheme No. 10* with a "Single Dwelling" considered a permitted use.

Section 5.1.6 of the R-Codes requires that the building heights do not exceed the following requirements:

- *6m external wall height from natural ground level;*
- *7m external wall height for concealed roofs from natural ground level; and*
- *9m total building height to the top of a pitched roof from natural ground level.*

Height is measured from the natural ground level immediately below the relevant point of the wall or roof. The proposal incorporates a maximum wall height to 8.8m metres with a maximum roof pitch height to 10.5 metres from natural ground level.

Given the proposed wall height and roof height does not meet the deemed to comply standards of the R Codes, it has been assessed under the relevant Design Principle, which states:

"Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves, and where appropriate maintains:

- Adequate access to direct sun into buildings and appurtenant open spaces;*
- Adequate daylight to major openings into habitable rooms; and*
- Access to views of significance."*

In support of the application the Applicant has included the heights of the proposed dwelling from existing ground level (the level already retained on Lot 34). Using this calculation the wall height is measured at 6.2m and the roof pitch at 8.2m.

It is considered that the increase in the maximum wall height is in an area where the slope of the land is substantial. However, when taking the building height measurements from existing ground level it is considered the proposed dwelling is within the acceptable limits. In order to illustrate the above, photos of Lot 34 and adjoining sites have been included within **Appendix 2 and 3**.

Section 5.4.1 of the R-Codes states the following with relation to Visual Privacy:

"C1.1 Major openings and unenclosed outdoor active habitable spaces which have a floor level more than 0.5m above natural ground level and which overlook any part of any other residential property behind its street setback line are:

- i. Setback, in direct line of sight within the cone of vision, from the lot boundary a minimum distance of:*
 - 4.5m in the case of bedrooms and studies;*
 - 6m in the case of habitable rooms other than bedrooms and studies;*
 - 7.5m in the case of unenclosed outdoor active habitable spaces; or*
- ii. Are provided with permanent screening to restrict views within the cone of vision from any major opening or an unenclosed outdoor active habitable space; or*

C1.2 Screening devices such as obscure glazing, timber screens, external blinds, window hoods and shutters are to be at least 1.6m in height, at least 75 per cent obscure, permanently fixed, made of durable material and restrict view in the direction of overlooking into any adjoining property."

Therefore as the balcony and alfresco area do not comply with the required setbacks the application needs to be considered under the Design Principles of the R-Codes which states:

"P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

- Building layout and location;*
- Design of major openings;*
- Landscape screening of outdoor active habitable spaces; and/or*
- Location of screening devices.*

P1.2 Maximum visual privacy to side and rear boundaries thought measures such as:

- Offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*
- Building to the boundary where appropriate;*
- Setting back the first floor from the side boundary;*
- Providing high or opaque and fixed windows; and/or*
- Screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters)."*

In order to understand the location of the balcony and alfresco area and its impact on the adjoining property photos have been included in the comment section of this report illustrating the view from Lot 34 to the north and south.

POLICY IMPLICATIONS:

Local: Shire of Northampton Local Planning Strategy (2009)

Nil.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Nil.

COMMENT:

Assessment of the application indicates the proposed dwelling complies with the Shire of Northampton's policies and *Local Planning Scheme No. 10* and the deemed to comply standards of the R Codes, with the exception of the maximum wall height and setback for visual privacy. Two other issues concerning ancillary

accommodation and retaining wall encroachments will be discussed in this section, however, can be addressed through appropriate conditions.

Visual Privacy Setback

The deemed to comply provisions of the R-Codes require the following setbacks for habitable rooms or unenclosed outdoor active habitable spaces which have a floor level of more than 0.5m above natural ground level, unless appropriate screening has been provided:

- 4.5m in the case of bedrooms;
- 6m in the case of habitable rooms other than bedrooms; and
- 7.5m in the case of unenclosed outdoor active habitable spaces.

The balcony and alfresco are raised above 0.5m from natural ground level (and existing ground level) and incorporate setbacks less than the acceptable 7.5m applied by the R-Codes.

Given the proposed development does not meet deemed to comply standards, it has been assessed in accordance with the relevant design principles.

Minimal direct overlooking of active habitable spaces and outdoor living areas of the adjacent dwelling is achieved due to the dwelling on Lot 18 having a wall with highlight windows and an existing screened front deck.



Figure 3 – View from Lot 17 North to Lot 18 Mitchell Street, Horrocks

"P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:

- Building layout and location;*
- Design of major openings;*
- Landscape screening of outdoor active habitable spaces; and/or*
- Location of screening devices.*

P1.2 Maximum visual privacy to side and rear boundaries through measures such as:

- Offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;*
- Building to the boundary where appropriate;*
- Setting back the first floor from the side boundary;*
- Providing high or opaque and fixed windows; and/or*
- Screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters)."*

Landscape screening is also provided along the southern boundary of Lot 18 as illustrated in Figure 3. It is also noted the adjoining landowner has provided their consent to the proposed development.

It is considered given the setback of 6.35m and the fact there is no direct overlooking of active habitable spaces and outdoor living areas that the proposed balcony and verandah comply with the design principles and do not require screening.

Wall Height

The ground level of the site has a fall of approximately 4m from east to west.

There are a number of existing retaining walls that have been constructed on Lot 17 that have altered the natural ground level to the existing ground level. When taking into account the existing ground level and other dwellings constructed along Mitchell Street, the proposed wall and ridge height of the dwelling doesn't create any adverse impact on the amenity of adjoining properties or the streetscape, there is still adequate access to direct sun into buildings on appurtenant open spaces and major openings of habitable rooms; and access to views of significance are retained.



Figure 4 – View from Lot 17 South to Lot 16 Mitchell Street, Horrocks

Lot 16 to the south of Lot 17 has an existing garage and habitable dwelling (shed conversion). The proposed wall and ridge height of the dwelling on Lot 17 will not have any negative impact on access to direct sun as the existing structures on Lot 16 are set well back.

In light of the above, the proposed wall and roof height variations are considered to meet design principles.

Ancillary Accommodation

In its current form the existing building on Lot 17 would act as ancillary accommodation. However, given its size of approximately 80m² it is in excess of the permissible floor area of 70m² specified by the R-Codes. The Applicant/Landowner has stated that at the completion of the main residence the existing building will have its kitchen facilities removed so that it can no longer be used as ancillary accommodation and will act as an external games room. In order to ensure that this occurs, a condition will need to be placed on the Planning Approval requiring the removal of the kitchen.

Retaining Wall Encroachments

Council has recently considered the matter of encroachments onto Lot 9501 in Horrocks. Lot 17 presents a case whereby the rear retaining wall has been

constructed within Lot 9501. As such the owners of the property will be required to either remove the retaining wall or enter into an easement to register the encroachment and indemnify the Shire.

VOTING REQUIREMENT:

Absolute Majority Required: *No*

CONCLUSION:

Assessment of the application indicates that the proposed dwelling wall complies with the Shire of Northampton's policies and *Local Planning Scheme No. 10* and the "deemed to comply" standards of the R Codes, with the exception of the maximum wall and ridge height and setback for visual privacy. The proposal is considered to meet the relevant design principles of the R Codes and is not considered to unduly impact on the amenity of the area or adjoining properties.

Accordingly, the proposal is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION – ITEM 6.3.3		APPROVAL
That Council grant Planning Approval to the Single Dwelling on Lot 17 (No. 34) Mitchell Street, Horrocks subject to the following conditions:		
1.	Development shall be in accordance with the attached approved plan(s) dated 22 August, 2014 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 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.	Any additions to or change of use of any part of the building or land (not the subject of this consent/approval) requires further application and planning approval for that use/addition;	
4.	A building permit shall be issued by the local government prior to the commencement of any work on the site;	

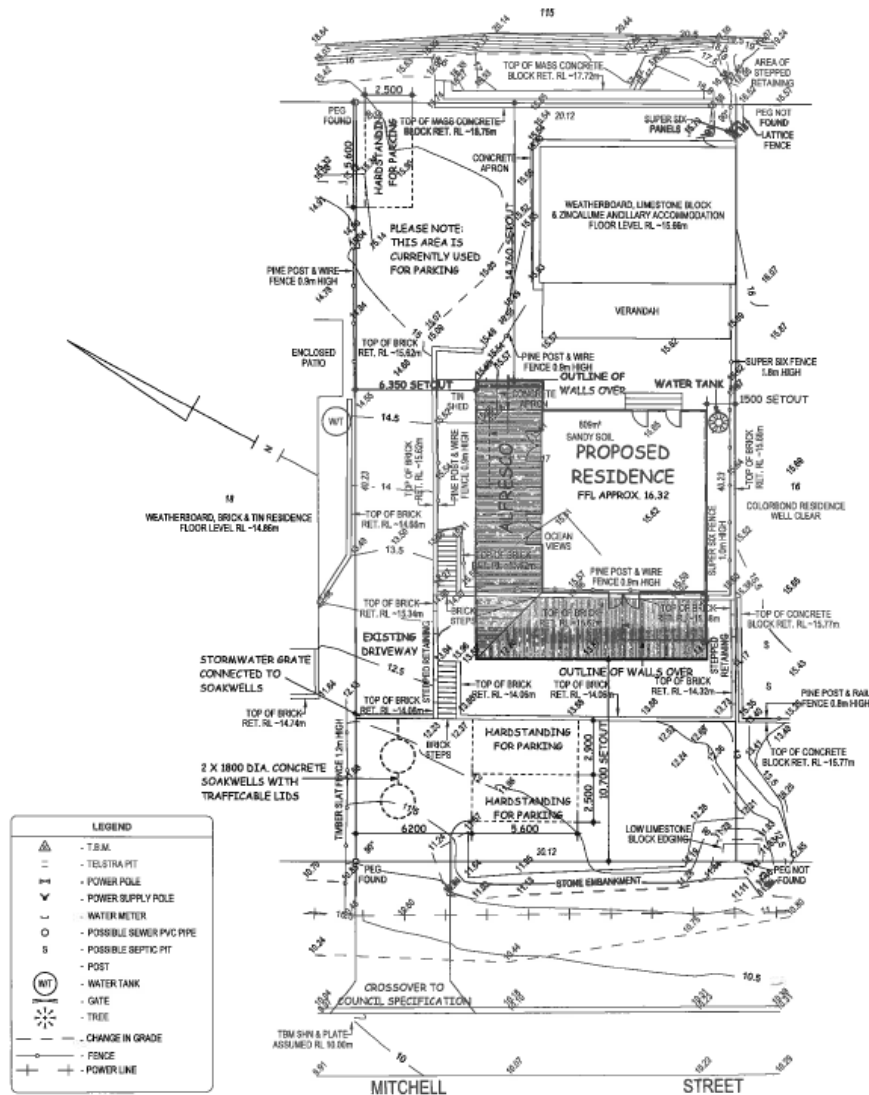
5. All stormwater is to be disposed of on-site to the specifications and approval of the local government. On application for a building permit a detailed design of stormwater collection and disposal system of developed areas is to be supplied;
6. Installation of crossing place/s to the standards and specifications of the local government;
7. Any soils disturbed or deposited on site shall be stabilised to the approval of the local government;
8. Access and car parking areas to be paved/sealed, drained and thereafter maintained to the approval of the local government;
9. The existing retaining wall at the rear of Lot 17 encroaches onto Lot 9501. The Landowner is required to remove the retaining wall or enter into an arrangement with the Shire of Northampton for an easement to be placed on the title registering the encroachment and indemnifying the Shire of Northampton;
10. At the completion of the proposed two storey dwelling the existing building on Lot 17 shall have its kitchen facilities (stove and sink) removed in accordance with the attached approved plans dated 22 August, 2014.

Advice Note

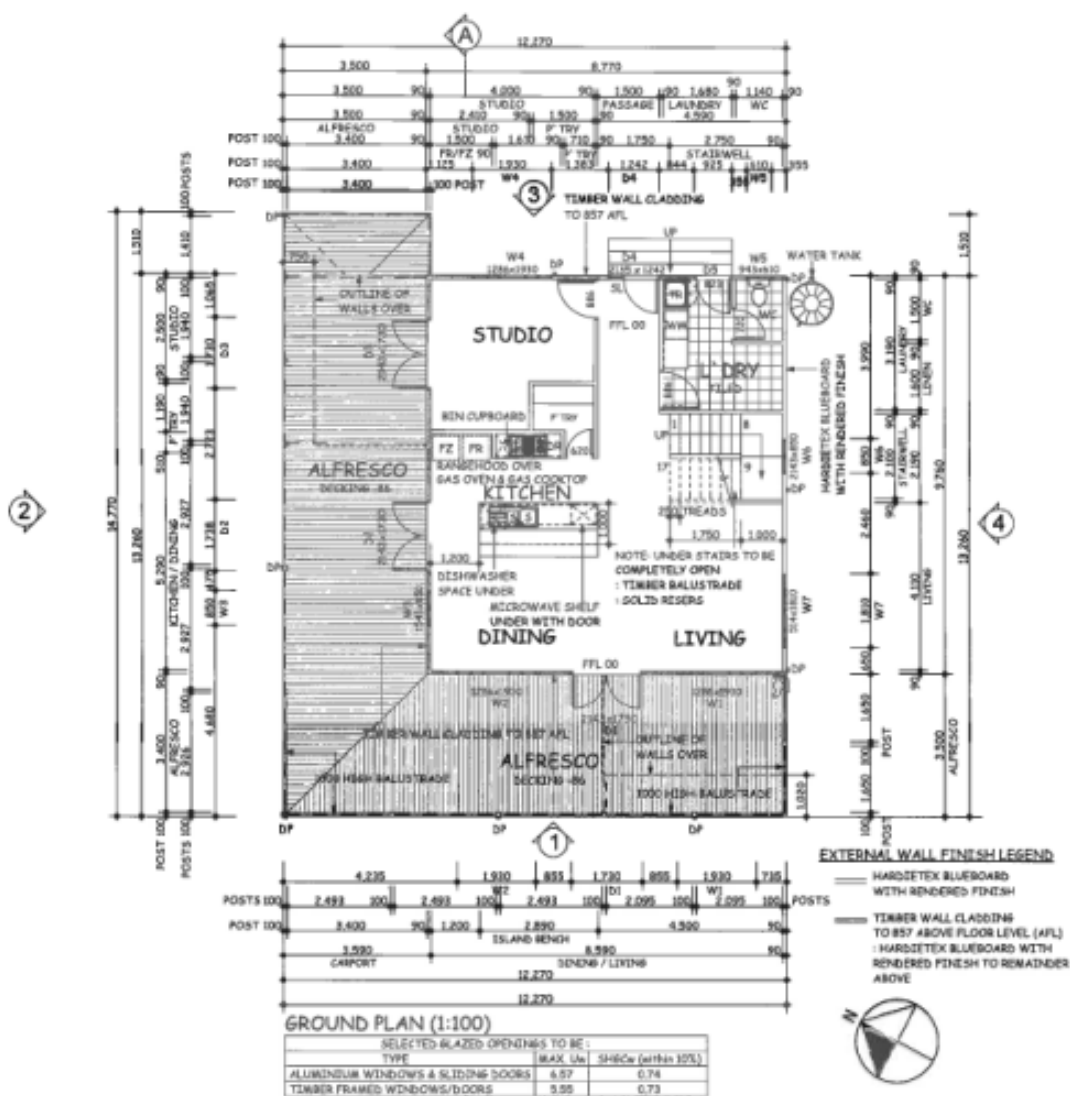
Note 1: Where an approval has lapsed, no development/use shall be carried out without the further approval of the local government having first been sought and obtained.

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.

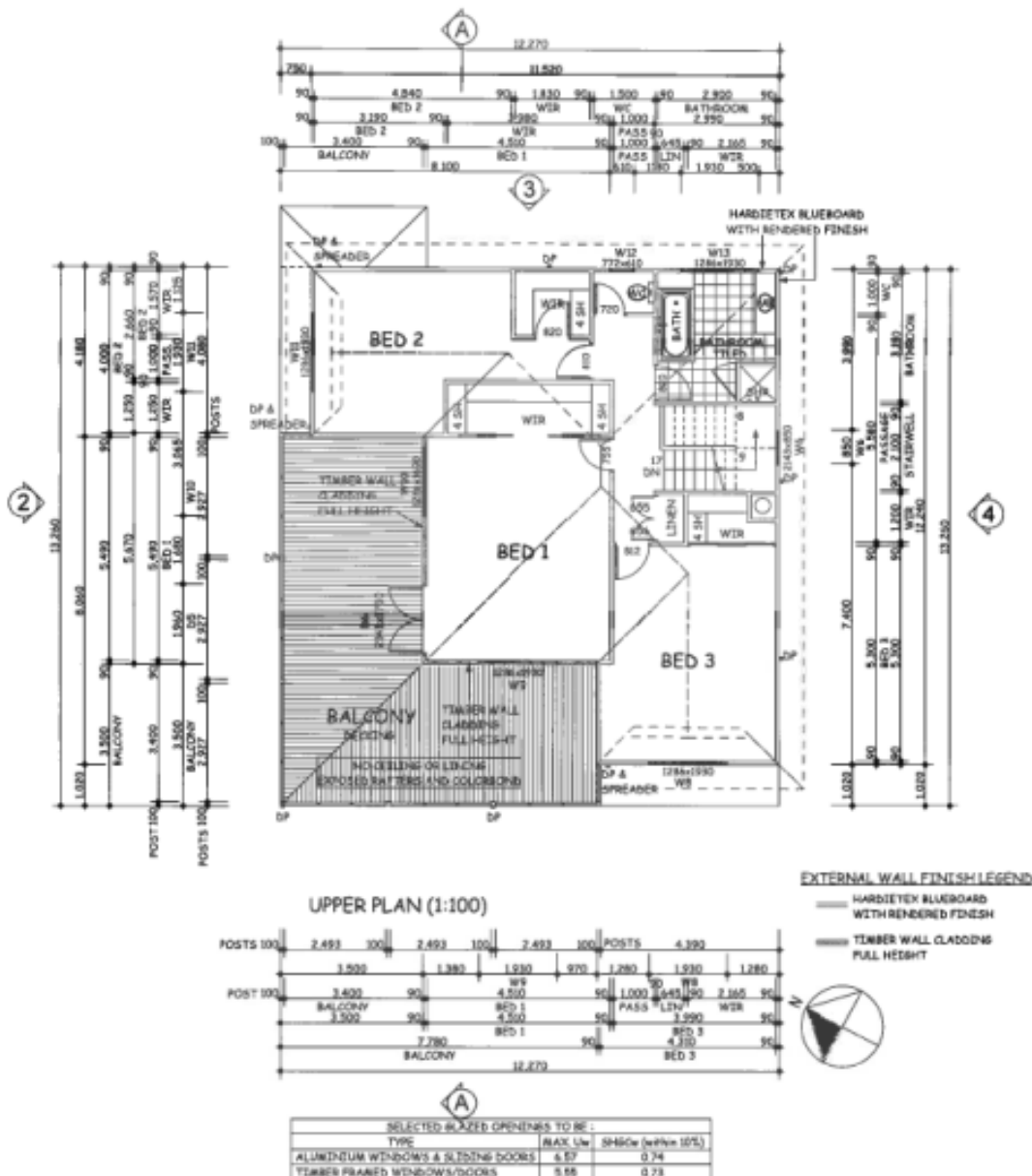
APPENDIX 1



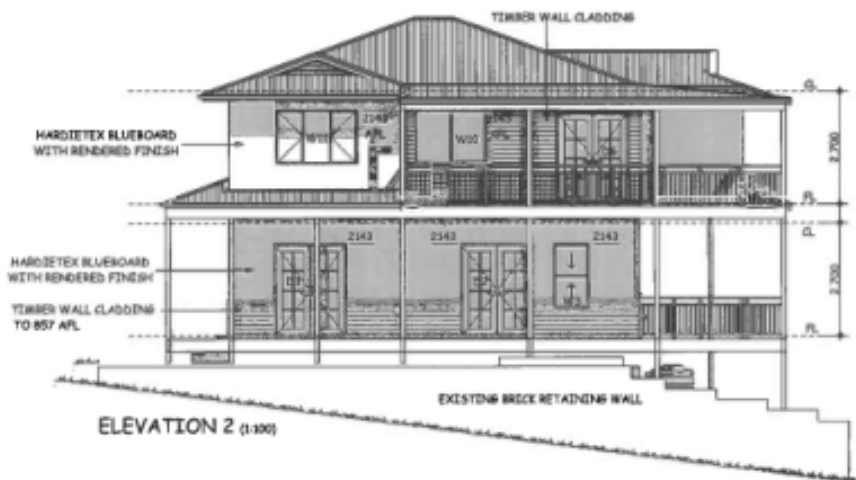
<p>RESIDENTIAL / COMMERCIAL ARCHITECTURAL DRAFTING</p> <p>08 9921 4057 0414 709 163 3a/74 Northwest Coastal Hwy PO Box 2092, Geraldton WA 6531</p>	<p>EMAIL : drafting@westnet.com.au A.B.N. 73 893 382 504</p>	<p>CLIENT: R & T HALL ADDRESS: PROPOSED RESIDENCE AT LOT 17 MITCHELL ST. HORROCKS</p>	<p>SCALE: 1:200</p>
			<p>DRAWN: PEH DATE: 1/5/14</p>
			<p>SHEET No: 1 OF 12</p>
			<p>JOB No: 2231</p>





<p>blueprint drafting</p> <p>RESIDENTIAL / COMMERCIAL ARCHITECTURAL DRAFTING</p> <p>eminence Building Co. Pty Ltd</p>	<p>EMAIL: drafting@westnet.com.au</p> <p>A.B.N. 73 893 382 504</p>	<p>CLIENT: R & T HALL</p> <p>ADDRESS: PROPOSED RESIDENCE AT LOT 17 MITCHELL ST. HORROCKS</p>	<p>SCALE: 1:100</p>
	<p>08 9921 4057</p> <p>0414 709 163</p> <p>3a/74 Northwest Coastal Hwy PO Box 2092, Geraldton WA 6531</p>	<p>ADDRESS:</p>	<p>DATE: 1/5/14</p>
			<p>SHEET No: 2 OF 12</p>
			<p>JOB No: 2231</p>



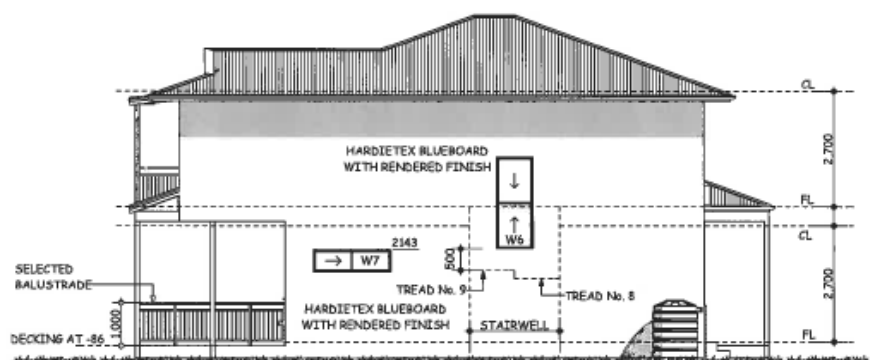
<p>blueprint drafting</p> <p>RESIDENTIAL / COMMERCIAL ARCHITECTURAL DRAFTING</p> <p> eminece Building Co. Pty Ltd</p> <p>08 9921 4057 0414 709 163</p> <p>3a/74 Northwest Coastal Hwy PO Box 2092, Geraldton WA 6531</p>	<p>EMAIL : drafting@westnet.com.au A.B.N. 73 893 382 504</p>	<p>CLIENT: R & T HALL</p> <p>ADDRESS: PROPOSED RESIDENCE AT LOT 17 MITCHELL ST. HORROCKS</p>	<p>SCALE: 1:100</p> <p>DRAWN: PEH DATE: 1/5/14</p> <p>SHEET No: 3 OF 12</p> <p>JOB No: 2231</p>
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 <p>blueprint drafting</p>	<p>EMAIL : drafting@westnet.com.au A.B.N. 73 893 382 504</p>	<p>CLIENT: R & T HALL</p> <p>ADDRESS: PROPOSED RESIDENCE AT LOT 17 MITCHELL ST. HORROCKS</p>	<p>SCALE: 1:100</p> <p>DRAWN: PEH DATE: 1/5/14</p> <p>SHEET No: 6 OF 12</p> <p>JOB No: 2231</p>
<p>RESIDENTIAL / COMMERCIAL ARCHITECTURAL DRAFTING</p> <p> eminence Building Co. Pty Ltd</p> <p>08 9921 4057 0414 709 163 3a/74 Northwest Coastal Hwy PO Box 2092, Geraldton WA 6531</p>			

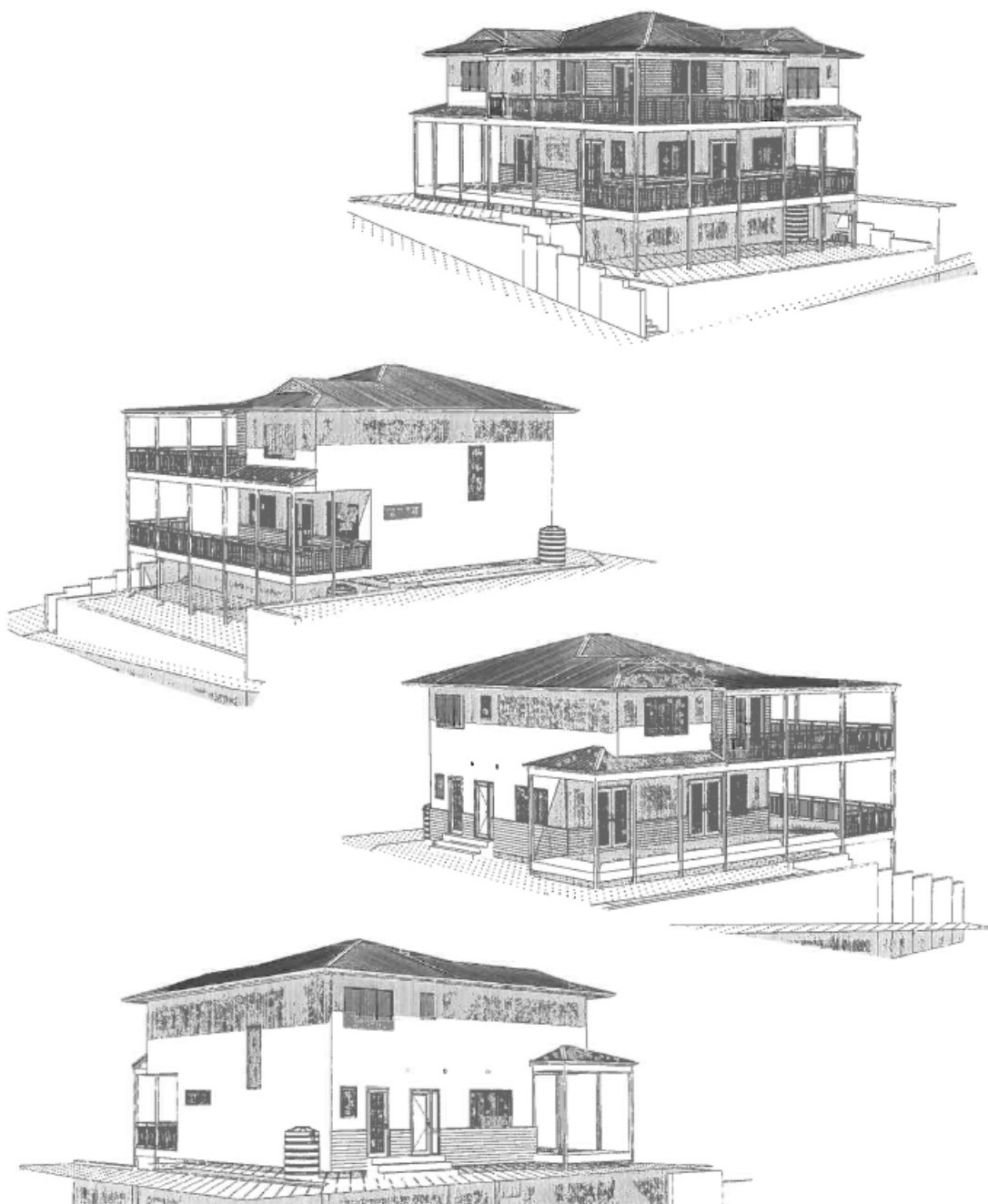




ELEVATION 3 (1:100)



ELEVATION 4 (1:100)

 blueprint drafting RESIDENTIAL / COMMERCIAL ARCHITECTURAL DRAFTING	EMAIL : drafting@westnet.com.au A.B.N. 73 893 382 504 08 9921 4057 0414 709 163 eminence Building Co. Pty Ltd 3a/74 Northwest Coastal Hwy PO Box 2062, Geraldton WA 6531	CLIENT: R & T HALL ADDRESS: PROPOSED RESIDENCE AT LOT 17 MITCHELL ST. HORROCKS	SCALE: 1:100 DRAWN: PEH DATE: 1/5/14 SHEET No: 7 OF 12 JOB No: 2231
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 blueprint drafting RESIDENTIAL / COMMERCIAL ARCHITECTURAL DRAFTING	EMAIL : drafting@westnet.com.au A.B.N. 73 893 382 504	CLIENT: R & T HALL ADDRESS: PROPOSED RESIDENCE AT LOT 17 MITCHELL ST. HORROCKS	SCALE: DRAWN: PEH DATE: 1/5/14 SHEET No: 12 OF 12 JOB No: 2231	
	 eminence Building Co. Pty Ltd	08 9921 4057 0414 709 163 3a/74 Northwest Coastal Hwy PO Box 2092, Geraldton WA 6531		

APPENDIX 2





APPENDIX 3





**6.3.4 SHIRE OF NORTHAMPTON - DRAFT LOCAL PLANNING SCHEME NO. 11
(KALBARRI TOWNSITE) – AMENDED MAPS - CONSENT TO ADVERTISE**

LOCATION:	Kalbarri Townsite
FILE REFERENCE:	10.6.16
APPLICANT:	N/A
OWNER:	N/A
DATE OF REPORT:	8 August 2014
RESPONSIBLE OFFICER:	Hayley Williams – Principal Planner
APPENDICES:	
1.	Local Planning Scheme Maps – Draft Revision August 2014

AUTHORITY / DISCRETION:

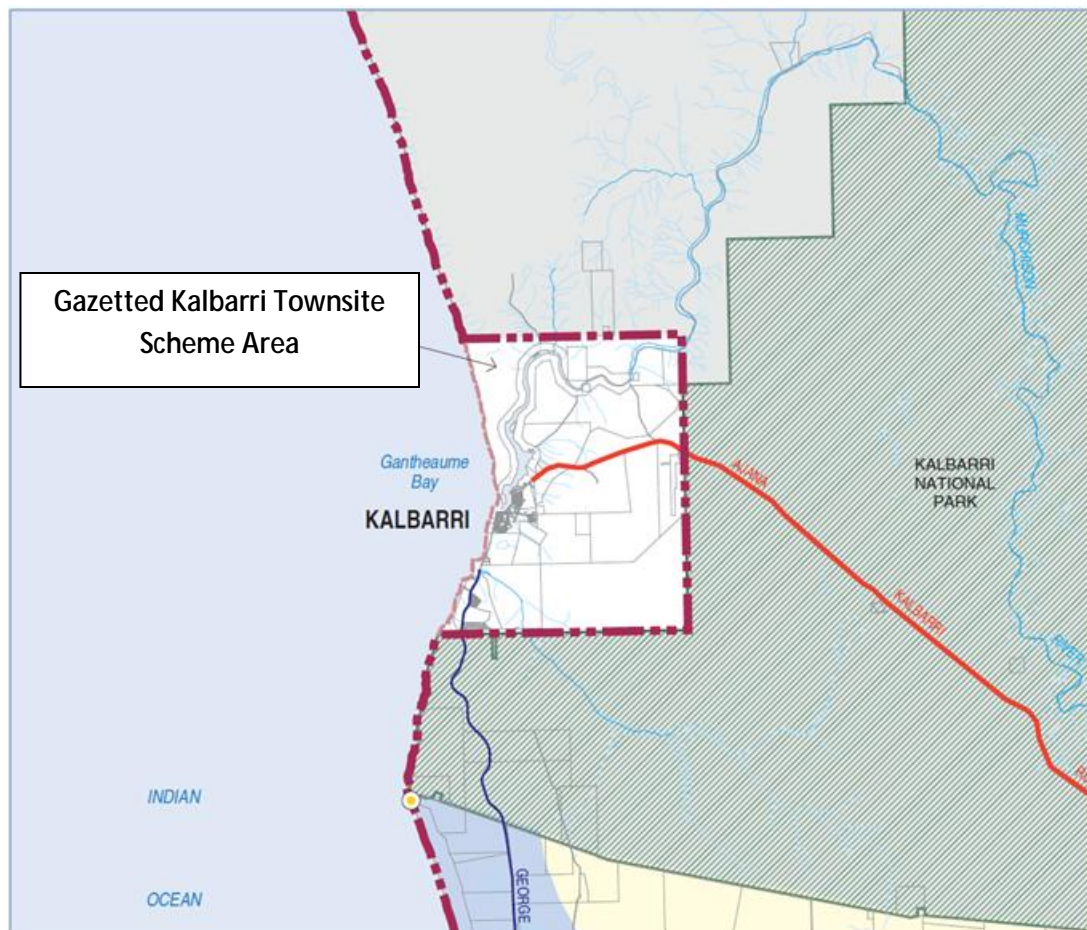
Legislative *when Council makes and reviews the legislation it requires performing its function as Local Government. For example, adopting local laws, town planning schemes & policies.*

SUMMARY:

Council granted consent to advertise the *Draft Local Planning Scheme No. 11* at their meeting held on 23 May, 2014. A number of modifications have had to be made to the mapping and as a result of these changes are required to seek Council's consent again.

This report recommends Council endorse and adopt the *Draft Local Planning Scheme No. 11 Scheme Text and Scheme Maps* and refer the documentation to the Western Australian Planning Commission for approval to advertise for public comment.

LOCALITY PLAN:



BACKGROUND:

The Shire of Northampton currently has two operative Local Planning Schemes:

- Town Planning Scheme No. 10 (Northampton District Planning Scheme) gazetted in 6 January 2012; and
- Town Planning Scheme No 9 (Kalbarri Townsite Scheme) gazetted in January 2005.

The WAPC endorsed the *Local Planning Strategy* (LPS) for the Kalbarri Townsite in February 2012. The LPS was prepared as a precursor to reviewing TPS No 9.

LPS No. 11 includes a range of statutory measures to incorporate the strategic recommendations of the Kalbarri Townsite Local Planning Strategy to address the planning and development of the following precincts:

1. Anchorage Fisherman's Wharf Precinct;

2. Nanda Drive Realignment;
3. Town Centre Precinct (between Wood and Porter Street);
4. Enterprise Development Area; and
5. Jakes Point Tourism Precinct.

Other initiatives of the Strategy which are also addressed by the Draft Scheme are:

1. Old Kalbarri (Residential) Split Coding Precinct;
2. Mixed Residential Precincts;
3. Tourist Commercial Precincts;
4. River Residential Precinct; and
5. Southern Residential Precinct.

It has been an important consideration in drafting the scheme that the provisions and particularly zones proposed do not result in the Scheme being required to be formally assessed by the Environmental Protection Authority. As a result, in order to give effect to the shorter and medium term objectives of the Scheme there will need to be a predisposition towards special control areas. These areas while providing guidance do not facilitate development without due physical and environmental investigations and assessment processes.

Process of Preparing Town Planning Scheme No. 11

The following actions have been taken during the preparation of the Draft Scheme Text:

- The Local Planning Strategy was reviewed to ensure that LPS No. 11 reflects the strategic intent of the strategy and reflects any specific matters identified e.g. strategic development sites.
- The provisions in TPS 9 were reviewed to determine which matters were still relevant and required to be incorporated in LPS No 11.
- Local Planning Policies were reviewed to determine whether the content of the policies should be incorporated into the scheme provisions or more appropriately retained as local planning policies.
- A list of issues that required consideration were identified by the Council planning staff.
- DoP and other relevant government agencies were consulted in relation to specific issues.

It is also important to note that LPS No. 11 has been prepared in accordance with the Model Scheme Text.

Council granted consent to advertise *Draft Local Planning Scheme No. 11* at their meeting held on 23 May, 2014. A number of modifications have been required to

the mapping component of the Scheme and as such it is referred back to Council seeking consent to advertise with the modified maps.

Appendix 1 includes copies of the Draft Scheme Maps. A copy of the Draft Scheme Text (unchanged from 23 May, 2014) will be made available for Councillors via Council's dropbox system and will also be tabled at the meeting.

COMMUNITY CONSULTATION:

Should *Draft Local Planning Scheme No. 11* be initiated by Council, the Draft Scheme will be firstly referred to the WAPC for consent to advertise.

Once the Draft Scheme has been through the appropriate legislative channels then advertising will occur in accordance with the *Town Planning Regulations (1967)* and the Shire's *Local Planning Policy – Consultation for Planning Proposals*.

It is also suggested that Council take the opportunity, when sending out the rates notices for 2014/15, to include an information brochure explaining the Local Planning Scheme review and the anticipated advertising date.

GOVERNMENT CONSULTATION:

Once the Draft Scheme has been through the appropriate legislative channels then advertising will occur in accordance with the *Town Planning Regulations (1967)* and the Shire's *Local Planning Policy – Consultation for Planning Proposals*, wherein the Draft Scheme will be referred to all affected government departments for their comment.

FINANCIAL & BUDGET IMPLICATIONS:

The Northern Planning Program operated through the Department of Planning (DoP) allocated \$44,000.00 to the preparation of the Draft Scheme Text during 2013/14.

A budget allocation was also set by Council for the 2013/14 financial year. Part of this has been used to engage DoP's mapping section to prepare all of the Scheme Maps.

It is also proposed during the 2014/15 financial year a budget allocation of \$10,000.00 be requested to facilitate advertising and review of the Draft Text and Maps once advertising is completed.

STATUTORY IMPLICATIONS:

State: Planning and Development Act 2005 & Town Planning Regulations 1967

Local: Shire of Northampton Town Planning Scheme No. 9 - Kalbarri Townsite

POLICY IMPLICATIONS:

Local: Kalbarri Townsite Local Planning Strategy (2012)

The aims of the Scheme are summarised in the strategic proposals in the Local Planning Strategy:

- To enhance Kalbarri's position as a premier family holiday destination within Western Australia while recognising the continuing value and importance of non-family Intrastate, Interstate and International visitors.
- To broaden Kalbarri's economic and employment base by furthering Kalbarri's position as a desirable alternative residential and employment location within the Mid-West.
- To protect and enhance Kalbarri's unique urban values and particularly its connectivity to the surrounding natural environment together with its compactness and high level of walkability.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Plan for the Future 2013-2023

The Draft Strategy contains a number of key imperatives that are reflected in the preparation of LPS No. 11. These are:

- To provide for a range of short term and long term affordable accommodation types for tourists and professionals in regional centres- the Scheme Review will allow for the provision of an additional 1,200 to 1,500 tourist accommodation units across all accommodation types and additional land for commercially based visitor activities and attractions, and provide limited permanent and short stay residential opportunities adjacent to the golf course.
- Increased support of tourism across the region- the Scheme Review will allow the enhancement of the Tourist Precinct immediately north of Wittecarra Creek, provide for affordable, family based, future tourist accommodation requirements in the vicinity of Red Bluff, and provide for future tourist attractions that have larger land requirements and contribute to the overall attraction and activities within the townsite of Kalbarri.
- Promote the development of light industrial land- the Scheme Review will maintain and maximise the opportunities for service and industrial activities to locate economically and effectively, so as to maximise tourist service and alternative employment choices in Kalbarri.

- Better protection of coastal Precincts/areas- the Scheme Review will provide allowance for the enhancement of strong green links and faunal corridors within the existing and expanded townsite.
- Increased residential and industrial blocks available to support development- the Scheme Review will enable provision for an additional 2,000 to 2,500 new, permanent, residential dwellings and facilitate the subdivision and development of a mixed density residential estate.
- Land zones to provide for diverse community needs- the Scheme Review will enable the development of a distinctive Town Centre that can provide for the broad range of needs of both residents and visitors, as well as allow a managed, mixed residential environment within close proximity of the Town Centre and River Foreshore.
- Improved foot and cycle paths in towns across the Shire needs- the Scheme Review will assist in the development of a safe and pedestrian friendly, family oriented environment.
- Functionality of Marina facilities- the Scheme Review will allow the enhancement of the marine environment and provide for the development of a major tourist node based around Kalbarri's traditional industry.

COMMENT:

An overview of the Draft Scheme is provided below.

Zones and Objectives

Residential Zone

- To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a range of densities and in a manner that retains the compactness and high level of walkability of the Kalbarri Townsite.
- To accommodate a range of uses compatible with a residential environment.
- To retain the landscape ambience of existing residential areas and in new residential areas ensure continuing connectivity to the surrounding natural environment.

Mixed Residential Zone

- To provide a range of medium density residential accommodation for either short stay or permanent occupation in a managed, mixed residential

environment within close proximity of the Town Centre and River Foreshore so as to maintain the compactness and walkability of the Kalbarri Townsite.

- To protect the amenity of existing residential areas from the intrusive impacts of unmanaged, random short stay accommodation.

Town Centre Zone

- To develop a distinctive Town Centre that provides for the broad range of needs of both residents and visitors in a safe and pedestrian friendly, family oriented environment.
- To promote a mix of commercial, short stay residential and permanent multi-residential uses in order to foster a sense of community and strong local identity.

District Centre Zone

- To develop a dedicated and integrated main street styled district level retail precinct providing for a broad range of convenience and comparison shopping requirements so as to minimise retail leakage.
- To ensure the vibrancy of the retail precinct through integration of low cost short stay residential and permanent residential accommodation.

Local Centre Zone

- To facilitate the development of local convenience retail facilities while ensuring the primacy of the District Centre.
- To provide for the inclusion of locally based community services and facilities.

Enterprise Development Zone

- To provide an area for the accommodation of a range of non-industrial, commercial enterprises and service activities that will afford the opportunity for broadening the economic and employment base of Kalbarri.

General Industry Zone

- To provide and maximise the opportunities for the full range of service and light industrial activities to locate economically and effectively to meet the industrial needs of Kalbarri, whilst protecting the amenity of adjacent land uses, where necessary, from the effects of industrial development.

Tourist Park Zone

- To provide for a variety of affordable, low key tourist accommodation in a parkland setting including caravan parks, camping grounds, cabin and chalet developments and associated uses.

Tourist Resort Zone

- To provide for a variety of higher quality tourist accommodation and associated commercial, entertainment and service activities in a resort setting.

Tourist Attractions Zone

- To provide and maximise the opportunities for a broad range of tourist oriented attractions, activities and entertainment to locate economically and effectively.

Rural Residential Zone

- To provide for alternative residential opportunities in a rural setting which provides for an alternative residential lifestyle including minor rural pursuits, hobby farms and small scale tourist oriented rural enterprises.

Rural & Bushland Zone

- To provide for the continuation of appropriate rural uses on cleared lands.
- To facilitate the retention of bushland within areas not identified for future urban uses within the Kalbarri Townsite Local planning Strategy including providing a limited subdivision incentive, through the creation of conservation lots, to protect that bushland in perpetuity.

Additional Uses

An additional use is a land use that is permitted on a specific portion of the land in addition to the uses already permissible in that zone that applies to that land.

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated, subject to the conditions set out in Schedule 2 with respect to that land.

The additional use zone under TPS No 9 relating to the Big River Ranch Tourism Accommodation site, has been carried over and the inclusion of two other additional use sites have been included. AU1 relates to land on the corner of Grey and Auger streets whereby redevelopment is encouraged to provide for a convenience store and short term accommodation up to R60 density with potential for three storeys. AU2 relates to land along Grey Street which will have a combined tourism commercial and short term accommodation function.

Special Control Areas (SCA)

Foreshore Planning and Management (SCA 1)

The Foreshore Planning and Management Area relates to land adjacent to the Murchison River and Coastal Foreshore.

Purpose and Intent

- To protect and enhance the environmental, cultural, recreational and/or scenic values of the Murchison River and Coastal Foreshore; and
- Give priority to foreshore dependent land uses and development that by their very nature require coastal sites.

Nanda Drive (SCA 2)

The Nanda Drive special control area relates to securing the use of the outer route adjacent to the National Park whilst also preserve the existing road reserve.

Purpose and Intent

- To preserve the existing road reserve of Nanda Drive north of Porter Street until such time as the reserve for the Nanda Drive Outer Route as depicted on the Kalbarri Townsite Local Planning Strategy is reserved;
- To preserve the lands forming and adjoining the alignment of the Nanda Drive Outer Route as depicted on the Kalbarri Townsite Local Planning Strategy pending subdivision and dedication of the road reserve;
- To facilitate the planning, design, reservation and construction of the Nanda Drive Outer Route; and
- To preserve the lands forming and adjoining the alignment of Nanda Drive south of the existing Kalbarri Townsite, including a 20m vegetated buffer to all new development, as depicted on the Kalbarri Townsite Local Planning Strategy pending subdivision and dedication of the road reserve.

Groundwater Protection (SCA 3)

Purpose and Intent

- To identify a Groundwater Protection Area adjoining the Kalbarri Groundwater Scheme Area within the undeveloped southern portions of the Kalbarri Townsite; and
- To ensure that land use and development within or adjacent to the Area is compatible with the protection and long term management of groundwater resources for public water supply.

Town Centre (SCA 4)

The Town Centre special control area relates to the land between Porter Street and Wood Street that fronts onto Grey Street. The recommendations of the *Kalbarri Townsite Local Planning Strategy* were to create a more pedestrian friendly environment in this location by diverting Grey Street and bring commercial and tourism uses closer to the foreshore.

Purpose and Intent

- To facilitate the redevelopment of the Kalbarri Town Centre to provide for the broad needs of visitors and residents in safe and pedestrian friendly, family oriented environment;
- To facilitate the potential re-development of Grey Street between Porter Street and Wood Street as a predominantly pedestrian precinct;
- To facilitate the release of surplus land within the Grey Street road reserve into adjoining development sites;
- To facilitate the reservation of Gabba Gabba Creek for Recreation and Conservation;
- To facilitate the reservation and construction of the Grey Street diversion; and
- To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy.

Jakes Point Mixed Tourism Precinct (SCA 5)

The Jakes Point Mixed Tourism Precinct special control area relates to the land contained within Bridgeman Road and George Grey Drive.

Purpose and Intent

- To facilitate the co-ordinated redevelopment of the precinct for Mixed Use Tourism purposes to provide for the broad accommodation and recreational needs of visitors and the recreational needs of residents;
- To facilitate shared vehicular and pedestrian access between access sites;
- To facilitate shared parking between sites; and
- To facilitate the release of surplus land within the George Grey Drive road reserve for visitor and coach parking.

Anchorage Mixed Use Precinct (SCA 6)

The Anchorage Mixed Use Precinct special control area is the land located adjacent to River Road which presently contains a mix of commercial and tourism uses.

Purpose and Intent

- To facilitate the redevelopment of the River Road retail area as a Mixed Use precinct including retail, food and beverage services, permanent residential opportunities and tourist short stay residential in a family oriented environment;
- To facilitate the potential re-development of River Road forward of the precinct as a pedestrian friendly street; and

- To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy.

Old Kalbarri Residential Precinct (SCA 7)

The Old Kalbarri Residential Precinct special control area relates to existing residential areas to the northern part of the townsite where there is the a large number of older frame construction housing.

Purpose and Intent

- To facilitate the sensitive, broad scale redevelopment of the Old Kalbarri residential precinct;
- To encourage the progressive removal and replacement of the existing framed construction housing and provide a broader range of housing choices; and
- To facilitate the retention of advanced and mature vegetation of the area so as to retain the ambience and residential amenity of the location.; and
- To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy.

A number of the Special Control Areas listed above contain a unique set of advertising procedures over and above those contained in Clause 9.4 of the Draft Scheme. Where a SCA incorporates significant development in excess of the usual two storeys additional advertising measures will be undertaken such as:

- the placement in prominent public locations as determined by the local government of a display clearly showing the details of the proposed development; and
- hold a Community Information Day at a location nominated by the local government to enable residents to view and discuss the proposed development with the applicant and consultants.

Furthermore, for these strategic development sites the Scheme will also require advertising of longer duration of 42 days.

Other Issues

Tree Preservation

A key recommendation of the Kalbarri Townsite Local Planning Strategy related to the redevelopment of existing residential areas and the importance of retaining mature vegetation.

The Scheme provisions aim to preserve existing vegetation where possible and also to create additional incentives through varying various provisions of the Residential Design Codes (with the exception of density).

Use of Caravans for Temporary Accommodation

This ongoing issue has been addressed by including provisions in the Scheme which limit this activity to those areas zoned Rural Residential and Rural and Bushland. The provisions contained within the Scheme have been transferred from the previously adopted Local Planning Policy

VOTING REQUIREMENT:

Absolute Majority Required: No





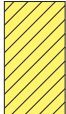
CONCLUSION:

It is recommended that Council endorse and adopt the *Draft Local Planning Scheme No. 11* for consent to advertise and forward all documentation to the WA Planning Commission for approval to advertise for public comment.















OFFICER RECOMMENDATION – ITEM 6.3.4	CONSENT TO ADVERTISE
<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse and adopt the <i>Draft Local Planning Scheme No. 11 Scheme Text and Scheme Maps</i>, including the amended draft scheme maps dated August 2014 for consent to advertise; 2.. Grant authority to the Shire President and Chief Executive Officer of the Shire of Northampton to affix the Common Seal to <i>Draft Local Planning Scheme No. 11's</i> Scheme Text and Scheme Maps; 3. Submit <i>Draft Local Planning Scheme No. 11</i> and all documents in support and forming part thereof to the Western Australian Planning Commission for approval to be advertised for public comment in accordance with Regulation 13 of the <i>Town Planning Regulations 1967</i>(as amended); and 4. In accordance with Clause 81 of the <i>Planning and Development Act 2005</i> (as amended) refer <i>Draft Local Planning Scheme No. 11</i> to the Environmental Protection Authority. 	

APPENDIX 1 – AMENDED SCHEME MAPS (Revision August 2014)
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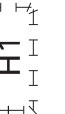

LOCAL SCHEME RESERVES

	MAJOR ROAD		WATERWAY
	NATIONAL PARKS AND CONSERVATION		
	PARKS AND RECREATION		
	PUBLIC PURPOSES		
DENOTED AS FOLLOWS:			
A	AIRPORT		
CEM	CEMETERY		
CP	COMMUNITY PURPOSES		
D	DRAINAGE		
ES	EMERGENCY SERVICES		
GWSA	GROUNDWATER SUPPLY AREA		
HOS	HOSPITAL		
HS	HIGH SCHOOL		
MP	MUNICIPAL PURPOSES		
PS	PRIMARY SCHOOL		
RS	REPEATER STATION		
WP	WESTERN POWER		
WS	WATER SUPPLY		
WWTP	WASTE WATER TREATMENT PLANT		

ZONES

	MIXED RESIDENTIAL		TOURIST RESORT
	RESIDENTIAL		TOWN CENTRE
	DISTRICT CENTRE		SPECIAL USE
	ENTERPRISE DEVELOPMENT		GENERAL INDUSTRY
	LOCAL CENTRE		RURAL & BUSHLAND
	MIXED BUSINESS		RURAL RESIDENTIAL
	TOURIST ATTRACTIONS		
	TOURIST PARK		

OTHER

	R CODES		SPECIAL USE AREA (SEE SCHEME TEXT)
	ADDITIONAL USES		SPECIAL CONTROL AREA (SEE SCHEME TEXT)
	SCHEME BOUNDARY		DEVELOPMENT AREA
	LOCAL GOVERNMENT BOUNDARY		BUFFER
	PLACE OF HERITAGE VALUE (SEE SCHEME TEXT)		NO ZONE

VERSION No 1

SHIRE OF NORTHAMPTON
LOCAL PLANNING SCHEME NO. 11
(KALBARRI TOWNSITE SCHEME)



Produced by Mapping and GeoSpatial Data Branch,
Department of Planning.

Whilst all care has been taken to accurately portray the
current planning scheme provisions, no responsibility shall be
taken for any omissions or errors in this document.

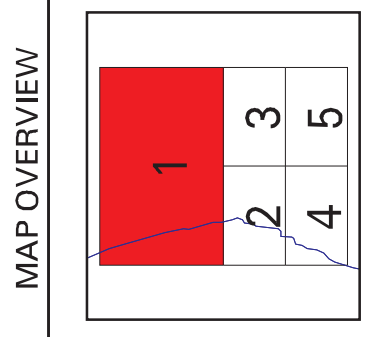
Consultation with the respective Local Government
has been undertaken to ensure the accuracy of the scheme.
Please advise the Department of Planning of any
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SHIRE OF NORTHAMPTON
LOCAL PLANNING SCHEME NO 11
(DISTRICT SCHEME)

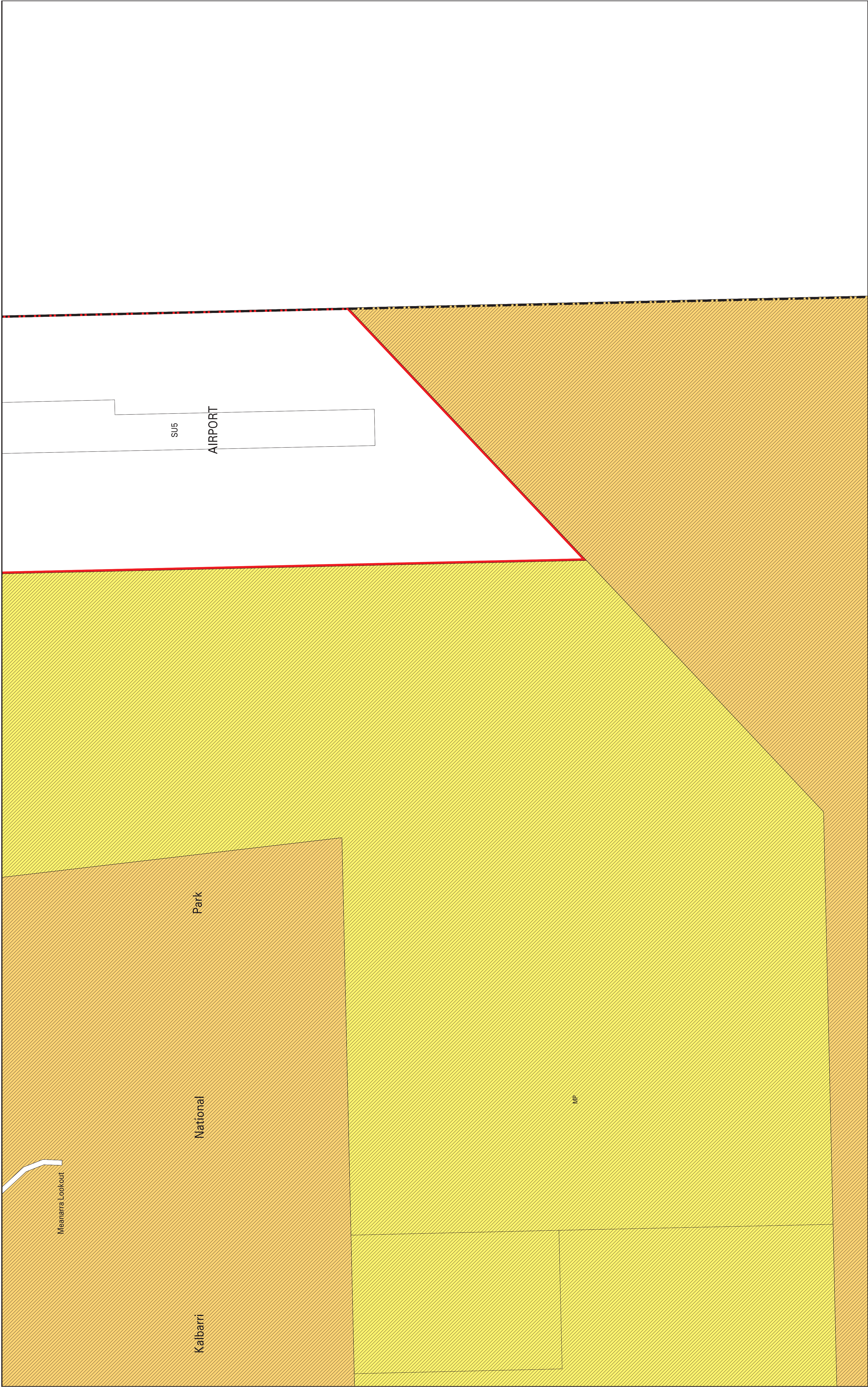
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Geographic Data Australia

 **SCALE 1:40000**
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DRAFT ONLY

Authorised: Sang Li
Plot date: 31 Jul 2014
G.Gazette: N/A



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information contained in this document, the Department
accepts no responsibility for any omissions or errors in this
document. Consultation with the respective Local Government
is recommended. Please advise the Department of Planning of any
omissions or errors in the document.

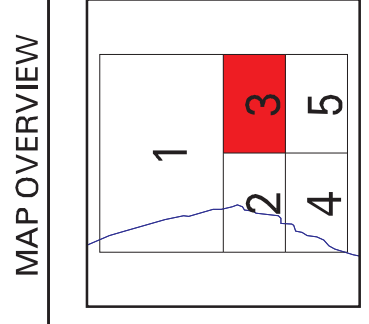
Base Information Supplied by the Western
Australian Land Information Authority, GL249-2007-2

SHIRE OF NORTHAMPTON



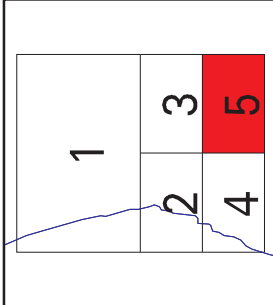
LOCAL PLANNING SCHEME NO 11

(DISTRICT SCHEME)

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Geographic Data Australia
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Authorised: Sang Li
Plot date: 31 Jul 2014
G.Gazette: N/A

<div data-bbox="123 661 1390 2870"><div>KalbarriNationalPark</div></div>	<div data-bbox="1873 2638 2032 2870"><p>Produced by Mapping and GeoSpatial Data Branch, Department of Planning.</p><p>Whilst all care has been taken to accurately portray the current Scheme provisions, no responsibility shall be taken for any omissions or errors in this documentation. Consultation with the respective Local Government shall be required to ensure the accuracy of the Scheme. Please advise the Department of Planning of any omissions or errors in the document.</p><p>Base Information Supplied by the Western Australian Land Information Authority, GL249-2007-2</p></div> <div data-bbox="1873 1635 2041 2095"><p>SHIRE OF NORTHAMPTON</p><p>LOCAL PLANNING SCHEME NO 11</p><p>(DISTRICT SCHEME)</p></div> <div data-bbox="1873 887 2041 1113"><div><div>SCALE 1:20000</div><div><div></div><div>0</div><div>500 m</div></div></div><div><div>Geographic Data Australia</div></div></div> <div data-bbox="1873 691 2041 842"><p>MAP OVERVIEW</p><div></div></div> <div data-bbox="1873 495 2041 676"><div><div>DRAFT ONLY</div><div>Authorised: Sang Li Plot date: 31 Jul 2014 G.Gazette: N/A</div></div><div>LOCAL PLANNING SCHEME MAP No. 5 of 5</div></div>
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6.3.5 SUMMARY OF PLANNING INFORMATION ITEMS

DATE OF REPORT: 10 June 2014
REPORTING OFFICER: Hayley Williams - Principal Planner

COMMENT:

The following informs Council of the various planning items (including delegated approvals) that have been dealt with since last reported to Council. Further information regarding any of the items can be obtained from the Principal Planner.

REF	APPLICANT	LOCATION	PROPOSED DEVELOPMENT / USE	DATE
031	M McFadyen	Lot 39 (NO. 135) Hampton Road, Northampton	Demolition of Dwelling on MI – Place No. 119	25 July 2014
032	R Carr	Lot 791 (No. 21) Batavia Circle, Kalbarri	Carport	24 July 2014
033	Devpro	Lot 86 (No. 17) Port Street, Port Gregory	Single Dwelling – R-Code Variation	28 July 2014
034	Plunkett Group	Lot 89 (No. 7) Garnet Way, Kalbarri	Single Dwelling – Rcode Variation Visual Privacy	28 July 2014

OFFICER RECOMMENDATION – ITEM 6.3.5

For Council Information

SHIRE OF NORTHAMPTON

LOCAL PLANNING SCHEME NO. 11

KALBARRI TOWNSITE

PREAMBLE

This Local Planning Scheme of the Kalbarri Townsite within the Shire of Northampton consists of this Scheme Text and the Scheme Maps. The Scheme Text should be read with the Local Planning Strategy for the Kalbarri Townsite by the local government.

Part 2 of the Scheme Text sets out the Local Planning Framework. At the core of this Framework is the Local Planning Strategy which sets out the long-term planning directions for the local government, applies State and regional planning policies and provides the rationale for the zones and other provisions of the Scheme. In addition to the Local Planning Strategy, the Framework provides for Local Planning Policies which set out the general policies of the local government on matters within the Scheme.

The Scheme divides the local government district into zones to identify areas for particular uses and identifies land reserved for public purposes. Most importantly, the Scheme controls the types of uses and development allowed in different zones. There are particular controls included for heritage and special control areas. The Scheme Text also sets out the requirements for planning approval, enforcement of the Scheme provisions and non-conforming uses.

SCHEME DETAILS

The Shire of Northampton
Local Planning Scheme No. 11 – Kalbarri Townsite Scheme

The Shire of Northampton under the powers conferred by the *Planning and Development Act 2005* makes the following Local Planning Scheme.

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PART 1 : PRELIMINARY

1.1 CITATION

1.1.1 The Shire of Northampton Scheme No. 11 (**“the Scheme”**) comes into operation on its Gazettal date.

1.1.2 The Shire of Northampton Town Planning Scheme No. 9 – Kalbarri Townsite Gazetted on the 14 January 2005 is revoked.

1.2 RESPONSIBLE AUTHORITY

The Shire of Northampton (**“the local government”**) is the responsible authority for implementing the Scheme.

1.3 SCHEME AREA

The Scheme applies to the Scheme Area (**“the Scheme Area”**) which covers that part of the local government district of the Shire of Northampton as shown on the Scheme Map.

1.4 CONTENTS OF SCHEME

The Scheme comprises:

- (a) the Scheme Text; and
- (b) the Scheme Map (Sheets 1 to 5).

The Scheme is to be read in conjunction with the Kalbarri Townsite Local Planning Strategy.

1.5 PURPOSES OF THE SCHEME

The purposes of the Scheme are to:

- (a) set out the local government’s planning aims and intentions for the Scheme Area;
- (b) set aside land as reserves for public purposes;
- (c) zone land within the Scheme Area for the purposes defined in the Scheme;
- (d) control and guide land use and development;
- (e) set out procedures for the assessment and determination of planning applications;
- (f) make provision for the administration and enforcement of the Scheme; and
- (g) address other matters set out in Schedule Seven to the *Planning and Development Act 2005*.

1.6 THE AIMS OF THE SCHEME

The aims of the Scheme are:

- (a) to provide a planning framework for the future development and enhancement of Kalbarri that recognises, builds upon and promotes the tourism and residential values of the location in an environmentally and economically sustainable manner;
- (b) to enhance Kalbarri’s position as a premier family holiday destination within Western Australia while recognising the continuing value and importance of non-family Intrastate, Interstate and International visitors;

- (c) to broaden Kalbarri's economic and employment base by furthering Kalbarri's position as a desirable alternative residential and employment location within the Mid-West; and
- (d) to protect and enhance Kalbarri's unique urban values and particularly its connectivity to the surrounding natural environment together with its compactness and high level of walkability.

1.7 DEFINITIONS

1.7.1 Unless the context otherwise requires, words and expressions used in the Scheme shall have the same meaning as they have:

- (a) in the *Planning and Development Act 2005*; or
- (b) if they are not defined in that Act:
 - (i) in the Dictionary of defined words and expressions in Schedule 1; or
 - (ii) in the Residential Design Codes.

1.7.2 If there is a conflict between the meaning of a word or expression in the Dictionary of defined words and expressions in Schedule 1 and the meaning of that word or expression in the Residential Design Codes:

- (a) in the case of a residential development, the definition in the Residential Design Codes prevails; and
- (b) in any other case the definition in the Dictionary prevails.

1.7.3 Notes and instructions printed in italics, are not part of the Scheme.

1.8 RELATIONSHIP WITH LOCAL LAWS

Where a provision of the Scheme is inconsistent with a local law, the provision of the Scheme prevails.

1.9 RELATIONSHIP WITH OTHER SCHEMES

There are no other Schemes of the Shire of Northampton which apply to the Scheme Area.

1.10 RELATIONSHIP WITH A REGION SCHEME

There are no Region Schemes which apply to the Scheme Area.

PART 2 : LOCAL PLANNING POLICY FRAMEWORK

2.1 SCHEME DETERMINATIONS TO CONFORM WITH LOCAL PLANNING STRATEGY

Except to the extent that the Local Planning Strategy is inconsistent with the Scheme, determinations of the local government under the Scheme are to be consistent with the Kalbarri Townsite Local Planning Strategy.

2.2 LOCAL PLANNING POLICIES

The local government may prepare a Local Planning Policy in respect of any matter related to the planning and development of the Scheme Area so as to apply:

- (a) generally or for a particular class or classes of matters; and
- (b) throughout the Scheme Area or in one or more parts of the Scheme Area.

and may amend or add to or rescind the policy.

2.3 RELATIONSHIP OF LOCAL PLANNING POLICIES TO SCHEME

2.3.1 If a provision of a Local Planning Policy is inconsistent with the Scheme, the Scheme prevails.

2.3.2 A Local Planning Policy is not part of the Scheme and does not bind the local government in respect of any application for planning approval but the local government is to have due regard to the provisions of the policy and the objectives which the policy is designed to achieve before making its determination.

Note: Local Planning Policies are guidelines used to assist the local government in making decisions under the Scheme. Although Local Planning Policies are not part of the Scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions, including the Residential Design Codes. In considering an application for planning approval, the local government must have due regard to relevant Local Planning Policies as required under clause 10.2.

2.4 PROCEDURE FOR MAKING OR AMENDING A LOCAL PLANNING POLICY

2.4.1 If the local government resolves to prepare a Local Planning Policy, the local government:

- (a) is to publish a notice of the proposed policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme Area, giving details of:
 - (i) where the draft policy may be inspected;
 - (ii) the subject and nature of the draft policy; and
 - (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made;
- (b) may publish a notice of the proposed policy in such other manner and carry out such other consultation as the local government considers appropriate.

2.4.2 After the expiry of the period within which submissions may be made, the local government is to:

- (a) review the proposed policy in light of any submissions made; and
- (b) resolve to adopt the policy with or without modification, or not to proceed with the policy.

2.4.3 If the local government resolves to adopt the policy, the local government is to:

- (a) publish notice of the policy once in a newspaper circulating in the Scheme Area; and
- (b) if, in the opinion of the local government, the policy affects the interests of the Commission, forward a copy of the policy to the Commission.

2.4.4 A policy has effect on publication of a notice under clause 2.4.3 (a).

2.4.5 A copy of each Local Planning Policy, as amended from time to time, is to be kept and made available for public inspection during business hours at the offices of the local government.

2.4.6 Clause 2.4.1 to 2.4.5, with any necessary changes, apply to the amendment of a Local Planning Policy.

2.5 REVOCATION OF LOCAL PLANNING POLICY

A Local Planning Policy may be revoked by:

- (a) the adoption by the local government of a new policy under clause 2.4 that is expressed to supersede the existing Local Planning Policy; or
- (b) publication of a notice of revocation by the local government once a week for 2 consecutive weeks in a newspaper circulating in the Scheme Area.

2.6 LOCAL PLANNING POLICIES MADE UNDER PREVIOUS SCHEME

Where pursuant to the requirements of the former local government of Northampton Town Planning Scheme No.9 (**the “previous scheme”**), a Local Planning Policy had been adopted and was operative at the date of the gazettal of this Scheme, the Local Planning Policy shall continue to have effect and may be amended or revoked as if it were a Local Planning Policy under this Scheme.

PART 3 : RESERVES

3.1 RESERVES

Certain lands within the Scheme Area are classified as Local Reserves.

3.2 REGIONAL RESERVES

There are no regional reserves in the Scheme Area.

3.3 LOCAL RESERVES

“Local Reserves” are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

3.4 USE AND DEVELOPMENT OF LOCAL RESERVES**3.4.1** A person must not:

- (a) use a Local Reserve; or
- (b) commence or carry out development on a Local Reserve, without first having obtained planning approval under Part 9 of the Scheme.

3.4.2 In determining an application for planning approval the local government is to have due regard to:

- (a) the matters set out in clause 10.2; and
- (b) the ultimate purpose intended for the Reserve.

3.4.3 In the case of land reserved for the purposes of a public authority, the local government is to consult with that authority before determining an application for planning approval.**3.5 LAND ABUTTING RESERVES****3.5.1** When considering applications for the use and development of land affected by or abutting a reserve, the local government is to have due regard to the purpose, integrity and operation of the reserve, and to any policy or operational matter affecting the reserve.**3.5.2** In determining an application for planning approval for land adjacent to a Major Road reserve, that in the opinion of the local government may have an impact upon the adjacent Major Road reserve, the local government is to consult with Main Roads WA before making its determination.

PART 4 : ZONES AND THE USE OF LAND

4.1 ZONES

4.1.1 The Scheme Area is classified into the zones shown on the Scheme Map.

4.1.2 The zones are delineated and depicted on the Scheme Map according to the legend on the Scheme Map.

4.2 OBJECTIVES OF THE ZONES

The objectives of the zones are as follows:

4.2.1 Residential Zone

- a) To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a range of densities and in a manner that retains the compactness and high level of walkability of the Kalbarri Townsite.
- b) To accommodate a range of uses compatible with a residential environment.
- c) To retain the landscape ambience of existing residential areas and in new residential areas ensure continuing connectivity to the surrounding natural environment.

4.2.2 Mixed Residential Zone

- a) To provide a range of medium density residential accommodation for either short stay or permanent occupation in a managed, mixed residential environment within close proximity of the Town Centre and River Foreshore so as to maintain the compactness and walkability of the Kalbarri Townsite.
- b) To protect the amenity of existing residential areas from the intrusive impacts of unmanaged, random short stay accommodation.

4.2.3 Town Centre Zone

- a) To develop a distinctive Town Centre that provides for the broad range of needs of both residents and visitors in a safe and pedestrian friendly, family oriented environment.
- b) To promote a mix of commercial, short stay residential and permanent multi-residential uses in order to foster a sense of community and strong local identity.

4.2.4 District Centre Zone

- a) To develop a dedicated and integrated main street styled district level retail precinct providing for a broad range of convenience and comparison shopping requirements so as to minimise retail leakage.
- b) To ensure the vibrancy of the retail precinct through integration of low cost short stay residential and permanent residential accommodation.

4.2.5 Local Centre Zone

- a) To facilitate the development of local convenience retail facilities while ensuring the primacy of the District Centre.
- b) To provide for the inclusion of locally based community services and facilities.

4.2.6 Enterprise Development Zone

To provide an area for the accommodation of a range of non-industrial, commercial enterprises and service activities that will afford the opportunity for broadening the economic and employment base of Kalbarri.

4.2.7 General Industry Zone

To provide and maximise the opportunities for the full range of service and light industrial activities to locate economically and effectively to meet the industrial needs of Kalbarri, whilst protecting the amenity of adjacent land uses, where necessary, from the effects of industrial development.

4.2.8 Tourist Park Zone

To provide for a variety of affordable, low key tourist accommodation in a parkland setting including caravan parks, camping grounds, cabin and chalet developments and associated uses.

4.2.9 Tourist Resort Zone

To provide for a variety of higher quality tourist accommodation and associated commercial, entertainment and service activities in a resort setting.

4.2.10 Tourist Attractions Zone

To provide and maximise the opportunities for a broad range of tourist oriented attractions, activities and entertainment to locate economically and effectively.

4.2.11 Rural Residential Zone

To provide for alternative residential opportunities in a rural setting which provides for an alternative residential lifestyle including minor rural pursuits, hobby farms and small scale tourist oriented rural enterprises.

4.2.12 Rural & Bushland Zone

- a) To provide for the continuation of appropriate rural uses on cleared lands.
- b) To facilitate the retention of bushland within areas not identified for future urban uses within the Kalbarri Townsite Local planning Strategy including providing a limited subdivision incentive, through the creation of conservation lots, to protect that bushland in perpetuity.

4.3 ZONING TABLE

4.3.1 Table 1 – Zoning Table indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme Area in the various zones. The permissibility of any uses is determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

4.3.2 The symbols used in the cross reference in the Zoning Table have the following meanings:

- ‘P’ means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;
- ‘D’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;
- ‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4;
- ‘X’ means a use that is not permitted;

4.3.3 A change in the use of land from one use to another is permitted if:

- (a) the local government has exercised its discretion by granting planning approval;
- (b) the change is to a use which is designated with the symbol 'P' in the cross reference to that zone in the Zoning Table and the proposed use complies with all relevant development standards and any requirements of the Scheme;
- (c) the change is an extension of a use within the boundary of the lot which does not change the predominant use of the lot; or
- (d) the change is to an incidental use that does not change the predominant use of the land.

- Note:*
1. *The planning approval of the local government is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of the land.*
 2. *The local government will not refuse a 'P' use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.*
 3. *In considering a 'D' or 'A' use, the local government will have regard to the matters set out in clause 10.2.*
 4. *The local government must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.*

4.4 INTERPRETATION OF THE ZONING TABLE

4.4.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.

4.4.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may:

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

4.5 ADDITIONAL USES

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

Note: *An additional use is a land use that is permitted on a specific portion of land in addition to the uses already permissible in that zone that applies to the land.*

4.6 RESTRICTED USES

Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.

Note: *A restricted use is the only use or uses that is permitted on a specific portion of land and other uses that would otherwise be permissible in the zone are not permitted.*

4.7 SPECIAL USE ZONES

4.7.1 “Special Use” zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table.

4.7.2 A person must not use land, or any structure or buildings on land, in a “Special Use” zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

Note: Special use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.

4.8 NON-CONFORMING USES

Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent:

- (a) the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date;
- (b) the carrying out of any development on that land for which, immediately prior to the Gazettal date, an approval or approvals, lawfully required to authorize the development to be carried out, were duly obtained and are current; or
- (c) subject to clause 11.2.1, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal date.

Note: “Land” has the same meaning as in the Planning and Development Act and includes houses, buildings and other works and structures.

4.9 EXTENSIONS AND CHANGES TO A NON-CONFORMING USE

4.9.1 A person must not:

- (a) alter or extend a non-conforming use;
- (b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or
- (c) change the use of land from a non-conforming use to another non-conforming use,

without first having applied for and obtained planning approval under the Scheme.

4.9.2 An application for planning approval under this clause is to be advertised in accordance with clause 9.4.

4.9.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to grant its planning approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended purpose of the zone.

4.10 DISCONTINUANCE OF NON-CONFORMING USE

Where a non-conforming use of any land has been discontinued for a period of 6 months the land must not be used after that period otherwise than in conformity with the provisions of the Scheme.

4.11 TERMINATION OF A NON-CONFORMING USE

The local government may effect the discontinuance of a non-conforming use by the purchaser of the land, or by the payment of compensation to the owner or occupier or to both the owner and occupier of that land, and may enter into an agreement with the owner for that purpose.

Note: Sections 190 and 191 of the Planning and Development Act 2005 enables the local government to purchase, or, with the consent of the Governor, compulsorily acquire land for the purpose of a town planning scheme, subject to Part 9 of the Land Administration Act 1997, that section and the Scheme.

4.12 DESTRUCTION OF NON-CONFORMING USE BUILDINGS

If a building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the planning approval of the local government.

TABLE 1 : ZONING TABLE

Zone Use Class	Residential	Mixed Residential	Town Centre	District Centre	Local Centre	Enterprise Development	Mixed Business	General Industry	Tourist Park	Tourist Resort	Tourist Attractions	Rural Residential	Rural & Bushland
Aged or Dependent Persons Dwelling	P	X	X	D	A	X	X	X	X	X	X	X	A
Agriculture – Extensive	X	X	X	X	X	X	X	X	X	X	X	X	P
Agriculture – Intensive	X	X	X	X	X	D	X	D	X	X	X	A	D
Agroforestry	X	X	X	X	X	X	X	X	X	X	X	X	A
Amusement Facility	X	X	P	P	X	X	X	X	D	D	P	X	X
Amusement Parlour	X	X	P	P	X	X	X	X	D	D	P	X	X
Animal Establishment	X	X	X	X	X	X	X	A	X	X	X	X	A
Animal Husbandry - Intensive	X	X	X	X	X	X	X	X	X	X	X	X	X
Bed & Breakfast	A	P	X	X	X	X	X	X	X	X	X	A	A
Betting Agency	X	X	X	P	X	X	X	X	X	X	X	X	X
Builder's Storage Yard	X	X	X	X	X	X	X	P	X	X	X	X	X
Cabin	X	X	X	X	X	X	X	X	P	P	X	A	A
Caravan Park	X	X	X	X	X	X	X	X	P	P	X	X	X
Caretaker's Dwelling	X	D	D	D	X	X	X	X	D	D	D	X	X
Carpark	X	X	P	P	P	P	P	P	D	D	D	X	X
Chalet	X	X	X	X	X	X	X	X	P	P	X	A	A
Child Care Premises	A	X	X	D	D	D	D	X	X	X	X	X	X
Cinema/Theatre	X	X	P	D	X	X	X	X	X	X	P	X	X
Civic Use	X	X	D	D	D	D	D	D	D	D	D	X	X
Club Premises	X	X	A	A	X	X	X	X	D	D	D	X	X
Community Purpose	A	A	D	D	D	D	D	D	D	D	D	X	X
Community Services Depot	X	X	X	D	D	D	D	P	X	X	X	X	D
Consulting Rooms	A	X	X	P	P	D	D	D	X	X	X	X	X
Convenience Store	X	X	D	X	X	D	X	D	D	D	D	X	X
Corrective Institution	X	X	X	X	X	X	X	X	X	X	X	X	X
Cultural Use	X	X	D	D	X	X	X	X	D	D	P	X	X
Display Home Centre	D	X	X	X	X	D	X	D	X	X	X	D	D
Dry Cleaning Premises	X	X	X	P	X	X	X	P	X	X	X	X	X
Eco-Tourist Facility	X	X	X	X	X	X	X	X	P	P	X	X	A
Education Establishment	A	X	X	X	X	D	X	D	X	X	X	A	A
Equestrian Centre	X	X	X	X	X	X	X	X	X	X	D	X	D
Exhibition Centre	X	X	D	D	X	D	X	D	X	X	D	X	X
Factory Unit Building	X	X	X	X	X	X	X	P	X	X	X	X	X
Family Day Care	D	X	X	X	X	X	X	X	X	X	X	D	D
Farm Stay	X	X	X	X	X	X	X	X	X	X	X	X	A
Farmworkers' Accommodation	X	X	X	X	X	X	X	X	X	X	X	X	D
Fast Food Outlet	X	X	P	P	P	X	X	X	D	D	P	X	X
Fuel Depot	X	X	X	X	X	X	X	P	X	X	X	X	X

Zone Use Class	Residential	Mixed Residential	Town Centre	District Centre	Local Centre	Enterprise Development	Mixed Business	General Industry	Tourist Park	Tourist Resort	Tourist Attractions	Rural Residential	Rural & Bushland
Funeral Parlour	X	X	X	D	X	D	D	P	X	X	X	X	X
Garden Centre	X	X	X	D	X	D	D	P	X	X	X	A	D
Grouped Dwelling	D	P	D	P	X	X	X	X	X	X	X	X	X
Guesthouse	X	P	X	X	X	X	X	X	X	X	X	A	A
Hire Service	X	X	X	X	X	P	P	P	X	X	D	X	X
Holiday Home	A	P	X	X	X	X	X	X	X	X	X	A	A
Home Business	A	A	X	X	X	X	X	X	X	X	X	A	A
Home Business – Hire	X	X	X	X	X	X	X	X	X	X	X	X	X
Home Occupation	D	D	X	X	X	X	X	X	X	X	X	D	D
Home Office	P	P	X	X	X	X	X	X	X	X	X	P	P
Home Store	A	A	X	X	X	X	X	X	X	X	X	A	A
Hospital	X	X	X	X	X	X	X	X	X	X	X	X	X
Hotel	X	X	P	X	X	X	X	X	X	X	X	X	X
Industry – Cottage	A	A	X	X	X	P	X	P	X	X	D	A	A
Industry – Extractive	X	X	X	X	X	X	X	X	X	X	X	X	X
Industry – General	X	X	X	X	X	X	X	P	X	X	X	X	X
Industry – Hazardous	X	X	X	X	X	X	X	X	X	X	X	X	X
Industry – Light	X	X	X	X	X	D	X	P	X	X	X	X	X
Industry – Mining	X	X	X	X	X	X	X	X	X	X	X	X	X
Industry – Noxious	X	X	X	X	X	X	X	X	X	X	X	X	X
Industry – Rural	X	X	X	X	X	X	X	X	X	X	X	X	D
Industry – Service	X	X	X	D	X	P	P	P	X	X	X	X	X
Lodging House	X	P	X	X	X	X	X	X	D	D	X	X	X
Lunch Bar	X	X	X	X	X	D	X	D	X	X	X	X	X
Marine Filling Station	X	X	X	X	X	X	X	P	X	X	X	X	X
Market	X	X	D	P	P	X	X	X	X	X	D	X	X
Medical Centre	X	X	X	P	X	D	D	D	X	X	X	X	X
Motel	X	X	D	A	X	X	X	X	X	X	X	X	X
Motor Vehicle, Boat or Caravan Sales/Hire	X	X	X	X	X	P	X	P	X	X	X	X	X
Motor Vehicle Repair	X	X	X	X	X	X	X	P	X	X	X	X	X
Motor Vehicle Wash	X	X	X	X	X	D	X	P	X	X	X	X	X
Multiple Dwelling	X	P	P	P	X	X	X	X	X	X	X	X	X
Night Club	X	X	P	X	X	X	X	X	X	A	D	X	X
Nursing Home	A	X	X	X	X	X	X	X	X	X	X	X	X
Office	X	X	D	P	D	P	P	P	X	X	X	X	X
Open Air Display	X	X	X	X	X	P	X	P	X	X	X	X	X
Petrol Filling Station	X	X	X	X	X	X	X	P	D	D	X	X	X
Place of Worship	A	X	X	X	X	D	D	D	X	X	X	X	X
Produce Store	X	X	X	X	X	D	X	P	X	X	X	X	D
Public Amusement	X	X	P	D	X	X	X	X	D	D	P	X	X
Public Recreation	D	D	D	D	D	X	X	X	D	D	P	X	X
Public Utility	D	D	D	D	D	D	D	D	D	D	D	D	D
Radio and TV Installation	X	X	X	X	X	D	X	D	X	X	X	X	X

Zone Use Class	Residential	Mixed Residential	Town Centre	District Centre	Local Centre	Enterprise Development	Mixed Business	General Industry	Tourist Park	Tourist Resort	Tourist Attractions	Rural Residential	Rural & Bushland
Reception Centre	X	X	P	X	X	X	X	X	X	A	A	X	X
Recreation – Private	X	A	D	D	X	D	X	D	A	A	P	X	X
Residential Building	A	X	X	X	X	X	X	X	X	X	X	X	X
Restaurant	X	X	P	P	D	A	A	X	D	P	P	X	A
Restricted Premises	X	X	A	A	X	A	X	D	X	X	X	X	X
Retirement Village	A	X	X	X	X	X	X	X	X	X	X	X	A
Roadhouse	X	X	X	X	X	D	X	P	X	X	X	X	A
Rural Pursuit	X	X	X	X	X	X	X	X	X	X	X	X	D
Salvage Yard	X	X	X	X	X	X	X	P	X	X	X	X	X
Service Station	X	X	X	D	D	D	X	P	X	X	X	X	X
Serviced Apartment	X	P	P	P	X	X	X	X	X	P	X	X	X
Shop	X	X	P	P	P	D	X	X	X	D	D	X	X
Showroom	X	X	X	X	X	P	P	P	X	X	X	X	X
Single Bedroom Dwelling	D	D	X	D	X	X	X	X	X	X	X	X	X
Single House	P	P	X	X	X	X	X	X	X	X	X	P	P
Tavern	X	X	P	P	X	X	X	X	X	A	D	X	X
Telecommunications Infrastructure	A	A	A	A	A	A	A	P	A	A	A	A	A
Temporary Accommodation Camp	X	X	X	X	X	X	X	X	A	X	X	X	A
Tourism Development	X	P	P	X	X	X	X	X	P	P	X	X	X
Tourist Resort	X	D	P	X	X	X	X	X	X	P	X	X	X
Trade Display	X	X	X	X	X	P	X	P	X	X	X	X	X
Transport Depot	X	X	X	X	X	D	X	P	X	X	X	X	X
Veterinary Centre	X	X	X	X	X	P	P	P	X	X	X	X	D
Veterinary Hospital	X	X	X	X	X	D	D	P	X	X	X	X	D
Warehouse	X	X	X	X	X	P	P	P	X	X	X	X	X
Waste Transfer Facility	X	X	X	X	X	X	X	P	X	X	X	X	D
Waste Disposal Facility	X	X	X	X	X	X	X	X	X	X	X	X	A
Wayside Stall	X	X	X	X	X	X	X	X	X	X	D	D	P
Wind Farm or Wind Energy Facility	X	X	X	X	X	X	X	X	X	X	X	X	A
Winery	X	X	X	X	X	D	X	D	X	X	D	X	D

PART 5 : GENERAL DEVELOPMENT REQUIREMENTS

5.1 COMPLIANCE WITH DEVELOPMENT STANDARDS AND REQUIREMENTS

Any development of land is to comply with the provisions of the Scheme.

5.2 RESIDENTIAL DESIGN CODES

5.2.1 A copy of the Residential Design Codes is to be kept and made available for public inspection at the offices of the local government.

5.2.2 Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform with the provisions of those Codes.

5.2.3 The Residential Design Codes density applicable to land within the Scheme Area is to be determined by reference to the Residential Design Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Design Code density, as being contained within the area defined by the centre-line of those borders.

5.3 SPECIAL APPLICATION OF RESIDENTIAL DESIGN CODES

5.3.1 The general site requirements are set out in Table 1 of the Residential Design Codes. Notwithstanding Table 1, Multiple Dwellings are not permitted on land with a density coding below R30.

5.3.2 For any land with a residential coding in excess of R10, the State Government's requirements pertaining to wastewater disposal apply.

5.4 RESTRICTIVE COVENANTS

5.4.1 Subject to clause 5.4.2, a restrictive covenant affecting any land in the Scheme Area by which, or the effect of which is that, the number of residential dwellings which may be constructed on the land is limited or restricted to less than that permitted by the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Design Codes which apply under the Scheme.

5.4.2 Where clause 5.4.1 operates to extinguish or vary a restrictive covenant the local government is not to grant planning approval to the development of the land which would, but for the operation of clause 5.4.1, have been prohibited unless the application has been dealt with as an 'A' use and has complied with all of the advertising requirements of clause 9.4.

5.5 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

5.5.1 Except for development in respect of which the Residential Design Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

5.5.2 In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration of the variation, the local government is to:

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and

- (b) have regard to any expressed views prior to making its determination to grant the variation.

5.5.3 The power conferred by this clause may only be exercised if the local government is satisfied that:

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

5.6 TREE PRESERVATION AND VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

5.6.1 Except where a tree is demonstrably diseased or dangerous, no person shall cut down a tree of three metres height or greater without the prior written consent of the local government.

5.6.2 The local government may vary a standard or requirement prescribed under the Residential Design Codes to facilitate the retention of an existing tree on the site of a proposed development, notwithstanding that, by retaining the tree, the development would not comply with the Residential Design Codes. The local government may, despite the non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit. The power conferred by this clause does not extend to varying the density provisions of the Residential Design Codes.

5.6.3 In considering an application for planning approval under this clause, where, in the opinion of the local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration of the variation, the local government is to:

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and
- (b) have regard to any expressed views prior to making its determination to grant the variation.

5.6.4 The power conferred by this clause may only be exercised if the local government is satisfied that:

- (a) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and
- (b) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

5.6.5 If the local government approves an application under clause 5.6, the local government shall cause a Memorial to be lodged against the title of the land requiring the on-going preservation of the tree and for the written approval of the local government to be obtained before any substantive pruning or arboreal works are undertaken on the tree.

5.7 ENVIRONMENTAL CONDITIONS

There are no environmental conditions imposed by the Minister for Environment which apply to the Scheme.

5.8 STRUCTURE PLANS

5.8.1 Interpretation

In this part, unless the context otherwise requires:

‘Commission’ means the Western Australian Planning Commission

‘Detailed Area Plan’ means a plan prepared and adopted pursuant to clause 5.8.15 of this Part;

‘owner’ means an owner or owners of land in the Structure Planning Area; and

‘structure plan’ means a structure plan that has come into effect in accordance with clause 5.8.12 and includes any Outline Development Plan or Subdivision Guide Plan prepared and approved under the previous local planning scheme of the local government, where applicable to a structure planning area.

‘structure planning area’ is an area that requires structure planning and may be required in any zone.

5.8.2 Purpose of Structure Plan

The purpose of a structure plan is to:

- (a) facilitate comprehensive planning; and
- (b) coordinate subdivision and development in areas requiring comprehensive planning.

5.8.3 Subdivision and Development under Structure Plan

The subdivision and development of land the subject of a structure plan is generally to be in accordance with any structure plan that applies to that land.

5.8.4 Structure Plan Required

5.8.4.1 A structure plan may be required by the:

- (a) local government; or
- (b) Western Australian Planning Commission

A proposed structure plan may be required and prepared for all, or part of, a zone or development area.

5.8.4.2 The local government is not to:

- (a) consider recommending subdivision; or
- (b) approve development of land within a Development Area or an area where it has been determined under clause 5.8.4.1 that a structure is required unless there is a structure plan for the area or for the relevant part of that area that adequately defines the comprehensive planning detail required to guide orderly subdivision and development for urban land use.

5.8.4.3 Notwithstanding clause 5.8.4.2 the local government may recommend subdivision or approve the development of land except within a Development Area prior to a structure plan coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements for the structure plan.

5.8.4.4 A proposed structure plan may impose classifications on the land included in it by reference to reserves or zones of the Scheme or the Residential Design Codes and such classifications shall apply as though the land was so classified by the Scheme.

5.8.4.5 Where building envelopes are depicted on a structure plan, all buildings and effluent disposal facilities shall be located within the building envelopes shown on those plans.

5.8.4.6 Notwithstanding the provisions of sub-clause 5.8.4.6, Council may approve the construction of the following structures outside of the building envelopes;

- (a) water tanks
- (b) windmills
- (c) stock watering and feed troughs; and
- (d) roofed structure open on all sides for the purpose of providing shelter to animals.

5.8.5 Submission to local government and Commission

5.8.5.1 A proposed structure plan prepared by an owner is to be submitted to the local government.

5.8.5.2 Within 7 days of preparing or receiving a proposed structure plan which proposes the subdivision of land, the local government is to forward a copy of the proposed structure plan to the Western Australian Planning Commission.

5.8.5.3 The Commission may provide comments to the local government as to whether it is prepared to endorse the proposed structure plan with or without modifications.

5.8.6 Details of Proposed Structure Plan

5.8.6.1 A proposed structure plan should include the following details where deemed relevant:

- (a) a map showing the area to which the proposed structure plan is to apply;
- (b) a site analysis map showing the characteristics of the site including:
 - (i) landform, topography and land capability;
 - (ii) conservation and environmental values including bushland, wetlands, damp lands, streams and water courses, foreshore reserves and any environmental policy areas;
 - (iii) hydrogeological conditions, including approximate depth to water table;
 - (iv) sites and features of Aboriginal and European heritage value;
- (c) a context analysis map of the immediate surrounds to the site including:
 - (i) the pattern of neighbourhoods, and existing and planned neighbourhood, town and regional centres;
 - (ii) transport routes, including freeways, arterial routes and neighbourhood connector alignments, public transport routes, strategic cycle routes, bus stops and rail stations;
 - (iii) existing and future land use;
- (d) for district structure plans a map showing proposals for:
 - (i) the pattern of neighbourhoods around town and neighbourhood centres;
 - (ii) arterial routes and neighbourhood connector streets;
 - (iii) the protection of natural features such as water courses and vegetation;
 - (iv) major open spaces and parklands;
 - (v) major public transport routes and facilities;
 - (vi) the pattern and disposition of land uses; and
 - (vii) schools and community facilities;

- (e) for local structure plans a map showing proposals for:
 - (i) neighbourhoods around proposed neighbourhoods and town centres;
 - (ii) existing and proposed commercial centres;
 - (iii) natural features to be retained;
 - (iv) street block layouts;
 - (v) the street network including street types;
 - (vi) transportation corridors, public transport network, and cycle and pedestrian networks;
 - (vii) land uses including residential densities and estimates of population;
 - (viii) schools and community facilities;
 - (ix) public parklands; and
 - (x) urban water management areas;
- (f) a written report to explain the mapping and to address the following:
 - (i) the planning framework for the structure plan including any applicable regional or district structure plans, and any policies, strategies and scheme provisions which apply to the land, and any environmental conditions which apply under the Scheme;
 - (ii) the site analysis including reference to the matters listed in clause 5.8.6.1 (b) above, and, in particular, the significance of the conservation, environmental and heritage values of the site;
 - (iii) the context analysis including reference to the matters listed in clause 5.8.6.1 (c) above;
 - (iv) how planning for the structure plan area is to be integrated with the surrounding land;
 - (v) the design rationale for the proposed pattern of subdivision, land use and development;
 - (vi) traffic management and safety;
 - (vii) parkland provision and management;
 - (viii) urban water management;
 - (ix) proposals for public utilities including sewerage, water supply, drainage, gas, electricity and communication services; and
 - (x) the proposed method of implementation including any cost sharing arrangements and details of any staging of subdivision and development; and
- (g) any other matter that is required for orderly and proper planning.

5.8.6.2 The maps referred to in clause 5.8.6.1 are to:

- (a) be drawn to a scale that clearly illustrates the details referred to in clause 5.8.6.1; and
- (b) include a north point, visual bar scale, key street names and a drawing title and number.

5.8.6.3 A proposed structure plan may, to the extent that it does not conflict with the Scheme, impose a classification on the land included in it by reference to reserves, zones or the

Residential Design Codes, and where the proposed structure plan becomes a structure plan, the local government is to have due regard to such reserves, zones or *Residential Design Codes* when recommending subdivision or approving development of land within a Development Area.

- 5.8.6.4 A proposed structure plan must, in the opinion of the local government, be consistent with orderly and proper planning.

5.8.7 Advertising of structure plan

- 5.8.7.1 Where the local government has received a proposed structure plan that conforms with clause 5.8.6 and complies with the Scheme and the local government has received the advice of the Commission pursuant to clause 5.8.5, the local government is to:

- (a) advertise, or require the owner who submitted the proposed structure plan to advertise, the proposed structure plan for public inspection by one or more of the following ways:
 - (i) notice of the proposed structure plan published in a newspaper circulating in the Scheme Area;
 - (ii) a sign or signs displaying notice of the proposed structure plan to be erected in a conspicuous place or places in the Development Zone, or part of the Development Zone, to which the proposed structure plan applies; and
- (b) give notice or require the owner who submitted the proposed structure plan to give notice, in writing to:
 - (i) all owners whose land is included in the proposed structure plan;
 - (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed structure plan; and
 - (iii) such public authorities and other persons as the local government nominates.

- 5.8.7.2 The advertisement and notice are to:

- (a) explain the scope and purpose of the proposed structure plan;
- (b) specify when and where the proposed structure plan may be inspected; and
- (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.

5.8.8 Adoption of Proposed Structure Plan

- 5.8.8.1 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice or advertisement for the making of submissions is to:

- (a) adopt the proposed structure plan, with or without modifications; or
- (b) refuse to adopt the proposed structure plan and, where the proposed structure plan was submitted by an owner, give reasons for this to the owner.

- 5.8.8.2 In making a determination under clause 5.8.8.1, the local government is to have due regard to the comments and advice received from the Commission in relation to the proposed structure plan.

- 5.8.8.3 If the Commission requires modifications to the proposed structure plan, the local government is to consult with the Commission prior to making a determination under clause 5.8.8.1.

5.8.8.4 If the local government, after consultation with the Commission, is of the opinion that a modification to the proposed structure plan is substantial, the local government may:

- (a) readvertise the proposed structure plan; or
- (b) require the owner who submitted the proposed structure plan to readvertise the proposed structure plan;

and thereafter, the procedures set out in clause 5.8.7.1 onwards are to apply.

5.8.8.5 If within the period referred to in clause 5.8.8.1, or such further time as may be agreed in writing between the owner who submitted the proposed structure plan and the local government, the local government has not made a determination under clause 5.8.8.1, the local government is deemed to have refused to adopt the proposed structure plan.

5.8.9 Endorsement by Commission

5.8.9.1 The local government shall within 7 days of making its determination under clause 5.8.8.1 forward the proposed structure plan to the Commission for its endorsement.

5.8.9.2 As soon as practicable after receiving the proposed structure plan, the Commission is to determine whether to endorse the proposed structure plan.

5.8.9.3 The Commission is to notify the local government of its determination under clause 5.8.9.2.

5.8.10 Notification of Structure Plan

As soon as practicable after adopting a proposed structure plan under clause 5.8.8.1 and if clause 5.8.9 applies, as soon as practicable after being notified of the Commission's decision under clause 5.8.9.3, the local government is to forward a copy of the structure plan to:

- (a) any public authority or person that the local government thinks fit; and
- (b) where the structure plan was submitted by an owner, to the owner.

5.8.12 Operation of Structure Plan

5.8.12.1 A structure plan comes into effect:

- (a) where the structure plan proposes the subdivision of land, on the day on which it is endorsed by the Commission pursuant to clause 5.8.9.2; or
- (b) on the day on which it is adopted by the local government under clause 5.8.9.1 in all other cases.

5.8.12.2 If a provision of a structure plan is inconsistent with a provision of the Scheme, then the provision of the Scheme prevails to the extent of the inconsistency.

5.8.13 Inspection of Structure Plan

5.8.13.1 The structure plan and the Commission's notification under clause 5.8.9.3 are to be kept at the local government's administrative offices, and is to be made available for inspection by any member of the public during office hours.

5.8.14 Variation to Structure Plan

5.8.14.1 The local government may vary a structure plan except within a Development Area:

- (a) by resolution if, in the opinion of the local government, the variation is minor and does not materially alter the intent of the structure plan;
- (b) otherwise, in accordance with the procedures set out in clause 5.8.7 onwards.

- 5.8.14.2 If the local government varies a structure plan by resolution the local government is to forward a copy of the variation to the Commission within 10 days of making the resolution.
- 5.8.14.3 As soon as practicable after receiving the copy of the variation referred to in clause 5.8.14.2, the Commission is to determine whether to endorse the proposed variation.
- 5.8.14.4 The Commission is to notify the local government of its determination under clause 5.8.14.3.
- 5.8.14.5 A variation to a structure plan by resolution comes into effect:
- (a) on the day on which it is endorsed by the Authority and Commission pursuant to clause 5.8.14.4; or
 - (b) on the day on which the local government resolves to make the variation under clause 5.8.14.1 (a).
- 5.8.15 Detailed Area Plan**
- 5.8.15.1 A detailed area plan only applies to the determination of development applications and is required where:
- (a) it has been identified on a structure plan;
 - (b) the local government considers that it is desirable to enhance, elaborate or expand the details or provisions contained in a structure plan for a particular lot or lots; or
 - (c) the local government is of the opinion that any particular lot or lots within the Scheme Area requires coordinated planning.
- 5.8.15.2 A detailed area plan may include details as to:
- (a) building envelopes;
 - (b) distribution of land uses within a lot;
 - (c) private open space;
 - (d) services;
 - (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
 - (f) the location, orientation and design of buildings and the space between buildings;
 - (g) advertising signs, lighting and fencing;
 - (h) landscaping, finished site levels and drainage;
 - (i) protection of sites of heritage, conservation or environmental significance;
 - (j) special development controls and guidelines; and
 - (k) such other information considered relevant by the local government.
- 5.8.15.3 When a proposed detailed area plan is prepared under clause 5.8.15.1, the local government is to:
- (a) advertise, or require the owner who submitted the proposed detailed area plan to advertise, the proposed detailed area plan for public inspection by one or more of the following ways:
 - (i) notice of the proposed detailed area plan published in a newspaper circulating in the Scheme Area;

- (ii) a sign or signs displaying notice of the proposed detailed area plan to be erected in a conspicuous place or places in the Development Area, or part of the Development Area, to which the proposed detailed area plan applies; and
 - (b) give notice or require the owner who submitted the proposed detailed area plan to give notice, in writing to:
 - (i) all owners whose land is included in the proposed detailed area plan;
 - (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed detailed area plan; and
 - (iii) such public authorities and other persons as the local government nominates.
- 5.8.15.4 The advertisement and notice are to:
- (a) explain the scope and purpose of the proposed detailed area plan;
 - (b) specify when and where the proposed detailed plan may be inspected; and
 - (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.
- 5.8.15.5 The local government is to consider all submissions received and:
- (a) approve the detailed area plan with or without conditions; or
 - (b) refuse to approve the detailed area plan and, where the proposed detailed area plan was submitted by an owner, give reasons for this to the owner.
- 5.8.15.6 If within 60 days of receiving a detailed area plan prepared under clause 5.8.15.1(b), or such longer period as may be agreed in writing between the owner and the local government, the local government has not made one of the determinations referred to in clause 5.8.15.5, the local government is deemed to have refused to approve the detailed area plan.
- 5.8.15.7 Where a structure plan is in place, an approved detailed area plan constitutes a variation of the structure plan in regard to determining development matters under this Scheme.
- 5.8.15.8 The local government may vary a detailed area plan in accordance with the procedures set out in clause 5.8.15 onwards provided such variations do not prejudice the intention of any related structure plan.
- 5.8.16 Appeal**
- 5.8.16.1 An owner who has submitted a proposed structure plan under clause 5.8 may appeal, in accordance with the *Planning and Development Act 2005*:
- (a) any failure of the local government to advertise, or require the owner to advertise, a proposed structure plan within the required time period under clause 5.8.8.1, except where the Authority or the Minister for the Environment has determined that the structure plan cannot proceed;
 - (b) any determination of the local government:
 - (i) to refuse to adopt a proposed structure plan (including a deemed refusal); or

- (ii) to require modifications to a proposed structure plan that are unacceptable to that owner.

5.8.16.2 An owner who has submitted a detailed area plan in accordance with clause 5.8.15 may appeal, in accordance with Part 14 of the *Planning and Development Act 2005*, any discretionary decision made by the local government under clause 5.8.15.

5.8.17 **Structure Plans and Other Instruments Adopted or Initiated Under Previous Scheme**

5.8.17.1 Where pursuant to the requirements of the former Town Planning Scheme No 9 (Kalbarri Scheme), a Structure Plan, Outline Development Plan, Subdivision Guide Plan, Detailed Area Plan or any similar instrument (a “planning instrument”) had been adopted and was operative at the date of gazettal of this Scheme, the planning instrument shall continue to have effect and may be amended or revoked as if it were a Structure Plan under this Scheme.

5.8.17.2 Where under the previous Scheme the process of adopting a planning instrument had been commenced but was not complete at the date gazettal of the Scheme, the steps in the process undertaken pursuant to the previous scheme shall be effective as if those steps were undertaken pursuant to this Scheme and the remaining steps or steps in the process necessary for the adoption of the planning instrument may be completed pursuant to this Scheme, as if the planning instrument were a Structure Plan under this Scheme.

5.9 **GENERAL SITE REQUIREMENTS**

5.9.1 **Water Resources**

To achieve development consistent with water sensitive urban design principles including implementation of current best management practises and best planning practices for the sustainable management and use of water resources the provisions set out below apply.

5.9.1.1 *Waterways, Wetlands and Estuaries*

In considering any development which may have an impact on any waterway including waterways, estuaries, creeks, streams, drainage lines, lakes, soaks, swamps and other wetlands, the local government is to have regard to;

- (a) managing water balance;
- (b) maintaining and where possible enhancing water quality;
- (c) encouraging water conservation;
- (d) maintaining and where possible enhancing water related environmental values; and
- (e) maintaining and where possible enhancing recreational and cultural values.

5.9.1.2 *Foreshore Reserves*

The local government must seek advice from relevant agencies with regard to appropriate setbacks for development adjacent to the coast or watercourses.

5.9.1.3 *Setbacks from Watercourses*

Within the Scheme Area, Council shall not permit the erection of any building or effluent disposal system on any land within 50 metres of the nearest definable bank of any watercourse with permanent water, or within 40 metres of the nearest definable bank of any seasonally flowing watercourse or within 75 metres of the nearest definable bank of a river or estuary unless specific approval to vary this requirement is granted by Council.

5.9.1.4 *Development of Land Subject to Dampness or Flood Risk*

- (a) There is a general presumption against development below the high water mark and in flood prone areas.
- (b) Where in the opinion of Council, the dampness of the site on which a building is proposed to be constructed so warrants, Council may require that one or all of the following measures shall be carried out:
 - i) the subsoil shall be effectively drained;
 - ii) the surface of the ground beneath the building shall be regraded or filled and provided with adequate outlets to prevent any accumulation of water beneath the building;
 - iii) the surface of the ground beneath the building shall be covered with an approved damp-resisting material.
- (c) Where a development is proposed on a site such that, in the opinion of Council, that development may be impacted upon by flooding, Council may require the proponents to provide technical advice from an appropriately qualified person to demonstrate that the development will not be adversely impacted on by flooding.
- (d) In the event of a dispute as to the position of the flood line, the decision of the local government, shall have due regard for the advice of the Western Australian Planning Commission, the State Coastal Planning Policy SPP 2.6 or other relevant state policies.
- (e) All developments need to demonstrate that adequate flood protection from a 100 year ARI flood is in place and that development does not detrimentally impact on the existing flood regime of the general area and applications should be referred to the Department of Water for assessment.

5.9.2 **Development on Steep Slopes**

The local government shall not permit the erection of any building on land, which in its opinion is too steep, or of such grade or location as to comprise a potential to create adverse effects on the land, such as erosion or the excessive removal of trees.

5.9.3 **Development on Land Abutting Unconstructed Roads**

Where an application for planning approval is made in respect of land abutting an unconstructed road or not having access by means of a constructed road, the local government may either:

- (a) refuse the application until the road has been constructed or access by means of a constructed road provided as the case may be; or
- (b) grant the application approval subject to a condition requiring the applicant to pay a sum of money towards payment of the cost or estimated cost of the road or part thereof and any other condition it thinks fit to impose.

5.9.4 **Domestic Water Supply**

5.9.4.1 No new dwelling house or tourist accommodation unit shall be constructed within the Scheme Area unless it is connected to a reticulated water supply to the satisfaction of the local government unless the dwelling house or tourist accommodation unit is located within a "Rural Residential" zone or "Rural and Bushland" zone.

5.9.4.2 Within a "Rural Residential" zone or "Rural and Bushland" zone, where a reticulated water supply is not available, the local government will require the provision of an adequate, sustainable potable water supply:

- a) To the dwelling of not less than 135 kilolitres connected to a minimum 450m² roof catchment for domestic use and the provision of a separate water supply for gardens, land management and firefighting purposes, of a minimum capacity as determined by the local government; and
- b) To a tourist accommodation unit of not less than 50 kilolitres connected to a minimum 150m² roof catchment for the domestic use of each unit or as otherwise determined by the local government.

5.10 GENERAL LAND USE REQUIREMENTS

5.10.1 Home Businesses, Home Occupations and Cottage Industries

- 5.10.1.1 An approval to conduct a home business, home occupation or industry-cottage is issued on an annual basis only to a specific occupier of a particular parcel of land. It shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier on the land in respect of which a planning approval is issued, the approval is cancelled.
- 5.10.1.4 If, in the opinion of the local government, any activities the subject of clause 5.10.1.1 is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may not re-issue an approval.

5.10.2 Use of Caravans for Temporary Accommodation

- 5.10.2.1 The local government may permit the placement of a caravan as temporary accommodation for up to 12 months on a lot within the Rural Residential zone or the Rural and Bushland zone only providing it is satisfied that:
 - a) A building permit has been issued for the construction of the residence on the property with written evidence of a signed building contract with a registered builder for the construction of the residence, and a commitment date that is within 6 months by that builder for the commencement of construction of the residence; or
 - b) In the case of an owner builder, a building permit for a residence has been issued by the local government and a Statutory Declaration has been provided by the owner providing a commitment to construct a residence and an accompanying commencement date that is within 6 months;
 - c) The owner has lodged a bond of \$10,000.00 with the local government which shall be refundable to the owner only on completion of the dwelling to the satisfaction of the local government;
 - d) A Statutory Declaration has been provided by the owner acknowledging the use of a caravan on-site is for temporary accommodation purposes only in accordance with regulation 11(2)(c) of the Caravan Parks and Camping Grounds Regulations 1997;
 - e) Adequate provision for ablution and washing facilities connected to an approved water supply and effluent disposal system to the satisfaction of the local government; and
 - f) The caravan is to be located within an outbuilding.
- 5.10.2.2 The local government may extend the time for which approval for temporary occupation of a caravan is granted. In determining an application for the extension of a temporary approval, the local government must be satisfied that there has been a genuine effort to complete the approved habitable building on the lot, pursuant to the original temporary occupation approval.

5.10.3 Kalbarri Wastewater Treatment Plant Buffer

In considering any application for planning consent for development or land use within the Wastewater Treatment Plant Buffer (as shown in the Scheme Map, or as varied from time to time), Council shall have regard to:

- (a) whether the proposed development or use is compatible with the existing and future use of the Kalbarri Wastewater Treatment Plant;
- (b) relevant policies of the Commission, Statements of Planning Policy, and the Department of Environment Regulation guidelines with respect to land use in close proximity to wastewater treatment plants;
- (c) where the nature of the proposal warrants referral to these agencies, the recommendations of the Department of Environment Regulation, the Department of Health and the public authority responsible for control and management of the Wastewater Treatment Plant.

5.11 GENERAL DEVELOPMENT REQUIREMENTS

5.11.1 Outbuildings

- 5.11.1.1 No outbuilding shall be erected on any land zoned "Residential" where there is no dwelling located on the lot.
- 5.11.1.2 Outbuildings appurtenant to any dwelling shall be of single storey construction and shall be located behind the setback to the street or streets of any existing or proposed dwelling on a lot.
- 5.11.1.3 The following acceptable development provisions apply in relation to the size of outbuildings:
 - (a) Within the R10 code and above – 120m² in area, or 20% in aggregate of the site area, whichever is the lesser, with a maximum wall height of 3.0m and a total maximum height of 4.5m measured from natural ground level.
 - (b) Within the R5 code for lots 2,000 m² or less in area - 180m² in aggregate area, with a maximum wall height of 3.5m and a total maximum height of 5.0m measured from natural ground level.
 - (c) Within the R5 code for lots greater than 2,000 m² in area - 240m² in aggregate area, with a maximum wall height of 4.0m and a total maximum height of 6.5m measured from natural ground level.

In considering applications for outbuildings, due regard will be given to protect the future amenity of the lots once subdivided, and the local government may impose a condition of approval requiring that a legal agreement be entered into with the local government requiring that in the event of further subdivision of that property, the outbuilding must be removed or reduced in size, to conform with the size limits prescribed in (b) above.

5.11.2 Transportable, Prefabricated or Relocated Buildings

- 5.11.2.1 The local government may permit the erection or placement of a transportable, prefabricated or relocated building on a lot providing it is satisfied that the building:
 - (a) is in a satisfactory condition;
 - (b) will not detrimentally affect the amenity of the area having regard to the zoning of the lot and the use proposed for the building;
 - (c) is permanently affixed to the ground; and

- (d) the façades, colours and materials and design features of the building are appropriate to that prevailing or proposed in the vicinity.

5.11.2.2 In relation to clause 5.11.2.1 the local government will have regard to the following matters:

- (a) the proximity to and the visibility of the building from a street or other public place;
- (b) the intention to prevent box-shaped structures, regardless of the use of the building, where they are visible from a street or other public place; and
- (c) for lots in a Residential or Rural Residential zone, the impact on the existing or proposed streetscape.

5.11.2.3 Where the local government permits the erection or placement of a transportable, prefabricated or relocated building on a lot, the local government may require the owner to lodge a bond of \$10,000 with the local government prior to the issue of a building permit which shall be refundable to the owner only on completion of the transportable, prefabricated or relocated building to the satisfaction of the local government

5.11.3 Outdoor Storage

5.11.3.1 Outdoor storage shall not be permitted except in the Enterprise Development and General Industry zones.

5.11.3.1 All outdoor areas used for the storage of motor vehicle bodies, timber, steel products or any other materials in connection with a commercial or industrial use shall be screened from view from any public place by such means as determined by, and to the satisfaction of, the local government.

5.11.4 Advertisements

All advertisements shall:

- (a) Be designed to be compatible with the proposed surroundings including buildings, landscaping and other advertisements; and
- (b) Be erected or displayed in a position:
 - i) so as to not obstruct the passage of or so as to create a hazard for vehicles or pedestrians;
 - ii) such that in the opinion of the local government, they would not adversely affect the amenity of the locality;
 - iii) so as to not significantly obstruct or impeded all or part of a view of a river, the sea or other place or feature which in the opinion of the local government is of significance to the district; and
 - iv) Where attached to a building, be incorporated into the architectural features of the building in placement, style, proportions, materials, colours and finish; and
- (c) Only contain the following information:
 - i) the name of the occupier;
 - ii) the business carried on in the premises;
 - iii) the occupier's telephone number;
 - iv) a description of the goods sold or offered for sale in the premises to which the advertisement is affixed or to which it relates; and
 - v) any other matter specifically approved by the local government.

5.11.5 Building Height

Except as otherwise provided under the Scheme, no building is permitted to exceed two storeys and 9 metres in height measured from the natural ground level immediately below the relevant point on the roof or wall, including freestanding structures such as masts, tanks and signage; with the exception of minor projections such as chimneys, TV aerials, satellite dishes and vent pipes.

5.12 GENERAL PARKING AND ACCESS REQUIREMENTS

5.12.1 Car Parking

5.12.1.1 Car parking spaces are to be provided in accordance with the Table 2 – Car Parking Requirements, unless determined otherwise by the local government and shall be designed, constructed and maintained to the satisfaction of the local government.

5.12.1.2 Where a particular use of land is not specified in Table 2, the local government shall determine the number of car parking spaces to be provided on the site having regard to the nature of the proposed development, the number of employees likely to be on the site, the need to keep roads and streets free of obstructions and the amenity of the area.

5.12.1.3 Where land is developed to accommodate a range of uses, the number of car parking spaces to be provided is to be calculated separately for each part of the land or building used for each use. In calculating the number of car parking spaces to be provided, the local government may consider reciprocal parking having regard for the differing operating times of various uses on the site.

5.12.1.4 Where the number of car parking spaces proposed to be provided on land, or in a building, the subject of an application for planning approval is less than the number required under Table 2, the local government may approve the application if the applicant can demonstrate to the satisfaction of the local government that:

- (a) off street parking facilities in the near vicinity are adequate to cater for the parking requirements of the land use and/or development; and
- (b) a legal mechanism, to the satisfaction of the local government, is in place to enable those facilities to be used for that purpose on a permanent basis.

5.12.1.5 When considering an application for planning approval, the local government may impose conditions regarding the required number and/or method of provision of car parking spaces. In particular, the local government may impose conditions relating to:

- (a) the proportion of car parking spaces to be roofed or covered;
- (b) the means of access to each car parking space and the adequacy of any vehicular manoeuvring area;
- (c) the design and location of the car parking spaces on the site and their effect on the existing streetscape and the amenity of adjoining development and the locality generally, including the potential effect if those spaces should later be roofed or covered;
- (d) the extent to which car parking spaces are located within required building setback areas; and
- (e) the location of proposed public footpaths, vehicular crossings of private footpaths within the lot and the effect of both pedestrian and vehicular traffic movement and safety.

5.12.1.6 The dimensions of car parking spaces, parking angle and driveway widths are to be in accordance with Schedule 13, in determining the layout of car parking areas. The local

government may vary the dimensions specified for some bays which are affected by retention of existing shade trees or landscaped areas.

- 5.12.1.7 All car parking areas with 10 or more car parking bays shall include landscaped areas equal to 10% of the area of the car park. Landscaped areas are to include shade trees at a rate of one tree for per eight bays, and the perimeter of all parking areas are to have planting strips of a minimum width of 1.5 m.

5.12.2 Cash In Lieu of Car Parking

If the local government is satisfied that adequate car parking exists, or is to be provided in close proximity to a proposed development, notwithstanding Table 2, it may accept a cash payment in lieu of the provision of car parking spaces subject to the following:

- (a) a cash-in-lieu payment shall not be less than the estimated cost of constructing the car parking spaces otherwise required by the Scheme plus the value as estimated by the local government of that area of land which would have been occupied by the car parking spaces based on an area of 25m² per parking bay;
- (b) the local government shall have already provided a public car park nearby or have firm proposals for providing a public car park area within the near future; and
- (c) payments under this clause shall be deposited into a special fund to be used exclusively to provide and/or maintain car parks in the near vicinity.

5.12.3 Tourist Bus and Coach Parking

The local government may, where it considers necessary, require an area in addition to the car parking spaces required in accordance with the Table 2, for the loading/unloading and parking of tourist buses and coaches associated with any tourist use, with such parking to be provided on-site.

5.12.4 Rear Access and Loading

In considering any application for planning approval the local government may require the provision of loading docks and/or rear access and may impose conditions concerning:

- (a) the size of loading docks; and
- (b) the means of providing rear access of adequate width and design so as to ensure that transport vehicles shall be able to exit the lot in forward gear.

5.12.5 Parking of Boats and Commercial Vehicles

- 5.12.5.1 The local government may permit the parking of only one commercial vehicle on a lot in the "Residential", Rural Residential" or "Rural and Bushland" zone provided:

- (a) the amenity of the neighbourhood in the opinion of the local government is not adversely affected;
- (b) the vehicle forms an essential part of the occupation of an occupant of the dwelling;
- (c) the vehicle does not exceed either 3 metres in height or 12 metres in length;
- (d) any vehicle exceeding 8 metres in length is screened from public view; and
- (e) no major repairs to the vehicle is undertaken and any minor repairs, maintenance, service or cleaning of any commercial vehicle or truck is undertaken in an area screened from public view.

- 5.12.5.2 Approval shall be issued on an annual basis only and if, in the opinion of the local government, the commercial vehicle is causing a nuisance or annoyance to owners or occupiers of land in the locality, the local government may not re-issue an approval.
- 5.12.5.3 A vehicle shall be considered to be parked on a lot for the purposes of these provisions if it remains on that lot for more than one hour in aggregate over any period of twenty four hours, unless the vehicle is being used bona fide in connection with ongoing construction work legally being carried out on the lot.
- 5.12.5.4 Commercial vehicles which are parked temporarily on a property for the purpose of delivering or loading goods associated with domestic residential use are exempt from clause 5.12.5.1.
- 5.12.5.5 No person shall on any lot within the Residential Zone keep, park, repair or store any boat, trailer, caravan or any associated material not specifically for the immediate use by the occupant in front of the building setback line.

TABLE 2 : CAR PARKING REQUIREMENTS

Use Class	Car Parking spaces required
Aged or Dependent Persons Dwelling	As per Residential Design Codes
Agriculture – Extensive	1 / employee
Agriculture – Intensive	1 / employee
Agroforestry	1 / employee
Amusement Facility	1 / 4 seats or 1 / 4 persons the building is designed to accommodate
Amusement Parlour	1 / 20m ² of GLA
Animal Establishment	1 / employee
Animal Husbandry - Intensive	1 / employee
Bank, Building Society, Post Office	1 / 20m ² of GLA
Bed & Breakfast	1 / bedroom in addition to Residential Design Codes requirement for dwelling
Betting Agency	1 / 20m ² of GLA
Builder's Storage Yard	1 / 200m ² of GLA and outdoor storage area
Cabin	1.5 / cabin
Caravan Park	1 to each caravan site + 1 visitor bay / 5 caravan sites + 1 staff bay / 10 caravan sites
Caretaker's Dwelling	1 / dwelling
Chalet	2 / chalet
Child Care Premises	1 / 5 children
Cinema/Theatre	1 / 4 seats
Civic Use	1 / 4 seats or 1 / 4 persons the building is designed to accommodate, whichever is the greater or as determined by the local government
Club Premises	1 / 4 seats or 1 / 4 persons the building is designed to accommodate, whichever is the greater
Community Purpose	1 / 4 seats or 1 / 4 persons the building is designed to accommodate, whichever is the greater or as determined by the local government
Community Services Depot	1 / employee
Consulting Rooms	4 / practitioner up to two practitioners + 2 / practitioner for each practitioner in excess of two.
Convenience Store	1 / 20m ² of GLA
Corrective Institution	Determined by the local government
Cultural Use	Determined by the local government
Display Home Centre	2 / display dwelling
Dry Cleaning Premises	1 / 50m ² of GLA
Eco-Tourist Facility	Determined by the local government
Education Establishment	Primary – 1 / classroom Secondary - 1 / classroom + 1/ 15 of year 12 students Other – 1 / classroom or teaching room + 1/ 4 students
Equestrian Centre	Determined by the local government
Exhibition Centre	Determined by the local government
Factory Unit Building	1 / 50m ² of GLA
Family Day Care	Determined by the local government
Farm Stay	2 / accommodation unit

Farmworkers' Accommodation	1 / bedroom
Fast Food Outlet	1 / 10m ² of GLA
Fuel Depot	1 / 200m ² of GLA and outdoor storage area
Funeral Parlour	1/ 40 m ² of GLA administration areas + 1/ 4 seats for public seating area.
Garden Centre	1 / 100m ² of sales and display area
Grouped Dwelling	As per Residential Design Codes
Guesthouse	1.5 / bedroom
Hire Service	1 / 100m ² of sales and display area
Holiday Home	2 / accommodation unit
Home Business	1 / employee not members of the occupier's household
Home Business - Hire	1 / employee not members of the occupier's household + 2 for customers
Home Occupation	Nil
Home Office	Nil
Home Store	1 / 20m ² of GLA
Hospital	1 / 4 beds + 1/ employee
Hotel	1 / bedroom + 1/ 4m ² of lounge and bar area
Industry – Cottage	1 visitor bay in addition to Residential Design Codes requirement for dwelling
Industry – Extractive	1 / employee
Industry – General	1 / 100m ² of GLA
Industry - Hazardous	1 / 100m ² of GLA
Industry – Light	1 / 50m ² of GLA
Industry - Noxious	1 / 100m ² of GLA
Industry – Mining	1 / employee
Industry – Rural	1 / employee
Industry – Service	1 / 50m ² of GLA for service area + 1/ 20m ² of GLA for commercial area
Lodging House	1 / bedroom
Lunch Bar	1 / 10m ² of GLA
Marine Filling Station	1 / 200m ² of GLA and outdoor storage area
Market	3 / stall or 1/ 20m ² of stall areas, whichever is the greater
Medical Centre	4 / practitioner up to two practitioners + 2 / practitioner for each practitioner in excess of two.
Motel	1 / unit + 1 / 4m ² of bar and eating area
Motor Vehicle and Marine Sales	1 / 100m ² of sales and display area
Motor Vehicle Repair	1 / workshop bay + 1 / employee
Motor Vehicle Wash	1 / wash bay
Multiple Dwelling	As per Residential Design Codes
Night Club	1 / 4m ² of lounge and bar area
Nursing Home	1 / 4 beds + 1/ employee
Office	1/ 30m ² of GFA (excludes bank, building society, post office)
Open Air Display	1 / 100m ² of sales and display area
Park Home Park	1 to each Park Home site + 1 visitor bay/ 5 sites
Petrol Filling Station	1 / employee
Produce Store	1 / 200m ² of GLA and outdoor storage area
Place of Worship	1 / 4 seats

Public Amusement	1 / 4 seats or 1 / 4 persons the building is designed to accommodate, whichever is the greater
Public Recreation	1 / 4 seats or 1 / 4 persons the building is designed to accommodate, whichever is the greater
Public Utility	Determined by the local government
Radio and TV Installation	Determined by the local government
Reception Centre	1/ 4 seats
Recreation – Private	1 / 4 seats or 1 / 4 persons the building is designed to accommodate, whichever is the greater
Residential Building	1 / bedroom
Restaurant	1 / 4m ² of bar and eating area
Restricted Premises	1 / 20m ² of GLA
Retirement Village	1 / dwelling unit + 1 / 4 dwelling units for visitors
Roadhouse	1 / workshop bay + 1 / employee + 1 / 4 m ² of eating area
Rural Pursuit	1 / employee
Salvage Yard	1 / 200m ² of GLA and outdoor storage area
Service Station	1 / workshop bay + 1/ employee
Serviced Apartment	2 / accommodation unit up to 10 units + 1.5 / accommodation unit in excess of 10.
Shop	1 / 20m ² of GLA
Showroom	1 / 50m ² of GLA
Single Bedroom Dwelling	As per Residential Design Codes
Single House	As per Residential Design Codes
Tavern	1 / 4m ² of lounge and bar area
Telecommunications Infrastructure	Determined by the local government
Temporary Accommodation Camp	Determined by the local government
Tourism Development	2 / accommodation unit up to 10 units + 1.5/ accommodation unit in excess of 10.
Tourist Resort	2 / accommodation unit up to 10 units + 1.5/ accommodation unit in excess of 10 + parking for other non-accommodation uses as per Table 2.
Trade Display	1 / 100m ² of sales and display area
Transport Depot	1 / 200m ² of GLA and outdoor storage area
Veterinary Centre	4 / practitioner up to two practitioners + 2 / practitioner for each practitioner in excess of two
Veterinary Hospital	Determined by the local government
Warehouse	1 / 200m ² of GLA and outdoor storage area.
Wayside Stall	Determined by the local government
Wind Farm or Wind Energy Facility	Determined by the local government
Winery	1/ 4 m ² of bar and eating area

NOTES:

- (a) *GLA - Gross Leasable Area: means, in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.*
- (b) *In addition to car parking spaces the local government may require tourist bus and coach parking in accordance with clause 5.12.3.*

5.13 SPECIFIC SITE AND DEVELOPMENT REQUIREMENTS FOR PARTICULAR ZONES

5.13.1 Development Requirements

The development requirements relating to setbacks and open space/ landscaping are set out in Table 3.

TABLE 3 : DEVELOPMENT REQUIREMENTS

Zone	Minimum Setbacks ¹	Open Space/ Landscaping (% of site)
Residential and Mixed Residential	As per Residential Design Codes	As per Residential Design Codes
Town Centre, District Centre and Local Centre	Front/ Street – Nil Side – Nil Rear – Nil or as determined by the local government	5% Town Centre 10% District Centre and Local Centre
Enterprise Development, General Industry, Tourist Park, Tourist Resort and Tourist Attractions	Front/Street – 9m Side & Rear – Nil for Enterprise Development & General Industry. Tourist Park, Tourist Resort and Tourist Attractions – Nil or as determined by the local government	10%
Rural Residential	Front/ Street – 10m Side – 5m Rear – 10m	Not Applicable
Rural and Bushland	Front/ Street – 20m Side – 10m Rear – 20m	Not Applicable

5.13.1.1 Development standards for zones not included in Table 3 will be subject to relevant provisions outlined elsewhere in this Scheme (including any Local Planning Policies adopted under the Scheme), or in the absence of any such provisions, they will be determined by the local government in each particular case.

5.13.1.2 For non-residential development in the Residential zone, the standards shall be as determined by the local government in each particular case.

5.13.1.3 Minimum lot sizes for subdivision are determined having regard to the relevant policies and standards of the Western Australian Planning Commission, the adopted Local Planning Strategy, and the feasibility of development of lots based on their intended use and relevant development requirements under this Scheme.

5.13.2 Residential Zone

5.13.2.1 Overall Planning

In order to ensure the subdivision and development of land is done so in an orderly and proper manner and not on an ad-hoc basis, the local government, prior to determining applications for subdivision or planning approval, may require the preparation and approval of a structure plan in accordance with clause 5.8 for all or part of the land.

5.13.2.2 Use of Front/ Street Setback Area

The approval of the local government is required for the keeping, parking, repair or storing any boat, trailer, caravan or any material not specifically for the immediate use by the occupant in any front/ street setback.

5.13.3 Mixed Residential Zone

- 5.13.3.1 The density and standards for the development within the Mixed Residential Zone shall be as for the R50 code.
- 5.13.3.2 The local government may permit an increase in the density for short term tourist only accommodation to R60 provided that the local government is satisfied that:
- a) the site has a minimum area of 2,000m²;
 - b) the development will include an office and residential accommodation for an on-site manager. The Manager's dwelling shall not be included in the calculation of lot density under the R60 code; and
 - c) adequate facilities are provided for guests and as a minimum a swimming pool and covered BBQ area and table.

5.13.4 District Centre Zone**5.13.4.1 Mixed-Use Development**

The local government may permit mixed-use development within the District Centre zone, provided the residential component is built above or behind the commercial component, to ensure that a commercial or non-residential component is at ground floor level fronting the street or public place, for the full width of the building.

5.13.4.2 Plot Ratio

The maximum residential plot ratio shall be in accordance with the provisions of the Residential Design Codes for the R60 Code, but the local government may permit a further increase of up to 50% if the proposed development:

- (a) includes a community or other facility or amenity which the local government considers justifies an increase in the permissible plot ratio; and
- (b) the local government is satisfied that the design, standard and nature of the development as a whole is such as to constitute a significant improvement to the amenities or environment of the Retail area.

5.13.5 Town Centre Zone**5.13.5.1 Mixed-Use Development – Short Stay Residential**

- 5.13.5.1.1 Except as otherwise provided under Clause 5.13.5.4, the local government may permit mixed-use development within the Town Centre zone, provided that:

- a) the residential component is for short stay tourist accommodation and built above the commercial component; and
- b) the development presents a commercial or non-residential frontage to Grey Street and Porter Street, where relevant, including food and beverage facilities and tourist retail for the full width of the building.

- 5.13.5.1.2 The density and standards for the short stay residential component of a mixed-use development shall be determined by the local government.

5.13.5.2 Plot Ratio

The maximum residential plot ratio shall be in accordance with the provisions of the Residential Design Codes, but the local government may permit a further increase of up to 50% if the proposed development:

- a) includes a community or other facility or amenity which the local government considers justifies an increase in the permissible plot ratio; and

- b) the local government is satisfied that the design, standard and nature of the development as a whole is such as to constitute a significant improvement to the amenities or environment of the Town Centre.

5.13.5.3 Building Height

Notwithstanding Clause 5.11.5, the local government may permit development up to four storeys and 20 metres in height, excluding lift towers, within the “Town Centre” zone where the development proposed is consistent with the objectives and provisions of the Local Planning Strategy for the Kalbarri Townsite and the local government is satisfied that:

- a) Provision has been made for incorporation of the surplus Grey Street road reserve into the site;
- b) Provision has been made for the ceding to the local government free of charge the land required for the Gabba Gabba Creek reserve;
- c) The proposed development provides for high level of tourist facilities including tourist retail, food and beverage, entertainment and function facilities and outdoor recreation facilities including a swimming pool;
- d) The proposed development provides a main street frontage to Grey Street and Porter Street, where relevant, including food and beverage facilities and tourist retail;
- e) Parking for short stay guests and key staff is provided on-site and provision made for the payment of cash-in-lieu of parking to the local government for the balance of the parking requirement for the development as determined under Table 2 – Car Parking Requirements.

5.13.5.4 Permanent Residential Occupation

The local government may permit up to 25% of the residential component of the proposed development to be occupied as permanent residential accommodation where it is satisfied that:

- a) permitting the permanent residential component would assist in facilitating financing and completion of the proposed development; and
- b) adequate provision is made in the design of the development to minimise interference between short stay and permanent residents and that adequate provision is made for facilities for the sole use of permanent residents.

5.13.6 General Industry Zone

5.13.6.1 Use of Primary Street Setback Area for Trade Display

A person may display finished goods for sale that have been produced or manufactured on a subject site, subject to the display area being limited to a maximum area of 25% of any street setback area; and excluding the following:

- (a) the dumping or storage of waste or raw materials; or
- (b) the wrecking or storage of wrecked vehicles or parts thereof.

5.13.6.2 Buffer Areas

The local government may not permit any use or development which, in the opinion of the local government, would require a buffer area, other physical device or special restrictions to apply outside the boundary of the site, containing the use or development, in order to make it environmentally acceptable.

5.13.6.3 Factory Units

All factory unit buildings shall:

- (a) be constructed so that no occupancy has a floor area less than 100m² or either its width or length is less than 8 metres;
- (b) have an adjacent open yard no smaller than one-third of the floor area of the occupancy; and
- (c) together with its open yard, have direct access to a service road not less than 6 metres in width;

5.13.7 Rural Residential and Rural & Bushland Zone

5.13.7.1 Zoning and Subdivision

Requirements for the zoning and subdivision of land in the “Rural Residential” zone are set out in Schedule 11.

5.13.7.2 Residential Development on Land Without Reticulated Sewer

In assessing applications for building approval on land not connected to reticulated sewer, the local government is to be satisfied that the land is capable of on-site effluent disposal. In accordance with clause 9.2 (d), this may require additional information such as:

- (a) a “Proposed Development Site Plan” (as referred to in clause 2.4.5 of the Residential Design Codes) including the location of areas for on-site effluent disposal; and
- (b) a report on the soil permeability of the site.

5.13.7.3 Nutrient Run-off

In considering applications for planning approval, the local government shall ensure that the development proposed will not result in any net export of nutrients from the land to any wetland, water course or underground aquifer, and may require no further clearing of vegetation. No stormwater will be permitted to drain directly into existing waterbodies or watercourses, and is to be disposed of on-site.

5.13.7.4 Development

The following provisions apply to development:

- a) Only one Single House and Ancillary Dwelling will be permitted per lot;
- b) Notwithstanding any other provision of the Scheme, an application for planning approval is required for all development;
- c) All development shall be contained within the designated building envelope on the approved structure plan;
- d) All development and ongoing use and management of land is to be in accordance with the structure plan approved in accordance with clause 5.8 of the Scheme, including any approved environmental management plan;
- e) Where a reticulated water supply is not provided to a lot, a potable water supply in accordance with Clause 5.9.4 shall be provided in addition to a water supply for firefighting as determined by the local government;
- f) No bushland shall be felled, removed, damaged or grazed except for:
 - (i) clearing associated with approved development within the endorsed building envelope;

- (ii) maintenance of firebreaks, building protection zones or hazard separation zones as identified in the endorsed fire management plan and/or subdivision and development guide plan;
 - (iii) establishment and maintenance of approved accessways to approved buildings; or
 - (iv) removal of dangerous or diseased vegetation with the written consent of the local government;
- g) No wetland shall be cleared, drained, filled or grazed; and
- h) Outbuildings are limited to 240m² in aggregate area with a maximum wall height of 4.0m and a total maximum height of 6.5m, measured from natural ground level.

5.13.7.5 *Development in Specific Rural Residential Zones*

The provisions for controlling subdivision, land uses and development relating to specific Rural Residential Zones shown on the Scheme Maps shall be as set out in Schedule 12. These provisions apply in addition to those contained elsewhere in the Scheme. To the extent of any inconsistency, the provisions in Schedule 12 shall apply.

PART 6 : SPECIAL PLANNING AREAS

6.1 DEVELOPMENT AREA

6.1.1 Purpose of Development Areas

The purpose of a Development Area is:

- a) to facilitate the subdivision and development of land in a timely and responsive manner;
- b) to ensure that identified areas are the subject of comprehensive physical, environmental, cultural and social assessment and planning prior to subdivision and development;
- c) to set down a process for the physical, environmental, cultural and social assessment of identified areas; and
- d) to guide and coordinate subdivision, land use and development in areas requiring comprehensive planning through the preparation and adoption of a Structure Plan.

The Development Areas are shown on the Scheme Maps.

6.1.2 Structure Plan Required

- 6.1.2.1 The local government requires the preparation of structure plan for land or for any particular part within a Development Zone, before recommending subdivision or approving development of land within the Development Zone.
- 6.1.2.2 Except as otherwise provided for in this Part, preparation, assessment and adoption of the structure plan shall be in accordance with Clause 5.8.
- 6.1.2.3 Where a structure plan has been approved under this Part, the subdivision and development of land is to generally be in accordance with the structure plan and any associated provisions.
- 6.1.2.4 The local government or the Commission may, as a condition of adopting or approving a proposed structure plan, require a more detailed structure plan in the future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the proposed structure plan.

6.1.3 Submission to Environmental Protection Authority

- 6.1.3.1 In addition to the requirements of clause 5.8.5, within 7 days of preparing or receiving a proposed structure plan within a Development Area which proposes the subdivision or development of land, the local government is to forward a copy of the proposed structure plan to the Environmental Protection Authority for assessment under Part IV of the Environmental Protection Act 1986.
- 6.1.3.2 The local government shall not make any decision in respect of a proposed structure plan within a Development Area until such time as it is informed by the Environmental Protection Authority or the Minister for the Environment that the structure plan may proceed and thereafter only in accordance with such modifications and conditions that the Environmental Protection Authority or the Minister for the Environment specifies.

6.1.4 Variation to Structure Plan

- 6.1.4.2 In addition to the requirements of clause 5.8.5, within 7 days of preparing or receiving a variation to a structure plan within a Development Area which proposes the subdivision

or development of land, the local government is to forward a copy of the proposed structure plan to the Environmental Protection Authority for assessment under Part IV of the Environmental Protection Act 1986.

- 6.1.4.2 The local government shall not make any decision in respect of a variation to a structure plan within a Development Area until such time as it is informed by the Environmental Protection Authority or the Minister for the Environment that the structure plan may proceed and thereafter only in accordance with such modifications and conditions that the Environmental Protection Authority or the Minister for the Environment specifies.

6.2 SPECIAL CONTROL AREA

6.2.1 Operation of Special Control Areas

- 6.2.1.1 The following Special Control Areas are shown on the Scheme Maps as a SCA with a number:

- a) Foreshore Planning and Management (SCA 1)
- b) Nanda Drive (SCA 2)
- c) Public Drinking Water Source Protection (SCA 3)
- d) Town Centre (SCA4)
- e) Jakes Point Mixed Tourism Precinct (SCA5)
- f) Anchorage Mixed Use Precinct (SCA 6)
- g) Old Kalbarri Residential Precinct (SCA 7)

- 6.2.1.2 In respect of a special control area shown on the Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

6.2.2 Foreshore Planning and Management (SCA 1)

6.2.2.1 Purpose and Intent

- a) To protect and enhance the environmental, cultural, recreational and/or scenic values of the Murchison River and Coastal Foreshore; and
- b) Give priority to foreshore dependent land uses and development that by their very nature require coastal sites.

6.2.2.2 Relevant Considerations

- a) In determining land uses and development proposals the local government will have due regard to relevant State Government policies and any relevant coastal management policies and plans.
- b) All use and development of land requires application for planning approval. In considering any application for planning approval, local government shall:
 - (i) Ensure that the development proposed will not result in any net export of nutrients from the land into the nearshore waters and may require that no vegetation be cleared or removed from the site and require that all stormwater be retained on-site;
 - (ii) Ensure that the proposed development is adequately set back from visually prominent or unstable features of the coastline such as headlands, ridgelines, cliffs, beaches and other locations which are the focus of attention, unless such a location is essential;

- (iii) Determine the coastal setback based on the stability of the shoreline and the ability of the proposed development to harmonise with the landscape elements in relation to scale, height, colours and materials;
 - (iv) Assess the impact on any area within or adjacent to the subject land that contains an unstable landform, which may impact on the proposed development and/or any foreshore area will be subjected to additional use generated as a result of the proposed development; and
 - (v) Apply a 100 year planning timeframe where it is determined that a proposed development may be impacted by an unstable landform that is located on private freehold land or of a magnitude that stabilisation is unlikely to be achieved.
- c) In considering any application for planning approval, the local government may impose conditions which require:
- (i) Services along a beachfront to be underground;
 - (ii) The proponent to enter into an agreement with the local government for the reconstruction or stabilisation of dunes either located on the subject land or adjoining foreshore areas such agreement shall include the planning and maintenance of native or locally acceptable species of vegetation as determined by local government and should be limited to a defined area of impact
 - (iii) Reconstruction and stabilisation works as part of the implementation of an adopted management or strategy plan; and
 - (iv) Preparation and implementation of a foreshore and reserve management strategy.
- d) Where warranted by wider implications that a proposed development may have, the local government may refer a development application to adjacent local governments and relevant agencies and community groups for comment.

6.2.3 Nanda Drive (SCA 2)

6.2.3.1 Purpose and Intent

- (a) To preserve the existing road reserve of Nanda Drive north of Porter Street until such time as the reserve for the Nanda Drive Outer Route as depicted on the Kalbarri Townsite Local Planning Strategy is reserved;
- (b) To preserve the lands forming and adjoining the alignment of the Nanda Drive Outer Route as depicted on the Kalbarri Townsite Local Planning Strategy pending subdivision and dedication of the road reserve;
- (c) To facilitate the planning, design, reservation and construction of the Nanda Drive Outer Route; and
- (d) To preserve the lands forming and adjoining the alignment of Nanda Drive south of the existing Kalbarri Townsite, including a 20m vegetated buffer to all new development, as depicted on the Kalbarri Townsite Local Planning Strategy pending subdivision and dedication of the road reserve.

6.2.3.2 Prohibition of Development

- a) The local government shall not approve any development within the existing road reserve of Nanda Drive north of Porter Street until such time as the reserve for the Nanda Drive Outer Route as depicted on the Kalbarri Local Planning Strategy is reserved.

- b) The local government shall not approve any development within the Special Control Area for the Nanda Drive Outer Route as depicted on the Kalbarri Local Planning Strategy until the Nanda Drive Outer Route is reserved.
- c) Following reservation of the Nanda Drive Outer Route, the local government shall undertake all steps necessary to repeal that portion of the Special Control Area and this Clause.
- d) The local government shall not approve any development within the road reserve of Nanda Drive south of the existing Kalbarri Townsite until such time as the reserve for Nanda Drive as depicted on the Kalbarri Local Planning Strategy is reserved.
- e) Following reservation of the Nanda Drive south of the existing Kalbarri Townsite, the local government shall undertake all steps necessary to repeal that portion of the Special Control Area and this Clause.

6.2.4 Groundwater Protection (SCA 3)

6.2.4.1 Purpose and Intent

- a) To identify a Groundwater Protection Area adjoining the Kalbarri Groundwater Scheme Area within the undeveloped southern portions of the Kalbarri Townsite; and
- b) To ensure that land use and development within or adjacent to the Area is compatible with the protection and long term management of groundwater resources for public water supply.

6.2.4.2 Relevant Considerations

- a) The local government shall not permit any use of land within the Groundwater Protection Area that may compromise the groundwater resource.
- b) The local government shall not permit any development within a 500m radius of a production water bore.
- c) In determining land uses and development proposals adjacent to the Groundwater Protection Area, the local government will have due regard to relevant State Government policies and the most recent Department of Water, Land Use Compatibility Tables for Public Drinking Water Source Areas (PDWSA).
- d) In determining proposals, the local government may confer with the Department of Environment and Conservation and the Department of Water. The local government is to have due regard to any comments or recommendations from Department of Environment and Conservation and Department of Water and may impose relevant conditions to prevent or minimise the potential risk of groundwater contamination.

6.2.4.3 Application Requirements for Development

Planning approval is required for all development within the Groundwater Protection Area.

6.2.5 Town Centre (SCA 4)

6.2.5.1 Purpose and Intent

- (a) To facilitate the redevelopment of the Kalbarri Town Centre to provide for the broad needs of visitors and residents in safe and pedestrian friendly, family oriented environment;
- (b) To facilitate the potential re-development of Grey Street between Porter Street and Wood Street as a predominantly pedestrian precinct;

- (c) To facilitate the release of surplus land within the Grey Street road reserve into adjoining development sites;
- (d) To facilitate the reservation of Gabba Gabba Creek for Recreation and Conservation;
- (e) To facilitate the reservation and construction of the Grey Street diversion; and
- (f) To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy.

6.2.5.2 *Application Requirements for Development*

Planning approval is required to construct or extend any building, or to carry out any other form of development.

6.2.5.3 *Relevant Considerations*

- a) In considering any subdivision or development application, the local government is to have regard to the objectives and guidelines set out in the Kalbarri Townsite Local Planning Strategy.
- b) In determining the extent of surplus land within the Grey Street Road reserve between Porter Street and Wood Street, the local government shall maintain a minimum road reserve width along Grey Street of 20 metres.
- c) In acquiring land through exchange of surplus road reserve the local government shall seek to establish a Recreation and Conservation Reserve along Gabba Gabba Creek of a general width of 40 metres. Land the subject of an exchange for surplus road reserve shall be transferred free of cost to the local government.

6.2.5.4 *Advertising of Application*

- a) In addition to the provisions of Clause 9.4, where an application is made for planning approval to commence or carry out development which is greater than two storeys in height, the local government shall require the applicant to undertake the following additional forms of notice at the cost of the applicant:
 - (i) the placement in prominent public locations as determined by the local government of a display clearly showing the details of the proposed development; and
 - (ii) hold a Community Information Day at a location nominated by the local government to enable residents to view and discuss the proposed development with the applicant and consultants.
- b) Notwithstanding Clause 9.4, where an application is made for a development greater than two storeys in height, the minimum period for which the local government shall give notice shall be 28 days for a development of three storeys in whole or in part, and 42 days for a development of four storeys in whole or in part.

6.2.6 **Jakes Point Mixed Tourism Precinct (SCA 5)**

6.2.6.1 *Purpose and Intent*

- a) To facilitate the co-ordinated redevelopment of the precinct for Mixed Use Tourism purposes to provide for the broad accommodation and recreational needs of visitors and the recreational needs of residents;
- b) To facilitate shared vehicular and pedestrian access between access sites;
- c) To facilitate shared parking between sites; and

- d) To facilitate the release of surplus land within the George Grey Drive road reserve for visitor and coach parking.

6.2.6.2 *Application Requirements for Development*

Planning approval is required to construct or extend any building, or to carry out any other form of development.

6.2.6.3 *Relevant Considerations*

- a) Subdivision within the precinct will be supported where it is demonstrated that the subdivision is required to give effect to development consistent with the purpose and intent of the precinct.
- b) The minimum lot area within the precinct shall be 1 ha.
- c) In considering any development application, the local government is to have regard to the appropriateness of the uses proposed, the provision made for integration and sharing of vehicular access and parking with adjacent sites and pedestrian connectivity with adjacent sites;
- d) The local government shall not permit more than two access points to George Grey Drive for the whole of the precinct and such access points shall be positioned to benefit the whole of the precinct and shall be linked to facilitate two way access to George Grey Drive from the western portions of the precinct.
- e) The local government shall require a minimum 6 metre wide public road along the western boundaries of lots 582 and 830 George Grey Drive.
- f) In determining the extent of surplus land within the George Grey Drive road reserve forward of the precinct, the local government shall maintain a minimum vegetated buffer along George Grey Drive of 10 metres.
- g) The cost of providing reticulated sewer and water supply to the lots within the precinct shall be borne by the owners and the costs shared pro-rate between the owners based on the area of each lot.
- h) The local government may enter into agreements with owners and applicants to facilitate the co-ordinated development of the precinct.

6.2.6.4 *Advertising of Application*

The provisions of Clause 9.4 shall apply to any application for planning approval within the precinct.

6.2.7 **Anchorage Mixed Use Precinct (SCA 6)**

6.2.7.1 *Purpose and Intent*

- a) To facilitate the redevelopment of the River Road retail area as a Mixed Use precinct including retail, food and beverage services, permanent residential opportunities and tourist short stay residential in a family oriented environment;
- b) To facilitate the potential re-development of River Road forward of the precinct as a pedestrian friendly street; and
- c) To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy.

6.2.7.2 *Application Requirements for Development*

Planning approval is required to construct or extend any building, or to carry out any other form of development.

6.2.7.3 *Relevant Considerations*

- a) In considering any subdivision or development application, the local government is to have regard to the objectives and guidelines set out in the Kalbarri Townsite Local Planning Strategy.
- b) The local government shall ensure that any development presents a “main street” frontage to River Road.
- c) Permanent and short stay residential development shall be limited to the provisions of the R80 Code and shall not be greater than three storeys or 12m in height. Permanent and short stay tourist residential shall not be permitted at ground floor level.
- d) On-site parking shall not be permitted on-site other than for the permanent and short stay residential units. The local government shall require the payment of cash-in-lieu of parking for all commercial development.

6.2.7.4 *Advertising of Application*

- a) In addition to the provisions of Clause 9.4, where an application is made for planning approval to commence or carry out development which is three storeys in part or in whole, the local government shall require the applicant to undertake the following additional forms of notice at the cost of the applicant:
 - (i) the placement in prominent public locations as determined by the local government of a display clearly showing the details of the proposed development; and
 - (ii) hold a Community Information Day at a location nominated by the local government to enable residents to view and discuss the proposed development with the applicant and consultants.
- b) Notwithstanding Clause 9.4, where an application is made for a development which is three storeys in part or in whole, the minimum period for which the local government shall give notice shall be 42 days.

6.2.8 **Old Kalbarri Residential Precinct (SCA 7)**

6.2.8.1 *Purpose and Intent*

- (a) To facilitate the sensitive, broad scale redevelopment of the Old Kalbarri residential precinct;
- (b) To encourage the progressive removal and replacement of the existing framed construction housing and provide a broader range of housing choices; and
- (c) To facilitate the retention of advanced and mature vegetation of the area so as to retain the ambience and residential amenity of the location.; and
- (d) To ensure all development will accord with the objectives and guidelines established for the Special Control Area in the Kalbarri Townsite Local Planning Strategy.

6.2.8.2 *Application Requirements for Development*

- (a) Planning approval is required to construct more than a single house; and
- (b) Planning approval is required to construct or extend any building including a single house, or to carry out any other form of development that requires the removal of any tree of three metres in height or greater.

6.2.8.3 *Relevant Considerations*

The local government may permit a residential development at a density greater than R12.5 provided that the local government is satisfied that:

- (a) All existing fibro, framed construction buildings on the lot are to be demolished as part of the proposed development;
- (b) Existing trees and vegetation as specified by the local government are retained in the proposed development;
- (c) The development is connected to the sewer to the satisfaction of the local government; and
- (d) The proposed development does not exceed the provisions of the R30 Code.

PART 7 : HERITAGE PROTECTION

7.1 HERITAGE LIST

- 7.1.1 The local government is to establish and maintain a Heritage List to identify those places within the Scheme Area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.
- 7.1.2 In the preparation of the Heritage List the local government is to:
- (a) have regard to the municipal inventory prepared by the local government under section 45 of the *Heritage of Western Australia Act 1990 (as amended)*; and
 - (b) include on the Heritage List such of the entries on the municipal inventory as it considers to be appropriate.
- 7.1.3 The Heritage List includes those places which are included in Schedule 15, which were identified as *Places of Heritage Value* under the former local government of Northampton Town Planning Scheme No.6.
- 7.1.4 In considering a proposal to include a place on the Heritage List the local government is to:
- (a) notify in writing the owner and occupier of the place and provide them with a copy of the description proposed to be used under clause 7.1.1 and the reasons for the proposed entry;
 - (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the day the notice is served;
 - (c) carry out such other consultations as it thinks fit; and
 - (d) consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal after considering submissions.
- 7.1.5 Where a place is included on the Heritage List, the local government is to give notice of the inclusion to the Commission, the Heritage Council of Western Australia and the owner and occupier of the place.
- 7.1.6 The local government is to keep a copy of the Heritage List with the Scheme documents for public inspection.
- 7.1.7 The local government may remove or modify the entry of a place in the Heritage List by following the procedures set out in clause 7.1.4 and in addition, where the place is also included in Schedule 15, amending the Scheme.

- Note:*
1. *The purpose and intent of heritage provisions are:*
 - a) *to facilitate the conservation of places of heritage value; and*
 - b) *to ensure as far as possible that development occurs with due regard to heritage values.*
 2. *A "place" is defined in Schedule 1 and may include works, buildings and contents of buildings.*

7.2 DESIGNATION OF A HERITAGE AREA

- 7.2.1 If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, the local government may, by resolution, designate the area as a heritage area.

- 7.2.2 The local government is to:
- (a) adopt for each heritage area a Local Planning Policy which is to comprise:
 - (i) a map showing the boundaries of the heritage area;
 - (ii) a record of places of heritage significance; and
 - (iii) objectives and guidelines for the conservation of the heritage area;and
 - (b) keep a copy of the Local Planning Policy for any designated heritage area with the Scheme documents for public inspection.
- 7.2.3 If a local government proposes to designate an area as a heritage area, the local government is to:
- (a) notify in writing each owner of land affected by the proposed designation and provide the owner with a copy of the proposed Local Planning Policy for the heritage area;
 - (b) advertise the proposal by:
 - (i) publishing a notice of the proposed designation once a week for 2 consecutive weeks in a newspaper circulating in the Scheme Area;
 - (ii) erecting a sign giving notice of the proposed designation in a prominent location in the area that would be affected by the designation; and
 - (iii) such other methods as the local government considers appropriate to ensure widespread notice of the proposal;and
 - (c) carry out such other consultation as the local government considers appropriate.
- 7.2.4 Notice of a proposal under clause 7.2.3 (b) (i) is to specify:
- (a) the area subject of the proposed designation;
 - (b) where the proposed Local Planning Policy which will apply to the proposed heritage area may be inspected; and
 - (c) in what form and in what period (not being less than 21 days from the day the notice is published or the sign is erected, as the case requires) submissions may be made.
- 7.2.5 After the expiry of the period within which submissions may be made, the local government is to:
- (a) review the proposed designation in the light of any submissions made; and
 - (b) resolve to adopt the designation with or without modification, or not to proceed with the designation.
- 7.2.6 If the local government resolves to adopt the designation, the local government is to forward a copy of the designation to the Heritage Council of Western Australia, the Commission and each owner of land affected by the designation.
- 7.2.7 The local government may modify or revoke a designation of a heritage area.
- 7.2.8 Clauses 7.2.3 to 7.2.6 apply, with any necessary changes, to the amendment of a designation of a heritage area.

7.3 HERITAGE AGREEMENTS

The local government may, in accordance with the *Heritage of Western Australia Act 1990*, enter into a heritage agreement with an owner or occupier of land or a building for the purpose of binding the land or affecting the use of the land or building insofar as the interest of that owner or occupier permits.

- Note:*
1. *A heritage agreement may include a covenant intended to run with the land relating to the development or use of the land or any part of the land.*
 2. *Detailed provisions relating to heritage agreements are set out in the Heritage of Western Australia Act 1990.*

7.4 HERITAGE ASSESSMENT

Despite any existing assessment on record, the local government may require a heritage assessment to be carried out prior to the approval of any development proposed in a heritage area or in respect of a heritage place listed on the Heritage List.

7.5 VARIATIONS TO SCHEME PROVISIONS FOR A HERITAGE PLACE OR HERITAGE AREA

Where desirable to:

- (a) facilitate the conservation of a heritage place entered in the Register of Places under the *Heritage of Western Australia Act 1990* or listed in the Heritage List under clause 7.1.1; or
- (b) enhance or preserve heritage values in a heritage area designated under clause 7.2.1,

the local government may vary any site or development requirement specified in the Scheme or the Residential Design Codes by following the procedures set out in clause 5.5.2.

PART 8 : DEVELOPMENT OF LAND

8.1 REQUIREMENT FOR APPROVAL TO COMMENCE DEVELOPMENT

Subject to clause 8.2, all development on land zoned and reserved under the Scheme requires the prior approval of the local government. A person must not commence or carry out any development, including a change in use of the land, without first having applied for and obtained the planning approval of the local government under Part 9.

- Note:*
1. *The planning approval of the local government is required for both the development of land (subject to this Part) and the use of land (subject to Part 4).*
 2. *Development includes the erection, placement and display of any advertisements.*

8.2 PERMITTED DEVELOPMENT

Except as otherwise provided in the Scheme, for the purposes of the Scheme the following development does not require the planning approval of the local government:

- (a) the carrying out of any building or work which affects only the interior of a building and which does not materially affect the external appearance of the building except where the building is:
 - (i) located in a place that has been entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*;
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; or
 - (iii) included on the Heritage List under clause 7.1 of the Scheme.
- (b) the erection on a lot of a single house including any extension, ancillary dwelling, ancillary outbuildings and swimming pools, except where:
 - (i) the proposal is on land coded R30 or greater;
 - (ii) the proposal is on land that will have an extreme bushfire hazard level, or requires the dwelling to be constructed to standards BAL-40 or BAL-FZ under State Planning Policy 3.7: Planning for Bushfire Risk Management;
 - (iii) the proposal requires the exercise of a discretion by the local government under the Scheme to vary any relevant development standards and requirements of the Scheme or Local Planning Policy adopted pursuant to clause 2.4 or vary the provisions of the Residential Design Codes;
 - (iv) the development will be located in a heritage area designated under the Scheme;
 - (v) the development will be located in a special control area designated under the Scheme;
 - (vi) the proposal is for a transportable, prefabricated or relocated building; or
 - (vii) the development will be located in the "Rural Residential" or "Rural and Bushland" zone.
- (c) the demolition of any building or structure except where the building or structure is:
 - (i) located in a place that has been entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*;

- (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*;
- (iii) included on the Heritage List under clause 7.1 of the Scheme; or
- (iv) located in a heritage area designated under the Scheme;
- (d) a home office;
- (e) any works which are temporary and in existence for less than 48 hours or such longer time as the local government agrees; and
- (f) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included in the Heritage List or in a heritage area or within the Town Centre Special Control Area.

Note: Development carried out in accordance with a subdivision approval granted by the Commission is exempt under section 157 of the Planning and Development Act 2005.

8.3 AMENDING OR REVOKING A PLANNING APPROVAL

The local government may, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval.

8.4 UNAUTHORIZED EXISTING DEVELOPMENTS

8.4.1 The local government may grant planning approval to a use or development already commenced or carried out regardless of when it was commenced or carried out, if the development conforms to the provisions of the Scheme.

8.4.2 Development which was unlawfully commenced is not rendered lawful by the occurrence of any subsequent event except the granting of planning approval, and the continuation of the development unlawfully commenced is taken to be lawful upon the grant of planning approval.

Note:

1. Applications for approval to an existing development are made under Part 9.
2. The approval by the local government of an existing development does not affect the power of the local government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.

PART 9 : APPLICATIONS FOR PLANNING APPROVAL

9.1 FORM OF APPLICATION

9.1.1 An application for approval for one or more of the following:

- (a) a use or commencement of development on a Local Reserve under clause 3.4;
- (b) commencement of a 'P' use which is not exempt from the planning approval of the local government under Part 8;
- (c) commencement of a 'P' use which does not comply with all relevant development standards and requirements of the Scheme as referred to in clause 4.3.2;
- (d) commencement of a 'D' use or an 'A' use as referred to in clause 4.3.2;
- (e) commencement of a use not listed in the Zoning Table under clause 4.4.2 (b);
- (f) alteration or extension of a non-conforming use under clause 4.9;
- (g) a change of a non-conforming use under clause 4.9;
- (h) continuation of a non-conforming use clause 4.8;
- (i) variation of a site or development requirement under clauses 5.5 and 5.6;
- (j) commencement of development under clause 8.1;
- (k) continuation of development already commenced or carried out under clause 8.4;
- (l) a subsequent planning approval pursuant to an approval under clause 10.8.1; and
- (m) the erection, placement or display of an advertisement in addition to the requirements of clause 9.1.2;

is to be made in the form prescribed in Schedule 6 and is to be signed by the owner, and accompanied by such plans and other information as is required under the Scheme.

9.1.2 An application for the erection, placement or display of an advertisement is to be accompanied by the additional information set out in the form prescribed in Schedule 7.

9.2 ACCOMPANYING MATERIAL

Unless the local government waives any particular requirement every application for planning approval is to be accompanied by:

- (a) a plan or plans to a scale of not less than 1:500 showing:
 - (i) the location of the site including street names, lot numbers, north point and the dimensions of the site;
 - (ii) the existing and proposed ground levels over the whole of the land the subject of the application and the location, height and type of all existing structures, and structures and vegetation proposed to be removed;
 - (iii) the existing and proposed use of the site, including proposed hours of operation, and buildings and structures to be erected on the site;
 - (iv) the existing and proposed means of access for pedestrians and vehicles to and from the site;
 - (v) the location, number, dimensions and layout of all car parking spaces intended to be provided;

- (vi) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
- (vii) the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop the same; and
- (viii) the nature and extent of any open space and landscaping proposed for the site;
- (b) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
- (c) any specialist studies that the local government may require the applicant to undertake in support of the application such as traffic, heritage, environmental, engineering and urban design studies; and
- (d) any other plan or information that the local government may require to enable the application to be determined.

9.3 ADDITIONAL MATERIAL FOR HERITAGE MATTERS

Where an application relates to a place entered on the Heritage List or within a heritage area, the local government may require an applicant to provide one or more of the following to assist the local government in its determination of the application:

- (a) street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as one continuous elevation;
- (b) a detailed schedule of all finishes, including materials and colours of the proposed development and, unless the local government exempts the applicant from the requirement or any part of it, the finishes of the existing developments on the subject lot and on each lot immediately adjoining the subject lot.

9.4 ADVERTISING OF APPLICATIONS

9.4.1 Where an application is made for planning approval to commence a use or commence or carry out development which involves a use which is:

- (a) an 'A' use as referred to in clause 4.3.2; or
- (b) a use not listed in the Zoning Table,

the local government is not to grant approval to that application unless notice is given in accordance with clause 9.4.3.

9.4.2 Despite clause 9.4.1, where application is made for a purpose other than a purpose referred to in that clause, the local government may require notice to be given in accordance with clause 9.4.3.

9.4.3 The local government may give notice, or require the applicant to give notice, of an application for planning approval in one or more of the following ways:

- (a) notice of the proposed use or development served on nearby owners and occupiers who, in the opinion of the local government, are likely to be affected by the granting of planning approval, stating that submissions may be made to the local government by a specific date being not less than 14 days from the day the notice is served;

- (b) notice of the proposed use or development published in a newspaper circulating in the Scheme Area stating that submissions may be made to the local government by a specific date being not less than 14 days from the day the notice is published;
 - (c) a sign or signs displaying notice of the proposed use or development to be erected in a conspicuous position on the land for a period of not less than 14 days from the day the notice is erected.
- 9.4.4 The notice referred to in clause 9.4.3 (a) and (b) is to be in the form prescribed in Schedule 8 with such modifications as are considered appropriate by the local government.
- 9.4.5 Any person may inspect the application for planning approval referred to in the notice and the material accompanying at the offices of the local government.
- 9.4.6 After the expiration of the specified period from the serving of notice of the application for planning approval, the publication of the notice or the erection of a sign or signs, whichever is the later, the local government is to consider and determine the application.

PART 10 : PROCEDURE FOR DEALING WITH APPLICATIONS

10.1 CONSULTATION WITH OTHER AUTHORITIES

- 10.1.1 In considering an application for planning approval the local government may consult with any other statutory, public or planning authority it considers appropriate.
- 10.1.2 In the case of land reserved under the Scheme for the purposes of a public authority, the local government is to consult that authority before making its determination.
- 10.1.3 In the case of Coastal and Foreshore reserves the local government may consult with the departments of Water, Environment and Conservation and Transport before making its determination.
- 10.1.4 In the case of existing and potential Major Road alignments shown on the Scheme Map and/ or Local Planning Strategy Map, the local government shall consult with Main Roads WA before making its determination.

10.2 MATTERS TO BE CONSIDERED BY LOCAL GOVERNMENT

- 10.2.1 The local government in considering an application for planning approval is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application:
 - (a) the aims and provisions of the Scheme;
 - (b) the requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
 - (c) any approved statement of planning policy from the Commission;
 - (d) any approved environmental protection policy under the *Environmental Protection Act 1986*;
 - (e) any relevant policy or strategy of the Commission and any relevant policy adopted by Government of the State;
 - (f) any Local Planning Policy adopted by the local government under clause 2.4, any heritage policy statement for a designated heritage area adopted under clause 7.2.2, and any other plan or guideline adopted by the local government under the Scheme;
 - (g) in the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;
 - (h) the conservation of any place that has been entered in the Register within the meaning of the *Heritage of Western Australia Act 1990*, or which is included in the Heritage List under clause 7.1, and the effect of the proposal on the character or appearance of a heritage area;
 - (i) the compatibility of a use or development with its setting;
 - (j) any social issues that have an effect on the amenity of the locality;
 - (k) the cultural significance of any place or area affected by the development;
 - (l) the likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;

- (m) whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;
- (n) the preservation of the amenity of the locality;
- (o) the relationship of the proposed development on adjoining land or on other land in the locality including but not limited to, the likely effect of height, bulk, scale, orientation and appearance of the proposal;
- (p) whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- (q) the amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) whether public utility services are available and adequate for the proposal;
- (s) whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (t) whether adequate provision has been made for access by disabled persons;
- (u) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (v) whether the proposal is likely to cause soil erosion or land degradation;
- (w) the potential loss of any community service or benefit resulting from the planning approval;
- (x) any relevant submissions received on the application;
- (y) any comments or submissions received from any authority consulted under clause 10.1.1;
- (z) any other planning consideration the local government considers relevant.

10.3 DETERMINATION OF APPLICATIONS

In determining an application for planning approval the local government may:

- (a) grant its approval with or without conditions; or
- (b) refuse to grant its approval.

10.4 FORM AND DATE OF DETERMINATION

10.4.1 As soon as practicable after making a determination in relation to the application, the local government is to convey its determination to the applicant in the form prescribed in Schedule 9 and the date of the determination is to be the date given in the notice of the local government's determination.

10.4.2 Where the local government refuses an application for planning approval the local government is to give reasons for its refusal.

10.5 TERM OF PLANNING APPROVAL

10.5.1 Where the local government grants planning approval for the development of land:

- (a) the development approved is to be substantially commenced within 2 years, or such other period as specified in the approval, after the date of the determination; and

- (b) the approval lapses if the development has not substantially commenced before the expiration of that period.

10.5.2 A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 10.5.1.

10.6 TEMPORARY PLANNING APPROVAL

Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted.

Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence.

10.7 SCOPE OF PLANNING APPROVAL

Planning approval may be granted:

- (a) for the use or development which the approval is sought;
- (b) for that use or development, except for a specified part or aspect of that use or development; or
- (c) for a specified part or aspect of that use or development.

10.8 APPROVAL SUBJECT TO LATER APPROVAL DETAILS

10.8.1 Where an application is for development that includes the carrying out of any building works, the local government may grant approval subject to matters requiring the subsequent planning approval of the local government. These matters may include the siting, design, external appearance of the buildings, means of access, landscaping and such other matters as the local government thinks fit.

10.8.2 In respect of an approval requiring subsequent planning approval, the local government may require such further details as it thinks fit prior to considering the application.

10.8.3 Where the local government has granted approval subject to matters requiring the later planning approval of the local government, an application for approval of those matters must be made not later than 2 years after the date of the determination of the first approval, or such other period as is specified in the approval.

10.9 DEEMED REFUSAL

10.9.1 Subject to clause 10.9.2, an application for planning approval is deemed to have been refused if a determination in respect of that application is not conveyed to the applicant by the local government within 60 days of the receipt of the application by the local government, or within such further time as is agreed in writing between the applicant and the local government.

10.9.2 An application for planning approval which is the subject of a notice under clause 9.4 is deemed to be refused where a determination in respect of that application is not conveyed to the applicant by the local government within 90 days of the receipt of the application by the local government, or within such further time as is agreed in writing between the applicant and the local government.

10.9.3 Despite an application for planning approval being deemed to have been refused, the local government may issue a determination in respect of the application at any time after the expiry of the period specified in clause 10.9.1 or 10.9.2, as the case requires, and that determination is as valid and effective from the date of determination as if it had been made before the period expired.

10.10 APPEALS

An applicant aggrieved by a determination of the local government in respect of the exercise of a discretionary power under the Scheme may apply to review that determination under Part 14 of the *Planning and Development Act 2005*.

PART 11 : ENFORCEMENT AND ADMINISTRATION

11.1 POWERS OF THE LOCAL GOVERNMENT

11.1.1 The local government in implementing the Scheme has the power to:

- (a) enter into an agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matter pertaining to the Scheme;
- (b) acquire any land or buildings within the Scheme Area under the provisions of the Scheme or the *Planning and Development Act 2005*; and
- (c) deal with or dispose of any land which it has acquired under the provisions of the Scheme or the *Planning and Development Act 2005* in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

11.1.2 An employee of the local government authorized by the local government may, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

11.2 REMOVAL AND REPAIR OF EXISTING ADVERTISEMENTS

11.2.1 Where an existing advertisement at, or at any time after, the coming into force of the Scheme, is, in the opinion of the local government, in conflict with the amenity of the locality, the local government may by written notice (giving clear reasons) require the advertiser to remove, relocate, repair, adapt or otherwise modify the advertisement.

11.2.2 Where, in the opinion of the local government, an advertisement has deteriorated to a point where it is in conflict with the aims of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by written notice require the advertiser to:

- (a) repair, repaint or otherwise restore the advertisement to a standard specified by the local government in the notice; or
- (b) remove the advertisement.

11.2.3 For the purpose of clauses 11.2.1 and 11.2.2 any notice is to be served to the advertiser and is to specify:

- (a) the advertisement the subject of the notice;
- (b) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice; and
- (c) the period, being not less than 60 days from the date of the local government's determination, within which the action specified is to be completed by the advertiser.

11.2.4 A person whom notice is served under this clause may make application for review under the *Planning and Development Act 2005* against the determination of the local government.

11.3 AMENITY CONTROL

Where in the opinion of the local government a property is not being maintained in a clean and tidy condition or an activity is being undertaken that results in the appearance of the property having a deleterious effect on the amenity of the area in

which it is located, the local government shall require the owner or occupier to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.

11.4 DELEGATION OF FUNCTIONS

- 11.4.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the *Local Government Act 1995*, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.
- 11.4.2 The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 11.3.1.
- 11.4.3 The exercise of the power of delegation under clause 11.3.1 requires a decision of an absolute majority as if the power had been exercised under the *Local Government Act 1995*.
- 11.4.4 Sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

11.3 PERSON MUST COMPLY WITH PROVISIONS OF SCHEME

A person must not:

- (a) contravene or fail to comply with the provisions of the Scheme;
- (b) use any land or commence or continue to carry out any development within the Scheme Area:
 - (i) otherwise than in accordance with the Scheme;
 - (ii) unless all approvals required by the Scheme have been granted and issued;
 - (iii) otherwise than in accordance with any conditions imposed upon the grant and the issue of any approval required by the Scheme; and
 - (iv) otherwise than in accordance with any requirements prescribed by the Scheme or determined by the local government under the Scheme with respect to that building or that use.

Note:

Section 218 of the Planning and Development Act 2005 provides that a person who:

- (a) contravenes or fails to comply with the provisions of a town planning scheme; or*
 - (b) commences or continues to carry out any development which is required to comply with a town planning scheme otherwise than in accordance with that scheme or otherwise than in accordance with any condition imposed with respect to the development by the responsible authority pursuant to its powers under that scheme;*
- is guilty of an offence. Penalty \$50,000, and a daily penalty of \$5,000.*

11.4 COMPENSATION

- 11.6.1 A person whose land or property is injuriously affected by the making or amendment of the Scheme may make a claim for compensation under section 173 of the *Planning and Development Act 2005*:
- (a) in any case, within 6 months of the date of the publication of the notice of the approval of the Scheme or the amendment, as the case requires, in accordance with the *Town Planning Regulations 1967*; or
 - (b) where the land has been reserved for a public purpose and:

- (i) an application made under the Scheme for approval to carry out development on the land is refused; or
- (ii) an application made under the Scheme for approval to carry out development on the land is granted subject to conditions that have the effect of permitting the land to be used or developed for no purpose other than a public purpose,

not later than 6 months after the application is refused or the permission granted.

- 11.6.2 A person whose land or property is injuriously affected by the making of a Scheme may not claim for compensation for that injurious affection more than once under clause 11.5.1.

Note: A claim for compensation under section 11(1) of the Planning and Development Act 2005 may be made in the Form No. 7 in Appendix A of the Town Planning Regulations 1967.

11.5 PURCHASE OR TAKING OF LAND

- 11.7.1 If, where compensation or injurious affection is claimed under the *Planning and Development Act 2005*, the local government elects to purchase or take the land compulsorily the local government is to give written notice of that election to the claimant within 3 months of the claim for compensation being made.

- 11.7.2 The local government may deal with or dispose of land acquired by it for the purpose of a Local Reserve upon such terms and conditions as it thinks fit but the land must be used, and preserved, for a use compatible with the purpose for which it is reserved.

Note: Sections 190 and 191 of the Planning and Development Act 2005 empowers the local government to purchase or compulsorily acquire land comprised in a scheme.

11.6 NOTICE FOR REMOVAL OF CERTAIN BUILDINGS

- 11.8.1 Under section 214 of the *Planning and Development Act 2005*, 28 days written notice is prescribed as the notice to be given for the removal of a building or other work referred to in that subsection.

- 11.8.2 The local government may recover expenses under section 214 of the *Planning and Development Act 2005* in a court of competent jurisdiction.

SCHEDULES

Schedule 1	Dictionary of defined words and expressions: General Definitions Land Use Definitions
Schedule 2	Additional Uses
Schedule 3	Restricted Uses
Schedule 4	Special Use Zones
Schedule 5	Exempted Advertisements
Schedule 6	Form of Application for Planning Approval
Schedule 7	Additional Information For Advertisements
Schedule 8	Notice of Public Advertisement of Planning Proposal
Schedule 9	Notice of Determination on Application for Planning Approval
Schedule 10	Environmental Conditions
Schedule 11	Requirements for the Zoning or Subdivision of “Rural Residential” land.
Schedule 12	Rural Residential Zones
Schedule 13	Standards for Car Parking Spaces
Schedule 14	Requirements for the Zoning of Land to “Bushland Protection”
Schedule 15	Heritage List

Note: Schedule 10 may not apply to the Scheme

SCHEDULE 1 : DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

[Clause 1.7]

GENERAL DEFINITIONS :

In the Scheme –

Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising;

Amenity: means all those factors which combine to form the character of an area and include the present and likely future amenity;

Amusement Machine: means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation;

Ancillary Use: means a use which is incidental to the predominant use of land and buildings;

Building Envelope: means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained;

Bushland: means land on which there is vegetation which is either a remainder of the natural vegetation of the land and or, if altered, is still representative of the structure and floristics of the natural vegetation, and provides the necessary habitat for fauna;

Caravan: means a vehicle as defined under the *Road Traffic Act 1974 (as amended)* maintained in condition suitable for licence under that Act all times and being designed or fitted or capable of use as a habitation or for dwelling or sleeping purposes;

Commercial Vehicle: means a vehicle whether licensed or not and which is used in conjunction with a trade or profession and shall include trailers, tractors and their attachments, buses and earthmoving machines whether self-propelled or not but shall not include a passenger car derivative as defined by the *Vehicle Sales Regulations 1976 (as amended)*, a van, utility or light truck which is rated by the manufacturer as being suitable to carry loads of up to 1.5 tonnes;

Conservation: has the same meaning as in the *Heritage of Western Australia Act 1990*;

Cultural heritage significance: has the same meaning as in the *Heritage of Western Australia Act 1990*;

Development: shall have the same meaning given it in and for the purposes of the *Planning and Development Act 2005*;

Dwelling: has the same meaning given to it in the *Residential Design Codes*;

Environmental Harm: means the direct or indirect alteration of the environment, or any aspect of the environment, to its detriment or degradation;

Facade: means the exposed faces of a building towards roads or open space or the frontal outward appearance of the building;

Floor Area: has the same meaning as in the *Building Code of Australia 1996* published by the Australian Building Codes Board;

Frontage: when used in relation to a building that is used for —

- (a) residential purposes, has the same meaning as in the Residential Design Codes; and
- (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts 2 or more roads, the one to which the building or proposed building faces;

Gazettal date: in relation to a Scheme, means the date on which the Scheme is published in the *Gazette* under section 87(3) of the *Planning and Development Act 2005*;

Gross Leasable Area: means, in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas;

Height: when used in relation to a building that is used for —

- (a) residential purposes, has the same meaning as in the Residential Design Codes; or
- (b) purposes other than residential purposes, means the maximum vertical distance between the ground level and the finished roof height directly above;

Incidental Use: means the use of premises which is ancillary and subordinate to the predominant or primary use;

local government: means the local government of Northampton;

Local Planning Strategy: means the Local Planning Strategy in respect of the Scheme, as endorsed by the Commission under regulation 12B of the *Town Planning Regulations 1967* and amended from time to time;

Lot: has the same meaning as in the *Planning and Development Act 2005*, but does not include a strata or survey strata lot;

Minerals: has the same meaning as in the *Mining Act 1978*;

Net lettable area (nla): means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas —

- (a) all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- (b) lobbies between lifts facing other lifts serving the same floor;
- (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;

Non-conforming Use: has the same meaning as it has in Section 172 of the *Planning and Development Act 2005*;

Owner: in relation to any land, includes the Crown and every person who jointly or severally whether at law or in equity —

- (a) is entitled to the land for an estate in fee simple in possession;
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of that land;
- (c) is a lessor or licensee from the Crown; or
- (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive, the rents and profits from the land, whether as beneficial owner, trustee, mortgagee in possession or otherwise;

Park Home: means a movable dwelling, not being a vehicle as defined under the *Road Traffic Act 1974 (as amended)*, but constructed and maintained on its own chassis and wheels and capable of mobility at all times although stabilised by jacks and provided with skirtings and so designed and constructed as to permit independent occupancy for dwelling purposes;

Place: in Part 7 (Heritage Protection) has the same meaning as it has in the *Heritage of Western Australia Act 1990*.

Planning and Development Act: means the *Planning and Development Act 2005*;

Plot Ratio: shall have the same meaning given to the term in the *Building Code of Australia* except for residential dwellings where the term shall have the same meaning given to it in the *Residential Design Codes*;

Potable Water: means water in which levels of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water' published by the World Health Organisation (1971);

Precinct: means a definable area where particular planning policies, guidelines or standards apply;

Predominant use: means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary;

Premises: means land or buildings;

Reflective Material: has the following meaning:

- a) low reflective building material means any building materials that have a solar radiation or reflective value of 50% or less; and
- b) high reflective building material means any building materials that have a solar radiation or reflective value greater than 50%;

Residential Design Codes: means the Residential Design Codes in Appendix 2 to the Western Australian Planning Commission Statement of Planning Policy No. 1, as amended from time to time;

Retail: means the sale or hire of goods or services to the public;

Substantially commenced: means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development;

Transportable, Prefabricated or Relocated Building: means any building, whether or not designed for human habitation or use, and:

- (a) is a new building designed to be transported as a whole building or in parts; or
- (b) most or all of the components of the building are prefabricated off site for assembly on site; or
- (c) is a previously used building which is to be disassembled and/or removed from one location to be assembled and/or affixed in another location;

Wholesale: means the sale of goods or materials to be sold by others;

Zone: means a portion of the Scheme Area shown on the map by distinctive colouring, patterns, symbols, hatching or edging for the purpose of indicating the restrictions imposed by the Scheme on the use and development of land, but does not include a reserve or special control area;

LAND USE DEFINITIONS :

Aged and Dependent Person's Dwellings: has the same meaning given to it in the *Residential Design Codes*;

Agriculture – extensive: means premises used for the raising of stock or crops but does not include agriculture – intensive or animal husbandry – intensive;

Agriculture – intensive: means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following —

- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
- (b) the establishment and operation of plant or fruit nurseries;
- (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms); or
- (d) aquaculture;

Agroforestry: means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare;

Amusement Facility: means any land or buildings, open to the public, used for not more than two amusement machines where such use is incidental to the predominant use;

Amusement Parlour: means any land or building, open to the public, where the predominant use is amusement by amusement machines, and where there are more than two amusement machines operating within the premises;

Animal establishment: means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry – intensive or veterinary centre;

Animal husbandry – intensive: means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;

Bed and Breakfast: means a portion of a dwelling in which provision is made for short term occupation by no more than four (4) persons exclusive of family members of the keeper thereof, for hire or reward;

Betting Agency: means a building operated in accordance with the *Totalisator Agency Board Betting Act 1960* (as amended);

Builder's Storage Yard: means any land or buildings used for the storage of building material, pipes, or other similar items related to any trade; and may include manufacture, assembly and dismantling processes incidental to the predominant use;

Cabin: means an individual self-contained unit similar to a chalet but may lack ensuite facilities and may comprise only one room and is designed for short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three months in any 12-month period;

Caravan park has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;

Caretaker's Dwelling: means a building used as a residence by the proprietor or manager having the care of the building, plant, equipment or grounds associated with an industry or business, carried on upon the same site;

Car Park: means any land or buildings used primarily for parking private cars or taxis whether open to the public or not, and whether for reward or not, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings in which cars are displayed for sale;

Chalet : means an individual self-contained unit usually comprising cooking facilities, ensuite, living area and one or more bedrooms designed to accommodate short-stay guests, forming part of a tourism facility and where occupation by any person is limited to a maximum of three months in any 12-month period;

Child Care Premises: means any land or buildings used for the daily or occasional care of children in accordance with the Community Services (Child Care) Regulations (as amended);

Cinema/Theatre: means any land or building where the public may view a motion picture or theatrical production;

Civic Use: means land or buildings used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose;

Club Premises: means any land or buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the *Liquor Licensing Act, 1988* (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme;

Community Purpose: means those uses, in a particular locality, which provide services or facilities, such as health or social services or meeting facilities, to those who live or work in that locality;

Community Services Depot: means land and buildings used for the garaging of vehicles and equipment used to provide a community service such as a fire brigade, ambulance and the like and includes all related services thereto;

Consulting Rooms: means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, occupational therapists, chiropractors, podiatrists, and persons ordinarily associated with a practitioner, in the prevention or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices;

Convenience Store: means any land and/or buildings used for the retail sale of convenience goods being those goods commonly sold in delicatessens and newsagents but does not include the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 300 m² gross leasable area;

Corrective institution: means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;

Cultural Use: means any use aimed at the improvement or refinement of people by entertainment and/or education;

Display Home Centre: means a group of two or more dwellings which are intended to be open for public inspection;

Dry Cleaning Premises: means any land or buildings used for the cleaning of garments and other fabrics by chemical processes;

Eco-Tourist Facility: means a form of tourist accommodation that is designed, constructed, operated and of a scale so as not to destroy the natural resources and qualities that attract tourists to the location. The development should utilise sustainable power, have a low energy demand through incorporation of passive solar design, provide for low water consumption, ecologically sensitive waste processing and disposal with no pollutant product;

Educational Establishment: means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory;

Equestrian Centre: means land and buildings used for a riding school and includes the stabling and exercise of horses, camels and the like including facilities for events of a competitive nature or associated tourist purposes;

Exhibition Centre: means premises used for the display, or display and sale of materials of an artistic, cultural or historical nature, and includes a museum or art gallery;

Factory Unit Building: means an industrial building or structure, or group of buildings or structures designed, used or adapted for use as two or more separately occupied production or storage areas;

Family Day Care: means premises used to provide family day care within the meaning of the *Community Services (Child Care) Regulations 1988*;

Farm Stay: means a residential building, bed and breakfast, chalet or similar accommodation unit used to accommodate short-stay guests on a farm or rural property and where occupation by any person is limited to a maximum of three months in any 12-month period, and where the number of accommodation units is limited to 6 per lot;

Farmworker's Dwelling: means a single house or residential building providing accommodation for workers employed for agricultural activities on that lot (including accommodation for family members involved in the operation of the agricultural enterprise);

Fast Food Outlet: means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar;

Fuel Depot: means any land or buildings used for the storage and sale in bulk of solid or liquid gaseous fuel, but does not include a service station and specifically excludes the sale by retail into the final user's vehicle of such fuel from the premises;

Funeral Parlour: means any land or buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation;

Garden Centre: means any land or buildings used for the sale and display of garden products, including garden ornaments, plants, seeds, motorised domestic garden implements and the display but not manufacture of pre-fabricated garden buildings;

Grouped Dwelling: has the same meaning given to it in the *Residential Design Codes*;

Guesthouse: means integrated premises for short-stay guests comprising serviced accommodation units and on-site tourism facilities such as reception, centralised dining, and management, and where occupation by any person is limited to a maximum of three months in any 12 month period;

Hire Service: means land and buildings used for the storage and hire of machinery and other bulky equipment;

Holiday Home: means one or more residential buildings used to provide accommodation for short-stay guests and where occupation by any person is limited to a maximum of three months of any 12-month period and excludes those uses more specifically defined elsewhere;

Home Business: means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50m²;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) does not involve the use of an essential service of greater capacity than normally required in the zone; and
- (f) in relation to vehicles and parking:
 - (i) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
 - (ii) does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight;

Home Business – Hire: means a business, service or profession involved in hiring goods carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- (a) does not employ more than two people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50m² (inclusive of any administrative areas of the business within the dwelling);
- (d) does not involve the retail sale or display of goods of any nature;
- (e) does not involve the use of an essential service of greater capacity than normally required in the zone; and
- (f) in relation to vehicles and parking:
 - (i) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood;
 - (ii) does not involve the presence, use or calling of a vehicle or vessel more than 3.5 tonnes tare weight or in excess of 8 metres in length; and

- (iii) provides an area behind the street setback line for the storage of vehicles or vessels associated with the business that is fully screened from view from the primary or secondary street;

Home Occupation: means a business or activity carried on with the written permission of the Council within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:

- a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interferences, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding or the land on which the business is conducted;
- b) does not entail employment of any person not a member of the occupier's family;
- c) does not occupy an area greater than 20m²;
- d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located.
- e) does not display a sign exceeding 0.2m² in area;
- f) in the opinion of the Council it is compatible with the principal uses to which land in the zone in which it is located may be put, and will not generate a volume of traffic that would prejudice the amenity of the area or require a greater number of parking facilities than normally reserved for a single dwelling;
- g) does not entail the presence, parking, garaging, use or calling of a vehicle of more than 2 tonnes tare weight; and
- h) entails the conduct of a business, office or workshop only, and does not entail the retail sale of goods of any nature so as to conflict with part f) above;

Home office: means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not —

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

Home store: means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling;

Hospital: means a building in which persons are received and lodged for medical treatment or care and includes a maternity hospital;

Hotel: means any land or buildings providing accommodation for the public the subject of a hotel licence granted under the provisions of the *Liquor Licensing Act 1988 (as amended)* and may include a betting agency operated in accordance with the *Totalisator Agency Betting Board Act 1960 (as amended)*, but does not include a motel, tavern or boarding house;

Industry: means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

- a) the winning, processing or treatment of minerals; or
- b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- c) the generation of electricity or the production of gas; or
- d) the manufacture of edible goods for human or animal consumption;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of or the incidental sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process; but does not include;

- (i) the carrying out of agriculture,
- (ii) on-site work on buildings or land; or
- (iii) in the case of edible goods the preparation of food for retail sale from the premises;

Industry – Cottage: means a business or trade industry which produces goods which cannot be carried out under the provisions relating to a “home occupation” and which, in the opinion of Council:

- a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection, due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- b) where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier’s family, or any person not a permanent resident on the premises;
- c) is conducted in an outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 50m²;
- d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located;
- e) does not display a sign exceeding 0.2m² in area; and
- f) does not offer or present for sale any goods or artefacts not wholly produced or provided on the premises;

Industry – Extractive means the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substances from the land and also the storage, treatment or manufacture of products from those materials on the land from which those materials are extracted or on land adjacent thereto;

Industry – General: means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry;

Industry – Hazardous: means an industry which, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the industry from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment such as oil refineries and chemical production plants;

Industry – Light: means an industry:

- a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products, and
- b) the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services;

Industry – Mining: means land used commercially to extract minerals from the land;

Industry – Noxious: means an industry which is subject to licensing as “Prescribed Premises” under the *Environmental Protection Act 1986 (as amended)*;

Industry – Rural: means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality;

Industry – Service: means a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;

Lodging House: means a residence or building in which provision is made for boarding or lodging of more than four (4) persons for holiday accommodation purposes, exclusive of family members of the keeper thereof, for reward but does not include motel, boarding school or building containing flats;

Lunch Bar: means premises or part of a premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas;

Marine Filling Station: means any land or buildings used for the storage and supply of liquid fuels and lubricants for marine craft, but in which no industry is carried on; but does not include a service station;

Market: means any land or buildings used for a fair, a farmers' or producers' market, or a swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental;

Medical Centre: means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretation of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists;

Motel: means any land or buildings used or intended to be used to accommodate patrons in a manner similar to a hotel, but in which special provision is made for the accommodation of patrons with motor vehicles and to which a licence under the *Liquor Licensing Act 1988 (as amended)* has been granted;

Motor Vehicle and Marine Sales: means any land or buildings used for the display and sale of new or second hand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include the servicing of motor vehicles sold from the site and sale of accessories and spare parts;

Motor Vehicle Repairs: means any land or buildings used for the mechanical repair and overhaul of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis reshaping and includes the sale of motor vehicle accessories and spare parts;

Motor Vehicle Wash: means any land or buildings where vehicles are washed and cleaned by, or primarily by, mechanical means;

Multiple Dwelling: has the same meaning given to it in the *Residential Design Codes*;

Nursing Home: means any building used for the medical treatment or care of sick persons, whether resident or not, but does not include consulting rooms;

Office: means a building or part of a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, a post office, bank, building society, insurance office, estate agency, typist and secretarial services, or services of a similar nature, and where not

conducted on the site thereof, the administration of or the accounting in connection with a commercial or industrial undertaking;

Open Air Display: means the use of land as a site for the display and/or sale of goods and equipment;

Petrol Filling Station: means any land or buildings used for the retail sale of petroleum products and motor vehicle accessories; but does not include a service station, transport depot, or panel beating, spray painting or motor vehicles repairs or wrecking;

Produce Store: means any land or buildings wherein fodders, fertilisers and grain are displayed and offered for sale;

Public Amusement: means any land or buildings used for the amusement or entertainment of the public, with or without charge;

Public Recreation: means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge;

Public Utility: means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services;

Place of Worship: means any land or buildings used primarily for religious activities but does not include an institution for primary, secondary, or higher education or a residential training institution;

Radio and TV Installation: means any land or buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers;

Reception Centre: means any land or buildings used by parties for functions on formal or ceremonial occasions, but not for unhosted use for general entertainment purposes;

Recreation – Private means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge;

Recreation- Public: means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge;

Residential Building: has the same meaning given to it in the *Residential Design Codes*;

Restaurant: means a building wherein food is prepared for sale and consumption on the premises and the expression shall include both a licensed or unlicensed restaurant; but does not include a kiosk or fast food outlet;

Restricted premises means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of

- (a) publications that are classified as restricted under the *Censorship Act 1996*;
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity;

Retirement Village: means a development containing permanent accommodation for aged persons only together with the necessary ancillary facilities such as dining room, library and recreation facilities;

Roadhouse: means land and buildings used for the predominant purpose of a service station but incidentally including a cafe, restaurant and/or shop associated with the service station;

Rural pursuit: means any premises used for —

- (a) the rearing or agistment of animals;
 - (b) the stabling, agistment or training of horses;
 - (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
 - (d) the sale of produce grown solely on the lot,
- but does not include agriculture – extensive or agriculture – intensive;

Salvage Yard: means any land or buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats;

Service station: means premises used for —

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and
- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,

but does not include premises used for a transport depot, panel beating, spray painting, major repairs or wrecking;

Serviced Apartment: means a complex where all units or apartments provide for self-contained accommodation for short-stay guests, where integrated reception and recreation facilities may be provided, and where occupation by any person is limited to a maximum of three months in any 12-month period;

Shop: means any building wherein goods are kept, exposed or offered for sale by retail or hire, or within which services of a personal nature are provided (including a hairdresser, masseuse, beauty therapist or manicurist) but does not include a showroom, fast food outlet, liquor store or any other premises specifically defined elsewhere in this part;

Showroom: means any building or part of a building used or intended for use for the purpose of displaying or offering for sale by wholesale or retail, carpets, large electrical appliances, furniture, hardware or goods of a bulky nature but does not include the sale by retail of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, videos, newspapers, books or paper products, china, glassware or domestic hardware; or items of personal adornment;

Single Bedroom Dwelling: has the same meaning given to it in the *Residential Design Codes*;

Single House: has the same meaning given to it in the *Residential Design Codes*;

Tavern: means any land or buildings the subject of a Tavern Licence granted under the provisions of the *Liquor Licensing Act 1988* (as amended);

Telecommunications Infrastructure: means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower,

antennae, tunnel, duct, hole, pit, or other structure used, or for use in or in connection with, a telecommunications network;

Temporary Accommodation Camp: means building/s or dwellings, and may include caravans and dongas, used for exclusive accommodation for staff engaged in temporary construction, mining activities or other seasonal or temporary work, and may include incidental facilities such as catering, sporting and recreational facilities for the exclusive use of the staff, and is removed upon completion of work/s, but does not include a dwelling or residential building as defined in the Residential Design Codes, a motel or hotel;

Tourism Development: means a building, or group of buildings forming a complex, designed for the accommodation of short-stay guests and which provides on-site facilities for the convenience of guests and for management of the development, where occupation by any person is limited to a maximum of three months of any 12-month period and excludes those uses more specifically defined elsewhere;

Tourist Resort: means integrated purpose-built luxury or experiential premises for short stay guests comprising accommodation units and on-site tourism facilities such as reception, restaurant, and leisure facilities like swimming pool, gymnasium, tennis courts, and where occupation by any person is limited to a maximum of three months in any 12-month period;

Trade Display: means any land and/or buildings used for the display of trade goods and equipment for the purposes of advertisement;

Transport Depot: means any land or buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles;

Veterinary Centre: means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight, and may include a dispensary of medications incidental thereto;

Veterinary Hospital: means a building used in connection with the treatment of animal injuries and ailments, and includes the care and accommodation of animals during and after such treatment;

Warehouse: means a building wherein goods are stored and may be offered for sale by wholesale only;

Waste Disposal Facility: means any land or buildings used for the disposal of waste by landfill, incineration or other means and includes energy generation and resource recovery, recycling and other resource management activities;

Waste Transfer Facility: means any land or buildings used for the temporary collection, receipt and transfer of waste to a waste disposal facility and includes the sorting, compacting and temporary storage of recovered and recycled waste for transfer to a waste disposal facility;

Wayside Stall: means a building situated on private land which offers for sale to the general public, rural produce or any commodity which is produced solely on the land upon which the building is located;

Wind Farm or Wind Energy Facility: means premises used to generate electricity by wind force and includes any turbine, building or other structure used in, or in conjunction with, the generation of

electricity by wind force but does not include turbines used principally to supply electricity for a domestic property, rural use of the land or anemometers;

Winery: means premises used for the production of viticultural produce and may include sale of the produce;

SCHEDULE 2 : ADDITIONAL USES

[Clause. 4.5]

No	Description of Land	Additional Use	Conditions
A 1	Lot 1, Cnr Grey Street and Auger Street	Convenience Store	<ol style="list-style-type: none"> 1. The local government encourages the re-development of the lot to provide for a Convenience Store and short term tourist accommodation 2. The density for short term tourist only accommodation shall be as for the R60 Code provided that the local government is satisfied that: <ol style="list-style-type: none"> a) the development will include an office and residential accommodation for an on-site manager. The Manager's dwelling shall not be included in the calculation of lot density under the R60 code; and b) adequate facilities are provided for guests and as a minimum a swimming pool and covered BBQ area and table. 3. On-site parking shall be required only for the accommodation units. The local government shall require a cash-in-lieu contribution for the Convenience Store for public car parks in the vicinity. 4. A two storey building height limit shall apply to the lot except for buildings within the western half of the lot fronting Grey Street which may increase to three storeys over 50% of the frontage but only if a Convenience Store is included in the development proposal.
A 2	<p>(a) Lots 1, 3, 4, 51, 53, 54 & 55 Grey Street between Coles Street and Woods Street; and</p> <p>(b) Lots 2, 3, 20, 21, 22, 33 & 36 Grey Street east of Kaiber Street.</p>	Amusement Facility Fast Food Outlet Restaurant Shop	<ol style="list-style-type: none"> 1. In addition to the provisions of clause 5.13.3, the local government encourages ground floor tourist commercial activities and particularly tourist retail, tourist services, tourist entertainment, cafés, coffee shops, fast food outlets and family restaurants. 2. The plot ratio of tourist commercial floorspace shall not be included in the calculation of short stay tourist accommodation plot ratio. 3. On-site parking shall be required only for the accommodation units. The local government shall require a cash-in-lieu contribution for the commercial floorspace for public car parks in the vicinity.
A 3	Lot 14 Ranch Court	Bed & Breakfast Cabin Chalet Caretakers Dwelling	As determined by the local government in accordance with the requirements of the Scheme.

SCHEDULE 3 : RESTRICTED USES

[Clause. 4.6]

No.	Description of Land	Restricted Use	Conditions

SCHEDULE 4 : SPECIAL USE ZONES

[Clause. 4.7]

No.	Description of Land	Special Use	Conditions
SU 1	Lot 13 Clotworthy Street, Kalbarri.	<ul style="list-style-type: none"> Roadhouse Shop Office Caretaker's Dwelling 	<p><u>Objective</u> To permit use of the land that provides facilities to support and promote tourism in association with the roadhouse facility.</p> <p>(1) The Caretaker's Dwelling approval is restricted to the upper storey of the service station building.</p> <p>(2) All development shall comply with the requirements of the Scheme.</p>
SU 2	Portion of Victoria Location 11493 Ajana-Kalbarri Road, Kalbarri.	<p>The following uses are Permitted "P" as defined within Clause 4.3.2:</p> <ul style="list-style-type: none"> Equestrian Centre Caretaker's Dwelling Staff Accommodation Car Park <p>The following uses require the discretionary consent of Council as "D" uses as defined within Clause 4.3.2 and may only be approved by Council if they are, in the opinion of Council, incidental to the use of the property as an Equestrian Centre:</p> <ul style="list-style-type: none"> Shop Recreation Facilities 	<p><u>Objective</u> To permit the development of an equestrian centre for the stabling and agistment of horses for hiring to the general public and development of associated tourist accommodation and recreation facilities.</p> <p><u>Subdivision</u> 1) Subdivision shall be generally in accordance with the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment.</p> <p><u>Building</u> 2) All building on the lot shall be erected within the building envelope defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment.</p>

No.	Description of Land	Special Use	Conditions
SU 2	Portion of Victoria Location 11493 Ajana-Kalbarri Road, Kalbarri. (Cont'd)	<ul style="list-style-type: none"> • Open Air Display • Holiday Accommodation • Restaurant • Kiosk • Any other uses determined by Council to be incidental to the use of the property as an Equestrian Centre <p>The following uses require the discretionary approval of Council as "A" uses as defined within Clause 4.3.2, and may only be approved by Council if they are, in the opinion of Council, incidental to the use of the property as an Equestrian Centre:</p> <ul style="list-style-type: none"> • Motel 	<p>3) The building envelope shall not exceed 8,000m² in area.</p> <p>4) Notwithstanding (2), Council may permit a variation to the location of the defined building envelope on the lot if it is shown to the satisfaction of Council that the proposed location of the building envelope will not be detrimental to the landscape or environment and satisfies the minimum setbacks:</p> <ul style="list-style-type: none"> - Front Boundary 30 metres - Rear Boundary 20 metres - Side Boundaries 15 metres <p>(5) Notwithstanding (2), Council may permit the construction of stables outside the defined building envelope on the lot if it is shown to the satisfaction of Council that there will be no detrimental impact on the amenity of the Zone or neighbouring properties.</p> <p>(6) No stable is permitted within 15 metres of a habitable building on the lot.</p> <p>(7) All buildings (including stables) shall be sympathetic to existing landscape elements, namely landform and vegetation, in terms of their design, building height, materials and cladding colours.</p> <p>(8) All buildings shall be constructed utilising roof and external wall materials comprising natural earth or green vegetation colours.</p>

No.	Description of Land	Special Use	Conditions
SU 2.	Portion of Victoria Location 11493 Ajana-Kalbarri Road, Kalbarri. (Cont'd)		<p>(9) The use of zincalume, galvanised iron and other coloured (including white or off-white) roof and wall materials which, in the opinion of Council, prejudice the landscape amenity of the adjacent Kalbarri National Park and surrounding area, are not permitted.</p> <p>(10) All stormwater and runoff shall be disposed of within each lot and shall not be directed into the Landscape Protection Area.</p> <p>(11) No building shall exceed two storeys in height.</p> <p><u>Stock Control</u></p> <p>(12) No more than 45 horses shall be kept and/or agisted on the lot.</p> <p>(13) Notwithstanding (12), Council may reduce or vary the limit on stocking or place any other conditions in the light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the amenity of the Zone or neighbouring properties.</p> <p><u>Vegetation Protection</u></p> <p>(14) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to construct 'rural style' perimeter fencing (seven line ringlock and single strand top wire with posts at appropriate separations) for the lot.</p>

No.	Description of Land	Special Use	Conditions
SU 2	Portion of Victoria Location 11493 Ajana-Kalbarri Road, Kalbarri. (Cont'd)		<p><u>Servicing</u></p> <p>(15) Council shall require that the subdivider ensure prospective purchasers are advised in writing that no building intended for habitable purposes shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans to the satisfaction of Council in consultation with the Department of Health.</p> <p>(16) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to prepare a Fire Management Plan and undertake appropriate fire control measures within the Zone to the satisfaction of Council in consultation with the Fire and Emergency Services Authority of WA.</p> <p>(17) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to connect the lot to a potable reticulated water supply.</p> <p>(18) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to design and construct a sealed subdivisional road incorporating a suitable cul-de-sac head and drainage to the satisfaction of Council in consultation with Main Roads WA.</p>

No.	Description of Land	Special Use	Conditions
SU 2	Portion of Victoria Location 11493 Ajana-Kalbarri Road, Kalbarri. (Cont'd)		<p>(19) Upon any subdivision of Victoria Location 11493 Ajana-Kalbarri Road, Council shall require that access/egress from the Equestrian Centre is restricted to the proposed subdivisional road only and that the existing access/egress point onto the Ajana-Kalbarri Road is removed and rehabilitated to the satisfaction of Council in consultation with Main Roads WA.</p> <p><u>Surrounding Land Uses and Conflict</u></p> <p>(20) Council shall require that the subdivider ensure prospective purchasers, and successors in title, are advised in writing that special rural living, keeping of horses, equestrian centre, tourist accommodation and associated and incidental activities are undertaken within the immediate vicinity of the Zone and landowners shall ensure that land use and development is designed and conducted in such a manner so as to not create conflict with these other land uses.</p> <p>(21) Council shall require that the proprietors and/or managers of the Equestrian Centre implement an appropriate system of management strategies and controls to ensure that the activities conducted on the lot will not adversely affect the amenity of the Zone, adjacent Kalbarri National Park and surrounding area by reasons of emissions of noise, dust, odour or fly and weed infestation.</p>

No.	Description of Land	Special Use	Conditions
SU 2	Portion of Victoria Location 11493 Ajana-Kalbarri Road, Kalbarri. (Cont'd)		<p>(22) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to prepare a Management Plan for the whole of the Scheme Amendment area as defined on the Subdivision Guide Plan (Map 3) to the satisfaction of Council in consultation with the Department of Conservation and Land Management and the Department of Environment to address the possible impacts on the Kalbarri National Park, Murchison River, and designated Landscape Protection Area. The Plan shall include, but not be limited to; stormwater management, fire prevention and control, rehabilitation and revegetation, and continued monitoring of environmental values of the area.</p> <p>(23) Access/egress from any lot into the adjoining Nature Reserve or National Park is not permitted without the written authority of the Department of Conservation and Land Management.</p>
SU 3	Portion of Lot 901 George Grey Drive, Kalbarri.	<p>The following uses are Permitted "P" uses as defined within Clause 4.3.2:</p> <ul style="list-style-type: none"> • Hotel • Motel • Chalet Park • Holiday Accommodation 	<ol style="list-style-type: none"> 1) 20% of individual sites shall be landscaped in accordance with a landscaping plan approved by Council. 2) A two-storey height restriction and plot ratio of 0.5 apply. 3) Variations to the above standards may apply at Council discretion.

SU 3	Portion of Lot 901 George Grey Drive, Kalbarri.(cont'd)	<p>The following uses require the discretionary consent of Council as "D" uses as defined within Clause 4.3.2:</p> <ul style="list-style-type: none"> • Amusement Parlour • Club Premises • Private Recreation • Recreational Facilities • Restaurant <p>The following uses require the discretionary consent of Council after giving notice as "A" uses defined within Clause 4.3.2:</p> <ul style="list-style-type: none"> • Micro-Brewery • Night Club • Tavern <p>The following uses are not permitted, and require the discretionary consent of Council after giving notice as "A" uses defined within Clause 4.3.2:</p> <ul style="list-style-type: none"> • Office • Shop • Other uses incidental to the predominant use of the land as determined by the local government. <p>The following uses are not permitted:</p> <ul style="list-style-type: none"> • Residential Use • Camping Area • Caravan Park 	<p>4) Prior to any planning approval for a micro-brewery being granted by Council, the proponent shall prepare and submit for Council's consideration a site plan and a management plan demonstrating that the proposed use will be able to operate without unacceptable impacts on the residential amenity of existing or future adjacent residential properties. These plans shall address landscaping, car parking and vehicular access, visual amenity, relationship to adjacent uses, noise, odours, hours of operation and any other matter required to be addressed by Council. Council may impose conditions on any planning approval for a micro-brewery to ensure that any of the issues addressed by the site plan and management plan are to Council's satisfaction. Car parking provision, setbacks and landscaping shall be as determined by Council.</p> <p>5) All development shall be connected to reticulated sewer.</p> <p>6) No direct vehicular access from the site to George Grey Drive shall be allowed.</p>
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No.	Description of Land	Special Use	Conditions
SU 4	Lot 856 (Reserve 41755) Harvey Place, Kalbarri.	<ul style="list-style-type: none"> Church 	As determined by Council in consultation with the Department for Planning & Infrastructure
SU 5	Lots 12569 & 12570 (Reserve 45881) Ajana-Kalbarri Road, Kalbarri.	Aerial Landing Ground and associated facilities	As determined by Council in accordance with the Scheme.
SU 6	Lot 834 Porter Street, Kalbarri.	<ul style="list-style-type: none"> Church Caretaker's Dwelling 	<ol style="list-style-type: none"> 1) The Caretaker's Dwelling approval is restricted for the use of the Minister/Parson or Authorised Representatives of the Church. 2) All development shall comply with the requirements of the Scheme as determined by Council. 3) A 5 metre wide buffer of native vegetation shall be maintained along the Porter Street and Nanda Drive frontages of the land.
SU 7	Lots 194 and 839 Clotworthy Street, Kalbarri.	<ul style="list-style-type: none"> Service Industry Office Shop Showroom 	<p><u>Objective</u></p> <p>To permit the use of the land for commercial/service industry purposes and encourage the development of attractive buildings and facilities.</p> <p><u>Development Standards</u></p> <ol style="list-style-type: none"> 1) The building surrounds and parking areas shall be landscaped in accordance with an overall landscape plan approved by Council. 2) All building materials, finishes and colour schemes shall be to the satisfaction of Council. 3) Access/egress to/from the lots shall be located in a position approved by Main Roads WA. 4) Council encourages the use of a shared crossover and parking

No.	Description of Land	Special Use	Conditions
			area for the whole Special Use Zone.
SU 8	Lots 317 and 318 (Reserve 32330) Hasleby Street/ Cornell Place, Kalbarri.	<ul style="list-style-type: none"> Church 	As determined by Council in consultation with the Department of Land Administration.
SU 9	Lot 247 Flora Boulevard – tourist site under TPS 9 in Port Kalbarri Pelican Road on nth side of Jacques Boulevarde.	Tourist Development	As determined by the local government in accordance with the requirements of the Scheme.
SU 10	Lot 188 Corner of Grey Street and Porter Street.	Tavern Motel	As determined by the local government in accordance with the requirements of the Scheme.
SU 11	Lots 174, 175 & UCL, Kabeche Street between Hackney Street and Glass Street.	Consulting Rooms Hospital Medical Centre Veterinary Centre	As determined by the local government in accordance with the requirements of the Scheme.
SU 12	Portion of UCL on the eastern side of Nanda Drive south of Reserve 43170 as identified on the Scheme Maps.	Retirement Village Nursing Home	As determined by the local government in accordance with the requirements of the Scheme.
SU 13	Lot 582 Red Bluff Road and Lots 830, 831 & 832 Bridgeman Road.	Cabin Caravan Park Chalet Cinema / Theatre Educational Establishment Fast Food Outlet Guesthouse Industry – Cottage Public Amusement Recreation – Private Restaurant Serviced Apartment Shop Tourist Development	As determined by the local government in accordance with the requirements of the Scheme and in particular Special Control Area 5 [clause 6.2.6].

SCHEDULE 5 : EXEMPTED ADVERTISEMENTS

[Clause. 8.2(f)]

Land Use, Development or Activity	Exempted Advertisement Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Advertisement
All types of Residential Dwellings Home Occupation	One professional name-plate as appropriate. One advertisement describing the nature of the home occupation.	0.2m ² 0.2m ²
Place of Worship, Club Premises, or Community Purpose.	One advertisement detailing in the function and/or the activities of the institution concerned.	0.2m ²
Cinema/ Theatre advertisement	Two advertisements (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the advertisements are displayed.	Each advertisement not to exceed 5m ²
Shop, Showroom, Office, Medical Centre, or Hotel.	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building.	Not Applicable
All types of Industry use classes, or Warehouse.	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including advertisements which project above the eaves of the ridge of the roof of the building and excluding advertisements projecting from a building whether or not those advertisements are connected to a pole, wall or other building. A maximum of two free-standing advertisements not exceeding 5m in height above ground level.	Total area of any such advertisements shall not exceed 15m ² Maximum permissible total area shall not exceed 10m ² and individual advertisements shall not exceed 6m ²
Recreation – Private, Public Recreation, or Public Amusement.	All advertisements provided that, in each case, the advertisement is not visible from outside the complex or facility	Not Applicable

	concerned, either from private land or from public places and streets.	
Council or Government land uses and activities not covered by other land uses in this schedule.	<ol style="list-style-type: none"> 1. Advertisements (illuminated and non-illuminated) relating to the functions of Government, a public authority or Council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and 2. Advertisements (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such an advertisement has been constructed or exhibited by, or at the direction of a Government department, public authority or the local government of a municipality, and 3. Advertisements (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within the Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein. 4. 	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>
All land uses.	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All buildings other than residential dwellings	One advertisement, containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
<p>Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:</p> <p>Single Houses and Grouped Dwellings</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or</p>	<p>One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.</p> <p>One advertisement as above</p>	<p>2m²</p> <p>5m²</p>

<p>all types of Industry use classes where all of the buildings are a maximum of three storeys in height.</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where any of the buildings are in excess of three storeys in height.</p>	<p>One advertisement as above; and one additional advertisement showing the name of the project builder.</p>	<p>5m²</p>
<p>Sales of Goods or Livestock</p>	<p>One advertisement per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the advertisement is exhibited provided that the land is not normally used for that purpose.</p>	<p>2m²</p>
<p>Property Transactions.</p> <p>All types of Residential Dwellings</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where all of the buildings are a maximum of three storeys in height.</p> <p>Multiple Dwellings, Shop, Showroom, Office, Medical Centre, Hotel, Warehouse or all types of Industry use classes where any of the buildings are in excess of three storeys in height, or rural properties in excess of 5ha.</p>	<p>Advertisements displayed for the duration or a period over which property transactions are offered and negotiated as follows:</p> <p>One advertisement per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the advertisement is or the advertisements are displayed.</p> <p>One advertisement as above.</p> <p>One advertisement as above.</p>	<p>Each advertisement shall not exceed an area of 2m².</p> <p>Each advertisement shall not exceed an area of 5m²</p> <p>Each advertisement shall not exceed an area of 10m²</p>

Display Home Centre	<p>Advertisements displayed for the period over which homes are on display for public inspection as follows:</p> <ol style="list-style-type: none"> 1. One advertisement for each dwelling on display. 2. In addition to (i) above one advertisement for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display. 	<p>2m²</p> <p>5m²</p>
All buildings other than Residential Dwellings.	One portable A frame type advertisement per building.	1m ² on each side.

SCHEDULE 6 : FORM OF APPLICATION FOR PLANNING APPROVAL**FORM OF APPLICATION FOR PLANNING APPROVAL
Shire of Northampton Local Planning Scheme No 11**

Application No: _____

(PLEASE USE BLOCK LETTERS & COMPLETE ALL SHADED SECTIONS)

OWNER DETAILS:

Name(s): _____

Postal Address: _____

_____. Postcode: _____

Contact Person: (CP) _____

CP Phone: _____ CP Email: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

NOTE: The signatures of ALL the owner(s) is required to process this application.**APPLICANT DETAILS: (if different from owner)**

Name(s): _____

Postal Address: _____

_____. Postcode: _____

Contact Person: (CP) _____

CP Phone: _____ CP Email: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

Copy of all correspondence to Owner as well as Applicant (X) : Yes : ____ No : ____

NOTE: All correspondence will be sent to the Applicant unless otherwise advised.*Continued over*

Application No: _____

PROPERTY DETAILS:

Lot/Location No: _____ House/Street No: _____

Street Name: _____ Locality/Suburb: _____

Diagram/Plan No: _____ Volume No: _____ Folio No: _____

Lot/Location No: _____ House/Street No: _____

Street Name: _____ Locality/Suburb: _____

Diagram/Plan No: _____ Volume No: _____ Folio No: _____

EXISTING DEVELOPMENT/LAND USE:

Nature of any Existing Development: _____

Nature of any Existing Land Use: _____

PROPOSED DEVELOPMENT/LAND USE:

Description of Proposed Development/Land Use: _____

Approximate Cost: _____

Estimated Time of Completion: _____

REQUIRED INFORMATION & FEES:

Please refer over for the information required to be submitted with this application and the schedule of fees. This application will not be processed without all required information including payment of the appropriate fee.

OFFICE USE ONLY:

Date Received: _____ Application No: _____

Accepting Officer's Initials: _____ File Number: _____

LG Fee: \$ _____ Date Paid: _____ Receipt No.: _____

DAP Status : Exempt _____ Optional _____ Mandatory _____

DAP Fee: \$_____ Date Paid: _____ Receipt No.: _____
DAP Referral Date : _____

SCHEDULE 7 : ADDITIONAL INFORMATION FOR ADVERTISEMENTS

[Clause. 9.1.2]

FORM OF APPLICATION FOR APPROVAL OF ADVERTISEMENT
Shire of Northampton Local Planning Scheme No 11

(TO BE COMPLETED IN ADDITION TO THE APPLICATION FOR PLANNING APPROVAL FORM)

1.	Description of property upon which advertisement is to be displayed including full details of its proposed position within that property:
2.	<p>Details of proposed sign:</p> <p>(a) Type of structure on which advertisement is to be erected (i.e. freestanding, wall mounted, other):</p> <p>(b) Height: Width: Depth:</p> <p>(c) Colours to be used:</p> <p>(d) Height above ground level —</p> <ul style="list-style-type: none"> • (to top of advertisement): • (to underside of advertisement): <p>(e) Materials to be used:</p> <p>.....</p> <p>Illuminated: Yes / No</p> <p>If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source:</p>
3.	Period of time for which advertisement is required:
4.	<p>Details of signs (if any) to be removed if this application is approved:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

Note: This application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 4 above.

Signature of advertiser(s):
 (if different from land owners)
 Date:

SCHEDULE 8 : NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL

[Clause 9.4.4]

Planning and Development Act 2005

Shire of Northampton**Notice of public advertisement of planning proposal**

The local government has received an application to use and/or develop land for the following purpose and public comments are invited.

Lot No(s): _____ Street(s): _____

_____ Suburb/Locality: _____

Proposal: _____

Details of the proposal are available for inspection at the Local Government of Northampton office at _____. Comments on the proposal may be submitted to the Local Government of Northampton in writing on or before _____ day of _____

Signed: _____ Dated: _____

for and on behalf of the Shire of Northampton.

SCHEDULE 9 : NOTICE OF DETERMINATION ON APPLICATION FOR PLANNING APPROVAL

[Clause 10.4.1]

**Shire of Northampton
Determination on Application for Planning Approval**

Applicant(s): _____

Owner(s): _____

Lot/Location No(s): _____

House/Street No(s): _____

Diagram/Plan No(s): _____

Title No(s) Volume/Folio: _____

Street Name(s): _____

Suburb/Locality: _____

Application date: _____ Received on: _____ Date of Determination: _____

Description of proposed development/use: _____

The Application for Planning Approval is:

Granted subject to the following conditions:

Refused for the following reasons:

Conditions of Approval / Reasons for Refusal:

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged within 28 days of the determination.

Signed: _____ Dated: _____
for and on behalf of the Shire of Northampton.

SCHEDULE 10 : ENVIRONMENTAL CONDITIONS

[Clause 5.7.]

Scheme or Amendment No.	Gazettal Date	Environmental Conditions

SCHEDULE 11 : REQUIREMENTS FOR THE ZONING OR SUBDIVISION OF “RURAL RESIDENTIAL” LAND

When considering proposals to zone or subdivide “Rural Residential” land, the local government shall require the preparation of a structure plan in accordance with clause 5.8, which is to include:

- (a) a plan and accompanying report assessing the existence of basic raw materials in the locality and the impact of the proposal on existing and potential extractive operations in the locality;
- (b) where the land is within or adjacent to the Northampton Townsite, a report on the outcome of consultation with, and the requirements of the Department for Mines and Petroleum as to whether:
 - a geotechnical study is required to ensure that there are no hidden underground workings; and/or
 - an environmental geological study should be conducted to ensure that the soils are not contaminated by heavy metals such as lead from natural erosion of the lode from mining activities;
- (c) the restrictions on the type and scale of any agricultural land uses or rural pursuits;
- (d) the identification of clearing, land management controls and environmental repair requirements including the retention of areas of bushland or regeneration of degraded areas;
- (e) the identification of either a building envelope, or building exclusion area, on each lot to which all development is restricted;
- (f) the restriction of development to only one dwelling per lot;
- (g) the control over the location of development (including the siting of dwellings, ancillary buildings, service roads and firebreaks) so that it does not significantly detract from any scenic landscape and/or conservation attributes;
- (h) the compliance with State and local government environmental and health standards in respect of dwellings and ancillary buildings and the associated services (ie drainage and wastewater disposal);
- (i) the disposal of stormwater on-site such that it will not drain directly into existing waterbodies or watercourses, or result in any net export of nutrients from the land to any wetland, water course or underground aquifer;
- (j) provisions for structures in high bushfire risk areas to be constructed to Australian Standard AS3959;
- (k) the road design to allow for safe access and egress in the event of an emergency; and
- (l) the preparation and implementation of a bushfire management plan; and
- (m) provisions relating to stocking rates, where livestock are proposed to be permitted as part of the use of the land.

SCHEDULE 12 : RURAL RESIDENTIAL ZONES

[Clause 5.13.7.5]

1. Browne's Farm/Port Kalbarri Rural Residential Zone

Particulars of the Land:

Pt Victoria Location 10791 Stiles Road and Explorer Avenue, Kalbarri.

Special Provisions:

- (i) Subdivision: Subdivision shall be generally in accordance with the Superlot 2 Structure Plan Port Kalbarri, as endorsed by the Commission.
- (ii) Minimum Lot Size and Reticulated Water: The minimum lot size shall be 1.0ha and reticulated water shall be provided to all lots.
- (iii) Notwithstanding anything on Table 1 – Zoning Table, no horses may be kept on any lot unless the landowner satisfies Council that they will be stabled and hand fed and that this provision warrants relaxation.
- (iv) Fencing: The minimum provisions for fencing along any boundary fronting a public street shall be unpainted post and wire, (including ringlock) and shall be of standard rural design and construction. Council may request the Commission place a condition at the time of subdivision approval requiring the subdivider to provide this fencing to a uniform standard. Fibre reinforced fencing is not permitted on any boundary.
- (v) Dwellings – Minimum Size and Materials:
 - (a) floor – no dwelling shall be constructed with an overall floor area (including walls) of less than 140m².
 - (b) materials – all external cladding materials shall be of earthy or vegetation colours and all roofs shall be constructed in a material to the satisfaction of Council.
- (vi) Outbuildings: All outbuildings shall be constructed of external cladding materials in earthy or vegetation colours and all roofs shall be constructed in a material to the satisfaction of Council.
- (vii) Roads: All public roads, public accessways and battle-axe accessways shall be constructed to Council's specifications and satisfaction.
- (viii) Stormwater Disposal: Any stormwater runoff created by the development shall be contained and disposed of within the site to the satisfaction of Council.
- (ix) Indigenous trees, declared rare flora, scrub or other substantial vegetation may not be felled, cleared or removed without the written approval of Council except for:
 - (a) approved development and required building protection zones or hazard separation zones thereto for fire safety purposes;
 - (b) trees which are dead, diseased or dangerous;
 - (c) approved or required firebreaks, with the exception that Council may at its discretion vary the position of any firebreak to avoid destruction of any vegetation or due to the physical features of the subject land; or
 - (d) vehicular access to approved development.

- (x) Land Management: Land within the building envelope is to be managed in such a manner as to avoid the land being laid bare in vegetation resulting in loose, wind erodible conditions. Land outside the building envelopes is to be managed in such a manner that there will be no extensive clearing of the land save for vegetation that has to be removed for housing, firebreaks, outbuildings and accessway construction.
- (xi) Tree Retention: The Council may specify that groups of trees are required to retain the rural character of the locality. No person shall remove without the prior written consent of Council any of those trees.
- (xii) Effluent Disposal:
 - (a) All buildings and effluent disposal areas shall be constructed within the building envelope as defined on the approved Plan of Subdivision.
 - (b) All on-site effluent disposal systems shall be constructed so as to achieve a minimum vertical separation of 2.0 metres between the system and the highest known groundwater level.
 - (c) Notwithstanding the foregoing requirements, where the Subdivision Guide Plan defines an effluent disposal area within a building envelope, this area shall not be varied and the effluent disposal system shall be built within it.
- (xiii) Stocking Rates: Applications for keeping stock on any of the properties shall be accompanied by advice from Department of Agriculture regarding maximum acceptable stocking rates and associated land care controls.
- (xiv) Tree Planting: Council may require planting of additional trees as a condition of development approval and may request the Commission to impose a condition of subdivision approval requiring the provision of landscaping and tree planting to enhance the landscape quality of the locality. The tree species to be selected are to be endorsed by Council.
- (xv) Chlorine Buffer – Lots 288 & 291 Stiles Road: An Application for Planning Consent is required for development of a Single House, including ancillary outbuildings, on these lots. In considering any such application, Council will have regard to the chlorine buffer for the water tank on Lot 289 Stiles Road, and whether the proposed development will be appropriately located with respect to this buffer. Council may consult with the Water Corporation prior to determining any such application.

2. Big River Ranch Rural Residential Zone

Particulars of the Land:

Lots 1-14 Ranch Court, Kalbarri

Special Provisions:

Uses Not Permitted

- (1) Notwithstanding anything contained within the Zoning Table, the following uses are not permitted within Special Rural Zone No 2:
 - Educational Establishment

- Equestrian Centre
- Plant Nursery
- Veterinary Consulting Rooms
- Veterinary Hospital
- Zoological Gardens

Subdivision

- (2) Subdivision shall be generally in accordance with the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment. Variations to the Subdivision Guide Plan may only be made subject to endorsement by Council and the Commission, and in consultation with other relevant government agencies.
- (3) The minimum lot size shall be 1.0 hectare.

Building

- (4) (a) All building on a lot shall be erected within the building envelope defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment.
- (b) No building envelope or effluent disposal system shall be located within the Landscape Protection Area defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment.
- (c) Notwithstanding (4 a), Council may permit a variation to the location of a defined building envelope on a lot if it is shown to the satisfaction of Council that the proposed location of the building envelope will not be detrimental to the landscape or environment and satisfies the following minimum setbacks:
- Front Boundary 30 metres
 - Rear Boundary 15 metres
 - Side Boundaries 15 metres
- (d) Notwithstanding (4 a), Council may permit the construction of stables (maximum area of 24m²) outside the defined building envelope on a lot if it is shown to the satisfaction of Council that there will be no detrimental impact on the amenity of the Zone or neighbouring properties.
- (e) No stable is permitted within the Landscape Protection Area defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment or within 15 metres of a habitable building on a lot.
- (f) All buildings (including stables) shall be sympathetic to existing landscape elements, namely landform and vegetation, in terms of their design, building height, materials and cladding colours.
- (g) All buildings shall be constructed utilising roof and external wall materials comprising natural earth or green vegetation colours.

- (h) The use of zincalume, galvanised iron and other coloured (including white or off-white) roof and wall materials which, in the opinion of Council, prejudice the landscape amenity of the adjacent Kalbarri National Park and surrounding area, are not permitted.
- (i) All stormwater and runoff shall be disposed of within each lot and shall not be directed into the Landscape Protection Area.
- (j) No building shall exceed two (2) storeys in height.

Stock Control

- (5) (a) No more than two (2) horses shall be kept and/or agisted on a lot.
- (b) Notwithstanding (5 a), Council may reduce or vary the limit on stocking or place any other conditions in the light of prevailing seasonal conditions to prevent overstocking, erosion, or other practices detrimental to the amenity of the Zone or neighbouring properties.

Vegetation Protection

- (6) All remnant vegetation (excluding areas required for fire control, driveway access and servicing) within the Landscape Protection Area defined on the Subdivision Guide Plan (Map 3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment shall be protected from the horses by means of fencing to the satisfaction of Council.
- (7) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to construct 'rural style' perimeter fencing (seven line ringlock and single strand top wire with posts at appropriate separations) for each lot.
- (8) At the time of subdivision the Council will require the subdivider to prepare and implement a revegetation plan in order to minimise visual impact and to address the potential for wind erosion on the subject land. Thereafter, the landowner(s) shall be responsible for the maintenance and, where necessary, replacement of that vegetation.

Servicing

- (9) Council shall require that the subdivider ensure prospective purchasers are advised in writing that no dwelling shall be constructed or approved for construction unless an approved method of on-site effluent disposal suitable for long-term usage has been incorporated into the approved plans to the satisfaction of Council in consultation with the Department of Health.

For proposed Lots 9, 10, 11, and 12 on the Subdivision Guide Plan (Map3) contained within the Amendment documents for Amendment No 37 to Town Planning Scheme No 4 upon gazettal of that Amendment (or for lots on any subsequently endorsed subdivision guide plan over the same land), the tops of the leach drains are to be installed at ground level, and houses to be sufficiently elevated to achieve gravity discharge to drains or pumps used to achieve such discharge. This requirement for proposed Lots 9, 10, 11 and 12 may be varied if it is demonstrated to the satisfaction of Council that there is sufficient depth of sand over rock to allow adequate soakage of effluent.

- (10) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to prepare a Fire Management Plan and undertake appropriate fire control measures within the Zone to the

satisfaction of Council in consultation with Fire and Emergency Services Authority of WA.

- (11) All lots created within the Zone shall connect to a potable reticulated water supply.
- (12) Council may request the Commission to impose a condition at the time of subdivision that requires the subdivider to design and construct a sealed subdivisional road incorporating a suitable cul-de-sac head and drainage to the satisfaction of Council in consultation with Main Roads WA.

Surrounding Land Uses and Conflict

- (13) Council shall require that the subdivider ensure prospective purchasers are advised in writing that the keeping of horses, equestrian centre, tourist accommodation and associated and incidental activities are undertaken within the immediate vicinity of the Zone and landowners shall ensure that land use and development is designed and conducted in such a manner so as to not create conflict with these other land uses.

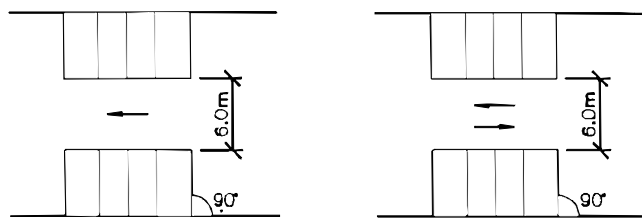
3. Ajana- Kalbarri Road Rural Residential Zone

Particulars of the Land:

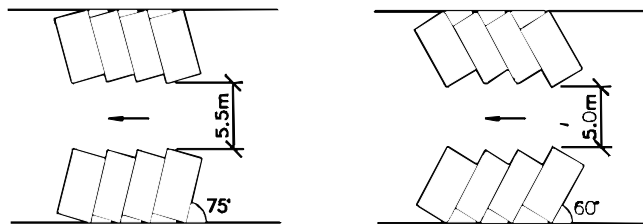
Victoria Locations 17, 18, 11673 & 11716 (portion of Reserve No 26591) Ajana-Kalbarri Road, Kalbarri.

Special Provisions:

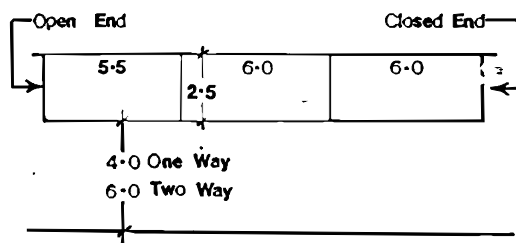
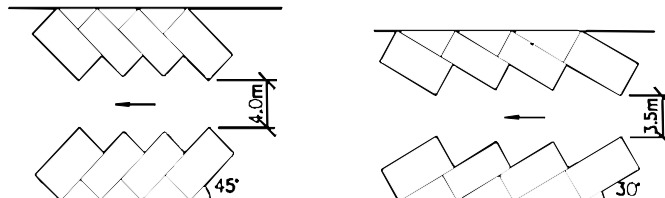
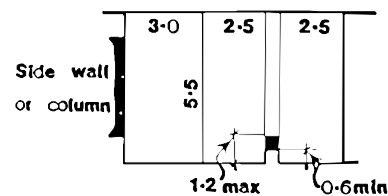
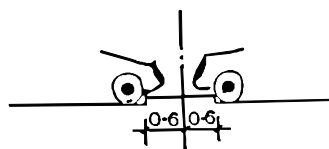
- (i) Minimum Lot Size: The minimum lot size shall be in accordance with the present subdivision pattern for the land.
- (ii) Development Standards: Site requirements shall be in accordance with Table 2 – Development Standards for the Special Rural Zone with any variation subject to Council approval.
- (iii) No horses may be kept on any lot unless the landowner satisfies Council that they will be stabled and hand fed and that this provision warrants relaxation.
- (iv) Water Supply Provision: Where reticulated water supply is not available to a lot, a dwelling shall not be permitted unless a roof catchment water supply and storage of a minimum of 92,000 litres is provided for domestic purposes is incorporated into the Application for a Building Licence.
- (v) Stormwater Disposal: Any stormwater runoff created by the development shall be contained and disposed of within the site to the satisfaction of Council.
- (vi) Land Management: All land is to be managed in such a manner as to avoid the land being laid bare in vegetation resulting in loose, wind erodible conditions. All land shall be managed in such a manner that there will be no extensive clearing of the land save for vegetation that has to be removed for building, servicing, firebreaks or accessway construction.
- (vii) Effluent Disposal: All on-site effluent disposal systems shall be constructed so as to achieve a minimum vertical separation of 2.0 metres between the system and the highest known groundwater level.
- (viii) Stocking Rates: Applications for keeping stock on any of the properties shall be accompanied by advice from the Department of Agriculture regarding maximum acceptable stocking rates and associated land care controls.

SCHEDULE 13 : STANDARDS FOR CAR PARKING SPACES**90° Parking**

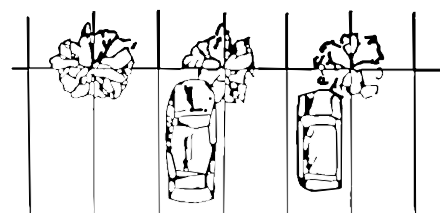
All intermediate Bays: 5.5m x 2.5m min.
End Bays: 5.5m x 3.0m

**Angle Parking**

All intermediate Bays: 5.5m x 2.5m min.
End Bays: 5.5m x 3.0m

**Parallel Parking****Obstructions****Wheel Stop Modifications**

Not to affect drainage

**Shade Tree Landscaping**

Kerb ring not to exceed 900mm diam.

SCHEDULE 14 : REQUIREMENTS FOR THE ZONING OF LAND TO “BUSHLAND PROTECTION” ZONE

Prior to the local government considering the inclusion of land as “Special Use - Bushland Protection”, the following needs to be provided by the proponent to the satisfaction of the local government:

- (a) A structure plan in accordance with Clause 5.8 of the Scheme, which is to be incorporated into the rezoning documentation, that meets all the following requirements in relation to lot characteristics and sizes:
- i. The proposed conservation lots are to be covered by a minimum of 85% bushland and that bushland must:
 - be identified and agreed worthy of protection in an approved strategy, catchment plan, or a specific assessment carried out by an appropriate expert on behalf of the proponent/ owner taking into consideration the Principles for Clearing Native Vegetation contained in Schedule 5 of the *Environmental Protection Act 1986*; or
 - be considered worthy of protection based on the assessment or adoption of a document or documents outlined above, by the Department of Conservation and Environment; and
 - be considered worthy of protection by the local government;
 - ii. Where the majority of the parent lot falls within 20 kilometres of the town site boundaries of Northampton, Horrocks, Port Gregory or Binu, the following minimum lot sizes will apply:
 - 1 lot per 40 ha. Where innovative cluster style survey strata subdivision is proposed; or
 - 80 ha. Where green titled subdivision is proposed;
 - iii. Where the majority of the parent lot falls outside 20 kilometres of the townsite boundaries outlined in ii, the following minimum lot sizes will apply:
 - 1 lot per 80 ha. Where innovative cluster style survey strata subdivision is proposed; or
 - 160 ha. Where green titled subdivision is proposed;
 - iv. Where a survey strata subdivision is proposed the bushland must be contained within one common lot;
 - v. The creation of only one viable agricultural lot will be supported as a result of a subdivision to create conservation lots, unless further subdivision complies with the minimum lot size requirements for agricultural lots within that locality. This agricultural lot does not need to be rezoned to ‘Bushland Protection’ and will not be considered a lot for the purpose of calculating the lot yield under ii or iii above; and
- (b) A structure plan in accordance with Clause 5.8 of the Scheme, that includes an Environmental Management Plan, which is to be incorporated into the rezoning documentation, and meets all the following requirements to protect the bushland within the proposed conservation lots by proposing:

- (i) A revegetation/ rehabilitation plan for any bushland where that vegetation has been destroyed/ degraded or generally in poor condition;
 - (ii) A fire management plan prepared in accordance with relevant state and local government fire protection policies to the satisfaction of the local government and the Fire and Emergency Services Authority. Consultation will also be required with the Department of Environment and Conservation where the subject land abuts a State Forest or National Park or other land managed by the Department of Environment and Conservation;
 - (iii) A weed and pest management plan prepared to the satisfaction of the local government;
 - (iv) Building envelopes which shall:
 - be clustered, where possible, to reduce the overall development and fire management footprint on the bushland;
 - be located so as not to have a detrimental impact on the landscape value of the locality;
 - be a maximum of 1500m² or, at the discretion of the local government, may be larger to accommodate an existing dwelling and associated outbuilding(s) or where it can be demonstrated that a larger building envelope would have no greater impact on the bushland;
 - be located in cleared areas or where this is not possible, located so as to maximise bushland preservation and ensure that there is no impact on any poorly represented vegetation and rare flora or fauna;
 - be located to ensure no adverse impact on watercourses, wetlands, estuaries or any other area or feature of environmental significance on the subject land or adjoining land;
 - minimise fragmentation and disturbance of bushland taking into account vehicle access; and
 - minimise bush fire risk and address bush fire hazard reduction requirements;
 - (v) Fencing to protect areas of bushland and/or to separate bushland and any cleared land including the building envelopes. The fencing is to be of a sufficient standard to contain any domestic pets where a lot includes cleared land;
 - (vi) Prohibition of the keeping of any livestock;
 - (vii) Demonstrating that the objectives of the zone have been satisfied; and
 - (viii) Any other matter deemed relevant by the local government.
- (c) A structure plan in accordance with Clause 5.8 of the Scheme, which is to be incorporated into the rezoning documentation, and meets all the following requirements to ensure development and use of the land is compatible with the bushland within the proposed conservation lots by proposing:
- (i) Design guidelines in relation to all buildings, structures and earthworks. The guidelines must address siting, building scale and form and colours and materials;
 - (ii) Minimum essential services of electricity, telephone and a either connection of each lot to a reticulated water supply or each lot to have an onsite potable water

- supply for domestic use and water supply for firefighting use of combined minimum capacity as determined by the local government;
- (iii) All lots having frontage to a constructed public road;
- (iv) Memorials on the titles of each conservation lot advising that the lot has been created for the purposes of conservation and that no further subdivision of the lot is permitted;
- (d) A plan and accompanying report assessing the existence of basic raw materials in the locality and the impact of the proposal on existing and potential extractive operations in the locality; and
- (e) Where the land is within or adjacent to the Northampton Townsite, a report on the outcome of consultation with, and the requirements of the Department for Mines and Petroleum as to whether:
- a geotechnical study is required to ensure that there are no hidden underground workings; and/or
 - an environmental geological study should be conducted to ensure that the soils are not contaminated by heavy metals such as lead from natural erosion of the lode from mining activities.

SCHEDULE 15 : HERITAGE LIST

No.	Place	Address	Description
H1	Kalbarri National Park	Reserve 27004	Reserve containing natural landscape Park, flora, fauna and the river course and the rock formation
H2	Murchison House	Murchison Location 13	Stone homestead, outbuildings and graveyard
H3	Grey's Spring	Kalbarri Lions Park Walker Street	Water well

Note: The Heritage List may also include additional places which have been included after gazettal of the Scheme by following the procedures set out in clause 7.1.4.

ADOPTION

Adopted by Resolution of the Council of the Shire of Northampton at the meeting of the Council held on the day of 20 .

.....
 SHIRE PRESIDENT DATE

.....

CHIEF EXECUTIVE OFFICER	DATE
-------------------------	------

FINAL APPROVAL

Adopted for final approval by Resolution of the Council of the Shire of Northampton at the meeting of the Council held on the day of 20 , and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of:

.....
 SHIRE PRESIDENT DATE

.....

CHIEF EXECUTIVE OFFICER	DATE
-------------------------	------

Submitted and recommended for final approval by the Western Australian Planning Commission.

.....

DELEGATED UNDER s.16	DATE
OF THE PD ACT 2005	

Final approval granted.

.....
 MINISTER FOR PLANNING DATE

6.4.1	ACCOUNTS FOR PAYMENT	2
6.4.2	MONTHLY FINANCIAL STATEMENTS	11
6.4.3	2014/2015 BUDGET ADOPTION	27
6.4.4	WAIVER OF 2014/2015 RATES	29

6.4.1 ACCOUNTS FOR PAYMENT

FILE REFERENCE:	1.1.1
DATE OF REPORT:	13 August 2014
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Leanne Rowe/Grant Middleton
APPENDICES:	1. List of Accounts

SUMMARY

Council to authorise the payments as presented.

BACKGROUND:

A list of payments submitted to Council on 22nd August 2014, for confirmation in respect of accounts already paid or for the authority to those unpaid.

FINANCIAL & BUDGET IMPLICATIONS:

A list of payments is required to be presented to Council as per section 13 of the Local Government Act (Financial Management Regulations 1996).

POLICY IMPLICATIONS:

Council Delegation F02 allows the CEO to make payments from the Municipal and Trust accounts. These payments are required to be presented to Council each month in accordance with Financial Management Regulations 13 (1) for recording in the minutes.

VOTING REQUIREMENT:

Absolute Majority Required:

OFFICER RECOMMENDATION – ITEM 6.4.1

That Municipal Fund Cheques 20227 to 20266 inclusive, totalling \$92,278.28, Municipal EFT payments numbered EFT12614 to EFT12757 inclusive totalling \$728,514.11, Direct Debit payments GJ0103 to GJ0107 totalling \$1,873.54, Trust Fund Cheques 1977-1987, totalling \$2,485.80 be passed for payment and the items therein be declared authorised expenditure.

SHIRE OF NORTHAMPTON
FINANCE REPORT – 22 AUGUST 2014

Chq #	Date	Name	Description	Amount
20227	11-07-2014	PETTY CASH - NCCA	PETTY CASH RECOUP	193.35
20228	16-07-2014	MCLEODS BARRISTERS AND SOLICITORS	LEGAL ADVICE/SERVICES	4826.88
20229	17-07-2014	DEPARTMENT OF COMMERCE	NCCA FEE - CONSTITUTION CHANGES	23.10
20230	21-07-2014	KLEENHEAT GAS	YEARLY FACILITY FEE	462.00
20231	23-07-2014	SHIRE OF NORTHAMPTON	LIA BUILDING PERMIT 14058	1479.00
20232	29-07-2014	ALINTA ENERGY	GAS	136.50
20233	29-07-2014	AUSTRALIA POST	POSTAGE	796.95
20234	29-07-2014	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	179.01
20235	29-07-2014	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	439.13
20236	29-07-2014	A REYNOLDS	OFFICE CLEAN CARPETS	110.00
20237	29-07-2014	CITY OF GREATER GERALDTON	REFUSE DISPOSAL - MERU	6161.38
20238	29-07-2014	COVS PARTS PTY LTD	PARTS	795.05
20239	29-07-2014	GARRY DUNGATE	RELAY PAVERS	330.00
20240	29-07-2014	GERALDTON MOWER & REPAIR SPECIALISTS	MS 391 STIHL CS 64 CHAINSAW/PARTS	1628.80
20241	29-07-2014	KALBARRI GAS	GAS	237.50
20242	29-07-2014	MLC NOMINEES PTY LTD	SUPERANNUATION CONTRIBUTIONS	827.04
20243	29-07-2014	NORTHAMPTON COMMUNITY CENTRE	REIMB MAINTENANCE MAY - JUNE 14	8415.77
20244	29-07-2014	ONESTEEL DISTRIBUTION	OZPROFILE ANGLE	629.08
20245	29-07-2014	ONE PATH INTERGRA	SUPERANNUATION CONTRIBUTIONS	114.27
20246	29-07-2014	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	408.68
20247	29-07-2014	REST SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	204.02
20248	29-07-2014	SYNERGY	STREET LIGHTS/ELECTRICITY CHARGES	30834.30
20249	29-07-2014	TELSTRA	TELEPHONE/TELSTRA PIT RELOCATION	3676.65
20250	29-07-2014	WATER CORPORATION	WATER CHARGES	4654.85
20251	07-08-2014	PETTY CASH - NORTHAMPTON OFFICE	RECOUP	158.90
20252	12-08-2014	AUSTRALIA POST	POSTAGE	211.11

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Chq #	Date	Name	Description	Amount
20253	12-08-2014	AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY	APPARATUS LICENCE RENEWAL	1352.00
20254	12-08-2014	B P ROADHOUSE NORTHAMPTON	REFRESHMENTS/FUEL	865.53
20255	12-08-2014	COVS PARTS PTY LTD	PARTS	1644.89
20256	12-08-2014	GERALDTON MOWER & REPAIR SPECIALISTS	PARTS	497.20
20257	12-08-2014	R GREEN	BOBCAT WORKS	210.00
20258	12-08-2014	LOCAL GOVERNMENT SUPERVISORS ASSOC. WA INC	14/15 MEMBERSHIP MICHAEL SPARLING	38.50
20259	12-08-2014	NORTHAMPTON COMMUNITY NEWS INC	NCCA ADVERTISING AUGUST ISSUE	60.00
20260	12-08-2014	NORTHAMPTON DISTRICT AGRICULTURAL SOCIETY	DONATION 2014 SHOW PRIZE MONEY	100.00
20261	12-08-2014	PORT GREGORY CARAVAN PARK	FUEL	105.52
20262	12-08-2014	SANFORD VETERINARY CLINIC	STERILISATION SUBSIDY	60.00
20263	12-08-2014	SYNERGY	STREET LIGHTS/ELECTRICITY CHARGES	12848.25
20264	12-08-2014	DEFT PAYMENT SYSTEMS FOR STATEWIDE	NCCA CHILD CARE BUSINESS PACKAGE INS	1872.00
20265	12-08-2014	TELSTRA	TELEPHONE CHARGES	1810.82
20266	12-08-2014	WATER CORPORATION	WATER CHARGES	2880.25
				<u>\$92,278.28</u>

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ELECTRONIC FUND TRANSFERS – MUNICIPAL ACCOUNT

EFT #	Date	Name	Description	Amount
EFT12614	17-07-2014	NEIL BROADHURST	REIMB GLASSES	445.79
EFT12615	17-07-2014	JARROD DAWE	REIMB WATER JUG	26.98
EFT12616	17-07-2014	EL CABALLO MOTEL	ACCOMM - SUPERVISORS CONFERENCE	250.00
EFT12617	17-07-2014	WA SUPER	SUPERANNUATION CONTRIBUTIONS	14299.22
EFT12618	17-07-2014	T & J NEWMAN	CONTRACT CLEANER	1144.80
EFT12619	17-07-2014	SH SMITH	RELIEF RANGER	4176.25
EFT12620	17-07-2014	STEVE WILLIAMS	TELSTRA LINE RENTAL REIMBURSEMENT	49.90
EFT12621	18-07-2014	BELL'S BUILDING & RENOVATIONS	FISH CLEANING TABLES	5440.60
EFT12622	21-07-2014	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 153 PAYMENT	23982.95
EFT12623	29-07-2014	ABROLHOS ELECTRICS	ELECTRICAL	172.59
EFT12624	29-07-2014	AFGRI EQUIPMENT AUST PTY LTD	PARTS	189.40
EFT12625	29-07-2014	ANGIE'S CAFE	COMMUNITY FORUM - REFRESHMENTS	80.00
EFT12626	29-07-2014	ARROW BRONZE	CEMETERY PLAQUE	467.61
EFT12627	29-07-2014	AUSTRALIAN SAFETY PRODUCTS	GUIDE POSTS	10890.00
EFT12628	29-07-2014	AUSTRAL MERCANTILE COLLECTIONS	LEGAL EXPENSES SUNDRY DEBTOR	558.83
EFT12629	29-07-2014	AUSTRALIA PACIFIC VALUERS PTY LTD	LAND & BUILDING REVALUATIONS 40%	8078.40
EFT12630	29-07-2014	BEAUREPAIRES	12 TYRES, 1 REPAIR	5836.78
EFT12631	29-07-2014	BLUESTAR EARTHMOVING	GREY ST GRAVEL CARTING, LIA SAND	23958.00
EFT12632	29-07-2014	BORAL CONSTRUCTION MATERIALS GROUP LTD	GREY ST PRIMERSEAL	10342.81
EFT12633	29-07-2014	CHAPMAN ANIMAL HOSPITAL	STERILISATION SUBSIDY	20.00
EFT12634	29-07-2014	COASTAL ELECTRICAL & SOLAR	ELECTRICAL	218.16
EFT12635	29-07-2014	BOC GASES AUSTRALIA LTD	INDUSTRY GASES	134.52
EFT12636	29-07-2014	STAPLES	P/COPIER MTCE	56.10
EFT12637	29-07-2014	CORAL COAST RETIC	AGED HOUSING REPAIR RETIC	902.00

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EFT #	Date	Name	Description	Amount
EFT12638	29-07-2014	COURIER AUSTRALIA	FREIGHT	124.96
EFT12639	29-07-2014	CRAMER & NEILL REFRIGERATION	JULY 14 AIR CONDITIONING MTCE	330.00
EFT12640	29-07-2014	C Y O'CONNOR TAFE WA	MUNICIPAL LAW A & B RIC DAVEY	1024.00
EFT12641	29-07-2014	DPT. OF ENVIRONMENT REGULATION	NORTHAMPTON REFUSE RENEW LICENSE	255.77
EFT12642	29-07-2014	ENVIRONMENTAL HEALTH AUSTRALIA (NSW) INC	14/15 I'M ALERT ONLINE	330.00
EFT12643	29-07-2014	ENVIRONMENTAL HEALTH AUSTRALIA (WA) INC	14/15 MEMBERSHIP - TOM LACHLAN	320.00
EFT12644	29-07-2014	ATOM SUPPLY	PARTS	91.20
EFT12645	29-07-2014	GERALDTON & MIDWEST SECURITY SERVICES	SECURITY SYSTEM - QUARTER JULY - SEPT 14	525.80
EFT12646	29-07-2014	GRAHAM W GRUNDY	HERITAGE INVENTORY DATABASES TPG	770.00
EFT12647	29-07-2014	HALAM HOME HANDYMAN SERVICES	AGED HOUSING REMOVE PALMS	340.00
EFT12648	29-07-2014	C + J HANSON PLUMBING CONTRACTORS	LIA PLUMBING, SUPPLY SEPTIC	10719.15
EFT12649	29-07-2014	NR & DJ HAYNES	OVAL HOUSE/OFFICE MAINTENANCE	1183.93
EFT12650	29-07-2014	HOSEXPRESS	HOSE	152.45
EFT12651	29-07-2014	HOT TONER	STATIONERY	80.00
EFT12652	29-07-2014	AJS HULME & CO	GRAVEL	5082.00
EFT12653	29-07-2014	INTERNET FIND PTY LTD	NCCA INTERNET FIND CHILD CARE LISTING	99.00
EFT12654	29-07-2014	JASON SIGNMAKERS	SIGNAGE	2998.38
EFT12655	29-07-2014	JCB CONSTRUCTION EQUIPMENT AUST	PARTS	795.71
EFT12656	29-07-2014	KALBARRI MOTOR HOTEL	WORKS STAFF - MEALS	702.00
EFT12657	29-07-2014	KALBARRI EXPRESS FREIGHT	FREIGHT	95.92
EFT12658	29-07-2014	KALBARRI SUPERMARKET	NTON CREW - SUNDRY FOOD	666.98
EFT12659	29-07-2014	KALBARRI DEVELOPMENT ASSC INC	CONTRIBUTION ZEST FEST 2014	5000.00
EFT12660	29-07-2014	KALBARRI WAREHOUSE	HARDWARE	366.92
EFT12661	29-07-2014	KIDS HUB TRAINING & CONSULTANCY	NCCA WORKSHOP	105.00
EFT12662	29-07-2014	KOMATSU AUSTRALIA PTY LTD	PARTS	429.98
EFT12663	29-07-2014	KALBARRI SITEWORKS	BOBCAT HIRE	2849.00

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EFT #	Date	Name	Description	Amount
EFT12664	29-07-2014	LGIS RISK MANAGEMENT	RISK MANAGEMENT FOUNDATIONS PROJECT	6360.00
EFT12665	29-07-2014	IT VISION USER GROUP INC	MEMBERSHIP ANNUAL SUBSCRIPTION 14/15	660.00
EFT12666	29-07-2014	LGRCEU	PAYROLL DEDUCTIONS	155.20
EFT12667	29-07-2014	GERALDTON TOYOTA	VEHCILE SERVICE	920.32
EFT12668	29-07-2014	MIDWEST TREE SERVICES	LOP & WOODCHIP TREES	3888.50
EFT12669	29-07-2014	MITCHELL & BROWN	HP PHOTOSMART 6520 PRINTER	155.00
EFT12670	29-07-2014	CENTREL PTY LTD	FUEL PURCHASES	29565.79
EFT12671	29-07-2014	SHIRE OF MOORA	ACCOMM - ENVIRONMENTAL HEALTH MEETING	230.00
EFT12672	29-07-2014	KALBARRI MURCHISON VIEW APARTMENT	ACCOMM - COMMUNITY FORUM	165.00
EFT12673	29-07-2014	FLICK ANTICIMEX PTY LTD	ANNUAL SANITARY SERVICE	8180.70
EFT12674	29-07-2014	NOVUS WINDSCREENS GERALDTON	WINDSCREEN/ RHF WINDOW, REPAIR CHIP	858.00
EFT12675	29-07-2014	PEST-A-KILL	LYNTON EXTERRA NINTH YEAR	1205.80
EFT12676	29-07-2014	PGV ENVIRONMENTAL	OLD KAL AIRPORT SEED STORAGE	710.16
EFT12677	29-07-2014	JL & FA RALPH	GRAVEL	240.00
EFT12678	29-07-2014	HOLCIM AUSTRALIA PTY LTD	FISH CLEANING TABLES CONCRETE	2380.35
EFT12679	29-07-2014	SUN CITY PRINT & DESIGN	OFFICE STATIONERY - LETTERHEADS	1621.00
EFT12680	29-07-2014	THE BANGAY SUPERANNUATION FUND	SUPERANNUATION CONTRIBUTIONS	2294.28
EFT12681	29-07-2014	DATATRAX PTY LTD	TOUCHSCREEN - QUARTERLY	695.00
EFT12682	29-07-2014	THE PLANNING GROUP WA PTY LTD	NORTHAMPTON REVITALISATION PLAN	45149.04
EFT12683	29-07-2014	TRISSET BOSS PTY LTD	RATE STATIONERY	3520.00
EFT12684	29-07-2014	LANDGATE	ONLINE TRANSACTIONS	24.00
EFT12685	29-07-2014	IT VISION	RENEW SYNERGYSOFT ANNUAL LICENSE	27965.30
EFT12686	29-07-2014	WEST AUSTRALIAN NEWSPAPERS LTD	AVERTISING	1434.90
EFT12687	29-07-2014	WILLIAMS & HUGHES	LEGAL ADVICE/SERVICES	7274.58
EFT12688	29-07-2014	DOWNER EDI WORKS PTY LTD	GREY ST ASPHALT SURFACING	146222.03
EFT12689	31-07-2014	GLENN BANGAY	REIMB MEAL/REFRESH	106.81

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EFT #	Date	Name	Description	Amount
EFT12690	31-07-2014	KEVIN BROWN	TELSTRA LINE RENTAL REIMBURSEMENT	46.95
EFT12691	31-07-2014	THOMAS LACHLAN	REIMB FUEL - SHARK BAY	95.41
EFT12692	31-07-2014	WA SUPER	SUPERANNUATION CONTRIBUTIONS	14358.50
EFT12693	31-07-2014	DALE MAVER	REIMB GLASSES	205.00
EFT12694	31-07-2014	T & J NEWMAN	CONTRACT CLEANER - KALBARRI	1144.80
EFT12695	31-07-2014	QK TECHNOLOGIES PTY LTD	NCCA PROFESSIONAL LDC	1040.00
EFT12696	31-07-2014	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 147 REPAYMENT	1746.05
EFT12697	01-08-2014	SALLY GALE	PAYROLL	133.01
EFT12698	05-08-2014	SHANDI + MATHEW BALDWIN	CROSSOVER REIMBURSEMENT	500.00
EFT12699	08-08-2014	SHOP FOR SHOPS	NCCA BROCHURE DISPLAY FIXTURE	202.90
EFT12700	11-08-2014	MARIE LEVETT	REFUND OVERPAYMENT	6.00
EFT12701	12-08-2014	BELL'S BUILDING & RENOVATIONS	GREY ST PAVING	17859.60
EFT12702	12-08-2014	CLOHESSY EARTHMOVING	DOZER HIRE	23063.70
EFT12703	12-08-2014	AUSTRAL MERCANTILE COLLECTIONS	LEGAL EXPENSES	4443.04
EFT12704	12-08-2014	AUSSIE SHEDS	LIA 4TH INSTALMENT	93137.00
EFT12705	12-08-2014	BEAUREPAIRES	3 TYRES	740.70
EFT12706	12-08-2014	BRIDGESTONE SERVICE CENTRE	GRADER 4 TYRES	6180.00
EFT12707	12-08-2014	CLARKSON FREIGHTLINES	FREIGHT GUIDEPOSTS	299.07
EFT12708	12-08-2014	COOL COAST MAINTENANCE	KAL CEMETERY ENTRY GATES	1656.20
EFT12709	12-08-2014	STAPLES	P/COPIER MTCE	1645.45
EFT12710	12-08-2014	COURIER AUSTRALIA	FREIGHT	440.72
EFT12711	12-08-2014	AYDAN CURIC & CARENE WOODCOCK	CROSSOVER REIMBURSEMENT	500.00
EFT12712	12-08-2014	DIGGA AUSTRALIA PTY LTD	PARTS	136.40
EFT12713	12-08-2014	GERALDTON LOCK & KEY SPECIALISTS	PADLOCKS/KEYS	426.40
EFT12714	12-08-2014	GERALDTON DIESEL INJECTION SERVICE	REPAIR STANADINE FUEL PUMP	488.04
EFT12715	12-08-2014	GREAT NORTHERN RURAL SERVICES	BAILEYS SOIL TEST	391.00

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FINANCE REPORT – 22 AUGUST 2014

EFT #	Date	Name	Description	Amount
EFT12716	12-08-2014	HASLEBYS HARDWARE SUPPLIES	POTTING MIX, MULCH, WATER GRANULES, DYNAMIC LIFTER, POWERFEED, PLANTS	1450.25
EFT12717	12-08-2014	C + J HANSON PLUMBING CONTRACTORS	LIA PLUMBING	14827.70
EFT12718	12-08-2014	TANYA HENKEL	HERITAGE SERVICES JUN & JULY 14	2672.49
EFT12719	12-08-2014	MAC HOLT	REIMBURSE TRAVEL WALGA CONFERENCE	586.00
EFT12720	12-08-2014	AJS HULME & CO	GRAVEL	1940.40
EFT12721	12-08-2014	JASON SIGNMAKERS	SIGNS	1164.90
EFT12722	12-08-2014	RE & DP JOSEPH RADIATORS	IVECO STRALIS RADIATOR ASSEMBLY	2090.00
EFT12723	12-08-2014	KALBARRI EXPRESS FREIGHT	FREIGHT	202.63
EFT12724	12-08-2014	KALBARRI LAWNMOWING SERVICE	MOWING	410.00
EFT12725	12-08-2014	KALBARRI NEWSAGENCY	STATIONERY	35.40
EFT12726	12-08-2014	KALBARRI PEST CONTROL	GENERAL URBAN PEST CONTROL	1550.00
EFT12727	12-08-2014	KOMATSU AUSTRALIA PTY LTD	PARTS	1477.32
EFT12728	12-08-2014	KALBARRI SITEWORKS	BOBCAT WORKS	495.00
EFT12729	12-08-2014	LIMITLESS PROMOTIONS	CAT/DOG REGISTRATION STRAP TAGS	220.50
EFT12730	12-08-2014	LOCAL GOVERNMENT MANAGERS AUSTRALIA	14/15 MEMBERSHIP G BANGAY	480.00
EFT12731	12-08-2014	MARK ARMSTRONG ELECTRICAL	REPAIR GEN SET	1021.90
EFT12732	12-08-2014	LGRCEU	PAYROLL DEDUCTIONS	135.80
EFT12733	12-08-2014	MW GROUP AFFILIATED AGRICULTURAL SOC	DONATION 2014 MID WEST DISTRICT DISPLAY	250.00
EFT12734	12-08-2014	MIDWEST FINANCIAL	AUDITS EAST OGILVIE, LIA	1144.00
EFT12735	12-08-2014	MITCHELL & BROWN	NCCA COMPUTER SIERRA CYCLONIC, CYBER-SHOT SILVER	301.30
EFT12736	12-08-2014	NORTHAMPTON IGA & LIQUOR STORE	REFRESHMENTS, CLEANING	487.56
EFT12737	12-08-2014	NORTHAMPTON NEWSAGENCY	STATIONERY, NEWSPAPERS	825.85
EFT12738	12-08-2014	NORTHAMPTON AUTO ELECTRICS	PLANT ELECTRICAL	766.00
EFT12739	12-08-2014	NORTHAMPTON PHARMACY	WC MEDICATION	344.10
EFT12740	12-08-2014	NORTHAMPTON FAMILY STORE	PROTECTIVE CLOTHING YAKKA JACKETS	463.80

SHIRE OF NORTHAMPTON
FINANCE REPORT – 22 AUGUST 2014

EFT #	Date	Name	Description	Amount
EFT12741	12-08-2014	CLEANPAK TOTAL SOLUTIONS	TOILET ROLLS/TISSUE	789.67
EFT12742	12-08-2014	PURCHER INTERNATIONAL	REPAIRS/PARTS	3147.00
EFT12743	12-08-2014	HOLCIM AUSTRALIA PTY LTD	FISH CLEANING TABLE VMR - CONCRETE	816.19
EFT12744	12-08-2014	MIDWEST SWEEPING CONTRACTORS	STREET SWEEPING - TIDY TOWNS	1589.50
EFT12745	12-08-2014	OWEN SIMKIN	WATER CUSTODIAN	467.07
EFT12746	12-08-2014	STAMP-IT RUBBER STAMP CO (WA)	STATIONERY	21.37
EFT12747	12-08-2014	STAR TRACK EXPRESS	FREIGHT	194.15
EFT12748	12-08-2014	SUNFLAME ELECTRICAL	HOUSING ELECTRICAL	281.00
EFT12749	12-08-2014	2V NET IT SOLUTIONS	COMPTER MTCE - AUG REMOTE BACKUP	200.00
EFT12750	12-08-2014	TOTALLY WORKWEAR - GERALDTON	UNIFORMS	64.94
EFT12751	12-08-2014	LANDGATE	VALUATION EXPENSES	196.55
EFT12752	12-08-2014	VERLINDENS ELECTRICAL GERALDTON	LIA PROGRESS CLAIM # 1	35233.00
EFT12753	12-08-2014	WA RANGERS ASSOCIATION	REGISTRATION 2014 CONFERENCE RIC DAVEY	470.00
EFT12754	12-08-2014	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)	MEMBERSHIP/SUBSCRIPTIONS 14/15	30239.47
EFT12755	12-08-2014	WEST AUSTRALIAN NEWSPAPERS LTD	ADVERTISING	1148.16
EFT12756	12-08-2014	WILLIAMS & HUGHES	LEGAL ADVICE/SERVICES	7735.60
EFT12757	12-08-2014	DOWNER EDI WORKS PTY LTD	EMULSION	550.00
				<u>\$728,514.11</u>

SHIRE OF NORTHAMPTON
FINANCE REPORT – 22 AUGUST 2014

DIRECT DEBITS – MUNICIPAL ACCOUNT

Jnl #	Date	Name	Description	Amount
GJ0103	31/07/2014	BANK FEES	FEES	488.09
GJ0104	31/07/2014	COMPUTER EXPENSES	WESTNET	70.99
GJ0105	31/07/2014	BPOINT	FEES	52.10
GJ0107	31/07/2014	CORPORATE CARD	WESTNET	104.94
			BANK CHARGES	9.00
			REFRESHMENTS	185.00
			LIBRARY INTERNET SECURITY	42.67
			FLIGHTS - LEAD MEETING	743.47
			FLIGHTS - LG WEEK	176.00
GJ0108	31/07/2014	CORPORATE CARD	FEES	1.28
				<u>1262.36</u>
				<u>\$1,873.54</u>

SHIRE OF NORTHAMPTON
FINANCE REPORT – 22 AUGUST 2014

TRUST FUND CHEQUES

Chq #	Date	Name	Description	Amount
1977	10/07/2014	GERALDTON ROVERS SOCCER CLUB	KISPORT	260.00
1978	10/07/2014	NORTHAMPTON NEWSAGENCY	ONELIFE REFRESHMENTS	40.00
1979	10/07/2014	NORTHAMPTON COMMUNITY CENTRE	ONELIFE HALL HIRE	225.00
1980	10/07/2014	SHELBY KENNEDY	ONELIFE WORKSHOP	400.00
1981	11/07/2014	ROSLYN SUCKLING	ONELIFE REIMBURSE AUST POST	100.80
1982	14/07/2014	BRAD MEAGHER	REFUND HOUSE BOND OVAL HOUSE	760.00
1983	CANCELLED			
1984	15-07-14	DEPT OF PLANNING & INFASTRUCTURE	SPECIAL SERIES PLATES 3030NR	200.00
1985	22-07-14	DEPT OF PLANNING & INFASTRUCTURE	SPECIAL SERIES PLATES 367NR	200.00
1986	23-07-14	OLYMPIC FC JUNIORS	KISPORT	260.00
1987	04-08-14	NORTHAMPTON COMMUNITY CENTRE	ONELIFE HALL HIRE	40.00
				\$2,485.80

6.4.2 MONTHLY FINANCIAL STATEMENTS

FILE REFERENCE:	1.1.1
DATE OF REPORT:	13 August 2014
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton/Garry Keeffe
APPENDICES:	1. Monthly Financial Report for July 2013 2. Schedule Format provided as separate attachment

SUMMARY

Council to adopt the monthly financial reports as presented inclusive of the Draft 2014/2015 Budget. The schedule format normally included as part of the monthly financial statements will be included in the August financial statements.

BACKGROUND:

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

The Monthly Statements of Financial Activity including the draft 2014/2015 budget for the period ending 30 June 2014 are attached, and include:

1. Income Statement by Function/Activity
2. Income Statement by Nature or Type
3. Statement of Financial Activity
4. Variance Explanation
5. Notes to and Forming Part of the Statement

FINANCIAL & BUDGET IMPLICATIONS:

Due to the formal Budget adoption being scheduled for the 22 August 2014 Council Meeting the budget amounts displayed in the financial statements are only draft pending formal budget adoption.

STATUTORY IMPLICATIONS:

Local Government (Financial Management) Regulation 34 1996
Local Government Act 1995 section 6.4

POLICY IMPLICATIONS:

Council is required annually to adopt a policy on what it considers to be material as far as variances that require to be reported for Council. The current Council Policy sets the material variance at \$5,000.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.4.2

That Council adopts the Monthly Financial Report for the period ending 31 July 2014.

SHIRE OF NORTHAMPTON
MONTHLY STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

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**SHIRE OF NORTHAMPTON
INCOME STATEMENT BY FUNCTION/ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014**

	YTD ACTUAL 2014/15 \$	YTD BUDGET 2014/15 \$	ANNUAL BUDGET 2014/15 \$	ACTUAL 2013/14 \$
REVENUE				
Governance	7,118	2,118	25,450	33,615
General Purpose Funding	3,609	135,726	5,393,095	4,444,654
Law, Order & Public Safety	1,111	6,433	77,250	392,330
Health	280	2,716	42,600	34,889
Education & Welfare	13,904	13,670	164,080	106,483
Housing	1,508	1,597	19,176	36,639
Community Amenities	4,129	67,778	823,390	994,278
Recreation & Culture	1,004	4,289	51,542	363,569
Transport	395,091	91,079	1,105,585	975,084
Economic Services	1,439	11,146	133,795	108,384
Other Property & Services	16,594	14,274	171,323	155,222
TOTAL OPERATING REVENUE	445,788	350,826	8,007,266	7,645,148
EXPENSES				
Governance	(86,547)	(66,412)	(829,156)	(788,909)
General Purpose Funding	(10,092)	(8,521)	(102,300)	(118,778)
Law, Order & Public Safety	(30,789)	(31,723)	(319,871)	(272,415)
Health	(19,896)	(18,738)	(224,952)	(227,628)
Education & Welfare	(20,928)	(15,765)	(189,270)	(121,649)
Housing	(3,120)	(9,083)	(109,194)	(115,250)
Community Amenities	(65,897)	(124,814)	(1,498,170)	(1,358,517)
Recreation & Culture	(77,554)	(112,344)	(1,348,799)	(1,348,463)
Transport	(231,390)	(216,433)	(2,597,366)	(2,282,726)
Economic Services	(12,202)	(18,056)	(216,755)	(165,424)
Other Property & Services	3,175	(3,955)	(47,635)	130,525
TOTAL OPERATING EXPENSES	(555,240)	(625,844)	(7,483,468)	(6,669,234)
BORROWING COSTS EXPENSE				
Recreation & Culture	(307)	(551)	(6,617)	(6,684)
Transport	(7,297)	(2,593)	(31,118)	(39,935)
Other Property and Services	0	(2,152)	(25,823)	(26,730)
TOTAL BORROWING COSTS EXPENSE	(7,603)	(5,297)	(63,558)	(73,349)
CHANGE IN NET ASSETS RESULTING FROM OPERATIONS	(117,056)	(280,314)	460,240	902,565

**SHIRE OF NORTHAMPTON
INCOME STATEMENT BY NATURE OR TYPE
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014**

	YTD ACTUAL 2013/14 \$	YTD BUDGET 2013/14 \$	ANNUAL BUDGET 2013/14 \$	ACTUAL 2012/13 \$
REVENUE				
Rates	0	3,462	3,805,915	3,552,259
Operating Grants, Subsidies and Contribution	151,600	155,528	2,004,110	1,540,528
Non Operating Grants, Subsidies and Contributions	270,000	69,814	837,790	1,322,457
Fees and Charges	20,624	90,189	1,082,451	1,084,954
Interest Earnings	3,563	10,875	130,500	144,462
Other	0	20,958	146,500	488
Profit on Asset Disposal	0	0	0	
TOTAL OPERATING REVENUE	445,788	350,826	8,007,266	7,645,148
EXPENSES				
Employee Costs	(307,406)	(216,055)	(2,593,249)	(2,182,541)
Materials and Contracts	(100,582)	(195,386)	(2,284,392)	(2,165,944)
Utilities Charges (Electricity, Gas, Water etc.)	(13,377)	(31,378)	(376,790)	(376,656)
Depreciation on Non Current Assets	(117,032)	(138,619)	(1,663,515)	(1,669,569)
Interest Expenses	(7,603)	(5,295)	(63,558)	(73,349)
Insurance Expenses	0	(20,509)	(246,492)	(246,532)
Other Expenditure	(16,843)	(22,399)	(301,030)	60,906
Loss on Asset Disposal	0	(1,499)	(18,000)	(88,897)
TOTAL OPERATING EXPENSES	(562,844)	(631,140)	(7,547,026)	(6,742,583)
CHANGE IN NET ASSETS RESULTING FROM OPERATIONS	(117,056)	(280,314)	460,240	902,565

SHIRE OF NORTHAMPTON
FINANCE REPORT – 22 AUGUST 2014

SHIRE OF NORTHAMPTON
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

	NOTE	2014/15 YTD Actual \$	2014/15 YTD Budget \$	2014/15 Full Year Budget \$	Variances Budget to Actual Y-T-D %
<u>Operating</u>					
Revenues	1,2				
Governance		7,118	2,118	25,450	(236.08%)
General Purpose Funding		3,609	135,726	1,628,730	97.34%
Law, Order, Public Safety		1,111	6,433	77,250	82.73%
Health		280	2,716	41,600	89.69%
Education and Welfare		13,904	13,670	164,060	(1.71%)
Housing		1,508	1,597	19,176	5.57%
Community Amenities		4,129	67,778	815,390	93.91%
Recreation and Culture		1,004	4,289	51,542	76.58%
Transport		395,091	91,079	932,085	(333.79%)
Economic Services		1,439	11,146	133,795	87.09%
Other Property and Services		16,594	14,274	171,323	(16.25%)
		<u>445,788</u>	<u>350,826</u>	<u>4,060,401</u>	
Expenses	1,2				
Governance		(86,547)	(66,412)	(829,156)	(30.32%)
General Purpose Funding		(10,092)	(8,521)	(102,300)	(18.44%)
Law, Order, Public Safety		(30,789)	(31,723)	(319,871)	2.94%
Health		(19,896)	(18,738)	(223,952)	(6.18%)
Education and Welfare		(20,928)	(15,765)	(189,270)	(32.75%)
Housing		(3,120)	(9,083)	(109,194)	65.66%
Community Amenities		(65,897)	(124,814)	(1,490,170)	47.20%
Recreation & Culture		(77,860)	(112,895)	(1,355,416)	31.03%
Transport		(238,687)	(219,026)	(2,601,484)	(8.98%)
Economic Services		(12,202)	(18,056)	(216,755)	32.42%
Other Property and Services		3,175	(6,107)	(73,458)	152.00%
		<u>(562,844)</u>	<u>(631,140)</u>	<u>(7,511,026)</u>	
<u>Adjustments for Non-Cash</u>		<u>(117,056)</u>			
<u>(Revenue) and Expenditure</u>					
(Profit)/Loss on Asset Disposals	4	0	1,500	18,000	100.00%
Depreciation on Assets	2(a)	117,032	138,619	1,663,515	15.57%
Plant Depreciation		0	0		
<u>Capital Revenue and (Expenditure)</u>					
Purchase Land Held for Resale	3	(12,049)	(68,609)	(411,665)	82.44%
Purchase Land and Buildings	3	0	(8,999)	(718,750)	100.00%
Purchase Infrastructure Assets - Roads	3	(40,137)	(138,500)	(1,662,119)	71.02%
Purchase Infrastructure Assets - Parks & Other	3	(4,946)	(6,870)	(82,450)	28.01%
Purchase Plant and Equipment	3	0	(53,915)	(719,000)	100.00%
Purchase Furniture and Equipment	3	0	(2,500)	(15,000)	100.00%
Proceeds from Disposal of Assets		0	12,208	146,500	100.00%
Proceeds from Sale of Land		0	0	0	#DIV/0!
Repayment of Debentures	5	(18,126)	(10,934)	(131,207)	(65.77%)
Proceeds from New Debentures	5	0	50,000	600,000	100.00%
Self-Supporting Loan Principal Income		0	1,645	19,734	100.00%
Transfers to Reserves (Restricted Assets)	6	(1,921)	(21,333)	(256,000)	90.99%
Transfers from Reserves (Restricted Assets)	6	0	0	0	#DIV/0!
Transfers from Grants Restricted Assets		0	0	0	
Transfers from Land Sales	6	0	0	0	
Transfer to Land Sales		0	0	0	
ADD Net Current Assets July 1 B/Fwd	7	1,234,702	1,234,702	1,234,702	
LESS Net Current Assets Year to Date	7	1,138,239	0	0	
Amount Raised from Rates	8	<u>19,261</u>	<u>846,700</u>	<u>(3,764,365)</u>	

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF NORTHAMPTON
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

Variance Explanation (>= \$5,000)

Operating Revenues

Governance	↑	\$5,000	
General Purpose Funding	↓	(\$132,117)	Rates will be raised during august 2014.
Law, Order, Public Safety	↓	(\$5,322)	
Education and Welfare	↑	\$234	Revenue variations will be addressed as the financial year progresses.
Housing	↓	(\$89)	
Community Amenities	↓	(\$63,649)	
Recreation and Culture	↓	(\$3,285)	
Transport	↑	\$304,012	
Economic Services	↓	(\$9,707)	
Other Property and Services	↑	\$2,320	

Expenses

Governance	↑	\$20,135	
General Purpose Funding	↑	\$1,571	
Law, Order, Public Safety	↓	(\$934)	
Health	↑	\$1,158	
Education and Welfare	↑	\$5,163	Expenditure variations will be addressed as the financial year progresses.
Housing	↓	(\$5,964)	
Community Amenities	↓	(\$58,917)	
Recreation & Culture	↓	(\$35,035)	
Transport	↑	\$19,661	
Economic Services	↓	(\$5,854)	
Other Property and Services	↓	(\$9,282)	

Adjustments for Non-Cash (Revenue) and Expenditure

Depreciation on Assets	↓	(\$21,587)	Under-allocation due to no depreciation Land and Buildings
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Capital Revenue and (Expenditure)

Purchase Land Held for Resale	↓	(\$56,560)	LIA units under construction
Purchase Land and Buildings	↓	(\$8,999)	Preliminary expenditure only.
Purchase Infrastructure Assets - Roads	↓	(\$98,363)	Road spend will converge with budget as year progresses.
Purchase Plant and Equipment	↓	(\$53,915)	Planr purchase's to commence August 2014.

SHIRE OF NORTHAMPTON
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

3. ACQUISITION OF ASSETS	2014/15 YTD Actual \$	2014/15 YTD Budget \$	2014/15 Full Year Budget \$
The following assets are budgeted to be acquired during the year:			
<u>By Program</u>			
Governance			
Photocopier - Northampton Office	\$0	\$2,500	\$15,000
Health			
Environmental Health Officer - Vehicle	\$0	\$0	\$30,000
Education and Welfare			
Patio - Childcare Building	\$0	\$0	\$10,750
Housing			
Construct new staff house - Rake Place	\$0	\$0	\$600,000
Community Amenities			
Hampton Gardens Ablutions	\$0	\$5,000	\$60,000
Install Fence around Kalbarri Cemetery	\$0	\$3,333	\$20,000
Planner - Vehicle	\$0	\$0	\$42,000
Recreation and Culture			
Replace Power Pole Marina Parkland	\$0	\$592	\$7,200
Fish Cleaning Stations (Erection/Plumbing)	\$4,946	\$1,258	\$15,000
Kalbarri Sport & Rec - Airconditioners	\$0	\$0	\$20,000
Lions Park Playground	\$0	\$1,667	\$20,000
Mary Street - Shelter/Seats	\$0	\$562	\$6,750
Kings Park - BBQ/Shelter	\$0	\$1,124	\$13,500
Kalbarri Skate Park - Lighting	\$0	\$1,667	\$20,000
Transport			
Road Construction	\$40,137	\$128,762	\$1,545,241
Footpath Construction	\$0	\$9,738	\$116,878
Tip Truck - Kalbarri 13/14 c/over	\$0	\$9,999	\$120,000
Backhoe (Replace JCB 3CX)	\$0	\$14,583	\$175,000
6 Wheel Tip Truck (Replace Iveco)	\$0	\$18,334	\$220,000
Utility - Northampton Grader Operator	\$0	\$2,083	\$25,000
Utility - Northampton Mntce Leading Hand	\$0	\$3,125	\$37,500
Spreader Boxes inc camera/stand	\$0	\$4,749	\$57,000
3 Point Linkage Broom (Rep Sewell)	\$0	\$1,042	\$12,500
Construct Office for Works Supervisor - Kalbarri Depot	\$0	\$666	\$8,000
Other Property and Services			
Northampton Industrial Units	\$12,049	\$68,609	\$411,665
Total	\$57,132	\$279,393	\$3,608,984
<u>By Class</u>			
I and Held for Resale	\$12,049	\$68,609	\$411,665
Land and Buildings	\$0	\$8,999	\$718,750
Infrastructure Assets - Roads	\$40,137	\$138,500	\$1,662,119
Infrastructure Assets - Parks and Ovals	\$4,946	\$6,870	\$82,450
Plant and Equipment	\$0	\$53,915	\$719,000
Furniture and Equipment	\$0	\$2,500	\$15,000
Total	\$57,132	\$279,393	\$3,608,984

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

4. DISPOSALS OF ASSETS

The following assets are budgeted to be disposed of during the year.

<u>By Program</u>	Net Book Value	Sale Proceeds	Profit(Loss)	Profit(Loss)
	2014/15 YTD \$	2014/15 YTD \$	2014/15 YTD \$	2014/15 BUDGET \$
Health	0	0	0	(500)
Community Amenities	0	0	0	(4,000)
Transport	0	0	0	(13,500)
	0	0	0	(18,000)

<u>By Class</u>	Net Book Value	Sale Proceeds	Profit(Loss)	Sale Proceeds
	2014/15 YTD \$	2014/15 YTD \$	2014/15 YTD \$	2014/15 BUDGET \$
EHO Vehicle	0	0	0	(500)
Planner Vehicle	0	0	0	(4,000)
Tip Truck - Kalbarri	0	0	0	2,000
Backhoe (Replace JCB 3CX)	0	0	0	(5,000)
Tip Truck 6 Wheel (Replace Iveco)	0	0	0	5,000
Utility - Northampton Grader Operator	0	0	0	(8,500)
Utility - Northampton M'fce Leading Hand	0	0	0	(7,000)
	0	0	0	(18,000)

<u>Summary</u>	2014/15 YTD \$	2014/15 BUDGET \$
Profit on Asset Disposals		7,000
Loss on Asset Disposals		(25,000)
	0	(18,000)

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

5. INFORMATION ON BORROWINGS
(a) Debenture Repayments

Particulars	Principal 01-Jul-14	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2014/15 Budget	2014/15 Actual \$	2014/15 Budget	2014/15 Actual \$	2014/15 Budget	2014/15 Actual \$
Other Property								
152 - Staff Housing*	402,422		13,942		388,480	402,422	25,823	
154 - Staff Housing		600,000			600,000	0		
Recreation & Culture								
147 - Kalbarri Bowling Club*	12,104		2,925	1,439	9,179	10,665	567	307
148 - Kalbarri Library Extensions	132,709		22,736		109,973	132,709	4,890	
151 - Kalbarri Bowling Club*	22,709		2,867		19,842	22,709	1,160	
Transport								
149 - Plant Purchases	296,987		55,029		241,958	296,987	16,860	
153 - Plant Purchases	390,000		33,708	16,686	356,292	373,314	14,258	7,297
	1,256,931	600,000	131,207	18,126	1,725,724	1,238,805	63,558	7,603

* Self supporting loan

All debenture repayments were financed by general purpose revenue except loans 147, 151 & 152 which are self supporting loans.

5. INFORMATION ON BORROWINGS CONT

(b) New Debentures

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
AS AT 31 JULY 2014

	2015 YTD \$	2015 Budget \$	2014 Actual \$
6. RESERVES - CASH BACKED			
(a) Leave Reserve			
Opening Balance	153,424	153,424	100,143
Amount Set Aside / Transfer to Reserve	180	5,500	53,281
Transfer from Muni to Reserve	-	50,000	-
	<u>153,604</u>	<u>208,924</u>	<u>153,424</u>
(b) Roadwork's Reserve			
Opening Balance	49,920	49,920	49,920
Amount Set Aside / Transfer to Reserve	100	3,000	-
Amount Used / Transfer from Reserve	-	-	-
	<u>50,020</u>	<u>52,920</u>	<u>49,920</u>
(c) Kalbarri Airport Reserve			
Opening Balance	4,314	4,314	20,534
Amount Set Aside / Transfer to Reserve	10	200	1,480
Amount Used / Transfer from Reserve	-	-	(17,700)
	<u>4,324</u>	<u>4,514</u>	<u>4,314</u>
(d) Computer and Office Equipment Reserve			
Opening Balance	29,019	29,019	27,081
Amount Set Aside / Transfer to Reserve	65	2,000	1,938
Amount Used / Transfer from Reserve	-	-	-
	<u>29,084</u>	<u>31,019</u>	<u>29,019</u>
(e) Plant Reserve			
Opening Balance	6,358	6,358	5,988
Amount Set Aside / Transfer to Reserve	10	400	370
Amount Used / Transfer from Reserve	-	-	-
	<u>6,368</u>	<u>6,758</u>	<u>6,358</u>
(f) House and Building Reserve			
Opening Balance	58,157	58,157	54,539
Amount Set Aside / Transfer to Reserve	120	3,700	3,618
Amount Used / Transfer from Reserve	-	-	-
	<u>58,277</u>	<u>61,857</u>	<u>58,157</u>
(g) Kalbarri Aged Persons Accommodation Reserve			
Opening Balance	215,038	215,038	186,104
Amount Set Aside / Transfer to Reserve	420	20,530	28,935
Transfer from Muni to Reserve	-	9,470	-
	<u>215,458</u>	<u>245,038</u>	<u>215,038</u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
AS AT 31 JULY 2014

6. RESERVES - CASH BACKED (continued)	2015 YTD \$	2015 Budget \$	2014 YTD \$
(h) Northampton Aged Persons Reserve			
Opening Balance	113,894	113,894	106,657
Amount Set Aside / Transfer to Reserve	250	7,300	7,237
Transfer from Muni to Reserve	-	40,000	-
	<u>114,144</u>	<u>161,194</u>	<u>113,894</u>
(i) Town Planning Scheme Reserve			
Opening Balance	12,691	12,691	23,282
Amount Set Aside / Transfer to Reserve	-	600	549
Amount Used / Transfer from Reserve	-	-	(11,140)
	<u>12,691</u>	<u>13,291</u>	<u>12,691</u>
(j) Townscape Car Park Reserve			
Opening Balance	5,758	5,758	5,385
Amount Set Aside / Transfer to Reserve	20	-	372
Amount Used / Transfer from Reserve	-	-	-
	<u>5,778</u>	<u>5,758</u>	<u>5,758</u>
(k) Sport and Recreation Reserve			
Opening Balance	5,955	5,955	5,585
Amount Set Aside / Transfer to Reserve	10	400	370
Amount Used / Transfer from Reserve	-	-	-
	<u>5,965</u>	<u>6,355</u>	<u>5,955</u>
(l) Coastal Management Reserve			
Opening Balance	101,270	101,270	94,627
Amount Set Aside / Transfer to Reserve	190	5,700	6,643
Amount Used / Transfer from Reserve	-	-	-
	<u>101,460</u>	<u>106,970</u>	<u>101,270</u>
(m) Specified Area Rate Reserve			
Opening Balance	3,060	3,060	2,201
Amount Set Aside / Transfer to Reserve	20	700	859
Amount Used / Transfer from Reserve	-	-	-
	<u>3,080</u>	<u>3,760</u>	<u>3,060</u>
(n) Northampton 150th Anniversary Reserve			
Opening Balance	0	0	21,048
Amount Set Aside / Transfer to Reserve	-	-	820
Amount Used / Transfer from Reserve	-	-	(21,868)
	<u>0</u>	<u>0</u>	<u>0</u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE FINANCIAL REPORT
AS AT 31 JULY 2014

RESERVES - CASH BACKED (continued)	2015 YTD \$	2015 Budget \$	2014 YTD \$
(o) Land Development Reserve			
Opening Balance	505,289	505,289	505,289
Amount Set Aside / Transfer to Reserve	526	16,500	
Amount Used / Transfer from Reserve			
	<u>505,815</u>	<u>521,789</u>	<u>505,289</u>
(p) Kalbarri Tennis, Netball & Basketball Courts Reserve			
Opening Balance	-	-	-
Amount Set Aside / Transfer to Reserve	-	90,000	-
Amount Used / Transfer from Reserve	-	-	-
	<u>-</u>	<u>90,000</u>	<u>-</u>
TOTAL CASH BACKED RESERVES	<u>1,266,067</u>	<u>1,520,146</u>	<u>1,264,146</u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

7. NET CURRENT ASSETS	2014/15 YTD Actual \$	Brought Forward 01-Jul \$
Composition of Estimated Net Current Asset Position		
CURRENT ASSETS		
Cash on Hand - Unrestricted	1,350	1,350
Cash - Unrestricted	748,863	537,511
Cash - Restricted	-	564,530
Cash - Reserves Restricted	1,266,067	1,264,147
Rates Outstanding	205,091	211,914
Refuse Charge Debtors	45,424	46,196
Sundry Debtors	259,906	280,778
Emergency Services Levy	43,593	43,784
GST Recievable	14,444	90,462
Provision for Doubtful Debts - Loc 1146 Drage Rd	(4,730)	
Accrued Income / Prepaid Exp	(2,067)	
June Fuel Tax Credit		3,595
Inventories	11,128	11,128
	<u>2,589,071</u>	<u>3,055,395</u>
LESS: CURRENT LIABILITIES		
Less: Cash - Reserves - Restricted	(1,266,067)	(1,264,147)
Payables and Provisions	(65,906)	(463,181)
GST Payable	(98,589)	(57,016)
Adjustment		
Accrued Interest on Debentures	(20,270)	(9,280)
Accrued Expenditure	-	
Accrued Wages and Salaries	-	0
Prepaid Rates		(27,069)
Current Employee Benefit Provision	(443,836)	(443,836)
Add back: component of leave liability not required to be funded	443,836	443,836
	<u>(1,450,833)</u>	<u>(1,820,693)</u>
NET CURRENT ASSET POSITION	<u><u>1,138,239</u></u>	<u><u>1,234,702</u></u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY
STATEMENT OF FINANCIAL ACTIVITY

8. RATING INFORMATION

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2014/15 YTD Rate Revenue \$	2014/15 YTD Interim Rates \$	2014/15 YTD Back Rates \$	2014/15 YTD Total Revenue \$	2013/14 Actual \$
Differential General Rate	0.070383	1,545	19,660,499				0	1,325,613
General GRV	0.010278	455	196,322,235				0	1,912,763
General UV							0	0
Sub-Totals		2,000	215,982,734	0	0	0	0	3,238,376
Minimum Rates	Minimum \$							
General GRV	475	993	5,245,647				0	444,600
General UV	475	55	1,972,394				0	25,200
Sub-Totals		1,048	7,218,041	0	0	0	0	469,800
Specified Area Rates (Note 9)							0	3,708,176
Write-offs							0	14,250
Discounts							0	3,722,426
Totals							0	(12,579)
							0	(157,587)
							0	3,552,259

SHIRE OF NORTHAMPTON

NOTES TO AND FORMING PART OF THE STATEMENT OF FINANCIAL ACTIVITY

FOR THE PERIOD 1 JULY 2014 TO 31 JULY 2014

9. TRUST FUNDS

Funds held at balance date over which the Shire has no control and which are not included in the financial statements are as follows:

	Balance 01-Jul-14 \$	Amounts Received \$	Amounts Paid (\$)	Balance 31-Jul-14 \$
Town Planning - Security Bonds	5,000			5,000
Galena Donations	431			431
Transportable Housing Bond	16,515		(760)	15,755
Footpath Deposits	47,820	500		48,320
Horrocks Retention Fee - Parking/Stage 2	1,800			1,800
Retentions - Subdivisions	164,737			164,737
Building Levies (BCITF & BRB)	7,246	2,788		10,034
Community Bus Bond	4,800			4,800
Safer WA Funds	-			0
Northampton Cemetery Funds	-			0
Unclaimed Monies - Rates	3,049			3,049
Nomination Deposits	320			320
DOLA - Parks & Gardens Development	-			0
Aged Unit Bond	1,606	100		1,706
Council Housing Bonds	1,460			1,460
BROC - Management Funds	1,174			1,174
Kalbarri Youth Space Project Funds	500			500
Burning Off Fees	216			216
RSL Hall Key Bond	650	440		1,090
Peet Park Donations	-			0
Willa Guthurra	-			0
Special Series Plates	1,290	110	(200)	1,200
Auction	-			0
Kidsport	20,555		(520)	20,035
Public Open Space	-			0
ReDone (Kalbarri Park/Beach Shelters)	35			35
NCCA	26,000			26,000
Horrocks Memorial Wall	3,528			3,528
One Life	4,463		(766)	3,697
	<u>313,195</u>			<u>314,888</u>

6.4.3	2014/2015 BUDGET ADOPTION
FILE REFERENCE:	1.1.1
DATE OF REPORT:	13 August 2014
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton
APPENDICES:	1. 2013/2014 ANNUAL BUDGET STATUTORY FORMAT 2. 2013/2014 ANNUAL BUDGET SCHEDULE FORMAT

BACKGROUND:

At the Special Meeting of Council held on the 30th July 2014 Council considered a draft version of the 2014/2015 Budget.

The 2014/2015 statutory budget format and 2014/2015 detailed schedule format have been provided under separate cover.

The statutory budget format for the 2014/2015 financial year is presented as a balanced budget for Council's consideration with a B/Fwd position of \$1,234,702.

The B/Fwd position contains the following items of restricted cash:

Northampton LIA	\$361,000
RRG Funds – Kalbarri Road	\$ 19,120
Roads to Recovery Funds	\$184,410
<u>TOTAL RESTRICTED CASH</u>	\$564,530

As per the Local Government Act 1995 and associated regulations, Council is requested to adopt the budget by absolute majority as per the officer recommendation.

BUDGET AMENDMENTS

There have been no significant changes made to the draft budget adopted by Council at the Special Meeting held on the 30th July 2014 and all budget changes approved by Council at the 30th July 2014 Special Meeting have been included in the 2014/2015 Budget presented for adoption.

VOTING REQUIREMENT:

Absolute Majority Required:

OFFICER RECOMMENDATION – ITEM 6.4.3

That Council in accordance with section 6.2 of the Local Government Act 1995 adopt the 2014/2015 budget as presented inclusive of the following:

Statement of Comprehensive Income

Statement of comprehensive income as detailed on pages 2-4 of the budget for the financial year ending 30 June 2015, showing projected net profit of \$460,240.

Statement of Cash Flows

Statement of Cash Flows detailed on page 5 of the budget for the financial year ending 30 June 2015, showing a projected cash at year end of \$1,535,336.

Rate Setting Statement

Rates Setting Statement detailed on page 6 of the budget for the financial year ending 30 June 2015, showing an Estimated Surplus B/Fwd amount of \$1,234,702 from 2013/2014.

Statutory Budget

Statutory Budget detail for 2014/2015 as presented on pages 7 to 37.

2014/2015 Budget By Schedule Format

Detailed Schedule Budget format for 2014/2015 detailed on pages 1 to 137 of the supplementary information to the budget document showing a projected nil closing current position.

6.4.4	WAIVER OF 2014/2015 RATES
FILE REFERENCE:	1.1.1
DATE OF REPORT:	10 August 2013
DISCLOSURE OF INTEREST:	Nil
REPORTING OFFICER:	Grant Middleton

BACKGROUND:

The following properties are subject to rates as a result of lease agreements between the Shire of Northampton and the lessee. Historically these Clubs/Organisations have not been levied rates.

In accordance, with section 6.47 of the Local Government Act 1995, Council is requested to formally resolve, by an absolute majority, to waive the rates.

- Northampton Bowling Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052, (A1974);
- Northampton Golf Club – Portion of Reserve 23432 and Crown Grant in Trust Volume 1620 Folio 052, (A1974);
- Northampton Community Centre – Portion of Reserve 23432, (A1974);
- The Federation of Western Australian Police and Citizens Youth Clubs Inc – Kalbarri Town Lot 468 Reserve No 35559, (A2457).
- Kalbarri Golf and Bowling Club – part of Reserve No 30953, (A2628);
- Kalbarri Sport and Recreation Club – part of Reserve No 25447, (A4824).
- Kalbarri Occasional Childcare Centre – Lot 233 and 232 Smith Street, Kalbarri, (A1877).
- Edna Bandy Centre – Reserve 2038, Stephen Street Northampton, (A1693)
- Old School Community Centre – Lot 31, Robinson Street Northampton, (A4899)
- Binu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binu, (A3721)
- Pioneer Lodge Inc situated at Lot 7 Robinson Street, Northampton, (A2642)

- Kalbarri Aged Care Units owned jointly by Homeswest and the Shire of Northampton situated at Lot 1001 Hackney Street, (A2941).

VOTING REQUIREMENT:

Absolute Majority Required:

OFFICER RECOMMENDATION – ITEM 6.4.4

That Council in accordance with section 6.47 of the Local Government Act 1995:

Waive the rates on the following lessees:

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 30953;

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

Binnu Tennis Club – Reserve 23699, Northwest Coastal Highway, Binnu

Waive the rates on the following aged care accommodation:

Pioneer Lodge Inc – Lot 7 Robinson Street, Northampton; and

Homeswest and the Shire of Northampton Lot 1001 Hackney Street, Kalbarri.

SHIRE OF NORTHAMPTON
BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

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SHIRE OF NORTHAMPTON
STATEMENT OF COMPREHENSIVE INCOME
BY NATURE OR TYPE
FOR THE YEAR ENDED 30TH JUNE 2015

	NOTE	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
Revenue				
Rates	8	3,805,915	3,552,260	3,576,181
Operating Grants, Subsidies and Contributions		2,004,110	1,540,528	1,254,090
Fees and Charges	11	1,082,451	1,084,954	1,075,622
Service Charges	10	0	0	0
Interest Earnings	2(a)	130,500	144,462	142,500
Other Revenue		146,500	488	56,693
		<u>7,169,476</u>	<u>6,322,692</u>	<u>6,105,086</u>
Expenses				
Employee Costs		(2,593,249)	(2,182,541)	(2,234,685)
Materials and Contracts		(2,284,392)	(2,165,849)	(2,361,944)
Utility Charges		(376,790)	(376,656)	(322,960)
Depreciation on Non-Current Assets	2(a)	(1,663,515)	(1,592,280)	(2,005,044)
Interest Expenses	2(a)	(63,558)	(73,349)	(71,232)
Insurance Expenses		(246,492)	(246,532)	(244,270)
Other Expenditure		(301,030)	(16,384)	(339,361)
		<u>(7,529,026)</u>	<u>(6,653,591)</u>	<u>(7,579,496)</u>
		<u>(359,550)</u>	<u>(330,899)</u>	<u>(1,474,410)</u>
Non-Operating Grants, Subsidies and Contributions		837,790	1,322,457	2,629,369
Profit on Asset Disposals	4	7,000	25,183	51,000
Loss on Asset Disposals	4	<u>(25,000)</u>	<u>(114,081)</u>	<u>(12,500)</u>
NET RESULT		460,240	902,660	1,193,459
Other Comprehensive Income				
Changes on Revaluation of non-current assets		<u>0</u>	<u>0</u>	<u>0</u>
Total Other Comprehensive Income		<u>0</u>	<u>0</u>	<u>0</u>
TOTAL COMPREHENSIVE INCOME		<u>460,240</u>	<u>902,660</u>	<u>1,193,459</u>

Notes:

All fair value adjustments relating to remeasurement of financial assets at fair value through profit or loss and (if any) changes on revaluation of non-current assets in accordance with the mandating of fair value measurement through Other Comprehensive Income, is impacted upon by external forces and is not able to be reliably estimated at the time of budget adoption.

Fair value adjustments relating to the re-measurement of financial assets at fair value through profit or loss will be assessed at the time they occur with compensating budget amendments made as necessary.

It is anticipated, in all instances, any changes upon revaluation of non-current assets will relate to non-cash transactions and as such, have no impact on this budget document.

This statement is to be read in conjunction with the accompanying notes.

SHIRE OF NORTHAMPTON
STATEMENT OF COMPREHENSIVE INCOME
BY PROGRAM
FOR THE YEAR ENDED 30TH JUNE 2015

	NOTE	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
Revenue (Refer Notes 1,2,8 to 13)				
Governance		25,450	33,615	23,650
General Purpose Funding		5,393,095	4,444,654	4,455,227
Law, Order, Public Safety		77,250	118,682	72,764
Health		32,100	34,889	33,300
Education and Welfare		164,060	106,037	55,545
Housing		19,176	36,639	24,096
Community Amenities		809,390	994,278	840,318
Recreation and Culture		38,750	158,851	122,444
Transport		127,795	131,439	149,590
Economic Services		133,795	108,384	142,683
Other Property and Services		157,381	155,222	185,469
		<u>6,978,242</u>	<u>6,322,690</u>	<u>6,105,086</u>
Expenses Excluding				
Finance Costs (Refer Notes 1,2 & 14)				
Governance		(829,156)	(788,760)	(797,608)
General Purpose Funding		(102,300)	(118,778)	(93,580)
Law, Order, Public Safety		(319,871)	(271,084)	(308,602)
Health		(223,952)	(227,628)	(203,467)
Education and Welfare		(189,270)	(121,649)	(75,013)
Housing		(109,194)	(115,250)	(86,689)
Community Amenities		(1,490,170)	(1,358,517)	(1,202,467)
Recreation & Culture		(1,348,799)	(1,345,410)	(1,354,908)
Transport		(2,570,366)	(2,302,854)	(3,208,638)
Economic Services		(216,755)	(165,424)	(200,885)
Other Property and Services		(47,635)	235,113	23,594
		<u>(7,447,468)</u>	<u>(6,580,241)</u>	<u>(7,508,263)</u>
Finance Costs (Refer Notes 2 & 5)				
Recreation & Culture		(6,617)	(6,684)	(4,568)
Transport		(31,118)	(39,935)	(39,935)
Other Property and Services		(25,823)	(26,730)	(26,730)
		<u>(63,558)</u>	<u>(73,349)</u>	<u>(71,233)</u>
Non-operating Grants, Subsidies and Contributions				
Governance				21,000
Law, Order, Public Safety			273,648	10,000
Health		10,000		
Education and Welfare			446	
Community Amenities		10,000		11,200
Recreation & Culture		12,792	204,718	952,931
Transport		964,290	843,645	1,259,238
Other Property and Services		13,942		375,000
		<u>1,011,024</u>	<u>1,322,457</u>	<u>2,629,369</u>
Profit/(Loss) On				
Disposal Of Assets (Refer Note 4)				
Governance			(149)	(5,500)
Law, Order, Public Safety			(1,331)	(7,000)
Health		(500)		
Community Amenities		(4,000)		
Recreation & Culture			(2,959)	
Transport		(13,500)	20,130	51,000
Other Property and Services			(104,588)	
		<u>(18,000)</u>	<u>(88,897)</u>	<u>38,500</u>
NET RESULT		460,240	902,660	1,193,459
Other Comprehensive Income				
Changes on Revaluation of non-current assets				
Total Other Comprehensive Income		<u>0</u>	<u>0</u>	<u>0</u>
TOTAL COMPREHENSIVE INCOME		<u>460,240</u>	<u>902,660</u>	<u>1,193,459</u>

Notes:

All fair value adjustments relating to remeasurement of financial assets at fair value through profit or loss and (if any) changes on revaluation of non-current assets in accordance with the mandating of fair value measurement through Other Comprehensive Income, is impacted upon by external forces and is not able to be reliably estimated at the time of budget adoption.

Fair value adjustments relating to the re-measurement of financial assets at fair value through profit or loss will be assessed at the time they occur with compensating budget amendments made as necessary.

It is anticipated, in all instances, any changes upon revaluation of non-current assets will relate to non-cash transactions and as such, have no impact on this budget document.

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF NORTHAMPTON
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30TH JUNE 2015**

	NOTE	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
Cash Flows From Operating Activities				
Receipts				
Rates		3,805,915	3,552,259	3,576,181
Operating Grants, Subsidies and Contributions		2,004,110	1,540,529	1,254,090
Fees and Charges		1,082,451	1,082,551	1,075,622
Service Charges		0	0	0
Interest Earnings		130,500	144,462	142,500
Goods and Services Tax		350,000	350,000	350,000
Other Revenue		146,500	488	56,693
		<u>7,519,476</u>	<u>6,670,289</u>	<u>6,455,086</u>
Payments				
Employee Costs		(2,593,249)	(2,182,541)	(2,234,685)
Materials and Contracts		(2,284,392)	(2,165,945)	(2,361,944)
Utility Charges		(376,790)	(376,656)	(322,960)
Interest Expenses		(63,558)	(73,349)	(71,233)
Insurance Expenses		(246,492)	(246,532)	(244,270)
Goods and Services Tax		(350,000)	(350,000)	(350,000)
Other Expenditure		(301,030)	60,906	(339,361)
		<u>(6,215,511)</u>	<u>(5,334,117)</u>	<u>(5,924,453)</u>
Net Cash Provided By Operating Activities	15(b)	<u>1,303,965</u>	<u>1,336,172</u>	<u>530,633</u>
Cash Flows from Investing Activities				
Payments for Development of Land Held for Resale	3	(411,665)	(378,455)	(683,912)
Payments for Purchase of Property, Plant & Equipment	3	(1,452,750)	(949,849)	(1,873,471)
Payments for Construction of Infrastructure	3	(1,744,569)	(2,458,185)	(2,314,489)
Non-Operating Grants, Subsidies and Contributions used for the Development of Assets		837,790	1,322,457	2,466,869
Proceeds from Sale of Plant & Equipment	4	146,500	168,955	162,500
Net Cash Used in Investing Activities		<u>(2,624,694)</u>	<u>(2,295,077)</u>	<u>(2,242,503)</u>
Cash Flows from Financing Activities				
Repayment of Debentures	5	(131,207)	(191,277)	(194,433)
Proceeds from Self Supporting Loans		19,734	17,339	47,488
Proceeds from New Debentures	5	600,000	0	0
Net Cash Provided By (Used In) Financing Activities		<u>488,527</u>	<u>(173,938)</u>	<u>(146,945)</u>
Net Increase (Decrease) in Cash Held		<u>(832,202)</u>	<u>(1,132,843)</u>	<u>(1,858,815)</u>
Cash at Beginning of Year		2,367,538	3,500,381	3,614,002
Cash and Cash Equivalents at the End of the Year	15(a)	<u><u>1,535,336</u></u>	<u><u>2,367,538</u></u>	<u><u>1,755,187</u></u>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF NORTHAMPTON
RATE SETTING STATEMENT
FOR THE YEAR ENDED 30TH JUNE 2015**

	NOTE	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
Revenues	1,2			
Governance		25,450	33,466	44,650
General Purpose Funding		1,628,730	906,644	866,796
Law, Order, Public Safety		77,250	390,999	65,764
Health		41,600	34,889	33,300
Education and Welfare		164,060	106,483	55,545
Housing		19,176	36,639	24,096
Community Amenities		815,390	994,278	839,398
Recreation and Culture		51,542	360,610	1,040,533
Transport		932,085	995,214	1,310,628
Economic Services		133,795	108,384	142,683
Other Property and Services		171,323	50,634	510,500
		<u>4,060,401</u>	<u>4,018,240</u>	<u>4,933,893</u>
Expenses	1,2			
Governance		(829,156)	(788,760)	(797,608)
General Purpose Funding		(102,300)	(118,778)	(93,580)
Law, Order, Public Safety		(319,871)	(271,084)	(308,602)
Health		(223,952)	(227,628)	(203,467)
Education and Welfare		(189,270)	(121,649)	(75,013)
Housing		(109,194)	(115,250)	(86,689)
Community Amenities		(1,490,170)	(1,358,517)	(1,202,467)
Recreation & Culture		(1,355,416)	(1,352,094)	(1,359,476)
Transport		(2,601,484)	(2,342,789)	(3,190,169)
Economic Services		(216,755)	(165,424)	(200,885)
Other Property and Services		(73,458)	208,383	(3,136)
		<u>(7,511,026)</u>	<u>(6,653,590)</u>	<u>(7,521,092)</u>
Net Operating Result Excluding Rates		(3,450,625)	(2,635,350)	(2,587,199)
Adjustments for Cash Budget Requirements:				
Non-Cash Expenditure and Revenue				
(Profit)/Loss on Asset Disposals	4	18,000	88,898	(38,500)
Depreciation on Assets	2(a)	1,663,515	1,592,280	2,005,044
Capital Expenditure and Revenue				
Purchase Land Held for Resale	3	(411,665)	(378,455)	(683,912)
Purchase Land and Buildings	3	(718,750)	(159,390)	(1,225,365)
Purchase Infrastructure Assets - Roads	3	(1,662,119)	(1,714,369)	(1,999,739)
Purchase Infrastructure Assets - Parks	3	(82,450)	(743,816)	(314,750)
Purchase Plant and Equipment	3	(719,000)	(757,264)	(604,842)
Purchase Furniture and Equipment	3	(15,000)	(33,195)	(43,264)
Proceeds from Disposal of Assets	4	146,500	168,955	162,500
Repayment of Debentures	5	(131,207)	(191,277)	(194,433)
Proceeds from New Debentures	5	600,000	0	0
Self-Supporting Loan Principal Income		19,734	17,339	47,488
Transfers to Reserves (Restricted Assets)	6	(256,000)	(106,472)	(107,600)
Transfers from Reserves (Restricted Assets)	6	0	50,708	67,143
ADD Estimated Surplus/(Deficit) July 1 B/Fwd	7	1,234,702	2,333,095	1,955,498
LESS Estimated Surplus/(Deficit) June 30 C/Fwd	7	0	1,234,702	
Amount Required to be Raised from General Rate	8	<u>(3,764,365)</u>	<u>(3,703,015)</u>	<u>(3,561,931)</u>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES

(a) Basis of Preparation

The budget has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this budget are presented below and have been consistently applied unless stated otherwise.

Except for cash flow and rate setting information, the budget has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.

In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 16 to this budget document.

(b) 2013/14 Actual Balances

Balances shown in this budget as 2013/14 Actual are as forecast at the time of budget preparation and are subject to final adjustments.

(c) Rounding Off Figures

All figures shown in this budget, other than a rate in the dollar, are rounded to the nearest dollar.

(d) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.

Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(e) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position.

Cash flows are presented on a Gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

(f) Superannuation

The Council contributes to a number of Superannuation Funds on behalf of employees.

All funds to which the Council contributes are defined contribution plans.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(g) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are shown as short term borrowings in current liabilities in the statement of financial position.

(h) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(i) Inventories

General

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Resale

Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.

(j) Fixed Assets

Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Mandatory Requirement to Revalue Non-Current Assets

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Fixed Assets (Continued)

The amendments allow for a phasing in of fair value in relation to fixed assets over three years as follows:

(a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and

(b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government -

(i) that are plant and equipment; and

(ii) that are -

(I) land and buildings; or

(II) infrastructure;

and

(c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.

Thereafter, in accordance with the regulations, each asset class must be revalued at least every 3 years.

In 2013, Council commenced the process of adopting Fair Value in accordance with the Regulations.

Relevant disclosures, in accordance with the requirements of Australian Accounting Standards, have been made in the budget as necessary.

Land Under Control

In accordance with Local Government (Financial Management) Regulation 16(a), the Council was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of state or regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

Whilst they were initially recorded at cost (being fair value at the date of acquisition (deemed cost) as per AASB 116) they were revalued along with other items of Land and Buildings at 30 June 2014.

Initial Recognition and Measurement between Mandatory Revaluation Dates

All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.

In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework detailed above.

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Fixed Assets (Continued)

Revaluation

Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

Transitional Arrangement

During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.

Those assets carried at cost will be carried in accordance with the policy detailed in the **Initial Recognition** section as detailed above.

Those assets carried at fair value will be carried in accordance with the **Revaluation** Methodology section as detailed above.

Land Under Roads

In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.

Depreciation

The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(j) Fixed Assets (Continued)

Major depreciation periods used for each class of depreciable asset are:

Buildings	30 to 50 years
Furniture and Equipment	4 to 10 years
Plant and Equipment	5 to 15 years
Sealed roads and streets	
formation	not depreciated
pavement	50 years
seal	
- bituminous seals	20 years
- asphalt surfaces	25 years
Gravel roads	
formation	not depreciated
pavement	50 years
gravel sheet	12 years
Formed roads	
formation	not depreciated
pavement	50 years
Footpaths - slab	20 years
Sewerage piping	100 years
Water supply piping & drainage systems	75 years

The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.

When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

Capitalisation Threshold

Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.

(k) Fair Value of Assets and Liabilities

When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:

Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(k) Fair Value of Assets and Liabilities (Continued)

As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.

To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

Fair Value Hierarchy

AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1

Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2

Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3

Measurements based on unobservable inputs for the asset or liability.

The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

Valuation techniques

The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:

Market approach

Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(k) Fair Value of Assets and Liabilities (Continued)

Income approach

Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

Cost approach

Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.

(l) Financial Instruments

Initial Recognition and Measurement

Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).

Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.

Classification and Subsequent Measurement

Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or cost.

Amortised cost is calculated as:

- (a) the amount in which the financial asset or financial liability is measured at initial recognition;
- (b) less principal repayments and any reduction for impairment; and
- (c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(I) Financial Instruments (Continued)

The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

(i) *Financial assets at fair value through profit and loss*

Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.

(ii) *Loans and receivables*

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

(iii) *Held-to-maturity investments*

Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.

(iv) *Available-for-sale financial assets*

Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.

(v) *Financial liabilities*

Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(l) Financial Instruments (Continued)

Impairment

A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).

In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.

In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.

For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.

Derecognition

Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

(m) Impairment of Assets

In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.

Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(m) Impairment of Assets (Continued)

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

At the time of adopting this budget, it is not possible to estimate the amount of impairment losses (if any) as at 30 June 2015.

In any event, an impairment loss is a non-cash transaction and consequently, has no impact on this budget document.

(n) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(o) Employee Benefits

Short-Term Employee Benefits

Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Other Long-Term Employee Benefits

Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(p) Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

(q) Provisions

Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(r) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.

(s) Comparative Figures

Where required, comparative figures have been adjusted to conform with changes in presentation for the current budget year.

(t) Budget Comparative Figures

Unless otherwise stated, the budget comparative figures shown in this budget document relate to the original budget estimate for the relevant item of disclosure.

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
2. REVENUES AND EXPENSES			
(a) Net Result			
The Net Result includes:			
(i) Charging as Expenses:			
Auditors Remuneration			
Audit Services	20,550	35,169	18,700
Other Services	6,000	6,990	8,500
 Depreciation			
<u>By Program</u>			
Governance	48,315	49,083	46,300
General Purpose Funding			
Law, Order, Public Safety	43,750	41,580	33,800
Health	35,300	34,081	40,500
Education and Welfare	6,200	6,210	6,200
Housing	38,000	37,931	38,500
Community Amenities	33,800	33,815	38,800
Recreation and Culture	369,350	375,322	382,930
Transport	1,088,000	1,012,601	1,416,214
Economic Services	800	1,655	1,800
Other Property and Services			
	<u>1,663,515</u>	<u>1,592,280</u>	<u>2,005,044</u>
 <u>By Class</u>			
Land and Buildings	385,500	387,957	394,000
Furniture and Equipment	17,500	16,625	25,000
Plant and Equipment	157,000	158,110	563,290
Roads	929,000	852,903	872,724
Footpaths	37,900	36,300	35,000
Drainage	22,000	21,224	22,000
Airports	24,000	22,858	23,000
Parks & Ovals	90,615	96,303	70,030
	<u>1,663,515</u>	<u>1,592,280</u>	<u>2,005,044</u>
 Interest Expenses (Finance Costs)			
- Debentures (<i>refer note 5(a)</i>)	63,558	73,349	71,232
	<u>63,558</u>	<u>73,349</u>	<u>71,232</u>
 (ii) Crediting as Revenues:			
Interest Earnings			
Investments			
- Reserve Funds	66,530	44,334	35,824
- Other Funds	23,470	58,192	54,176
Other Interest Revenue (<i>refer note 13</i>)	40,500	41,936	52,500
	<u>130,500</u>	<u>144,462</u>	<u>142,500</u>

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

2. REVENUES AND EXPENSES (Continued)

(b) Statement of Objective

In order to discharge its responsibilities to the community, Council has developed a set of operational and financial objectives. These objectives have been established both on an overall basis, reflected by the Shire's Community Vision, and for each of its broad activities/programs.

Council operations as disclosed in this budget encompass the following service orientated activities/programs:

GOVERNANCE

The delivery of Councillor services to residents, and all expenses related to such activities.
The management and coordination of the delivery of all services to residents.

GENERAL PURPOSE FUNDING

Administration of general rate revenue and all expenses related to the raising and collection of rates. Administration of general purpose grants received from the Grants Commission.

LAW, ORDER, PUBLIC SAFETY

Supervision and enforcement of various local laws relating to bushfire control & the Bushfires Act.
Supervision of various local laws relating to dogs and ranger services for the care & control of animals. Administration of various local laws relating to camping & other public areas under Council control.

HEALTH

Provision of health inspections, food quality and control, administration of Health local laws and maintenance of Doctors Surgery.

EDUCATION AND WELFARE

Maintenance of Day Care Centres
Facilitation and administration of live in care units for the aged.

HOUSING

Administration and maintenance of staff and rental housing

COMMUNITY AMENITIES

Rubbish collection services, operation of refuse sites, noise control, administration of Town Planning Schemes, maintenance of cemeteries and public conveniences, and storm water drainage maintenance.

RECREATION AND CULTURE

Maintenance of public halls and civic centres, beaches and foreshores, recreation centres and sports ovals, recreational parks and reserves, self help television retransmission services; operation of library services; maintenance of heritage sites and Municipal inventory

TRANSPORT

Construction and maintenance of streets, roads, bridges, drainage and depots; cleaning and lighting of streets; street and directional signage; maintenance of airstrip.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

2. REVENUES AND EXPENSES (Continued)

(b) Statement of Objective (Continued)

ECONOMIC SERVICES

Weed, pest and vermin control. The regulation and provision of tourism, area promotion, building control, standpipes; operation of Port Gregory water supply.

OTHER PROPERTY & SERVICES

Private works and plant hire; plant repairs and operation costs; works manager and staff allowance and training costs.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

3. ACQUISITION OF ASSETS	2014/15 Budget \$
The following assets are budgeted to be acquired during the year:	
<u>By Program</u>	
Governance	
Photocopier - Northampton Office	15,000
Health	
Environmental Health Officer - Vehicle	30,000
Education and Welfare	
Patio - Childcare Building	10,750
Housing	
Construct new staff house - Rake Place	600,000
Community Amenities	
Hampton Gardens Ablutions	60,000
Install Fence around Kalbarri Cemetery	20,000
Planner - Vehicle	42,000
Recreation and Culture	
Replace Power Pole Marina Parkland	7,200
Fish Cleaning Stations (Erection/Plumbing)	15,000
Kalbarri Sport & Rec - Airconditioners	20,000
Lions Park Playground	20,000
Mary Street - Shelter/Seats	6,750
Kings Park - BBQ/Shelter	13,500
Kalbarri Skate Park - Lighting	20,000
Transport	
Road Construction	1,545,241
Footpath Construction	116,878
Tip Truck - Kalbarri 13/14 c/over	120,000
Backhoe (Replace JCB 3CX)	175,000
6 Wheel Tip Truck (Replace Iveco)	220,000
Utility - Northampton Grader Operator	25,000
Utility - Northampton Mntce Leading Hand	37,500
Spreader Boxes inc camera/stand	57,000
3 Point Linkage Broom (Rep Sewell)	12,500
Construct Office for Works Supervisor - Kalbarri Depot	8,000
Other Property and Services	
Northampton Industrial Units	411,665
	<u>3,608,984</u>
<u>By Class</u>	
Land Held for Resale	411,665
Land and Buildings	718,750
Infrastructure Assets - Roads	1,662,119
Infrastructure Assets - Parks and Ovals	82,450
Plant and Equipment	719,000
Furniture and Equipment	15,000
	<u>3,608,984</u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

4. DISPOSALS OF ASSETS

The following assets are budgeted to be disposed of during the year.

<u>By Program</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	2014/15 BUDGET \$	2014/15 BUDGET \$	2014/15 BUDGET \$
EHO Vehicle	10,500	10,000	(500)
Planner Vehicle	14,000	10,000	(4,000)
Tip Truck - Kalbarri	18,000	20,000	2,000
Backhoe (Replace JCB 3CX)	50,000	45,000	(5,000)
Tip Truck 6 Wheel (Replace Iveco)	55,000	60,000	5,000
Utility - Northampton Grader Operator	8,500	0	(8,500)
Utility - Northampton M'tce Leading Hand	8,500	1,500	(7,000)
	164,500	146,500	(18,000)

<u>By Class</u>	Net Book Value	Sale Proceeds	Profit(Loss)
	2014/15 BUDGET \$	2014/15 BUDGET \$	2014/15 BUDGET \$
Health	10,500	10,000	(500)
Community Amenities	14,000	10,000	(4,000)
Transport	140,000	126,500	(13,500)
	164,500	146,500	(18,000)

Summary

	2014/15 BUDGET \$
Profit on Asset Disposals	7,000
Loss on Asset Disposals	(25,000)
	<u>(18,000)</u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

5. INFORMATION ON BORROWINGS

(a) Debenture Repayments

Movement in the carrying amounts of each class of property, plant and equipment between the beginning and the end of the current financial year.

Particulars	Principal 01-Jul-13	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2014/15 Budget \$	2013/14 Actual \$	2014/15 Budget \$	2013/14 Actual \$	2014/15 Budget \$	2013/14 Actual \$
Other Property								
152 - Staff Housing *	402,422		13,942	13,240	388,480	395,638	25,823	26,730
154 - Staff Housing		600,000			600,000			
Recreation & culture								
147 - Kalbarri Bowling Club *	12,104		2,925	1,395	9,179	10,708	567	746
148 - Kalbarri Library Extensions	132,709		22,736	10,724	109,973	121,985	4,890	4,616
151 - Kalbarri Bowling Club *	22,709		2,867	2,705	19,842	20,005	1,160	1,322
Transport								
149 - Plant Purchases	296,987		55,029	51,241	241,958	245,746	16,860	20,943
150 - Plant Purchases	0		0	79,579	0	0	0	3,419
153 - Plant Purchases	390,000		33,708	32,393	356,292	357,607	14,258	15,573
	1,256,931	600,000	131,207	191,277	1,725,724	1,151,689	63,558	73,349

All debenture repayments are to be financed by general purpose revenue with the exception of loans 147, 151 and 152 which are self supporting loans.

Loan 147 & 151 are funded by the Kalbarri Bowling Club.

Loan 152 is funded by the CEO, Mr Garry Keefe.

SHIRE OF NORTHAMPTON

NOTES TO AND FORMING PART OF THE BUDGET

FOR THE YEAR ENDED 30TH JUNE 2015

5. INFORMATION ON BORROWINGS (Continued)

(b) New Debentures - 2014/15

Particulars/Purpose	Amount Borrowed Budget	Institution	Loan Type	Term (Years)	Total Interest & Charges	Interest Rate %	Amount Used Budget	Balance Unspent \$
154 - Staff Housing	600,000	WATC	Fixed	10	0	4.0	600,000	0

(c) Unspent Debentures

Council had no unspent debenture funds as at 30th June 2014 nor is it expected to have unspent debenture funds as at 30th June 2015.

(d) Overdraft

Council has not utilised an overdraft facility during the financial year although an overdraft facility of \$500,000 with the National Bank of Australia does exist. It is not anticipated that this facility will be required to be utilised during 2014/15.

SHIRE OF NORTHAMPTON

NOTES TO AND FORMING PART OF THE BUDGET

FOR THE YEAR ENDED 30TH JUNE 2015

	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
6. RESERVES			
(a) Leave Reserve			
Opening Balance	153,424	100,143	100,143
Amount Set Aside / Transfer to Reserve	5,500	53,281	52,080
Transfer from Muni to Reserve	50,000		
Amount Used / Transfer from Reserve	<u>208,924</u>	<u>153,424</u>	<u>152,223</u>
(b) Roadwork's Reserve			
Opening Balance	49,920	49,920	49,920
Amount Set Aside / Transfer to Reserve	3,000		
Amount Used / Transfer from Reserve	<u>52,920</u>	<u>49,920</u>	<u>49,920</u>
(c) Kalbarri Airport Reserve			
Opening Balance	4,314	20,534	20,533
Amount Set Aside / Transfer to Reserve	200	1,480	1,200
Amount Used / Transfer from Reserve	<u>4,514</u>	<u>(17,700)</u>	<u>(17,700)</u>
		4,314	4,033
(d) Computer and Office Equipment Reserve			
Opening Balance	29,019	27,081	27,081
Amount Set Aside / Transfer to Reserve	2,000	1,938	1,600
Amount Used / Transfer from Reserve	<u>31,019</u>	<u>29,019</u>	<u>0</u>
			28,681
(e) Plant Reserve			
Opening Balance	6,358	5,988	5,989
Amount Set Aside / Transfer to Reserve	400	370	300
Amount Used / Transfer from Reserve	<u>6,758</u>	<u>6,358</u>	<u>6,289</u>
(f) House and Building Reserve			
Opening Balance	58,157	54,539	54,539
Amount Set Aside / Transfer to Reserve	3,700	3,618	3,000
Amount Used / Transfer from Reserve	<u>61,857</u>	<u>58,157</u>	<u>57,539</u>
(g) Kalbarri Ages Persons Accommodation Reserve			
Opening Balance	215,039	186,104	186,104
Amount Set Aside / Transfer to Reserve	20,530	28,935	26,720
Amount Used / Transfer from Reserve			
Transfer from Muni to Reserve	<u>9,470</u>		
	245,039	215,039	212,824
(h) Northampton Aged Persons Reserve			
Opening Balance	113,894	106,657	106,657
Amount Set Aside / Transfer to Reserve	7,300	7,237	6,000
Transfer from Muni to Reserve	40,000		
Amount Used / Transfer from Reserve	<u>161,194</u>	<u>113,894</u>	<u>112,657</u>
Total Reserves C/Fwd	<u>772,225</u>	<u>630,125</u>	<u>624,166</u>

SHIRE OF NORTHAMPTON

NOTES TO AND FORMING PART OF THE BUDGET

FOR THE YEAR ENDED 30TH JUNE 2015

	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
6. RESERVES (Continued)			
Total Reserves B/Fwd	<u>772,225</u>	<u>630,125</u>	<u>624,166</u>
(i) Town Planning Scheme Reserve			
Opening Balance	12,691	23,282	23,282
Amount Set Aside / Transfer to Reserve	600	549	504
Amount Used / Transfer from Reserve		(11,140)	(22,400)
	<u>13,291</u>	<u>12,691</u>	<u>1,386</u>
(j) Townscape Car Park Reserve			
Opening Balance	5,757	5,385	5,385
Amount Set Aside / Transfer to Reserve		372	300
Amount Used / Transfer from Reserve			0
	<u>5,757</u>	<u>5,757</u>	<u>5,685</u>
(k) Sport and Recreation Reserve			
Opening Balance	5,955	5,585	5,585
Amount Set Aside / Transfer to Reserve	400	370	300
Amount Used / Transfer from Reserve			0
	<u>6,355</u>	<u>5,955</u>	<u>5,885</u>
(l) Coastal Management Reserve			
Opening Balance	101,270	94,627	94,627
Amount Set Aside / Transfer to Reserve	5,700	6,643	5,500
Amount Used / Transfer from Reserve			0
	<u>106,970</u>	<u>101,270</u>	<u>100,127</u>
(m) Specified Area Rate Reserve			
Opening Balance	3,060	2,201	2,201
Amount Set Aside / Transfer to Reserve	700	859	700
Amount Used / Transfer from Reserve			
	<u>3,760</u>	<u>3,060</u>	<u>2,901</u>
(n) Northampton 150th Anniversary Reserve			
Opening Balance	0	21,048	21,048
Amount Set Aside / Transfer to Reserve		820	820
Amount Used / Transfer from Reserve		(21,868)	(21,868)
	<u>0</u>	<u>0</u>	<u>0</u>
(o) Land Development Reserve			
Opening Balance	505,289	505,289	505,289
Amount Set Aside / Transfer to Reserve	16,500		
Amount Used / Transfer from Reserve			(10,000)
	<u>521,789</u>	<u>505,289</u>	<u>495,289</u>
(p) Kalbarri Tennis, Netball & Basketball Courts Reserve			
Opening Balance	0		
Amount Set Aside / Transfer to Reserve			
Transfer from Muni to Reserve	90,000		
Amount Used / Transfer from Reserve			
	<u>90,000</u>	<u>0</u>	<u>0</u>
Total Reserves	<u>1,520,147</u>	<u>1,264,147</u>	<u>1,235,439</u>

All of the above reserve accounts are to be supported by money held in the National Bank of Australia.

SHIRE OF NORTHAMPTON

NOTES TO AND FORMING PART OF THE BUDGET

FOR THE YEAR ENDED 30TH JUNE 2015

	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
6. RESERVES (Continued)			
SUMMARY OF RESERVE TRANSFERS			
Transfers to Reserves			
Leave Reserve	55,500	53,281	52,080
Roadwork's Reserve	3,000	0	0
Kalbarri Airport Reserve	200	1,480	1,200
Computer and Office Equipment Reserve	2,000	1,938	1,600
Plant Reserve	400	370	300
House and Building Reserve	3,700	3,618	3,000
Kalbarri Ages Persons Accommodation Reserv	30,000	28,935	26,720
Northampton Aged Persons Reserve	47,300	7,237	6,000
Town Planning Scheme Reserve	600	549	504
Townscape Car Park Reserve	0	372	300
Sport and Recreation Reserve	400	370	300
Coastal Management Reserve	5,700	6,643	5,500
Specified Area Rate Reserve	700	859	700
Northampton 150th Anniversary Reserve	0	820	820
Land Development Reserve	16,500	0	0
Kalbarri Tennis, Netball & Basketball Courts Re	90,000	0	0
	<u>256,000</u>	<u>106,472</u>	<u>99,024</u>
Transfers from Reserves			
Leave Reserve	0	0	0
Roadwork's Reserve	0	0	0
Kalbarri Airport Reserve	0	(17,700)	(17,700)
Computer and Office Equipment Reserve	0	0	0
Plant Reserve	0	0	0
House and Building Reserve	0	0	0
Kalbarri Ages Persons Accommodation Reserv	0	0	0
Northampton Aged Persons Reserve	0	0	0
Town Planning Scheme Reserve	0	(11,140)	(22,400)
Townscape Car Park Reserve	0	0	0
Sport and Recreation Reserve	0	0	0
Coastal Management Reserve	0	0	0
Specified Area Rate Reserve	0	0	0
Northampton 150th Anniversary Reserve	0	(21,868)	(21,868)
Land Development Reserve	0	0	(10,000)
Kalbarri Tennis, Netball & Basketball Courts Re	0	0	0
	<u>0</u>	<u>(50,708)</u>	<u>(71,968)</u>
Total Transfer to/(from) Reserves	<u>256,000</u>	<u>55,764</u>	<u>27,056</u>

In accordance with council resolutions in relation to each reserve account, the purpose for which the reserves are set aside are as follows:

Leave Reserve

- to be used to fund annual and long service leave requirements

Roadworks Reserve

- to be used to fund major reseals of bitumen roads and other major road construction works including footpath construction

Kalbarri Airport

- to be used for the maintenance and construction of the Kalbarri Airport

Computer and Office Reserve Equipment

- to be used for the purchase and upgrade of office equipment and computers

Plant Reserve

- to be used for the purchase of major plant

House and Building Reserve

- to be used for the construction of new housing and upgrades to buildings under Council control

Kalbarri Aged Persons Accommodation

- to be used for the construction of live in aged care facilities in Kalbarri

Northampton Aged Persons Reserve

- to be used for the construction of live in aged care facilities in Northampton

Town Planning Scheme Reserve

- to be used for the review of Council's town planning schemes

Townscape Carpark Reserve

- to be used for the construction of the carpark area in the CBD area adjacent to Porter Street, Kalbarri, this is a Kalbarri Townscape project.

Sport & Recreation Reserve

- to be used for the upgrade and capital works to Sporting and Recreation Facilities within the district.

Coastal Management Reserve

- to be used for the construction of capital works along the foreshore management reserve's within the district.

Specified Area Rate Reserve

- to be used for unspent Specified Area Rate monies allocated and not expended during the financial year.

RESERVES - CASH BACKED (continued)**Northampton 150th Anniversary Reserve**

- to be utilised for the 150th Anniversary for the Northampton Shire in 2014.

Land Development Reserve

- For the development of Council land for sale on the open market.

Kalbarri Tennis, Netball & Basketball Courts Reserve

- For the development of Tennis, Netball and Basketball facilities in Kalbarri.

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

	Note	2014/15 Budget \$	2013/14 Actual \$
7. NET CURRENT ASSETS			
Composition of Estimated Net Current Asset Position			
CURRENT ASSETS			
Cash - Unrestricted	15(a)	0	538,861
Cash - Restricted Reserves	15(a)	1,520,147	1,264,147
Cash - Restricted - Northampton LIA		0	361,000
Cash - Restricted - RRG Kalbarri Road		0	19,120
Cash - Restricted - Roads to Recovery		0	184,410
Rates Outstanding		200,000	211,914
Refuse Charge Debtors		40,000	46,196
Sundry Debtors		70,000	280,778
Emergency Services Levy		40,000	43,784
GST Receivable		30,000	90,462
June Fuel Tax Credit		0	3,595
Inventories		0	11,128
		<u>1,900,147</u>	<u>3,055,395</u>
LESS: CURRENT LIABILITIES			
Sundry Creditors		(300,000)	(463,181)
GST Payable		(50,000)	(57,016)
Prepaid Rates		(30,000)	(27,069)
Debtors - Loan Repayment Credit		<u> </u>	<u>(9,280)</u>
NET CURRENT ASSET POSITION		1,520,147	2,498,849
Less: Cash - Restricted Reserves	15(a)	(1,520,147)	(1,264,147)
Less: Cash - Restricted Municipal		<u> </u>	<u> </u>
ESTIMATED SURPLUS/(DEFICIENCY) C/FWD		<u>0</u>	<u>1,234,702</u>

The estimated surplus/(deficiency) c/fwd in the 2013/14 actual column represents the surplus (deficit) brought forward as at 1 July 2014.

The estimated surplus/(deficiency) c/fwd in the 2014/15 budget column represents the surplus (deficit) carried forward as at 30 June 2015.

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

8. RATING INFORMATION - 2014/15 FINANCIAL YEAR

RATE TYPE	Rate in \$	Number of Properties	Rateable Value \$	2014/15 Budgeted Rate Revenue \$	2014/15 Budgeted Interim Rates \$	2014/15 Budgeted Back Rates \$	2014/15 Budgeted Total Revenue \$	2013/14 Actual \$
General Rate								
General GRV	0.070383	1,545	19,660,499	1,383,765			1,383,765	1,325,613
General UV	0.010278	455	196,322,235	2,017,800			2,017,800	1,912,763
Sub-Totals		2,000	215,982,734	3,401,565	0	0	3,401,565	3,238,376
Minimum Rates	Minimum \$							
General GRV	475	993	5,245,647	471,675			471,675	444,600
General UV	475	55	1,972,394	26,125			26,125	25,200
Sub-Totals		1,048	7,218,041	497,800	0	0	497,800	469,800
Discounts (Note 12)							(135,000)	(170,166)
Total Amount Raised from General Rate							3,764,365	3,538,010
Specified Area Rates (Note 9)							41,550	14,250
Total Rates							3,805,915	3,552,260

All land except exempt land in the Shire of Northampton is rated according to its Gross Rental Value (GRV) in townsites or Unimproved Value (UV) in the remainder of the Shire.

The general rates detailed above for the 2014/15 financial year have been determined by Council on the basis of raising the revenue required to meet the deficiency between the total estimated expenditure proposed in the budget and the estimated revenue to be received from all sources other than rates and also considering the extent of any increase in rating over the level adopted in the previous year.

The minimum rates have been determined by Council on the basis that all ratepayers must make a reasonable contribution to the cost of the Local Government services/facilities.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

9. SPECIFIED AREA RATE - 2014/15 FINANCIAL YEAR

	Rate in \$	Rateable Value	2014/15 Budgeted Revenue \$	Budget Applied to Costs \$	2013/14 Actual \$
Port Gregory Water Supply	0.022692	508,992	11,550	11,550	14250
Kalbarri Tourism Rate	0.0018	16,526,738	30,000	30,000	0
			41,550	41,550	14,250

Port Gregory Water Supply

The specified area rate for the Port Gregory Water Supply is designated for the operation of the Port Gregory water supply. The amount required has been estimated, as the cost to operate the water supply during 2013/2014. There will be no transfer to or from a reserve.

Kalbarri Tourism Rate

The Kalbarri Tourism Specified Area Rate is levied on all rateable Kalbarri Gross Rental Value in accordance with the Kalbarri Town Planning Scheme No 9.

The proceeds of the rate have been applied in full.

10. SERVICE CHARGES - 2014/15 FINANCIAL YEAR

Council does not anticipate raising Service charges for the 2014/2015 Financial Year.

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

	2014/15 Budget \$	2013/14 Actual \$
11. FEES & CHARGES REVENUE		
Governance	11,250	11,433
General Purpose Funding		(1,013)
Law, Order, Public Safety	16,500	15,640
Health	600	560
Education and Welfare	98,560	74,920
Housing	13,676	25,116
Community Amenities	806,740	810,487
Recreation & Culture	14,385	13,557
Transport	3,695	3,140
Economic Services	77,045	74,757
Other Property & Services	40,000	56,357
	<u>1,082,451</u>	<u>1,084,954</u>

12. RATE PAYMENT DISCOUNTS, WAIVERS AND CONCESSIONS
- 2014/15 FINANCIAL YEAR

	Type	Disc %	134 Budget Value \$	144 Actual Value \$
General/Minimum Rates	Discount	5	135,000	157,587
			135,000	157,587

A discount on rates is granted upon full payment of rates within 35 days of the date of service appearing on the rate notice.

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

13. INTEREST CHARGES AND INSTALMENTS - 2014/15 FINANCIAL YEAR

	Interest Rate %	Admin. Charge \$	2014/15 Budget Revenue	2013/14 Actual \$
Interest on Unpaid Rates	10		24,000	26,272
Interest/Charges on Instalments Plan	5	5	15,000	14,610
Deferred Interest - Pensioners			1,500	1,054
			<u>40,500</u>	<u>41,936</u>

Ratepayers had the option of paying rates in four equal instalments, due on 6th October 2014, 8th December 2014, 2nd February 2015 and 7th April 2015. Administration charges and interest applied for the final three instalments.

14. ELECTED MEMBERS REMUNERATION

**2014/15
Budget
\$**

**2013/14
Actual
\$**

The following fees, expenses and allowances were paid to council members, deputy president and president.

Meeting Fees		
President's Allowance	10,000	10,000
Deputy President's Allowance	1,000	1,000
Travelling Expenses	6,100	4,269
Telecommunications Allowance	18,950	18,110
	<u>36,050</u>	<u>33,379</u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

15. NOTES TO THE STATEMENT OF CASH FLOWS

(a) Reconciliation of Cash

For the purposes of the statement of cash flows, cash includes cash and cash equivalents, net of outstanding bank overdrafts. Estimated cash at the end of the reporting period is as follows:

	2014/15 Budget \$	2013/14 Actual \$	2013/14 Budget \$
Cash - Unrestricted	15,189	1,103,391	519,748
Cash - Restricted	1,520,147	1,264,147	1,235,439
	<u>1,535,336</u>	<u>2,367,538</u>	<u>1,755,187</u>

The following restrictions have been imposed by regulation or other externally imposed requirements:

Leave Reserve	208,924	153,424	152,223
Roadworks Reserve	52,920	49,920	49,920
Kalbarri Airport Reserve	4,514	4,314	4,033
Computer & Office Equipment Reserve	31,019	29,019	28,681
Plant Reserve	6,758	6,358	6,289
Housing & Building Reserve	61,857	58,157	57,539
Kalbarri Aged Persons Accommodation	245,039	215,038	212,824
Northampton Aged Persons Reserve	161,194	113,894	112,657
Town Planning Scheme Review Reserve	13,291	12,691	1,386
Townscape Carpark Reserve	5,757	5,758	5,685
Refuse Management Reserve	0	0	0
Sport & Recreation Reserve	6,355	5,955	5,885
Coastal Management Reserve	106,970	101,270	100,127
Kalbarri Youth Activities Reserve	0	0	0
Specified Area Rate Reserve	3,760	3,060	2,901
Footpath Reserve	0	0	0
Northampton Industrial Unit Reserve	0	0	0
Northampton 150th Anniversary Reserve	0	0	0
Land Development Reserve	521,789	0	0
Kalbarri Tennis, Netball & Basketball Courts Reserve	90,000	505,289	495,289
	<u>1,520,147</u>	<u>1,264,147</u>	<u>1,235,439</u>

(b) Reconciliation of Net Cash Provided By Operating Activities to Net Result

Net Result	460,240	902,660	1,193,459
Depreciation	1,663,515	1,592,280	2,005,044
(Profit)/Loss on Sale of Asset	18,000	88,897	(38,500)
(Increase)/Decrease in Receivables	123,000	284,930	88,253
(Increase)/Decrease in Inventories	234	(159)	1,404
Increase/(Decrease) in Payables	50,000	(297,536)	(121,558)
Increase/(Decrease) in Employee Provisions	0	87,557	31,900
Grants/Contributions for the Development of Assets	(1,011,024)	(1,322,457)	(2,629,369)
Net Cash from Operating Activities	<u>1,303,965</u>	<u>1,336,172</u>	<u>530,633</u>

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

(c) Undrawn Borrowing Facilities

Credit Standby Arrangements

Bank Overdraft limit	500,000	500,000	500,000
Bank Overdraft at Balance Date			
Credit Card limit	5,000	5,000	500
Credit Card Balance at Balance Date			
Total Amount of Credit Unused	<u>505,000</u>	<u>505,000</u>	<u>500,500</u>

Loan Facilities

Loan Facilities in use at Balance Date	<u>1,725,724</u>	<u>1,151,689</u>	<u>1,139,069</u>
Unused Loan Facilities at Balance Date	<u>0</u>	<u>0</u>	<u>0</u>

SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015

16. TRUST FUNDS

Funds held at balance date over which the municipality has no control and which are not included in the financial statements are as follows:

Detail	Balance 01-Jul-14 \$	Estimated Amounts Received \$	Estimated Amounts Paid (\$)	Estimated Balance 30-Jun-15 \$
Town Planning - Security Bonds	5,000			5,000
Galena Donations	431		(431)	0
Transportable Housing Bond	16,515		(10,000)	6,515
Footpath Deposits	47,820		(10,000)	37,820
Horrocks Retention Fee - Parking/Stage 2	1,800			1,800
Retentions - Subdivisions	164,737			164,737
Building Levies (BCITF & BRB)	7,246	15,000	(22,246)	0
Community Bus Bond	4,800	1,200	(1,200)	4,800
Safer WA Funds	0			0
Northampton Cemetery Funds	0			0
Unclaimed Monies - Rates	2,829	1,000	(3,829)	0
Nomination Deposits	320		(320)	0
DOLA - Parks & Gardens Development	0			0
Aged Unit Bond	1,606			1,606
Council Housing Bonds	1,460			1,460
BROC - Management Funds	1,174		(1,174)	0
Kalbarri Youth Space Project Funds	500		(1,125)	(625)
Burning Off Fees	216		(216)	0
RSL Hall Key Bond	650	220	(220)	650
Peet Park Donations	0			0
Willa Guthurra	0			0
Special Series Plates	1,290			1,290
Auction	0			0
Kidsport	20,555	5,000	(5,000)	20,555
Public Open Space	0			0
ReDone (Kalbarri Park/Beach Shelters)	35		(35)	0
NCCA	26,000			26,000
Horrocks Memorial Wall	3,528			3,528
One Life	4,463		(4,463)	0
	<u>312,975</u>	<u>22,420</u>	<u>(60,259)</u>	<u>275,136</u>

**SHIRE OF NORTHAMPTON
NOTES TO AND FORMING PART OF THE BUDGET
FOR THE YEAR ENDED 30TH JUNE 2015**

17. MAJOR LAND TRANSACTIONS

Northampton Light Industrial Subdivision

(a) Details

Land owned freehold by Council, has been subdivided on the northern side of Lot 74 Seventh Avenue, Northampton. The construction of 4 industrial units has commenced and will be completed during 2014/2015. The future sale of this land is subject to compliance with grant funding conditions which stipulate that Council is unable to sell for a period of 5 years from the date of completion.

	2014/15 Budget \$	2013/14 Actual \$
(b) Current year transactions		
Operating Revenue		
- Profit on sale	0	0
Capital Revenue		
- Sale Proceeds	0	0
Capital Expenditure		
- Purchase of Land		
- Development Costs	411,665	371,151
	<u><u>411,665</u></u>	<u><u>371,151</u></u>

(c) Expected Future Cash Flows

	2014/15 \$	2015/16 \$	2016/17 \$	2017/18 \$	2018/19 \$	Total \$
Cash Outflows						
- Development Costs	411,665					411,665
- Loan Repayments						0
	411,665	0	0	0	0	411,665
Cash Inflows						
- Grant Funding						0
- Lease Fees		25,000	25,750	26,500	27,000	104,250
	0	25,000	25,750	26,500	27,000	104,250
Net Cash Flows	<u><u>411,665</u></u>	<u><u>25,000</u></u>	<u><u>25,750</u></u>	<u><u>26,500</u></u>	<u><u>27,000</u></u>	<u><u>515,915</u></u>

18. TRADING UNDERTAKINGS AND MAJOR TRADING UNDERTAKINGS

It is not anticipated any trading undertakings or major trading undertakings will occur in 2014/15.

ADMINISTRATION & CORPORATE REPORT

6.5.1	NORTHAMPTON LIGHT INDUSTRIAL UNITS	2
6.5.2	REQUEST TO OPERATE FUN FAIR ON FORESHORE PARKLAND	4
6.5.3	FRIENDS OF THE RAILWAY	9

6.5.1 NORTHAMPTON LIGHT INDUSTRIAL UNITS

LOCATION:	Kitson Circuit, Northampton
FILE REFERENCE:	10.8.2.3
DATE OF REPORT:	4 August 2014
REPORTING OFFICER:	Garry Keffe

SUMMARY:

Council to determine a weekly rent for the four units to allow advice to potential tenants.

BACKGROUND:

The four LIA units are nearing completion. At this stage all four units have now been requested by local businesses to operate from. Units 1 and 2, being the smaller units have been requested by Northampton Auto Electrics. The reason they have requested use of two units is to provide additional undercover and rear storage room.

Unit 3 is being sought after by a local resident, however use is not known at this stage, and Unit 4 is to be leased by BlueStar Contracting to allow him to relocate all his truck maintenance requirements from the premises located in Onslow Street.

COMMENT:

With all four units now being taken up is an excellent result. What needs to be determined is the rent for each.

When funding was sought for the construction of the LIA area and units, one matter that had to be recognised as a condition of the grant is to provide the units at a very cheap rent to allow the relocation of businesses from within residential areas and to also encourage new business's to commence.

In addition as part of the funding agreement, Council cannot sell the land or enter into strata title ownership of the individual units for a period of 5 years from the completion date of the overall development due to the level of funding provided by the state government through the royalties for Regions Program.

To establish a rent is very difficult considering there is nothing in Northampton similar. Northampton Auto Electrics currently pay \$116/week. In Morawa where they have a similar development they now levy \$1,400 per month, but in recent times that Council has had to provide the first six months free, the next six months at half price and then full price after that.

It is recommended that Council consider a rent close to what Northampton Electrics is currently paying.

Also two units have a workshop floor area of 140m² and the other two a workshop floor area of 120m², whether this difference in size should also be taken into calculating the rent is for Council to determine.

As a starting point it is recommended that the rents be \$120 per week irrespective of the size and that rent to commence as soon as the person takes up tenancy.

Lease documents by Council legal advisors have already been prepared for the leasing of both the units and the vacant lots at the development.

FINANCIAL & BUDGET IMPLICATIONS:

No provision for income to be received was made in the 2014/15 Budget as it was not definitely known when all units would have paid tenants therefore income received will be additional income for Council.

STRATEGIC IMPLICATIONS:

Local: Shire of Northampton Planning for the Future 2013-2023

Corporate Business Plan – Development of four light industrial units and a light industrial area.

VOTING REQUIREMENT:

Simple Majority Required

OFFICER RECOMMENDATION – ITEM 6.5.1

That the light industrial units located on Kitson Circuit be leased at a rate of \$120 per unit.

6.5.2	REQUEST TO OPERATE FUN FAIR ON FORESHORE PARKLAND
	<p>LOCATION: Grey Street, Kalbarri</p> <p>FILE REFERENCE: 11.1.7</p> <p>CORRESPONDENT: Tyrone Taylor</p> <p>DATE OF REPORT: 4 August 2014</p> <p>REPORTING OFFICER: Garry Keeffe</p>

SUMMARY:

Council to consider a request for the operation of a fun fair operation for period 26th December to 12th January 2015.

BACKGROUND:

A request has been received from a Tyrone Taylor seeking approval to operate his “fun fair”, which consists of rides, games and food for the period 26th December 2014 to 12th January 2015. The applicant states that the 26th will be set up day with the fun fair operating 27th from 3.00pm to 10.00pm with last day of operation being 11th January, 11.00am to 5.00pm and then pack up on the 12th. He also requests the operating times of 11.00am to 5.00pm on the Sunday.

The applicant states that he has public liability insurance, licence and registration and certificates for the above can be provided on request.

COMMENT:

This applicant was given approval previously and recently in the July 2014 school holidays to operate as requested. Council received very favourable comments on the operations and no complaints were received.

To refresh Council, there are no current *Local Laws* or policy that directly relates to the approval of such operations on the foreshore parkland areas however does have a “trading in public places policy” which states:

Policy Objective

To guide the application of the Council’s Local Law relating to Trading in Public Places.

This Policy does not apply to Itinerant Food Vendors as covered under Part 10 of the Shire of Northampton Health Local Laws 2007 and Policy 8.6 – Conditions of Approval of Itinerant Food Vendors.

Desirability of Trading Activity

Generally, the offering of a service, product or merchandise that is freely available through normal business outlets within a town will not be considered a desirable trading activity, and therefore will not have a licence issued.

However if the trading site is so isolated from those businesses it is deemed that it is not likely to have any significant effect on those businesses, then a licence may still be issued for the activity.

A general test of desirability will be applied to each application in the context of the service or goods to be provided and overall benefit that may be realized from allowing the trade.

Relationship to other Local Laws and Town Planning Scheme

Issue of a Licence under these Local Laws is deemed to also meet the requirements under any other Local Law or the Town Planning Scheme.

Application for Licence

An application shall be in writing and is to include the following information:

- Applicants name and address,
- Details of goods, wares, merchandise and or services to be offered,
- Details of van/vehicle intended to be used for trading. Such vehicle or van will be subject to assessment to see if it of a suitable standard for the purpose proposed,
- Details of area(s) where licence to trade is sought,
- Details of public indemnity insurance provider.

Trading at approved Public Events

The Local Law relating to Trading in Public Places will not apply to events such as market days or similar events approved by the Council.

Approval of places where Trading will be Permitted

A place will only be approved if:

- It affords suitable access and parking for customers;
- It is not going to interfere with access to other facilities and/or businesses, or unduly vehicle parking; and

- Only one licensee is to be approved to operate at any one time. In Kalbarri, the only site where a licence to trade general merchandise and/or services, but not food, in a public place will be issued is in the North-East portion of the Car park opposite the Black Rock Cafe and Murchison Caravan Park.

In the case of Food Vendors they will not be permitted to trade within 300m of any location that is deemed to sell the same or similar product in any locality in the Shire.

Period during which trading will be permitted

Licences will not be issued where it is for periods of greater than;

1. *Three days consecutively, in any consecutive period of seven days, and where the period of trading does not exceed 10 hours on any of those days, or*
2. *For more than 2 hours in any one locality per day over consecutive days.*

Certificate of Currency of Insurance

The applicant before the issue of a trading licence will provide a copy of the certificate of currency of public indemnity insurance.

General Conditions of Licence

All licences will have the following conditions applied unless approval is granted otherwise;

1. *The Licensee shall not display any sign except that incorporated as part of the vehicle. If additional signage is required, only a single sandwich board sign or similar to be located in the immediate vicinity of the approved trading site will be approved.*
 2. *A trader shall:*
 - *Not cause any nuisance,*
 - *Not obstruct pedestrians or vehicles*
 - *Not use any amplification system unless specifically approved by Council*
 - *Keep the immediate trading area in a clean and orderly condition*
 - *Provide receptacles to appropriately dispose of any refuse or other waste generated during the course of trading*
-

- *Not keep any vehicle or other materials on the trading site outside the hours approved for trading unless specific approval has been granted otherwise.*

3. *A trading Licence is not Transferable.*

4. *The licence can be cancelled at any time by Council if there are any breaches of the conditions on the licence or breach of any Local Law of the Council.*

An additional policy in relation to fun fair operations relates to when these operators can remain on Council land, which states:

It is the policy of Council that all groups/organisations that conduct fun/fair/market days etc that includes operations such as food vans, side show entertainment etc, then those operations can enter the land earlier than the eve of the event upon application to the CEO to set up on any Council controlled land and are to vacate the area immediately on the day at the conclusion of the event or the day after the event and can only operate on the day of the event unless otherwise approved by Council.

When applying the above policy to the application it is questionable if the fun fair activity will be in direct competition of local businesses. This would be the case with the provision of food, however but no real conflict in relation to the rides.

COMMUNITY CONSULTATION:

No consultation undertaken.

FINANCIAL & BUDGET IMPLICATIONS:

No financial implications to Council.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.2

That Council approve the application submitted by Tyrone Taylor to operate a fun fair consisting of rides, games and food, to be conducted on the Kalbarri foreshore parkland from 26th December 2014 to 12th January 2015 and the times of operation to be from 3.00pm to 10.00pm, except on Sunday

28th December operating times be 11.00am to 5.00pm and for the period 11th January from 11.00am to 5.00pm and a fee of \$500 for the use of the area apply and all use be subject to current Council policy conditions.

6.5.3

FRIENDS OF THE RAILWAY

LOCATION:	Mary Street, Northampton
FILE REFERENCE:	11.3.3
DATE OF REPORT:	4 August 2014
REPORTING OFFICER:	Garry Keeffe
APPENDICES:	1. Copy of correspondence received

SUMMARY:

Council to consider a request from the Friends of the Railway to reconsider its decision in regards to the proposed relocation of the “Governor Bedford” Rail Car.

BACKGROUND:

Council the July meeting considered a request from the correspondence to relocate a rail car to the Mary Street site. Due to the condition the carriage is in the Council resolved not to approve of the relocation until such time the carriage was upgraded to a an acceptable level.

The group is now requesting that Council reconsider their decision.

COMMENT:

The CEO has responded to the item of correspondence and advised:

“As per my correspondence, the Council considered that the current condition of the rail car is not in a condition that it wishes for it to be relocated to the Mary Street site and this is purely for liability and aesthetic reasons.

In regards to placing items at the Mary Street site, you are required to seek Council approval on all occasions. With the existing stock they were approved in an overall plan you supplied Council. You must remember that the site is Council controlled land and we have a duty of care to all persons who may enter the site and therefore any additions etc must have Councils approval and your group has no sole rights to approve what is placed on the site. This has always been the case.

Where they got the inclination that they could simply place whatever they considered was appropriate on the Mary Street site has never been a direction from the Council or Management.

VOTING REQUIREMENT:

Simple Majority Required:

OFFICER RECOMMENDATION – ITEM 6.5.3

For Council consideration.

APPENDICES 1

Northampton Friends of the Railway Inc.

ICR25516



PO Box 382,
Northampton. WA. 6535
Ph. 08 99341118.

Email: eloisetaylor5@bigpond.com

NORTHAMPTON SHIRE COUNCIL				
File: 11-3-5				
1 AUG 2014.				
Admin	Eng	High Bldg	Town Plan	Planning
CAL				

CEO & Councillors,
PO Box 61
Northampton. 6535.

Dear Garry & Councillors,

Reply to council decision re "Governor Bedford" Rail Car.

We are immensely disappointed with the decision council has come to re the Governors Trailer.

We are interested to know where the assessment came from claiming the vehicle is in a very bad condition. Has the person or persons have the required knowledge to be able to confidently assess items like this?

To our eyes and the members of the Bassendean Rail Heritage groups eyes the exterior of the item is n pretty good condition. With my experience as a conservator of items, this vehicle appears to me as respectable enough for display. Here are other reasons I wish you to consider.:

- (1) with my experience the final decision should be ours as has happened in the last 10 years.
- (2) Eleven items are now on display at Mary Street, all of which have been acquired by this process.
- (3) Four of these items have been restored on site here as an ongoing procedure after collection.
- (4) We have chosen these rail stock items as a voluntary organisation as most other groups here pursue their own wants.
- (5) We have our own agenda of pursuing and acquiring items that suit our purpose for display and recognition of, in this case, historic railways.
- (6) We are well aware of safety requirements needed.
- (7) We consider that councils decision is to authoritative, questioning "The Friends" proven ability in the collection of items.

We have not required council's permission in the past, of what we can and can't collect – we don't think it is necessary now.

"The Friends" have revamped these two former Rail Stations to what you see today.

Recognition has been given at last to the significant role the railways had in the development of this region. Countless hours of volunteer work has gone into these two former rail stations over the last 10 years.

We ask the question – why does it need council authorisation now, when we have proven our collection policy over 10 years has been very successful?

If circumstances had been different and we had sufficient funds ourself to relocate this trailer we would have had no qualms at all relocating this item to Mary Street.

In the event of restoring the trailer as we have done items before, it is so much better to have the vehicle on site. This not only is less costly for us but there is no duplication of crane usage and costs if the item was somewhere located outside of town. Also it would be convenient to my workshop situated nearby.

Conclusion.

We would appreciate it if council would repeal the decision and let us get on with what we do very well which is collecting rare items of historical significance to further enhance our great collection as this item is the only one left of the six built in WA.

**Hopefully you can appreciate our position on this,
Yours Sincerely**

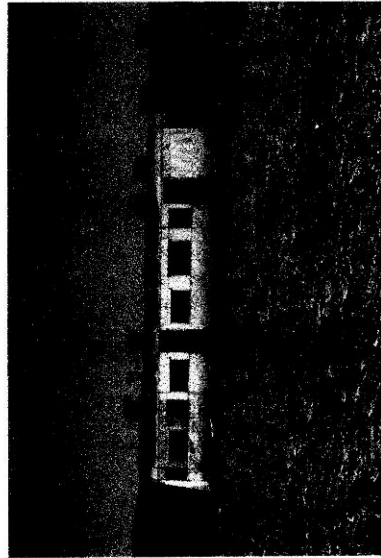


Bob Taylor. President.

Enclosed is a copy of write up about this trailer.

Reg has plans to do some work on the coach so that it can be used (not for accommodation) at the property.

Externally the vehicle looks good and the ceiling and wall panels are in fair condition. There are no seats in the coach but this is the only one of the six Governor railcar vehicles to survive.



The sole surviving Governor Car in a paddock at Northampton on 10 Jan 2005. Photo: Don Finlayson

I have been advised that this vehicle is probably ADT9. Editor

Articles in Preparation

The following articles are in draft for future issues of The WESTLAND. Please contact us if you can help (words and photos) at: kiesey@bigpond.com.au or call on 08 9310 5835.

- Industrial Archeology and the Bibbulmun Track.
- The forgotten Twins – the Design and Building of Claremont and Walkaway Railway Stations.
- The Circus Comes to Town.

The WESTLAND 5 July 2005



By Don Finlayson

A close-up view of the Governor Car at Northampton on 10 Jan 2005. Photo: Don Finlayson

In the February 2003 issue of The WESTLAND I asked if anyone knew the whereabouts of the ADT (Governor Class) railcar trailer that had been for many years at the disused Mary Springs mine site approximately 75kms north of Northampton on the North West Coastal Highway. I had passed through the area during January 2003 and noticed the trailer car had gone.

Phil Melling contacted me to advise that he had called in and the coach was there during the latter part of 2002. Phil also advised that the people who own the land live just across the main road at Mary Springs.

My next trip through the area was on 10 January 2005 and I approached a very helpful lady who informed me that the coach had been removed by one of the co – owners and was now at a property “Northbrook Farmstay” approximately five kilometers north of Northampton on the North West Coastal Highway.

I called in introduced myself to the owner Reg Reynolds and took photos of the coach where it now sits in a paddock near to the farmstay homes.

The WESTLAND 4 July 2005